



HERMOSA BEACH, CA MUNICIPAL CODE

TITLE 17 ZONING

Chapter 17.55 Administrative Permits

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17.55.010 Authority to grant.

The community development department may grant administrative permits for all such uses and matters required by this title to be reviewed and allowed only upon the granting of an administrative permit.

17.55.020 Purpose.

The purpose of an administrative permit is to ensure that a proposed use or matter for which an administrative permit is required complies with the standards, limitations and other regulations applicable to the subject use or matter.

17.55.030 Application filing.

Prior to the establishment of any use or grant of any or entitlement for which an administrative permit administered by this section is required by this title or Code, an application for an administrative permit, signed by a property owner, lessee or business owner shall be filed with the community development department upon a form furnished by the department. The application shall include a site plan, drawings and information in sufficient detail to demonstrate compliance with the regulations applicable to the subject use or matter, accompanied by a fee set by resolution of the city council.

17.55.035 Required Findings.

The review authority must make all of the following findings to approve or conditionally approve an Administrative Permit application. The inability to make one or more of the findings is grounds for denial of an application.

- A. The proposed use is allowed within the applicable zone with Administrative Permit approval, and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;

- B. The proposed use is consistent with the General Plan and any applicable specific plan;
- C. The site is physically adequate for the type, density, and intensity (e.g., number of employees and customers) of use being proposed, including provision of services (e.g., sanitation and water), public access, and the absence of physical constraints;
- D. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on site and in the vicinity of the subject property; and
- E. The establishment, maintenance, or operation of the proposed use at the location proposed will not endanger, jeopardize, or otherwise constitute a menace to the public convenience, health, interest, safety, or the general welfare of persons residing or working in the vicinity of the proposed use.

(Ord. # 23-1471 §42, adopted 11/14/2023, effective 08/05/2024)

Effective on: 8/5/2024

17.55.040 Report of decision.

Except as set forth below, the community development director shall issue the administrative permit no more than thirty (30) days following the filing of a complete application therefor. Approval will be based upon determining the request complies with the standards, limitations and other regulations in the governing section, which may include the imposition of conditions and limitations to ensure the permit is consistent with said requirements intended to protect the public health, safety and welfare; otherwise, the director shall deny the application and provide the applicant a written statement of the reasons the permit cannot be issued. The applicant shall be advised in writing of the right to appeal the director's decision pursuant to Section 17.55.050.

Notwithstanding above, permits for accessory dwelling units and/or junior accessory dwelling units shall be decided within one hundred twenty (120) days of receipt of a complete application and subject to the provisions outlined in Chapter 17.21.

(Ord. 18-1385 §7, 2018)

(Ord. # 23-1471 §42, adopted 11/14/2023, effective 08/05/2024)

Effective on: 8/5/2024

17.55.050 Effective date—Appeals.

- A. Notwithstanding 17.55.050(C), decisions of the community development director may be appealed to the planning commission by filing an appeal within fifteen (15) days of the director's decision; provided, that upon affixing the signature of the applicant to an issued permit, the permit shall become effective and the right to appeal shall be waived. Appeals shall be filed in writing with the community development department accompanied by a fee set by resolution of the city council. Notice of hearing shall be given to the applicant at least ten (10) days prior to the hearing, unless the applicant agrees to waive the requirement so that the matter may be heard at an earlier time. The commission's review shall be limited to a determination of whether the application complies with the requirements of the applicable governing section(s). The filing of an appeal within such time shall stay the effective date of the decision until the commission has acted on the appeal. The commission's decision shall be final and conclusive, unless the governing section specifically provides for a direct or subsequent appeal to the city council.
- B. Appeals to the city council shall be filed with the city clerk accompanied by a fee set by resolution of the city council. The filing of an appeal within ten (10) days shall stay the effective date of the decision until the council has acted on the appeal as hereinafter set forth in this title. Upon receipt of a written appeal, the planning commission shall transmit to the council the planning commission's complete record of the case. Notice of hearing shall be given to the applicant at least ten (10) days prior to the hearing, unless the applicant agrees to waive the requirement so that the matter may be heard at an earlier time. The council shall hear the matter and render a

determination as soon as reasonably practicable, but in no event later than sixty (60) days after an appeal has been filed unless requested by the applicant. The council's review shall be limited to a determination of whether the application complies with the requirements of the governing section. The council shall announce its findings within forty (40) calendar days of the hearing, unless good cause is found for an extension, and the decision shall be mailed to the applicant. The council's decision shall be final and conclusive.

- C. Ministerial or non-discretionary Administrative Permits are not eligible for appeal.

(Ord. # 23-1471 §42, adopted 11/14/2023, effective 08/05/2024)

Effective on: 8/5/2024

17.55.060 Reapplication upon denial.

After the denial of an administrative permit has become final, no further application for the same administrative permit shall be filed for the same property for the ensuing six months, unless the project has been revised so as to eliminate the decision making body's previous objections to the project. Said revision shall require a completely new application process and payment of fees.

17.55.070 Revocation.

Any administrative permit may be revoked by the director or the decision making body for any of the following causes:

- A. That any term or condition has not been complied with;
- B. That the property for which the administrative permit has been granted is used or maintained in violation of any statute, law, regulation or condition of approval;
- C. That the use for which the administrative permit was granted has not been exercised for at least twelve (12) consecutive months, or has ceased to exist, or has been abandoned;
- D. The administrative permit has been issued for a short-term vacation rental, which has received three (3) affirmed violations of the ordinance codified in this section or any of the city's quality of life ordinances, such as noise violations, disturbing the peace, or creating a public nuisance, within a 12-month period; or,
- E. That the use for which the administrative permit was granted has been so exercised as to be detrimental to the public health or safety or so as to constitute a nuisance.

A hearing to show cause why the permit should not be revoked shall be held by the issuing body prior to the revocation of any administrative permit. Written notice shall be provided the permit holder at least ten (10) days prior to the hearing stating the reasons therefor. (Ord. 19-1395 §7, 2019)

17.55.080 Expiration.

An administrative permit shall expire at the conclusion of the permitted use or activity, not to exceed one year from the effective date if no expiration or term is stated therein, and the property shall thereafter be used in compliance with the provisions of this Title and Code. (Ord. 13-1341, § 6, July 2013)



HERMOSA BEACH, CA MUNICIPAL CODE

TITLE 17 ZONING

Chapter 17.42 General Provisions, Conditions and Exceptional Uses

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)



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Chapter 17.42 General Provisions, Conditions and Exceptional Uses

17.42.060 Temporary real estate office.

One temporary real estate office and one temporary real estate billboard may be located on any new subdivision in any zone; provided, that such office and billboard if in any R zone shall be removed at the end of one (1) year from the date of recording of the map of the subdivision upon which said office and billboard are located. (Prior code Appx. A, § 1106)



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17.42.070 Temporary construction buildings.

Temporary structures for the housing of tools and equipment or containing supervisory offices in connection with major construction on major construction projects may be established and maintained during the progress of such construction on such project; provided that such temporary structure may not be maintained for a period exceeding one (1) year. (Prior code Appx. A, § 1107)



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17.42.160 Temporary seasonal sales lots.

Outdoor retail sales of holiday trees or seasonal produce may be allowed with an administrative permit in the C-3 zone or zones that allow C-3 uses in conjunction with holidays or seasonal harvests for the following periods: Christmas trees: Thanksgiving Day to December 26th; pumpkin sales lots: September 30th to November 1st; fresh produce stands: not to exceed a ninety (90) day period between May 1st and October 30th. (Ord. 13-1341 § 3, 2013)



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TITLE 17 ZONING

Chapter 17.42 General Provisions, Conditions and Exceptional Uses

17.42.190 Entertainment, limited live.

- A. Definition.
 - 1. Entertainment, limited live as defined in [Chapter 17.04](#).
- B. Administrative Permit Required.
 - 1. Limited live entertainment 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. No permit term shall extend past two (2) years from the effective date of the ordinance codified in this section.
 - 2. The appeal procedures found in Section [17.55.050](#) and the revocation procedures found in Section [17.55.070](#) shall apply to any administrative permit issued for limited live entertainment.
- C. Standards and Limitations.
 - 1. Hours. During normal business hours but no earlier than 8:00 a.m. or later than 9:00 p.m. daily.
 - 2. Noise. Cannot be audible on the exterior of the business premises and not permitted on outside patios, entries or sidewalks. All exterior doors and windows shall be closed during entertainment.
 - 3. Uses. Limited live entertainment may include one (1) or two (2) performers/hosts using amplification, playing games, open mic, musical performances, poetry readings or other similar use that is not more objectionable than the listed uses. The community development director is authorized to compare a proposed use and measure it against those listed for determining similarity.
 - 4. Operations/Seating. The activity must be confined to completely enclosed premises and does not result in the need for additional seating or change in an approved floor plan to accommodate the limited live entertainment and/or accommodate a stage for the entertainment, dancing or hosting of an activity or event.
 - 5. Limited live entertainment is an accessory use to the main business.
 - 6. There shall be a maximum of two (2) performers or hosts using amplification.
 - 7. Prizes. Any prizes awarded during an activity permitted by a limited live entertainment administrative permit shall be limited to the prize limits stated in Section [5.12.100](#).
 - 8. Must comply with all other applicable laws and agencies, including but not limited to California Department of Alcoholic Beverage Control and California Bureau of Gambling Control.
 - 9. No organized alcohol drinking games are permitted.
 - 10. Established maximum occupant load of the premises shall apply.
 - 11. Upon permit issuance, advertising of approved entertainment is permitted. (Ord. 18-1388 §3, 2018)



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TITLE 17 ZONING

Chapter 17.42 General Provisions, Conditions and Exceptional Uses

17.42.200 Events, limited.

- A. Definition. "Events, limited" is as defined in [Chapter 17.04](#).
- B. Administrative Permit Required.
1. Limited events allowed pursuant to this section may be permitted with an administrative permit pursuant to [Chapter 17.28](#) in the Cypress District M-1 light manufacturing zone. The Cypress District is comprised of properties located in the M-1 light industrial zone located on Cypress Avenue, Valley Drive, and 6th Street.
 2. The appeal procedures found in Section [17.55.050](#) and the revocation procedures found in Section [17.55.070](#) shall apply to any administrative permit issued for limited events.
 3. A limited events permit is effective for two (2) years.
- C. Standards and Limitations.
1. Noise. No music or speaking shall be amplified at any time and event noise cannot be audible at the property line.
 2. Established maximum occupancy of events shall not exceed the maximum occupancy load of the interior of the business. Events should be focused on interior. The business must post a sign stating the maximum occupancy. Events are not permitted on city sidewalks or streets.
 3. There shall be no alcohol service or consumption during limited events. If alcohol is proposed, a temporary minor special events permit is required per Section [17.42.150](#).
 4. Limited events frequency shall be limited to three (3) per month for maximum of three (3) hours each, but no more than two (2) in a seven (7) day period.
 5. Hours. During normal business hours but no earlier than 10:00 a.m. or later than 9:00 p.m. daily.
 6. Limited events are an accessory use to the main business as determined by the community development director.
 7. Parking. A parking management plan, including any shared parking details and approvals, must be provided and approved for the permit. Carpooling should be encouraged.
 8. Limited events are restricted from operating on St. Patrick's Day, July 4th, Cinco de Mayo, New Year's Eve or any other date when the police department determines the accumulation of activities in the city may exceed its capacity to adequately protect public safety.
 9. Accessory retail is limited to products related to the primary business use during limited event periods. Limited events are intended to allow retail accessory to the primary design or production use as determined by the community development director. Limited events may not be appropriate for distribution businesses or contractor uses, for example. (Ord. 20-1412 §3, 2020)