

ORDINANCE NO. _____

AN ORDINANCE REGARDING DEFINITIONS AND STANDARDS
FOR LIMITED LIVE ENTERTAINMENT AND AMENDING THE
HERMOSA BEACH MUNICIPAL CODE

The City Council of the City of Hermosa Beach does ordain as follows:

Section 1. Section 17.04.050 of Chapter 17.04 of Title 17 of the Hermosa Beach Municipal Code is amended by adding the following definition:

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

Section 2. Section 17.04.050 of Chapter 17.04 of Title 17 of the Hermosa Beach Municipal Code is amended by revising the existing definition as follows:

Entertainment, Live. **"Live entertainment"** means the provision of live performances including without limitation all forms of music, theatrical or comedic performance, song, dance, or vocal entertainment by use of a disc jockey to select, play and/or announce music or announcer, participated in by one or more employees, guests, customers, or any other person or persons. Acoustic, unamplified, non-percussive background music provided accessory to an established onsite use during normal business hours by a maximum of two persons without advertisement and without charge is excluded.

Section 3. Chapter 17.42 General Provisions, Conditions and Exceptional Uses of Title 17 of the Hermosa Beach Municipal Code is amended by adding the following Section 17.42.190.

17.42.190 Entertainment, Limited Live

A. Definition

1. Entertainment, Limited Live as defined in Chapter 17.04. .

B. Administrative Permit required.

1. Limited Live Entertainment 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. No permit term shall extend past two (2) years from the effective date of this ordinance.

2. The appeal procedures found in Section 17.55.050 and the revocation procedures found in Section 17.55.70 shall apply to any administrative permit issued for Limited Live Entertainment.

C. Standards and Limitations.

1. Hours: During normal business hours but no earlier than 8:00 A.M or later than 9:00 P.M. daily.
2. Noise: Cannot be audible on the exterior of the business premises and not permitted on outside patios, entries or sidewalks. All exterior doors and windows shall be closed during entertainment.
3. Uses: Limited Live Entertainment may include one or two performers/hosts using amplification, playing games, open mic, musical performances, poetry readings or other similar use that is not more objectionable than the listed uses. The Community Development Director is authorized to compare a proposed use and measure it against those listed for determining similarity.
4. Operations/Seating: The activity must be confined to completely enclosed premises and does not result in the need for additional seating or change in an approved floor plan to accommodate the limited live entertainment and/or accommodate a stage for the entertainment, dancing or hosting of an activity or event.
5. Limited live entertainment is an accessory use to the main business.
6. There shall be a maximum of two (2) performers or hosts using amplification.
7. Prizes: Any prizes awarded during an activity permitted by a Limited Live Entertainment administrative permit shall be limited to the prize limits stated in Section 5.12.100.
8. Must comply with all other applicable laws and agencies, including but not limited to California Department of Alcoholic Beverage Control and California Bureau of Gambling Control.
9. No organized alcohol drinking games are permitted.
10. Established maximum occupant load of the premises shall apply.
11. Upon permit issuance, advertising of approved entertainment is permitted.

Section 4. Chapter 17.26.030 of Title 17 of the Hermosa Beach Municipal Code is amended by adding Entertainment, Limited Live to the matrix of C-1, C-2 and C-3 land use regulations.

USE	C1	C2	C3	See Section
Entertainment, limited live	P	P	P	17.42.190

Section 5. The proposed amendments to Title 17 of the Hermosa Beach Municipal Code are to allow Limited Live Entertainment. The amendments will not impede the City's ability to meet its General Plan goals and the amendments are necessary to carry out the purposes of the Zoning Ordinance, including the orderly planned use of land resources.