

June 21, 2005

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
June 28, 2005

**ALTERNATIVE ORDINANCE FOR THE CONSIDERATION
BY THE VOTERS FOR CONTROLLING IMPROVEMENTS ON THE
GREENBELT AND ON THE BEACH**

Recommendation:

That the City Council review the ordinance to be placed on the ballot as an alternative to the initiative ordinance which will also be on the November 2005 ballot.

Background:

The City Council at the 11/23/04 meeting directed that the initiative measure entitled Ordinance Prohibiting Construction of New Public Improvements on the Beach and on the Greenbelt be placed on the November 2005 municipal ballot. Staff was directed at the May 24, 2005 meeting to return with an alternative ordinance for the City Council to also consider placing on the ballot.

As you will recall, staff in its report of the initiative ordinance pointed out a number of concerns and that these changes have far greater implications than merely preventing construction of more parking areas on the Greenbelt and a bike path on the beach. In order to provide for the reasonable use, safety, maintenance and eventual replacement on existing public improvements on the beach, staff has developed alternative language that will permit the ongoing use of these improvements without taking away the main intent of the drafters of the initiative's purpose of prohibiting any additional parking lots on the Greenbelt and the construction of a bike path on the beach without a vote of the people. Staff is suggesting the following language:

PERMITTED IMPROVEMENTS

Improvements permitted in the O-S-1 zone shall be limited to the following:

- A. Greenbelt. Landscaping; erosion control devices; irrigation facilities; anti-seawater intrusion facilities and wells; subsurface pipes, conduits and other utility infrastructure; and replacement or repair of parking facilities existing on November 1, 2005 within their existing footprint.
- B. Beach. Volleyball courts and playground equipment; lifeguard buildings and towers; public restrooms; temporary facilities erected for permitted special events; beach maintenance storage facilities; pier improvements; beach and shore protection improvements and devices; pollution protection devices that implement the City's pollution elimination permit; subsurface pipes, conduits and other utility infrastructure; and beach refuse collection facilities.

The above language will allow the continued maintenance and reasonable upgrades and replacements of improvements located in the Greenbelt and on the beach while staying within the spirit of the initiative. A copy of the alternative ordinance is attached for your review. If approved, the City Clerk will return with a resolution to include this ordinance on the November 2005 ballot

Respectfully submitted,

Stephen Burrell
City Manager

**AN ORDINANCE OF THE CITY OF HERMOSA
BEACH CONTROLLING IMPROVEMENTS ON
THE GREENBELT AND ON THE BEACH**

The People of the City of Hermosa Beach do ordain as follows:

Section 1. Sections 17.32.030 and 17.32.040 of the Hermosa Beach Municipal Code are amended to read as follows:

17.32.030 Permitted improvements.

Improvements permitted in the O-S-1 zone shall be limited to the following:

- A. Greenbelt. Landscaping; erosion control devices; irrigation facilities; anti-seawater intrusion facilities and wells; subsurface pipes, conduits and other utility infrastructure; and replacement or repair of parking facilities existing on November 1, 2005 within their existing footprint.
- B. Beach. Volleyball courts and playground equipment; lifeguard buildings and towers; public restrooms; temporary facilities erected for permitted special events; beach maintenance storage facilities; pier improvements; beach and shore protection improvements and devices; pollution protection devices that implement the City's pollution elimination permit; subsurface pipes, conduits and other utility infrastructure; and beach refuse collection facilities.

17.32.040 Areas designated.

The following areas shall be designated and zoned O-S-1:

- A. Greenbelt. Bounded on the north and south by the city limits, on the east by the curb face on Ardmore Avenue and on the west by the curb face on Valley Drive (the "Greenbelt").
- B. Beach. Bounded on the north and south by the city limits, on the east by the existing wall on the Strand and on the west by the ocean (the "Beach").

Section 2. The provisions of this Ordinance shall not be modified, amended or repealed except by a vote of the People.