

P.C. RESOLUTION NO. 18-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING VARIANCE 18-01 IN PART TO ALLOW MORE THAN 1 POLE SIGN ON 1 SITE, APPROVING A SIGN CODE INTERPRETATION TO DETERMINE THAT THE PROPOSED SIGN TO BE PLACED ON THE NORTH BUILDING ELEVATION IS A MARQUEE SIGN AND NOT A ROOF SIGN, AND DENYING VARIANCE 18-01 IN PART TO ALLOW A POLE TO EXCEED THE ALLOWED 20 FOOT HEIGHT LIMIT, ON A SQUARE FOOT LOT IN THE C-3 (GENERAL COMMERCIAL) ZONING DISTRICT AT 2510 PACIFIC COAST HIGHWAY.

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

SECTION 1. An application for a sign variance was filed by Superior Electrical Advertising (Representing Lazy Acres) and International Church of the Foursquare Gospel (Hope Chapel) on June 26, 2018, seeking approval of a Variance 18-1 to allow more than one pole sign on a site and to allow a pole sign to exceed the allowable 20 foot height limit, and a sign code interpretation to determine whether a sign is a marquee sign and not a roof sign in the C-3 (General Commercial) zoning district at 2510 Pacific Coast Highway.

SECTION 2. The Planning Commission conducted a duly noticed public hearing to consider the application for sign variance (VAR 18-1) on September 18, 2018, at which time testimony and evidence, both oral and written, was presented to be considered by the Planning Commission.

SECTION 3. The proposed project is Categorically Exempt from the California Environmental Quality Act as defined in Section 15311(a), Class 11 Exemption, Accessory Structures because the proposal pertains proposed signage for an existing structure. Moreover, none of the exceptions to the Categorical Exemption apply. Nor will the project result in a significant cumulative impact of successive projects of the same type in the same place over time, or have a significant effect on the environment due to unusual circumstances, or damage a scenic highway or scenic resources within a state scenic highway. The site is not located on a hazardous waste site and will not cause a substantial adverse change in the significance of a historical resource.

SECTION 4. The applicants propose to install one wall sign on the Lazy Acre's west building elevation facing Pacific Coast Highway, one marquee sign on the Lazy Acre's north building elevation facing Artesia Boulevard and two internally illuminated double-faced caned signs with signage for Lazy Acres and Hope Chapel (one 20 foot high pole sign along Pacific Coast Highway and one 35 foot high pole sign along Artesia Boulevard). The subject property is zoned C-3 and is surrounded by C-3, SPA-8, R-3 and R-1 zoned lots and uses

SECTION 5. Based on the testimony and evidence received, the Planning Commission makes the following findings to **APPROVE** in part the application for Variance 18-1 for the proposed number of pole signs (two pole signs) on the site pursuant to Section 17.50.190 of the Hermosa Beach Municipal Code (HBMC):

Based on the foregoing, the Planning Commission makes the following findings pursuant to HBMC Section 17.50.190:

Finding A: “A Variance authorized is not a grant of a special privilege inconsistent with the limitations on other properties in the vicinity.”

Finding B: “Special conditions and extraordinary circumstances apply to the property and do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property.”

Finding C: “The Variance will not adversely affect public safety and the design and appearance of the signing and structures of the surrounding area.”

Finding A: A variance for the number of pole signs per site would not grant the applicant a special privilege inconsistent with the limitations on other properties in the vicinity. The subject site is located on a major arterial intersection, along the Pacific Coast Highway and Artesia Boulevard. The site is currently accessed from three curb cuts along Pacific Coast Highway and four curb cuts along Artesia Boulevard. The parking area for the Lazy Acres Natural Market and Hope Chapel can be accessed from both PCH and Artesia Boulevard. The parcel to the northwest of the site (southeast corner parcel at Pacific Coast Highway and Artesia) is under different ownership and not a part of the parking plan. Thus, the applicant is unable to provide signage at the corner of the intersection, which is typical for large shopping centers located on a street intersection. A similar approach was taken for the property located at 1559 PCH (Plaza Hermosa). There, the subject property was granted a sign variance because, among other things, the property fronts two street but does not include the corner portion abutting the intersection where typically a sign could be located providing exposure to both streets. Thus, the variance would not grant a special privilege inconsistent with other properties in the vicinity

Finding B: Special conditions and extraordinary circumstances apply to the property that do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property. The project site is located on a busy intersection in the City, the building is set back approximately 208 feet from the street and the property is completely blocked by commercial development to the northwest. For the safety of the customer, it is important to have more than one pole sign so that customers can readily find the site easily. Moreover, commercial properties located within the City typically have only one building frontage. Pursuant to HBMC Section 17.50.140 (G), pole signs are permitted for sites with a minimum of 40 feet of street frontage. The subject site has two street frontages over 40 feet in length (381.58' along PCH and 552' along Artesia Boulevard). Thus, the HBMC sign code, which prevents sites from having more than one pole sign, most often applies to commercial properties with only one building frontage – here there are two building frontages. Thus, large scale of the of the site, the unique nature of the site, and the two building frontages all lead to the finding that special conditions and extraordinary circumstances apply to the property and the HBMC development standards for number of pole signs would create a hardship for the property.

Finding C: The subject site is located on a major arterial intersection, along the PCH and Artesia Boulevard. The site is currently accessed from three curb cuts along Pacific Coast Highway and four curb cuts along Artesia Boulevard. The parking area for the Lazy Acres Natural Market and Hope Chapel can be accessed from both Pacific Coast Highway and Artesia Boulevard. An additional sign alerting drivers and possible customers of the location of Lazy Acres Natural Market and Hope Chapel would not adversely affect public safety.

SECTION 6. Based on the testimony and evidence received, the Planning Commission makes the following findings to **DENY** the application for Variance 18-1 for the proposed pole sign along Artesia Boulevard to exceed the allowable 20 foot height limit pursuant to HBMC Section 17.50.190:

Finding A: “A variance authorized is not a grant of a special privilege inconsistent with the limitations on other properties in the vicinity.”

Finding B: “Special conditions and extraordinary circumstances apply to the property and do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property.”

Finding C: “The variance will not adversely affect public safety and the design and appearance of the signing and structures of the surrounding area.”

Finding A: A variance for the number of pole signs per site would grant the applicant a special privilege inconsistent with the limitations on other properties in the vicinity. Allowing the proposed pole sign of 35 feet would grant the applicants a special privilege not allowed for other properties in the area. No other properties have such a tall pole sign, especially a site with an extra pole sign already on the property. The deviation from the maximum 20 foot pole sign height limit would be a grant of a special privilege as the proposed pole sign would be located parallel to the sidewalk/public right-of-way and would be clearly visible from Artesia Boulevard at 20 feet in height. In addition, the proposed 35 foot pole sign along Artesia Boulevard is proposed to have a 5’-2” architectural roof feature to match the market’s roof. The proposed roof feature adds 5’-2” of unnecessary bulk and height to the 35 foot high pole sign. While the architectural roof feature may add to the aesthetic appeal of the 35 foot high pole sign, it does not contribute to the City’s signage purposes.

Finding B: Special conditions and extraordinary circumstances do not apply to the property that do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property. The applicant claims that because the Lazy Acres Natural Market building is set back approximately 208 feet from Artesia Boulevard and is located at a major intersection, the proposed pole sign at 35 feet in height is needed to ensure safe vehicular entry into the shopping center. However, City staff believes that applicant’s justification is not warranted the primary function of signage is to give information about the location of the possible designation. Thus, in order to promote public safety the proposed pole sign should be at the driver’s eye level.

Finding C: The proposed 35 foot high pole sign along Artesia Boulevard would not adversely impact public safety, as the existing legal nonconforming pole sign was permitted at 50 feet in height and has not created negate impacts. However, all three findings are required in order to approve the requested Variance. Therefore, granting of the requested Variance cannot be justified.

SECTION 7. Based on the testimony and evidence received, the Planning Commission makes the following findings to determine that the proposed sign to be placed on the Lazy Acres north building elevation is a marquee sign and not a roof sign:

The applicant seeks a sign code interpretation to determine whether the proposed building sign located on the north building elevation may be considered a marquee sign rather than a roof sign. Roof signs are defined as signs erected upon, above or extending above a roofline of a building or structure. In

addition, architectural projections above the roof line which function as background for a sign shall be considered a sign structure. Signs that are placed on such structures shall be considered a roof sign.

According to the HBMC Section 17.50.080 (B) roof signs are prohibited in the City of Hermosa Beach with the following exceptions:

- a. Signs located on pre-existing architectural projections extending above roof line that have historically been used for sign purposes;
- b. Signs located on projections above the roof line that are deemed by the Planning Commission to be architectural projections that are part of the architecture of the building and not solely for purposes of sign background.

Marquee signs are defined as signs painted on, attached to, or supported by a marquee with the exposed face of the sign in a plane parallel to the building wall which supports the marquee. Although the HBMC does not define a marquee, a marquee can be described as a rooflike projection over the entrance to a theater, hotel, or other building.

The Lazy Acres Natural Market building has a flat roof. The proposed marquee sign will be placed on the sloping roof adjacent to the main building entrance fronting Artesia Boulevard. Staff believes that the proposed marquee sign is not considered a roof sign because the sloping roof element for which the proposed sign will be placed on is truly an architectural feature of the building intended strictly for aesthetic purposes. Although the sloping roof element gives the illusion of a roof, it does not exceed the parapet of the north building elevation. The proposed sign on the north building elevation does not appear to be a roof sign because it does not extend beyond the roof parapet. In addition, it appears the tube framing on which the sign will be placed on is considered a marquee because it can be considered a rooflike projection. Thus, proposed building sign located on the north building elevation should be considered a marquee sign rather than a roof sign.

SECTION 8. Based on the foregoing, the Planning Commission **hereby approves in part sign Variance 18-1 as to the number of pole signs per site (two) and type and determines that the proposed sign on the north building elevation is a marquee sign and not a roof sign**, subject to the following **Conditions of Approval**:

- 1. The signs shall comply with and not exceed the total allowable sign area for any business on the site, height and other standards of the plan approved by the Planning Commission on September 18, 2018 with the exception of number of pole signs per site.**
- 2. Variance 18-1 is granted contingent on, and in reliance of, both existing nonconforming pole signs both being removed and replaced by new pole signs.**
- 3. A sign permit, and building and/or electrical permits as may be applicable, shall be obtained prior to erecting the sign or lighting.**
- 4. Any illumination shall be static, external and oriented so that only the sign face is illuminated, automatically turned off between 10:00 p.m. and dawn, and low intensity subject to approved by the Community Development Director per H.B.M.C. Section 17.50.070. A.5.**
- 5. Based on the foregoing, the Planning Commission hereby DENIES the in part the request for a variance to allow the proposed 35 foot pole sign along Artesia Boulevard to exceed the allowable 20 foot height limit. Both pole signs must be meet the 20 foot height limit.**

SECTION 9. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the final decision by the City Council.

VOTE: AYES:
NOES:
ABSTAIN:
ABSENT:

CERTIFICATION

I hereby certify the foregoing Resolution P.C. No. 18-XX is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California at its adjourned regular meeting of September 18, 2018.

Marie Rice, Chairperson

Ken Robertson, Secretary

September 18, 2018
Date