

## **P.C. Resolution NO. 24-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA DETERMINING THE EXTENSION IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING A TIME EXTENSION REQUEST FOR PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AMENDMENT (CUP 21-09) AND PARKING PLAN (PARK 21-01) AT AN EXISTING ASSEMBLY HALL AND RESTAURANT (THE COMEDY AND MAGIC CLUB) AT 1018 HERMOSA AVENUE.**

The Planning Commission of the City of Hermosa Beach does hereby resolve and order as follows:

**Section 1.** The Planning Commission held a duly noticed public hearing on February 15, 2022 to consider approving a Conditional Use Permit Amendment (CUP 21-09) and Parking Plan (PARK 21-01) for an existing Assembly Hall and Restaurant at 1018 Hermosa Avenue. The Planning Commission approved the CUP and Parking Plan, giving the applicant until February 15, 2024 to begin significant construction or improvements to effectuate the entitlements, or submit a request for a time extension.

**Section 2.** An application was filed on February 7, 2024, by the applicant/owner Michael Lacey, requesting a time extension for CUP 21-09 and PARK 21-01 at 1018 Hermosa Avenue.

**Section 3.** The Planning Commission held a duly noticed public hearing on March 19, 2024 to consider the time extension request for previously-approved entitlements, CUP 21-09 and PARK 21-01.

**Section 4.** The Planning Commission, at its public meeting of March 19, 2024, considered all testimony and evidence, both oral and written, presented to the Planning Commission.

**Section 5.** The proposed extension does not involve any physical changes to the environment and thus the action does not have the potential to cause a significant effect on the environment. Therefore, the environmental determination made when the project was approved – that the Conditional Use Permit Amendment and Parking Plan Amendment are categorically exempt pursuant to

Class 1, Section 15301 (a) Existing Facilities of the California Environmental Quality Act (CEQA) – is sufficient, and no further analysis is required.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 6.** Based on the foregoing, the Planning Commission hereby upholds all Conditions of Approval set for in Resolution 22-01 (PARK 21-01) and Resolution 22-02 (CUP 21-09) except Condition #5 and Condition #30 respectively, which are replaced with the following condition:

- 1. Approval of this permit shall expire twenty-four (24) months from the date of approval by the Planning Commission unless significant construction or improvements or the use authorized hereby has commenced. One or more extensions of time may be requested. No extension shall be considered unless requested, in writing to the Community Development Director including the reason therefore, at least sixty (60) days prior to expiration date. No additional notice of expiration will be provided.**

**Section 7.** Pursuant to the Code of Civil Procedure Section 1094.6, and legal challenge to the decision of the Planning Commission, after exhaustion of any available administrative remedies, must be made within 90 days after the final decision by the City. The Hermosa Beach City Council may on its own initiative review all actions of the Planning Commission. If the City Council does not initiate review of this decision as set forth in Hermosa Beach Municipal Code Section 2.52.040, this decision will become final.

**PASSED, APPROVED and ADOPTED** on this 19<sup>th</sup> day of March, 2024.

Votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

## CERTIFICATION

I hereby certify the foregoing Resolution P.C. 24-XX is true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at its regular meeting of March 19, 2024.

\_\_\_\_\_  
Peter Hoffman, Chair

\_\_\_\_\_  
Carrie Tai, Secretary

\_\_\_\_\_  
Date