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CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA  
245 W. BROADWAY, STE. 380  
P.O. BOX 1450  
LONG BEACH, CA 90802-4416  
(310) 590-5071



Filed: 5/7/96  
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Staff: AJP-LB  
Staff Report: 5/21/96  
Hearing Date: 6/11-14/1996

STAFF REPORT: CONSENT CALENDAR

Application No.: 5-96-082

Applicant: Association of Volleyball Professionals (AVP)

Description: Installation of temporary bleachers (with a total seating capacity of 5,000), courtside chairs, staging, tents/canopies, and nine volleyball courts (60 ft. X 30 ft.) for AVP Beach Volleyball Tournament to be held on August 23-25, 1996, with set-up August 19-22, and tear-down August 26-27, and charge for public admission to all seats.

Project Area	Approx. 3.5 acres
Parking Spaces	N/A
Zoning	Park and Recreation
Plan Designation	Beach
Ht abv fin grade	25 feet

Site: 100 Pier Avenue, on the beach just north of pier, Hermosa Beach, Los Angeles County.

Substantive File Documents: Hermosa Land Use Plan; CDP # 6-88-102 (San Diego Pops); 6-91-207 (Knight and Carver); 6-91-73 (22nd Ag District)

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the temporary volleyball event with conditions which require submittal of the final use permit approved by the City of Hermosa Beach and that the site is restored to pre-existing conditions.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### III. Special Conditions.

The permit is subject to the following conditions:

#### 1. City Permit

Prior to the issuance of the coastal development permit, the applicant shall submit evidence from the City of Hermosa Beach, that the park use permit and associated agreement is complete and ready for issuance pending submittal of the coastal development permit from the Commission. Upon receipt of the permit and signed agreement from the City and prior to commencement of construction, the applicant shall submit a copy of the final City approvals to the Executive Director for the permit file.

#### 2. Removal of Temporary Improvements

All temporary improvements permitted herein shall be removed in their entirety and the site restored to its pre-existing condition by no later than Wednesday, August 28, 1996.

### IV. Findings and Declarations.

The Commission finds and declares as follows:

#### A. Detailed Project Description

Proposed is the installation of temporary improvements associated with the AVP Beach Volleyball Tournament to be held on August 23-25, 1996, at Hermosa Beach. The proposed project will be located approximately 70 feet north of the Hermosa Pier on sandy beach.

The entire set-up/site plan will occupy approximately 3.5 acres of sandy beach. The applicant proposes to charge the general public an admission fee for all seats. Sale of food, drink and souvenirs is proposed. The event requires a park use permit to be issued by the City of Hermosa Beach.

The project requires a coastal development permit pursuant to Sections 30610(i) of the Coastal Act, and Section II(a-c) of the Guidelines For the Exclusion of Temporary Events from Coastal Commission Permit Requirements adopted 5/12/93, because the proposed temporary event meets all of the following criteria:

- a) The event will be held between Memorial Day weekend and Labor Day; and,
- b) The event will occupy all or a portion of sandy beach area; and,
- c) The event will involve a charge for general public admission or seating where no fee is currently charged for use of the same area (not including booth or entry fees).

Temporary improvements are shown on the submitted site plan (reference Exhibit 2) and include up to nine 30 ft. x 60 ft. volleyball courts; five sets of bleachers with capacity to seat 5,000 persons; player's tent (approximately 30' X 30'), medical tent (approximately 20' X 20'), administrative tent (approximately 10' X 10'), officials tent (approximately 10' X 10'), and media tent (approximately 10' X 10'); scoreboard; TV towers; chemical toilets; three inflatable signs; sponsor tents/booths (approx. 400 sq.ft.). The plan also includes various vendor and sponsor trucks which are mobile and would not, by themselves, require a coastal development permit.

Set-up and promotion for the event will occur from August 19 through August 22, 1996 from 8:00 A.M. to 7:00 P.M. The actual event will be held from 7:00 a.m. to 8:00 p.m. August 23 -25, 1996, Friday through Sunday. Play generally ends about 6:00 p.m. each day. Break-down will occur from 8:00 A.M. to 7:00 P.M. Monday and Tuesday, August 26-27, 1996.

Public parking for the event will be available in the nearby improved parking lots and along streets where public parking is available. The applicant will also provide a free shuttle service to transport the public from parking areas that will be made available for the event at Mira Coast High School or Hermosa Beach Community Center.

#### B. Public Access and Recreation/Parking

The following Coastal Act policies address the issue of public access to and along the shoreline, and are most applicable to the proposed development, and state in part:

##### Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

##### Section 30212(a)

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
- (2) adequate access exists nearby, or,
- (3) agriculture would be adversely affected....

##### Section 30212.5

Wherever appropriate and feasible, public facilities, including parking

areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

### Section 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Additionally, pursuant to Section 30604(c), every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

As stated, the area to be occupied by the temporary improvements associated with the proposed volleyball event is currently sandy beach with public volleyball courts. The beach area measures approximately 300 feet in width from the pedestrian/bike path to the waters edge and extends approximately 1.5 miles in length between Manhattan Beach to the north and Redondo Beach to the south.

Public parking availability in this portion of Hermosa Beach includes metered public parking lots just east of Beach Drive and north of Pier Avenue and metered street parking along Pier Avenue and Hermosa Avenue. Free public parking, with a shuttle service provided by the applicant, will also be made available at either Mira Coast High School or the Hermosa Beach Community Center, which are approximately half-mile from the tournament site. The shuttle system will run continuously throughout the day while the tournament is in operation.

The proposed volleyball event will temporarily displace sandy beach area currently available for public use and will significantly increase the intensity of use of this portion of Hermosa Beach for the duration of the event. However, this short-term loss of beach use will be replaced by a public recreational opportunity designed to enhance the public's use of Hermosa Beach. The City will grant the promoters of the event exclusive use of an area of otherwise public beach. An admission fee for the public will be charged for the event.

In this particular case, the Commission can find the proposed volleyball event an appropriate temporary use of public beach for the following reasons. The area devoted to the event is relatively small relative to the size of Hermosa's beach area and, although there will be an admission charge, the event will be open to all members of the public. Furthermore, this particular event has been a yearly event. The tournament has been occurring at this site for at least ten years. The only change proposed with this year's event is that the admission charge will be for all the proposed seating. In the past, only up to 25% of the courtside seating was available for paid admission.

Additionally, pedestrian access to and along the beach will continue to be available along and around the perimeter of the tournament site. Because of the broad width of the beach, there will also continue to be available lateral access along the shoreline. The project will encroach no closer than 60 feet

to the water's edge.

Due to the above, as conditioned, the Commission can find the proposed temporary event provides an alternative public recreational opportunity on public beach for a short-term period. Condition #1 requires the applicant to submit evidence from the City of Hermosa Beach, that all necessary permits have been issued by the City. As stated, the event has been held for several years without any identified significant adverse effects on public access or traffic. In granting approval of the admission charge for 100% of the seating, the City and Commission can monitor any potential adverse effects associated with the fee, which can then be addressed in review of the event in subsequent years. Conversely, if no significant adverse effects on public access or coastal resources are identified, Section II(g) of the Guidelines for the Exclusion of Temporary Events would allow for future volleyball tournaments to be exempt from coastal development permit requirements if held in the same location, at a similar season, and for the same duration, with operating and environmental conditions substantially the same as those associated with the previously-approved event.

Condition #2 requires removal of all temporary improvements and restoration of the site to pre-existing conditions by Wednesday, August 28th, 1996. As so conditioned, the proposed event is found to meet the requirements of the public access and recreational policies of the Coastal Act.

#### C. Visual Impacts

Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The subject site is located just north of the pier and seaward of the pedestrian promenade. The area is heavily used by beachgoers, roller-skaters, bicyclists, joggers, and strollers. Therefore, the compatibility of the proposed improvements with the surrounding area and potential impacts on public views from the surrounding land and water areas within the City is of Commission concern.

This event involves installation of various structures and inflatable advertisements on the beach. The proposed bleachers will extend to approximately 15-20 feet in height. The inflatable advertisements will be approximately 25 feet in height.

Hermosa Beach is a broad flat beach, extending approximately 1.5 miles in length. Views of the beach and ocean are available along the sand, pier and from the pedestrian promenade that runs along the entire length of the beach. Because of the limited area that will be occupied by the event, the large size of the beach, and the fact that the event will be temporary, the project's visual impact will not be significant. As conditioned, the Commission finds the project consistent with Section 30251 of the Coastal Act.

#### D. Local Coastal Planning

Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not

prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. As conditioned, such a finding can be made for the proposed development.

The City requires a use permit for this type of temporary special event. The agreement for this year's event is not yet finalized and the use permit can not issue until the City receives a copy of the approved coastal development permit. The attached condition requires evidence of City approval of the event prior to issuance of the permit, with submittal of the actual permit, for file purposes, to occur prior to commencement of construction. The approved permit must be in substantial conformance with that proposed, otherwise, and amendment to this permit may be required.

The City of Hermosa Beach has a certified Land Use Plan. Although the City's LUP can be referred to for guidance, approval of the subject development (and of any future developments in original jurisdiction areas) is based solely on consistency with Chapter 3 of the Coastal Act. As noted in the previous findings, the subject short-term use of beach, as conditioned, has been found consistent with all applicable Coastal Act policies. Therefore, the Commission finds that approval of the proposed project, as proposed and conditioned herein, will not prejudice the ability of the City of Hermosa Beach to complete a fully-certifiable LCP.

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PACIFIC

OCEAN

Site

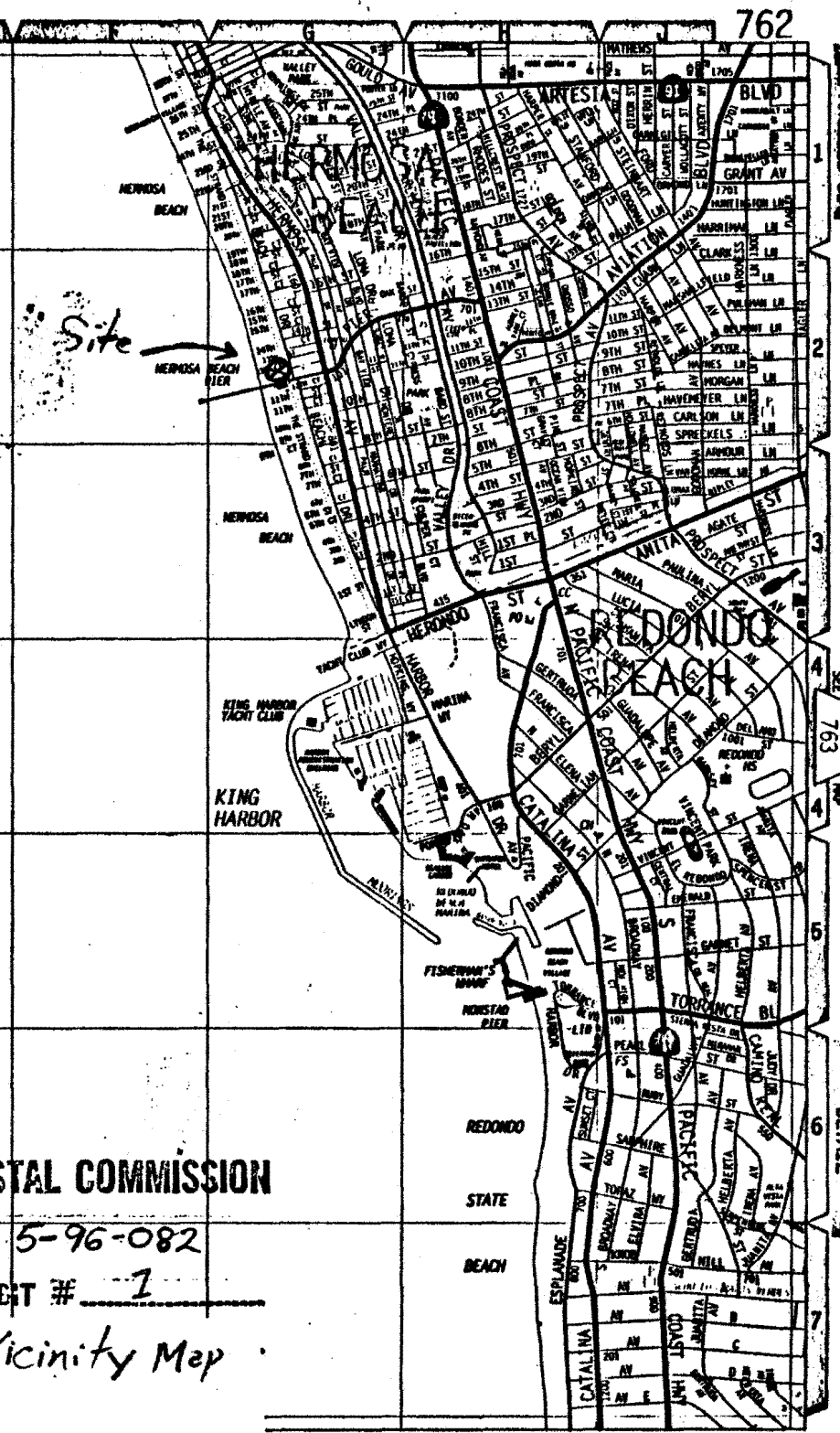


COASTAL COMMISSION

5-96-082

EXHIBIT # 1

Vicinity Map



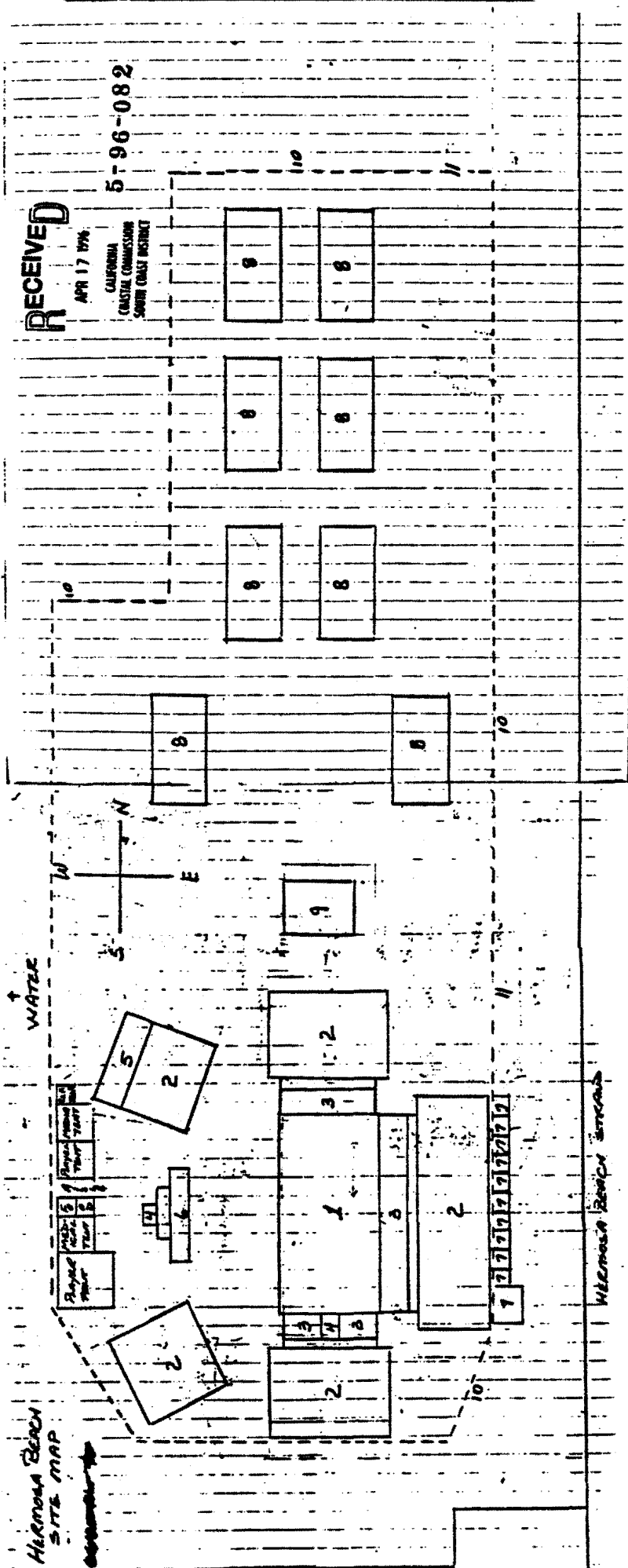
LOS ANGELES CO.

SEE 763 MAP

DETAIL



HERMOSA BEACH  
SITE MAP



HERMOSA BEACH  
SITE MAP KEY

- 1 CENTER COURT
- 2 BLEACHERS
- 3 CHAIR RISERS
- 4 T.V. TOWERS
- 5 V.I.P. PLATFORM
- 6 STAGE
- 7 SPONSOR TENTS
- 8 ADDITIONAL VOLLEYBALL COURTS
- 9 UNUSED LIFEGUARD STATION
- 10 PERIMETER FENCING
- 11 GENERAL ADMISSION GATES

EXHIBIT NO. 2
APPLICATION NO. 5-96-082
Site Plan
California Coastal Commission