



Legislation Details (With Text)

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Title: VAR 18-1 - Sign Variance 18-1 to allow: 1) more than one pole sign per site; 2) one pole sign to exceed the maximum allowed 20 foot height; and 3) a request for a sign code interpretation to determine that the sign proposed for the north building elevation is a marquee sign and not a roof sign.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Draft Resolution, 2. 2. Poster Verification, 3. 3. Radius Map, 4. 4. Site Photographs, 5. 5. Hermosa Beach Municipal Code Definitions, 6. 6. Applicant's Submittal, 7. 7. Sign Variance 95-2 Staff Report and signed Resolution

Date	Ver.	Action By	Action	Result
9/18/2018	1	Planning Commission		

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Regular Meeting of September 18, 2018

VAR 18-1 - Sign Variance 18-1 to allow: 1) more than one pole sign per site; 2) one pole sign to exceed the maximum allowed 20 foot height; and 3) a request for a sign code interpretation to determine that the sign proposed for the north building elevation is a marquee sign and not a roof sign.

Applicant: Superior Electrical Advertising (Representing Lazy Acres Natural Market & Hope Chapel)
C/O: Tim Pitts 1700 West Anaheim Street
Long Beach, CA 90813

Owner: International Church of the Foursquare Gospel (aka Hope Chapel)
2420 Pacific Coast Highway
Hermosa Beach, CA 90254

Recommended Action:

Adopt the attached resolution: (1) approving a Sign Variance to exceed the maximum number of pole signs allowed on a site, (2) but denying the proposed 35 foot pole sign height for sign C and (3) approving a sign code interpretation that the sign proposed for the north building elevation is a marquee sign rather than a roof sign and (4) determining the project is categorically exempt from the California Environmental Quality Act (CEQA).

Summary:

Staff recommends approval of the Sign Variance, approving the proposed number of pole signs on the subject site (two double-faced pole signs at the 20 foot allowable height) but does not support the proposed height for the proposed 35-foot high pole sign along Artesia Boulevard. Staff believes that special conditions and extraordinary circumstances apply to the property and hardships exist relative to number of pole signs on one site. However, Staff does not believe that hardships exist relative to the proposed pole sign height because a 20 foot high pole sign is visible from Artesia Boulevard at the proposed location and because two of the required findings could not be made for the requested Variance. Finally staff recommends that the proposed sign located on north building elevation be determined as a marquee sign and not a roof sign.

Background:

ZONING:	C-3 (General Commercial)
GENERAL PLAN:	Community Commercial
EXISTING NUMBER OF POLE SIGNS:	2
PROPOSED NUMBER OF POLE SIGNS:	2
EXISTING POLE SIGN HEIGHT:	50.25' / 25.67'
PROPOSED SIGN POLE HEIGHT:	35'/20'
ENVIRONMENTAL DETERMINATION:	Categorically Exempt, Section 15311(a), Class 11 Exemption, Accessory Structures, as the proposal pertains to signage for an existing facility

In the northern portion of the city, the Lazy Acres Natural Market building is located within a multi-tenant shopping center at the southeast corner of Artesia Boulevard and Pacific Coast Highway (PCH), arterial streets that function as two of the city's major commercial corridors. Hope Chapel is located immediately south at 2420 PCH. East of Hope Chapel, but not immediately adjacent to the market, is a single-family residential neighborhood fronting on 24th Street. Immediately east of the market is a 10-unit multi-family residential complex (The Victorian condominiums). Hope Chapel owns parcels 2, 3, 8 and 10 located within the shopping center (see Location/Parcel Map Attachment). The shopping center is shared by other commercial uses, including restaurants (Rabano, Best Donuts, Fabio's Pizza, and PCH Lock & Key) which occupy a separate building at 2516 PCH on a separate parcel with a different owner, at the southeast corner of PCH and Artesia Boulevard. The building at the northeast corner of the site (950 Artesia Boulevard at the intersection of Prospect Boulevard) is occupied by commercial uses (Shorewood Realty, LaRocca Real Estate, and U-Code). The subject properties are located in the C-3 General Commercial zone and the Gateway Commercial (GC) General Plan land use designation.

History

On April 18, 2017 the Planning Commission approved a Precise Development Plan (PDP) to allow a food and beverage market (Lazy Acres Natural Market) within an existing 29,653 square foot building at 2510 PCH (formerly Hope Chapel Youth Center); a Conditional Use Permit (CUP) for outdoor dining accessory to the proposed food and beverage market; and a Parking Plan (PARK) to allow parking requirements to be met with a shared parking arrangement with the two adjacent buildings at 950 Artesia Boulevard (a multi-tenant building) and 2420 Pacific Coast Highway (Hope Chapel Church) and the parking lot currently used by Hope Chapel at their administrative office building at 2306 PCH.

On May 15, 2018 the Planning Commission approved a Conditional Use Permit Amendment 17-4, Precise Development Plan 17-11, and Parking Plan Amendment 17-3 to allow a cumulative approximately 26,000 gross square foot addition in conjunction with a religious institution (Hope Chapel) for a total of approximately 61,000 gross sq. ft. located at 2420 Pacific Coast Highway, with less than required parking based on shared parking with parking lots at 950 Artesia Boulevard and 2306, 2420 and 2510 Pacific Coast Highway.

Existing Signage

Lazy Acres Natural Market is currently under construction and anticipates to open by October of 2018. The City approved one temporary banner to be placed on one face of the pole sign located along PCH, and there is currently no existing permanent signage on the building.

On August 27, 2018 a permanent sign application was approved to reface both of the existing pole sign cans (along PCH and Artesia Boulevard) with Lazy Acres signage only, and those are anticipated to be installed within the next few weeks in time for the market's grand opening. Hope Chapel has a total of four existing on-site wall signs on the church building at 2420 PCH, and two legal nonconforming pole signs located at 2510 PCH. The existing wall signs are approximately 532 square feet in sign area for all 4 wall signs, and the existing pole signs are approximately 478.64 square feet total for both pole signs. Thus, the total existing signage for Hope Chapel is approximately 1,010 square feet. The total existing signage square footage, height and number of pole signs for the Hope Chapel building all exceed the signage limits prescribed by the Hermosa Beach Municipal Code (HBMC), and as such, are considered existing nonconforming.

Applicant Proposal

Lazy Acres Natural Market proposes to install a total of 4 signs for the proposed business (two pole signs, one wall sign, and one marquee sign). The proposed wall sign would be located on the west building elevation facing PCH. The proposed marquee sign would be installed on the north building elevation facing Artesia Boulevard, and two double-faced pole signs would be installed in the same location as the existing legal nonconforming pole signs (one along PCH and one along Artesia Boulevard). The proposed 20' high pole sign would replace the existing 25.67' high pole sign in the same exact location as the existing sign be located along PCH. The proposed 35' high pole sign would replace the 50.25' high pole sign in the same exact location as the existing sign located along Artesia Boulevard. The proposed pole signs would be internally illuminated and have one double sided can per pole. The proposal is to provide Lazy Acres Natural Market signage and Hope Chapel signage on each pole sign.

The existing 50.25' and 25.67' legal nonconforming pole signs for Hope Chapel exceed the permitted 20 foot height limit for pole signs located within the C-3 zone as well as the maximum number of pole signs per site (1). The applicant requests a Variance from the 20' height limit for pole signs as well as a Variance from the number of pole signs permitted on a site.

The applicant also requests a sign code interpretation determining that the proposed sign on the north building elevation be considered a marquee sign rather than a roof sign.

Analysis:

Pursuant to HBMC Section 17.50.140.(D), properties located within the C-3 zone are allowed a total of three square feet of sign area per each lineal foot of primary building frontage plus a half foot of signage for each foot of secondary building frontage.

The primary frontage for the market is located along PCH measuring 150.25' in length. The secondary building frontage is located along Artesia Boulevard measuring 196.83' in length. As such, the total allowable signage for the market is 745.99 square feet. The total sign area proposed for Lazy Acres is 627.25 square feet, and 118.74 square feet of sign area would remain available for future signage. The building frontage for Hope Chapel is located along PCH measuring approximately 140' in length. The building does not have frontage along any other streets. Accordingly, the total allowable signage for Hope Chapel is approximately 420 square feet.

The total existing signage for the Hope Chapel building is approximately 1,010 square feet, whereas the Lazy Acres Natural Market does not have any existing permanent signage. The existing sign area for the pole sign located along PCH is 156.8 square feet, and the existing sign area for the pole sign located along Artesia is 322.14 square feet, for a total aggregate of 478.94 square feet of area for both pole signs. The total sign area for both proposed pole signs for Hope Chapel's signage only is 245 square feet (151.14 square feet along Artesia and 93.86 square feet along PCH). The proposal would reduce the total sign area for Hope Chapel building from 1,010.64 to 933.50 square feet, bringing the sign area closer, though not fully, into compliance with HBMC development standards for total maximum signage area of 420 square feet.

Since the requested signage for Hope Chapel will still result in approximately 513.50 square feet of excess allowable signage, a separate Sign Variance for Hope Chapel to exceed the total allowable signage is required. Based on the provided information, it appears it would not be possible to make all three required findings to support a Sign Variance request for Hope Chapel to exceed the permitted total allowable sign area. As such, the applicant will be required to revise the pole signs to remove Hope Chapel signage from each pole sign can. Conditions of approval have been added to the attached resolution to ensure that any adjustments to the proposed total sign area for the Lazy Acres Natural Market are consistent with HBMC development standards.

The proposal is not consistent with HBMC Section 17.50.140(G), which indicates properties located within the C-3 zoning designation are limited to one pole sign per site with a maximum 20 foot height limit.

Variance:

The applicant seeks Sign Variances for styles of signs and height standards as outlined below:

1. Signs in the General Commercial zone are limited to the following sign types:
 - a. One pole sign shall be permitted per site (Section 17.50.140 (B) (2)).
2. Pole signs shall not be over twenty (20) feet high above finished grade (Section 17.50.140 (G)).

Findings:

The Planning Commission, or the City Council on appeal, may grant a Variance to the specific requirements of this chapter, provided a demonstrated hardship exists and the proposed sign will not adversely affect public safety or the design and appearance of the surrounding neighborhood, and the required conditions are found to exist pursuant to Section 17.50.190, addressed below:

1. Variance Request for number of poles per site

All three of the following findings must be made by the Planning Commission in order to grant the requested Variance to exceed the maximum number of pole signs allowed per site:

Finding A: “A Variance authorized is not a grant of a special privilege inconsistent with the limitations on other properties in the vicinity.”

Finding B: “Special conditions and extraordinary circumstances apply to the property and do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property.”

Finding C: “The Variance will not adversely affect public safety and the design and appearance of the signing and structures of the surrounding area.”

While the applicants could propose one pole sign as permitted by right pursuant to the HBMC development standards for signs in C-3 zoned sites, the applicants’ justification for the requested Variance is that since the building is set back approximately 208 feet from the street, the market is located on a busy intersection, and the property is completely blocked by the commercial development at the northwest corner, it is imperative to have more than one pole sign per site (2) for the safety of their customers.

Argument against granting the variance: The argument can be made that most commercial properties throughout the community do not have the benefit of an intersection-adjacent location, and not many enjoy the benefit of having exposure along the frontage of two major commercial arterials. Having building frontage along two major arterial streets rather than one provides a benefit to the applicant in that the frontage provides additional visibility. Due to the commonality of commercial sites that are not intersection-adjacent, and the subject site’s benefit of the having visibility along the frontage of two major arterials, the Variance for the number of pole sign per site would grant the applicant a special privilege, and there are no special conditions or extraordinary circumstances about the property that do not apply to the other properties in the vicinity so that the strict application of this the HBMC would create a demonstrated hardship on the property. While allowing more than the maximum number of pole signs would not adversely impact public safety, all three findings are required in order to approve the requested Variance, and only one finding can be made.

Although one can argue that the request for more than one pole on the subject site is not justified, staff has made the following findings in favor of the applicant’s request.

Finding A: A variance for the number of pole signs per site would not grant the applicant a special privilege inconsistent with the limitations on other properties in the vicinity. The subject site is located on a major arterial intersection, along the Pacific Coast Highway and Artesia Boulevard. The site is currently accessed from three curb cuts along Pacific Coast Highway and four curb cuts along Artesia Boulevard. The parking area for the Lazy Acres Natural Market and Hope Chapel can be accessed from both PCH and Artesia Boulevard. The parcel to the northwest of the site (southeast corner parcel at Pacific Coast Highway and Artesia) is under different ownership and not a part of the parking plan. Thus, the applicant is unable to provide signage at the corner of the intersection, which is typical for large shopping centers located on a street intersection. A similar approach was taken for the property located at 1559 PCH (Plaza Hermosa). There, the subject property was granted a sign variance because, among other things, the property fronts two street but does not include the corner portion abutting the intersection where typically a sign could be located providing exposure to both streets. Thus, the variance would not grant a special privilege inconsistent with other properties in the vicinity.

Finding B: Special conditions and extraordinary circumstances apply to the property that do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property. The project site is located on a busy intersection in

the City, the building is set back approximately 208 feet from the street and the property is completely blocked by commercial development to the northwest. For the safety of the customer, it is important to have more than one pole sign so that customers can readily find the site easily. Moreover, commercial properties located within the City typically have only one building frontage. Pursuant to HBMC Section 17.50.140 (G), pole signs are permitted for sites with a minimum of 40 feet of street frontage. The subject site has two street frontages over 40 feet in length (381.58' along PCH and 552' along Artesia Boulevard). Thus, the HBMC sign code, which prevents sites from having more than one pole sign, most often applies to commercial properties with only one building frontage - here there are two building frontages. Thus, large scale of the of the site, the unique nature of the site, and the two building frontages all lead to the finding that special conditions and extraordinary circumstances apply to the property and the HBMC development standards for number of pole signs would create a hardship for the property.

Finding C: The subject site is located on a major arterial intersection, along the PCH and Artesia Boulevard. The site is currently accessed from three curb cuts along Pacific Coast Highway and four curb cuts along Artesia Boulevard. The parking area for the Lazy Acres Natural Market and Hope Chapel can be accessed from both Pacific Coast Highway and Artesia Boulevard. An additional sign alerting drivers and possible customers of the location of Lazy Acres Natural Market and Hope Chapel would not adversely affect public safety.

2. Variance Request for maximum height for Artesia Boulevard pole sign

All three of the following findings must be made in order to grant the requested Variance to exceed the allowable pole sign height (along Artesia):

Finding A: "A Variance authorized is not a grant of a special privilege inconsistent with the limitations on other properties in the vicinity."

Finding B: "Special conditions and extraordinary circumstances apply to the property and do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property."

Finding C: "The Variance will not adversely affect public safety and the design and appearance of the signing and structures of the surrounding area."

Finding A: A variance for the number of pole signs per site would grant the applicant a special privilege inconsistent with the limitations on other properties in the vicinity. Allowing the proposed pole sign of 35 feet would grant the applicants a special privilege not allowed for other properties in the area. No other properties have such a tall pole sign, especially a site with an extra pole sign already on the property. The deviation from the maximum 20 foot pole sign height limit would be a grant of a special privilege as the proposed pole sign would be located parallel to the sidewalk/public right-of-way and would be clearly visible from Artesia Boulevard at 20 feet in height. In addition, the proposed 35 foot pole sign along Artesia Boulevard is proposed to have a 5'-2" architectural roof feature to match the market's roof. The proposed roof feature adds 5'-2" of unnecessary bulk and height to the 35 foot high pole sign. While the architectural roof feature may add to the aesthetic appeal of the 35 foot high pole sign, it does not contribute to the City's signage purposes.

Finding B: Special conditions and extraordinary circumstances do not apply to the property that do not apply to the other properties in the vicinity so that the strict application of this chapter works a demonstrated hardship on the particular property. The applicant claims that because the Lazy Acres Natural Market building is set back approximately 208 feet from Artesia Boulevard and is located at a major intersection, the proposed pole sign at 35 feet in height is needed to ensure safe vehicular

entry into the shopping center. However, City staff believes that applicant's justification is not warranted the primary function of signage is to give information about the location of the possible designation. Thus, in order to promote public safety the proposed pole sign should be at the driver's eye level.

Finding C: The proposed 35 foot high pole sign along Artesia Boulevard would not adversely impact public safety, as the existing legal nonconforming pole sign was permitted at 50 feet in height and has not created negative impacts. However, all three findings are required in order to approve the requested Variance. Therefore, granting of the requested Variance cannot be justified.

Sign Code Interpretation:

The applicant seeks a sign code interpretation to determine whether the proposed building sign located on the north building elevation may be considered a marquee sign rather than a roof sign. Roof signs are defined as signs erected upon, above or extending above a roofline of a building or structure. In addition, architectural projections above the roof line which function as background for a sign shall be considered a sign structure. Signs that are placed on such structures shall be considered a roof sign. According to the HBMC Section 17.50.080 (B) roof signs are prohibited in the City of Hermosa Beach with the following exceptions:

- a. Signs located on pre-existing architectural projections extending above roof line that have historically been used for sign purposes;
- b. Signs located on projections above the roof line that are deemed by the Planning Commission to be architectural projections that are part of the architecture of the building and not solely for purposes of sign background.

Marquee signs are defined as signs painted on, attached to, or supported by a marquee with the exposed face of the sign in a plane parallel to the building wall which supports the marquee. Although the HBMC does not define a marquee, a marquee can be described as a rooflike projection over the entrance to a theater, hotel, or other building.

The Lazy Acres Natural Market building has a flat roof. The proposed marquee sign will be placed on the sloping roof adjacent to the main building entrance fronting Artesia Boulevard. Staff believes that the proposed marquee sign is not considered a roof sign because the sloping roof element for which the proposed sign will be placed on is truly an architectural feature of the building intended strictly for aesthetic purposes. Although the sloping roof element gives the illusion of a roof, it does not exceed the parapet of the north building elevation. The proposed sign on the north building elevation does not appear to be a roof sign because it does not extend beyond the roof parapet. In addition, it appears the tube framing on which the sign will be placed on is considered a marquee because it can be considered a rooflike projection. Thus, proposed building sign located on the north building elevation should be considered a marquee sign rather than a roof sign.

Environmental Determination:

The proposed project is Categorically Exempt from the California Environmental Quality Act as defined in Section 15311(a), Class 11 Exemption, Accessory Structures because the proposal pertains proposed signage for an existing structure. Moreover, none of the exceptions to the Categorical Exemption apply. Nor will the project result in a significant cumulative impact of successive projects of the same type in the same place over time, or have a significant effect on the environment due to unusual circumstances, or damage a scenic highway or scenic resources within a state scenic highway. The site is not located on a hazardous waste site and will not cause a

substantial adverse change in the significance of a historical resource.

General Plan Consistency:

The subject site is located within the Gateway Commercial (CC) General Plan land use area, the purpose of which is to offer a greater variety of employment, retail, and economic activity to the community. The subject site is also located within the Pacific Coast Highway Corridor Character which promotes signage made of high-quality materials and design, and consistent with City sign codes.

Attachments:

1. Proposed Resolution
2. Poster Verification
3. Radius Map
4. Site Photographs
5. Hermosa Beach Municipal Code Definitions
6. Applicant's Submittal
7. Sign Variance 95-2 Staff Report and signed Resolution

Respectfully Submitted by: Yuritzzy Randle, Assistant Planner

Approved: Ken Robertson, Community Development Director