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**CITY OF HERMOSA BEACH
DIRECTOR OF EMERGENCY SERVICES**

EXECUTIVE ORDER NO. 2020-11

**AN EXECUTIVE ORDER OF THE CITY MANAGER OF
THE CITY OF HERMOSA BEACH, CALIFORNIA, IN HER
CAPACITY AS DIRECTOR OF EMERGENCY SERVICES,
IMPLEMENTING TEMPORARY LANE CLOSURES ON
HERMOSA AVENUE TO FACILITATE OUTDOOR
RECREATION AND ECONOMIC RECOVERY IN
ACCORDANCE WITH HEALTH OFFICER ORDERS TO
CONTROL THE SPREAD OF COVID-19**

SECTION 1. RECITALS

- A. The findings set forth in Executive Order No. 2020-05 are still applicable and incorporated herein by reference.
- B. As the number of COVID-19 cases in Los Angeles County continues to increase, the County Health Officer has reinforced restrictions on local business activities, while permitting outdoor activities and recreation subject to social distancing requirements.
- C. The latest revision to the County Health Officer Order (“Reopening Safer at Work and in the Community for Control of COVID-19”), issued on August 12, 2020, reaffirms that restaurants are closed for indoor, onsite dining and that local public entities may elect to temporarily close certain streets to automobile traffic for purposes of facilitating permitted recreational activity.
- D. On June 9, 2020, the Hermosa Beach City Council adopted Ordinance No. 20-1410U, implementing a Temporary Permit for Outdoor Dining/Seating and Outdoor Retail Display to Assist in the Reopening of Restaurants, Food, and Retail Establishments during COVID-19.
- E. On July 14, 2020, the City Council extended the provisions of Ordinance No. 20-1410U until at least January 13, 2021, in light of the ongoing pandemic, and directed City staff to work with a traffic engineering consultant to develop options for closing parking and vehicle lanes on the downtown sections of Hermosa and Pier Avenues that would encourage foot traffic and expand socially distanced outdoor dining and retail opportunities in the public right-of-way.
- F. On August 11, 2020, the City Council authorized proposed plans to temporarily close one lane of vehicular traffic in each direction on Hermosa Avenue, between 8th and 14th Street, to facilitate outdoor recreational and economic activity in the

City's downtown area for a period of six months upon final implementation of the proposed traffic control plan.

- G. In addition to the proposed downtown lane closures, the City continues to assist local businesses to explore temporary outdoor dining options pursuant to Ordinance No. 20-1410U. As part of this effort, the City will issue the North End Bar & Grill (2626 Hermosa Ave. Hermosa Beach, CA 90254) an on-street dining permit to use the public right-of-way for on-street dining and retail until at least January 13, 2021. The permit would require temporarily restricting vehicular traffic on two existing parking spaces adjacent to the restaurant store front on Hermosa Avenue and closing the right turn lanes from westbound Greenwich Village to northbound Hermosa Avenue. The City's traffic consultant studied the feasibility and expected traffic impacts of closing the right turn lanes and found that given the traffic volumes in the areas, the closure could be readily and safely accomplished through the use of signage, delineators, and other temporary traffic measures and that any rerouting of traffic would have minimal impact on operations at the studied intersections given the low volume of cars currently using the right turn lanes.
- H. Addresses within 500 feet of the site were sent written notice in advance of the temporary lane closures.
- I. The Director of Emergency Services issues this Order pursuant to the emergency powers afforded her under section 8634 of the California Government Code and section 2.56.060 of the Hermosa Beach Municipal Code to protect life and property following the declaration of a local emergency, as outdoor dining is the only authorized and safe means of providing dining service, which is an important part of the local economy and an important social outlet during this time of a global health pandemic.

SECTION 2. NOW, THEREFORE, I, Suja Lowenthal, City Manager of the City of Hermosa Beach, as the Director of Emergency Services, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

1. Beginning on August 20, 2020, the City, in consultation with the City's Traffic Consultant, may temporarily close to vehicular traffic the northbound and southbound #2 travel lanes (closest to the curb) on Hermosa Avenue from the 800 block at 8th Street to the 1300 block at 14th Street for the protection and safety of persons using this portion of Hermosa Avenue during the COVID-19 pandemic. The lane closures will continue for a period of six months following complete implementation of the traffic control measures approved by the City Council on August 11, 2020, unless the closures are extended for a longer period or sooner terminated by the City Council or Director of Emergency Services.
2. Beginning on August 20, 2020, the City, in consultation with the City's Traffic Consultant, may temporarily close to vehicular traffic the right turn lanes from

1 westbound Greenwich Village to northbound Hermosa Avenue and the part of
2 Hermosa Avenue immediately adjacent to 2626 Hermosa Avenue as depicted in
3 the Notice of Construction and Traffic Detour mailed to residents on August 17,
4 2020. The lanes may remain closed until January 13, 2021, unless the closures
5 are extended for a longer period or sooner terminated by the City Council.

6 3. The City shall post signs giving notice of the temporary lane closures on affected
7 parts of Hermosa Avenue in accordance with Vehicle Code Section 21103.

8 4. Use of the closed lanes or parking spaces for any commercial purpose requires a
9 Temporary Permit for Outdoor Dining/Seating and Outdoor Retail Display, as set
10 out in the recitals above.

11 **SECTION 3.** Environmental Review. The lane closures effectuated by this Order are necessary
12 to facilitate outdoor economic and recreational activity in compliance with
13 County Health Officer Orders to reduce the spread of COVID-19.
14 Implementation of the Order is thus exempt from the California Environmental
15 Quality Act ("CEQA") under the statutory exemption for actions necessary to
16 prevent or mitigate an emergency (Public Resources Code § 21080(b)(4); CEQA
17 Guideline § 15269(c)) and the categorical exemption for minor temporary use of
18 land (CEQA Guideline § 15304(e)). The traffic control plan for the Hermosa
19 Avenue lane closure is a temporary measure (six months), that is created in direct
20 response to County Health restrictions on indoor dining, personal care, and fitness
21 activities and is needed to provide space for businesses to operate in the dense,
22 built out environment, retain parking opportunities for customers, and provide
23 space for pedestrians and people bicycling to safely travel and maintain physical
24 distance. In response to COVID-19, businesses have experienced unprecedented
25 and ongoing closures and limitations, and the ability of local businesses to survive
26 (and to mitigate the effects of this emergency) depend on creation of additional
27 outdoor and expanded spaces to provide for physical distancing. The City's traffic
28 engineer studied the feasibility and expected traffic impacts of closing the right
turn lane for the North End Bar and Grill's outdoor dining and found that, given
the low volume of cars currently using the right turn lanes, the closure could be
readily and safely accomplished through the use of signage, delineators, and other
temporary traffic measures and that any rerouting of traffic would have minimal
impact on operations at the studied intersections. Finally, as this is a temporary
measure during a period of reduced use of streets by vehicular traffic (with many
people working from home), and as the improvements can be removed, there is
no possibility that the lane closures will have a permanent effect on the
environment.

29 **SECTION 4.** Severability. If any section, subsection, sentence, clause, phrase or word of this
30 Order is found to be unconstitutional or otherwise invalid by any court of
31 competent jurisdiction, such decision shall not affect the remaining provisions of
32 this Order.

33 **SECTION 5.** Effective Date. This Order shall become effective immediately.

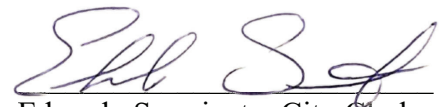
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ORDERED by the City Manager/Director of Emergency Service this 20th day of August, 2020.

ATTEST:



Suja Lowenthal, City Manager and
Director of Emergency Services



Eduardo Sarmiento, City Clerk