

**CITY OF HERMOSA BEACH**  
**PC RESOLUTION NO. 26-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A TIME EXTENSION REQUEST FOR PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AMENDMENT (CUP 21-09) AND PARKING PLAN (PARK 21-01) AT AN EXISTING ASSEMBLY HALL AND RESTAURANT (THE COMEDY AND MAGIC CLUB) AT 1018 HERMOSA AVENUE IN THE C-1 ZONE AND DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

**WHEREAS**, Michael Lacey ("Applicant") filed an application on January 26, 2026, requesting a time extension for CUP 21-09 and PARK 21-01 at 1018 Hermosa Avenue ("Project");

**WHEREAS**, on February 15, 2022, the Planning Commission approved Planning Commission Resolutions NO. 22-01 and NO. 22-02, approving a Parking Plan (PARK 21-01) and CUP amendment (CUP 21-09) to allow an expansion of seating and enclosure of a patio area at 1018 Hermosa Avenue; and

**WHEREAS**, pursuant to Hermosa Beach Municipal Code ("HBMC") Section 17.70.020, any permit granted by the Planning Commission becomes null and void if not established within the date specified in such permit, or if no date is specified, within two (2) years from the date of approval of such permit, or if such time period is not extended by the City. The Planning Commission may consider and deny, approve, or conditionally approve written requests for time extensions for a period not to exceed two (2) years;

**WHEREAS**, pursuant to HBMC Section 17.70.20, Planning Commission Resolutions NO. 22-01 and NO. 22-02 would have expired on February 15, 2024, unless significant construction or improvements of the use authorized had commenced or a time extension was granted;

**WHEREAS**, on March 1, 2024, the Planning Commission approved PC Resolution NO. 24-03, granting a two-year extension to CUP 21-09 and PARK 21-01 and extending the entitlement to March 19, 2026. CUP 21-09 and PARK 21-01 will be deemed expired as of March 19, 2026 unless significant construction or improvements of the use authorized have commenced or a time is extension granted; and

**WHEREAS**, the Planning Commission held a public hearing at its public meeting

of April 21, 2026, and considered all testimony and evidence regarding the Project, both oral and written, that was presented to the Planning Commission.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated into this Resolution.

**SECTION 2.** Findings. Based on the foregoing, the Planning Commission finds that the Applicant timely submitted a written application for the Project at least thirty (30) days prior to the expiration date of PARK 21-01 and CUP 21-09, including the reason therefor and payment of any required fees pursuant to HBMC Section 17.70.020.

**SECTION 3.** Approval. Based on the foregoing, the Planning Commission hereby approves the Project granting a two-year time extension to PARK 21-01 and CUP 21-09, subject to all Conditions of Approval set forth in Planning Commission Resolution NO. 22-01 (PARK 21-01) and NO. Resolution 22-02 (CUP 21-09) as specifically modified by Planning Commission Resolution NO. 24-03, and subject to the following **Condition of Approval:**

1. To the extent permitted by law, Permittee shall defend, indemnify and hold harmless the City of Hermosa Beach, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void any permit or approval for this project authorized by the City, including (without limitation) reimbursing the City its actual attorney's fees and costs in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this permit. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

**SECTION 4.** Each of the above conditions is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

**SECTION 5.** The Planning Commission finds that this Resolution is not subject to

CEQA (Title 14 of the California Code of Regulations) pursuant to the following CEQA Guidelines sections: (a) section 15301 (Class 1, Existing Facilities) as the Project consists of internal and exterior modification of an existing building. Moreover, none of the exceptions to the Categorical Exemptions apply. The project is not located in a particularly sensitive environment such that the project may impact an environmental resource of hazardous or critical concern, 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.

**SECTION 6.** Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the final decision by the City Council.

**PASSED, APPROVED, and ADOPTED** on this April of 21st 2026.

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**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**CERTIFICATION**

I hereby certify the foregoing PC Resolution 26-XX is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at its regular meeting of April 21, 2026.

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Stephen Izant  
Chairperson

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Alison Becker  
Secretary

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Date