

July 31, 2006

**Honorable Chairman Mayor and Members  
of the Hermosa Beach City Council**

**Regular Meeting of  
August 8, 2006**

SUBJECT: TEXT AMENDMENT 06-1 – LARGE DAY SPAS

**Planning Commission Recommendation:**

That the City Council adopt the attached ordinance amending Chapter 17.26 to add large day spas with greater than 3,000 square feet of gross floor area as a conditionally permitted use.

**Background:**

Large day spas have become a more popular commercial use in the city. These spas typically have greater than 3,000 square feet of floor area and offer a combination of non-medical personal services that includes nail, skin, or hair care treatment, and massage therapy. The businesses also provide relaxation rooms, spa tubs, and elaborate bath facilities to enhance customer experience. There are currently three businesses offering these services; Trilogy Spa opened in 1996, located in the commercial building at 1301 Manhattan Avenue; Tropical Waters Spa in the Plaza Hermosa and most recently Glen Ivy Spa in the Hermosa Pavilion. These uses are not currently subject to a Conditional Use Permit and have been approved as beauty shops permitted by right in the commercial zone. In addition, they are not regulated as message therapy businesses because less than 25% of their floor area is used for massage therapy. All of these businesses have similarities to beauty shops but are distinguished from them by size (all have more than 3,000 sq. ft. of gross floor area), the number and types of services they offer and the use of spas tubs and relaxation rooms.

The Zoning Ordinance does not specifically regulate large day spa uses. A day spa is generally considered to be part beauty shop and part message therapy business. The Zoning Ordinance does, however, regulate massage therapy and permits beauty shops by right, as follows:

*Massage Therapy Business* - is defined in Chapter 17.04<sup>i</sup>, and is permitted only with a C.U.P. when it is exclusively massage use, or part of a business with more than 25% of the floor area dedicated to massage therapy as defined. Parking is required at the retail-parking ratio of 1 space per 250 sq. ft. of gross floor area.


*Beauty Shop*- Beauty or barber shop uses are allowed as permitted uses in the commercial zone with parking required at a retail parking ratio of 1 space per 250 sq. ft. of gross floor area.

**Analysis:**

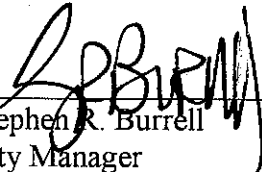
Large day spas do not typically create nuisance conditions that require special regulation beyond the current requirements of the Municipal Code. The above businesses have not created security problems and there is no evidence that they have contributed to or will cause any significant traffic or parking problems in the buildings or shopping centers where they are located. However, there is a potential that larger spas could potentially impact the community relative to parking and traffic if they were not located in shopping centers with ample parking. For example, if a spa use contains 5000 sq. ft. of floor area it requires 20 parking spaces. Commercial properties large enough to accommodate 20 spaces of surface parking are rare in the city.<sup>ii</sup> If such uses are not adequately parked the customer parking may spill over into the surrounding neighborhood. The Glen Ivey Day Spa has validated two- hour free parking and has not contributed to neighborhood parking problems. The shared parking analysis for the Hermosa Pavilion indicates that during peak parking periods the garage more than accommodates building parking demand.

Larger day spas that include massage therapy are typically not regulated with a CUP since the message therapy portion of the business occupies less than 25% of the area of the establishment as defined under Section 5.74.010.<sup>iii</sup>

In January 2006, Planning Commission considered the potential adverse impacts of large day spa facilities to neighborhoods and recommended adding it as a conditionally permitted use in the C-2 and C-3 zone. This will allow a review of floor plans by the Commission, and imposing conditions deemed necessary to regulate business operations and development standards on a case by case basis.<sup>iv</sup>

  
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Sol Blumenfeld, Director  
Community Development

Concur:

  
\_\_\_\_\_  
Stephen R. Burrell  
City Manager

<sup>i</sup> "Massage Therapy Business" means an establishment offering massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state as part of a medical clinic. This definition excludes a gymnasium/health and fitness center, school, barber/beauty shop, or similar establishment where massage or similar manipulation of the human body is offered by an individual as an incidental or accessory service and does not occupy more than 25% of the area of the establishment. This definition also specifically excludes Adult Massage as defined in Section 17.04.060.

<sup>ii</sup> 20 parking spaces require a minimum of 6,000 sq. ft. for on grade parking and the combined land area for both the building and parking is 11,000 sq. ft. (5,000 sq. ft. building area and 6,000 sq. ft. of parking area). The existing large spa facilities in the city are part of shopping centers or part of a multi-use complex which have a significant amount of surface or structured parking.

<sup>iii</sup> For example, a spa with 10,000 sq. ft. of floor area could have up to 2,500 sq. ft. of floor area devoted to message therapy.

<sup>iv</sup> Smaller facilities (less than 3,000 square feet) offering similar services will continue to be considered a beauty shop, and permitted by right in the zone.

Attachment:  
1. Ordinance

ORDINANCE 06-

AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO AMEND THE ZONING ORDINANCE TO ADD LARGE DAY SPAS AS A CONDITIONALLY PERMITTED USE IN THE C-2 AND C-3 ZONES AND TO ADD LARGE DAY SPA FACILITIES IN THE USE DEFINITION IN CHAPTER 17.04.

The City Council of the City of Hermosa Beach does hereby ordain as follows:

Section 1. The Planning Commission held a duly noticed public hearing on January 17, 2006, to consider adopting an ordinance adding a new definition in Chapter 17.04 and amending Section 17.26.030 of the Hermosa Beach Municipal Code to regulate large day spa facilities with greater than 3,000 square feet of gross floor area.

Section 2. The City Council conducted a duly noticed public hearing on August 8, 2006, to consider the recommendation of the Planning Commission to approve adding large day spa facilities as a conditionally permitted use in the C-2 and C-3 zones and to add the definition of large day spa in Chapter 17.04, at which testimony and evidence, both written and oral, was presented to and considered by the Council.

Section 3. The subject text amendment is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to the general rule set forth in Section 15061(3) of the CEQA Guidelines, as there is no possibility that these modifications to the zoning ordinance may have a significant effect on the environment.

Section 4. Based on the evidence considered at the public hearing and the recommendation of the Planning Commission the City Council hereby ordains that Hermosa Beach Municipal Code, Title 17-Zoning, Chapter 17.04, Section 17.04.050 be amended to add the following to commercial land use definitions:

- 1. "Large Day Spa. An establishment that consists of more than 3,000 square feet of gross floor area, that offers a combination of non-medical personal services that may include hair, nail and skin care treatment or other services typically found in a beauty shop, and also massage therapy and similar treatment of the human body, and may also include spa tubs, pools, steam rooms, saunas or other related accessory facilities and uses. If massage therapy occupies more than 25% of the gross floor area of the establishment the business shall be subject to requirements of massage therapy business pursuant to Chapter 5.74 of the Municipal Code."

Section 5. Amend the land use matrix under Chapter 17.26, Land Use Regulations to add the following in alphabetical order within the matrix

Use	C-1	C-2	C-3	See Section
Large Day Spa	-	U	U	17.04.040

