



CITY OF HERMOSA BEACH
Community Development Department
1315 Valley Drive, Hermosa Beach, CA 90254
Phone: (310) 318-0242 Fax: (310) 937-6235
Website: <http://www.hermosabch.org>

LIMITED OUTDOOR SEATING – APPLICATION INFORMATION

Hermosa Beach Municipal Code, Section 17.26.050(B)(6)

The City of Hermosa Beach provides an administrative permit process to allow “limited outdoor seating” on private property incidental and accessory to food establishments in C-1, C-2, C-3 zones, zones that allow C-3 uses, or SPA-11 zone 17.26.050(B)(6). The permit is typically issued within 1-2 weeks and cost is minimal.

Where the limited outdoor seating includes seating on both private property and the public right-of-way, the standards applicable to limited outdoor seating on the public right-of-way in Section 12.16.090(C) also govern on the private property and an Encroachment Permit from the Public Works Department is also required and will be coordinated with this permit. (Outdoor seating cannot be located on Pier Plaza or on the public sidewalk along Upper Pier Avenue (SPA-11)).

APPLICATION SUBMITTAL:

To apply for an Administrative Permit for a limited outdoor seating, submit the following information to the Community Development Department, 1315 Valley Drive, Hermosa Beach, CA 90254. Office hours are Monday – Thursday, 7:00 a.m. to 6:00 p.m. excluding holidays.

1. The Limited Outdoor Seating application and two (2) site plans showing the proposed location and dimensions in sufficient detail to demonstrate compliance with the requirements of Hermosa Beach Municipal Code, Section 17.26.050(B)(6). Photos of the proposed site are desirable but not required.
2. A fee of **\$498** (\$465 permit + \$33 records technology system) payable to the City of Hermosa Beach.

APPLICATION REVIEW:

1. The application will be reviewed for compliance with Hermosa Beach Municipal Code Sections 17.26.050(B)(6) and Chapter 17.55.
2. Application review may take up to 30 days after the filing of a complete application, at which time you will be notified whether the permit is approved, approved with conditions, or denied. You may ask for an expedited review (3 working days) when you submit the application and pay double the fees.
3. The time period for which the administrative permit applies cannot exceed 180 days (6 months) in any calendar year.

APPEAL AND RE-APPLICATION:

1. The decision of the Community Development Director may be appealed to the Planning Commission within fifteen (15) days of the Director’s decision by filing a written appeal together with the appeal fee.
2. Notice of hearing will be given to the applicant at least ten (10) days prior to the hearing. The decision of the Planning Commission shall be final and conclusive.
3. After the denial of the permit is final, no application for the same administrative permit may be filed for at least six months unless the project has been revised to eliminate the reasons for denial. Said revision shall require a completely new application and payment of fees.

REVOCAION AND EXPIRATION:

1. The administrative permit may be revoked or modified with a 24-hour notice to the holder of the permit if any statute, law, regulation or condition of the permit is not complied with or is being violated, and the event in progress shall conclude and any subsequent events under the permit shall not be conducted. The administrative permit may also be immediately revoked and the event ordered concluded at any time during the course of the event by the Hermosa Beach Police Department upon a determination that the event is causing a violation of law or of any condition of approval, or is causing a threat to public safety.
2. The administrative permit shall expire at the conclusion of the permitted events. In no case shall the duration of the permit exceed six (6) months during the same calendar year.



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ADMINISTRATIVE PERMIT - LIMITED OUTDOOR SEATING

Hermosa Beach Municipal Code, Section 17.26.050(B)(6)

SITE ADDRESS:		PERMIT NO: LOD# _____	
BUSINESS NAME:			
Mailing Address:			
City, State, Zip Code:			
Phone:	Email:		
Property or Business Owner, or City Business License Holder:			
Mailing Address:			
City, State, Zip Code:			
Phone:	Email:		
Is the outdoor seating area entirely on private property?	Will any portion be located on the sidewalk?	How many seats are proposed?	How large is the total area?
CERTIFICATION: I am the: ____ Property Owner, ____ Business Owner, or ____ City Business License Holder of the business or use on the site where the event(s) will be conducted.			
SIGNATURE: _____		DATE: _____	
PRINT NAME: _____			

Hermosa Beach Municipal Code, Section 17.26.050(B)(6) and Chapter 17.55 as Applicable

1. Property must be zoned C-1, C-2, C-3 or zones that allow C-3 zones, or SPA-11 zone. Where the limited outdoor seating includes seating on both private property and the public right-of-way, the standards applicable to limited outdoor seating on the public right-of-way in Section 12.16.090(C) also govern on the private property and an Encroachment Permit from the Public Works Department is also required and will be coordinated with this permit. (Outdoor seating cannot be located on Pier Plaza or on the public sidewalk along Upper Pier Avenue (SPA-11)).
2. Outdoor seating shall be incidental and accessory to food establishments for patrons of the food establishment to consume food or beverages purchased during the hours that food or beverages are offered for sale, but not to exceed 7:00 a.m. to 11:00 p.m. in the C-3 zone and zones that allow C-3 uses, or 7:00 a.m. to 10:00 p.m. in the C-1 and C-2 zones where this use is permitted. Employee break areas physically separated and restricted from public use are regulated by Section 17.26.050(B)(3). Food establishments include snack shops, restaurants, food and beverage markets, supermarkets, bakeries, or similar establishments that offer food or beverages, as determined by the Community Development Director. An Administrative Permit is required.
3. The outdoor seating area shall not exceed a total of two hundred (200) square feet of floor area per business or tenant space, and shall not contain more than one (1) seat per fifteen (15) square feet of area. Where the outdoor seating area is located on both private property and the public right-of-way, the cumulative outdoor seating area shall not exceed (200) square feet of floor area and shall not contain more than one (1) seat per fifteen (15) square feet of area. Seating shall not be reserved, and waiter/waitress table service shall not be provided. Additional parking is not required. The outdoor seating area shall be located proximate to the business providing the seating, such as adjacent to the building, within courtyards, or on balconies or decks, excluding any roof deck. Outdoor seating areas shall not be arranged so as to create food courts. Outdoor seating areas shall not reduce, be located within, or damage any required landscaped area.
4. Alcoholic beverages shall not be offered, sold or consumed within the outdoor seating area.
5. No entertainment, music, speakers, televisions, or audio or visual media of any type, whether amplified or unamplified, shall be provided within the outdoor seating area or situated so as to be clearly visible to the outdoor seating area.
6. The location and use of the outdoor seating area shall not obstruct the movement of pedestrians, goods or vehicles; required parking spaces; driveways or parking aisles; entrances; legal signs; utilities or other improvements. A minimum four (4) foot wide pedestrian path shall be maintained, unless otherwise required by

- law. When located adjacent to parking spaces, driveways or parking lot aisles, a physical barrier such as curb or railing shall be provided.
7. Furnishings shall be strictly limited to chairs, benches and tables, and single pole table umbrellas designed for outdoor use. Extraneous objects, such as portable shade canopies, podiums, heat lamps, and service objects, are not allowed. All furnishings and barriers shall be maintained free of appendages or conditions that pose a hazard to pedestrians and vehicles.
 8. All furnishings shall be maintained in good condition at all times. The area shall be supplied adequate solid waste management containers and maintained in a neat and clean manner, free of litter and graffiti, at all times.
 9. Any lighting provided for the use shall be extinguished no later than 11:00 p.m. in the C-3 zone and zones that allow C-3 uses, or 7:00 a.m. to 10:00 p.m. in the C-1 and C-2 zones where this use is permitted, and shall be high-efficiency, the minimum intensity necessary, fully shielded (full cutoff) and down cast (emitting no light above the horizontal plane of the fixture), not create glare or spill beyond the property lines, and the lamp bulb shall not be directly visible from within any residential unit.
 10. The use of water for cleaning the area shall conform to Chapter 8.56 Water Conservation and Drought Management Plan, and shall be minimized and any runoff generated shall drain to the sewer system only and shall under no circumstances drain to the stormwater system.
 11. Noise emanating from the property shall be within the limitations prescribed by Chapter 8.24 and shall not create a nuisance to surrounding residential neighborhoods, and/or commercial establishments. The outdoor seating area shall not adversely affect the welfare of the residents or commercial establishments nearby.
 12. The design and use of the outdoor seating area shall conform to all building, fire, zoning, health and safety and other requirements of the Municipal Code and all other requirements of law.

OTHER CONDITIONS OF APPROVAL (If the location includes public right-of-way refer to Condition 1)

Any deviation from the above standards shall require a conditional use permit in compliance with Hermosa Beach Municipal Code, Chapter 17.40.

The permit shall lapse, and be of no force and effect, and a new administrative permit shall be required for outdoor seating whenever there is a change in food establishment ownership, change in the nature or scope of the business, the permitted food establishment does not operate for a period of more than six (6) months, or the Community Development Director determines, based on substantial evidence, that the food establishment operation no longer meets the standards set forth in 17.26.050(B)(6)(b).

PERMIT FOR LIMITED OUTDOOR SEATING

THE PERMIT IS ISSUED FOR AN OUTDOOR SEATING AREA SHOWN ON THE ATTACHED SITE PLAN, SUBJECT TO THE FOLLOWING CONDITIONS. The APPLICABLE ZONE IS

I HAVE READ THE FOREGOING CONDITIONS, UNDERSTAND THEM AND ACCEPT THEM. I WILL MAINTAIN THE PREMISES IN COMPLIANCE WITH THESE CONDITIONS. FAILURE TO DO SO MAY RESULT IN REVOCATION OF THIS PERMIT.

PRINT NAME	
PERMITTEE SIGNATURE:	Date
ISSUED BY: Ken Robertson, Director Community Development Director	Date