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Artists ask Hermosa Beach for zoning modifications in Cypress District

Michael Hixon Jul 24, 2019



ShockBoxx, left, and Resin Gallery, pictured right, have come under increased scrutiny in recent months for code violations.

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Businesses and property owners in Hermosa Beach's Cypress District want the city to relax zoning regulations to allow more creativity in the area home to artists, surfboard shapers and other creatives.

At its Tuesday meeting, the Hermosa Beach City Council unanimously agreed to direct the Hermosa Beach Planning Commission to study amending the zoning and the permitting process.

Mayor Stacey Armato said the discussion about the future of Cypress Avenue is “not a new conversation.”

“We have a creative, thoughtful community that cares a lot about the city they live in and want to see, certainly, the Cypress District do so much better,” Armato said.

Councilmember Justin Massey added, “Things are happening organically ahead of our administrative process and that’s creating some tension. We need to figure out how to relieve that tension so those organic changes can happen at the same time we are crafting our rules to get us where we want to go.”

ShockBoxx co-founder Mike Collins received citations at two events last year and Resin/South Bay Artist Collective's co-founder Rafael McMaster was cited at an event in February. Both admitted they were in the wrong and have since worked with the city for the proper permits.

In a letter to City Council on July 2, Collins asked to modify the M-1 Light Manufacturing Zone code to allow current and emerging businesses to “conduct business in a more creative way,” which would include use of gallery space within the property boundaries without labeling activities “special events.”

The M-1 Zone currently allows art studios, but not galleries, according to a city staff report.

The modification Collins seeks will allow regularly hosted events “without seeking a Temporary Minor Special Event permit each time or being limited to 12 per year.”

Councilmember Jeff Duclos said he was in favor of suspending restrictions on live entertainment permits “as they exist.”

“I see no more reason to sort of penalize this district from being the creative activity area that it should be and is and it was intended to be,” Duclos said. “In the interim process relieve the pressure from the Planning Commission of having to work swiftly to craft the kind of ordinance that we want to see.”

Political favoritism alleged

Before the start of the council meeting, the city received a letter from Jed Sanford, co-owner of Crossfit Horsepower gym, which closed its doors earlier this year after it became subject of noise complaints and code violations. Sanford is currently in litigation against the city claiming his business closed due to unreasonable city demands.

In the letter, Sanford said he wanted to highlight the “unequal laws, political favoritism afforded to certain businesses, and intentional lack of transparency by City officials in their dealings and decision-making at the high levels.”

Sanford claims ShockBoxx opened illegally, and still today is allowed to operate illegally, in the M-1 Zone across the street from CrossFit since “ShockBoxx Gallery is an art gallery whose primary business is hosting art shows open to the public for the viewing and retail sale of art from a wide range of artists.”

Sanford further said ShockBoxx was allowed to remain in operation because the “business is politically favored and its owner is married to a member of the City Council.” Collins is married to current Mayor Pro Tem Mary Campbell.

At the Tuesday meeting, City Attorney Mike Jenkins refuted Sanford's claims, saying they were “fundamentally false” and the letter was “posturing intended to advance his interest in the lawsuit.”

Jenkins said there has been “no political favoritism,” the city has not been “selectively enforcing laws.” When the city first heard of any code enforcement complaint against ShockBoxx, Jenkins said, “those complaints were acted on.”

“We did not receive any complaints that ShockBoxx activities were disturbing the neighborhood,” Jenkins said. “We did not receive any complaints that they were creating noise impacts, that they were keeping people up, waking people up early in

the morning, or they were engaging in nuisance activities. The complaint was that they were engaged in an activity for which they did not have a permit and or was not allowed by the code."

Jenkins said the city did not force or order the shut down of CrossFit, but the owners decided to close their doors instead of complying with the city in abating the issues.

Also, Campbell has recused herself on issues regarding ShockBoxx, according to Jenkins.

While it might take years to overhaul the zoning issues, the business owners want help to continue to be a "creative force" in Hermosa Beach.

"We're not looking to blow this place up, we're looking to be inclusive of the light manufacturing that's happening there now and the art that is coming out of it and then kind of evolving into this growing art movement that's happening within Hermosa," said Kevin Sousa, singer/songwriter who runs Hermosa Music Co. on Cypress.

Sheryl Main, founder of THRIVE Hermosa, a "community based organization that looks for solutions to problems," and helped bring artist Dennis Dugan to ShockBoxx, said art needs to be embraced.

"We need to be more supportive," Main said. "We need to look at what the future of Hermosa is and what do we want and how do we expect creative people to come here if they're constantly being shut down."

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