

**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Tony Olmos, Director of Public Works  
Juan Price, Maintenance Superintendent

**SUBJECT:**

Award Contract to Provide and Install Refurbished Modular Office Furniture to Concept Consultant, Inc. for an Amount Not-to-Exceed \$27,820 (Public Works Director Olmos).

**APPROVE**

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**RECOMMENDATION:**

Staff recommends that the City Council:

1. Award a contract to Concept Consultant, Inc. to provide and install refurbished modular office furniture for an amount not-to-exceed \$27,820, and
2. Authorize the City Manager to approve additional work in an amount not-to-exceed \$2,782 (10%).

**FISCAL IMPLICATIONS:**

There are sufficient funds in previously approved FY14/15 Capital Improvement budget for the Management Services Office Remodel project.

**BACKGROUND:**

It has been a long standing desire to have the City Attorney and his support staff in close proximity to the City Manager and City Council offices for direct and immediate consultation. The current inefficient layout of the Management Services space does not allow for the addition of any additional staff to the space. Due to these constraints, the City Attorney and support staff are located away from this space and adjacent to Human Resources.

In recent years, the City has been proactive in consolidation of departmental staff to improve operational efficiencies. This began with the move of the Engineering Division to the Public Works Corporate Yard and the subsequent move of Information Systems to the vacated Engineering space. Efficient communication and convenient access to peers, managers and

records were clear benefits of those consolidation efforts.

Last year, City Council approved a FY14/15 capital improvement project to move the City Attorney and support staff to the Management Services space. Construction of the improvements has begun and bids were solicited for the modular furniture.

**DISCUSSION:**

The Management Services Department requires proper furnishings to provide a professional, safe and productive work area for the many executive tasks carried out on a daily basis.

Before deciding to purchase modular furniture, staff evaluated the existing furniture to determine if it could be reused within the reconfigured space. Due to size and type variations, it was determined that uniform refurbished furniture would work best and recently completed projects support the current approach.

The City has standardized on Herman Miller Ethoscape modular furnishings throughout City Hall. As specified, the refurbished modular workstations will appear “as-new” at a substantial discount. These furnishings have the distinct advantage of being heavily used in the commercial furnishings business, hence, a large refurbishment industry has developed around this and similar modular systems. Staff has had satisfactory experience with the Ethoscape system concerning durability and reparability.

The modular workstations consist of painted steel and fabric panels, clear privacy panels, and high pressure laminate work surfaces. All power, voice, and data needs are integrated into the workstations to present a neat and professional appearance. Being modular in design, repair parts and accessories such as overhead drawers, filing cabinets, desk spaces, privacy panels, etc., are readily available for upgrades, repair and potential future refurbishment.

Construction Bid Proposals:

This project was advertised for bids in the Beach Reporter, the City’s publisher of record and several standard construction industry publications, including the Dodge Green Sheet. Specifications were provided to potential bidders via the City’s website. A total of 2 bids were received and opened on April 28, 2015.

One bid submittal was rejected as non-responsive since the contractor did not provide the required contractor license. Concept Consultant, Inc.’s bid was reviewed by the Public Works Department and found to be responsive. Additionally, references indicate Concept Consultant, Inc. has the knowledge and capability to complete the work in a timely and acceptable manner.

Authorization of Additional Work:

It is recommended that the City Manager be authorized to approve change orders in an amount not-to-exceed \$2,782 (10% of contract cost) to complete unforeseen additional work. Doing so would expedite completion of the project.

Construction Schedule:

It is estimated that fabrication will begin as soon as fabric and color finishes are finalized and shop drawings reviewed. Planned installation should be completed by August 31, 2015. The contract schedule allows 30 days to fabricate and prepare the modular furniture and 2 to 3 days for installation.

**CONCLUSION:**

The installation of modular office systems and the pending reconfiguration of the Management Services workspace will allow the City Attorney to reside in an area that provides improved access to legal services by the City Council and the City Manager. Staff recommends the City Council award the proposed contract to Concept Consultant, Inc.

Attachment

1. Contract Agreement

**CITY OF MANHATTAN BEACH**  
**A G R E E M E N T**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between the CITY OF MANHATTAN BEACH, a municipal corporation, hereinafter referred to as "CITY" and Concept Consultant, Inc., hereinafter referred to as "CONTRACTOR". City and Contractor hereby agree as follows:

1. That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City, and under the conditions expressed in the three bonds, bearing even date with these presents, and hereunto annexed, the Contractor agrees with the City, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the Specifications to be furnished by said City, necessary to complete in a good, workmanlike and substantial manner the improvements for the: **Provide and Install Modular Workspaces**

in accordance with the specifications and Special Provisions therefor, and also in accordance with the Specifications entitled "Standard Specifications for Public Works Construction, Latest Edition" and all supplements thereto, which said Special Provisions and Standard Specifications are hereby specially referred to and by such reference made a part hereof.

Said work to be done as shown upon the following plans:

**Provide and Install Modular Workspaces Bid No. 1040-5**

2. Said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and doing all the work contemplated and embraced in this Agreement; also for all loss or damage arising out of the nature of the work aforesaid, or from the acts of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City of Manhattan Beach and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work, and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Plans and Specifications, and requirements of the Engineer under them, to wit:

Total Cost: \$27,820.

Total Cost In Writing: Twenty seven thousand eight hundred twenty dollars

3. The complete contract consists of the following documents: This Agreement, Notice to Contractors, the accepted bid, the completed Plans, Specifications and detailed drawings, Performance Bond, Labor and Materials Bond, and Defective Materials, Workmanship and Equipment Bond.

All rights and obligations of City and Contractor are fully set forth and described in the contract documents.

All of the above named documents are intended to cooperate so that any work called for in one and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all said documents.


A G R E E M E N T  
(Continued)

4. The said City hereby promises and agrees with the said Contractor to employ, and does hereby employ the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices aforesaid, and hereby contracts to pay the same at the time, in the manner, and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors, and assigns, do hereby agree to the full performance of the covenants herein contained.

5. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

IN WITNESS WHEREOF, the City has by action of its City Council authorized this Agreement to be executed for and on behalf of the City by its Mayor and attested by its City Clerk, and the Contractor has caused the same to be executed by his duly authorized officer.

Contractor

By   
Its

and

By \_\_\_\_\_  
Its

\_\_\_\_\_  
Address  
1220 Manning Ave.unit 13, Los Angeles, CA 90024  
\_\_\_\_\_

ATTEST:

CITY OF MANHATTAN BEACH

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mark Danaj, City Manager

\_\_\_\_\_  
Public Works Approval

The foregoing agreement is hereby approved by me as to form

\_\_\_\_\_  
City Attorney



**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Marisa Lundstedt, Community Development Director  
Laurie B. Jester, Planning Manager  
Jason Masters, Assistant Planner

**SUBJECT:**

Consideration of the Parking and Public Improvement Commission's Recommendation to Approve a Long-Term Commercial Use Encroachment Permit for Two Eave Mounted Patio Heaters in the Public Right-of-Way at 124 Manhattan Beach Boulevard (BREWCO) (Community Development Director Lundstedt).

**APPROVE**

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**RECOMMENDATION:**

Adopt the Parking and Public Improvement Commission's recommendation to allow two eave mounted patio heaters over the sidewalk in the Public Right-of-Way.

**FISCAL IMPLICATIONS:**

There are no direct fiscal implications resulting from this action.

**BACKGROUND:**

On April 23, 2015 the Parking and Public Improvement Commission held a noticed public meeting for a proposed Long-Term Commercial Use Encroachment Permit to allow two eave mounted patio heaters in the Public Right-of-Way at 124 Manhattan Beach Boulevard (BREWCO). At that meeting, the Commissioners discussed concerns about the application including the potential to create a place for pedestrians to congregate to stay warm on the sidewalk blocking sidewalk access, and aesthetic concerns regarding how much of the proposed improvements would actually be visible. After hearing from the applicant regarding the direction the heaters would be angled, and the minimal visual impact, the Commissioners recommended that the City Council approve the encroachment request.

An encroachment permit was previously issued for an eave and signage over the sidewalk on October 20, 2009. The Community Development Director has the authority to approve

eaves, awnings, signs and similar commercial encroachments administratively. However, patio heaters cannot be approved by staff per Section 7.36.170 of the Manhattan Beach Municipal Code, where commercial use of the public right-of-way requires City Council approval. Chapter 7.36 provides regulations for all Private Use of the Public Right-of-Way. The applicant submitted the request for the heaters on January 29, 2015. The existing eave projects three feet into the public right-of-way; the proposed patio heaters would be attached to the underside of the existing eave within the three foot projection.

**DISCUSSION:**

The submitted plans and application material show the proposed modifications to the existing eave, with the existing sign above the eave and the proposed patio heaters below the eave extending from 15 inches to no more than three feet into the site's existing sloped encroachment area. The 2013 California Building Code Section 3202.2 prohibits encroachments into the public right-of-way below eight feet in height from the sidewalk below, and the proposal provides the required clearance.

The subject site has a single story restaurant with a zero setback on the front property line. This section of Manhattan Beach Boulevard is characterized as a wide street in the western portion of Downtown with wide sidewalks (8 feet) and both high-volume pedestrian and vehicular traffic. Several adjacent businesses also have encroachment permits for eaves, awnings and signs, but none for patio heaters or other similar improvements. The only request for a long-term commercial encroachment was approved by the City Council on April 19, 2011 for a dining balcony over the sidewalk at The Strand House restaurant, across the street from the subject site at 117 Manhattan Beach Boulevard. The encroachment was approved on appeal by the applicant, the same business owner as the subject application. The previously approved encroachment permit application went before the Planning Commission with the Use Permit amendment, and was then sent to the City Council for final action. Although not specifically required by the Code, when the City Council approved this encroachment they considered the findings in Section 7.36.065 and used these for guidance when reviewing the request.

The heaters are proposed over the public sidewalk, but are angled to heat the inside of the restaurant in the front area where there are roll-up garage door type windows that open up the front of the restaurant to the outside. The heaters could be placed on private property but would most likely require modification of the garage door windows and possibly other improvements. The heaters and piping for the gas lines would be visible while walking on the public sidewalk and may distract from the clean edge of the existing eave.

The Municipal Code Section 7.36.170 states that commercial use of the public right-of-way requires City Council approval. Staff's understanding of the purpose of this requirement is to allow the City Council to consider which types of improvements and uses are permissible in the public right-of-way on a case by case basis while considering factors such as sidewalk width, pedestrian and vehicular traffic and the nature of the improvement, as well as the criteria in Section 7.36.065. While the patio heaters will not directly interfere with pedestrian access to the sidewalk, it may encourage customers to loiter outside of the establishment, thus indirectly impeding pedestrian sidewalk flow. If approved a standard Encroachment Permit Agreement, with indemnification and liability insurance will be required and appropriate conditions may be imposed.



**ALTERNATIVE:**

Overturn the Parking and Public Improvement Commission's recommendation and deny the request or add conditions to the approval.

**PUBLIC INPUT:**

A courtesy notice of the City Council meeting was mailed to interested parties, in addition to the Downtown Business and Professional Association and the Chamber of Commerce. Staff has not received any correspondence as of the writing of this report.

**CONCLUSION:**

Staff recommends that the City Council adopt the Parking and Public Improvement Commission's recommendation to approve the request at 124 Manhattan Beach Boulevard (BREWCO) to permit two patio heaters attached to the existing eave in the public right-of-way over the sidewalk.

Attachments:

1. PPIC Draft Minutes- April 23, 2015
2. PPIC staff report and attachments- April 23, 2015

cc: Michael Zislis, Applicant/Business Owner

**CITY OF MANHATTAN BEACH  
PARKING AND PUBLIC IMPROVEMENTS COMMISSION  
MINUTES OF A REGULAR MEETING  
April 23, 2015**

**A. CALL TO ORDER**

The regular meeting of the Parking and Public Improvements Commission of the City of Manhattan Beach, California, was held on the 23rd day of April, 2015, at the hour of 6:34 p.m., in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

**B. ROLL CALL**

Present: Nicholson, King and Apostol.  
Absent: Lipps and Fournier.  
Staff Present: Traffic Engineer Zandvliet.  
Clerk: Kozak.

**C. APPROVAL OF MINUTES**

**04/23/15-1 March 26, 2015**

Approved with no corrections.

**D. AUDIENCE PARTICIPATION**

Chair Nicholson opened the Audience Participation (3-Minute Limit).

None.

**E. GENERAL BUSINESS**

**04/23/15-2 Long-Term Commercial Use Encroachment Permit at 124  
Manhattan Beach Boulevard**

Traffic Engineer Zandvliet introduced Jason Masters, Assistant Planner.

Jason Masters gave a presentation on the Long-Term Commercial Use Encroachment Permit. He stated staff recommends that the P.P.I.C. consider the request at 124 Manhattan Beach Boulevard, (BREWCO) to permit two patio heaters attached to the existing eave in the public right-of-way over the sidewalk. He stated the Commissioners recommendation for the Long-Term Commercial Use Encroachment Permit request would be forwarded accordingly to the City Council for final action.

Chair Nicholson opened the Audience Participation.

### **Audience Participation**

**Michael Zislis, Applicant and Business Owner**, stated he was proud of the design for the installation of the heaters and that they met all of the requirements and codes. He explained the heaters were safe and felt there shouldn't be any problems with the location.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Chair Nicholson said he was ready to vote, Commissioner King and Commissioner Apostol agreed they were too.

**MOTION:** Chair Nicholson made a motion to recommend that the City Council approve the Long-Term Commercial Use Encroachment Permit to allow two patio heaters at 124 Manhattan Beach Blvd. The motion was seconded by Commissioner King.

Ayes: King, Apostol and Nicholson.

Noes: None.

Abstain: None.

Absent: Lipps and Fournier.

### **04/23/15-3 Presentation of South Bay Bicycle Mini-Corral Plan**

Traffic Engineer Zandvliet explained that staff recommends the Commission receive the presentation, hear public comments and discuss the South Bay Bicycle Mini-Corral Plan.

Ryan Johnson, Consultant with Alta Planning + Design gave a presentation on the designs, potential locations and funding of the Bicycle Mini-Corrals.

Chair Nicholson opened the Audience Participation.

### **Audience Participation**

**David Sundius, Manhattan Beach Resident**, said he thought it was a great idea and really liked it.

**Julian Katz, President of the South Bay Bicycle Coalition, Hermosa Beach Resident**, said the intention of these Bicycle Mini-Corrals was to place them in the downtown areas of the cities close to businesses to encourage people to ride their bikes instead of driving a car. He explained that so far they have not taken away any current

parking spaces when the Bicycle Mini-Corrals were installed. He encouraged the Commission to consider the plan.

**James R. Gill, 3017 Valley Drive,** said he thought it was a good idea to use some of the dead space downtown for the Bicycle Mini-Corrals, but he had some concerns about the bikes taking ownership of the road and affecting the flow of traffic. He felt the city should start small when installing the Bicycle Mini-Corrals.

**Bob Ives, 3609 Oak Ave.,** stated he thought it was a good idea but felt the Bicycle Mini-Corrals do need some kind of barriers or striping for the safety of the cyclists. He said he was concerned about the downtown businesses employees taking all the spaces and the lack of turnover of the spaces for the residents use. He asked about enforcement to prevent the bikes from being left for days or even weeks.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Commissioner Apostol asked if there was any feedback from the other cities involved in this plan and who initiates the Grant Program.

Ryan Johnson answered that all the participating cites were excited to get started with the plan. He said the one question he had not heard was the one about leaving the bicycles locked for days at a time. He stated he wasn't sure what could be done to control that if it happened.

Traffic Engineer Zandvliet answered that bicycles fall under the same 72 hour parking law as vehicles, it is an enforceable law and the bicycle could be removed if necessary. Traffic Engineer Zandvliet then answered Commissioner Apostol's question in regards to the Grant Program saying it would be himself who would apply for any Grants.

Chair Nicholson asked if this type of idea for bicycles is going to carry over to the new Mall design.

Laurie Jester, Planning Manager who was in attendance answered yes there are very detailed conditions that require bicycle access and facilities within the Mall design.

The Commissioners and Traffic Engineer Zandvliet thanked Ryan Johnson for his presentation and said that all the information would be forwarded to the City Council for review and their ultimate approval.

### **04/23/15-4 Review of Proposed Fiscal Year 2015-16 Capital Improvements Plan**

Traffic Engineer Zandvliet introduced Tony Olmos, Director of Public Works who recommended that the Commission review the proposed Fiscal Year 2015-16 Capital Improvement Plan and provide comments that will be forwarded to the City Council.

Tony Olmos then introduced Joe Parco, City Engineer who gave an in-depth presentation on the Capital Improvement Plan.

### **Commission Discussion**

Chair Nicholson thanked Tony Olmos and Joe Parco for a great job on a very detailed report.

Traffic Engineer Zandvliet said the Commissioner's questions and comments were noted and would be included and incorporated in the City Council Report.

Chair Nicholson opened the Audience Participation.

### **Audience Participation**

**James R. Gill, 3017 Valley Drive,** commented that he was looking forward to almost a brand new City over the next five years.

Chair Nicholson closed the Audience Participation.

### **04/23/15-5 Consider Traffic Calming Measures at Valley Drive/Oak Avenue/35th Street**

Traffic Engineer Zandvliet gave his presentation and recommended that the Commission approve a motion to recommend that the City Council approve the installation of a temporary single point intersection with a center median island (Concept G) at the intersection of Valley Drive/Oak Avenue/35th Street on a trial basis.

Chair Nicholson opened the Audience Participation.

### **Audience Participation**

**Bob Ives, 3609 Oak Ave.,** said he was confused on what was trying to be accomplished. He explained that there has never been an accident at that intersection. He said he agreed with the residents who live at Ross Manhattan Terrace Senior Apartments that it is very hard to get out of their driveway onto Valley Drive, but the changes that are suggested look like grid lock and very confusing and will not do anything to help the senior apartments.

**Anne Rose, 3525 Elm Ave.,** stated she is against a stop sign and felt the city needs to work with the Ross Manhattan Terrace Senior Apartments to try and increase the visibility to make it safer for them to exit their driveway.

**James R. Gill, 3017 Valley Drive,** commented that he was not even aware of the issue and thought the City should do better on notification to the residents. He said he was not in favor of a stop sign or anything that kept the intersection from being free flowing. He explained that he does want to see something done to help with the visibility for the seniors to exit their driveway. He said he liked the left turn and thought signage would help.

**Fran Schiff, 3504 Pine Ave.,** said she is not in favor of a stop sign, but she did like some of the ideas presented by Traffic Engineer Zandvliet.

**Bonney Larson, 3524 Elm Ave.,** said she is not in favor of a stop sign because it would back up traffic and cause to many other problems.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Commissioner King said it seemed that most of the residents are not in favor of a stop sign, but are in favor of the left hand turn lane and the median.

Commissioner Apostol agreed with what Commissioner King recommended, that being the left hand turn lane and the median.

Chair Nicholson stated he felt there wasn't enough being talked about to help the seniors issue of not being able to exit their driveway safely. He said he wanted to be sure that whichever Concept the Commission decides on, it will help their issue.

The Commissioners and Traffic Engineer Zandvliet discussed different elements within Concepts A-G provided by Traffic Engineer Zandvliet. All the Commissioners agreed to use several measures from Concepts A-G to help with the traffic calming on Valley Drive.

**MOTION:** Chair Nicholson made a motion to recommend that the City Council approve the installation of; a crosswalk at Oak Avenue/35th Street, a bump out near the Ross Manhattan Terrace, a left hand turn lane at Valley Drive going North to Oak Avenue, a median from Sepulveda Boulevard to Oak Avenue and a speed awareness sign. The motion was seconded by Commissioner King.

Ayes: King, Apostol and Nicholson.

Noes: None.

Abstain: None.

Absent: Lipps and Fournier.

## **F. OTHER ITEMS**

### **04/23/15-6 Monthly Revenue and Expenditure Reports: Receive and File.**

Received and Filed.

**04/23/15-7 Commission Items**

None.

**04/23/15-8 Staff Follow-up Items**

Traffic Engineer Zandvliet explained the temporary parking permit plan that he came up with per the Commissioners direction at the March 26th meeting until the Commission and the City Council establish a policy for the Downtown Residential Override Parking Program. Traffic Engineer Zandvliet said that staff sent notices to the south end walkstreet residents notifying them they could apply for a temporary parking permit that would be valid until Labor Day. He stated the permits are free, the requestor must show proof of residence, the temporary permits are issued on a case by case as needed basis and they allow the permit holder to park on the streets that have posted parking restrictions.

**G. ADJOURNMENT**

The meeting was adjourned at **9:20 p.m.** to the regular Parking and Public Improvements Commission Meeting on Thursday, April 23, 2015, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

**CITY OF MANHATTAN BEACH  
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**TO:** Parking and Public Improvements Commission

**FROM:** Marisa Lundstedt, Director of Community Development  
Erik Zandvliet, Traffic Engineer

**BY:** Jason Masters, Assistant Planner

**DATE:** April 23, 2015

**SUBJECT:** Consideration of a Long-Term Commercial Use Encroachment Permit to allow two patio heaters attached to the existing eave in the Public Right-of-Way over the sidewalk – 124 Manhattan Beach Blvd. (BREWCO)

**RECOMMENDATION:**

Staff recommends that the Commission **consider** the request at 124 Manhattan Beach Boulevard (BREWCO) to permit two patio heaters attached to the existing eave in the public right-of-way over the sidewalk.

**BACKGROUND:**

An encroachment permit was issued for an eave and signage over the existing sidewalk in the public right-of-way in front of the subject property on October 20, 2009 in the location shown on the attached Vicinity Map. (Attachment A) The Community Development Director has the authority to approve eaves, awnings, signs and similar commercial encroachments administratively. Recently, the applicant filed an Encroachment Permit application to request approval for two patio heaters. Upon submitting the Encroachment Permit, Planning Division staff informed the applicant that such improvements cannot be permitted by staff and require City Council action. The applicant then submitted a Long-Term Commercial Use Encroachment Permit on January 29, 2015. (Attachment B) Per Section 7.36.170 of the Manhattan Beach Municipal Code, commercial use of the public right-of-way requires City Council approval, and Chapter 7.36 provides regulations for all Private Use of the Public Right-of-Way. (Attachment C) The existing eave projects three feet into the public right-of-way; the proposed patio heaters would be attached to the underside of the existing eave within the three foot projection.

**DISCUSSION:**

The submitted plans (Attachment D) show the proposed modifications to the existing eave, with the existing sign above the eave and the proposed patio heaters below the eave extending from 15 inches to no more than three feet into the site's existing sloped encroachment area. The 2013 California Building Code Section 3202.2 prohibits encroachments into the public right-of-way below eight feet in height from the sidewalk below, and the proposal does provide the required eight-foot clearance above the sidewalk.



The subject site has a single story restaurant with a zero setback on the front property line. This section of Manhattan Beach Boulevard is characterized as a wide street in the western portion of Downtown with wide sidewalks (8 feet) and both high-volume pedestrian and vehicular traffic. Several adjacent businesses also have encroachment permits for eaves, awnings and signs, but none for patio heaters or other similar improvements. The only long-term commercial encroachment that has been requested, and approved by the City Council on April 19, 2011, is for a dining balcony over the sidewalk at The Strand House restaurant, across the street from the subject site at 117 Manhattan Beach Boulevard. The encroachment was approved on an appeal by the applicant, the same business owner as the subject application. This encroachment permit application went before the Planning Commission with the Use Permit amendment, and was then sent to the City Council for final action. Although not specifically required by the Code, when the City Council approved this encroachment they considered the findings in Section 7.36.065 and used these for guidance when reviewing the request.

The heaters are proposed over the public sidewalk, but are angled to heat the inside of the restaurant in the front area where there are roll-up garage door type windows that open up the front of the restaurant to the outside. The heaters could be placed on private property but would require modification of the garage door windows and possibly other improvements. The heaters and piping for the gas lines would be visible while walking on the public sidewalk and may distract from the clean edge of the existing eave.

The Municipal Code Section 7.36.170 states that commercial use of the public right-of-way requires City Council approval. Staff's understanding of the purpose of this requirement is to allow the City Council to consider which types of improvements and uses are permissible in the public right-of-way on a case by case basis while considering factors such as sidewalk width, pedestrian and vehicular traffic and the nature of the improvement, as well as the criteria in Section 7.36.065. While the patio heaters will not directly interfere with pedestrian access to the sidewalk, it may encourage customers to loiter outside of the establishment, thus indirectly impeding pedestrian sidewalk flow. If approved a standard Encroachment Permit Agreement, with indemnification and liability insurance will be required (Attachment E) and appropriate conditions may be imposed.

#### Public Input

A courtesy notice of the Parking and Public Improvement Commission meeting was mailed to all property owners within a 300 feet radius from the subject encroachment property in addition to the Downtown Business and Professional Association and the Chamber of Commerce. Staff has not received any correspondence as of the writing of this report.

#### CONCLUSION:

Staff recommends that the Parking and Public Improvement Commission consider the request at 124 Manhattan Beach Blvd. (BREWCO) to permit two patio heaters attached to the existing eave in the public right-of-way over the sidewalk. The Commission's recommendation for the Long-Term Commercial Use Encroachment Permit request will be forwarded accordingly to the City Council for final action.

**Attachments:**

- A. Vicinity Map**
- B. Encroachment Permit Application**
- C. Encroachment Permit Code- Chapter 7.36**
- D. 2013 CBC Chapter 32 – Encroachments into the Public Right-of-Way**
- E. Encroachment plans**
- F. Example Encroachment Permit Agreement**

**cc:**

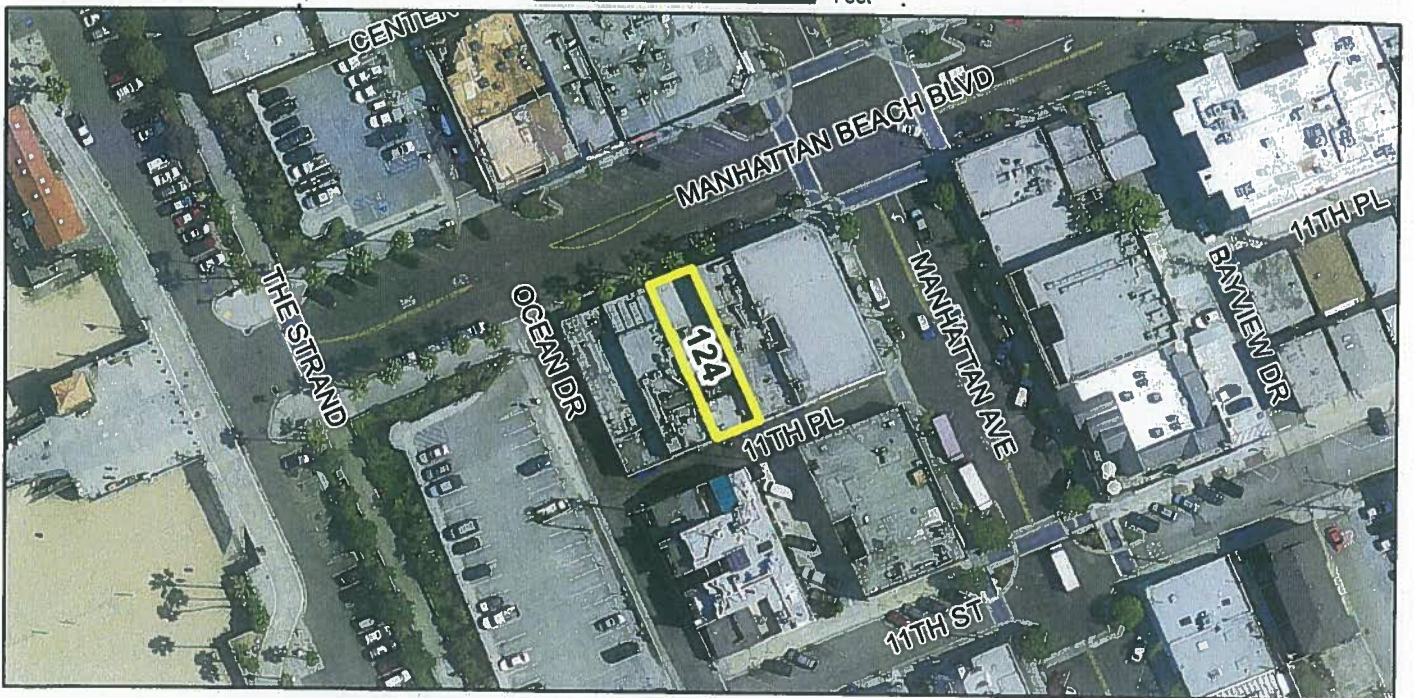
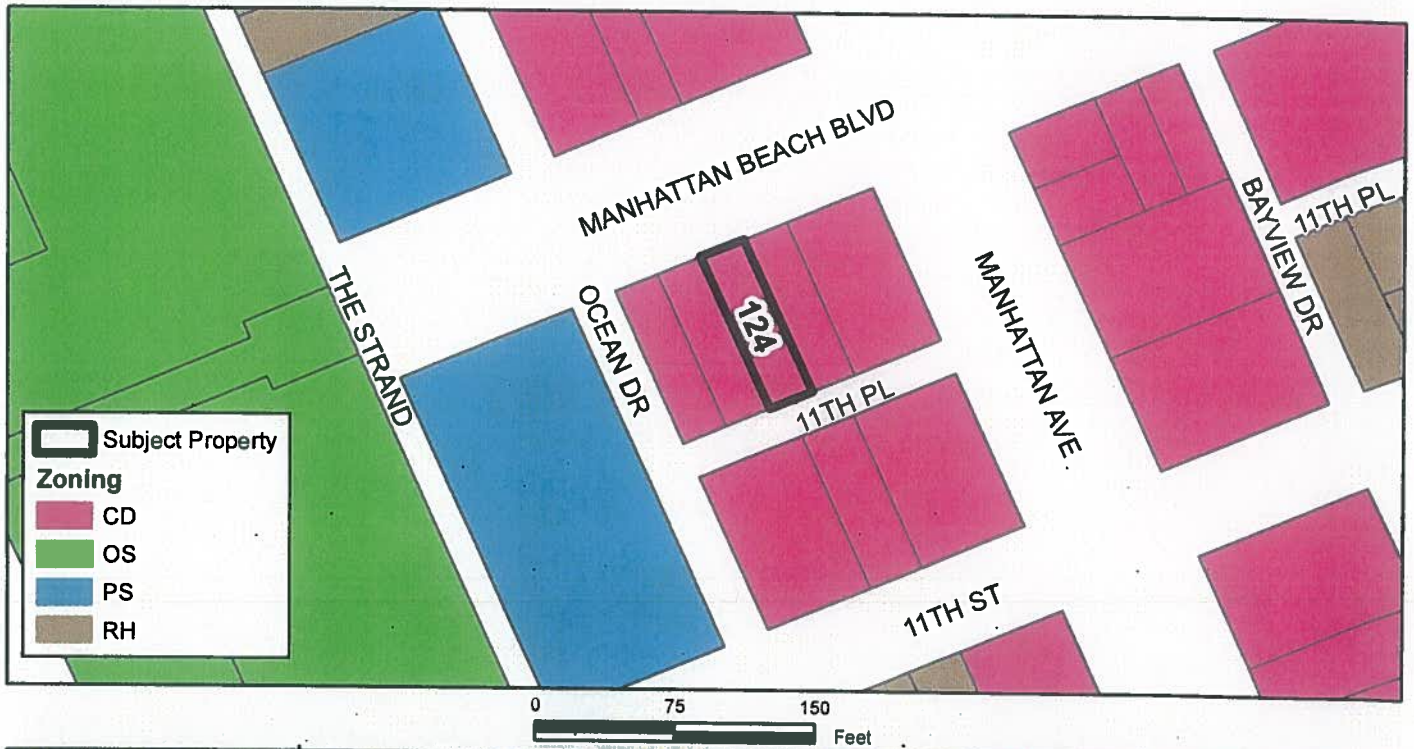
**Michael Zislis, Applicant/Business Owner**

# Vicinity Map

## 124 Manhattan Beach Blvd



April 15, 2015





ENCROACHMENT PERMIT APPLICATION
Chapter 7.36 MBMC

Manhattan Beach City Hall 1400 Highland Avenue Manhattan Beach, CA 90266
Telephone (310) 802-5500 FAX (310) 802-5501 TDD (310) 546-3501

Applicant/Agent-Name/number Michael Zisles Date 1/29/15
Owners MAILING Address 124 Manhattan Beach Blvd Phone # (310) 704-8507
City: M.B. State: CA Zip: 90266 E-mail ZISLES@comcast.net

PROJECT Address Same as Above
Encroachment Located on M.B. Blvd Street, Avenue, etc. (If on more than one street, note both)
Name(s) of LEGAL OWNER(s) (AS SHOWN ON TITLE) David Zisles & Michael Zisles

Proposed Encroachment (Check all that apply and describe)
[ ] Deck/Patio [ ] Fence/Wall
[ ] Walkway/landings [ ] Steps [ ] Landscaping
[ ] Irrigation (Plumbing permit required) [ ] Lighting/Electrical (Electrical Permit Required) [ ] Other (Describe)
Patio heater

Owner certifies he/she has read the standard Encroachment Permit Standards, shall comply with said Standards, and shall not commence the construction of any private improvements in the public right of way without proper approval by the Community Development Department. This Encroachment Permit shall be valid for six (6) months after issuance. Additionally, a right-of-way permit shall be required for all work in the public right-of-way.

Signature (s) [Handwritten Signature]

Table with Fee Schedule: Permit Application (\$1,495.00), Permit Transfer or Minor Revision (\$700.00), Permit Appeal to PPIC (\$500.00), Permit Fee (4502), Total: \$500.00

For Office Use Only:

Legal Description
Map Book Page (s) APN
Bldg Permit # (if applicable) New House: Yes No

Comments/Notes: Water Main location:
Sewer Main location:
Public Works OK: Yes No
Agreement Submitted: Yes No Insurance Submitted: Yes No
Other:

Approved / Denied Date
Community Development Department

**Chapter 7.36 - PRIVATE USE OF THE PUBLIC RIGHT OF WAY – RELEVANT EXCERPTS**  
**Sections:**

**7.36.010 - Scope and intent.**

The provisions of this chapter shall govern use of the public right of way by private parties. The intent of these standards is to allow private use and development of the public right of way with improvements that are functional, attractive and non-obtrusive to the public, consistent with building safety and public works standards, and compatible with public facilities and surrounding developments.

**7.36.030 - Permit required.**

It shall be a violation of this chapter for any person to construct, create, occupy or use an encroachment in the public right of way without an encroachment permit. To the extent permitted by law the issuance of such a permit shall be discretionary and may be denied or revoked without cause. Application of this chapter shall include, but not be limited to, private improvements, long-term commercial use and commercial sidewalk dining, temporary access for installation of private street improvements and all other intrusions into the public right of way whether temporary or permanent. The City Council may, from time to time, by resolution set fees for issuance of encroachment permits authorized by this chapter.

**7.36.060 - Permit conditions.**

**A. Discretionary Conditions.** The Director of Community Development shall have the authority to condition or restrict the permit in any way which shall protect the public health and welfare. The Director of Community Development reserves the right to require phasing of construction projects or limit the hours of construction to reduce the adverse impacts on the public health, safety and welfare. The Director of Public Works has the authority to approve or reject a method of excavation or other construction methodology.

**B. Mandatory Conditions.** In granting an encroachment permit under the provisions of this chapter, the following conditions, in addition to any other conditions deemed necessary or advisable, shall be imposed:

1. That the encroachment shall be removed or relocated by the permittee at no cost to the City upon thirty (30) days' written notice to the permittee from the City, and should any cost be incurred by the City in the removal of such encroachment, such cost shall be a lien upon the permittee's adjacent real property;
2. That the encroachment and permit restrictions, conditions or limitations serving the adjoining property shall be recorded as a covenant, and shall be binding upon all heirs, successors, assigns, executors, or administrators in interest. The covenant shall be disclosed whenever title is transferred;
3. That a certificate of insurance in amounts and form satisfactory to the City Risk Manager shall be filed with the City upon the granting of the encroachment and shall be maintained in good standing at all times so long as the encroachment exists, releasing the City from any and all liability whatsoever in the granting of such encroachment.
4. That the applicant shall expressly agree to each of the conditions imposed, including any which may be in addition to the foregoing, as a prerequisite to the granting of the encroachment by the City.

5. That encroachments involving commercial uses shall pay an established annual or monthly fee to be set by resolution of the City Council and to be based upon the market value of the property being occupied.
6. That in cases where an encroachment is adjacent to a private property common area governed by a Homeowners Association (as in the case of an airspace condominium) the Homeowners Association shall be the applicant and subject to all permit requirements. The permit requirements shall be included as conditions of the project subdivision map and included in the covenants, conditions and restrictions (C, C and R's) recorded for the project.

**7.36.105 - Restoration of public right of way.**

Upon completion of the encroachment work authorized by a permit, the permittee shall restore the right of way or street by replacing, repairing or rebuilding it in accordance with the specifications or any special requirement included in the permit, but not less than to its original condition before the encroachment work was commenced and in all cases in good usable quality. The permittee shall remove all obstructions, materials and debris upon the right of way and street, and shall do any other work necessary to restore the right of way and street to a safe and usable condition, as directed by the Director of Public Works. Where excavation occurs within areas already paved, the Director of Public Works may require temporary paving to be installed within four hours after the excavation area is backfilled. In the event that the permittee fails to act promptly to restore the right of way and/or street as provided in this section, or should the nature of any damage to the right of way or street require restoration before the permittee can be notified or can respond to notification, the Director of Public Works may, at his or her option, make the necessary restoration and the permittee shall reimburse the City for the full cost of such work, and such cost shall be a lien upon the permittee's adjacent real property.

**7.36.150 - Encroachment standards.**

**A. General Standards:**

1. Structures as defined by the City's Building Code or other encroachments are prohibited from encroaching within the public right of way unless in compliance with these standards or approved by the City Council.
2. Landscaping is permitted without an encroachment permit in accordance with an approved landscape plan pursuant to Section 7.32.080(E) of the Municipal Code. Artificial landscape materials, except artificial turf grass approved by the Director of Community Development, are prohibited.
3. Utility obstructions shall be avoided so as to maintain access to underground utilities. A minimum of thirty inches (30") of clearance is required on each side of all water and sewer mains, unless otherwise approved by the Director of Public Works.
4. Drainage from a private collection system that discharges a concentrated flow shall be directed to a vehicular street or alley pursuant to Public Works Department construction standards and shall be prohibited from flowing onto a public pedestrian walkway or sidewalk. A drainage plan shall be provided with an application for an encroachment permit.
5. All encroachments shall be in conformance with Title 5, Chapter 5.84 of the Municipal Code pertaining to storm water pollution control.
6. Obstructions to neighboring resident's scenic views shall be avoided.
7. Steps and Stairs, other than risers between four and seven inches (4" to 7") in height and spaced a minimum of three feet (3') apart, are not permitted in the public right of way. Exception. One (1) set of steps comprised of three (3) consecutive risers is permitted provided a condition does not result that requires installation of a guardrail or handrail.

8. Existing improvements which do not conform to current standards must be removed or brought into conformance if the related structure on the adjoining property is significantly remodeled or reconstructed or if any new significant construction is proposed in the public right of way. Existing permitted improvements that have been made non-conforming by changes to these standards may otherwise remain provided any nonconforming element is not increased or expanded. The intent is to cause nonconforming encroachments to be brought into conformity concurrent with major alterations or entirely new structures constructed on adjoining private property.
9. Routine maintenance and repair may be performed on a nonconforming encroachment structure or improvement and replacement with a comparable improvement is permitted upon demonstration that the encroachment is deteriorated and creating an unsafe condition.

**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 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.

## CHAPTER 32

# ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

### SECTION 3201 GENERAL

**3201.1 Scope.** The provisions of this chapter shall govern the encroachment of structures into the public right-of-way.

**3201.2 Measurement.** The projection of any structure or portion thereof shall be the distance measured horizontally from the lot line to the outermost point of the projection.

**3201.3 Other laws.** The provisions of this chapter shall not be construed to permit the violation of other laws or ordinances regulating the use and occupancy of public property.

**3201.4 Drainage.** Drainage water collected from a roof, awning, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface.

### SECTION 3202 ENCROACHMENTS

**3202.1 Encroachments below grade.** Encroachments below grade shall comply with Sections 3202.1.1 through 3202.1.3.

**3202.1.1 Structural support.** A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the lot lines, except that the footings of street walls or their supports which are located not less than 8 feet (2438 mm) below grade shall not project more than 12 inches (305 mm) beyond the street lot line.

**3202.1.2 Vaults and other enclosed spaces.** The construction and utilization of vaults and other enclosed spaces below grade shall be subject to the terms and conditions of the applicable governing authority.

**3202.1.3 Areaways.** Areaways shall be protected by grates, guards or other approved means.

**3202.2 Encroachments above grade and below 8 feet in height.** Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in Sections 3202.2.1 through 3202.2.3. Doors and windows shall not open or project into the public right-of-way.

**3202.2.1 Steps.** Steps shall not project more than 12 inches (305 mm) and shall be guarded by approved devices not less than 3 feet (914 mm) in height, or shall be located between columns or pilasters.

**3202.2.2 Architectural features.** Columns or pilasters, including bases and moldings shall not project more than 12 inches (305 mm). Belt courses, lintels, sills, architraves, pediments and similar architectural features shall not project more than 4 inches (102 mm).

**3202.2.3 Awnings.** The vertical clearance from the public right-of-way to the lowest part of any awning, including valances, shall be not less than 7 feet (2134 mm).

**3202.3 Encroachments 8 feet or more above grade.** Encroachments 8 feet (2438 mm) or more above grade shall comply with Sections 3202.3.1 through 3202.3.4.

**3202.3.1 Awnings, canopies, marquees and signs.** Awnings, canopies, marquees and signs shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, marquees and signs with less than 15 feet (4572 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from the building. Stanchions or columns that support awnings, canopies, marquees and signs shall be located not less than 2 feet (610 mm) in from the curb line.

**3202.3.2 Windows, balconies, architectural features and mechanical equipment.** Where the vertical clearance above grade to projecting windows, balconies, architectural features or mechanical equipment is more than 8 feet (2438 mm), 1 inch (25 mm) of encroachment is permitted for each additional 1 inch (25 mm) of clearance above 8 feet (2438 mm), but the maximum encroachment shall be 4 feet (1219 mm).

**3202.3.3 Encroachments 15 feet or more above grade.** Encroachments 15 feet (4572 mm) or more above grade shall not be limited.

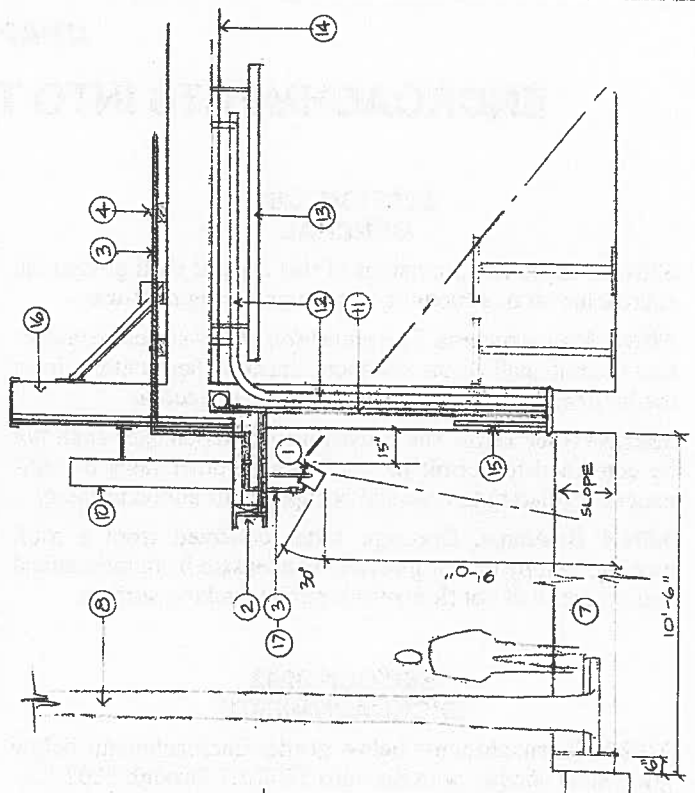
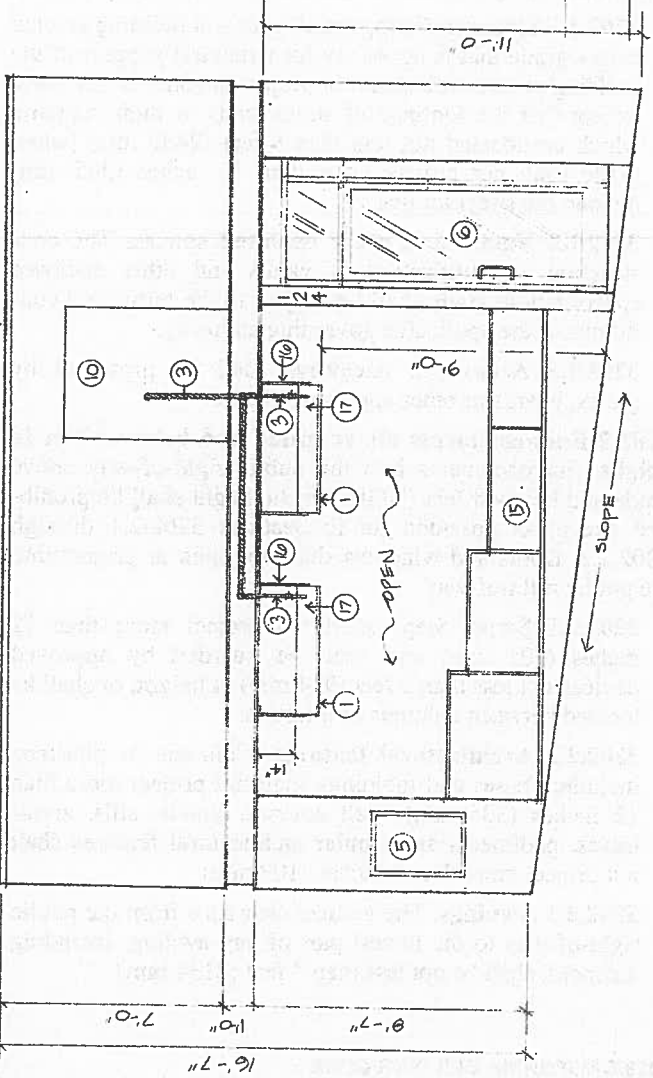
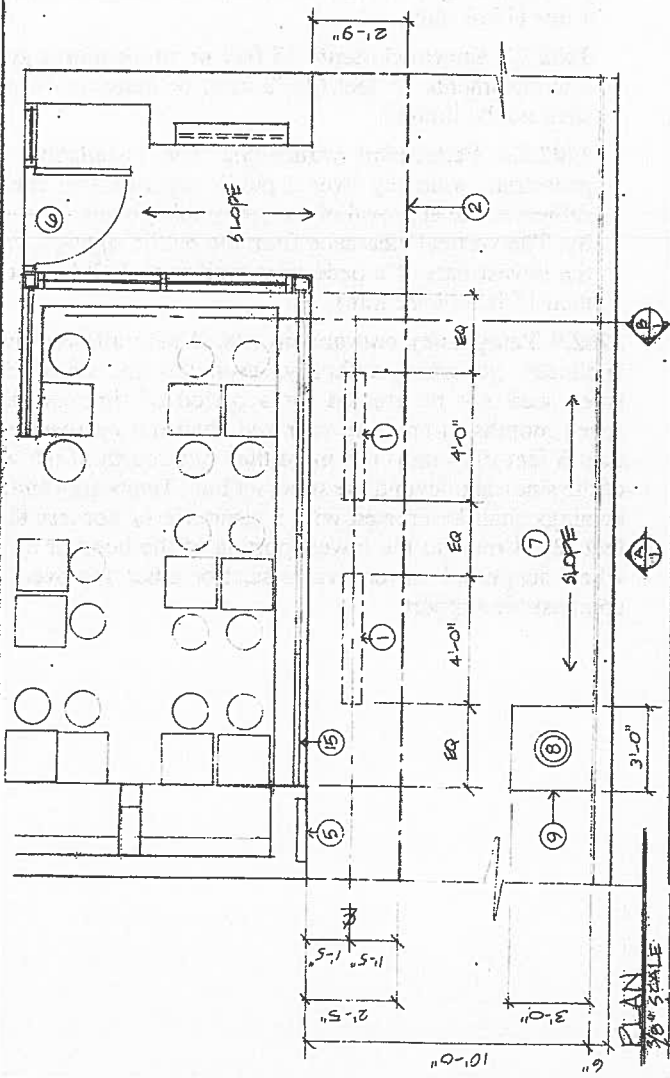
**3202.3.4 Pedestrian walkways.** The installation of a pedestrian walkway over a public right-of-way shall be subject to the approval of the applicable governing authority. The vertical clearance from the public right-of-way to the lowest part of a pedestrian walkway shall be not less than 15 feet (4572 mm).

**3202.4 Temporary encroachments.** Where allowed by the applicable governing authority, vestibules and storm enclosures shall not be erected for a period of time exceeding seven months in any one year and shall not encroach more than 3 feet (914 mm) nor more than one-fourth of the width of the sidewalk beyond the street lot line. Temporary entrance awnings shall be erected with a clearance of not less than 7 feet (2134 mm) to the lowest portion of the hood or awning where supported on removable steel or other approved non-combustible support.



**LEGEND - GENERAL NOTES**

- 1) NEW SUNPACK MODEL 334-NAT SUNPACK 34,000 BTUH HEATER 8" X 8" X 47.5" NATURAL GAS (SEE ATTACHED INSTALLATION / OPERATIONS MANUAL)
- 2) EXISTING OVERHANG
- 3) NEW NATURAL GAS LINE. INSTALL TO COMPLY WITH ALL STRICTEST CODES.
- 4) NEW WOOD SPACER BLOCKS WITH PIPE STRAPS. NOTE: INSTALL TO COMPLY WITH ALL STRICTEST CODES.
- 5) EXISTING MENU BOARD
- 6) EXISTING METAL AND GLASS ENTRY DOORS SYSTEM
- 7) CITY SIDEWALK, CONCRETE AND NON-SLIP TILES
- 8) EXISTING CITY PALM TREE
- 9) EXISTING CITY PALM TREE 38" X38" PLANTER
- 10) EXISTING BREWCO SIGN
- 11) EXISTING RETRACTABLE SCREEN AND TRACK SYSTEM
- 12) EXISTING RETRACTABLE ALUMINUM AND CLEAR TEMPERED GLASS GARAGE DOOR SYSTEM
- 13) EXISTING CEILING PANEL
- 14) EXISTING CEILING
- 15) EXISTING DECORATIVE SAFETY RAILING
- 16) NEW CEILING MOUNTED CEILING BRACKETS. (NOTE: CONTRACTOR TO PROVIDE ALL NECESSARY STRUCTURAL BLOCKING TO SUPPORT WEIGHT OF NEW HEATERS)
- 17) NEW WATER PROOF OUTDOOR RATED 120 V ELECTRICAL CONDUIT AND POWER. NOTE: INSTALL TO COMPLY WITH ALL STRICTEST CODES.



**AgRECORDING REQUESTED BY:**

City of Manhattan Beach

**WHEN RECORDED MAIL TO:**

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

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**ENCROACHMENT PERMIT AGREEMENT**

THIS AGREEMENT is made and entered into at Manhattan Beach, California, this **XX<sup>th</sup>** day of \_\_\_\_\_, 2015, by and between the CITY OF MANHATTAN BEACH, a municipal corporation in the County of Los Angeles, California, hereinafter called the "CITY", and

**INSERT PROPERTY OWNER NAME HERE**

hereinafter called the "OWNER(S)," which parties do **agree** as follows:

1. **INSERT PROPERTY OWNER NAME** represents that it is the Owner(s) in fee of real property located at **INSERT ADDRESS HERE**, Manhattan Beach, legally described as **INSERT LOT, BLOCK TRACT HERE**, as per recorded in **INSERT MAP BOOK HERE, INSERT PAGES HERE**, in the Office of the Los Angeles County Recorder.

2. The parties further agree that the application was presented to the Community Development Department of the City for permission to encroach in and over a portion of **INSERT STREET(S) WHERE ENCROACHMENT IS LOCATED**, with improvements consisting of:

**EXAMPLE LANGUAGE: Two (2) sidewalk dining balconies,**

and, that a sketch of the proposed improvement and encroachment is on file in the Community Development Department of the City and is by reference incorporated herein and made a part hereof; and that permit is hereby granted for that certain encroachment permit herein requested.

3. In consideration of the permission granted by the City to permit the improvements hereinabove described in paragraph 2, in, upon, or over public right of way, the Owner(s) covenant and agree to the following:

- a. Owner(s) shall permit the City, its officers, employees & agents to enter upon said real property at any and every place therein for the purpose of repair, maintenance, or replacement of the facilities or properties on or in said public right of way, hereby waiving any and all claims for damages or liability in connection therewith for property damages incurred;
- b. Owner(s) shall give at least 24 hours' notice to the Community Development Department of the City requesting inspection of any and all improvements relating to this permit;
- c. Owner(s) shall reimburse the City for any damages caused to City-owned facilities by construction or maintenance of the encroachment over said public right of way by the Owner(s), their heirs, successors or assigns;
- d. Owner(s) shall remove the encroachment at their own expense upon thirty days written notice by the City to the Owner(s), their heirs, successors or assigns, in the event, in the opinion of the city, the public right of way becomes necessary for a paramount municipal purpose. Should any cost be incurred by the City in the removal of the encroachment, such cost shall be a lien upon the subject property.
- e. Owner(s) shall hold and save the City harmless from any action at law whatsoever or at all or from any claim or damage by reason of the maintenance of the encroachment over the right of way owned by the City.
- f. This permit is issued to the Owner(s) only as legal Owner(s) of the real property hereinabove described in paragraph 1 of this agreement, which is the hereindescribed contiguous parcel. Upon sale of the above parcel, this Encroachment Permit shall not succeed to the new Owner(s) except upon review of the City of Manhattan Beach and reissuance to the new owner(s) upon said new Owner(s) application. In the event that the new Owner(s) does/do not apply for an Encroachment Permit for the continued use of the hereindescribed land as conditioned by this permit, the undersigned Owner(s) shall restore the land described herein within fifteen (15) days of recordation of the sale.

- g. Owner(s) shall perform all work in accordance with City policy, standard specifications, and ordinances.
- h. Owner(s) recognizes and understands that this permit may create a possessory interest subject to property taxation and, further, Owner(s) agrees(s) to make payment of any property taxes levied on such interest.

4. The Owner(s) further agree(s) to insure the City against all risks of loss by reason of construction or maintenance of the encroachment by (1) naming the City as an additional insured on the Owner(s)' public liability and property damage insurance policy carrying a combined single limit coverage of **\$1,000,000** against any injury, death or loss arising out of the encroachment, (2) filing the "City of Manhattan Beach Encroachment Endorsement" duly executed by the Owner'(s) insurance carrier, and (3) further agreeing that failure to maintain such insurance policy shall be grounds for cancellation of this permit.

5. This agreement shall be recorded in the Office of the Recorder of Los Angeles County, State of California.

OWNER(S) (notarized)

**PROPERTY OWNER NAME**

CITY OF MANHATTAN BEACH

**LAURA MARIE JESTER**  
Planning Manager

MEMORANDUM FOR THE CITY COUNCIL  
SUBJECT: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]



**Agenda Date:** 6/2/2015

---

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Liza Tamura, City Clerk

**SUBJECT:**

Minutes:

This Item Contains Action Minutes of City Council Meetings which are Presented for Approval. Staff Recommends that the City Council, by Motion, Take Action to Approve the Action Minutes of the:

- a) City Council Adjourned Regular Meeting-Budget Study Session #2 of May 11, 2015
- b) City Council Regular Meeting of May 19, 2015
- c) City Council Adjourned Regular Meeting-Budget Study Session #3 of May 21, 2015 (City Clerk Tamura).

**APPROVE**

---

**RECOMMENDATION:**

Staff recommends that the City Council, by motion, take action to approve the minutes of the City Council.

Attachments:

- 1. City Council Adjourned Regular Meeting-Budget Study Session #2 Minutes of May 11, 2015
- 2. City Council Regular Meeting Minutes of May 19, 2015
- 3. City Council Adjourned Regular Meeting-Budget Study Session #3 Minutes of May 21, 2015





# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Monday, May 11, 2015

6:00 PM

Adjourned Regular Meeting - Budget Study Session #2

Police/Fire Conference Room

## City Council Study Session

*Mayor Wayne Powell*  
*Mayor Pro Tem Mark Burton*  
*Councilmember Tony D'Errico*  
*Councilmember David J. Lesser*  
*Councilmember Amy Howorth*

**PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO: [www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes](http://www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes)**

#### **A. PLEDGE TO THE FLAG**

*Scout Leader Mercedes Morton led the Pledge of Allegiance.*

*The following individuals from Cub Scout Pack 713 sang the National Anthem: Thomas Morton, Diego Moore, Alex Schmidt, Kyle Johnson, Alex Tuck-Sherman (Den Chief), Tanner Barra, Dillan Sutton, Devan Sutton, Bo Visty, Peter Falzon, Katherine Falzon (Girl Scout), Orion Hoch, Michael Wuebben, Joseph Bevilacqua, Parker Camreron, Rebecca Morton, and Aria Hoch.*

#### **B. ROLL CALL**

**Present** 5 - Mayor Wayne Powell, Mayor Pro Tem Mark Burton, Councilmember Tony D'Errico, Councilmember David J. Lesser, and Councilmember Amy Howorth

#### **C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING**

*City Clerk Liza Tamura confirmed that the meeting was properly posted.*

#### **D. PUBLIC COMMENT ON NON-AGENDA ITEMS**

*None.*

#### **E. GENERAL BUSINESS**

- 1. Fiscal Year 2015-2016 Proposed Operating Budget Study Session #2 Parks and Recreation, Human Resources, Management Services, Finance and Information Technology.(Finance Director Moe).  
DISCUSS AND PROVIDE DIRECTION**

*Mayor Powell introduced Finance Director Bruce Moe who gave an overview of the department budgets to be discussed tonight. Finance Director Moe introduced City Manager Mark Danaj who provided the PowerPoint Presentation giving an overview of the departments included in Management Services: City Council, City Manager, City Attorney, City Clerk and City Treasurer. City Manager Danaj presented the City Manager's portion.*

*Other PowerPoint Presentations were done by City Attorney Quinn Barrow, City Clerk Liza Tamura and City Treasurer Tim Lilligren.*

City Council questions were responded to by City Manager Danaj, Assistant City Manager Nadine Nader, City Attorney Barrow, City Clerk Tamura and City Treasurer Lilligren.

Mayor Powell opened the floor to public comment.

The following individual spoke:

Bruce Cook

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

At 7:11 PM Councilmember Howorth excused herself.

Mayor Powell introduced Finance Director Moe who summarized the Parks and Recreation Budget and then turned the PowerPoint Presentation over to Parks and Recreation Director Mark Leyman.

Parks and Recreation Director Leyman, Recreation Services Manager Gina Allen, and Recreation Services Manager Eve Kelso responded to City Council questions.

Also present but did not speak were Parks and Recreation staff members, Cultural Arts Manager Martin Betz, Recreation Services Manager Idris Al-Aboudi, and Recreation Services Manager Jessica Vincent.

Mayor Powell opened the floor to public comment.

The following individuals spoke:

Terry Yamamoto

Thornton Stone

Pat DuLong

Elizabeth Kunkee

Bill Victor

Seeing no further requests to speak, Mayor Powell closed the floor to public comment.

At 8:12 PM, the City Council recessed. At 8:24 PM, the City Council reconvened with Councilmember Howorth absent.

Mayor Powell introduced Finance Director Moe who summarized the Human Resources Budget and then introduced Interim Human Resources Director Derrick Abell who presented the PowerPoint Presentation.

Interim Human Resources Director Abell and Risk Manager Christine Tomikawa responded to City Council questions.

*Mayor Powell opened the floor to public comment.*

*The following individual spoke:*

*Bill Victor*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*Mayor Powell introduced Finance Director Moe who presented the Finance Department PowerPoint Presentation.*

*Finance Director Moe responded to City Council questions.*

*Also present were Revenue Services Manager Steve Charelian and General Services Manager Gwen Eng.*

*Mayor Powell opened the floor to public comment.*

*The following individual spoke:*

*Bill Victor*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*Finance Director Moe then presented the budget for the new Information Technology Department.*

*Finance Director Moe, Information Systems Manager Leilani Emnace and City Manager Danaj responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

*Finance Director Moe summarized the agenda for Budget Study Session #3 scheduled for May 21, 2015.*

## **F. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS, FUTURE DISCUSSION ITEMS**

*Mayor Pro Tem Burton stated that he is requesting to have agendaed on the May 19, 2015, City Council Meeting a banner fee waiver for the Manhattan Beach Rotary Club.*

*Mayor Powell remarked about the policy of legacy events.*

*Councilmember D'Errico concurred that it should be agendaed.*

## **G. ADJOURNMENT**

*At 9:38 PM the Adjourned Regular City Council Meeting (Budget Study Session #2)*

*was adjourned to the Regular City Council Meeting at 6:00 PM on May 19, 2015, in the City Council Chambers in said City.*

---

**Tatyana Roujenova-Peltekova**  
**Recording Secretary**

---

**Wayne Powell**  
**Mayor**

**ATTEST:**

---

**Liza Tamura**  
**City Clerk**



# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Tuesday, May 19, 2015

6:00 PM

Regular Meeting

City Council Chambers

### City Council

*Mayor Wayne Powell*  
*Mayor Pro Tem Mark Burton*  
*Councilmember Tony D'Errico*  
*Councilmember David J. Lesser*  
*Councilmember Amy Howorth*

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#### A. PLEDGE TO THE FLAG

*Jan Rhees led the Pledge of Allegiance.*

#### B. NATIONAL ANTHEM

*Mira Costa High School Band members: Jonathan Sullivan, Angelique Angelastro, Lauren Koch, and Cameron Deluca, performed the National Anthem.*

#### C. ROLL CALL

**Present:** 5 - Mayor Powell, Mayor Pro Tem Burton, Councilmember D'Errico, Councilmember Lesser and Councilmember Howorth

#### D. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

*City Clerk Liza Tamura confirmed that the meeting was properly posted.*

#### E. APPROVAL OF AGENDA AND WAIVER OF FULL READING OF ORDINANCES

*Mayor Pro Tem Burton requested that Item No. 19 be moved to the first item under General Business.*

**A motion was made by Mayor Pro Tem Burton, seconded by Mayor Powell, that the agenda be approved, waive full reading of ordinances and move Item No. 19 to the first item under General Business. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

#### F. CEREMONIAL CALENDAR

1. Presentation of the I ♥ MB Award to Monsignor John Barry for Outstanding Community Service. [15-0230](#)  
**PRESENT**

*Mayor Powell, on behalf of the City Council, presented the " I ♥ MB Award" to Monsignor John Barry for Outstanding Community Service.*

2. Presentation of Certificates of Recognition to the Mira Costa Wrestling [15-0231](#)



Team for their CIF Championship.

**PRESENT**

*Mayor Powell, on behalf of the City Council, recognized the Mira Costa High School Wrestling Team for their CIF Championship including: Ryan Birdoes, Sean Goodbody, Mitchell Halvorsen, Luca Mangiarano, Alejandro Ruiz, Max Blanchard, Jean Paul Bosnoyan, Brendan Brady, Joseph Gebele, Issac Gevov, Cale Lewis, Salvador Perez, Hogan Webb, Jemal Williams, Chandler Cannon, Alexander Chaney, Kelly McNamee, Niemi Niilo, Matthew Savino, Lars Cameron, Michael Cervantes, Josh Gillam, Miles Gilliam, Jason Guerrero, Jimmy Millea, Aaron Schwab, Malik Smith, Ariel Floro (Girl's CIF), CIF Coaches: Jimmy Chaney, and Dr. Keith Beck.*

3. Presentation of Certificates of Recognition to the Run Club Parent Volunteers for their Outstanding Community Service.

[15-0196](#)

**PRESENT**

*Mayor Powell, on behalf of the City Council, presented certificates of recognition to the Run Club Parent volunteers for their Outstanding Community Service:*

*Pacific Elementary School:  
Jennifer Temperley  
Lisa Hardimon*

*Grand View Elementary School:  
Vicki Tyler*

*Meadows Elementary School:  
Katie Driscoll  
Yuri Chien  
Lynda Galins  
Cynthia Milstein  
Robyn Miner  
Deb Doyle  
Theresa Panaro  
Nancy Hesterberg  
Verena Ottinger*

4. Presentation of a Proclamation to the Manhattan Beach Rotary Club Declaring May, 2015 as "Magic in Giving Month."

[15-0232](#)

**PRESENT**

*Mayor Powell, on behalf of the City Council, presented the Manhattan Beach Rotary a Proclamation declaring May, 2015, as "Magic in Giving Month".*

**G. CITY MANAGER REPORT**

*None.*

**H. CITY ATTORNEY REPORT**

*None.*

**I. CITY COUNCIL ANNOUNCEMENTS AND REPORTS**

*Mayor Pro Tem Burton announced the "Relay for Life" event at Mira Costa High*

*School.*

*Mayor Powell announced the "Dine and Discover" luncheon on Thursday, May 28, 2015. He further summarized the events from the Mayor's Town Hall Meeting and presented a short video.*

*Councilmember Howorth reported that Mira Costa High School has many upcoming events and to please check their website.*

## **J. COMMUNITY ANNOUNCEMENTS REGARDING UPCOMING EVENTS**

*The following individuals provided Community Announcements:*

*Jim O'Callahan  
Yolande Wilburn  
Viet Ngo  
Robert Bush  
Bill Victor*

## **K. PUBLIC COMMENT ON NON-AGENDA ITEMS**

*The following individuals provided public comment on non-agenda items:*

*Craig Cadwallader  
Esther Besbris  
Virginia (last name unknown)  
Robert Bush  
Ed Caprielian  
Viet Ngo*

## **L. CONSENT CALENDAR**

*Robert Bush pulled Item No. 5.  
Viet Ngo pulled Item Nos. 7 and Item No. 11.*

11. Resolution Opposing the Renaming of Artesia Boulevard to Redondo Beach Boulevard within the City of Manhattan Beach City Limits (Per City Council Direction) (Public Works Director Olmos).

[RES 15-0029](#)

### **ADOPT**

**Attachments:** [Resolution No. 15-0029](#)

*Hearing no objections, Mayor Powell allowed Item No. 11 to be heard at this time.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Karen Komatinsky  
Steve Nicholson  
Viet Ngo  
Robert Bush*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

A motion was made by Mayor Powell, seconded by Councilmember Howorth, to adopt Resolution 15-0029 opposing the renaming of Artesia Boulevard to Redondo Beach Boulevard within the City of Manhattan Beach City Limits. The motion carried by the following vote:

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

A motion was made by Mayor Pro Tem Burton, seconded by Councilmember D'Errico, to approve the Consent Calendar Item Nos. 5- 12 with the exception of Item Nos. 5 and 7. (Item No. 11 Resolution Opposing the renaming of Artesia Boulevard to Redondo Beach Boulevard within the City of Manhattan Beach City Limits was voted on separately at the beginning of the Consent Calendar). The motion carried by the following vote:

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

5. Ordinance No. 15-0005 Amending and Restating Municipal Code Provisions Governing Bike Path Hazards (Police Chief Irvine).

[ORD 15-0005](#)

**ADOPT**

**Attachments:** [Ordinance No. 15-0005](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items removed from the Consent Calendar.

6. Approval of Plans and Specifications; Award Section 3 Concrete Repair Project to PK Construction, Inc. in the Amount of \$237,050; Approve an Additional Appropriation in the Amount of \$30,761; and Authorize the City Manager to Approve Additional Work in an Amount Not-to-Exceed \$23,705 (10%) (Public Works Director Olmos).

[CON 15-0027](#)

**APPROVE; APPROPRIATE**

**Attachments:** [Revenue and Expenditure Table](#)  
[Notices to Property Owners](#)  
[Project Area Map- Section 3](#)  
[Contract Agreement - Section 3 Concrete Repair](#)

This item was approved on the Consent Calendar.

7. Approval of Third Amendment to a License Agreement with Northrop Grumman Systems Corporation Related to an Aerial Fiber Optic Communication Line Connecting Northrop Grumman Facilities in Manhattan Beach and Redondo Beach (Public Works Director Olmos).

[CON 15-0020](#)

**APPROVE**

**Attachments:** [Third Amendment to License Agreement](#)  
[Location Map](#)

This item was removed from the Consent Calendar and heard later under Item No. O Items removed from the Consent Calendar.

8. Approval of Plans and Specifications for the Block 35 Reservoir Pump Station Discharge Line Project and the Marine Avenue and Herrin Avenue Water Main Connection Project, Award a Construction Contract to Miramontes Construction Company, Inc. in the Amount of \$211,400. (Public Works Director Olmos). [CON 15-0023](#)
- APPROVE**
- Attachments:** [Construction Contract \(Miramontes Construction Company, Inc.\)](#)
- This item was approved on the Consent Calendar.
9. Resolution Authorizing to Approve a Program Supplement Adding the Strand Stairs Rehabilitation Project Under the Existing Master Agreement with Caltrans for the Receipt of Federal Transportation Funding (Public Works Director Olmos). [RES 15-0027](#)
- ADOPT**
- Attachments:** [Master Agreement](#)  
[Program Supplement](#)  
[Resolution No. 15-0027](#)
- This item was approved on the Consent Calendar.
10. Approval of the Plans and Specifications for the 2013-2014 Water Main Replacement Project and Award of Construction Contract to Stephen Doreck Equipment Rentals, Inc. in the Amount of \$2,188,070; Appropriate Funds in the Amount of \$1,000,000 from Water Fund and Award a construction contract to Stephen Doreck Equipment Rentals, Inc. in the amount of \$2,188,070 (Public Works Director Olmos). [CON 15-0025](#)
- APPROVE; APPROPRIATE**
- Attachments:** [Budget and Expenditures](#)  
[Project Map](#)  
[Construction Agreement](#)
- This item was approved on the Consent Calendar.
11. Resolution Opposing the Renaming of Artesia Boulevard to Redondo Beach Boulevard within the City of Manhattan Beach City Limits (Per City Council Direction) (Public Works Director Olmos). [RES 15-0029](#)
- ADOPT**
- Attachments:** [Resolution No. 15-0029](#)
- This item was approved at the beginning of the Consent Calendar.
12. Minutes: [15-0016](#)  
This Item Contains Action Minutes of City Council Meetings which are Presented for Approval. Staff Recommends that the City Council, by

Motion, Take Action to Approve the Action Minutes of the:

- a) City Council Retreat of March 12, 2015
  - b) City Council Retreat of March 13, 2015
  - c) City Council Meeting - Boards and Commissions Interviews of April 28, 2015
  - d) City Council Regular Meeting of May 5, 2015
  - e) City Council Meeting - Budget Study Session #1 Minutes of May 7, 2015
- (City Clerk Tamura).

**APPROVE**

**Attachments:**     [City Council Meeting - City Council Retreat of March 12, 2015](#)  
[City Council Meeting - City Council Retreat of March 13, 2015](#)  
[City Council Meeting - Boards and Commissions Interviews Minutes of April 28, 2015](#)  
[City Council Adjourned Regular Meeting-Closed Session Minutes of May 5, 2015](#)  
[City Council Meeting - Budget Study Session #1 Minutes of May 7, 2015](#)

**This item was approved on the Consent Calendar.**

## **M. PUBLIC HEARINGS**

*None.*

## **N. GENERAL BUSINESS**

- 19.** Request by Mayor Pro Tem Burton to Allow the Rotary Club to Hang its "Magic in Giving" Banner above a City Street and Waive Fees of \$407 (Parks and Recreation Director Leyman).

[15-0253](#)

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:**     [Annual Fee Waiver Requests Associated with Non-Profit Special Events](#)

*Mayor Powell introduced this item and Parks and Recreation Director Mark Leyman was available to answer questions.*

*Parks & Recreation Director Leyman and City Attorney Quinn Barrow responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Viet Ngo  
Jan Rhees*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Mayor Powell, seconded by Councilmember D'Errico, to approve allowing the Rotary Club to hang its "Magic in Giving" Banner above a City Street and Waive Fees of \$407, with specific findings that this**

Organization is consistent with the intent of the three year legacy event, that Staff has reviewed the banner and found it to be acceptable, so that the City doesn't set a precedent and reviews each application on its own merit. A friendly amendment, accepted by the maker of the motion, was made by Mayor Pro Tem Burton to direct Staff to return with amendments and/or clarification to the Banner Ordinance. The motion carried by the following vote:

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

13. Resolution to Rename "Park Way" to "Marriott Drive" as Recommended by the Parking and Public Improvements Commission (Community Development Director Lundstedt).

[RES 15-0011](#)

**ADOPT**

**Attachments:** [PPIC Staff Report and Attachments-Marriot Drive Street Name Change 2-26-PPIC Minutes 2-26-2015](#)  
[Marriott Hotel Wayfinding Sign Options](#)  
[Resolution No. 15-0011](#)

*Mayor Powell introduced Community Development Director Marisa Lundstedt who summarized the item and then introduced Traffic Engineer Erik Zandvliet who provided the PowerPoint Presentation.*

*Traffic Engineer Zandvliet and Marriott Hotel General Manager Jeff Hart responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Bill Victor  
Frank Allen  
Jackie May  
Jim O'Callaghan  
Robert Bush*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*Mayor Powell stated that he didn't agree with using the name of the hotel on the street sign and that "Way Finding" signs were more appropriate.*

*Councilmember Lesser noted that it is a public street and "Hotel Way" was a better suggestion and that he is also in favor of "Way Finding" signs.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to adopt Resolution No. 15-0011 to rename "Park Way" to "Manhattan Beach Marriott Drive", further direct the City Manager to remove "Nash" from**

the sign on the south side of Rosecrans and also further direct the City Manager to install "Way Finding" signs consistent with those on page 183 of the Staff Report indicating Marriott Hotel, Golf Club, Country Club are to the right. The motion carried by the following vote:

**Aye:** 3 - Burton, D'Errico and Howorth

**Nay:** 2 - Powell and Lesser

*At 9:23 PM City Council recessed and reconvened at 9:34 PM with all Councilmembers present.*

14. Appointments to City Boards and Commissions and Declaring Commission Seats Vacant as Appropriate (City Clerk Tamura).

[15-0215](#)

**APPOINT/REAPPOINT**

**Attachments:** [2015 Boards and Commissions Roster](#)  
[Advertisements from The Beach Reporter, published February 5, 2015, Marc](#)  
[Website Home Page Slide](#)

*Mayor Powell summarized the voting process and the following Commissioners were appointed:*

*Planning Commission*

*Seat No. 1 Steve Ortmann (Incumbent) (Vote: 5-0)*

*Seat No. 2 George Apostol (Vote: 5-0)*

*Parking and Public Improvements Commission*

*Seat No. 5 Steven Nicholson (Incumbent) (Vote: 5-0)*

*Parks and Recreation Commission*

*Seat No. 4 Russel Allen (incumbent) (Vote: 5-0)*

*Seat No. 5 Thomas Allard (Incumbent Older Adult) (Vote: 5-0)*

*Library Commission*

*Seat No. 5 Elizabeth Kunkee (Vote: 5-0)*

*Cultural Arts Commission*

*Seat No. 3 James Gill (Incumbent Business Community) (Vote: 5-0)*

*Seat No. 5 Nancy Dunn (Incumbent) (Vote: 5-0)*

**A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton, to approve the appointment of Adam Enomoto to Parks and Recreation Seat No. 7 Mira Costa High School Student. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

15. Follow-Up Review and Designation of Manhattan Avenue Bikeway Between 1st Street and 15th Street as an Existing Facility in the Bicycle Master Plan (Community Development Director Lundstedt).

[15-0160](#)

**APPROVE**

**Attachments:** [January 7, 2014 -City Council Report with Attachments](#)  
[January 7, 2014 City Council Minutes](#)  
[Draft Mobility Plan Bikeway Plan](#)  
[Manhattan Avenue Bikeway Before/After Photos](#)  
[Collision Summary - 2009 to 2015](#)  
[Public Notice](#)

*Mayor Powell introduced Traffic Engineer Erik Zandvliet who provided the PowerPoint Presentation.*

*Traffic Engineer Zandvliet responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Greg Strong*

*John Russo*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*Discussion continued and Traffic Engineer Zandvliet responded to further City Council questions.*

**A motion was made by Mayor Pro Tem Burton, seconded by Councilmember Howorth, to approve the designation of Manhattan Avenue Bikeway between 1st Street and 15th Street as an existing facility in the Bicycle Master Plan. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

- 16.** Award of Professional Service Agreements for On-Call Professional Design Services (RFP1027-15) to Harris and Associates; Penco Engineering; and Transtech Engineers in the Amount of \$300,000 for a Three-Year Term for Each Firm (Public Works Director Olmos).

[CON 15-0019](#)

**APPROVE**

**Attachments:** [Professional Services Agreement - Harris and Associates, Inc.](#)  
[Professional Services Agreement - Penco Engineering, Inc.](#)  
[Professional Services Agreement - Transtech Engineers, Inc.](#)  
[Typical Design Consultant RFP Process and RFP #1027-15 Consultant Ratir](#)  
[List of Potential Design Projects](#)

*Mayor Powell introduced Public Works Director Tony Olmos who provided the PowerPoint Presentation for Item Nos. 16-17 together.*

*See Item No. 17 for action taken with respect to Item No.16.*

- 17.** Award of Professional Service Agreements for On-Call Utility Design Services (RFP1030-15) to AKM Consulting Engineers; SA Associates;

[CON 15-0018](#)



and Quantum Quality Consulting in the Amount of \$250,000 for a Three-Year Term for Each Firm (Public Works Director Olmos).

**APPROVE**

**Attachments:**     [Professional Services Agreement - AKM Consulting Engineers of Irvine CA](#)  
[Professional Services Agreement - Quantum Quality Consulting of Torrance CA](#)  
[Professional Services Agreement - SA Associates of Arcadia CA](#)  
[Typical Design Consultant RFP Process and RFP #1030-15 Consultant Rating](#)  
[List of Potential Utility Design Projects](#)

*Mayor Powell introduced Public Works Director Tony Olmos who provided the PowerPoint Presentation for Item Nos. 16-17 together.*

*Public Works Director Olmos and City Manager Mark Danaj responded to City Council questions.*

*Mayor Pro Tem Burton stated that he is looking for a shorter reporting process with a cap and doing things comprehensively and returning with a full discussion on all three contracts.*

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

*Discussion continued with all Councilmembers and Public Works Director Olmos responded to City Council questions.*

*Mayor Pro Tem Burton conveyed that he is looking for reasons this will benefit the residents of this City, and explaining fully, with a cap, reporting back and a plan for phasing out and bringing the work back to the City. He further added that he can not support the motion because this is not the right decision on the cap and it is much more prudent to continue this item adopt all three contracts at the June 16, 2015 City Council Meeting.*

**A motion was made by Councilmember Howorth, seconded by Councilmember Lesser, with a friendly amendment accepted by the maker, to award a professional service agreements for On-Call Professional Design Services (RFP1027-15) to Harris and Associates; Penco Engineering; and Transtech Engineers in the Amount of \$300,000 for a Three-Year Term for Each Firm for already budgeted money for already identified projects and award of Professional Service Agreements for On-Call Utility Design Services (RFP1030-15) to AKM Consulting Engineers; SA Associates; and Quantum Quality Consulting in the Amount of \$250,000 for a Three-Year Term for Each Firm and direct Staff to not issue individual task orders beyond \$100,000 without City Council approval, and direct Staff to not issue cumulative task orders exceeding half the contract amount without City Council approval, and place an ongoing item on the City Council agenda (Receive and File) to report on the ongoing issuance of task orders. The motion carried by the following vote:**

**Aye:** 4 - Powell, D'Errico, Lesser and Howorth

**Nay:** 1 - Burton

Please note that Item Nos. 16-17 were approved by one vote.

*At 11:39 PM, City Council recessed and reconvened at 11:45 PM with all Councilmembers present.*

18. Adoption of Urgency Ordinance No. 15-0008-U and Introduction of Non-Urgency Ordinance No. 15-0008, which will Revise *Title 7 - Public Works, Chapter 7.44 - Water Conservation* of the Manhattan Beach Municipal Code (Public Works Director Olmos).

[ORD 15-0008](#)

**ADOPT AND INTRODUCE**

**Attachments:** [Ordinance No. 15-0008](#)

*Mayor Powell introduced Public Works Director Tony Olmos who provided the PowerPoint Presentation.*

*City Attorney Quinn Barrow reviewed the minor changes to Ordinance 15-0008-U*

*Public Works Director Olmos responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*The following individual provided public comment:*

*Craig Cadwallader  
Frank Allen*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*Discussion continued with all City Councilmembers and questions were responded to by Public Workks Director Olmos and Utilities Manager Raul Saenz.*

*City Attorney Barrow read the title of Ordinance 15-0008U into the record.*

**A motion was made by Mayor Pro Tem Burton, seconded by Mayor Powell, to adopt Ordinance No. 15-0008-U an ordinance of the City of Manhattan Beach amending Chapter 7.44 of the Manhattan Beach Municipal Code regarding water conservation and declaring the urgency thereof. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

*City Attorney Barrow read the title of Ordinance 15-0008 into the record.*

**A motion was made by Mayor Pro Tem burton, seconded by Mayor Powell to**

introduce Ordinance 15-0008 an Ordinance of the City of Manhattan Beach amending Chapter 7.44 of the manhattan Beach Municipal Code regarding water conservation. The motion carried by the following vote:

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

## O. ITEMS REMOVED FROM THE CONSENT CALENDAR

5. Ordinance No. 15-0005 Amending and Restating Municipal Code Provisions Governing Bike Path Hazards (Police Chief Irvine).

[ORD 15-0005](#)

### ADOPT

**Attachments:** [Ordinance No. 15-0005](#)

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Councilmember Lesser, seconded by Councilmember Howorth to adopt Ordinance 15-0005 amending and restating Municipal-Code provisions governing Bike Path Hazards. The motion carried by the following vote:**

**Aye:** 4 - Powell, D'Errico, Lesser and Howorth

**Nay:** 1 - Burton

7. Approval of Third Amendment to a License Agreement with Northrop Grumman Systems Corporation Related to an Aerial Fiber Optic Communication Line Connecting Northrop Grumman Facilities in Manhattan Beach and Redondo Beach (Public Works Director Olmos).

[CON 15-0020](#)

### APPROVE

**Attachments:** [Third Amendment to License Agreement](#)

[Location Map](#)

*Mayor Powell openend the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Councilmember Howorth, seconded by Mayor Pro Tem Burton to approve the third amendment to a license agreement with Northrop Grumman Systems Corporation related to an Aerial Fiber Optic Communication Line Connecting Northrop Grumman Facilities in Manhattan Beach and Redondo Beach. The motion carried by the following vote:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

## P. OPTIONAL ADDITIONAL PUBLIC COMMENTS ON NON-AGENDA ITEMS

*None.*

## Q. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS, FUTURE DISCUSSION ITEMS

19. Request by Mayor Pro Tem Burton to Allow the Rotary Club to Hang its "Magic in Giving" Banner above a City Street and Waive Fees of \$407 (Parks and Recreation Director Leyman). [15-0253](#)

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Annual Fee Waiver Requests Associated with Non-Profit Special Events](#)

This item was moved to the first item heard under General Business.

20. Request by Mayor Pro Tem Burton to Discuss Roundhouse Rehabilitation Efforts. [15-0234](#)

**DISCUSS AND PROVIDE DIRECTION**

*Mayor Pro Tem Burton is requesting regular reports on the Roundhouse rehabilitation and making sure the City Manager is coordinating all of those efforts.*

*Mayor Pro Tem Burton requested that the City Council consider a deadline for the end of City Council Meetings.*

*Mayor Powell wants to agendize discussion on LAX Test Pilot Program for their flights and/or contact State & Federal Officials to escalate the City's complaint level and include: noise, storm water pollution and safety.*

*Councilmember Lesser wants to know what options are available to the City in regards to LAX.*

*Councilmember Lesser stated there needs to be a discussion on parking on Tuesday with the Farmers Market and now that the Library is open. He also reported that there is a trip planner on Metro and public transportation needs to be encouraged.*

*Mayor Powell requested a status on the Rite-Aid letter.*

**R. RECEIVE AND FILE ITEMS**

*Mayor Powell opened the floor to public comment.*

*Seeing no requests to speak, Mayor Powell closed the floor to public comment.*

**A motion was made by Mayor Powell, seconded by Councilmember Howorth, to receive and file Item Nos. 21-22 (with the exception of Item No. 21 d) which is to be completed and returned. the motion carried by the following vote.:**

**Aye:** 5 - Powell, Burton, D'Errico, Lesser and Howorth

21. Commission Minutes: [15-0235](#)  
This Item Contains Action Minutes of City Council Subcommittees and Other City Commissions and Committees which are Presented to be Received and Filed by the City Council. Staff Recommends that the City Council, by Motion, Take Action to Receive and File the Action Minutes of the:
- a) Parking and Public Improvements Commission Meeting of January 22, 2015
  - b) Parking and Public Improvements Commission Meeting of

February 26, 2015

- c) Parking and Public Improvements Commission Meeting of March 26, 2015
- d) Parking and Public Improvements Commission Meeting of April 23, 2015
- e) Planning Commission Meeting of April 29, 2015  
(Community Development Director Lundstedt).

**RECEIVE AND FILE**

**Attachments:**     [Parking and Public Improvements Commission Adopted Minutes of January 26, 2015](#)  
[Parking and Public Improvements Commission Adopted Minutes of February 26, 2015](#)  
[Parking and Public Improvements Commission Adopted Minutes of March 26, 2015](#)  
[Parking and Public Improvements Commission Adopted Minutes of April 23, 2015](#)  
[Planning Commission Action Minutes of April 29, 2015](#)

**This item was received and filed (with the exception of Item No. 21d) which is to be completed and returned to a future meeting.**

- 22.**     Financial Report: [15-0174](#)  
Schedule of Demands: April 23, 2015 (Finance Director Moe).

**RECEIVE AND FILE**

**Attachments:**     [Schedule of Demands Register for April 23, 2015](#)

**This item was received and filed.**

**S. ADJOURNMENT**

*At 12:30 AM, Mayor Powell adjourned the May 19, 2015, Regular City Council Meeting to 6:00 PM May 21, 2015, Adjourned Regular City Council Meeting (Budget Study Session #3) in the Police/Fire Conference Room 400-420 15th Street, in said City.*

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**Tatyana Roujenova-Peltekova**  
**Recording Secretary**

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**Wayne Powell**  
**Mayor**

**ATTEST:**

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**Liza Tamura**  
**City Clerk**

# City of Manhattan Beach

1400 Highland Avenue  
Manhattan Beach, CA 90266



## Meeting Minutes - Draft

Thursday, May 21, 2015

6:00 PM

**Adjourned Regular Meeting - Budget Study Session #3**

**Police/Fire Conference Room**

**5:00 PM Adjourned Regular Meeting - Closed Session**

**City Council Chambers**

### **City Council Study Session**

*Mayor Wayne Powell*  
*Mayor Pro Tem Mark Burton*  
*Councilmember Tony D'Errico*  
*Councilmember David J. Lesser*  
*Councilmember Amy Howorth*

**PLEASE NOTE THAT THE CITY ARCHIVES THE VIDEO RECORDINGS OF ALL REGULAR CITY COUNCIL MEETINGS AND THE VIDEO FOR THIS MEETING IS HEREBY INCORPORATED BY THIS REFERENCE. ALSO IN SUPPORT OF MORE TRANSPARENCY AND THE AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE, THE CITY OFFERS CLOSED CAPTIONING FOR REGULAR CITY COUNCIL MEETINGS. FOR A COMPLETE RECORD OF THIS CITY COUNCIL MEETING, GO TO: [www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes](http://www.citymb.info/city-officials/city-clerk/city-council-meetings-agendas-and-minutes)**

**A. PLEDGE TO THE FLAG**

*Finance Director Bruce Moe lead the Pledge of Allegiance*

**B. ROLL CALL**

**Present** 5 - Mayor Wayne Powell, Mayor Pro Tem Mark Burton, Councilmember Tony D'Errico, Councilmember David J. Lesser, and Councilmember Amy Howorth

**C. CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING**

*City Clerk Liza Tamura confirmed that the meeting was properly posted.*

**D. PUBLIC COMMENT ON NON-AGENDA ITEMS**

*The following individual provided public comment on non-agenda items:*

*Viet Ngo*

**E. GENERAL BUSINESS**

Fiscal Year 2015-2016 Proposed Operating Budget Study Session #3: [15-0200](#)  
Community Development and Public Works, Including the FY 2016-2020 Capital Improvement Plan (Finance Director Moe).

**DISCUSS AND PROVIDE DIRECTION**

**Attachments:** [Draft FY 2016-2020 Capital Improvement Plan](#)

*Mayor Powell introduced Finance Director Bruce Moe who summarized the budget meeting and introduced Community Development Director Marisa Lundstedt who provided the PowerPoint Presentation.*

*Community Development Director Lundstedt, City Manager Mark Danaj, Building Official Sal Kaddorah, and Senior Management Analyst Nhung Madrid responded to City Council questions.*

*Also present, but did not speak, were Community Development staff members, Planning Manager Laurie Jester and Traffic Engineer Erik Zandvliet.*

*Mayor Powell opened the floor to public comment.*



*The following individuals provided public comment:*

*Paul Beswick  
Bill Victor  
Steve Packwood  
Viet Ngo  
Tom Nordberg*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*At 7:30 PM, City Council recessed and reconvened at 7:40 PM with all Councilmembers present.*

*Mayor Powell introduced Public Works Director Tony Olmos who provided the PowerPoint Presentation.*

*Public Works Director Olmos, Public Works Utilities Manager Raul Saenz, City Manager Mark Danaj, Finance Director Bruce Moe, Finance Controller Henry Mitzner, Public Works Superintendent Juan Price, Environmental Programs Manager Sona Kalapura - Coffee and Community Development Traffic Engineer Erik Zandvliet responded to City Council questions.*

*Also present but did not speak were Public Works staff members, Senior Management Analyst Karen Domerchie and City Engineer Joe Parco.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Paul Beswick  
Julie Profit*

*Seeing no further requests to speak, Mayor Powell closed the floor to public comment.*

*Public Works Director Olmos then provided the Fiscal Year 2016 - 2020 Capital Improvement Plan (CIP) PowerPoint Presentation.*

*Public Works Director Olmos and Finance Director Moe responded to City Council questions.*

*Mayor Powell opened the floor to public comment.*

*The following individuals provided public comment:*

*Roundhouse Boardmember Chuck Milam*

*Seeing no further requests to speak, Mayor Powell closed the floor to public*

*comment.*

**F. OTHER COUNCIL BUSINESS, COMMITTEE AND TRAVEL REPORTS,  
FUTURE DISCUSSION ITEMS**

*None.*

**G. ADJOURNMENT**

*At 10:05 PM, Mayor Powell adjourned the May 21, 2015, Adjourned Regular City Council Meeting (Budget Study Session #3) to the May 26, 2015, 5:00 PM Adjourned Regular Meeting (Closed Session) in the City Council Chambers followed by the 6:00 PM Adjourned Regular Meeting (Budget Study Session #4) in the Police/Fire Conference Room 400/420 15th Street in said City.*

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**Tatyana Roujenova-Peltekova**  
**Recording Secretary**

---

**Wayne Powell**  
**Mayor**

**ATTEST:**

---

**Liza Tamura**  
**City Clerk**

**Agenda Date:** 6/2/2015

---

**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Marisa Lundstedt, Community Development Director  
Laurie B. Jester, Planning Manager  
Jason Masters, Assistant Planner

**SUBJECT:**

Consideration of Amendments to the Municipal Code to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter 10.100 (Appeals), and Amending Chapter 10.12 (Residential Districts) and Related Municipal Code Sections Regarding Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt).

**CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NO.15-0009**

---

**RECOMMENDATION:**

Staff recommends that the City Council waive further reading and introduce Ordinance No. 15-0009 (Attachment 1) approving the Municipal Code Amendments. Similar Local Coastal Program Code Amendments are provided in Ordinance No. 15-0010, as a separate item on this agenda.

**FISCAL IMPLICATIONS:**

There are no direct fiscal impacts as a result of the adoption of the Municipal Code Amendments.

**BACKGROUND:**

Based upon its periodic review of the Zoning Code, staff recommends that the Code be amended to address (1) recent case law concerning Council review of Planning Commission quasi-judicial decisions; and (2) commercial and transient uses of residential properties. Staff also recommends related Zoning Code cleanup as to both areas.

On May 15, 2015, the Planning Commission conducted a noticed public hearing for proposed amendments to the Municipal Code to include a Council review procedure for quasi-judicial decisions and modernizing Chapter 10.100 (Appeals), and amending Chapter

10.12 (Residential Districts) and related Municipal Code Sections regarding commercial and transient uses in residential zones. At that meeting, the Commissioners were universally in favor of the proposed amendments to Chapter 10.100 as presented. Regarding the amendments to Chapter 10.12, the Commissioners discussed enforcement of proposed changes and the collection of Transient Occupancy Tax (TOT), subletting, the implications for short-term rentals related to the Charlie Saikley 6-Man Beach Volleyball Tournament, and whether the residential properties that are currently registered with the City and pay Transient Occupancy Tax (TOT) should be subjected to the proposed regulations. According to Finance, 57 properties are registered. The Commission proposed increasing the number of times a dwelling unit may be rented out to one time per three month period and not more than four times in a 12 month period. After considerable discussion and deliberation, the Commission adopted Planning Commission Resolution No. PC 15-03, as amended, recommending that the Council adopt an ordinance establishing a council review procedure and regulations for commercial and transient uses in residential zones.

#### **DISCUSSION:**

##### *1. Council review of Planning Commission decisions*

There have been a series of California appellate decisions finding that an “appeal” of a Planning Commission decision by a Councilmember or the full Council may violate due process principles. Appeals filed by individual Councilmembers may give rise to the appearance that the decisionmaker has pre-judged a matter, prior to considering the evidence. It is important that Councilmembers maintain an open mind and do not take any positions, for or against an application, until after the public hearing before the Council. The courts have explained this rule, which stems from the Due Process clauses of the federal and state constitutions, as follows:

“A public hearing contemplates a fair and impartial hearing at which competent evidence may be presented before a fair and impartial tribunal.”

*Saks & Co. v. City of Beverly Hills*, 107 Cal.App.2d 260, 265 (1951). See also *Bullock v. City and County of San Francisco*, 221 Cal.App.3d 1072, 1091 (1990) (“Fair trial in a fair tribunal is a basic requirement of due process”); *Rosenblit v. Superior Court*, 231 Cal.App.3d 1434, 1448 (1991) (“The right to a fair procedure includes the right to impartial adjudicators”); *Sinaloa Lake Owners’ Ass’n v. City of Simi Valley*, 882 F.2d 1398, 1408-10 (9th Cir. 1989) (City violated applicant’s substantive due process rights). Further, if a Councilmember has a personal interest or involvement in the outcome of the matter or with any participants which precludes that Councilmember from making his or her decision based on the merits of the application, disqualification is required. *Fairfield v. Superior Court*, 14 Cal.3d 768 (1975); *Mennig v. City Council*, 86 Cal.App.3d 341 (1978). *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994).

The most recent opinion on this subject-*Woody’s Group, Inc. v. City of Newport Beach*-was issued on January 1, 2015. In *Woody’s*, the court of appeal ruled that a Councilmember’s appeal of a Planning Commission decision to approve a use permit and variance, and the

City Council's subsequent reversal of the Planning Commission's approval, violated the due process of the applicant. The court ruled that the appeal by the Councilmember was, in essence, impermissible because the Councilmember was both the appellant and appellate judge. Further, the court ruled that the appeal violated Newport Beach's Municipal Code because there was no provision allowing appeals for Councilmembers acting in their role as Councilmembers.

In 1994, in the case of *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994), the full City Council appealed a decision of the Planning Commission after residents opposed to the Commission's decision appeared at the next City Council meeting. The Court found that such appeal violated due process and that the Council had exhibited impermissible bias. See also *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); Many Zoning Ordinances, including Manhattan Beach's, were amended in response to the *Cohan* case to provide a Council review process that affords due process to applicants. MBMC Section 10.100.030 currently states that appeals may originate from the City Council, and MBMC Section 10.100.040B currently provides "The Mayor or City Council members appealing any matter under this section shall only do so if the appeal is made in the public interest or welfare and the appealing council member has no predisposition for or against the matter being appealed."

Similar provisions in other cities have been upheld by the court. E.g., *BreakZone Billiards v. City of Torrance*, 81 Cal. App. 4th 1205, 1233 (2000) (Councilmember's calling up commission decision for review was consistent with City's procedure and did not constitute bias).

The primary purpose of this proposed change is to supplement the Code's existing appeal procedure with a new "City Council review" procedure. Any Councilmember may seek review of a Planning Commission decision at any time within 15 days after the decision. If two Councilmembers request review, City Council review will be initiated. This is in contrast to the existing "appeal" procedure, which allows an appeal to be filed by a single Councilmember, and only at the next Council meeting. If there is a call for review, there shall be a presumption applied that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. No inference of bias shall be presumed due to such a request for review being made by Council members. If review is initiated, then a review hearing shall be noticed and conducted in the same manner as is required for appeals. The City Council may uphold, overturn, or modify the Planning Commission's original action, or remand the application back to the Planning Commission for further consideration.

The proposed City Council review procedure will help diffuse any perception of bias that may arise in the mind of a project applicant or members of the public when a Councilmember "appeals" a Planning Commission decision to the City Council and then participates in the decision by the City Council. One reason for this is that, under the new review procedure, a Planning Commission decision may be brought to the City Council's jurisdiction by two Councilmembers without a Councilmember identifying himself or herself as an "aggrieved

person” or stating reasons why the decision should be reviewed (which could suggest a predisposition on the matter). Another reason for this is that there would be an express standard for initiation of review while an appeal may be filed for any reason.

Although there is no clear authority in the Code to require such a practice, the City’s current practice is for Planning Commission decisions to appear on the consent calendar on the next City Council meeting. For greater transparency and efficiency, staff recommends the following process in lieu of the current practice: (1) staff will notify the City Council (and the public) of any quasi-judicial decision on the next day after the Planning Commission meeting by posting on the City website, and (2) again in the City Manager’s weekly report distributed on Friday of each week. These two notifications are in addition to the public noticing of the Commission public hearing required by state law.

The secondary purpose of this recommendation is to perform some minor Zoning Code “clean up” to conform to existing practice and to make the Code more user friendly. In particular, the ordinance would revise the Code to specify that appeal and review hearings by the City Council are *de novo*, which means the Council can take a “fresh look” at the evidence and is not bound by the findings of the Commission. This is the review standard the Council used for the Mall hearings. Please note that having a hearing *de novo* does not mean that the evidence before the Planning Commission, Commission discussion and deliberation, as well as the Commission decision, are ignored. Indeed, all of the above would be entered into the record, and would be part of the evidence the Council may consider. Simply stated, a hearing *de novo* means the Council may weigh the evidence and draw its own conclusions, rather than being bound by the Commission’s determination as to the evidence.

Additionally, the ordinance would revise the Code to specify that a tie vote by the City Council on an appeal makes the Planning Commission’s decision final and conclusive. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director would be effective. These changes will make the Code consistent with the City’s current practice.

## *2. Code Cleanup to Address Commercial and Transient Uses of Residential Properties.*

In the process of reviewing the Zoning Code, staff observed that the Code does not adequately address recent trends where residential properties are leased or rented for short-term commercial or transient uses, such as bed and breakfasts, vacation rentals and other transient uses. In 2005, a single family home was rented as a “party house,” which created noise, traffic and undue burden on scarce on-street parking. More recently in 2012, the City Council examined the negative impacts, including noise, crime, traffic congestion and consumption of available parking on and in residential neighborhoods, arising from short-term vacation rentals of residences during the Charlie Saikley 6-Man Beach Volleyball Tournament.

Similar to cities throughout California, the Zoning Code in the Manhattan Beach Municipal Code (MBMC) and LCP prohibit most commercial uses in residential zones. MBMC 10.12.020 identifies the types of uses that are permitted in the single- and multi-family residential zones, and short-term transient uses are not listed. As a result of the 2012

discussions, short-term vacation rentals are currently regulated under Business Licenses in Chapter 6.24 of the MBMC specifically related to the Charlie Saikley 6-Man Beach Volleyball Tournament the proposed Code Amendments will not change. Under the proposed regulations, short-term vacation rentals during this period would count as one of the four permitted annually. Short-term vacation rentals are defined in MBMC Section 6.24.20 as “a dwelling unit that is rented by the owner to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration such as, but not limited to, trade, fee, swap, or any other consideration in lieu of cash payments.” Short-term vacation rental permits are available only to dwelling units within the area of the City bounded by 1st Street on the south, Ardmore Avenue and North Blanche Road on the east, Marine Avenue on the north, and the beach on the west, and are granted only to those dwelling units that are rented as a short-term vacation rental at any time between 12:00 a.m. PST on the Thursday before and 12:00 p.m. PST on the Monday after the Charlie Saikley 6-Man Beach Volleyball Tournament.) Nothing in the Zoning Code permits short-term vacation rentals of residential units, or portions thereof. However, according to Finance, 57 properties are registered as vacation rentals, and they pay TOT. The City has become aware of the degree to which dwelling units in the City are being used for short-term rentals through such websites as Airbnb ([www.Airbnb.com](http://www.Airbnb.com)), Vacation Rentals By Owner ([www.vrbo.com](http://www.vrbo.com)), and similar on-line short-term vacation rental websites. A recent check of those sites indicated that a much greater number than 57 Manhattan Beach properties are listed on-line as available for short-term rentals. The unregulated use of residential property for vacation rentals and other transient uses can have a severe negative impact on the character of the residential zones and its residents. Also, note that aforementioned Business License-related Code Sections are regulated in the MBMC as they are not addressed in the LCP.

Left unchecked, short-term rentals of residential properties have the potential to change the character and stability of the City’s residential neighborhoods. The Land Use Element of the City’s General Plan includes Goal LU-4, which aims to preserve the features of each neighborhood, and develop solutions tailored to each neighborhood’s unique characteristics. Goal LU-4 which is supported by Policy LU-4.1 aims to “protect public access to and enjoyment of the beach while respecting the privacy of beach residents.” The Land Use Element also includes Goal LU-5: “Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses.” Consistent with this goal, Policy LU-5.1: “Require[s] the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.”

The City’s Housing Element includes Goal I “Preserve Existing Neighborhoods” which is bolstered by Policy 1 “Continue to enforce provisions of the Zoning Code which specify District Development Regulations for height, lot coverage, setbacks, open space, and parking.” Unlike hotel uses, where additional parking requirements ensure residential areas are minimally affected and onsite managers ensure compliance with other City Codes that address noise and other operational characteristics, residential transient uses can diminish the character quality of residential neighborhoods if left unchecked. Goal I memorializes the City’s commitment to preserving and maintaining its single-family residential neighborhoods from incompatible and character changing uses such as short-term rental of single family residences.

The impact of short-term transient uses in residential neighborhoods have been discussed in various news articles, including a April 23, 2015 article on KPBS in which beach-area residents of San Diego noted that “the noise and negative impacts make it so that neighbors are unable to enjoy their houses and backyards.” On September 2, 2013 an article in the Los Angeles Times expressed concerns of residents of the Silver Lake neighborhood in Los Angeles about the operation of “virtual hotels, packing homes with throngs of visitors whose sheer presence alters the community feel.”

Protection of the City’s residential neighborhoods warrants amendment of the City’s residential zones to limit the number of times per year residential units, including accessory units, can be rented for short-term occupancy. Staff originally drafted the proposed regulations to allow “transient use” of single-family and multi-family dwelling units for 30 days or less once within a six month period, for a total of two within a 12 month period. The Commission recommended allowing transient uses once within a three month period, for a total of four uses within a 12 month period. Please note that rentals for longer than 30 days are not limited by the proposed regulations governing transient uses to a maximum number annually; however they are limited to occupancy by a “single housekeeping unit” as defined in the proposed new regulations. Thus, property owners could lease their properties to a single housekeeping unit for any period exceeding 30 days (or, for that matter, four times a year for periods 30 days or less). Likewise, the proposed regulations will have no impact on uses in commercial zones (e.g., hotels, motels, etc.). And, finally, under the proposed regulations, property owners, could still lease their property during the two week period surrounding the Six Man tournament (as one of the four times permitted in a 12 month period) subject to the proposed regulations and the current regulations in the Municipal Code’s business license and revenue Chapters.

In accordance with the Commission action at the May 13, 2015 Planning Commission Meeting, Staff incorporated additional language into the proposed Code Amendments including: 1) Reference to Business license and Revenue Chapters; and 2) permitting four residential short term rentals per year.

Attached to this Staff Report (Attachment 1) is the proposed ordinance amending: (1) Municipal Code Chapter 10.100 (Appeals) to allow for City Council review of Planning Commission quasi-judicial decisions and revising other sections to bring the Code into conformity with existing practice, and (2) Chapter 10.12 (Residential Districts) and related Municipal Code Sections to address commercial and transient uses in residential zones. A legislative digest is attached as Attachment 2 showing the amendments to existing MBMC Sections. In addition, the draft Ordinance directs the City Clerk to make any other corresponding revisions to the Code to achieve internal consistency. Finally, staff conducted a survey of short-term rental regulations (Attachment 8) in other cities and by the State to reference measures being taken regarding short-term rental housing.

## **ENVIRONMENTAL DETERMINATION**

The proposed zone text amendments are exempt from the California Environmental Quality Act (CEQA) requirements pursuant to CEQA guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment.



**PUBLIC OUTREACH/INTEREST:**

A ¼ page display ad public notice for the proposed MBMC Amendments was published in the Beach Reporter newspaper on May 21, 2015, in compliance with state and local law and mailed to interested parties. The draft MBMC Amendments are available at the City Clerk's office and at the Department of Community Development. The staff report, Ordinance, and attachments are also posted on the City website.

**CONCLUSION:**

Staff recommends that the City Council conduct the public hearing, accept testimony, discuss the Amendments, and introduce attached Ordinance 15-0009.

Attachments:

1. Ordinance No. 15-0009
2. MBMC Legislative Digest Showing the Proposed Amendments
3. Current MBMC Section 10.100 - Appeals
4. Current MBMC Section 10.12.020
5. Planning Commission Resolution No. PC 15-03
6. 5/13/15 Planning Commission Staff Report & Attachments
7. 5/13/15 Planning Commission Draft minutes
8. Survey of Short-Term Rental Regulations

cc. Interested parties

## ORDINANCE NO. 15-0009

### AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE MANHATTAN BEACH MUNICIPAL CODE TO INCLUDE A COUNCIL REVIEW PROCEDURE FOR QUASI-JUDICIAL DECISIONS AND MODERNIZING CHAPTER 10.100 (APPEALS), AND AMENDING CHAPTER 10.12 (RESIDENTIAL DISTRICTS) AND RELATED MUNICIPAL CODE SECTIONS REGARDING COMMERCIAL AND TRANSIENT USES IN RESIDENTIAL ZONES

THE MANHATTAN BEACH CITY COUNCIL ORDAINS AS FOLLOWS:

**SECTION 1. CEQA Findings.** This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment. The proposed Zoning Code amendments modify the Appeals process and clarify and amend existing residential use classifications.

**SECTION 2.** On June 2, 2015, the City Council conducted a duly noticed public hearing to consider amendments to the Zoning Code for Chapter 10.100 (Appeals), Chapter 10.12 (Residential Districts), Chapter 10.04.030 (Definitions), and for Chapter 10.08.030 (Residential Use Classifications). After a duly noticed public hearing, the Planning Commission recommended the following changes to the Zoning Code's appeal chapter: 1) amendments reflecting the City's practice and changes in the law; 2) amendments providing for City Council review of quasi-judicial proceedings; and 3) amendments streamlining the Code for ease of use. In addition, the Planning Commission recommended that the Council amend the Code to address commercial and transient uses in residential zones.

**SECTION 3.** The City Council hereby amends Chapter 10.100 (Appeals) of the Manhattan Beach Municipal Code in its entirety to read as follows:

#### **“Chapter 10.100 APPEALS AND COUNCIL REVIEW**

##### **Sections:**

##### **10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and with the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision. If the fifteenth day falls on a weekend or City holiday, the appeal period ends at the close of business on the next working day.

- D. The appeal shall be heard within 60 days of the City Clerk's receipt of the appeal, unless the applicant and appellant consent to a later date. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- E. The effectiveness of a decision subject to appeal shall be stayed pending completion or withdrawal of the appeal.

**10.100.020 Council Review.**

- A. The City Council shall review a Planning Commission decision if two council members, either individually or jointly, file a Council review form with the City Clerk on or before the fifteenth day following the decision. For all requests for review, it shall be presumed that the reason for the request is that the decision may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have City-wide importance warranting review and determination by City's elected officials. Bias shall not be presumed or inferred due to a request for review.

The City Clerk shall prescribe a review form, which shall be available free of charge. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter.

- B. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.
- C. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.
- D. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.

**10.100.030 - Decision.**

The appellate or reviewing body may uphold, overturn, or modify the decision of the inferior body. Any such action shall be made by resolution and supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director is effective. In the event of a tie vote by the City Council, the decision of the Planning Commission is final.

**10.100.040 - Effective date.**

A decision by the City Council regarding an appeal or Council review shall become final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review pursuant to Section 10.100.020.

**10.100.050 - Resubmittal.**

In the event the Commission or City Council takes final action to deny an application or request, such application or request cannot be resubmitted within two years, unless the denial is made without prejudice."

SECTION 4. The City Council hereby amends MBMC Section 10.04.030 (Definitions) to amend the definition of “Family” and to insert three new defined terms, as follows, with all other portions of Sections 10.04.030 remaining in effect without amendment:

(a) Amend “Family” to read as follows:

“**Family:** A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit.”

(b) Insert “Single Housekeeping Unit” and “Single-Family Transient Use” between the existing defined terms “Sexual Activities, Specified” and “Single Ownership” to read as follows:

“**Single Housekeeping Unit:** A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented, leased, or subleased all adult members living on the premises jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.”

“**Single-Family Transient Use:** Rental or lease of a single-family dwelling unit for a period of less than 30 days.”

(c) Insert “Multi-Family Transient Use” between the existing defined terms “Municipal Code” and “Nonconforming Structure” to read as follows:

“**Multi-Family Transient Use:** Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”

SECTION 5. The City Council hereby amends MBMC Section 10.08.030 Residential use classifications) to insert a use classification “Multi-Family Transient Use” between the existing use classifications “Multi-family Residential” and “Residential Care, Limited” as follows, with all other portions of Sections 10.08.030 remaining in effect without amendment, with the exception that certain subsections will be re-lettered due to the insertions set forth in this Section 5 and in Section 6:

“F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”

SECTION 6. The City Council hereby amends MBMC Section 10.08.030 (Residential use classifications) to insert a new Use classification “Single-Family Transient Use” between the existing Use classifications “Single-Family Residential” and “Supportive Housing” as follows, with all other portions of Sections 10.08.030 remaining in effect without amendment:

“I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”

SECTION 7. The City Council hereby amends the “Residential Uses” section of the table of uses set forth in MBMC Section 10.12.020 (Land Use Regulations) to 1) insert a new row immediately before the “Residential Care, Limited” row, entitled “Multi-Family Transient Use”; and 2) insert a new row immediately after the “Single Family Residential” row, entitled “Single-Family Transient Use”; both of which are noted on the table below underlined in bold text, as follows, with all other portions of Sections 10.12.020 remaining in effect without amendment:

10.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS				P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted		
	RS	RM	RH	RPD	RSC	Additional Regulations
<b>Residential Uses</b>						(A)
Day Care, Small Family Home	P	P	P	P	P	<b>(P)</b>
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	<b>(P)</b>
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L) <b>(P)</b>
6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O) <b>(P)</b>
<b><u>Multi-Family Transient Use</u></b>	-	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C) <b>(P)</b>
<b><u>Single-Family Transient Use</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	

**SECTION 8.** The City Council hereby amends MBMC Section 10.12.020 (Land Use Regulations) to add Additional Regulations L-25, L-26, and (P) to read as follows, with all other portions of Section 10.12.020 remaining in effect without amendment:

RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations:

“L-25 A Multi-Family Transient Use, as defined in Section 10.08.030, of a multi-family dwelling unit is permitted to commence once within a three month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than four times within a 12 month period is prohibited. Multi-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.”

“L-26 A Single-Family Transient Use, as defined in Section 10.08.030, of a single family

dwelling unit is permitted to commence once within a three month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than four times within a 12 month period is prohibited. Single-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.”

“(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030, except as provided in Section 10.08.030.”

SECTION 9. If any sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 10. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance, and no further, are hereby repealed, and the City Clerk shall make any necessary changes to the Zoning Code for internal consistency.

SECTION 11. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

PASSED, APPROVED AND ADOPTED June \_\_\_\_, 2015.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
WAYNE POWELL  
Mayor of the City of Manhattan Beach

ATTEST:

\_\_\_\_\_  
LIZA TAMURA  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
QUINN M. BARROW  
City Attorney

**LEGISLATIVE DIGEST**  
**ORDINANCE NO. 15-0009**

1. MBMC Chapter 10.100 (Appeals) has been revised in its entirety to read:

**“Chapter 10.100 APPEALS AND COUNCIL REVIEW**

**Sections:**

**10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and with the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision. If the fifteenth day falls on a weekend or City holiday, the appeal period ends at the close of business on the next working day.
- D. The appeal shall be heard within 60 days of the City Clerk’s receipt of the appeal, unless the applicant and appellant consent to a later date. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- E. The effectiveness of a decision subject to appeal shall be stayed pending completion or withdrawal of the appeal.

**10.100.020 Council Review.**

- A. The City Council shall review a Planning Commission decision if two council members, either individually or jointly, file a Council review form with the City Clerk on or before the fifteenth day following the decision. For all requests for review, it shall be presumed that the reason for the request is that the decision

may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have City-wide importance warranting review and determination by City's elected officials. Bias shall not be presumed or inferred due to a request for review.

The City Clerk shall prescribe a review form, which shall be available free of charge. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter.

- B. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.
- C. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.
- D. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.

**10.100.030 - Decision.**

The appellate or reviewing body may uphold, overturn, or modify the decision of the inferior body. Any such action shall be made by resolution and supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director is effective. In the event of a tie vote by the City Council, the decision of the Planning Commission is final.

**10.100.040 - Effective date.**

A decision by the City Council regarding an appeal or Council review shall become final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review pursuant to Section 10.100.020.

**10.100.050 - Resubmittal.**

In the event the Commission or City Council takes final action to deny an application or request, such application or request cannot be resubmitted within two years, unless the denial is made without prejudice.



2. MBMC Section 10.04.030 (Definitions) has been amended to amend the definition of “Family” and to insert three new defined terms:

**“Family:** A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit, ~~provided that this shall not exclude the renting of rooms in a dwelling unit as permitted by district regulations.~~”

**“Single Housekeeping Unit:** A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented, leased, or subleased all adult members living on the premises jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.”

**“Single-Family Transient Use: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”**

**Multi-Family Transient Use: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”**

3. MBMC Section 10.08.030 (Residential use classifications) has been amended to insert a use classification “Multi- Family Transient Use” between the existing use classifications “Multi-family Residential” and “Residential Care, Limited” as follows:

**“F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”**

4. MBMC Section 10.08.030 (Residential use classifications) has been amended to insert a new Use classification “Single-Family Transient Use” between the existing Use classifications “Single-Family Residential” and “Supportive Housing” as follows:

**“I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”**

5. The “Residential Uses” section of the table of uses set forth in MBMC Section 10.12.020 (Land Use Regulations) has been amended to 1) insert a new row immediately before the “Residential Care, Limited” row, entitled “Multi-Family Transient Use”; and 2) insert a new row immediately after the “Single Family Residential” row, entitled “Single-Family Transient Use”:

10.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS				P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted		
	RS	RM	RH	RPD	RSC	Additional Regulations
<b>Residential Uses</b>						(A)
Day Care, Small Family Home	P	P	P	P	P	<b><u>(P)</u></b>
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	<b><u>(P)</u></b>
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L) <b><u>(P)</u></b>
6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O) <b><u>(P)</u></b>
<b><u>Multi-Family Transient Use</u></b>	-	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C) <b><u>(P)</u></b>

RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS				P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted		
<b><u>Single-Family Transient Use</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	

6. MBMC Section 10.12.020 (Land Use Regulations) has been amended to add Additional Regulations L-25, L-26, and (P) to read as follows:

“RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations:

**L-25 A Multi-Family Transient Use, as defined in Section 10.08.030, of a multi-family dwelling unit is permitted to commence once within a three month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than four times within a 12 month period is prohibited. Multi-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.**

**L-26 A Single-Family Transient Use, as defined in Section 10.08.030, of a single family dwelling unit is permitted to commence once within a three month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than four times within a 12 month period is prohibited. Single-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.**

**(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030, except as provided in Section 10.08.030.”**

## Chapter 10.100 - APPEALS AND COUNCIL REVIEW

### Sections:

#### 10.100.010 - Appeals.

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.
- D. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- E. The appeal will be heard within 60 days of the City Clerk's receipt of the appeal unless the applicant and appellant consent to a later date.
- F. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.

#### 10.100.020 Council Review.

- A. Council Review. A Planning Commission decision shall be set for a review hearing before the City Council if requested in writing by at least two members of the City Council. The City Councilmembers requesting the review shall file a Council review form with the City Clerk. The form must be filed before the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.

The form shall be prescribed by the City Clerk and may be signed by the members separately or by two members jointly. No fee shall be required. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter. It shall be presumed that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. Bias shall not be presumed or inferred due to a request for review.

- B. Stay of Decision. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.

- C. Notice. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.
- D. Hearing Procedure. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.

**10.100.030 - Decision.**

The appellate or reviewing body may uphold, overturn or modify the decision of the inferior body. Any such action shall be made by resolution and shall be supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director shall be effective. In the event of a tie vote by the City Council, the decision of the Planning Commission shall be effective.

**10.100.040 - Effective date.**

A decision by the City Council regarding an appeal or Council review shall become final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review by two Councilmembers.

**10.100.050 - Resubmittal.**

Following a decision on an appeal or Council review, any matter that is the same or substantially the same shall not be considered by the same body within two years, unless the denial is made without prejudice.

10.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Chapter 10.68. The letters "P/U" for accessory uses mean that the use is allowed on the site of a permitted use, but requires a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

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RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS	P — Permitted  PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit  L — Limited, (See additional use regulations)  - — Not Permitted
—	

	RS	RM	RH	RPD	RSC	Additional Regulations
—						
Residential Uses						(A)
Day Care, Small Family Home	P	P	P	P	P	
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L)

6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O)
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C)
<b><u>Single-Family Transient Use</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Public and Semipublic						(A)(D)
Clubs and Lodges	-	-	L-1	U	-	
Day Care, General	-	-	-	-	-	
Park and Recreation Facilities	L-2	L-2	L-2	L-2	-	
Public Safety Facilities	U	U	U	U	-	
Religious Assembly	L-3	L-3	L-3	U	-	
Residential Care, General	-	-	U	U	U	
Schools, Public or Private	U	U	U	U	-	
Utilities, Major	U	U	U	U	U	
Utilities, Minor	P	P	P	P	P	
Accessory Uses	P/U	P/U	P/U	P/U	P/U	(A)(E)(F)(G)(H)(I) (J)(M)(N)
Temporary Uses						(H)
Commercial Filming, Limited	U	U	U	U	-	
Marketing/Sales Office	-	U	U	P	P	
Personal Property Sales	P	P	P	P	-	(K)

Street Fairs	U	U	U	U	-	
Nonconforming Uses						(I)(J)

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RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations

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L-1 Use permit required and only neighborhood-oriented uses occupying less than two thousand five hundred (2,500) square feet are permitted.

L-2 Public facilities permitted, but a use permit is required for private noncommercial facilities, including swim clubs and tennis clubs.

L-3 A use permit is required, except for legally existing church facilities, including private schools and day-care contained therein, which do not exceed an overall floor area factor greater than half of the maximum floor area factor permitted by the development standards of the base district.

L-22 Application for an administrative large family day care permit to the Director of Community Development is required and shall be made on forms provided by the City and shall include such information as may be reasonably required by the Director for a complete understanding of the request. The application shall be accompanied by a filing fee and a notification packet including all properties within a one hundred foot (100') radius of the subject property. Said notification shall be completed not less than ten (10) days prior to the date on which the decision will be made on the application.

No hearing on the application for a permit shall be held before the decision is made by the Director unless a hearing is requested by the applicant or other affected person. The Director's decision shall be based on whether or not the proposed use would be compatible with the surrounding neighborhood. The applicant or other affected person may appeal the decision and the appellant shall pay the cost of the appeal. Said appeal shall be made to the Planning Commission by filing a written appeal, on forms provided by the Department of Community Development accompanied by the necessary notification packet (described above). Any such appeal shall suspend the permit until resolution of the appeal by the Planning Commission. Use of a single family dwelling for these purposes shall not constitute a change of occupancy per the State Housing Law or local building ordinances.

Large family day care homes shall be considered as single family residences per State and local building and fire codes.

Each home used in this manner shall meet the fire and life safety standards adopted by the Community Development Department and Fire Department.

The property to be used in this manner shall conform to all applicable development standards as stated in the Manhattan Beach Municipal Code.

(A) See Section 10.52.020, Exterior materials in R districts.

(B) A use permit is required for condominium development or conversion of three (3) or more units; see Chapters 10.84 and 10.88. Condominium development, or conversion, of two (2) units are exempt from the use permit requirement. Any addition or modification to a condominium unit or development subsequent to the original construction of that unit or development that would result in an increase in the amount of liveable space, or a significant exterior structural or architectural



alteration, shall require an amendment to the use permit previously obtained. In order for a residential apartment building to qualify for a condominium conversion, a certificate of occupancy must have been issued prior to January 1, 1982.

(C) See Section 10.52.100, Manufactured homes.

(D) Facilities on sites of two (2) acres or more are subject to the regulations of Chapter 10.28 (PS district) precluding those of this chapter. See Section 10.28.020, PS district applicability.

(E) See Section 10.52.070, Home occupation in R districts.

(F) See Section 10.52.050, Accessory structures, which permits guest houses or accessory living quarters as defined in Section 10.04.030.

(G) See Section 10.52.080, Swimming pools and hot tubs.

(H) See Section 10.84.110, Temporary use permits.

(I) See Chapter 10.68, Nonconforming uses and structures.

(J) See Chapter 10.72, Signs.

(K) An administrative permit issued by the Community Development Director is required.

(L) Alternative Parking Plan for Senior Citizen Housing. Applications for a use permit for a senior citizen housing project shall include a contingency plan, addressing what will be done to ensure compliance with parking requirements if occupancy can not be limited to senior citizens because of market conditions or other factors.

(M) The keeping of domestic animals is permitted including: dogs and cats not to exceed five (5) for each residential living unit in any combination thereof and the young thereof not exceeding four (4) months in age, and other small domestic household pets such as rabbits, hamsters, guinea pigs, etc. not to exceed five (5) in any combination thereof. Common varieties of farm animals, livestock, exotic animals or wild animals (as defined in Section 10.04.030) are prohibited, except for Vietnamese pot-bellied pigs, also known as pygmy pigs or mini-pigs, as permitted by the Animal Control Department.

(N) A maximum of three (3) garage or lawn sale permits per calendar year, of miscellaneous household items of personal property accumulated by the occupant of the residence as a normal matter of course may be held on any building site occupied by residents, provided a permit has been acquired from the City's Licensing Authority. Each permit shall be valid for a maximum of three (3) consecutive days and may include standard regulations on the garage sale permit (in accordance with provisions of Section 6.08.020 of this Code).

(O) Residential developments that qualify for a density bonus pursuant to Chapter 10.94 of this Code shall apply for a precise development plan. Residential developments of six (6) or more units that do not receive a density bonus shall apply for a site development permit.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91, 10-3.502; Ord. No. 1864, Amended, 02/18/93; Ord. No. 1891, Amended, 01/06/94; § 2, Ord. 1951, eff. July 4, 1996; § 2, Ord. 2049, eff. November 18, 2003 and § 3, Ord. 13-0006, eff. August 1, 2013)

1 RESOLUTION NO. PC 15-03

2  
3 **A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION**  
4 **RECOMMENDING TO THE CITY COUNCIL ZONING CODE AND LOCAL**  
5 **COASTAL PROGRAM AMENDMENTS FOR CHAPTERS 10.100 AND**  
6 **A.96.160 (APPEALS) AND FOR CHAPTERS 10.12 AND A.12 (RESIDENTIAL**  
7 **DISTRICTS) AND OTHER PORTIONS OF TITLE 10 AND A – ZONING CODE**

8 THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

9 SECTION 1. The Planning Commission hereby makes the following findings:

- 10 A. On May 13, 2015, the Planning Commission conducted a duly noticed public hearing pursuant  
11 to applicable law to consider amendments to the Zoning Code and Local Coastal Program for  
12 Chapters 10.100 and A.96.160 (Appeals), for Chapters 10.12 and A.12 (Residential Districts),  
13 for Chapters 10.04.030 and A.04.030 (Definitions), and for 10.08.030 and A.08.030 (Residential  
14 Use Classifications). Specifically, staff has recommended that the Zoning Code's appeal  
15 procedure be streamlined, amended to make the Code consistent with the City's practice and  
16 changes in the law, and amended to provide for City Council review of quasi-judicial  
17 proceedings. In addition, staff has recommended that the Code be amended to address  
18 commercial and transient uses in residential zones.
- 19 B. The public hearing was advertised pursuant to applicable law with a ¼ page display ad on April  
20 30, 2015 in the Beach Reporter.
- 21 C. The proposal is exempt from the requirements of the California Environmental Quality Act  
22 (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with  
23 certainty that the amendments will not have the potential for any impacts on the environment.  
24 The proposed Zoning Code and LCP amendments are modifications to the Appeals process,  
25 adding and amending definitions, classifications and uses in the Residential Sections.
- 26 D. The proposed amendments are consistent with the policies of Chapter 3 of the Coastal Act, and  
27 LCP Policy II.1 which aims to "Control development within the City of Manhattan Beach Coastal  
28 Zone," will not have an impact either individually or cumulatively on coastal resources, and do  
29 not involve any change in existing or proposed use of land or water, but will clarify regulation of  
30 commercial and transient uses in residential zones.
- 31 E. The proposed amendments are consistent with the goals and policies of the City's General Plan  
32 and Local Coastal Program, and with the purposes of the Zoning Codes of the Manhattan  
Beach Municipal Code (MBMC) and Local Coastal Program, as detailed in the Planning  
Commission Staff Report. The proposal specifically supports: Goal LU-4, which aims to  
preserve the features of each neighborhood, and develop solutions tailored to each  
neighborhoods unique characteristics, Policy LU-4, which aims to protect public access to and  
enjoyment of the beach while respecting the privacy of beach residents, Goal LU-5, to protect  
residential neighborhoods from the intrusion of inappropriate and incompatible uses, Policy LU-  
5.1, which requires the separation or buffering of residential areas from businesses and uses  
which produce noise, odors, high traffic volumes, light or glare, and parking through the use of  
landscaping, setbacks, or other techniques, and the City's Housing Element Goal I, to Preserve  
Existing Neighborhoods, which is bolstered by Policy 1, to continue to enforce provisions of the  
Zoning Code which specify District Development Regulations for height, lot coverage, setbacks,  
open space, and parking.

24 SECTION 2. The Planning Commission hereby RECOMMENDS approval of the subject amendments to  
25 the MBMC and Local Coastal Program as follows:

**SECTION 3.** Amend MBMC Chapter 10.100 (APPEALS) and LCP Section A.96.160 A. 1-3 (Appeals) to read as follows with all other portions of Section A.96.160 remaining in effect without amendment:

**Chapter 10.100 and A.96.160 A.1-3. APPEALS AND COUNCIL REVIEW**

**Sections:**

**10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.
- D. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- E. The appeal will be heard within 60 days of the City Clerk's receipt of the appeal unless the applicant and appellant consent to a later date.
- F. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.

**10.100.020 Council Review.**

- A. Council Review. A Planning Commission decision shall be set for a review hearing before the City Council if requested in writing by at least two members of the City Council. The City Councilmembers requesting the review shall file a Council review form with the City Clerk. The form must be filed before the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day. The form shall be prescribed by the City Clerk and may be signed by the members separately or by two members jointly. No fee shall be required. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter. It shall be presumed that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. Bias shall not be presumed or inferred due to a request for review.
- B. Stay of Decision. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.
- C. Notice. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.

1 D. Hearing Procedure. The Council review hearing shall be conducted as a hearing *de novo*. The  
 2 City Council shall apply the same decision criteria as the Planning Commission.

3 **10.100.030 - Decision.**

4 The appellate or reviewing body may uphold, overturn or modify the decision of the inferior  
 5 body. Any such action shall be made by resolution and shall be supported by findings. Alternatively,  
 6 the appellate or reviewing body may remand the matter for further consideration by the inferior body. In  
 7 the event of a tie vote by the Planning Commission, the decision of the Community Development  
 8 Director shall be effective. In the event of a tie vote by the City Council, the decision of the Planning  
 9 Commission shall be effective.

10 **10.100.040 - Effective date.**

11 A decision by the City Council regarding an appeal or Council review shall become final on the  
 12 date of the decision. A decision by the Planning Commission regarding an appeal shall become final on  
 13 the date of the decision, unless appealed to the City Council, or called up for review by two  
 14 Councilmembers.

15 **10.100.050 - Resubmittal.**

16 Following a decision on an appeal or Council review, any matter that is the same or substantially  
 17 the same shall not be considered by the same body within two years, unless the denial is made without  
 18 prejudice.

19 **SECTION 4.** Amending MBMC Section 10.04.030 and LCP Section A.04.030 (Definitions) to insert a  
 20 new defined term "Single Housekeeping Unit" between the existing defined terms "Sexual Activities,  
 21 Specified" and "Single Ownership" as follows, with all other portions of Sections 10.04.030 and A.04.030  
 22 remaining in effect without amendment:

23 "SINGLE HOUSEKEEPING UNIT:

24 A traditional family or the functional equivalent of a traditional family, whose members are a  
 25 non-transient interactive group of one or more persons, where if consisting of more than one  
 26 person, such persons jointly occupy a single dwelling unit, jointly use common areas, share  
 27 household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the  
 28 unit is rented, leased, or subleased all adult members living on the premises jointly agree to  
 29 occupy and be responsible for the entire premises of the dwelling unit under a single written  
 30 rental agreement or lease and the makeup of the household occupying the unit is determined by  
 31 the residents of the unit rather than the landlord or property manager."

32 **SECTION 5.** Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use  
 classifications) to insert a Use classification "Multi- Family Transient Use" between the existing use  
 classifications "Multi-family Residential" and "Residential Care, Limited" as follows, with all other  
 portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

"F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a  
 period of less than 30 days."

**SECTION 6.** Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use  
 classifications) to insert a new Use classification "Single-Family Transient Use" between the existing  
 Use classifications "Single-Family Residential" and "Supportive Housing" as follows, with all other  
 portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

"I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for  
 a period of less than 30 days."

**SECTION 7.** Amend the residential use in the table of uses set forth in MBMC Section 10.12.020 and  
 LCP Section A.12.020 (Land Use Regulations) to 1) insert a new row immediately before the  
 "Residential Care, Limited" row, entitled "Multi-Family Transient Use"; and 2) insert a new row  
 immediately after the "Single Family Residential" row, entitled "Single-Family Transient Use"; both of

which are noted on the table below underlined in bold text, as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

10.12.020/A.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS						P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted
	RS	RM	RH	RPD	RSC	Additional Regulations
<b>Residential Uses</b>						(A)
Day Care, Small Family Home	P	P	P	P	P	<b>(P)</b>
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	<b>(P)</b>
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L) <b>(P)</b>
6 or more units	-	PDP/SD P	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O) <b>(P)</b>
<b><u>Multi-Family Transient Use</u></b>	-	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C) <b>(P)</b>
<b><u>Single-Family Transient Use</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	

**SECTION 9.** Amend MBMC Section 10.12.020 and LCP Section A.12.020 (Land Use Regulations) to add Additional Regulations L-25, L-26, and (P) to read as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations:

L-25 A Multi-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a multi-family dwelling unit is permitted to commence once within a three month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than four times within a 12 month period is prohibited. Multi-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.

L-26 A Single-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a single family dwelling unit is permitted to commence once within a three month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than four times within a 12 month period is prohibited. Single-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.

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(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030 and A.10.04.030.

SECTION 10. The Planning Commission also recommends that the City Council direct the City Clerk to make any other corresponding language changes to the MBMC and the LCP to achieve internal consistency as required.

SECTION 11. If any sentence, clause, or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this resolution. The Planning Commission hereby declares that it would have passed this resolution and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

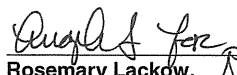
SECTION 12. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other resolution of the City, to the extent that they are inconsistent with this resolution, and no further, are hereby repealed.

SECTION 13. 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 May 13, 2015 and that said Resolution was adopted by the following vote:

- AYES:** Andreani, Bordokas, Hersman
- NOES:** Chairperson Conaway, Ortmann
- ABSENT:** None
- ABSTAIN:** None


  
\_\_\_\_\_  
Marisa Lundstedt,  
Secretary to the Planning Commission


  
\_\_\_\_\_  
Rosemary Lackow,  
Recording Secretary

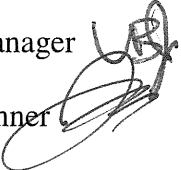
*Rosemary Lackow*

**CITY OF MANHATTAN BEACH  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
MEMORANDUM**

**TO:** Planning Commission

**FROM:** Marisa Lundstedt, Director of Community Development 

**THROUGH:** Laurie B Jester, Planning Manager 

**BY:** Jason Masters, Assistant Planner 

**DATE:** May 13, 2015

**SUBJECT:** Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) to include a Council review procedure for quasi-judicial decisions and modernizing Chapters 10.100 and A.96.160 (Appeals), and Chapters 10.12 and A.12 (Residential Districts) and related Municipal Code and LCP Sections regarding commercial and transient uses in residential zones.

**RECOMMENDATION**

Staff recommends that the Planning Commission **CONDUCT** the Public Hearing and **ADOPT** the attached draft Resolution recommending to the City Council approval of the proposed Municipal Code and Local Coastal Program (LCP) Amendments.

**APPLICANT**

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

**BACKGROUND**

Based upon its periodic review of the Zoning Code, staff is recommending that the Code be amended to address (1) recent case law concerning Council review of Planning Commission quasi-judicial decisions and (2) commercial and transient uses of residential properties. Staff also recommends related Zoning Code cleanup as to both areas. Pursuant to state law, the Planning Commission shall make recommendations to the City Council after conducting a public hearing as to the recommended changes to the Zoning Code.

**DISCUSSION**

*1. Council review of Planning Commission decisions*

There have been a series of California appellate decisions finding that an “appeal” of a Planning Commission decision by a Councilmember or the full Council may violate due process principles. Appeals filed by individual Councilmembers may give rise to the

appearance that the decisionmaker has pre-judged a matter, prior to considering the evidence. It is important that Councilmembers maintain an open mind and do not take any positions, for or against an application, until after the public hearing before the Council. The courts have explained this rule, which stems from the Due Process clauses of the federal and state constitutions, as follows:

“A public hearing contemplates a fair and impartial hearing at which competent evidence may be presented before a fair and impartial tribunal.”

*Saks & Co. v. City of Beverly Hills*, 107 Cal.App.2d 260, 265 (1951). See also *Bullock v. City and County of San Francisco*, 221 Cal.App.3d 1072, 1091 (1990) (“Fair trial in a fair tribunal is a basic requirement of due process”); *Rosenblit v. Superior Court*, 231 Cal.App.3d 1434, 1448 (1991) (“The right to a fair procedure includes the right to impartial adjudicators”); *Sinaloa Lake Owners' Ass'n v. City of Simi Valley*, 882 F.2d 1398, 1408-10 (9th Cir. 1989) (City violated applicant’s substantive due process rights). Further, if a Councilmember has a personal interest or involvement in the outcome of the matter or with any participants which precludes that Councilmember from making his or her decision based on the merits of the application, disqualification is required. *Fairfield v. Superior Court*, 14 Cal.3d 768 (1975); *Mennig v. City Council*, 86 Cal.App.3d 341 (1978). *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994).

The most recent opinion on this subject—*Woody’s Group, Inc. v. City of Newport Beach*—was issued on January 1, 2015. In *Woody’s*, the court of appeal ruled that a Councilmember’s appeal of a Planning Commission decision to approve a use permit and variance, and the City Council’s subsequent reversal of the Planning Commission’s approval, violated the due process of the applicant. The court ruled that the appeal by the Councilmember was, in essence, impermissible because the Councilmember was both the appellant and appellate judge. Further, the court ruled that the appeal violated Newport Beach’s Municipal Code because there was no provision allowing appeals for Councilmembers acting in their role as Councilmembers.

In 1994, in the case of *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994), the full City Council appealed a decision of the Planning Commission after residents opposed to the Commission’s decision appeared at the next City Council meeting. The Court found that such appeal violated due process and that the Council had exhibited impermissible bias. See also *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); Many Zoning Ordinances, including Manhattan Beach’s, were amended in response to the *Cohan* case to provide a Council review process that affords due process to applicants. MBMC Section 10.100.030 currently states that appeals may originate from the City Council, and MBMC Section 10.100.040B currently provides “The Mayor or City Council members appealing any



matter under this section shall only do so if the appeal is made in the public interest or welfare and the appealing council member has no predisposition for or against the matter being appealed.”

Similar provisions in other cities have been upheld by the court. E.g., *BreakZone Billiards v. City of Torrance*, 81 Cal. App. 4th 1205, 1233 (2000) (Councilmember’s calling up commission decision for review was consistent with City’s procedure and did not constitute bias).

The primary purpose of this proposed change is to supplement the Code’s existing appeal procedure with a new “City Council review” procedure. Staff would notify the City Council (and the public) of any quasi-judicial decision on the next day after the Planning Commission meeting, and again in the City Manager’s weekly report distributed on Friday of each week. Any Councilmember could seek review of that decision at any time within 15 days after the Planning Commission decision. If two Councilmembers request review, City Council review would be initiated. This is in contrast to the existing “appeal” procedure, which allows an appeal to be filed by a single Councilmember, and only at the next Council meeting. If a call for review is made there shall be a presumption applied that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. No inference of bias shall be presumed due to such a request for review being made by Council members.” If review is initiated, then a review hearing shall be noticed and conducted in the same manner as is required for appeals. The City Council would be able to uphold, overturn or modify the Planning Commission’s original action, and also to remand the application back to the Planning Commission for further consideration.

Establishing a City Council review procedure as proposed would help diffuse any perception of bias that may arise in the mind of a project applicant, or members of the public, when a Councilmember appeals a Planning Commission decision to the City Council and then participates in the decision by the City Council. One reason for this is that, under the new review procedure, a Planning Commission decision could be brought to the City Council’s jurisdiction by two Councilmembers without a Councilmember identifying himself or herself as an “aggrieved person” or stating reasons why the decision should be reviewed (which could suggest a predisposition on the matter). Another reason for this is that there would be an express standard for initiation of review while, by contrast, an appeal can be filed for any reason.

The secondary purpose of this recommendation is to perform some minor “clean up” of the existing appeal procedure. In particular, the ordinance would revise the Code to specify that appeal hearings by the City Council are “de novo,” which means the hearing is “as new” and the appellate body is not bound by the findings of the original decision-maker. Additionally, the ordinance would revise the Code to specify that a tie vote by the City Council on an appeal results in the Planning Commission’s decision being final and conclusive. In the event of a tie vote by the Planning Commission, the decision of the

Community Development Director would be effective. These changes will make the Code consistent with the City's current practice.

*2. Code Cleanup to Address Commercial and Transient Uses of Residential Properties.*

In the process of reviewing the Zoning Code, staff observed that the Code does not adequately address recent trends where residential properties are leased or rented for short-term commercial or transient uses, such as bed and breakfasts, vacation rentals and other transient uses. In 2005, a single family home was rented as a "party house," which created noise, traffic and undue burden on scarce on-street parking. More recently in 2012, the City Council examined the negative impacts, including noise, crime, traffic congestion and consumption of available parking on and in residential neighborhoods, arising from short-term vacation rentals of residences during the Charlie Saikley 6-Man Beach Volleyball Tournament.

Common in City's throughout California, the Zoning Code in the Manhattan Beach Municipal Code (MBMC) and LCP prohibits most commercial uses in residential zones. MBMC 10.12.020 identifies the types of uses that are permitted in the single- and multi-family residential zones, and short-term transient uses are not listed. (As a result of the 2012 discussions, short-term vacation rentals are currently regulated under Business Licenses in Chapter 6.24 of the MBMC specifically related to the Charlie Saikley 6-Man Beach Volleyball Tournament. Short-term vacation rentals are defined in MBMC Section 6.24.20 as "a dwelling unit that is rented by the owner to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration such as, but not limited to, trade, fee, swap, or any other consideration in lieu of cash payments." Short-term vacation rental permits apply only to dwelling units within the area of the City bounded by 1st Street on the south, Ardmore Avenue and North Blanche Road on the east, Marine Avenue on the north, and the beach on the west, and are granted only to those dwelling units that are rented as a short-term vacation rental at any time between 12:00 a.m. PST on the Thursday before and 12:00 p.m. PST on the Monday after the Charlie Saikley 6-Man Beach Volleyball Tournament.) Nothing in the Zoning Code permits short-term vacation rentals of residential units. The City has become aware of the degree to which dwelling units in the City are being used for short-term rentals through such websites as Airbnb ([www.Airbnb.com](http://www.Airbnb.com)), Vacation Rentals By Owner ([www.vrbo.com](http://www.vrbo.com)), and similar on-line short-term vacation rental websites.

Left unchecked, short-term rentals of residential properties have the potential to change the character and stability of the City's residential neighborhoods. The Land Use Element of the City's General Plan, includes Goal LU-4, which aims to preserve the features of each neighborhood, and develop solutions tailored to each neighborhoods unique characteristics. Goal LU-4 which is supported by Policy LU-4.1 aims to protect public access to and enjoyment of the beach while respecting the privacy of beach residents. The Land Use Element also includes Goal LU-5: "Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses." Consistent with this goal, Policy LU-5.1: "Require[s] the separation or buffering of residential areas from businesses which

produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.”

The City’s Housing Element includes Goal I “Preserve Existing Neighborhoods.” which is bolstered by Policy 1 “Continue to enforce provisions of the Zoning Code which specify District Development Regulations for height, lot coverage, setbacks, open space, and parking.” Unlike hotel uses, where additional parking is a requirement to ensure residential areas are minimally affected, and onsite managers ensure compliance with other City Codes such as noise, left unchecked, residential transient uses can diminish the character quality of residential neighborhoods. Goal I memorializes the City’s commitment to preserving and maintaining its single-family residential neighborhoods from incompatible and character changing uses such as short-term rental of single family residences.

The impact of short-term transient uses in residential neighborhoods have been discussed in various news articles, including a April 23, 2015 article on KPBS in which beach-area residents of San Diego noted that “the noise and negative impacts make it so that neighbors are unable to enjoy their houses and backyards.” On September 2, 2013 an article in the Los Angeles Times expressed concerns of residents of the Silver Lake neighborhood in Los Angeles about the operation of “virtual hotels, packing homes with throngs of visitors whose sheer presence alters the community feel.”

Protection of the City’s residential neighborhoods warrants amendment of the City’s residential zones to limit the number of times per year residential units, including accessory units, can be rented for short-term occupancy. The proposed regulations have been drafted to allow “transient use” of single-family and multi-family dwelling units for 30 days or less once within a six month period, for a total of two within a 12 month period. The Commission may want to consider allowing transient uses once within a three month period, for a total of four within a 12 month period. Please note that rentals for longer than 30 days are not limited by the proposed regulations governing transient uses to a maximum number annually; however they are limited to occupancy by a “single housekeeping unit” as defined in the proposed new regulations. Likewise, the proposed regulations will have no impact on uses in commercial zones (e.g., hotels, motels, etc.)

Attached to this Staff Report (Attachment A) is a Resolution to recommend amending the Municipal Code and Local Coastal Program including Chapters 10.100 and A.96.160 (Appeals) to allow for City Council review of Planning Commission quasi-judicial decisions and make other revisions to the Appeals Sections to bring the Code into conformity with existing practice. In addition, staff recommends amending Chapter 10.12 and A.12 (Residential Districts) and related Municipal Code and LCP Sections to address commercial and transient uses in residential zones. The amendments are underlined in bold text below with the existing MBMC and LCP Sections: There may be other corresponding revisions to the Code to achieve internal consistency.

<p>10.04.030 &amp; A.04.030 – Definitions</p>	<p><b><u>SINGLE HOUSEKEEPING UNIT: A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented or leased, all adult members jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.</u></b></p>
<p>10.08.030 &amp; A.08.030 – Residential Use Classifications</p>	<p><b><u>Multi-Family Transient Use: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.</u></b></p> <p><b><u>Single-Family Transient Use: Rental or lease of a single-family dwelling unit for a period of less than 30 days.</u></b></p>
<p>10.12.020 &amp; A.12.020 – Land use regulations</p>	<p><b><u>L-25 A Multi-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a multi-family dwelling unit is permitted to commence once within a six month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than twice within a 12 month period is prohibited</u></b></p> <p><b><u>L-26 A Single-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a single family dwelling unit is permitted to commence once within a six month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than twice within a 12 month period is prohibited.</u></b></p> <p><b><u>(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030 and A.04.030.</u></b></p>

**10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.**
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.**
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.**
- D. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.**
- E. The appeal will be heard within 60 days of the City Clerk's receipt of the appeal unless the applicant and appellant consent to a later date.**
- F. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.**

**10.100.020 Council Review.**

- A. Council Review. A Planning Commission decision shall be set for a review hearing before the City Council if requested in writing by at least two members of the City Council. The City Councilmembers requesting the review shall file a Council review form with the City Clerk. The form must be filed before the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.**

**Chapter 10.100 and  
A.96.160 A. 1-3. -  
APPEALS AND  
COUNCIL REVIEW**

**CONTINUED**

**The form shall be prescribed by the City Clerk and may be signed by the members separately or by two members jointly. No fee shall be required. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter. It shall be presumed that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. Bias shall not be presumed or inferred due to a request for review.**

**B. Stay of Decision. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.**

**C. Notice. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.**

**D. Hearing Procedure. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.**

**10.100.030 - Decision.**

**The appellate or reviewing body may uphold, overturn or modify the decision of the inferior body. Any such action shall be made by resolution and shall be supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director shall be effective. In the event of a tie vote by the City Council, the decision of the Planning Commission shall be effective.**

**10.100.040 - Effective date.**

**A decision by the City Council regarding an appeal or Council review shall become final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review by two Councilmembers.**

**10.100.050 - Resubmittal.**

**Following a decision on an appeal or Council review, any matter that is the same or substantially the same shall not be considered by the same body within two years, unless the denial is made without prejudice.**

## **ENVIRONMENTAL DETERMINATION**

The proposed zone text amendments are exempt from the California Environmental Quality Act (CEQA) requirements pursuant to CEQA guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment.

## **PUBLIC INPUT**

A ¼ page display ad public notice for the proposed MBMC and LCP Code Amendments was published in the Beach Reporter newspaper on April 30, 2015, in compliance with state and local law and mailed to the California Coastal Commission. The draft MBMC and LCP Amendments have been made available at the City Clerk's office and at the Department of Community Development. The staff report, draft Resolution and attachments are also posted on the City website.

## **CONCLUSION**

Staff recommends that the Planning Commission conduct the public hearing, accept testimony, discuss the Amendments, and adopt the attached draft Resolution recommending approval of the Municipal and Local Coastal Program Code Amendments to the City Council.

### Attachments:

- A. Draft Resolution No. PC 15-XX
- B. Current MBMC & LCP-Sections 10.100 & A.96.160- Appeals
- C. Current MBMC Section 10.12.020

cc. California Coastal Commission

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## RESOLUTION NO. PC 15-XX

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL ZONING CODE AND LOCAL COASTAL PROGRAM AMENDMENTS FOR CHAPTERS 10.100 AND A.96.160 (APPEALS) AND FOR CHAPTERS 10.12 AND A.12 (RESIDENTIAL DISTRICTS) AND OTHER PORTIONS OF TITLE 10 AND A – ZONING CODE

THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission hereby makes the following findings:

- A. On May 13, 2015, the Planning Commission conducted a duly noticed public hearing pursuant to applicable law to consider amendments to the Zoning Code and Local Coastal Program for Chapters 10.100 and A.96.160 (Appeals), for Chapters 10.12 and A.12 (Residential Districts), for Chapters 10.04.030 and A.04.030 (Definitions), and for 10.08.030 and A.08.030 (Residential Use Classifications). Specifically, staff has recommended that the Zoning Code's appeal procedure be streamlined, amended to make the Code consistent with the City's practice and changes in the law, and amended to provide for City Council review of quasi-judicial proceedings. In addition, staff has recommended that the Code be amended to address commercial and transient uses in residential zones.
- B. The public hearing was advertised pursuant to applicable law with a ¼ page display ad on April 30, 2015 in the Beach Reporter.
- C. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment. The proposed Zoning Code and LCP amendments are modifications to the Appeals process, adding and amending definitions, classifications and uses in the Residential Sections.
- D. The proposed amendments are consistent with the policies of Chapter 3 of the Coastal Act, and LCP Policy II.1 which aims to "Control development within the City of Manhattan Beach Coastal Zone," will not have an impact either individually or cumulatively on coastal resources, and do not involve any change in existing or proposed use of land or water, but will clarify regulation of commercial and transient uses in residential zones.
- E. The proposed amendments are consistent with the goals and policies of the City's General Plan and Local Coastal Program, and with the purposes of the Zoning Codes of the Manhattan Beach Municipal Code (MBMC) and Local Coastal Program, as detailed in the Planning Commission Staff Report. The proposal specifically supports: Goal LU-4, which aims to preserve the features of each neighborhood, and develop solutions tailored to each neighborhoods unique characteristics, Policy LU-4, which aims to protect public access to and enjoyment of the beach while respecting the privacy of beach residents, Goal LU-5, to protect residential neighborhoods from the intrusion of inappropriate and incompatible uses, Policy LU-5.1, which requires the separation or buffering of residential areas from businesses and uses which produce noise, odors, high

## RESOLUTION NO. 15-XX

traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques, and the City's Housing Element Goal I, to Preserve Existing Neighborhoods, which is bolstered by Policy 1, to continue to enforce provisions of the Zoning Code which specify District Development Regulations for height, lot coverage, setbacks, open space, and parking.

**SECTION 2.** The Planning Commission hereby RECOMMENDS approval of the subject amendments to the MBMC and Local Coastal Program as follows:

**SECTION 3.** Amend MBMC Chapter 10.100 (APPEALS) and LCP Section A.96.160 A. 1-3 (Appeals) to read as follows with all other portions of Section A.96.160 remaining in effect without amendment:

### **Chapter 10.100 and A.96.160 A. 1-3.- APPEALS AND COUNCIL REVIEW**

#### **Sections:**

#### **10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.
- D. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- E. The appeal will be heard within 60 days of the City Clerk's receipt of the appeal unless the applicant and appellant consent to a later date.
- F. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.

## RESOLUTION NO. 15-XX

### **10.100.020 Council Review.**

- A. Council Review. A Planning Commission decision shall be set for a review hearing before the City Council if requested in writing by at least two members of the City Council. The City Councilmembers requesting the review shall file a Council review form with the City Clerk. The form must be filed before the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.

The form shall be prescribed by the City Clerk and may be signed by the members separately or by two members jointly. No fee shall be required. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter. It shall be presumed that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. Bias shall not be presumed or inferred due to a request for review.

- B. Stay of Decision. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.
- C. Notice. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.
- D. Hearing Procedure. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.

### **10.100.030 - Decision.**

The appellate or reviewing body may uphold, overturn or modify the decision of the inferior body. Any such action shall be made by resolution and shall be supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director shall be effective. In the event of a tie vote by the City Council, the decision of the Planning Commission shall be effective.

### **10.100.040 - Effective date.**

A decision by the City Council regarding an appeal or Council review shall become final on the date of the decision. A decision by the Planning Commission regarding an

## RESOLUTION NO. 15-XX

appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review by two Councilmembers.

### **10.100.050 - Resubmittal.**

Following a decision on an appeal or Council review, any matter that is the same or substantially the same shall not be considered by the same body within two years, unless the denial is made without prejudice.

SECTION 4. Amending MBMC Section 10.04.030 and LCP Section A.04.030 (Definitions) to insert a new defined term “Single Housekeeping Unit” between the existing defined terms “Sexual Activities, Specified” and “Single Ownership” as follows, with all other portions of Sections 10.04.030 and A.04.030 remaining in effect without amendment:

#### “SINGLE HOUSEKEEPING UNIT:

A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented or leased, all adult members jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.”

SECTION 5. Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use classifications) to insert a Use classification “Multi- Family Transient Use” between the existing use classifications “Multi-family Residential” and “Residential Care, Limited” as follows, with all other portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

“F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”

SECTION 6. Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use classifications) to insert a new Use classification “Single-Family Transient Use” between the existing Use classifications “Single-Family Residential” and “Supportive Housing” as follows, with all other portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

“I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”

SECTION 7. Amend the residential use in the table of uses set forth in MBMC Section 10.12.020 and LCP Section A.12.020 (Land Use Regulations) to 1) insert a new row

RESOLUTION NO. 15-XX

immediately before the “Residential Care, Limited” row, entitled “Multi-Family Transient Use”; and 2) insert a new row immediately after the “Single Family Residential” row, entitled “Single-Family Transient Use”; both of which are noted on the table below underlined in bold text, as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

10.12.020/A.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS				P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted		
	RS	RM	RH	RPD	RSC	Additional Regulations
<b>Residential Uses</b>						(A)
Day Care, Small Family Home	P	P	P	P	P	<b><u>(P)</u></b>
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	<b><u>(P)</u></b>
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L) <b><u>(P)</u></b>
6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O) <b><u>(P)</u></b>
<b><u>Multi-Family Transient Use</u></b>	-	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C) <b><u>(P)</u></b>
<b><u>Single-Family Transient Use</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	

## RESOLUTION NO. 15-XX

SECTION 9. Amend MBMC Section 10.12.020 and LCP Section A.12.020 (Land Use Regulations) to add Additional Regulations L-25, L-26, and (P) to read as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations:

L-25 A Multi-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a multi-family dwelling unit is permitted to commence once within a six month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than twice within a 12 month period is prohibited

L-26 A Single-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a single family dwelling unit is permitted to commence once within a six month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than twice within a 12 month period is prohibited.

(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030 and A.10.04.030.

SECTION 10. The Planning Commission also recommends that the City Council direct the City Clerk to make any other corresponding language changes to the MBMC and the LCP to achieve internal consistency as required.

SECTION 11. If any sentence, clause, or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this resolution. The Planning Commission hereby declares that it would have passed this resolution and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 12. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other resolution of the City, to the extent that they are inconsistent with this resolution, and no further, are hereby repealed.

RESOLUTION NO. 15-XX

SECTION 13. 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 May 13, 2015 and that said Resolution was adopted by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Marisa Lundstedt,**  
Secretary to the Planning Commission

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**Rosemary Lackow,**  
Recording Secretary

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## ZONING CODE SECTIONS

### Manhattan Beach Municipal Code

#### **Chapter 10.100 - APPEALS**

Sections:

##### 10.100.010 - Purpose.

To avoid results inconsistent with the purposes of this ordinance, decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission and Board of Zoning Adjustment may be appealed to the City Council.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

##### 10.100.020 - Rights of appeal.

Rights of appeal are prescribed in the individual chapters of this title authorizing each decision that is subject to appeal.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

##### 10.100.030 - Time limits for appeals.

- A. Any appeal, except an appeal originating from the City Council, must be initiated in writing and filed with the City Clerk within fifteen (15) days from the date of the decision. The appeal period ends at the close of the business day for City Hall on the fifteenth day provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.
- B. An appeal originating with the City Council must be made at or prior to the regularly scheduled City Council meeting when the decision is reviewed by the City Council.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; § 2, Ord. 1951, eff. July 4, 1996)

##### 10.100.040 - Initiation of appeals.

- A. An appeal filed by the applicant or interested party may be initiated by delivering to the City Clerk a written notice of appeal and any required appeal fee. The notice of appeal shall specify the basis for the appeal.
- B. The Mayor or any member of the City Council may appeal any matter under this chapter by requesting a public hearing on the appeal within the time limit set forth in Section 10.100.030 or pulling an item from the consent agenda which does not legally require a public hearing. The Mayor or City Council members appealing any matter under this section

shall only do so if the appeal is made in the public interest or welfare and the appealing council member has no predisposition for or against the matter being appealed.

- C. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; § 2, Ord. 1951, eff. July 4, 1996, as amended by § 2 (part), Ord. 2118, eff. November 21, 2008)

#### 10.100.050 - Procedures for appeals.

- A. Appeal Hearing Date. An appeal shall be scheduled for a hearing before the appellate body within thirty (30) days of the City's receipt of an appeal unless both applicant and appellant consent to a later date.
- B. Notice and Public Hearing. An appeal shall be heard at a public hearing if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- C. Notice of Decision. The applicant and any appellant other than the applicant shall be notified in writing of the decision on the appeal and the basis for that decision.
- D. Finality of Decision. The decision of the appellate body shall be final.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; § 2, Ord. 1951, eff. July 4, 1996)

#### 10.100.060 - Effective date.

A decision by the City Council regarding an appeal shall become final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

#### 10.100.070 - New appeal.

Following a decision on an appeal, any matter that is the same or substantially the same shall not be considered by the same body within two (2) years, unless the denial is made without prejudice.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91, as amended by § 2 (part), Ord. 2118, eff. November 21, 2008)

## **Local Coastal Program**

### **A.96.160. APPEALS.**

Development pursuant to an approved Coastal Development Permit shall not commence until the Coastal Development Permit is effective. The Coastal Development Permit is not effective until all appeals, including those to the Coastal Commission, have been exhausted. In the event that the Coastal Commission denies the permit or issues a permit on appeal, the Coastal Development Permit approved by the City is void.

- A. Action by the Director of Community Development may be appealed to the Planning Commission. Action by the Planning Commission may be appealed only to the City Council. Any appeal by an aggrieved person, except an appeal by a City Councilperson or the Mayor, must be initiated within 15 days from the date of the decision. The appeal period ends at the close of the business day for City Hall on the first City Hall working day no less than fifteen days after the decision maker's action.
1. The matter shall be scheduled for City Council review at the first regularly scheduled meeting following the decision for which the matter can be legally noticed. The Mayor or any City Council member may appeal the permit at the time of or before the City Council meeting at which the decision is reported to the City Council.
  2. An appeal from the decision of the Director of Community Development shall be filed with the Department of Community Development on a form provided by the Director of Community Development. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.
  3. An appeal from the decision of the Planning Commission shall be filed with the City Clerk on a form provided by the City Clerk. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.
    - a. The Mayor or any member of the City Council may appeal any matter by requesting a public hearing on the appeal within the time limit set forth in Section A.96.160 A. The Mayor or City Council member appealing any matter shall be disqualified from hearing the appeal unless he or she certifies that the appeal was made in the public interested or welfare.
    - b. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.
  4. It shall be the duty of the Director of Community Development to forward a Coastal Development Permit appeal, together with recommendation thereof, to the appropriate body specified in Paragraph A above for its action.
- B. Appeals to the Coastal Commission. Within ten (10) working days from the date of Coastal Commission receipt of the notice of final action, all appealable development, as

defined in §A.96.030, may be appealed to the Coastal Commission in accordance with Coastal Commission regulations by a qualified appellant, as defined in §A.96.160 D.

1. The ground for appeal to the Commission of a final local approval shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(1)]
  2. The grounds for appeal to the Commission of a denial of a major public works project or major energy facility shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(2)]
- C. A final decision on an application for an appealable development shall become effective after the 10th working day appeal period to the Coastal Commission has expired unless either of the following occur:
1. an appeal is filed in accordance with the procedures set forth by the Coastal Commission;
  2. the notice of final local government action does not meet the requirements of §A.96.100 F and G above. D. An appeal pursuant to this chapter may only be filed by the applicant for the Coastal Development Permit in question, an aggrieved person as defined in §A.96.030(a) , or any 2 members of the Coastal Commission.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

**ZONING CODE SECTIONS**

**Manhattan Beach Municipal Code**

**10.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.**

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Chapter 10.68. The letters "P/U" for accessory uses mean that the use is allowed on the site of a permitted use, but requires a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

<hr/>						
RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS					P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted	
<hr/>						
	RS	RM	RH	RPD	RSC	Additional Regulations
<hr/>						
Residential Uses						(A)
Day Care, Small Family Home	P	P	P	P	P	
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	
Group Residential	-	-	U	-	U	

Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L)
6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O)
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C)
Public and Semipublic						(A)(D)
Clubs and Lodges	-	-	L-1	U	-	
Day Care, General	-	-	-	-	-	
Park and Recreation Facilities	L-2	L-2	L-2	L-2	-	
Public Safety Facilities	U	U	U	U	-	
Religious Assembly	L-3	L-3	L-3	U	-	
Residential Care, General	-	-	U	U	U	
Schools, Public or Private	U	U	U	U	-	
Utilities, Major	U	U	U	U	U	
Utilities, Minor	P	P	P	P	P	
Accessory Uses	P/U	P/U	P/U	P/U	P/U	(A)(E)(F)(G)(H)(I) (J)(M)(N)

Temporary Uses						(H)
Commercial Filming, Limited	U	U	U	U	-	
Marketing/Sales Office	-	U	U	P	P	
Personal Property Sales	P	P	P	P	-	(K)
Street Fairs	U	U	U	U	-	
Nonconforming Uses						(I)(J)

RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations

L-1 Use permit required and only neighborhood-oriented uses occupying less than two thousand five hundred (2,500) square feet are permitted.

L-2 Public facilities permitted, but a use permit is required for private noncommercial facilities, including swim clubs and tennis clubs.

L-3 A use permit is required, except for legally existing church facilities, including private schools and day-care contained therein, which do not exceed an overall floor area factor greater than half of the maximum floor area factor permitted by the development standards of the base district.

L-22 Application for an administrative large family day care permit to the Director of Community Development is required and shall be made on forms provided by the City and shall include such information as may be reasonably required by the Director for a complete understanding of the request. The application shall be accompanied by a filing fee and a notification packet including all properties within a one hundred foot (100') radius of the subject property. Said notification shall be completed not less than ten (10) days prior to the date on which the decision will be made on the application.

No hearing on the application for a permit shall be held before the decision is made by the Director unless a hearing is requested by the applicant or other affected person. The Director's decision shall be based on whether or not the proposed use would be compatible with the surrounding neighborhood. The applicant or other affected person may appeal the decision and the appellant shall pay the cost of the appeal. Said appeal shall be made to the Planning Commission by filing a written appeal, on forms provided by the Department of Community Development accompanied by the necessary notification packet (described above). Any such appeal shall suspend the permit until resolution of the appeal by the Planning Commission. Use of a single family dwelling for these purposes shall not

constitute a change of occupancy per the State Housing Law or local building ordinances.

Large family day care homes shall be considered as single family residences per State and local building and fire codes.

Each home used in this manner shall meet the fire and life safety standards adopted by the Community Development Department and Fire Department. The property to be used in this manner shall conform to all applicable development standards as stated in the Manhattan Beach Municipal Code.

(A) See Section 10.52.020, Exterior materials in R districts.

(B) A use permit is required for condominium development or conversion of three (3) or more units; see Chapters 10.84 and 10.88. Condominium development, or conversion, of two (2) units are exempt from the use permit requirement. Any addition or modification to a condominium unit or development subsequent to the original construction of that unit or development that would result in an increase in the amount of liveable space, or a significant exterior structural or architectural alteration, shall require an amendment to the use permit previously obtained. In order for a residential apartment building to qualify for a condominium conversion, a certificate of occupancy must have been issued prior to January 1, 1982.

(C) See Section 10.52.100, Manufactured homes.

(D) Facilities on sites of two (2) acres or more are subject to the regulations of Chapter 10.28 (PS district) precluding those of this chapter. See Section 10.28.020, PS district applicability.

(E) See Section 10.52.070, Home occupation in R districts.

(F) See Section 10.52.050, Accessory structures, which permits guest houses or accessory living quarters as defined in Section 10.04.030.

(G) See Section 10.52.080, Swimming pools and hot tubs.

(H) See Section 10.84.110, Temporary use permits.

(I) See Chapter 10.68, Nonconforming uses and structures.

(J) See Chapter 10.72, Signs.

(K) An administrative permit issued by the Community Development Director is required.

(L) Alternative Parking Plan for Senior Citizen Housing. Applications for a use permit for a senior citizen housing project shall include a contingency plan, addressing what will be done to ensure compliance with parking requirements if occupancy can not be limited to senior citizens because of market conditions or other factors.

(M) The keeping of domestic animals is permitted including: dogs and cats not to exceed five (5) for each residential living unit in any combination thereof and the young thereof not exceeding four (4) months in age, and other small domestic household pets such as rabbits, hamsters, guinea pigs, etc. not to exceed five (5) in any combination thereof. Common



varieties of farm animals, livestock, exotic animals or wild animals (as defined in Section 10.04.030) are prohibited, except for Vietnamese pot-bellied pigs, also known as pygmy pigs or mini-pigs, as permitted by the Animal Control Department.

(N) A maximum of three (3) garage or lawn sale permits per calendar year, of miscellaneous household items of personal property accumulated by the occupant of the residence as a normal matter of course may be held on any building site occupied by residents, provided a permit has been acquired from the City's Licensing Authority. Each permit shall be valid for a maximum of three (3) consecutive days and may include standard regulations on the garage sale permit (in accordance with provisions of Section 6.08.020 of this Code).

(O) Residential developments that qualify for a density bonus pursuant to Chapter 10.94 of this Code shall apply for a precise development plan. Residential developments of six (6) or more units that do not receive a density bonus shall apply for a site development permit.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91, 10-3.502; Ord. No. 1864, Amended, 02/18/93; Ord. No. 1891, Amended, 01/06/94; § 2, Ord. 1951, eff. July 4, 1996; § 2, Ord. 2049, eff. November 18, 2003 and § 3, Ord. 13-0006, eff. August 1, 2013)

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**CITY OF MANHATTAN BEACH  
[DRAFT] PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
MAY 13, 2015**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 13<sup>th</sup> day of May, 2015, at the hour of 6:30 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

**1. ROLL CALL**

Present: Andreani, Bordokas, Conaway, Hersman, Chairperson Ortmann  
Absent: None  
Staff Present: Marisa Lundstedt, Community Development Director  
Mike Estrada, Assistant City Attorney  
Jason Masters, Assistant Planner  
Rosemary Lackow, Recording Secretary

**2. AUDIENCE PARTICIPATION**

Peter Tripp, El Porto resident asked whether a hotel was being planned for the El Porto area. The Chair stated the Commission is not aware of any and Director Lundstedt responded that a hotel has been proposed at the corner of Highland and Rosecrans and is in the early stages of discussion with staff. The speaker was advised to provide his contact info to Staff.

**3. APPROVAL OF MINUTES – April 29, 2015**

A motion was MADE and SECONDED (Hersman/Bordokas) to **APPROVE** the minutes of Apr 29, 2015, with the following 2 changes requested by Commissioner Andreani:

- 1) Pg. 4, 3<sup>rd</sup> paragraph revise to read:

“Commissioner Andreani asked if the new ordinance could retain a landmark designation program that is voluntary and mirrors the current culturally significant landmarks ordinance (10.86), thereby retaining the current landmark recognition program, as well as providing more protections as described in the new ordinance. She also asked if less daunting like the City has currently, and can the Planning Commission could take on the role of the Historic Commission, to which Ms. Howell-Ardilla responded that it is not the intent of the proposed ordinance to continue the existing program and Ms. Jester explained the Council considered this but proposed that the new Commission be separate from the Planning Commission to make the City eligible for CLG state grants.”

- 2) Pg. 5, in the input from Marcello Vavala, at the beginning of the 7<sup>th</sup> line, insert “a historic landmark” after “designate”.

AYES: Andreani, Bordokas, Conaway, Hersman, Chairperson Ortmann  
NOES: None  
ABSENT: None  
ABSTAIN: None

**4. PUBLIC HEARING**

- 05/13/15-2. Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapters 10.100 and A.96.160 (Appeals), and Chapters 10.12 and A.12 (Residential Districts) and Related Municipal Code and LCP Sections Regarding Commercial and Transient Uses in Residential Zones.

Director Lundstedt gave a brief background explaining that the subject code amendments are based on a periodic review of the Zoning Ordinance by staff and fall into two categories, including 1) a cleanup to reflect recent case law concerning City Council review including the appeal process, of “quasi-judicial” decisions; and 2) change in regulations pertaining to commercial and transient uses of residentially zoned properties.

Assistant Planner Jason Masters gave a detailed summary of the staff report with the aid of a slide presentation. He explained the appeal sections that will be replaced for the decision-making regulations and for the second item, noted that the current code does not address short term or transient rentals of homes, a current trend, that have the potential to create impacts to neighborhoods and can detract from the quality of life. In 2012 the City Council addressed rentals in a section of the beach area during the 6-man volleyball tournament, but tonight’s hearing is addressing this matter throughout the city at all times. Mr. Masters noted that rentals of less than 30 days are being recommended to be limited but rentals of 30 or more days is not being recommended to be changed, except such rentals would have to be to a single “housekeeping unit”. Mr. Masters concluded with the recommendation that the Planning Commission conduct the public hearing, and adopt the submitted draft Resolution recommending certain changes to the following sections of the Zoning Ordinance (Title 10 of the Municipal Code), and the Local Coastal Program (LCP): Sec. 10.04/A.04.030 (Definitions); 10.08.030/A.08.030 (Residential Use Classifications); 10.12.020 / A.12.020 (Land Use Regulations); 10.100 / A.1-3 (Appeals and Council Review).

Chair Ortmann invited the Commission to ask questions of staff.

In response to a request from Commissioner Conaway Mr. Masters clarified the current legal status of short term renting of homes, stating that currently rentals are legal specifically in a very limited way, only during the operation of the 6-man volleyball tournament and to properties in a specific area. That provision is contained in the business license section of the Municipal Code (Title 6), not the Zoning Ordinance (Title 10). The property owners voluntarily pay their transient occupancy taxes.

In response to Commissioner Hersman, Mr. Masters stated that staff did not anticipate that the 6-man provision would change.

In response to Commissioner Bordokas, Mr. Masters acknowledged that a rental under the 6-man provision would count as one of the permitted short term rentals in a year, and if short term rentals are allowed in the zoning regulations as being proposed, it is possible that the 6-man provision would no longer be needed.

In response to questions from Commissioner Andreani, Mr. Masters explained 1) the proposal only pertains to appeals of a previous decision. If there is a split vote by the Planning Commission on an appeal of an administrative decision of the Director, then the Director’s decision is upheld. If the Council has a split vote on an appeal of a Planning Commission decision, then the Planning Commission decision is upheld; and 2) regarding fees, the proposal does not change the current practice that there is no fee if the city council appeals, but there is a fee for a private individual. Commissioner Andreani also inquired as to whether a reference regarding the business license and Transient Occupancy Tax (TOT) possibly in 10.08.030/A.08.030, should be included in the revised code to which Director Lundstedt responded that staff can add a cross-reference in the proposed zoning code change to the TOT code provision elsewhere in the Municipal Code.

In response to an inquiry from Commissioner Conaway, Director Lundstedt stated that staff does not get a tremendous amount of complaints regarding short term rentals, but wants to be proactive because this is a growing trend and they are aware of problems in other cities with a similar makeup. Staff does not have a precise count on the number of existing rentals but believes there are quite a few.

Chairperson Ortmann noted that there seems to be a lot of dense material to go through, and requested that the staff clarify the problem they are trying to solve, to which Director Lundstedt responded that the issue is fairly simple, and it is Staff’s intent is to make it clear that commercial uses are not permitted in residential zones but also to reinforce the code by establishing specific parameters of use that would be permitted.

Chair Ortmann opened the public hearing and invited public input.

## PUBLIC INPUT

**Bill Victor**, property owner and sometime resident, questioned that the hearing has been properly noticed as he did not receive notice although he is on a list of persons who have requested notice of coastal projects. He thinks this is very important and deserves more public awareness and input, as it could potentially impact owners' ability to use their properties.

Director Lundstedt stated that the hearing has been properly noticed, which includes publishing a quarter-page ad in the newspaper and posting a notice at specific locations such as at City Hall. She understands persons can request receipt of notices regarding coastal projects but believes that the noticing that has been done is adequate for the purpose of this hearing. Staff will make sure that Mr. Victor receives notices of coastal amendments in the future.

**Will Arviso**, 410, 23<sup>rd</sup> Street, asked how the City can properly address this if it isn't aware of many complaints, and if it is enacted, is concerned as to how it will be enforced and he is also concerned about subletting. He understands that allowing rentals will bring in more tourism and revenue, but also believes it's important to understand the problem being addressed and he also believes that the short term rental rules should apply to the whole city.

**Viet Ngo** requested that the Commission give equal time for all speakers, questioned the authority of the Commission regarding the matter regarding quasi-jurisdiction decision making, and believes that the Commissioners should disclose any conflict of interest with the proposed code amendments such as any rentals of property they own and he requested that Commissioner Andreani abstain.

The Chair requested that Mr. Ngo focus his comments not on individual Commissioners but on the hearing and noted that the Planning Commissioners are well aware of conflict of interest issues and regulations.

**Mr. Ngo** further stated he doesn't believe the hearing has been properly noticed and requested that a decision be postponed to allow the Director to provide notice to property owners and tenants within 500 square feet.

Seeing no additional speakers, Chair Ortmann closed the public hearing and it was agreed that the Commission would discuss the staff proposals separately by subject matter.

## PLANNING COMMISSION DISCUSSION

### **Proposed changes regarding council review of Planning Commission decisions:**

Commissioner Hersman stated she supports these changes in that they are based on case law and straightforward and will put the City in line with other cities. Commissioners Bordokas and Andreani also stated their support, seeing no problem with the changes proposed for the appeals changes. Commissioner Andreani addressed the request made by a member of the public that she abstain, stating that she understands she does **not** have a conflict of interest because the matter being considered would apply city-wide. Commissioner Andreani further stated that she likes the idea the city is being proactive. Commissioner Conaway stated that he fully supports the proposal regarding City Council review of decisions and believes the amendments are well written, however he would like to explore splitting the Commission decision into two separate actions and resolutions.

Director Lundstedt emphasized that the matters have been prepped as a joint package.

### **Proposed changed regarding transient and commercial uses in residential zones:**

Commissioner Bordokas stated that she understands that the regulations proposed by staff would provide guidelines and also that in some other cities, such as Santa Monica, dramatic steps may be needed. She supports moving in the direction to regulate and provide guidelines and believes that there are various options that can be pursued, and she gives kudos to staff for bringing this forward at this time.

Director Lundstedt clarified that staff has received a number of complaints not necessarily related to vacation rentals but concern with large residential homes being remodeled in a way that they can create separate living

areas conducive to subletting portions of a residence. This practice often results in creating impacts such as parking. The staff proposal is intended to address that practice as well.

Commissioner Hersman stated that she is concerned about enforcement and isn't sure that enforcement belongs in the Zoning Ordinance, but agrees proactively looking at this is a good thing. This action is in line with comments heard during the downtown ULI study that residential neighborhoods need to be protected from impacts (noise, parking etc.) of inappropriate commercial uses. The city should act before it becomes a big problem and difficult to resolve. She did have some concerns regarding limiting to single households, but after speaking with the Assistant City Attorney, believes that this issue has been worked through over several years.

Director Lundstedt noted that there is a section in the Municipal Code covering enforcement and the proposed code would give staff more definition in enforcing the regulations. Upon receipt of a complaint, the city's zoning code enforcement officer would proceed with enforcement.

Commissioner Andreani suggested that statements be included in the code: 1) to address the intent or purpose of the code (e.g. to protect the residential character of neighborhoods); 2) to indicate that enforcement is by the Department of Community Development; 3) to include a comment that sub-letting of a single home into multiple units is not allowed. She also liked the idea of increasing the number of times that a home can be temporarily leased to 4 total within a 12-month period.

Commissioner Conaway stated he concurs with other commissioners that bringing this forward for a code change is a good thing. While he is concerned that the City is collecting taxes for something not addressed in the Zoning Ordinance he also believes that having short term rentals has a useful purpose in the City and also feels the urgency that the city needs to address impacts if short term rentals continued unchecked. He also believes, however that more notification is needed and suggested that consideration be given to "grandfathering" existing rental use for owners who have leased their property in a responsible way. He does not feel prepared to make a decision on this item tonight.

Director Lundstedt advised that the Planning Commission can make a recommendation of approval predicated on additional recommendations being approved.

Commissioner Bordokas questioned grandfathering something in that is currently illegal and possibly undesirable and has concerns that even if it's a family occupying the home, having very frequent turnovers in occupancy could inhibit a sense of community.

Commissioner Conaway stated he understands but he also sees that homes on The Strand not being occupied year round by the owner and believes this is creating a sort of dead zone and bringing in short term occupants would bring life to these homes. Commissioner Bordokas stated that she has seen personally the impacts that can occur if a home is turned into a vacation rental and believes strongly that the short term uses needs to be legalized, but with clear parameters or limits of use put in place.

Commissioner Andreani stated her belief that grandfathering could be very difficult to manage and believes the main purpose of this code should be about protecting residents and the unique character of neighborhoods. She understands that The Strand is no longer a place where people mostly live year round, and while that is unfortunate, she understands that is the reality.

Commissioner Conaway suggested that notice of this hearing be made to all those on record of voluntarily paying transient occupancy taxes.

Commissioner Hersman stated this code has two main provisions: 1) The short term rentals are going to be allowed but enforced for stays of less than 30 days and 2) longer term (30 days or more) rentals will be allowed as long as the occupancy is by a single housekeeping unit. Commissioner Hersman stated her disagreement about allowing grandfathering, but supports establishing new policy – with the provision of the single housekeeping unit, and thinks this is a win-win for residents and property owners.

Chair Ortmann noted the diversity of opinion on the Commission and questioned the urgency of this matter. He supports staff but is of the opinion that more thoughtful deliberation with more broad input is needed.

Director Lundstedt added that she believes that there are about 250 rentals that are being advertised currently for homes within the City's four square miles.

Commissioner Bordokas stated that she believes that the staff proposal is very well thought out and she could support allowing renting out short term stays up to 6 times a year, the code should be simple and not have different rules in different sections of the Municipal Code and that this is an urgent matter, even though she realizes the process cannot be finalized prior to summer.

Director Lundstedt noted that the proposal will be forwarded to the City Council for an additional hearing and there will be much more discussion, and the intent of the staff proposal is to not regulate the family housekeeping unit type of rental and she believes that owners renting out their properties are well aware of this proposal.

Discussion focused on whether additional public noticing or input is needed for the Planning Commission to make a recommendation. Chair Ortmann and Commissioner Conaway stated their opinion that at least one at-large community meeting or public outreach event would be very helpful. Commissioner Conaway believes that traditional stakeholders including property managers or real estate professionals should be invited to give their input.

Commissioner Andreani stated that because the proposed ordinance is intended primarily to provide parameters of use to protect the residential quality of neighborhoods, she does not think it would be helpful or necessary to bring in individuals whose potential livelihood may be affected by the rentals as in the case of real estate and property management professionals who may have a completely opposite opinion. She believes it is important to proceed; but perhaps an announcement can be made when this is going to be heard by the City Council.

In response to an inquiry from Chairperson Ortmann, Director Lundstedt stated that public noticing for the City Council hearing would be handled the same as any other code amendment and would be as has been done for the Planning Commission hearing. She also knows that development projects are going forward whereby homes are more complex and provide for separate living areas, all to code, but this allows for commercialized use of residences with renting portions out. Again, the staff intent is to protect the residential neighborhoods.

Chairperson Ortmann iterated his unease about the process, not the purpose or content of the proposed code. He feels like this is being foisted on the community with limited conversation and input. Commissioner Conaway emphasized that he believes community buy-in is integral to a successful public policy which can be attained with one community meeting.

### **PLANNING COMMISSION ACTION**

Subsequently a motion was made (Andreani/Hersman) to **APPROVE** the draft resolution, recommending the proposed code amendments with inclusion by staff of statements pertaining to the amendments that pertain to commercial and transient uses including: enforcement mechanism, addressing subletting, cross reference to the Title 6 business license and tax provisions, and changing the allowed number of times a transient use (period less than 30 days) rentals can occur from 2 to a total of 4 in a 12 month period.

Discussion on the motion followed. Commissioner Bordokas requested clarification on the frequency that less than 30-day rentals would be allowed.

Assistant Planner Masters clarified that staff proposed that less than 30 day stays would be permitted 2 times per 12 months, or once per a 6-month period or there is also the option of once every three months for 4 total over a 12 month period .

Commissioner Andreani amended her motion, (seconded by Hersman) that the Commission recommend to the Council revisions in the Zoning Code and LCP, for changes as proposed by staff on City Council review procedures for quasi-judicial decisions and for changes in regulations for commercial and transient uses in residential zones that would allow one (1), less than 30-day rental per every 3-month period, with a maximum of four (4) such rentals in a 12-month period and including statements (to be drafted by staff) as previously described in the original motion.

Chair Ortmann invited any additional comment, seeing none he added his opinion that he still felt more input and thought was needed and Commissioner Conaway stated that he would like to see the Resolution come back to the Commission. The Chair called for the question on Commissioner Andreani's amended motion with the resulting vote as follows:

AYES: Andreani, Bordokas, Hersman.  
NOES: Conaway, Chairperson Ortmann  
ABSTAIN: None  
ABSENT: None

## 6. DIRECTOR'S ITEMS

a. Planning Commission responses to emails from the public. Director Lundstedt stated the policy as follows: If an email comes to the full commission, the Chair will take the lead and refer to staff with a blind cc to all commissioners. If an individual Commissioner receives an email that would be referred to the Director who will refer to staff and the Director will respond back to the Commission. The point is for the Commission to retain impartiality.

b. Director Lundstedt recognized Commissioner Andreani with a commendation signed by the City Council for her service as she is completing her full 6-year tenure on the Commission. Director Lundstedt complimented Commissioner Andreani on her thoughtfulness and thoroughness in deliberations and the passion she brought in her role as a Commissioner.

Commissioner Andreani expressed her appreciation for the opportunity to serve on the Commission and in working with staff. She greatly appreciates her fellow commissioners and cited tonight's meeting is an example of the Commissioners being proactive with planning.

## 7. PLANNING COMMISSION ITEMS

Chair Ortmann affirmed that it has been a very positive and educational experience working with Commissioner Andreani, has personally learned a lot from her and believes that her departure is a loss for the Commission. The other Commissioners Hersman joined in this sentiment. Commissioner Andreani thanked the Commission and noted that the Commission has a very good breadth of knowledge which is very important such as Commissioner Conaway's knowledge on environmental issues and the Chair's knowledge in urban planning. She believes that the perspective of the Commission is invaluable.

## 8. TENTATIVE AGENDA - May 27, 2015

Director Lundstedt noted that no items currently are scheduled and most likely the meeting will be canceled.

## 9. ADJOURNMENT

The meeting was adjourned at 8:18 pm to Wednesday, May 27, 2015 in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW  
Recording Secretary

ATTEST:

\_\_\_\_\_  
MARISA LUNDSTEDT  
Community Development Director



## SHORT TERM RENTAL REGULATIONS

### Pending State Legislation

- Senate Bill 593 (Thriving Communities and Sharing Economy Act)  
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB593&search\\_keywords=](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB593&search_keywords=)
  - Currently out of Committee, heading to Senate floor
  - Requires online vacation rental businesses to disclose information – including the address of host rental, number of nights stayed, and amount paid by the visitor – to cities and counties. Businesses to turn over revenue for any collected local fees. Appears to be the same process that hotels, motels, inns, and any permitted lodging currently follow in reporting to local civic regulators, especially when making transactions online.
  - Where vacation rentals are illegal, the bill prohibits the online platforms from making the rental
  - <http://www.sonomanews.com/home/3703667-181/mcguire-bill-targets-bed-taxes#geqy3hLCKw8P8IQf.99>

### Laguna Beach

- Agenda Bill and Report:  
[http://lagunabeachcity.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=463&meta\\_id=34305](http://lagunabeachcity.granicus.com/MetaViewer.php?view_id=3&clip_id=463&meta_id=34305)
- 45 day moratorium on new requests for short term rentals (30 days or less)
- Current ordinance requires a \$275 permit. Airbnb lists hundreds of rentals while the city issued only 64 permits.

### Aliso Viejo

- <http://www.codepublishing.com/CA/alisoviejo/#!/AlisoViejo15/AlisoViejo1514.html>  
(See Section 5.14.165)
- No short term rentals under 30 days
- “already banned” per Municipal Code because short term rentals were not listed as an acceptable home use, now explicitly banned.
- \$100, \$200, \$500 fines for first, second, and continued offenses

### Santa Monica

- Ordinance:  
<http://www.smgov.net/departments/council/agendas/2015/20150512/s2015051207-A-1.htm>

- Definition of short term housing: <http://www.qcode.us/codes/santamonica/>
- No short term rentals unless owner stays in the house with the tenant
- Must obtain business license
- Must collect 14% tax
- Exceptions:
  1. Timeshares (too hard to enforce when there are multiple owners)
  2. Home swaps where money does not change hands
  3. Rentals over 30 consecutive days

### Los Angeles

- Garcetti’s State of the City Address: mayor wants to use taxes from Airbnb to replenish the city’s Affordable Housing Trust Fund
- But City Administrative Office recently issued a report rejecting contention that short term rentals violate the city’s rent stabilization ordinance  
<http://www.scp.org/news/2015/05/08/51569/cao-report-short-term-rentals-are-not-violating-re/> (report embedded in article)

### Dana Point

- Need permit
- Collect 10% tax
- [http://qcode.us/codes/danapoint/view.php?topic=5-5\\_38&showAll=1&frames=off](http://qcode.us/codes/danapoint/view.php?topic=5-5_38&showAll=1&frames=off)

### Anaheim

- Short term rental program
- Collect 15% tax
- <http://www.anaheim.net/articlenew2222.asp?id=5284>

### West Hollywood

- “reaffirmed” short term rental ban this year per news reports.

**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Marisa Lundstedt, Community Development Director  
Laurie B. Jester, Planning Manager  
Jason Masters, Assistant Planner

**SUBJECT:**

Consideration of Amendments to the Local Coastal Program (LCP) to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapter A.96.160 (Appeals), and Amending Chapter A.12 (Residential Districts) and Related LCP Sections Regarding Commercial and Transient Uses in Residential Zones (Community Development Director Lundstedt).

**CONDUCT PUBLIC HEARING, INTRODUCE ORDINANCE NO. 15-0010**

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**RECOMMENDATION:**

Staff recommends that the City Council waive further reading and introduce Ordinance No. 15-0010 (Attachment 1) approving the Local Coastal Program (LCP) Code Amendments. Similar Zoning Code Amendments are provided in Ordinance No. 15-0009, as a separate item on this agenda.

**FISCAL IMPLICATIONS:**

There are no direct fiscal impacts as a result of the adoption of the Local Coastal Program Amendments.

**BACKGROUND:**

Based upon its periodic review of the Zoning and Local Coastal Program Codes, staff recommends that the Code be amended to address (1) recent case law concerning Council review of Planning Commission quasi-judicial decisions; and (2) commercial and transient uses of residential properties. Staff also recommends related Local Coastal Program Code cleanup as to both areas.

On May 15, 2015, the Planning Commission conducted a noticed public hearing for proposed amendments to the Local Coastal Program Code to include a Council review

procedure for quasi-judicial decisions and modernizing Chapter A.96.160 (Appeals), and amending Chapter A.12 (Residential Districts) and related Local Coastal Program Code Sections regarding commercial and transient uses in residential zones. At that meeting, the Commissioners were universally in favor of the proposed amendments to Chapter A.100 as presented. Regarding the amendments to Chapter A.12, the Commissioners discussed enforcement of proposed changes and the collection of Transient Occupancy Tax (TOT), subletting, the implications for short-term rentals related to the Charlie Saikley 6-Man Beach Volleyball Tournament, and whether the residential properties that are currently registered with the City and pay Transient Occupancy Tax (TOT) should be subjected to the proposed regulations. According to Finance, 57 properties are registered. The Commission proposed increasing the number of times a dwelling unit may be rented out to one time per three month period and not more than four times in a 12 month period. After considerable discussion and deliberation, the Commission adopted Planning Commission Resolution No PC 15-03, as amended, recommending that the Council adopt an ordinance establishing a Council review procedure and regulations for commercial and transient uses in residential zones.

## **DISCUSSION:**

### *1. Council review of Planning Commission decisions*

There have been a series of California appellate decisions finding that an “appeal” of a Planning Commission decision by a Councilmember or the full Council may violate due process principles. Appeals filed by individual Councilmembers may give rise to the appearance that the decisionmaker has pre-judged a matter, prior to considering the evidence. It is important that Councilmembers maintain an open mind and do not take any positions, for or against an application, until after the public hearing before the Council. The courts have explained this rule, which stems from the Due Process clauses of the federal and state constitutions, as follows:

“A public hearing contemplates a fair and impartial hearing at which competent evidence may be presented before a fair and impartial tribunal.”

*Saks & Co. v. City of Beverly Hills*, 107 Cal.App.2d 260, 265 (1951). See also *Bullock v. City and County of San Francisco*, 221 Cal.App.3d 1072, 1091 (1990) (“Fair trial in a fair tribunal is a basic requirement of due process”); *Rosenblit v. Superior Court*, 231 Cal.App.3d 1434, 1448 (1991) (“The right to a fair procedure includes the right to impartial adjudicators”); *Sinaloa Lake Owners’ Ass’n v. City of Simi Valley*, 882 F.2d 1398, 1408-10 (9th Cir. 1989) (City violated applicant’s substantive due process rights). Further, if a Councilmember has a personal interest or involvement in the outcome of the matter or with any participants which precludes that Councilmember from making his or her decision based on the merits of the application, disqualification is required. *Fairfield v. Superior Court*, 14 Cal.3d 768 (1975); *Mennig v. City Council*, 86 Cal.App.3d 341 (1978). *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994).

The most recent opinion on this subject-*Woody’s Group, Inc. v. City of Newport Beach*-was

issued on January 1, 2015. In *Woody's*, the court of appeal ruled that a Councilmember's appeal of a Planning Commission decision to approve a use permit and variance, and the City Council's subsequent reversal of the Planning Commission's approval, violated the due process of the applicant. The court ruled that the appeal by the Councilmember was, in essence, impermissible because the Councilmember was both the appellant and appellate judge. Further, the court ruled that the appeal violated Newport Beach's Municipal Code because there was no provision allowing appeals for Councilmembers acting in their role as Councilmembers.

In 1994, in the case of *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994), the full City Council appealed a decision of the Planning Commission after residents opposed to the Commission's decision appeared at the next City Council meeting. The Court found that such appeal violated due process and that the Council had exhibited impermissible bias. See also *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); Many Zoning Ordinances, including Manhattan Beach's, were amended in response to the *Cohan* case to provide a Council review process that affords due process to applicants. MBMC Section 10.100.030 currently states that appeals may originate from the City Council, and MBMC Section 10.100.040B currently provides "The Mayor or City Council members appealing any matter under this section shall only do so if the appeal is made in the public interest or welfare and the appealing council member has no predisposition for or against the matter being appealed."

Similar provisions in other cities have been upheld by the court. E.g., *BreakZone Billiards v. City of Torrance*, 81 Cal. App. 4th 1205, 1233 (2000) (Councilmember's calling up commission decision for review was consistent with City's procedure and did not constitute bias).

The primary purpose of this proposed change is to supplement the Code's existing appeal procedure with a new "City Council review" procedure. Any Councilmember may seek review of a Planning Commission decision at any time within 15 days after the decision. If two Councilmembers request review, City Council review will be initiated. This is in contrast to the existing "appeal" procedure, which allows an appeal to be filed by a single Councilmember, and only at the next Council meeting. If there is a call for review, there shall be a presumption applied that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. No inference of bias shall be presumed due to such a request for review being made by Council members. If review is initiated, then a review hearing shall be noticed and conducted in the same manner as is required for appeals. The City Council may uphold, overturn, or modify the Planning Commission's original action, or remand the application back to the Planning Commission for further consideration. The California Coastal Commission appeal process within the Local Coastal Program will remain unchanged.

The proposed City Council review procedure will help diffuse any perception of bias that may arise in the mind of a project applicant or members of the public when a Councilmember

“appeals” a Planning Commission decision to the City Council and then participates in the decision by the City Council. One reason for this is that, under the new review procedure, a Planning Commission decision may be brought to the City Council’s jurisdiction by two Councilmembers without a Councilmember identifying himself or herself as an “aggrieved person” or stating reasons why the decision should be reviewed (which could suggest a predisposition on the matter). Another reason for this is that there would be an express standard for initiation of review while an appeal may be filed for any reason.

Although there is no clear authority in the Code to require such a practice, the City’s current practice is for Planning Commission decisions to appear on the consent calendar on the next City Council meeting. For greater transparency and efficiency, staff recommends the following process in lieu of the current practice: (1) staff will notify the City Council (and the public) of any quasi-judicial decision on the next day after the Planning Commission meeting by E-blast and posting, and (2) again in the City Manager’s weekly report distributed on Friday of each week. These two notifications are in addition to the public noticing of the Commission public hearing required by state law.

The secondary purpose of this recommendation is to perform some minor Local Coastal Program Code “clean up” to conform to existing practice and to make the Code more user friendly. In particular, the ordinance would revise the Code to specify that appeal and review hearings by the City Council are *de novo*, which means the Council can take a “fresh look” at the evidence and is not bound by the findings of the Commission. This is the review standard the Council used for the Mall hearings. Please note that having a hearing *de novo* does not mean that the evidence before the Planning Commission, Commission discussion and deliberation, as well as the Commission decision, are ignored. Indeed, all of the above would be entered into the record, and would be part of the evidence the Council may consider. Simply stated, a hearing *de novo* means the Council may weigh the evidence and draw its own conclusions, rather than being bound by the Commission’s determination as to the evidence.

Additionally, the ordinance would revise the Code to specify that a tie vote by the City Council on an appeal makes the Planning Commission’s decision final and conclusive. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director would be effective. These changes will make the Code consistent with the City’s current practice.

## 2. Code Cleanup to Address Commercial and Transient Uses of Residential Properties.

In the process of reviewing the Local Coastal Program Code, staff observed that the Code does not adequately address recent trends where residential properties are leased or rented for short-term commercial or transient uses, such as bed and breakfasts, vacation rentals and other transient uses. In 2005, a single family home was rented as a “party house,” which created noise, traffic and undue burden on scarce on-street parking. More recently in 2012, the City Council examined the negative impacts, including noise, crime, traffic congestion and consumption of available parking on and in residential neighborhoods, arising from short-term vacation rentals of residences during the Charlie Saikley 6-Man Beach Volleyball Tournament.

Similar to cities throughout California, the Local Coastal Program Code and the Manhattan Beach Municipal Code (MBMC) prohibit most commercial uses in residential zones. LCP A.12.020 identifies the types of uses that are permitted in the single- and multi-family residential zones, and short-term transient uses are not listed. As a result of the 2012 discussions, short-term vacation rentals are currently regulated under Business Licenses in Chapter 6.24 of the MBMC specifically related to the Charlie Saikley 6-Man Beach Volleyball Tournament the proposed Code Amendments will not change. Under the proposed regulations, short-term vacation rentals during this period would count as one of the four permitted annually. Short-term vacation rentals are defined in MBMC Section 6.24.20 as “a dwelling unit that is rented by the owner to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration such as, but not limited to, trade, fee, swap, or any other consideration in lieu of cash payments.” Short-term vacation rental permits are available only to dwelling units within the area of the City bounded by 1st Street on the south, Ardmore Avenue and North Blanche Road on the east, Marine Avenue on the north, and the beach on the west, and are granted only to those dwelling units that are rented as a short-term vacation rental at any time between 12:00 a.m. PST on the Thursday before and 12:00 p.m. PST on the Monday after the Charlie Saikley 6-Man Beach Volleyball Tournament.) Also, note that aforementioned Business License-related Code Sections are regulated in the MBMC as they are not addressed in the LCP.

Nothing in the Local Coastal Program Code permits short-term vacation rentals of residential units, or portions thereof. However, according to Finance, 57 properties are registered as vacation rentals, and they pay TOT. The City has become aware of the degree to which dwelling units in the City are being used for short-term rentals through such websites as Airbnb ([www.Airbnb.com](http://www.Airbnb.com)), Vacation Rentals By Owner ([www.vrbo.com](http://www.vrbo.com)), and similar on-line short-term vacation rental websites. A recent check of those sites indicated that a much greater number than 57 Manhattan Beach properties are listed on-line as available for short-term rentals. The unregulated use of residential property for vacation rentals and other transient uses can have a severe negative impact on the character of the residential zones and its residents.

Left unchecked, short-term rentals of residential properties have the potential to change the character and stability of the City’s residential neighborhoods. The Land Use Element of the City’s General Plan includes Goal LU-4, which aims to preserve the features of each neighborhood, and develop solutions tailored to each neighborhood’s unique characteristics. Goal LU-4 which is supported by Policy LU-4.1 aims to “protect public access to and enjoyment of the beach while respecting the privacy of beach residents.” The Land Use Element also includes Goal LU-5: “Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses.” Consistent with this goal, Policy LU-5.1: “Require[s] the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.”

The City’s Housing Element includes Goal I “Preserve Existing Neighborhoods” which is bolstered by Policy 1 “Continue to enforce provisions of the Zoning Code which specify District Development Regulations for height, lot coverage, setbacks, open space, and parking.” Unlike hotel uses, where additional parking requirements ensure residential areas are minimally affected and onsite managers ensure compliance with other City Codes that

address noise and other operational characteristics, residential transient uses can diminish the character quality of residential neighborhoods if left unchecked. Goal I memorializes the City's commitment to preserving and maintaining its single-family residential neighborhoods from incompatible and character changing uses such as short-term rental of single family residences. Furthermore, the City's Local Coastal Program Policy II.1 "Control Development within the Manhattan Beach coastal zone" reiterates the City's responsibility to uphold the character and resources of the coastal area.

The impact of short-term transient uses in residential neighborhoods have been discussed in various news articles, including a April 23, 2015 article on KPBS in which beach-area residents of San Diego noted that "the noise and negative impacts make it so that neighbors are unable to enjoy their houses and backyards." On September 2, 2013 an article in the Los Angeles Times expressed concerns of residents of the Silver Lake neighborhood in Los Angeles about the operation of "virtual hotels, packing homes with throngs of visitors whose sheer presence alters the community feel."

Protection of the City's residential neighborhoods warrants amendment of the City's residential zones to limit the number of times per year residential units, including accessory units, can be rented for short-term occupancy. Staff originally drafted the proposed regulations to allow "transient use" of single-family and multi-family dwelling units for 30 days or less once within a six month period, for a total of two within a 12 month period. The Commission recommended allowing transient uses once within a three month period, for a total of four uses within a 12 month period. Please note that rentals for longer than 30 days are not limited by the proposed regulations governing transient uses to a maximum number annually; however they are limited to occupancy by a "single housekeeping unit" as defined in the proposed new regulations. Thus, property owners could lease their properties to a single housekeeping unit for any period exceeding 30 days (or, for that matter, four times a year for periods 30 days or less). Likewise, the proposed regulations will have no impact on uses in commercial zones (e.g., hotels, motels, etc.). And, finally, under the proposed regulations, property owners, could still lease their property during the two week period surrounding the Six Man tournament (as one of the four times permitted in a 12 month period) subject to the proposed regulations and the current regulations in the Municipal Code's business license and revenue Chapters.

In accordance with the Commission action at the May 13, 2015 Planning Commission Meeting, Staff incorporated additional language into the proposed Local Coastal Program Code Amendments including: 1) Reference to Business license and Revenue Chapters; and 2) permitting four residential short term rentals per year.

Attached to this Staff Report (Attachment 1) is the proposed Ordinance amending: (1) Local Coastal Program Code Chapter A. 96.160 (Appeals) to allow for City Council review of Planning Commission quasi-judicial decisions and revising other sections to bring the Code into conformity with existing practice, and (2) Chapter A.12 (Residential Districts) and related Municipal Code Sections to address commercial and transient uses in residential zones. A legislative digest is attached as Attachment 2 showing the amendments to existing LCP Sections. In addition, the draft Ordinance directs the City Clerk to make any other corresponding revisions to the Code to achieve internal consistency. Finally, staff conducted a survey of short-term rental regulations (Attachment 8) in other cities and by the State to



reference measures being taken regarding short-term rental housing.

**ENVIRONMENTAL DETERMINATION**

The proposed zone text amendments are exempt from the California Environmental Quality Act (CEQA) requirements pursuant to CEQA guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment.

**PUBLIC OUTREACH/INTEREST:**

A ¼ page display ad public notice for the proposed Local Coastal Program Code Amendments was published in the Beach Reporter newspaper on May 21, 2015, in compliance with state and local law and mailed to the California Coastal Commission and interested parties. The draft Local Coastal Program Code Amendments are available at the City Clerk’s office and at the Department of Community Development. The staff report, Ordinance, and attachments are also posted on the City website.

**CONCLUSION:**

Staff recommends that the City Council conduct the public hearing, accept testimony, discuss the Amendments, and introduce attached Ordinance 15-0010.

Attachments:

1. Draft Ordinance No. 15-0010
2. LCP Legislative Digest Showing the Proposed Amendments
3. Current LCP Section A.96.160 - Appeals
4. Current LCP Section A.12.020
5. Planning Commission Resolution No. PC 15-03
6. 5-13-15 Planning Commission Staff Report & Attachments
7. 5-13-15 Planning Commission Draft Minutes
8. Survey of Short Term-Rental Regulations

cc. California Coastal Commission  
Interested parties

## ORDINANCE NO. 15-0010

### AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING THE MANHATTAN BEACH LOCAL COASTAL PROGRAM TO INCLUDE A COUNCIL REVIEW PROCEDURE FOR QUASI-JUDICIAL DECISIONS AND MODERNIZING CHAPTER A.96.100 (APPEALS), AND AMENDING CHAPTER A.12 (RESIDENTIAL DISTRICTS) AND RELATED MUNICIPAL CODE SECTIONS REGARDING COMMERCIAL AND TRANSIENT USES IN RESIDENTIAL ZONES.

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. CEQA Findings.** The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment. The proposed LCP amendments are modifications to the Appeals process, adding and amending definitions and uses in the Residential Sections.

**SECTION 2. History.** On June 2, 2015, the City Council conducted a duly noticed public hearing pursuant to applicable law to consider amendments to the Zoning Code for Chapter A.96.10.100 (Appeals), for Chapter A.12 (Residential Districts), for Chapters A.96.030 (Definitions), and for A.12.020 (Land use regulations: RM and RH districts). Specifically, staff has recommended that the Zoning Code's appeal procedure be streamlined, amended to make the Code consistent with the City's practice and changes in the law, and amended to provide for City Council review of quasi-judicial proceedings. In addition, staff has recommended that the Code be amended to address commercial and transient uses in residential zones.

**SECTION 3.** The City Council hereby amends Chapter A.100 (Appeals) of the Manhattan Beach Municipal Code to read as follows, with all other provisions of Chapter A.100 to remain unchanged:

#### **Chapter A.96.160 A.1-4. APPEALS AND COUNCIL REVIEW**

##### **Sections:**

##### **A.96.160 - Appeals.**

Development pursuant to an approved Coastal Development Permit shall not commence until the Coastal Development Permit is effective. The Coastal Development Permit is not effective until all appeals, including those to the Coastal Commission, have been exhausted. In the event that the Coastal Commission denies the permit or issues a permit on appeal, the Coastal Development Permit approved by the City is void.

##### **A. Process**

1. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
2. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and with the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide

extenuating circumstances that the appellant contends would justify reversal or modification of the decision.

3. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision. If the fifteenth day falls on a weekend or City holiday, the appeal period ends at the close of business on the next working day.
4. The appeal shall be heard within 60 days of the City Clerk's receipt of the appeal, unless the applicant and appellant consent to a later date. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
5. The effectiveness of a decision subject to appeal shall be stayed pending completion or withdrawal of the appeal.
6. It shall be the duty of the Director of Community Development to forward a Coastal Development Permit appeal, together with recommendation thereof, to the appropriate body specified in the paragraphs above for its action.

#### **B. Council Review.**

1. The City Council shall review a Planning Commission decision if two council members, either individually or jointly, file a Council review form with the City Clerk on or before the fifteenth day following the decision. For all requests for review, it shall be presumed that the reason for the request is that the decision may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have City-wide importance warranting review and determination by City's elected officials. Bias shall not be presumed or inferred due to a request for review.

The City Clerk shall prescribe a review form, which shall be available free of charge. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter.

2. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.
3. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.
4. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.

#### **C. Decision.**

The appellate or reviewing body may uphold, overturn, or modify the decision of the inferior body. Any such action shall be made by resolution and supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director is effective. In the event of a tie vote by the City Council, the decision of the Planning Commission is final.

#### **D. Effective date.**

A decision by the City Council regarding an appeal or Council review shall be come final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review pursuant to Section 10.100.020.

**E - Resubmittal.**

In the event the Commission or City Council takes final action to deny an application or request, such application or request cannot be resubmitted within two years, unless the denial is made without prejudice.”

**SECTION 4.** The City Council hereby amends LCP Section A.04.030 (Definitions) to amend the definition of “Family” and to insert three new defined terms, as follows, with all other portions of Sections A.04.030 remaining in effect without amendment:

(a) Amend “Family” to read as follows:

“**Family:** A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit.”

(b) Insert “Single Housekeeping Unit” and “Single-Family Transient Use” between the existing defined terms “Sexual Activities, Specified” and “Single Ownership” to read as follows:

“**Single Housekeeping Unit:** A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented, leased, or subleased all adult members living on the premises jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.”

“**Single-Family Transient Use:** Rental or lease of a single-family dwelling unit for a period of less than 30 days.”

(c) Insert “Multi-Family Transient Use” between the existing defined terms “Municipal Code” and “Nonconforming Structure” to read as follows:

“**Multi-Family Transient Use:** Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”

**SECTION 5.** The City Council hereby amends LCP Section A.08.030 (Residential use classifications) to insert a use classification “Multi-Family Transient Use” between the existing use classifications “Multi-family Residential” and “Residential Care, Limited” as follows, with all other portions of Section A.08.030 remaining in effect without amendment, with the exception that certain subsections will be re-lettered due to the insertions set forth in this Section 5 and in Section 6:

“F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”

**SECTION 6.** The City Council hereby amends LCP Section A.08.030 (Residential use classifications) to insert a new Use classification “Single-Family Transient Use” between the existing Use classifications “Single-Family Residential” and “Supportive Housing” as follows, with all other portions of Section A.08.030 remaining in effect without amendment:

“I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”

**SECTION 7.** The City Council hereby amends the “Residential Uses” section of the table of uses set forth in LCP Section A.12.020 (Land Use Regulations) to 1) insert a new row immediately before the “Residential Care, Limited” row, entitled “Multi-Family Transient Use”; and 2) insert a new row immediately after the “Single Family Residential” row, entitled “Single-Family Transient Use”; both of which are noted on the table below underlined in bold text, as follows, with all other portions of Section A.12.020 remaining in effect without amendment:

A.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RM, and RH DISTRICTS LAND USE REGULATIONS			P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted
	RM	RH	Additional Regulations
<b>Residential Uses</b>			(A)
Day Care, Small Family Home	P	P	<b>(P)</b>
Day Care, Large Family Home	L-22	L-22	<b>(P)</b>
Group Residential	-	U	
Multi-family Residential			
5 or fewer units	P	P	(B)(C)(L) <b>(P)</b>
6 or more units	PDP/SDP	PDP/SDP	(B)(C)(L)(O) <b>(P)</b>
<b><u>Multi-Family Transient Use</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Residential Care, Limited	P	P	
Single-Family Residential	P	P	(C) <b>(P)</b>
<b><u>Single-Family Transient Use</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	

**SECTION 9.** Amend LCP Section A.12.020 (Land Use Regulations) to add Additional Regulations L-25, L-26, and (P) to read as follows, with all other portions of Section A.12.020 remaining in effect without amendment:

RM, RH Districts: Additional Use Regulations:

“L-25 A Multi-Family Transient Use, as defined in Section A.08.030, of a multi-family dwelling unit is permitted to commence once within a three month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than four times within a 12 month period is prohibited. Multi-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.”

“L-26 A Single-Family Transient Use, as defined in Section A.08.030, of a single family dwelling unit is permitted to commence once within a three month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than four times within a 12 month period is prohibited. Single-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.”

“(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in A.10.04.030, except as provided for in Section A.08.030.”

SECTION 5. If any sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 6. The City Council hereby directs staff to submit this LCP amendment to the California Coastal Commission for certification, in conformance with the submittal requirements specified in the California Code of Regulations, Title 14, Division 5.5., Chapter 8, Subchapter 2. The LCP amendment approved in this ordinance shall become effective only upon certification by the California Coastal Commission.

SECTION 7. Any provisions of the Manhattan Beach Local Coastal Program, or appendices thereto, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance, and no further, are hereby repealed.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code.

PASSED, APPROVED AND ADOPTED June \_\_\_\_, 2015.

AYES:

NOES:

ABSENT:

ABSTAIN:

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WAYNE POWELL  
Mayor of the City of Manhattan Beach,  
California

ATTEST:

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LIZA TAMURA  
City Clerk

APPROVED AS TO FORM:

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QUINN M. BARROW  
City Attorney

## LEGISLATIVE DIGEST

### ORDINANCE NO. 15-0010

#### CITY OF MANHATTAN BEACH LOCAL COASTAL PROGRAM (LCP) (revisions shown as underline for new text and strikeout for deleted text)

1. LCP Chapter A.96.160 (Appeals) has been revised to read:

#### **“Chapter A.96.160 APPEALS AND COUNCIL REVIEW”**

Development pursuant to an approved Coastal Development Permit shall not commence until the Coastal Development Permit is effective. The Coastal Development Permit is not effective until all appeals, including those to the Coastal Commission, have been exhausted. In the event that the Coastal Commission denies the permit or issues a permit on appeal, the Coastal Development Permit approved by the City is void.

#### **A. Process**

1. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
2. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and with the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
3. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision. If the fifteenth day falls on a weekend or City holiday, the appeal period ends at the close of business on the next working day.
4. The appeal shall be heard within 60 days of the City Clerk's receipt of the appeal, unless the applicant and appellant consent to a later date. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
5. The effectiveness of a decision subject to appeal shall be stayed pending completion or withdrawal of the appeal.
- ~~6.~~ 4. It shall be the duty of the Director of Community Development to forward



a Coastal Development Permit appeal, together with recommendation thereof, to the appropriate body specified in the paragraphs Paragraph A above for its action.

### **B. Council Review.**

1. The City Council shall review a Planning Commission decision if two council members, either individually or jointly, file a Council review form with the City Clerk on or before the fifteenth day following the decision. For all requests for review, it shall be presumed that the reason for the request is that the decision may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have City-wide importance warranting review and determination by City's elected officials. Bias shall not be presumed or inferred due to a request for review.

The City Clerk shall prescribe a review form, which shall be available free of charge. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter.

2. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.
3. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.
4. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.

### **C. Decision.**

The appellate or reviewing body may uphold, overturn, or modify the decision of the inferior body. Any such action shall be made by resolution and supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director is effective. In the event of a tie vote by the City Council, the decision of the Planning Commission is final.

### **D. Effective date.**

A decision by the City Council regarding an appeal or Council review shall be \_\_\_\_\_ come final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review pursuant to Section 10.100.020.

### E. - Resubmittal.

In the event the Commission or City Council takes final action to deny an application or request, such application or request cannot be resubmitted within two years, unless the denial is made without prejudice.”

~~A. Action by the Director of Community Development may be appealed to the Planning Commission. Action by the Planning Commission may be appealed only to the City Council. Any appeal by an aggrieved person, except an appeal by a City Councilperson or the Mayor, must be initiated within 15 days from the date of the decision. The appeal period ends at the close of the business day for City Hall on the first City Hall working day no less than fifteen days after the decision maker's action.~~

~~1. The matter shall be scheduled for City Council review at the first regularly scheduled meeting following the decision for which the matter can be legally noticed. The Mayor or any City Council member may appeal the permit at the time of or before the City Council meeting at which the decision is reported to the City Council.~~

~~2. An appeal from the decision of the Director of Community Development shall be filed with the Department of Community Development on a form provided by the Director of Community Development. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.~~

~~3. An appeal from the decision of the Planning Commission shall be filed with the City Clerk on a form provided by the City Clerk. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.~~

~~a. The Mayor or any member of the City Council may appeal any matter by requesting a public hearing on the appeal within the time limit set forth in Section A.96.160 A. The Mayor or City Council member appealing any matter shall be disqualified from hearing the appeal unless he or she certifies that the appeal was made in the public interested or welfare.~~

~~b. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.~~

**F. B. Appeals to the Coastal Commission.** Within ten (10) working days from the date of Coastal Commission receipt of the notice of final action, all appealable development, as defined in §A.96.030, may be appealed to the

Coastal Commission in accordance with Coastal Commission regulations by a qualified appellant, as defined in §A.96.160 D.

1. The ground for appeal to the Commission of a final local approval shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(1)]
2. The grounds for appeal to the Commission of a denial of a major public works project or major energy facility shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(2)]

G. G. A final decision on an application for an appealable development shall become effective after the 10th working day appeal period to the Coastal Commission has expired unless either of the following occur:

1. an appeal is filed in accordance with the procedures set forth by the Coastal Commission;
2. the notice of final local government action does not meet the requirements of §A.96.100 F and G above.

H. D. An appeal pursuant to this chapter may only be filed by the applicant for the Coastal Development Permit in question, an aggrieved person as defined in §A.96.030(a) , or any 2 members of the Coastal Commission.

2. LCP Section A.04.030 (Definitions) has been amended to amend the definition of "Family" and to insert three new defined terms:

**"Family:** A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit, ~~provided that this shall not exclude the renting of rooms in a dwelling unit as permitted by district regulations.~~"

**"Single Housekeeping Unit:** A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented, leased, or subleased all adult members living on the premises jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager."

**“Single-Family Transient Use: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”**

**“Multi-Family Transient Use: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”**

3. LCP Section A.08.030 (Residential use classifications) has been amended to insert a use classification “Multi- Family Transient Use” between the existing use classifications “Multi-family Residential” and “Residential Care, Limited” as follows:

**“F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”**

4. LCP Section A.08.030 (Residential use classifications) has been amended to insert a new Use classification “Single-Family Transient Use” between the existing Use classifications “Single-Family Residential” and “Supportive Housing” as follows:

**“I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”**

5. The “Residential Uses” section of the table of uses set forth in LCP Section A.12.020 (Land Use Regulations) has been amended to 1) insert a new row immediately before the “Residential Care, Limited” row, entitled “Multi-Family Transient Use”; and 2) insert a new row immediately after the “Single Family Residential” row, entitled “Single-Family Transient Use”:

A.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RM, and RH DISTRICTS LAND USE REGULATIONS			P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted
	RM	RH	Additional Regulations
<b>Residential Uses</b>			(A)
Day Care, Small Family Home	P	P	<b>(P)</b>
Day Care, Large Family Home	L-22	L-22	<b>(P)</b>
Group Residential	-	U	
Multi-family Residential			
5 or fewer units	P	P	(B)(C)(L) <b>(P)</b>
6 or more units	PDP/SDP	PDP/SDP	(B)(C)(L)(O) <b>(P)</b>
<b><u>Multi-Family Transient Use</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Residential Care, Limited	P	P	
Single-Family Residential	P	P	(C) <b>(P)</b>
<b><u>Single-Family Transient Use</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	

6. LCP Section A.12.020 (Land Use Regulations) has been amended to add Additional Regulations L-25, L-26, and (P) to read as follows:

“RM and RH Districts: Additional Use Regulations:

**L-25 A Multi-Family Transient Use, as defined in Section A.08.030, of a multi-family dwelling unit is permitted to commence once within a three month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than four times within a 12 month period is prohibited. Multi-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.**

**L-26 A Single-Family Transient Use, as defined in Section A.08.030, of a single family dwelling unit is permitted to commence once within a three month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than four times within a 12 month period is prohibited. Single-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.**

**(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in A.04.030, except as provided in Section 10.08.030.”**

## **A.96.160. Appeals.**

Development pursuant to an approved Coastal Development Permit shall not commence until the Coastal Development Permit is effective. The Coastal Development Permit is not effective until all appeals, including those to the Coastal Commission, have been exhausted. In the event that the Coastal Commission denies the permit or issues a permit on appeal, the Coastal Development Permit approved by the City is void.

- A. Action by the Director of Community Development may be appealed to the Planning Commission. Action by the Planning Commission may be appealed only to the City Council. Any appeal by an aggrieved person, except an appeal by a City Councilperson or the Mayor, must be initiated within 15 days from the date of the decision. The appeal period ends at the close of the business day for City Hall on the first City Hall working day no less than fifteen days after the decision maker's action.
  1. The matter shall be scheduled for City Council review at the first regularly scheduled meeting following the decision for which the matter can be legally noticed. The Mayor or any City Council member may appeal the permit at the time of or before the City Council meeting at which the decision is reported to the City Council.
  2. An appeal from the decision of the Director of Community Development shall be filed with the Department of Community Development on a form provided by the Director of Community Development. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.
  3. An appeal from the decision of the Planning Commission shall be filed with the City Clerk on a form provided by the City Clerk. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.
    - a. The Mayor or any member of the City Council may appeal any matter by requesting a public hearing on the appeal within the time limit set forth in Section A.96.160 A. The Mayor or City Council member appealing any matter shall be disqualified from hearing the appeal unless he or she certifies that the appeal was made in the public interested or welfare.
    - b. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.
  4. It shall be the duty of the Director of Community Development to forward a Coastal Development Permit appeal, together with recommendation thereof, to the appropriate body specified in Paragraph A above for its action.
- B. Appeals to the Coastal Commission. Within ten (10) working days from the date of Coastal Commission receipt of the notice of final action, all appealable

development, as defined in §A.96.030, may be appealed to the Coastal Commission in accordance with Coastal Commission regulations by a qualified appellant, as defined in §A.96.160 D.

1. The ground for appeal to the Commission of a final local approval shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(1)]
  2. The grounds for appeal to the Commission of a denial of a major public works project or major energy facility shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(2)]
- C. A final decision on an application for an appealable development shall become effective after the 10th working day appeal period to the Coastal Commission has expired unless either of the following occur:
1. an appeal is filed in accordance with the procedures set forth by the Coastal Commission;
  2. the notice of final local government action does not meet the requirements of §A.96.100 F and G above. D. An appeal pursuant to this chapter may only be filed by the applicant for the Coastal Development Permit in question, an aggrieved person as defined in §A.96.030(a) , or any 2 members of the Coastal Commission.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)



**A.12.020. Land use regulations: RM and RH districts.**

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Chapter A.68. The letters "P/U" for accessory uses mean that the use is allowed on the site of a permitted use, but requires a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

A.12.020 - Land Use Regulations: RM and RH districts.

RM, and RH DISTRICTS LAND USE REGULATIONS			P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted
	RM	RH	Additional Regulations
<b>Residential Uses</b>			(A)
Day Care, Small Family Home	P	P	
Day Care, Large Family Home	L-22	L-22	
Group Residential	-	U	
Multi-family Residential			
5 or fewer units	P	P	(B)(C)(L)
6 or more units	PDP/SDP	PDP/SDP	(B)(C)(L)(O)
Residential Care, Limited	P	P	
Single-Family Residential	P	P	(C)

**RM and RH Districts: Additional Use Regulations**

L-1 Use permit required and only neighborhood-oriented uses occupying less than 2,500 square feet are permitted.

- L-2 Public facilities permitted, but a use permit is required for private noncommercial facilities, including swim clubs and tennis clubs.
- L-3 A use permit is required, except for legally existing church facilities, including private schools and day-care contained therein, which do not exceed an overall floor area factor greater than half of the maximum floor area factor permitted by the development standards of the base district.
- (A) See Section A.52.020: Exterior materials in R districts.
- (B) A use permit is required for condominium development or conversion; see Chapters A.84 and A.88. Any addition or modification to a condominium unit or development subsequent to the original construction of that unit or development that would result in an increase in the amount of livable space, or a significant exterior structural or architectural alteration, shall require an amendment to the use permit previously obtained. In order for a residential apartment building to qualify for a condominium conversion, a Certificate of Occupancy must have been issued prior to January 1, 1982.
- (C) See Section A.52.100: Manufactured homes.
- (D) Facilities on sites of 2 acres or more are subject to the regulations of Chapter 10.28 (PS District) precluding those of this chapter. See Section A.28.020: PS District Applicability.
- (E) See Section A.52.070: Home occupation in R districts.
- (F) See Section A.52.050 Accessory structures, and Section A.52.060 Accessory dwelling units. Secondary residential units are not allowed, but guest houses or accessory living quarters, and caretaker's quarters are permitted.
- (G) See Section A.52.080: Swimming pools and hot tubs.
- (H) See Section A.84.110: Temporary use permits.
- (I) See Chapter A.68: Nonconforming uses and structures.
- (J) See Chapter A.72: Signs.
- (K) An administrative permit issued by the Community Development Director is required.
- (L) Alternative Parking Plan for Senior Citizen Housing. Applications for a use permit for a senior citizen housing project shall include a contingency plan, addressing what will be done to ensure compliance with parking requirements if occupancy can not be limited to senior citizens because of market conditions or other factors.

**§A.12.030**

- (M) The keeping of domestic animals is permitted including: “Dogs and cats not to exceed five (%) for each residential living unit in any combination thereof and the young thereof not exceeding four months in age, and other small domestic household pets such as rabbits, hamsters, guinea pigs, etc. not to exceed five (5) in any combination thereof. Common varieties of farm animals, livestock, exotic animals or wild animals (as defined in Section 10.04.020) are prohibited, EXCEPT for Vietnamese pot-bellied pigs, also known as Pygmy Pigs or Mini-Pigs, as permitted by the Animal Control Department.
- (N) A maximum of three (3) garage or lawn sale permits per calendar year, or miscellaneous household items of persona property accumulated by the occupant of the residence as a normal matter of course may he held on any building site occupied by residents, provided a permit has been acquired from the City's Licensing Authority. Each permit shall be valid for a maximum of three (3) consecutive days and may include standard regulations on the Garage Sale Permit (in accordance with the provisions of Section 6.08.020 MBMC).
- (O) “(O) Residential developments of 6 or more units that qualify for a density bonus pursuant to Chapter A.94 of this Code shall apply for a Precise Development Plan. Residential developments of 6 or more units that do not receive a density bonus shall apply for a Site Development Permit.”

1 RESOLUTION NO. PC 15-03

2  
3 **A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION**  
4 **RECOMMENDING TO THE CITY COUNCIL ZONING CODE AND LOCAL**  
5 **COASTAL PROGRAM AMENDMENTS FOR CHAPTERS 10.100 AND**  
6 **A.96.160 (APPEALS) AND FOR CHAPTERS 10.12 AND A.12 (RESIDENTIAL**  
7 **DISTRICTS) AND OTHER PORTIONS OF TITLE 10 AND A – ZONING CODE**

8 THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

9 SECTION 1. The Planning Commission hereby makes the following findings:

- 10 A. On May 13, 2015, the Planning Commission conducted a duly noticed public hearing pursuant  
11 to applicable law to consider amendments to the Zoning Code and Local Coastal Program for  
12 Chapters 10.100 and A.96.160 (Appeals), for Chapters 10.12 and A.12 (Residential Districts),  
13 for Chapters 10.04.030 and A.04.030 (Definitions), and for 10.08.030 and A.08.030 (Residential  
14 Use Classifications). Specifically, staff has recommended that the Zoning Code's appeal  
15 procedure be streamlined, amended to make the Code consistent with the City's practice and  
16 changes in the law, and amended to provide for City Council review of quasi-judicial  
17 proceedings. In addition, staff has recommended that the Code be amended to address  
18 commercial and transient uses in residential zones.
- 19 B. The public hearing was advertised pursuant to applicable law with a ¼ page display ad on April  
20 30, 2015 in the Beach Reporter.
- 21 C. The proposal is exempt from the requirements of the California Environmental Quality Act  
22 (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with  
23 certainty that the amendments will not have the potential for any impacts on the environment.  
24 The proposed Zoning Code and LCP amendments are modifications to the Appeals process,  
25 adding and amending definitions, classifications and uses in the Residential Sections.
- 26 D. The proposed amendments are consistent with the policies of Chapter 3 of the Coastal Act, and  
27 LCP Policy II.1 which aims to "Control development within the City of Manhattan Beach Coastal  
28 Zone," will not have an impact either individually or cumulatively on coastal resources, and do  
29 not involve any change in existing or proposed use of land or water, but will clarify regulation of  
30 commercial and transient uses in residential zones.
- 31 E. The proposed amendments are consistent with the goals and policies of the City's General Plan  
32 and Local Coastal Program, and with the purposes of the Zoning Codes of the Manhattan  
Beach Municipal Code (MBMC) and Local Coastal Program, as detailed in the Planning  
Commission Staff Report. The proposal specifically supports: Goal LU-4, which aims to  
preserve the features of each neighborhood, and develop solutions tailored to each  
neighborhoods unique characteristics, Policy LU-4, which aims to protect public access to and  
enjoyment of the beach while respecting the privacy of beach residents, Goal LU-5, to protect  
residential neighborhoods from the intrusion of inappropriate and incompatible uses, Policy LU-  
5.1, which requires the separation or buffering of residential areas from businesses and uses  
which produce noise, odors, high traffic volumes, light or glare, and parking through the use of  
landscaping, setbacks, or other techniques, and the City's Housing Element Goal I, to Preserve  
Existing Neighborhoods, which is bolstered by Policy 1, to continue to enforce provisions of the  
Zoning Code which specify District Development Regulations for height, lot coverage, setbacks,  
open space, and parking.

24 SECTION 2. The Planning Commission hereby RECOMMENDS approval of the subject amendments to  
25 the MBMC and Local Coastal Program as follows:

**SECTION 3.** Amend MBMC Chapter 10.100 (APPEALS) and LCP Section A.96.160 A. 1-3 (Appeals) to read as follows with all other portions of Section A.96.160 remaining in effect without amendment:

**Chapter 10.100 and A.96.160 A.1-3. APPEALS AND COUNCIL REVIEW**

**Sections:**

**10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.
- D. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- E. The appeal will be heard within 60 days of the City Clerk's receipt of the appeal unless the applicant and appellant consent to a later date.
- F. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.

**10.100.020 Council Review.**

- A. Council Review. A Planning Commission decision shall be set for a review hearing before the City Council if requested in writing by at least two members of the City Council. The City Councilmembers requesting the review shall file a Council review form with the City Clerk. The form must be filed before the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day. The form shall be prescribed by the City Clerk and may be signed by the members separately or by two members jointly. No fee shall be required. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter. It shall be presumed that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. Bias shall not be presumed or inferred due to a request for review.
- B. Stay of Decision. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.
- C. Notice. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.

1 D. Hearing Procedure. The Council review hearing shall be conducted as a hearing *de novo*. The  
2 City Council shall apply the same decision criteria as the Planning Commission.

3 **10.100.030 - Decision.**

4 The appellate or reviewing body may uphold, overturn or modify the decision of the inferior  
5 body. Any such action shall be made by resolution and shall be supported by findings. Alternatively,  
6 the appellate or reviewing body may remand the matter for further consideration by the inferior body. In  
7 the event of a tie vote by the Planning Commission, the decision of the Community Development  
8 Director shall be effective. In the event of a tie vote by the City Council, the decision of the Planning  
9 Commission shall be effective.

10 **10.100.040 - Effective date.**

11 A decision by the City Council regarding an appeal or Council review shall become final on the  
12 date of the decision. A decision by the Planning Commission regarding an appeal shall become final on  
13 the date of the decision, unless appealed to the City Council, or called up for review by two  
14 Councilmembers.

15 **10.100.050 - Resubmittal.**

16 Following a decision on an appeal or Council review, any matter that is the same or substantially  
17 the same shall not be considered by the same body within two years, unless the denial is made without  
18 prejudice.

19 **SECTION 4.** Amending MBMC Section 10.04.030 and LCP Section A.04.030 (Definitions) to insert a  
20 new defined term "Single Housekeeping Unit" between the existing defined terms "Sexual Activities,  
21 Specified" and "Single Ownership" as follows, with all other portions of Sections 10.04.030 and A.04.030  
22 remaining in effect without amendment:

23 "SINGLE HOUSEKEEPING UNIT:

24 A traditional family or the functional equivalent of a traditional family, whose members are a  
25 non-transient interactive group of one or more persons, where if consisting of more than one  
26 person, such persons jointly occupy a single dwelling unit, jointly use common areas, share  
27 household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the  
28 unit is rented, leased, or subleased all adult members living on the premises jointly agree to  
29 occupy and be responsible for the entire premises of the dwelling unit under a single written  
30 rental agreement or lease and the makeup of the household occupying the unit is determined by  
31 the residents of the unit rather than the landlord or property manager."

32 **SECTION 5.** Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use  
classifications) to insert a Use classification "Multi- Family Transient Use" between the existing use  
classifications "Multi-family Residential" and "Residential Care, Limited" as follows, with all other  
portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

"F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a  
period of less than 30 days."

**SECTION 6.** Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use  
classifications) to insert a new Use classification "Single-Family Transient Use" between the existing  
Use classifications "Single-Family Residential" and "Supportive Housing" as follows, with all other  
portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

"I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for  
a period of less than 30 days."

**SECTION 7.** Amend the residential use in the table of uses set forth in MBMC Section 10.12.020 and  
LCP Section A.12.020 (Land Use Regulations) to 1) insert a new row immediately before the  
"Residential Care, Limited" row, entitled "Multi-Family Transient Use"; and 2) insert a new row  
immediately after the "Single Family Residential" row, entitled "Single-Family Transient Use"; both of

which are noted on the table below underlined in bold text, as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

10.12.020/A.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS						P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted
	RS	RM	RH	RPD	RSC	Additional Regulations
<b>Residential Uses</b>						(A)
Day Care, Small Family Home	P	P	P	P	P	<b>(P)</b>
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	<b>(P)</b>
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L) <b>(P)</b>
6 or more units	-	PDP/SD P	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O) <b>(P)</b>
<b>Multi-Family Transient Use</b>	-	<b>L-25</b>	<b>L-25</b>	<b>L-25</b>	<b>L-25</b>	
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C) <b>(P)</b>
<b>Single-Family Transient Use</b>	<b>L-26</b>	<b>L-26</b>	<b>L-26</b>	<b>L-26</b>	<b>L-26</b>	

**SECTION 9.** Amend MBMC Section 10.12.020 and LCP Section A.12.020 (Land Use Regulations) to add Additional Regulations L-25, L-26, and (P) to read as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations:

L-25 A Multi-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a multi-family dwelling unit is permitted to commence once within a three month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than four times within a 12 month period is prohibited. Multi-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.

L-26 A Single-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a single family dwelling unit is permitted to commence once within a three month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than four times within a 12 month period is prohibited. Single-Family Transient Uses shall comply with Chapters 6.01, 6.24, 8.20 and other applicable Sections of the MBMC.

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(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030 and A.10.04.030.

SECTION 10. The Planning Commission also recommends that the City Council direct the City Clerk to make any other corresponding language changes to the MBMC and the LCP to achieve internal consistency as required.

SECTION 11. If any sentence, clause, or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this resolution. The Planning Commission hereby declares that it would have passed this resolution and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

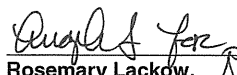
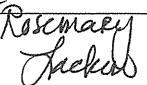
SECTION 12. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other resolution of the City, to the extent that they are inconsistent with this resolution, and no further, are hereby repealed.

SECTION 13. 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 May 13, 2015 and that said Resolution was adopted by the following vote:

- AYES:** Andreani, Bordokas, Hersman
- NOES:** Chairperson Conaway, Ortmann
- ABSENT:** None
- ABSTAIN:** None


  
\_\_\_\_\_  
Marisa Lundstedt,  
Secretary to the Planning Commission


  
\_\_\_\_\_  
Rosemary Lackow,  
Recording Secretary 

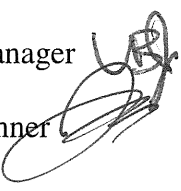


**CITY OF MANHATTAN BEACH  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
MEMORANDUM**

**TO:** Planning Commission

**FROM:** Marisa Lundstedt, Director of Community Development 

**THROUGH:** Laurie B Jester, Planning Manager 

**BY:** Jason Masters, Assistant Planner 

**DATE:** May 13, 2015

**SUBJECT:** Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) to include a Council review procedure for quasi-judicial decisions and modernizing Chapters 10.100 and A.96.160 (Appeals), and Chapters 10.12 and A.12 (Residential Districts) and related Municipal Code and LCP Sections regarding commercial and transient uses in residential zones.

**RECOMMENDATION**

Staff recommends that the Planning Commission **CONDUCT** the Public Hearing and **ADOPT** the attached draft Resolution recommending to the City Council approval of the proposed Municipal Code and Local Coastal Program (LCP) Amendments.

**APPLICANT**

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

**BACKGROUND**

Based upon its periodic review of the Zoning Code, staff is recommending that the Code be amended to address (1) recent case law concerning Council review of Planning Commission quasi-judicial decisions and (2) commercial and transient uses of residential properties. Staff also recommends related Zoning Code cleanup as to both areas. Pursuant to state law, the Planning Commission shall make recommendations to the City Council after conducting a public hearing as to the recommended changes to the Zoning Code.

**DISCUSSION**

*1. Council review of Planning Commission decisions*

There have been a series of California appellate decisions finding that an “appeal” of a Planning Commission decision by a Councilmember or the full Council may violate due process principles. Appeals filed by individual Councilmembers may give rise to the

appearance that the decisionmaker has pre-judged a matter, prior to considering the evidence. It is important that Councilmembers maintain an open mind and do not take any positions, for or against an application, until after the public hearing before the Council. The courts have explained this rule, which stems from the Due Process clauses of the federal and state constitutions, as follows:

“A public hearing contemplates a fair and impartial hearing at which competent evidence may be presented before a fair and impartial tribunal.”

*Saks & Co. v. City of Beverly Hills*, 107 Cal.App.2d 260, 265 (1951). See also *Bullock v. City and County of San Francisco*, 221 Cal.App.3d 1072, 1091 (1990) (“Fair trial in a fair tribunal is a basic requirement of due process”); *Rosenblit v. Superior Court*, 231 Cal.App.3d 1434, 1448 (1991) (“The right to a fair procedure includes the right to impartial adjudicators”); *Sinaloa Lake Owners' Ass'n v. City of Simi Valley*, 882 F.2d 1398, 1408-10 (9th Cir. 1989) (City violated applicant’s substantive due process rights). Further, if a Councilmember has a personal interest or involvement in the outcome of the matter or with any participants which precludes that Councilmember from making his or her decision based on the merits of the application, disqualification is required. *Fairfield v. Superior Court*, 14 Cal.3d 768 (1975); *Mennig v. City Council*, 86 Cal.App.3d 341 (1978). *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994).

The most recent opinion on this subject—*Woody’s Group, Inc. v. City of Newport Beach*—was issued on January 1, 2015. In *Woody’s*, the court of appeal ruled that a Councilmember’s appeal of a Planning Commission decision to approve a use permit and variance, and the City Council’s subsequent reversal of the Planning Commission’s approval, violated the due process of the applicant. The court ruled that the appeal by the Councilmember was, in essence, impermissible because the Councilmember was both the appellant and appellate judge. Further, the court ruled that the appeal violated Newport Beach’s Municipal Code because there was no provision allowing appeals for Councilmembers acting in their role as Councilmembers.

In 1994, in the case of *Cohan v. City of Thousand Oaks*, 30 Cal. App. 4th 547 (1994), the full City Council appealed a decision of the Planning Commission after residents opposed to the Commission’s decision appeared at the next City Council meeting. The Court found that such appeal violated due process and that the Council had exhibited impermissible bias. See also *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996) (Council member who voted to deny permits for a condominium project near his house had impermissible bias due to his interest in preserving his ocean view and his personal animosity toward the applicants); Many Zoning Ordinances, including Manhattan Beach’s, were amended in response to the *Cohan* case to provide a Council review process that affords due process to applicants. MBMC Section 10.100.030 currently states that appeals may originate from the City Council, and MBMC Section 10.100.040B currently provides “The Mayor or City Council members appealing any

matter under this section shall only do so if the appeal is made in the public interest or welfare and the appealing council member has no predisposition for or against the matter being appealed.”

Similar provisions in other cities have been upheld by the court. E.g., *BreakZone Billiards v. City of Torrance*, 81 Cal. App. 4th 1205, 1233 (2000) (Councilmember’s calling up commission decision for review was consistent with City’s procedure and did not constitute bias).

The primary purpose of this proposed change is to supplement the Code’s existing appeal procedure with a new “City Council review” procedure. Staff would notify the City Council (and the public) of any quasi-judicial decision on the next day after the Planning Commission meeting, and again in the City Manager’s weekly report distributed on Friday of each week. Any Councilmember could seek review of that decision at any time within 15 days after the Planning Commission decision. If two Councilmembers request review, City Council review would be initiated. This is in contrast to the existing “appeal” procedure, which allows an appeal to be filed by a single Councilmember, and only at the next Council meeting. If a call for review is made there shall be a presumption applied that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. No inference of bias shall be presumed due to such a request for review being made by Council members.” If review is initiated, then a review hearing shall be noticed and conducted in the same manner as is required for appeals. The City Council would be able to uphold, overturn or modify the Planning Commission’s original action, and also to remand the application back to the Planning Commission for further consideration.

Establishing a City Council review procedure as proposed would help diffuse any perception of bias that may arise in the mind of a project applicant, or members of the public, when a Councilmember appeals a Planning Commission decision to the City Council and then participates in the decision by the City Council. One reason for this is that, under the new review procedure, a Planning Commission decision could be brought to the City Council’s jurisdiction by two Councilmembers without a Councilmember identifying himself or herself as an “aggrieved person” or stating reasons why the decision should be reviewed (which could suggest a predisposition on the matter). Another reason for this is that there would be an express standard for initiation of review while, by contrast, an appeal can be filed for any reason.

The secondary purpose of this recommendation is to perform some minor “clean up” of the existing appeal procedure. In particular, the ordinance would revise the Code to specify that appeal hearings by the City Council are “de novo,” which means the hearing is “as new” and the appellate body is not bound by the findings of the original decision-maker. Additionally, the ordinance would revise the Code to specify that a tie vote by the City Council on an appeal results in the Planning Commission’s decision being final and conclusive. In the event of a tie vote by the Planning Commission, the decision of the

Community Development Director would be effective. These changes will make the Code consistent with the City's current practice.

*2. Code Cleanup to Address Commercial and Transient Uses of Residential Properties.*

In the process of reviewing the Zoning Code, staff observed that the Code does not adequately address recent trends where residential properties are leased or rented for short-term commercial or transient uses, such as bed and breakfasts, vacation rentals and other transient uses. In 2005, a single family home was rented as a "party house," which created noise, traffic and undue burden on scarce on-street parking. More recently in 2012, the City Council examined the negative impacts, including noise, crime, traffic congestion and consumption of available parking on and in residential neighborhoods, arising from short-term vacation rentals of residences during the Charlie Saikley 6-Man Beach Volleyball Tournament.

Common in City's throughout California, the Zoning Code in the Manhattan Beach Municipal Code (MBMC) and LCP prohibits most commercial uses in residential zones. MBMC 10.12.020 identifies the types of uses that are permitted in the single- and multi-family residential zones, and short-term transient uses are not listed. (As a result of the 2012 discussions, short-term vacation rentals are currently regulated under Business Licenses in Chapter 6.24 of the MBMC specifically related to the Charlie Saikley 6-Man Beach Volleyball Tournament. Short-term vacation rentals are defined in MBMC Section 6.24.20 as "a dwelling unit that is rented by the owner to another party for a period of not more than thirty (30) consecutive days in exchange for any form of monetary or non-monetary consideration such as, but not limited to, trade, fee, swap, or any other consideration in lieu of cash payments." Short-term vacation rental permits apply only to dwelling units within the area of the City bounded by 1st Street on the south, Ardmore Avenue and North Blanche Road on the east, Marine Avenue on the north, and the beach on the west, and are granted only to those dwelling units that are rented as a short-term vacation rental at any time between 12:00 a.m. PST on the Thursday before and 12:00 p.m. PST on the Monday after the Charlie Saikley 6-Man Beach Volleyball Tournament.) Nothing in the Zoning Code permits short-term vacation rentals of residential units. The City has become aware of the degree to which dwelling units in the City are being used for short-term rentals through such websites as Airbnb ([www.Airbnb.com](http://www.Airbnb.com)), Vacation Rentals By Owner ([www.vrbo.com](http://www.vrbo.com)), and similar on-line short-term vacation rental websites.

Left unchecked, short-term rentals of residential properties have the potential to change the character and stability of the City's residential neighborhoods. The Land Use Element of the City's General Plan, includes Goal LU-4, which aims to preserve the features of each neighborhood, and develop solutions tailored to each neighborhoods unique characteristics. Goal LU-4 which is supported by Policy LU-4.1 aims to protect public access to and enjoyment of the beach while respecting the privacy of beach residents. The Land Use Element also includes Goal LU-5: "Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses." Consistent with this goal, Policy LU-5.1: "Require[s] the separation or buffering of residential areas from businesses which

produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.”

The City’s Housing Element includes Goal I “Preserve Existing Neighborhoods.” which is bolstered by Policy 1 “Continue to enforce provisions of the Zoning Code which specify District Development Regulations for height, lot coverage, setbacks, open space, and parking.” Unlike hotel uses, where additional parking is a requirement to ensure residential areas are minimally affected, and onsite managers ensure compliance with other City Codes such as noise, left unchecked, residential transient uses can diminish the character quality of residential neighborhoods. Goal I memorializes the City’s commitment to preserving and maintaining its single-family residential neighborhoods from incompatible and character changing uses such as short-term rental of single family residences.

The impact of short-term transient uses in residential neighborhoods have been discussed in various news articles, including a April 23, 2015 article on KPBS in which beach-area residents of San Diego noted that “the noise and negative impacts make it so that neighbors are unable to enjoy their houses and backyards.” On September 2, 2013 an article in the Los Angeles Times expressed concerns of residents of the Silver Lake neighborhood in Los Angeles about the operation of “virtual hotels, packing homes with throngs of visitors whose sheer presence alters the community feel.”

Protection of the City’s residential neighborhoods warrants amendment of the City’s residential zones to limit the number of times per year residential units, including accessory units, can be rented for short-term occupancy. The proposed regulations have been drafted to allow “transient use” of single-family and multi-family dwelling units for 30 days or less once within a six month period, for a total of two within a 12 month period. The Commission may want to consider allowing transient uses once within a three month period, for a total of four within a 12 month period. Please note that rentals for longer than 30 days are not limited by the proposed regulations governing transient uses to a maximum number annually; however they are limited to occupancy by a “single housekeeping unit” as defined in the proposed new regulations. Likewise, the proposed regulations will have no impact on uses in commercial zones (e.g., hotels, motels, etc.)

Attached to this Staff Report (Attachment A) is a Resolution to recommend amending the Municipal Code and Local Coastal Program including Chapters 10.100 and A.96.160 (Appeals) to allow for City Council review of Planning Commission quasi-judicial decisions and make other revisions to the Appeals Sections to bring the Code into conformity with existing practice. In addition, staff recommends amending Chapter 10.12 and A.12 (Residential Districts) and related Municipal Code and LCP Sections to address commercial and transient uses in residential zones. The amendments are underlined in bold text below with the existing MBMC and LCP Sections: There may be other corresponding revisions to the Code to achieve internal consistency.

<p>10.04.030 &amp; A.04.030 – Definitions</p>	<p><b><u>SINGLE HOUSEKEEPING UNIT: A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented or leased, all adult members jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.</u></b></p>
<p>10.08.030 &amp; A.08.030 – Residential Use Classifications</p>	<p><b><u>Multi-Family Transient Use: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.</u></b></p> <p><b><u>Single-Family Transient Use: Rental or lease of a single-family dwelling unit for a period of less than 30 days.</u></b></p>
<p>10.12.020 &amp; A.12.020 – Land use regulations</p>	<p><b><u>L-25 A Multi-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a multi-family dwelling unit is permitted to commence once within a six month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than twice within a 12 month period is prohibited</u></b></p> <p><b><u>L-26 A Single-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a single family dwelling unit is permitted to commence once within a six month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than twice within a 12 month period is prohibited.</u></b></p> <p><b><u>(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030 and A.04.030.</u></b></p>

**10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.**
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.**
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.**
- D. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.**
- E. The appeal will be heard within 60 days of the City Clerk's receipt of the appeal unless the applicant and appellant consent to a later date.**
- F. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.**

**10.100.020 Council Review.**

- A. Council Review. A Planning Commission decision shall be set for a review hearing before the City Council if requested in writing by at least two members of the City Council. The City Councilmembers requesting the review shall file a Council review form with the City Clerk. The form must be filed before the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.**

**Chapter 10.100 and  
A.96.160 A. 1-3. -  
APPEALS AND  
COUNCIL REVIEW**

**CONTINUED**

**The form shall be prescribed by the City Clerk and may be signed by the members separately or by two members jointly. No fee shall be required. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter. It shall be presumed that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. Bias shall not be presumed or inferred due to a request for review.**

**B. Stay of Decision. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.**

**C. Notice. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.**

**D. Hearing Procedure. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.**

**10.100.030 - Decision.**

**The appellate or reviewing body may uphold, overturn or modify the decision of the inferior body. Any such action shall be made by resolution and shall be supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director shall be effective. In the event of a tie vote by the City Council, the decision of the Planning Commission shall be effective.**

**10.100.040 - Effective date.**

**A decision by the City Council regarding an appeal or Council review shall become final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review by two Councilmembers.**

**10.100.050 - Resubmittal.**

**Following a decision on an appeal or Council review, any matter that is the same or substantially the same shall not be considered by the same body within two years, unless the denial is made without prejudice.**



## **ENVIRONMENTAL DETERMINATION**

The proposed zone text amendments are exempt from the California Environmental Quality Act (CEQA) requirements pursuant to CEQA guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment.

## **PUBLIC INPUT**

A ¼ page display ad public notice for the proposed MBMC and LCP Code Amendments was published in the Beach Reporter newspaper on April 30, 2015, in compliance with state and local law and mailed to the California Coastal Commission. The draft MBMC and LCP Amendments have been made available at the City Clerk's office and at the Department of Community Development. The staff report, draft Resolution and attachments are also posted on the City website.

## **CONCLUSION**

Staff recommends that the Planning Commission conduct the public hearing, accept testimony, discuss the Amendments, and adopt the attached draft Resolution recommending approval of the Municipal and Local Coastal Program Code Amendments to the City Council.

### Attachments:

- A. Draft Resolution No. PC 15-XX
- B. Current MBMC & LCP-Sections 10.100 & A.96.160- Appeals
- C. Current MBMC Section 10.12.020

cc. California Coastal Commission

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## RESOLUTION NO. PC 15-XX

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL ZONING CODE AND LOCAL COASTAL PROGRAM AMENDMENTS FOR CHAPTERS 10.100 AND A.96.160 (APPEALS) AND FOR CHAPTERS 10.12 AND A.12 (RESIDENTIAL DISTRICTS) AND OTHER PORTIONS OF TITLE 10 AND A – ZONING CODE

THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission hereby makes the following findings:

- A. On May 13, 2015, the Planning Commission conducted a duly noticed public hearing pursuant to applicable law to consider amendments to the Zoning Code and Local Coastal Program for Chapters 10.100 and A.96.160 (Appeals), for Chapters 10.12 and A.12 (Residential Districts), for Chapters 10.04.030 and A.04.030 (Definitions), and for 10.08.030 and A.08.030 (Residential Use Classifications). Specifically, staff has recommended that the Zoning Code's appeal procedure be streamlined, amended to make the Code consistent with the City's practice and changes in the law, and amended to provide for City Council review of quasi-judicial proceedings. In addition, staff has recommended that the Code be amended to address commercial and transient uses in residential zones.
- B. The public hearing was advertised pursuant to applicable law with a ¼ page display ad on April 30, 2015 in the Beach Reporter.
- C. The proposal is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments will not have the potential for any impacts on the environment. The proposed Zoning Code and LCP amendments are modifications to the Appeals process, adding and amending definitions, classifications and uses in the Residential Sections.
- D. The proposed amendments are consistent with the policies of Chapter 3 of the Coastal Act, and LCP Policy II.1 which aims to "Control development within the City of Manhattan Beach Coastal Zone," will not have an impact either individually or cumulatively on coastal resources, and do not involve any change in existing or proposed use of land or water, but will clarify regulation of commercial and transient uses in residential zones.
- E. The proposed amendments are consistent with the goals and policies of the City's General Plan and Local Coastal Program, and with the purposes of the Zoning Codes of the Manhattan Beach Municipal Code (MBMC) and Local Coastal Program, as detailed in the Planning Commission Staff Report. The proposal specifically supports: Goal LU-4, which aims to preserve the features of each neighborhood, and develop solutions tailored to each neighborhoods unique characteristics, Policy LU-4, which aims to protect public access to and enjoyment of the beach while respecting the privacy of beach residents, Goal LU-5, to protect residential neighborhoods from the intrusion of inappropriate and incompatible uses, Policy LU-5.1, which requires the separation or buffering of residential areas from businesses and uses which produce noise, odors, high

## RESOLUTION NO. 15-XX

traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques, and the City's Housing Element Goal I, to Preserve Existing Neighborhoods, which is bolstered by Policy 1, to continue to enforce provisions of the Zoning Code which specify District Development Regulations for height, lot coverage, setbacks, open space, and parking.

**SECTION 2.** The Planning Commission hereby RECOMMENDS approval of the subject amendments to the MBMC and Local Coastal Program as follows:

**SECTION 3.** Amend MBMC Chapter 10.100 (APPEALS) and LCP Section A.96.160 A. 1-3 (Appeals) to read as follows with all other portions of Section A.96.160 remaining in effect without amendment:

### **Chapter 10.100 and A.96.160 A. 1-3.- APPEALS AND COUNCIL REVIEW**

#### **Sections:**

#### **10.100.010 - Appeals.**

- A. Decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission may be appealed to the City Council.
- B. Anyone wishing to appeal pursuant to this Chapter must timely file with the City Clerk a written notice of appeal, on a form provided by the Community Development Department, and the applicable required appeal fee set by City Council resolution. The notice of appeal shall specify the basis for the appeal. In addition, the appeal must indicate in what way the appellant contends the decision was incorrect, specifically identifying how the decision is not in accord with the provisions of the Municipal Code or the Local Coastal Program, or must provide extenuating circumstances that the appellant contends would justify reversal or modification of the decision.
- C. The appeal period ends at the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.
- D. An appeal shall be heard at a public hearing *de novo* if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- E. The appeal will be heard within 60 days of the City Clerk's receipt of the appeal unless the applicant and appellant consent to a later date.
- F. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.

## RESOLUTION NO. 15-XX

### 10.100.020 Council Review.

- A. Council Review. A Planning Commission decision shall be set for a review hearing before the City Council if requested in writing by at least two members of the City Council. The City Councilmembers requesting the review shall file a Council review form with the City Clerk. The form must be filed before the close of the business day for City Hall on the fifteenth day following the decision provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.

The form shall be prescribed by the City Clerk and may be signed by the members separately or by two members jointly. No fee shall be required. The City Clerk shall schedule the review hearing for commencement within 60 days of the request for review. The review shall otherwise follow the same procedures as appeals in this Chapter. It shall be presumed that the reason for the review is that the decision may have significant and material effects on the quality of life within the City, or the subject matter of the decision may have City-wide importance warranting review and determination by the elected officials of the City. Bias shall not be presumed or inferred due to a request for review.

- B. Stay of Decision. The effectiveness of a decision subject to Council review shall be stayed pending completion of the Council review proceedings.
- C. Notice. Public notice of the hearing shall be provided in the same manner, if any, as was provided in connection with the consideration by the Planning Commission.
- D. Hearing Procedure. The Council review hearing shall be conducted as a hearing *de novo*. The City Council shall apply the same decision criteria as the Planning Commission.

### 10.100.030 - Decision.

The appellate or reviewing body may uphold, overturn or modify the decision of the inferior body. Any such action shall be made by resolution and shall be supported by findings. Alternatively, the appellate or reviewing body may remand the matter for further consideration by the inferior body. In the event of a tie vote by the Planning Commission, the decision of the Community Development Director shall be effective. In the event of a tie vote by the City Council, the decision of the Planning Commission shall be effective.

### 10.100.040 - Effective date.

A decision by the City Council regarding an appeal or Council review shall become final on the date of the decision. A decision by the Planning Commission regarding an

## RESOLUTION NO. 15-XX

appeal shall become final on the date of the decision, unless appealed to the City Council, or called up for review by two Councilmembers.

### **10.100.050 - Resubmittal.**

Following a decision on an appeal or Council review, any matter that is the same or substantially the same shall not be considered by the same body within two years, unless the denial is made without prejudice.

**SECTION 4.** Amending MBMC Section 10.04.030 and LCP Section A.04.030 (Definitions) to insert a new defined term “Single Housekeeping Unit” between the existing defined terms “Sexual Activities, Specified” and “Single Ownership” as follows, with all other portions of Sections 10.04.030 and A.04.030 remaining in effect without amendment:

#### “SINGLE HOUSEKEEPING UNIT:

A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one or more persons, where if consisting of more than one person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented or leased, all adult members jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.”

**SECTION 5.** Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use classifications) to insert a Use classification “Multi- Family Transient Use” between the existing use classifications “Multi-family Residential” and “Residential Care, Limited” as follows, with all other portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

“F. MULTI-FAMILY TRANSIENT USE: Rental or lease of a multi-family dwelling unit for a period of less than 30 days.”

**SECTION 6.** Amend MBMC Section 10.08.030 and LCP Section A.08.030 (Residential use classifications) to insert a new Use classification “Single-Family Transient Use” between the existing Use classifications “Single-Family Residential” and “Supportive Housing” as follows, with all other portions of Sections 10.08.030 and A.08.030 remaining in effect without amendment:

“I. SINGLE-FAMILY TRANSIENT USE: Rental or lease of a single-family dwelling unit for a period of less than 30 days.”

**SECTION 7.** Amend the residential use in the table of uses set forth in MBMC Section 10.12.020 and LCP Section A.12.020 (Land Use Regulations) to 1) insert a new row

RESOLUTION NO. 15-XX

immediately before the “Residential Care, Limited” row, entitled “Multi-Family Transient Use”; and 2) insert a new row immediately after the “Single Family Residential” row, entitled “Single-Family Transient Use”; both of which are noted on the table below underlined in bold text, as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

10.12.020/A.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.

RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS				P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted		
	RS	RM	RH	RPD	RSC	Additional Regulations
<b>Residential Uses</b>						(A)
Day Care, Small Family Home	P	P	P	P	P	<b>(P)</b>
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	<b>(P)</b>
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L) <b>(P)</b>
6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O) <b>(P)</b>
<b><u>Multi-Family Transient Use</u></b>	-	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	<b><u>L-25</u></b>	
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C) <b>(P)</b>
<b><u>Single-Family Transient Use</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	<b><u>L-26</u></b>	

## RESOLUTION NO. 15-XX

SECTION 9. Amend MBMC Section 10.12.020 and LCP Section A.12.020 (Land Use Regulations) to add Additional Regulations L-25, L-26, and (P) to read as follows, with all other portions of Sections 10.12.020 and A.12.020 remaining in effect without amendment:

RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations:

L-25 A Multi-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a multi-family dwelling unit is permitted to commence once within a six month period for each multi-family dwelling unit. Use of a multi-family dwelling unit for a multi-family transient use more than twice within a 12 month period is prohibited

L-26 A Single-Family Transient Use, as defined in Section 10.08.030 and A.08.030, of a single family dwelling unit is permitted to commence once within a six month period for each single-family dwelling unit. Use of a single-family dwelling unit for a single-family transient use more than twice within a 12 month period is prohibited.

(P) Each Single-Family Residential and Multi-Family Residential Dwelling Unit may only be occupied by a single housekeeping unit as defined in 10.04.030 and A.10.04.030.

SECTION 10. The Planning Commission also recommends that the City Council direct the City Clerk to make any other corresponding language changes to the MBMC and the LCP to achieve internal consistency as required.

SECTION 11. If any sentence, clause, or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this resolution. The Planning Commission hereby declares that it would have passed this resolution and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 12. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other resolution of the City, to the extent that they are inconsistent with this resolution, and no further, are hereby repealed.



RESOLUTION NO. 15-XX

SECTION 13. 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 May 13, 2015 and that said Resolution was adopted by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Marisa Lundstedt,**  
Secretary to the Planning Commission

---

**Rosemary Lackow,**  
Recording Secretary

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## ZONING CODE SECTIONS

### Manhattan Beach Municipal Code

#### **Chapter 10.100 - APPEALS**

Sections:

##### 10.100.010 - Purpose.

To avoid results inconsistent with the purposes of this ordinance, decisions of the Community Development Director may be appealed to the Planning Commission, and decisions of the Planning Commission and Board of Zoning Adjustment may be appealed to the City Council.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

##### 10.100.020 - Rights of appeal.

Rights of appeal are prescribed in the individual chapters of this title authorizing each decision that is subject to appeal.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

##### 10.100.030 - Time limits for appeals.

- A. Any appeal, except an appeal originating from the City Council, must be initiated in writing and filed with the City Clerk within fifteen (15) days from the date of the decision. The appeal period ends at the close of the business day for City Hall on the fifteenth day provided however that if the fifteenth day falls on a weekend or City holiday the appeal period shall be extended to the close of business on the next working day.
- B. An appeal originating with the City Council must be made at or prior to the regularly scheduled City Council meeting when the decision is reviewed by the City Council.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; § 2, Ord. 1951, eff. July 4, 1996)

##### 10.100.040 - Initiation of appeals.

- A. An appeal filed by the applicant or interested party may be initiated by delivering to the City Clerk a written notice of appeal and any required appeal fee. The notice of appeal shall specify the basis for the appeal.
- B. The Mayor or any member of the City Council may appeal any matter under this chapter by requesting a public hearing on the appeal within the time limit set forth in Section 10.100.030 or pulling an item from the consent agenda which does not legally require a public hearing. The Mayor or City Council members appealing any matter under this section

shall only do so if the appeal is made in the public interest or welfare and the appealing council member has no predisposition for or against the matter being appealed.

- C. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; § 2, Ord. 1951, eff. July 4, 1996, as amended by § 2 (part), Ord. 2118, eff. November 21, 2008)

#### 10.100.050 - Procedures for appeals.

- A. Appeal Hearing Date. An appeal shall be scheduled for a hearing before the appellate body within thirty (30) days of the City's receipt of an appeal unless both applicant and appellant consent to a later date.
- B. Notice and Public Hearing. An appeal shall be heard at a public hearing if the decision being appealed required a public hearing. Notice of such a public hearing shall be given in the same manner required for the decision being appealed.
- C. Notice of Decision. The applicant and any appellant other than the applicant shall be notified in writing of the decision on the appeal and the basis for that decision.
- D. Finality of Decision. The decision of the appellate body shall be final.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; § 2, Ord. 1951, eff. July 4, 1996)

#### 10.100.060 - Effective date.

A decision by the City Council regarding an appeal shall become final on the date of the decision. A decision by the Planning Commission regarding an appeal shall become final on the date of the decision, unless appealed to the City Council.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

#### 10.100.070 - New appeal.

Following a decision on an appeal, any matter that is the same or substantially the same shall not be considered by the same body within two (2) years, unless the denial is made without prejudice.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91, as amended by § 2 (part), Ord. 2118, eff. November 21, 2008)

## **Local Coastal Program**

### **A.96.160. APPEALS.**

Development pursuant to an approved Coastal Development Permit shall not commence until the Coastal Development Permit is effective. The Coastal Development Permit is not effective until all appeals, including those to the Coastal Commission, have been exhausted. In the event that the Coastal Commission denies the permit or issues a permit on appeal, the Coastal Development Permit approved by the City is void.

- A. Action by the Director of Community Development may be appealed to the Planning Commission. Action by the Planning Commission may be appealed only to the City Council. Any appeal by an aggrieved person, except an appeal by a City Councilperson or the Mayor, must be initiated within 15 days from the date of the decision. The appeal period ends at the close of the business day for City Hall on the first City Hall working day no less than fifteen days after the decision maker's action.
1. The matter shall be scheduled for City Council review at the first regularly scheduled meeting following the decision for which the matter can be legally noticed. The Mayor or any City Council member may appeal the permit at the time of or before the City Council meeting at which the decision is reported to the City Council.
  2. An appeal from the decision of the Director of Community Development shall be filed with the Department of Community Development on a form provided by the Director of Community Development. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.
  3. An appeal from the decision of the Planning Commission shall be filed with the City Clerk on a form provided by the City Clerk. The appeal shall be accompanied by a fee set by resolution of the City Council and a statement of the grounds for the appeal.
    - a. The Mayor or any member of the City Council may appeal any matter by requesting a public hearing on the appeal within the time limit set forth in Section A.96.160 A. The Mayor or City Council member appealing any matter shall be disqualified from hearing the appeal unless he or she certifies that the appeal was made in the public interested or welfare.
    - b. Decisions that are appealed shall not become effective until the appeal has been resolved or withdrawn.
  4. It shall be the duty of the Director of Community Development to forward a Coastal Development Permit appeal, together with recommendation thereof, to the appropriate body specified in Paragraph A above for its action.
- B. Appeals to the Coastal Commission. Within ten (10) working days from the date of Coastal Commission receipt of the notice of final action, all appealable development, as

defined in §A.96.030, may be appealed to the Coastal Commission in accordance with Coastal Commission regulations by a qualified appellant, as defined in §A.96.160 D.

1. The ground for appeal to the Commission of a final local approval shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(1)]
  2. The grounds for appeal to the Commission of a denial of a major public works project or major energy facility shall be limited to an allegation that the development conforms to the standards set forth in the certified local coastal program or the public access policies of Chapter 3. [30603(b)(2)]
- C. A final decision on an application for an appealable development shall become effective after the 10th working day appeal period to the Coastal Commission has expired unless either of the following occur:
1. an appeal is filed in accordance with the procedures set forth by the Coastal Commission;
  2. the notice of final local government action does not meet the requirements of §A.96.100 F and G above. D. An appeal pursuant to this chapter may only be filed by the applicant for the Coastal Development Permit in question, an aggrieved person as defined in §A.96.030(a) , or any 2 members of the Coastal Commission.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

**ZONING CODE SECTIONS**

**Manhattan Beach Municipal Code**

**10.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.**

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Chapter 10.68. The letters "P/U" for accessory uses mean that the use is allowed on the site of a permitted use, but requires a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

<hr/>						
RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS					P — Permitted PDP — Precise Development Plan SDP — Site Development Permit U — Use Permit L — Limited, (See additional use regulations) - — Not Permitted	
<hr/>						
	RS	RM	RH	RPD	RSC	Additional Regulations
<hr/>						
Residential Uses						(A)
Day Care, Small Family Home	P	P	P	P	P	
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	
Group Residential	-	-	U	-	U	

Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L)
6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O)
Residential Care, Limited	P	P	P	P	P	
Single-Family Residential	P	P	P	P	P	(C)
Public and Semipublic						(A)(D)
Clubs and Lodges	-	-	L-1	U	-	
Day Care, General	-	-	-	-	-	
Park and Recreation Facilities	L-2	L-2	L-2	L-2	-	
Public Safety Facilities	U	U	U	U	-	
Religious Assembly	L-3	L-3	L-3	U	-	
Residential Care, General	-	-	U	U	U	
Schools, Public or Private	U	U	U	U	-	
Utilities, Major	U	U	U	U	U	
Utilities, Minor	P	P	P	P	P	
Accessory Uses	P/U	P/U	P/U	P/U	P/U	(A)(E)(F)(G)(H)(I) (J)(M)(N)



Temporary Uses						(H)
Commercial Filming, Limited	U	U	U	U	-	
Marketing/Sales Office	-	U	U	P	P	
Personal Property Sales	P	P	P	P	-	(K)
Street Fairs	U	U	U	U	-	
Nonconforming Uses						(I)(J)

RS, RM, RH, RPD, and RSC Districts: Additional Use Regulations

L-1 Use permit required and only neighborhood-oriented uses occupying less than two thousand five hundred (2,500) square feet are permitted.

L-2 Public facilities permitted, but a use permit is required for private noncommercial facilities, including swim clubs and tennis clubs.

L-3 A use permit is required, except for legally existing church facilities, including private schools and day-care contained therein, which do not exceed an overall floor area factor greater than half of the maximum floor area factor permitted by the development standards of the base district.

L-22 Application for an administrative large family day care permit to the Director of Community Development is required and shall be made on forms provided by the City and shall include such information as may be reasonably required by the Director for a complete understanding of the request. The application shall be accompanied by a filing fee and a notification packet including all properties within a one hundred foot (100') radius of the subject property. Said notification shall be completed not less than ten (10) days prior to the date on which the decision will be made on the application.

No hearing on the application for a permit shall be held before the decision is made by the Director unless a hearing is requested by the applicant or other affected person. The Director's decision shall be based on whether or not the proposed use would be compatible with the surrounding neighborhood. The applicant or other affected person may appeal the decision and the appellant shall pay the cost of the appeal. Said appeal shall be made to the Planning Commission by filing a written appeal, on forms provided by the Department of Community Development accompanied by the necessary notification packet (described above). Any such appeal shall suspend the permit until resolution of the appeal by the Planning Commission. Use of a single family dwelling for these purposes shall not

constitute a change of occupancy per the State Housing Law or local building ordinances.

Large family day care homes shall be considered as single family residences per State and local building and fire codes.

Each home used in this manner shall meet the fire and life safety standards adopted by the Community Development Department and Fire Department. The property to be used in this manner shall conform to all applicable development standards as stated in the Manhattan Beach Municipal Code.

(A) See Section 10.52.020, Exterior materials in R districts.

(B) A use permit is required for condominium development or conversion of three (3) or more units; see Chapters 10.84 and 10.88. Condominium development, or conversion, of two (2) units are exempt from the use permit requirement. Any addition or modification to a condominium unit or development subsequent to the original construction of that unit or development that would result in an increase in the amount of liveable space, or a significant exterior structural or architectural alteration, shall require an amendment to the use permit previously obtained. In order for a residential apartment building to qualify for a condominium conversion, a certificate of occupancy must have been issued prior to January 1, 1982.

(C) See Section 10.52.100, Manufactured homes.

(D) Facilities on sites of two (2) acres or more are subject to the regulations of Chapter 10.28 (PS district) precluding those of this chapter. See Section 10.28.020, PS district applicability.

(E) See Section 10.52.070, Home occupation in R districts.

(F) See Section 10.52.050, Accessory structures, which permits guest houses or accessory living quarters as defined in Section 10.04.030.

(G) See Section 10.52.080, Swimming pools and hot tubs.

(H) See Section 10.84.110, Temporary use permits.

(I) See Chapter 10.68, Nonconforming uses and structures.

(J) See Chapter 10.72, Signs.

(K) An administrative permit issued by the Community Development Director is required.

(L) Alternative Parking Plan for Senior Citizen Housing. Applications for a use permit for a senior citizen housing project shall include a contingency plan, addressing what will be done to ensure compliance with parking requirements if occupancy can not be limited to senior citizens because of market conditions or other factors.

(M) The keeping of domestic animals is permitted including: dogs and cats not to exceed five (5) for each residential living unit in any combination thereof and the young thereof not exceeding four (4) months in age, and other small domestic household pets such as rabbits, hamsters, guinea pigs, etc. not to exceed five (5) in any combination thereof. Common

varieties of farm animals, livestock, exotic animals or wild animals (as defined in Section 10.04.030) are prohibited, except for Vietnamese pot-bellied pigs, also known as pygmy pigs or mini-pigs, as permitted by the Animal Control Department.

(N) A maximum of three (3) garage or lawn sale permits per calendar year, of miscellaneous household items of personal property accumulated by the occupant of the residence as a normal matter of course may be held on any building site occupied by residents, provided a permit has been acquired from the City's Licensing Authority. Each permit shall be valid for a maximum of three (3) consecutive days and may include standard regulations on the garage sale permit (in accordance with provisions of Section 6.08.020 of this Code).

(O) Residential developments that qualify for a density bonus pursuant to Chapter 10.94 of this Code shall apply for a precise development plan. Residential developments of six (6) or more units that do not receive a density bonus shall apply for a site development permit.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91, 10-3.502; Ord. No. 1864, Amended, 02/18/93; Ord. No. 1891, Amended, 01/06/94; § 2, Ord. 1951, eff. July 4, 1996; § 2, Ord. 2049, eff. November 18, 2003 and § 3, Ord. 13-0006, eff. August 1, 2013)

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**CITY OF MANHATTAN BEACH  
[DRAFT] PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
MAY 13, 2015**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 13<sup>th</sup> day of May, 2015, at the hour of 6:30 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

**1. ROLL CALL**

Present: Andreani, Bordokas, Conaway, Hersman, Chairperson Ortmann  
Absent: None  
Staff Present: Marisa Lundstedt, Community Development Director  
Mike Estrada, Assistant City Attorney  
Jason Masters, Assistant Planner  
Rosemary Lackow, Recording Secretary

**2. AUDIENCE PARTICIPATION**

Peter Tripp, El Porto resident asked whether a hotel was being planned for the El Porto area. The Chair stated the Commission is not aware of any and Director Lundstedt responded that a hotel has been proposed at the corner of Highland and Rosecrans and is in the early stages of discussion with staff. The speaker was advised to provide his contact info to Staff.

**3. APPROVAL OF MINUTES – April 29, 2015**

A motion was MADE and SECONDED (Hersman/Bordokas) to **APPROVE** the minutes of Apr 29, 2015, with the following 2 changes requested by Commissioner Andreani:

- 1) Pg. 4, 3<sup>rd</sup> paragraph revise to read:

“Commissioner Andreani asked if the new ordinance could retain a landmark designation program that is voluntary and mirrors the current culturally significant landmarks ordinance (10.86), thereby retaining the current landmark recognition program, as well as providing more protections as described in the new ordinance. She also asked if less daunting like the City has currently, and can the Planning Commission could take on the role of the Historic Commission, to which Ms. Howell-Ardilla responded that it is not the intent of the proposed ordinance to continue the existing program and Ms. Jester explained the Council considered this but proposed that the new Commission be separate from the Planning Commission to make the City eligible for CLG state grants.”

- 2) Pg. 5, in the input from Marcello Vavala, at the beginning of the 7<sup>th</sup> line, insert “a historic landmark” after “designate”.

AYES: Andreani, Bordokas, Conaway, Hersman, Chairperson Ortmann  
NOES: None  
ABSENT: None  
ABSTAIN: None

**4. PUBLIC HEARING**

- 05/13/15-2. Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapters 10.100 and A.96.160 (Appeals), and Chapters 10.12 and A.12 (Residential Districts) and Related Municipal Code and LCP Sections Regarding Commercial and Transient Uses in Residential Zones.

Director Lundstedt gave a brief background explaining that the subject code amendments are based on a periodic review of the Zoning Ordinance by staff and fall into two categories, including 1) a cleanup to reflect recent case law concerning City Council review including the appeal process, of “quasi-judicial” decisions; and 2) change in regulations pertaining to commercial and transient uses of residentially zoned properties.

Assistant Planner Jason Masters gave a detailed summary of the staff report with the aid of a slide presentation. He explained the appeal sections that will be replaced for the decision-making regulations and for the second item, noted that the current code does not address short term or transient rentals of homes, a current trend, that have the potential to create impacts to neighborhoods and can detract from the quality of life. In 2012 the City Council addressed rentals in a section of the beach area during the 6-man volleyball tournament, but tonight’s hearing is addressing this matter throughout the city at all times. Mr. Masters noted that rentals of less than 30 days are being recommended to be limited but rentals of 30 or more days is not being recommended to be changed, except such rentals would have to be to a single “housekeeping unit”. Mr. Masters concluded with the recommendation that the Planning Commission conduct the public hearing, and adopt the submitted draft Resolution recommending certain changes to the following sections of the Zoning Ordinance (Title 10 of the Municipal Code), and the Local Coastal Program (LCP): Sec. 10.04/A.04.030 (Definitions); 10.08.030/A.08.030 (Residential Use Classifications); 10.12.020 / A.12.020 (Land Use Regulations); 10.100 / A.1-3 (Appeals and Council Review).

Chair Ortmann invited the Commission to ask questions of staff.

In response to a request from Commissioner Conaway Mr. Masters clarified the current legal status of short term renting of homes, stating that currently rentals are legal specifically in a very limited way, only during the operation of the 6-man volleyball tournament and to properties in a specific area. That provision is contained in the business license section of the Municipal Code (Title 6), not the Zoning Ordinance (Title 10). The property owners voluntarily pay their transient occupancy taxes.

In response to Commissioner Hersman, Mr. Masters stated that staff did not anticipate that the 6-man provision would change.

In response to Commissioner Bordokas, Mr. Masters acknowledged that a rental under the 6-man provision would count as one of the permitted short term rentals in a year, and if short term rentals are allowed in the zoning regulations as being proposed, it is possible that the 6-man provision would no longer be needed.

In response to questions from Commissioner Andreani, Mr. Masters explained 1) the proposal only pertains to appeals of a previous decision. If there is a split vote by the Planning Commission on an appeal of an administrative decision of the Director, then the Director’s decision is upheld. If the Council has a split vote on an appeal of a Planning Commission decision, then the Planning Commission decision is upheld; and 2) regarding fees, the proposal does not change the current practice that there is no fee if the city council appeals, but there is a fee for a private individual. Commissioner Andreani also inquired as to whether a reference regarding the business license and Transient Occupancy Tax (TOT) possibly in 10.08.030/A.08.030, should be included in the revised code to which Director Lundstedt responded that staff can add a cross-reference in the proposed zoning code change to the TOT code provision elsewhere in the Municipal Code.

In response to an inquiry from Commissioner Conaway, Director Lundstedt stated that staff does not get a tremendous amount of complaints regarding short term rentals, but wants to be proactive because this is a growing trend and they are aware of problems in other cities with a similar makeup. Staff does not have a precise count on the number of existing rentals but believes there are quite a few.

Chairperson Ortmann noted that there seems to be a lot of dense material to go through, and requested that the staff clarify the problem they are trying to solve, to which Director Lundstedt responded that the issue is fairly simple, and it is Staff’s intent is to make it clear that commercial uses are not permitted in residential zones but also to reinforce the code by establishing specific parameters of use that would be permitted.

Chair Ortmann opened the public hearing and invited public input.

## PUBLIC INPUT

**Bill Victor**, property owner and sometime resident, questioned that the hearing has been properly noticed as he did not receive notice although he is on a list of persons who have requested notice of coastal projects. He thinks this is very important and deserves more public awareness and input, as it could potentially impact owners' ability to use their properties.

Director Lundstedt stated that the hearing has been properly noticed, which includes publishing a quarter-page ad in the newspaper and posting a notice at specific locations such as at City Hall. She understands persons can request receipt of notices regarding coastal projects but believes that the noticing that has been done is adequate for the purpose of this hearing. Staff will make sure that Mr. Victor receives notices of coastal amendments in the future.

**Will Arviso**, 410, 23<sup>rd</sup> Street, asked how the City can properly address this if it isn't aware of many complaints, and if it is enacted, is concerned as to how it will be enforced and he is also concerned about subletting. He understands that allowing rentals will bring in more tourism and revenue, but also believes it's important to understand the problem being addressed and he also believes that the short term rental rules should apply to the whole city.

**Viet Ngo** requested that the Commission give equal time for all speakers, questioned the authority of the Commission regarding the matter regarding quasi-jurisdiction decision making, and believes that the Commissioners should disclose any conflict of interest with the proposed code amendments such as any rentals of property they own and he requested that Commissioner Andreani abstain.

The Chair requested that Mr. Ngo focus his comments not on individual Commissioners but on the hearing and noted that the Planning Commissioners are well aware of conflict of interest issues and regulations.

**Mr. Ngo** further stated he doesn't believe the hearing has been properly noticed and requested that a decision be postponed to allow the Director to provide notice to property owners and tenants within 500 square feet.

Seeing no additional speakers, Chair Ortmann closed the public hearing and it was agreed that the Commission would discuss the staff proposals separately by subject matter.

## PLANNING COMMISSION DISCUSSION

### **Proposed changes regarding council review of Planning Commission decisions:**

Commissioner Hersman stated she supports these changes in that they are based on case law and straightforward and will put the City in line with other cities. Commissioners Bordokas and Andreani also stated their support, seeing no problem with the changes proposed for the appeals changes. Commissioner Andreani addressed the request made by a member of the public that she abstain, stating that she understands she does **not** have a conflict of interest because the matter being considered would apply city-wide. Commissioner Andreani further stated that she likes the idea the city is being proactive. Commissioner Conaway stated that he fully supports the proposal regarding City Council review of decisions and believes the amendments are well written, however he would like to explore splitting the Commission decision into two separate actions and resolutions.

Director Lundstedt emphasized that the matters have been prepped as a joint package.

### **Proposed changed regarding transient and commercial uses in residential zones:**

Commissioner Bordokas stated that she understands that the regulations proposed by staff would provide guidelines and also that in some other cities, such as Santa Monica, dramatic steps may be needed. She supports moving in the direction to regulate and provide guidelines and believes that there are various options that can be pursued, and she gives kudos to staff for bringing this forward at this time.

Director Lundstedt clarified that staff has received a number of complaints not necessarily related to vacation rentals but concern with large residential homes being remodeled in a way that they can create separate living

areas conducive to subletting portions of a residence. This practice often results in creating impacts such as parking. The staff proposal is intended to address that practice as well.

Commissioner Hersman stated that she is concerned about enforcement and isn't sure that enforcement belongs in the Zoning Ordinance, but agrees proactively looking at this is a good thing. This action is in line with comments heard during the downtown ULI study that residential neighborhoods need to be protected from impacts (noise, parking etc.) of inappropriate commercial uses. The city should act before it becomes a big problem and difficult to resolve. She did have some concerns regarding limiting to single households, but after speaking with the Assistant City Attorney, believes that this issue has been worked through over several years.

Director Lundstedt noted that there is a section in the Municipal Code covering enforcement and the proposed code would give staff more definition in enforcing the regulations. Upon receipt of a complaint, the city's zoning code enforcement officer would proceed with enforcement.

Commissioner Andreani suggested that statements be included in the code: 1) to address the intent or purpose of the code (e.g. to protect the residential character of neighborhoods); 2) to indicate that enforcement is by the Department of Community Development; 3) to include a comment that sub-letting of a single home into multiple units is not allowed. She also liked the idea of increasing the number of times that a home can be temporarily leased to 4 total within a 12-month period.

Commissioner Conaway stated he concurs with other commissioners that bringing this forward for a code change is a good thing. While he is concerned that the City is collecting taxes for something not addressed in the Zoning Ordinance he also believes that having short term rentals has a useful purpose in the City and also feels the urgency that the city needs to address impacts if short term rentals continued unchecked. He also believes, however that more notification is needed and suggested that consideration be given to "grandfathering" existing rental use for owners who have leased their property in a responsible way. He does not feel prepared to make a decision on this item tonight.

Director Lundstedt advised that the Planning Commission can make a recommendation of approval predicated on additional recommendations being approved.

Commissioner Bordokas questioned grandfathering something in that is currently illegal and possibly undesirable and has concerns that even if it's a family occupying the home, having very frequent turnovers in occupancy could inhibit a sense of community.

Commissioner Conaway stated he understands but he also sees that homes on The Strand not being occupied year round by the owner and believes this is creating a sort of dead zone and bringing in short term occupants would bring life to these homes. Commissioner Bordokas stated that she has seen personally the impacts that can occur if a home is turned into a vacation rental and believes strongly that the short term uses needs to be legalized, but with clear parameters or limits of use put in place.

Commissioner Andreani stated her belief that grandfathering could be very difficult to manage and believes the main purpose of this code should be about protecting residents and the unique character of neighborhoods. She understands that The Strand is no longer a place where people mostly live year round, and while that is unfortunate, she understands that is the reality.

Commissioner Conaway suggested that notice of this hearing be made to all those on record of voluntarily paying transient occupancy taxes.

Commissioner Hersman stated this code has two main provisions: 1) The short term rentals are going to be allowed but enforced for stays of less than 30 days and 2) longer term (30 days or more) rentals will be allowed as long as the occupancy is by a single housekeeping unit. Commissioner Hersman stated her disagreement about allowing grandfathering, but supports establishing new policy – with the provision of the single housekeeping unit, and thinks this is a win-win for residents and property owners.

Chair Ortmann noted the diversity of opinion on the Commission and questioned the urgency of this matter. He supports staff but is of the opinion that more thoughtful deliberation with more broad input is needed.



Director Lundstedt added that she believes that there are about 250 rentals that are being advertised currently for homes within the City's four square miles.

Commissioner Bordokas stated that she believes that the staff proposal is very well thought out and she could support allowing renting out short term stays up to 6 times a year, the code should be simple and not have different rules in different sections of the Municipal Code and that this is an urgent matter, even though she realizes the process cannot be finalized prior to summer.

Director Lundstedt noted that the proposal will be forwarded to the City Council for an additional hearing and there will be much more discussion, and the intent of the staff proposal is to not regulate the family housekeeping unit type of rental and she believes that owners renting out their properties are well aware of this proposal.

Discussion focused on whether additional public noticing or input is needed for the Planning Commission to make a recommendation. Chair Ortmann and Commissioner Conaway stated their opinion that at least one at-large community meeting or public outreach event would be very helpful. Commissioner Conaway believes that traditional stakeholders including property managers or real estate professionals should be invited to give their input.

Commissioner Andreani stated that because the proposed ordinance is intended primarily to provide parameters of use to protect the residential quality of neighborhoods, she does not think it would be helpful or necessary to bring in individuals whose potential livelihood may be affected by the rentals as in the case of real estate and property management professionals who may have a completely opposite opinion. She believes it is important to proceed; but perhaps an announcement can be made when this is going to be heard by the City Council.

In response to an inquiry from Chairperson Ortmann, Director Lundstedt stated that public noticing for the City Council hearing would be handled the same as any other code amendment and would be as has been done for the Planning Commission hearing. She also knows that development projects are going forward whereby homes are more complex and provide for separate living areas, all to code, but this allows for commercialized use of residences with renting portions out. Again, the staff intent is to protect the residential neighborhoods.

Chairperson Ortmann iterated his unease about the process, not the purpose or content of the proposed code. He feels like this is being foisted on the community with limited conversation and input. Commissioner Conaway emphasized that he believes community buy-in is integral to a successful public policy which can be attained with one community meeting.

### **PLANNING COMMISSION ACTION**

Subsequently a motion was made (Andreani/Hersman) to **APPROVE** the draft resolution, recommending the proposed code amendments with inclusion by staff of statements pertaining to the amendments that pertain to commercial and transient uses including: enforcement mechanism, addressing subletting, cross reference to the Title 6 business license and tax provisions, and changing the allowed number of times a transient use (period less than 30 days) rentals can occur from 2 to a total of 4 in a 12 month period.

Discussion on the motion followed. Commissioner Bordokas requested clarification on the frequency that less than 30-day rentals would be allowed.

Assistant Planner Masters clarified that staff proposed that less than 30 day stays would be permitted 2 times per 12 months, or once per a 6-month period or there is also the option of once every three months for 4 total over a 12 month period .

Commissioner Andreani amended her motion, (seconded by Hersman) that the Commission recommend to the Council revisions in the Zoning Code and LCP, for changes as proposed by staff on City Council review procedures for quasi-judicial decisions and for changes in regulations for commercial and transient uses in residential zones that would allow one (1), less than 30-day rental per every 3-month period, with a maximum of four (4) such rentals in a 12-month period and including statements (to be drafted by staff) as previously described in the original motion.

Chair Ortmann invited any additional comment, seeing none he added his opinion that he still felt more input and thought was needed and Commissioner Conaway stated that he would like to see the Resolution come back to the Commission. The Chair called for the question on Commissioner Andreani's amended motion with the resulting vote as follows:

AYES: Andreani, Bordokas, Hersman.  
NOES: Conaway, Chairperson Ortmann  
ABSTAIN: None  
ABSENT: None

## 6. DIRECTOR'S ITEMS

a. Planning Commission responses to emails from the public. Director Lundstedt stated the policy as follows: If an email comes to the full commission, the Chair will take the lead and refer to staff with a blind cc to all commissioners. If an individual Commissioner receives an email that would be referred to the Director who will refer to staff and the Director will respond back to the Commission. The point is for the Commission to retain impartiality.

b. Director Lundstedt recognized Commissioner Andreani with a commendation signed by the City Council for her service as she is completing her full 6-year tenure on the Commission. Director Lundstedt complimented Commissioner Andreani on her thoughtfulness and thoroughness in deliberations and the passion she brought in her role as a Commissioner.

Commissioner Andreani expressed her appreciation for the opportunity to serve on the Commission and in working with staff. She greatly appreciates her fellow commissioners and cited tonight's meeting is an example of the Commissioners being proactive with planning.

## 7. PLANNING COMMISSION ITEMS

Chair Ortmann affirmed that it has been a very positive and educational experience working with Commissioner Andreani, has personally learned a lot from her and believes that her departure is a loss for the Commission. The other Commissioners Hersman joined in this sentiment. Commissioner Andreani thanked the Commission and noted that the Commission has a very good breadth of knowledge which is very important such as Commissioner Conaway's knowledge on environmental issues and the Chair's knowledge in urban planning. She believes that the perspective of the Commission is invaluable.

## 8. TENTATIVE AGENDA - May 27, 2015

Director Lundstedt noted that no items currently are scheduled and most likely the meeting will be canceled.

## 9. ADJOURNMENT

The meeting was adjourned at 8:18 pm to Wednesday, May 27, 2015 in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW  
Recording Secretary

ATTEST:

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MARISA LUNDSTEDT  
Community Development Director

## SHORT TERM RENTAL REGULATIONS

### Pending State Legislation

- Senate Bill 593 (Thriving Communities and Sharing Economy Act)  
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB593&search\\_keywords=](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB593&search_keywords=)
  - Currently out of Committee, heading to Senate floor
  - Requires online vacation rental businesses to disclose information – including the address of host rental, number of nights stayed, and amount paid by the visitor – to cities and counties. Businesses to turn over revenue for any collected local fees. Appears to be the same process that hotels, motels, inns, and any permitted lodging currently follow in reporting to local civic regulators, especially when making transactions online.
  - Where vacation rentals are illegal, the bill prohibits the online platforms from making the rental
  - <http://www.sonomanews.com/home/3703667-181/mcguire-bill-targets-bed-taxes#geqy3hLCkw8P8IQf.99>

### Laguna Beach

- Agenda Bill and Report:  
[http://lagunabeachcity.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=463&meta\\_id=34305](http://lagunabeachcity.granicus.com/MetaViewer.php?view_id=3&clip_id=463&meta_id=34305)
- 45 day moratorium on new requests for short term rentals (30 days or less)
- Current ordinance requires a \$275 permit. Airbnb lists hundreds of rentals while the city issued only 64 permits.

### Aliso Viejo

- <http://www.codepublishing.com/CA/alisoviejo/#!/AlisoViejo15/AlisoViejo1514.html>  
(See Section 5.14.165)
- No short term rentals under 30 days
- “already banned” per Municipal Code because short term rentals were not listed as an acceptable home use, now explicitly banned.
- \$100, \$200, \$500 fines for first, second, and continued offenses

### Santa Monica

- Ordinance:  
<http://www.smgov.net/departments/council/agendas/2015/20150512/s2015051207-A-1.htm>

- Definition of short term housing: <http://www.qcode.us/codes/santamonica/>
- No short term rentals unless owner stays in the house with the tenant
- Must obtain business license
- Must collect 14% tax
- Exceptions:
  1. Timeshares (too hard to enforce when there are multiple owners)
  2. Home swaps where money does not change hands
  3. Rentals over 30 consecutive days

### Los Angeles

- Garcetti's State of the City Address: mayor wants to use taxes from Airbnb to replenish the city's Affordable Housing Trust Fund
- But City Administrative Office recently issued a report rejecting contention that short term rentals violate the city's rent stabilization ordinance  
<http://www.scp.org/news/2015/05/08/51569/cao-report-short-term-rentals-are-not-violating-re/> (report embedded in article)

### Dana Point

- Need permit
- Collect 10% tax
- [http://qcode.us/codes/danapoint/view.php?topic=5-5\\_38&showAll=1&frames=off](http://qcode.us/codes/danapoint/view.php?topic=5-5_38&showAll=1&frames=off)

### Anaheim

- Short term rental program
- Collect 15% tax
- <http://www.anaheim.net/articlenew2222.asp?id=5284>

### West Hollywood

- “reaffirmed” short term rental ban this year per news reports.

**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Mark Leyman, Parks and Recreation Director  
Jessica Vincent, Recreation Manager

**SUBJECT:**

Consideration of Nikau Kai Waterman Shop and Hermosa Cyclery to Provide Beach Concessions and a Welcome/Information Center in the Sand Lot South of the Lower South Pier Parking Lot (Continued from 5-26-15 Budget Study Session #4 City Council Meeting) (Parks and Recreation Director Leyman).

**APPROVE**

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**RECOMMENDATION:**

Staff recommends that the City Council receive the information on the results of the beach concessions and welcome/information center Request for Qualifications and award contracts to Nikau Kai Waterman Shop to provide beach concessions and a welcome/information center with the exception of bicycle rentals and Hermosa Cyclery to operate the bicycle rental concessions.

**FISCAL IMPLICATIONS:**

If approved, under the terms of the attached agreement (Attachment 1), the concession operators, Nikau Kai Waterman Shop and Hermosa Cyclery will pay a negotiated percentage of gross revenues to the city on a monthly basis.

**BACKGROUND:**

In summer 2014, staff partnered with Nikau Kai on a trial program, to provide information, referral and beach rentals in the sand lot south of the lower pier parking lots. On a daily basis, Nikau Kai staff placed a 10 foot by 10 foot canopy in the sandy lot and provided surf, paddle, and boogie boards for rentals. In addition, they placed a trailer in the sand lot to store equipment. Feedback from the community was positive and visitors enjoyed the opportunity to rent a surf, paddle, or boogie board, or learn about city sponsored beach programs. Additionally, visitors were guided on dining and shopping options. Although bike rentals were not included in the 2014 program, the majority of rental inquiries were for

bicycles.

This trial program was included in the 2014-2015 City Council work plan. Due to the success of the program, staff issued a request for quotations (RFQ) to provide beach rentals and information and referral in the sand lot south of the lower south Pier parking lot.

**DISCUSSION:**

In an effort to provide a total beach experience to visitors and locals, staff issued a RFQ (Attachment 7) for beach equipment rental services and welcome/information center (30 foot by 10 foot) to be located in the sand lot south of the lower south pier parking lot. In February 2015, the RFQ was sent to local businesses that offer beach, water and bicycle rental and retail equipment and posted on the City's website. Upon closing of the bid, four proposals were submitted by local South Bay businesses. Each of the groups presented their proposals on April 29, 2015, to a committee comprised of the Executive Director of the Manhattan Beach Downtown and Professionals Association, the LA County Southern Section Lifeguard Chief and staff from Parks and Recreation and General Services. Based upon recommendations from the initial meeting, Parks & Recreation Staff conducted second interviews with three of the four businesses May 9 through May 12.

Based on the submitted proposals and presentations, the committee reached a consensus that, Hermosa Cyclery had the most experience and sustainable business plan to operate the concessions and welcome/information center, followed by Nikau Kai and Camp Surf.

After thoughtful consideration of the committee's recommendations, staff held follow-up interviews with the top three vendors to further review their proposals and discuss operational details. After meeting with each vendor, Nikau Kai and Hermosa Cyclery were selected for their expertise and proven experience in their respective areas; beach rentals and bicycle rentals.

The two businesses that were not selected through the RFQ process were Perfect Day Surf Camp (Attachment 5) and CampSurf (Attachment 6). Both businesses specialize in beach camps and surf lessons. Camp Surf has an established relationship with the City of Manhattan Beach coordinating the summer surf and beach volleyball camps and has been in business for 18 years. Perfect Day Surf Camp has been providing lessons in the South Bay for 14 years. Although each of these businesses had good proposals and provide excellent surf camps, they did not provide the expertise in beach and bicycle rental of services desired from the RFQ process.

**Staff Recommendation**

Each business provided excellent proposals which met the quality and expertise needed to operate this pilot program for the City. Staff is recommending award to both Nikau Kai Waterman Shop and Hermosa Cyclery given each of the proposers proposed a unique set of services. Nikau Kai Waterman Shop would operate the welcome center and beach concessions for beach and water equipment rentals and Hermosa Cyclery would operate the beach concessions for bicycles only.

The footprint for the containers to store the beach concession materials will be one eight foot by 30 foot portable facility (16 foot by 30 foot when opened up) for each vendor. This

footprint will provide a safety zone open for emergency vehicles (Attachment 2). Staff will continue to work with the LA County Lifeguards to ensure that the footprint will meet all safety standards and not impede access.

### **Nikau Kai Waterman Shop**

Nikau Kai demonstrated ample experience and knowledge in beach and water equipment rentals, providing rental and lessons since 2011 and operating a successful business in Downtown Manhattan Beach. Nikau Kai proposed a facility and operations concept that is sustainable. Nikau Kai discussed the facility be one 30 foot shipping container or two containers, one 20 foot and one 30 foot to properly store the equipment with removable solar panels to power the facility. The marketing strategy presented to brand “Manhattan Beach” is creative, well-thought and conveyed a “laid back, beach style”. In addition, Nikau Kai has good working relationships with Downtown Manhattan Beach Businesses, Lifeguards, Manhattan Beach Chamber of Commerce and City staff. Nikau Kai proposed to operate the facility from 9am-7pm during the summer months (Memorial Day through Labor Day) and 9am-7pm weekends thereafter; however, operational hours may vary based on the demand. The attached proposal (Attachment 3) discusses Nikau Kai’s interest in partnering with the City.

### **Hermosa “Manhattan” Cyclery**

Hermosa “Manhattan” Cyclery demonstrated abundant experience and knowledge in bicycle rentals and repair, providing bicycle rentals, repair, and retail for 40 years in Hermosa Beach. In Hermosa Beach, they also provide boogie board, umbrella, beach chair and ball rentals. The proposed facility and operations concept is sustainable; the facility proposed is one 20 foot and one 10 foot portable shipping container. Hermosa Cyclery proposed to maintain the sandy area and enhance the presentation of the area. Their proposed marketing strategy was to brand the concession as “Manhattan Cyclery” and provide maps outlining bike rides on the strand and local businesses throughout Manhattan Beach. Along with the re-branding and obtaining a Manhattan Beach business license, Manhattan Cyclery will obtain a new Tax I.D. number from the Department of Equalization, which will generate sales tax revenue for the City. They will also join the Manhattan Beach downtown and Chamber organizations and become a member of the Manhattan Beach business community. In addition, Hermosa Cyclery demonstrated the synergy available between the Manhattan and Hermosa shops and provided support to meet the needs of the community and visitors by providing various types of bicycle rentals for adults and children. They are also open to limiting their one way rental to Manhattan Beach only. Staff at Hermosa Cyclery is known as being knowledgeable and friendly. Hermosa Cyclery proposed to operate the facility from 9am-7pm daily throughout the year; however, operational hours may vary based on daylight savings and demand. The attached proposal (Attachment 4) discusses Hermosa Cyclery’s interest in partnering with the City.

### **Alternative 1**

Approve the proposal from Nikau Kai Waterman shop to provide beach concessions and welcome/information center and provide bicycle rentals.

The benefits of this option would be to have one vendor manage all operations and central branding. Nikau Kau is a current Manhattan Beach downtown business with an expertise in beach rentals.

The drawbacks to this option would be the lack of experience in the bicycle rental business and lack of bicycle inventory and staff expertise.

**Alternative 2**

Approve the proposal from Hermosa Beach Cyclery to provide beach concessions and welcome/information center and provide bicycle rentals.

The benefits of this option would be to have one vendor to manage all operations and central branding. Hermosa Cyclery has been in business for over 40 years.

The drawbacks to this option would be the lack of experience in the board rental business and lack of surfboard and SUP inventory and staff experience.

**CONCLUSION:**

Staff is in negotiations with both Nikau Kai Waterman Shop and Hermosa Cyclery to discuss details of the agreements. If the City Council approves moving forward with the proposal, staff will work closely with both businesses to ensure there is a unified branding and high level of customer service.

This operation of the beach rental, visitors and information center will provide a valuable resource for visitors and residents, working closely with City Staff to promote beach programs and surf lessons, Downtown Businesses to promote dining and shopping and the Manhattan Beach Chamber of Commerce to provide a total beach excursion for visitors. In addition, it will provide referrals and continuity to downtown businesses and department programs.

Community Development has reviewed the footprint for the containers as a pilot program for temporary use of the sand area at the end of the lower south Pier parking lot. After one year, Staff suggests submitting a permit to the California Coastal Commission for the long term permitted use of the beach concessions.

Staff recommends City Council approve the proposal from Nikau Kai Waterman Shop to provide beach concessions and a welcome center with the exception of bike rentals and approve the proposal from Hermosa Cyclery to provide bicycle rentals.

- Attachments
1. Beach Concessions Proposed Agreement
  2. Proposed Site Plan
  3. Nikau Kai Waterman Shop Proposal
  4. Hermosa Cyclery Proposal
  5. Perfect Day Surf Camp Proposal
  6. Camp Surf Proposal
  7. Request for Quotations for Beach Concessions







# City of Manhattan Beach

## Parks & Recreation

Phone: (310) 802-5448  
FAX: (310) 802-5051  
TDD: (310) 546-3501

### LICENSE AGREEMENT BETWEEN \_\_\_\_\_ AND THE CITY OF MANHATTAN BEACH FOR USE OF CITY PROPERTY TO PROVIDE \_\_\_\_\_

THIS AGREEMENT is made and entered into on this day of \_\_\_\_\_  
January, 2015 ("Effective Date") by and between the City of Manhattan Beach, a  
municipal corporation ("City") and \_\_\_\_\_, a California corporation  
("Licensee") (collectively, the "Parties").

#### RECITALS

A. Licensee wishes to provide \_\_\_\_\_ at the sand lot  
south of the lower south pier parking lot in the City of Manhattan Beach (See Exhibit A).

B. City desires to allow Licensee to use City property to rent beach activity  
equipment pursuant to the terms stated in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants  
herein, the Parties agree as follows:

**Section 1. Premises.** City hereby grants Licensee a nonexclusive license to  
use the sand lot south of the lower south pier parking lot in the City, as indicated in  
Exhibit A ("Premises") for the purposes stated in this Agreement in exchange for a  
portion of the gross receipts generated by the rentals provided at the Premises.

**Section 2. Term of Agreement.** This Agreement shall commence on the  
Effective Date and shall terminate on \_\_\_\_\_, unless sooner terminated by  
City.

**Section 3. Payment.** For the rights granted hereunder, Licensee shall pay  
City \_\_\_\_\_% of the monthly gross receipts from rental activities held at the Premises,  
to be paid to City on a monthly basis ("License Fee") no later than the 15<sup>th</sup> of each  
month. Such License Fee shall be separate from and supplemental to any amount  
owed to the City for any other license or permit, including a business license.  
Contractor shall submit an annual gross receipts report to City by December 15, 2014.

**Section 4. City's Obligation.** City's sole obligation is to grant Licensee the license stated in Section 1 of this Agreement. City shall not be liable for any injuries or damages related to the use of Premises by Licensee, or Licensee's clients or invitees, or any damage or injury related to the use of any paddle boards rented by Licensee.

**Section 5. Use of Premises.**

(a) Licensee shall use the Premises only for the purpose of providing beach activity equipment concessions.

(b) Licensee shall not damage the Premises. Licensee shall maintain the Premises in a good, safe, neat, and sanitary condition to the satisfaction of the City.

(c) Licensee shall not use the Premises for any immoral or unlawful purpose, and shall comply with all Local, State, and Federal laws and regulations.

(d) Licensee shall leave open an emergency access lane at all times.

**Section 6. Insurance.**

(a) Licensee shall at all times during the term of this Agreement carry, maintain, and keep in full force and effect, insurance as follows:

(1) A policy or policies of Comprehensive General Liability Insurance, with minimum limits of \$2,000,000 for each occurrence, combined single limit, against any personal injury, death, loss, or damage resulting from the wrongful or negligent acts by Contractor.

(2) A policy or policies of Comprehensive Vehicle Liability Insurance covering personal injury and property damage, with minimum limits of \$1,000,000 per occurrence combined single limit, covering any vehicle utilized by Contractor in performing the Scope of Work required by this Agreement.

(3) Workers' compensation insurance as required by the State of California.

(b) The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A-;VII in the latest edition of Best's Insurance Guide.

(c) Licensee agrees that if it does not keep the aforesaid insurance in full force and effect City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, City may take out the necessary insurance and pay, at Licensee's expense, the premium thereon.

(d) At all times during the term of this Agreement, Licensee shall maintain on file with the City Clerk a certificate or certificates of insurance on the form approved by the City's Risk Manager, showing that the aforesaid policies are in effect in

the required amounts. Licensee shall, prior to commencement of work under this Agreement, file with the City Clerk such certificate or certificates. The general liability insurance and vehicle insurance shall contain an endorsement naming the City as an additional insured. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty (30) days prior written notice to City, and specifically stating that the coverage contained in the policies affords insurance pursuant to the terms and conditions as set forth in this Agreement.

(e) The insurance provided by Licensee shall be primary to any coverage available to City. The policies of insurance required by this Agreement shall include provisions for waiver of subrogation.

(f) Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, Licensee shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Contractor shall procure a bond guaranteeing payment of losses and expenses.

**Section 7. Indemnification.** Licensee shall defend, indemnify, and hold City, and its elected officials, officers, agents and employees free and harmless from any claim, liability or financial loss (including, without limitation, attorneys' fees and costs), injuries to property or persons (including without limitation, attorneys' fees and costs) arising out of any acts or omissions of Licensee, its officials, officers, employees or agents in connection with the performance of this Agreement or the use of the Premises, except for such claim, liability or financial loss or damage arising from the gross negligence, sole negligence, or willful misconduct of the City, as determined by final arbitration or court decision or by the agreement of the Parties. Licensee shall defend City, with counsel of City's choice, at Licensee's own cost, expense, and risk, and shall pay and satisfy any judgment, award, or decree that may be rendered against City. Licensee shall reimburse City for any and all legal expenses and costs incurred by City in connection therewith or in enforcing the indemnity herein provided. Licensee's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Licensee or City. All duties of Licensee under this Section shall survive termination of this Agreement.

**Section 8. Audit.**

(a) Licensee shall maintain accurate books and records in connection with the amount of gross receipts paid to City, including the basis for such amount, for a period of at least three years following the conclusion of each agreement year. City shall have the right, upon reasonable notice being given to Licensee, to review and audit Licensee's records.

(b) If upon independent examination of Licensee's records and the data provided to City, City discovers that the amount due to City pursuant to this Agreement has been understated, City shall notify Licensee of the deficiency, and Licensee shall pay the City the amount of such deficiency plus interest thereon at the

lesser of (i) the rate of ten percent (10%) or (ii) the maximum rate allowable by law from the date payment of such sums was due until the date paid. If such independent examination reflects an underpayment of five percent (5%) or more of the sums due during the relevant period, Licensee shall pay City's reasonable costs of such examination.

**Section 9.** Termination.

(a) City shall have the right to terminate this Agreement for any reason or for no reason upon 30 calendar days' written notice to Licensee.

(b) In the event of termination or cancellation of this Agreement by City, Licensee agrees to cease use of the Premises within 30 calendar days of receipt of such notice.

**Section 10.** Permits. Licensee shall obtain and maintain during the term of this Agreement all necessary licenses, permits, and certificates required by law for the provision of services under this Agreement, including a business license.

**Section 11.** Assignment. This Agreement shall not be assigned, in whole or in part, by Licensee without the prior written approval of City. Any attempt by Licensee to so assign this Agreement or any rights, duties or obligations arising hereunder shall be void and of no effect.

**Section 12.** Notice. Any notices, bills, invoices, etc. required by this Agreement shall be deemed received on (a) the day of delivery if delivered by hand during the receiving party's regular business hours or by facsimile before or during the receiving party's regular business hours; or (b) on the second business day following deposit in the United States mail, postage prepaid, to the addresses set forth below, or to such other addresses as the parties may, from time to time, designate in writing pursuant to this section.

If to City:                      City Hall  
   1400 Highland Avenue  
   Manhattan Beach, California 90266  
   Attn: Jessica Vincent, Recreation Manager

With a copy to:                City Hall  
   1400 Highland Avenue  
   Manhattan Beach, California 90266  
   Attn: Quinn M. Barrow, City Attorney

If to Licensee:                \_\_\_\_\_  
   \_\_\_\_\_  
   \_\_\_\_\_

**Section 13. Attorneys' Fees.** If either Party commences an action against the other Party arising out of or in connection with this Agreement, the prevailing Party in such action shall be entitled to have and recover from the losing Party all of its attorneys' fees and other costs incurred in connection therewith.

**Section 14. Entire Agreement; Amendment.** This Agreement represents the entire integrated agreement between City and Licensee, and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both City and Licensee.

**Section 15. Governing Law and Venue.** The interpretation and implementation of this Agreement shall be governed by the domestic law of the State of California. Any action commenced related to or concerning this Agreement shall be filed in the appropriate court in Los Angeles County.

**Section 16. City Not Obligated to Third Parties.** City shall not be obligated or liable under this Agreement to any party other than Licensee.

**Section 17. Severability.** Invalidation of any provision contained herein or the application thereof to any person or entity by judgment or court order shall in no way affect any of the other covenants, conditions, restrictions, or provisions hereof, or the application thereof to any other person or entity, and the same shall remain in full force and effect.

[Signatures begin next page]

EXECUTED on the date first written above in Manhattan Beach, California.

CITY OF MANHATTAN BEACH

LICENSEE

\_\_\_\_\_  
MARK DANAJ  
City Manager

\_\_\_\_\_

ATTEST

\_\_\_\_\_

\_\_\_\_\_  
LIZA TAMURA  
City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
QUINN M. BARROW  
City Attorney

APPROVED AS TO CONTENT

\_\_\_\_\_  
MARK LEYMAN  
Director, Parks & Recreation



THE STRAND

OCEAN DR

11TH PL

11TH ST

8' x 15'

16' x 30'

16' x 30'



Site Locations

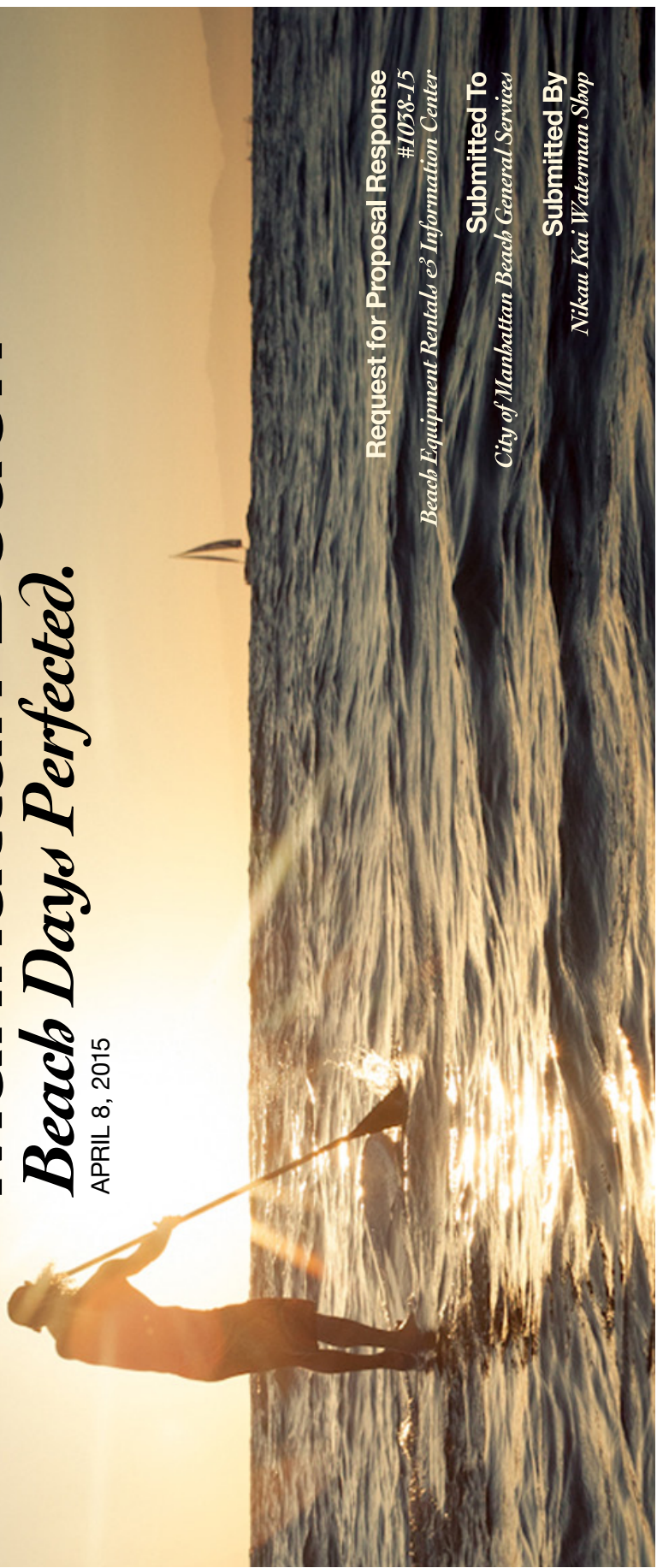




# Manhattan Beach

## *Beach Days Perfected.*

APRIL 8, 2015



Request for Proposal Response  
#1038-15  
*Beach Equipment Rentals & Information Center*

Submitted To  
*City of Manhattan Beach General Services*

Submitted By  
*Nikau Kai Waterman Shop*

April 8, 2015

Jason Shanks  
President / CEO, Nikau Kai Inc.  
1300 Highland Ave. #108  
Manhattan Beach, CA 90266

Re: RFP #1038-15

Dear Mrs. Eng,

Thank you for the opportunity to respond to the Request for Proposal #1038-15.

Nikau Kai Waterman Shop is pleased to present the attached proposal for Beach Equipment Rentals and Information Center. We welcome the opportunity to create a Manhattan Beach Welcome Center and Beach Rentals facility and help create an informational area for both our local communittee and our valued visitors from around the world. We believe that our proposal and our unique background in this platform represent an unparalleled opportunity for the City of Manhattan Beach.

- Local Surf Rental offering for the past 3 years.
- Impetus of the original beach rental facility offered in the Summer 2014 in the proposed location.
- Local brand with a reputation for premium design, operation and community loyalty and support.

As a local family owned business, Nikau Kai is committed to the betterment of our community and beach culture. Our unique background in design, business and living locally allows us the opportunity to offer our community the best in small town experience with the level of sophistication that our residents and visitors expect from a community as unique and special as ours. Nikau Kai greatly values the opportunity to develop a one-of-a-kind solution that offers locals and guests alike an inside line to the pulse of the city and the opportunity to find the best that our beach community has to offer both on and off the beach.

We look forward to discussing the attached proposal in further detail. In the meantime, should you have any questions please feel free to contact me directly.

Sincerely yours,



Jason Shanks  
CEO / President  
Enclosure





# Table of Contents

## 4 Vision

### *Branding*

- Logo
- Website
- Online Experience

### *Module*

- Location
- Influencers
- Exterior
- Interior

## 16 Details

### *Concept and Plan*

- Q&A

### *Information*

- Q&A

## 22 About Us

### *Local Business*



# Vision *Branding*

*Logo*



# *Manhattan Beach*

WELCOME CENTER & BEACH RENTALS



# Logo

The logo for the Manhattan Beach Welcome Center & Beach Rentals - WCMB - has many subtle elements to help convey our laid back beach lifestyle. Initially, you have a simple beach cruiser, the easiest way to get around and about our beach. One gear, one pace... simple and elegant. The use of the specific shape of the surfboard referred to as a "Fish" also speaks to our particular place in the world... with a typical southern California summer beach break a "Fish" is usually the go-to board for the surfer looking to get into a wave quickly and down the line before the wave closes out. Both of these elements are brought together with one of our greatest assets here in Manhattan Beach, the view of the Pacific from the strand and to make it all the sweeter, at sunset. Those long summer evenings when time seems to all but stand still, and the evening invites relaxation and good friends. To round out our design we include our iconic palm and wave icon, to once again remind you how lucky you are to be here and share in our unique beach culture.



## Website

Our goal with the online presence has several layers, the first being our website “WelcomeCenterMB.com.” There will be many opportunities with the site, possibly including features such as calendar, online booking of rental equipment, events, social media feed, about us, and more. The site will serve as a hub for guests to learn more about our beach community and the variety of activities available. This will be a collaboration with the Manhattan Beach Chamber, the DTPA and the Parks and Recreations Department, as well as other local feeds, ie: the MB Patch, DigMB and others. This will be a growing site that has much potential.

In addition to the “main” URL “WelcomeCenterMB.com” we will also have additional URLs that redirect guests to our main site:

[www.Manhattan-BeachRentals.com](http://www.Manhattan-BeachRentals.com)

[www.MBBeachDaysPerfected.com](http://www.MBBeachDaysPerfected.com)

[www.BeachDaysPerfected.com](http://www.BeachDaysPerfected.com)

[www.NikauKaiAtTheBeach.com](http://www.NikauKaiAtTheBeach.com)



# Online Experience

A key part to any operation is Social Media and we're managing that with coverage of the Welcome Center through staff and guest posts. Anything with the hashtag #WCMB will not only go on our feeds but also on our in-store Enplug™ display at the beach.

For example:

-  /WelcomeCenterMB
-  @WelcomeCenterMB
-  @WelcomeCenterMB
- #WCMB







# Vision *Module*

# Location

The south side of the pier and just south of the lower parking lot is an ideal location for our operation attracting both those headed to the beach from Pier Avenue and heading into Manhattan Beach via the Strand from Hermosa Beach.



# Influencers

Our concept for a Module unit comes from the inspiration of similar projects being built around the world. In this example is an Illy Espresso stand in New York City by Artist/architect Adam Kalkin.



# Influencers

In this example the storage container concept was used to create a small Müvbox Fast Food Restaurant in Old Port in Montreal.



## Module Exterior

In our concept we envision converting a 30' storage container into our Welcome Center and Beach Rental experience. This container will be fully equipped with a hand crank winch for opening and closing the main wall. We will have removable solar panels for the roof to power the entire facility. In consideration of our beach and our desire to maintain a non-obtrusive design, the container will be a light sand/dust shade with only callouts to what it is, via the logo, how to contact us, via the URL and our partnership with the City of Manhattan Beach.



## Module Interior

Once the container is opened and set up, taking approximately 10 to 20 minutes, based on two staffers opening, the container becomes a welcoming oasis in the sand. It's a place for the family to relax as our local staff outfits you with any and all of your beach rental needs. While waiting you'll be able to enjoy our Enplug™ live feed and add your own content, not to mention the weekly calendar sandwich board and many classes and activities offered by the City.



# Module Interior Details

● Rentals

● Information

Surfboards

Beach Cruisers

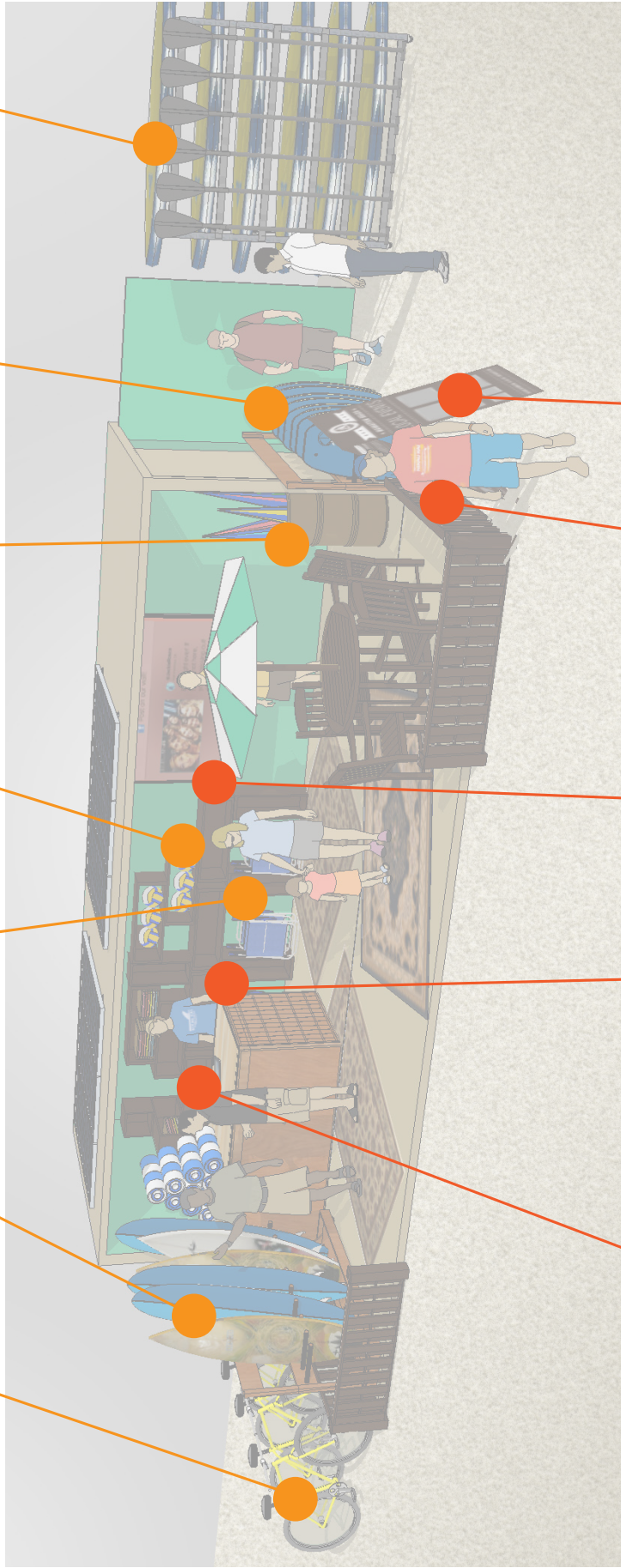
Beach Chairs

Volleyballs

Beach Umbrellas

Bodyboards

Stand Up Paddleboards



Parks & Rec. Activities Flyers

ENPLUG™ Display

Community Calendar

Local Staff

Local Staff



# Details

*Concept and Plan*



# 1. Business Concept and Plan

a) Please define service(s) business you would like to operate. You may propose any combination of services, as well as others not included in this solicitation, subject to approval by the City.

The Goal of The Manhattan Beach Welcome Center & Beach Rentals is to offer both information and rental services to help facilitate a better day at our beach. Those services would include but not be limited to Rentals of Surfboards, Bodyboards, SUPs, Beach Chairs, Umbrellas, and, of course, Beach Cruisers. We would assess the needs of our beach goers as the seasons progress in order to best accommodate them.

b) Submit a description and rendering of the facility, include design elements and signage. In addition, provide a cost estimate and timeline for facility installation.

To create the modular WCMB the initial investment would be in the 20K range. As to the rollout of the fully operational modular our estimation would be 4 to 6 weeks from the date the contracts are finalized by both parties.

Refer to renderings included in the "Vision" section.

c) List of proposed days and hours of operation.

Our goal would be to operate 7 days a week, open 9am - 7pm (summer hours), weekends following the summer season, in cooperation and communication with the city to best serve our community.

d) Outline a marketing and advertising plan.

Our initial marketing components would include working with both the MB Chamber and DTPA to promote our offerings to our local community. This would be complemented with advertising in our local papers and websites (ie: mbpatch, digmb.com, etc.).

Our larger push to the world would include the usual social media outlets, particularly: Facebook, Instagram, Twitter, Pintrest, Youtube.

Our on-location advertising would include a partnership with Enplug™ to help reinforce the social media arm. Also on location would be a "calendar" sandwich board for posters and flyers promoting local events and activities. This is where we would be reaching out to both city and private businesses for content, again working with both the MB Chamber and DTPA.

Additional promotions and specials would, of course, be included to help motivate use and awareness.

e) Certify that all insurance requirements can and will be met.

Proof of insurance is provided in the manner requested as it was in our previous partnership rental agreement on the beach.

See attached.

f) Indicate proposed lease/rent percentage.

Based on our past operations at the beach with the City we propose to match last years plan at a rate of 15% with a guaranteed minimum of \$2500 in the calendar year. We would look to schedule a review of the financials for the following years to access and update the operational rate accordingly.

g) Contract Exceptions – Provide any proposed exceptions, additions, and/or deletions to the City’s request for proposal and/or Professional Services Agreement. Proposed exceptions will be considered on a case by case basis, but there is no guarantee that proposed exceptions will be accepted by the City.

Our only request is to add the “informational” element to the project. In our vision we believe this should be a hub for locals and tourists alike to know what’s happening on the beach and in our downtown. Our intent is to help drive beach goers back into our downtown to dine, stay and shop.



# Details

## *Information*

## 2. Business Information

a) Contact information, including name, address, email address and phone #

**Jason Shanks**  
President / CEO

p: 310.545.7007

f: 310.545.7004

Jason@nikaikai.com

1300 Highland Ave. #108  
Manhattan Beach, CA 90266

b) Type of business entity, sole proprietor, partnership, corporation, etc.

S-Corporation

c) Corporate officers, if applicable

Jason Shanks - President / CEO

d) Experience and qualifications of business including length of time in business and locations at which the proposer has operated a similar service.

Last year we had the privilege of partnering with the City of Manhattan Beach to be the first to offer Rentals “at the beach.” It was a great opportunity for us. We were able to work with both city and county officials as different challenges and opportunities came up through the summer. We were able to create valuable connections with our county lifeguards and with a simple phone call resolve questions and concerns as they arose. Our beach rental opportunity was really the impetus to reach out to the city and request the opportunity to do something larger, adding the informational component to our rental booth. One of the best parts of doing rentals down at the beach was getting to help out both locals and visitors alike with information about the happenings at the beach and downtown. It’s always a great feeling to be in the know and pass the info along to help others.

When we founded Nikau Kai, it was just a rental and lesson business. That was back in June of 2011. Now, in the blink of an eye, we’ve just celebrated our fourth year in business. We’ve grown from rentals and lessons offered from a trailer behind a bike to a bustling little surf shop located at 13th & Highland in the heart of downtown Manhattan Beach. We still offer both lessons and rentals of all types of surf craft both here locally and in the King Harbor in Redondo Beach. It’s been a wonderful journey thus far and our future looks bright.

e) References – Please provide a list of references where similar work of similar size and nature is currently in process or recently completed. Include name of firm, telephone, and name of contact person. These references will be checked and may affect the award of the contract. The City of Manhattan Beach reserves the right to contact any of the organizations or individuals listed or any others that may stem from the inquiry.

Summer - 2014

**Nikau Kai at the Beach**

Beach Rentals - Surf, SUP, Bodyboard

Partnership with the City of Manhattan Beach

**Contact:**

Parks and Recreation Director

Mark Leyman

mleyman@citymb.info

310.802.5402

**Operational Contact:**

Recreation Services Manager

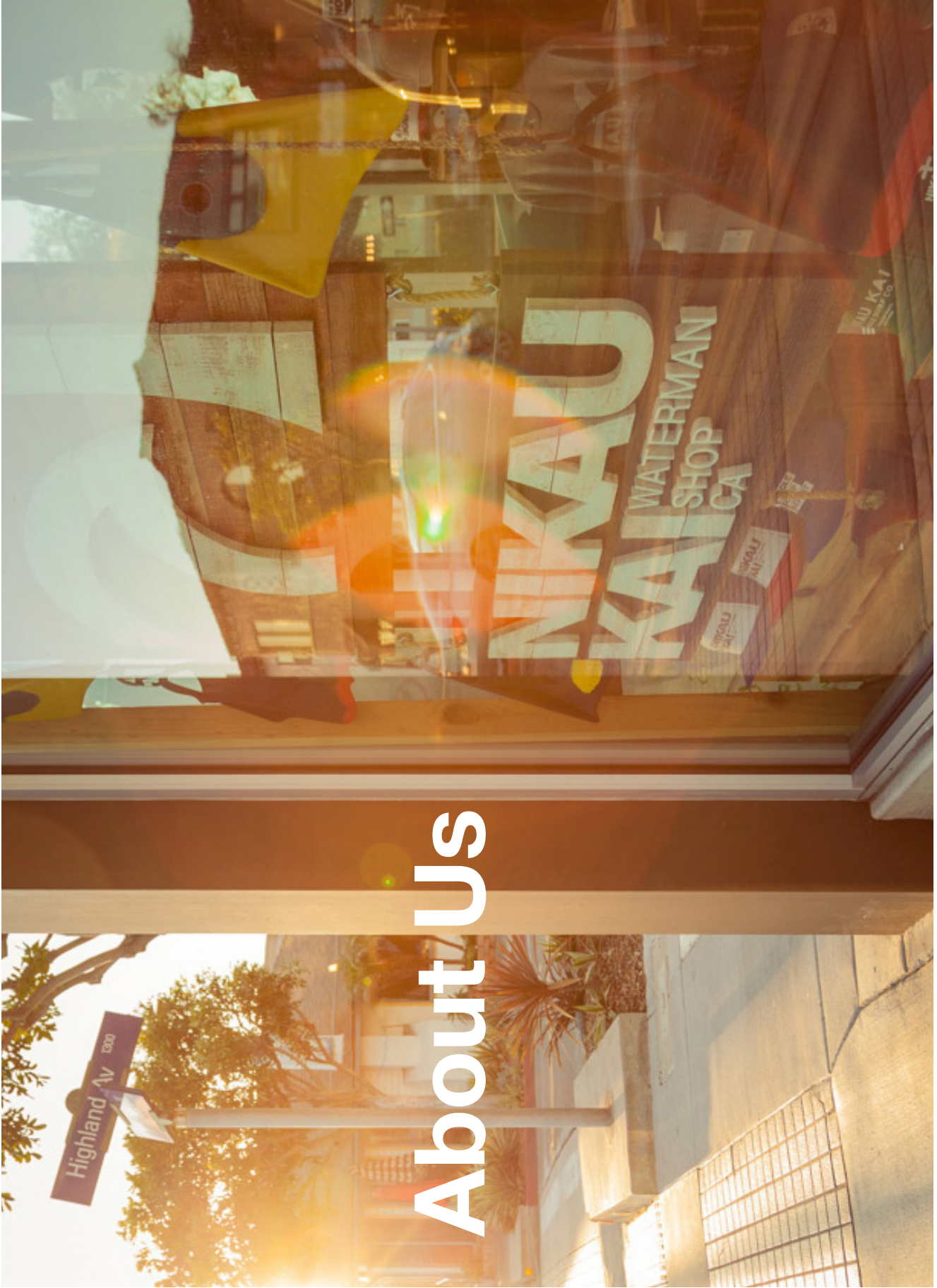
Jessica Vincent

jvincent@citymb.info

310.802.5405

f) Describe how employees are screened.

Hiring is always the most challenging part of an operation. Finding solid, dependable people is the key to any successful venture. That being said, our focus is always to finding bright well-informed locals. Usually college and high school students that live and play in our community are the best choice. Obviously we look for folks who love the water as much as we do and use the Junior Guards Program as a measuring stick of how good the candidates will work with us. An affinity for the water and our town are very high on our list.



# About Us

## *Local Downtown Business*

### **Our name, our core:**

Nikau and Kai... Palm and Ocean. Our name is our boys Nikau (4) and Kai (7). Our brand is our family.

### **A brief history:**

Nikau Kai was founded in the summer of 2011, where we started out doing Stand Up Paddling Lessons from the beach. That fall we launched our website and the following spring we opened our doors in Manhattan Beach. Today we are the “surf shop” in Manhattan Beach and the go-to when it comes to expert information and training in both stand up paddling and surfing.

### **The shop:**

Nikau Kai Waterman Shop is just that, a waterman shop, a place where you can find and try a nice variety of toys for riding waves and enjoying the ocean, from Stand Up Paddle Boards and Outrigger supplies to Handplanes, Piapos and Alaïas to locally crafted custom Surfboards. Our shop also offers a unique selection of hard to find accessories and clothing to keep our customers looking and performing their best, in and out of the water. In addition to quality ocean gear, our shop offers SUP and surf lessons and rentals. It's a fairly new thing to say we're a waterman shop, as opposed to being another surf shop. Not to oversimplify it, but we like to think waterman simply means you love being in and on the water and prefer it to just about any place else, from lakes and rivers to open ocean crossings and of course, surfing everything you can get your hands on.



*Aloha,*  
*J. S. Gunn*







April 9, 2015

Gwen Eng  
Purchasing Manager  
City of Manhattan Beach  
1400 Highland Avenue  
Manhattan Beach, CA 90266

RE: Request for Quotation #1038-15 – Beach Equipment Rentals & Information Center

Dear Ms. Eng,

Thank you for the opportunity to bid on the Beach Equipment Rentals and Information Center.

The attached proposal covers all points of the RFQ and fills in the details of our approach to best serve beach goers with equipment rentals in Manhattan Beach. We are pleased to note that Hermosa Cyclery meets or exceeds the requirements set forth in the RFQ.

My partners and I are enthusiastic about this opportunity. We have been thinking about a rental opportunity in this location for years, coincidentally. We love this business and will do a great job should we earn the contract.

We look forward to your questions or comments. My cell is (310) 621-9565.

Sincerely,

A handwritten signature in blue ink that reads "Steve Collins". The signature is written in a cursive, flowing style.

Steve Collins  
President

# HERMOSA CYCLERY

20 13<sup>th</sup> Street, Hermosa Beach, CA 90254 • (310) 374-7816

April 9, 2015

## Proposal

**Request for Quotation #1038-15 –  
Beach Equipment Rentals & Information Center**



## **Hermosa Cyclery Background**

Hermosa Cyclery, Inc is owned and operated by four partners, Steve Collins, Larry Burke, Ken Liebowitz and Mark McNeill. We all four worked at Hermosa Cyclery as kids in the 70s and 80s and have owned our store for the last 13 years.

Excellent customer service has been the key to our success. We work hard to make all customers happy and view rare challenges as an opportunity to learn and make things right. Our Yelp reviews are all unsolicited and exceptionally positive. A natural outgrowth of our enthusiasm for customer service is our community engagement.

A fair amount of attention is invested in our community. For example, we were asked by the Hermosa Beach Chamber of Commerce to run the Fiesta Hermosa bike corral. We have done so since May 2009, serving 4,500 men, women and children per weekend, two times a year. We have also operated the bike corrals at the Earth Day Celebration and Concert at Polliwog Park since 2010, the Manhattan Beach Hometown Fair since 2014 and others like it in Manhattan Beach and surrounding cities. We also host the Bike Hermosa entry in the Hermosa Beach St. Patrick's Day Parade, garnering a generous amount of attention from spectators and the press and earning exceptional community participation in our entry. And it's all fun!

Our partner Steve Collins sits on the board of directors of the South Bay Bicycle Coalition (SBBC), a respected bicycle advocacy organization serving the seven cities of the South Bay, including Manhattan Beach. The SBBC is proud to have made substantial progress with new bike lanes and events in Manhattan Beach in 2014, among other local accomplishments. The SBBC's purpose is "Safer Biking for Everyone."

We are active with many local organizations such as The Women's Club of Hermosa Beach, Hermosa Beach Kiwanis Club, Hermosa Beach Sister City Association, Hermosa Beach Historical Society and many others. Any of them would make great references on our behalf. Google "Hermosa Cyclery" to see a fair amount of news in the Easy Reader, Beach Reporter and Daily Breeze covering our community activities.

Hermosa Cyclery is proud to have been voted Best Bike Shop seven years in row, 2009-2015, in Easy Reader's Best of the Beach survey.

## **Technical and Fee Proposal Information**

1. Business Concept and Plan
  - a) Services – In our 40 years of experience offering beach-related services, bike rental is far and away most popular with locals and visitors. A bike-ride along

The Strand rates up there with a visit to Disneyland and other amazing things to do here. We would like to provide these services:

1. Bike Rental
  2. Surf Equipment Rental (stand up paddleboards, surfboards, Boogie boards)
  3. Beach Gear (chairs, umbrellas, volleyballs)
  4. Minor Bicycle Repairs (flat tires, lubrication, derailed chains, brake checks, urgent needs of those riding The Strand)
  5. Information. We provide a very cool, free pocket map and guide of The Strand covering PV to Malibu that people love (see Map and Guide page). And our staff will be educated on local hospitality information.
- b) Facility – We propose the use of a portable shipping container that can be dressed up to look cute or blend (see Facility Design page). Containers provide the necessary security and are commonly used as concession facilities. Esthetics and staff comfort are high priorities. We can paint or decorate the facility to blend with the environment or stand out, as the City likes. The planned open-face version will convey a welcoming tone for patrons and provides a comfortable, shaded facility for staff to work. We want our staff to want to work there, so it has to be nice. With The City’s permission, we plan to maintain that whole triangle by getting rid of weeds, trash, grading the sand and so on; to make it look as nice and inviting as the beach in front. The facility will be created using one 20’ and one 10’ container to fit the specified 30’ wide x 10’ deep facility, as shown. Precise facility size is 30’ wide by 8’ deep by 8’6” tall (standard container height).
- c) Hours – We agree with the 9:00am to 7:00pm hours of operation and would like to do so 7 days a week. We know firsthand how excited people are to enjoy these fun activities. Even one closed day would let down too many people.
- d) Marketing – Visibility by passersby will be responsible for a majority of the business. We know this from our research. Visibility is accomplished by having bikes and boards on display and having signage on the facility. Ideally, at least for a short time, an A-frame sign near the sidewalk at the opening of the parking lot near Manhattan Beach Blvd. would be a big help in making people aware of the service. With sensitivity toward not overdoing it with signs, a couple 8’ or shorter flag signs at the front of the facility would look festive and help. Second to visibility are referrals from local merchants, restaurants and other businesses. We would visit each in the area to let them know we are there and we would join and promote through the MB Chamber of Commerce. Advertising to locals in local papers, particularly for

Manhattan Beach residents would be our third priority, for direct business and referrals from locals. We're confident there will be an abundance of people to serve.

- e) Insurance – We currently have an A.M. Best Rated: A+XIV policy specifically for the above services, from an insurance agency that specializes in this kind of policy. The underwriter has agreed to add the Manhattan Beach location as incremental business, which is probably a \$15,000 flat fee savings on startup costs for this location. The industry-standard policy covers \$1,000,000 per occurrence, \$2,000,000 aggregate. We are in the process of adding the specified auto coverage to our policy.
- f) Lease – We would like to propose matching last year's \$2,500 per month to start, even though sales may be low at first. We are optimistic we will do well and anticipate the service can bear a higher rent in time, once on our feet and known to the community. We are open to guidance and suggestions. The retail industry standard 7% of sales is coincidentally about where we are with our current store near the strand. This may be the right formula.
- g) Contract Exceptions – Ideally, the 30-day notice for termination would be invoked only after the summer season is over, to help us recoup significant startup costs. If invoked earlier it should be limited to significant misbehavior or significant unforeseen complications with continuing.
- h) Equipment Maintenance – All of our equipment is tracked in a written maintenance log, to assure equipment is safe, operational and clean. Our staff is trained to inspect equipment during rental and service the equipment. Customer safety is paramount.
- i) Ingress and Egress of Customers (see Walkway and Staging page) – We have looked carefully at the path customers will take coming and going from the facility to the beach or bike path. We plan to provide an ADA qualified portable walkway from the facility to the cement, one that will be rolled up each day and can be driven over by vehicles (shown as grey path). We would like to create a staging area next to the bike path for customers to prepare to join or cross the bike path (shown in green). We think covering 1 bike rack to make room for staging in this ideal location would be a worthy trade. A staging area, whether it's this spot or another is important for safety.
- j) We think lining up bikes for rent along the cement platform above the bike racks near the bike path would be attractive and festive looking. It should also help to better serve customers. The space appears to be used only for skateboarding. See Walkway and Staging page.

## 2. Business Information

- a) Contact Information: Steve Collins, president, Hermosa Cyclery, Inc. 20-13<sup>th</sup> Street, Hermosa Beach, CA 90254. Cell (310) 621-9565, office (310) 318-1283, fax (310) 318-1285, email steve@hermosacyclery.com.
- b) Entity – We are an S corporation with 4 owners, 25% each. All four owners are active in the company: Steve Collins, Larry Burke, Ken Liebowitz and Mark McNeill.
- c) Officers: Steve Collins, president/CEO; Larry Burke, COO.
- d) Experience – Hermosa Cyclery has been in business at the same location for 40 years. The current owners have worked there off and on 35 of those years, about 5-10 years each in the 70’s and 80s and 12 consecutive years each for the last 12 years we have owned the store. We have rented bikes, skates, Boogie boards and beach gear all of those 40 years, with that being our primary business. We also sell and service bicycles and skates.
- e) References –
  - 1. Landlord (40 years): Jeanette Oghigian, PO Box 10325, Torrance, CA 90505, Phone: (310) 378-8677
  - 2. Hermosa Beach Chamber of Commerce, Executive Director Kim MacMullan, 1007 Hermosa Ave, Hermosa Beach, CA 90254, (310) 376-0951
  - 3. Vendor: J&B Importers, Dereck Butterfield, (951) 544-2205, PO Box 161859 Miami, FL 33116. Dereck is in a California office.
  - 4. Vendor: Electra Bicycle Company, 3275 Corporate View, Vista, CA 92081, Elayne Fowler, (760) 607 2453 x127
  - 5. Colleague: Ted Ernst, founder of the Manhattan Beach Grand Prix, founder of Ted’s Manhattan Cycles, founder of South Bay Wheelmen bicycle club, member of the board that brought us The Strand bike path and inductee into the US Bicycling Hall of Fame; 41040 Via Nivel, Palos Verdes, CA 90274, (310) 791-5521
  - 6. Client: Terranea Resort, Marissa Edwards, Director of All Things Fun, 100 Terranea Way, Rancho Palos Verdes, CA, 90275, direct (310) 265-2823
  - 7. Client: Beach House Hotel – Hermosa Beach, Marje Bennetts, manager/director, 1300 The Strand, Hermosa Beach, CA. 90254, direct (310) 802-4101
- f) Employee Screening – We have the nicest employees, as we hear all the time from customers. That comes from hard work on the part of our Larry Burke, our COO. Candidates often come through current employees, for best vetting before we even start. All candidates fill out an application, which we review along with a resume and check references. Larry personally interviews at length each candidate of interest. At the same time, they need to take his operations tests, which include doing math on time (minutes, hours, etc., for

rental business), making change and doing mechanical tasks on a bike. If they pass the tests, the harder test to pass is Larry liking them. Few get past that test, and Larry is almost always right. This process has been one of the keys to our success with providing excellent customer service. New employees are well trained once hired and managed very closely as we come to trust them. Most of our employees work for us for years and remain our friends long after moving on to their next dream job. See attached "Schu-eet Award for Excellent Service." Most of our employees earn these with a \$50 bonus, some multiple times.

### **Summary**

Above is just the beginning to creating a fun beach equipment rental service for people visiting the beach in Manhattan Beach. We pride ourselves on making an effort everyday to improve on our services. We would be honored to earn the privilege of operating this service in Manhattan Beach and we greet the opportunity with an abundance of enthusiasm.

Our reputation and experience speaks volumes of our ability, reliability and trustworthiness. We take serving the public seriously and appreciate the outpouring of affection we receive from our customers and the community at large for that. We would bring this to our new location on day one.



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Steve Collins – President

4/9/15

Date

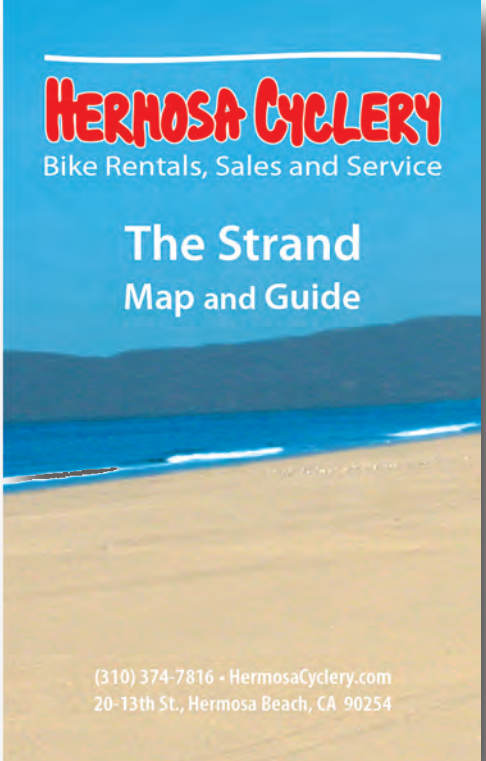
# Map and Guide



## HERMOSA CYCLERY

Bike Rentals, Sales and Service

### The Strand Map and Guide



(310) 374-7816 - HermosaCyclery.com  
20-13th St., Hermosa Beach, CA 90254

Actual folded size (2.5" x 4")



# Facility Design

Facility – 30' wide x 8' deep x 8'6" tall with 10' wide roll-up doors



## Facility Decoration Ideas



# Walkway and Staging

Recommended safe staging area shown in green.  
Recommended access path shown in gray.

Rental bike holding  
area idea.



# Celebration of 40 Years Service

# HERMOSA CYCLERY

20-13th Street, Hermosa Beach, CA • (310) 374-7816 • HermosaCyclery.com

# Celebrating! 40 years!

# HERMOSA CYCLERY TURNS 40



Schu 1970's

Steve 1979

Larry 1979

Mark 1985

Ken 1985

## Our Story

You may know Hermosa Cyclery best as the bike shop near The Strand with "free air" for your bike tires. But our story is a unique and special one with a history spanning four decades at the beach.

Our beloved Harold Schumaker (Schu) founded Hermosa Cyclery back in 1974 and built it into a landmark bike and skate store. Schu owned and operated his store for 28 years. It was his life and his crew was as close as family. Our boss was known as a compassionate man with a big heart. He helped countless people, sharing everything he had.

Upon his passing in January 2002, we were surprised to learn that Schu had left his store to the four of us in his will - Steve Collins, Larry Burke, Ken Liebowitz and Mark McNeill. We had come to know Schu as his employees at the store in the late 70s and 80s. We each worked for him for 5 to 10 years and loved our time at the store. We remained close with Schu in the years after, but we never expected the extraordinary gift he left us. We sure admired him and we are proud to carry on with the store he founded. It is a joy and a privilege for us to follow in his footsteps.

Remembering Schu in the Hermosa Beach City Council Chambers in 2002, Mayor, Kathy Dunbabin, said: "Nearly every child in Hermosa Beach worked at his shop, Hermosa Cyclery, at some point." That included the Mayor's own son.

Hermosa Cyclery's heart and soul was founded by Schu and have been kept alive and thriving by all the good people who have worked here over the last four decades including those who continue to make us proud today.

"We grew up working at this store, in the center of one of the coolest areas in the South Bay. It just doesn't get any better than that. It was a dream-come-true job for me at 16 years old," said, Steve Collins. "And it still is!"

There's one more special part to our one-of-a-kind story that completes our modern day fairy tale. The owner of our Hermosa Cyclery building just might be as proud of our history here as we are. Jeanette's history with the store is even longer than ours and it's filled with just as much affection. Because of her considerable generosity, Jeanette was instrumental in making it possible for us to inherit the store in 2002. No one has been a bigger supporter or is happier to see our store carry on Schu's legacy of serving the community today and into the future.

Jeanette and Schu have touched generations of lives, bringing happiness, fun and joy to our community and filling our lives - and so many others - with the good times and memories we will cherish forever. We are committed to continuing to share their vision, goodwill and love for what we do with the community for many years to come.

The sun is always shining on Hermosa Cyclery and it's always a beautiful day, to ride a bike here in the heart of Hermosa Beach.



Larry, Karen, Ken, Michelle, Mark, Jeanette, Steve & Debi



Steve, Larry, Mark, Ken and Family - Hermosa Cyclery 2002



Free Air For Your Bike Tires



Bike Entry in the St. Patrick's Day Parade



Fiesta Hermosa Bike Corral



# Schu-eet Award for Excellent Service

## Schu-eet Award for Excellent Service

Given to: \_\_\_\_\_

Date: \_\_\_\_\_

This Schu-eet Award is given in recognition of recently received stellar customer feedback.

The Schu-eet Award for Excellent Service is given to individuals who have proven to be of exceptional character, who rise above the average workaday ethic, who are eager to help others, who are happy when they make others happy, who count good deeds as accomplishments, who put others ahead of themselves, who are happy most all the time and who help create an environment people gravitate toward.

These qualities are special, attractive and valuable; all of which we recognize help Hermosa Cyclery to shine among its competition.

Schu-eet is the brand name coined by our partner Mark McNeill for our line of strand cruisers. We created and manufacture them solely for Hermosa Cyclery, using only the best components. So a special name was needed. Paying homage to our founder Harold Schumaker, aka "Schu," and capturing how sweet it is to ride The Strand, the name "Schu-eet" was a natural.

# **Perfect Day Surf Camp**

Robbie French Inc.  
Perfect Day Surf Camp  
517 Faye Ln. Redondo Beach, Ca.  
Phone: 310-985-1458  
Fax: 310-540-2868

Subject: Quotation #1038-15 – Beach Equipment Rentals & Information Center

## **1. Business Concept and Plan**

“Perfect Day Rentals” is proposing to provide quality equipment and instructional services to the community. We will also provide a visitor’s guide and information on community and chamber events calendar. All fitness stand up paddle boards are very stable that provide an excellent platform for all levels. The equipment we will provide is listed below.

### **a. SERVICES**

#### **1. Rental Fees**

- Stand Up Paddle Board w/adjustable paddle & life vest
  - \$25/1 hour
  - \$35/1 hour with 10 minute demo
  - \$15 every additional hour
- Surfboard
  - \$25/2 hours
  - \$15 every additional hour
- Skateboards
  - \$15/2 hours
  - \$10 every additional hour
- Boogie Board
  - \$15/2 hours
  - a. \$10 every additional hour
- Wetsuit
  - \$10/2 hours
  - \$5 every additional hour
- Beach Chair
  - \$10/2 hours
  - \$5 every additional hour
- Umbrella
  - \$8/2 hours
  - \$4 every additional hour
- Combo Packages
  - Surfboard and wetsuit = \$30/2 hours + \$20 every additional hour
  - Beach Chair, Umbrella and boogie board = \$20/2 hours + \$10 every additional hour
  - Beach Chair and Umbrella = \$12/2 hours + \$8 every additional hour
  - Add \$15/2 hours to include a surfboard

## 2. Surf / SUP Lesson Fees

- 1 ½ Hour Private Lesson \$120
- 1 ½ Hour Group Lesson (2-4 ppl) \$90/pp
- 1 ½ Hour Group Lesson (5-7 ppl) \$80/pp
- 1 ½ Hour Group Lesson (8 or more people) \$70/pp

## 3. Retail

- Perfect Day surf shirts
- Perfect Day Hats
- Perfect Day bikinis
- Perfect Day Rash Guards
- Sunscreen

## b. FACILITY DESCRIPTION

- a. I have had a design company for 14 years [www.robiefrench.com](http://www.robiefrench.com) and will make sure the business area looks chic and professional.
  1. \$2500 - Wrapped "Perfect Day Rentals & Lessons" Van
  2. \$1500 - 10x10 "Perfect Day Rentals and Lessons" custom canopy (photo ideas attached)
    - a. Surfboard Rack (see attached)
    - b. SUP Rack (see attached)
    - c. Retail/skateboard table
    - d. Registration Table
      - i. All sales online through software with statistics
    - e. Wetsuits on hangars

## c. HOURS OF OPERATION

- a. Tuesday – Sunday 9am-7pm
- b. Beginning Memorial Day and ending through Labor Day (closed during major events)

## d. MARKETING PLAN

- a. Email Campaign & Newsletters to my existing 6500 local emails through my surf camps
- b. Flier distribution (surf shops and places moms and kids attend & local stores)
- c. PTA Fliers to the local schools
- d. Easy Reader
- e. Beach Reporter
- f. What's up for kids
- g. Camp Expos & Health Fairs
  - i. What's up for kids expo
  - ii. Meadows Expo
  - iii. Manhattan Beach Middle School Expo
  - iv. Boeing Health Fair
  - v. Northrop Health Fair
- h. Social Media – my Perfect Day Surf Camp "active" accounts
  - i. Facebook
  - ii. Twitter
  - iii. Instragram
  - iv. Pinterest
  - v. My website
- i. Cross promotion
  - i. My website
  - ii. First time coupons at local surf shops
- j. Deals – first time deals
  - i. Groupon - Perfect Day currently holds the "Best of Groupon" for 2015
  - ii. Living Social
- k. Manhattan Farmers Market Booth

- i. Perfect Day has a weekly booth
  - l. Fliers at local hotels
  - m. Mom's Groups: Peachhead moms, Cool Coastal Moms, Meetup groups)
- e. INSURANCE – see attached insurance certificate
- f. LEASE / RENT PERCENTAGE
- a. 15% of total gross sales
- g. CONTRACT EXCEPTIONS
- a. Lessons and retail sales as noted above

## 2. Business Information

- a. Robbie French Inc. DBA: Perfect Day Surf Camp, 517 Faye Ln. Redondo Beach, CA. 90277  
[www.perfectdaysurfcamp.com](http://www.perfectdaysurfcamp.com), [info@perfectdaysurfcamp.com](mailto:info@perfectdaysurfcamp.com), PH. 310-985-1458 FAX. 310-540-2868
- b. Type of Business: S Corp
- c. Corporate Officers: Robbie French-Yrigoyen
- d. Experience: (see below)
- e. References: (see below)
- f. Employees screening: (see below)

Robbie French Inc. DBA Perfect Day Surf Camp is owned by Robbie French-Yrigoyen and has provided safe and educational surf camps since 2001. Robbie is known for her entrepreneurialism running 5 star hotel restaurants from 1992 – 2001 and owning a fashion design business placing her designer belts and handbags in over 600 stores worldwide. She prides herself on professionalism with a strong work ethic that encompasses a positive environment while providing the best quality.

1989, Robbie discovered her love for surfing and traveled the world to surf after college. She also began volunteering at non-profit organizations teaching underprivileged kids to surf and how to be safe in the ocean. In 2001, Bob McKnight, the CEO of the worlds' leading surf company's Quiksilver/Roxy, acknowledged her accomplishments and proposed the idea of opening a surf camp in the Los Angeles area that he would mentor, educate and sponsor. (Quiksilver Contract and Letter available upon request). Robbie's proposal met all the requirements of safety, professionalism, organization and dedication and her first location was born in Santa Monica that year in 2001.

[www.perfectdaysurfcamp.com](http://www.perfectdaysurfcamp.com)  
[www.robiefrench.com](http://www.robiefrench.com)

## Camp Experience

Locations:

1. 2001-present -Santa Monica Surf and SUP Camps
  - approximately \$230,000 gross (statement of revenue attached)
  - contact for permit - Heath Hamilton 310-494-6953
2. 2005-present - Redondo Beach Surf camp & Adult Surf Workshops
  - approximately \$40,000-\$100,000
  - contact City of Redondo parks/rec, Carrie Diaz 310-318-0610 ext 3460
3. 2012 – present Torrance Beach Surf Camps
  - approximately \$145,000 gross (statement of revenue attached)
  - Contact Beaches & Harbors, Dona Kordich 310-305-9543
4. 2012- present Manhattan Beach Surf Camps
  - approximately \$54,000 gross (statement of revenue attached)
  - Contact Beaches & Harbors, Dona Kordich 310-305-9543
5. Hawaii 2 years – Charity surf day for Cystic Fibrosis

- non-profit
  - Contact Maui Ola Foundation, Bobby Serna 949-900-5560
6. 2007-present Maui Ola Foundation volunteer

**Credentials, Qualifications & Certificates**

- o Certificate of Accreditation: Nevada Small Business Development Center – Disadvantaged Business Enterprise Program (attached)
- o Better Business Bureau – BBB (attached)
- o First Aid, CPR, AED and Lifeguard Certified (attached)
- o 26 years surf experience & 9 years SUP
- o Implemented a solid Infrastructure for camps
- o Trained surf instructor by Quiksilver professionals
- o Retired surfing contestant
- o Professional entrepreneur of multiple companies:
  1. Robbie French Designs ([www.robiefrench.com](http://www.robiefrench.com)) 10 years
  2. Perfect Day Surf Camp, Redondo and Santa Monica surf/beach camps ([www.perfectdaysurfcamp.com](http://www.perfectdaysurfcamp.com))
  3. Annenberg Beach House Stand up paddle boarding clinics
  4. “Perfect Days” a non-profit organization that offers surf instruction & equipment to organizations benefiting children in need
- o Santa Monica local 1984-2004 & Redondo Beach local 2004-Present and new home owner in Redondo Beach.
- o 43 year old mother of 2 young children and wife of loving, supportive husband
- o Swim Instructor of 11 years
- o Mentor at Stoked Mentoring Foundation for inner city kids ages 5-17
- o Volunteer at local charity events: Safety Harbor Kids, Make a Wish Foundation, CF Surf Days, Local School Fundraisers
- o Co-Chair of women’s social networking groups in Santa Monica and Redondo Beach: Southbay Surf Mamas, Cool Coastal Mommas, Yahoo Surf Moms
- o Good Business Sense & generate revenue for local businesses:
  - o combine specials with local shops
  - o cross promote
  - o bring tourism – hotel packages – access destination affiliations – schools abroad
- o Managed most popular bars and restaurants in Los Angeles Area including The SKYBAR at Mondrian Hotel, The Standard Hotel, Casa Del Mar Hotel & Hotels in New York City (more about Robbie in attached article)
- o Trained and experienced Search Engine Optimization for marketing
- o Good standing with all vendors & pay on time
- o Good relationship with lifeguards and other camps
- o Good work ethic
- o Employ a staff of over 75

**REFERENCES:**

1. Quiksilver Inc.- sponsors
  - a. Bob McKnight (CEO) – 949-378-2460
2. Licker & Ozurovich CPA – Accountants/Bookkeepers
  - a. Andy Ozurovich 310-226-7575 [andyo@locpa.com](mailto:andyo@locpa.com)
3. PSA Insurance – Camp Insurance Broker
  - a. Austin Myers 760-728 5259 [austin@psainsurance.com](mailto:austin@psainsurance.com)
4. What’s Up for Kids – Advertiser
  - a. Cathy Allesandra 310-283-5271 or office 310-544-1042 ext 701 [cathy@whatsupforkids.com](mailto:cathy@whatsupforkids.com)
5. Maui Ola Foundation – Partner in Charity Events
  - a. Bobby Serna 949-900-5560 [bserna@mauliola.org](mailto:bserna@mauliola.org)
6. City of Santa Monica Beaches and Harbors – Issues my permits
  - a. Heath Hamilton 310-494-6953 [heath.hamilton@smgov.net](mailto:heath.hamilton@smgov.net)



7. Parent – Monique Simpkins 310-869-8697 simpkins.ry@gmail.com
  8. Parent – Meredith Harvey 213-841-2777 dandmharvey5@aol.com
  9. Parent – Shilpa Knoll 714-206-6238
  10. Testimonials attached (full comments can be viewed at [www.perfectdaysurfcamp.com](http://www.perfectdaysurfcamp.com))
- More parent references available upon request.

**EMPLOYEE SCREENING:**

- ADP interviewing process
- Background checks
- Live Scans (upon cities request)
- All CPR/First Aid/AEd and lifeguard certified

Perfect Day Surf Camp  
517 Faye Ln Redondo Beach, Ca 90277  
[www.perfectdaysurfcamp.com](http://www.perfectdaysurfcamp.com) [info@perfectdaysurfcamp.com](mailto:info@perfectdaysurfcamp.com)  
Ph. 310-985-1458 Fx. 310-540-2868



Proposal for Quotation: #1038-15  
Beach Equipment Rentals & Information

Contact:  
Campsurf  
Tommy Ostendorf  
[Tommy@Campsurf.com](mailto:Tommy@Campsurf.com)  
310-963-0232

## Business Concept and Plan

### Services

Campsurf will provide the following services:

- Rentals
  - Foam Surfboards
  - Boogie Boards
  - Wetsuits
  - Beach Chairs
  - Beach Umbrellas
  - Volleyballs
- Surf Instruction

Campsurf is currently contracted to run the Parks and Recreation summer surf lessons and classes for the city of Manhattan Beach at the south side of the pier. In addition, we will offer the following surf programs under this contract:

  - Private Surf Lessons (Walk-up and pre-scheduled)
  - Group Surf Classes
- Merchandise (optional)

We can offer merchandise sales including Campsurf / Manhattan Beach T-shirts, hats, rashguards, etc.
- Information

Campsurf will act as an information source for beachgoers, directing them to local retail, dining, activities, etc.

### Facility

Initially our facility will include two, side-by-side shade canopies, branded Campsurf, with descriptions of our offered services. Additionally, we will have hanging banners with descriptions of our services and 10ft flags attached to the canopies to attract passerby's. The facility is completely mobile and will be taken down each night. Total cost of the facility is \$1,200 and no installation is required. Below is an example of our tent canopy. Verbiage will be changed to include rentals and other services.

We have devoted a lot of time and money into creating a mobile operating system to run our Campsurf programs. This system will allow our staff at the facility to use an iPad to process cash, check and credit card payments for products and services. The system keeps track of every service and allows for simple reporting on a daily, weekly or monthly basis. Clients can also sign liability waivers on the iPad as well as register for future services. The system operates over a data network so no wi-fi or power is necessary.



### **Days and Hours of Operation**

The facility will operate 7 days a week, 9AM to 7PM, from June 20<sup>th</sup> through September 7<sup>th</sup>. The facility will be open weekends starting May 23<sup>rd</sup>. Should we feel demand exists mid-week prior to June 20<sup>th</sup>, we will assign staff and operate the facility during that time.

### **Marketing and Advertising Plan**

Through our research, we have found that approximately 40% of our participants hear about us through various online search engines. We understand the value of an exceptional online presence so we are constantly updating our website with content, features, posts, photos, etc. to draw more traffic. We budget \$300 a month for search engine optimization and recently hired a part time social media expert to create and manage our Facebook, Twitter, Instagram and YouTube accounts. We will customize our website specific to our new facility at the Manhattan Beach Pier.

The majority of our participants hear about us through word of mouth, almost 50%. This keeps us motivated to constantly find ways to improve our services for our clients. For us, our service includes everything from finding us, having your questions answered, registering, participating in the service and follow-up on the services rendered.

Constant contact is a huge tool for us to communicate with participants. We send monthly email blasts to participants, past and present, and bi-weekly emails come summer time. Each participant receives a follow-up email after each of their services expressing gratitude for choosing Campsurf and asking them to share their experience with us on our social media pages.

Over our 20 years of operation in Manhattan Beach, we have developed strong relationships with local businesses and have created a significant referral network. We will extend those to include our new facility as well as distribute Campsurf banners, flyers and postcards to these local retail stores, restaurants, and real estate offices in Downtown Manhattan Beach.

Below is a list of our online resources:

- Website: [www.Campsurf.com](http://www.Campsurf.com)
- Facebook: [www.facebook.com/Campsurf](http://www.facebook.com/Campsurf)
- Instagram: [www.instagram.com/Campsurf](http://www.instagram.com/Campsurf)
- YouTube: [www.YouTube.com/Campsurf](http://www.YouTube.com/Campsurf)
- Twitter: [www.Twitter.com/Campsurf](http://www.Twitter.com/Campsurf)

### **Insurance**

Our current Campsurf operations require us to carry the following policy, which is valid for the year and is renewed annually.

*Comprehensive General Liability:* We carry General Liability in the amount of \$1,000,000 with a \$2,000,000 aggregate and an Additional Insured (AI) naming the City of Manhattan Beach (or whatever entity is required by this license) as an additional insured.

*Automobile Liability:* \$1,000,000 limit for bodily injury and property damage, in combined or equivalent split limits, for each single accident. Insurance covers liability arising out of Campsurf's use of autos pursuant to our license, including owned, leased, hired, and/or non-owned autos, as each may be applicable.

*Workers Compensation:* We also carry a workers compensation policy for all our Staff through our Payroll company and State Fund.

### **Proposed Lease/Rent Percentage**

For the initial year, we propose a lease fee of 15% of gross revenue collected from operations at the proposed facility. As it is the first year at this location operating this type of business, we feel this is a mutually beneficial structure. We feel we can generate revenues that will produce a fee to the Licensor in excess of \$2,500 per month, especially in the months of July and August.

Campsurf will provide a detailed breakdown of revenue collected from this facility along with a check for full payment within the first 7 business days of the following month. This report can be detailed to include revenue broken down by service category, if preferred.

### **Contract Exceptions**

We proposed a schedule change in May and early June based on demand for full day operations mid week. We are willing to operate as requested, if preferred by the Licensor.

For safety purposes, we will not be offering Stand Up Paddle services at this facility. Stand Up Paddleboards are extremely dangerous due to their size and weight and should not be used in an area with breaking waves. Their use anywhere near the Manhattan Beach Pier during the summer months puts both the paddler and all swimmers/surfers at risk. If Campsurf is not issued this license, we highly advise the Licensor to exclude SUP from the licensee's service offering.

## **Business Information**

### **Contact Information:**

Tommy Ostendorf  
504 N. Broadway  
Redondo Beach, CA 90277

### **Type of Business:**

S-Corp

### **Corporate Officers:**

Tommy Ostendorf  
Chris Brown  
Mark Gerold

### **Operational Experience**

Campsurf has been operating in the South Bay area of Los Angeles County since 1997. Our programs were created by LA County Lifeguards and watermen to provide a safe, educational and fun surf, beach and ocean experience for visitors and residents of the area. Campsurf was named "Los Angeles' Premier Surf School" by the Los Angeles Business Journal and is the official surf school of the City of Manhattan Beach, operating the Surf Classes and Surf Camps for the city's Recreation Department since 1997. We have been featured on ESPN, Fit TV, K-CAL Channel 9, the nationally broadcasted CBS Morning show, HD Net's "Get Out!" and the nationally syndicated TV show "The Doctors". Campsurf is also the surf school partner of the Jimmy Miller Memorial Foundation, a non-profit 501(c)(3) that works with the Wounded Warriors Battalion, VA and at-risk youth facilities to promote the healing powers of surfing and the ocean environment.

## Partnerships

In 2012, Campsurf partnered with BeachSports to manage, improve and grow their business. BeachSports provides youth beach activity and ocean safety programs with locations in Newport Beach, Corona del Mar, Hermosa Beach, Redondo Beach and Manhattan Beach. BeachSports has been operating camps in Newport Beach for 9-years under the direction of Jack Tingley.

We also recently partnered with Body Glove International, which gives us access to top quality surfboards, wetsuits, rashguards, shade tents and more at competitive prices. We receive support from other well-known brands, including GoPro, Globe Shoes, Fresh Brothers Pizza, John Wayne Cancer Society, Dizm Eyewear, Zico Coconut Water and JS Surfboards.

## Operation Locations

Campsurf currently holds two beach use permits in Manhattan Beach at Rosecrans Avenue. Our private lesson permit allows us to accommodate groups of up to 30 surfers in the water at a time and our camp permit allows us 25 campers in the water and 50 on the beach at any given time. Campsurf also has a contract with the City of Manhattan Beach to run their Parks & Recreation surf classes and camps, which it's held since 1997.

Our recent management contract with BeachSports has expanded our Camp management reach to 9 additional locations under the BeachSports/PCH Skate Camps name.

## Program Specialty

Campsurf specializes in providing quality surf instruction at a level of professionalism that exceeds the expectations of our clients. We strive to make the entire surfing experience, from registration to final wave, an enjoyable one. For over 18 years we have provided our clients, whether private lesson adults or youth campers, with the knowledge and skills necessary to safely and confidently ride waves on their own. Our low instructor to surfer ratio of 1:4 in all our programs guarantees personal attention and instruction. All of our instructors are experienced watermen and women and accomplished surfers who have completed our detailed training program.

## Staff Screening Process

All of our staff are CPR and First-Aid certified and we process a criminal background check on each member through a government service online. We also have a training process each staff member must undergo prior to being hired.

## References

**Name:** Russ Lesser

**Title:** President, Body Glove International; Former Mayor of the City of Manhattan Beach

**Services Performed:** Surf instruction for various non-profit events sponsored by Body Glove, including the Jimmy Miller Memorial Foundation.

**Phone:**

**Email:** Russ@Bodyglove.com

**Name:** Deborah Hom

**Title:** Recreation Supervisor

**Services Performed:** Campsurf has held the contract to operate all surf lesson and camp programs for the City of Manhattan Beach Parks and Recreation Dept. since 1997.

**Phone:** 310-802-5413

**Email:** dhom@citymb.info

**Name:** John Kim

**Title:** Dean of Admissions at Harvard Westlake School, Westwood, Los Angeles

**Services Performed:** Campsurf has coordinated and conducted year-round private surf camps, classes, lessons, retreats and fundraisers for the Harvard Westlake School for since 2005.

**Phone:** 310-274-7281

**Email:** JKim@HW.com

**Name:** Terry Yamamoto

**Title:** Chief of Lifeguards Los Angeles County

**Services Performed:** Campsurf has operated on LA County beaches since 1997 and has maintained it's excellent reputation amongst lifeguards

**Phone:** 310-372-2166

**Email:**

**Name:** Steven Napolitano

**Title:** Future Supervisor for the 4th District of LA County

## Community Impact

### Addressing Resident Concerns

As discussed above, residents are our word-of-mouth advertisers who make up almost 50% of our business so it is in our best interest to ensure we are on good terms with them at all times. We will adapt however necessary to alleviate any and all concerns. Regarding our impact on the surfing community, we are surfers as well and understand the frustrations of over crowding in the lineup. Our staff will always look for the least crowded areas within our permitted area to conduct lessons and direct renters. We want to avoid any crowds for safety reasons. In the event of a conflict, our instructors are trained to conduct themselves as if they are speaking with an authority figure; "yes, sir", "I'm sorry, ma'am", "We will move right away", etc.

### Proactive Communication with Residents and Businesses



At the sign of any conflict, we will search for a solution. We want to have a positive impact on all members of the community and will adapt however necessary to ensure harmony in our areas of business. At no point do we ever want to be “those guys” and we will be proactive about maintaining positive relationships with surrounding residents and businesses.



Campsurf Van in Los Angeles

## Additional Materials

### Testimonials

Given the fact that both my wife and I work full time, summer camps are a way of every summer day life. My son, Malcolm, has been to probably 10-15 different camps over the past 5 years, many of them beach camps. Of all of the beach camps, the camp my son enjoyed the most was undoubtedly Campsurf. Not only did Malcolm enjoy Campsurf, but got the most out of it compared to other summer camps. Campsurf was more than just camp, it was a place where my son learned about water safety, keeping our beaches clean, the importance of surf – related humanitarian efforts like Surf Aid, where swells come from and why waves do what they do, respect for other surfers and beach-goer, plus much much more, all while learning how to surf. The instructors were kind, fun, helpful and informative...so much that Malcolm now participates in the Campsurf After School programs. Businesses like this are crucial to bringing our children up in and around the water. It's a fun, safe and educational place for our kids to grow into becoming responsible surfers and beach-goers.

- Jeff Cutler

Being from Idaho I had no idea what to expect from a surf school I just picked off the web but I only had a few hours in LA and wanted to learn how so I decided good or bad I would just do it. My surf instructor, Kyle, met me in the parking lot at Manhattan Beach, got me into a good wet suit and ran me quickly through some basics on the sand. I was in the surf quickly and ready to catch a wave. Kyle was really positive as I wiped out a couple of times (giving me pointers along the way) and soon I was riding each wave I caught back to the beach. Kyle's attitude was great, he was really encouraging and made me feel comfortable being a newbie. I highly recommend Campsurf and highly recommend Kyle. Now, I just need to find a good place to surf in Idaho.

- Quinn

Having a child diagnosed with autism, has lead to its fair share of heartache and disappointments. Perhaps most difficult has been attempting to find after school programs and camps that have the patience to deal with these unique and wonderful kids. That is why, I can't state strongly enough the positive and beneficial experience that my son is having at Camp Surf. To say that it exceeded our expectations would be a tremendous understatement. My son, who was initially reluctant to attend the surfing lessons, quickly became enamored with surfing and bonded immediately with the staff. The instructors all seem personally vested in the development and success of every student, while making the experience fun and enjoyable. There is no pressure for performance here, just encouragement and camaraderie. Since attending Camp Surf, I have noticed improved confidence in my son and his true desire to continue with the sport. I could not have dreamed of a better scenario. This is why I give Camp Surf my highest recommendation and thank Chris Brown the Executive Director of the Program for his dedication to helping others and instilling to his students a passion for the great sport of surfing.

- Kathryn Novakovic

Thank you for making my bachelorette memorable and amazing for everyone! All the Campsurf instructors are AMAZING! They take the time with each surfer to be sure they are knowledgeable and safe in the water and put everyone at ease so you are able to focus on what it's all about... Having a great time and experiencing surfing! We will all be back soon to surf with you!!! Thanks again!

- Carly

I wanted to send you a note to thank you for doing such a great job with Kevin last week. He REALLY didn't want to go, but I didn't know that until after I set it up. He doesn't like to try new sports and is afraid of sharks. Of course he had a great time surfing with you anyways. He told me afterwards how much he liked it. He also talked about how much he liked it when his cousin came the next day too. I knew if anyone could get him in water it would be you.

- Wendy

I just want to say how pumped I am on everything you and the team have done for Mac. He honestly enjoys surfing more than any other sport...how lucky am I? I attribute that all to you guys. THANK YOU!!!! Please pass the thank you along to Jason and the others who help make each Friday something to look forward to.

- JC

Hey guys, Just wanted to let you know that we had an awesome experience this week! Taylor Hein was amazing, working with my 9-year-old daughter, Callie. He taught her so much in such a short time. She now feels totally safe and confident in the water - and I can assure you that a lifelong surfer has been born!

Taylor went above and beyond to make this the best possible experience for Callie in every way. Can't tell you how much I appreciate that! Also, your customer service across-the-board was excellent. We will be back all summer for Camp! Kudos to running such a first class operation. All the best,

- Tina

Dear Tommy, You not only answered my questions, but you did so very promptly - Thank you! Unlike your competitors, you answered the phone when I had called and my inquiries were addressed efficiently and professionally. Also, I found your website to be easy to navigate and very well designed. I will be booking my private lesson with Campsurf today. I look forward to my first surfing experience during my maiden voyage to L.A this weekend. See you soon,

- James

March 19, 2015

**Subject: Request for Quotation #1038-15 – Beach Equipment Rentals & Information Center**

The City of Manhattan Beach (“City”) is soliciting quotations from qualified firms to provide beach equipment rentals of one or more of the following: surfboard, stand up paddle board, bicycle, etc., as well as information center for beach goers at the south end of the Manhattan Beach Pier.

**Background**

The City of Manhattan Beach is located within the southwestern coastal portion of Los Angeles County in what is commonly referred to locally as the “South Bay” area. The City is 3.88 square miles in size, with 2.1 miles of beachfront. For additional information about the City, click on: <http://www.citymb.info/>

The following features characterize the area surrounding the designated location for the beach concession:

- 16 sand volleyball courts
- Restrooms
- State pier
- West break surf spot
- Public Parking for 118 vehicles
- Destination for bicyclists from Redondo Beach to Santa Monica along the bike path

**Scope of Services**

The City of Manhattan Beach is seeking to contract with one business that has experience offering beach and water activity rental equipment. The available space is a sandlot (see Attachment A) with no power or water. While a final Agreement of Services will be crafted upon selection of a business, the City anticipates that the Scope of Work submitted through this process will, at a minimum, address all of the following components. The City is also open to suggestions for additional items and articles to be considered for the concession services. The City shall have the sole discretion as to whether or not to permit such items. The estimated timeframe to begin services is May 22, 2014 and end after Labor Day.

1. Provide a portable facility to operate the concession. The business shall provide a detailed facility design with sensitivity to the aesthetics of the area.
2. Business shall ensure equipment is maintained in a good condition and replaced as necessary in order to provide safe and presentable equipment to beachgoers.

3. Business must ensure the sandy lot is free of trash and debris. In addition, vendor is responsible for ensuring the lifeguard safety zone is open at all times.

### **Business Terms**

The City of Manhattan Beach Parks & Recreation Department Staff will negotiate an operational agreement with the selected party or parties based on the following terms:

1. Term: The selected concession will be granted an initial one (1) year term with the possibility of four (4) additional one-year extensions for a total contract term of five (5) years).
2. Consideration: percentage of gross sales (last year, the City realized \$2,500 per month)
3. Required Insurance: See attached sample contract.
4. Hours of Operation: The beach is open from dawn until 10:00pm year-round, however, the concession is required to be open beginning Memorial Day weekend through Labor Day. The City recommends the hours of operation to be Tuesday through Sunday, 9am to 7pm. Concessions must be closed during major events, including the International Surf Festival and the Manhattan Beach Open.

### **Technical and Fee Proposal Information**

The contents of the proposal shall be submitted in the order as specified below. The proposal shall include, at a minimum, the following information listed below in the same order as requested:

1. Business Concept and Plan
  - a) Please define service(s) business you would like to operate. You may propose any combination of services, as well as others not included in this solicitation, subject to approval by the City.
  - b) Submit a description and rendering of the facility, include design elements and signage. In addition, provide a cost estimate and timeline for facility installation.
  - c) List of proposed days and hours of operation
  - d) Outline a marketing and advertising plan.
  - e) Certify that all insurance requirements can and will be met.
  - f) Indicate proposed lease/rent percentage.
  - g) Contract Exceptions – Provide any proposed exceptions, additions, and/or deletions to the City's request for proposal and/or Professional Services Agreement. Proposed exceptions will be considered on a case by case basis, but there is no guarantee that proposed exceptions will be accepted by the City.
2. Business Information
  - a) Contact information, including name, address, email address and phone #
  - b) Type of business entity, sole proprietor, partnership, corporation, etc.
  - c) Corporate officers, if applicable
  - d) Experience and qualifications of business including length of time in business and locations at which the proposer has operated a similar service.

- e) References – Please provide a list of references where similar work of similar size and nature is currently in process or recently completed. Include name of firm, telephone, and name of contact person. These references will be checked and may affect the award of the contract. The City of Manhattan Beach reserves the right to contact any of the organizations or individuals listed or any others that may stem from the inquiry.
- f) Describe how employees are screened.

### **Award**

The City will review the quotes received to determine if further negotiations for an Agreement are warranted. If a decision is made to proceed, the City may enter into negotiations with the firm providing the highest return for the subject services. Should City staff and the selected firm be unable to reach an agreement, negotiations with that firm will be terminated. Negotiations will then commence with the next highest firm from the list, and so forth, to determine if an agreement can be reached and a firm is selected. The City reserves the right to make no award.

### **Contract Termination**

The City of Manhattan Beach may terminate without cause at any time upon thirty (30) calendar days advance written notice, delivered as certified mail by the United States Postal Service. In no event shall the City be liable for any loss of profits on the resulting term of the contract. The Contractor may cancel the contract upon 30 days written notice.

### **Licenses**

Contractor shall be responsible for all licenses and permits required to perform this work in accordance with Federal, State and local requirements and shall be responsible for all fees resulting there from.

### **Payment**

Payment will be made to the City on a monthly basis.

### **Insurance Requirement**

The Contractor shall, at its own expense, procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Agreement by the Contractor, its agent, representatives, employees, or subcontractors.

### **Professional Services Agreement**

No agreement shall be binding upon the City until a Professional Services Agreement is completely executed by the Contractor, City Manager, and approved by the City Attorney. Failure to execute and return the contract agreement and acceptable insurance documentations in a timely manner may be just cause for the City to rescind the contract offer.

### **Bidder Must Make Thorough Investigation**

It is the bidder's responsibility to examine the location of the proposed work to fully acquaint themselves with the specifications and the nature of the work to be accomplished. Proposers shall have no claim against the City based upon ignorance of the nature and

requirements of the project, misapprehension of the site conditions, or misunderstanding of the specifications or contract provisions

If your company is able to provide the above-described concession, you may email your response to [geng@citymb.info](mailto:geng@citymb.info) by end of business, Thursday, April 9, 2015. Please email me directly if you have any questions regarding this RFQ. Thank you for considering this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Geng" followed by a stylized flourish.

Purchasing Manager

Attachments

City of Manhattan Beach  
Request for Quotation  
Beach Equipment Rentals and Information Center

**Attachment A – Aerial View of Pier**





### **Attachment B - Insurance Requirements**

A. Prior to commencement of work, and throughout the duration of the contract, will be required to procure and maintain all or apportions of the following insurance:

1. Commercial General Liability insurance, or its equivalent, with limits of not less than \$2 million per occurrence. If a general aggregate applies, either the general aggregate limit shall apply separately to this project/location or be twice the required occurrence limit. Such insurance shall be primary and not contribute with any insurance or self-insurance maintained by the City. Such insurance shall be endorsed to designate the City, its elected and appointed officials, employees and volunteers as additional insureds.
2. Business Automobile Liability insurance with limits of not less than \$1 million per occurrence. Such insurance shall include coverage for owned, non-owned, and hired automobiles.
3. Workers' Compensation insurance as required by California law and Employer's Liability insurance with limits not less than \$1 million per accident for bodily injury or disease. The workers' compensation insurance shall contain an endorsement stating the insurer waives any right of subrogation against the City, its elected and appointed officials, employees and volunteers.

B. Special Provisions Applicable to All Coverages

1. The policy must provide the City 30 days' notice of cancellation.
2. Self-insured retentions must be declared and approved by the City.

C. Evidence of Insurance: Prior to commencement of work, the Contractor shall furnish the City with certificates and specified endorsements evidencing compliance with these insurance requirements. The Contractor agrees to provide complete, certified copies of all required insurance policies if requested by the City.

D. Acceptability of Insurers: Insurance shall be placed with insurers that maintain an A.M. Best rating of A-VII or better; or otherwise meet the written approval of the City.

E. The Contractor shall ensure that subcontractors maintain insurance that complies with the requirements stated herein.



**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Bruce Moe, Finance Director

**SUBJECT:**

Final Review and Direction for the Fiscal Year 2015-2016 Budget Prior to Adoption (Finance Director Moe).

**DISCUSS AND PROVIDE DIRECTION**

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**RECOMMENDATION:**

Staff recommends that the City Council provide final direction for the Fiscal Year 2015-2016 budget to facilitate the public hearing and adoption of the spending plan at the June 16, 2015, City Council meeting.

**FISCAL IMPLICATIONS:**

There is no fiscal implication associated with the recommended action.

**BACKGROUND:**

Please find this link to the Proposed Fiscal Year 2015-2016 Operating Budget at <http://www.citymb.info/OperatingBudget> as supporting documentation for all budget sessions noted in this report.

Over the past several months, there have been a number of opportunities for community and City Council input into the FY 2015-2016 budget. These included:

January	Budget Process and Policies discussion
February	Community Survey
February	Mid-Year Budget and CIP review
March	Community Budget Priority meeting
May	Proposed Budget overview

Additionally, four Budget Study Sessions have been held:

- May 7 Police and Fire departments
- May 11 Parks and Recreation, Management Services, Human Resources, Finance and Information Technology
- May 21 Community Development and Public Works (including CIP)
- May 26 Study Session wrap-up/Independent Actuary report

**DISCUSSION:**

Tonight's discussion is designed for City Council to provide final direction prior to the scheduled public hearing and adoption of the spending plan at the June 16, 2015, City Council meeting. Any modifications to the proposed budget will be itemized in the adoption resolution and incorporated into the final budget published in July.

**PUBLIC OUTREACH/INTEREST:**

The schedule of budget meetings was published in advance in the Beach Reporter as well as on the City's website and social media outlets. Each study session was also Tweeted.

**CONCLUSION:**

Staff recommends that the City Council provide final direction for the Fiscal Year 2015-2016 budget to facilitate the public hearing and adoption of the spending plan at the June 16, 2015, City Council meeting.

**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Tony Olmos, Director of Public Works  
Juan Price, Maintenance Superintendent

**SUBJECT:**

Presentation of Draft Urban Forest Master Plan (Public Works Director Olmos).

**RECEIVE REPORT AND PROVIDE DIRECTION**

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**RECOMMENDATION:**

Staff recommends that the City Council:

1. Review the Draft Urban Forest Master Plan,
2. Provide direction on comprehensive tree maintenance program, and
3. Provide feedback on developing guidelines to formally identify significant and/or high value trees, streamlining current municipal codes, and completing a citywide canopy study every 5 years.

**EXECUTIVESUMMARY:**

As part of the 2013 Strategic Plan, staff prepared a Citywide street tree inventory and presented the findings to City Council in February 2014. At that meeting, staff was directed to prepare a Street Tree Master Plan, now titled the Urban Forest Master Plan (UFMP), as it includes trees planted on medians, parks and City facilities as well.

Davey Resource Group was selected to create the UFMP. The draft UFMP was created through analysis of the current tree inventory, tree related Municipal Code review, community input, and stakeholder input. The overarching goal is to establish and refine tree maintenance practice and policy over the next 25 years.

As part of the UFMP, Davey included a comprehensive review of the data gathered through the current tree inventory and quantified its value and benefits. The Resource Analysis estimates the current replacement value of City owned trees at \$20.6 million dollars. Quantified reduction of air pollutants such as ozone and sulfur dioxide are identified, including atmospheric CO2 sequestration. Additional identified benefits include reduced use

of electricity, natural gas and stormwater interception by City trees.

In order to streamline and modernize the City's urban forest management practices and implement the UFMP, there are several key policy decisions that require City Council consent. Major decision points include upgrading a currently vacant maintenance worker position to that of Urban Forester (in proposed fiscal year 15-16 operating budget), assumption of tree maintenance duties for all City trees, including those currently maintained by residents, identification of high value and heritage trees, and potential revision of current tree related Municipal Codes.

**FISCAL IMPLICATIONS:**

There is no immediate fiscal impact associated with this action. At this time, it has not been determined if the proposed tree maintenance work would be City funded, and if costs would be recovered similarly to the current sidewalk repair program, or through a yet to be determined mechanism. Should the City Council direct staff to assume responsibility for the maintenance of public trees currently maintained by adjacent property owners, staff would need to develop detailed cost estimates and request for an appropriation at a future City Council. A ballpark estimate for this cost is \$300,000 per year and would be expected to go down over time as trees will be trimmed according to growth rate and will be under regular professional inspection.

The proposed cost to convert a currently vacant Maintenance Worker II position to that of Urban Forester is included in the proposed FY 15/16 Public Works Operating Budget. This position is recommended in the operating budget irrespective of the approval of the Urban Forest Master Plan.

**BACKGROUND:**

As part of the 2013 Strategic Plan, Public Works was tasked with conducting an inventory of all City maintained trees. The inventory was to include all street trees within the public right-of-way, including those currently maintained by adjacent property owners. Walkstreets were excluded, as the current Municipal Code does not allow for vegetation exceeding 42" in height in the easement area. The citywide street tree inventory was completed and presented to City Council on February 4, 2014.

At the same February 4, 2014 City Council meeting, staff discussed and recommended that the City should undertake the preparation of a Street Tree Master Plan. Advantages discussed included providing a uniform approach to tree management for all trees in the public right-of-way, defining the comprehensive purpose and goals for a managed urban forest, and defining a comprehensive tree care and maintenance program. On September 2, 2014, City Council authorized staff to solicit proposals to develop a Street Tree Master Plan.

At the January 20, 2015 regular meeting, City Council approved the selection of Davey Resource Group as most qualified to develop the Street Tree Master Plan due to their level of experience, technical ability, in-house resources and City review of previously developed street tree master plans. In addition to technical expertise, Davey Resource Group displayed a keen understanding of the need for community engagement and was the strongest of the presenters.

The draft UFMP has been developed through input received at three community meetings, an online survey, stakeholder interviews, analysis of the current City owned tree inventory, and review of current tree related ordinances.

The draft plan includes a Resource Analysis, Tree Palette, and a list of Goals and Objectives to plot out a tree maintenance program over the next 25 years. Some goals and objectives require City Council approval as they require changes to current policy.

## **DISCUSSION:**

### **Resource analysis**

Davey Resource Group initial step was analysis of the City provided street tree inventory as received from West Coast Arborists and report development. Davey used software developed by the United States Department of Agriculture known as i-Tree. This software uses region specific data to apply metrics and place monetary valuation on the environmental and aesthetic benefits of urban tree inventory. Some highlights contained within Davey's analysis:

- The calculated replacement value of the urban tree asset is \$20.6 million dollars and is estimated to provide \$3.1 million in annual benefits (\$88 per capita). Benefits include air quality improvements, energy savings, stormwater runoff reduction, atmospheric pollutant reduction, and improved aesthetics. For every \$1 invested in the community urban forest, Manhattan Beach receives \$5.99 in tangible benefits.
- Overall, the community urban forest is reducing electric energy consumption by 292 MWh and natural gas consumption by 2,121 therms annually, for a combined value of \$42,933. In addition, these trees are removing 2,767 pounds of pollutants from the air, including ozone (O3), nitrogen dioxide (NO2), sulfur dioxide (SO2), and particulates (PM10) for an overall annual air quality benefit of \$121,943.
- Canopy from the inventoried population is estimated to cover nearly 55 acres, or 2.1% of the City's overall land area. This canopy reduces annual stormwater runoff by more than 3.3 million gallons and protects local water resources by reducing sediment and pollution loading. To date, community trees have sequestered 3,240 tons of CO2. They continue to sequester an additional 447 tons of CO2 each year for an annual net benefit valued at \$13,397.
- The community urban forest in Manhattan Beach is well established and in good condition overall. The resource has a predominance of established young trees, with 58% of trees 6"-12" DBH. With proper planning and management the benefits from this resource are expected to increase over time. Regular inspection and proactive maintenance will ensure the preservation of existing benefits, support individual tree longevity, and help manage risk.

### **Public Outreach**

#### **Community meetings**

Three public meetings were held, March 12, March 24 and April 22, 2015. Davey presented an overview of the process that would be used to develop the UFMP and received input via

ranking charts, where participants ranked various tree related issues in order of importance by placing colored dots of various colors dependent upon respondent level of support.

The majority of participants supported high species diversity and did not favor tree monocultures. The majority of participants also supported optimal tree care. There was also support for additional tree planting on streets and greenbelts. (Veterans Parkway)

### **Online survey**

Davey developed an online survey which was available online for 30 days, in which participants were asked to provide feedback on 20 different topics, including:

- Which tree benefits were most important
- Perceptions of the current urban forest program
- Whether the city needs more trees
- Whether trees need more, or a different kind, of maintenance
- Participant demographics

Analysis of the survey data reflected a variety of opinions. For example, 50% of respondents felt air quality benefits were most important, while other environmental concerns ranked lower. 67% strongly agreed trees were important to quality of life. 61% of respondents felt the City needed more trees in open spaces and natural areas. 56% of respondents either agreed or strongly agreed that they were satisfied with the current level of tree care. 47% were unaware the City had an urban forest program. 78% responded that education and outreach were the best way to encourage private tree planting and preservation.

The UFMP contains the detailed results of the survey and includes comments posted by respondents.

### **Stakeholder interviews**

Staff directly involved with tree issues in the course of their work with the Public Works Parks and Recreation, and Community Development departments completed questionnaires and/or were interviewed and asked to identify issues and challenges encountered with the City's current tree program. This included comments frequently received from residents during the course of their work. Issues and current practices discussed included tree and hardscape conflict management, tree preservation, line of sight / view issues, abatement, removal guidelines, and departmental overlap to name a few.

Also noted was the redundancy of site visits, especially when private tree removal requests were being assessed. In order to determine if tree removal would be allowed, there was often confusion regarding removal threshold requirements especially where hardscape damage was concerned.

### **Development of Goals and Objectives**

Staff has isolated 5 objectives derived from the 9 major goals identified in the UFMP that constitute policy decisions requiring City Council approval prior to implementation:

- Creation of an Urban Forester position (included in proposed fiscal year 15-16 operating budget)
- City assuming responsibility to manage parkway trees
- Developing guidelines to formally identify significant and/or high value trees



- Streamlining current municipal codes
- A citywide canopy study

### **Creation of an Urban Forester position**

Managing the City's trees is a substantial body of work, involving both tree and vegetation management. These duties are currently carried out by multiple staff members in two departments. A dedicated professional is needed to bring consistency through modern standards to the City's tree management program. Tree-specific knowledge of various species and their characteristics, infrastructure conflict management, immediate customer access, standards development, plan review and inspection are all more efficiently and expertly dealt with by a dedicated tree professional acting as a single point of contact for all tree related issues.

The UFMP calls for a comprehensive tree management program, which will include contract development, quality assurance to ensure trees are trimmed to industry standards, permitting, community outreach, continued program development, vegetation management and compliance issues for traffic line of sight, vehicular and pedestrian clearance issues and tree database management to name a few.

City Council approval to upgrade the current vacancy in Public Works provides a fundamental structural element of the UFMP and creates a dedicated avenue to address the remaining goals and objectives. The upgrade of the current vacant Maintenance Worker II position to Urban Forester is recommended for approval in the proposed fiscal year 15-16 operating budget irrespective of the approval of the UFMP.

### **City assuming responsibility to manage privately maintained public trees**

The UFMP identifies the current maintenance variability of privately maintained public trees. Because of this variability in care, a unified approach and adherence to developed standards cannot be ensured. By assuming "cradle to grave" management of these trees, systematic care over the life of public trees is ensured.

Should the City assume maintenance responsibilities of public trees, there is also the potential to enhance the City hardscape management program. Many instances of displaced sidewalks are directly attributable to root intrusion from both public and private trees in close proximity to concrete infrastructure.

A fully developed tree care plan would identify problematic trees, weigh preservation vs. removal, and potentially phase out problematic trees over several years. A formula could be developed that might include current and anticipated repair cost thresholds, structural issues, and the overall value of a particular tree.

Assumption of tree care would allow proper action at specified intervals to maximize benefits and reduce overall costs. For example, the UFMP points out that properly managed care of young trees is a cost effective way to reduce future costs for corrective treatment. Should the City properly manage tree care from initial planting through obsolescence by means of regular inspections, appropriate trim cycles can be developed in which clearance trimming intermixed with periodic maintenance trimming, enhance tree health and minimize vehicle and pedestrian conflicts. A fully developed program as described would also act to contain

costs and only trim trees as often as needed.

**Developing guidelines to formally identify significant and/or high value trees**

The identification of high value or significant trees would allow staff to quickly trigger practices and policies that would bias tree preservation over development or maintenance. These specific trees would in part remove a level of subjectivity currently required when assessing tree removal requests and or development rules.

The guidelines would be developed by analyzing data available through the resource analysis and develop criteria taking environmental benefits, monetary value, and aesthetics into consideration when formally recognizing these trees.

Unique approaches to sidewalk construction could be investigated and developed, including flexible sidewalks, pavers or other means as they become available.

**Streamlining current Municipal Codes**

Davey’s review of the current Municipal Codes indicates that they require little revision. Davey has highlighted suggested language changes, which include potential clarifications, commenting on referring to International Society of Arboriculture (ISA) best management practices (BMP), especially regarding tree protection during construction.

There may be changes required to landscaping and irrigation standards contained within 7.32.080 Section E Landscaping and Irrigation to ensure our planting standards remain consistent with mandated water conservation rules. There are also suggestions to keep nomenclature consistent and enhance definitions for clarity, such as defining “parkway”.

**A Citywide canopy study**

The City owned tree canopy comprises an estimated 2.1% of the total area of Manhattan Beach, a small portion of the overall tree canopy of the City. A canopy study utilizes aerial imagery or i-Tree Canopy software to determine the coverage of the existing tree canopy, and if completed on a regular periodic cycle, can determine if there is an overall increase or decrease of the tree canopy. The data can then be used to manage land development rules that preserve or enhance the overall percentage of tree cover in the City or reach a specific coverage goal, citywide or by specified geographic area. The UFMP calls for this study to be performed once every five years.

**POLICY ALTERNATIVES:**

**ALTERNATIVE #1:**

Deferring the assumption of maintenance for privately maintained public trees

**PROS:**

Tree maintenance duties remain the responsibility of adjacent property owners, vegetation management and compliance issues remain status quo and are reactive in nature.

**CONS:**

Should the City decline to manage public trees currently maintained by private property owners, the City cannot proactively preserve or enhance the benefits of the City’s tree asset. Programs designed to address problematic trees, standardized trim cycles, enhanced tree

health and liability exposure mitigation become difficult to implement. Reduced opportunity to holistically manage maintenance of the public right of way (trees, sidewalks, development standards) and continued friction between staff and residents.

**ALTERNATIVE #2:**

Decline guideline development to formally identify significant and/or high value trees

**PROS:**

Allows the City greater flexibility in making case by case decisions regarding tree preservation and maintenance standards.

**CONS:**

By identifying significant or high value trees in advance, there are assumed expectations from all parties involved as to direction and outcomes associated with specific trees, namely all decisions will be biased towards tree preservation. Significant and high value tree identification guidelines assumes that alternative pavement treatments will be developed and well defined preservation standards will be in place.

**PUBLIC OUTREACH/INTEREST:**

Staff has detailed the Public Outreach completed in the Discussion section of this report. In summary, during the course of this project, staff held three community meetings, set up a project specific email address, utilized print media to advertise meeting dates and promoted online survey participation, set up a project web page and made use of social media to advertise meeting dates and the online survey.

**CONCLUSION:**

At an estimated value of \$20.6 million dollars, the City tree resource is a significant asset with quantifiable benefits. The UFMP represents a departure from current tree care practice and policy, implementing modern urban tree management. Full adoption will require policy changes to be enacted by the City Council, including the maintenance of public trees currently maintained by private property owners. As drafted, the UFMP establishes tree maintenance policy and practice for the next 25 years, seeking to improve the quality of the urban tree resource. A periodic review is part of the UFMP to ensure goals and objectives are reviewed and incorporated into the work plan. Staff recommends that the City Council adopt the UFMP and to direct staff to include any modifications and implementation timelines for inclusion in the final document, which will be submitted to the City Council at a future date.

Attachments

1. Draft Urban Forest Master Plan
2. Resource Analysis
3. Draft Plant Palette
4. Municipal Code Markup



City of Manhattan Beach

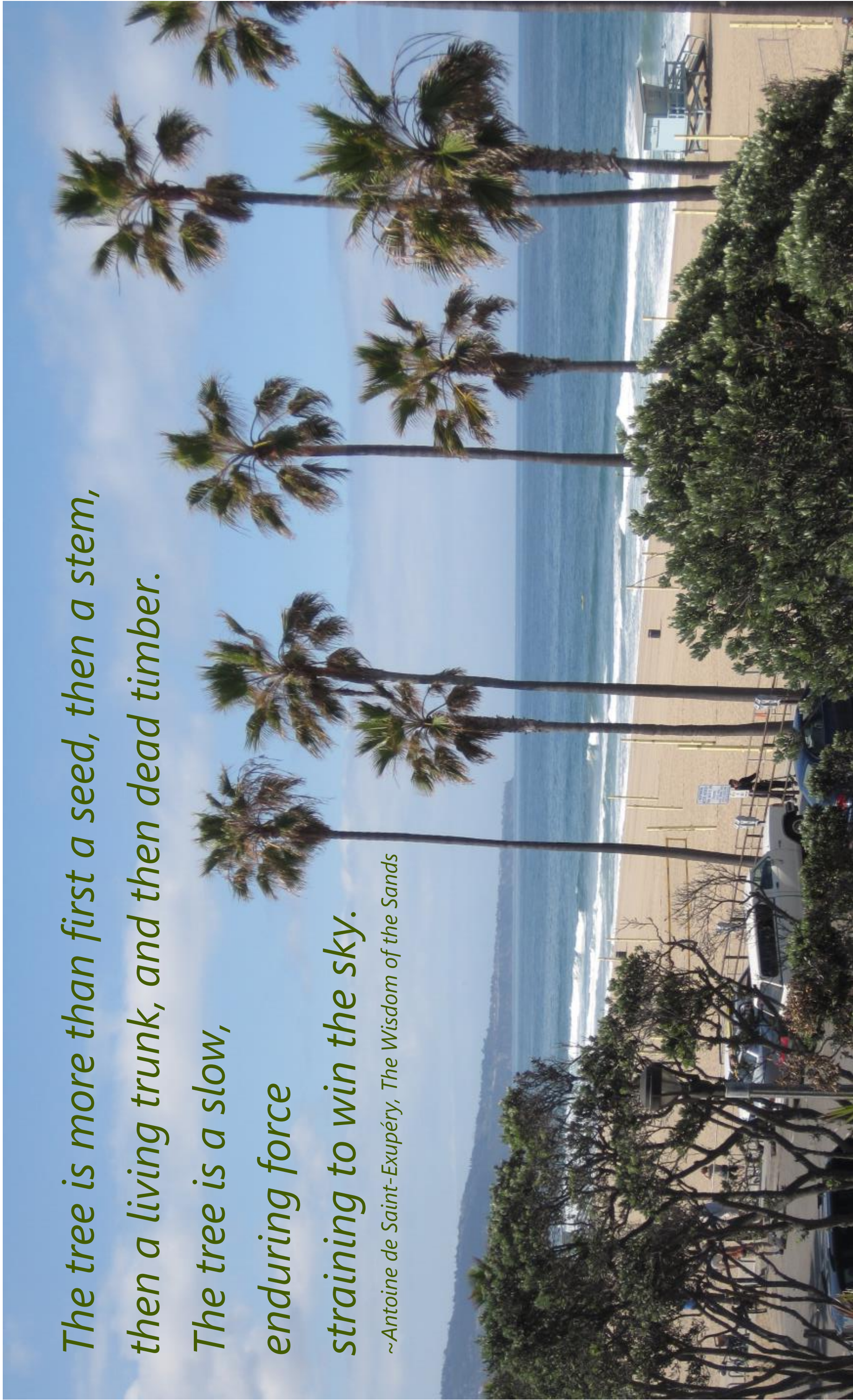
# Urban Forest Master Plan

Planning for Beauty, Benefits, and Sustainability



*The tree is more than first a seed, then a stem,  
then a living trunk, and then dead timber.  
The tree is a slow,  
enduring force  
straining to win the sky.*

*~Antoine de Saint-Exupéry, The Wisdom of the Sands*



# City of Manhattan Beach Urban Forest Master Plan

## Planning for Beauty, Benefits, and Sustainability

2015



Prepared for:

City of Manhattan Beach

Public Works Maintenance Division

3621 Bell Avenue, Manhattan Beach, California 90266

310-802-5300

[www.ci.manhattan-beach.ca.us](http://www.ci.manhattan-beach.ca.us)

Prepared by:

Davey Resource Group

A Division of The Davey Tree Expert Company

6005 Capistrano Avenue, Suite A, Atascadero, California 93422

800-966-2021

[www.davey.com/drg](http://www.davey.com/drg)

# TABLE OF CONTENTS

<b>1</b>	<b>Scope &amp; Purpose</b>	
<b>2</b>	<b>Executive Summary</b>	
<b>4</b>	<b>Introduction</b>	
	Background	
	Mission	
	Guiding Principles	
	Community	
<b>6</b>	<b>Benefits of Urban Tree Canopy</b>	
	Air Quality	
	Water Quality	
<b>7</b>	<b>Carbon Reduction</b>	
<b>8</b>	<b>Energy Savings</b>	
	Aesthetics and Socioeconomics	
<b>10</b>	<b>What Do We Have?</b>	
	History of Urban Forestry in Manhattan Beach	
<b>11</b>	<b>Community Tree Resource</b>	
	Composition of the Inventoried Urban Forest	
<b>13</b>	<b>Community Tree Benefits</b>	
	Benefits Versus Investment	
<b>14</b>	<b>The Urban Forest Program</b>	
	Tree Planting	
	Tree Care and Maintenance Cycles	
<b>15</b>	<b>Program Funding</b>	
<b>16</b>	<b>Policy and Regulation</b>	
	Tree Protection	
<b>18</b>	<b>Community Outreach</b>	
<b>20</b>	<b>What Do We Want?</b>	
	<b>Community Participation</b>	
	Public Meetings	
	Online Survey	
	Interviews	
<b>21</b>	<b>Mission</b>	
<b>22</b>	<b>Plan Goals and Objectives</b>	
	Urban Forest Structure	
	Urban Forest Policy	
<b>23</b>	<b>Communicate a Focus on Benefits, Beauty and Sustainability</b>	
<b>24</b>	<b>How Do We Get There?</b>	
<b>25</b>	<b>Structure and Environmental Benefits</b>	
	Sustainable, Healthy and Safe	
	Preservation of Significant and High-Value Trees	
<b>27</b>	<b>Aesthetics and Socioeconomics</b>	
<b>28</b>	<b>Optimize Planting Space</b>	
<b>29</b>	<b>Comprehensive Policies and Procedures</b>	
	Comprehensive User-Friendly Regulations and Policies	
<b>30</b>	<b>Optimize Urban Forestry Programing</b>	
<b>31</b>	<b>Optimize Funding</b>	
<b>32</b>	<b>Focus on Beauty, Benefits, and Sustainability</b>	
	Optimize The Recreational Potential of public green spaces	
	Outreach and Education	
<b>33</b>	<b>Outreach and Education</b>	
<b>34</b>	<b>Preserve and Enrich Wildlife Habitat</b>	
<b>35</b>	<b>Review and Measure Attainment of the UFMP</b>	
<b>36</b>	<b>How Are We Doing?</b>	
	<b>Monitoring and Measuring Results</b>	
	Annual Review	
	Resource Analysis	
	Canopy Analysis	
	i-Tree Eco	
	State of the Urban Forest Report	
	Community Satisfaction	

<b>38</b>	<b>Appendices</b>
	<b>A. References</b>
<b>39</b>	B. Map Bibliography
<b>49</b>	C. Online Survey Results
<b>51</b>	D. Additional Public Comments
	E. Details
	Soil Volume and Tree Stature
	Alternative Planter Designs



# ACKNOWLEDGEMENTS

## City Council

### Mayor

Wayne Powell

### Mayor Pro Tem

Mark Burton

### Members

Tony D'Errico

David J. Lesser

Amy Thomas Howorth

## City Personnel

Juan Price, Maintenance Superintendent

Idris J. Al-Oboudi, Recreation Services Manager

Bonnie Shrewsbury, GIS Analyst

Laurie Jester, Planning Manager

## Community

Craig Crotty, Consulting Arborist

Manhattan Beach Residents

## Photos

City of Manhattan Beach

Manhattan Beach Historical Society

Davey Resource Group



# SCOPE & PURPOSE

The purpose of the Manhattan Beach Urban Forest Master Plan (UFMP) is to provide a framework for the long-term management and preservation of the community urban forest. The City of Manhattan Beach manages 11,575 trees in the public right of way, including 4,116 City-maintained trees and 7,459 public property or parkway trees that are, by ordinance, maintained by the adjacent property owner. The Plan recognizes the significance of environmental and socio-economic benefits from community trees and their relationship with community values and expectations for a high quality of life. This Plan is intended to support and guide urban forest programming over the next 25 years.

Specifically, the Plan aims to:

- Provide an overview of the existing public tree inventory, including species, age distribution, condition, and benefits provided
- Identify best management practices that support the health, benefits, and safety of the Community Urban Forest
- Ensure that tree protection ordinances and policies are clear, impartial, and supportive of community values and expectations
- Encourage community engagement, involvement, and appreciation for the urban forest and its environmental values
- Maintain a tree palette that complements community aesthetics and increases the resiliency of the urban forest to withstand drought, temperature extremes, pests, and disease
- Provide alternative planter designs to optimize below ground rooting area and promote the capture and retention of stormwater runoff
- Compliment the Manhattan Beach General Plan and other long-range and strategic plans, including the Veteran's Parkway Master Plan and the proposed Parks Master Plan

The Plan includes objectives and action strategies for long- and short-term goals in support of this purpose. It identifies appropriate resources to adequately manage community trees. It is intended to remain flexible and dynamic, exploring and implementing the recommended actions as funding and resources permit.

The development of the UFMP included a comprehensive review of existing policies and regulations, current funding and maintenance levels, analysis of the extent, condition, and composition of the existing resources (i.e., trees), stakeholder concerns, and community input.



# EXECUTIVE SUMMARY

Manhattan Beach's urban forest includes 11,575 publicly-managed trees on streets, in parks and at city facilities. In addition, privately-owned, established trees in front and side yards in the city's tree protection zone are protected by City ordinance. Along with their aesthetic contribution, these trees provide valuable and critical services to the community including benefits to air quality, water quality, energy savings, wildlife habitat, and socioeconomics. This Urban Forest Master Plan (UFMP) provides long-term management goals and vision for preserving and improving the health, value, and environmental benefits of this public resource.

The design of the UFMP document is based on understanding what we have, what we want, how we get there, and how we are doing. This dynamic approach, referred to as adaptive management, is commonly used for resource planning and management (Miller, R.W.) and provides a good conceptual framework for the process of improving urban forest management.

The plan development process involved a comprehensive review and assessment of the existing urban forest resource, including composition, value, and environmental benefits. This review found Manhattan Beach has a primarily established, young tree population in good condition, with good species diversity. The City's commitment to maintenance of the tree resource is apparent from the ongoing contracted regular maintenance of trees, on a 1-2 year cycle, infrastructure maintenance, and emergency response.

The process explored community values and vision, including those expressed in the Veteran's Parkway Master Plan Guidelines, and the report Working Toward a Greater, Greener Manhattan Beach, along with community design standards and existing regulations and policies that provide protection and preservation measures affecting the urban forest. This portion of the review found the existing reports internally consistent and supportive of preservation and enhancement of tree canopy in Manhattan Beach, while noting the community has several unique challenges related to trees which should be considered carefully if new tree sites are to be established.

The plan development process also evaluated funding and the current service levels for both in-house and contracted tree maintenance staff. The City's commitment to maintenance of the tree resource is apparent from the ongoing contracted regular maintenance of trees, on a 1-2

year cycle, infrastructure maintenance, and emergency response. In addition to maintenance staff, there are multiple stakeholders, internal and external, who play a role in the planning, design, care, and advocacy of the urban forest. These stakeholders include City departments, residents, and contracted tree care personnel. Each of these stakeholders played a role and provided input for the development of this plan. Generally, the community expressed support for enhancing and expanding the urban forest, but residents requested greater transparency and clarity in tree permitting and policies.

## What Do We Have?

Manhattan Beach City staff work to provide exemplary municipal services while preserving the small beach town character and enhancing the quality of life for residents, businesses and visitors. The community forest is an important element of the character, and contributes substantially to the quality of life.

The review process established that Manhattan Beach has strong regulation measures and protection requirements for trees, and a commitment to tree maintenance, balancing the interests of individual residents with the goals of the community as a whole. The community has a reputation for supporting environmental initiatives and many residents actively support continued and enhanced urban forest management.

The community urban forest is an established, relatively young population in good condition. Species diversity is nearly ideal with a wide range of species and genera. With continued maintenance and care, this resource has the potential to increase in value and provide even greater environmental and aesthetic benefits to area residents, visitors.

### Manhattan Beach's Urban Forest

#### Benchmark Values

##### Community Urban Forest

City Maintained Tree Population	4,116
Privately Maintained Tree Population	7,459
Total Tree Population	11,575
Replacement Value (2010)	\$20.6 million

##### Species Diversity

Total number of unique species	182
Prevalence of top ten species	46%
Species exceeding recommended 10%	0

##### Benefits

Total Annual Benefit	\$3.1 million
Annual Per Tree Benefit	\$266
Annual Per Capita Benefit	\$88

##### Urban Tree Canopy Cover (i-Tree Estimate)

Overall Canopy Cover	2.1%
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##### Environmental Benefits (i-Tree Estimate)

Overall Carbon Storage	\$13,397
Annual Air Quality Benefits	\$121,944



### What Do We Want?

Interviews with internal and external stakeholders, community meetings, and an online survey were conducted to determine strengths of the existing program and opportunities for development. In gathering this information, several common themes were apparent. Increased communication and clarity, continued and enhanced tree maintenance and preservation, and planting the right tree in the right place were identified as important to many key stakeholders. These concepts were used to shape the guiding principles and goals of the UFMP.

### How Do We Get There?

The UFMP identifies tree (3) guiding principles and nine (9) goals for preserving the health, value, services, and sustainability of Manhattan Beach's urban forest. Each of these goals is supported by comprehensive objectives and actions. With this comprehensive plan, Manhattan Beach is poised to make some positive changes to the urban forestry program that will promote the enhancement and expansion of the urban forest with a focus on beauty, benefits, and sustainability.

### How Are We Doing?

The long-term success of the UFMP will be measured through the realization of plan goals and demonstrated through increased value and environmental benefits. The Plan identifies methods of measurement and a target date for each of the objectives. The UFMP is intended to be an active tool that can and should be adjusted in response to available resources and emerging opportunities. Perhaps the greatest measurement of success for the UFMP will be its level of success in meeting community expectations for the care and preservation of the public tree resource.

## The mission of the City of Manhattan Beach is to provide exemplary municipal services, preserving our small beach town character and enhancing the quality of life for our residents, businesses and visitors

#### Mission

### Maintain and improve the structure and environmental benefits from the community urban forest

#### Guiding Principles

- Sustainable, healthy, and safe community tree resource
- Preservation of significant and high-value trees
- Optimize available planting space for beauty and benefits

#### Goals

#### Primary Objectives

- Apply best management practices and industry standards to all tree care operations
- Develop a tree planting and replacement plan with an emphasis on planting the right tree in the right place
- Increase diversity of the community tree resource
- Promote design and construction standards that increase soil volume and planting space.
- Develop guidelines to identify and preserve significant trees
- Promote infrastructure repair strategies that preserve tree roots while providing accessible sidewalks
- Continue to promote tree preservation during development balancing private property rights with community goals

### Establish comprehensive policies and procedures for tree preservation, planting, and maintenance

- Comprehensive, user-friendly regulations and policies
- Optimize urban forestry programming
- Optimize funding and identify new opportunities

### Communicate a vision for the urban forest that focuses on beauty, benefits, and sustainability

- Optimize the recreational potential of public green spaces for pedestrian use
- Increase outreach and education
- Review and measure attainment of the UFMP
- Preserve and enrich wildlife habitat

- Provide comprehensive, reasonable, and transparent policies and procedures for tree removal, replacement, and protection
- Revise 10.52.120 Tree Preservation and Restoration Ordinance
- Revise 7.32 Tree, Shrub and Plant Regulations
- Create an urban forester position to manage the community urban forest resource, interfacing with residents, providing expertise in arboriculture, and serving as a single point of contact for all tree concerns
- Explore funding mechanisms for the care of community trees in neighborhoods and parkways
- Coordinate with existing and new planning documents to reference and align with the UFMP

- Optimize trees and vegetation along sidewalks and pathways to promote walkability
- Ensure accessibility of sidewalks by continuing regular maintenance of infrastructure disruptions
- Enhance and maintain the City webpage for the community urban forestry program
- Develop new and revise current informational brochures (e.g., pruning, right tree right place)
- Report on success and ongoing challenges (i.e., State of the Urban Forest Report)
- Reestablish Tree City USA status

# INTRODUCTION

## Background

Trees play an essential role in the community of Manhattan Beach by providing numerous benefits, tangible and intangible, to residents, businesses, and visitors. Research demonstrates that healthy urban trees can improve the local environment and lessen the impact resulting from urbanization and industry (CUFR<sup>1</sup>). Trees improve air quality, reduce energy consumption, help mitigate stormwater, reduce erosion, provide critical habitat for wildlife, and promote a connection with nature.

In addition to these environmental improvements, healthy urban trees increase the overall attractiveness of a community and have been proven to increase the value of local real estate by 7 to 10% (Dwyer et al, 1992). Trees in retail districts promote longer and more frequent shopping and greater sales (Wolf, 2007). Urban trees support a more livable community, fostering psychological health, and providing residents with a greater sense of place (Ulrich, 1986; Kaplan, 1989). In Manhattan Beach, street trees are an essential element in creating the small beach town character.

In 2013, the City completed an inventory of 11,575 public trees on streets, in parks, and at city facilities. In this plan, these inventoried trees are referred to as the "community urban forest". In addition to publicly-owned trees, some privately-owned trees are protected through City ordinance. These protected trees are trees over 12" diameter at breast Height (DBH) within the front 20' of residential properties, and 3-10' of a side yard. They cannot be removed without a permit, and must be pruned according to ANSI A300 pruning standards. The UFMP addresses management of both the community urban forest and protected trees. Yard trees less than 12" DBH and/or in back yards are not considered by this Plan.

In 2015, the City of Manhattan Beach contracted with Davey Resource Group (DRG) to develop the UFMP for the long term care and preservation of this resource. The project included analysis of the existing resource (inventory) in conjunction with i-Tree Streets, a STRATUM Analysis Tool (Streets v5.1.5; i-Tree v6.0.9). The analysis provides a comprehensive picture of the current structure, benefits, and value of this public asset. The community urban forest plays a prominent role in the environmental benefits provided to the community and residents rely on the City of Manhattan Beach to protect and enhance this vital resource. The UFMP, in conjunction with tree inventory data and the current resource analysis, provide a strong foundation for

<sup>1</sup> CUFR. Center for Urban Forest Research, USDA Forest Service Pacific Southwest Research Station

managing the current health and sustainability of Manhattan Beach's urban forest.

In developing this Plan, DRG worked closely with City staff to examine the current structure of both the tree resource and its management. The process included a complete review of existing policies and regulations, internal and interdepartmental relationships, the current status of the tree inventory, and an exploration of community values and support for urban forestry. The result is a plan that will guide community leaders, planners, and Public Works staff in making decisions about matters affecting the management, development, and policies for the community urban forest.

## Mission

*"The City of Manhattan Beach is dedicated to providing exemplary municipal services, preserving our small beach town character and enhancing the quality of life for our residents, businesses and visitors."*

## Guiding Principles

The guiding principles for the Urban Forest Master Plan are:

- Maintain and improve the structure and environmental benefits from the community urban forest
- Establish comprehensive policies and procedures for tree preservation, planting, and maintenance
- Communicate a vision for the urban forest that focuses on beauty, benefits, and sustainability

This plan outlines goals, both long- and short-term, in support of these guiding principles and provides objectives for their accomplishment. The implementation of the plan provides valuable benchmarks for measuring and tracking achievement over time.

## Community

Manhattan Beach is a desirable coastal community. With a historic pier and well-groomed beach, a vibrant downtown core with unique shops and restaurants, and ample opportunities for outdoor recreation, residents embrace the charm of this small beach town in the South Bay. The city has several unique neighborhoods, or sections, each with its unique features and character. Major sections include the Tree Section (named for its tree street names), the Sand Section, which is closest to the coast, the Hill Section, Manhattan Village, and the Liberty Village Section. The Sand Section boasts the second highest mean household income in Los Angeles County. Across the city, the public schools are the third best performing district in the state of California. CNN Money



recently named Manhattan Beach as the top city for the “Rich and Single”. The median home price is approximately \$2 million.

As market demand for larger homes increases, older beach cottages and bungalows are being replaced by structures with larger footprints. As a result, space for trees and other landscaping is reduced. Some areas of the City have opted to route utilities underground, providing better views and more space for street trees. However, lots in these areas often have smaller setbacks, which can limit space for tree growth and make small and medium stature tree species the only appropriate choice. On designated walk streets, vegetation encroachment is limited to preserve the ocean view.

Along primary streets, space for trees is highly variable. Main commercial streets, including Rosecrans, Sepulveda, and Aviation Corridors, provide substantial space for trees in the public right-of-way. The 21 acre Veterans’ Parkway includes an established tree canopy in an enhanced median located between N. Ardmore and N. Valley Dr. In residential areas, the average parkway width varies, with an average of 4 feet.

Despite these limitations to vegetation, trees are still very important to many residents, as they help define the character of the community as a small beach town. Moreover, the community has a reputation for having strong environmental values and a desire to preserve trees. The City recently implemented a Going Green program with a goal to make Manhattan Beach the most environmentally responsible City it can be. In the coming years, Manhattan Beach intends to take these efforts to new levels as the city Council has made sustainability a priority goal. The 2008 report “Working Toward a Greater, Greener Manhattan Beach” outlines many environmentally friendly practices and policies the city currently employs and outlines additional actions to consider.

The City has many opportunities for outdoor recreation, and residents enjoy walking, running, biking, and exercising in parks and along the many pedestrian-friendly streets. Certain streets are designated bike routes, and year round, many residents and visitors are seen enjoying these amenities.

Public parks are regularly used and well maintained. In addition to the clean and regularly-groomed beach, the Veterans Parkway is a popular street with a 3-mile long, 20-acre trail, popular with joggers and dog-walkers. The City’s second largest park, Polliwog Park, features a small lake, an open-air concert amphitheater, playgrounds, picnic areas, and a fenced dog area. These parks are important to the City’s urban forest because they provide the most optimal locations for large-stature trees.

## Definitions

**Community Urban Forest:** The Community Urban Forest is comprised of publicly-owned trees on streets, medians, and parkways, in parks, and at city facilities.

**Protected Private Trees:** In Manhattan Beach, trees over 12” DBH in the first 20’ of residential front yards, and 3-10’ of side yards on corner lots

**Arboriculture:** The science, art, technology, and business of tree care.

**Urban Forestry:** The cultivation and management of native or introduced trees and related vegetation in urban areas for their present and potential contribution to the economic, physiological, sociological, and ecological well-being of urban society.

**City-maintained Tree:** A tree located in a street median, park, or at a city facility

**Resident-maintained Public Tree:** A tree located on public property, typically neighborhood streets, and maintained by the adjacent property owner.

**Right Tree - Right Place:** The practice of installing the optimal species for a particular planting site. Site considerations include existing and planned utilities and other infrastructure, planter size, soil characteristics, water needs, as well as the intended role and characteristics of the species. Species considerations include mature stature, invasiveness of roots, drought tolerance, flowering, and potential fruit production.

**Parkway** –Any area of the street that is not sidewalk or roadway.





## Benefits of Urban Tree Canopy

Community urban forests work constantly to mitigate the effects of urbanization and development and to protect and enhance lives within the community in many ways.

### Air Quality

As environmental awareness continues to increase, governments are paying particular attention to global warming and the effects of greenhouse gas (GHG)

emissions. As energy from the sun (sunlight) strikes the Earth's surface it is reflected back into space as infrared radiation (heat). Greenhouse gases absorb some of this infrared radiation and trap the heat in the atmosphere, increasing the temperature of the Earth's surface. Many chemical compounds in the Earth's atmosphere act as GHGs, including methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), carbon dioxide (CO<sub>2</sub>), water vapor, and human-made gases/aerosols. An increase in the average temperature of the earth may result in changes in weather and weather patterns, sea levels, and land-use patterns, which together are commonly referred to as "climate change."

In the last 150 years, since large-scale industrialization began, the levels of some GHGs, including CO<sub>2</sub>, have increased significantly (U.S. Energy Information Administration). California's Global Warming Solutions Act (AB 32), passed in 2006, set the 2020 GHG emissions reduction goal into law. In December 2007, the California Air Resources Board (ARB) approved the 2020 emission limit of 427 million metric tons of carbon dioxide equivalent (CO<sub>2</sub>e). As of 2007, regulations require that the largest industrial sources of GHG must report and verify their emissions. In 2011, the ARB adopted the cap-and-trade regulation. Under a cap-and-trade system, an upper limit (or cap) is placed on GHG emissions. This cap can be applied to any source, industry, region, or other jurisdictional level (e.g., state, national, global). Regulated entities are required to either reduce emissions to the required limits or purchase (trade) emission offsets in order to meet the cap. In 2011, the ARB approved four offset protocols for issuing carbon credits under cap-and-trade including the Forest Offset Protocol (ARB, 2011). This Protocol recognizes the important role forests play in fighting climate change.

Urban trees improve air quality in five fundamental ways:

- Reducing particulate matter (dust)
- Absorbing gaseous pollutants

- Shade and transpiration
- Reducing power plant emissions
- Increasing oxygen levels

They protect and improve air quality by intercepting particulate matter (PM<sub>10</sub>), including dust, ash, pollen, and smoke. The particulates are filtered and held in the tree canopy where they are eventually washed harmlessly to the ground. Trees and forests absorb harmful gaseous pollutants like ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), and sulfur dioxide (SO<sub>2</sub>). Shade and transpiration reduces the formation of O<sub>3</sub>, which is created during higher temperatures. In fact, scientists are now finding that some trees may absorb more volatile organic compounds (VOC's) than previously thought (Karl et al, 2010). VOC's are a class of carbon-based particles emitted from automobile exhaust, lawnmowers, and other human activities. In addition, by reducing energy needs, trees reduce emissions from the generation of power. And, through photosynthesis, trees and forests increase oxygen levels.

The USDA Forest Service's Urban Ecosystems and Social Dynamics Program (UESDP) (formerly called the Center for Urban Forest Research (CUFR)) recently led the development of an Urban Forest Project Reporting Protocol. The protocol, which incorporates methods of the Kyoto Protocol and Voluntary Carbon Standard (VCS), establishes methods for calculating reductions, provides guidance for accounting and reporting, and guides urban forest managers in developing tree planting and stewardship projects that could be registered for GHG reduction credits (offsets). The protocol can be applied to urban tree planting projects within municipalities, campuses, and utility service areas anywhere in the United States.

### Water Quality

Trees and forests improve and reduce water pollution in the ocean, by reducing the impacts of stormwater runoff through:

- Interception
- Increasing soil capacity and rate of infiltration
- Reducing soil erosion

Trees intercept rainfall in their canopy, which act as a mini-reservoir (Xiao et al, 1998). During rain events, this interception reduces and thus slows runoff. In addition to capturing stormwater, canopy interception lessens the impact of raindrops on bare soils. Tree roots can also increase the capacity and rate of soil infiltration. Through rainfall interception and

***By absorbing some stormwater and slowing the flow, trees in Manhattan Beach reduce pollution and contamination of oceans and beaches.***

increased soil infiltration, flow and volume of stormwater runoff is reduced. This aids in preventing sediments and other pollutants from entering the ocean.

In Manhattan Beach, run-off water from storm drains flows directly to the ocean without any benefit of treatment. By absorbing some stormwater and slowing the flow, trees in Manhattan Beach reduce pollution and contamination of oceans and beaches. Requirements for stormwater management are becoming more stringent and costly. Reducing runoff and incorporating urban trees in stormwater management planning has the potential to turn pipes and paved culverts into green infrastructure assets.

### Carbon Reduction

Trees and forests reduce atmospheric carbon dioxide (CO<sub>2</sub>) in two ways:

- Directly, through growth and carbon sequestration
- Indirectly, by lowering the demand for energy

Trees and forests directly reduce CO<sub>2</sub> in the atmosphere through growth and sequestration of CO<sub>2</sub> as woody and foliar biomass. Indirectly, trees and forests reduce CO<sub>2</sub> by lowering the demand for energy and reducing the CO<sub>2</sub> emissions from the consumption of natural gas and the generation of electric power.

As environmental awareness continues to increase, governments and individuals are paying particular attention to climate change and the effects of greenhouse gas emissions. Two national policy options are currently making headlines; the establishment of a carbon tax and a greenhouse gas cap-and-trade system, aimed at reducing

***Manhattan Beach's urban tree canopy is directly sequestering 343 tons of carbon each year.***

***On average, a single Aleppo pine annually sequesters 185 pounds of carbon.***

~Manhattan Beach Urban Tree Resource Analysis, 2015

atmospheric CO<sub>2</sub> and other greenhouse gases. A carbon tax places a tax burden on each unit of greenhouse gas emissions and would require regulated entities to pay for their level of emissions. Alternatively, in a cap-and-trade system, an upper limit (or cap) is placed on global (federal, regional, or other jurisdiction) levels of greenhouse gas emissions and the regulated entities are required to either reduce emissions to required limits or purchase emissions allowances in order to meet the cap (Williams et al, 2007).

In 2006, California adopted the Global Warming Solutions Act (AB32) which commits California to reduce its greenhouse gas emissions to 1990 levels by 2020.







Beginning in 2013, a statewide cap on greenhouse gases places a mandatory limit on large businesses that emit more than 25,000 metric tons of CO<sub>2</sub>. The limit is set to decline 2-3% each year and to expand the scope of businesses and industries that are regulated. Companies that are regulated must obtain an allowance (or permit) for each ton of carbon they emit. These allowances have value and can be traded on the open market.

The concept of purchasing emission allowances (offsets) has led to the acceptance of carbon credits as a commodity that can be exchanged for financial gain. As a result, some communities are exploring the concept of planting trees to develop a carbon offset (or credit). The Center for Urban Forest Research Pacific Southwest Research Station and USDA Forest Service recently led the development of Urban Forest Greenhouse Gas Reporting Protocol (McPherson et al, 2008/2010). The protocol incorporates methods of the Kyoto Protocol and Voluntary Carbon Standard and establishes methods for calculating reductions, provides guidance for accounting and reporting, and guides urban forest managers in developing tree planting and stewardship projects that could be registered for greenhouse gas reduction credits.

### Energy Savings

Urban trees and forests modify climate and conserve energy in three principal ways:

- Shading dwellings and hardscape
- Transpiration
- Wind reduction

Shade from trees reduces the amount of radiant energy absorbed and stored by hardscapes and other impervious surfaces, thereby reducing the heat island effect, a term that describes the increase in urban temperatures in relation to surrounding locations. Transpiration releases water vapor from tree canopies, which cools the surrounding area. Through shade and transpiration, trees and other vegetation within an urban setting modify the environment and reduce heat island effects. Temperature differences of more than 9°F (5°C) have been observed between city centers without adequate canopy cover and more vegetated suburban areas (Akbari et al, 1992).

Trees reduce wind speeds by up to 50% and influence the movement of warm air and pollutants along streets and out of urban canyons. By reducing air movement into buildings and against conductive surfaces (e.g., glass and metal siding), trees reduce conductive heat loss from buildings, translating into potential annual heating savings of 25% (Heisler, 1986). This benefit of lowering the energy needs from buildings in turn reduces carbon dioxide (CO<sub>2</sub>) emissions from fossil fuel

power plants, which are a primary source of greenhouse gas emitted through human activity.

### Aesthetics and Socioeconomics

While perhaps the most difficult to quantify, the aesthetic and socioeconomic benefits from trees may be among their greatest benefits, including:

- Beautification, comfort, and aesthetics
- Shade and privacy
- Wildlife habitat
- Opportunities for recreation and passive recreation
- A reduction in violent crime
- Creation of a sense of place and history
- Human health
- Reduced reliance on medication and quicker recovery from injury or illness

Many of these benefits are captured as a percentage of property values, through higher sales prices where individual trees and forests are located.

Some of the benefits of forests are intangible and/or difficult to quantify, such as impacts on physical and psychological health, crime, and violence, however, empirical evidence of these benefits does exist. A 2012 study of crime, such as burglary and vandalism, by Donovan and Prestemon found that trees in the public right-of way were associated with lower crime rates as long as the trees did not obstruct lines of sight for security and law enforcement personnel. This reinforced similar findings by Kuo and Sullivan in 2001, whose study focused on inner city areas. The authors speculated the trees indicated to criminals the house was better cared for, and therefore, subject to more effective authority than a comparable house with fewer trees. In a 1989 study, Kaplan and Kaplan found that views of trees and nature impacted people's emotional states positively. Ulrich (1986) found hospital patients with a view of trees and vegetation required less medication and recovered more quickly from injury.

In addition, trees and forests have positive economic benefits for retailers. There is documented evidence that trees promote better business by stimulating more frequent and extended shopping and a willingness to pay more for goods and parking (Wolf, 2007).

Finally, trees provide opportunities for recreation, offering a healthful respite from the pressures of work and everyday stress.



# WHAT DO WE HAVE?

## History of Urban Forestry in Manhattan Beach

Recognized today for its iconic pier and beachside promenade (a.k.a. "The Strand"), Manhattan Beach has its origins as a seaside resort in the South Bay. In the 1920s and 30s developers leveled uneven sandy sites, exported excess sand, and constructed modest homes for families, including many veterans after WWII. The population increased steadily from 859 residents in 1920 to 6,398 in 1940, as families moved into the Tree and Hill Sections. The greatest population growth occurred in the post WWII-war period as new sections were developed including Manhattan Village, Liberty Village, Bermuda Village, and Victory Village. By the mid-1950s, the Property Owners Association had established new schools, storm drains, a fire station, a post office, parks and a branch of the Los Angeles County Library.

Urban trees have been a part of Manhattan Beach history since the early 1900s. Historical records show that eucalyptus trees were planted along main streets for windbreaks, firewood, shade, and beauty. Rosecrans Avenue., El Camino Real (today Sepulveda Boulevard), and Center Street., (today Manhattan Beach Boulevard), were all lined with eucalyptus in the 1900s to 1930s. In the 1930s, during the widening of Center Street., 284 eucalyptus trees were determined to be hazardous, and removed. Eucalyptus are less widely planted today due to their large stature at maturity, and disease issues such as red gum lerp psyllids (*Glycapsis brimblecombei*). With the availability of a diverse palette of broadleaf evergreens, the urban forest has grown and expanded to include more medium stature, lower maintenance species, including some smaller-stature eucalyptus varieties.

## Balancing Development with Open Space

Increased structure footprint size and reduced setbacks from streets are important components of increasing urban density and reducing sprawl, but these factors limit space for trees and landscaping. Over the years, as land prices have increased, larger homes are replacing many of the early bungalows. A greater portion of residential lots are covered by structures, leaving less plantable area. With new development, some areas of the City have opted to reroute utilities underground, improving views, and more space for street trees. However these areas often also have small lot setbacks, which can limit space for tree growth, and make small to medium stature trees more appropriate in the landscape. On designated walk streets, vegetation encroachment is limited to preserve the ocean view. Despite these limitations, urban forest managers are striving to preserve existing public trees and to promote the appropriate species where available space is limited.

The City and residents work together to ensure attractive landscaping on public and private property. In neighborhoods with mature trees, greater canopy cover creates a distinct character and feel, particularly within neighborhoods in the Tree Section and others along the Valley/Ardmore greenbelt of Veterans Parkway. Because of its beautiful and desirable neighborhoods, Manhattan Beach continues to be a desirable and popular coastal community.

## Outdoor Recreation and Pedestrian Friendliness

Public parks are popular and regularly maintained. Large unpaired areas provide appropriate locations for large-stature trees, and residents enjoy many outdoor activities in well-shaded park areas. Residents enjoy running, biking, and exercising in parks and along the many pedestrian-friendly city streets. Certain streets are designated bike streets, and year round, many residents and visitors are seen enjoying these amenities. The trees and associated vegetation are an important element in creating a vibrant, beautiful community.

In some neighborhoods, parkways don't provide adequate space for large-stature trees. In many instances where large-stature street trees are planted, inadequate root space results in the uplifting and displacement of sidewalks, streets and driveways. In the early 1990s, the city implemented a sidewalk repair program which included tree inspections for those trees that were causing infrastructure damage.

Through the sidewalk repair program, Public Works staff inspects sidewalks, and if a problem is found, work with a consulting arborist to assess the condition and health of the tree. If the tree is not dead, dying, diseased or exhibiting structural instability, it is most often preserved, and the sidewalk or road is scheduled for repair. Public Works staff notifies the property owner of the need for repairs, completes the work, and repair costs are forwarded to the property owner. This program keeps sidewalks safe and accessible for residents and visitors but there is interest in ensuring street trees planted in the future will create fewer infrastructure conflicts. One of the objectives of this UFMP is to address this through appropriate species selection while maintaining the high level of care the sidewalk repair program currently provides.

## History of Inventories and Ordinances

To better manage and develop options for the maintenance of community trees, the City has periodically conducted public tree inventories. The trees were inventoried 2000 and in 2013. The 2013 inventory data was used to establish the value and benefits of existing trees and to provide benchmarks for the UFMP.



To guide residents and staff in the planting, maintenance, and removal of community trees, two main sections of the city code were established in 1970 and 1993. Street, park, and city facility trees are regulated by city Ordinance Section 7.32 – Tree, Shrub, and Plant Regulations, which was first established in 1970 and has been periodically updated over time. Trees under the jurisdiction of 7.32 are maintained by adjacent property owners or by the city, depending on their location. Typically, parkway trees are maintained by adjacent property owners. Trees on streets and medians, in parks and at city facilities are maintained by the City.

In 1993, the city established ordinance 10.52.120 – Tree Preservation and Restoration in Residential Zones, Area Districts I and II, which further regulates trees over 12" DBH in the front yards (20') of residential homes. The ordinance states that property owners are required to maintain these trees, and seek permission for removal from the city. Protecting these trees demonstrates Manhattan Beach's ongoing dedication to preserving the urban forest.

### Community Tree Resource

Community trees play a critical role in the City of Manhattan Beach. They provide numerous benefits both tangible and intangible, to residents, visitors, and neighboring communities. With an inventoried urban forest of 11,575 trees, the City's Public Works Department has demonstrated that public trees are a valued community resource, an important component of the urban infrastructure, and a recognized part of the City's identity.

An urban forest is a living and dynamic **Replacing Manhattan Beach's trees would cost over \$20.6 million.**

The health and stability of the urban forest can be influenced by many factors, including pruning, irrigation, climate fluctuations, emerging pests and disease, as well as development and new tree planting. A complete understanding of the current structure, condition, and maintenance needs is essential to making the best possible management decisions. To date, the City has inventoried all trees on streets (except walkstreets), in parks and at City facilities.

### Composition of the Inventoried Urban Forest

Understanding the composition of an urban forest is essential to developing effective management strategies. The urban forest composition is defined by its population (species frequency and diversity), age distribution, condition, and replacement value.

The Urban Forest Resource Analysis (2015) found the following characteristics define Manhattan Beach's community urban forest:

- **More than half of Manhattan Beach's trees are broadleaf evergreens and over a quarter are palm species.**
- 4,116 trees (36%) are located along major streets, medians, parks, and city facilities. These trees are city-maintained annually (palms) or on a two year cycle (non-palm species)
- 7,459 trees (64%) are in residential areas, maintained by adjacent property owners
- The inventory includes more than 180 unique species.
- Evergreen broadleaf trees comprise 54% of the population. 26% are palm species
- The ten most common species represent 46% of the population
- The resource is a young, establishing population with 60% of non-palm species in the 6-12" DBH range
- 92% of trees are in good condition
- Community trees are providing 54 acres of canopy cover, an average of 2.2% of the overall land area in Manhattan Beach
- To date, Community trees have sequestered 3,240 tons of carbon, valued at \$97,206
- Replacement of Manhattan Beach's 11,575 community trees with trees of similar size, species, and condition would cost over \$20.6 million

### Tree Type

A diverse population is important to forest health and to maintain a stable flow of benefits. Dominance of any species or genus can make a forest more susceptible to damage from storms, disease and pest outbreaks, climate change, and other environmental stressors.

Figure 1 shows Manhattan Beach's tree types. More than half of the community trees are broadleaf evergreens and palms comprise over a quarter.

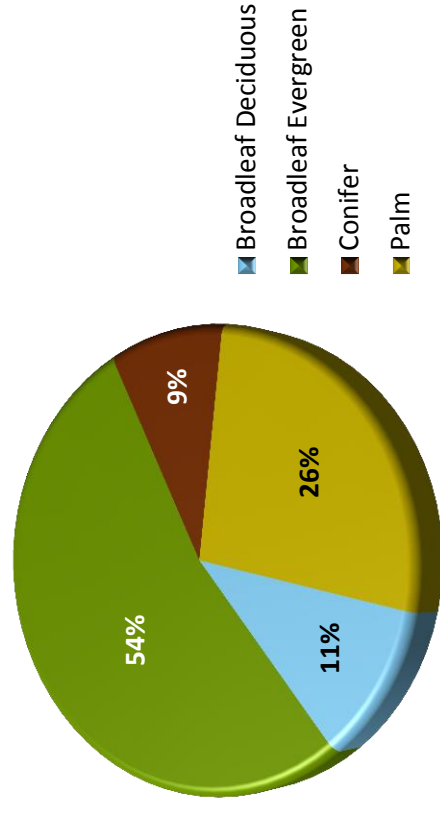


Figure 1. Tree Type Distribution

### Tree Types

- Broadleaf:** Hardwood trees with flat leaves which may be either evergreen or deciduous
- Evergreen:** Leaves do not fall at one time, and last several years. This category includes both conifers and broadleaf trees.
- Deciduous:** Leaves fall at once, seasonally
- Conifer:** Usually bearing cones and needles or scale-shaped leaves
- Palm:** Unbranched evergreens with crowns of feathered or fan-shaped leaves



**Species Distribution**

The predominant tree species are queen palm (*Syagrus romanzoffianum*, 9.58%), and cajuput tree (*Melaleuca quinquenervia*, 6.76%). Species diversity in Manhattan Beach is relatively high. There is a widely accepted rule that no single species should represent greater than 10% of the total population, and no single genus more than 20% (Clark et al, 1997). The tree diversity in Manhattan Beach is well distributed and no species exceeds the recommended species threshold of 10%, although queen palm comes close. That genus of palm, *Syagrus*, is also the most common genus in the population, but is well under the 20% threshold for genera.

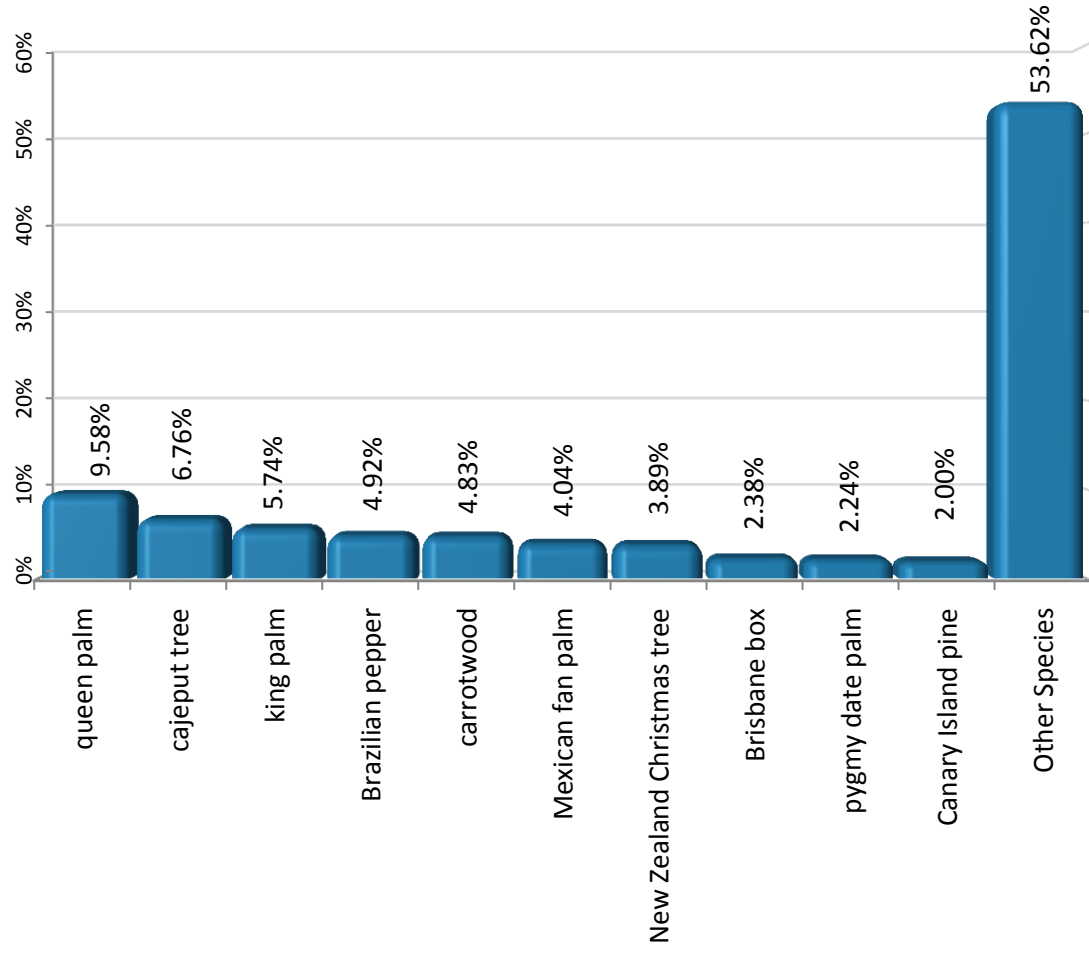


Figure 2. Prevalent species in Manhattan Beach's Urban Forest

**Age Distribution**

The age distribution of the urban forest is a key indicator, and driver, of maintenance needs. Palms are not included in this age distribution since the Diameter at Breast Height (DBH<sup>2</sup>) of palm species does not increase incrementally with age. Palm tree age is more closely correlated with height. Among hardwoods and conifers, which do increase in DBH over time, The age distribution of Manhattan Beach's public tree population is positively weighted in established but young trees, with 60% of the overall population 6-12" DBH (Figure 3). Twenty seven percent (27%) of the population consists of young trees with a DBH between 0 and 6 inches. Ten percent (10%) of the population is mature, in the 12 - 18" DBH Range and just 3% are over 18" DBH.

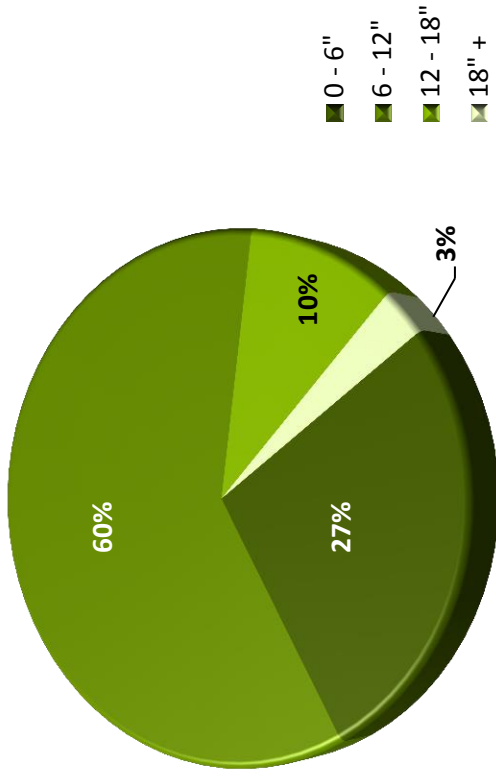


Figure 3. Relative Age Distribution of Non-Palm Species

<sup>2</sup> DBH (Diameter at breast height) is measured at 54 inches above grade.

## Community Tree Benefits

### Calculating Tree Benefits

Communities can calculate the benefits of their urban forest by using a complete inventory or sample data in conjunction with the USDA Forest Service i-Tree software tools. This state-of-the-art, peer-reviewed software suite considers regional environmental data and costs to quantify the ecosystem services unique to a given urban forest resource.

Individuals can calculate the benefits of trees to their property by using the National Tree Benefit Calculator or with [i-Tree Design](http://www.itreetools.org/design). ([www.itreetools.org/design](http://www.itreetools.org/design))

The benefits provided by the urban forest are dependent upon the species, age (size), and condition of the tree population. The urban forest is one asset that has the potential to increase in value over time and with proper care.

Based on the 2013 inventory, Manhattan Beach's community trees provide cumulative benefits to the community at an average value of \$266 per tree, for a total gross value of \$3.1 million per year. There is potential for these benefits to increase over time as young, medium and large stature trees mature. Currently, this resource provides the following benefits each year:

### Energy Savings

Through shading and modification of their immediate environment, community trees reduce electricity by 292 MWh and natural gas use by 2,122 therms for an overall benefit of \$42,933, an average of \$3.71 per tree.

### Carbon Reduction

By converting carbon dioxide into woody and foliar biomass, Manhattan Beach's community trees sequester an additional 343 tons of atmospheric CO<sub>2</sub> for a net value of \$13,397 and an average of \$1.16 per tree.

### Air Quality

Net air quality improvements, as a result of decreased ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and particulate matter (PM<sub>10</sub>), are valued at \$121,944, an average per tree benefit of \$10.54.

### Stormwater Management

Manhattan Beach's community trees intercept nearly 3.3 million gallons of stormwater annually for a total value of \$5,989, an average of \$0.52 per tree.

### Aesthetic and Socioeconomic Benefits

The total annual benefits Manhattan Beach's community trees to property values, health, aesthetics, and socioeconomics is nearly \$2.9 million, an average of \$250 per tree.

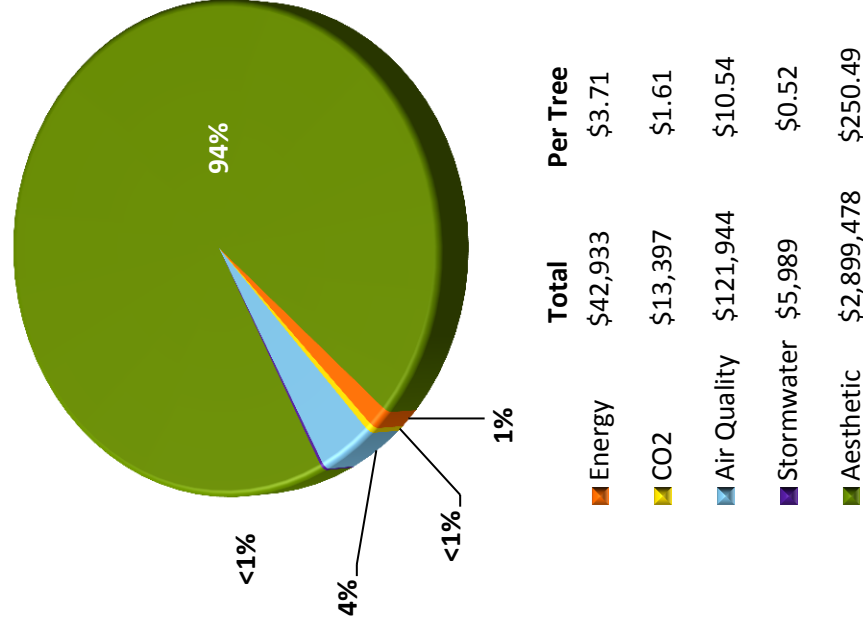
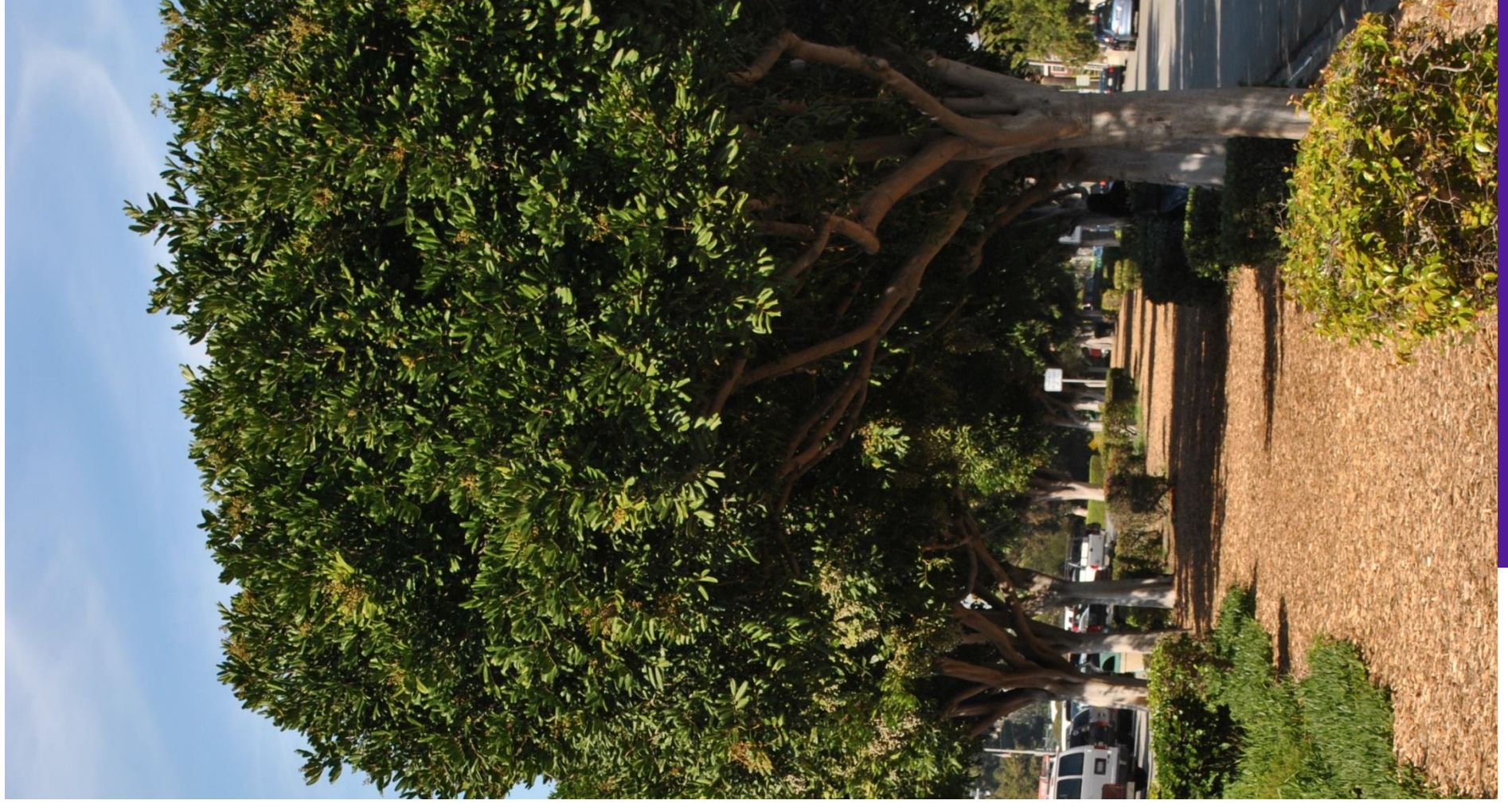


Figure 4. Annual Benefits of Community Trees

## Benefits Versus Investment

In order to recognize the full value of the benefits from Manhattan Beach's public urban forest, it is important to take into account the investments (cost) of caring for this resource. Annually, the City invests approximately \$515,000 for public tree maintenance, including administration, liability claims, and infrastructure repairs resulting from tree roots. Considering this resource provided \$3.1 million in total benefits, **for every \$1 invested in caring for public trees, the community currently receives \$5.99 in benefits.**



## The Urban Forest Program

The community urban forest includes 11,575 public trees, of which 4,116 are city-maintained trees and 7,459 trees are maintained by adjacent property owners. The Public Works Department is currently responsible for the care of Manhattan Beach's city-maintained trees.

The Manhattan Beach Municipal Code section 7.32 defines street trees as all trees or shrubs in public places along City streets, roads, boulevards, and alleys. Code section 10.52 defines protected trees as those over 12" DBH in the front 20 feet of each home. Protected trees are pruned and maintained by the resident while street trees in non-residential areas are maintained by City contracted crews.

Seven full-time City employees are responsible for managing portions of the public urban forest, depending on location and management issue. These positions include the Senior Planner, Associate Planner, Code Enforcement Officer, Street Maintenance Supervisor, Park Maintenance Supervisor, Public Works Secretary, and the Maintenance Superintendent. Management issues include, but are not limited to:

- Removal requests for both private and public trees
- Pedestrian and vehicular clearance compliance issues
- Sign obstruction and line of sight issues
- Infrastructure damage complaints both public and private
- Tree related construction issues

Each person spends a portion of their time on tree-related tasks, and an estimated 1,800 combined staff hours are expended annually on tree related issues. This amount of time is equivalent to one fulltime employee (FTE). City staff work closely with a contracted consulting arborist to conduct tree inspections. With the exception of emergency response, pruning and removal work is conducted by contracted crews. Park trees less than 30' tall are maintained by contracted landscape maintenance crews.

### Public Works Staff provide the following services:

- Contract monitoring and quality control
- Pedestrian and vehicular clearance compliance issues
- Initial site visits for service requests and tree removal permit requests
- Emergency response
- Administration

### A qualified consulting arborist provides the following service:

- Tree inspections
- Arborist reports

### Contracted maintenance crews provide the following services for City-maintained trees:

- Tree pruning on a regular cycle
- Tree removals
- Maintenance of the tree inventory data
- Pest Management
- Tree planting
- Young tree establishment and care

### Tree Planting

As trees are removed, the City maintains a 1:1 replacement policy. At this time, it is estimated there are fewer than 200 vacant tree sites in public areas. With an establishing population in good condition, the priority for tree planting is relatively low, however a few sites exist in parks and greenbelts for tree planting to shade benches, play areas, and trails.

Species selection is important to ensure diversity and to continually plant species that will provide beauty and benefits without being high-maintenance. The City currently provides a tree list for residents on the city website. Species are grouped by section of town, and the palette is limited. The City also maintains a species list internally (developed in 2000) that includes over 80 species.

For aesthetic reasons, palm trees are often a popular choice. However, broadleaf trees provide higher per-tree environmental and aesthetic benefits. With an established palm population that is over 26% of the community forest, there is an opportunity for future tree planting to emphasize non-palm species. Currently, there are no formalized planting programs or partnerships to plant additional trees.

### Tree Care and Maintenance Cycles

#### *City Maintained and Resident Maintained Trees*

The City of Manhattan Beach manages all 11,575 public trees by maintaining an up-to-date inventory, responding to inspection requests, and providing emergency response pruning when limbs or trees block public streets or sidewalks. Southern California Edison (SCE) provides line clearance as needed to maintain the safety and reliability of power lines.

All 4,116 city-maintained trees are pruned by contracted crews in a regular pruning cycle to promote public safety, tree health, and good structure. Currently, pruning cycles are dependent upon species and location. Many palm trees, especially *Washingtonia* species, require annual pruning to manage fruit production, and to ensure that dead fronds do not fall and injure people or damage property. Areas of high-use, such as the Veteran's Parkway, receive annual inspections and trees



in need of pruning are tended to promptly. All other trees are on a 2-year pruning cycle.

In the event of a tree-related emergency, for example, when a tree falls and blocks the public right of way, City staff provide immediate response. The City maintains several chain saws and response staff are trained in chain saw safety. Because of the high level of regular pruning for city-maintained trees, emergencies are relatively rare.

**Pest and Disease Control**

Treatable insect and pest problems are also relatively rare in Manhattan Beach. Contracted crews who maintain park and city-maintained street trees employ integrated pest management strategies whenever possible to address pest problems that arise. In the past some pest issues have included eucalyptus lerp psyllids, eucalyptus long horn borers, pine pitch canker and beetles. Disease control often includes removal of infected limbs or material from otherwise healthy trees. The contracted consulting arborist assesses the potential for trees to remain in the landscape before recommending a course of action, which may include pruning to remove diseased material, modified horticultural practices, or other remediation efforts. Often, when pines have advanced pine pitch canker and beetles, removal of the entire tree is the only reasonable course of action because of both safety and aesthetic concerns.

**Tree Care Standards**

On neighborhood streets, where it is the adjacent property owner's responsibility to prune trees, a tree trimming permit is required. ANSI A300 pruning standards are required to be followed. These include but are not limited to:

- Generally no more than twenty-five percent (25%) of living foliage should be removed annually, and
- Topping of trees is generally prohibited.

There is an opportunity for more uniform application of these standards through public outreach, and by working with permitted tree trimmers to standardize care.

**Design and Construction Standards**

The existing Tree Planting Standard (Appendix A) provides direction on proper tree planting. Information about the depth, location, nursery stock, and installation of root guards are included. Tree Protection During Construction or Development Guidelines provide details about the fencing requirements, irrigation, and root pruning requirements for protected trees.

**Program Funding**

Stable and predictable funding is critical to effective and efficient management of the urban forest. Trees are living organisms, constantly growing and changing over time and in response to their environment. There are a number of factors that affect tree health and structure, including nutrition, available water, pests, diseases, wind, and humidity.

While it might seem like most changes to trees take a long time to occur, some specific maintenance is critical at certain stages of life. For instance, young trees benefit greatly from early structural pruning and training. Minor corrections that are simple can be applied with low costs when a tree is young. However, if left unattended they can evolve into very expensive structural issues and increase liability as trees mature. At which point it may be impossible to correct the issue without causing greater harm.

Over-mature trees often require more frequent inspection and removal of dead or dying limbs to reduce the risk of unexpected failure. A stable budget allows urban forest managers to program the necessary tree care at the appropriate life stage when it is most beneficial and cost effective.

The City spends approximately \$515,000 annually to care for 4,116 publicly-maintained trees, and administer the urban forestry program. This accounts for approximately 0.8% of the municipal budget. Urban Forestry Program administration includes keeping the inventory of 11,575 trees up-to-date and responding to inspection requests and removal permits for the entire community tree resource. These funds are administered by the Streets Division and Buildings and Grounds Division as subsets of the general fund allocation to Public Works. A portion of these funds, generally between \$300,000 and \$365,000 per year are allocated to sidewalk repair, of which approximately one third is recovered back to the general fund in the form of payments from adjacent private property owners.

Landscape and Lighting Districts (LLDs) are tax assessment districts and are a commonly used source of funding. While Manhattan Beach collects lighting funds to maintain lighting infrastructure, historically this funding source has not been used for tree care in the past. In order to do so would require a ballot measure, be approved by voters.



Figure 5. Manhattan Beach Municipal Budget



## Policy and Regulations

There are currently three tree types regulated by City Ordinance.

- Publicly owned trees maintained by the city
- Publicly owned trees maintained by adjacent property owner
- Privately owned protected trees maintained by property owner

### Tree Protection

#### *Manhattan Beach Municipal Code – Chapter 7.32 – Tree, Shrub, and Plant Regulations*

The purpose of these regulations is to serve the public health, safety, and general welfare. The city recognizes that trees, shrubs and plants improve the general aesthetics, reduce traffic noise, purify air, increase property values, and provide cooling shade and beauty.

The Tree, Shrub, and Plant Regulations apply to vegetation on public land or within the public right-of-way. Trees and shrubs are defined as “all woody vegetation now or hereafter growing, planted, or to be planted”. The regulations further define street trees as “trees or shrubs in public spaces along City streets, roads, boulevards, and alleys”.

The Regulations establish that it is unlawful to damage any tree or shrub along any public street or other public place of the City without first obtaining a written permit from the Public Works Director. While permits can be acquired at least five days in advance, the work has to be completed within 30 days. Tree removal requires payment of a fee but that fee is refunded if the tree is replanted within 90 days.

Property owners are responsible for the care and maintenance of trees, shrubs, lawns, and groundcovers within streets, avenues, highways, and parkways adjacent to their property including trimming and watering of plants and notifying the City if any tree or shrub in a public area adjacent to their property is in such condition as to be a risk to public safety or property.

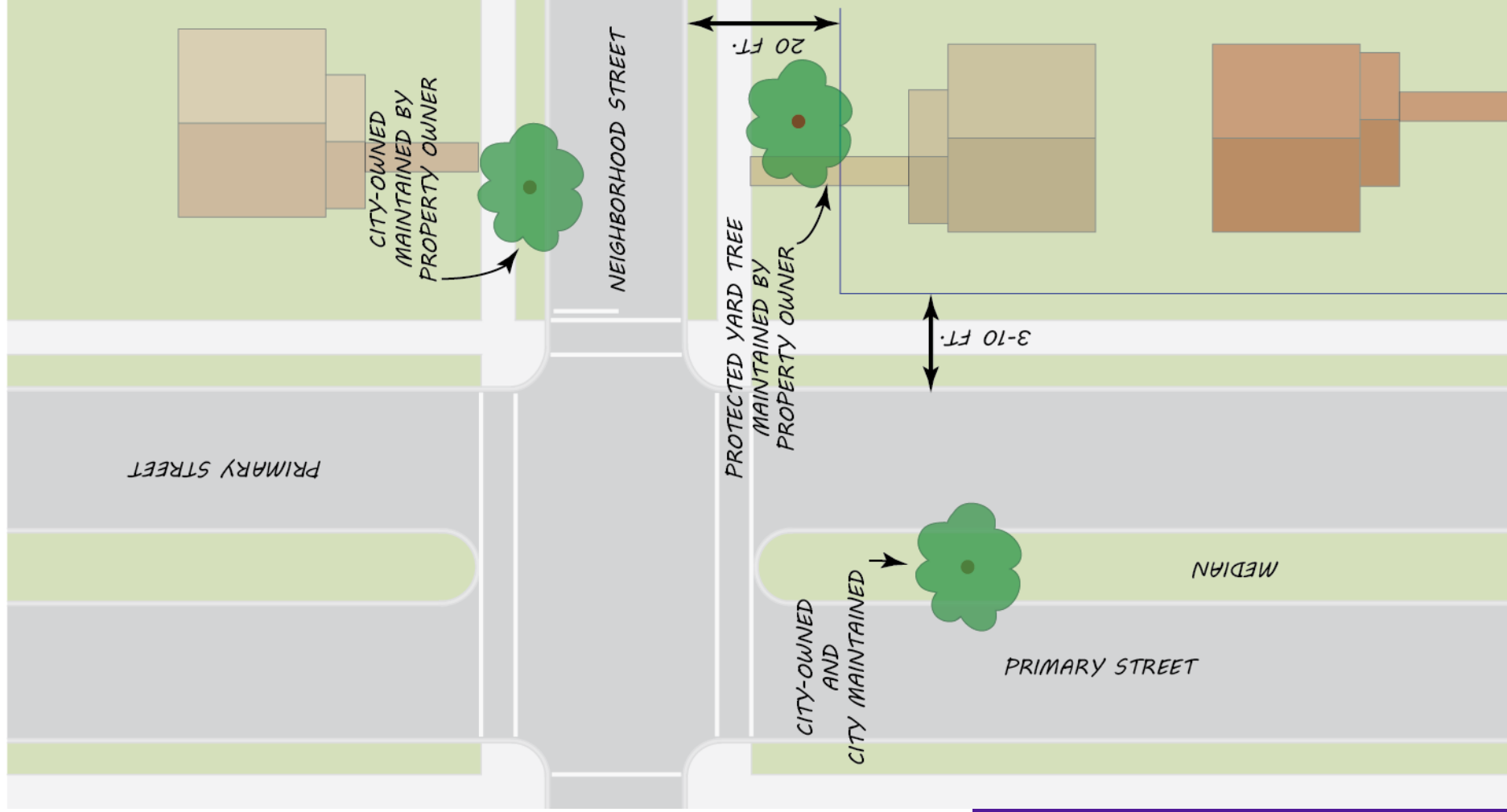
In addition to regulations affecting plant care, the regulations explicitly prohibit malicious harm to trees. It is illegal to damage or injure the bark of any streets tree and to allow any gaseous, liquid, or solid substances harmful to trees to come in contact with any part of a street tree. It is also prohibited to damage, tear up or destroy plantings (grass, flowers, shrubs or trees) in any public space and to paint, tack, or otherwise attach or place any advertisement, notice, card, or announcements on trees and shrubs in public places.

Based on Sections 38771 and 38773 of the Government Code of the State of California, any of the following can pose a risk to persons or property and are subject to civil action or summarily as provided by law:

- Any dead, diseased, infested, leaning or dying trees on private property that are close enough to any street to create a danger to street trees, streets, sidewalks, or the life, health or safety of the public.
- Any tree, shrub or plant species on any private property or in a parkway capable of destroying, impairing or otherwise interfering with any street improvement, sidewalk, curb, approved street tree, gutter, sewer or other public improvements including water utilities or services.
- Any tree or shrub growing on private property but overhanging or interfering with the use of any street, parkway, sidewalk or public place of the City such that in the opinion of the Public Works Director endangers the life, health, safety or property of the public.
- Any plant on private or public property which interferes with visibility on, or free use of, or access to any portion of any street improved for vehicular or pedestrian travel.
- Trees on public property which constitute a public nuisance shall be removed, replaced or trimmed at the expense of the adjoining property owner as ordered by the Director of Public Works. If a tree on public property is ordered replaced under this section, the City shall pay the cost of the replacement tree, as established by the Council under separate resolution.
- It shall be the duty of all owners and persons having possession and control of real property within the City to abate any public nuisances referred to in this section that occur on their real properties.

The planting of trees should follow good horticultural practice as determined by the Public Works Director. Special permission by the Public Works Director is required for plantings on unpaved streets without curb, who will also determine the exact location of the tree to avoid any injury or damage to the tree during street improvement projects. Spacing of trees will also be determined by the Public Works Director depending on local conditions and tree species; trees are usually between 5 and 15 gallon in size.

A tree species list is provided by the Public Works Director to aid the public in the choice of trees to be planted. While this list can be modified, it has to be approved by the Public Works Director.



***Manhattan Beach Municipal Code – Chapter 10.52.120– Residential Districts: Tree preservation and restoration in residential zones, Area Districts I and II***

This regulation is intended to preserve and enhance the existing healthy tree canopy on individual residential properties and neighborhoods in order to support the health and welfare of the citizens of the City of Manhattan Beach. Trees are valuable for providing “cooling shade and beauty, increased property values, minimize spread of disease to healthy trees, conserve scenic beauty, prevent erosion of topsoil, protect against flood hazards, counteract pollutants in the air, and generally maintain the climatic and ecological balance of the area”. Neighborhood character should be maintained while allowing for removal of existing trees that may be inappropriate for an area or cause damages.

A protected tree is “any species of tree, (excluding deciduous fruit-bearing trees and *Washingtonia* (palm) species) whose trunk is located at least partially within the required front yard or streetside yard (on corner lots) of a site, with a DBH of 12” or greater or multiple trunks totaling 12” in DBH.

It is prohibited to directly or indirectly neglect, abuse, damage, mutilate, injure or harm any protected tree. If any protected tree needs to be removed or relocated, a permit needs to be acquired. However, there are exceptions such as removal in case of imminent emergency caused by the hazardous or dangerous condition of a tree.

Trees must be protected during demolition, grading, and construction operations by methods subject to the approval of the Community Development Director to avoid any damages to the trees. Advisory signs are to be clearly posted on the site.

No grading or construction, including structures, paving, and walls is permitted on private or public property without prior approval by the Community Development Director. As a guideline, no cutting of roots over 2” in diameter should occur within the drip line of the tree as measured at ground level. Where some root removal is necessary as approved by the City, the tree crown may require thinning to prevent wind damage.

Required replacement trees are 36” box trees at minimum for each protected tree removed of an appropriate species and must be planted within ninety 90 days after the removal of the tree, or prior to issuance of a building permit final. Actual sizes, species, location, and quantities of replacement trees are subject to the Community Development Director’s approval. The City street tree list may be used as a guideline by the Director in determining appropriate replacement trees. A combination of protected and replacement tree quantities is not to result in less than one protected tree per lot or 30’ of site frontage. If the Director of Community Development determines that there is not adequate room on the property for replacement trees due to the

number of existing trees to remain, then the requirement for replacement trees may be modified or waived.

***Tree Permit Applications***

***Without Building Permit.***

Any person desiring to remove or relocate one or more protected trees needs to obtain a Tree Permit from the Community Development Department; there is a fee associated with the permit.

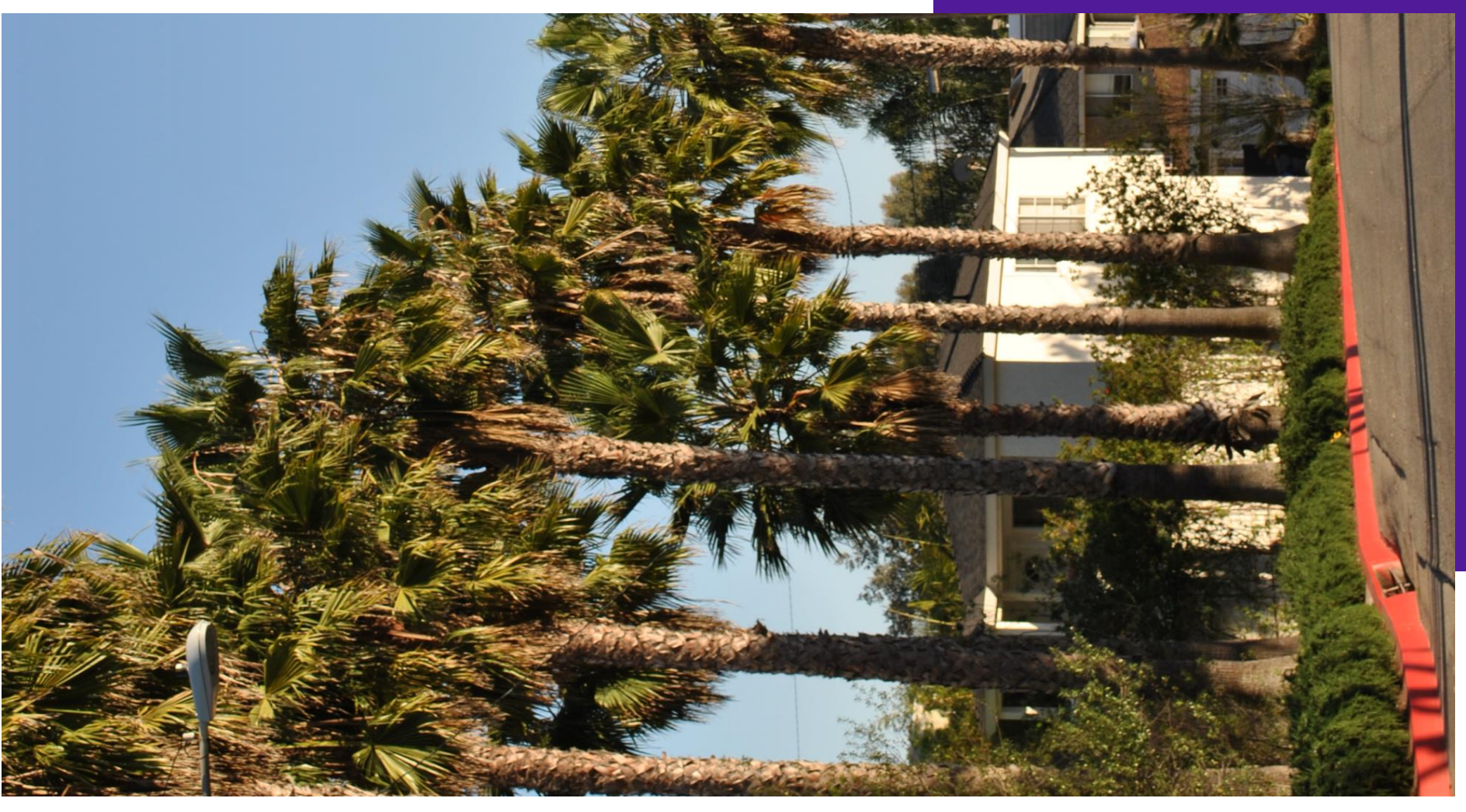
As part of the application, a tree plan has to be included as well as written proof of neighbor notification pursuant to applicable permit instructions and possibly an arborist’s report, all of which have to be approved by the Community Development Director.

A tree plan is a plot plan (scale 1/8 inch = 1 foot, minimally) with all trees on the subject property as well as footprints of all existing and proposed buildings and/or additions to buildings on the property. Trees are to be identified by location, size and species. Locations of all trees within the front and streetside yards of the property as well as trees in the adjacent public right-of-way and on adjacent properties (within ten feet of the subject property) are to be included. The size (diameter and height) and species of each tree as well as location of their drip line are to be marked. Each tree has to be designated as to be removed, saved, relocated and/or replaced and the proposed location, size and type of replacement trees have to be included. Photos of all trees in front and streetside yards have to be part of the plan.

***With Building Permit.***

When applying for a building permit, a tree permit/acknowledgement and plan (see above) are required if protected trees are located on the property. A tree permit is required if the proposed project may impact existing trees in the front or streetside yard of the subject property even though removal is not planned. As above, a fee is associated with the tree permit.

Any new residential construction project in Area Districts I and II which exceeds fifty percent valuation (total estimated cost of reconstructing the entire structure) is required to plant a minimum of one new 36” box tree, unless the Director of Community Development determines that it is inappropriate to require additional trees on the property.



In most cases, where trees are designated to be protected, fencing and temporary irrigation are installed and maintained throughout the construction period. Generally, root pruning is avoided and the tree can be retained in the landscape. Community Development staff work with designers in advance to pursue the following strategies which can help maintain existing vegetation, and space for additional trees.

- Where feasible, the location of the existing driveway and pavement surfaces is retained.
- The soil grade in the tree protection zone is not altered.
- Compaction in planting areas is avoided by limiting machinery and weight.
- A code enforcement officer meets with the property owner and contractor on the site to discuss and explain tree protection measures.
- Large reductions of canopy or foliage are avoided.

**Tree Removal Permit Process.**

A Tree Permit application is required for the removal and replacement of protected trees. To be approved, at least one of the following criteria has to be met:

- The tree is dead
- The tree is a health or safety hazard, or is structurally unstable
- The tree is dying or in marginal condition and reasonable alternatives to preserve or rejuvenate the tree have been implemented unsuccessfully or have been analyzed, and are not feasible
- Residential buildings shall take priority over tree preservation, however alternative designs and materials, have to be considered and implemented, as feasible, with the proposed overall design of the project
- The tree is causing or will cause in the near future, significant damage to public or private property, which creates a liability, health or safety concern, and cannot reasonably be repaired, maintained or corrected. Trees causing damage to sewers, water lines or other similar private underground utilities, in itself are not considered to meet the criteria for removal and replacement
- The tree is obstructing protected solar access as regulated by California State law, Solar Shade Control Act, Public Resources Code 25980-25986, and the tree cannot be reasonably pruned or maintained in accordance with the State requirements.

The Director may require the applicant to submit a report from an International Society of Arboriculture (ISA) certified arborist or other horticultural professional, and/or historical or other support documentation in order to substantiate that the required criteria and

findings have been met. The City arborist and/or other City staff may review the information. All costs are the responsibility of the applicant.

If the applicant's arborist or other horticultural professional is not in agreement with the findings of the City arborist or staff, a third party ISA certified arborist, agreed to by the applicant and the City, may be contracted to mediate the situation. The cost of this third party arborist are shared between the applicant and the City.

**Community Outreach**

The City of Manhattan Beach values transparency and input from the community. Tree preservation is strongly supported by many community members, and residents identify strongly with environmental values. City personnel and community members agree that increased clarity and communication is beneficial. In response, the UFMP includes multiple strategies for outreach and public input.

Currently, much of the community outreach that occurs is through face-to-face interactions with city personnel when a tree removal permit is requested, a tree is being protected during construction, or a new street tree is being planted. City personnel assist individuals in species and location selection, and provide knowledge of local micro-climate conditions that impact different species capacity to thrive in a given location.

In addition to these personal interactions, the City website provides residents the following information:

- City of Manhattan Beach Street Tree List, organized by zone
- Tree removal permit form, clearly defining tree protection during construction requirements
- Background for this Urban Forest Master Plan (Listed as Street Tree Master Plan)
- Summary information about the Municipal Ordinance sections that impact trees (Section 10.52.120, and 7.32)
- A series of handouts from the Manhattan Canopy Tree Committee
- Information on pruning trees near power lines



## Conclusion

Manhattan Beach has a primarily established, young tree population in good condition, with good species diversity. The city's commitment to maintenance of the tree resource is apparent from the ongoing contracted regular maintenance of trees, on a 1-2 year cycle, infrastructure maintenance, and emergency response. The next section discusses strategies to maintain and improve the structure and environmental benefits from the community urban forest for years to come. Opportunities include re-evaluation of urban forestry programming and maintenance practices, defining key attributes of significant and high value trees, and focusing on careful species selection to plant trees that will provide maximum beauty and benefits in the available space.

Periodic updates have created strong city ordinances that preserve and protect street trees in the public right-of-way, and private trees in development and construction. With minor changes and increased communication and clarity, these tree policies will continue to address individual property owners' needs, balanced by community benefits and values. Opportunities include developing summaries of policies that are user-friendly and comprehensive, evaluating the structure of the urban forest program and personnel roles, and optimizing funding.

Manhattan Beach personnel regularly meet with residents and developers to discuss tree conflicts, infrastructure disruption, and tree preservation. This ongoing outreach and along with other elements of urban forest management, has become a large task, requiring approximately 1,800 hours of dedicated staff time, spread among 7 individuals. The following section discusses strategies that will help Manhattan Beach maintain the high level of service to residents with some restructuring of staff responsibilities.

Understanding the current tree resource and urban forest program, benchmarks can be set so that improvement can be clearly quantified. With this UFMP, Manhattan Beach has the basis for continued performance evaluation of the tree resource and the urban forest program. The following section will provide methods for reviewing and measuring attainment of the UFMP goals, and ultimately, the community vision for the urban forest.

Altogether, Manhattan Beach is poised to enjoy increasing environmental benefits and socio-economic value from the community's urban forest. This growth will support the community's vision for a high quality of life. Considering that a healthy and vibrant urban forest is vital to supporting Manhattan Beach's small beach town character the community is fortunate to have a comprehensive plan for the preservation and management of this resource.

Because the urban forest is a dynamic, growing, and ever-changing resource it will require sound and proactive management to fully realize its maximum potential.



# WHAT DO WE WANT?

## Community Participation

To better understand how the community values the benefits of the urban forest resource and to provide residents and other stakeholders an opportunity to express their views about management policy and priorities, the development process for the Urban Forest Master Plan included three public meetings and an online survey.

The public meetings and the online survey were promoted through local newspaper, social media, the City's website as well as by e-mail to interested residents.

## Public Meetings

During Plan development, three (3) community meetings were held to gather community input and provide updates as the Plan was in process. Meetings were held in the evening, on March 12, 24 and April 22, and included a 30-40 minutes prepared presentation followed by questions from participants, voting posters, and discussions. A total of 22 people attended one or more meetings.

Following the presentation attendees participated in a discussion and planning session to identify goals and objectives for the Urban Forest Master Plan.

Attendees discussed expectations for public tree maintenance and locations where additional trees are desired. Discussion also included what types of education and outreach residents would like to see along with ways to incentivize tree preservation and planting on private property.

Participants were asked to rank various ideas in consideration for the UFMP with colored dots that indicated their support or lack of support for different approaches. Participants identified Aesthetics and Wildlife habitat as very important (11 participants prioritizing each benefit), while Economics, Tourism, and Retail benefits were valued less by the majority (9 participants). The majority of participants supported optimal care for trees (13), and high species diversity (22 participants). Monocultures by streets or neighborhoods were very unpopular, with 19 participants not in favor. Popular locations for additional tree planting included streets (11) and greenbelts (10). Community outreach events about tree planting were supported by 12 participants and 10 were unsure or neutral about the concept of tree pruning workshops. A mixed response was given to the idea of outreach to encourage tree planting on private property with 5 neutral or unsure, 4 in favor, and 6 not in favor.

## Online Survey

In addition, an online survey, available from February 27 through March 28, 2015, was completed by 36 individuals. This sample was a self-selected group of residents, and not a random sample. In addition, the participants represent just 36 residents in a city with a population of 35,135. Additional solicitation of community input will be a beneficial element of the adaptive management of the urban forest in coming years.

The 20 question survey polled participants about topics including:

- Which tree benefits were most important
- Perceptions of the current urban forest program
- Whether the city needs more trees
- Whether trees need more, or a different kind, of maintenance
- Participant demographics
- Other/ open-ended

When asked to rank tree benefits from most important to least important, Air Quality benefits were ranked most important by 19 participants, (50% of respondents), and, overall, in the top or second place by a total of 26 respondents, (72%) (Figure 6). The rankings of other environmental tree benefits showed high variability of opinion, with participants ranking energy savings and water quality with little overall discernable trend. Wildlife habitat was ranked less important, by 20 participants (55%) ranking it 4 or 5, indicating less importance than the other benefits. Carbon storage was also ranked less important, with 18 participants (50%) ranking the benefit 4 or 5, less, or least important, and just 2 respondents ranking it most important.

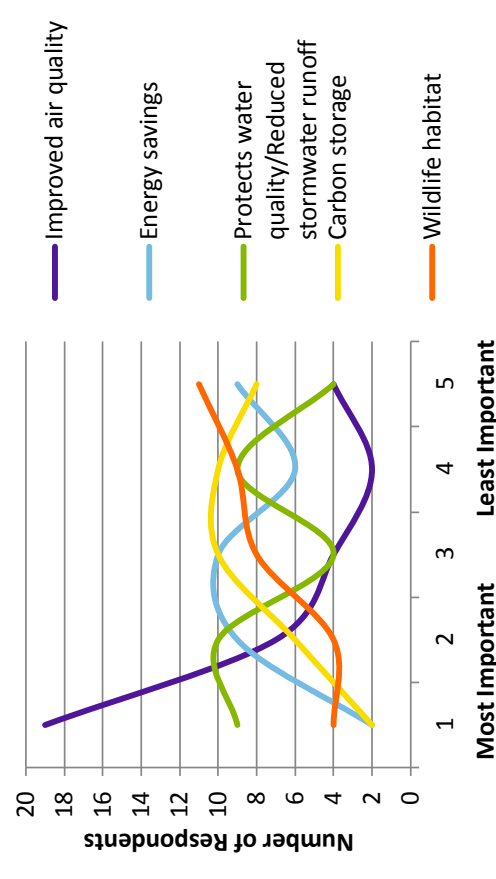


Figure 6. Online Survey Participant Ranking of Environmental Benefits

Considering aesthetic and socio-economic factors (Figure 7), participants ranked the following benefits most valuable:

- Attractive to residents and tourists
- Beauty/aesthetics
- Shaded trails, sidewalks, and bike trails

The following benefits received rankings that trended toward least important:

- Shaded parking
- Improve retail areas and neighborhoods
- Increased property values
- Passive recreation
- Shaded streets

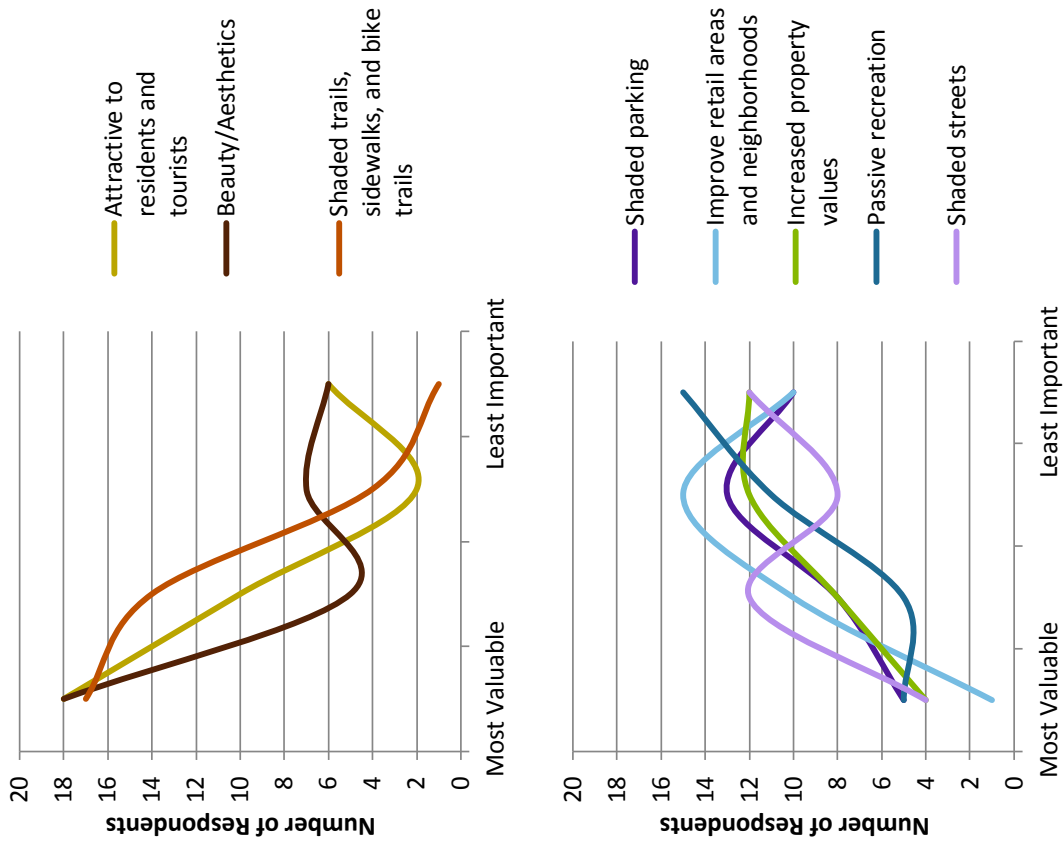


Figure 7. Online Survey Participant Ranking of Socio-economic and Aesthetic Benefits

When asked about their awareness of the City's urban forest program, 17 respondents (47%) said they were unaware the city had an urban forest program, 8 respondents (22%) had visited the city's webpage for information about trees and/or the urban forest, and 7 respondents had read a newspaper article that discussed public trees and/or Manhattan Beach's urban forest.

The next section of the survey asked participants about the importance of trees in Manhattan Beach. A majority of respondents (14 people, 67%) strongly agreed that trees are important to the quality of life. Ten (10, 28%) agreed. Fifteen respondents (42%) strongly agreed that Manhattan Beach needs more public trees, while 12 respondents (33%) agreed and 6 (17%) disagreed. When asked where more trees should be planted, the largest portion of respondents (22 people, 61%) indicated they would like to see more public trees in open space and natural areas, followed by parks (21 people, 58%) and streetscapes (19 people, 53%).

Half of respondents (18 people) agreed they were satisfied with the current level of maintenance provided for public trees, and 2 (6%) strongly agreed. Thirteen respondents (36%) disagreed (8) or strongly disagreed (5), and 3 respondents (8%) were unsure. When asked what level of maintenance trees should receive, the most popular approach was best possible care (clearance, structure, and health) selected by two-thirds of respondents (24 people, 67%).

For the two following questions, respondents were allowed to check all that applied.

When asked about types of education and public outreach participants would like to see offered by the urban forestry program, the most popular topics were tree care (23 people, 64%) and species information (22 people, 61%) followed by tree pruning (18 people, 50%, and tree planting (16 people, 44%).

Over three quarters of respondents (28 people, 78%) supported education and outreach as the best way to encourage tree planting and preservation on private property, followed by free trees (20 respondents, 56%).

Demographically, respondents were 42% male, 47% female, and 11% declined to state. Just two respondents, 6% were age 36-45, 22% were 46-55, and 72% were over 56 years old. All respondents stated they were residents of the city, and 58% also stated they appreciate public trees. Almost a quarter (22%) stated they had donated to a non-profit foundation in support of public trees.

## Interviews

While it may not be their primary focus, many individuals and departments within the City share some level of responsibility for the community urban forest, including planning for, caring for, and/or affecting the policy of urban forest assets.

Davey Resource Group worked with the Street Superintendent to identify City departments and individuals who have a stake in the management of Manhattan Beach's public trees. Stakeholders were invited to participate in an interview and discussion about their role and perspective for the urban forest as well as their views, concerns, and ideas for the Urban Forest Master Plan.

Interviews were conducted with key city personnel including:

- Maintenance Superintendent
- Planning Manager
- Street Maintenance Supervisors
- Consulting Arborist
- Recreation Services Manager

These interviews provided important information about the current functions of the urban forestry program and potential areas for improvement. Concerns, requests, and suggestions from all stakeholders were of primary interest and were provided full consideration in the development of the Urban Forest Master Plan.

Key concepts gathered through the stakeholder interview process include the following:

- Tree species selection could be more intentionally guided so the right trees are planted in the right places.
- Infrastructure conflicts are becoming more common as large trees mature in small parkway planting areas.
- Residents express confusion about the rules and regulations related to trees.
- Urban forestry duties are performed as part of seven different personnel's duties.
- There is a need to balance individual property owner's desires with the community vision for the urban forest.
- Trees pruned by adjacent property owners receive inconsistent care, while city-maintained trees receive pruning as needed on a 1-2 year cycle.
- Consider broadening the tree species palette and contract growing hard to find species that have seaside success.
- The community utilizes parks and open space heavily for outdoor recreation and exercise.

## Plan Goals and Objectives

Based upon review of the current urban forestry program and resources (What Do We Have?) and input from the community and other stakeholders (What Do We Want?), the UFMP identifies nine goals that represent what we want for the future of Manhattan Beach's community urban forest. The goals and objectives are intended to adequately manage the City's urban forest in a timely, cost-effective, and efficient manner. This includes the proactive identification of risk and mitigation strategies to promote public safety and reduce liability.

In addition, the UFMP considers objectives for optimizing the value and benefits of this resource through tree planting and replacement programs that will ensure the future resiliency of the resource and the maximization of environmental, social, and economic benefits from trees and canopy. Finally, the UFMP recognizes that community engagement is integral to successfully achieving the goals and objectives for the future of the community urban forest. Consequently, the UFMP includes well developed objectives for public engagement, outreach, and education.

## Urban Forest Structure

### **Goal: Sustainable, healthy, and safe community tree resource**

This goal and the objectives that support it are intended to improve overall forest health (structure and composition), preserve and enhance existing tree canopy, and thereby provide the foundation for sustainability of the resource and maximization of the urban forest benefits over time.

Objectives for this goal include, optimizing pruning and maintenance cycles, and updating the species palette and planting design specifications, as well as encouraging innovative designs to increase soil volume and stormwater infiltration (Appendix)

### **Goal: Preservation of significant and high value trees**

This goal and supporting objectives focus on helping city personnel identify trees that should be preserved regardless of infrastructure impacts and other nuisances. These significant and high value trees may be important because of their stature (DBH, height, and canopy width), unique species, or historical attributes.

### **Goal: Optimize available planting space for beauty and benefits**

This goal and supporting objectives provide resources for residents and city personnel to select species based on unique site characteristic to plant the right tree in the right place. Site considerations include existing and planned utilities and other infrastructure, planter size, soil characteristics, water needs, as well as the intended role and characteristics of the species. Species considerations include mature stature, invasiveness of roots, drought tolerance, salt tolerance, and fruit production.

## Urban Forest Policy

### **Comprehensive, user-friendly regulations and policies**

Feedback from residents and city personnel indicated that the current municipal codes relating to trees are considered complex and difficult to understand. This goal and associated objectives focus on minor revisions to the municipal code, coupled with the production of online and print resources that help summarize and decipher the municipal code, using simple language and graphics to aid in understanding and communicating the regulations.

### **Optimize urban forestry programming**

This goal is intended to optimize the structure and organization of Manhattan Beach's urban forestry program and provides the necessary support for day-to-day operations and the implementation of the UFMP. The objectives for this goal include optimizing the organizational

## Definitions

**Sustainable:** Ability to be repeated and performed at a desired level for an extended period of time

**Best Management Practices (BMPs):** National standards developed by industry leaders that represent the ideal actions and activities for the industry

**Tree Species Palette:** A list of suitable trees with traits and projections of performance at maturity based on local conditions

**High-Value Trees:** Trees in fair to excellent condition which contribute greatly to the urban forest and are exceptional because of their size, species, historic significance, ecological value or aesthetics as determined by city staff

**Accessible:** Free from obstructions or hazards that hinder public use

**Publicly Maintained Tree:** A tree located along main streets and/or in a city park or facility.

**Privately Maintained Tree:** A tree located on private property, or in the parkway of residential properties.

**Right Tree - Right Place:** The practice of installing the optimal species for a particular planting site. Site considerations include existing and planned utilities and other infrastructure, planter size, soil characteristics, water needs, as well as the intended role and characteristics of the species. Species considerations include mature stature, invasiveness of roots, drought tolerance, salt tolerance, and fruit production.



structure for urban forestry operations, consolidating tree-related tasks to a single staff position, and exploring opportunities to reduce costs with efficiencies in management.

***Optimize funding and identify new opportunities***

This goal and supporting objectives are intended to identify and secure funding, both short-term and long-term (sustainable), for the establishment, preservation, and maintenance of public trees in Manhattan Beach. Possible sources include, but are not limited to: general fund, assessment districts, developer contributions, and other state, federal, and local sources.

**Communicate a Focus on Beauty, Benefits, and Sustainability**

***Optimize the recreational potential of public green spaces pedestrian use***

In the online survey, a large portion of respondents indicated they would like to see more public trees in open space, natural areas, and parks. This goal and the supporting objectives prioritize identifying appropriate places for tree planting that will shade paths and recreational areas while maintaining visibility through parks for public safety.

***Increase outreach and education***

This goal and supporting objectives support the development of programs, activities, and materials that increase awareness and appreciation for the urban forest and trees in general.

Objectives for this goal include developing print materials, and a website for urban forest outreach and education.

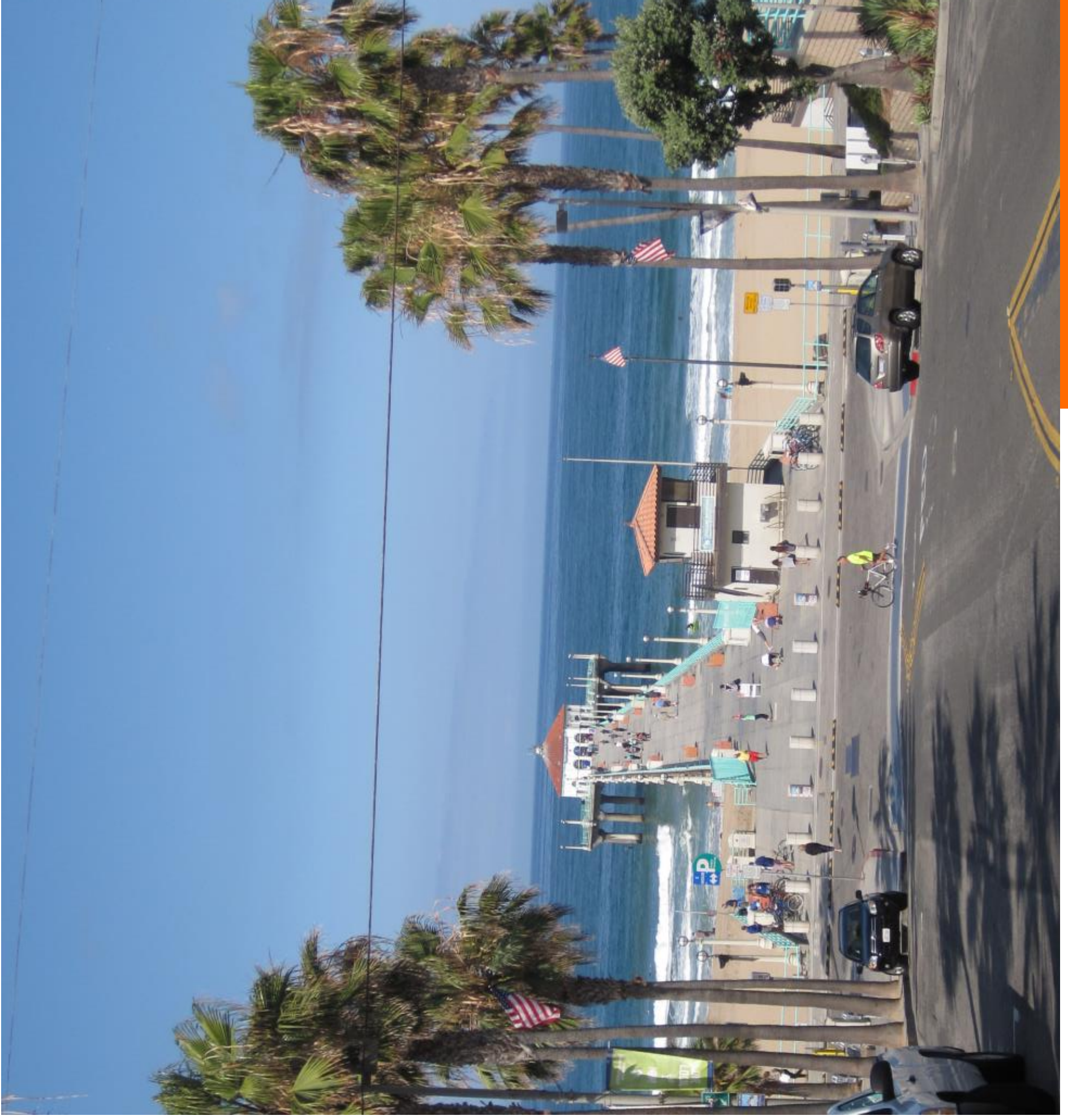
***Review and measure attainment of the UFMP***

This goal and the objectives that support it will ensure that the UFMP remains current and representative of community goals and values and that it continues to be a dynamic and responsive tool for managing the community's urban forest resource.

The objectives for this goal include regular review of the UFMP for integration into work plans along with periodic analysis of canopy changes and benefits to assess changes in benchmark values.

***Preserve and enrich wildlife habitat***

This goal and supporting objectives promote education of tree maintenance providers to understand the seasonality of bird nesting, and follow state regulations regarding urban wildlife. Consideration is also given to butterflies and beneficial insect populations.





# HOW DO WE GET THERE?

The following section provides the details for each of the UFMP goals. Each goal is aligned with the guiding principle that it most closely supports. A complete listing of objectives is detailed for each goal along with a comprehensive set of specific actions that will guide urban forest managers and administrators towards achievement of the objective. A timeline illustrating the tentative target for each of the objectives and primary actions is included in Appendix B.

The UFMP identifies appropriate resources to adequately manage the community's urban forest and natural resources. The Plan is intended to be a dynamic tool that can and should be adjusted in response to available resources and changes in community expectations. In addition to serving as a day-to-day guide for planning and policy making, the UFMP should be reviewed regularly for progress and to ensure that the objectives and action strategies are integrated into the annual work plan.

## **The mission of the City of Manhattan Beach is to provide exemplary municipal services, preserving our small beach town character and enhancing the quality of life for our residents, businesses and visitors**

### *Mission*

### **Maintain and improve the structure and environmental benefits from the community urban forest**

### *Guiding Principles*

- Sustainable, healthy, and safe community tree resource
- Preservation of significant and high-value trees
- Optimize available planting space for beauty and benefits

### *Goals*

- Apply best management practices and industry standards to all tree care operations
- Develop a tree planting and replacement plan with an emphasis on planting the right tree in the right place
- Increase diversity in the community tree resource
- Promote design and construction standards that increase soil volume and planting space.
- Develop guidelines to identify and preserve significant trees
- Promote infrastructure repair strategies that preserve tree roots while providing accessible sidewalks
- Continue to promote tree preservation during development balancing private property rights with community goals

### *Primary Objectives*

### **Establish comprehensive policies and procedures for tree preservation, planting, and maintenance**

- Comprehensive, user-friendly regulations and policies
- Optimize urban forestry programming
- Optimize funding and identify new opportunities

- Provide comprehensive, reasonable, and transparent policies and procedures for tree removal, replacement, and protection
- Revise 10.52.120 Tree Preservation and Restoration Ordinance
- Revise 7.32 Tree, Shrub and Plant Regulations
- Create an urban forester position to manage the community urban forest resource, interfacing with residents, providing expertise in arboriculture, and serving as a single point of contact for all tree concerns
- Explore funding mechanisms to care for community trees in neighborhoods and parkways
- Coordinate with existing and new planning documents to reference and align with the UFMP

### **Communicate a vision for the urban forest that focuses on beauty, benefits, and sustainability**

- Optimize the recreational potential of public green spaces for pedestrian use
- Increase outreach and education
- Review and measure attainment of the UFMP
- Preserve and enrich wildlife habitat

- Optimize trees and vegetation along sidewalks and pathways to promote walkability
- Ensure accessibility of sidewalks by continuing regular maintenance of infrastructure disruptions
- Enhance and maintain the City's webpage for the community urban forestry program
- Develop new and revise current informational brochures (e.g., pruning, right tree right place)
- Report on success and ongoing challenges (i.e., State of the Urban Forest Report)
- Reestablish Tree City USA status

## Maintain and improve the structure and environmental benefits from the community urban forest

### Goal: Sustainable, healthy, and safe community tree resource

This goal is intended to improve overall forest health (structure and composition), preserve and enhance existing tree canopy, and thereby provide the foundation for sustainability of the resource and maximization of urban forest benefits over time.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Apply best management practices (BMPs) and industry standards to all tree care operations.</b></p> <p>The Tree Care Industry Association (TCIA) and the International Society of Arboriculture (ISA) partner with government agencies, tree care companies, and green industry organizations to develop and maintain comprehensive standards approved by the American National Standards Institute (ANSI). The ANSI A300 Series applies to tree care operations and ANSI Z133 safety requirements apply to employers and employees engaged in arboricultural operations. The ISA Best Management Practices (BMP) Series complements these standards.</p> <p>The City of Manhattan Beach applies these standards, which are based on current science, to ensure the highest level of tree care, thereby promoting health and longevity, reducing the risk of tree failure, and minimizing liability.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Ensure that all contract specification and in-house policies and directives require that tree care operations adhere to current industry and best management practices (BMPs).                             <ul style="list-style-type: none"> <li>o ANSI A300 Standards for Tree Care Operations</li> <li>o ANSI Z133 Safety Requirements</li> <li>o ISA Best Management Practices</li> </ul> </li> </ul>	\$ Low	1) Perform QA inspections & documentations on a routine basis. 2) Review standards & BMPs on an annual basis.	2016-2017 Annually thereafter
<p><b>2. Increase diversity in the community tree resource</b></p> <p>Species diversity in an urban forest is an indicator of the overall health and stability of the resource. Greater diversity promotes greater resistance to pests, disease, and environmental stresses. High reliance on one or a few key species can result in devastating losses within the resource and to the benefits afforded to the community in the event of a major pest or disease outbreak (e.g., emerald ash borer, Dutch elm disease).</p> <p>Climate change is expected to have a significant effect on all forests (including urban forests) because of changes in temperatures (average, high, and low) and increases in pest and disease outbreaks. Species that are marginal now may experience either an advantage or a disadvantage from these changes. Increasing species diversity in the overall population will be critical to preparing for these changes and promoting sustainability of both tree canopy and benefits.</p> <p>Manhattan Beach's community tree resource includes more than 180 unique species with good diversity among non-palm species. Maintaining this high diversity and reducing planting of palm species will be important as increased urban density provides less space for high-benefit medium to large canopy non-palm species. This strategy promotes sustainability of the overall community tree resource and lessens the likelihood of catastrophic loss at the neighborhood level.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Review and update the Tree Species Palette every 5 years, or as factors, such as pests or drought impact the current tree resource.</li> <li>B) Review the performance of existing species in the inventory to identify performance history and continued suitability and/or ideal distribution.</li> </ul>	\$\$ Medium	1.) Conduct a species diversity analysis of the public tree resource every 5 years.	2016 - 2025

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

## Maintain and improve the structure and environmental benefits from the community urban forest

### Goal: Sustainable, healthy, and safe community tree resource

This goal is intended to improve overall forest health (structure and composition), preserve and enhance existing tree canopy, and thereby provide the foundation for sustainability of the resource and maximization of urban forest benefits over time.

#### Objectives in support of this goal include:

#### 3. Transition pruning and removal duties from private property owners to city personnel

A large portion of the public urban forest (7,459 trees) is currently maintained by adjacent property owners. This has resulted in maintenance that is highly variable, occurring at different time intervals and with different pruning objectives. Manhattan Beach has an opportunity to make these intervals, and the quality of pruning more regular, and more in line with industry BMPs.

#### Actions:

- A) Conduct a cost analysis based on the current inventory
- B) Project costs of maintenance in 5 and 10 years.
- C) Conduct a poll of residents to determine support with a random sample of homeowners

Cost	Method of Measurement	Target
\$\$ High	1) Poll of randomly-selected residents to determine support	2020

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

## Maintain and improve the structure and environmental benefits from the community urban forest

### Goal: Preservation of significant and high-value trees

This goal is intended to provide guidelines and innovative site designs to allow for the preservation of significant, high-value trees as trees grow and conflicts arise. Medium and large-stature trees are crucial in providing urban forest benefits and promoting the community's desired values for the urban forest.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Develop guidelines to identify and preserve significant trees</b> Trees identified for preservation should be in fair to excellent condition, which contribute greatly to the urban forest and are exceptional because of their size, species, historic significance, ecological value or aesthetics as determined by city personnel. Information about the thresholds for these trees should be provided in user-friendly formats so community members can determine if their tree is a good candidate for preservation.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Work with city personnel and the community to identify the qualities and character of trees desirable for preservation. Identify DBH, height, or canopy criteria that indicate a tree is significant or high-value</li> <li>B) Conduct inter-departmental training to share thresholds and qualities to ensure property owners and community members receive consistent information from all city personnel</li> </ul>	\$ Low	1) Report the number of trees preserved annually.	2017 - 2021
<p><b>2. Continue to promote tree preservation during development</b> As property values increase, redevelopment becomes common and increasingly large buildings footprints are proposed as the market will bear larger and higher value structures. However, tree preservation or the preservation of space for vegetation also adds values to properties, and retains neighborhood character. In instances where tree preservation is not advised due to tree health, performance, or structure, space for new tree planting should be maximized, including providing sufficient soil volumes to accommodate large or medium stature trees at maturity.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Retain and enforce, existing tree preservation methods and standards</li> <li>B) Work with developers and property owners to adjust site designs to minimize root pruning or removal of major limbs</li> </ul>	\$ - Low	1) Report the number of trees preserved and removed as a result of development permits, as well as reasons removal was approved.	2016
<p><b>3. Promote infrastructure repair strategies that preserve tree roots while providing accessible sidewalks</b> Retaining medium and large stature trees can be a challenge in Manhattan Beach, where planting space is often limited by hardscape. Since Manhattan Beach provides the sidewalk repair to residents, it may be possible in some instances to employ innovative repair strategies. If additional costs are incurred to employ these designs, the costs can be spread over the entire repair budget, or mitigated by tree preservation funds.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Consider pavement repair options to reduce repeated conflicts between trees and other infrastructure (Appendix A, <i>Alternative Planter Designs</i>) <ul style="list-style-type: none"> <li>o Suspended pavement</li> <li>o Pervious pavement/rubberized pavers</li> <li>o Flexible (e.g., rubber) sidewalks</li> </ul> </li> </ul>	\$\$ - Medium	1) Evaluate sidewalk repair sites for potential to accommodate innovative repair strategies.	2016

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

## Maintain and improve the structure and environmental benefits from the community urban forest

### Goal: Optimize available planting space for beauty and benefits

Planting the right tree in the right place means installing the optimal species for a particular planting site. Site considerations include existing and planned utilities and other infrastructure, planter size, soil characteristics, water needs, as well as the intended role and characteristics of the species. Species considerations include mature stature, invasiveness of roots, drought tolerance, salt tolerance, and fruit production. In addition, consideration of whether a location can support a tree is important. This goal provides tools to ensure trees are appropriate to planting sites, and adapting difficult sites so trees can thrive.

Objectives in support of this goal include:

#### 1. Develop a tree planting and replacement plan with an emphasis on planting the right tree in the right place.

A revised tree palette was developed as part of this UFMP. This palette should be reviewed and updated as new cultivars become available, and new pests and stressors become apparent. Community values are important to consider, especially views, safety, and comfort for pedestrians and joggers. When new tree planting locations are identified, signage and stakes should be set out in advance and neighbors should be provided opportunity for input well in advance of tree planting. In parkways, conflicts can be avoided by limiting species selection to trees appropriate for parkway widths.

##### Actions:

- A) Provide residents with a userfriendly tree palette for selection of parkway trees, including key metrics on tree stature at maturity, appropriate planter width, water use, and other useful information
  - o Avoid/reduce hardscape and utility conflicts
  - o Match tree species to soil and water conditions
  - o Match tree species to planter size and intended use/objective
- B) Identify strategic locations for additional open space trees in parks and greenways
  - o Conduct an inventory of vacant sites and record possible conflicts such as line of sight and view obstruction for neighboring properties.
  - o Plant trees where they will provide the most benefit to pedestrians and park users with minimal conflict.

#### 2. When new sidewalks are installed, promote design and construction standards that increase soil volume and planting space.

To reach full potential (i.e., a trunk diameter, height, and canopy spread typical of the species) and to provide the greatest benefits to the community, a tree must have enough soil volume to support healthy root growth and structure (Appendix A, Soil Volume & Tree Stature). This is particularly important in parking lots and other paved areas where the temperatures of surrounding asphalt can inhibit the natural spread of roots beyond planter boundaries. In addition to planter design, species selection is critical (e.g., right tree, right place) to ensuring that a tree will perform its intended role and function in the landscape in balance with other infrastructure.

##### Actions:

- A) Supplement Planter Design Standards with options for increasing soil volume where above ground area is restricted by impervious surfaces (Appendix A, Alternative Planter Designs).

#### 3. Promote planter design and construction standards that reduce runoff and promote stormwater retention

In Manhattan Beach, stormwater flows untreated directly into the ocean. This, coupled by the fact that California is experiencing drought conditions, limiting irrigation quantities and frequency make stormwater retention in vegetated areas even more beneficial to the immediate environment.

##### Actions:

- A) Supplement Planter Design Standards with additional options for incorporating trees into stormwater management (Appendix A, Alternative Planter Designs).
  - o Stormwater tree pits and drainage plans
  - o Interconnected tree pits
  - o Bioswales

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Develop a tree planting and replacement plan with an emphasis on planting the right tree in the right place.</b></p> <p>A revised tree palette was developed as part of this UFMP. This palette should be reviewed and updated as new cultivars become available, and new pests and stressors become apparent. Community values are important to consider, especially views, safety, and comfort for pedestrians and joggers. When new tree planting locations are identified, signage and stakes should be set out in advance and neighbors should be provided opportunity for input well in advance of tree planting. In parkways, conflicts can be avoided by limiting species selection to trees appropriate for parkway widths.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Provide residents with a userfriendly tree palette for selection of parkway trees, including key metrics on tree stature at maturity, appropriate planter width, water use, and other useful information                             <ul style="list-style-type: none"> <li>o Avoid/reduce hardscape and utility conflicts</li> <li>o Match tree species to soil and water conditions</li> <li>o Match tree species to planter size and intended use/objective</li> </ul> </li> <li>B) Identify strategic locations for additional open space trees in parks and greenways                             <ul style="list-style-type: none"> <li>o Conduct an inventory of vacant sites and record possible conflicts such as line of sight and view obstruction for neighboring properties.</li> <li>o Plant trees where they will provide the most benefit to pedestrians and park users with minimal conflict.</li> </ul> </li> </ul>	\$ - Low	1) Produce print and online tree selection resources. 2) Conduct an inventory of possible planting sites. 3) Post signage and stakes to solicit neighborhood input about possible tree planting locations.	2017
<p><b>2. When new sidewalks are installed, promote design and construction standards that increase soil volume and planting space.</b></p> <p>To reach full potential (i.e., a trunk diameter, height, and canopy spread typical of the species) and to provide the greatest benefits to the community, a tree must have enough soil volume to support healthy root growth and structure (Appendix A, Soil Volume &amp; Tree Stature). This is particularly important in parking lots and other paved areas where the temperatures of surrounding asphalt can inhibit the natural spread of roots beyond planter boundaries. In addition to planter design, species selection is critical (e.g., right tree, right place) to ensuring that a tree will perform its intended role and function in the landscape in balance with other infrastructure.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Supplement Planter Design Standards with options for increasing soil volume where above ground area is restricted by impervious surfaces (Appendix A, Alternative Planter Designs).</li> </ul>	\$ - Low	1) Adopt planter design standards.	2017
<p><b>3. Promote planter design and construction standards that reduce runoff and promote stormwater retention</b></p> <p>In Manhattan Beach, stormwater flows untreated directly into the ocean. This, coupled by the fact that California is experiencing drought conditions, limiting irrigation quantities and frequency make stormwater retention in vegetated areas even more beneficial to the immediate environment.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Supplement Planter Design Standards with additional options for incorporating trees into stormwater management (Appendix A, Alternative Planter Designs).                             <ul style="list-style-type: none"> <li>o Stormwater tree pits and drainage plans</li> <li>o Interconnected tree pits</li> <li>o Bioswales</li> </ul> </li> </ul>	\$ - Low	1) Adopt planter design standards.	2017

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

## Establish comprehensive policies and procedures for tree preservation, planting, and maintenance

### Goal: Comprehensive, user-friendly regulations and policies

This goal is intended to ensure an appropriate regulatory framework in support of the community's urban forest vision.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Provide comprehensive, reasonable, and transparent policies and procedures for tree removal permits</b></p> <p>Currently, tree removal permits are only approved for trees that are seriously diseased, dying, or hazardous. Community members have requested tree removal permits because trees are disrupting pavement, or to enhance views, and these are typically not granted. Subsequent appeals have not been successful. This objective is intended to make the tree permit policies more clear and comprehensive.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Create two tree permit applications. One form should address tree removal and replacement, and another should address tree protection during construction.</li> <li>B) Revise the tree Permit Application form to add information about reasons tree permits may be declined, including view enhancement, leaf or litter drop, and infrastructure disruption. Also include the five criteria for removal as specified in Ordinance Section 10.52.120.</li> <li>C) Provide a sample tree protection during construction plan on the City website. Include all the necessary information so it can be used as a template.</li> <li>D) Provide a diagram illustrating the tree protection zone in plan view.</li> </ul>	<p>\$\$ Medium</p>	<p>1) Quantify personnel hours spent providing advice and instruction, and requesting additional information to process tree removal permits.</p>	<p>2016-2017 Review annually</p>
<p><b>2. Revise 10.52.120 Tree Preservation and Restoration Ordinance</b></p> <p>Overall the ordinance provides strong protections to protected trees in the tree protection zone located on private property. Public input indicated confusion about the definitions and rules in this ordinance section. The proposed updates will help the ordinance to be more clear and consistent with section 7.32.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Strengthen the language describing the procedure for required replacement trees to require the replacement tree is an appropriate species from the Manhattan Beach Tree Species Palette, and that the tree is installed according to the city's tree planting detail.</li> <li>B) Create a clear definition for public nuisance trees and develop a species list of palms and deciduous fruiting trees that will be granted removal permits if replaced with a species recommended by the Manhattan Beach Tree Species Palette</li> <li>C) Remove reference to crown thinning to prevent wind damage. Instead, reference ANSI A300 pruning standards.</li> </ul>	<p>\$ Low</p>	<p>1) Revise 10.52.120 Tree Preservation and Restoration Ordinance</p>	<p>2016 Review as needed</p>
<p><b>3. Revise 7.32 Tree, Shrub and Plant Regulations</b></p> <p>Overall the ordinance provides strong protections to trees along streets, in parks and at city facilities. Public input indicated confusion about the definitions and rules in this ordinance section. The proposed updates will help the ordinance to be more clear and consistent with section 10.52.120</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Create a clearer, more detailed definition for "Street trees" and "Trees and shrubs"</li> <li>B) Require replacement trees be appropriate species from the Manhattan Beach Tree Species Palette, and that the tree is installed according to the city's tree planting detail.</li> <li>C) Provide rules for the installation of temporary lighting on street trees</li> </ul>	<p>\$ Low</p>	<p>1) Revise 7.32 Tree, Shrub, and Plant Regulations</p>	<p>2016 Review as needed</p>

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

# Establish comprehensive policies and procedures for tree preservation, planting, and maintenance

## Goal: Optimize urban forestry programming

A strong urban forestry program requires leadership and constancy of vision to accomplish community urban forestry goals. This goal, and the objectives that support it are designed to develop a strong program structure and communicate a consistent vision for the urban forest in all city documents.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Create an urban forester position to interface with residents, provide expertise in arboriculture, and serve as a single point of contact for all tree concerns.</b></p> <p>Currently, there are seven different city personnel who work together to manage tree-related issues in Manhattan Beach. At times this creates redundancy of work for personnel and multiple site visits to determine an appropriate course of action for a given tree based on site conditions, tree health and structure, and property owner requests. A single point of contact for tree related concerns would streamline this process and allow other personnel to focus on their assigned duties.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Secure funding for the position.</li> <li>B) Allow sufficient time to recruit the optimal candidate.</li> <li>C) Direct tree issues and concern to the urban forester.</li> </ul>	<p>\$\$ Medium</p>	<p>1) Hire an Urban Forester by 2015.</p>	<p>2015-2017 Annually</p>
<p><b>2. Coordinate with existing and new planning documents to reference and align with the UFMP</b></p> <p>The UFMP is complimentary and supportive of the Veteran's Parkway Master Plan, and aligns with the values in the Community Resources section of the General Plan. As new planning documents and master plans are developed, and existing ones are reviewed, the Urban Forester will review them for consistency with the UFMP and the community's vision for the urban forest.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) As revisions occur, recognize the value of the UFMP and the role of trees and tree canopy as implementation measures for goals identified in the various elements of the General Plan.</li> <li>B) Insure that all specific plans reference the UFMP Tree Care Standards and include consideration for the establishment of public trees, including the construction of planting sites that support tree maturity.</li> </ul>	<p>\$ Low</p>	<p>1) Update documents to reference and align with UFMP</p>	<p>2016 Ongoing</p>

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

## Establish comprehensive policies and procedures for tree preservation, planting, and maintenance

### Goal: Optimize funding and identify new opportunities

This goal is intended to identify and secure funding, both short-term and long-term (sustainable), for the establishment, preservation, and maintenance of public trees in Manhattan Beach. Possible sources include, but are not limited to: general fund, assessment districts, developer contributions, and other state, federal, and local sources.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Explore feasibility of alternative funding strategies to fund the care of community trees in neighborhoods</b></p> <p>Landscape and Lighting assessment funds are currently only allocated to lighting expenses. If community support exists, the scope of these assessments could be expanded to include tree care and maintenance. Additional options include fees, fines, mitigation</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Conduct a poll of randomly selected voting residents to determine support.</li> <li>B) If insufficient support exists, develop and provide outreach and education to residents about how regular pruning improves tree health, longevity and structure.                             <ul style="list-style-type: none"> <li>o Illustrate the benefits of the urban forest and the potential results and costs of irregular maintenance.</li> </ul> </li> <li>C) Conduct research to identify alternative funding sources.</li> </ul>	<p>\$ Low</p>	<p>1) Conduct a poll of randomly selected voting residents.</p>	<p>2016-2017 Annually</p>

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (> \$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.



# Communicate a vision for the urban forest that focuses on beauty, benefits, and sustainability

## Goal: Optimize the recreational potential of public green spaces for pedestrian use

This goal is intended to support outdoor recreation and use of public space by maintaining existing trees at an optimal level and plant new trees in strategic locations to maximize benefits.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Optimize trees and vegetation along sidewalks and pathways to promote walkability.</b></p> <p>Many Manhattan Beach residents and visitors enjoy outdoor recreation and the aesthetics of well-landscaped areas. Trees and vegetation are important to maintaining pedestrian friendly, human scale streetscapes and park landscapes. Strategic locations for additional tree planting to reinforce these values has not been recently assessed.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Conduct an inventory of vacant sites in conjunction with the next regularly scheduled inventory with the following in mind:               <ul style="list-style-type: none"> <li>o Increase shade on paths while maintaining safety and line of sight along greenways.</li> <li>o Ensure appropriate parkway locations are planted with species that will provide optimal benefits for the available soil volume, accommodating infrastructure and signage.</li> </ul> </li> </ul>	\$ Low	1) Inventory vacant sites	2018 Every 5 years
<p><b>2. Ensure accessibility of sidewalks by continuing regular maintenance of infrastructure disruptions</b></p> <p>Established in the mid-1990s, the pavement repair program identifies and repairs pavement areas disrupted by trees and other infrastructure issues. This program provides a review every 7 years. A systematic approach to this problem allows the city to address work that has the greatest potential to increase risks and liability.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Conduct a city-wide inventory of pavement disruptions concurrent with the next tree inventory update</li> <li>B) Prioritize repair work to decrease risk and liability., and promote public safety.</li> </ul>	\$\$\$\$ Very High	1) Inventory pavement disruptions in conjunction with the next tree inventory update.	2015 Ongoing

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (> \$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

# Communicate a vision for the urban forest that focuses on beauty, benefits, and sustainability

## Goal: Increase outreach and education

This goal is intended to support the development of programs, activities, and materials that increase community awareness and appreciation for the urban forest and trees in general.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Enhance and maintain the City webpage for the community urban forestry program</b></p> <p>The urban forestry webpage is the first place residents and others consult for information about community trees, and tree care information. It should be engaging, user-friendly, and a comprehensive resource for everything about trees in Manhattan Beach.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Incorporate Information and images that illustrate the state of the urban forest and Manhattan Beach’s canopy cover, including composition and benefits.</li> <li>B) Include active links and engaging articles for residents and property managers, including:                             <ul style="list-style-type: none"> <li>o How to plant a tree</li> <li>o How to prune a tree</li> <li>o How to fertilize and mulch</li> <li>o How to irrigate and care for trees in times of drought</li> <li>o How to hire an arborist or tree care company</li> </ul> </li> <li>B) Include links to electric and natural gas utility websites that explain safety and Right Tree, Right Place concepts.</li> <li>C) Include information about the City’s pruning cycle for community trees so that residents can see when their neighborhood is scheduled for maintenance.</li> <li>D) Include facts and links to the City’s tree protection regulations, requirements, policies, and necessary forms.                             <ul style="list-style-type: none"> <li>o Accessible database of pending and active requests for Heritage Tree removal permits</li> <li>o Benefits and responsibilities of private property owners for parkway trees</li> </ul> </li> <li>E) Include the revised species palette.</li> <li>F) Include information and links on habitat enhancement and wildlife protection:                             <ul style="list-style-type: none"> <li>o Non-native and invasive species</li> <li>o Wildlife and habitat</li> </ul> </li> </ul>	<p>\$</p> <p>Low</p>	<p>1) Collect analytics to determine number of users accessing content.</p>	<p>2015</p> <p>Quarterly or as needed.</p>
<p><b>2. Develop informational brochures</b></p> <p>Not all residents have easy access to online information, and much of the current urban forest outreach and education is provided by City personnel at site visits, so additional brochures and literature can be useful tools.</p> <p><b>Actions:</b></p> <p>Develop brochures for the following topics:</p> <ul style="list-style-type: none"> <li>o How to plant a tree</li> <li>o How to prune a tree</li> <li>o How to fertilize and mulch</li> <li>o How to irrigate and care for trees in times of drought</li> </ul>	<p>\$</p> <p>Low</p>	<p>1) Monitor brochure distribution rates and locations.</p>	<p>2015 - 2016</p>

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

# Communicate a vision for the urban forest that focuses on beauty, benefits, and sustainability

## Goal: Preserve and enrich wildlife habitat

Urban trees and forests provide critical habitat (foraging, nesting, spawning, etc.) for the wildlife who share our environment. Where possible, the City incorporates tree species that specifically support foraging and cover in the urban landscape.

Federal and state regulations protect endangered and migratory species and nearly all common wild birds in the U.S. During nesting season (February through mid-September), tree trimming and other maintenance operations can reduce valuable nesting sites and potentially cause harm to birds, eggs, and fledglings. When possible, scheduling major tree trimming operations (e.g., block side pruning) to occur between late September through January can greatly reduce the likelihood of harm. In addition, contractors and in-house staff must be made aware of regulations and be properly trained to identify and avoid disruption to active nests.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Develop and implement forestry practices and policies that protect birds and other wildlife.</b>                      Urban trees provide shelter and homes for many bird and wildlife species. Forestry operations should provide adequate consideration to the protection of these species and their habitat.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) While not always possible, it is preferable to schedule major tree care operations like block-side pruning to occur from late September through January. This will greatly minimize interference or harm to nesting birds.</li> <li>B) When tree trimming and other potentially disruptive activities must occur during the nesting period, all contracted and in-house personnel participating in the activity shall be aware of state and federal regulations protecting nesting birds and be properly trained to identify and avoid the disturbance of any active nests.                             <ul style="list-style-type: none"> <li>o Ensure that contract specifications require appropriate training and certification to comply with all state and federal regulations that protect endangered and migratory species and nesting birds.                                     <ul style="list-style-type: none"> <li>- Federal Migratory Bird Treaty Act (MBTA)</li> <li>- Federal Endangered Species Act</li> <li>- California Fish and Game Code, Section 3503</li> </ul> </li> </ul> </li> </ul>	\$ Low	1) Track phenology of nesting of desirable species and bloom times of nectary plant species.	2015 Annually
<p><b>2. Promote important habitat tree species for cover, foraging and nesting</b>                      Whenever possible, tree planting and preservation projects will provide consideration for habitat enrichment by planting and preserving species that provide critical nesting, foraging, and cover resources for birds and wildlife</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Whenever possible, landscape and tree planting projects should incorporate species to enrich wildlife habitat within the community by providing important cover, nesting, and foraging sources.</li> <li>B) Parks and other open spaces should be prioritized as fruit, litter or other potential nuisance factors are typically not an issue in these areas</li> </ul>	\$ Low	1) Track species distribution for new tree plantings annually.	2015

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.

# Communicate a vision for the urban forest that focuses on beauty, benefits, and sustainability

## Goal: Review and measure attainment of the UFMP

This goal is intended to ensure that the Urban Forest Master Plan remains current and representative of community goals and values and that it continues to be a dynamic and responsive tool for managing the community's urban forest resources.

Objectives in support of this goal include:	Cost	Method of Measurement	Target
<p><b>1. Annually, review the UFMP and the attainment status of goals and objectives.</b></p> <p>The UFMP is intended to be an active tool that can and should be adjusted in response to available resources and changes in community expectations. In addition to serving as a day-to-day guide for planning and policy making, the Urban Forest Master Plan should be reviewed annually for progress and integration of objectives into the annual work plan.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Review UFMP annually and adjust targets as necessary.</li> <li>B) Integrate current objectives and actions into the annual work plan.</li> </ul>	\$ Low	1) Annual UFMP Updates	2016-2017 Annually
<p><b>2. Reestablish Tree City USA status.</b></p> <p>Tree City USA is a nationally recognized program that helps communities strategically focus resources toward improving and enhancing the community urban forest. Applying for TCUSA status demonstrates a community's commitment and care for the urban forest and provides metrics for measuring growth and effectiveness. In some years, the city may also qualify for a TCUSA Growth Award.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Identify a Tree Board or Department</li> <li>B) Maintain the Tree Ordinance</li> <li>C) Calculate the annual Community Forestry Program Budget. (The requirement is at least \$ per capita. Manhattan Beach's current rate is already greater.)</li> <li>D) Celebrate Arbor Day and issue a Proclamation. California cities often celebrate Arbor Day in early March.</li> </ul>	No cost.	1) Reestablish TCUSA status 2) Review programs to determine Growth Award Eligibility.	2015/2016
<p><b>3. Develop a State of the Urban Forest Report.</b></p> <p>Public support is critical to a successful and sustainable urban forest program. Keeping stakeholders well informed is the best way to generate support and engagement. The annual State of the Urban Forest Report will provide residents and city personnel with metrics on the number of community trees planted, maintained and removed annually.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Present an update to the Urban Forestry Board and residents on the overall condition of the community forest: <ul style="list-style-type: none"> <li>o Highlight services (e.g., number of trees pruned/replaced, service calls responded to, etc.)</li> <li>o Summarize progress towards canopy goals and trees planted (public and private)</li> <li>o Accomplishments towards UFMP objectives</li> </ul> </li> </ul>	\$ Low	1) Publish report.	2018 Every 5 years
<p><b>4. Conduct a Canopy Study to establish baseline canopy on both public and private property</b></p> <p>Tree Canopy studies calculate the amount and distribution of canopy, and can provide managers with valuable data, and help measure canopy gains and losses.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>A) Use i-Tree Canopy or remote sensing (aerial imagery) to map the extent and location of tree canopy in Manhattan Beach.</li> <li>B) Review changes and improvements to overall canopy cover, land use, neighborhoods, etc.</li> <li>C) Consider results with periodic review and alignment of UFMP goals, objectives, and actions.</li> <li>D) Report changes in the State of the Urban Forest Report.</li> </ul>	\$ Medium	1) Publish Canopy Study.	Every 5 years

\$ Low (\$0-\$25,000)    \$\$ Medium (\$25,000-\$50,000)    \$\$\$ High (\$50,000-\$100,000)    \$\$\$\$ Very High (>\$100,000)

\*Targets are tentative and dependent upon available resources. Costs are based on general estimates.



# HOW ARE WE DOING?

## Monitoring and Measuring Results

With appropriate care and planning, the urban forest is an asset that has the potential to increase in value over time. Considering that just over 46% of the public tree population is comprised of young, medium and large stature trees, Manhattan Beach is well positioned to realize this potential. As these young trees mature and their leaf surface and canopy grows, so too will the overall benefits and value of the community's urban forest. The guiding principles, goals, and objectives of the UFMP are intended to support this process in an appropriate manner that provides for the sustainable stewardship of public trees with consideration for cost efficiency and community values. The UFMP includes goals and objectives for measuring the success of planning strategies over time.

### Annual Review

The UFMP is an active tool that will guide management and planning decisions over the next 25 years. The goals, objections, and actions will be reviewed yearly for progress and integration into the annual work plan. The Plan presents a long-range vision and target dates are intended to be flexible in response to emerging opportunities, available resources, and changes in community expectations.

### Resource Analysis

By maintaining up-to-date tree inventory data Manhattan Beach can quickly and easily complete future updates to the tree resource analysis. Comparison of the updated structure, benefits, worth, and benefit vs. investment values can be measured against the benchmarks set by the 2015 analysis to demonstrate progress and improvements to health (condition), species diversity, benefits, and overall resource value. An objective of the UFMP is to complete this analysis every 5 years to illustrate progress and success towards UFMP goals.

### Canopy Analysis

The City does not currently have a baseline tree canopy and land cover analysis to evaluate changes to the extent and location of tree canopy over time. Using GIS analysis, the City can measure and illustrate changes in overall land cover as well as by neighborhood and land-use. This information can be used to inform canopy goals and monitor attainment. The UFMP intends to update the canopy and land cover analysis on a 10 year basis.

## i-Tree Eco

An i-Tree Eco project provides a more complete picture of the overall urban forest (public and private trees). Using complete inventory data or randomly sampled plots, i-Tree Eco considers local hourly air quality and weather data to quantify the structure of the urban forest along with the environmental benefits. Understanding age and species diversity can help the community plan for storm events and climate fluctuations as well as pest and disease outbreaks. An action item for the UFMP calls for urban forest managers to identify and apply for grant funding to complete an i-Tree Eco project within the next 10 years.

## State of the Urban Forest Report

The UFMP calls for the City's Urban Forester to deliver a State of the Urban Forest Report every 5 years. This report, which includes updates on canopy change, numbers of trees planted and removed, and changes to the overall community urban forest (e.g., structure, benefits, and value) will serve as a performance report to stakeholders and an opportunity for engagement. The report is also an opportunity to highlight the successful attainment of UFMP objectives as well as to inform stakeholders about any issues or stumbling blocks.

## Community Satisfaction

The results of the UFMP will be measurable in improvements to efficiency and reductions in unit costs for maintenance activities. Attainment of the goals and objectives will support better tree health, greater longevity, and a reduction of tree failures. However, perhaps the greatest measurement of success for the UFMP will be its level of success in meeting community expectations for the care and preservation of the urban forest resource. Community satisfaction can be measured through surveys as well as evidenced by public support for realizing the goals and objectives of the Plan. Community satisfaction can also be gauged by the level of engagement and support for urban forest programs.

## Manhattan Beach's Urban Forest Benchmark Values

### Community Urban Forest (Public Tree Resource)

City Maintained Tree Population	4,116
Privately Maintained Tree Population	7,459
Total Tree Population	11,575
Replacement Value (2010)	\$20.6 million

### Species Diversity (Inventoried Trees)

Total number of unique species	182
Prevalence of top ten species	46%
Species exceeding recommended	10% 0

### Benefits (Inventoried Trees, 2010)

Total Annual Benefit	\$3.1 million
Annual Per Tree Benefit	\$266
Annual Per Capita Benefit	\$88

### Urban Tree Canopy Cover (i-Tree Estimate)

Overall Canopy Cover	2.1%
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### Environmental Benefits (i-Tree Estimate)

Overall Carbon Storage	\$13,397
Annual Air Quality Benefits	\$121,944



# APPENDICES

## A. References

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## B. Map



## C. Online Survey Results

### Manhattan Beach's Community Urban Forest: Planning for Beauty, Benefits, and Sustainability

#### Introduction:

The City of Manhattan Beach's community urban forest (publicly-owned trees) consists of nearly 12,000 trees in parks, streetscapes, and municipal facilities. This includes 4,116 city-maintained trees as well as 7,459 trees maintained by adjacent property owners. An analysis of this resource shows that community trees provide more than 3 million dollars worth of annual benefits to our community, including benefits to air and water quality, energy savings, carbon storage, clean drinking water, creating and enhancing wildlife habitat, as well as socio-economic benefits such as recreational and aesthetic use. To replace these trees with trees of similar size and species would cost more than 20.6 million dollars.

With proper care, the value and benefits of community trees will increase over time. In order to manage this important resource sustainably, long-term strategic planning is needed. As a responsible steward of the community's urban forest, the City of Manhattan Beach is working with Davey Resource Group to develop a Street Tree Master Plan to promote sustainable management. The Plan will focus on safe and healthy trees through proper care, cost efficient maintenance, tree preservation, and reforestation. The intent will be to maximize the beauty, benefits, and sustainability of this public resource.

Manhattan Beach's community trees are an important part of our community. They enhance the quality of life for residents, visitors, and neighboring communities.

As a resident, you are an important stakeholder in the community urban forest and your opinion matters!

We encourage you to complete this brief survey to help us understand how residents view public trees and to identify which urban forest management services and benefits are most important to you. This survey will take approximately 5-10 minutes. Please note, to move forward in the survey, each question must be answered.

Your feedback will help us write a comprehensive Street Tree Master Plan that recognizes community values and supports the quality of life in our community.

#### The Benefits of Urban Tree Canopy:

Trees and urban forests work 24/7 to mitigate the effects of urbanization and development and to protect and enhance life and the community within Manhattan Beach.

Trees have long been appreciated for their contributions of shade and beauty to our landscapes. Now, science and technology has made it possible to quantify the environmental benefits to:

- Cleaner air and water
- energy savings
- carbon dioxide reduction
- property values
- socio-economics
- wildlife habitat

The following statements reflect the level of annual benefits currently provided by Manhattan Beach's community urban forest. Please rate these benefits according to their level of importance to you.



**1. Manhattan Beach's public trees improve air quality by filtering pollutants such as dust, ash, pollen, and smoke. How important is this benefit?**

<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Very important	66.70%	24
Somewhat important	13.90%	5
Not important	11.10%	4
Not sure	8.30%	3
<i>answered question</i>		<b>36</b>
<i>skipped question</i>		<b>0</b>

**2. By shading, reducing wind speeds, and lowering the outside air temperature, Manhattan Beach's public trees reduce energy use (electricity and natural gas). How important is this benefit?**

<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Very important	61.10%	22
Somewhat important	25.00%	9
Not important	11.10%	4
I'm not sure	2.80%	1
<i>answered question</i>		<b>36</b>
<i>skipped question</i>		<b>0</b>

**3. Since carbon is necessary for tree growth, trees absorb excess carbon from the air. Because of this process, trees are a major source of carbon storage for our planet, helping to lower carbon dioxide levels in the atmosphere. How important is this benefit?**

<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Very important	61.10%	22
Somewhat important	27.80%	10
Not important	8.30%	3
I'm not sure	2.80%	1
<i>answered question</i>		<b>36</b>
<i>skipped question</i>		<b>0</b>

**4. Trees and urban forests increase property values by 7-10% and have a profound effect on psychological health and well-being. For instance, trees in retail locations have been shown to influence shoppers buying habits, causing a greater willingness to shop and increased spending. In Manhattan Beach, the estimated aesthetic and socio-economic benefit of the community urban forest is almost \$2.9 million. How important is this benefit?**

Answer Options	Response Percent	Response Count
Very important	50.00%	18
Somewhat important	36.10%	13
Not important	11.10%	4
I'm not sure	2.80%	1
<i>answered question</i>		
<i>36</i>		
<i>skipped question</i>		
<i>0</i>		

**5. By reducing the flow of stormwater runoff and the pollutants that are carried with it, urban trees protect the water quality of streams, rivers, lakes and oceans. Manhattan Beach's public trees intercept almost 3.3 million gallons of stormwater each year. How important is this benefit?**

Answer Options	Response Percent	Response Count
Very important	66.70%	24
Somewhat important	25.00%	9
Not important	8.30%	3
I'm not sure	0.00%	0
<i>answered question</i>		
<i>301</i>		
<i>skipped question</i>		
<i>0</i>		

**6. Understanding which benefits are most appreciated by residents can help guide long-term management strategies. Please rank (1-6) the following ENVIRONMENTAL benefits in order of their value to you. (i.e., 1 = most valuable and 6 = least valuable):**

Answer Options	1-most valuable	2	3	4	5-least valuable	Response Count
Improved air quality	19	7	4	2	4	36
Energy savings	2	9	10	6	9	36
Protects water quality/Reduced stormwater runoff	9	10	4	9	4	36
Carbon storage	2	6	10	10	8	36
Wildlife habitat	4	4	8	9	11	36
Other (please specify)						6
<b>Other:</b>						<i>answered question</i>
do not remove trees to build parking structures only to replace with smaller ones.						<i>36</i>
This question would not allow me to rate each issue with a similar choice so not all answers are correct. All should be " 1 "						<i>skipped question</i>
We are a BEACH community, not a forest. don't lose sight of that.						<i>0</i>

Aesthetics of the environment
Downside: causes allergies and hives
respect owners property rights

**7. Understanding which benefits are most appreciated by residents can help guide long-term management strategies. Please rank (1-8) the following AESTHETIC and/or SOCIOECONOMIC benefits in order of their value to you. (i.e., 1-most valuable and 8-least valuable):**

Answer Options	1-most valuable	2	3	4	5	6	7	8-least important	Rating Average	Response Count
Attractive to residents and tourists	8	10	7	3	1	1	5	1	3.19	36
Beauty/Aesthetics	10	8	5	0	6	1	2	4	3.42	36
Shaded trails, sidewalks, and bike trails	10	7	5	9	3	1	0	1	2.89	36
Shaded parking	1	4	3	5	7	6	5	5	5.11	36
Improve retail areas and neighborhoods	1	0	5	5	11	4	5	5	5.28	36
Increased property values	2	2	3	5	5	7	5	7	5.36	36
Passive recreation	4	1	1	4	1	10	5	10	5.69	36
Shaded streets	0	4	7	5	2	6	9	3	5.06	36
Other (please specify)										6
<b>Other (Please Specify)</b>								<b>answered question</b>		<b>36</b>
most important are the environmental issues								<b>skipped question</b>		<b>0</b>

most important are the environmental issues

Same issue as question # 6 (answers would be 1-3 for all)

Where are the trees east of Sepulveda? No one wants their views impeded. So the east side shouldnt be adversely impacted by more tree rules.

As long as roots do not damage house foundation

**8. What is your current awareness of the City's urban forest program? Please check all that apply.**

Answer Options	Response Percent	Response Count
I was not aware that the City has an urban forest program	47.20%	17
I have visited the City's webpage for information about public trees and/or the urban forest	22.20%	8
I have heard about tree care or urban forestry in Manhattan Beach on the radio	5.60%	2
I have seen a program about tree care or urban forestry in Manhattan Beach's on television	5.60%	2
I have read a newspaper article that discussed public trees and/or Manhattan Beach's urban forest	19.40%	7
I have seen an article about the community urban forest in Manhattan Beach's Recreation Guide	11.10%	4
I have participated in a volunteer tree planting project in Manhattan Beach	2.80%	1
None of the above	11.10%	4
<b>answered question</b>	<b>36</b>	<b>36</b>
<b>skipped question</b>	<b>0</b>	<b>0</b>

9. Optional. Use this space to provide additional comments on the benefits of Manhattan Beach's public trees.		Response Count
		14
	<i>answered question</i>	14
	<i>skipped question</i>	22
Comments		
<p>Years ago Manhattan Beach had earned the designation of Tree City USA, but by its inactivity failed to maintain it. More recently, our city did a particularly poor job of supporting residents' efforts to promote tree preservation, replacement and proper care via the volunteer Tree Committee. Community Development staff so discouraged residents' efforts that the Tree Committee eventually disbanded. Suggestion that an "urban forest program" currently exists is laughable. Enforcement of even just reasonable tree maintenance and trimming standards (let alone ANSI A300) on street trees maintained by residents is absolutely non-existent. Still, no one on city staff is even a certified arborist, despite repeated resident suggestions to upgrade staff capabilities. A few weeks into the new tree trimming contract with West Coast Arborists, Public Works staff directed WCA, against WCA's will and superior, expert knowledge, to inappropriately over prune a number of trees on Veteran's Parkway (right in front of the city's Public Safety Facility!) -- and then when this obviously flawed process was challenged, a pathetically excuse-filled explanation from Public Works staff was offered to, and sadly accepted by City Council. It's loooong overdue time to significantly step up the game, folks, before attempting to lay claim to having any real "urban forest program".</p>		
<p>The MONARCH butterfly needs over wintering spots.</p>		
<p>I do not like to see tree removal for improved sidewalks and to build parking structures only to see the trees replaced with smaller or non-native trees. I would like to see innovative solutions to the challenges that mature trees present. Flexible sidewalks...build around trees, etc.</p>		
<p>It was difficult to rank the items in 5 and 6 because they are all valuable. Also, I know a little about the MB tree program in relation to having to replace a front yard tree. Trees provide such remarkable benefits across all areas it is disappointing to see so few street trees in MB. They turn a concrete jungle into a neighborhood.</p>		
<p>Where exactly are the 7,459 publicly owned trees? Are they on or off private property?</p>		
<p>Don't force the startup and maintenance costs for the proposed MB urban forest program onto the property homeowner like the ridiculous sidewalk repair program.</p>		
<p>Quit over regulating. 2/3 of the trees in this city are on private property. Leave them alone!!</p>		
<p>Tons of people use the Green Belt regularly. Work needs to be done to help Oleanders, some of the Trees. More Shade Trees please.</p>		
<p>I do not believe that residents should allow their trees adjoining the street (such as the trees at 1038 and 1038 1/2 on Duncan Avenue) to grow to unrestricted heights and widths. There should be a height and width limit for trees adjoining our streets.</p>		
<p>This is the most leading and ridiculous survey the city has ever posted, and that says a lot. I would not use the results in any meaningful way in decision making. If it cost anything to post this, whoever authorized the expenditure should be ashamed. Its only use it to educate the respondent on the known benefits of trees and that is better done in other ways. And Manhattan Beach does not have an urban forest program, all it has is stuff on paper. It allows its own trees to be butchered, and has never done anything proactive in recent years for any sort of tree protection except for construction sites.</p>		
<p>Since healthy trees are so beneficial, as pointed out above, the City of MB should not make it so difficult for a resident to spend their own money to replace an unhealthy tree for a healthy one.</p>		
<p>This survey is incredibly biased. Trees have many benefits, but there also costs associated with them. Ie hard scraping damage, infrastructure damage, risk of injury and or loss of property due to falling leaves, leaf debris causing excess waste, leaf debris clogging gutters, drains, and runoff channels, the expense of maintaining trees. Exotic trees compete with native plants and trees. Trees use water, a limited resource. Eucalyptus can be a significant fire hazard (ie Oakland hills). Your survey is incredibly biased than only can lead to one conclusion. Shame on you!</p>		

This is not a survey - its an opinion and used as a tool to propagate unfounded and unsupported opinion. Trees use up valuable water, not all trees are natural to the so cal environ and have become nothing more than weeds (eucs for ex). Also some are dangerous as they drop limbs with no warning etc. Safety should be a huge factor in determining the value of a tree. Just because someone thinks a tree is beautiful, doesnt mean the next person does. Dont become overly zealous please. Be reasonable, unlike the past 2-3 versions of our tree ordinances.

Trees are pretty in Manhattan Beach. We don't want all cement, but in the sand section we need to maintain our views and in East Manhattan we need to maintain our sidewalks, so tree choice is important. I'd like to see more native trees on the Greenbelt and a better choice of trees on Highland between 15th and Rosecrans.

**10. Public trees are important to the quality of life in Manhattan Beach.**

Answer Options	Response Percent	Response Count
Strongly Agree	66.70%	24
Agree	27.80%	10
Disagree	5.60%	2
Strongly Disagree	0.00%	0
Not sure	0.00%	0
<b>answered question</b>		<b>36</b>
<b>skipped question</b>		<b>0</b>

**11. Manhattan Beach needs more public trees.**

Answer Options	Response Percent	Response Count
Strongly agree	41.70%	15
Agree	33.30%	12
Disagree	16.70%	6
Strongly disagree	0.00%	0
Not sure	8.30%	3
<b>answered question</b>		<b>36</b>
<b>skipped question</b>		<b>0</b>

**12. I am satisfied with the current level of maintenance provided for Manhattan Beach's public trees.**

Answer Options	Response Percent	Response Count
Strongly agree	5.6%	2
Agree	50.0%	18
Disagree	22.2%	8
Strongly disagree	13.9%	5
Not sure	8.3%	3
<b>answered question</b>		<b>36</b>
<b>skipped question</b>		<b>0</b>

<b>13. Where would you like to see more public trees planted? Please check as many as apply.</b>			
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>	
Parks	58.3%	21	
Landscapes	41.7%	15	
Open space and natural resource areas	61.1%	22	
Streetscapes	52.8%	19	
Golf courses	13.9%	5	
Downtown	41.7%	15	
Trails and bike paths	50.0%	18	
Manhattan Beach has enough public trees	13.9%	5	
Other (Please specify)			
Manhattan Village Mall	2.80%	1	
Not sure if we have enough	2.80%	1	
		<b>answered question</b>	<b>36</b>
		<b>skipped question</b>	<b>0</b>

<b>14. What level of maintenance do residents expect for public trees? Please rank the following options according to your preference (1-best strategy; 6-least preferred)</b>						
<b>Answer Options</b>	<b>1-best strategy</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5-least preferred</b>	<b>Rating Average</b>
None - Keep them natural	2	0	2	5	27	4.53
Best possible care (clearance, structure, health)	19	5	2	6	4	2.19
Clearance only (over streets and sidewalks)	4	2	10	16	4	3.39
Pruning for health and safety	9	13	12	1	1	2.22
Plant health care (pest and disease management)	2	16	10	8	0	2.67
Other (please specify)					6	6
					<b>answered question</b>	<b>36</b>
					<b>skipped question</b>	<b>0</b>

<b>Other</b>
Incredibly inappropriate choices! (Disregard ranking -- ranked ONLY because survey continuation required it.) How about using appropriate, professional standards, i.e. ANSI A300?!? Duh!
MB prunes TOO MUCH AND TOO OFTEN. The Landscape contractors really SNOWED MB with "required" pruning theories
Same issue as #6. Last issue here should be "1"
What a silly question. Who came up with the choices here?
Isn't the 2nd on the list the same as the 3-5th on the list??
It depends the type if tree. The mall's sycamores are over-pruned.

**15. What types of education and public outreach would residents like to see offered by the urban forestry program? Please check all that apply.**

Answer Options	Response Percent	Response Count
Seminars and workshops	36.1%	13
Interpretive trails and displays	38.9%	14
Species information	61.1%	22
Tree care	63.9%	23
Tree planting	44.4%	16
Tree pruning	50.0%	18
Guided nature walks	25.0%	9
Other	5.6%	2
<b>Other</b>	<b>answered question</b>	<b>36</b>
	<b>skipped question</b>	<b>0</b>
public education blitz about the stupidity of excessive pruning, PROPER pruning, about advantages of tree canopy, before and after photos of pruning and a "tree muskateer group" like el segundo		
None		
As budget allows		
none		
please ensure information provided is accurate and without bias.		

**16. What are the best ways to encourage tree planting and preservation on PRIVATE property? Please select as many as apply.**

Answer Options	Response Percent	Response Count
Education and outreach	77.8%	28
Information about how to hire a professional tree care company	33.3%	12
Require tree care companies to have a certified arborist on staff	27.8%	10
Free trees	55.6%	20
Other	13.9%	5
<b>Other</b>	<b>answered question</b>	<b>36</b>
	<b>skipped question</b>	<b>0</b>
Enforce existing business license requirements, pruning standards, etc.		
give everyone a phone number so we can report illegal cutting down of trees		
Need to balance with neighbors' view, property rights & maintenance		
Get rid of tree ordinance		
Honor the fact that some residents might want to change their existing trees for valid reasons!!!!		
There should re-evaluation of the MB tree laws for residents, such as tree policy should allow home owner to remove damaged or diseased trees.		
Services such as Tree Muskateers that can provide free advice on trees		

Directed mail and proactive enforcement of existing laws is the best prevention, which seems intentionally left off. Geez, guys, at least pretend to be objective with your questions.		
Allow diseased trees to be removed and replaced with healthy trees in a far more efficient process.		
Create reasonable regulations that encourage tree planting and tree preservation but also balance a homeowners right to protect their property, or enhance their properties use or utilization		
Charge less property taxes for		
<b>17. Optional. Please use this space for any additional comments about the value of public trees.</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
	28.57%	8
	<b>answered question</b>	<b>8</b>
	<b>skipped question</b>	<b>28</b>
<b>Comments</b>		
PLEASE let trees and SHRUBS be natural, native or native adapted. Hermosa's greenbelt is so much prettier because it looks natural not like ours with the ridiculous AND DANGEROUS wood shrapnel lumber yard waste on the paths and the pruned to death shrubs and trees.		
"Public" trees need to be maintained by the city and not forced upon the private homeowner that happens to have the public tree on their sidewalk area.		
should pursue more trees as a defense as global warming increases		
It would be helpful if the City had an easy way to see and select a tree for the parkways in front of their properties - showing growth information such as root intrusion, speed and max height, flowering, spurs, are they messy or easy to maintain, etc. Just knowing there is one place to go to look at the selection of trees allowed, and to be able to find all the information about each species allowed, would be a really useful tool, and might encourage more people to add trees to the parkways at their own expense. I am that type of person who won't move forward on a project if I think it will take a lot of research on my part - yes, I'm lazy that way. If I had a place to look at all the information at once, it would make it so much easier for me to select a tree. Maybe there are lots of people like me who put things off for this same reason.		
Trees a great, don't be so overzealous that you do not accept reasonable input as to the scope and extent of your urban Forrest program.		
Dont be limited to just trees, scrubs etc are also important to educate.		
Public trees help define the character of our town. Trees in our wild areas should be allowed to remain wild and grow to stately status. Street trees must be maintained with aesthetics, tree health and public safety in mind.		
Charge less property taxes for having greater density of tree coverage.		

<b>18. Gender</b>	<b>Response Percent</b>	<b>Response Count</b>
<b>Answer Options</b>		
Male	41.7%	15
Female	47.2%	17
Prefer not to answer	11.1%	4
	<b>answered question</b>	<b>36</b>
	<b>skipped question</b>	<b>0</b>



<b>19. Age group</b>			
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>	
under 35	0.0%	0	
36 to 45	5.6%	2	
46 to 55	22.2%	8	
56+	72.2%	26	
<b>answered question</b>			<b>36</b>
<b>skipped question</b>			<b>0</b>

<b>20. What is your current involvement with Manhattan Beach's urban forest. (Choose all that apply)</b>			
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>	
I am a resident of Manhattan Beach	100.0%	36	
I am a frequent visitor to Manhattan Beach	2.8%	1	
I own a business in Manhattan Beach	2.8%	1	
I appreciate public trees	58.3%	21	
I have planted public trees as a volunteer	19.4%	7	
I help care for a public tree adjacent to my property	19.4%	7	
I have donated money to a non-profit foundation in support of public trees	22.2%	8	
None of the above	0.0%	0	
Other (please specify)	5	5	
<b>answered question</b>			<b>36</b>
<b>skipped question</b>			<b>0</b>

<b>Other</b>			
I raise monarch butterflies that NEED trees and milkweed			
I am a member of the Manhattan Beach Tree Canopy Committee (dissolved by David Lesser)			
I am an owner of over a dozen trees and on a corner lots. Proceed with caution when thinking about the impact of your actions on residents. Most of the trees you have in the city belong to residents!!!			
Manhattan beach botanical garden volunteer			
I have many trees in my property which I have planted and I continue to maintain. I would appreciate some breaks for those efforts when others contribute little or nothing.			

## D. Additional Public Comments

The following comments and input were submitted by email to city personnel, or collected at public meetings. Some comments have been summarized or abridged. This input was taken into consideration in the development of the Urban Forest Master Plan.

1. The biggest problem in developing a master plan for residential streets is the distinction between trees on city (street) property and those on property owned by residents living on those streets. Often trees on either "side" of the property line abut or flow over the other's property, and coordination is handicapped by the legal ramifications thereof. I'd like to see an agreement developed by the city and volunteer groups that includes a contract that each could sign that provides mutual coordination and includes trees in residential backyards that abut on city-owned alleys.
2. The City needs to have flexibility to react to political situations.
3. We want to contribute to the new tree ordinance process
4. Plans must consider street lighting/ tree conflicts
5. Need clear definition (e.g. public/private trees)
6. City has not done a good job of informing residents of (current) tree ordinance
7. Tree ordinance = confusion
8. People are not planting trees because of problems with tree ordinance
9. Manhattan Beach is not unified: recognize need for city zone differences
10. Resident safety must be considered
11. Liability exposure of trees
12. Administrative, appeals and enforcement must be addressed in ordinance
13. Define public versus private trees. Information is hard to find and understand. Permits & doing the right thing is difficult and confusing.
14. Palette considerations (size, safety) right tree in the right place

15. UFMP must align with Mobility Plan (example: sidewalks)
16. Hardscape: Increase hardscape allowed for house, not enough room for trees and water runoff
17. Lot development needs integrative planning
18. Need user friendly education and information sharing
19. Onerous requirement and process. It is complicated and complex. (+ expensive, time consuming)
20. Trees vs Views. We have no view ordinance. This is a HUGE issue.
21. Include natives with tree palette
22. Mediterranean palette – look into this
23. Give consideration to reclaimed water, but be mindful of possible negative consequences (saline)
24. Look at botanical garden for examples of long term survivors
25. Trees are a valuable commodity. The cost pays off with quality of life.
26. The way we take care of public trees is questionable, and the care of the public trees is not always a good example for the public to replicate.
27. Every city that embraces trees ends up with a high quality of life
28. Developers want to maximize space. This is in conflict with tree health needs.
29. It breaks my heart to see trees that have been topped.
30. Topped trees are a liability.
31. The city has done a great job of caring for our trees.
32. Consider outreach to neighborhood watch newsletter. It is sent monthly to residents.
33. General frustration of utility line trimming/ "lack of standards", EDISONs pruning practices need to be complainant with city ordinance. The utility is the #1 pruner of trees in Manhattan Beach.
34. Two arborists are required to prune or remove a tree!
35. Residents would like the Plan to address different "rules" for the different zones.

36. Tree Ordinance - The MB tree ordinance should be on the agenda for open discussion. Certain parts of the ordinance require complex coordination with the city bureaucrats. I believe ordinance may have the unintended effect of discouraging planting new trees while protecting existing trees. The city has punished violators with draconian measures that have led knowledgeable residents in my neighborhood to not plant what would become large mature trees in the private front or side yard protected spaces. So, the result might be fewer beneficial large trees in the future than would otherwise exist.  
Street Light Blockage - Manhattan Beach residential crime prevention is an important current topic in the city. Streetside trees planted near street lights can partially or completely block the street lights thereby, providing the cover of darkness for potential criminal behavior. The city currently takes no action to preclude this from happening and is unable/unwilling to take corrective measures. Planting trees near street lights that have the potential for light blockage should be prohibited. Trees currently blocking street lights should be trimmed regularly or removed.  
Pedestrian Safety - The city is in the process of preparing a Mobility Plan which addresses walking/sidewalks. Frankly, the sidewalk situation in the city is a jumbled mess with parts of the city having no sidewalks and other parts having incomplete or poorly planned sidewalks. There are few sidewalks that are properly planned and installed. Residents plant trees near the roadway edge where there are no sidewalks forcing walkers into the street (Hill Section and East Manhattan) and into traffic lanes if cars are parked adjacent to the trees. The tree Master Plan must address this issue as pedestrian safety (school kids) should be first priority.
37. Residents of Manhattan Beach in general are very anti-consultant because consultants are not paid sufficiently to have enough time to understand the many unusual or unique aspects of living in Manhattan Beach. We had the Urban Land Institute come in January. They made a number of good recommendations but many people felt that suggesting Manhattan Beach price it's downtown parking like San Francisco (where it fluctuates up to \$15 an hour depending on demand) was absurd. It did not make sense for so many reasons, not the least is that it would hurt businesses and the Downtown area is under the Coastal Commission jurisdiction. It is unlikely the Commission would approve it. The Council is planning on a major upgrade for the Downtown business district which I hope will include some new attractive colorful trees.  
The City of Manhattan Beach can often be the exception to the general rule. Your quote "if you have a beautiful tree it will increase

the value of your property by 10%" does not ring true here. Manhattan Beach residential property values are more dependent on ocean views that are not blocked by trees, excellent public schools and safe child friendly walk streets rather than whether or not you have a tree. In Manhattan Beach having a tree on your property especially in the tree ordinance area can be considered to be a liability rather than an asset. Your presentation inspired me to imagine what Manhattan Beach will likely look like in the years leading up to 2040. Manhattan Beach residents generally have no backyard and little or no front yard. In areas of Manhattan Beach that do have backyards newly developed homes are required to have a 10-12 foot deep back yard. Manhattan Beach is obviously not a planned community and if a resident wants to paint their house purple they can. On the other hand it is a very wealthy community with a median income level of \$100,000. Residents have home movie theaters and elevators for their multiple cars. At Christmas the city supports trees by allowing a commercial company that rents live Christmas trees to display them on the pier for a week. Thinking outside the box, perhaps renting could be done with regular trees.

I have lived in Manhattan Beach for 25 years when it was a typical beach town. Almost all of the homes were one-story and the downtown business district included a drug store, a liquor store, an appliance store and a car parts store. Now Manhattan Beach has foreign tourists, the Raieigh Studios, where TV shows are filmed, and a new library with a panoramic view. On the residential side it has gone from almost all one story homes to a community with an ever increasing number of three-story homes with basements. Most new home in Manhattan Beach are built by developers. Developers make their money by building on every square foot they are allowed to build on. In 1992 Manhattan Beach voters passed a 26 foot height building restriction by initiative. To have more build-able space for private theaters, basements were built. These homes are owned by celebrities, athletes, and very rich people. Twenty five years ago residents were residents and now for many homeowners their Manhattan Beach home is just one of their homes. Short of an earthquake or another Great Recession the building boom in Manhattan Beach will remain extremely high. Residents with homes that are considered to be teardowns receive frequent letters in the mail from developers offering to pay cash with no real estate commissions which further accelerates these changes.

Things that make it difficult to have a residential urban forest in Manhattan Beach in the next twenty five years:

1. Drought - Currently with Stage 3 drought conditions residents can only legally water one day a week either Wednesday or Friday for 15 minutes. They can use a drip system. This is not enough overhead water to keep newly planted native plants alive.

2. Less open space due to smaller homes replaced by larger homes
3. Less sunlight because larger taller homes will block the sun
4. More part-time rather than full-time residents
5. Trees block ocean views
6. Existing trees will be removed for new homes or die due to the drought

Steps to make a resident urban forest in Manhattan Beach more likely:

1. Educate Developers about landscaping. Make tree selection and tree placement by Developers something the city oversees so that right tree - right location is more likely to be achieved. Require the installation of drip irrigation
2. Re-write tree ordinance to be more flexible and so that residents will be encouraged rather than afraid to plant a tree.
3. Educate residents and nurseries about best trees for Manhattan Beach
4. Require the planting of trees in large open spaces i.e. parks and commercial areas i.e. parking lots

Reasons for more city trees in city controlled areas

1. City has ability to consult experts to select better trees and detect diseased trees early
2. City is in a better position to use reclaimed water and deal with other drought related issues. Currently the city has these signs showing they used recycled water.
3. City property is much less likely to lose the sun trees need due to new higher buildings

Manhattan Beach will continue to be an even denser city with the passage of time. Residents with little to no yards still want to own dogs, have a place for their children to run/play and experience nature. Parks are popular now and will become even more valued in future years. Even the parks in Manhattan Beach are not typical. Sand Dune Park like its name is more about the Sand Dune than the small normal park area below the dune. Bruce's Beach Park and the Green Belt are a result of past city history of racism and a former rail line. Valley Oaks park was built on a landfill. Marine Park and Manhattan Heights Parks are for sports activities. Polliwog Park was never developed because it serves as water catch basin. Only

residents who have lived in Manhattan Beach when we had El Nino rain would even be aware of this. The Manhattan Beach Mall was built above an oil tank farm. The City of Manhattan Beach has a number of challenges to maintain and expand their urban forest that other cities do not have to overcome. Manhattan Beach residents are very well educated and appreciate the many benefits of having trees in their city. However, because of limited open space and competing values without very conscious decision making on the part of city officials the size of city's urban forest is at risk.

Bruce Beach Park

website [http://en.wikipedia.org/wiki/Bruce's\\_Beach](http://en.wikipedia.org/wiki/Bruce's_Beach)

Here is a park that was mentioned at our meeting. It is very underutilized. It could sure use some more trees. This park cannot be used as a playing field because of the slope of the terrain. There are homes on both sides of the park so it is likely that there would be some residents complaining about possible future obstructed views. There is approximately an acre of land at the base of the park that is above a parking lot and the lifeguard headquarters building. The areas could use some more trees.

E. Design Details

Soil Volume and Tree Stature

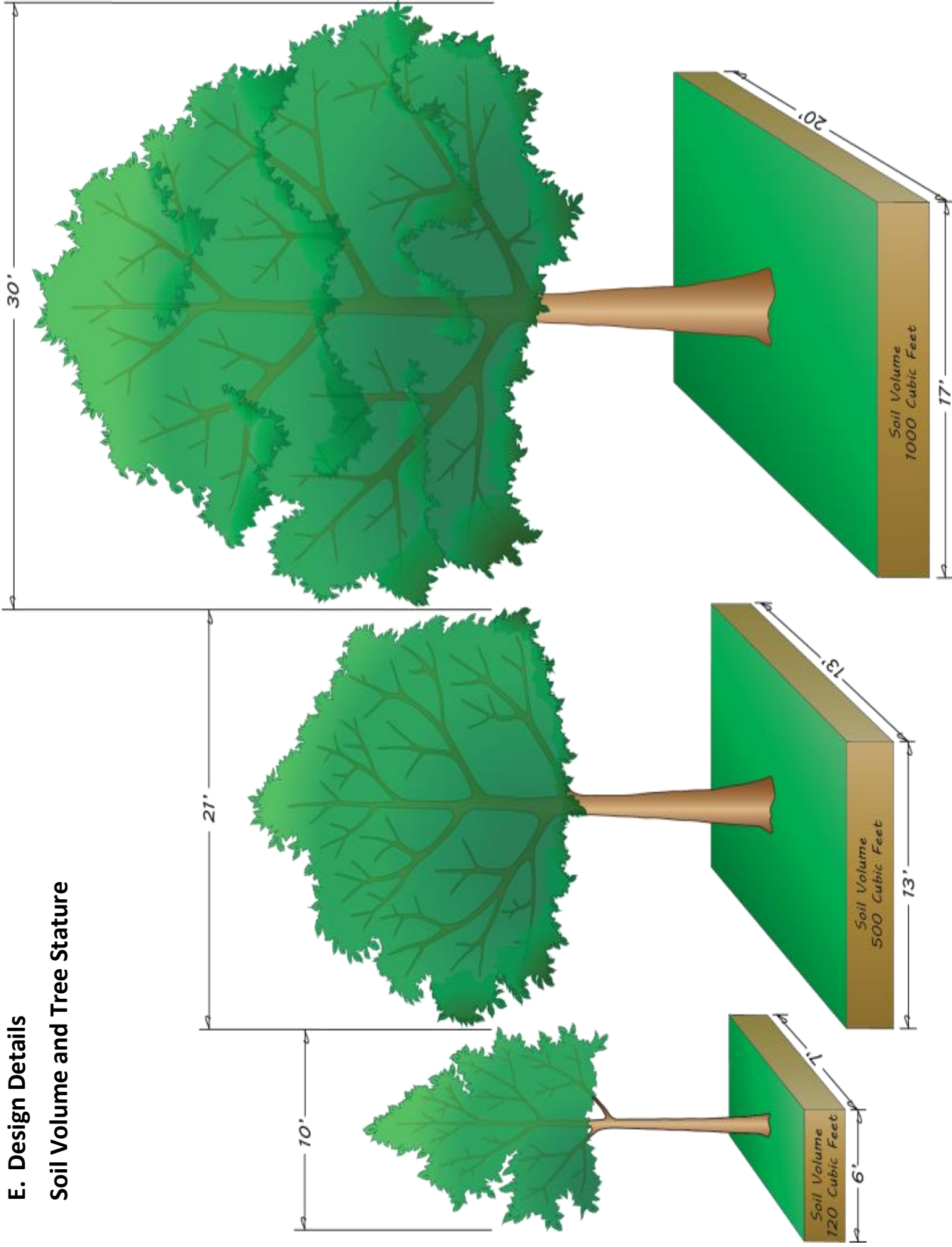


Figure 20. Tree growth is limited by soil volume. Larger stature trees require larger volumes of uncompacted soil to reach mature size and canopy spread (Casey Trees, 2008).

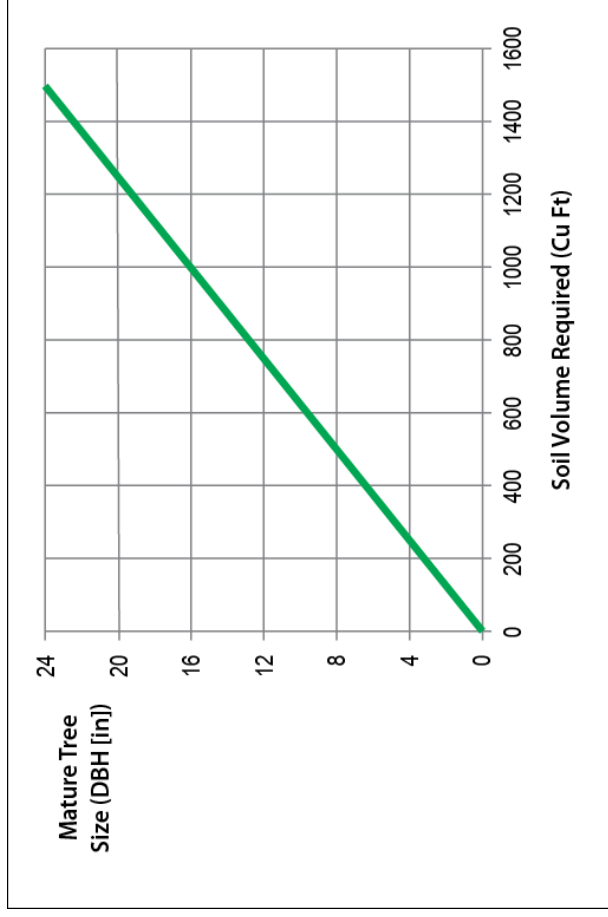


Figure 21. General relationships between soil volume requirements and mature tree size (James Urban, various sources, 1992)

## Alternative Planter Designs

The following Alternative Planter Designs represent options that may be considered for increasing root zone below grade and to reduce the runoff of stormwater. These alternatives are intended to be conceptual in nature and should not be considered as standards for design purposes.

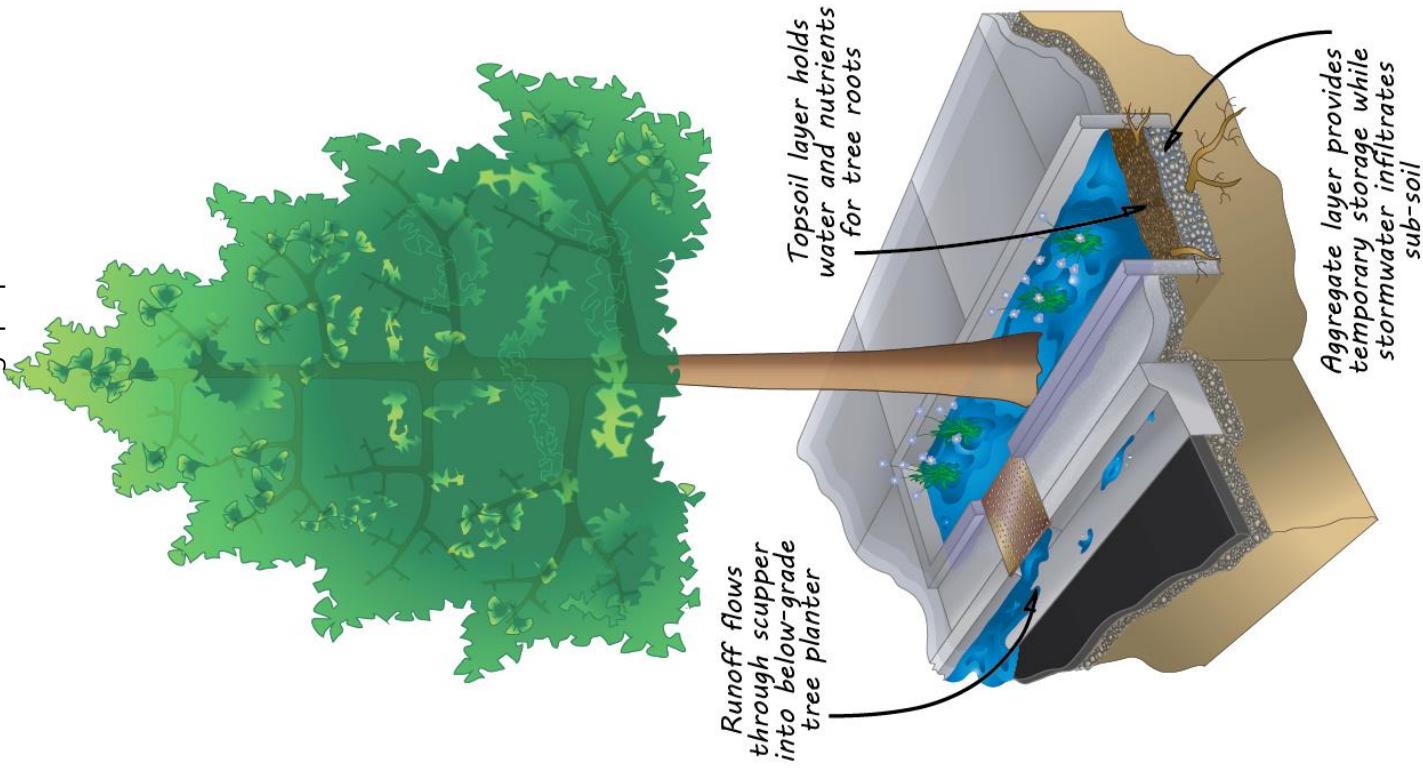
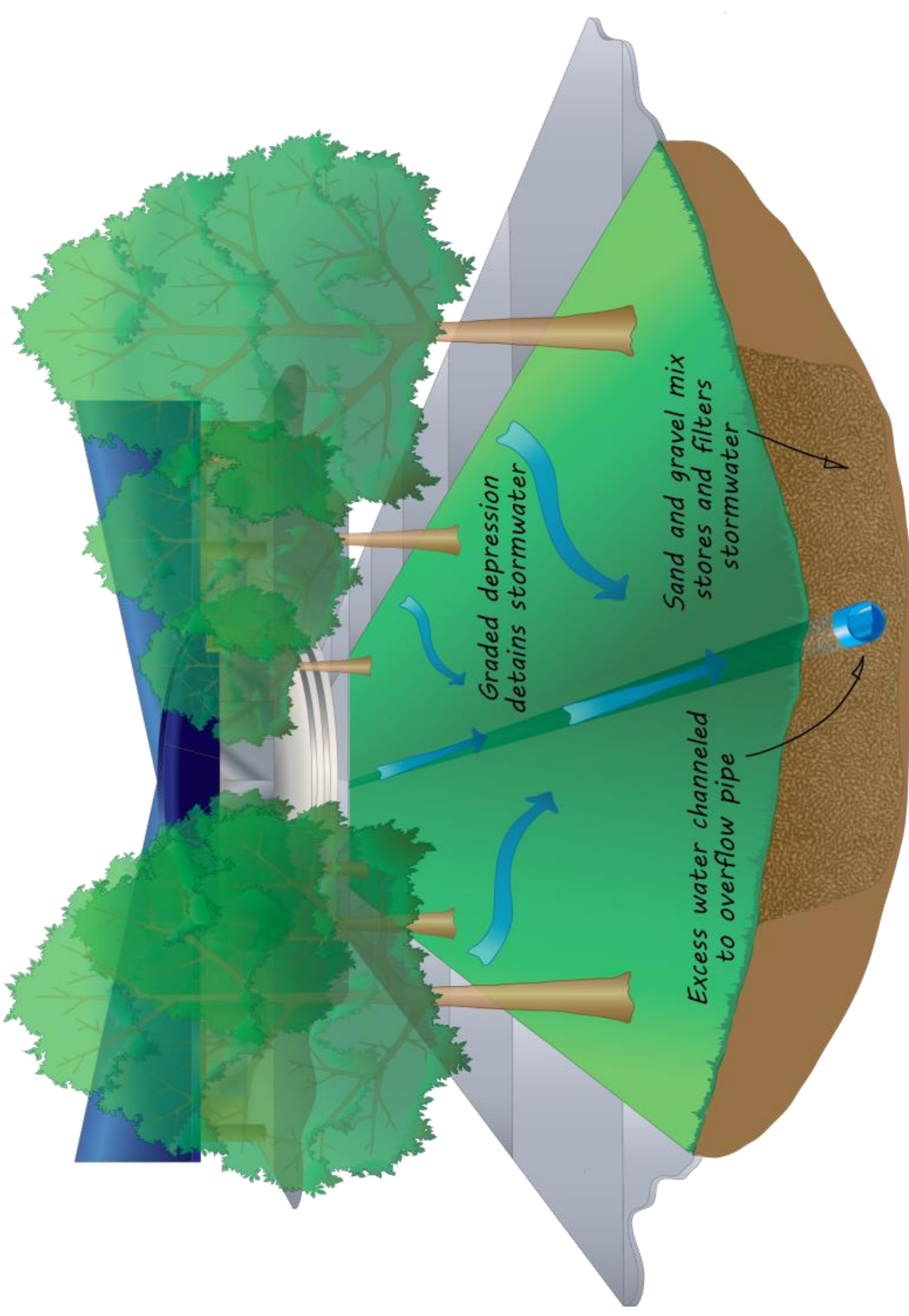


Figure 22. Stormwater tree pits are designed to collect runoff from streets, parking lots, and other impervious areas. Stormwater is directed into scuppers that flow into below-grade planters that then allow stormwater to infiltrate soils to supplement irrigation.



*Increased soil volume and vegetation, including trees, maximizes potential for absorption, bioremediation, and phytoremediation*

Figure 23. Bioswales are landscaped drainage areas with gently sloped sides designed to provide temporary storage while runoff infiltrates the soil. They reduce off-site runoff and trap pollutants and silt.

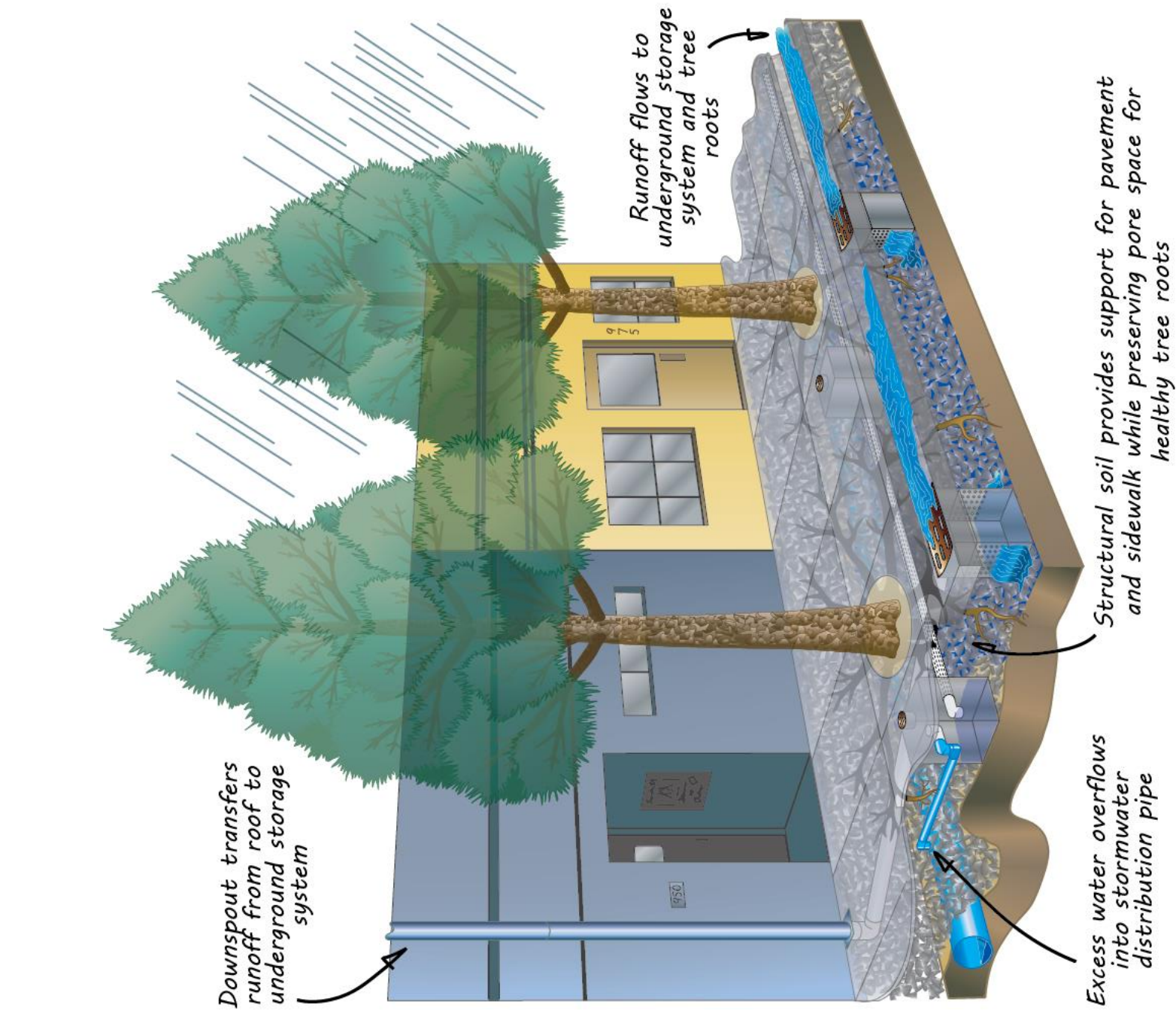


Figure 24. Structural soil is a highly porous, engineered aggregate mix, designed for use under asphalt and concrete as a load-bearing and leveling layer. Poor spaces allow for water infiltration and storage and also root growth.

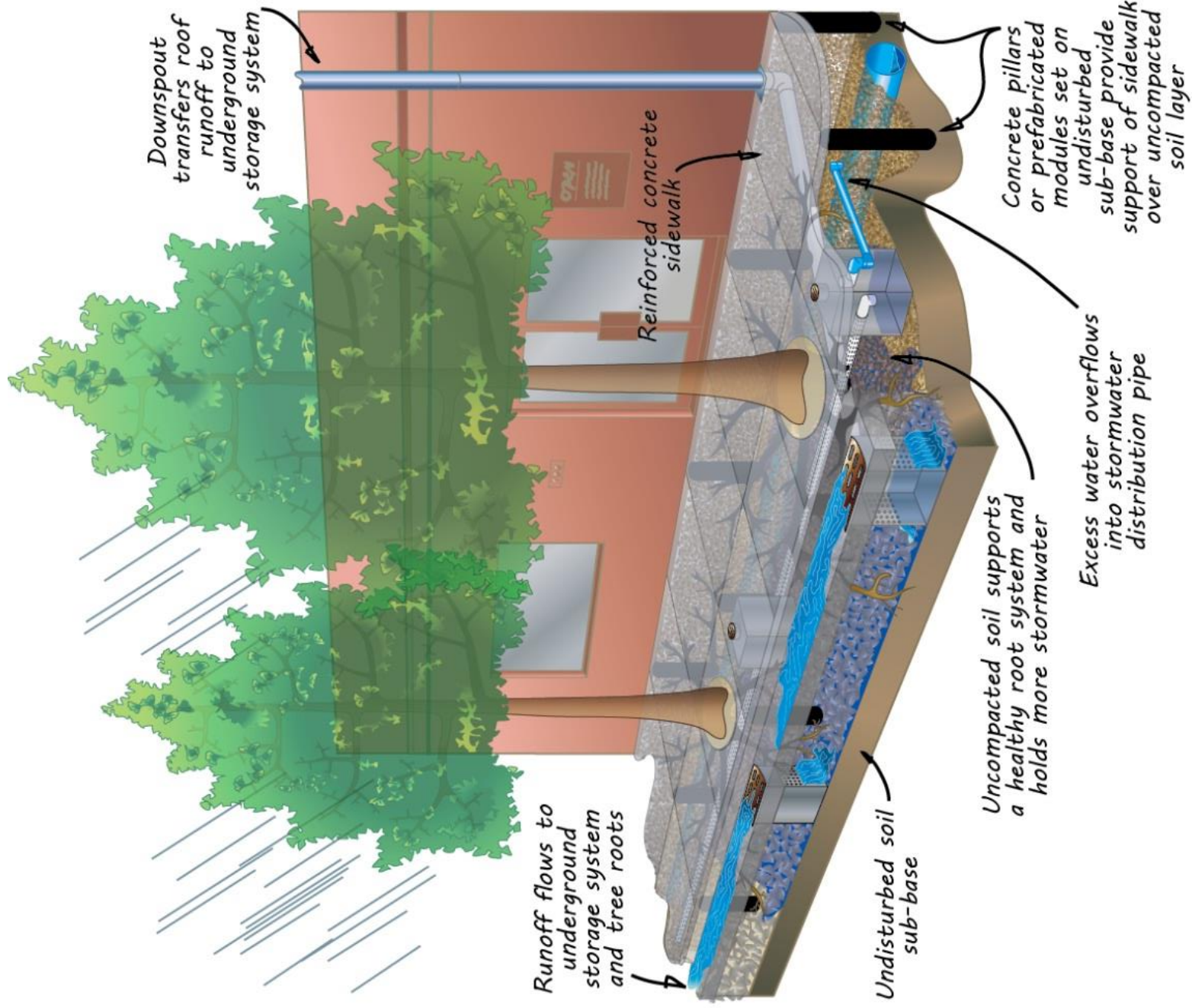


Figure 25. Suspended sidewalks use pillars or structured cell systems to support reinforced concrete, increasing the volume of uncompacted soil in subsurface planting areas and enhancing both root growth and stormwater storage.

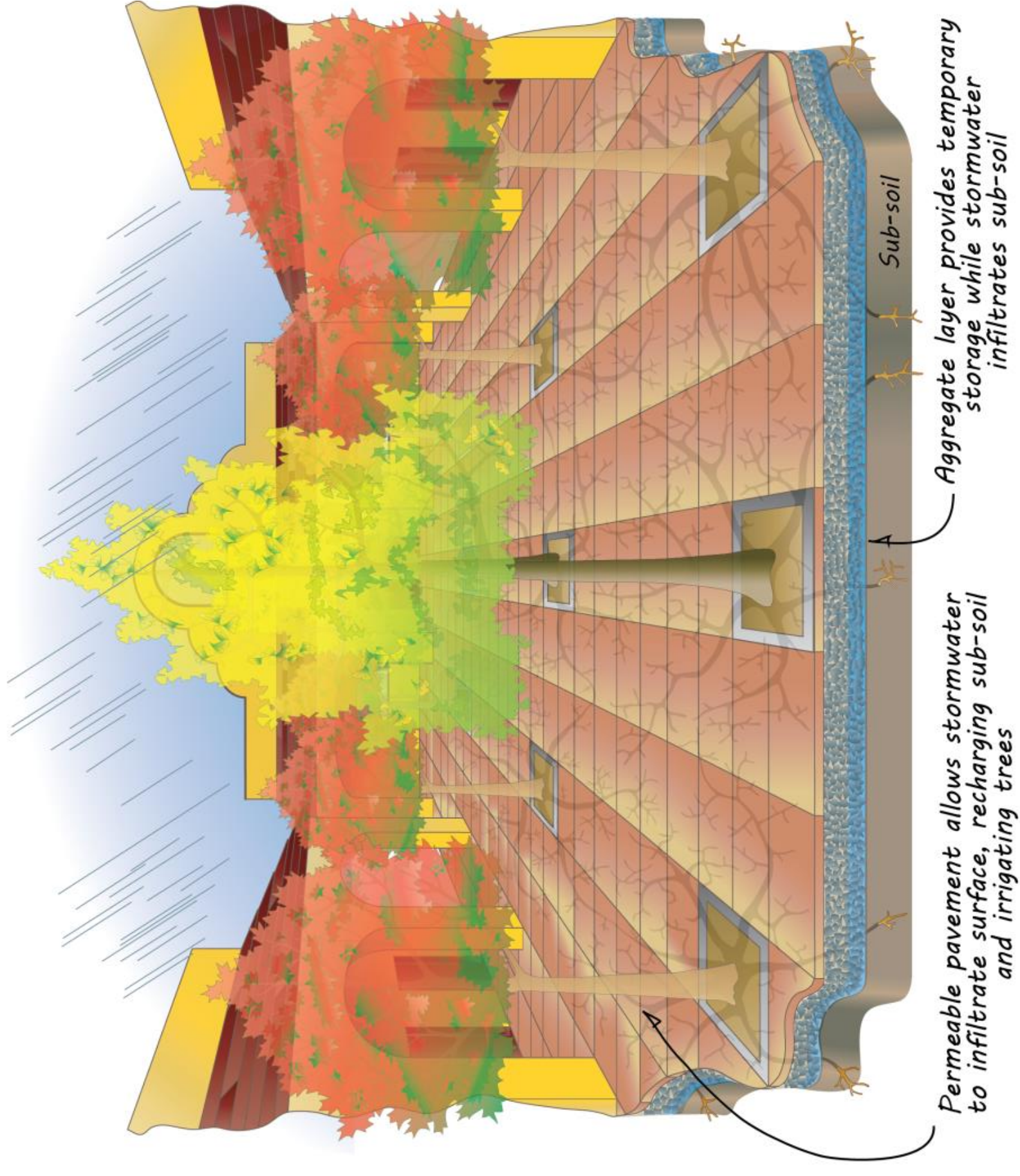


Figure 26. Pervious pavements allow stormwater and oxygen to infiltrate the surface, promoting tree health and groundwater recharge.





# Urban Forest Resource Analysis Manhattan Beach, California 2015





# City of Manhattan Beach

## Urban Forest Resource Analysis

March 2015

### **Prepared for:**

City of Manhattan Beach  
1400 Highland Ave.  
Manhattan Beach, CA, 90226

### **Prepared by:**

Davey Resource Group  
A Division of the Davey Tree Expert Company  
6005 Capistrano Ave.  
Atascadero, California 93422  
Phone: 805-461-7500  
Toll Free: 800-966-2021  
Fax: 805-461-8501  
[www.davey.com/drg](http://www.davey.com/drg)

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# TABLE OF CONTENTS

Table of Contents .....	2
Executive Summary.....	1
Introduction.....	2
Summary.....	4
<b>Structure</b> .....	4
<b>Benefits</b> .....	4
<b>Management</b> .....	5
Manhattan Beach’s Urban Forest Resource .....	6
<b>Population Composition</b> .....	6
<b>Species Richness and Composition</b> .....	7
<b>Species Importance</b> .....	9
<b>Canopy Cover</b> .....	10
<b>Relative Age Distribution</b> .....	11
<b>Urban Forest Condition</b> .....	13
<b>Replacement Value</b> .....	15
Benefits from Manhattan Beach’s Community Urban Forest.....	17
<b>Energy Savings</b> .....	17
Electricity and Natural Gas Reduction.....	18
<b>Atmospheric Carbon Dioxide Reduction</b> .....	20
Sequestered Carbon Dioxide.....	21
<b>Air Quality Improvement</b> .....	24
Deposition and Interception.....	24
Avoided Pollutants.....	24
BVOC Emissions.....	24
Net Air Quality Improvement.....	25
<b>Stormwater Runoff Reductions</b> .....	28
<b>Aesthetic, Property Value, and Socioeconomic Benefits</b> .....	30
<b>Community Urban Forest - Net Benefits and Benefit versus Investment Ratio (BIR)</b> .....	34
Publicly Maintained Trees – Net Benefits Consideration.....	37
Conclusion.....	38
Appendix A: Methodology.....	39
Appendix B: References .....	41
Appendix C: Tables .....	43

**Tables**

Table 1. Population Summary of Manhattan Beach’s Community Urban Forest (Species representing >1%)..... 8

Table 2. Importance Value of Manhattan Beach’s Most Prevalent Community Tree Species (representing >1%)..... 10

Table 3. Relative Performance Index for Manhattan Beach’s Most Prevalent Species (representing >1%)..... 14

Table 4. Species That May Be Underused (based on RPI and age distribution) ..... 15

Table 5. Summary of Replacement Value for Manhattan Beach’s Community Urban Forest Resource..... 16

Table 6. Annual Electric and Natural Gas Benefits from Manhattan Beach’s Community Urban Forest..... 19

Table 7. Summary of Annual Carbon Benefits from Manhattan Beach’s Community Tree Resource ..... 22

Table 8. Summary of Annual Air Quality Benefits from Manhattan Beach’s Community Tree Resource ..... 26

Table 9. Summary of Annual Stormwater Runoff Reduction Benefits from Manhattan Beach’s Community Tree Resource ..... 29

Table 10. Summary of Annual Aesthetic, Property Value, and Socioeconomic Benefits from Manhattan Beach’s Community Tree Resource..... 31

Table 11. Summary of Annual per Tree Benefits from Species Representing > 1%..... 33

Table 12. Annual Benefit versus Investment Summary for Community Trees..... 36

Table 13. Manhattan Beach Benefit Prices Used In This Analysis ..... 39

Table 14. Complete Population Summary of Tree Species in Manhattan Beach’s Community Urban Forest..... 43

Table 15. Relative Performance of All Species..... 49

**Figures**

Figure 1. Composition of Tree Type and Stature in Manhattan Beach’s Community Urban Forest..... 6

Figure 2. Ten Most Prevalent Species in Manhattan Beach’s Community Urban Forest..... 7

Figure 3. Age Distribution of Manhattan Beach’s Community Urban Forest..... 11

Figure 4. Age Distribution of the Top 10 Tree Species (excluding palm trees)..... 12

Figure 6. Condition of Manhattan Beach’s Community Urban Forest ..... 13

Figure 5. Top Five Species for Per-Tree Annual Electricity and Natural Gas Benefits..... 18

Figure 6. Top 5 Species for Per-Tree Annual Carbon Benefits ..... 21

Figure 7. Top 5 Species for Per-Tree Annual Air Quality Benefits ..... 25

Figure 8. Top 5 Species for Annual Stormwater Benefits ..... 28

Figure 9. Top 5 Species for Annual Aesthetic Benefits..... 30

Figure 10. Summary of Annual Per-Tree Benefits from Predominant Species (representing >1%)..... 32

Figure 11. Total Annual Benefits from Community Trees in Manhattan Beach ..... 35

Figure 12. Total Annual Investment to Publicly Maintain Trees in Manhattan Beach ..... 35

Figure 13. Benefit versus Investment Ratio..... 36

# EXECUTIVE SUMMARY

Community trees play a critical role in the City of Manhattan Beach, California. They provide numerous benefits both tangible and intangible, to residents, visitors, and neighboring communities. With an inventoried urban forest of 11,575 tree sites, the City's Public Works Department recognizes that public trees are a valued community resource, an important component of the urban infrastructure, and part of the City's identity.

In 2013, to support the preservation and management of community trees, the City commissioned an inventory of public trees on streets, in parks, and at city facilities. The inventory produced a GIS layer that includes vital information about each tree including species, size, condition, and geographic location. The community urban forest includes 4,116 city-maintained trees and 7,459 trees that are maintained by adjacent property owners. In 2015, Davey Resource Group (DRG) used this data in conjunction with i-Tree *Streets* benefit-cost modeling software to develop a detailed and quantified analysis of the current structure, function, and value of the community urban forest. This report details the results of that analysis.

Manhattan Beach's community urban forest provides nearly \$3.1 million in annual benefits (\$88 per capita). These benefits include air quality improvements, energy savings, stormwater runoff reduction, atmospheric CO<sub>2</sub> reduction, and aesthetic contributions to the social and economic health of the community. The annual investment (cost) to maintain the 4,116 city-maintained trees is approximately \$515,000. **For every \$1 invested in the community urban forest, Manhattan Beach receives \$5.99 in benefits.**

Overall, the community urban forest is reducing annual electric energy consumption by 292 MWh and annual natural gas consumption by 2,121 therms, for a combined value of \$42,933. In addition, these trees are removing 2.2 tons of pollutants from the air, including ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and particulates (PM<sub>10</sub>) for an overall annual gross air quality benefit of \$121,944. Canopy from this population covers nearly 55 acres. This canopy reduces annual stormwater runoff by more than 3.3 million gallons and protects local water resources by reducing sediment and pollution loading. To date, community trees have sequestered 3,240 tons of CO<sub>2</sub>. They continue to sequester an additional 343 tons of CO<sub>2</sub> each year for an annual net benefit valued at \$13,397.

The community urban forest in Manhattan Beach is well established and in good condition overall. The resource has a predominance of established young trees, with 58% of trees 6"-12" DBH<sup>1</sup>. With proper management, and planning, the environmental and economic benefits from this resource will continue to increase over time. Regular inspection and proactive maintenance will ensure the preservation of existing benefits, support individual tree longevity, and help manage risk.

Trees are a part of the City's infrastructure. However, unlike most other public assets, with proper maintenance, trees have the potential to increase in value over time. With an established population in good condition, a high percentage of young trees, and more than 182 different species, the community urban forest in Manhattan Beach will continue to be a vital asset to the City and neighboring communities.

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<sup>1</sup> DBH. Diameter at breast height, measured at 4'6" above the ground

# INTRODUCTION

Manhattan Beach is located 19 miles southwest of Los Angeles on the south end of Santa Monica Bay. Manhattan Beach is proud of its affluent community of about 35,135 residents within 3.88 square miles. Residents enjoy average summer temperatures of 70° F dropping during the winter months to about 55° F. Although the community generally receives around 12 inches of rainfall annually, relatively dry summers can pose an extra challenge to managing the water needs of a diverse urban forest. All trees play a role in supporting a positive and healthy environment. This analysis provides a snapshot of the community urban forest (publicly owned trees) and benchmarks the current structure and benefits of this resource.

Individual trees and a healthy urban forest play an important role in the quality of life and the sustainability of every community. Research demonstrates that healthy urban trees can improve the local environment and diminish the impact resulting from urbanization and industry (Center for Urban Forest Research). Trees improve air quality by manufacturing oxygen and absorbing carbon dioxide (CO<sub>2</sub>), as well as filtering and reducing airborne particulate matter such as smoke and dust. Urban trees reduce energy consumption by shading structures from solar energy and reducing the overall rise in temperature created through urban heat island effects (EPA). Trees slow and reduce stormwater runoff, helping to protect critical waterways from excess pollutants and particulates. In addition, urban trees provide critical habitat for wildlife and promote a connection to the natural world for city residents.

In addition to these direct improvements, healthy urban trees increase the overall attractiveness of a community and the value of local real estate by 7% to 10%. Trees promote shopping, retail sales, and tourism (Wolf, 2007). Trees support a more livable community, fostering psychological health, and providing residents with a greater sense of place (Ulrich, 1986; Kaplan, 1989). Community trees, both public and private, soften the urban hardscape by providing a green sanctuary, making Manhattan Beach a more enjoyable place to live, work, and play. The City's 11,575 community trees play a prominent role in the overall urban forest benefits afforded to the community. The Public Works Department has the responsibility to maintain a portion of the urban forest, which includes 4,116 trees on streets, in parks, and at city facilities. Residents rely on them to protect and maintain this vital resource.

To support the management of the community urban forest, an inventory of public trees was collected in 2013. The inventory collected the species, size, condition, and geographic location of each tree in an electronic, GIS format. An urban forest is a dynamic resource, constantly changing and growing in response to environment and care. Maintaining and updating this information will be critical for ongoing management.

The tree inventory data was analyzed with i-Tree's *Streets*, a STRATUM Analysis Tool (*Streets* v5.1.5; i-Tree v6.0.9), to develop a resource analysis and report of the existing condition of this urban forest. This report, unique to Manhattan Beach, quantifies the value of the community's trees with regard to actual benefits derived from the tree resource. In addition, the report provides baseline values that can be used to develop and update an urban forest management plan. Management plans help communities determine where to focus available resources and set benchmarks for measuring progress.

This analysis describes the structure, function, and value of Manhattan Beach's community trees. With this information, managers and citizens can make informed decisions about tree management strategies. This report provides the following information:

- A description of the current structure of Manhattan Beach's community tree resource and an established benchmark for future management decisions.
- The economic value of the benefits from the urban forest, illustrating the relevance and relationship of trees to local quality of life issues such as air quality, environmental health, economic development, and psychological health.
- Data that may be used by resource managers in the pursuit of alternative funding sources and collaborative relationships with utility purveyors, non-governmental organizations, air quality districts, federal and state agencies, legislative initiatives, or local assessment fees.
- Benchmark data for developing a long-term urban forest management plan.



# SUMMARY

## Structure

Manhattan Beach’s community urban forest includes 11,575 public trees on streets, in parks, and at city facilities. A structural analysis is the first step towards understanding the benefits provided by these trees as well as their management needs. Considering species composition, diversity, age distribution, condition, canopy coverage, and replacement value, DRG determined that the following information characterizes this urban forest resource:

- More than 182 unique tree species were identified in the inventory. The predominant tree species are queen palm (*Syagrus romanzoffianum*, 9.6%), and cajeput tree (*Melaleuca quinquenervia*, 6.8%).
- 90% of trees are under 12” DBH and over 57% are in the 6 -12” DBH, indicating a young, established population.
- 92% of trees are in good condition.
- Community trees are providing 55 acres of canopy cover, an average of 2.1% of the overall land area in Manhattan Beach.
- To date, Community trees have sequestered 3,240 tons of carbon, valued at \$97,205.
- Replacement of Manhattan Beach’s 11,575 community trees with trees of similar size, species, and condition would cost nearly \$20.6 million.

---

**Replacement of Manhattan Beach’s 11,575 community trees with trees of similar size, species, and condition would cost nearly \$20.6 million.**

---

## Benefits

Annually, Manhattan Beach’s community trees provide cumulative benefits to the community at an average value of \$266 per tree, for a total gross value of \$3.1 million per year. These benefits include:

- Community trees reduce electricity and natural gas use through shading and climate effects for an overall benefit of \$42,933, an average of \$3.71per tree.
- Each year, community trees sequester a gross 343 tons of atmospheric CO<sub>2</sub> for a net value of \$13,397 and an average of \$1.16 per tree.
- Net air quality improvements, including removal and avoidance of pollutants, from community trees are valued at \$121,944, an average per tree benefit of \$10.54.
- Manhattan Beach’s community trees intercept nearly 3.3 million gallons of stormwater annually for a total value of \$5,989, an average of \$0.52 per tree.
- The benefits from Manhattan Beach’s community trees to property value, health, aesthetics, and socioeconomics is nearly \$2.9 million, an average of \$250 per tree.
- When the annual investment of \$515,000 for the management of the community urban forest is considered, the annual net benefit (benefits minus investment) for the community is

---

**For every \$1 invested in community trees, Manhattan Beach receives \$5.99 in benefits.**

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nearly \$2.6 million, an average of \$222 per tree. In other words, **for every \$1 invested in public trees, the community receives \$5.99 in benefits.**

When only city-maintained trees (4,116 trees) are considered, the overall annual benefit from this portion of the community urban forest is \$1.3 million. The net benefit is \$790,766 (\$192/tree). **For every \$1 invested in city-maintained trees, the community receives \$2.54 in benefits.**

## Management

Manhattan Beach's community urban forest is a dynamic resource that requires continued investment to maintain and realize its full benefit potential. **Trees are one of the few community assets that have the potential to increase in value with time and proper management.**

Appropriate and timely tree care can substantially increase lifespan. When trees live longer, they provide greater benefits. As individual trees continue to mature and aging trees are replaced, the overall value of the community forest and the amount of benefits provided grow as well. This vital, living resource is, however, vulnerable to a host of stressors and requires ecologically sound and sustainable best management practices to ensure a continued flow of benefits for future generations.

The urban forest in Manhattan Beach is a young, establishing resource in overall good condition. With continued new tree planting, proactive management, and planning, the benefits from this resource will continue to increase as young trees mature. Young tree training, a regular pruning cycle, and regular inspection to identify structural and age-related defects is recommended to manage risk and reduce the likelihood of tree and branch failure. Based on the resource analysis, DRG recommends the following:

- Maintain a healthy diversity by insuring that new tree plantings include a variety of suitable species and don't unduly increase reliance on prevalent species.
- Provide structural pruning for young trees and regular pruning cycle for all trees.
- Continue to maintain and update the inventory database, including tracking tree growth and condition during regular pruning cycles.

With adequate protection and planning, the value of the community urban forest resource in Manhattan Beach will increase over time. Proactive management and a tree replacement plan are critical to ensuring that residents continue to receive a high return on their investment. Along with new tree installation and replacement planting, funding for tree maintenance and inspection is critical to preserving benefits, prolonging tree life, and managing risk. Existing mature trees should be maintained and protected whenever possible since the greatest benefits accrue from the continued growth and longevity of the existing canopy. Managers can take pride in knowing that community trees support the quality of life for residents and neighboring communities.

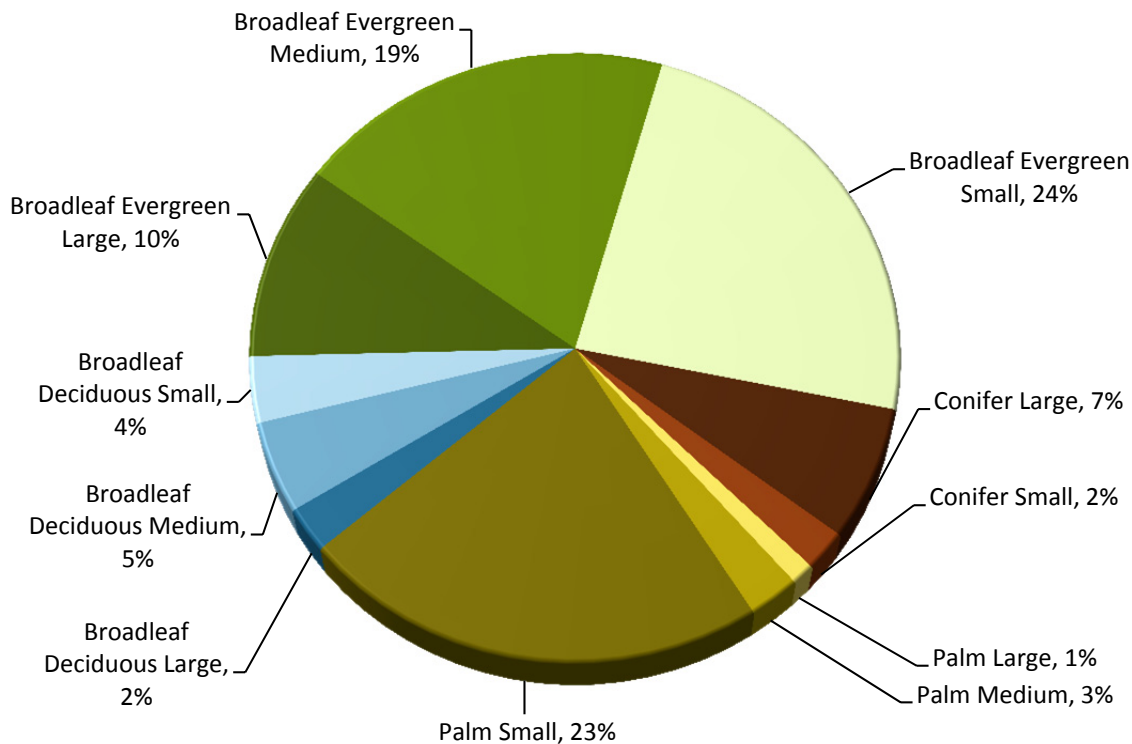
# MANHATTAN BEACH'S URBAN FOREST RESOURCE

An urban forest is more thoroughly understood through examination of composition and species richness (diversity). Consideration of stocking level (trees per total available space), canopy cover, age distribution, condition, and performance provide a foundation for planning and management strategies. Inferences based on this data can help managers understand the importance of individual tree species to the overall forest as it exists today and provide a basis to project the future potential of the resource.

## Population Composition

Broadleaf evergreen species are common in Manhattan Beach's community urban forest, comprising 54% of the total inventory. Broadleaf trees typically have larger canopies than palm trees of the same diameter size. Since many of the measurable benefits derived from trees are directly related to leaf surface area, broadleaf trees generally provide higher benefit levels than palm trees.

Deciduous broadleaf species make up 11% of the tree population, including 2% large-stature, 5% medium-stature, and 4% small-stature trees. Evergreen broadleaf trees comprise 54% of the population, including 10% large-stature, 19% medium-stature, and 24% small-stature species. Conifers represent 9% of the overall population with predominately large-stature species (7%). Palms comprise 27% including 1% Large, 3% medium, and 23% small.



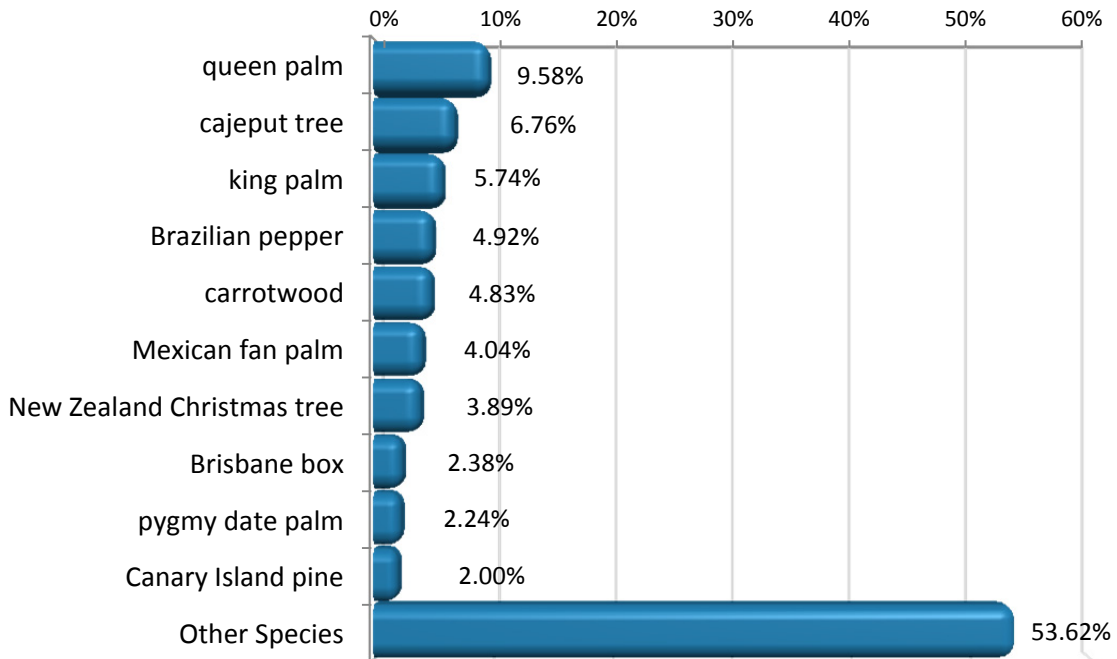
**Figure 1. Composition of Tree Type and Stature in Manhattan Beach's Community Urban Forest**

## Species Richness and Composition

The community tree resource in Manhattan Beach is composed of a wide variety of more than 182 unique species (Table 1 and Appendix C). That’s much greater than the mean of 53 species reported by McPherson and Rowntree (1989) in their nationwide survey of street tree populations in 22 U.S. cities.

The top 10 species in Manhattan Beach represent over 46% of the overall population (Figure 2). The predominant tree species are queen palm (*Syagrus romanzoffianum*, 9.58%), and cajeput tree (*Melaleuca quinquenervia*, 6.76%). There is a widely accepted rule that no single species should represent greater than 10% of the total population, and no single genus more than 20% (Clark Et al, 1997). No genus or species in Manhattan Beach’s community urban forest are exceeding these values. The most common genera are *Syagrus* (9.6%), *Melaleuca* (6.8%) and *Eucalyptus* (6.7%).

The tree diversity is adequate in Manhattan Beach. Maintaining diversity in an urban forest is important. Dominance of any single species or genus can have detrimental consequences in the event of storms, drought, disease, pests, or other stressors that can severely affect an urban forest and the flow of benefits and costs over time. Catastrophic pathogens, such as Dutch Elm Disease (*Ophiostoma ulmi*), Emerald Ash Borer (*Agrilus planipennis*), Asian Longhorned Beetle (*Anoplophora glabripennis*), and Sudden Oak Death (SOD) (*Phytophthora ramorum*) are some examples of unexpected, devastating, and costly pests and pathogens that highlight the importance of diversity and the balanced distribution of species and genera.



**Figure 2. Ten Most Prevalent Species in Manhattan Beach’s Community Urban Forest**

**Table 1. Population Summary of Manhattan Beach’s Community Urban Forest (Species representing >1%)**

Species	DBH Class (Inches)									Total	% of Pop.
	0-3	3-6	6-12	12-18	18-24	24-30	30-36	36-42	> 42		
<b>Broadleaf Deciduous Large (BDL)</b>											
BDL Other	20	71	156	20	5	2	0	0	0	274	2.37%
<b>Total</b>	<b>20</b>	<b>71</b>	<b>156</b>	<b>20</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>274</b>	<b>2.37%</b>
<b>Broadleaf Deciduous Medium (BDM)</b>											
sweetgum	16	33	122	15	0	0	0	0	0	186	1.61%
Callery pear	84	64	24	0	0	0	0	0	0	172	1.49%
BDM Other	39	66	93	2	1	0	0	0	0	201	1.74%
<b>Total</b>	<b>139</b>	<b>163</b>	<b>239</b>	<b>17</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>559</b>	<b>4.83%</b>
<b>Broadleaf Deciduous Small (BDS)</b>											
cherry plum	67	73	24	0	0	0	0	0	0	164	1.42%
BDS Other	90	37	115	1	0	0	0	0	0	243	2.10%
<b>Total</b>	<b>157</b>	<b>110</b>	<b>139</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>407</b>	<b>3.52%</b>
<b>Broadleaf Evergreen Large (BEL)</b>											
silver dollar gum	19	29	92	37	10	10	0	0	0	197	1.70%
Chinese elm	3	21	109	3	1	0	0	0	0	137	1.18%
fern pine	9	29	74	9	3	0	0	0	0	124	1.07%
lemon scented gum	4	12	61	32	8	1	0	0	0	118	1.02%
BEL Other	40	46	265	147	72	53	0	0	0	623	5.38%
<b>Total</b>	<b>75</b>	<b>137</b>	<b>601</b>	<b>228</b>	<b>94</b>	<b>64</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,199</b>	<b>10.36%</b>
<b>Broadleaf Evergreen Medium (BEM)</b>											
cajeput tree	15	104	511	129	16	7	0	0	0	782	6.76%
New Zealand Christmas tree	136	89	214	9	2	0	0	0	0	450	3.89%
weeping fig	15	27	123	4	2	0	0	0	0	171	1.48%
acacia	6	46	105	0	10	0	0	0	0	167	1.44%
southern magnolia	27	8	74	4	0	0	0	0	0	113	0.98%
BEM Other	111	162	263	28	6	4	0	0	0	574	4.96%
<b>Total</b>	<b>310</b>	<b>436</b>	<b>1,290</b>	<b>174</b>	<b>36</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,257</b>	<b>19.50%</b>
<b>Broadleaf Evergreen Small (BES)</b>											
Brazilian pepper	70	145	227	105	22	1	0	0	0	570	4.92%
carrotwood	19	85	446	7	2	0	0	0	0	559	4.83%
Brisbane box	25	55	192	1	2	0	0	0	0	275	2.38%
evergreen pear	16	75	129	4	0	0	0	0	0	224	1.94%
olive	26	35	140	7	1	1	0	0	0	210	1.81%
myoporum	16	75	92	1	1	0	0	0	0	185	1.60%
BES Other	240	192	273	16	3	0	0	0	0	724	6.25%
<b>Total</b>	<b>412</b>	<b>662</b>	<b>1,499</b>	<b>141</b>	<b>31</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,747</b>	<b>23.73%</b>
<b>Conifer Evergreen Large (CEL)</b>											
Canary Island pine	13	8	188	22	1	0	0	0	0	232	2.00%
Aleppo pine	21	10	113	50	31	5	0	0	0	230	1.99%
CEL Other	56	91	145	35	26	2	0	0	0	355	3.07%
<b>Total</b>	<b>90</b>	<b>109</b>	<b>446</b>	<b>107</b>	<b>58</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>817</b>	<b>7.06%</b>
<b>Conifer Evergreen Small (CES)</b>											
Chinese juniper	4	26	122	2	0	0	0	0	0	154	1.33%
CES Other	7	17	63	4	0	0	0	0	0	91	0.79%
<b>Total</b>	<b>11</b>	<b>43</b>	<b>185</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>245</b>	<b>2.12%</b>
<b>Palm Evergreen Large (PEL)</b>											
Canary Island date palm	19	4	33	50	22	0	0	0	0	128	1.11%
PEL Other	1	0	2	0	0	0	0	0	0	3	0.03%
<b>Total</b>	<b>20</b>	<b>4</b>	<b>35</b>	<b>50</b>	<b>22</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>131</b>	<b>1.13%</b>

Species	DBH Class (Inches)									Total	% of Pop.
	0-3	3-6	6-12	12-18	18-24	24-30	30-36	36-42	> 42		
<b>Palm Evergreen Medium (PEM)</b>											
pygmy date palm	52	69	134	4	0	0	0	0	0	259	2.24%
PEM Other	8	11	11	1	0	0	0	0	0	31	0.27%
<b>Total</b>	<b>60</b>	<b>80</b>	<b>145</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>290</b>	<b>2.51%</b>
<b>Palm Evergreen Small (PES)</b>											
queen palm	81	90	938	0	0	0	0	0	0	1,109	9.58%
king palm	149	164	351	0	0	0	0	0	0	664	5.74%
Mexican fan palm	17	9	404	38	0	0	0	0	0	468	4.04%
moundlily yucca	15	23	141	8	15	1	0	0	0	203	1.75%
PES Other	40	66	95	1	2	1	0	0	0	205	1.77%
<b>Total</b>	<b>302</b>	<b>352</b>	<b>1,929</b>	<b>47</b>	<b>17</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,649</b>	<b>22.89%</b>
<b>Grand Total</b>	<b>1,596</b>	<b>2,167</b>	<b>6,664</b>	<b>796</b>	<b>264</b>	<b>88</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11,575</b>	<b>100%</b>

## Species Importance

To quantify the significance of any one particular species in Manhattan Beach's community tree inventory an importance value is derived for each of the most common species. Importance values are particularly meaningful to urban forest managers because they indicate a reliance on the functional capacity of a particular species. **i-Tree Streets calculates importance value based on the mean of three values: percentage of total population, percentage of total leaf area, and percentage of total canopy cover.** Importance value goes beyond tree numbers alone to suggest reliance on specific species based on the benefits they provide. The importance value can range from zero (which implies no reliance) to 100 (suggesting total reliance).

No single species should dominate the composition of an urban forest population. Since the importance value goes beyond population numbers alone, it can help managers to better comprehend the resulting loss of benefits from a catastrophic loss of any one species. When importance values are comparatively equal among the 10 to 15 most abundant species, the risk of major reductions to benefits is significantly reduced. Of course, suitability of the dominant species is another important consideration. Planting short-lived or poorly adapted species can result in shorter lifespans and increased long-term management investments.

The 26 most abundant species (>1%) represent 70% of the overall population, 60% of the total leaf area, and 64% of the total canopy cover for a combined importance value of 64.68 (Table 2). Of these Manhattan Beach relies most on cajeput tree (*Melaleuca quinquenervia*, IV=6.72), carrotwood (*Cupaniopsis anacardioides*, IV=5.82) and Brazilian pepper (*Schinus terebinthifolius*, IV=5.74)

Due to their large stature and high leaf surface area, some species provide more impact than their population numbers alone would suggest. For example, Aleppo pine (*Pinus halepensis*) represents 2% of the population but 5.3% of canopy cover. Canary Island date palm (*Phoenix canariensis*) represents 1% of the population but 4.3% of total canopy cover. These are mature populations of large-stature trees with substantial numbers of established trees.

The low importance value of some species is a function of tree type. Immature and small-stature populations tend to have lower importance values than their percentage in the overall population might suggest. This is due to their relatively small leaf area and canopy coverage. For instance, Mexican fan palm (*Washingtonia robusta*) represents 4% of the population but just 1% of canopy cover, and queen palm (*Syagrus romanzoffianum*) represents 9.6% of the population but just 2.6% of canopy cover. While these palms increase in height, they are unlikely to substantially increase in canopy size over time.

**Table 2. Importance Value of Manhattan Beach's Most Prevalent Community Tree Species (representing >1%)**

Species	Number of Trees	% of Pop.	Leaf Area (ft2)	% of Total Leaf Area	Canopy Cover (ft2)	% of Total Canopy Cover	Importance Value
queen palm	1,109	9.58	117,759	2.06	62,496	2.63	4.76
cajeput tree	782	6.76	427,040	7.48	140,937	5.94	6.72
king palm	664	5.74	51,468	0.90	27,452	1.16	2.60
Brazilian pepper	570	4.92	318,300	5.57	159,841	6.73	5.74
carrotwood	559	4.83	277,476	4.86	184,630	7.78	5.82
Mexican fan palm	468	4.04	57,071	1.00	30,034	1.27	2.10
New Zealand Christmas tree	450	3.89	134,392	2.35	72,279	3.04	3.10
Brisbane box	275	2.38	113,267	1.98	61,701	2.60	2.32
Pygmy date palm	259	2.24	36,419	0.64	28,968	1.22	1.37
Canary Island pine	232	2.00	191,948	3.36	56,711	2.39	2.58
Aleppo pine	230	1.99	367,066	6.43	125,674	5.29	4.57
evergreen pear	224	1.94	91,465	1.60	36,625	1.54	1.69
olive	210	1.81	93,458	1.64	36,533	1.54	1.66
moundlily yucca	203	1.75	24,900	0.44	12,891	0.54	0.91
sliver dollar gum	197	1.70	129,025	2.26	51,233	2.16	2.04
myoporum	186	1.61	154,402	2.70	47,254	1.99	2.10
sweetgum	185	1.60	69,102	1.21	28,042	1.18	1.33
Callery pear	172	1.49	51,322	0.90	17,546	0.74	1.04
weeping fig	171	1.48	109,204	1.91	52,812	2.22	1.87
acacia	167	1.44	114,118	2.00	54,508	2.30	1.91
cherry plum	164	1.42	39,640	0.69	24,559	1.03	1.05
Hollywood juniper	154	1.33	120,942	2.12	27,836	1.17	1.54
Chinese elm	137	1.18	61,029	1.07	24,390	1.03	1.09
Canary Island date palm	128	1.11	123,835	2.17	101,404	4.27	2.52
fern pine	124	1.07	55,331	0.97	21,817	0.92	0.99
lemon scented gum	118	1.02	78,287	1.37	32,394	1.36	1.25
Other trees	3,437	29.69	2,302,504	40.32	853,239	35.94	35.32
<b>All Trees</b>	<b>11,575</b>	<b>100%</b>	<b>5,710,768</b>	<b>100%</b>	<b>2,373,809</b>	<b>100%</b>	<b>100%</b>

## Canopy Cover

The amount and distribution of leaf surface area is the driving force behind the urban forest's ability to produce benefits for the community (Clark, 1997). As canopy cover increases, so do the benefits afforded by leaf area. The City of Manhattan Beach encompasses an area of 2,496 acres. Overall, community trees provide approximately 54.5 acres of canopy cover, or 2.2% of the city's total area. Considering the 698 acres of street and sidewalk, trees cover 7.8% of those impervious surfaces, increasing the life of pavement surfaces and increasing community walkability. Carrotwood

(*Cupaniopsis anacardioides*) provides the largest portion of canopy, 7.8% (4.2 acres), and Brazilian pepper (*Schinus terebinthifolius*) provide 6.7% (3.7 acres).

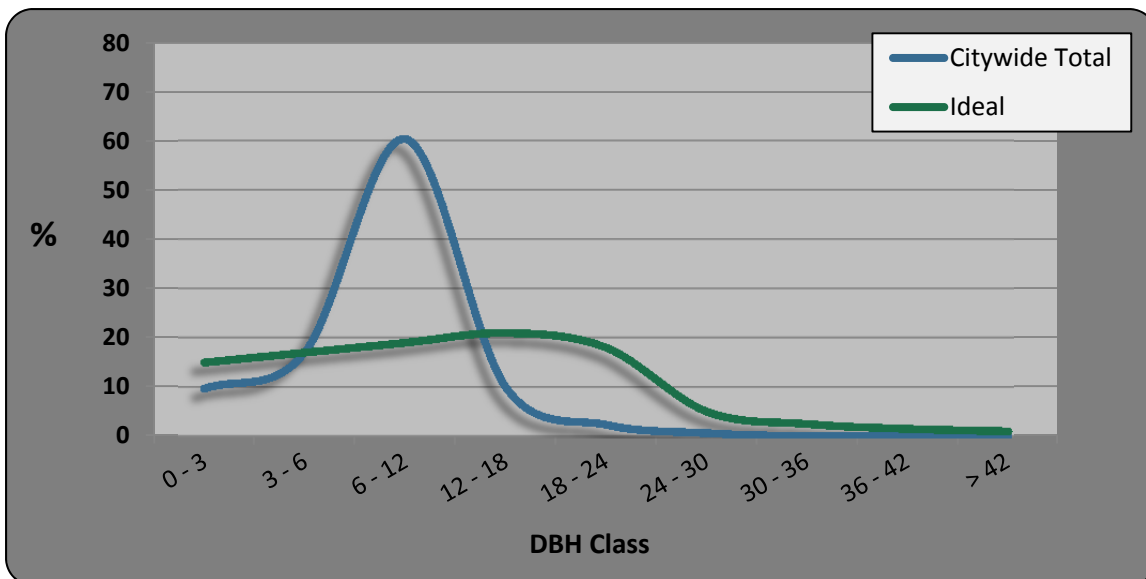
The privately-maintained trees contribute 33.75 acres of canopy. This amount is closely proportional to the number of privately-maintained trees, as privately maintained trees are 64.4% of the population and 61.9% of the canopy cover. This canopy calculation does not include private trees in yards or parking lots, so the city’s total canopy cover is likely much greater considering all the trees.

## Relative Age Distribution

Age distribution can be approximated by considering the DBH range of the overall population and of individual species. Trees with smaller diameters tend to be younger. It is important to note that palms do not increase in DBH over time, so they are not considered in this analysis. In palms, height more accurately correlates to age.

The distribution of individual tree ages within a tree population influences present and future costs as well as the flow of benefits. An ideally-aged population allows managers to allocate annual maintenance costs uniformly over many years and assures continuity in overall tree canopy coverage and associated benefits. A desirable distribution has a high proportion of young trees to offset establishment and age related mortality as the percentage of older trees declines over time (Richards, 1982/83). This ideal, albeit uneven, distribution suggests a large fraction of trees (~40%) should be young with diameters (DBH) less than eight inches, while only 10% should be in the large diameter classes (>24 inches DBH).

The age distribution of Manhattan Beach’s community urban forest is notably different from the ideal, with 73% of trees between 6-24 inches in diameter (DBH) and <1% of trees larger than 24 inches in diameter (Figure 3). This difference suggests proactive management of this resource should continue with increased tree planting to sustain and increase these benefits over time. The City will need to develop a planting plan to replace aging trees and important species as they reach the end of their lifespan along with increasing the overall stocking rate. Regular inspection and proactive maintenance for mature trees will help to identify structural and age-related defects and manage risk.

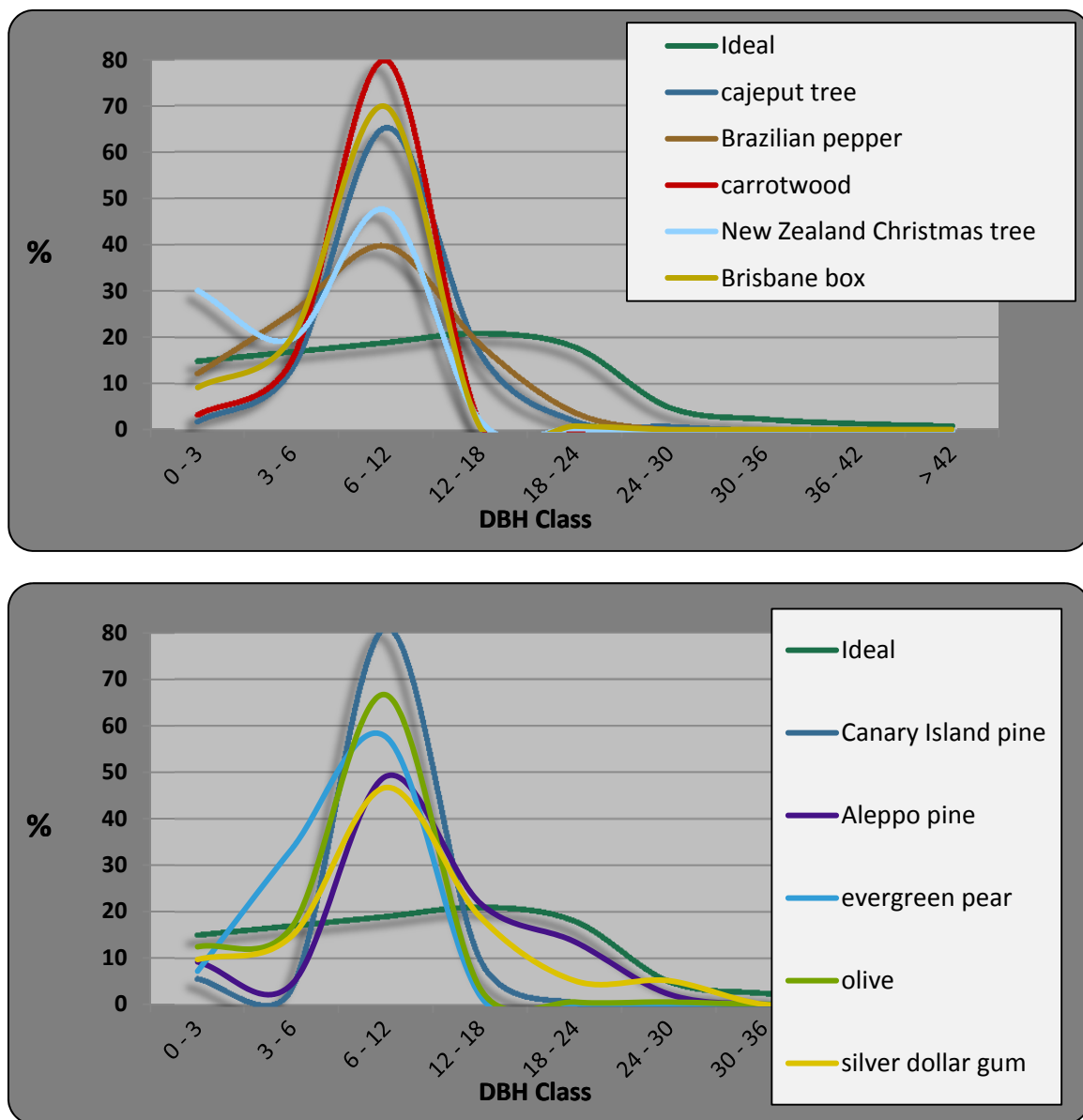


**Figure 3. Age Distribution of Manhattan Beach’s Community Urban Forest**



Of the ten most common species in Manhattan Beach’s community urban forest, the youngest population is New Zealand Christmas tree (*Metrosideros excelsus*). Just over 30% of these trees are 3 inches or less in diameter (DBH). This suggests that recent tree plantings have increased the prevalence of this species. Silver dollar gum (*Eucalyptus polyanthemos*) and Aleppo pine (*Pinus halepensis*) are the most mature populations having a small fraction of trees greater than 24 inches in diameter.

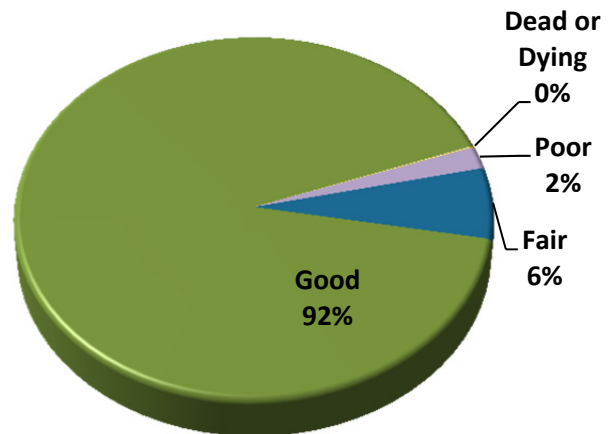
All of the ten most common species were found to have >40% of their populations within 6 to 12 inches in DBH. This is an uneven age distribution for non-palm trees in the City’s urban forest. As these tree populations mature, and without additional planting efforts, the City could potentially see any one of these tree populations rapidly disappear from the urban forest.



**Figure 4. Age Distribution of the Top 10 Tree Species (excluding palm trees)**

## Urban Forest Condition

Tree condition is an indication of how well trees are managed and how well they are performing in a given site-specific environment (e.g., street, median, parking lot, etc.). Condition ratings can help urban forest managers anticipate maintenance and funding needs. In addition, tree condition is an important factor for the calculation of urban forest benefits. A condition rating of good assumes that a tree has no major structural problems, no significant mechanical damage, and may have only minor aesthetic, insect, disease, or structural problems, and is in good health.



**Figure 5. Condition of Manhattan Beach's Community Urban Forest**

Manhattan Beach's community forest is overall relatively young and in good condition with 92% good and 6% fair trees

(Figure 6). A similar distribution can be seen for trees maintained by residents (94% and 4%, respectively) as well as those cared for by the city (88% and 10%, respectively). About 2% of Manhattan Beach's community trees are poor, dead, or dying; 2.4% for trees managed by the city, 1.9% for trees managed by residents.

The *relative performance index* (RPI) is one way to further analyze the condition and suitability of specific tree species. The RPI provides an urban forest manager with a detailed perspective on how one species' performance compares to that of another. The index compares the condition ratings of each tree species with the condition ratings of every other tree species within a given urban forest population. An RPI value of 1.0 or better indicates that the species is performing as well or better than average when compared to other species. An RPI value below 1.0 indicates that the species is not performing as well in comparison to the rest of the population.

Among the 26 most common species included in this inventory, 21 have an RPI of 1.0 or greater (Table 3). Of these, Mexican fan palm (*Washingtonia robusta*), Chinese juniper (*Juniperus chinensis*), king palm (*Archontophoenix cunninghamiana*), Canary Island date palm (*Phoenix canariensis*), Callery pear (*Pyrus calleryana*), queen palm (*Syagrus romanzoffiana*), cajeput tree (*Melaleuca quinquenervia*), pygmy date palm (*Phoenix roebelenii*), and moundlily yucca (*Yucca gloriosa*) have the highest RPI with 1.03, while myoporum (*Myoporum laetum*, RPI=0.0.80), silver dollar gum (*Eucalyptus polyanthemos*, RPI=0.92), and lemon scented gum (*Eucalyptus citriodora*, RPI=0.94) have the lowest.

The RPI can be a useful tool for urban forest managers. For example, if a community has been planting two or more new species, the RPI can be used to compare their relative performance. If the RPI indicates that one is performing relatively poorly, managers may decide to reduce or even stop planting that species and subsequently save money on both planting stock and replacement costs. The RPI enables managers to look at the performance of long-standing species as well. Established species with an RPI of 1.00 or greater have performed well when compared to the population as a whole. These top performers should be retained, and planted, as a healthy proportion of the overall population. It is important to keep in mind that, because RPI is based on condition at the time of the

inventory, it may not reflect cosmetic or nuisance issues, especially seasonal issues that are not threatening the health or structure of the trees.

An RPI value less than 1.00 may be indicative of a species that is not well adapted to local conditions. Poorly adapted species are more likely to present increased safety and maintenance issues. Species with an RPI less than 1.00 should receive careful consideration before being selected for future planting choices. However, prior to selecting or deselecting trees based on RPI alone, managers are encouraged to take into account the age distribution of the species, among other factors. A species that has an RPI of less than 1.00, but has a significant number of trees in larger DBH classes, may simply be exhibiting signs of population senescence. A complete table, with RPI values for all species, is included in Appendix C.

**Table 3. Relative Performance Index for Manhattan Beach's Most Prevalent Species (representing >1%)**

Species	Dead or Dying	Poor	Fair	Good	N/A	RPI	# of Trees	% of Pop.
queen palm	0.09	0.09	0.99	98.83	0.00	1.03	1,109	9.58
cajeput tree	0.00	0.00	1.53	98.47	0.00	1.03	782	6.76
king palm	0.00	0.15	0.00	99.85	0.00	1.03	664	5.74
Brazilian pepper	0.00	2.81	18.77	78.42	0.00	0.96	570	4.92
carrotwood	0.00	0.18	2.86	96.78	0.18	1.02	559	4.83
Mexican fan palm	0.00	0.00	0.00	100.00	0.00	1.03	468	4.04
New Zealand Christmas tree	0.00	0.44	8.22	91.33	0.00	1.00	450	3.89
Brisbane box	0.00	1.09	3.27	95.64	0.00	1.02	275	2.38
pygmy date palm	0.00	0.00	0.39	99.23	0.39	1.03	259	2.24
Canary Island pine	0.00	0.43	1.72	97.41	0.43	1.02	232	2.00
Aleppo pine	0.43	0.87	1.74	96.96	0.00	1.02	230	1.99
evergreen pear	0.00	0.89	5.36	93.75	0.00	1.01	224	1.94
olive	0.00	1.43	10.48	88.10	0.00	0.99	210	1.81
moundlily yucca	0.00	0.00	0.49	99.01	0.49	1.03	203	1.75
silver dollar gum	0.00	7.11	23.86	69.04	0.00	0.92	197	1.70
sweetgum	0.00	1.61	2.69	95.70	0.00	1.01	186	1.61
myoporum	0.00	18.92	39.46	41.62	0.00	0.80	185	1.60
Callery pear	0.00	0.00	1.16	98.84	0.00	1.03	172	1.49
weeping fig	0.00	1.17	0.58	98.25	0.00	1.02	171	1.48
acacia	0.00	1.80	0.60	97.60	0.00	1.02	167	1.44
cherry plum	0.00	2.44	6.10	91.46	0.00	1.00	164	1.42
Chinese juniper	0.00	0.00	0.00	100.00	0.00	1.03	154	1.33
Chinese elm	0.00	2.19	5.84	91.97	0.00	1.00	137	1.18
Canary Island date palm	0.00	0.00	0.78	99.22	0.00	1.03	128	1.11
fern pine	0.00	1.61	2.42	95.97	0.00	1.02	124	1.07
lemonscented gum	0.00	3.39	23.73	72.88	0.00	0.94	118	1.02
<b>Total</b>	<b>0.05</b>	<b>1.99</b>	<b>6.33</b>	<b>91.57</b>	<b>0.06</b>	<b>1.00</b>	<b>11,575</b>	<b>100%</b>

The RPI value can also help to identify underused species that are demonstrating good performance. Trees with an RPI value greater than 1.00 and an established age distribution may be indicating their suitability in the local environment and should receive consideration for additional planting (Table 4). When considering new species based on RPI, it is important to base the decision on established populations. The greater number of trees of a particular species, the more relevant the RPI becomes. The following species appear to be performing well and should be considered for future tree plantings:

**Table 4. Species That May Be Underused (based on RPI and age distribution)**

Species	RPI	# of Trees	% of All Trees
<b>Broadleaf Deciduous Large</b>			
California sycamore	1.02	90.00	0.78
<b>Broadleaf Evergreen Large</b>			
ribbon gum eucalyptus	1.03	3.00	0.03
naked coral tree	1.03	11.00	0.10
kaffirboom coral tree	1.03	19.00	0.16
<b>Conifer Large</b>			
Torrey pine	1.03	23.00	0.20
Italian stone pine	1.02	58.00	0.50
Aleppo pine	1.02	230.00	1.99

## Replacement Value

The current value of the community urban forest in Manhattan Beach is over \$20.6 million (Table 3). The replacement value accounts for the historical investment in trees over their lifetime. The replacement value is also a way of describing the value of a tree population (and/or average value per tree) at a given time. The replacement value reflects current population numbers, stature, placement, and condition. There are several methods available for obtaining a fair and reasonable perception of a tree's value (CTLA, 1992; Watson, 2002). The cost approach, trunk formula method used in this analysis assumes the value of a tree is equal to the cost of replacing the tree in its current state (Cullen, 2002).

To replace Manhattan Beach's 11,575 community trees with trees of similar size, species, and condition would cost over \$20.6 million. The average replacement value per tree is \$1,781. Cajeput tree (*Melaleuca quinquenervia*) and Brazilian pepper (*Schinus terebinthifolius*) are the most valuable populations representing \$4.2 million and 21% of the overall replacement value but just 12% of the overall urban forest resource.

Manhattan Beach's community trees represent a vital component of the City's infrastructure and a public asset valued at over \$20.6 million—an asset that, with proper care and maintenance, will continue to increase in value over time. Distinguishing the replacement value from the value of annual benefits produced by this urban forest resource is very important. Annual benefits are examined in Chapter 3.

**Table 5. Summary of Replacement Value for Manhattan Beach's Community Urban Forest Resource**

Species	DBH Class (in)						Total	% of Value
	0-3	3-6	6-12	12-18	18-24	24-30		
cajuput tree	2,470	81,846	1,500,609	1,036,403	250,642	180,879	3,052,850	14.81
Brazilian pepper	19,402	92,690	407,440	471,811	175,581	15,054	1,181,977	5.73
carrotwood	9,050	62,218	712,080	25,923	13,665	0	822,935	3.99
Aleppo pine	6,597	6,792	212,602	235,905	282,880	75,268	820,044	3.98
New Zealand Christmas tree	22,295	70,544	599,412	72,307	31,330	0	795,889	3.86
Brisbane box	8,784	57,231	637,128	8,949	34,574	0	746,666	3.62
pygmy date palm	25,360	107,341	456,862	16,424	0	0	605,988	2.94
Canary island pine	1,796	4,970	412,025	131,128	11,593	0	561,512	2.72
silver dollar gum	5,322	15,701	162,909	154,617	86,706	123,971	549,226	2.66
acacia	907	36,120	307,680	0	156,652	0	501,358	2.43
queen palm	14,797	23,777	404,070	0	0	0	442,644	2.15
Canary island date palm	29,968	8,071	114,385	201,026	88,451	0	441,901	2.14
king palm	31,477	68,531	293,526	0	0	0	393,534	1.91
Indian laurel fig	1,405	16,738	247,550	89,495	12,203	0	367,392	1.78
fern pine	1,482	22,510	214,596	72,307	46,995	0	357,890	1.74
evergreen pear	7,165	61,520	257,565	19,421	0	0	345,671	1.68
lemonscented gum	1,791	10,040	113,028	138,234	59,383	14,747	337,224	1.64
weeping fig	2,190	16,410	270,618	23,841	23,186	0	336,245	1.63
sweetgum	4,472	22,413	230,928	71,056	0	0	328,869	1.59
Italian stone pine	0	466	22,807	73,795	193,865	27,759	318,691	1.55
Chinese juniper	608	16,154	269,062	11,921	0	0	297,744	1.44
olive	12,104	25,798	215,460	22,655	6,832	11,005	293,854	1.43
redflower gum	2,402	9,342	68,198	105,769	54,617	40,587	280,915	1.36
California sycamore	912	9,320	106,768	81,692	42,961	38,205	279,859	1.36
Chinese elm	850	13,863	202,146	14,495	9,213	0	240,568	1.17
euclayptus, beakpod	0	0	1,756	12,889	116,517	81,174	212,337	1.03
blue gum eucalyptus	0	743	10,601	26,453	61,555	107,049	206,400	1.00
Other Trees	349,991	740,020	3,200,248	657,541	325,766	226,157	5,499,722	26.67
<b>Citywide Total</b>	<b>\$563,596</b>	<b>\$1,601,168</b>	<b>\$11,652,060</b>	<b>\$3,776,058</b>	<b>\$2,085,168</b>	<b>\$941,855</b>	<b>\$20,619,904</b>	<b>100%</b>

# BENEFITS FROM MANHATTAN BEACH'S COMMUNITY URBAN FOREST

Trees are important to Manhattan Beach. Environmentally, they help conserve and reduce energy use, reduce global carbon dioxide (CO<sub>2</sub>) levels, improve air quality, and mitigate stormwater runoff. Additionally, trees provide a wealth of well-documented psychological, social, and economic benefits related primarily to their aesthetic effects. Environmentally, trees make good sense, providing benefits back to the community. However, the question remains, are the collective benefits worth the cost of management? In other words, are community trees a good investment for Manhattan Beach? To answer this question, the benefits must be quantified in financial terms.

The i-Tree *Streets* analysis model allows benefits to be quantified based on regional reference cities and local community attributes, such as median home values and local energy prices. This analysis provides a snapshot of the annual benefits (along with the value of those benefits) produced by Manhattan Beach's community urban forest. While the annual benefits produced by the urban forest can be substantial, it is important to recognize that the greatest benefits are derived from the benefit stream that results over time, from a mature forest where trees are well managed, healthy, and long-lived.

This analysis used current inventory data for Manhattan Beach's community trees and i-Tree's *Streets* software to assess and quantify the beneficial functions of this resource and to place a dollar value on the annual environmental benefits these trees provide. The benefits calculated by i-Tree *Streets* are estimations based on the best available and current scientific research with an accepted degree of uncertainty. The data returned from i-Tree *Streets* can provide a platform from which informed management decisions can be made (Maco and McPherson, 2003). A discussion on the methods used to calculate and assign a monetary value to these benefits is included in Appendix A.

## Energy Savings

Trees modify climate and conserve energy in three principal ways:

- Shading reduces the amount of radiant energy absorbed and stored by hardscape surfaces, thereby reducing the heat island effect.
- Transpiration converts moisture to water vapor, thereby cooling the air by using solar energy that would otherwise result in heating of the air.
- Reduction of wind speed and the movement of outside air into interior spaces and conductive heat loss where thermal conductivity is relatively high (e.g., glass windows) (Simpson, 1998).

The *heat island effect* describes the increase in urban temperatures in relation to surrounding suburban and rural areas. Heat islands are associated with an increase in hardscape and impervious surfaces. Trees and other vegetation within an urbanized environment help reduce the heat island effect by lowering air temperatures 5°F (3°C) compared with outside the green space (Chandler, 1965). On a larger citywide scale, temperature differences of more than 9°F (5°C) have been observed between city centers without adequate canopy coverage and more

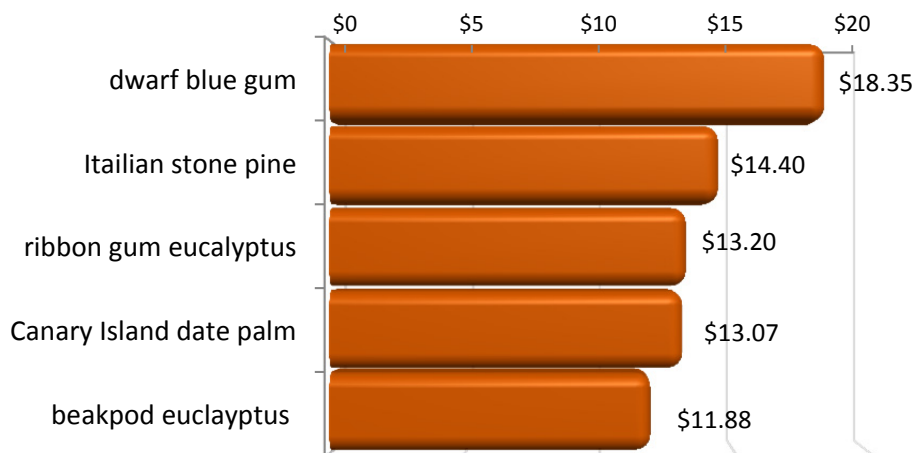
vegetated suburban areas (Akbari and others, 1992). The relative importance of these effects depends upon the size and configuration of trees and other landscape elements (McPherson, 1993). Tree spacing, crown spread, and vertical distribution of leaf area each influence the transport of warm air and pollutants along streets and out of urban canyons.

Trees reduce conductive heat loss from buildings by reducing air movement into buildings and against conductive surfaces (e.g., glass, metal siding). Trees can reduce wind speed and the resulting air infiltration by up to 50%, translating into potential annual heating savings of 25% (Heisler, 1986)

### Electricity and Natural Gas Reduction

Electricity and natural gas saved annually in Manhattan Beach from both the shading and climate effects of community trees is equal to 292 MWh (valued at \$40,917) and 2,122 therms (\$2,016), for a total retail savings of approximately \$42,933 and an average of \$3.71 per tree (Table 4). Publicly-maintained trees, which represent 36% of the population contribute 36% of this benefit for a value of \$16,278, while privately-maintained trees provide 62%, \$26,655. The species that contribute most to energy benefits on a per-tree basis are large-stature evergreens including dwarf blue gum (*Eucalyptus globulus var compacta*), with an average value of \$18.35, and Italian stone pine (*Pinus pinea*) with an average value of \$14.40 per tree.

Small-canopy trees are less able to provide electricity and natural gas reduction benefits. On a per-tree basis, queen palm (*Syagrus romanzioffianum*) provides just \$1.35 in average benefits, and while the population represents 9.6% of all trees, it is providing just 3.5% of the energy benefits. In fact, small-canopied palms are among the lowest providers of energy benefits. King palm (*Archtonophoenix cunninghamiana*), windmill palm (*Trachycarpus fortunei*), and majestic palm (*Ravenea rivularis*) all have per-tree annual average energy benefits under \$2



**Figure 6. Top Five Species for Per-Tree Annual Electricity and Natural Gas Benefits**

**Table 6. Annual Electric and Natural Gas Benefits from Manhattan Beach's Community Urban Forest**

Species	Total Electricity (MWh)	Electricity (\$)	Total Natural Gas (Therms)	Natural Gas (\$)	Total (\$)	% of Pop.	% of Total \$	Avg. \$/tree
queen palm	10.25	1,435	61.90	58.80	1,494	9.58	3.48	1.35
cajeput tree	18.80	2,632	168.42	160.00	2,792	6.76	6.50	3.57
king palm	4.38	613	23.83	22.64	636	5.74	1.48	0.96
Brazilian pepper	16.15	2,261	215.31	204.54	2,466	4.92	5.74	4.33
carrotwood	19.28	2,700	294.10	279.39	2,979	4.83	6.94	5.33
Mexican fan palm	4.91	687	34.56	32.84	720	4.04	1.68	1.54
New Zealand Christmas tree	8.65	1,211	71.77	68.18	1,279	3.89	2.98	2.84
Brisbane box	6.72	941	97.36	92.49	1,034	2.38	2.41	3.76
pygmy date palm	3.64	509	42.67	40.54	550	2.24	1.28	2.12
Canary Island pine	9.69	1,357	-1.95	-1.85	1,355	2.00	3.16	5.84
Aleppo pine	16.43	2,300	50.71	48.18	2,348	1.99	5.47	10.21
evergreen pear	4.44	622	17.97	17.07	639	1.94	1.49	2.85
olive	4.46	625	18.50	17.58	643	1.81	1.50	3.06
moundlily yucca	1.99	278	17.19	16.33	295	1.75	0.69	1.45
silver dollar gum	6.10	854	53.45	50.78	904	1.70	2.11	4.59
sweetgum	6.55	917	44.65	42.42	960	1.61	2.24	5.16
myoporum	3.38	473	13.78	13.09	486	1.60	1.13	2.63
Callery pear	2.41	337	8.94	8.49	346	1.49	0.81	2.01
weeping fig	6.19	866	47.16	44.80	911	1.48	2.12	5.33
acacia	6.29	881	47.91	45.51	926	1.44	2.16	5.55
cherry plum	2.66	373	24.50	23.27	396	1.42	0.92	2.42
Chinese juniper	3.52	493	6.21	5.90	499	1.33	1.16	3.24
Chinese elm	2.79	391	29.21	27.75	418	1.18	0.97	3.05
Canary Island date palm	11.41	1,597	79.90	75.91	1,673	1.11	3.90	13.07
fern pine	2.66	373	10.78	10.24	383	1.07	0.89	3.09
lemon scented gum	3.89	545	34.66	32.93	578	1.02	1.35	4.90
Other Trees	104.61	14,646	608.21	577.80	15,224	29.69	35.46	4.43
<b>Total</b>	<b>292</b>	<b>\$40,917</b>	<b>2,122</b>	<b>\$2,016</b>	<b>\$42,933</b>	<b>100%</b>	<b>100%</b>	<b>\$3.71</b>



## Atmospheric Carbon Dioxide Reduction

As environmental awareness continues to increase, governments are paying particular attention to global warming and the effects of greenhouse gas (GHG) emissions. As energy from the sun (sunlight) strikes the Earth's surface it is reflected back into space as infrared radiation (heat). Greenhouse gases absorb some of this infrared radiation and trap heat in the atmosphere, modifying the temperature of the Earth's surface. Many chemical compounds in the Earth's atmosphere act as GHGs, including methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), carbon dioxide (CO<sub>2</sub>), water vapor, and human-made gases/aerosols). As GHGs increase, the amount of energy radiated back into space is reduced, and more heat is trapped in the atmosphere. An increase in the average temperature of the earth may result in changes in weather, sea levels, and land-use patterns, commonly referred to as "climate change." In the last 150 years, since large-scale industrialization began, the levels of some GHGs, including CO<sub>2</sub>, have increased by 25 percent. (U.S. Energy Information Administration)

California's Global Warming Solutions Act (AB 32), passed in 2006, set the 2020 GHG emissions reduction goal into law. In December 2007, the California Air Resources Board (ARB) approved the 2020 emission limit of 427 million metric tons of carbon dioxide equivalent (CO<sub>2</sub>e). As of 2007, regulations require that the largest industrial sources of GHG must report and verify their emissions. In 2011, the ARB adopted the cap-and-trade regulation. Under a cap-and-trade system, an upper limit (or cap) is placed on GHG emissions. This cap can be applied to any source, industry, region, or other jurisdictional level (e.g., state, national, global). Regulated entities are required to either reduce emissions to required limits or purchase (trade) emissions offsets in order to meet the cap. In 2011, the ARB approved four offset protocols for issuing carbon credits under cap-and-trade including the Forest Offset Protocol (ARB, 2011). This Protocol recognizes the important role forests play in fighting climate change.

The Center for Urban Forest Research (CUFR) recently led the development of Urban Forest Project Reporting Protocol. The protocol, which incorporates methods of the Kyoto Protocol and Voluntary Carbon Standard (VCS), establishes methods for calculating reductions, provides guidance for accounting and reporting, and guides urban forest managers in developing tree planting and stewardship projects that could be registered for GHG reduction credits (offsets). The protocol can be applied to urban tree planting projects within municipalities, campuses, and utility service areas anywhere in the United States.

While the urban forest in Manhattan Beach may or may not qualify for carbon-offset credits or be traded in the open market, the City's trees are nonetheless providing a significant reduction in atmospheric carbon dioxide (CO<sub>2</sub>) for a positive environmental and financial benefit to the community.

Urban trees reduce atmospheric CO<sub>2</sub> in two ways:

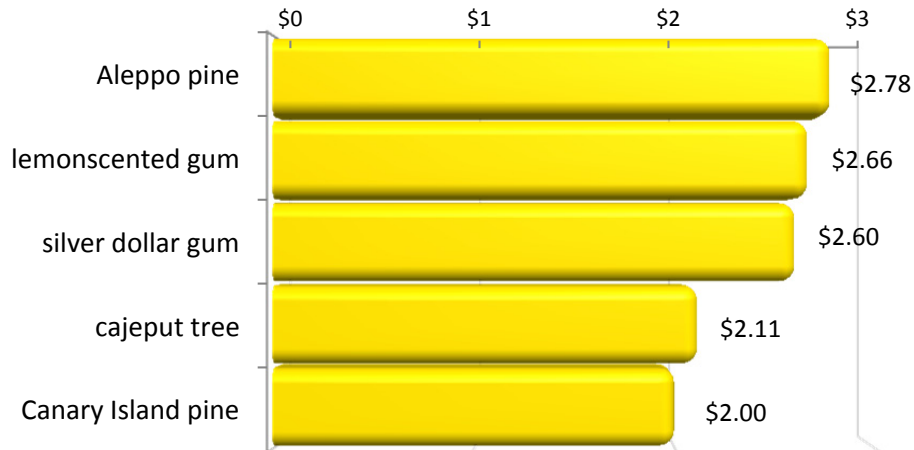
- Directly, through growth and the sequestration of CO<sub>2</sub> in wood, foliar biomass, and soil.
- Indirectly, by lowering the demand for heating and air conditioning, thereby reducing the emissions associated with electric power generation and natural gas consumption.

At the same time, vehicles and other combustion engines used to plant and care for trees release CO<sub>2</sub> during operation. Additionally, when a tree dies, most of the CO<sub>2</sub> that accumulated as woody biomass is released back into the atmosphere during decomposition, except in cases where the wood is recycled. Each of these factors must be considered when calculating the net CO<sub>2</sub> benefits of trees.

## Sequestered Carbon Dioxide

To date, community trees in Manhattan Beach have sequestered a total of 3,240 tons of carbon dioxide (CO<sub>2</sub>), valued at \$97,206<sup>2</sup>. Publicly maintained trees account for 1,162 tons, valued at \$34,886, or 36% of the benefit. Annually, all community trees directly sequester an additional 343 tons of CO<sub>2</sub>, valued at \$10,284, into woody and foliar biomass. Publicly-maintained trees provide 38% of this benefit, for a value of \$5,039, and privately-maintained trees provide 62%, \$8,358. Accounting for estimated CO<sub>2</sub> emissions from tree decomposition (-34 tons), tree related maintenance activity (-6 tons), and avoided CO<sub>2</sub> (143 tons), Manhattan Beach’s community trees provide an annual net reduction in atmospheric CO<sub>2</sub> of 447 tons, valued at \$13,397, with an average value of \$1.16 per tree (Table 5).

Of prevalent species (representing >1% of the overall resource) Aleppo pine (*Pinus halepensis*, \$2.78/tree) and lemon scented gum (*Eucalyptus citriodora*, \$2.66/tree) currently provide the highest annual per tree benefit. (Figure 6). The population of cajeput tree (*Melaleuca quinquenervia*) provide the highest amount of annual carbon benefits, valued at \$1,653, 12% of the total benefit.



<sup>2</sup> Based on i-Tree *Streets* default value of \$0.015/lb, or \$30/ton. Market value may vary.

**Table 7. Summary of Annual Carbon Benefits from Manhattan Beach's Community Tree Resource**

Species	Sequestered (lb)	Sequestered (\$)	Decomposition Release(lb)	Maintenance Release (lb)	Total Release (\$)	Avoided (lb)	Avoided (\$)	Net Total (lb)	Total (\$)	% of Pop.	% of Total \$	Avg. \$/tree
queen palm	33,874	508.11	-6,419	-1,166	-113.78	10,063	150.94	36,352	545	9.58	4.07	0.49
cajeput tree	99,551	1,493.26	-6,823	-981	-117.06	18,460	276.90	110,207	1,653	6.76	12.34	2.11
king palm	20,448	306.73	-2,887	-536	-51.34	4,299	64.49	21,325	320	5.74	2.39	0.48
Brazilian pepper	30,421	456.32	-4,201	-632	-72.50	15,857	237.86	41,445	622	4.92	4.64	1.09
carrotwood	27,645	414.67	-3,458	-593	-60.76	18,933	283.99	42,527	638	4.83	4.76	1.14
Mexican fan palm	14,217	213.26	-3,000	-555	-53.33	4,816	72.23	15,477	232	4.04	1.73	0.50
New Zealand Christmas tree	22,436	336.54	-1,904	-352	-33.84	8,491	127.36	28,671	430	3.89	3.21	0.96
Brisbane box	7,144	107.15	-1,497	-268	-26.47	6,602	99.03	11,981	180	2.38	1.34	0.65
pygmy date palm	4,026	60.38	-679	-212	-13.36	3,573	53.59	6,708	101	2.24	0.75	0.39
Canary Island pine	22,876	343.14	-1,210	-273	-22.25	9,517	142.76	30,910	464	2.00	3.46	2.00
Aleppo pine	29,251	438.76	-2,438	-342	-41.69	16,131	241.96	42,602	639	1.99	4.77	2.78
evergreen pear	2,345	35.17	-616	-206	-12.32	4,359	65.38	5,882	88	1.94	0.66	0.39
olive	2,009	30.14	-654	-207	-12.91	4,383	65.74	5,531	83	1.81	0.62	0.40
moundlily yucca	6,152	92.29	-1,248	-228	-22.14	1,952	29.28	6,629	99	1.75	0.74	0.49
silver dollar gum	30,714	460.71	-2,273	-263	-38.03	5,986	89.79	34,165	512	1.70	3.83	2.60
sweetgum	4,357	65.35	-808	-194	-15.04	6,434	96.51	9,788	147	1.61	1.10	0.79
myoporum	1,955	29.32	-451	-159	-9.14	3,316	49.74	4,661	70	1.60	0.52	0.38
Callery pear	2,558	38.37	-157	-82	-3.59	2,367	35.50	4,685	70	1.49	0.52	0.41
weeping fig	14,760	221.40	-974	-176	-17.25	6,073	91.09	19,683	295	1.48	2.20	1.73
acacia	14,745	221.18	-1,176	-178	-20.31	6,177	92.65	19,568	294	1.44	2.19	1.76
cherry plum	1,781	26.71	-77	-84	-2.41	2,616	39.24	4,236	64	1.42	0.47	0.39
Chinese juniper	5,707	85.61	-392	-163	-8.32	3,458	51.87	8,611	129	1.33	0.96	0.84
Chinese elm	12,201	183.01	-610	-149	-11.38	2,740	41.10	14,182	213	1.18	1.59	1.55
Canary Island date palm	1,768	26.52	-525	-185	-10.65	11,199	167.98	12,257	184	1.11	1.37	1.44
fern pine	1,172	17.58	-384	-129	-7.69	2,613	39.20	3,273	49	1.07	0.37	0.40
lemon scented gum	18,558	278.37	-1,251	-167	-21.26	3,822	57.32	20,962	314	1.02	2.35	2.66
Other Trees	252,930	3,793.94	-21,370	-3,430	-372.01	102,707	1,540.61	330,836	4,963	29.69	37.04	1.44
<b>Citywide Total</b>	<b>685,600</b>	<b>\$10,284</b>	<b>-67,482</b>	<b>-11,908</b>	<b>-\$1,191</b>	<b>286,942</b>	<b>\$4,304</b>	<b>893,152</b>	<b>\$13,397</b>	<b>100%</b>	<b>100%</b>	<b>\$1.16</b>

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## Air Quality Improvement

Urban trees improve air quality in five fundamental ways:

- Absorption of gaseous pollutants such as ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), and nitrogen dioxide (NO<sub>2</sub>) through leaf surfaces
- Interception of particulate matter (PM<sub>10</sub>), such as dust, ash, dirt, pollen, and smoke
- Reduction of emissions from power generation by reducing energy consumption
- Increase of oxygen levels through photosynthesis
- Transpiration of water and shade provision, resulting in lower local air temperatures, thereby reducing ozone (O<sub>3</sub>) levels

PM<sub>10</sub> is particulate matter in the air that measures less than 10 micrometers, smaller than the width of a single human hair. These small particles or liquid droplets include smoke, soot, dust, and secondary reactions from gaseous pollutants. PM<sub>10</sub> pollution is detrimental to health and can cause respiratory problems for local residents.

Ozone (O<sub>3</sub>) is another air pollutant that is harmful to human health. Ozone forms when nitrogen oxide from fuel combustion and volatile organic gases from evaporated petroleum products react in the presence of sunshine.

In the absence of cooling effects provided by trees, higher temperatures contribute to ozone (O<sub>3</sub>) formation. Additionally, short-term increases in ozone concentrations are statistically associated with increased tree mortality for 95 large US cities (Bell and others, 2004).

However, it should be noted that while trees do a great deal to absorb air pollutants (especially ozone and particulate matter); they also negatively contribute to air pollution. Trees emit various biogenic volatile organic compounds (BVOCs), such as isoprene's and monoterpenes, which also contribute to ozone formation. i-Tree *Streets* analysis accounts for these BVOC emissions in the air quality net benefit.

## Deposition and Interception

Each year, 2.2 tons of nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), small particulate matter (PM<sub>10</sub>), and ozone (O<sub>3</sub>) are intercepted or absorbed by community trees in Manhattan Beach, for a value of \$115,302 (Table 7). As a population, carrotwood (*Cupaniopsis anacardioides*) is the greatest contributor to pollutant deposition and interception, accounting for 8.1% of these benefits.

## Avoided Pollutants

The energy savings provided by trees have the additional indirect benefit of reducing air pollutant emissions (NO<sub>2</sub>, PM<sub>10</sub>, SO<sub>2</sub>, and VOCs) that result from energy production. Altogether, 659 pounds of pollutants, valued at \$14,304, are avoided annually through the shading effects of Manhattan Beach's community trees.

## BVOC Emissions

Biogenic volatile organic compound (BVOC) emissions from trees, which negatively affect air quality, must also be considered along with the benefits. Approximately 1.1 tons of BVOCs are emitted annually from community trees, offsetting the total air quality benefit by -\$7,662. Of

prevalent species, the heaviest emitters by population are Mexican fan palm (*Washingtonia robusta*) emitting 14% of BVOCs, and king palm (*Archtonophoenix cunninghamiana*, 13%). The population of sweetgum (*Liquidambar styraciflua*) emit 0.61 pounds of BVOCs annually per tree, and this will increase as these trees mature, as the population is still relatively young with 91% of trees under 12" DBH. While these emissions result in an overall net negative benefit for tulip trees and sweetgum, the positive benefits from all prevalent trees outweigh BVOC emission for an overall positive air quality benefit.

### Net Air Quality Improvement

The net value of air pollutants removed by community trees in Manhattan Beach is \$121,944 annually. Publicly-maintained trees provide 38% of this benefit, for a value of \$46,923, and privately-maintained trees provide 62%, 75,021. The overall average net benefit per tree is \$10.54. Trees vary dramatically in their ability to produce air quality benefits. Typically, large-canopied trees with large leaf surface areas that are not high emitters of BVOCs produce the greatest benefits. On a per-tree basis, Canary Island date palm (*Phoenix canariensis*, \$42.64) and Aleppo pine (*Pinus halepensis*, \$30.81) currently produce the greatest per tree net air quality benefits (Figure 7).



**Figure 8. Top 5 Species for Per-Tree Annual Air Quality Benefits**

Table 8. Summary of Annual Air Quality Benefits from Manhattan Beach's Community Tree Resource

Species	Deposition O <sub>3</sub> (lb)	Deposition NO <sub>2</sub> (lb)	Deposition PM <sub>10</sub> (lb)	Deposition SO <sub>2</sub> (lb)	Total Deposition (\$)	Avoided NO <sub>2</sub> (lb)	Avoided PM <sub>10</sub> (lb)	Avoided VOC (lb)	Avoided SO <sub>2</sub> (lb)	Total Avoided (\$)	BVOC Emissions (lb)	BVOC Emissions (\$)	Total (lb)	Total (\$)	% of Pop	Avg. \$/tree
queen palm	58.29	27.15	33.68	2.09	3,178	12.76	3.19	1.41	6.09	509	-32.31	-107.92	112.36	3,579	9.58	3.23
cajeput tree	131.46	61.23	75.95	4.71	7,166	23.55	5.81	2.58	11.03	931	-295.01	-985.33	21.31	7,112	6.76	9.09
king palm	25.61	11.93	14.79	0.92	1,396	5.43	1.36	0.60	2.61	217	-14.12	-47.17	49.12	1,566	5.74	2.36
Brazilian pepper	149.09	69.44	86.13	5.34	8,128	20.49	4.97	2.22	9.35	800	-76.58	-255.77	270.45	8,672	4.92	15.21
carrotwood	172.21	80.21	99.49	6.16	9,388	24.95	5.98	2.68	11.22	967	-323.29	-1,079.79	79.61	9,275	4.83	16.59
Mexican fan palm	28.01	13.05	16.18	1.00	1,527	6.14	1.53	0.68	2.91	244	-15.66	-52.30	53.85	1,719	4.04	3.67
New Zealand Christmas tree	67.42	31.40	38.95	2.41	3,675	10.68	2.65	1.18	5.04	424	-100.69	-336.30	59.04	3,763	3.89	8.36
Brisbane box	57.55	26.80	33.25	2.06	3,137	8.65	2.08	0.93	3.91	336	-67.52	-225.52	67.71	3,248	2.38	11.81
pygmy date palm	27.02	12.58	15.61	0.97	1,473	4.63	1.13	0.50	2.13	181	-22.83	-76.26	41.74	1,578	2.24	6.09
Canary Island pine	52.90	24.64	30.56	1.89	2,884	11.43	2.96	1.30	5.71	467	-50.03	-167.10	81.35	3,183	2.00	13.72
Aleppo pine	117.22	54.59	67.72	4.20	6,390	19.65	5.00	2.20	9.60	793	-28.78	-96.12	251.41	7,087	1.99	30.81
evergreen pear	34.16	15.91	19.74	1.22	1,862	5.28	1.34	0.59	2.58	213	0.00	0.00	80.83	2,075	1.94	9.27
olive	34.08	15.87	19.69	1.22	1,858	5.31	1.35	0.60	2.59	214	0.00	0.00	80.71	2,072	1.81	9.87
moundlily yucca	12.02	5.60	6.95	0.43	655	2.52	0.62	0.28	1.18	100	-6.83	-22.82	22.76	732	1.75	3.61
silver dollar gum	47.79	22.26	27.61	1.71	2,605	7.54	1.86	0.83	3.54	298	-103.78	-346.63	9.35	2,557	1.70	12.98
sweetgum	30.46	10.06	15.22	1.21	1,473	8.10	2.02	0.90	3.85	322	-114.10	-381.11	-42.29	1,415	1.61	7.61
myoporium	26.16	12.18	15.11	0.94	1,426	4.02	1.02	0.45	1.96	162	0.00	0.00	61.84	1,588	1.60	8.58
Callery pear	11.31	3.73	5.65	0.45	547	2.92	0.74	0.33	1.43	118	-37.93	-126.68	-11.36	538	1.49	3.13
weeping fig	40.73	15.36	21.63	1.59	2,066	7.62	1.90	0.84	3.61	303	0.00	0.00	93.28	2,370	1.48	13.86
acacia	42.03	15.85	22.33	1.64	2,133	7.75	1.93	0.86	3.67	308	0.00	0.00	96.06	2,441	1.44	14.62
cherry plum	22.91	10.67	13.23	0.82	1,249	3.30	0.82	0.36	1.55	131	0.00	0.00	53.66	1,380	1.42	8.41
Chinese juniper	25.96	12.09	15.00	0.93	1,415	4.11	1.06	0.47	2.04	167	-46.86	-156.52	14.80	1,426	1.33	9.26
Chinese elm	22.75	10.60	13.14	0.81	1,240	3.46	0.85	0.38	1.61	137	-49.09	-163.96	4.52	1,213	1.18	8.85
Canary Island date palm	94.58	44.05	54.64	3.39	5,156	13.94	3.47	1.54	6.61	555	-75.72	-252.89	146.52	5,458	1.11	42.64
fern pine	20.35	9.48	11.76	0.73	1,109	3.17	0.81	0.36	1.55	128	0.00	0.00	48.19	1,237	1.07	9.98
lemon scented gum	30.21	14.07	17.46	1.08	1,647	4.82	1.19	0.53	2.26	191	-62.97	-210.32	8.66	1,628	1.02	13.79
Other Trees	755.07	336.93	428.18	27.52	40,517	127.10	31.95	14.13	61.04	5,087	-769.92	-2,571.52	1,012.00	43,033	29.69	12.52
<b>Citywide Total</b>	<b>2,137</b>	<b>968</b>	<b>1,220</b>	<b>77.43</b>	<b>\$115,302</b>	<b>359</b>	<b>89.61</b>	<b>39.72</b>	<b>171</b>	<b>\$14,304</b>	<b>-2,294</b>	<b>-\$7,662</b>	<b>2,767</b>	<b>\$121,944</b>	<b>100%</b>	<b>\$10.54</b>

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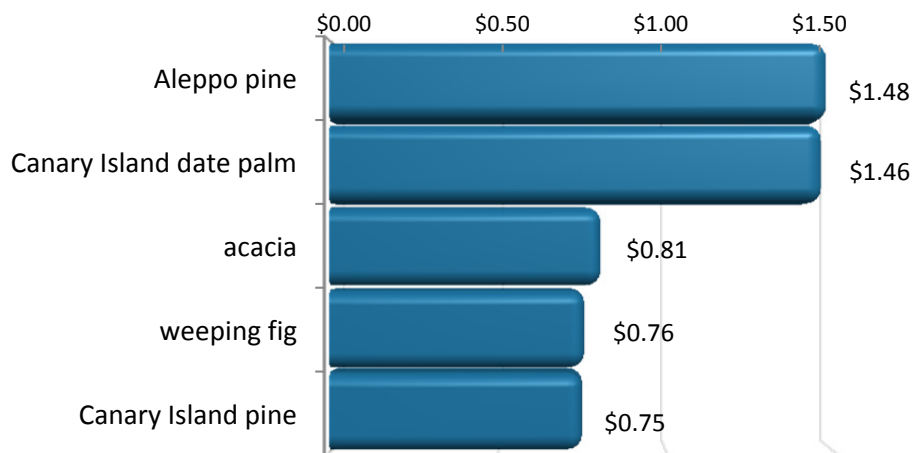
## Stormwater Runoff Reductions

Rainfall interception by trees reduces the amount of stormwater that enters collection and treatment facilities during large storm events. Trees intercept rainfall in their canopy, acting as mini-reservoirs, controlling runoff at the source. Healthy urban trees reduce the amount of runoff and pollutant loading in receiving waters in three primary ways:

- Leaves and branch surfaces intercept and store rainfall, thereby reducing runoff volumes and delaying the onset of peak flows.
- Root growth and decomposition increase the capacity and rate of soil infiltration by rainfall and reduce overland flow.
- Tree canopies reduce soil erosion and surface flows by diminishing the impact of raindrops on bare soil.

Community trees in Manhattan Beach intercept more than 3.3 million gallons of stormwater annually for an average of 287 gallons per tree (Table 8). The total value of this benefit to the City is \$5.989, an average of \$0.52 per tree. Publicly-maintained trees provide 39% of this benefit for a value of \$2,310, and private trees provide 61%, \$3,679. Overall, among prevalent species, Aleppo pine (*Pinus halepensis*) currently provides the greatest per tree benefit of \$1.48, followed closely by Canary Island date palm (*Phoenix canariensis*) \$1.46 (Figure 8). The population of cajeput tree (*Melaleuca quinquenervia*) provides the largest portion of stormwater benefit at 6.9%, but this value is aligned with their prevalence in the population as they represent 6.8% of all trees.

As trees grow, their benefits tend to increase, but some species will realize more substantial benefits than others will. Many tree species currently demonstrating lower benefits, including queen palm (*Syagrus romanzofianum*, \$0.25/tree), and king palm (*Archtonophoenix cunningamiana*, \$0.18/tree) are small-canopy palm trees. As such, their benefits will not increase much over time.



**Figure 9. Top 5 Species for Annual Stormwater Benefits**

**Table 9. Summary of Annual Stormwater Runoff Reduction Benefits from Manhattan Beach's Community Tree Resource**

Species	Total Rainfall Interception (Gal)	Total (\$)	% of Pop.	% of Total \$	Avg. \$/tree
queen palm	151,520	273	9.58	4.55	0.25
cajeput tree	228,322	411	6.76	6.86	0.53
king palm	64,925	117	5.74	1.95	0.18
Brazilian pepper	209,555	377	4.92	6.30	0.66
carrotwood	204,370	368	4.83	6.14	0.66
Mexican fan palm	73,611	132	4.04	2.21	0.28
New Zealand Christmas tree	91,307	164	3.89	2.74	0.37
Brisbane box	74,932	135	2.38	2.25	0.49
pygmy date palm	33,158	60	2.24	1.00	0.23
Canary Island pine	96,626	174	2.00	2.90	0.75
Aleppo pine	188,781	340	1.99	5.67	1.48
evergreen pear	52,742	95	1.94	1.59	0.42
olive	53,269	96	1.81	1.60	0.46
moundlily yucca	30,355	55	1.75	0.91	0.27
silver dollar gum	76,334	137	1.70	2.29	0.70
sweetgum	43,099	78	1.61	1.30	0.42
myoporum	40,106	72	1.60	1.21	0.39
Callery pear	15,281	28	1.49	0.46	0.16
weeping fig	71,838	129	1.48	2.16	0.76
acacia	74,696	134	1.44	2.24	0.81
cherry plum	19,866	36	1.42	0.60	0.22
Chinese juniper	51,622	93	1.33	1.55	0.60
Chinese elm	36,240	65	1.18	1.09	0.48
Canary Island date palm	104,001	187	1.11	3.13	1.46
fern pine	31,670	57	1.07	0.95	0.46
lemon scented gum	47,297	85	1.02	1.42	0.72
Other Trees	1,161,892	2091	29.69	34.92	0.61
<b>Citywide Total</b>	<b>,327,414</b>	<b>\$5,989</b>	<b>100%</b>	<b>100%</b>	<b>\$0.52</b>

## Aesthetic, Property Value, and Socioeconomic Benefits

Trees provide beauty in the urban landscape, privacy to homeowners, improved human health, a sense of comfort and place, and habitat for urban wildlife. Research shows that trees promote better business by stimulating more frequent and extended shopping and a willingness to pay more for goods and parking (Wolf, 1999). Some of these benefits are captured as a percentage of the value of the property on which a tree stands. To determine the value of these less tangible benefits, i-Tree *Streets* uses research that compares differences in sales prices of homes to estimate the contribution associated with trees. Differences in housing prices in relation to the presence (or lack) of a street tree help define the aesthetic value of street trees in the urban environment.

**The calculation of annual aesthetic and other benefits corresponds with a tree’s annual increase in leaf area.** When a tree is actively growing, leaf area may increase dramatically. Once a tree is mature, there may be little or no net increase in leaf area from one year to the next; thus, there is little or no incremental annual aesthetic benefit for that year, although the cumulative benefit over the course of the entire life of the tree may be large. Since this report represents a one-year sample snapshot of the inventoried tree population, **aesthetic benefits reflect the increase in leaf area for each species population over the course of a single year.**

The total annual benefit from Manhattan Beach’s community trees associated with property value increases and other less tangible benefits is nearly \$2.9 million, an average of \$250 per tree (Table 9). Publicly-maintained trees provide 42% of this benefit, valued at \$1.3 million, and privately-maintained trees provide 58%, nearly \$1.8 million. Overall, among prevalent species, Aleppo pine (*Pinus halepensis*, \$770) and Canary Island pine (*Pinus canariensis*, \$616) provide the greatest per-tree aesthetic value annually.



**Figure 10. Top 5 Species for Annual Aesthetic Benefits**

**Table 10. Summary of Annual Aesthetic, Property Value, and Socioeconomic Benefits from Manhattan Beach's Community Tree Resource**

Species	Total (\$)	% of Pop.	% of Total \$	Avg. \$/tree
queen palm	112,280	9.58	3.87	101.24
cajeput tree	266,129	6.76	9.18	340.32
king palm	54,977	5.74	1.90	82.80
Brazilian pepper	124,049	4.92	4.28	217.63
carrotwood	104,817	4.83	3.62	187.51
Mexican fan palm	50,433	4.04	1.74	107.76
New Zealand Christmas tree	82,088	3.89	2.83	182.42
Brisbane box	36,910	2.38	1.27	134.22
pygmy date palm	13,455	2.24	0.46	51.95
Canary Island pine	142,982	2.00	4.93	616.30
Aleppo pine	177,111	1.99	6.11	770.05
evergreen pear	17,897	1.94	0.62	79.90
olive	16,133	1.81	0.56	76.82
moundlily yucca	20,701	1.75	0.71	101.98
silver dollar gum	69,018	1.70	2.38	350.35
sweetgum	38,085	1.61	1.31	204.76
myoporum	15,625	1.60	0.54	84.46
Callery pear	44,333	1.49	1.53	257.75
weeping fig	56,087	1.48	1.93	327.99
acacia	55,291	1.44	1.91	331.08
cherry plum	35,502	1.42	1.22	216.48
Chinese juniper	75,544	1.33	2.61	490.54
Chinese elm	37,495	1.18	1.29	273.69
Canary Island date palm	18,457	1.11	0.64	144.19
fern pine	8,839	1.07	0.30	71.28
lemon scented gum	41,922	1.02	1.45	355.27
Other Trees	1,183,319	29.69	40.81	344.29
<b>Citywide Total</b>	<b>\$2,899,478</b>	<b>100%</b>	<b>100%</b>	<b>\$250.49</b>

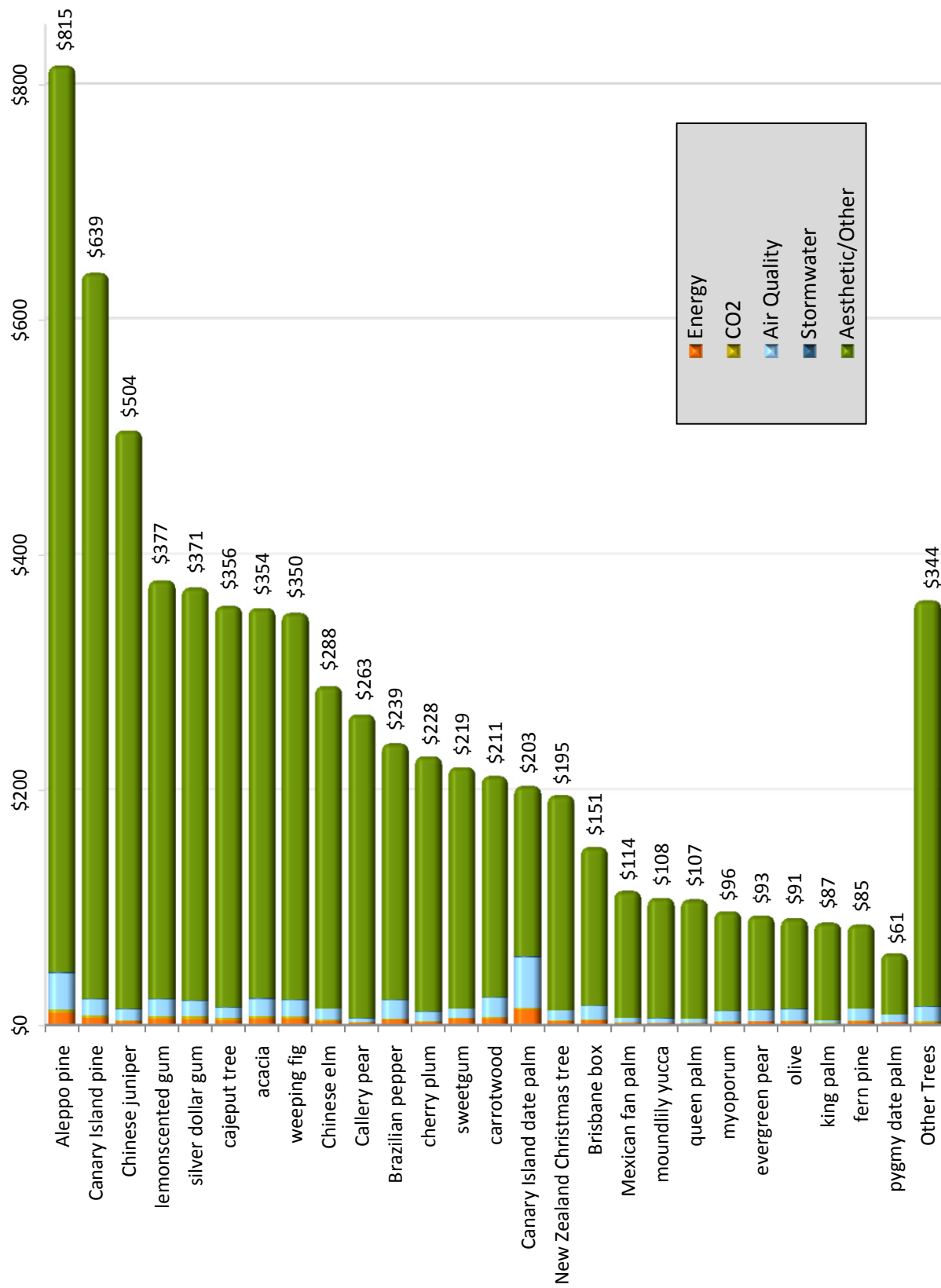


Figure 11. Summary of Annual Per-Tree Benefits from Predominant Species (representing >1%)

**Table 11. Summary of Annual per Tree Benefits from Species Representing > 1%**

Species	Energy	CO <sub>2</sub>	Air Quality	Stormwater	Aesthetic/ Other	Total
Aleppo pine	10.21	2.78	30.81	1.48	770.05	815.33
Canary Island pine	5.84	2.00	13.72	0.75	616.30	638.61
Chinese juniper	3.24	0.84	9.26	0.60	490.54	504.49
lemon scented gum	4.90	2.66	13.79	0.72	355.27	377.35
silver dollar gum	4.59	2.60	12.98	0.70	350.35	371.21
cajeput tree	3.57	2.11	9.09	0.53	340.32	355.62
acacia	5.55	1.76	14.62	0.81	331.08	353.81
weeping fig	5.33	1.73	13.86	0.76	327.99	349.66
Chinese elm	3.05	1.55	8.85	0.48	273.69	287.62
Callery pear	2.01	0.41	3.13	0.16	257.75	263.46
Brazilian pepper	4.33	1.09	15.21	0.66	217.63	238.92
cherry plum	2.42	0.39	8.41	0.22	216.48	227.91
sweetgum	5.16	0.79	7.61	0.42	204.76	218.73
carrotwood	5.33	1.14	16.59	0.66	187.51	211.23
Canary Island date palm	13.07	1.44	42.64	1.46	144.19	202.80
New Zealand Christmas tree	2.84	0.96	8.36	0.37	182.42	194.94
Brisbane box	3.76	0.65	11.81	0.49	134.22	150.93
Mexican fan palm	1.54	0.50	3.67	0.28	107.76	113.75
moundlily yucca	1.45	0.49	3.61	0.27	101.98	107.79
queen palm	1.35	0.49	3.23	0.25	101.24	106.56
myoporum	2.63	0.38	8.58	0.39	84.46	96.44
evergreen pear	2.85	0.39	9.27	0.42	79.90	92.83
olive	3.06	0.40	9.87	0.46	76.82	90.60
king palm	0.96	0.48	2.36	0.18	82.80	86.77
fern pine	3.09	0.40	9.98	0.46	71.28	85.20
pygmy date palm	2.12	0.39	6.09	0.23	51.95	60.78
Other Trees	1.44	1.44	12.52	0.61	344.29	363.29
<b>Citywide Total</b>	<b>\$3.71</b>	<b>\$1.16</b>	<b>\$10.54</b>	<b>\$0.52</b>	<b>\$250.49</b>	<b>\$266.41</b>

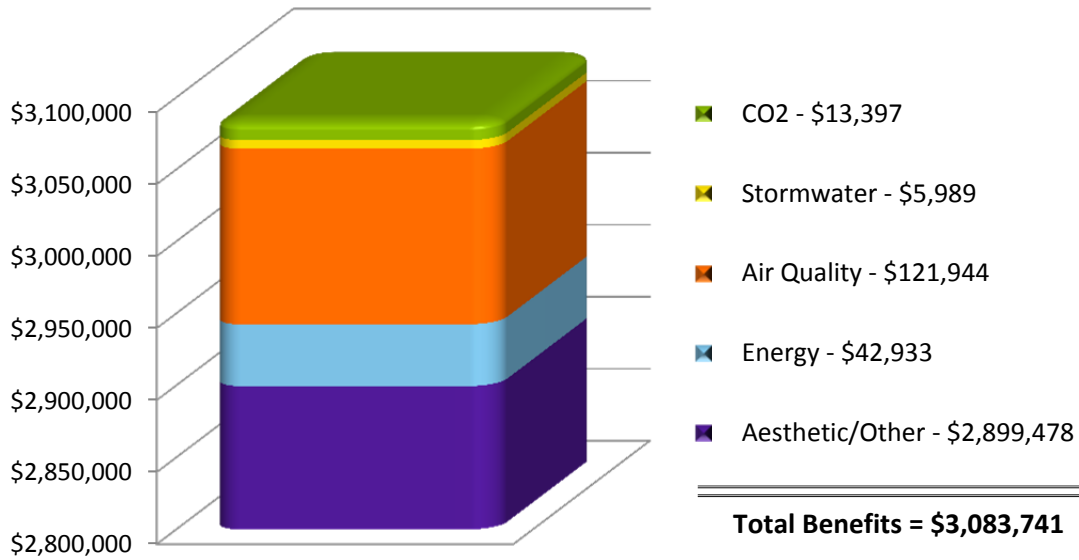
## Community Urban Forest - Net Benefits and Benefit versus Investment Ratio (BIR)

Manhattan Beach receives substantial benefits from their community urban forest; however, the City must also consider their investments in maintaining this resource. Applying a *benefit-investment ratio* (BIR) is a useful way to evaluate the public investment in a community tree resource. A BIR is an indicator used to summarize the overall value compared to the investments of a given resource. Specifically, in this analysis, BIR is the ratio of the total value of benefits provided by all the City's community trees compared to the cost (investment) associated with their management.

Manhattan Beach's community urban forest has beneficial effects on the environment. Approximately 6% (\$184,264) of the total annual benefits (\$3.1 million) from city-maintained trees quantified in this study are environmental services (Table 11). Energy savings (\$42,933) account for 23% of the annual environmental benefits and 1% of all benefits. Air quality benefits (\$121,944) account for 66% of environmental benefits and 4% of all benefits. Stormwater benefits (\$5,989), account for 0.2% of environmental benefits and 3% of all benefits. Carbon reduction (\$13,397) accounts for 0.4% of environmental benefits and 7% of all benefits. Annual increases to property value, socioeconomic, and other aesthetic benefits are substantial, accounting for nearly 94% (\$2.9 million) of all benefits.

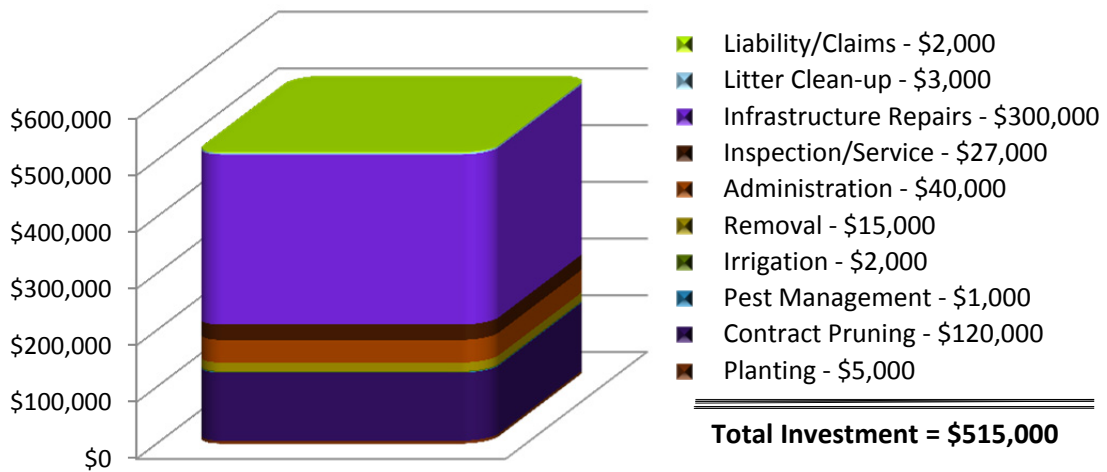
The total estimated benefits provided by Manhattan Beach's city-maintained community urban forest is nearly \$3.1 million, a value of \$266.41 per tree and \$87.77 per capita. These benefits are realized on an annual basis. It is important to acknowledge that this is not a full accounting of the benefits provided by this resource, as some benefits are intangible and/or difficult to quantify, such as impacts on psychological health, crime, and violence. Empirical evidence of these benefits does exist (Wolf, 2007; Kaplan, 1989; Ulrich, 1986), but there is limited knowledge about the physical processes at work and the complex nature of interactions make quantification imprecise. Tree growth and mortality rates are highly variable. A true and full accounting of benefits and investments must consider variability among sites (e.g., tree species, growing conditions, maintenance practices) throughout the City, as well as variability in tree growth. In other words, **trees are worth far more than what one can ever quantify!**

When the City's annual estimated expenditure (or investment) of \$515,000 in this resource is considered, the net annual benefit (benefits minus investment) to the City is \$2,568,741. The average net benefit for an individual community tree in Manhattan Beach is \$141.29 and the per capita net benefit is \$73.11. **Manhattan Beach is currently receiving \$5.99 in benefits for every \$1 invested in community trees.**



**Figure 12. Total Annual Benefits from Community Trees in Manhattan Beach**

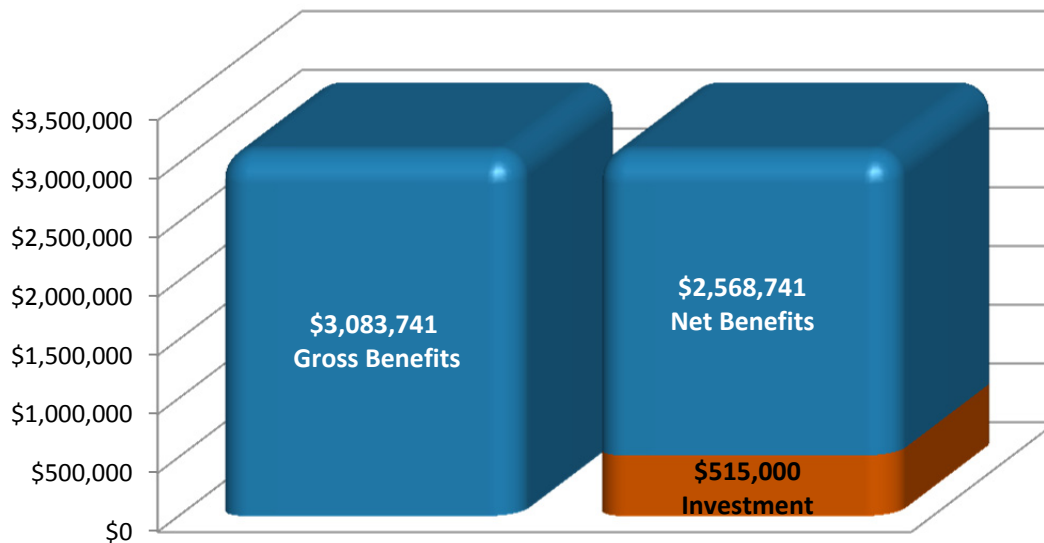
Total Annual Benefits: \$3.1 million  
 Average Annual per Tree Benefit: \$266.41  
 Annual Value of Benefits per Capita: \$87.77



**Figure 13. Total Annual Investment to Publicly Maintain Trees in Manhattan Beach**

Total Annual Investment: \$515,000  
 Average Annual per Tree Investment: \$125.12  
 Annual Investment per Capita: \$14.66





**Figure 14. Benefit versus Investment Ratio**

Annual Net Benefit of Publicly Maintained Trees in Manhattan Beach: \$2.6 million

For EVERY \$1 invested in publicly maintained trees, Manhattan Beach receives: \$5.99 in benefits

**Table 12. Annual Benefit versus Investment Summary for all Community Trees**

Benefits	Total (\$)	\$/tree	\$/capita
Energy	42,933	3.71	1.22
CO <sub>2</sub>	13,397	1.16	0.38
Air Quality	121,944	10.54	3.47
Stormwater	5,989	0.52	0.17
Aesthetic/Other	2,899,478	250.49	82.52
<b>Total Benefits</b>	<b>\$3,083,741</b>	<b>\$266.41</b>	<b>\$87.77</b>
Investment			
Planting	5,000	0.43	0.14
Contract Pruning	120,000	10.37	3.42
Pest Management	1,000	0.09	0.03
Irrigation	2,000	0.17	0.06
Tree and Stump Removal	15,000	1.30	0.43
Administration	40,000	3.46	1.14
Inspection/Service	27,000	2.33	0.77
Infrastructure Repair	300,000	25.92	8.54
Litter Clean-up	3,000	0.26	0.09
Liability/Claims	2,000	0.71	0.06
<b>Total Investment</b>	<b>\$515,000</b>	<b>\$44.49</b>	<b>\$14.66</b>
<b>Net Benefit</b>	<b>\$2,568,741</b>	<b>\$221.92</b>	<b>\$73.11</b>
<b>Benefit: Investment Ratio</b>			<b>\$5.99</b>

**Publicly Maintained Trees – Net Benefits Consideration**

In contrast with the overall net benefits provided by Manhattan Beach’s community forest (\$2.5M), the trees that are specifically maintained by the City (4,116 trees) provide their own level of benefits that differ from entire community forest. In terms of total benefits, the City maintains a tree population providing just over \$1.3 million in benefits, a value of \$317.24 per tree and \$37.16 per capita. This benefit per tree is \$50.33 higher than the overall community benefit (\$266.41). This change is a good illustration of how different tree species in a population provide greater benefits than others.

The aesthetic contribution of City maintained trees remains the greatest benefit providing just over \$300 per tree, or 95% of the total benefits. This is 17% more than what is provided by the entire community tree population. Air quality benefits were \$11.40 per tree and Energy benefits were \$3.95 per tree showing an increase (6% and 8%) of the benefits. Carbon reduction and Stormwater benefits remain the lowest at \$1.22 per tree for Carbon reduction and \$0.56 per tree for Stormwater benefits. Stormwater benefits increase 9% for publicly maintained trees, but carbon reduction benefits increases only 5% compared to the entire community forest.

As expected, since 36% of the urban forest is publicly maintained, the benefit per capita aligns pretty close with proportionate reduction in tree population. Trees that are publicly maintained in Manhattan Beach provide \$37.16 per capita, 42% less than the entire population.

**Table 13. Net Benefit of Publicly Maintained Trees compared with the Community Forest**

Benefits	Total (\$)	\$/tree	% diff.	\$/capita	% diff.
Energy	16,278	3.95	6.21%	0.46	-37.92%
CO <sub>2</sub>	5,039	1.22	5.46%	0.14	-37.61%
Air Quality	46,923	11.40	7.59%	1.34	-38.48%
Stormwater	2,310	0.56	7.82%	0.07	-38.58%
Aesthetic/Other	1,235,215	300.10	16.53%	35.16	-42.60%
<b>Total Benefits</b>	<b>\$1,305,766</b>	<b>\$317.24</b>	<b>16.02%</b>	<b>\$37.16</b>	<b>-42.34%</b>
<b>Total Investment</b>	<b>\$515,000</b>	<b>\$125.12</b>		<b>\$14.16</b>	
<b>Net Benefit</b>	<b>\$790,766</b>	<b>\$192.12</b>	<b>26.46%</b>	<b>\$22.51</b>	<b>-31.78</b>
<b>Benefit: Investment Ratio</b>	<b>\$2.54</b>				

## CONCLUSION

This analysis describes the current structural characteristics of Manhattan Beach's community urban forest resource using established tree sampling, numerical modeling, and statistical methods to provide a general accounting of the benefits. The analysis provides a "snapshot" of this resource at its current population, structure, and condition. Rather than examining each individual tree, as an inventory does, the resource analysis examines trends and performance measures over the entire urban forest and each of the major species populations within.

Community trees are providing quantifiable benefits to air quality, reduction in atmospheric CO<sub>2</sub>, stormwater runoff reduction, and aesthetic benefits. The City's 11,575 trees are providing over \$3.3 million in annual gross benefits. That is an average of \$266 per tree and \$88 per capita.

The community urban forest in Manhattan Beach is young and establishing and in overall good condition. The resource has a healthy diversity with more than 182 different species. The City should continue to focus resources on preserving existing and mature trees to promote health, strong structure, tree longevity, and manage risk. Structural and training pruning for young trees will maximize the value of this resource, reduce long-term maintenance costs, and ensure that as trees mature they provide the greatest possible benefits over time. Davey Resource Group recommends the following:

- Maintain a healthy diversity by insuring that new tree plantings include a variety of suitable species and don't unduly increase reliance on prevalent species.
- Provide structural pruning for young trees and regular pruning cycle (5-7 years) for all trees.
- Protect existing trees and manage risk with regular inspection to identify and mitigate structural and age-related defects.
- Continue to maintain and update the inventory database, including tracking tree growth and condition during regular pruning cycles.

Urban forest managers can better anticipate future trends with an understanding of the current status of the City's tree population. Managers can also anticipate challenges and devise plans to increase the current level of benefits. Performance data from the analysis can be used to make determinations regarding species selection, distribution, and maintenance policies. Documenting current structure is necessary for establishing goals and performance objectives and can serve as a benchmark for measuring future success. Information from the urban forest resource analysis can be referenced in development of an urban forest management or master plan. An urban forest master plan is a critical tool for successful urban forest management, inspiring commitment and providing vision for communication with key decision-makers both inside and outside the organization.

Manhattan Beach's community trees are of vital importance to the environmental, social, and economic well-being of the community. The City has demonstrated that public trees are a valued community resource, a vital component of the urban infrastructure, and an important part of the City's history and identity. The inventory data can be used to plan a proactive and forward-looking approach to the future care of community trees. Updates should continue to be incorporated into the inventory as regular maintenance is performed, including updating the DBH and condition of existing trees. Current and complete inventory data will help staff to more efficiently track maintenance activities and tree health and will provide a strong basis for making informed management decisions. A continued commitment to planting, maintaining, and preserving these trees, will support the health and welfare of the City and the surrounding region.

## APPENDIX A: METHODOLOGY

In 2013, Certified Arborists collected an inventory of the community trees in Manhattan Beach, including details about each tree's species, size, and condition. The inventory data was formatted for use in i-Tree's public tree population assessment tool, i-Tree *Streets*, a STRATUM Analysis Tool (Streets v 5.1.5; i-Tree v 6.0.9). i-Tree *Streets* assesses tree population structure and the function of those trees, such as their role in building energy use, air pollution removal, stormwater interception, carbon dioxide removal, and property value increases. To analyze the economic benefits of Manhattan Beach's community trees, i-Tree *Streets* calculates the dollar value of annual resource functionality. This analysis combines the results of the City's tree inventory with benefit modeling data to produce information regarding resource structure, function, and value for use in determining management recommendations. i-Tree *Streets* regionalizes the calculations of its output by incorporating detailed reference City project information for 17 climate zones across the United States (Manhattan Beach is located in the Southern California Coast Climate Zone).

An annual resource unit was determined on a per tree basis for each of the modeled benefits. Resource units are measured as MWh of electricity saved per tree; MBtu of natural gas conserved per tree; pounds of atmospheric CO<sub>2</sub> reduced per tree; pounds of NO<sub>2</sub>, SO<sub>2</sub>, O<sub>3</sub>, PM<sub>10</sub>, and VOCs reduced per tree; cubic feet of stormwater runoff reduced per tree; and square feet of leaf area added per tree to increase property values.

Price values assigned to each resource unit (tree) were generated based on economic indicators of society's willingness to pay for the environmental benefits trees provide. The City provided the estimated investment costs for contracted and in-house tree services, pest management, administration, and inspections.

Estimates of benefits are initial approximations as some benefits are difficult to quantify (e.g. impacts on psychological health, crime, and violence). In addition, limited knowledge about the physical processes at work and their interactions makes estimates imprecise (e.g., fate of air pollutants trapped by trees and then washed to the ground by rainfall). Therefore, this method of quantification provides first-order approximations based on current research. It is intended to be a general accounting of the benefits produced by urban trees.

**Table 14. Manhattan Beach Benefit Prices Used In This Analysis**

Benefits	Price	Unit	Source
Electricity	0.14	\$/kwh	Southern California Edison (City of Manhattan Beach)
Natural Gas	0.95	\$/Therm	Southern California Gas (City of Manhattan Beach)
CO <sub>2</sub>	0.01	\$/lb	Streets default – Southern California Coast
PM <sub>10</sub>	9.41	\$/lb	Streets default – Southern California Coast
NO <sub>2</sub>	12.79	\$/lb	Streets default – Southern California Coast
SO <sub>2</sub>	3.72	\$/lb	Streets default – Southern California Coast
VOC	4.69	\$/lb	Streets default – Southern California Coast
Stormwater Interception	0.01	\$/gallon	Streets default – Southern California Coast
Median Home Value	2,000,000.00	\$	City of Manhattan Beach

i-Tree *Streets* default values (Table 12) from the Southern California Coast Climate Zone were used for all benefit prices except for the median home value, and electrical and natural gas rates. Using these rates, the magnitude of the benefits provided by the inventoried tree resource was calculated using i-Tree *Streets*. Median home value, electrical and gas rates, and program investment costs were supplied by the City of Manhattan Beach.

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# APPENDIX C: TABLES

**Table 15. Complete Population Summary of Tree Species in Manhattan Beach's Community Urban Forest**

Species	Botanical Name	DBH Class (Inches)						Total	% of Pop.
		0-3	3-6	6-12	12-18	18-24	24-30		
<b>Broadleaf Deciduous Large (BDL)</b>									
California sycamore	<i>Platanus racemosa</i>	6	15	49	14	4	2	90	0.78%
black locust	<i>Robinia pseudoacacia</i>	8	26	24	2	1	0	61	0.53%
London planetree	<i>Platanus hybrida</i>	0	9	32	3	0	0	44	0.38%
white mulberry	<i>Morus alba</i>	4	6	20	0	0	0	30	0.26%
weeping willow	<i>Salix babylonica</i>	0	3	13	0	0	0	16	0.14%
willow	<i>Salix species</i>	0	6	5	0	0	0	11	0.10%
	<i>Populus x canadensis</i>	0	1	6	0	0	0	7	0.06%
Carolina poplar		0	1	6	0	0	0	7	0.06%
silver maple	<i>Acer saccharinum</i>	0	1	2	1	0	0	4	0.03%
maple	<i>Acer species</i>	0	1	2	0	0	0	3	0.03%
northern red oak	<i>Quercus rubra</i>	1	2	0	0	0	0	3	0.03%
pecan	<i>Carya illinoensis</i>	0	1	1	0	0	0	2	0.02%
hackberry	<i>Celtis species</i>	0	0	1	0	0	0	1	0.01%
tulip tree	<i>Liriodendron tulipifera</i>	1	0	0	0	0	0	1	0.01%
American elm	<i>Ulmus americana</i>	0	0	1	0	0	0	1	0.01%
<b>Total</b>		<b>20</b>	<b>71</b>	<b>156</b>	<b>20</b>	<b>5</b>	<b>2</b>	<b>274</b>	<b>2.37%</b>
<b>Broadleaf Deciduous Medium (BDM)</b>									
sweetgum	<i>Liquidambar styraciflua</i>	16	33	122	15	0	0	186	1.61%
Callery pear	<i>Pyrus calleryana</i>	84	64	24	0	0	0	172	1.49%
European white birch	<i>Betula pendula</i>	7	51	34	1	0	0	93	0.80%
Chinese flame tree	<i>Koelreuteria bipinnata</i>	2	11	35	1	1	0	50	0.43%
ginkgo	<i>Ginkgo biloba</i>	12	2	1	0	0	0	15	0.13%
tipu	<i>Tipuana tipu</i>	4	1	9	0	0	0	14	0.12%
white alder	<i>Alnus rhombifolia</i>	0	0	12	0	0	0	12	0.10%
Chinese pistache	<i>Pistacia chinensis</i>	9	1	0	0	0	0	10	0.09%
goldenrain tree	<i>Koelreuteria paniculata</i>	3	0	0	0	0	0	3	0.03%
Jerusalem thorn	<i>Parkinsonia aculeata</i>	0	0	1	0	0	0	1	0.01%
velvet ash	<i>Fraxinus velutina</i>	0	0	1	0	0	0	1	0.01%
Desert Museum palo verde	<i>Parkinsonia X Desert Museum</i>	1	0	0	0	0	0	1	0.01%



Species	Botanical Name	DBH Class (Inches)						Total	% of Pop.
		0-3	3-6	6-12	12-18	18-24	24-30		
palo verde	<i>Cercidium species</i>	1	0	0	0	0	0	1	0.01%
<b>Total</b>		<b>139</b>	<b>163</b>	<b>239</b>	<b>17</b>	<b>1</b>	<b>0</b>	<b>559</b>	<b>4.83%</b>
<b>Broadleaf Deciduous Small (BDS)</b>									
cherry plum	<i>Prunus cerasifera</i>	67	73	24	0	0	0	164	1.42%
jacaranda	<i>Jacaranda mimosifolia</i>	6	7	69	1	0	0	83	0.72%
common crapemyrtle	<i>Lagerstroemia indica</i>	28	16	26	0	0	0	70	0.60%
eastern redbud	<i>Cercis canadensis</i>	20	0	0	0	0	0	20	0.17%
Japanese maple	<i>Acer palmatum</i>	10	0	0	0	0	0	10	0.09%
apple	<i>Malus species</i>	6	0	2	0	0	0	8	0.07%
Hong Kong orchid tree	<i>Bauhinia blakeana</i>	4	1	3	0	0	0	8	0.07%
peach	<i>Prunus persica</i>	5	1	2	0	0	0	8	0.07%
common fig	<i>Ficus carica</i>	3	4	1	0	0	0	8	0.07%
apricot	<i>Prunus armeniaca</i>	2	1	3	0	0	0	6	0.05%
mimosa	<i>Albizia julibrissin</i>	1	0	3	0	0	0	4	0.03%
mountain ebony	<i>Bauhinia variegata</i>	0	1	2	0	0	0	3	0.03%
pomegranate	<i>Punica granatum</i>	0	1	2	0	0	0	3	0.03%
Chinese fringe tree	<i>Chionanthus retusus</i>	3	0	0	0	0	0	3	0.03%
mesquite	<i>Prosopis species</i>	0	2	0	0	0	0	2	0.02%
saucer magnolia	<i>Magnolia soulangiana</i>	0	2	0	0	0	0	2	0.02%
Catalina cherry	<i>Prunus ilicifolia ssp. lyonii</i>	0	1	1	0	0	0	2	0.02%
western redbud	<i>Cercis occidentalis</i>	1	0	0	0	0	0	1	0.01%
flowering cherry	<i>Prunus campanulata</i>	1	0	0	0	0	0	1	0.01%
common plum	<i>Prunus domestica</i>	0	0	1	0	0	0	1	0.01%
<b>Total</b>		<b>157</b>	<b>110</b>	<b>139</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>407</b>	<b>3.52%</b>
<b>Broadleaf Evergreen Large (BEL)</b>									
silver dollar gum	<i>Eucalyptus polyanthemus</i>	19	29	92	37	10	10	197	1.70%
Chinese elm	<i>Ulmus parvifolia</i>	3	21	109	3	1	0	137	1.18%
fern pine	<i>Podocarpus gracilior</i>	9	29	74	9	3	0	124	1.07%
lemonscented gum	<i>Eucalyptus citriodora</i>	4	12	61	32	8	1	118	1.02%
Siberian elm	<i>Ulmus pumila</i>	0	1	58	24	2	2	87	0.75%
redflower gum	<i>Eucalyptus ficifolia</i>	8	12	28	17	5	2	72	0.62%
spotted gum	<i>Eucalyptus maculata</i>	9	7	33	13	5	3	70	0.60%
blue gum eucalyptus	<i>Eucalyptus globulus</i>	0	1	10	13	19	22	65	0.56%

Species	Botanical Name	DBH Class (Inches)						Total	% of Pop.
		0-3	3-6	6-12	12-18	18-24	24-30		
shamel ash	<i>Fraxinus uhdei</i>	3	3	35	20	3	1	65	0.56%
red ironbark	<i>Eucalyptus sideroxylon</i>	6	11	31	9	2	1	60	0.52%
red gum eucalyptus	<i>Eucalyptus camaldulensis</i>	5	1	14	13	10	7	50	0.43%
desert gum eucalyptus	<i>Eucalyptus rudis</i>	0	3	10	11	7	6	37	0.32%
holly oak	<i>Quercus ilex</i>	2	5	21	2	0	0	30	0.26%
kaffirboom coral tree	<i>Erythrina caffra</i>	0	0	0	12	4	3	19	0.16%
euclayptus, beakpod	<i>Eucalyptus robusta</i>	0	0	1	2	10	4	17	0.15%
silk oak	<i>Grevillea robusta</i>	4	1	8	2	1	0	16	0.14%
naked coral tree	<i>Erythrina coralloides</i>	0	0	0	7	4	0	11	0.10%
coastal live oak	<i>Quercus agrifolia</i>	1	1	9	0	0	0	11	0.10%
Morton Bay fig	<i>Ficus macrophylla</i>	1	0	6	1	0	0	8	0.07%
ribbon gum eucalyptus	<i>Eucalyptus viminalis</i>	0	0	0	1	0	2	3	0.03%
fig	<i>Ficus species</i>	1	0	0	0	0	0	1	0.01%
sugargum	<i>Eucalyptus cladocalyx</i>	0	0	1	0	0	0	1	0.01%
<b>Total</b>		<b>75</b>	<b>137</b>	<b>601</b>	<b>228</b>	<b>94</b>	<b>64</b>	<b>1,199</b>	<b>10.36%</b>
<b>Broadleaf Evergreen Medium (BEM)</b>									
cajeput tree	<i>Melaleuca quinquenervia</i>	15	104	511	129	16	7	782	6.76%
New Zealand Christmas tree	<i>Metrosideros excelsa</i>	136	89	214	9	2	0	450	3.89%
weeping fig	<i>Ficus benjamina</i>	15	27	123	4	2	0	171	1.48%
acacia	<i>Acacia species</i>	6	46	105	0	10	0	167	1.44%
southern magnolia	<i>Magnolia grandiflora</i>	27	8	74	4	0	0	113	0.98%
California peppertree	<i>Schinus molle</i>	15	27	45	2	0	0	89	0.77%
willow-leaved gimlet	<i>Eucalyptus nicholii</i>	23	13	29	10	3	4	82	0.71%
camphor tree	<i>Cinnamomum camphora</i>	21	8	35	5	1	0	70	0.60%
carob	<i>Ceratonia siliqua</i>	1	2	32	10	1	0	46	0.40%
Japanese pittosporum	<i>Pittosporum tobira</i>	8	25	12	0	0	0	45	0.39%
brush cherry	<i>Syzygium paniculatum</i>	4	17	21	0	0	0	42	0.36%
Sydney golden wattle	<i>Acacia longifolia</i>	11	26	5	0	0	0	42	0.36%
unknown	<i>unknown</i>	14	2	10	1	0	0	27	0.23%
Victorian box	<i>Pittosporum undulatum</i>	2	3	12	0	0	0	17	0.15%

Species	Botanical Name	DBH Class (Inches)						Total	% of Pop.
		0-3	3-6	6-12	12-18	18-24	24-30		
bottle tree	<i>Brachychiton populneus</i>	0	4	12	0	0	0	16	0.14%
green acacia	<i>Acacia decurrens</i>	1	10	3	0	0	0	14	0.12%
primrose tree	<i>Lagunaria patersonii</i>	0	8	6	0	0	0	14	0.12%
mayten	<i>Maytenus boaria</i>	2	5	7	0	0	0	14	0.12%
avocado	<i>Persea americana</i>	3	3	7	0	0	0	13	0.11%
rubber tree	<i>Ficus elastica</i>	1	3	9	0	0	0	13	0.11%
Chinese privet	<i>Ligustrum lucidum</i>	3	5	5	0	0	0	13	0.11%
Cape chesnut	<i>Calodendrum capense</i>	2	0	6	0	0	0	8	0.07%
Cape cheesewood	<i>Pittosporum viridiflorum</i>	0	1	3	0	0	0	4	0.03%
silverleaf stringybark	<i>Eucalyptus cinerea</i>	0	0	2	0	0	0	2	0.02%
dwarf blue gum	<i>Eucalyptus globulus var compacta</i>	0	0	0	0	1	0	1	0.01%
rusty leaf fig	<i>Ficus rubiginosa</i>	0	0	1	0	0	0	1	0.01%
silk floss tree	<i>Chorisia speciosa</i>	0	0	1	0	0	0	1	0.01%
<b>Total</b>		<b>310</b>	<b>436</b>	<b>1,290</b>	<b>174</b>	<b>36</b>	<b>11</b>	<b>2,257</b>	<b>19.50%</b>
<b>Broadleaf Evergreen Small (BES)</b>									
Brazilian pepper	<i>Schinus terebinthifolius</i>	70	145	227	105	22	1	570	4.92%
carrotwood	<i>Cupaniopsis anacardioides</i>	19	85	446	7	2	0	559	4.83%
Brisbane box	<i>Tristaniaopsis conferta</i>	25	55	192	1	2	0	275	2.38%
evergreen pear	<i>Pyrus kawakamii</i>	16	75	129	4	0	0	224	1.94%
olive	<i>Olea europaea</i>	26	35	140	7	1	1	210	1.81%
myoporum	<i>Myoporum laetum</i>	16	75	92	1	1	0	185	1.60%
Indian laurel fig	<i>Ficus microcarpa nitida</i>	4	16	73	10	1	0	104	0.90%
lemon bottlebrush	<i>Callistemon citrinus</i>	23	39	38	0	0	0	100	0.86%
yew podocarpus	<i>Podocarpus macrophyllus</i>	48	4	4	0	0	0	56	0.48%
strawberry tree	<i>Arbutus unedo</i>	31	14	9	0	0	0	54	0.47%
lemon	<i>Citrus limon</i>	26	13	12	0	0	0	51	0.44%
orange	<i>Citrus sinensis</i>	28	9	5	0	0	0	42	0.36%
Australian willow	<i>Geijera parviflora</i>	16	6	15	0	0	0	37	0.32%
oleander	<i>Nerium oleander</i>	4	18	11	0	0	0	33	0.29%
giant bird of paradise	<i>Strelitzia nicolai</i>	0	4	15	5	1	0	25	0.22%
weeping bottlebrush	<i>Callistemon viminalis</i>	4	10	9	0	0	0	23	0.20%
peppermint tree	<i>Agonis flexuosa</i>	2	4	16	0	0	0	22	0.19%
gold medallion tree	<i>Cassia leptophylla</i>	12	6	4	0	0	0	22	0.19%

Species	Botanical Name	DBH Class (Inches)						Total	% of Pop.
		0-3	3-6	6-12	12-18	18-24	24-30		
Carolina laurelcherry	Prunus caroliniana	5	7	4	1	1	0	18	0.16%
loquat	Eriobotrya japonica	8	1	8	0	0	0	17	0.15%
bronze loquat	Eriobotrya deflexa	2	5	8	0	0	0	15	0.13%
Florida hopbush	Dodonaea viscosa	4	6	4	0	0	0	14	0.12%
Green Gem Indian laurel fig	Ficus microcarpa nitida var green gem	0	0	14	0	0	0	14	0.12%
African sumac	Rhus lancea	7	3	2	0	0	0	12	0.10%
pink trumpet tree	Tabebuia impetiginosa	9	2	0	0	0	0	11	0.10%
pink melaleuca	Melaleuca nesophila	0	8	0	0	0	0	8	0.07%
Wilson holly	Ilex altaclarensis	0	3	4	0	0	0	7	0.06%
Australian tea tree	Leptospermum laevigatum	0	2	4	0	0	0	6	0.05%
shiny xylosma	Xylosma congestum	0	1	5	0	0	0	6	0.05%
sweetshade	Hymenosporum flavum	4	1	0	0	0	0	5	0.04%
Chinese holly	Ilex cornuta	0	0	2	0	0	0	2	0.02%
yellow oleander	Thevetia peruviana	0	2	0	0	0	0	2	0.02%
Indian hawthorne	Rhaphiolepis Majestic Beauty	1	1	0	0	0	0	2	0.02%
pineapple guava	Feijoa sellowiana	0	2	0	0	0	0	2	0.02%
Chinese hibiscus	Hibiscus rosa-sinensis	0	1	1	0	0	0	2	0.02%
macadamia	Macadamia integrifolia	0	0	1	0	0	0	1	0.01%
Mexican shrubby spurge	Euphorbia cotinifolia	0	0	1	0	0	0	1	0.01%
cockspur coral tree	Erythrina crista-galli	0	0	1	0	0	0	1	0.01%
Mexican blue fig	Ficus petiolaris	0	0	1	0	0	0	1	0.01%
tupidanthus	Tupidanthus calyptratus	0	1	0	0	0	0	1	0.01%
grapefruit	Citrus X paradisi	0	1	0	0	0	0	1	0.01%
tangerine	Citrus reticulata	1	0	0	0	0	0	1	0.01%
dombeya	Dombeya wallichii	0	1	0	0	0	0	1	0.01%
kaffir plum	Harpephyllum caffrum	0	0	1	0	0	0	1	0.01%
long-leafed yellowwood	Podocarpus henkelii	0	0	1	0	0	0	1	0.01%
sugar bush	Rhus ovata	0	1	0	0	0	0	1	0.01%
Minneola tangelo	Citrus X Tangelo	1	0	0	0	0	0	1	0.01%
<b>Total</b>		<b>412</b>	<b>662</b>	<b>1,499</b>	<b>141</b>	<b>31</b>	<b>2</b>	<b>2,747</b>	<b>23.73%</b>

Species	Botanical Name	DBH Class (Inches)						Total	% of Pop.
		0-3	3-6	6-12	12-18	18-24	24-30		
<b>Conifer Evergreen Large (CEL)</b>									
Canary Island pine	<i>Pinus canariensis</i>	13	8	188	22	1	0	232	2.00%
Aleppo pine	<i>Pinus halepensis</i>	21	10	113	50	31	5	230	1.99%
Monterey pine	<i>Pinus radiata</i>	7	15	64	9	1	0	96	0.83%
Italian cypress	<i>Cupressus sempervirens</i>	12	61	16	1	0	0	90	0.78%
Italian stone pine	<i>Pinus pinea</i>	0	1	15	17	23	2	58	0.50%
araucaria	<i>Araucaria species</i>	8	8	20	0	0	0	36	0.31%
Torrey pine	<i>Pinus torreyana</i>	11	1	4	5	2	0	23	0.20%
incense cedar	<i>Calocedrus decurrens</i>	0	2	14	0	0	0	16	0.14%
coast redwood	<i>Sequoia sempervirens</i>	7	3	1	1	0	0	12	0.10%
Afghan pine	<i>Pinus elderica</i>	4	0	4	1	0	0	9	0.08%
deodar cedar	<i>Cedrus deodara</i>	4	0	1	1	0	0	6	0.05%
river she-oak	<i>Casuarina cunninghamiana</i>	0	0	4	0	0	0	4	0.03%
pine	<i>Pinus species</i>	3	0	0	0	0	0	3	0.03%
coast beefwood	<i>Casuarina stricta</i>	0	0	1	0	0	0	1	0.01%
jelecote pine	<i>Pinus patula</i>	0	0	1	0	0	0	1	0.01%
<b>Total</b>		<b>90</b>	<b>109</b>	<b>446</b>	<b>107</b>	<b>58</b>	<b>7</b>	<b>817</b>	<b>7.06%</b>
<b>Conifer Evergreen Small (CES)</b>									
Chinese juniper	<i>Juniperus chinensis</i>	4	26	122	2	0	0	154	1.33%
Japanese black pine	<i>Pinus thunbergiana</i>	7	14	41	2	0	0	64	0.55%
Leyland cypress	<i>x Cupressocyparis leylandii</i>	0	0	22	2	0	0	24	0.21%
Oriental arborvitae	<i>Platycladus orientalis</i>	0	2	0	0	0	0	2	0.02%
juniper	<i>Juniperus species</i>	0	1	0	0	0	0	1	0.01%
<b>Total</b>		<b>11</b>	<b>43</b>	<b>185</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>245</b>	<b>2.12%</b>
<b>Palm Evergreen Large (PEL)</b>									
Canary Island date palm	<i>Phoenix canariensis</i>	19	4	33	50	22	0	128	1.11%
palm	<i>Palm spp.</i>	1	0	2	0	0	0	3	0.03%
<b>Total</b>		<b>20</b>	<b>4</b>	<b>35</b>	<b>50</b>	<b>22</b>	<b>0</b>	<b>131</b>	<b>1.13%</b>
<b>Palm Evergreen Medium (PEM)</b>									
pygmy date palm	<i>Phoenix roebelenii</i>	52	69	134	4	0	0	259	2.24%
paradise palm	<i>Howea forsteriana</i>	8	11	1	0	0	0	20	0.17%
date palm	<i>Phoenix dactylifera</i>	0	0	10	1	0	0	11	0.10%
<b>Total</b>		<b>60</b>	<b>80</b>	<b>145</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>290</b>	<b>2.51%</b>

Species	Botanical Name	DBH Class (Inches)						Total	% of Pop.
		0-3	3-6	6-12	12-18	18-24	24-30		
<b>Palm Evergreen Small (PES)</b>									
queen palm	<i>Syagrus romanzoffianum</i>	81	90	938	0	0	0	1,109	9.58%
king palm	<i>Archontophoenix cunninghamiana</i>	149	164	351	0	0	0	664	5.74%
Mexican fan palm	<i>Washingtonia robusta</i>	17	9	404	38	0	0	468	4.04%
moundlily yucca	<i>Yucca gloriosa</i>	15	23	141	8	15	1	203	1.75%
windmill palm	<i>Trachycarpus fortunei</i>	29	42	26	0	0	0	97	0.84%
mediterranean fan palm	<i>Chamaerops humilis</i>	3	16	49	0	0	0	68	0.59%
dragon tree	<i>Dracaena draco</i>	2	4	4	0	0	0	10	0.09%
poneytail palm	<i>Nolina species</i>	0	3	4	1	0	0	8	0.07%
Guadalupe palm	<i>Brahea edulis</i>	1	0	5	0	0	0	6	0.05%
triangle palm	<i>Dyopsis decaryi</i>	0	0	4	0	0	0	4	0.03%
yucca	<i>Yucca species</i>	0	1	3	0	0	0	4	0.03%
California palm	<i>Washingtonia filifera</i>	0	0	0	0	2	1	3	0.03%
majestic palm	<i>Ravenea rivularis</i>	3	0	0	0	0	0	3	0.03%
Chilean wine palm	<i>Jubaea chilensis</i>	2	0	0	0	0	0	2	0.02%
<b>Total</b>		<b>302</b>	<b>352</b>	<b>1,929</b>	<b>47</b>	<b>17</b>	<b>2</b>	<b>2,649</b>	<b>22.89%</b>
<b>Grand Total</b>		<b>1,596</b>	<b>2,167</b>	<b>6,664</b>	<b>796</b>	<b>264</b>	<b>88</b>	<b>11,575</b>	<b>100%</b>

**Table 16. Relative Performance of All Species**

Species	Dead or Dying	Poor	Fair	Good	N/A	RPI	# of Trees	% of Pop.
queen palm	0.09	0.09	0.99	98.83	0.00	1.03	1,109	9.58
cajeput tree	0.00	0.00	1.53	98.47	0.00	1.03	782	6.76
king palm	0.00	0.15	0.00	99.85	0.00	1.03	664	5.74
Brazilian pepper	0.00	2.81	18.77	78.42	0.00	0.96	570	4.92
carrotwood	0.00	0.18	2.86	96.78	0.18	1.02	559	4.83
Mexican fan palm	0.00	0.00	0.00	100.00	0.00	1.03	468	4.04
New Zealand Christmas tree	0.00	0.44	8.22	91.33	0.00	1.00	450	3.89
Brisbane box	0.00	1.09	3.27	95.64	0.00	1.02	275	2.38
pygmy date palm	0.00	0.00	0.39	99.23	0.39	1.03	259	2.24
Canary Island pine	0.00	0.43	1.72	97.41	0.43	1.02	232	2.00
Aleppo pine	0.43	0.87	1.74	96.96	0.00	1.02	230	1.99
evergreen pear	0.00	0.89	5.36	93.75	0.00	1.01	224	1.94
olive	0.00	1.43	10.48	88.10	0.00	0.99	210	1.81
moundlily yucca	0.00	0.00	0.49	99.01	0.49	1.03	203	1.75

Species	Dead or Dying	Poor	Fair	Good	N/A	RPI	# of Trees	% of Pop.
silver dollar gum	0.00	7.11	23.86	69.04	0.00	0.92	197	1.70
sweetgum	0.00	1.61	2.69	95.70	0.00	1.01	186	1.61
myoporum	0.00	18.92	39.46	41.62	0.00	0.80	185	1.60
Callery pear	0.00	0.00	1.16	98.84	0.00	1.03	172	1.49
weeping fig	0.00	1.17	0.58	98.25	0.00	1.02	171	1.48
acacia	0.00	1.80	0.60	97.60	0.00	1.02	167	1.44
cherry plum	0.00	2.44	6.10	91.46	0.00	1.00	164	1.42
Chinese juniper	0.00	0.00	0.00	100.00	0.00	1.03	154	1.33
Chinese elm	0.00	2.19	5.84	91.97	0.00	1.00	137	1.18
Canary Island date palm	0.00	0.00	0.78	99.22	0.00	1.03	128	1.11
fern pine	0.00	1.61	2.42	95.97	0.00	1.02	124	1.07
lemon scented gum	0.00	3.39	23.73	72.88	0.00	0.94	118	1.02
southern magnolia	0.00	8.85	16.81	74.34	0.00	0.93	113	0.98
Indian laurel fig	0.00	0.00	0.96	99.04	0.00	1.03	104	0.90
lemon bottlebrush	0.00	0.00	3.00	97.00	0.00	1.02	100	0.86
windmill palm	0.00	1.03	0.00	98.97	0.00	1.03	97	0.84
Monterey pine	2.08	10.42	17.71	69.79	0.00	0.90	96	0.83
European white birch	0.00	2.15	7.53	90.32	0.00	1.00	93	0.80
California sycamore	0.00	0.00	4.44	95.56	0.00	1.02	90	0.78
Italian cypress	0.00	0.00	0.00	100.00	0.00	1.03	90	0.78
California peppertree	0.00	3.37	5.62	88.76	2.25	0.97	89	0.77
Siberian elm	0.00	24.14	72.41	3.45	0.00	0.67	87	0.75
jacaranda	0.00	2.41	4.82	92.77	0.00	1.00	83	0.72
willow-leaved gimlet	0.00	0.00	18.29	81.71	0.00	0.98	82	0.71
redflower gum	0.00	2.78	8.33	88.89	0.00	0.99	72	0.62
camphor tree	0.00	5.71	25.71	68.57	0.00	0.92	70	0.60
common crapemyrtle	0.00	0.00	0.00	100.00	0.00	1.03	70	0.60
spotted gum	0.00	1.43	20.00	78.57	0.00	0.96	70	0.60
mediterranean fan palm	0.00	0.00	0.00	100.00	0.00	1.03	68	0.59
blue gum eucalyptus	0.00	4.62	6.15	89.23	0.00	0.99	65	0.56
shamel ash	0.00	13.85	23.08	63.08	0.00	0.88	65	0.56
Japanese black pine	0.00	0.00	4.69	95.31	0.00	1.02	64	0.55
black locust	0.00	1.64	13.11	85.25	0.00	0.98	61	0.53
red ironbark	0.00	0.00	15.00	85.00	0.00	0.99	60	0.52
Italian stone pine	1.72	0.00	0.00	98.28	0.00	1.02	58	0.50
yew podocarpus	0.00	0.00	0.00	100.00	0.00	1.03	56	0.48
strawberry tree	0.00	5.56	1.85	92.59	0.00	0.99	54	0.47
lemon	0.00	0.00	0.00	100.00	0.00	1.03	51	0.44
Chinese flame tree	0.00	0.00	6.00	94.00	0.00	1.01	50	0.43
red gum eucalyptus	0.00	6.00	18.00	76.00	0.00	0.94	50	0.43
carob	0.00	13.04	21.74	65.22	0.00	0.89	46	0.40

Species	Dead or Dying	Poor	Fair	Good	N/A	RPI	# of Trees	% of Pop.
Japanese pittosporum	0.00	0.00	4.44	95.56	0.00	1.02	45	0.39
London planetree	0.00	0.00	11.36	88.64	0.00	1.00	44	0.38
brush cherry	0.00	0.00	14.29	85.71	0.00	0.99	42	0.36
orange	0.00	0.00	0.00	100.00	0.00	1.03	42	0.36
Sydney golden wattle	0.00	0.00	19.05	80.95	0.00	0.97	42	0.36
Australian willow	0.00	2.70	0.00	97.30	0.00	1.02	37	0.32
desert gum eucalyptus	0.00	51.35	24.32	24.32	0.00	0.65	37	0.32
araucaria	0.00	0.00	2.78	97.22	0.00	1.02	36	0.31
oleander	0.00	0.00	0.00	100.00	0.00	1.03	33	0.29
holly oak	0.00	3.33	6.67	90.00	0.00	0.99	30	0.26
white mulberry	0.00	0.00	0.00	100.00	0.00	1.03	30	0.26
unknown	3.70	7.41	0.00	88.89	0.00	0.95	27	0.23
giant bird of paradise	0.00	0.00	0.00	100.00	0.00	1.03	25	0.22
Leyland cypress	0.00	0.00	0.00	100.00	0.00	1.03	24	0.21
Torrey pine	0.00	0.00	0.00	100.00	0.00	1.03	23	0.20
weeping bottlebrush	0.00	0.00	0.00	100.00	0.00	1.03	23	0.20
gold medallion tree	0.00	0.00	0.00	100.00	0.00	1.03	22	0.19
peppermint tree	0.00	0.00	0.00	100.00	0.00	1.03	22	0.19
eastern redbud	0.00	0.00	0.00	100.00	0.00	1.03	20	0.17
paradise palm	0.00	0.00	0.00	100.00	0.00	1.03	20	0.17
kaffirboom coral tree	0.00	0.00	0.00	100.00	0.00	1.03	19	0.16
Carolina laurelcherry	0.00	0.00	0.00	100.00	0.00	1.03	18	0.16
eucalyptus, beakpod	0.00	5.88	5.88	88.24	0.00	0.98	17	0.15
loquat	0.00	0.00	0.00	100.00	0.00	1.03	17	0.15
Victorian box	0.00	29.41	11.76	58.82	0.00	0.82	17	0.15
bottle tree	0.00	0.00	6.25	93.75	0.00	1.01	16	0.14
incense cedar	0.00	0.00	0.00	100.00	0.00	1.03	16	0.14
silk oak	0.00	0.00	12.50	87.50	0.00	0.99	16	0.14
weeping willow	0.00	0.00	0.00	100.00	0.00	1.03	16	0.14
bronze loquat	0.00	0.00	0.00	100.00	0.00	1.03	15	0.13
ginkgo	0.00	0.00	0.00	100.00	0.00	1.03	15	0.13
Florida hopbush	0.00	0.00	0.00	100.00	0.00	1.03	14	0.12
green acacia	0.00	14.29	42.86	42.86	0.00	0.82	14	0.12
Green Gem Indian laurel fig	0.00	0.00	0.00	100.00	0.00	1.03	14	0.12
mayten	0.00	0.00	0.00	100.00	0.00	1.03	14	0.12
primrose tree	0.00	0.00	7.14	92.86	0.00	1.01	14	0.12
tipu	0.00	14.29	0.00	85.71	0.00	0.95	14	0.12
avocado	0.00	7.69	23.08	69.23	0.00	0.92	13	0.11
Chinese privet	0.00	0.00	15.38	84.62	0.00	0.99	13	0.11
rubber tree	0.00	0.00	0.00	100.00	0.00	1.03	13	0.11
African sumac	0.00	0.00	0.00	100.00	0.00	1.03	12	0.10



Species	Dead or Dying	Poor	Fair	Good	N/A	RPI	# of Trees	% of Pop.
coast redwood	0.00	8.33	0.00	91.67	0.00	0.98	12	0.10
white alder	0.00	8.33	0.00	91.67	0.00	0.98	12	0.10
coastal live oak	0.00	0.00	9.09	90.91	0.00	1.00	11	0.10
date palm	0.00	0.00	0.00	100.00	0.00	1.03	11	0.10
naked coral tree	0.00	0.00	0.00	100.00	0.00	1.03	11	0.10
pink trumpet tree	0.00	0.00	18.18	81.82	0.00	0.98	11	0.10
willow	0.00	27.27	27.27	45.45	0.00	0.78	11	0.10
Chinese pistache	0.00	10.00	10.00	80.00	0.00	0.94	10	0.09
dragon tree	0.00	0.00	0.00	100.00	0.00	1.03	10	0.09
Japanese maple	0.00	10.00	20.00	70.00	0.00	0.91	10	0.09
Afghan pine	0.00	0.00	44.44	55.56	0.00	0.90	9	0.08
apple	0.00	0.00	0.00	100.00	0.00	1.03	8	0.07
Cape chesnut	0.00	12.50	37.50	50.00	0.00	0.84	8	0.07
common fig	0.00	12.50	0.00	87.50	0.00	0.96	8	0.07
Hong Kong orchid tree	0.00	12.50	25.00	50.00	12.50	0.75	8	0.07
Morton Bay fig	0.00	0.00	0.00	100.00	0.00	1.03	8	0.07
peach	0.00	0.00	0.00	100.00	0.00	1.03	8	0.07
pink melaleuca	0.00	0.00	62.50	37.50	0.00	0.84	8	0.07
poneytail palm	0.00	0.00	0.00	100.00	0.00	1.03	8	0.07
Carolina poplar	0.00	0.00	14.29	85.71	0.00	0.99	7	0.06
Wilson holly	0.00	0.00	0.00	100.00	0.00	1.03	7	0.06
apricot	0.00	16.67	0.00	83.33	0.00	0.93	6	0.05
Australian tea tree	0.00	0.00	0.00	100.00	0.00	1.03	6	0.05
deodar cedar	0.00	16.67	0.00	83.33	0.00	0.93	6	0.05
Guadalupe palm	0.00	0.00	0.00	100.00	0.00	1.03	6	0.05
shiny xylosma	0.00	0.00	0.00	100.00	0.00	1.03	6	0.05
sweetshade	0.00	0.00	0.00	100.00	0.00	1.03	5	0.04
Cape cheesewood	0.00	0.00	25.00	75.00	0.00	0.96	4	0.03
mimosa	0.00	0.00	25.00	75.00	0.00	0.96	4	0.03
river she-oak	0.00	0.00	0.00	100.00	0.00	1.03	4	0.03
silver maple	0.00	0.00	25.00	75.00	0.00	0.96	4	0.03
triangle palm	0.00	0.00	0.00	100.00	0.00	1.03	4	0.03
yucca	0.00	0.00	0.00	100.00	0.00	1.03	4	0.03
California palm	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
Chinese fringe tree	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
goldenrain tree	0.00	0.00	33.33	66.67	0.00	0.93	3	0.03
majestic palm	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
maple	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
mountain ebony	0.00	33.33	0.00	66.67	0.00	0.83	3	0.03
northern red oak	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
palm	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
pine	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03

Species	Dead or Dying	Poor	Fair	Good	N/A	RPI	# of Trees	% of Pop.
pomegranate	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
ribbon gum eucalyptus	0.00	0.00	0.00	100.00	0.00	1.03	3	0.03
Catalina cherry	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
Chilean wine palm	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
Chinese hibiscus	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
Chinese holly	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
Indian hawthorne	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
mesquite	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
Oriental arborvitae	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
pecan	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
pineapple guava	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
saucer magnolia	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
silverleaf stringybark	0.00	0.00	50.00	50.00	0.00	0.88	2	0.02
yellow oleander	0.00	0.00	0.00	100.00	0.00	1.03	2	0.02
American elm	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
coast beefwood	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
cockspur coral tree	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
common plum	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
Desert Museum palo verde	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
dombeya	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
dwarf blue gum	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
fig	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
flowering cherry	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
grapefruit	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
hackberry	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
jelecote pine	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
Jerusalem thorn	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
juniper	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
kaffir plum	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
long-leafed yellowwood	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
macadamia	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
Mexican blue fig	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
Mexican shrubby spurge	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
Minneola tangelo	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
palo verde	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
rusty leaf fig	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
silk floss tree	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
sugar bush	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
sugargum	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
tangerine	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01

Species	Dead or Dying	Poor	Fair	Good	N/A	RPI	# of Trees	% of Pop.
tulip tree	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
tupidanthus	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
velvet ash	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
western redbud	0.00	0.00	0.00	100.00	0.00	1.03	1	0.01
<b>Citywide</b>	<b>0.05</b>	<b>1.99</b>	<b>6.33</b>	<b>91.57</b>	<b>0.06</b>	<b>1.00</b>	<b>11,575</b>	<b>100%</b>

Manhattan Beach Street Tree Palette (2015, May 1)

LARGE TREES								
Botanical Name	Common Name	Height	Water Needs	Minimum Parkway Width	Zone	Type	Notes	Seaside Tolerance
Ginkgo biloba	Ginkgo	60'	Moist to dry soil.	5'		Deciduous	Yellow fall color	Good in Mild Zone
Koelreuteria bipinnata	Chinese Flame Tree	50'	Moist soil.	8'		Deciduous		Good in Mild Zone
Ulmus parvifolia	Chinese Elm	60'+	Moist soil. Drought tolerant.	5'		Deciduous		Good in Mild Zone
Tipuana tipu	Tipu Tree	50'	Moist to dry soil.	8'		Deciduous		Good in South Coast
Lophostemon confertus	Brisbane Box	50'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good to Medium in Mild Zone
Pinus canariensis	Canary Island Pine	60'+	Moist to dry soil. Drought tolerant.	8'		Conifer	California native	Good in Moderate Zone
Quercus agrifolia	Coast Live Oak	60'+	Moist to dry soil. Drought tolerant.	8'		Evergreen	California native	Good in Moderate Zone
Quercus ilex	Holly Oak	50'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good in Moderate Zone
Pinus halepensis	Aleppo pine	65'	Moist to dry soil. Drought tolerant.	8'		Conifer		Good in Moderate Zone
Brachychiton acerifolius	Flame Tree	65'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good in Mild Zone
Brachychiton populneus	Bottle Tree	50'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good in Mild Zone
Liquidambar styraciflua								
'Rotundiloba'	Sweetgum	60'	Wet but well drained soil.	5'		Deciduous	Fruitless cultivar	Good in Mild Zone
Arbutus 'Marina'	Marina Madrone	50'	Moist to dry soil. Low water needs.	5'		Evergreen		Good in Moderate Zone
Platanus x hispanica								
'Bloodgood' or 'Columbia'	London Planetree	60'	Moist soil. Drought tolerant.	8'		Deciduous		Good in Mild Zone
Cinnamomum camphora	Camphor Tree	60'	Moist soil.	8'		Evergreen		Good in Mild Zone
Magnolia grandiflora	Southern Magnolia	50'	Moist soil.	8'		Evergreen		Moderate
Brachychiton discolor	Queensland Lacebark	60'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good in Mild Zone
Eucalyptus citriodora	Lemon-scented Gum	50'	Wet to dry soil. Drought tolerant.	8'		Evergreen		Good in Mild Zone
Eucalyptus polyanthemus	Silver Dollar Gum	65'	Wet to dry soil. Drought tolerant.	5'		Evergreen		Good in Mild Zone
Casuarina cunninghamiana	River She-Oak	60'	Wet to dry soil. Drought tolerant.	8'		Evergreen		Good in Mild Zone
Ulmus parvifolia 'Drake'	Drake Elm	60'	Moist soil.	5'		Deciduous		Good in Mild Zone
Pinus pinea	Italian Stone Pine	60'+	Moist to dry soil. Drought tolerant.	8'		Conifer	Edible nut	Good in Moderate Zone
Pinus radiata	Monterey Pine	60+	Moist to dry soil.	8'		Conifer	California native	Good in Moderate Zone
Pinus torreyana	Torrey Pine	60+	Moist to dry soil. Drought tolerant.	8'		Conifer	California native	Good in Moderate Zone
Quercus suber	Cork Oak	60'	Moist to dry soil. Drought tolerant.	8'		Evergreen		Medium in Mild Zone
Cedrus libani	Cedar of Lebanon	60'+	Moist to dry soil. Drought tolerant.	8'		Conifer		Good in Mild Zone
TAfrocarpus falcatus	African Fern Pine	60'	Well drained soil.	5'		Evergreen		Good in Mild Zone
28Sophora japonica	Japanese Pagoda Tree	50'	Moist soil.	5'		Deciduous	Fragrant flowers	Good in Mild Zone
29Cedrus deodara	Deodar Cedar	60'+	Moist to dry soil. Drought tolerant.	8'		Conifer		Good in Mild Zone
30Pistacia chinensis 'Keith Davey'	Keith Davey Pistache	50'	Moist to dry soil. Drought tolerant.	5'		Deciduous		Not suited
31Koelreuteria elegans	Flamegold	50'	Wet but well drained soil.	5'		Deciduous	Yellow flowers	Moderate

MEDIUM TREES								
Botanical Name	Common Name	Height	Water Needs	Minimum Parkway Width	Zone	Type	Notes	Seaside Tolerance
<i>Laurus nobilis</i>	Sweet Bay	40'	Moist to dry soil.	5'		Evergreen	Culinary use	Good in Mild Zone and Medium in Moderate zone
<i>Geijera parviflora</i>	Austrailian Willow	40'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good in Mild Zone
<i>Eriobotrya japonica</i>	Japanese Loquat	35'	Moist to dry soil. Drought tolerant.	2'		Evergreen	Edible fruit, fragrant flowers	Good in Mild Zone
<i>Jacaranda mimosifolia</i>	Jacaranda	50'	Moist soil.	5'		Deciduous	Purple flowers	Medium in Mild Zone
<i>Melaleuca quinquenervia</i>	Cajeput	40'	Wet to dry soil. Drought tolerant	5'		Evergreen	Sap is an irritant	Good in Moderate Zone
<i>Schinus terebinthifolius</i>	Brazilian Pepper	35'	Moist to dry soil. Moderate water	5'		Evergreen		Good in Mild Zone
<i>Ficus microcarpa nitida</i>	Indian Laurel Fig	35'	Moist soil.	5'		Evergreen		Good in Mild Zone
<i>Calodendrum capense</i>	Cape Chestnut	40'	Moist soil.	5'		Deciduous		Good in South Coast
<i>Hymenosporum flavum</i>	Sweetshade	40'	Moist well-drained soil.	3'		Evergreen		Good in Mild Zone
<i>Acacia subporosa</i>	Bower Wattle	35'	Moist to dry soil.	5'		Evergreen		Good in Mild Zone
<i>Agonis flexuosa</i>	Peppermint Tree	35'	Wet to dry soil. Prefers moist, sandy soil	5'		Evergreen	Fragrant leaf	Good in Mild Zone
<i>Bursera simaruba</i>	Gumbo-Limbo	45'	Well drained soil.	8'		Deciduous		High Salt Spray Tolerance
<i>Eucalyptus nicholii</i>	Nichol's Willowleaf Peppermi	50'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good in Mild Zone
<i>Podocarpus henkelii</i>	Long Leafed Yellowwood	35'	Well drained soil. Needs regular water.	3'		Evergreen		Not listed
<i>Myoporum laetum</i>	Myoporum	35'	Moist soil.	3'		Evergreen		Good in Moderate Zone
<i>Metrosideros excelsus</i>	New Zealand Christmas Tree	35'	Moist to dry soil. Drought tolerant.	5'		Evergreen		Good in Moderate Zone
<i>Podocarpus macrophyllus</i>	Yew Pine	40'	Moist soil. Drought tolerant	3'		Evergreen		Good in Mild Zone

SMALL TREES/UTILITY FRIENDLY								
Botanical Name	Common Name	Height	Water Needs	Minimum Parkway Width	Zone	Type	Notes	Seaside Tolerance
<i>Arbutus unedo</i>	Strawberry tree	30'	Moist to dry soil.	3'		Evergreen	Red moist fruit	Good in Moderate Zone
<i>Cupaniopsis anacardioides</i>	Carrotwood	28'	Wet to moist soil.	3'		Evergreen		Good in Moderate Zone
<i>Tabeauba chrysostricha</i>	Golden Trumpet Tree	30'	Well drained soil. Drought tolerant.	2'		Deciduous	Yellow flowers	Not listed
<i>Stenocarpus sinuatus</i>	Firewheel Tree	35'	Moist soil.	2'		Evergreen	Red flowers	Good to Medium in Mild Zone
<i>Chitalpa tashkentensis</i>	Chitalpa	25'	Moist to dry soil.	3'		Deciduous	Pink flowers	Good in Mild Zone
<i>Cotinus obovatus</i>	Smoke Tree	25'	Well drained soil.	2'		Deciduous	Pink or white flowers	Not listed
<i>Callistemon viminalis</i>	Bottlebrush	30'+	Wet to dry soil. Drought tolerant.	2'		Evergreen	Red flowers	Good in Mild Zone
<i>Cercis occidentalis</i>	Western Redbud	20'	Moist to dry soil. Drought tolerant.	2'		Deciduous	Pink flowers	Good in Mild Zone
<i>Photinia x fraseri</i>	Photinia	20'	Moist soil.	3'		Evergreen	Red new growth	Good in Mild Zone

Cassia excelsa	Crown of Gold	25'	Moderately drought tolerant. Needs moist soil	5'	Evergreen	Not readily available at nurseries	Not listed
Cassia leptophylla	Gold Medallion Tree	25'	Moist to dry soil	5'	Evergreen	Yellow flowers	Good in South Coast
Lagerstroemia indica	crapemyrtle	20'	Moist to dry soil. Drought tolerant.	2'	Deciduous	Powdery Mildew?	Not suited
Rhaphiolepis x. Montic	Majestic Beauty' Indian Hawthorn	20'	Moist to dry soil. Prefers some irrigation.	2'	Evergreen	Pink Flowers	Not listed
Chionanthus retusus	Chinese Fringe Tree	20'	Moist soil.	3'	Deciduous	White flowers	Good in Mild Zone
Eriobotrya deflexa	Bronze Loquat	25'	Moist soil.	2'	Evergreen	White flowers	Good in Mild Zone
Melaleuca linariifolia	Flaxleaf paperbark	30'	Wet to dry soil. Drought tolerant.	5'	Evergreen	White flowers	Good in Mild Zone
Spathodea campanulata	African tulip tree	50'	Moist soil.	8'	Evergreen	Orange flowers	Medium in South Coast. Soil salinity moderately tolerant.
Rhus lancea	African Sumac	30'	Moist to dry soil. Drought tolerant.	5'	Evergreen		Good in Mild Zone
Arctostaphylos glauca	Big Berry Manzanita	20'	Wet to Moist and well drained soil. Drought tolerant.	2'	Evergreen	California Native	Medium in Mild Zone
Magnolia stellata	Star Magnolia	25'	Moist soil.	2'	Deciduous	White flowers	Good to Medium in Mild Zone
Callistemon rigidus	Stiff Bottlebrush	15'	Moist to dry soil. Drought tolerant.	2'	Evergreen	Not readily available at nurseries	Not listed
Callistemon citrinus	Lemon Bottlebrush	20'	Moist to dry soil. Drought tolerant.	2'	Evergreen	Red flowers	Good in Mild Zone
Eucalyptus erythrocorys	Red-Cap Gum	25'	Moist to dry soil.	2'	Evergreen	Fragrant leaf	Good in Mild Zone
Tristania laurina	Water Gum	20'	Moist soil.	2'	Evergreen	Fragrant flower	Good in South Coast
Rhus lancea	African Sumac	25'	Moist to dry soil. Drought tolerant.	3'	Evergreen		Good in Mild Zone
Pittosporum rhombifolium	Queensland Pittosporum	25'	Moist soil. Drought tolerant.	3'	Evergreen		good to Medium in Moderate Zone
Pyrus kawakamii	Evergreen Pear	25'	Moist soil.	3'	Evergreen		Good in Mild Zone
Eriobotrya japonica							
'Coppertone'	Coppertone Loquat	25'	Moist soil. Not drought tolerant.	2'	Evergreen	White flowers	Good in Mild Zone
Cordia sebestena	Geiger-Tree	25'	Well drained soil.	2'	Evergreen	Orange flowers	Salt Spray Tolerant
Ligustrum confusum	Nepal Privet	25'	Well drained soil. Regular irrigation.	2'	Evergreen	Not readily available at nurseries	

## PALMS

		Minimum Parkway		Water Needs		Seaside Tolerance	
Botanical Name	Common Name	Height	Width	Zone	Type	Notes	
Brahea edulis	Guadalupe Palm	30'	3'		Palm	Baja California native	Good in Moderate Zone
Phoenix canariensis	Canary Island Date Palm	65'	5'		Palm	California native	Good in Moderate Zone
Phoenix dactylifera	Date Palm	60'	3'		Palm		Good in Moderate Zone
Trachycarpus fortunei	Queen Palm	50'	2'		Palm		Good in Moderate Zone
Archontophoenix alexandrina							
Archontophoenix	King Palm	40'	2'		Palm		Good in South Coast
Washingtonia robusta	Mexican Fan Palm	80'	3'		Palm	Baja California native	Good in Mild Zone
Brahea armata	Mexican Blue Palm	50'	3'		Palm	Baja California native	Good in Mild Zone
Adonidia merrillii	Christmas Palm	25'	2'		Palm		Moderate salt spray tolerance
Washingtonia filifera	California Fan Palm	65'	2'		Palm	California native	Good in Mild Zone

**Manhattan Beach, California**  
**Urban Forest Master Plan**  
**Recommendations for Revisions to Code,**  
**Standard Specifications,**  
**and Designs**  
**2015**

# City of Manhattan Beach

## Recommendations for Revisions to Code, Standard Specifications, and Designs

June 2015

**Prepared for:**

City of Manhattan Beach  
1400 Highland Ave.  
Manhattan Beach, CA, 90226

**Prepared by:**

Davey Resource Group  
A Division of the Davey Tree Expert Company  
6005 Capistrano Ave.  
Atascadero, California 93422  
Phone: 805-461-7500  
Toll Free: 800-966-2021  
Fax: 805-461-8501  
[www.davey.com/drg](http://www.davey.com/drg)



# TABLE OF CONTENTS



## BACKGROUND

In 2015, the City of Manhattan Beach contracted with the Davey Resource Group (DRG) to develop an Urban Forest Master Plan to guide urban forestry policies and programming for the next 25 years. The UFMP was completed in June, 2015, and included recommendations to amend the City of Manhattan Beach Municipal Code, standard specifications, and details. The relevant code sections include:

- Chapter 7.32 – Tree, Shrub, and Plant Regulations
- Chapter 10.52.120– Residential Districts: Tree preservation and restoration in residential zones, Area Districts I and II

In surveys and public meetings, residents expressed confusion and frustration with the municipal code as it relates to trees. The revisions provided in this document, and associated outreach materials are intended to improve clarity and direction for both residents and City staff. These revisions will align City policies with the arboriculture industry's best management practices, and with the community vision for a safe and healthy tree resource with a focus on beauty, benefits, and sustainability.

Alternative designs can provide creative solutions to challenging sites where space for trees, infrastructure, and utilities can be limited by existing infrastructure. As trees mature, conflicts with hardscape, including sidewalks, roads, and driveways are common. In Manhattan Beach, residents are responsible for the cost of sidewalk repair adjacent to their properties, leading to concern that some repairs are temporary fixes, and that roots will continue to disrupt pavement in the future. These concerns may be alleviated by increasing the area of uncompacted soil below grade, appropriate species selection (i.e., right tree, right place), and judicious location of root barriers.

Based on the review of standard specifications, planting details, and code relevant to Manhattan Beach's community urban forest, and in consideration of current industry standards, DRG submits the following recommendations:

# RECOMMENDATIONS

## Chapter 7.32 TREE, SHRUB AND PLANT REGULATIONS

*This portion of Manhattan Beach's Municipal ordinance applies to trees in parkways, parks and at city facilities.*

### Sections:

#### 7.32.010 - Purpose.

Official tree, shrub and plant regulations for the City are hereby adopted and established to serve the public health, safety and general welfare. To that end the purposes of this chapter are specifically declared to be as follows:

- A. Improve general aesthetic values;
- B. Promote a healthy environment for residents and visitors;**
- B. Reduce traffic noise;
- C. Deflect glare and heat;
- D. Lower wind velocity;
- E. Purify air;
- E. Reduce stormwater runoff**
- F. Increase property values;
- G. Provide cooling shade and beauty;
- H. Provide for the proper selection of trees to minimize trouble in sewer and water mains, broken sidewalks, storm drains, etc.;
- I. Minimize interference with street and traffic lighting;
- J. Minimize the spread of disease to healthy trees;
- K. Minimize danger of falling trees and limbs onto streets, sidewalks and private property;
- ~~L. Minimize accumulation of leaves and debris which cause unnecessary labor in cleaning the sidewalks, streets and storm drains; and~~
- M. Select trees of longevity and suitable **suitability** to the environment.
- N. Reduce the amount of potable water used for landscape irrigation.

*(Amended by § 2, Ord. 2146, eff. August 4, 2011)*

### 7.32.020 - Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

- A. "City" shall mean the City of Manhattan Beach.
- B. "Public Works Director" shall mean the Public Works Director of the City of Manhattan Beach or his authorized agent.
- C. "Street or highway" shall include all lands lying between the so-called property lines on either side of all public streets, roads, boulevards and alleys.
- D. "Street trees" shall mean trees or shrubs in public places along City streets, roads, boulevards, **rights-of-way, in parkways**, and alleys.
- E. "Trees and shrubs" shall include all woody vegetation now or hereafter growing, planted or to be planted on any public place or area.
- F. "Parkway" shall mean that portion of the street, or highway other than the roadway or sidewalk.
- G. "Public place or area" shall include all streets or highways, **right-of-ways, parks, and parkways**, within the City and all other properties owned by the City of Manhattan Beach.
- H. "Public Tree" shall include all trees growing in in a public place or area.

**Comment [RW1]:** I think it includes medians, or unimproved road edges maybe?

**Comment [TM2]:** Usually this is defined as the space between the curb and sidewalk?

### 7.32.030 - Enforcement.

The Public Works Director shall have jurisdiction and control of the kind and type of planting, setting out, location, trimming, maintenance and removal of all trees and shrubs on City property and public places, and the supervision **and management** of all trees planted or growing in such places.

### 7.32.040 - Permits.

- A. It shall be unlawful, and it is hereby prohibited for any person, firm, association, corporation or franchisee of the City to plant, move, remove, destroy, cut, trim, deface, injure, or replace any tree or shrub in, upon or along any public street or other public place of the City or to cause the same to be done without first obtaining a written permit from the Public Works Director. This permit shall specifically describe the work to be done.
- B. Application for a tree permit shall be made to the Public Works Director **at least five (5) days** in advance of the time the work is to be done. The work shall be done within thirty (30) days from the date the permit is issued unless otherwise stated.
- C. The Public Works Director shall inspect the work in progress and make a final inspection upon completion of the work.
- D. **Except in the event of an emergency, it** shall be unlawful and is hereby prohibited for any person, firm, corporation franchisee maintaining any overhead wires or pipes or underground conduits along or across any street, avenue, highway, park, parkway or public place within the City to have any tree or shrub trimmed or removed from any public place or area without first obtaining a written permit from the Public Works Director for the specific work to be done.
- E. The Public Works Director may issue a permit for the removal of a street tree where it is in nonconformance with the street tree plan, or has been classified as a public nuisance

**Comment [TM3]:** Does this provide adequate time for consideration by the City?

according to [Section 7.32.070](#), or is in such a condition as to present a threat to the maintenance of any overhead wires or pipes or underground conduits along or across any street.

F. A fee, established by the Council under separate resolution, shall be required for a permit to remove a tree. The fee shall be refunded in the event the property owner replaces the removed tree within ninety (90) days with an approved tree **from the Manhattan Beach Tree Palette, planted according to the established planting detail**. In the event the property owner does not replace the tree, the City will install a replacement tree, retain the fee, and bill the property owner for the balance of the actual cost.

*(§ 26, Ord. 1458, eff. June 17, 1976)*

#### 7.32.050 - Maintenance.

A. It is hereby made the duty of all owners and persons having possession and control of real property within the City to cultivate and care for and provide complete maintenance of all trees, shrubs, lawns and ground covers now or hereafter planted or set out within any of the streets, avenues, highways and parkways adjacent to their real properties. This paragraph when applied to those certain residents and property owners designated in Manhattan Beach City Ordinance No. 916 shall not be construed to preclude access of vehicles for the planting, cutting, pruning, or removal of such trees, shrubs, lawns and ground covers provided that permission is first obtained from the Public Works Director for such access.

B. It shall be the duty of all owners and persons having possession or control of real property within the City promptly to notify the Public Works Director of any tree or shrub in a public area immediately adjacent to his property which is in such condition as to be a menace to public safety or dangerous to life or property.

#### 7.32.060 - Abuse or mutilation of trees.

It shall be unlawful for any person to:

- A. Damage, cut, carve, etch, hew or engrave or injure the bark of any street tree;
- B. Allow any gaseous, liquid or solid substance harmful to trees to come in contact with any part of any street tree;
- C. Deposit, place, store or maintain upon any public area any stone, brick, concrete, or other materials which may impede the free passage of air, water and fertilizer to the roots of any tree or shrub growing therein, except by written permit of the Public Works Director;
- D. Except as may be authorized by the provisions of [Section 7.32.040](#), damage, tear up or destroy any plantings, grass, flowers, shrubs, or trees planted upon or in any public place or area in the City; and
- E. Paint, tack, paste, post or otherwise attach or place any advertisement, notice, card or announcement or any printed or written matter or any wire, board, platform or injurious material of any kind upon any tree or shrub situated in any public place or area in the City.

#### 7.32.070 - Public nuisance.

The Council, pursuant to the power and authority vested in it to do so under the provisions of Sections 38771 and 38773 of the Government Code of the State, does hereby find and declare that any of the following is apt to cause injury or damage to persons or property, or constitutes a

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Comment [RW4]: No limitations to attaching lighting or wires to trees. Does the city want to regulate seasonal holiday lighting?

then present menace or threat to life or property, or constitutes and is a nuisance, and shall be subject to abatement as such by civil action or summarily as provided by law:

- A. Any dead, diseased, infested, leaning or dying trees on private property so near to any street as to constitute a danger to street trees, or streets, sidewalks, or portions thereof, or the life, health or safety of the public.
- B. Any tree, shrub or plant on any private property or in a parkway of a type of species apt to destroy, impair or otherwise interfere with any street improvement, sidewalk, curb, approved street tree, gutter, sewer or other public improvements including water utilities or services.
- C. Any tree or shrub or parts thereof growing upon private property but overhanging or interfering with the use of any street, parkway, sidewalk or public place of the City such that in the opinion of the Public Works Director endangers the life, health, safety or property of the public.
- D. The existence of any branches or foliage on private or public property which interferes with visibility on, or free use of, or access to any portion of any street improved for vehicular or pedestrian travel.
- E. Trees on public property which constitute a public nuisance shall be removed, replaced or trimmed at the expense of the adjoining property owner as ordered by the Director of Public Works. If a tree on public property is ordered replaced under this section, the City shall pay the cost of the replacement tree, as established by the Council under separate resolution.
- F. It shall be the duty of all owners and persons having possession and control of real property within the City to abate any public nuisances referred to in this section that occur on their real properties.
- G. The procedures for notice, service of notice, hearing, abatement and removal by the City, and collection of the cost of the work by tax lien as provided in [Section 9.64.030](#) through 9.64.130 of this Code shall be utilized. Said sections are incorporated herein by reference and made a part of this chapter.

*(as amended by § 1, Ord. 1247, eff. August 5, 1971; § 1, Ord. 1290, eff. August 4, 1972; § 27, Ord. 1458, eff. June 17, 1976)*

## 7.32.080 - General provisions.

A.

### **Species or Varieties of Street Trees:**

1. The Public Works Director shall prepare a list of street trees **Tree Species Palette** which may be planted in each of the parkway areas of the City, which list shall be available to the public to aid in the choice of trees to be planted. This list may be modified as experience indicates the desirability of such modification. The original list and any modifications thereto shall be approved by the Public Works Director.

B.

### **Planting of Street Trees:**

1. All planting should be in good horticultural practice as determined by the Public Works Director. **follow the established City of Manhattan Beach Tree Planting Detail.**
2. All planting on unpaved streets without curb must have the special permission of the Public Works Director who shall determine the tree's exact location so that it will not be injured or destroyed when the street is improved;
3. Spacing of trees shall be determined by the Public Works Director according to local conditions and species to be used, their mature height, spread and form; and
4. The recommended size shall normally be that designated as fifteen (15) gallon size (accepted trade sizing); the minimum size acceptable shall be a five (5) gallon size.

C.

### **Trimming and Removal:**

1. The property owner shall normally assume responsibility for ~~trimming, topping or dehorning, pruning, and removing trees growing on any public place or area.~~ **for tree maintenance, irrigation, and removal. Public trees must be pruned and maintained by qualified tree care professionals and in accordance with ANSI A300 standards for tree care operations as determined by the Public Works Director.**
2. Except as may be provided for in subdivision (E) of [Section 7.32.070](#), the City will not remove a tree in the parkway adjoining any property unless such tree is a hazard to the street maintenance or other services of the City. Responsibility and expense of all other tree removals shall be borne by the requesting property owner, person, firm, association, corporation or franchisee.

D.

### **Spraying:**

1. Suitable precaution shall be taken to protect and warn the public that spraying is being done.

E.

**Landscaping and Irrigation:** For new public right-of-way or encroachment projects, and projects in the public right-of-way or on the adjoining private property over fifty percent (50%) in building valuation as defined by [Section 10.68.030](#)(E), planting and hardscape areas,



including all landscaping, patios, decks, and walkways (excluding driveways), shall be installed in accordance with the requirements of this section.

1.

High water use plants, as defined by the Water Use Classification of Landscape Species (WUCOLS) publication, may be installed as follows:

- a. Where potable water is used for irrigation, a maximum of twenty percent (20%) of the total planting and hardscape areas (defined above) may be high water use plants per Region 3 of WUCOLS. High water use plants shall be grouped together. Turf grass watered with a subterranean drip irrigation system, or turf grass that is not high water use, as determined by the Director of Community Development based on documentation submitted by the applicant, shall not be considered high water use plants; or
- b. Submission of design plans with calculations per WUCOLS Region 3 standards prepared by a landscape designer, licensed landscape architect or other qualified person.

Exceptions.

- i. Sites entirely irrigated by non-potable water.
- ii. Landscapes using low or medium water use plants as defined by Water Use Classification of Landscape Species (WUCOLS) publication.
- iii. Projects with no exterior site work, landscaping, hardscaping, or similar improvements.
- iv. Administrative exception for special circumstances or undue hardship as determined by the Director of Community Development.

2.

Irrigation systems shall be designed as follows:

- a. Provide an automatic controller.
- b. Drip, low volume or other water efficient system, shall be used in the 80% non-high water use landscaped area.
- c. High water use plants shall be on separate irrigation valve(s) from the non-high water use landscaped area.
- d. Projects shall comply with [Section 7.44.030](#), Permanent Water Conservation Requirements.

3.

Landscape and irrigation plans shall be prepared by a landscape designer, a licensed landscape architect or other qualified professional, and submitted to the Community Development Department for approval prior to issuance of a permit. No significant or substantive changes to the approved landscaping or irrigation plans shall be made without prior written approval by the Community Development Director and the landscape professional. Substantial changes shall require approval of the Planning Commission if this body granted approval of the original project.

4.

**Comment [TM5]:** This section may require revision to remain in accordance with pending state regulations and policies for water conservation (MWEL0). The City should consider existing regulations when actual revision to the ordinance is anticipated.

Evidence of completion of approved landscaping and irrigation shall be provided to the Community Development Department prior to issuance of an occupancy permit or permit final, unless an extension is granted by the Director with due cause.

*(Amended by § 2, Ord. 2146, eff. August 4, 2011)*

#### **7.32.090 - Street tree planting guide.**

Those street trees now existing may remain until ~~by old age or other reasons~~ they are removed for reasons approved by the Public Works Director. When any new street tree is planted it shall conform to the ~~street tree planting guide~~ established City of Manhattan Beach Tree Planting Detail, and be an appropriate species from the Tree Species Palette, referred to in subdivision (A)(1) of [Section 7.32.080](#).

#### **7.32.100 - Protection of trees.**

The Public Works Director will establish Tree Protection During Construction Guidelines including fencing, signage, and irrigation requirements.

During the erection, repair, alteration or removal of any building, house, structure or street in the City, any person, firm, association, corporation or franchisee in charge of such work shall protect any tree, shrub or plant in any street, park, boulevard, or public place in the vicinity of such building or structure with sufficient guards or protectors as shall prevent injury to said tree, shrub or plant arising out of or by reason of said erection, repair, alteration or removal, and shall be held responsible if the Public Works Director determines that this protection has not been provided. Tree protection will follow the established Tree Protection During Construction Guidelines

*(§ 3, Ord. 1202, eff. February 19, 1970)*

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## 10.52.120 - Tree preservation and restoration in residential zones, Area Districts I and II.

A.

**Purpose.** Tree preservation is necessary for the health and welfare of the citizens of the City of Manhattan Beach in order to provide cooling shade and beauty, increase property values, minimize spread of disease to healthy trees, conserve scenic beauty, prevent erosion of topsoil, protect against flood hazards, counteract pollutants in the air, and generally maintain the climatic and ecological balance of the area.

These regulations strive to preserve and enhance the existing healthy tree canopies on individual residential properties as well as the overall neighborhood, in order to maintain the neighborhood character, while allowing flexibility for removal of existing trees that may be inappropriate for an area or causing damage. The intent is to enhance the future tree canopy of the City, striving to provide the right trees in the right locations.

The intent of this section is also the reasonable retention and preservation of healthy trees while considering and balancing the reasonable enjoyment of private property. The design of residences, including grading, driveways, walkways, patios, utilities and right-of-way improvements, shall consider and accommodate existing healthy protected trees, as reasonably feasible.

The purpose of the Tree Trimmers Permit is to provide standards so that trees are pruned properly in order to protect the City's tree canopy and to provide residents with a list of permitted Tree Trimmers.

B.

### General Requirements.

1. Except as provided in subsection I (Exemptions), no person shall directly or indirectly remove or cause to be removed, or relocate any protected tree as herein defined, from residentially zoned properties within Area Districts I and II, according to the City of Manhattan Beach Zoning Designations without first obtaining a permit to do so in accordance with the procedures set forth in this section.

2. No person shall directly or indirectly neglect, abuse, damage, mutilate, injure or harm any protected tree as herein defined, from residentially zoned properties within Area Districts I and II.

C.

### Definitions.

1. "Protected tree" shall include: any species of tree, (excluding deciduous fruit-bearing trees and Washingtonia species palms) the trunk of which is located at least partially within the required front yard or streetside yard (on corner lots) of a site, with a trunk diameter of twelve inches (12") or greater or multiple trunks totaling twelve inches (12") in diameter or greater at a height of four and one-half feet (4.5') from existing grade; and any replacement tree required pursuant to this section.

2. A "tree permit" is a permit required for the removal, relocation or replacement of a protected tree.

**Comment [RW6]:** Do they mean edible fruit bearing? Their tree palette is mostly angiosperms.

**Comment [TM7]:** Where is this defined? Cite the ordinance where it's defined or define again here .

3. A "tree plan" shall mean a plot plan (scale 1/8 inch = 1 foot, minimally) with all trees on the subject property identified by location, size and species, including:

**Comment [TM8]:** Does the City want to require an arborist report for protected trees that are designated for removal/relocation?

- a. Footprint of all existing and proposed buildings and/or additions to buildings on the property;
- b. Location of all trees within the front and streetside yards, in the adjacent public right-of-way and on adjacent properties within ten feet (10') of the subject property adjacent to the front and streetside yards;
- c. Size (diameter and height) and species of each tree;
- d. Location of drip line for each tree;
- e. Designation of tree(s) to be removed, saved, relocated and/or replaced;
- f. Proposed location, size and type of replacement tree(s);
- g. Photos of all trees in front and streetside yards.

D.

**Preservation of Trees During Grading and Construction Operations.**

1. All protected trees, as defined above, shall be preserved and protected, and may only be removed or relocated with prior approval of a Tree Permit provided they are replaced or relocated in accordance with the provisions of this section.

2. Trees required to be retained shall be protected during demolition, grading, and construction operations by methods outlined in the Tree Protection During Construction Guidelines subject to the approval of the Community Development Director.

3. Care shall be exercised for trees to be preserved so that no damage occurs to said trees. Advisory sign(s) that identify the tree protection requirements shall be clearly posted on the site. All construction shall preserve and protect the health of trees:

- a. Remaining in place;
- b. Being relocated;
- c. Planted to replace those removed;
- d. Adjacent to the subject property.

4. Any tree which is adjacent to the subject property and may be potentially impacted by construction activity on the subject property shall be protected pursuant to the provisions of this chapter.

**Comment [TM9]:** Make consistent

5. No grading or construction, including structures, paving, and walls, that disrupts the root system on private as well as public property, shall be permitted without prior approval by the Community Development Director. As a guideline, no cutting of roots over two inches (2") in diameter should occur within the drip line of the tree as measured at ground level. Where some root removal is necessary as approved by the City the tree crown may require thinning to prevent wind damage.

**Comment [RW10]:** Sometimes this is defined by root protection zone. Earlier defined as within 10' of subject property

6. Required public right-of-way improvements shall take priority over tree preservation, however alternative designs and materials, including but not limited to modified

**Comment [TM11]:** Ruth, I believe there is an ANSI standard and BMPs for tree protection on construction sites. . . . Part 5. This should be reference for application in this ordinance.

**Comment [RW12]:** Check current ISA BMP.

dimensions, permeable surfaces and planter areas with irrigation, shall be considered and implemented, as feasible.

7. Relocation of protected trees shall only be allowed if the Community Development Director determines that the relocation will not be detrimental to the health of the tree or to other protected trees.

8. No fill material shall be placed within the drip line of any tree.

9. The Community Development Department may impose special measures determined necessary to preserve and protect the health of trees to remain on site.

E.

**Tree Permit Applications—Without Building Permit.**

1. Any person desiring to remove or relocate one (1) or more protected trees shall obtain a Tree Permit from the Community Development Department. A fee, as specified in the City's Fee Resolution, shall be required for a Tree Permit.

2. Tree Permit applications shall include a Tree Plan, and written proof of neighbor notification pursuant to applicable permit instructions and may also include an arborist's report.

3. A bond, cash deposit or other financial security, may be required to ensure required replacement trees are planted and/or that existing protected trees are properly protected, as determined to be appropriate by the Community Development Director.

4. The Community Development Director, when approving Tree Permits, shall determine the adequacy and appropriateness of the submitted plan, neighbor input, and other related information.

F.

**Tree Permit—With Building Permit.**

1. Application for a Building Permit shall require a Tree Permit/Acknowledgement and Plan as defined above, if protected trees are located on the property.

2. A Tree Permit shall be required if the proposed project may impact existing trees in the front or streetside yard of the subject property even though removal is not planned.

3. A fee, as specified in the City's Fee Resolution, shall be required for a Tree Permit.

4. A bond, cash deposit or other financial security, may be required to ensure required replacement trees are planted and/or that existing protected trees are properly protected, as determined to be appropriate by the Community Development Director.

5.

Any new residential construction project in Area Districts I and II which exceeds fifty percent (50%) valuation (total estimated cost of reconstructing the entire structure as defined by [Section 10.68.030](#) of this Code) shall be required to plant a minimum of one (1) new thirty-six inch (36") box tree, unless the Director of Community Development determines that it is inappropriate to require additional tree(s) on the property.

G.

**Comment [TM13]:** Yes, there should be a provision to pay in-lieu fees where a suitable replacement tree(s) cannot be relocated on the site. This can be paid to a Tree Mitigation Fund and/or the General Fund depending on the frequency of occurrence.

**Tree Removal Permit Process.** A Tree Permit application is required for the removal and replacement of protected trees.

**1. Criteria and Findings.** In making a determination to approve a Tree Removal Permit application, the Director of Community Development shall require that the following criteria be met:

- a. A finding shall be made that the application is consistent with the Purpose portion of this Section.
- b. The age, species, history, and location of the tree in relationship to other trees, and existing and proposed surrounding structures, utilities and other improvements, shall be considered.
- c. At least one (1) of the following criteria shall be met:
  - i. The tree is dead, or
  - ii. The tree is a health or safety hazard, or is structurally unstable, or
  - iii. The tree is dying or in marginal condition and reasonable alternatives to preserve or rejuvenate the tree have been implemented unsuccessfully or have been analyzed, and are not feasible, or
  - iv. Residential buildings shall take priority over tree preservation, however alternative designs and materials, shall be considered and implemented, as feasible, with the proposed overall design of the project, or
  - v. The tree is causing or will cause in the near future, significant damage to public or private property, which creates a liability, health or safety concern, and cannot reasonably be repaired, maintained or corrected. Trees causing damage to sewers, water lines or other similar private underground utilities, in itself shall not be considered to meet the criteria for removal and replacement, or
  - vi. The tree is obstructing protected solar access as regulated by California State law, Solar Shade Control Act, Public Resources Code 25980-25986, and the tree cannot be reasonably pruned or maintained in accordance with the State requirements.

**2. Arborist Report and Documentation.** The Director may require the applicant to submit a report from an ISA certified arborist or other horticultural professional, and/or historical or other support documentation in order to substantiate that the required criteria and findings have been met. The City arborist and/or other City staff may review the information. All costs shall be the responsibility of the applicant.

**3. Third Party Arborist.** If the applicant's arborist or other horticultural professional is not in agreement with the findings of the City arborist or staff a third party ISA certified arborist, agreed to by the applicant and the City, may be contracted to mediate the situation. The cost of this third party arborist shall be shared between the applicant and the City.

**H. Replacement Trees.** Required replacement trees shall be minimum thirty-six inch (36") box trees for each protected tree removed of an appropriate species and must be planted within ninety (90) days after the removal of the tree, or prior to issuance of a building permit

**Comment [RW14]:** This person currently does not exist?

**Comment [TM15]:** Make sure this title is consistent with the position identified in the UFMP.

**Comment [RW16]:** Very large.

final. Actual sizes, species, location, and quantities of replacement trees are subject to Community Development Director approval. The City street tree list may be used as a guideline by the Director in determining appropriate replacement tree(s). A combination of protected and replacement tree quantities shall not result in less than one (1) protected tree per lot or thirty feet (30') of site frontage. If the Director of Community Development determines that there is not adequate room on the property for replacement tree(s) due to the number of existing trees to remain, then the requirement for replacement trees may be modified or waived.

I. **Exemptions.** Tree removals and alterations exempt from the requirements of this section are as follows:

1. Removal in case of imminent emergency caused by the hazardous or dangerous condition of a tree, requiring immediate action for the safety of life or property (e.g., a tree about to topple onto a dwelling due to heavy wind velocities) with the prior approval of the Director of Community Development or his or her designee if a subsequent application for a Tree Permit is filed within five (5) working days.
2. Removal of any tree that is determined to be a public nuisance in accordance with [Section 7.32.070](#), with prior approval of the Directors of Community Development and Public Works or his or her designee if a subsequent application for a Tree Permit is filed within five (5) working days.
3. Removal of deciduous fruit-bearing trees, *Washingtonia robusta*, or *Washingtonia filifera*.
4. Public utility actions, under the jurisdiction of the Public Utilities Commission of the State of California, as may be necessary to comply with their safety regulations, or to maintain the safe operation of the facilities.
5. Cutting of tree branches and roots extending across property lines into adjacent property, to the extent that the pruning complies with the American National Standards Institute (ANSI A300) standards and does not damage or potentially damage the health and structure of the tree(s).
6. Cutting of tree branches and roots to the extent that the pruning complies with the American National Standards Institute (ANSI A300) requirements and does not damage or potentially damage the health and structure of the tree(s).

J.

**Tree Trimmers Permit.**

1. **Permit Requirements.** Any person pruning any private property protected tree in the City must have a Tree Trimmers Permit. Residents are responsible for hiring City licensed Tree Trimmers. Residents pruning their own trees are exempt from obtaining a Tree Trimmers Permit but must still comply with the ANSI A300 standards.

2. **Standards.**

a. **All Tree Trimmers and Residents.** Protected trees must be pruned in accordance with ANSI A300 pruning standards, which include, but are not limited to, the following standards:

- i. Generally no more than twenty-five percent (25%) of living foliage should be removed annually, and
- ii. Topping of trees is generally prohibited.

b. **All Tree Trimmers.** The following standards must also be met when pruning protected trees:

All trimming, pruning, and other maintenance of a protected tree shall be completed and/or directly supervised by an ISA Certified Arborist or ISA Certified Tree Worker

- i. A notice provided by the City shall be posted on the site, in accordance with the requirements stated in the Tree Trimmers Permit.
- ii. The State of California may require contractor's to have one (1) of the following licenses if the total cost of the job exceeds a dollar value established by the State:
  - aa. C27—Landscaping Contractor, or
  - bb. C61—Limited Specialty Classification and D49 Tree Service.

K.

**Non-liability of City.** Nothing in this section shall be deemed to impose any liability for damages or a duty of care and maintenance upon the City or upon any of its officers or employees. The person in possession of any private property shall have a duty to keep the trees upon the property and under his control in a safe and healthy condition.

L.

**Violation/Penalties.** Violation of this chapter shall be punishable as a misdemeanor or an infraction subject to the discretion of the City Prosecutor with the following additional penalties:

1. **Suspension, Revocation and Restoration.** In addition to any other penalties allowed by this Code, the Director of Community Development may suspend any Tree Permit. The Planning Commission or City Council may suspend the Tree Permit for a Discretionary Project upon a finding at a public hearing that a violation of conditions of approval has occurred.

2. **Stop Work Orders.** Whenever any construction or work is being performed contrary to the provisions of this section or condition of approval of the applicable discretionary project the Director of Community Development may issue a written notice to the responsible party to stop work on the project on which the violation has occurred or upon which the danger exists. The notice shall state the nature of the violation and the risk to the trees. No work shall be allowed until the violation has been rectified and approved by the Director of Community Development.

3. **After-the-Fact Permit Fees.** The standard permit fee shall be doubled for tree removals or other work requiring a Tree Permit pursuant to this section when commenced prior to issuance of said permit.

M.



**Administrative Fines.** The Director of Community Development may impose a fine against any person who is in violation of any provision of this section. Such fine shall be a range as specified in the City Fee Resolution. The proceeds of all administrative fines imposed under this section shall be placed in a "Tree Canopy Restoration Fund" to be used solely for the replacement and maintenance of trees in the public right-of-way or on public property within the City.

1. Any person upon whom a fine is considered to be imposed pursuant to this section shall be entitled to a written notice of the pending decision of the imposition of the fine within ten (10) calendar days of the decision of the imposition of the fine. The notice shall state the amount of the fine, the reason for the proposed imposition of the fine and the authority for imposing the fine. The notice shall also state that the person upon whom the fine is proposed to be imposed has a right to request a hearing to protest the proposed decision of imposition of the fine and the time and method by which a hearing may be requested.
2. Any person upon whom a fine authorized by this section is proposed to be imposed may request, in writing, a hearing to protest the proposed fine. The request must be filed with the City Clerk within ten (10) calendar days from the mailing date of the notice of the proposed fine. The failure to timely file a written request for a hearing shall constitute a waiver of the right to a hearing.
3. Upon timely receipt of a request for a hearing, the City shall, within ten (10) calendar days of receipt of such a request hold a hearing to be presided over by the Director of Community Development or his or her designee. This presiding officer shall determine the procedure and rules for the conduct of the hearing. The ruling of the presiding officer, notwithstanding any other provision of this Code shall be final.
4. If the Director determines that a fine is due, and the fine imposed by this section is not paid within fifteen (15) calendar days of its becoming due and payable the City may file a lien in the amount of the fine plus interest at the legal rate, which may be recorded on any property owned by the individual subject to the fine which is located in the City.
5. In the event that a civil action is filed regarding any provision of this subsection M, the City shall be entitled to attorney fees if it prevails.

N.

**Effective date—Appeals.** Unless appealed in accordance with [Chapter 10.100](#), a Tree Permit decision shall become effective after expiration of the time limits for appeal set forth in [Section 10.100.030](#)

*(Ord. No. 1884, Enacted August 19, 1993; § 2, Ord. 2045, eff. May 6, 2003, as amended by § 2, Ord. 2082, eff. March 21, 2006; §§ 2—9, Ord. 2121, eff. April 3, 2009)*



**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Liza Tamura, City Clerk

**SUBJECT:**

Minutes:

This Item Contains Minutes of City Commission Meetings. Staff Recommends that the City Council, by Motion, Take Action to Receive and File the Minutes of the:

- a) Parking and Public Improvements Commission Meeting of April 23, 2015 (Continued from the 5-19-15 City Council Meeting)  
(Community Development Director Lundstedt).
- b) Planning Commission Meeting of May 13, 2015  
(Community Development Director Lundstedt).
- c) Parks and Recreation Commission Meeting of May 18, 2015  
(Parks and Recreation Director Leyman).

**RECIEVE AND FILE**

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**RECOMMENDATION:**

Staff recommends that the City Council, by motion, take action to receive and file the minutes of the City Commissions.

**Attachments:**

1. Parking and Public Improvements Commission Minutes of April 23, 2015
2. Planning Commission Minutes of May 13, 2015
3. Parks and Recreation Commission Minutes of May 18, 2015



**CITY OF MANHATTAN BEACH  
PARKING AND PUBLIC IMPROVEMENTS COMMISSION  
DRAFT MINUTES OF A REGULAR MEETING  
April 23, 2015**

**A. CALL TO ORDER**

The regular meeting of the Parking and Public Improvements Commission of the City of Manhattan Beach, California, was held on the 23rd day of April, 2015, at the hour of 6:34 p.m., in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

**B. ROLL CALL**

Present: Nicholson, King and Apostol.  
Absent: Lipps and Fournier.  
Staff Present: Traffic Engineer Zandvliet, Senior Planner Jester, Associate Planner Masters, Public Works Director Olmos, City Engineer Parco  
Clerk: Kozak.

**C. APPROVAL OF MINUTES**

**04/23/15-1 March 26, 2015**

Approved with no corrections.

**D. AUDIENCE PARTICIPATION**

Chair Nicholson opened the Audience Participation (3-Minute Limit).

None.

**E. GENERAL BUSINESS**

**04/23/15-2 Long-Term Commercial Use Encroachment Permit at 124 Manhattan Beach Boulevard**

Traffic Engineer Zandvliet introduced Jason Masters, Assistant Planner.

Jason Masters gave a presentation on the Long-Term Commercial Use Encroachment Permit. He stated staff recommends that the P.P.I.C. consider the request at 124 Manhattan Beach Boulevard, (BREWCO) to permit two patio heaters attached to the existing eave in the public right-of-way over the sidewalk. He stated the

Commissioner's recommendation for the Long-Term Commercial Use Encroachment Permit request would be forwarded accordingly to the City Council for final action.

Chair Nicholson opened the Audience Participation.

### **Audience Participation**

**Michael Zislis, Applicant and Business Owner**, stated he was proud of the design for the installation of the heaters and they met all requirements and codes. He explained the heaters were safe and felt there shouldn't be any problems with the location.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Chair Nicholson said he was ready to vote, Commissioners King and Apostol agreed they were, too.

**MOTION:** Chair Nicholson made a motion to recommend that the City Council approve the Long-Term Commercial Use Encroachment Permit to allow two patio heaters at 124 Manhattan Beach Blvd. The motion was seconded by Commissioner King.

Ayes: King, Apostol and Nicholson.  
Noes: None.  
Abstain: None.  
Absent: Lipps and Fournier.

### **04/23/15-3 Presentation of South Bay Bicycle Mini-Corral Plan**

Traffic Engineer Zandvliet explained that staff recommends the Commission receive the presentation, hear public comments and discuss the South Bay Bicycle Mini-Corral Plan.

Ryan Johnson, Consultant with Alta Planning + Design gave a presentation on the designs, potential locations and funding of the Bicycle Mini-Corrals.

Chair Nicholson opened the Audience Participation.

### **Audience Participation**

**David Sundius, Manhattan Beach Resident**, said he thought it was a great idea and really liked it.

**Julian Katz, President of the South Bay Bicycle Coalition, Hermosa Beach Resident,** said the intention of these Bicycle Mini-Corrals was to place them in the downtown areas of the cities close to businesses to encourage people to ride their bikes instead of driving a car. He explained that so far they have not taken away any current parking spaces when the Bicycle Mini-Corrals were installed. He encouraged the Commission to approve the plan.

**James R. Gill, 3017 Valley Drive,** said he thought it was a good idea to use some of the dead space downtown for the Bicycle Mini-Corrals, but he had some concerns about the bikes taking ownership of the road and affecting the flow of traffic. He felt the city should start small when installing the Bicycle Mini-Corrals.

**Bob Ives, 3609 Oak Ave.,** stated he thought it was a good idea but felt the Bicycle Mini-Corrals do need some kind of barriers or striping for the safety of the cyclists. He said he was concerned about the downtown businesses employees taking all the spaces and the lack of turnover of the spaces for the residents use. He asked about enforcement to prevent the bikes from being left for days or even weeks.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Commissioner Apostol asked if there was any feedback from the other cities involved in this plan and who initiates the Grant Program.

Ryan Johnson answered that all the participating cities were excited to get started with the plan. He said the one question he had not heard was the one about leaving the bicycles locked for days at a time. He stated he wasn't sure what could be done to control that if it happened.

Traffic Engineer Zandvliet answered that bicycles fall under the same 72 hour parking law as vehicles, which is enforceable, and the bicycle could be removed if necessary. Traffic Engineer Zandvliet then answered Commissioner Apostol's question in regards to the Grant Program saying it would be himself who would apply for any Grants.

Chair Nicholson asked if this type of idea for bicycles is going to carry over to the new Mall design.

Laurie Jester, Planning Manager, answered yes there are very detailed conditions that require bicycle access and facilities within the Mall design.

The Commissioners and Traffic Engineer Zandvliet thanked Ryan Johnson for his presentation and said that all the information would be forwarded to the City Council for review and their ultimate approval.

**04/23/15-4 Review of Proposed Fiscal Year 2015-16 Capital Improvements Plan**

Traffic Engineer Zandvliet introduced Tony Olmos, Director of Public Works who recommended that the Commission review the proposed Fiscal Year 2015-16 Capital Improvement Plan and provide comments that will be forwarded to the City Council.

Tony Olmos then introduced Joe Parco, City Engineer who gave an in-depth presentation on the Capital Improvement Plan.

Various commissioners asked for more detailed explanation of various projects. City Engineer Parco and Public Works Director Olmos provided more information on particular projects.

Chair Nicholson thanked Tony Olmos and Joe Parco for a great job on a very detailed report.

Chair Nicholson opened the Audience Participation.

**Audience Participation**

**James R. Gill, 3017 Valley Drive**, commented that he was looking forward to almost a brand new City over the next five years.

Chair Nicholson closed the Audience Participation.

Traffic Engineer Zandvliet said the Commissioner's questions and comments were noted and would be included and incorporated in the City Council Report.

**04/23/15-5 Consider Traffic Calming Measures at Valley Drive/Oak Avenue/35th Street**

Traffic Engineer Zandvliet gave his presentation and recommended that the Commission approve a motion to recommend that the City Council approve the installation of a temporary single point intersection with a center median island (Concept G) at the intersection of Valley Drive/Oak Avenue/35th Street on a trial basis.

Chair Nicholson opened the Audience Participation.

**Audience Participation**

**Bob Ives, 3609 Oak Ave.**, said he was confused on what was trying to be accomplished. He explained that there has never been an accident at that intersection. He said he agreed with the residents who live at Ross Manhattan Terrace Senior



Apartments that it is very hard to get out of their driveway onto Valley Drive, but the changes that are suggested look like gridlock and very confusing and will not do anything to help the senior apartments.

**Anne Rose, 3525 Elm Ave.,** stated she is against a stop sign and felt the city needs to work with the Ross Manhattan Terrace Senior Apartments to try and increase the visibility to make it safer for them to exit their driveway.

**James R. Gill, 3017 Valley Drive,** commented that he was not even aware of the issue and thought the City should do better on notification to the residents. He said he was not in favor of a stop sign or anything that kept the intersection from being free flowing. He explained that he does want to see something done to help with the visibility for the seniors to exit their driveway. He said he liked the left turn and thought signage would help.

**Fran Schiff, 3504 Pine Ave.,** said she is not in favor of a stop sign, but she did like some of the ideas presented by Traffic Engineer Zandvliet.

**Bonney Larson, 3524 Elm Ave.,** said she is not in favor of a stop sign because it would back up traffic and cause to many other problems.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Commissioner King said it seemed that most of the residents are not in favor of a stop sign, but are in favor of the left hand turn lane and the center median.

Commissioner Apostol agreed with Commissioner King about the left hand turn lane and the center median.

Chair Nicholson stated he felt there wasn't enough being discussed to help the seniors exiting their driveway safely. He said he wanted to be sure that whichever concept the Commission decides on, it will help them.

The Commissioners and Traffic Engineer Zandvliet discussed different elements within Concepts A-G provided by Traffic Engineer Zandvliet. All the Commissioners agreed to use several measures from Concepts A-G to help with the traffic calming on Valley Drive.

**MOTION:** Chair Nicholson made a motion to recommend that the City Council approve the installation of the following: a crosswalk at Oak Avenue/35th Street, a curb bump out near the Ross Manhattan Terrace, a northbound left hand turn lane at Valley Drive to Oak Avenue, a center median from Sepulveda Boulevard to Oak Avenue and a speed awareness sign on Valley Drive on a trial basis. The motion was seconded by Commissioner King.

Ayes: King, Apostol and Nicholson.  
Noes: None.  
Abstain: None.  
Absent: Lipps and Fournier.

**F. OTHER ITEMS**

**04/23/15-6 Monthly Revenue and Expenditure Reports: Receive and File.**  
Received and Filed.

**04/23/15-7 Commission Items**

None.

**04/23/15-8 Staff Follow-up Items**

Traffic Engineer Zandvliet explained the temporary parking permit plan that had been implemented after the March 26th meeting until the Commission and the City Council establish a policy for the Downtown Residential Override Parking Program. Traffic Engineer Zandvliet said that staff sent notices to the walkstreet residents west of Valley Drive, informing them they could apply for a temporary parking permit that would be valid until Labor Day. He stated the permits are free, the requestor must show proof of residence, the temporary permits are issued on a case by case as needed basis, and the permits allow the permit holder to park on any streets that have posted parking restrictions.

**G. ADJOURNMENT**

The meeting was adjourned at **9:20 p.m.** to the regular Parking and Public Improvements Commission Meeting on Thursday, May 28, 2015, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

**CITY OF MANHATTAN BEACH  
PLANNING COMMISSION MEETING ACTION MINUTES**

**May 13, 2015**      **Council Chambers – 1400 Highland Avenue**      **6:30 P.M.**  
Final Decisions Made Tonight Will be Scheduled for City Council Review on June 2, 2015  
(Unless otherwise stated at the meeting)

1.    CALL MEETING TO ORDER                      **6:30 P.M.**
  
2.    PLEDGE TO FLAG
  
3.    ROLL CALL                                      **CHAIRPERSON ORTMANN, CONAWAY  
HERSMAN, BORDOKAS, ANDREANI**
  
4.    AUDIENCE PARTICIPATION                      **(3-Minute Limitation)**  
The public may address the Commission regarding any item of City business not on the agenda.
  - a.    Public inquiry about any proposed development for northeast corner of Rosecrans and Highland
  
5.    APPROVAL OF MINUTES  
  
05/13/15-1.      Regular meeting – April 29, 2015                      **APPROVED WITH REVISIONS  
(5:0)**
  
6.    PUBLIC HEARING  
  
05/13/15-2.      Consideration of Amendments to the Municipal Code and Local Coastal Program (LCP) to Include a Council Review Procedure for Quasi-Judicial Decisions and Modernizing Chapters 10.100 and A.96.160 (Appeals), and Chapters 10.12 and A.12 (Residential Districts) and Related Municipal Code and LCP Sections Regarding Commercial and Transient Uses in Residential Zones.  
**CONDUCTED PUBLIC HEARING, ADOPTED RESOLUTION AND RECOMMENDED APPROVAL TO CITY COUNCIL WITH REVISIONS TO THE FOLLOWING: 1) ADDRESS SUB-LEASING, 2) CROSS-REFERENCE BUSINESS LICENSE CODE, 3) ENFORCEMENT, AND 4) RENTAL TERMS (3:2 – ORTMANN AND CONAWAY VOTED NO)**
  
7.    DIRECTOR'S ITEMS
  - a.    Planning Commission responses to emails from the public
  - b.    Recognized outgoing Commissioner Andreani
  
8.    PLANNING COMMISSION ITEMS
  - a.    Acknowledged outgoing Commissioner Andreani
  
9.    TENTATIVE AGENDA                      May 27, 2015                      **NONE**
  
10.   ADJOURNMENT TO                      May 27, 2015                      **MEETING ADJOURNED  
AT 8:20 P.M.**  
  
May 27, 2015      June 10, 2015      June 24, 2015      July 8, 2015      July 22, 2015

Meetings are broadcast live through Manhattan Beach Local Community Cable Channels (Time Warner Channel 8 and Verizon Channel 35), and Live Webcast via the City's website. Most meetings are rebroadcast at 12:00 PM and 8:00 PM on the Friday and Sunday following the Wednesday meeting on the Community Cable Channels and Live Webcast. If a City Council meeting falls in the same week as a Planning Commission meeting, the Commission meeting will be replayed the next week on Thursday at Noon. Meetings are archived at [www.cityymb.info](http://www.cityymb.info).





**CITY OF MANHATTAN BEACH  
PARKS AND RECREATION COMMISSION**

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May 18, 2015  
Manhattan Beach City Hall  
1400 Highland Ave.  
Manhattan Beach, CA 90266  
6:30 PM

**A G E N D A**

**A. CALL TO ORDER**

**B. PLEDGE TO THE FLAG**

**C. ROLL CALL**

Commissioner Rothans  
Commissioner Allard  
Commissioner Paralusz  
Commissioner Allen

Commissioner Manna  
Commissioner Jones  
Commissioner Zaun

**D. APPROVAL OF MINUTES**

April 27, 2015

**E. CEREMONIAL**

Certificate of Appreciation – Adam Zaun

**F. AUDIENCE PARTICIPATION (3-Minute Limit)**

**G. GENERAL BUSINESS**

Selection of 2015/2016 Parks and Recreation Commission Chair

**H. COMMISSION ITEMS**

Discussion RE Update and Status RE “Salute to the Troops” Picnic & Concert - 2015

**I. STAFF ITEMS**

Update on Parks and Recreation Programs and Events

**J. ADJOURNMENT**

**CITY OF MANHATTAN BEACH**  
**MINUTES OF THE PARKS AND RECREATION COMMISSION**  
**Manhattan Beach City Hall**  
**1400 Highland Ave.**  
**Manhattan Beach, CA 90266**  
**April 27, 2015**  
**6:30 PM**

CONTENTS

**A. CALL TO ORDER**

The meeting was called to order at 6:33 PM.

**B. PLEDGE TO THE FLAG**

**C. ROLL CALL**

Present: Commissioners Rothans, Allard, Manna, Allen, Jones and Paralusz

Absent: Commissioner Zaun

Others present: Director, Parks and Recreation Mark Leyman  
Recording Secretary Linda Robb

**D. APPROVAL OF MINUTES**

Commissioner Manna moved to approve the March 23, 2015 minutes as written. The motion was seconded by Commissioner Allard. The motion passed.

Ayes: Commissioners Rothans, Allard, Manna, Allen, Paralusz and Jones

Nays: None

Abstain: None

Absent: Commissioner Zaun

**E. CEREMONIAL**

Dial A Ride Roadeo Winners – The Commission recognized Dial A Ride drivers , Sabrina Johnson, Francisco Medina, Ulysses Rivas and Jorge Rosit for their 2<sup>nd</sup> Place Team win and individual wins at the CalAct/RTAP Spring Roadeo held at the Victor Valley Transit Authority.

**F. AUDIENCE PARTICIPATION (3-Minute Limit)**

Commissioner Rothans opened the floor to audience participation.

Gary McAulay (resident) – Mr. McAulay was asked to review and fact check the educational panels to be installed as part of the Leadership Manhattan Beach binoculars project. He made some recommendations regarding some historical errors and apologized if there were any hurt feeling. He believes that the information that goes on the pier is for everyone and the information should be correct. He also stated that because additional binoculars were added near the Roundhouse, the Roundhouse staff requested Roundhouse related content.

Commissioner Manna stated that 6 locations went up for Coastal Commission approval for four final locations. If the two additional locations on the pier by the Roundhouse are not approved, they will be placed at the parking lot and comfort station locations.

Commissioner Paralusz thanked Mr. McAulay for his work on the project as it is important that the information on the panels be accurate.

Commissioner Jones thanked Mr. McAulay for standing up and defending his position in the face of opposition and deadlines.

The floor was closed to public comment.

**G. GENERAL BUSINESS**

none

**H. COMMISSION ITEMS**

Commissioner Jones requested clarification on how communication is to be done.

Commissioner Rothans mentioned that the Brown Act prohibits communications but doesn't prevent from asking Director Leyman for updates as long as the Commissioners are not speaking to each other in a majority. Director Leyman agreed to provide updates when received from the subcommittees.

**Discussion RE Update and status RE "Salute to the Troops Picnic & Concert 2015"**

Commissioner Rothans addressed sponsorship – No large donors have been secured so Plan A is being abandoned.

Plan B is to ask local merchants for \$250 donations. Commissioner Allard stated that he and Commissioner Manna personally visited about 500 merchants throughout town. Commissioner Manna stated that he had covered Manhattan Village and the downtown area.

Commissioner Rothans presented Commissioners Manna and Allard with thank you gifts.

Commissioner Rothans reported that some donations had already been received. He reported that Chase Bank had indicated that they would like to donate \$250 and asked if they would be able to have a booth to offer free military checking accounts. Director Leyman stated that \$1500 for a booth and other acknowledgement in marketing materials falls in line with the Concerts in the Park. The commission agreed that a sponsor could have a booth at the event for their \$1500 (including in kind) sponsorship and that the deadline would need to be May 15<sup>th</sup>. Commissioner Rothans announced that David Favorite of Bristol Farms has offered 50 cases of water to be distributed at the event and is contacting the Corporate office to try to get 200 cases.

Commissioner Rothans reported that James Gill has requested a booth for First Command and has offered to donate \$1500 to cover the cost of the 3<sup>rd</sup> Marine Aircraft Wing Band in exchange for a booth at the event and the company logo on promotional materials. Mr. Gill would like messaging to reflect that the band is sponsored by First Command. Commissioner Jones stated that she is not comfortable with the "First Command sponsors the band" wording. The Commission reached consensus that the specific reference would not be allowed. Director Leyman will contact James Gill.

Commissioner Rothans attended a Boy Scout Troop 713 meeting last week and stated that there is a lot of excitement. The Scouts have met with veterans and are gathering video and having great experiences as a result. They wanted to know how to help promote the event. Commissioner Rothans told them that they could distribute the posters in Manhattan Beach and the surrounding areas. He stated that the Scoutmaster has made the Salute to the Troops event mandatory. Commissioner Rothans asked that a post card be produced to help the Scouts market the event. He stated that Troop 849 would like to bring flags to follow the color guard. The Girl Scouts, Julie Justus McGinity, service unit

manager for MB neighborhood Girl Scouts, also offered the help of the Girl Scouts. He reported that James Gill is making arrangements for a Color Guard from the local Air Force base.

Commissioner Jones stated that it would be great to hand out small flags instead of the other giveaways. Commissioner Allard will look into the cost of the small flags.

Commissioner Manna asked if private donations would be accepted. The Commission agreed that there is no reason not to.

Commissioner Rothans distributed a draft of the proclamation and asked that all changes or suggestions be sent to Mark. Commissioner Manna stated that we should consider a Salute to the Troops day instead of week, and that the final draft go through City Clerk, Liza Tamura first. The Commission agreed to change it to a day.

The Commission discussed the design of the promotional poster and which sponsor logos could appear. Director Leyman stated that the size of the logos could be based on the size of the donation.

The Commission decided that the promotional materials should be distributed 30 days before the event.

Commissioner Jones asked if the USO logo could be included on the promotional materials. The Commission agreed that is acceptable.

Commissioner Jones asked if it would be possible to get Journey of Faith and American Martyrs to advertise the event on their message boards. Commissioner Allard mentioned the Mira Costa message board. Commissioner Allen stated that if they could not advertise the event itself, perhaps they could advertise the Jazz Band performance.

Commissioner Manna mentioned that Rick Dickert from Good Day LA might be interested in emceeding the event and that he would reach out to him. Commissioner Jones brought up the Vox DJ option. Commissioner Rothans stated that they could make a decision at the next meeting.

Commissioner Manna mentioned getting ahold of the Tiger Spies for a possible fly over. Commissioner Paralusz stated that it is a nice idea but it would be very complicated with all of the approvals that would be needed. It was decided to table the issue until next year.

Commissioner Manna spoke with Ricky Arakaki from Pelican signs regarding signage. Mr. Arakaki could produce some sponsor appreciation signs for about \$175 per sign. Commissioner Paralusz stated that if there is enough money for it, it sounds great. Commissioner Manna will keep in touch with Mr. Arakaki.

Commissioner Jones asked if there would be a video screen. She stated that if a video screen was available, there could be slides for sponsors.

Commissioner Rothans stated that letters had been sent out to service organizations, veterans organizations and military entities to promote the event.

Commissioner Paralusz asked if anyone had contacted the Beach Reporter to reserve a space in the May 25<sup>th</sup> issue, preferably the full page opposite the Manhattan Beach news page. Commissioner Jones stated that there are many potential feature story possibilities, such as the Scout involvement, etc. Director Leyman stated that free marketing will be pursued and internally, the word will be out 30 days prior. Commissioner Jones stated that going to a Chamber meeting to promote the event would be a good thing.

The Commissioners will work to find a local veteran or service member who might be



able to accompany a Commissioner to a Chamber meeting.

Commissioner Manna will contact Kelly Strohman of the Downtown Business Association to talk about the event.

The next meeting will be scheduled for May 18<sup>th</sup> due to the Memorial Day Holiday.

Commissioner Jones asked if the band has signed a contract and are firm. Commissioner Rothans stated that the band is firm but have not done the paper work.

Commissioner Allard stated that Tony Olmos would be speaking at the Dine and Discover regarding water issues.

## **I. STAFF ITEMS –**

Director Leyman gave the following updates:

- Art opening for Jim Murray – Titled, *Been There, Done That, Doing This*, opening reception 7:00-9:00 pm Thursday, April 30th
- Library Grand Opening Friday, May 1<sup>st</sup>, 4:00 pm
- Feelgood Festival – 1st Annual Festival featuring yoga, music, etc. May 9th

Commissioner Paralusz inquired about the Skatepark and consultant. Director Leyman will be meeting with the Consultant to talk about scheduling community meetings and other deliverables.

## **J. ADJOURNMENT**

Commissioner Allard moved to adjourn. Commissioner Manna seconded the motion. The motion passed. The meeting was adjourned at 08:15 p.m.

Ayes: Commissioners Rothans, Allard, Manna, Allen, Paralusz and Jones

Nays: none

Abstain: none

Absent: Zaun

CITY OF MANHATTAN BEACH

MEMORANDUM

TO: Parks and Recreation Commission

FROM: Mark Leyman, Director, Parks and Recreation

DATE: May 15, 2015

SUBJECT: Selection of 2015/2016 Cultural Arts Commission Chair

Annually, the Parks and Recreation Commission is required to select a Chair and Vice Chair for the Commission. In the past, chairs have been selected on a seniority basis. Commissioner Thomas Allard would be next in line to serve as Chair, followed by Commissioner Russ Allen. Although this has been the past practice, it is not the rule. The Commission has the right to choose any member of the Commission they feel is most qualified.

**Agenda Date:** 6/2/2015

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Bruce Moe, Finance Director

**SUBJECT:**

Financial Report:  
Schedule of Demands: May 7, 2015 (Finance Director Moe).

**RECEIVE AND FILE**

---

**RECOMMENDATION:**

Staff recommends that the City Council ratify the attached schedule of demands, and receive and file this report.

**FISCAL IMPLICATIONS:**

The financial report included herein is designed to communicate fiscal activity based upon adopted and approved budget appropriations. No further action of a fiscal nature is requested as part of this report.

The total value of the warrant register for May 7, 2015 is \$2,091,290.30.

**BACKGROUND:**

Finance staff prepares a variety of financial reports for the City Council and the Finance Subcommittee. A brief discussion of the enclosed report follows.

**DISCUSSION:**

Ratification of Demands:

Every two weeks staff prepares a comprehensive listing of all disbursements (warrant and payroll registers) with staff certification that the expenditure transactions listed have been reviewed and are within budgeted appropriations.

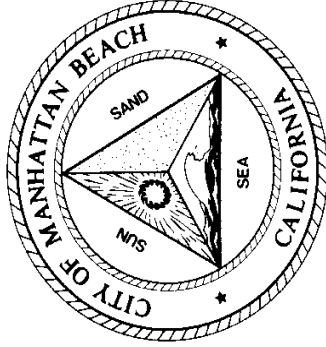
**CONCLUSION:**

Staff recommends that the City Council receive and file the attached financial report.

Attachment:

1. Schedule of Demands Register for May 7, 2015

# City of Manhattan Beach




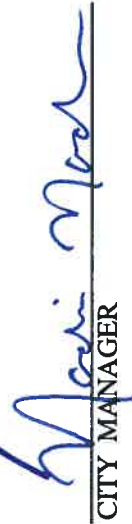
## Schedule of Demands

May 7, 2015

**CITY OF MANHATTAN BEACH**  
WARRANT REGISTER

WARRANT(S) WR 23b  
DATED: 05/07/2015

I HEREBY CERTIFY THAT THE CLAIMS OR DEMANDS COVERED BY THE ABOVE WARRANT(S) IN THE AMOUNT OF \$2,091,290.30 HAVE BEEN REVIEWED AND THAT SAID CLAIMS OR DEMANDS ARE ACCURATE, ARE IN CONFORMANCE WITH THE ADOPTED BUDGET, AND THAT THE FUNDS ARE AVAILABLE THEREOF.

  
 \_\_\_\_\_  
 FINANCE DIRECTOR  
 THIS 2ND DAY OF JUNE  
  
 \_\_\_\_\_  
 CITY MANAGER

WARRANT REGISTER(S)	WR 23b	WARRANT(S)	23b	982,911.61
		PREPAID WIRES / MANUAL CKS	23b	270,664.88
		<b>SUBTOTAL WARRANTS</b>		<u>1,253,576.49</u>
		VOIDS	23b	0.00
		PAYROLL	PY	837,713.81
		<b>TOTAL WARRANTS</b>		<u><u>2,091,290.30</u></u>

**CITY OF MANHATTAN BEACH  
WARRANT REGISTER**

WR 23b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
50115	5/1/2015	T	CALPERS	GASB68 ACTUARIAL REPORTS	3,350.00
51115	5/11/2015	T	UNION BANK	F.I.T./MEDICARE/S.I.T.	266,474.88
<b>SUBTOTAL</b>					<b>269,824.88</b>
518918	5/7/2015	N	ADLERHORST INTERNATIONAL INC	OFF-SITE K-9 MONTHLY TRAINING	150.00
518919	5/7/2015	N	ADMINSURE INC	CLAIMS ADMINISTRATION	20,546.30
518920	5/7/2015	N	ALL CITY MANAGEMENT SVCS	CROSSING GUARD SERVICES	6,278.16
518921	5/7/2015	N	MACAULAY ANDERSON	FIRE RESERVE	175.00
518922	5/7/2015	N	AQUA FLO	IRRIGATION SUPPLIES CONTRACT	1,946.97
518923	5/7/2015	N	ARAKELIAN ENTERPRISES INC	STREET SWEEPING EXTRAS	31,682.75
518924	5/7/2015	N	ARMORCAST PRODUCTS COMPANY	18-08713PF WATER VAULT	6,375.66
518925	5/7/2015	N	ASSA ABLOY ENTRANCE SYSTEMS US	RFP# 738-08 AUTOMATIC DOOR MAINTEN/	2,209.10
518926	5/7/2015	N	AT&T MOBILITY	CELLULAR CHARGES	4,028.77
518927	5/7/2015	N	B & B RESTAURANT & BAKERY EQUI	REACH-IN REFRIGERATOR	1,520.55
518928	5/7/2015	N	BEACH CITIES HEALTH DISTRICT	CDBG	18,657.50
518929	5/7/2015	N	BERLITZ LANGUAGES INC	CONTRACT SERVICES	450.00
518930	5/7/2015	N	NICHOLAS BRAASCH	REIMBURSEMENT-TRAVEL EXPENSE	327.26
518931	5/7/2015	N	CHRISTINA MARIE BROOME	WATER AEROBICS INSTRUCTOR	120.00
518932	5/7/2015	N	CA NEWSPAPER PARTNERSHIP	ADVERTISING	4,188.00
518933	5/7/2015	N	CA TEAMSTERS LOCAL 911	DUES (MISC): PAYMENT	6,027.00
518934	5/7/2015	N	CA WATER SERVICE COMPANY	WATER SERVICE	118.24
518935	5/7/2015	N	CAPITAL ONE NATIONAL ASSN	MISC SUPPLIES-COSTCO	902.54
518936	5/7/2015	N	STEVEN LEE CASTAGNOLA	DRIVING TRAINING SIMULATOR TRAINING	1,320.00
518937	5/7/2015	N	CELLCO PARTNERSHIP	CARDIAC MONITOR DATA LINES	67.45

CITY OF MANHATTAN BEACH  
WARRANT REGISTER

WARRANT BATCH NUMBER:

WR 23b

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
518938	5/7/2015	N	CHEVRON	GASOLINE	1,562.95
518939	5/7/2015	N	CLE ELECTRIC INC	ON-CALL ELECTRICIAN	780.00
518940	5/7/2015	N	CLEANSSTREET	LANDSCAPE SERVICES EXTRAS	7,881.62
518941	5/7/2015	N	COUNTY OF LOS ANGELES	CONTROLLED SUBSTANCE CHARGES	486.00
518942	5/7/2015	N	CRISTANDO HOUSE INC	REGISTRATION-HOSTAGE SURVIVAL	100.00
518943	5/7/2015	N	R CRAIG CROTTY	ARBORIST SERVICES	937.50
518944	5/7/2015	N	CROWN BLDG MAINTENANCE CO INC	JANITORIAL SERVICES EXTRAS	2,570.00
518945	5/7/2015	N	CHRIS DAVIS	WEBSITE DESIGN-MAYORS YOUTH COUNC	1,000.00
518946	5/7/2015	N	DOUGLAS DECASTRO	BANNERS, DECALS, SIGNAGE	392.40
518947	5/7/2015	N	DIV OF THE STATE ARCHITECT	SB1186 FEES-1ST QUARTER	591.29
518948	5/7/2015	N	DOWNTOWN MB BUS & PROF ASSN	MB FIT INITIATIVE	125.00
518949	5/7/2015	N	EDUCATIONAL CREDIT MGMT CORP	EARNINGS WITHHOLDING	435.10
518950	5/7/2015	N	CHRISTIAN EICHENLAUB	REIMBURSEMENT-TRAVEL EXPENSE	230.74
518951	5/7/2015	N	EXPERIAN INFO SOLUTIONS INC	JOB APPLICANT CREDIT CHECKS	77.94
518952	5/7/2015	N	FAIRBANK MASLIN MAULLIN	SERVICES FOR RESIDENT SURVEY	19,900.00
518953	5/7/2015	N	FIRST CALL STAFFING INC	CONTRACT SERVICES-COMPUTER	1,836.00
518954	5/7/2015	N	FLEMING ENVIRONMENTAL INC	ENVIRONMENTAL INSPECTIONS CERTIFIC	6,760.58
518955	5/7/2015	N	FRESH AND EASY	REFUND TEMPORARY SIGN PERMIT	602.00
518956	5/7/2015	N	FRONTIER FORD	PD EXPLORER (V#131) & PW CMAX (V#204	31,510.06
518957	5/7/2015	N	TONY FRYKLUND	VEHICLE GRAPHICS	584.55
518958	5/7/2015	N	ARMANDO GARCIA	PARKS & RECREATION REFUN	18.00
518959	5/7/2015	N	GENERAL PUMP CO INC	BLOCK 35 BOOSTER PUMP# 1 REPAIR	7,500.00



CITY OF MANHATTAN BEACH  
WARRANT REGISTER

WARRANT BATCH NUMBER:

WR 23b

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
518960	5/7/2015	N	JOSEPH DANE GIESREGEN	FIRE RESERVE	175.00
518961	5/7/2015	N	GOLDEN HEART RANCH	SPECIALTY INSTRUCTOR	1,152.00
518962	5/7/2015	N	GRADES OF GREEN	VERTE SPONSORSHIP TABLE	5,000.00
518963	5/7/2015	N	CHRISTOPHER MICHAEL GRAFTON	FIRE RESERVE	175.00
518964	5/7/2015	N	GROUP DELTA CONSULTANTS INC	SEPULVEDA WATER MAIN-SOILS TESTING	2,495.02
518965	5/7/2015	N	JAKE HERRON	FIRE RESERVE	175.00
518966	5/7/2015	N	JUSTIN HIDALGO	REIMBURSEMENT-TRAVEL EXPENSE	308.00
518967	5/7/2015	N	JOSHUA HILL	FIRE RESERVE	175.00
518968	5/7/2015	N	HOME DEPOT CREDIT SERVICES	MISC SUPPLIES	1,323.66
518969	5/7/2015	N	STEPHEN ROSS HYDE	BEGG POOL MASTERS	990.00
518970	5/7/2015	N	ICMA RETIREMENT TRUST - 401	DEFERRED COMP 108075: PAYMENT	673.08
518971	5/7/2015	N	ICMA RETIREMENT TRUST - 401	DEFERRED COMP 109365: PAYMENT	3,013.37
518972	5/7/2015	N	ICMA RETIREMENT TRUST - 457	DEFERRED COMP AND LOAN REPAY 457	75,649.64
518973	5/7/2015	N	ICMA RETIREMENT TRUST 401	LOAN REPAY 401: PAYMENT	5,020.25
518974	5/7/2015	N	INCONTACT INC	LONG DISTANCE SERVICE	556.44
518975	5/7/2015	N	RAUL INGUANZO	REIMBURSEMENT-TRAVEL EXPENSE	35.79
518976	5/7/2015	N	INTERNAP NETWORK SERVICES CORP	INTERNET SERVICES PROVIDER CONTRAC	15,714.38
518977	5/7/2015	N	JOAN STEIN JENKINS	PROSECUTION SERVICES	4,950.20
518978	5/7/2015	N	JOHN L HUNTER AND ASSOC INC	RESTAURANT STORMWATER INSPECTION:	5,545.00
518979	5/7/2015	N	VICTORIA HELEN JOHNSON	WATER AEROBICS INSTRUCTOR	200.00
518980	5/7/2015	N	JPMORGAN CHASE BANK NATL ASSC	MONTHLY LEASE-SEWER TRUCK	16,488.30
518981	5/7/2015	N	JENNIFER KALLOK	EARNINGS WITHHOLDING	184.62

CITY OF MANHATTAN BEACH  
WARRANT REGISTER

WARRANT BATCH NUMBER:

WR 23b

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
518982	5/7/2015	N	MORGAN ALEXANDRA KARI	ART INSTRUTOR	991.20
518983	5/7/2015	N	KEVORK ENTERPRISES INC	AUTO BODY REPAIRS	1,830.77
518984	5/7/2015	N	KING FENCE INC	FENCE RENTAL	30.00
518985	5/7/2015	N	DAREN OR TINA KITAJIMA	STREET SWEEPING REIMBURSMENT	33.28
518986	5/7/2015	N	L A COUNTY	PERMITS	421.00
518987	5/7/2015	N	L A COUNTY ASSESSOR	PARCEL MAP	12.00
518988	5/7/2015	N	L A COUNTY CLERK/RECORDER	2013-14 WATER MAIN REPLACEMENT	75.00
518989	5/7/2015	N	L A COUNTY DEPT OF P W	TRAFFIC SIGNAL MAINTENANCE	16,927.48
518990	5/7/2015	N	L A COUNTY SHERIFF'S OFFICE	EARNINGS WITHHOLDING	87.50
518991	5/7/2015	N	LCM FINANCIAL CORPORATION	SAND REMEDIATION	7,240.00
518992	5/7/2015	N	JACQUELINE LEON	LINE DANCING INSTRUTOR	65.25
518993	5/7/2015	N	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES	11,538.65
518994	5/7/2015	N	KEITH LINCOLN	FIRE RESERVE	175.00
518995	5/7/2015	N	M B POLICE MGMT ASSC	DUES \$ (POL MGT ASSN): PAYMENT	280.00
518996	5/7/2015	N	M B POLICE OFFICERS ASSOCIA	DUES \$ (POLICE FIXED): PAYMENT	5,904.33
518997	5/7/2015	N	M B WATER DEPARTMENT	MONTHLY WATER CHARGES	9,975.73
518998	5/7/2015	N	MAN BCH EDUCATION FOUNDATION	SPONSORSHIP	6,000.00
518999	5/7/2015	N	MANAGEMENT PARTNERS INC	BUDGET WORKSHOP	15,000.00
519000	5/7/2015	N	MARINE RESOURCES INC	TEMPORARY EMPLOYEE SERVICES	10,669.45
519001	5/7/2015	N	DANIEL MATUSZCZAK	FIRE RESERVE	175.00
519002	5/7/2015	N	MBPOA RETIREE	MD TRUST (MED TRUST): PAYMENT	2,225.00
519003	5/7/2015	N	SCOTT MCLELLAN	FIRE RESERVE	175.00

CITY OF MANHATTAN BEACH  
WARRANT REGISTER

WR 23b

WARRANT BATCH NUMBER:

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
519004	5/7/2015	N	MELROY COMPANY INC	CORE DRILLING AND CONCRETE WORK	250.00
519005	5/7/2015	N	MICHAEL MENENDEZ	FIRE RESERVE	175.00
519006	5/7/2015	N	MERCHANTS LANDSCAPE SVCS INC	LANDSCAPE SERVICES EXTRAS	6,040.00
519007	5/7/2015	N	MIHM INC	DISINFECT JAIL CELL	300.00
519008	5/7/2015	N	MUNICIPAL MAINTENANCE EQUIP	PARTS FOR GO-4 AND VAC-CON (VEHICLES	690.55
519009	5/7/2015	N	NATALIES CATERING	MEALS FOR SENIOR SERVICES	1,432.26
519010	5/7/2015	N	NEPTUNIAN WOMANS CLUB	REFUND TEMPORARY SIGN PERMIT	301.00
519011	5/7/2015	N	CINDY L NESS	CONTRACT SERVICES	432.00
519012	5/7/2015	N	RICHARD LEONARD NIGGEMANN II	FIRE RESERVE	175.00
519013	5/7/2015	N	NIXON EGLI EQUIP CO OF S C INC	REPLACE KEVLAR BELT ON ASPHALT PATC	12,852.84
519014	5/7/2015	N	OPENGOV INC	OPENGOV ANNUAL SUBSCRIPTION	5,000.00
519015	5/7/2015	N	ELYSE ORDORICA	REIMBURSEMENT-TRAVEL EXPENSE	77.00
519016	5/7/2015	N	PACIFIC COAST CONSTRUCTION INC	EMERGENCY SEWER REPAIRS	6,640.00
519017	5/7/2015	N	PACIFIC COAST ELEVATOR CORP	ELEVATOR MAINTENANCE	3,806.01
519018	5/7/2015	N	PREPAID LEGAL SERVICES INC	PREPAID LEGAL: PAYMENT	94.70
519019	5/7/2015	N	PUBLIC EMPLOYEES'	PENSION CONTRIBUTION SAFETY: PAYME	278,336.50
519020	5/7/2015	N	PYRO SPECTACULARS INC	REGISTRATION-OUTDOOR AERIAL FIREW(C	160.00
519021	5/7/2015	N	QUICK CRETE PRODUCTS CORP	CONCRETE ITEMS	697.60
519022	5/7/2015	N	FREDERICK REARDON	REFUND TEMPORARY SIGN PERMIT	301.00
519023	5/7/2015	N	WILLIAM REDANZ	FIRE RESERVE	175.00
519024	5/7/2015	N	RESCUE ROOTER	PLUMBING SERVICES	2,570.50
519025	5/7/2015	N	ZACHARY REYNOLDS	FIRE RESERVE	175.00

**CITY OF MANHATTAN BEACH  
WARRANT REGISTER**

WARRANT BATCH NUMBER: **WR 23b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
519026	5/7/2015	N	RINCON CONSULTANTS INC	ENVIRONMENTAL SITE ASSESSMENT PHA	2,200.00
519027	5/7/2015	N	ROBERT HALF INTERNATIONAL INC	TEMPORARY EMPLOYEE SERVICES	2,983.20
519028	5/7/2015	N	SBRPCA	OVERTIME WORK ON CITY VEHICLES	23,679.06
519029	5/7/2015	N	SCHOOL OF DANCE & MUSIC	REFUND TEMPORARY SIGN PERMIT	301.00
519030	5/7/2015	N	SELECTIVE GIFT INSTITUTE	EMPLOYEE AWARDS & EVENTS	100.00
519031	5/7/2015	N	RYAN SLOWAY	FIRE RESERVE	175.00
519032	5/7/2015	N	SMART SOURCE OF CALIFORNIA LLC	PRINTING AND DIRECT MAILING SERVICE	1,959.32
519033	5/7/2015	N	SOUTH COAST AQMD	ANNUAL OPERATING/EMISSION FEES	362.52
519034	5/7/2015	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	4,078.63
519035	5/7/2015	N	SSBRA	SOCCER OFFICIALS	1,700.00
519036	5/7/2015	N	STATE DISBURSEMENT UNIT	EARNINGS WITHHOLDING	1,236.00
519037	5/7/2015	N	SULLY MILLER CONTRACTING CO	ASPHALT/EMULSION	666.99
519038	5/7/2015	N	SURF CONCEPTS INC	REFUND TEMPORARY SIGN PERMIT	301.00
519039	5/7/2015	N	SUSAN SAXE CLIFFORD PHD	APPLICANT PSYCH EXAM	425.00
519040	5/7/2015	N	SWANK MOTION PICTURES INC	MOVIES IN THE PARK	776.00
519041	5/7/2015	N	THE GAS COMPANY	GAS LIGHT MAINTENANCE	9,970.01
519042	5/7/2015	N	THE PITNEY BOWES BANK INC	POSTAGE FUND RESERVE ACCOUNT	5,000.00
519043	5/7/2015	N	TERRELL LYNN THOMPSON	GYMNASTICS INSTRUCTOR	5,488.00
519044	5/7/2015	N	TIME WARNER CABLE INC	CABLE SERVICE	137.66
519045	5/7/2015	N	TOTAL ADMINISTRATIVE SVCS CORP	CHILD125 (CHILD 125 PLAN): PAYMENT	7,739.55
519046	5/7/2015	N	TRAFFIC MANAGEMENT INC	TRAFFIC CONTROL	460.00
519047	5/7/2015	N	FIRAS R TSIPENA	PIER WEIR FLOW METER CALIBRATION	1,065.00

CITY OF MANHATTAN BEACH  
WARRANT REGISTER

WARRANT BATCH NUMBER:

WR 23b

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
519048	5/7/2015	N	U.S. BANK	P/T EMP RETIREMENT CONTRIB: PAYMEN	3,655.85
519049	5/7/2015	N	UNITED PARCEL SERVICE	DELIVERY SERVICE	22.60
519050	5/7/2015	N	US BANCORP CARD SERVICES INC	P-CARD CHARGES	127,028.75
519051	5/7/2015	N	US BANK	PUB SFTY REFUND ADMIN FEE	1,650.00
519052	5/7/2015	N	US BANK NA	FLEET FUEL CARD CHARGES	23.76
519053	5/7/2015	N	VALLEY POWER SYSTEMS INC	E-21 SERVICE AND REPAIRS	7,644.89
519054	5/7/2015	N	VANTAGEPOINT TRANSFER AGENTS	RETMT HLTH SAVINGS CONTRIB: PAYME	1,344.15
519055	5/7/2015	N	ROBIN L VARGAS	EARNINGS WITHHOLDING	553.85
519056	5/7/2015	N	DENNIS VELEZ II	FIRE RESERVE	175.00
519057	5/7/2015	N	VERIZON CALIFORNIA INC	CABLE SERVICE	9,870.04
519058	5/7/2015	N	VORTEX INDUSTRIES	INDUSTRIAL DOOR & ELECTRONIC GATE I	7,828.60
519059	5/7/2015	N	WALLACE LABORATORIES LLC	LAB TESTS	940.00
519060	5/7/2015	N	WALTERS WHOLESALE ELECTRIC CO	ELECTRICAL SUPPLIES	2,789.63
519061	5/7/2015	N	DARREN WEISS	REFUND TEMPORARY SIGN PERMIT	301.00
519062	5/7/2015	N	WESTCHESTER MEDICAL GROUP	MEDICAL SERVICES	815.00
519063	5/7/2015	N	WESTERN AUDIO VISUAL CORP	AUDIO/VIDEO SYSTEM UPGRADE - OASIS	2,968.88
519064	5/7/2015	N	BRITTLYN WHITE	REFUND TEMPORARY SIGN PERMIT	301.00
519065	5/7/2015	N	BRITTLYN WHITE	REFUND TEMPORARY SIGN PERMIT	301.00
519066	5/7/2015	N	JOHN WIDER	CITATION REFUND	48.00
519067	5/7/2015	N	JEFFREY WOODALL	FIRE RESERVE	175.00
519068	5/7/2015	N	XEROX CORPORATION	MULTI MACHINES LEASE & BASE BUSINESS	184.34
<b>SUBTOTAL</b>					<b>982,911.61</b>
10214	4/24/2015	H	FRANCHISE TAX BOARD	PENALTY COMMUNICATIONS CORP	50.00

3:27:11PM  
5/7/2015

CITY OF MANHATTAN BEACH  
WARRANT REGISTER

WARRANT BATCH NUMBER: **WR 23b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
10215	4/27/2015	H	L.A COUNTY DEPT OF PUB HEALTH	APPLICATION	160.00
10216	5/5/2015	H	POSTMASTER	POSTAGE PERMIT	630.00
SUBTOTAL					840.00
COMBINED TOTAL					1,253,576.49

**PAYMENT LEGEND:**  
T = Wire Transfers  
N = System Printed Checks  
H = Hand Written Checks

3:28:46PM  
5/7/2015

CITY OF MANHATTAN BEACH  
WARRANT REGISTER  
CHECKS EQUAL TO OR ABOVE  
\$2,500.00

WARRANT BATCH NUMBER: **wr 23b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
50115	5/1/2015	T	CALPERS	GASB68 ACTUARIAL REPORTS	3,350.00
51115	5/11/2015	T	UNION BANK	F.I.T./MEDICARE/S.I.T.	266,474.88
<b>SUBTOTAL</b>					<b>269,824.88</b>
518919	5/7/2015	N	ADMINSURE INC	CLAIMS ADMINISTRATION	20,546.30
518920	5/7/2015	N	ALL CITY MANAGEMENT SVCS	CROSSING GUARD SERVICES	6,278.16
518923	5/7/2015	N	ARAKELIAN ENTERPRISES INC	STREET SWEEPING EXTRAS	31,682.75
518924	5/7/2015	N	ARMORCAST PRODUCTS COMPANY	18-08713PF WATER VAULT	6,375.66
518926	5/7/2015	N	AT&T MOBILITY	CELLULAR CHARGES	4,028.77
518928	5/7/2015	N	BEACH CITIES HEALTH DISTRICT	CDBG	18,657.50
518932	5/7/2015	N	CA NEWSPAPER PARTNERSHIP	ADVERTISING	4,188.00
518933	5/7/2015	N	CA TEAMSTERS LOCAL 911	DUES (MISC): PAYMENT	6,027.00
518940	5/7/2015	N	CLEANSSTREET	LANDSCAPE SERVICES EXTRAS	7,881.62
518944	5/7/2015	N	CROWN BLDG MAINTENANCE CO INC	JANITORIAL SERVICES EXTRAS	2,570.00
518952	5/7/2015	N	FAIRBANK MASLIN MAULLIN	SERVICES FOR RESIDENT SURVEY	19,900.00
518954	5/7/2015	N	FLEMING ENVIRONMENTAL INC	ENVIRONMENTAL INSPECTIONS CERTIFIC	6,760.58
518956	5/7/2015	N	FRONTIER FORD	PD EXPLORER (V#131) & PW CMAX (V#204)	31,510.06
518959	5/7/2015	N	GENERAL PUMP CO INC	BLOCK 35 BOOSTER PUMP# 1 REPAIR	7,500.00
518962	5/7/2015	N	GRADES OF GREEN	VERTE SPONSORSHIP TABLE	5,000.00
518971	5/7/2015	N	ICMA RETIREMENT TRUST - 401	DEFERRED COMP 109365: PAYMENT	3,013.37
518972	5/7/2015	N	ICMA RETIREMENT TRUST - 457	DEFERRED COMP AND LOAN REPAY 457	75,649.64
518973	5/7/2015	N	ICMA RETIREMENT TRUST 401	LOAN REPAY 401: PAYMENT	5,020.25
518976	5/7/2015	N	INTERNAP NETWORK SERVICES COR	INTERNET SERVICES PROVIDER CONTRAC	15,714.38
518977	5/7/2015	N	JOAN STEIN JENKINS	PROSECUTION SERVICES	4,950.20

3:28:46PM  
5/7/2015

CITY OF MANHATTAN BEACH  
WARRANT REGISTER  
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\$2,500.00

WARRANT BATCH NUMBER: **wr 23b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
518978	5/7/2015	N	JOHN L HUNTER AND ASSOC INC	RESTAURANT STORMWATER INSPECTION:	5,545.00
518980	5/7/2015	N	JPMORGAN CHASE BANK NATL ASSC	MONTHLY LEASE-SEWER TRUCK	16,488.30
518989	5/7/2015	N	L A COUNTY DEPT OF P W	TRAFFIC SIGNAL MAINTENANCE	16,927.48
518991	5/7/2015	N	LCM FINANCIAL CORPORATION	SAND REMEDIATION	7,240.00
518993	5/7/2015	N	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES	11,538.65
518996	5/7/2015	N	M B POLICE OFFICERS ASSOCIA	DUES \$ (POLICE FIXED): PAYMENT	5,904.33
518997	5/7/2015	N	M B WATER DEPARTMENT	MONTHLY WATER CHARGES	9,975.73
518998	5/7/2015	N	MAN BCH EDUCATION FOUNDATION	SPONSORSHIP	6,000.00
518999	5/7/2015	N	MANAGEMENT PARTNERS INC	BUDGET WORKSHOP	15,000.00
519000	5/7/2015	N	MARINE RESOURCES INC	TEMPORARY EMPLOYEE SERVICES	10,669.45
519006	5/7/2015	N	MERCHANTS LANDSCAPE SVCS INC	LANDSCAPE SERVICES EXTRAS	6,040.00
519013	5/7/2015	N	NIXON EGLI EQUIP CO OF S C INC	REPLACE KEVLAR BELT ON ASPHALT PATC	12,852.84
519014	5/7/2015	N	OPENGOV INC	OPENGOV ANNUAL SUBSCRIPTION	5,000.00
519016	5/7/2015	N	PACIFIC COAST CONSTRUCTION INC	EMERGENCY SEWER REPAIRS	6,640.00
519017	5/7/2015	N	PACIFIC COAST ELEVATOR CORP	ELEVATOR MAINTENANCE	3,806.01
519019	5/7/2015	N	PUBLIC EMPLOYEES'	PENSION CONTRIBUTION SAFETY: PAYME	278,336.50
519024	5/7/2015	N	RESCUE ROOTER	PLUMBING SERVICES	2,570.50
519027	5/7/2015	N	ROBERT HALF INTERNATIONAL INC	TEMPORARY EMPLOYEE SERVICES	2,983.20
519028	5/7/2015	N	SBRPCA	OVERTIME WORK ON CITY VEHICLES	23,679.06
519034	5/7/2015	N	SOUTHERN CALIFORNIA EDISON	MONTHLY ELECTRIC CHARGES	4,078.63
519041	5/7/2015	N	THE GAS COMPANY	GAS LIGHT MAINTENANCE	9,970.01
519042	5/7/2015	N	THE PITNEY BOWES BANK INC	POSTAGE FUND RESERVE ACCOUNT	5,000.00



3:28:46PM  
5/7/2015

CITY OF MANHATTAN BEACH  
WARRANT REGISTER  
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\$2,500.00

WARRANT BATCH NUMBER: **WR 23b**

CHECK NO.	DATE	TYPE	PAYEE NAME	PAYMENT DESCRIPTION	CHECK AMOUNT
519043	5/7/2015	N	TERRELL LYNN THOMPSON	GYMNASTICS INSTRUCTOR	5,488.00
519045	5/7/2015	N	TOTAL ADMINISTRATIVE SVCS CORP	CHILD125 (CHILD 125 PLAN): PAYMENT	7,739.55
519048	5/7/2015	N	U.S. BANK	P/T EMP RETIREMENT CONTRIB: PAYMEN	3,655.85
519050	5/7/2015	N	US BANCORP CARD SERVICES INC	P-CARD CHARGES	127,028.75
519053	5/7/2015	N	VALLEY POWER SYSTEMS INC	E-21 SERVICE AND REPAIRS	7,644.89
519057	5/7/2015	N	VERIZON CALIFORNIA INC	CABLE SERVICE	9,870.04
519058	5/7/2015	N	VORTEX INDUSTRIES	INDUSTRIAL DOOR & ELECTRONIC GATE	7,828.60
519060	5/7/2015	N	WALTERS WHOLESALE ELECTRIC CO	ELECTRICAL SUPPLIES	2,789.63
519063	5/7/2015	N	WESTERN AUDIO VISUAL CORP	AUDIO/VIDEO SYSTEM UPGRADE - OASIS	2,968.88
<b>SUBTOTAL</b>					<b>924,514.12</b>
<b>COMBINED TOTAL</b>					<b>1,194,339.00</b>

**PAYMENT LEGEND:**  
T = Wire Transfers  
N = System Printed Checks  
H = Hand Written Checks

Report of Warrant Disbursements  
wr 23b

Fund	Description	Amount
100	General	993,866.37
201	Street Light	14,430.23
230	Prop A	89.90
401	Capital Improvements	4,796.12
501	Water	25,677.69
502	Storm	31,692.63
503	Waste Water	8,941.19
510	Refuse	1,910.28
520	Parking	16,442.75
521	County Parking Lot	620.27
522	State Pier Lots	2,767.57
601	Insurance	20,546.30
605	Information Services	28,008.10
610	Vehicle Fleet	97,401.90
615	Building Maintenance	6,385.19
wr 23b		<u>1,253,576.49</u>
		<u>1,253,576.49</u>

**CITY OF MANHATTAN BEACH PAYROLL  
PAY PERIOD: 04/18/15 TO 05/01/15  
PAY DATE: 05/08/15**

**NET PAY 837,713.81**

FUND	DESCRIPTION	AMOUNT
100	General Fund	1,178,942.73
210	Asset Forfeiture Fund	649.52
230	Prop. A Fund	16,713.83
232	AB 2766 Air Quality Fund	780.00
501	Water Fund	26,008.51
502	Stormwater Fund	2,808.95
503	Wastewater Fund	7,788.12
510	Refuse Fund	5,154.11
520	Parking Fund	219.65
521	County Parking Lots Fund	73.24
522	State Pier and Parking Lot Fund	73.19
601	Insurance Reserve Fund	6,163.93
605	Information Technology Fund	26,117.41
610	Fleet Management Fund	9,394.29
615	Building Maintenance & Operations Fund	12,738.85
801	Pension Trust Fund	8,340.17
	<b>Gross Pay</b>	<b>1,301,966.50</b>
	<b>Deductions</b>	<b>464,252.69</b>
	<b>Net Pay</b>	<b>837,713.81</b>

## Report of P-Card Transactions

Account Date	Department Management Services	Amount
<b>100-11-011-5204</b>	<b>Conferences &amp; Meetings</b>	
04/27/2015	AMERICAN AI 0017619356104	454.20
04/27/2015	LEAGUE OF CALIFORNIA CIT	350.00
04/27/2015	LEAGUE OF CALIFORNIA CIT	350.00
04/27/2015	UNITED 0167617380581	314.20
04/27/2015	US CONF OF MAYORS	750.00
<b>100-11-011-5204</b>	<b>Conferences &amp; Meetings</b>	<b>2,218.40</b>
<b>100-11-011-5217</b>	<b>Departmental Supplies</b>	
04/27/2015	BECKERS BAKERY	113.00
04/27/2015	DOUBLETREE BACCHUS RST	30.97
04/27/2015	INDIANA STAMP CO INC	61.20
04/27/2015	LE PAIN QUOTIDIEN	23.11
04/27/2015	NICKCO MANHATTAN BEACH	31.61
04/27/2015	PIT FIRE ARTISAN PIZZA	208.83
04/27/2015	RUBIO'S #024	207.10
04/27/2015	SMARTNFINAL32210303220	27.21
04/27/2015	TLF DEEP ROOTS GARDEN CEN	125.35
04/27/2015	VONS STORE00022756	10.00
04/27/2015	VONS STORE00022756	11.14
04/27/2015	VONS STORE00022756	27.92
04/27/2015	VONS STORE00022756	5.76
<b>100-11-011-5217</b>	<b>Departmental Supplies</b>	<b>883.20</b>
<b>100-11-021-5104</b>	<b>Computer Contract Services</b>	
04/27/2015	AVANGATE*KEEPANDSHARE.	9.00
04/27/2015	AVANGATE*KEEPANDSHARE.	9.00
<b>100-11-021-5104</b>	<b>Computer Contract Services</b>	<b>18.00</b>
<b>100-11-021-5201</b>	<b>Office Supplies</b>	
04/27/2015	OFFICE DEPOT #5125	-18.52
04/27/2015	OFFICE DEPOT #5125	69.95
04/27/2015	OFFICE DEPOT #5125	81.91
<b>100-11-021-5201</b>	<b>Office Supplies</b>	<b>133.34</b>
<b>100-11-021-5202</b>	<b>Memberships &amp; Dues</b>	
04/27/2015	ICMA INTERNET	1,400.00
04/27/2015	PAYPAL *IAP2 USA	390.00
<b>100-11-021-5202</b>	<b>Memberships &amp; Dues</b>	<b>1,790.00</b>
<b>100-11-021-5203</b>	<b>Reference Books &amp; Periodicals</b>	

*To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 23b, dated 05/07/2015; Check number 519050.*

## Report of P-Card Transactions

Account Date	Department Management Services	Amount
04/27/2015	AMAZON.COM	37.52
100-11-021-5203	Reference Books & Periodicals	37.52
100-11-021-5204	Conferences & Meetings	
04/27/2015	DELTA AIR 0067618751222	133.10
04/27/2015	LEAGUE OF CALIFORNIA CIT	350.00
04/27/2015	PAYPAL *EXTRAORDINA	1,525.00
04/27/2015	UNITED 0167618761513	133.10
04/27/2015	WESTIN RIVERWALK	725.72
100-11-021-5204	Conferences & Meetings	2,866.92
100-11-021-5217	Departmental Supplies	
04/27/2015	APL* ITUNES.COM/BILL	10.98
04/27/2015	APL* ITUNES.COM/BILL	23.95
04/27/2015	APL* ITUNES.COM/BILL	7.54
04/27/2015	APPLE STORE #R122	42.51
04/27/2015	MANHATTAN BEACH POST	95.03
04/27/2015	THE HOME DEPOT 618	43.47
04/27/2015	THE KETTLE RESTAURANT	40.14
100-11-021-5217	Departmental Supplies	263.62
100-11-021-5225	Printing	
04/27/2015	SMARTSOURCE OF CALIF	183.12
04/27/2015	SMARTSOURCE OF CALIF	52.32
100-11-021-5225	Printing	235.44
100-11-031-5204	Conferences & Meetings	
04/27/2015	HOTEL IRVINE JAMBOREE CEN	492.09
100-11-031-5204	Conferences & Meetings	492.09
100-11-041-5101	Contract Services	
04/27/2015	THE SUTTA COMPANY	3.75
100-11-041-5101	Contract Services	3.75
100-11-041-5204	Conferences & Meetings	
04/27/2015	ALAMO RENT-A-CAR	151.61
04/27/2015	DOUBLETREE SONOMA	292.22
04/27/2015	DOUBLETREE SONOMA	292.22
100-11-041-5204	Conferences & Meetings	736.05

*To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 23b, dated 05/07/2015; Check number 519050.*

**Report of P-Card Transactions**

<b>Account Date</b>	<b>Department Management Services</b>	<b>Amount</b>
<b>11</b>	<b>Management Services</b>	<b><u>9,678.33</u></b>

*To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 23b, dated 05/07/2015; Check number 519050.*

## Report of P-Card Transactions

Account Date	Department Finance	Amount
100-12-011-5101	Contract Services	
04/27/2015	THE SUTTA COMPANY	3.75
100-12-011-5101	Contract Services	3.75
100-12-011-5201	Office Supplies	
04/27/2015	OFFICE DEPOT #5125	228.06
04/27/2015	OFFICE DEPOT #5125	301.48
04/27/2015	OFFICE DEPOT #5125	529.18
04/27/2015	OFFICE DEPOT #5125	54.90
04/27/2015	OFFICE DEPOT #5125	57.23
04/27/2015	OFFICE DEPOT #5125	59.25
04/27/2015	OFFICE DEPOT #5125	75.11
04/27/2015	OFFICE DEPOT #5125	75.48
04/27/2015	OFFICE DEPOT #5125	9.59
04/27/2015	OFFICE DEPOT #5125	91.22
100-12-011-5201	Office Supplies	1,481.50
100-12-021-5205	Training	
04/27/2015	NATL/PADGET 8006825061	199.00
100-12-021-5205	Training	199.00
100-12-031-5217	Departmental Supplies	
04/27/2015	ACE BUSINESS MACHINES INC	327.79
04/27/2015	READY REPRODUCTIONS	-735.75
04/27/2015	READY REPRODUCTIONS	735.75
100-12-031-5217	Departmental Supplies	327.79
100-12-032-5225	Printing	
04/27/2015	RYDIN DECAL- MOTO ST	288.99
100-12-032-5225	Printing	288.99
100-12-052-5104	Computer Contract Services	
04/27/2015	AMAZON WEB SERVICES	465.64
100-12-052-5104	Computer Contract Services	465.64
605-12-051-5104	Computer Contract Services	
04/27/2015	STK*SHUTTERSTOCK, INC.	199.00
04/27/2015	DNH*GODADDY.COM	237.00
605-12-051-5104	Computer Contract Services	436.00

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## Report of P-Card Transactions

Account Date	Department Finance	Amount
605-12-051-5204	Conferences & Meetings	
04/27/2015	AMPCO PARKING WORLD TRADE	10.00
04/27/2015	AMPCO PARKING WORLD TRADE	10.00
04/27/2015	AMPCO PARKING WORLD TRADE	10.00
04/27/2015	AMPCO PARKING WORLD TRADE	10.00
605-12-051-5204	Conferences & Meetings	40.00
605-12-051-5210	Computers, Supplies & Software	
04/27/2015	ACCUVANT INC	1,894.70
04/27/2015	AT&T N096 10753	1,657.98
04/27/2015	IDU*INSIGHT PUBLIC SEC	2,220.97
04/27/2015	K&F ASSOCIATES	911.13
04/27/2015	OFFICE DEPOT #5125	147.14
04/27/2015	OFFICE DEPOT #5125	605.23
605-12-051-5210	Computers, Supplies & Software	7,437.15
605-12-051-5213	Computer Maintenance & Repairs	
04/27/2015	FRY'S ELECTRONICS #5	306.61
04/27/2015	LASER ZONE I INC	476.98
605-12-051-5213	Computer Maintenance & Repairs	783.59
605-12-051-5217	Departmental Supplies	
04/27/2015	AMAZON MKTPLACE PMTS	7.79
605-12-051-5217	Departmental Supplies	7.79
615-12-042-5101	Contract Services	
04/27/2015	GOURMETCOFFEESERVICE,INC	1,138.95
04/27/2015	GOURMETCOFFEESERVICE,INC	76.89
04/27/2015	DS SERVICES STANDARD COFF	748.00
04/27/2015	PITNEY BOWES PI	135.23
04/27/2015	SUPERIOR PLANT SCAPES	247.00
615-12-042-5101	Contract Services	2,346.07
615-12-042-5211	Automotive Parts	
04/27/2015	EDDINGS 0026741	1,015.88
04/27/2015	EDDINGS 0026741	-1,124.63
04/27/2015	EDDINGS 0026741	208.12
615-12-042-5211	Automotive Parts	99.37
615-12-042-5222	Warehouse Inventory Purchases	

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**Report of P-Card Transactions**

Account Date	Department Finance	Amount
04/27/2015	CORE PRODUCTS	849.68
04/27/2015	OFFICE DEPOT #5125	1,576.58
04/27/2015	SMARTSOURCE OF CALIF	245.41
04/27/2015	SUPPLYWORKS	1,000.59
04/27/2015	SUPPLYWORKS	1,220.24
04/27/2015	WW GRAINGER	299.35
04/27/2015	WW GRAINGER	319.75
04/27/2015	WW GRAINGER	428.46
04/27/2015	ZERO WASTE USA	2,406.72
615-12-042-5222	Warehouse Inventory Purchases	<u>8,346.78</u>
12	<b>Finance</b>	<u><u>22,263.42</u></u>

*To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 23b, dated 05/07/2015; Check number 519050.*

## Report of P-Card Transactions

Account Date	Department Human Resources	Amount
100-13-011-5101	Contract Services	
04/27/2015	THE SUTTA COMPANY	3.75
100-13-011-5101	Contract Services	3.75
100-13-011-5201	Office Supplies	
04/27/2015	COSTCO.COM *ONLINE	26.66
04/27/2015	OFFICE DEPOT 1135	5.89
04/27/2015	OFFICE DEPOT #1127	3.10
04/27/2015	OFFICE DEPOT #5125	110.59
04/27/2015	OFFICE DEPOT #5125	-2.82
04/27/2015	OFFICE DEPOT #5125	209.75
100-13-011-5201	Office Supplies	353.17
100-13-011-5204	Conferences & Meetings	
04/27/2015	PAYPAL *WESTERNREGI	175.00
04/27/2015	PAYPAL *WESTERNREGI	25.00
100-13-011-5204	Conferences & Meetings	200.00
100-13-011-5205	Training	
04/27/2015	PAYPAL *CALPELRA	399.00
04/27/2015	PAYPAL *LIEBERTCASS	55.00
04/27/2015	PAYPAL *LIEBERTCASS	55.00
100-13-011-5205	Training	509.00
100-13-011-5217	Departmental Supplies	
04/27/2015	COSTCO.COM *ONLINE	150.03
04/27/2015	COSTCO.COM *ONLINE	64.99
100-13-011-5217	Departmental Supplies	215.02
100-13-011-5218	Recruitment Costs	
04/27/2015	PAYPAL *CALPELRA	310.58
04/27/2015	SAMMY'S-EL SEGUNDO	100.47
100-13-011-5218	Recruitment Costs	411.05
100-13-011-5225	Printing	
04/27/2015	SMARTSOURCE OF CALIF	28.34
100-13-011-5225	Printing	28.34
13	<b>Human Resources</b>	1,720.33

*To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 23b, dated 05/07/2015; Check number 519050.*

## Report of P-Card Transactions

Account Date	Department Police	Amount
100-15-011-5101	Contract Services	
04/27/2015	DTV*DIRECTV SERVICE	192.97
100-15-011-5101	Contract Services	192.97
100-15-011-5104	Computer Contract Services	
04/27/2015	LOCATEPLUS	104.95
100-15-011-5104	Computer Contract Services	104.95
100-15-011-5109	Background Investigations	
04/27/2015	THE UPS STORE 1830	125.00
100-15-011-5109	Background Investigations	125.00
100-15-011-5201	Office Supplies	
04/27/2015	FRY'S ELECTRONICS #5	76.28
04/27/2015	OFFICE DEPOT 1135	7.72
04/27/2015	OFFICE DEPOT #5101	6.17
04/27/2015	OFFICE DEPOT #5125	13.72
04/27/2015	OFFICE DEPOT #5125	166.74
04/27/2015	OFFICE DEPOT #5125	169.72
04/27/2015	OFFICE DEPOT #5125	181.89
04/27/2015	OFFICE DEPOT #5125	2.75
04/27/2015	OFFICE DEPOT #5125	202.49
04/27/2015	OFFICE DEPOT #5125	240.32
04/27/2015	OFFICE DEPOT #5125	48.60
04/27/2015	OFFICE DEPOT #5125	54.94
04/27/2015	OFFICE DEPOT #5125	65.93
04/27/2015	OFFICE DEPOT #5125	76.01
04/27/2015	OFFICE DEPOT #5125	99.88
04/27/2015	STAPLES DIRECT	225.62
100-15-011-5201	Office Supplies	1,638.78
100-15-011-5206	Uniforms/Safety Equipment	
04/27/2015	ADAMSON POLICE PRODUCTS	65.03
04/27/2015	SUN BADGE COMPANY	751.56
04/27/2015	WESTWAY UNIFORMS INC	119.79
04/27/2015	WESTWAY UNIFORMS INC	768.01
100-15-011-5206	Uniforms/Safety Equipment	1,704.39
100-15-011-5214	Employee Awards & Events	
04/27/2015	NOAH'S-ONLINE CATERING	29.99
04/27/2015	THE BEST DONUTS	8.49

*To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 23b, dated 05/07/2015; Check number 519050.*

## Report of P-Card Transactions

Account Date	Department Police	Amount
100-15-011-5214	Employee Awards & Events	38.48
100-15-011-5217	Departmental Supplies	
04/27/2015	NOAH'S-ONLINE CATERING	30.98
04/27/2015	ROYAL ARMS INTERNATIONAL	360.00
04/27/2015	USPS 05471802231805609	9.80
100-15-011-5217	Departmental Supplies	400.78
100-15-011-5220	POST Training	
04/27/2015	DOUBLETREE MISSION VLY	423.03
100-15-011-5220	POST Training	423.03
100-15-021-5101	Contract Services	
04/27/2015	METRO EXPRESS LANES	40.00
100-15-021-5101	Contract Services	40.00
100-15-021-5206	Uniforms/Safety Equipment	
04/27/2015	WESTWAY UNIFORMS INC	272.38
100-15-021-5206	Uniforms/Safety Equipment	272.38
100-15-021-5217	Departmental Supplies	
04/27/2015	ALDERHORST INTERNATION	10.80
04/27/2015	AMAZON.COM	163.09
04/27/2015	FRIENDS FUR-EVER	115.52
100-15-021-5217	Departmental Supplies	289.41
100-15-031-5101	Contract Services	
04/27/2015	LEXISNEXIS RISK DAT	433.81
100-15-031-5101	Contract Services	433.81
100-15-031-5204	Conferences & Meetings	
04/27/2015	HAWTHORN SUITES MANHATTAN	119.90
100-15-031-5204	Conferences & Meetings	119.90
100-15-031-5208	Postage	
04/27/2015	USPS 05471802231805609	6.49
100-15-031-5208	Postage	6.49
100-15-041-5101	Contract Services	

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## Report of P-Card Transactions

Account Date	Department Police	Amount
04/27/2015	THE SUTTA COMPANY	37.75
100-15-041-5101	Contract Services	<u>37.75</u>
100-15-041-5225	Printing	
04/27/2015	SMARTSOURCE OF CALIF	113.36
04/27/2015	SMARTSOURCE OF CALIF	118.68
04/27/2015	SMARTSOURCE OF CALIF	186.13
04/27/2015	SMARTSOURCE OF CALIF	28.34
04/27/2015	SMARTSOURCE OF CALIF	28.34
100-15-041-5225	Printing	<u>474.85</u>
100-15-051-5217	Departmental Supplies	
04/27/2015	GIFT ASSISTANTS USA	566.28
04/27/2015	POSITIVE PROMOTIONS INC	490.28
04/27/2015	RALPHS #0166	5.99
100-15-051-5217	Departmental Supplies	<u>1,062.55</u>
100-15-061-5217	Departmental Supplies	
04/27/2015	AERVOE.COM	524.50
04/27/2015	AT&T S849 5708	26.71
100-15-061-5217	Departmental Supplies	<u>551.21</u>
100-15-071-5101	Contract Services	
04/27/2015	MISSION LINEN	352.76
100-15-071-5101	Contract Services	<u>352.76</u>
100-15-071-5206	Uniforms/Safety Equipment	
04/27/2015	WESTWAY UNIFORMS INC	240.73
100-15-071-5206	Uniforms/Safety Equipment	<u>240.73</u>
100-15-081-5206	Uniforms/Safety Equipment	
04/27/2015	WESTWAY UNIFORMS INC	32.65
100-15-081-5206	Uniforms/Safety Equipment	<u>32.65</u>
100-15-081-5217	Departmental Supplies	
04/27/2015	BESTBUYCOM716556002388	22.86
04/27/2015	BESTBUYCOM716556002586	15.24
100-15-081-5217	Departmental Supplies	<u>38.10</u>
15	Police	<u>8,580.97</u>

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## Report of P-Card Transactions

Account Date	Department Fire	Amount
100-16-011-5101	Contract Services	
04/27/2015	THE SUTTA COMPANY	5.00
04/27/2015	THE UPS STORE 1830	50.00
100-16-011-5101	Contract Services	55.00
100-16-011-5201	Office Supplies	
04/27/2015	OFFICE DEPOT #2740	22.88
04/27/2015	OFFICE DEPOT #5125	120.24
04/27/2015	OFFICE DEPOT #5125	152.70
04/27/2015	OFFICE DEPOT #5125	261.07
100-16-011-5201	Office Supplies	556.89
100-16-011-5214	Employee Awards & Events	
04/27/2015	NOAH'S BAGELS #2546	55.76
04/27/2015	VONS STORE00022756	26.70
100-16-011-5214	Employee Awards & Events	82.46
100-16-021-5205	Training	
04/27/2015	PAYPAL *ICC LABC	50.00
100-16-021-5205	Training	50.00
100-16-023-5205	Training	
04/27/2015	QUALITY SUITES HOTEL	504.00
04/27/2015	QUALITY SUITES HOTEL	504.00
100-16-023-5205	Training	1,008.00
100-16-031-5205	Training	
04/27/2015	ARCO AM/PM	9.29
04/27/2015	BUDGET RENT-A-CAR	139.76
04/27/2015	CROWNE PLAZA SACRAMENTO N	210.88
04/27/2015	CROWNE PLAZA SACRAMENTO N	210.88
04/27/2015	PAYPAL *REDHELMETTR	200.00
04/27/2015	THE HOME DEPOT 620	319.21
100-16-031-5205	Training	1,090.02
100-16-031-5217	Departmental Supplies	
04/27/2015	API*WWW.INFOCUSSTORE.C	85.20
04/27/2015	OFFICE DEPOT #2740	12.44
04/27/2015	RED CARPET USA LLC	31.60
04/27/2015	TARGET 00001990	43.58

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**Report of P-Card Transactions**

<b>Account Date</b>	<b>Department Fire</b>	<b>Amount</b>
04/27/2015	WEST MARINE 1244	76.29
100-16-031-5217	Departmental Supplies	<u>249.11</u>
100-16-041-5217	Departmental Supplies	
04/27/2015	BOUND TREE MEDICAL LLC	164.81
04/27/2015	BOUND TREE MEDICAL LLC	1,858.73
04/27/2015	BOUND TREE MEDICAL LLC	2,095.95
04/27/2015	BOUND TREE MEDICAL LLC	22.80
04/27/2015	BOUND TREE MEDICAL LLC	247.22
04/27/2015	BOUND TREE MEDICAL LLC	247.22
04/27/2015	BOUND TREE MEDICAL LLC	324.79
04/27/2015	BOUND TREE MEDICAL LLC	396.27
04/27/2015	BOUND TREE MEDICAL LLC	49.35
04/27/2015	CONTAINERSTOREELSEGUND	-17.42
04/27/2015	CONTAINERSTOREELSEGUND	178.65
04/27/2015	THE HOME DEPOT 620	107.91
100-16-041-5217	Departmental Supplies	<u>5,676.28</u>
100-16-052-5217	Departmental Supplies	
04/27/2015	COLEMANS MILITARY SURPLUS	795.86
100-16-052-5217	Departmental Supplies	<u>795.86</u>
100-16-054-5217	Departmental Supplies	
04/27/2015	AED SUPERSTORE	509.25
04/27/2015	MORE PREPARED	910.86
04/27/2015	OFFICE DEPOT #2740	35.81
100-16-054-5217	Departmental Supplies	<u>1,455.92</u>
100-16-056-5217	Departmental Supplies	
04/27/2015	THE HOME DEPOT 620	1,272.27
100-16-056-5217	Departmental Supplies	<u>1,272.27</u>
16	<b>Fire</b>	<u><u>12,291.81</u></u>

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**Report of P-Card Transactions**

<b>Account Date</b>	<b>Department Community Development</b>	<b>Amount</b>
<b>100-17-011-5201</b>	<b>Office Supplies</b>	
04/27/2015	CDW GOVERNMENT	158.04
04/27/2015	OFFICE DEPOT #5101	13.51
04/27/2015	OFFICE DEPOT #5125	167.70
04/27/2015	OFFICE DEPOT #5125	20.37
04/27/2015	OFFICE DEPOT #5125	84.64
04/27/2015	OFFICE DEPOT #5125	88.92
<b>100-17-011-5201</b>	<b>Office Supplies</b>	<u>533.18</u>
<b>100-17-011-5204</b>	<b>Conferences &amp; Meetings</b>	
04/27/2015	CROWNE PLAZA SEATTLE	1,102.40
<b>100-17-011-5204</b>	<b>Conferences &amp; Meetings</b>	<u>1,102.40</u>
<b>100-17-011-5217</b>	<b>Departmental Supplies</b>	
04/27/2015	HOMEDECORHA	16.18
04/27/2015	NOAH'S BAGELS #2546	62.02
04/27/2015	SUBWAY 03146693	51.00
<b>100-17-011-5217</b>	<b>Departmental Supplies</b>	<u>129.20</u>
<b>100-17-021-5204</b>	<b>Conferences &amp; Meetings</b>	
04/27/2015	DELTA AIR 0067618749275	44.37
04/27/2015	PAYPAL *EXTRAORDINA	508.33
04/27/2015	UNITED 0167618741905	44.36
04/27/2015	WESTIN RIVERWALK	241.90
<b>100-17-021-5204</b>	<b>Conferences &amp; Meetings</b>	<u>838.96</u>
<b>100-17-022-5204</b>	<b>Conferences &amp; Meetings</b>	
04/27/2015	DELTA AIR 0067618749275	44.36
04/27/2015	PAYPAL *EXTRAORDINA	508.33
04/27/2015	UNITED 0167618741905	44.37
04/27/2015	WESTIN RIVERWALK	241.91
<b>100-17-022-5204</b>	<b>Conferences &amp; Meetings</b>	<u>838.97</u>
<b>100-17-032-5202</b>	<b>Memberships &amp; Dues</b>	
04/27/2015	IAEI	102.00
<b>100-17-032-5202</b>	<b>Memberships &amp; Dues</b>	<u>102.00</u>
<b>100-17-032-5205</b>	<b>Training</b>	
04/27/2015	CALIFORNIA BUILDING OF	215.00

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**Report of P-Card Transactions**

<b>Account Date</b>	<b>Department Community Development</b>	<b>Amount</b>
100-17-032-5205	Training	<u>215.00</u>
100-17-032-5225	Printing	
04/27/2015	SMARTSOURCE OF CALIF	134.59
04/27/2015	SMARTSOURCE OF CALIF	157.70
04/27/2015	SMARTSOURCE OF CALIF	28.34
100-17-032-5225	Printing	<u>320.63</u>
100-17-041-5225	Printing	
04/27/2015	SMARTSOURCE OF CALIF	28.34
100-17-041-5225	Printing	<u>28.34</u>
100-17-051-5204	Conferences & Meetings	
04/27/2015	DELTA AIR 0067618749275	44.37
04/27/2015	EB ITE SO CAL LUNCHEO	30.00
04/27/2015	PAYPAL *EXTRAORDINA	508.34
04/27/2015	PAYPAL *LASVEGASLAC	395.00
04/27/2015	PLANET HOLLYWOOD ADV DEPO	240.80
04/27/2015	UNITED 0167618741905	44.37
04/27/2015	WESTIN RIVERWALK	241.91
100-17-051-5204	Conferences & Meetings	<u>1,504.79</u>
100-17-051-5225	Printing	
04/27/2015	SMARTSOURCE OF CALIF	44.69
100-17-051-5225	Printing	<u>44.69</u>
17	<b>Community Development</b>	<u><u>5,658.16</u></u>

*To enable prompt payment, these PCard expenditures were paid to US Bancorp on Warrant Register wr 23b, dated 05/07/2015; Check number 519050.*

## Report of P-Card Transactions

Account Date	Department Public Works	Amount
503-18-321-5217	Departmental Supplies	
04/27/2015	BUYDIG COM 800 617 4686	-649.24
04/27/2015	BALLGLOVEWAREHOUSE COM	-134.92
04/27/2015	HOMERUNMONKEY.COM	-435.01
04/27/2015	HOMERUNMONKEY.COM	-132.01
04/27/2015	HOMERUNMONKEY.COM	-890.11
503-18-321-5217	Departmental Supplies	-2,241.29
100-18-011-5201	Office Supplies	
04/27/2015	IN *PRESTIGE OFFICE SOLUT	93.94
04/27/2015	OFFICE DEPOT 1135	6.52
04/27/2015	OFFICE DEPOT #2740	314.69
04/27/2015	OFFICE DEPOT #2740	97.26
04/27/2015	OFFICE DEPOT #5101	56.66
04/27/2015	OFFICE DEPOT #5125	326.98
04/27/2015	OFFICE DEPOT #5125	56.06
04/27/2015	OFFICE DEPOT #5125	57.79
04/27/2015	OFFICE DEPOT #5125	75.84
04/27/2015	OFFICE DEPOT #5125	81.86
04/27/2015	OFFICE DEPOT #5125	82.69
100-18-011-5201	Office Supplies	1,250.29
100-18-011-5203	Reference Books & Periodicals	
04/27/2015	AMAZON.COM	62.12
100-18-011-5203	Reference Books & Periodicals	62.12
100-18-011-5204	Conferences & Meetings	
04/27/2015	AMERICAN PUBLIC WORKS	145.00
04/27/2015	DELTA AIR 0067618775574	133.10
04/27/2015	UNITED 0167618762856	133.10
04/27/2015	WESTIN RIVERWALK	725.72
100-18-011-5204	Conferences & Meetings	1,136.92
100-18-011-5210	Computers, Supplies & Software	
04/27/2015	DMI* DELL K-12/GOVT	1,192.39
100-18-011-5210	Computers, Supplies & Software	1,192.39
100-18-011-5217	Departmental Supplies	
04/27/2015	ANYPROMO.COM	12.63
04/27/2015	FRANKLINCOVEYPRODUCTS	34.73
04/27/2015	FRANKLINCOVEYPRODUCTS	34.73

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## Report of P-Card Transactions

Account Date	Department Public Works	Amount
04/27/2015	PAYPAL *INCONVENIEN	1,131.42
04/27/2015	PAYPAL *INCONVENIEN	1,131.42
04/27/2015	REV CPS OPS ADJ FROM 4/17	1.25
04/27/2015	SMALL BALANCE WRITE-OFF	-1.25
100-18-011-5217	Departmental Supplies	2,344.93
100-18-021-5204	Conferences & Meetings	
04/27/2015	AMERICAN PUBLIC WORKS	290.00
100-18-021-5204	Conferences & Meetings	290.00
100-18-021-5217	Departmental Supplies	
04/27/2015	AMAZON MKTPLACE PMTS	120.97
04/27/2015	OFFICE DEPOT #5125	673.76
100-18-021-5217	Departmental Supplies	794.73
100-18-032-5101	Contract Services	
04/27/2015	USA MOBILITY WIRELE	1.96
100-18-032-5101	Contract Services	1.96
100-18-032-5205	Training	
04/27/2015	AMERICAN PUBLIC WORKS	910.00
100-18-032-5205	Training	910.00
100-18-032-5217	Departmental Supplies	
04/27/2015	LOMITA MOWER AND SAW SHOP	373.16
04/27/2015	SOUTH COAST BOBCAT INC	1,614.54
04/27/2015	STEAMX LLC	174.40
04/27/2015	STEAMX LLC	728.12
04/27/2015	THE HOME DEPOT 620	199.49
04/27/2015	THE HOME DEPOT 620	421.79
04/27/2015	THE HOME DEPOT 620	571.56
04/27/2015	WW GRAINGER	43.77
100-18-032-5217	Departmental Supplies	4,126.83
100-18-034-5217	Departmental Supplies	
04/27/2015	MANERI SIGN CO	408.76
04/27/2015	MANERI SIGN CO	446.35
04/27/2015	MCMaster-CARR	66.13
100-18-034-5217	Departmental Supplies	921.24

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## Report of P-Card Transactions

Account Date	Department Public Works	Amount
100-18-042-5101	Contract Services	
04/27/2015	B & M GLASS	1,048.00
04/27/2015	IN *DCS TESTING & EQUIPME	364.00
04/27/2015	IN *DCS TESTING & EQUIPME	364.00
100-18-042-5101	Contract Services	1,776.00
100-18-042-5204	Conferences & Meetings	
04/27/2015	RALPHS #0166	40.82
100-18-042-5204	Conferences & Meetings	40.82
100-18-042-5217	Departmental Supplies	
04/27/2015	FRY SPECIALTY INC	384.34
04/27/2015	GETTYSBURGFLAG.COM	145.26
04/27/2015	IN *ADVANTAGE LIGHTING SO	2,479.75
04/27/2015	INTERMOUNTAIN LOCK AND SE	341.82
04/27/2015	MCMASTER-CARR	124.12
04/27/2015	MCMASTER-CARR	331.06
04/27/2015	MCMASTER-CARR	837.83
04/27/2015	MIRACLE RECREATION	618.23
04/27/2015	MUSCO SPORTS LIGHTING	892.53
04/27/2015	STAPLES 00101808	64.84
04/27/2015	THE HOME DEPOT 620	104.43
04/27/2015	THE HOME DEPOT 620	136.12
04/27/2015	THE HOME DEPOT 620	42.43
04/27/2015	TODD PIPE AND SUPPLY	18.04
04/27/2015	TODD PIPE AND SUPPLY	50.50
04/27/2015	WALTERS WHOLESALE ELEC-TO	1,430.63
100-18-042-5217	Departmental Supplies	8,001.93
100-18-043-5217	Departmental Supplies	
04/27/2015	SUPREME PAINT (MANHATT	125.81
100-18-043-5217	Departmental Supplies	125.81
501-18-231-5101	Contract Services	
04/27/2015	USA MOBILITY WIRELE	4.89
501-18-231-5101	Contract Services	4.89
501-18-231-5217	Departmental Supplies	
04/27/2015	FRY'S ELECTRONICS #5	159.10
04/27/2015	HACH COMPANY	660.79

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## Report of P-Card Transactions

Account Date	Department Public Works	Amount
501-18-231-5217	Departmental Supplies	<u>819.89</u>
501-18-241-5217	Departmental Supplies	
04/27/2015	BRITHINEE ELECTRIC	972.83
04/27/2015	WATERLINE TECHNOLOGIES IN	1,286.20
04/27/2015	WATERLINE TECHNOLOGIES IN	1,324.79
04/27/2015	WATERLINE TECHNOLOGIES IN	614.80
04/27/2015	WATERLINE TECHNOLOGIES IN	681.69
501-18-241-5217	Departmental Supplies	<u>4,880.31</u>
501-18-251-5101	Contract Services	
04/27/2015	USA MOBILITY WIRELE	1.96
501-18-251-5101	Contract Services	<u>1.96</u>
501-18-251-5209	Tools & Minor Equipment	
04/27/2015	THE HOME DEPOT 620	98.00
501-18-251-5209	Tools & Minor Equipment	<u>98.00</u>
501-18-251-5217	Departmental Supplies	
04/27/2015	BAVCO	130.36
04/27/2015	FRANKLINCOVEYPRODUCTS	34.73
04/27/2015	FRANKLINCOVEYPRODUCTS	34.73
04/27/2015	HUGHES SUPPLY	160.37
04/27/2015	INTERBANKEXCHANGE LLC	811.45
04/27/2015	LAWSON PRODUCTS	464.34
04/27/2015	MANERI SIGN CO	163.50
04/27/2015	S AND J SUPPLY CO SFS	-1,242.87
04/27/2015	S AND J SUPPLY CO SFS	1,242.87
04/27/2015	SIMS WELDING SUPPL	354.79
04/27/2015	THE HOME DEPOT 608	12.50
04/27/2015	TRENCH SHORING COMPANY	2,180.40
04/27/2015	VALLEY POWER SYSTEMS	1,882.00
04/27/2015	VALLEY POWER SYSTEMS	2,398.00
04/27/2015	WESTWOOD BUILDING MATERIA	170.59
501-18-251-5217	Departmental Supplies	<u>8,797.76</u>
501-18-251-5225	Printing	
04/27/2015	SMARTSOURCE OF CALIF	681.25
501-18-251-5225	Printing	<u>681.25</u>
503-18-321-5101	Contract Services	

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## Report of P-Card Transactions

Account Date	Department Public Works	Amount
04/27/2015	COASTLINE SUPPLIES	480.00
04/27/2015	USA MOBILITY WIRELE	3.92
503-18-321-5101	Contract Services	<u>483.92</u>
503-18-321-5217	Departmental Supplies	
04/27/2015	AT&T S849 5708	58.86
04/27/2015	INTERBANKECHANGE LLC	811.45
503-18-321-5217	Departmental Supplies	<u>870.31</u>
520-18-511-5101	Contract Services	
04/27/2015	SQ *ENVIRONMENTAL SAFETY	1,140.00
04/27/2015	USA MOBILITY WIRELE	1.96
520-18-511-5101	Contract Services	<u>1,141.96</u>
520-18-511-5217	Departmental Supplies	
04/27/2015	IN *ADVANTAGE LIGHTING SO	2,371.84
04/27/2015	MCMASTER-CARR	416.86
04/27/2015	MCMASTER-CARR	65.38
04/27/2015	NORIBACHI CORPORATI	428.37
04/27/2015	SPA SERVICE CENTER	374.80
04/27/2015	SUPREME PAINT (MANHATT	123.36
04/27/2015	SUPREME PAINT (MANHATT	34.06
04/27/2015	SUPREME PAINT (MANHATT	77.34
04/27/2015	THE HOME DEPOT 620	109.20
04/27/2015	THE HOME DEPOT 620	196.57
04/27/2015	THE HOME DEPOT 620	266.77
04/27/2015	THE HOME DEPOT 620	43.38
04/27/2015	THE HOME DEPOT 620	548.25
04/27/2015	THE HOME DEPOT 620	82.30
04/27/2015	THE HOME DEPOT 620	95.49
04/27/2015	VISTA PAINT COR #22	247.81
04/27/2015	VISTA PAINT COR #22	382.76
520-18-511-5217	Departmental Supplies	<u>5,864.54</u>
522-18-512-5101	Contract Services	
04/27/2015	B & M GLASS	334.00
04/27/2015	IN *THE VENTURA OVERHEAD	1,980.00
522-18-512-5101	Contract Services	<u>2,314.00</u>
522-18-512-5217	Departmental Supplies	
04/27/2015	IN *THE VENTURA OVERHEAD	2,058.23

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## Report of P-Card Transactions

Account Date	Department Public Works	Amount
04/27/2015	INTERMOUNTAIN LOCK AND SE	78.75
04/27/2015	KULLY SUPPLY	378.50
04/27/2015	M & K METAL COMPANY	98.49
04/27/2015	MCMASTER-CARR	182.32
04/27/2015	MCMASTER-CARR	197.40
522-18-512-5217	Departmental Supplies	2,993.69
610-18-611-5101	Contract Services	
04/27/2015	SIMS WELDING SUPPL	58.22
610-18-611-5101	Contract Services	58.22
610-18-611-5211	Automotive Parts	
04/27/2015	A-Z BUS SALES	151.79
04/27/2015	BAY CITIES RADIATOR INC	142.79
04/27/2015	EDDINGS 0026741	143.28
04/27/2015	EDDINGS 0026741	144.29
04/27/2015	EDDINGS 0026741	15.30
04/27/2015	EDDINGS 0026741	15.35
04/27/2015	EDDINGS 0026741	160.66
04/27/2015	EDDINGS 0026741	222.88
04/27/2015	EDDINGS 0026741	24.18
04/27/2015	EDDINGS 0026741	27.00
04/27/2015	EDDINGS 0026741	28.30
04/27/2015	EDDINGS 0026741	298.66
04/27/2015	EDDINGS 0026741	34.32
04/27/2015	EDDINGS 0026741	36.69
04/27/2015	EDDINGS 0026741	-37.50
04/27/2015	EDDINGS 0026741	37.80
04/27/2015	EDDINGS 0026741	38.46
04/27/2015	EDDINGS 0026741	38.51
04/27/2015	EDDINGS 0026741	39.70
04/27/2015	EDDINGS 0026741	39.70
04/27/2015	EDDINGS 0026741	41.80
04/27/2015	EDDINGS 0026741	47.12
04/27/2015	EDDINGS 0026741	5.06
04/27/2015	EDDINGS 0026741	5.06
04/27/2015	EDDINGS 0026741	5.66
04/27/2015	EDDINGS 0026741	58.85
04/27/2015	EDDINGS 0026741	68.65
04/27/2015	EDDINGS 0026741	7.85
04/27/2015	EDDINGS 0026741	8.55
04/27/2015	EDDINGS 0026741	95.42

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## Report of P-Card Transactions

Account Date	Department Public Works	Amount
04/27/2015	FIRESTONE 011819	337.67
04/27/2015	FIRESTONE 011819	584.70
04/27/2015	HUNTINGTON HONDA	2,123.74
04/27/2015	LEADER INDUSTRIES	336.24
04/27/2015	LIPPERT COMPONENTS	32.40
04/27/2015	MARTIN CHEVROLET	130.00
04/27/2015	MARTIN CHEVROLET	279.11
04/27/2015	MARTIN CHEVROLET	459.06
04/27/2015	MARTIN CHEVROLET	5.45
04/27/2015	MARTIN CHEVROLET	5.45
04/27/2015	SOUTH BAY FORD	32.50
04/27/2015	SOUTH BAY FORD	63.27
04/27/2015	STEVES LOCK&SAFE	111.72
04/27/2015	STEVES LOCK&SAFE	17.99
04/27/2015	STEVES LOCK&SAFE	196.13
04/27/2015	STEVES LOCK&SAFE	23.98
04/27/2015	STEVES LOCK&SAFE	23.98
04/27/2015	THE LIGHTHOUSE	272.50
610-18-611-5211	Automotive Parts	6,982.07
610-18-611-5217	Departmental Supplies	
04/27/2015	EDDINGS 0026741	294.19
04/27/2015	EDDINGS 0026741	9.81
04/27/2015	LAWSON PRODUCTS	313.19
04/27/2015	OFFICE DEPOT #5125	28.74
04/27/2015	ROSEMEAD OIL PRODUCTS INC	2,498.27
04/27/2015	ROSEMEAD OIL PRODUCTS INC	360.57
04/27/2015	THE HOME DEPOT 620	20.61
610-18-611-5217	Departmental Supplies	3,525.38
610-18-611-5221	Automotive Repair Services	
04/27/2015	STATE OF CALIF DMV INT SC	52.00
610-18-611-5221	Automotive Repair Services	52.00
615-18-041-5101	Contract Services	
04/27/2015	IN *DCS TESTING & EQUIPME	2,076.88
04/27/2015	THE UPS STORE 1830	95.52
615-18-041-5101	Contract Services	2,172.40
615-18-041-5217	Departmental Supplies	
04/27/2015	DVORSONS FOOD SERVICE EQU	415.65
04/27/2015	FRY'S ELECTRONICS #5	19.61

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**Report of P-Card Transactions**

Account Date	Department Public Works	Amount
04/27/2015	INTERMOUNTAIN LOCK AND SE	561.36
04/27/2015	LBC LIGHTING	-763.00
04/27/2015	MCMASTER-CARR	28.11
04/27/2015	MCMASTER-CARR	29.91
04/27/2015	MCMASTER-CARR	369.94
04/27/2015	SPRINT STORE #389	87.19
04/27/2015	SUPERIOR PLASTIC FABRI	213.64
04/27/2015	SUPREME PAINT (MANHATT	394.60
04/27/2015	SUPREME PAINT (MANHATT	403.79
04/27/2015	THE HOME DEPOT 620	122.38
04/27/2015	THE HOME DEPOT 620	157.07
04/27/2015	THE HOME DEPOT 620	41.70
04/27/2015	THE HOME DEPOT 620	44.19
04/27/2015	THE HOME DEPOT 620	49.30
04/27/2015	THE HOME DEPOT 620	61.87
04/27/2015	THE HOME DEPOT 620	76.31
04/27/2015	THE HOME DEPOT 620	8.36
04/27/2015	THE HOME DEPOT 620	97.58
04/27/2015	TODD PIPE AND SUPPLY	787.37
04/27/2015	WESTWOOD BUILDING MATERIA	111.03
04/27/2015	WESTWOOD BUILDING MATERIA	124.36
04/27/2015	WESTWOOD BUILDING MATERIA	13.06
04/27/2015	WESTWOOD BUILDING MATERIA	32.24
04/27/2015	WESTWOOD BUILDING MATERIA	32.36
04/27/2015	WESTWOOD BUILDING MATERIA	89.41
04/27/2015	WW GRAINGER	476.68
04/27/2015	WW GRAINGER	84.91
04/27/2015	WW GRAINGER	93.76
04/27/2015	WW GRAINGER	93.76
615-18-041-5217	Departmental Supplies	<u>4,358.50</u>
18	Public Works	<u>66,835.73</u>
	<b>Report Totals</b>	<u><u>127,028.75</u></u>

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