

LEGISLATIVE DIGEST

[Public Works Code - Waiver of Annual Occupancy Assessment Fee - Seal Rock Inn]

Ordinance waiving the public right-of-way occupancy assessment fee under Public Works Code, Section 786.7 for a major encroachment permit associated with the Seal Rock Inn at 545 Point Lobos Avenue; modifying a condition of Seal Rock Inn’s major encroachment permit; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Existing Law

In 1961, the Board of Supervisors (the “Board”) adopted Resolution No. 631-61 that granted a major encroachment permit to the Seal Rock Inn at 545 Point Lobos Avenue to occupy portions of the sidewalk area. Subsequently, the Board adopted Public Works Code Section 786.7 that imposes an annual public right-of-way occupancy assessment fee on major encroachments based on the square footage of area occupied. The annual fee for the Seal Rock Inn major encroachment, which includes a restaurant patio and planting area, is approximately \$3,700.00. On February 28, 2023, the Board adopted Resolution No. 089-23 to facilitate the revitalization of this valuable City destination by declaring its intent to waive the major encroachment annual occupancy assessment permit fee, among other actions.

Amendments to Current Law

The uncodified ordinance would waive all past and future annual occupancy assessment fees under Public Works Code Section 786.7 for the Seal Rock Inn major encroachment permit. The legislation also would modify a permit condition to remove a requirement that prohibits the commercial appearance of the encroachment.

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