



Honorable Mayor and Members of the Hermosa Beach City Council

REQUEST FOR A ZONING TEXT AMENDMENT (TA 25-01), PERTAINING TO THE REGULATION OF TEMPORARY USES AND EVENTS ON PRIVATE PROPERTY, AMENDING HERMOSA BEACH MUNICIPAL CODE (HBMC): 1) CHAPTER 17.04 REGARDING DEFINITIONS; 2) CHAPTER 17.28 REGARDING M-1 LIGHT MANUFACTURING ZONE; AND 3) CHAPTER 17.42 REGARDING GENERAL PROVISIONS, CONDITIONS AND EXCEPTIONAL USES.

CEQA: The project qualified for a Categorical Exemption per Section 15061(b)(3) of the California Environmental Quality Act Guidelines.
(Planning Manager Alexis Oropeza)

Recommended Action:

Staff recommends City Council:

1. Conduct a public hearing to consider amendments to Hermosa Beach Municipal Code pertaining to temporary use and temporary events;
2. Determine whether the project is exempt from the California Environmental Quality Act; and
3. Introduce by title only and waive first reading of an Ordinance of the City of Hermosa Beach, California, approving Zoning Text Amendment (25-01) **(Attachment 1)**.

Executive Summary:

Temporary uses and temporary events are designed to allow short-term activities and development that may not comply with all development standards of a land use zone. In certain situations, these temporary uses and events can facilitate redevelopment and promote local businesses. Specific standards are established for these temporary activities to ensure public health, safety, and general welfare.

On February 18, 2025, the Planning Commission conducted a public hearing and recommended City Council approval of a zone text amendment pertaining to Temporary Uses and Temporary Events (TA 25-01). The Planning Commission also recommended City Council consider amending the fee schedule to allow a partial refund for permits that are denied.

Background:

On November 12, 2024, the City Council directed staff to proceed with a focused zoning text amendment for temporary minor special events in response to public requests.

On December 16, 2024, the Planning Commission held a study session on temporary uses and events and directed staff to address: 1) the quantity of minor special events allowed, 2) provisions for allowing modifications or additional dates; 3) exempting ancillary uses from a temporary minor special event permit; and 4) allowing appropriate parking flexibility.

On February 18, 2025, the Planning Commission conducted a public hearing, considered public testimony and recommended City Council approve a Zone Text Amendment with several additional amendments. The Planning Commission also recommended City Council amend the fee schedule to allow for a partial refund of fees in cases where a permit is denied. The following table provides an overview of past discussions and amendments to the regulations pertaining to temporary uses and temporary events.

Past Board, Commission, and Council Actions

Meeting Date	Description
November 20, 2012	Planning Commission discussion on options for regulating temporary events in conjunction with commercial and nonresidential uses
March 19, 2013	Planning Commission recommended adoption of a Negative Declaration and amendment to the Municipal Code to allow and regulate minor special events on private property
June 25, 2013	City Council adopted a Negative Declaration and introduced and waived first reading of an ordinance to allow and regulate minor special events on private property
July 9, 2013	City Council adopted a Negative Declaration and Ordinance No. 13-1341 amending the Zoning Ordinance to allow and regulate minor special events on private property
January 21, 2020	Planning Commission recommended amending the Zoning Code to add Limited Events Permits to the M-1 Light Manufacturing Zone
August 10, 2021	City Council adopts Ordinance No. 21-1436 to amend Chapter 17.26.050, Chapter 17.44 and Section 17.52.035 of the HBMC relating to off-street parking requirements in the commercial zones
February 2, 2022	Planning Commission reviewed and discussed the comprehensive Zoning Code Update, including temporary uses

Meeting Date	Description
March 12, 2024	City Council received an information item on the City's current regulations for temporary minor special events permits
November 12, 2024	City Council directed staff to address the minor special events as an item separate from the comprehensive zoning code update
December 16, 2024	The Planning Commission conducted a Study Session regarding updates to temporary use and event regulations.
February 18, 2025	Planning Commission recommended City Council approval of a Zone Text Amendment pertaining to Temporary Uses and Temporary Events.

Discussion:

The City recognizes that short-term uses and event activities on private property may be beneficial for property redevelopment and to support local businesses. While these temporary activities may not completely adhere to all zoning standards, temporary operating standards and regulations are established to control and minimize impacts. Temporary uses and temporary event regulations are contained in Hermosa Beach Municipal Code (HBMC) Chapter 17.42 pertaining to General Provisions, Conditions, and Exceptional Uses and are permitted as Administrative Permits in accordance with HBMC Chapter 17.55 (**Attachment 2**). Administrative permits are administered by staff and do not require a public hearing or public notification. The regulations reference various zoning districts. A zoning map is included for reference as **Attachment 3**.

There are currently five separate sections within HBMC Chapter 17.42 of the code addressing temporary activities. Staff recommends merging all temporary uses and event into a single section broadly titled as “Temporary Uses and Minor Special Events.” This proposed change would simplify the code and help users of the zoning code. The following discussion provides a summary of the new section and discusses significant changes from the current regulations (**Attachment 4**).

TEMPORARY USES

This new section introduces various short-term uses that may be permitted with the approval of an Administrative Permit. Generally, these temporary uses are designed to support the redevelopment of a site and require approval to ensure that any impacts are managed and the duration is limited. The following temporary uses are proposed:

- Construction yard, located off-site from the location where construction is occurring.
- Mobile homes as temporary residences with a valid building permit for a new single-family home.

- Maximum duration of two years
- Storage containers in combination with a building permit for work off-site.
- Work trailers for employees of a business with a current building permit.
- Other similar uses as determined by the Community Development Director.

Temporary Event Exemptions

An exemption section was added to clarify situations where a use would require an alternative City permit. For example, garage sales on residential properties within commercial zones require a permit in accordance with Chapter 5.44 of the Municipal Code and on-site construction yards and temporary real estate offices would be allowed with a valid building permit instead of requiring an Administrative Permit for a temporary use.

TEMPORARY EVENTS

This section groups the four event types: 1) Limited Events, 2) Temporary Minor Special Events, 3) Seasonal Sale Lots, and 4) Outdoor Sales into a single section. Temporary events allow for the activation of property, both indoors and outdoors, that may not typically be permitted by the underlying zone and may not comply with all development standards of the zone.

Limited Events, applicable to the Cypress District—M-1 Zone

The limited events permit was designed for indoor activities that showcase the art or goods produced on site. These standards were first added to the Zoning Code in 2020. The Planning Commission’s recommend modifications would make the regulations of the events more flexible. The following summarizes the recommended operating standards for a limited event:

- Events are limited to the interior of the building. Any outdoor event would be required to obtain a Temporary Minor Special Event.
- Events have a maximum duration of five hours. This is an increase from the current three-hour limit for Limited Events.
- Limited Events may occur up to three times per month, with no more than two events in a seven-day period.
- Amplified sound would be permitted in accordance with Noise Ordinance. Under the current code amplified sound is not permitted as part of a Limited Event.
- Alcohol sale, service, and consumption would now be allowed with a license from the Department of Alcoholic Beverage Control during an event. Under the current code alcohol sale and service is not permitted as part of a Limited Event.
- A parking plan is no longer required for a Limited Temporary Event.
- Temporary Minor Special Events dates may be restricted at the discretion of the Police Chief to ensure there are adequate resources to maintain public safety. In addition, events would be automatically prohibited on the following celebrations

and holidays: St. Patrick's Day, Cinco De Mayo, Memorial Day weekend, Fourth of July, and Labor Day weekend dates due to history of increase in calls for service. The Planning Commission directed staff to review if there is a difference in impacts on police resources when the holiday occurs during mid-week. Upon review it was confirmed that regardless of the day of the week there is an overall increase in calls for service on the designated days.

The amendments proposed would provide greater flexibility to the programming of limited events but remain consistent with its original intent for lower-intensity, indoor-only events.

Temporary Minor Special Events

The temporary minor special event category has the broadest applicability of the temporary events. Temporary minor special events allow for a variety of public assembly and entertainment such as concerts, festivals, sports, cultural, philanthropic and/or educational events, and other commercial events deemed similar by the Community Development Director.

The Planning Commission revised the standards by setting a framework to allow a total of 36 days for events, a maximum of 18 events, within a 12-month period along with following additional parameters to ensure the temporary uses minimize impacts on adjacent residential uses. The following summarizes the standard related to event frequency:

- A maximum of 36 days for events (indoors or outdoors) with a maximum of 18 events, within any 12-month period. The current code restricts outdoor events to four per year, with a maximum of seven days each.
- A maximum of two events per month.
- No more than three consecutive days for any event.
- No less than five days between events.

The other provisions and standards under which a temporary minor special event must be operated include the following:

- An allowance for event dates to be amended as a result of inclement weather or additional dates added Director's approval.
- An allowance for temporary sanitation facilities was added.
- Clarification that temporary signs associated with an event may be permitted in accordance with the sign ordinance and need not require a separate application and fee.
- Temporary Minor Special Events dates may be restricted at the discretion of the Police Chief to ensure there are adequate resources to maintain public safety. In addition, events would be automatically prohibited on the following celebrations and holidays: St. Patrick's Day, Cinco De Mayo, Memorial Day weekend, Fourth of

July, and Labor Day weekend dates due to history of increase in calls for service. The Planning Commission directed staff to review if there is a difference in impacts on police resources when the holiday occurs during mid-week. Upon review it was confirmed that regardless of the day of the week there is an overall increase in calls for service on the designated days.

- Maintains a requirement that any deviation from the specified standards requires a Conditional Use Permit.
- Temporary events often occur within parking lots temporarily displacing the onsite parking. Depending on the size of the parking lot and size of the result this can result in spillover impacts into surrounding neighborhood and potentially impact surrounding neighborhoods. In consideration of those concerns and the direction from the Planning Commission, the parking requirement for parking was revised to allow parking to be displaced based on the size of the parking lot as follows:
 - a. All existing accessible parking must be maintained on-site in accordance with the Americans with Disabilities Act;
 - b. In parking lots with five or fewer spaces, no additional parking shall be required, provided that alternative modes of transit (such as biking, walking, ride-share, etc.) are prominently promoted as part of any event advertising;
 - c. In a parking lot with six or more parking spaces, the displacement of more than five spaces shall be off-set by implementing a temporary parking demand management plan. This plan is subject to the review and approval of the Community Development Director. The plan may include private off-site parking (with the property owner's authorization and off-set hours), valet parking, shared parking, bicycle parking, ride-sharing options, and shuttle services; and
 - d. Based on the characteristics and type of event the Community Development Director may require additional parking to address the anticipated demand generated from an event in any sized parking lot.

Outdoor Sales and Seasonal Sale Lots

Allowances for outdoor sales events and seasonal sale lots are existing event types that are proposed to be retained. Minor changes were made to clarify that conditions of approval may be added to any permit along with internal references to other related sections of the code.

Temporary Event Exemptions

To assist users of the code, an exemption from temporary minor special events section was added to clarify where an event does not require a permit or is covered under a different permit type. An exemption for incidental business uses was added. This exemption would delineate that uses such as party games, book signings, and other

similar activities are not deemed events. Incidental uses are complimentary to a business, do not alter the intensity of the use, and do authorize a use not permitted in the zone or requiring a discretionary approval (CUP).

Finally, the Planning Commission recommended City Council consider updating the fee schedule to provide a reduce fee for date changes and amending the fees to allow a partial refund of fees when an application for temporary use or a temporary event is denied. If the City Council desires to consider this change, it may choose to direct staff to agendize the matter at a future meeting or provide direction to staff as it considers the updates to the fee schedule under the separate agenda item.

General Plan Consistency:

PLAN Hermosa, the City's General Plan, was adopted by the City Council in August 2017. The proposed zoning code amendments pertaining to temporary uses and temporary events align with PLAN Hermosa goals and policies listed below.

Governance Element

Goal 5. Small Beach town Character is reflected throughout Hermosa Beach.

Policies:

- 5.1 Residential and commercial compatibility. Provide a balance between residential and commercial uses and strive to ensure their compatibility.
- 5.3 Clear regulations. Establish clear, unambiguous regulations and policies to clearly communicate the City's expectations for new development.

The proposed Temporary Use and Temporary Event regulations consolidate temporary activity regulations into a single section. The regulation adds flexibility while maintaining limitations regarding event duration, frequency, hours, entertainment and alcohol to ensure compatibility between residential and commercial uses.

Land Use and Design Element

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

Policies:

- **1.4 Diverse commercial areas.** Promote the development of diversified and unique commercial districts with locally owned businesses and job- or revenue-generating uses.
- **1.5 Balance resident and visitor needs.** Ensure land uses and businesses provide for the needs of residents as well as visitors.
- **1.7 Compatibility of uses.** Ensure the placement of new uses does not create or exacerbate nuisances between different types of land uses.
- **1.8 Respond to unique characteristics.** Enhance the unique character and identity of the city's neighborhoods, districts and corridors through land use and

design decisions. Allow policies and programs to be focused on each unique character area of the city.

To support a strong economy, the temporary event regulations would be updated to allow for a greater number of temporary minor special events along with regulations and procedures to ensure compatibility between uses.

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

Policy:

- **3.1 Unique districts.** Encourage the development of local and city-wide districts and centers that address different community needs and market sectors and complement surrounding neighborhoods.

The draft regulation recognizes the uniqueness of the district within the city and maintains a Limited Event permit specific to the Cypress District within the M-1 Zone.

Goal 5. Scenic vistas, viewpoints, and resources are maintained or enhanced.

Policy:

- **5.7 Light pollution.** Preserve skyward nighttime views and lessen glare by minimizing lighting levels along the shoreline.

The draft regulation aims to provide flexibility and allowances for temporary events. However, consistent with the general plan policy, strobe lights have not been included as an allowable feature for these events, as they would contribute to light pollution, even if temporarily.

Goal 11. A proud and visible identity as an arts and cultural community.

Policy:

- **11.6 Temporary Installations.** Support ongoing temporary artwork installations and performance-based arts events in areas with strong pedestrian and vehicular traffic.

Temporary events can serve to promote art-related activities within the city. The draft regulations allow for increased flexibility in organizing events, accompanied by reasonable regulations and procedures to ensure compatibility between different uses.

Environmental Determination:

The proposed zone text amendment is a project subject to the California Environmental Quality Act (CEQA) and qualifies for an exemption from CEQA pursuant to Section 15061(b)(3) (Common Sense Exemption) of the State CEQA Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations). The activity is covered by the Common Sense Exemption that CEQA applies only to projects which have the potential

for causing a significant effect on the environment. There is no possibility that the proposed change to the zoning code may have a significant effect on the environment, therefore the activity is not subject to CEQA. No special circumstances exist that the proposed change would create a significant adverse effect on the environment (i.e. no sensitive species or habitats, no hazardous sites, no scenic highways, no historic resources, etc.).

Public Notification:

For the current agenda item, a notice was published in the Daily Breeze on March 15, 2025. On March 13, 2025, notices were posted at City Hall, the Library, and Community Resources. No public comments were received in response to the notice at the time the report was written. However, the public comments submitted to the Planning Commission have been included in **Attachment 5**.

Fiscal Impact:

There is no anticipated fiscal impact from the adoption of the zone text amendment.

Attachments:

1. Draft Ordinance
2. HBMC Chapter 17.55—Administrative Permits and Excerpts of HBMC Chapter 17.42
3. Zoning Map
4. Annotated Zoning Text Amendment with Redlined Changes

Respectfully Submitted by: Alexis Oropeza, Planning Manager

Noted for Fiscal Impact: Brandon Walker, Administrative Services Director

Legal Review: Patrick Donegan, City Attorney

Reviewed by: Angela Crespi, Deputy City Manager

Approved: Suja Lowenthal, City Manager