



## Legislation Details (With Text)

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**Type:** Action Item **Status:** Other Matter  
**File created:** 12/4/2019 **In control:** Planning Commission  
**On agenda:** 12/9/2019 **Final action:**  
**Title:** Potential Municipal Code amendments to Chapter 17.04 Definitions, and Chapter 17.28 M-1 Light Manufacturing Zone, and add 17.42.200 for a new Limited Events Permit to allow Cypress District businesses to host openings or events to showcase and offer products for sale on a limited basis.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1. Link to 7-23-19 City Council Meeting - Page 9, REPORT 19-0479, 2. 2. Link to 8-20-19 Planning Commission Meeting - Page 6, REPORT 19-0536, 3. 3. Link to 11-7-19 Planning Commission Study Session Meeting, 4. 4. Public Notice Sent to Businesses and Property Owners, 5. 5. City Council Consideration of Similar Use dated August 8 2000, 6. 6. Letter from Nancy Noll dated November 14, 2019, 7. 7. Limited Events Permit Temporary Minor Special Events Permit Table - added 11-18-19, 5:40pm, 8. 8. Comments Received 11-18-19, 9. 9. Comments Received 11-19-19, 10. 10. Supplemental: Comments Received 12/5 to 12/9/19 - added 12/9/19, 3:35pm

Date	Ver.	Action By	Action	Result
12/9/2019	1	Planning Commission	continued	Pass

### Honorable Chairman and Members of the Hermosa Beach Planning Commission

#### Regular Meeting of December 9, 2019

Potential Municipal Code amendments to Chapter 17.04 Definitions, and Chapter 17.28 M-1 Light Manufacturing Zone, and add 17.42.200 for a new Limited Events Permit to allow Cypress District businesses to host openings or events to showcase and offer products for sale on a limited basis.

#### Recommended Action:

As directed by the City Council, Staff recommends that the Planning Commission consider amendments to the Zoning Code that would be consistent with the General Plan to add definitions of "Artist studio" and "Architect studio;" to modify the M-1 Light Manufacturing Zone permitted uses to add Architect Studio as a permitted use, and establish a new Limited Events Permit to allow Cypress District businesses to host openings or events to showcase and offer products for sale on a limited basis.

If supportive of the proposed text amendments, direct staff to set a specific public hearing date for consideration of the appropriate Zoning Code text amendments.

### **Background:**

At its meeting on July 9, 2019, the City Council reviewed a request letter and heard public comments from Mike Collins, business owner of ShockBoxx, requesting initiation of a Municipal Code amendment to the M-1 Light Manufacturing Zone in the Cypress District. The letter, which represented six businesses and property owners, asked for consideration to update the M-1 Zone to allow for “current and emerging, businesses, shop owners, and tenants, to conduct business in a more creative way,” particularly regarding special event limitations. At that meeting, the City Council directed staff to consider this matter at a future City Council meeting.

At its meeting on July 23, 2019, the City Council considered initiation of a Municipal Code amendment to the M-1 Zone and the appropriate permitting process to allow Cypress District businesses to host openings or events with limited retail sales. After discussion, the City Council directed the Planning Commission to consider a Zoning Code Text Amendment for the M-1 Zone in the Cypress District and recommend changes to the City Council for potential adoption.

At its meeting on August 20, 2019, the Planning Commission discussed the M-1 Light Manufacturing Zone and the City Council direction to consider potential Municipal Code text amendments to allow businesses to host openings or events with limited retail sales. The Commission discussed the proposal, requested more information such as an inventory of existing uses, parking, and potential fiscal impacts.

At a Study Session meeting on November 7, 2019, following a walking tour of the Cypress District, the Planning Commission considered minor modifications to the zoning code and gave direction for text amendment consideration at its next meeting.

### **Analysis: Proposed Municipal Code Text Amendments**

#### **Add Definitions to Chapter 17.04**

The Zoning Code does not currently include definitions for “Artist studio” or “Architect studio.” The proposed definitions are consistent with the proposed text amendments to the M-1 Light Manufacturing Zone.

“Artist studio” means a workshop for one or more artists specializing in the visual arts including, but not limited to, painting, drawing, printmaking, mixed media, and sculpture.

“Architect studio” means a creative work space with work tables, drawing tables and space for preparing models and graphic representations which may be in conjunction with ancillary office and storage area.

#### **Amend M-1 Light Manufacturing Zone Chapter 17.28**

On August 8, 2000, the City Council deemed an Architect Studio use as similar to other uses permitted in the M-1 Zone. The proposed amendment listed below reflects that decision.

Proposed amendment to M-1 Light Manufacturing Zone 17.28.020 Permitted Uses:

USE	
Architect Studio	P

### Limited Retail

As encouraged in Plan Hermosa, limited retail is envisioned as accessory to the on-site design or production use only. A retail business is not allowed in the M-1 Light Manufacturing Zone and is not consistent with the uses in the zone unless the Zoning Code text is amended to determine retail is allowable as an accessory use to the primary on-site production use.

If desired, an amendment to the M-1 Zone for limited retail could be included to allow specialty retail as an accessory use to support the primary on-site production use up to 25% of floor area. This would be consistent with the M-1 Zone example of Administrative offices accessory to the primary use.

M-1 Light Manufacturing Zone 17.28.020 Permitted Uses:

USE	
Administrative offices accessory to a primary permitted use, not exceeding twenty-five (25) percent of the gross floor area	P

Limited retail could also be allowed only in conjunction with the proposed new Administrative Permit for Limited Events.

### New Administrative Permit for Limited Events and Accessory Retail

An Administrative Permit for Limited Events is proposed for low impact events that meet certain standards and limitations to minimize impacts to surrounding businesses and neighborhoods. The intention of the proposed Limited Events Permit would be an inexpensive, simple process as an alternative to the Temporary Minor Special Event Permit, for businesses seeking approval for Limited Events meeting low impact standards and limitations.

Definition for Limited Events:

Events, Limited. "Limited events" means the provision of events as defined herein, but only as accessory to an established on-site use for limited periods of time such as openings for the

purpose of showcasing art or other goods produced or manufactured in the M-1 Zone, such as for Artist Studios or manufacturers, and also allowing accessory retail that does not typically generate off-site impacts or contribute to impacts within the M-1 Light Manufacturing zone or adjacent residential districts in accordance with standards and limitations.

The Limited Events Administrative Permit process would include the following standards and limitations:

- Permit valid for a two-year period
- No amplification of music or speaking at any time and noise cannot be audible at the property line
- Limited to maximum occupancy of building
- No alcohol service or consumption
- Limited to two (2) Limited Events per week for maximum of two (3) hours each
- Hours within 10:00 a.m. and 9:00 p.m. and must end by 9:00 p.m.
- Parking - a parking plan, including any shared parking details and approvals, must be provided and approved for the Limited Events Permit and carpooling should be encouraged.
- Limited Events are 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.
- Accessory retail limited to products related to primary use.

If a proposed event does not strictly adhere to the Limited Events Administrative Permit standards and limitations, a Temporary Minor Special Event Permit would be an available option.

### **General Plan Consistency:**

After extensive community discussion and study, the City Council adopted PLAN Hermosa on August 22, 2017. The Cypress Avenue district is located within the Creative Light Industrial (CI) General Plan land use area. The General Plan vision for the Cypress District industrial area is to foster new innovations and creative activity. Creative land uses, including in the Cypress District, are discussed throughout PLAN Hermosa in the following sections.

#### **Creative Economy (p.69)**

Artists, like many business sectors, need space to create their art and venues or opportunities to sell their work and can benefit from proximity to one another. To encourage increased artistic activity and support economic development objectives, Hermosa Beach can ensure the space needed to support this industry is provided in an accessible and affordable manner that allows higher levels of collaboration among artists - all essential ingredients to flourishing creative communities.

#### **Land Use Designations - Creative (p.71)**

Creative land use designations are intended to provide space for production, design, and

manufacturing uses that support the local employment base and produce goods and services that enhance the brand of Hermosa Beach as a creative and innovative community. Uses that are considered light industrial are to be designed and sited in a manner that ensures their compatibility with surrounding uses.

#### Designation/Definition (p.73)

CI Light Industrial - Production uses for light manufacturing, creative art, or design services with professional office as an allowed accessory use.

#### Creative Light Industrial (CI) (p.77)

Purpose - The creative light industrial designation is intended to create a suitable environment for small businesses that rely on manufacturing, warehousing, or production to operate successfully. This designation ensures uses are able to operate in a manner that contributes to local economic activity and diversifies the local employment base while minimizing impacts to adjacent residential uses. The designation fosters new innovations and creative economic activity by providing common gathering areas and meeting spaces to share and exchange ideas.

Appropriate Land Uses - This designation is reserved for the provision of production uses for light manufacturing, creative art, or design services. Flexible use spaces, co-working offices, and creative or “maker” industry incubator spaces are also permitted. Professional office or specialty retail are allowed only as an accessory use to the primary production uses. Residential uses are not allowed in this designation as its intent is to promote and protect industry and production uses that diversify the City’s tax base.

#### Cypress District Character Area (p. 94)

Future Vision - The intent is to transform both building design and orientation as well as the public realm and streetscape within the Cypress District. This area is the creative, production and light industrial center of Hermosa Beach where ideas, spaces, and creativity are easily shared. The Cypress District includes a variety of flexible use spaces, co-working offices, and creative or “maker” industries.

Intended Distribution of Land Uses - The Cypress District is exclusively designated for creative light industrial uses, with preference toward production uses aligned with green economy. While the area should allow some retail uses, the focus is on specialty trade services and must be accessory to the design or production uses. The Cypress District should support the development of new uses that will bring a wide range of high-quality jobs accessible to people with a variety of skill levels, including research and development and light industrial uses.

Relevant Goals and Policies the City’s General Plan are listed below:

Governance Goal 6. A broad-based and long-term economic development strategy for Hermosa Beach that supports existing businesses while attracting new business and tourism.

- Policy 6.5 Creative Economy.

Land Use Goal 1. Create a sustainable urban form and land use patterns that support a robust economy and high quality of life for residents.

- Policies 1.1 Diverse and distributed land use pattern, 1.4 Diverse commercial areas, and 1.8 Respond to unique characteristics.

Land Use Goal 3. A series of unique, destination-oriented districts throughout Hermosa Beach.

- Policies 3.1 Unique districts and 3.2 Compatibility of districts.

Land Use Goal 10. A strong sense of cultural and architectural heritage.

- Policy 10.5 Adaptive reuse and sustainable development.

One of the priority implementation tasks for PLAN Hermosa is to update the Zoning Code to align with the General Plan.

## **Summary**

The intention for M-1 Light Manufacturing Zone Text Amendments in the Cypress District is to serve as an interim measure to bring the Zoning Code closer to the PLAN Hermosa General Plan vision and in anticipation of a more comprehensive update in the future.

## **Environmental Analysis:**

Environmental analysis will be determined based on the recommended action pursuant to the California Environmental Quality Act (CEQA) and California Public Resources Code. Once a course of action is determined, appropriate Environmental Analysis will be conducted at that time.

## **Attachments:**

1. Link to 7-23-19 City Council Meeting
2. Link to 8-20-19 Planning Commission Meeting
3. Link to 11-7-19 Planning Commission Study Session Meeting
4. Public Notice Sent to Businesses and Property Owners
5. City Council staff report and minutes for Consideration of Similar Use Provision for M-1 Zoned Property for Architect Studio dated August 8, 2000
6. Letter from Nancy Noll dated November 14, 2019
7. Limited Events Permit Temporary Minor Special Events Permit Table
8. Comments Received 11-18-19
9. Comments Received 11-19-19

Respectfully Submitted by: Christy Teague, Senior Planner  
Approved: Ken Robertson, Community Development Director