

City of Hermosa Beach

City Hall
1315 Valley Drive
Hermosa Beach, CA 90254



Special Meeting Agenda

Thursday, November 7, 2019

5:30 PM

Council Chambers

Planning Commission

Chair

David Pedersen

Vice Chair

Peter Hoffman

Commissioners

Michael Flaherty

Rob Saemann

Marie Rice

City Clerk

Elaine Doerfling

City Treasurer

Karen Nowicki

City Attorney

Mike Jenkins

Executive Team

Suja Lowenthal, City Manager

Nico De Anda-Scaia, Assistant to the City Manager

Viki Copeland, Finance Director
Marnell Gibson, Public Works Director
Milton McKinnon, Acting Police Chief

Ken Robertson, Community Development Director
Vanessa Godinez, Human Resources Manager
Kelly Orta, Community Resources Manager

Note: No Smoking Is Allowed in The City Hall Council Chambers

THE PUBLIC COMMENT IS LIMITED TO THREE MINUTES PER SPEAKER

Planning Commission agendas and staff reports are available for review on the City's web site at www.hermosabeach.gov. Wireless access is available in the City Council Chambers for mobile devices:

Network ID: CHB-Guest, Password: chbguest

Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Community Development Department during normal business hours from Monday through Thursday, 7:00 a.m. - 6:00 p.m. and on the City's website.

Final determinations of the Planning Commission may be appealed to the City Council within 10 days of the next regular City Council meeting date. If the 10th day falls on a Friday or City holiday, the appeal deadline is extended to the next City business day. Appeals shall be in written form and filed with the City Clerk's office, accompanied by an appeal fee. The City Clerk will set the appeal for public hearing before the City of Hermosa Beach City Council at the earliest date possible.

If you challenge any City of Hermosa Beach decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on this agenda, or in a written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

To comply with the Americans with Disabilities Act (ADA) of 1990, Assistive Listening Devices will be available for check out at the meeting. If you need special assistance to participate in this meeting, please call or submit your request in writing to the Community Development Department at (310) 318-0242 at least 48 hours (two working days) prior to the meeting time to inform us of your needs and to determine if/how accommodation is feasible.

Submit your comments via eComment in three easy steps:

Note: Your comments will become part of the official meeting record. You must provide your full name, but please do not provide any other personal information (i.e. phone numbers, addresses, etc) that you do not want to be published.

1. Go to the Agendas/Minutes/Video webpage and find the meeting you'd like to submit comments on.
Click on the eComment button for your selected meeting.
2. Find the agenda item for which you would like to provide a comment. You can select a specific agenda item/project or provide general comments under the Oral/Written Communications item.
3. Sign in to your SpeakUp Hermosa Account or as a guest, enter your comment in the field provided, provide your name, and if applicable, attach files before submitting your comment.

eComments can be submitted as soon as the meeting materials are published, but will only be accepted until 12:00 pm on the date of the meeting to ensure Planning Commission and staff have the ability to review comments prior to the meeting.

Section I

WALKING TOUR

The Walking Tour will begin at 5:30 p.m., meeting at the corner of Cypress Avenue and 6th Street.

Section II**STUDY SESSION**

The Study Session will begin at 7:00 p.m., meeting at City Hall Council Chambers, 1315 Valley Drive.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Oral / Written Communications**

Anyone wishing to address the Commission regarding a matter not related to a public hearing on the agenda may do so at this time.

5. [REPORT
19-0721](#) Information Only: Public Hearing Notices

Attachments: [1. Public Notices](#)

6. [REPORT
19-0725](#) Study Session to receive public comments and discuss potential Municipal Code amendment to the M-1 Light Manufacturing Zone to consider allowing Cypress District businesses to host openings or events to showcase and offer products for sale on a limited basis.

Attachments:

- [1. Link to 7-23-19 City Council Meeting Agenda - Page 9, REPORT 19-0479](#)
- [2. Link to 8-20-19 Planning Commission Meeting Agenda - Page 6, REPORT 19-0536](#)
- [3. Public Notice Sent to Businesses and Property Owners](#)
- [4. Walking Tour Map](#)
- [5. Cypress District Photos](#)
- [6. Cypress District List of Existing Businesses](#)
- [7. Cypress District Boundary Map](#)
- [8. Alcohol California Business and Professions Code](#)
- [9. Excerpt of Zoning Code Chapter 17.28 M-1 Light Manufacturing Zone](#)
- [10. Excerpt of Zoning Code Chapter 17.42.150 Temporary Minor Special Event Permit](#)

7. **Adjournment to the November 19, 2019 Regular Meeting**



City of Hermosa Beach

City Hall
1315 Valley Drive
Hermosa Beach, CA 90254

Staff Report

Staff Report

REPORT 19-0721

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Special Meeting of November 7, 2019

Information Only: Public Hearing Notices

Attachments:

1. Public Notices

Easy Reader

Run Date: October 31, 2019

Acct: 7010-2110

DISPLAY

City of Hermosa Beach

NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that the **Planning Commission** of the City of Hermosa Beach shall hold a special meeting on **Thursday, November 7, 2019**, to consider the following:

Walking Tour and Study Session to evaluate the existing conditions in the Cypress District and M-1 Zoning standards, including possible changes to allow businesses to host special events, openings, and provide limited retail uses accessory to primary design and production uses.

SAID SPECIAL MEETING shall be held at **5:30 P.M. for the Walking Tour, meeting at the corner of Cypress Avenue and 6th Street, and 7:00 P.M. for the Study Session**, or as soon thereafter as the matter may be heard, in the **City Council Chambers, City Hall, 1315 Valley Drive, Hermosa Beach, CA 90254**.

ANY AND ALL PERSONS interested are invited to participate and speak at these hearings at the above time and place. For inclusion in the agenda packet to be distributed, written comments of interested parties should be submitted to the Community Development Department, Planning Division, in care of City Hall at 1315 Valley Drive, Hermosa Beach, CA 90254 prior to **Thursday, November 7, 2019**, at 12:00 noon. All written testimony by any interested party will be accepted prior to or at the scheduled time on the agenda for the matter.

IF YOU CHALLENGE the above matter(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department, Planning Division, at, or prior to, the public hearing.

FOR FURTHER INFORMATION, please contact the Community Development Department, Planning Division, at (310) 318-0242 or fax to (310) 937-6235. The Department is open from 7:00 a.m. to 6:00 p.m. Monday through Thursday. Please contact a staff planner to discuss any project on the Planning Commission agenda. A copy of the staff report(s) in the Planning Commission packet will be available for public review at the end of the business day on Thursday, October 31, 2019, at the Hermosa Beach Police Department, Public Library, and on the City's website at www.hermosabeach.gov. Relevant Municipal Code sections are also available on the website.

Elaine Doerfling
City Clerk

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CITY OF HERMOSA BEACH

**CERTIFIED PROPERTY OWNERS/OCCUPANTS LIST
AND MAILING AFFIDAVIT**

I, Maria Muccitelli hereby certify that I mailed with first class postage fully prepaid a notice of public hearing to all property owners and occupants within a 500 hundred (500) foot radius of the exterior boundaries of the properties listed below. The property owners list was compiled from the latest available assessment roll the County of Los Angeles.

The addresses of the properties within a 500-foot radius are:

CYPRESS DISTRICT

RECEIVED

OCT 28 2019

COMMUNITY DEV. DEPT.

The date of mailing was OCTOBER 28, 2019

SIGNED *Maria Muccitelli*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California, County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 28th day of Oct, 20 19, by Maria Muccitelli

proved to me on the basis of satisfactory evidence to be the person (s) who appeared before me.

Signature *Rod Elyson* (Seal)





Staff Report

Staff Report

REPORT 19-0725

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Study Session Meeting of November 7, 2019

Study Session to receive public comments and discuss potential Municipal Code amendment to the M-1 Light Manufacturing Zone to consider allowing Cypress District businesses to host openings or events to showcase and offer products for sale on a limited basis.

Study Session:

The Planning Commission will be evaluating the existing conditions, and discussing possible modifications to the M-1 Light Manufacturing zoning standards. The Commission will be specifically exploring whether permitted uses and zoning standards in the M-1 zone should be modified to allow businesses to host special events and provide limited retail sales as accessory uses. The Commission will also discuss possible changes to how certain uses such as art studios and/or galleries are defined, as well as other ways to implement the vision in PLAN Hermosa for the Cypress District.

Background:

After extensive community discussion and study, the City Council adopted PLAN Hermosa on August 22, 2017. The Cypress Avenue district is located within the Creative Light Industrial (CI) General Plan land use area. The General Plan vision for the Cypress District industrial area is to foster new innovations and creative activity. Creative land uses, including in the Cypress District, are discussed throughout PLAN Hermosa in the following sections:

Creative Economy (p.69)

Artists, like many business sectors, *need space to create their art and venues or opportunities to sell their work* and can benefit from proximity to one another. To encourage increased artistic activity and support economic development objectives, Hermosa Beach can ensure the space needed to support this industry is provided in an accessible and affordable manner that allows higher levels of collaboration among artists - all essential ingredients to flourishing creative communities.

Land Use Designations - Creative (p.71)

Creative land use designations are intended to provide space for production, design, and manufacturing uses that support the local employment base and produce goods and services that enhance the brand of Hermosa Beach as a creative and innovative community. Uses that are considered light industrial are to be designed and sited in a manner that ensures their compatibility with surrounding uses.

Designation/Definition (p.73)

CI Light Industrial - Production uses for light manufacturing, creative art, or design services with professional office as an allowed accessory use.

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Creative Light Industrial (CI) (p.77)

Purpose - The creative light industrial designation is intended to create a suitable environment for small businesses that rely on manufacturing, warehousing, or production to operate successfully. This designation ensures uses are able to operate in a manner that contributes to local economic activity and diversifies the local employment base while minimizing impacts to adjacent residential uses. The designation fosters new innovations and creative economic activity by providing common gathering areas and meeting spaces to share and exchange ideas.

Appropriate Land Uses - This designation is reserved for the provision of production uses for light manufacturing, creative art, or design services. Flexible use spaces, co-working offices, and creative or “maker” industry incubator spaces are also permitted. *Professional office or specialty retail are allowed only as an accessory use to the primary production uses.* Residential uses are not allowed in this designation as its intent is to promote and protect industry and production uses that diversify the City’s tax base.

Cypress District Character Area (p. 94)

Future Vision - The intent is to transform both building design and orientation as well as the public realm and streetscape within the Cypress District. This area is the creative, production and light industrial center of Hermosa Beach where ideas, spaces, and creativity are easily shared. The Cypress District includes a variety of flexible use spaces, co-working offices, and creative or “maker” industries.

Intended Distribution of Land Uses - The Cypress District is exclusively designated for creative light industrial uses, with preference toward production uses aligned with green economy. *While the area should allow some retail uses, the focus is on specialty trade services and must be accessory to the design or production uses.* The Cypress District should support the development of new uses that will bring a wide range of high-quality jobs accessible to people with a variety of skill levels, including research and development and light industrial uses.

Relevant Goals and Policies the City’s General Plan are listed below:

Governance Goal 6. A broad-based and long-term economic development strategy for Hermosa Beach that supports existing businesses while attracting new business and tourism.

- Policy 6.5 Creative Economy.
Land Use Goal 1. Create a sustainable urban form and land use patterns that support a robust economy and high quality of life for residents.
- Policies 1.1 Diverse and distributed land use pattern, 1.4 Diverse commercial areas, and 1.8 Respond to unique characteristics.
Land Use Goal 3. A series of unique, destination-oriented districts throughout Hermosa Beach.
- Policies 3.1 Unique districts and 3.2 Compatibility of districts.
Land Use Goal 10. A strong sense of cultural and architectural heritage.
- Policy 10.5 Adaptive reuse and sustainable development.

One of the priority implementation tasks for PLAN Hermosa is to update the Zoning Code to align with the General Plan.

At its meeting on July 9, 2019, the City Council reviewed a request letter and heard public comments from Mike Collins, business owner of ShockBoxx, requesting initiation of a Municipal Code amendment to the M-1 Light Manufacturing Zone in the Cypress District. The letter, which represented six businesses and property owners, asked for consideration to update the M-1 Zone to allow for “current and emerging, businesses, shop owners, and tenants, to conduct business in a more creative way,” particularly regarding special event limitations. At that meeting, the City Council directed staff to agendize this matter for consideration at a future City Council meeting.

At its meeting on July 23, 2019, the City Council considered initiation of a Municipal Code amendment to the M-1 Zone and the appropriate permitting process to allow Cypress District businesses to host openings or events with limited retail sales. After discussion, the City Council directed the Planning Commission to consider a Zoning Code Text Amendment for the M-1 Zone in the Cypress District and recommend changes to the City Council for potential adoption.

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At its meeting on August 20, 2019, the Planning Commission discussed the M-1 Light Manufacturing Zone and the City Council direction to consider potential Municipal Code text amendments to allow businesses to host openings or events with limited retail sales. The Commission discussed the proposal, requested more information such as an inventory of existing uses, parking, and potential fiscal impacts and directed staff to bring back this matter at a future Planning Commission Study Session.

Analysis:

The Cypress Avenue industrial area has a mix of older and newer buildings within which businesses operate; some are established businesses in operation for decades and others are more recently-opened businesses investing in the area and finding that the M-1 Light Manufacturing Zone is restrictive for their proposed business operations. The M-1 Zone states the specific purpose is to provide "for a range of light manufacturing and warehousing and distribution uses and certain appropriate service commercial uses." The M-1 Zone allows accessory administrative offices but generally does not allow uses that serve the public directly, such as retail sales or art galleries. For example, artist studios are permitted in the M-1 Zone, but not galleries. Area photos are provided as Attachment 4.

Some new businesses, including artist studios on Cypress Avenue, have regularly obtained permits for Temporary Minor Special Event Permits for art-oriented events. The popularity of these events has prompted businesses to request modification of the M-1 Zone to regularly allow events without seeking a Temporary Minor Special Event permit for each event, which are limited to 12 per year.

Similarly in 2018, in response to business requests for a simpler special event process in commercial zones, the City Council approved a Zoning Code amendment creating a new administrative permit process for qualifying events and definition for Limited Live Entertainment:

Entertainment, Limited Live. "Limited live entertainment" means the provision of live entertainment as defined herein, but only as accessory to an established on-site use during normal business hours for limited periods of time outside of late night hours, provided by a maximum of two (2) performers using amplification at any time, that does not typically generate off-site impacts or contribute to impacts within the commercial district or adjacent residential districts in accordance with operational standards in the commercial zoning districts.

This new Limited Live Entertainment permit process does not apply to the M-1 Light Manufacturing Zone nor does it seem appropriate for the types of events that are better described as openings for the purpose of showcasing art or other goods produced or manufactured in the studios. However, the simplified Administrative Permit process, which is obtained once for a two-year period, would be a simpler alternative to the Temporary Minor Special Event Permit, which requires a new application for each event and is limited to 12 per year. To implement a similar permit process, an amendment to the Zoning Code for the M-1 Zone would be required with conditions applicable to the types of special events now allowed through Temporary Minor Special Event Permits.

Special Events

Expanded special event uses are not consistent with the existing code in the M-1 Light Industrial zone. As directed by the City Council, in order to permit host openings or events to showcase and offer products for sale, the requested Code amendment would be an interim measure until a more comprehensive update is completed for the Cypress District M-1 Zone consistent with the vision of the PLAN Hermosa General Plan.

Considerations brought up during the July 23, 2019 City Council discussion included:

1. If potential events should be within the building or allowed to expand onto property.
2. If gallery openings and similar activities should be considered as normal business operations or special events.
3. If gallery openings and similar activities should be subject to certain standards and limits such as frequency or hours.
4. Recognition that PLAN Hermosa anticipated some of these desired uses and that business demand has preceded the Zoning Code updates anticipated in the General Plan.

Considerations brought up during the August 20, 2019 Planning Commission discussion included:

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1. Need to address noise impacts of special events.
2. Determine if existing parking adequate for special events.
3. Need to address alcohol for special events.
4. Concerns and consequences of allowing retail.
5. Galleries are retail.
6. Provide summary of existing uses and property owners.
7. Concern of raising rents or creating financial barriers to artists and fiscal impacts of potential changes.
8. Pilot program could be considered with combination special event/live entertainment.
9. 1-2 year administrative permit, simple, inexpensive.
10. Director interpretation of similar uses, which uses should be regulated.

Examples: architectural uses/design use, art studio/gallery

Existing Conditions - Temporary Special Event Permits

Zoning Code Section 17.42.150 regulates Temporary Special Event Permits, which are administrative permits, and is included in this report as Attachment 11. In the case of indoor events, one permit will apply to up to 12 dates. The application requires event details for each date, including hours (10:00 AM - 9:00 PM in M-1 Zone), alcoholic beverages, entertainment, designated parking, pedestrian access, and occupancy limits. Applicable conditions of approval are determined for each event.

In 2019, two Temporary Special Event Permits were issued in the Cypress District M-1 Zone; for Resin at 618 Cypress Avenue and for Shockboxx at 636 Cypress Avenue. Each permit was issued for up to 12 events in the calendar year. There were no Temporary Special Event Permits issued in the Cypress District in 2018.

Alcohol sales are regulated by the California Business and Professions Code and the California Department of Alcohol Beverage Control (ABC) enforces the laws. Generally, for special events, if there is no sale of alcohol and the event is by invitation only and not open to the public, then no ABC license is required. If alcohol is to be sold at the event, an event permit is required from ABC, unless a caterer with appropriate Type 58 license (caterers permit under an on-sale general license, such as a restaurant). A copy of the ABC permit is required prior to approval of the Temporary Special Event Permits.

Property Analysis

The Cypress District is comprised of approximately 35 lots and approximately 50 businesses. There are 20 property owners within the district, including the City of Hermosa Beach City Yard site

One of the largest properties is the City of Hermosa Beach Public Works Facility, also known as the City Yard, located at 555 6th Street is 1.92 acres in size. The City is in process of re-constructing the City Yard at the high-visibility corner of Valley Drive and 6th Street. The new City Yard, surrounding fences, and landscaping will be a substantial improvement to the area. The project will provide 16 parking spaces available to the public, with 6 perpendicular spaces facing 6th Street and 10 spaces in a lot adjacent to 6th Street, which is similar to the current parking configuration.

Parking Analysis

During its discussion at the August 20, 2019 meeting, the Planning Commission requested additional information be provided regarding Cypress District parking in the area to help determine whether additional parking demands can be met for potential events. Staff has reviewed existing conditions for public parking and private parking in the Cypress District.

Public parking is limited on the streets within the Cypress District: Cypress Avenue allows parking on both sides, but many west-facing buildings have drive-in perpendicular parking which does not allow curb-face parking; 6th Street allows parking on the south side of street only, though along the north side of 6th Street the City Yard provides 8 spaces adjacent to the street; and Valley Drive is narrow along this area and does not allow parking on either side of the street.

Cypress District Street Parking

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Cypress Avenue	16 spaces
6 th Street	11 spaces + 8 spaces facing City Yard
Valley Drive	0 spaces

Nearby parking includes 84 spaces of perpendicular parking provided one block to the north, across 8th Street, on the on the west side of Valley Drive across from Clark Stadium; 16 spaces on the east side of Valley Drive adjacent to Clark Stadium; 36 spaces are located at South Park, immediately south of the Cypress District, and 7 spaces are located on the east side of Valley Drive spaces in front of South Park.

Nearby Cypress District Public Parking

Valley Drive across from Clark Stadium	84 spaces
Valley Drive adjacent to Clark Stadium	16 spaces
South Park	36 spaces
Valley Drive in front of South Park	7 spaces

Private parking is generally provided on site for each business. Some multi-tenant buildings provide shared parking for several businesses, such as the industrial building at 601 Cypress Avenue and the industrial complex at 675-717 Valley Drive.

An August 2019 preliminary Parking Management Study was conducted as part of the recent Coastal Zone parking analysis. The study included analysis of Cypress District parking, considering land use, code-required parking and existing private off-street parking. The table below shows that there is inadequate on-site parking for existing uses in the Cypress District.

Cypress District Parking Spaces Required by City Code

Land Use	Square Feet by Use Type	Existing Minimum Parking Required	Spaces Required by Code	Existing Private Off-Street Parking Spaces
Office/Professional	8,933	1 sp p/250 sf	36	13
Light Manufacturing	87,900	1 sp p/300 sf	292	169
Warehousing/Storage	14,519	1 sp p/1000sf	15	1
Service/Repair	9,057	1 sp p/1000sf	9	13
Total	120,409		1,915	764

Existing Cypress District Businesses:

There is a wide range of business types represented, including audio recording and producing

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studios, surfboard shaping, woodworking, automotive repairs, interior design, architects, artist studios, and contractors. As requested, the types of current uses in the Cypress District is summarized as follows:

Cypress District Current Business Uses

Media (Movie Production, Video, Photography)	5
Surfboard Production, Repairs	4
Music Recording/Production/Streaming	4
Distribution Imports/Exports	4
Auto Body, Auto Glass, Auto Glass Tint	4
Contractors	4
Vacant	3
Artist Studio/Gallery	2
Architecture/Design Studio	2
Woodwork/Finish Carpentry	2
Warehouse	2
Skechers Support	2
Interior Design	1
Dental Lab	1

Music Lessons	1
Apparel Screenprinting, Embroidery	1
Buddhist Center	1
Metalsmith, Jewelry Manufacturing	1
Baja Sharkeez Support, Warehouse	1
Self-Storage	1
City Yard	1

A comprehensive list of businesses is included in this report as Attachment 5.

Other Industrial Examples

As requested by the Planning Commission, staff has reviewed other examples of arts-oriented cities responding to changing demands on the industrially zoned areas, particularly for retail, gallery, or special event use.

El Segundo Smoky Hallow Specific Plan

The City of El Segundo has adopted a comprehensive Specific Plan, including the following:

- Retail allowed as accessory use only; includes incidental direct sale to consumers of only those goods produced on-site of another permitted or conditionally permitted use.
- Artist Studio (light industrial) allowed; Art Gallery (retail) not allowed.
- Offices allowed.

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Santa Barbara Funk Zone

- Breweries allowed; several in area.
- Art manufacturing including: pottery, wood products, leather products, paper products.
- Retail as accessory use only.
- Restaurants upon approval of a Conditional Use Permit.

Pomona

- Pomona has an M-1 Light Industrial Zone which allows limited retail, offices, banks, bakeries, and restaurants.

Claremont

- Art Galleries with up to 15% of floor space dedicated to retail with a Special Use and Development Permit.
- Limited retail in conjunction with permitted manufacturing/industrial use; Retail less than 20% of total floor area and less than 20% of gross sales revenues.
- Restaurants and offices are permitted.

Costa Mesa

- Art Galleries are not permitted in industrial zones.
- Incidental retail sales. Incidental retail sales may be allowed in conjunction with an industrial use provided that the retail sales floor area does not exceed twenty (20) percent of the gross floor area or one thousand (1,000) square feet, whichever is less and the retail products are related to the primary industrial use. Incidental retail sales that do not meet the floor area limitation shall be subject to review and approval of a minor conditional use permit.

Code Options to Consider

Municipal Code text amendments to the M-1 Light Manufacturing Zone in the Cypress District include consideration for Events and Openings and Retail sales on a limited basis.

Events and Openings

Events and Openings options for consideration (from lenient to restrictive):

1. Allow Openings and Events- Amend the M-1 Zone to allow host openings or events as an allowable use with appropriate limits and operational standards during normal business hours, and activities to be contained within the building with all doors and windows closed during events.

This may not be appropriate for the entire M-1 Zone in the Cypress District, but could be applied on street-facing buildings, for example.
2. New Administrative Permit - Amend the M-1 Zone to allow an Administrative Permit similar to the Limited Live Entertainment Permit with one permit for a two-year period in a manner customized for the M-1 Zone with appropriate operational standards such as limits to frequency, hours, and the requirement that all activities conform to Noise standards.
3. Require Conditional Use Permit - Amend the M-1 Zone to allow to host openings or events to showcase and offer products for sale on a limited case-by-case basis with approval of a CUP, which could also address related

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requests not consistent with existing M-1 zone such as to allow classes or accessory retail of up to 25% area or alcohol during openings and events. A CUP would be a one-time permit process to respond to a specific request with conditions applied to mitigate potential impacts.

4. No Change - The continued use of annual administrative Minor Temporary Special Event permits for requested events on a case-by-case basis with applicable conditions of approval, including event hours, noise, proof of parking, and maximum occupancy.
5. Disallow - Determine that the special event uses are not consistent with the Zoning Code and disallow future Minor Temporary Special Event permits in the M-1 Zone.

Retail

Retail is not currently permitted in the M-1 Zone, even as an accessory use. Art galleries are generally considered a retail use, but have been interpreted as incidental to Artist Studios, as provided in Code Section 17.28.025 subject to approval of the Community Development Director. The code does not currently have definitions for Artist Studios or Art Galleries.

Industrial buildings are not designed to be retail space. Retail space tends to be more expensive, which is one reason why industrial zones experience pressure to be used for retail. In general, if industrial space is made available as retail then it could result in increased rental rates, which could put rent pressure on the existing light industrial businesses in the M-1 Zone.

It should be noted that the General Plan addresses the issue and states that specialty retail should be allowed as an accessory use to support the primary production use.

Retail options for consideration (from lenient to restrictive):

1. Allow Limited Retail - Amend the M-1 Zone to allow specialty retail as an accessory use to support the primary production use up to 25% of floor area. This is consistent with PLAN Hermosa.
2. No Change/Disallow - Determine that retail use is not appropriate for the M-1 Zone and not consistent with the Zoning Code.

Potential Code Amendments

For clarification, it may be appropriate to add definitions of Artist Studio and Art Gallery.

Definitions:

“Art studio” means a workshop for one or more artists.

“Art gallery” means a place of business in which objects of fine art, such as painting and sculpture, are displayed and offered for sale.

If an art gallery is permitted in M-1 Zone, it may be appropriate to include conditions such as subject to approval of the Community Development Director or limited to a street-facing tenant space. Some existing building conditions in the Cypress District are not designed for frequent customers and may not be appropriate for an art gallery.

Summary

The intention for a potential M-1 Light Industrial Zone Text Amendment in the Cypress District is to serve as an interim measure to bring the Zoning Code closer to the PLAN Hermosa General Plan vision and in anticipation of a more comprehensive update in the future.

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Environmental Analysis:

Environmental analysis will be determined based on the recommended action pursuant to the California Environmental Quality Act (CEQA) and California Public Resources Code. Once a course of action is determined, appropriate Environmental Analysis will be conducted at that time.

Attachments:

1. Link to 7-23-19 City Council Meeting
2. Link to 8-20-19 Planning Commission Meeting
3. Public Notice Sent to Businesses and Property Owners
4. Walking Tour Map
5. Cypress District Photos
6. Cypress District List of Existing Businesses
7. Cypress District M-1 Zone Boundary Map
8. California Alcohol Beverage Control Regulations for Special Events
9. Excerpt of Zoning Code Chapter 17.28: M-1 Light Manufacturing Zone
10. Excerpt of Zoning Code Chapter 17.42.150: Temporary Minor Special Event Permit

Respectfully Submitted by: Christy Teague, Senior Planner

Approved: Ken Robertson, Community Development Director

ATTACHMENT 3

Community Development Department
Planning Division
City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254

IMPORTANT PUBLIC NOTICE

**PLANNING COMMISSION SPECIAL MEETING THURSDAY, NOVEMBER 7TH
TO CONDUCT A WALKING TOUR AND STUDY SESSION TO EVALUATE THE EXISTING
CONDITIONS IN THE CYPRESS DISTRICT AND M-1 ZONING STANDARDS, INCLUDING
POSSIBLE CHANGES TO ALLOW BUSINESSES TO HOST SPECIAL EVENTS, OPENINGS, AND
PROVIDE LIMITED RETAIL USES ACCESSORY TO PRIMARY DESIGN AND PRODUCTION
USES.**

October 24, 2019

The Planning Commission is holding this special meeting as part of the City's efforts to implement the future vision for the "Cypress District" as expressed in PLAN Hermosa. PLAN Hermosa identifies this district as appropriate for creative light industrial uses, and the allowance of some retail uses accessory to the creative design or production uses.

The Planning Commission will be evaluating the existing conditions, and discussing possible modifications to the M-1 Light Manufacturing zoning standards. The Commission will be specifically exploring whether permitted uses and zoning standards in the M-1 zone should be modified to allow businesses to host special events and provide limited retail sales as accessory uses. The Commission will also discuss possible changes to how certain uses such as art studios and/or galleries are defined, as well as other ways to implement the vision in PLAN Hermosa for the Cypress District. Following the Study Session, the Planning Commission will be formally considering modifications to the M-1 zoning standards at its regular meeting of November 19th. The Planning Commission recommendations will lead to City Council consideration of amendments to the Municipal Code at a future meeting.

Planning Commission Walking Tour and Study Session will be held:

Thursday, November 7th – Walking Tour at 5:30 P.M.

Meet at corner of Cypress Avenue and 6th Street

Thursday, November 7th – Study Session at 7:00 P.M.

Hermosa Beach City Hall Council Chambers
1315 Valley Drive

Regular Planning Commission meeting will be held:

Tuesday, November 19th at 7:00 P.M.

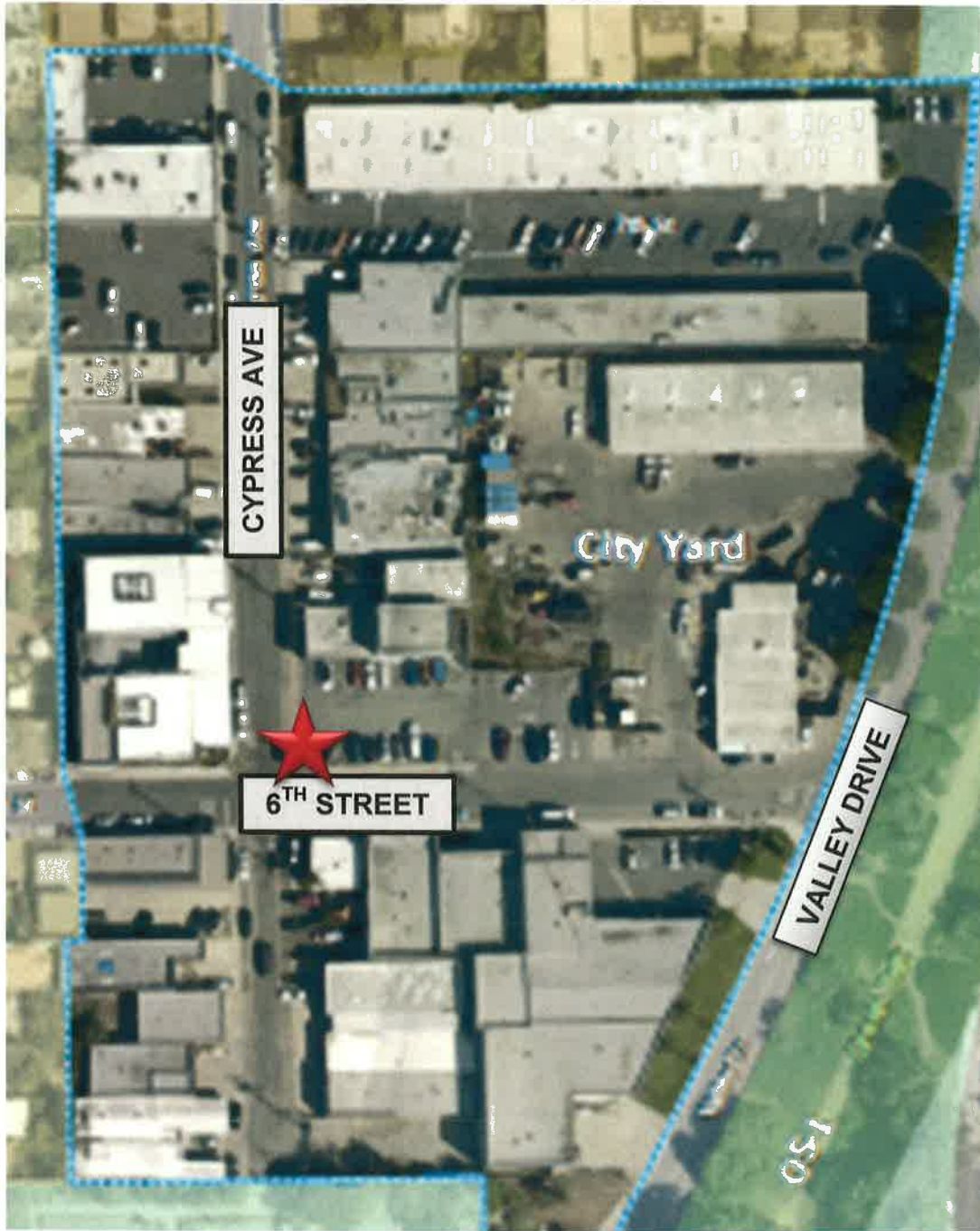
Hermosa Beach City Hall Council Chambers
1315 Valley Drive

The Planning Commission Meetings and related materials can be viewed live or at a later time at www.hermosabeach.gov.

Your comments are welcomed and encouraged, in person at the meetings or in writing. If you would like to write a letter to the Planning Commission, comments may be submitted to the Community Development Department, City of Hermosa Beach, 1315 Valley Drive, Hermosa Beach, CA 90254. Written comments may also be submitted via eComment in 3 easy steps: 1) Go to the Agendas/Minutes/Video webpage and find the meeting on which you'd like to comment; 2) Find the agenda item on which you'd like to comment; and 3) sign in to your SpeakUp Hermosa Account or sign in as a guest, enter your comment in the field provided, provide your name, and if applicable, attach files before submitting your comment.

For more information, please contact cteague@hermosabch.org or (310) 318-0242.

CYPRESS DISTRICT M-1 ZONE WALKING TOUR



START at Corner of Cypress Avenue and 6th Street



PROCEED SOUTH along Cypress to end of street at South Park



PROCEED EAST along 6th Street to Valley Drive



PROCEED SOUTH and then **NORTH** along Valley Drive



PROCEED WEST through 717 Cypress Ave Complex to **START**



**ATTACHMENT 5
Cypress District Photos**



























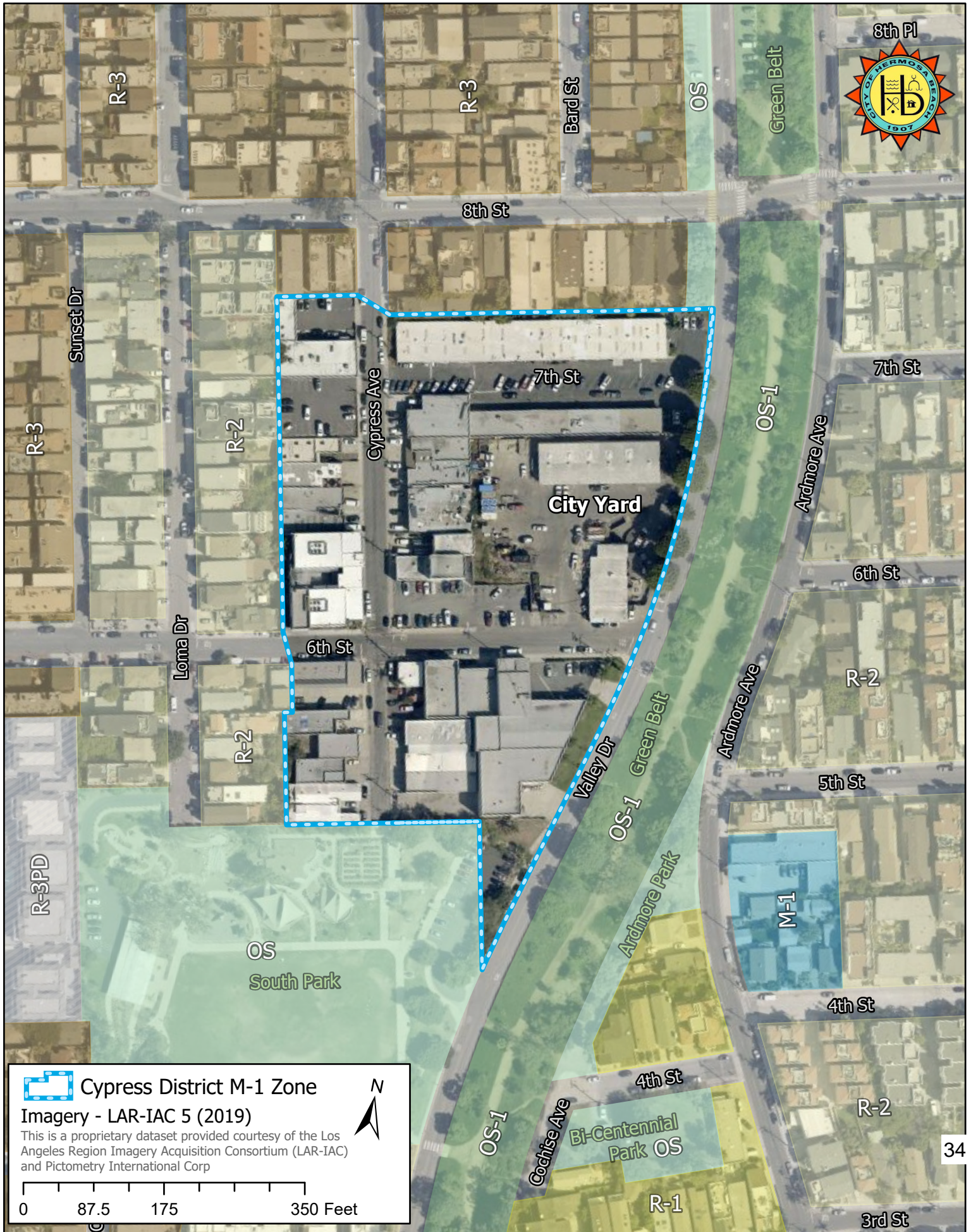


ATTACHMENT 6
Cypress District List of Existing Businesses

ADDRESS	BUSINESS NAME	NUMBER PARKING SPACES
511 Cypress Avenue	Vacant	2
513 Cypress Avenue	Vacant	2
520 Cypress Avenue	Pepe Studio (Interior Design)	2 *Addl rear lot 7-8
524 Cypress Avenue	Skechers support	2
525 Cypress Avenue	Vacant	2
530 Cypress Avenue	Skechers support	4
531 Cypress Avenue	Arriola Pacific (Contractor)	3
545 Cypress Avenue	Every Angle Media	8-9
601 Cypress Avenue	Ste. 301, 401 LBLA Marketing (Imports)	
601 Cypress Avenue	Ste. 402 E.O. Physical Therapy & Sports Performance	
601 Cypress Avenue	Ste. 403 Dave Shaw Concrete & Block	
601 Cypress Avenue	Ste. 404 LBLA Marketing Shipping & Receiving	
601 Cypress Avenue	Ste. 405 Pollen Gear Imports	
601 Cypress Avenue	Ste. 406 MagVenture Imports/Distribution	
601 Cypress Avenue	Ste. 407 Nosotros Tequila (Distribution)	
601 Cypress Avenue	Ste. 408 Oral Design Hermosa Beach Dental Lab 2 levels multi-tenant parking	
618 Cypress Avenue	Resin/RSN Artist Studio/NUWORK Co-Work	20
620 Cypress Avenue	JB Plumbing Inc.	4
625 Cypress Avenue	Lauranne Ray - Consulting	2
635 Cypress Avenue	Baja Sharkeez	3-4
636 Cypress Avenue	Shockboxx Artist Studio/Gallery	3
637 Cypress Avenue	Studio 637-Recording, Video Prod., Streaming	2-3
638 Cypress Avenue	Cypress Millworks	2
640 Cypress Avenue	Barahona Air Brush & Ding Repair (surfboards)	2
643 Cypress Avenue	Starr Design/SRL Construction	3
644 Cypress Avenue	Cypress Surf Shop/South Bay Board Works	4
650 Cypress Avenue	Cypress Auto Body & Spa	5
725 Cypress Avenue	Laney Architects LA	2
671 Valley Drive	Music Focus- Recording, Production, Lessons	
673 Valley Drive	The Production Co./Rockzion Records-Recording	
675 Valley Drive	JD Manufacturing-Jewelry, Metalsmith	
677 Valley Drive	Screaming Leopards Studios- Recording	
679 Valley Drive	Stickman California Surfboards	

717 Valley Drive	JOL Design-Screenprint, Embroidery Apparel	
717 Valley Drive	Southland CD-Manufacturing, Recordings	
717 Valley Drive	Blue Sky Glass Tinting	
717 Valley Drive	Precision Motorsport	
717 Valley Drive	Aqua Tech Glassing	
717 Valley Drive	Anderson Surfboards	
717 Valley Drive	Dog House Studio-Videos, Photography	
717 Valley Drive	Johnson Fine Wood-Finish Carpentry	
		47 multi-tenant bldg.
500 6 th Street	Mahamudra Kadampa Buddhist Center	4
530 6 th Street	Beach Cities Self Storage	6
530 6 th Street, B-215	Andes Home Furniture Warehouse	
530 6 th Street, E	Soothe Your Soul-Manufacturing, Wholesale	4
555 6 th Street	Hermosa Beach City Yard	16 accessible

Cypress District - M-1 Zone Boundary District



Attachment 8

California Alcohol Beverage Control Regulations for Special Events

California Business and Professions Code
Sec. 23399

(a) An on-sale general license authorizes the sale of beer, wine, and distilled spirits for consumption on the premises where sold. Any licensee under an on-sale general license, an on-sale beer and wine license, a club license, or a veterans club license may apply to the department for a caterers permit. A caterers permit under an on-sale general license shall authorize the sale of beer, wine, and distilled spirits for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events held any place in the state approved by the department. A caterers permit under an on-sale beer and wine license shall authorize the sale of beer and wine for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events held any place in the state approved by the department. A caterers permit under a club license or a veterans club license shall authorize sales at these events only upon the licensed club premises.

(b) Any licensee under an on-sale general license or an on-sale beer and wine license may apply to the department for an event permit. An event permit under an on-sale general license or an on-sale beer and wine license shall authorize, at events held no more frequently than four days in any single calendar year, the sale of beer, wine, and distilled spirits only under an on-sale general license or beer and wine only under an on-sale beer and wine license for consumption on property adjacent to the licensed premises and owned or under the control of the licensee. This property shall be secured and controlled by the licensee and not visible to the general public.

(c) This section shall in no way limit the power of the department to issue special licenses under the provisions of Section 24045 or to issue daily on-sale general licenses under the provisions of Section 24045.1. Consent for sales at each event shall be first obtained from the department in the form of a catering or event authorization issued pursuant to rules prescribed by it. Any event authorization shall be subject to approval by the appropriate local law enforcement agency. The fee for each catering or event authorization shall be issued at a fee not to exceed twenty-five dollars (\$25) and this fee shall be deposited in the Alcohol Beverage Control Fund as provided in Section 25761.

(d) At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the act pertaining to the conduct of on-sale premises and violation of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises.

(e) The fee for a caterers permit for a licensee under an on-sale general license, a caterers permit for a licensee under an on-sale beer and wine license, or an event permit for a licensee under an on-sale general license or an on-sale beer and wine license shall be one hundred four dollars (\$104) for

permits issued during the 2002 calendar year, one hundred seven dollars (\$107) for permits issued during the 2003 calendar year, one hundred ten dollars (\$110) for permits issued during the 2004 calendar year, and for permits issued during the years thereafter, the annual fee shall be calculated pursuant to subdivisions (b) and (c) of Section 23320, and the fee for a caterers permit for a licensee under a club license or a veterans club license shall be as specified in Section 23320, and the permit may be renewable annually at the same time as the licensees license. A caterers or event permit shall be transferable as a part of the license.

California Business and Professions Code Sec. 24045

(a)All licenses, except on-sale general licenses for seasonal businesses and daily on-sale general licenses issued pursuant to Section 24045.1, shall be issued on an annual basis. However, the department may issue special licenses for the sale of beer or wine on a temporary basis for premises temporarily occupied by the licensee for a picnic, social gathering, or similar occasion at a fee equal to the actual cost of issuing the license, but not to exceed twenty-five dollars (\$25) per day.

(b)Notwithstanding subdivision (a), a license transferred pursuant to Section 24071 or 24071.1 shall be issued for the unexpired term remaining on the license of the transferor.

(c)The director may assign or reassign dates for the expiration of licenses issued pursuant to this section. The director may establish a registration year for any license issued pursuant to subdivision (a) consisting of any period from six months to 18 months, inclusive, and shall prorate related annual fees to the extent the registration year is greater or less than 12 months, with subsequent renewals being required at yearly intervals.

California Business and Professions Code Sec. 24045.1

The department, in its discretion, may issue on a temporary basis a daily on-sale general license and the fee for such license shall be twenty-five dollars (\$25) per day. Such license authorizes the sale of distilled spirits, wine, and beer for consumption on the premises where sold, and no off-sale privileges shall be exercised under such license. A daily on-sale general license may only be issued to a political party or affiliate supporting a candidate for public office or a ballot measure, an organization formed for a specific charitable or civic purpose, a fraternal organization in existence for over five years with a regular membership, or a religious organization. Distilled spirits sold under a daily on-sale general license shall have been purchased at retail from the holder of an off-sale general license. The department may adopt such rules as it determines to be necessary to implement and administer the provisions of this section, including, but not limited to, limitations on the number of times during any calendar year a qualified organization may be issued a license provided for by this section. The provisions of Article 2 (commencing with Section 23815) of Chapter 5 and Article 2 (commencing with

Section 23985) of Chapter 6 of this division shall not be applicable to the licenses provided for by this section.

ATTACHMENT 9

Chapter 17.28 M-1 LIGHT MANUFACTURING ZONE

Sections:

17.28.010 Specific purposes.

17.28.020 Permitted uses.

17.28.025 Similar use permitted.

17.28.030 Standards and limitations.

17.28.010 Specific purposes.

In addition to the general purposes listed in Chapter 17.02, the specific purposes of the light manufacturing zone is to:

A. Provide appropriately located areas consistent with the general plan for a range of light manufacturing and warehousing and distribution uses and certain appropriate service commercial uses.

B. Strengthen the city's economic base and employment base, but also protect existing small businesses that serve and employ city residents.

C. Create and maintain suitable environments for various types of manufacturing and compatible uses, and protect them from the adverse effects of inharmonious uses.

D. Minimize the impact of development in the M-1 zone on adjacent residential districts.

E. Ensure that the appearance and effects of manufacturing and commercial buildings in the M-1 zone are harmonious with the character of the area which they are located.

F. Ensure the provision of adequate off-street parking and loading facilities. (Prior code Appx. A, § 9-1)

17.28.020 Permitted uses.

In the following matrix, the letter "P" designates use classifications permitted and the letter "U" designates use classifications permitted by approval of a conditional use permit. Use classifications not listed are prohibited. Section numbers listed under "see section" reference additional regulations located elsewhere in the Zoning Ordinance or Municipal Code.

M-1 ZONE, LAND USE REGULATIONS

P = Permitted

U = C.U.P. Required (See Chapter 17.40)

USE		See Section
Administrative offices accessory to a primary permitted use (listed below), not exceeding twenty-five (25) percent of the gross floor area	P	
Artist studio	P	
Audio/visual recording studio	P	
Communication facilities	U	<u>17.40.020</u>
Motor vehicle and equipment service: General repair, service, installation of parts and accessories Body repair and painting	U	Chapter <u>17.40</u>
Manufacturing, fabrication, assembly, testing, repair, servicing and processing of the following products and materials: Coated, plated and engraved metal products Diecut paper, paperboard, cardboard Machinery equipment and supplies Surfboards	U	Chapter <u>17.40</u>
Manufacturing, fabrication, assembly, testing, repair, servicing and processing of the following products and materials: Apparel Audio/visual products Awnings Bakery products Communications equipment Confectionery and related products Electronic components, computers, and accessories	P	

M-1 ZONE, LAND USE REGULATIONS

P = Permitted

U = C.U.P. Required (See Chapter 17.40)

USE		See Section
Electric lighting and wiring equipment		
Stone and cut stone products		
Furniture and fixtures		
Glass products		
Household tools and hardware		
Jewelry, silverware, and plated ware		
Luggage		
Motor vehicle parts and accessories		
Musical instruments and parts		
Office and household machines and appliances		
Office products		
Paperboard containers and boxes		
Pharmaceutical products		
Photographic and optical goods, watches and clocks		
Hardware, plumbing, heating equipment and supplies		
Pottery and related products		
Professional, scientific and controlling instruments		
Toys, amusements, sporting and athletic goods		
Wooden containers		
Microbrewery	U	<u>17.40.210</u>
Parking lots and/or structures	P	
Warehousing	P	
Wireless communication facility	U	<u>17.40.170</u>

M-1 ZONE, LAND USE REGULATIONS

P = Permitted

U = C.U.P. Required (See Chapter 17.40)

USE		See Section
Wholesale distribution of the products and materials listed above, and including the following: Packaged groceries and related products	P	

(Ord. 17-1378 §4, 2017; Ord. 14-1346 §2, 2014; Ord. 04-1243 §4, Oct 2004; Ord. 02-1221 §4, July 2002; Ord. 01-1214 §4(3), 2001)

17.28.025 Similar use permitted.

When a use is not specifically listed in this chapter, it shall be understood that the use may be permitted if it is determined by the community development director that the use is similar to other uses listed.

It is further recognized that every conceivable use cannot be identified in this chapter, and anticipating that new uses will evolve over time, this section establishes the community development director with the authority to compare a proposed use and measure it against those listed for determining similarity subject to confirmation by the city council.

In determining similarity the director shall make all of the following findings:

- A. The proposed use shall meet the intent of and be consistent with the goals, objectives and policies of the general plan;
- B. The proposed use shall meet the stated purpose and general intent of the zone in which the use is proposed to be located;
- C. The proposed use shall not adversely impact the public health, safety and general welfare of the city's residents;
- D. The proposed use shall share characteristics common with, and not be of greater intensity, density or general more environmental impact, than those uses listed in the zone in which it is to be located; and
- E. The determination that the proposed used is similar must be confirmed by the city council. (Ord. 99-1193 §4 (part), 1999)

17.28.030 Standards and limitations.

Every use permitted or maintained in the M-1 zone shall be subject to the following:

A. Parking. Parking shall be provided as specified in Chapter 17.44.

B. Enclosures. All uses shall be conducted wholly within a building enclosed on all sides, except for the following:

1. Outdoor uses permitted by conditional use permit as stated in the permitted use list;

2. Commercial parking lots;

3. Uses incidental to a use conducted primarily within a building located on the premises; provided, that such incidental uses are not conducted in whole or in part on sidewalks, public ways or within any required front or rear yard; and provided further, that such incidental uses are conducted within buildings. Where incidental uses are not conducted within a building, no part of the area devoted to the incidental uses shall be considered as part of the required parking facilities. All outdoor storage shall be substantially screened from public visibility, public streets, parks or other public places and property.

C. Signs. Signs for this section are regulated by Section 17.50.140.

D. Building Height. Any building may have a maximum of thirty-five (35) feet in height and have a maximum of two (2) stories. Oil and gas operations may exceed this height for a temporary period of time and to a height as set forth in an approved conditional use permit pursuant to Ordinance No. 85-803.

E. Front Yard Setback. No lot need provide a front yard except as may be required by a precise plan.

F. Alley Setback. Any building located on an alley shall maintain a distance of not less than three (3) feet from such alley.

G. Rear and Side Yard Setback Adjacent to Residential Zones. A minimum rear and/or side yard setback of eight (8) feet shall be provided, and additional two (2) feet of setback shall be provided for each story over the first story for structures that abut residential zones, except where public rights-of-way, twenty (20) feet or greater in width, separate the M-1 zone from the residential zone.

H. Landscaping Adjacent to Residential Zones. The required rear and/or side yard area shall be landscaped and provided with an automatic watering system. Size, quantity and type of landscaping shall be subject to review and approval by the planning director. Landscaping shall be appropriately maintained, trimmed and void of weeds. (Prior code Appx. A, § 9-3)

ATTACHMENT 10

17.42.150 Temporary minor special events.

Minor special events allowed pursuant to this section may be permitted with an administrative permit pursuant to Chapter [17.55](#) subject to the requirements of this section.

A. Definitions.

1. Related use: A use that promotes, benefits or is related to the onsite use and is conducted during the normal business hours of the onsite use, as determined by the community development director.
2. Unrelated use: A use that does not promote or benefit or is unrelated to the onsite use, or is not conducted during the normal business hours of the onsite use, as determined by the community development director.

B. Uses Allowed.

1. The types of uses allowed shall be generally limited to uses and activities allowed in commercial zones as permitted or conditional uses, as determined by the community development director.
2. Uses prohibited include those uses prohibited by Title [17](#), adult uses, and uses determined by the community development director to be incompatible with the surrounding area due to safety, health or welfare concerns that cannot be mitigated.

C. Administrative Permit Required.

1. Minor special events allowed pursuant to this section may be permitted with an administrative permit pursuant to Chapter [17.55](#) in the C-1, C-2 and C-3 zones, M-1 zone, SPA zones that allow C-3 uses, SPA-11 zone, and in R zones on property developed with nonresidential uses. The use is additionally allowed without an administrative permit in OS zones accessory to Hermosa Beach City School District facilities compliant with the regulations in this section, provided the use is approved by the school principal.
2. The application shall specify the specific days and hours for which the use is requested.
3. The administrative permit shall be issued only to the property owner, business owner or business license holder, and the permit holder shall be physically present on the property for the duration of the use including set up and break down.

4. The proposed use may be conditioned to mitigate impacts to the surrounding area and provision of services, relating to number of people, traffic generated, type and volume of amplified music or entertainment, day of week and hours, sanitation, environment, concentration of activity and events during the same time period, availability of city services to protect the health, safety and welfare of the public and property, compliance with other provisions of law, and other similar considerations.

5. If the subject property is governed by a conditional use permit or parking plan, the administrative permit shall not be approved unless the proposed use is timed and designed so it does not conflict with the purpose of the conditional use permit or parking plan.

6. The duration of any issued administrative permit shall not exceed one hundred eighty (180) calendar days.

7. The administrative permit may be revoked or modified with only a twenty-four (24) hour notice to the holder of the administrative permit; provided, however, that an administrative permit may be immediately revoked and the event ordered concluded at any time during the course of the event by the highest ranking police officer on duty at the time upon his/her determination that the event is causing a violation of state law or is violating one (1) or more conditions of approval, or a determination that the event has become a threat to public safety.

8. In the event an administrative permit has been revoked or documented problems have occurred or not been timely abated, the community development director may deny a future application for a similar event on the same property within a one (1) year period.

9. Any deviation from the standards and limitations in subsection (D) of this section shall require a conditional use permit in compliance with Chapter 17.40.

D. Standards and Limitations. Minor special events may be permitted with an administrative permit in compliance with the following standards and limitations:

1. All elements of the use shall be contained on the subject site.

2. Frequency and Duration of Use.

a. Outdoor entertainment and assembly events, such as carnivals, concerts, fairs, farmers' markets, festivals, food events, fundraisers, live entertainment, outdoor sporting events, public relations activities, flea markets or rummage sales, and other similar outdoor events,

when unrelated to the established onsite use: Maximum of four (4) times per year, limited to a maximum of seven (7) days each.

b. Outdoor display or exhibit events, such as art, cultural, and educational displays, arts and crafts exhibits, when unrelated to the established onsite use: Maximum of four (4) times per year, limited to a maximum of seven (7) days each.

c. Outdoor sales events related to an existing onsite business: Maximum of four (4) sales per year, each limited to three (3) consecutive days each.

d. Special events that include an activity that normally requires a discretionary permit in the subject zone or is currently limited or prohibited by a discretionary permit or license granted on the site (such as amplified music, outdoor tents, provision or sale of alcoholic beverages, other conditional uses): Maximum of four (4) times per year at any site, limited to three (3) consecutive days each.

e. Indoor activities promoting or related to the established onsite use. May include limited outdoor display or activity to attract people to the business, where crowds are not anticipated. May include an activity that normally requires a discretionary permit in the subject zone: Maximum of twelve (12) times per year at any site, limited to three (3) consecutive days each.

f. Similar temporary special events determined by the decision making body to be compatible with the zoning district and surrounding land uses: Limited to the number of occurrences and days applicable to the similar type of activity.

g. Mobile food vendors proposed in conjunction with a minor special event shall be described in the application for the minor special event and shall comply with the requirements of this section.

3. Hours.

a. In the C-2, C-3, SPA zones that allow C-3 uses, and SPA-11 zone when related to the established onsite use: Same as the customary operating hours of the use. When unrelated to the onsite use or not within a building: 8:00 a.m. to 10:00 p.m.

b. C-1, M-1, and R zones developed with nonresidential uses: 10:00 a.m. to 9:00 p.m.

c. Uses that may attract crowds or extend beyond allowed hours pursuant to a conditional use permit may be restricted from operating on St. Patrick's Day, July 4th, Cinco de Mayo, New Year's Eve or any other date where the police department determines the accumulation of activities in the city may exceed its capacity to adequately protect public safety.

4. Alcoholic Beverages. The sale, service or consumption of alcoholic beverages shall obtain and display the appropriate Department of Alcoholic Beverage Control license or approval. Outdoor activities involving alcoholic beverages shall be located a minimum of three hundred (300) feet from any public school property between 7:00 a.m. and 6:00 p.m. on school days unless the school principal has been consulted and any concerns are mitigated to the satisfaction of the city.

5. Entertainment. Amplified entertainment is limited to 10:00 a.m. to 9:00 p.m. for not more than four (4) hours in any day. Noise levels shall not exceed eighty (80) dBA at the property line. At no time may noise levels constitute a nuisance or violate the noise control ordinance in Chapter 8.24.

6. Pedestrian Access. The use shall be designed to provide safe, accessible pedestrian ways a minimum of four (4) feet wide, without encroaching on landscaping, required parking spaces and vehicular ways. A physical barrier or layout plan may be may be required to reduce conflicts to the satisfaction of the community development director.

7. Parking.

a. A use that occupies required parking spaces shall not reduce existing parking by more than ten (10) percent excluding disabled spaces. When there are eleven (11) spaces or less excluding disabled spaces, the use may occupy one (1) parking space, provided at least five (5) spaces including one (1) disabled space remain unencumbered by the use.

b. When the use is related to the onsite use, no additional parking is required unless the particular event is likely to create parking problems as determined by the community development director.

c. When the use is unrelated to the onsite use, parking adequate for the use, but not less than ten (10) spaces, shall be provided excluding disabled spaces.

8. Occupancy. The occupancy of any buildings, structures or spaces, whether indoor or outdoor, shall be consistent with building and fire codes and safety protocols as determined by the community development director. Temporary structures such as tents shall be securely fastened and comply with city codes.
9. Control over attendance is the responsibility of the permittee. Advertising and media to attract people to the event shall be moderated to reduce the potential for impacts. Adequate security shall be provided.
10. Temporary signs may be provided during the event, not to exceed one (1) sign per one hundred (100) feet of street frontage with a maximum of two (2) signs per frontage, not to exceed sixteen (16) square feet per sign. Additional temporary signage may be permitted with a sign permit issued in compliance with Chapter 17.50.
11. Any lighting shall be shielded, downcast and directed onto the subject property. No strobes or moving lights are permitted.
12. If the duration of the use exceeds one (1) hour or if seating is provided, then restroom access for both employees and customers shall be provided on the property or a contiguous property for the duration of the use with directional signs thereto. No portable restrooms are allowed.
13. The use shall provide refuse containers proximate to the use adequate to contain all refuse generated by the operation of the use. The operator shall pick up all refuse generated by such operation prior to vacating the site.
14. The site shall be cleaned of litter and any other evidence of the use on completion or removal of the use, and shall thereafter be used in compliance with the provisions of this title.
15. The use shall otherwise comply with all applicable state and local laws. Where regulations conflict, the most restrictive shall apply.
16. The use shall comply with Chapter 8.44 and shall not discharge liquid or solid waste to the environment or municipal storm water system.
17. The provision of food or beverages shall comply with Chapter 8.64 and shall not be dispensed in polystyrene food service ware. (Ord. 13-1341 § 2, 2013)