

August 11, 2005

**Honorable Chairman and Members of the  
Hermosa Beach Planning Commission**

**Regular Meeting of  
August 16, 2005**

SUBJECT: TEXT AMENDMENT 05-2: TO PROHIBIT LEWD, OFFENSIVE, OBSCENE  
AND DISCRIMINATORY TEXT AND GRAPHICS ON SIGNS

**Recommendation:**

To recommend the City Council amend Section 17.50.080.A, to prohibit lewd, obscene, offensive and discriminatory messages and graphics on signs.

**Background:**

In March, 2005, based on the direction of the City Attorney the Planning Commission recommended adoption of substitution clause in the sign ordinance allowing the substitution of non-commercial sign copy on commercial signs. When considering this change to the code, the City Council noted concern about the potential of such non-commercial sign copy including offensive language or messages, or potentially discriminatory messages. The City Attorney is now recommending amending the text of the sign ordinance to clearly prohibit signs that contain lewd, obscene, or offensive messages and signs that contain discriminatory messages to classes of individuals protected by federal or State Law.

**Analysis:**

The attached text amendment was prepared by the City Attorney to address the concerns of the City Council. It will add two additional items to the list of prohibited signs under Section 17.50.080.A as follows:

- Lewd, obscene or offensive signs containing statements, words, pictures or graphic representations of an obscene or indecent character that are offensive to the public morals and do not have serious literary, artistic, or scientific value.
- Signs that display a message or graphic representation that discriminates against persons based on race, gender, age, national origin, or any other characteristic protected by federal or State laws.

---

Ken Robertson  
Senior Planner

CONCUR:

---

Sol Blumenfeld, Director  
Community Development Department

**Attachments:**

1. Proposed Resolution

**P.C. RESOLUTION NO**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF HERMOSA BEACH TO RECOMMEND  
AMENDING THE HERMOSA BEACH MUNICIPAL CODE  
BY ADDING SECTIONS 17.50.080.A.6 AND 17.50.080.A.7  
REGARDING PROHIBITED SIGNS**

The Planning Commission of the City of Hermosa Beach does hereby resolve as follows:

Section 1. The Planning Commission held a duly noticed public hearing on January August 16, 2005, to consider amending the Zoning Ordinance pertaining to prohibited signs, to prohibit lewd, obscene, and/or discriminatory text or graphics on signs.

Section 2. Based on the evidence considered at the public hearing, the Planning Commission makes the following findings:

1. The recent adoption of a substitution clause in the sign ordinance to allow the substitution of text and graphics on commercial signs did not address lewd, obscene or potentially discriminatory text and graphics.

2. The proposed text amendment will clearly prohibit such inappropriate signage.

Section 3. The Planning Commission recommends that Title 17, Chapter 17.50 of the Hermosa Beach Municipal Code be amended by adding thereto new subsections 6 and 7 to Section 17.50.080.A. to read as follows:

“6. Lewd, obscene or offensive signs containing statements, words, pictures or graphic representations of an obscene or indecent character that are offensive to the public morals and do not have serious literary, artistic, or scientific value.

7. Signs that display a message or graphic representation that discriminates against persons based on race, gender, age, national origin, or any other characteristic protected by federal or State laws.”

VOTE:           AYES:  
                  NOES:  
                  ABSTAIN:  
                  ABSENT:

**CERTIFICATION**

I hereby certify the foregoing Resolution P.C. 05- is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of August 16, 2005.

\_\_\_\_\_  
Ron Pizer, Chairman

\_\_\_\_\_  
Sol Blumenfeld, Secretary

\_\_\_\_\_  
Date