

P.C. Resolution 19-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DETERMINING THE PROPOSED 212.5 SQUARE FOOT DISPLAY ON THE SOUTH WALL OF THE EXISTING BUILDING AT 101 HERMOSA 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 July 23, 2019 by Paul Mance, seeking determination of whether the proposed display covering 212.5 square feet of the south side of an existing building is consistent with the Hermosa Beach Municipal Code (HBMC) definition of “Mural” for the building located at 101 Hermosa 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 September 17, 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 south 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, Mickey’s Deli, is a business that offers food and beverages for customers of Hermosa Beach, and the proposed display, a pictorial representation of Hermosa Beach’s historic deli founder Mickey Mance at a counter with 1950’s movie stars, 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 212.5 sq. ft. mural display because the display meets the definition of a mural.

Section 6. Based on the foregoing, the Planning Commission hereby approves the requested Conditional Use Permit, subject to the following **Condition of Approval**:

1. **The image shall not exceed 17 feet in width or 12.5 feet in height.**

Section 7. 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 September 17, 2019.

David Pedersen, Chair

Ken Robertson, Secretary

September 17, 2019

Date