

August 24, 2006

City Council Meeting
September 12, 2006

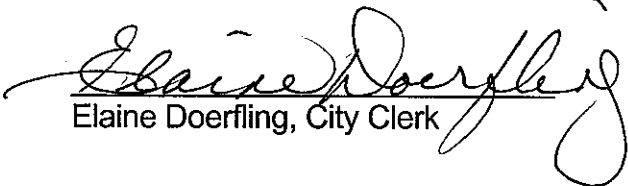
Mayor and Members
of the City Council

ORDINANCE NO. 06-1272 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING 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"

Submitted for **adoption** and **waiver of full reading** is Ordinance No. **06-1272** relating to the above subject.

At the meeting of August 8, 2006, the ordinance was presented to the City Council for consideration and introduced by the following vote:

AYES:	Bobko, Edgerton, Keegan, Reviczky, Mayor Tucker
NOES:	None
ABSENT:	None
ABSTAIN:	None


Elaine Doerfling, City Clerk

Noted:


Stephen R. Burrell, City Manager

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ORDINANCE NO. 06-1272

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH,
CALIFORNIA, AMENDING 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

1 than 25% of the gross floor area of the establishment the business shall be subject to requirements
2 of massage therapy business pursuant to Chapter 5.74 of the Municipal Code.”

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

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

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9 **SECTION 6.** This ordinance shall become effective and be in full force and effect from
10 and after thirty (30) days of its final passage and adoption.

11 **SECTION 7.** Prior to the expiration of fifteen (15) days after the date of its adoption, the
12 City Clerk shall cause this ordinance to be published in the Easy Reader, a weekly newspaper of
13 general circulation published and circulated, in the City of Hermosa Beach in the manner provided
14 by law.

15 **SECTION 8.** The City Clerk shall certify to the passage and adoption of this ordinance
16 shall enter the same in the book of original ordinances of said city, and shall make minutes of the
17 passage and adoption thereof in the records of the proceedings of the City Council at which the
18 same is passed and adopted.

19 **PASSED, APPROVED and ADOPTED** this 12th of September 2006 by the following vote:

20 AYES: Bobko, Edgerton, Keegan, Reviczky, Mayor Tucker
21 NOES: None
22 ABSENT: None
23 ABSTAIN: None

24 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

25
26 ATTEST:

APPROVED AS TO FORM:

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28 _____
City Clerk

City Attorney