

ATTACHMENT 10

17.42.150 Temporary minor special events.

Minor special events allowed pursuant to this section may be permitted with an administrative permit pursuant to Chapter 17.55 subject to the requirements of this section.

A. Definitions.

1. Related use: A use that promotes, benefits or is related to the onsite use and is conducted during the normal business hours of the onsite use, as determined by the community development director.

2. Unrelated use: A use that does not promote or benefit or is unrelated to the onsite use, or is not conducted during the normal business hours of the onsite use, as determined by the community development director.

B. Uses Allowed.

1. The types of uses allowed shall be generally limited to uses and activities allowed in commercial zones as permitted or conditional uses, as determined by the community development director.

2. Uses prohibited include those uses prohibited by Title 17, adult uses, and uses determined by the community development director to be incompatible with the surrounding area due to safety, health or welfare concerns that cannot be mitigated.

C. Administrative Permit Required.

1. Minor special events 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, M-1 zone, SPA zones that allow C-3 uses, SPA-11 zone, and in R zones on property developed with nonresidential uses. The use is additionally allowed without an administrative permit in OS zones accessory to Hermosa Beach City School District facilities compliant with the regulations in this section, provided the use is approved by the school principal.

2. The application shall specify the specific days and hours for which the use is requested.

3. The administrative permit shall be issued only to the property owner, business owner or business license holder, and the permit holder shall be physically present on the property for the duration of the use including set up and break down.

4. The proposed use may be conditioned to mitigate impacts to the surrounding area and provision of services, relating to number of people, traffic generated, type and volume of amplified music or entertainment, day of week and hours, sanitation, environment, concentration of activity and events during the same time period, availability of city services to protect the health, safety and welfare of the public and property, compliance with other provisions of law, and other similar considerations.

5. If the subject property is governed by a conditional use permit or parking plan, the administrative permit shall not be approved unless the proposed use is timed and designed so it does not conflict with the purpose of the conditional use permit or parking plan.

6. The duration of any issued administrative permit shall not exceed one hundred eighty (180) calendar days.

7. The administrative permit may be revoked or modified with only a twenty-four (24) hour notice to the holder of the administrative permit; provided, however, that an administrative permit may be immediately revoked and the event ordered concluded at any time during the course of the event by the highest ranking police officer on duty at the time upon his/her determination that the event is causing a violation of state law or is violating one (1) or more conditions of approval, or a determination that the event has become a threat to public safety.

8. In the event an administrative permit has been revoked or documented problems have occurred or not been timely abated, the community development director may deny a future application for a similar event on the same property within a one (1) year period.

9. Any deviation from the standards and limitations in subsection (D) of this section shall require a conditional use permit in compliance with Chapter 17.40.

D. Standards and Limitations. Minor special events may be permitted with an administrative permit in compliance with the following standards and limitations:

1. All elements of the use shall be contained on the subject site.

2. Frequency and Duration of Use.

a. Outdoor entertainment and assembly events, such as carnivals, concerts, fairs, farmers' markets, festivals, food events, fundraisers, live entertainment, outdoor sporting events, public relations activities, flea markets or rummage sales, and other similar outdoor events,

when unrelated to the established onsite use: Maximum of four (4) times per year, limited to a maximum of seven (7) days each.

b. Outdoor display or exhibit events, such as art, cultural, and educational displays, arts and crafts exhibits, when unrelated to the established onsite use: Maximum of four (4) times per year, limited to a maximum of seven (7) days each.

c. Outdoor sales events related to an existing onsite business: Maximum of four (4) sales per year, each limited to three (3) consecutive days each.

d. Special events that include an activity that normally requires a discretionary permit in the subject zone or is currently limited or prohibited by a discretionary permit or license granted on the site (such as amplified music, outdoor tents, provision or sale of alcoholic beverages, other conditional uses): Maximum of four (4) times per year at any site, limited to three (3) consecutive days each.

e. Indoor activities promoting or related to the established onsite use. May include limited outdoor display or activity to attract people to the business, where crowds are not anticipated. May include an activity that normally requires a discretionary permit in the subject zone: Maximum of twelve (12) times per year at any site, limited to three (3) consecutive days each.

f. Similar temporary special events determined by the decision making body to be compatible with the zoning district and surrounding land uses: Limited to the number of occurrences and days applicable to the similar type of activity.

g. Mobile food vendors proposed in conjunction with a minor special event shall be described in the application for the minor special event and shall comply with the requirements of this section.

3. Hours.

a. In the C-2, C-3, SPA zones that allow C-3 uses, and SPA-11 zone when related to the established onsite use: Same as the customary operating hours of the use. When unrelated to the onsite use or not within a building: 8:00 a.m. to 10:00 p.m.

b. C-1, M-1, and R zones developed with nonresidential uses: 10:00 a.m. to 9:00 p.m.

c. Uses that may attract crowds or extend beyond allowed hours pursuant to a conditional use permit may be restricted from operating on St. Patrick's Day, July 4th, Cinco de Mayo, New Year's Eve or any other date where the police department determines the accumulation of activities in the city may exceed its capacity to adequately protect public safety.

4. Alcoholic Beverages. The sale, service or consumption of alcoholic beverages shall obtain and display the appropriate Department of Alcoholic Beverage Control license or approval. Outdoor activities involving alcoholic beverages shall be located a minimum of three hundred (300) feet from any public school property between 7:00 a.m. and 6:00 p.m. on school days unless the school principal has been consulted and any concerns are mitigated to the satisfaction of the city.

5. Entertainment. Amplified entertainment is limited to 10:00 a.m. to 9:00 p.m. for not more than four (4) hours in any day. Noise levels shall not exceed eighty (80) dBA at the property line. At no time may noise levels constitute a nuisance or violate the noise control ordinance in Chapter 8.24.

6. Pedestrian Access. The use shall be designed to provide safe, accessible pedestrian ways a minimum of four (4) feet wide, without encroaching on landscaping, required parking spaces and vehicular ways. A physical barrier or layout plan may be required to reduce conflicts to the satisfaction of the community development director.

7. Parking.

a. A use that occupies required parking spaces shall not reduce existing parking by more than ten (10) percent excluding disabled spaces. When there are eleven (11) spaces or less excluding disabled spaces, the use may occupy one (1) parking space, provided at least five (5) spaces including one (1) disabled space remain unencumbered by the use.

b. When the use is related to the onsite use, no additional parking is required unless the particular event is likely to create parking problems as determined by the community development director.

c. When the use is unrelated to the onsite use, parking adequate for the use, but not less than ten (10) spaces, shall be provided excluding disabled spaces.

8. Occupancy. The occupancy of any buildings, structures or spaces, whether indoor or outdoor, shall be consistent with building and fire codes and safety protocols as determined by the community development director. Temporary structures such as tents shall be securely fastened and comply with city codes.

9. Control over attendance is the responsibility of the permittee. Advertising and media to attract people to the event shall be moderated to reduce the potential for impacts. Adequate security shall be provided.

10. Temporary signs may be provided during the event, not to exceed one (1) sign per one hundred (100) feet of street frontage with a maximum of two (2) signs per frontage, not to exceed sixteen (16) square feet per sign. Additional temporary signage may be permitted with a sign permit issued in compliance with Chapter 17.50.

11. Any lighting shall be shielded, downcast and directed onto the subject property. No strobes or moving lights are permitted.

12. If the duration of the use exceeds one (1) hour or if seating is provided, then restroom access for both employees and customers shall be provided on the property or a contiguous property for the duration of the use with directional signs thereto. No portable restrooms are allowed.

13. The use shall provide refuse containers proximate to the use adequate to contain all refuse generated by the operation of the use. The operator shall pick up all refuse generated by such operation prior to vacating the site.

14. The site shall be cleaned of litter and any other evidence of the use on completion or removal of the use, and shall thereafter be used in compliance with the provisions of this title.

15. The use shall otherwise comply with all applicable state and local laws. Where regulations conflict, the most restrictive shall apply.

16. The use shall comply with Chapter 8.44 and shall not discharge liquid or solid waste to the environment or municipal storm water system.

17. The provision of food or beverages shall comply with Chapter 8.64 and shall not be dispensed in polystyrene food service ware. (Ord. 13-1341 § 2, 2013)