

November 3, 2005

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
November 8, 2005

**REQUEST FROM UNION CATTLE COMPANY TO TEMPORARILY PLACE A
WEATHER TENT OVER THE OUTDOOR PATIO ON THE THIRD LEVEL**

Recommendation:

That the City Council consider approving the request for the placement of the tent for a limited duration as requested provided the Union Cattle Company comes into complete compliance with the lowering of the roof on the second level patio.


Background:

I have attached a letter from Allen Sanford of the Union Cattle Company. He has requested City Council consideration of allowing the placement of a weather tent over the third level patio. This will allow the restaurant to make commitments for various holiday events, which according to their letter is an important part of their business.

The Union Cattle Company has submitted plans to rebuild the second level patio at the proper height. The plans have been approved and a building permit issued for the work. I have been informed that the work will be done and completed the week of November 14th.

If the City Council approves the request for the temporary placement of a weather tent, staff would recommend that the trellis structure on the second level patio be completed and signed off before any temporary permit is issued. This will ensure that compliance work is completed. In addition, any tent would be required to meet applicable safety codes and signed off prior to them being allowed for use. This approach will bring the building into compliance.

Respectfully submitted,



Stephen R. Burrell
City Manager



November 2, 2005

To: Steven Burrell, City Manager
Cc: Honorable Members of the Hermosa Beach City Council
Fr: Allen Sanford, Union Cattle Company
RE: Request to allow temporary tent covering under Section 17.72 of the Hermosa Municipal Code

Mr. Burrell,

I am writing you today to request permission to temporarily place a weather tent over our third patio for a short duration so that we may be able to accommodate the corporate events and banquets that have become crucial to the survival of our business. We understand that this tent cannot be erected for any long duration of time, but hope that the City of Hermosa Beach will understand the importance of this tent to the survival of Union Cattle Company, and allow it under Section 17.72.020 of the Municipal Code.

17.72. 020 No conflicting licenses or permits shall be issued.

All departments, officials or public employees vested with the duty or authority to issue permits or licenses where required by law shall conform to the provisions of the zoning code; except, however, that permits for transient activities including, transient sales, parades, sports tournaments, nonpermanent filming activities, and special events shall not be deemed as precluded within any area of the city by virtue of the zoning code. Transient activities are defined as temporary, nonpermanent and of short duration. These transient activities do not constitute a permanent use of land, but rather, only a temporary activity... (Ord. 94-1108 § 3, 1994: prior code Appx. A, § 1901)

As we have previously discussed and agreed upon, Section 17.72.020 would give the City Council the legal authority to allow this tent on a non-permanent, transient basis, despite the fact that the tent exceeds the allowable height limit. We thank you for interpreting the Municipal Code as we have, and are requesting that the City Council be given the opportunity to do so as well. We appreciate your willingness to work with us, and thank you for helping a Hermosa Beach business through an unfortunate situation.

Regards,

AJS

Allen Sanford
Union Cattle Company

CITY OF
HERMOSA BEACH
MUNICIPAL CODE ON-LINE

ZONING

Chapter 17.72

PERMITS, LICENSES, RESTRICTIONS AND COVENANTS

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