



Staff Report

File #: REPORT 22-0541, Version: 1

Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of September 28, 2022

**INTRODUCTION OF AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA,
AMENDING HERMOSA BEACH MUNICIPAL CODE CHAPTER 12.30 (SPECIAL EVENTS ON
PUBLIC PROPERTY), SECTION 12.30.030 (SPECIAL EVENT APPROVAL AND PERMIT
ISSUANCE), AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT AND APPROVAL OF THE PARKS, RECREATION AND COMMUNITY
RESOURCES ADVISORY COMMISSION'S RECOMMENDED SPECIAL EVENTS POLICY GUIDE
UPDATES**

(Community Resources Manager Lisa Nichols)

Recommended Action:

Staff recommends City Council:

1. Consider waiving full reading and introduce by title only an Ordinance of the City of Hermosa Beach, California, amending Hermosa Beach Municipal Code Chapter 12.30 (Special Events on Public Property), Section 12.30.030 (Special Event Approval and Permit Issuance), and finding the same exempt from the California Environmental Quality Act; and
2. Approve the Parks, Recreation and Community Resources Advisory Commission's recommended Special Event Policy Guide updates.

Executive Summary:

The Community Resources Department is tasked with overseeing special event requests and permits on public property. At its regular meeting of September 13, 2016, City Council approved the Special Events Policy Guide for implementation to begin in 2017. The Special Events Policy Guide (**Attachment 1**) serves as a comprehensive document for event producers with general information on the review and approval process, applicable fees, policies, and the Hermosa Beach Municipal Code Chapters and Sections pertaining to special events held on public property.

During the review and approval process of 2022 special events, it became evident that a comprehensive review of specific policies within the Special Events Policy Guide was needed. At its regular meeting on January 25, 2022, City Council directed staff to work with the subcommittee, to further define "community benefit" as an eligibility requirement in the Fee Waiver Grant Program and the Long-Term Agreement Program. At its regular meeting of Thursday, June 16, 2022, the Parks, Recreation, and Community Resources Advisory Commission (Commission) requested staff work with the subcommittee to review the Special Event Policy Guide in its entirety and return with

recommendations.

On June 7, 2022, the subcommittee and staff met to form recommendations for Special Events Policy Guide updates. The recommended Special Events Policy Guide updates were approved by the Commission at its July 5, 2022 meeting.

Background:

The Community Resources Department is tasked with overseeing special event requests and permits on public property. In 2015, this process, and other aspects of special event management, led to growing concern in the community, specifically due to the number of special events on the beach limiting access to the community for general use. At its regular meeting of January 13, 2015, City Council directed the Parks, Recreation, and Community Resources Advisory Commission (Commission) to create a subcommittee to review and make policy recommendations pertaining to special events. At its regular meeting of April 7, 2015, former Commissioner Jessica Guheen and Commissioner Jani Lange were selected to serve on the Special Events Subcommittee (Subcommittee). In October 2015, the City contracted with Raimi and Associates to provide assistance to the Subcommittee and staff in forming a Special Events Policy Guide.

The Special Events Policy Guide serves as a comprehensive document for event producers with general information on the review and approval process, applicable fees, policies, and relevant Hermosa Beach Municipal Codes pertaining to special events held on public property. The Special Events Policy Guide was formed based on best practice research, pre-existing Department policies, and in parallel with PLAN Hermosa, policies of the California Coastal Commission. The first draft of the Special Events Policy Guide was presented to Commission and City Council at a special joint meeting on Wednesday, July 6, 2016, to allow input from Commission and City Council prior to its formal adoption. At its regular meeting of September 13, 2016, City Council approved the Special Events Policy Guide for implementation to begin in 2017. **Attachment 1** is the current Special Events Policy Guide. Since the adoption of the guide, minor revisions have been made by staff including:

- The addition of language to expand on specific policies to provide further clarification to applicants;
- The addition of information on existing Hermosa Beach Municipal Codes or updates to the Hermosa Beach Municipal Code that pertain to special events on public property;
- The addition of existing department policies and best practices pertaining to special event management that do not impact or conflict with the initial policies adopted; and
- The addition of the Fee Waiver Grant Program and Long-Term Agreement Program.

During the review and approval process of 2022 special events, it became evident that a comprehensive review of specific policies within the Special Events Policy Guide is needed. At its regular meeting on January 25, 2022, City Council directed staff to work with the Subcommittee, which now consists of Commissioner Ellman and Commissioner Lange, to further define “community

benefit” as an eligibility requirement in the Fee Waiver Grant Program and the Long-Term Agreement Program. At its regular meeting of Thursday, June 16, 2022, the Commission requested staff work with the Subcommittee to review the Special Events Policy Guide in its entirety and return to Commission with recommendations, specifically in relation to the following policies:

- The Peak Season limits, specifically the Impact Level III limit, which was exceeded in 2022 and prior years; and
- The Public Hearing requirement for Impact Level III events and new events to the City, specifically the Public Notice requirements pertaining to new event requests in locations away from the Beach or downtown.

On June 7, 2022, the Subcommittee and staff met to form recommendations for Special Events Policy Guide updates. The recommended Special Events Policy Guide updates were presented to Commission at its July 5, 2022 meeting.

Past Commission and City Council Actions

Meeting Date	Description
January 13, 2015	City Council provided direction to Commission to form a Special Event Subcommittee
April 7, 2015	Commission formed the Special Events Subcommittee
July 6, 2016 (Special Joint Meeting with Commission and City Council)	Review of the first draft of the Special Event Policy Guide
September 13, 2016	City Council approval of the Special Event Policy Guide for implementation to begin in 2017
January 25, 2022	City Council directed staff and the Special Events Subcommittee to further define “community benefit” in the Fee Waiver Grant and Long-Term Agreement Programs
June 16, 2022	Commission requested staff and the Subcommittee review and return with Special Event Policy Guide updates as a future agenda item
July 5, 2022	Commission approval of the recommended Special Event Policy Guide Updates

Discussion:

Attachment 9 is a table of the proposed policy modifications to the Special Events Policy Guide recommended by the Commission with additional detail on each modification. These modifications include:

- Revisions to the Impact Level Characteristics Matrix, which is the tool used to determine if an

event is an Impact Level I, II, or III;

- Removal of the Public Hearing requirement for returning Impact Level III events; and
- Adjustment of the Peak Season limits.

The recommended policy modifications to the Impact Level Characteristics Matrix and removal of the Public Hearing requirement for returning Impact Level III events, require an amendment to Hermosa Beach Municipal Code Chapter 12.30, Special Events on Public Property and Section 12.30.030, Special Event Approval and Permit Issuance. **Attachment 10** is a redline version of Section 12.30.030, including the amendment in line with the recommended policy modifications and language updates to align the code with the Special Events Policy Guide.

Attachment 11 is a table of policy additions to the Special Events Policy Guide recommended by the Commission with additional detail on each proposed addition. These proposed policy additions include:

- Only a maximum of two events would be permitted on any given day in the City;
- Event producers requesting removal of the beach tennis courts must allow at least three of the six permanent courts to remain in place for public use or provide temporary courts for public use;
- New event requests for locations outside of the beach or downtown area, would require Public Hearing notices to be posted at the requested event site;
- Only returning events may request a fee waiver grant; and
- Applicants must demonstrate a financial need or other economic justification to be considered for a fee waiver grant.

Attachment 12 is a redline version of the Special Events Policy Guide that includes the proposed policy modifications and policy additions recommended for approval by Commission in its entirety.

At its July 5, 2022 meeting, the Parks, Recreation, and Community Resources Advisory Commission also recommended the elimination of the characteristic from the Impact Characteristics Matrix that considers the total consecutive event days to determine whether an event is Impact Level I, II or III.

Upon further review and consideration of this recommendation, staff recommends that this characteristic remain as multi-day events are of higher impact. Multi-day events require additional coordination, often require event related set-up and equipment to remain overnight and impacts the availability of the event site for other recreation services, such as classes, camps, and leagues and the community's general use and enjoyment. At the July 5, 2022 meeting, the above analysis was not explicitly provided to the Commission so staff cannot posit with certainty whether the Commission's recommendation would have changed or remained the same.

General Plan Consistency:

This report and associated recommendation have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

Governance Element

Goal 5. Small beach town character is reflected throughout Hermosa Beach.

Policy:

- **5.7 Visitor and resident balance.** Recognizing the desire and need to balance visitor-serving and local-serving uses as a key to preserving character and the economic vitality of the community.

Parks and Open Space Element

Goal 3. Community parks and facilities encourage social activity and interaction.

Policies:

- **3.1 Community-friendly events.** Encourage, permit, and support community group, nonprofit, or business organized events on City property that support physical activity, beach culture, and family-friendly social interactions.
- **3.2 Social and cultural events.** Design and program parks and open space to accommodate unique social and cultural events to foster connectedness and interaction.
- **3.3 Commercial use of facilities.** Regulate and enforce commercial use of City parks and open spaces to ensure activities do not impact general use and enjoyment.

Goal 7. The beach offers high quality recreational opportunities and amenities desired by the community.

Policies:

- **7.3 Recreational asset.** Consider and treat the beach as a recreational asset and never as a commercial enterprise.
- **7.5 Designated recreational uses.** Continually evaluate and explore devoting certain portions of the beach to different preferred recreational uses while providing access for all users and meeting the recreation needs of visitors and residents.

Fiscal Impact:

There are no fiscal impacts associated with the recommended action.

Attachments:

1. Current Special Events Policy Guide
2. Link to January 13, 2015 City Council Staff Report
3. Link to April 7, 2015 Commission Staff Report

4. Link to July 6, 2016 City Council and Commission Staff Report
5. Link to September 13, 2016 City Council Staff Report
6. Link to January 25, 2022 City Council Staff Report
7. Link to June 16, 2022 Commission Agenda
8. Link to July 5, 2022 Commission Staff Report
9. Table of Special Event Policy Guide Proposed Modifications
10. Ordinance Amending HBMC Chapter 12.30: Special Events on Public Property Section 12.30.030: Special Event Approval and Permit Issuance (Redline)
11. Table of Special Events Policy Guide Proposed Additions
12. Special Events Policy Guide (Redline)

Respectfully Submitted by: Lisa Nichols, Community Resources Manager

Noted for Fiscal Impact: Viki Copeland, Finance Director

Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager