

P.C. Resolution 19-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DETERMINING THE PROPOSED 616 SQUARE FOOT DISPLAY ON THE WEST WALL OF THE EXISTING BUILDING AT 22 PIER AVENUE IS A MURAL AND DETERMINING THE PROPOSED DISPLAY IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

Section 1. An application was filed on August 5, 2019 by the Hermosa Beach Murals Project, seeking determination of whether the proposed display covering 616 square feet of the west side of an existing building is consistent with the Hermosa Beach Municipal Code (HBMC) definition of 'Mural' for the building located at 22 Pier Avenue.

Section 2. HBMC Section 17.50.030 defines a mural as "a pictorial representation not specifically identifying goods or services offered by the business on the premises".

Section 3. The Planning Commission at its public meeting of August 20, 2019 considered testimony and evidence, both oral and written, was presented to and considered by the Planning Commission.

Section 4. The proposed display is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a), because the building wall will be primed to create a flat and smooth surface, then the mural will be hand painted directly onto the west wall of the existing building, and the mural will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Section 5. Based on the evidence received at the public meeting, the Planning Commission makes the following findings:

1. The display meets the definition of a mural as set forth in HBMC Section 17.50.030, because the business on the premises, Waterman's restaurant, is a business that offers food and beverages for customers of Hermosa Beach, and the proposed display, a pictorial representation of Hermosa Beach's counterculture, does not specifically identify goods or services offered by the business on the premises.
2. Pursuant to HBMC Section 17.50.130.B, it is appropriate to waive the specific provisions of the sign code pertaining to sign area, coverage, height, type and style for the 616 sq. ft. mural display because the display meets the definition of a mural. Therefore, the proposed display will measure 44 feet wide by 14 feet high and the display is authorized to exceed the total 60 sq. ft. maximum sign area by an additional 556 sq. ft. and exceed the 25% maximum wall coverage along Beach

Drive by occupying 39% of the wall area.

Section 6. 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. 19-XX is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at its regular meeting of August 20, 2019.

David Pedersen, Chairman

Ken Robertson, Secretary

August 20, 2019

Date