

CALIFORNIA COASTAL COMMISSION

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 Commission Action:



STAFF REPORT: REGULAR CALENDAR

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APPLICATION NO.: 5-97-062

APPLICANT: Association of Volleyball Professionals (AVP)

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

PROJECT DESCRIPTION: Installation of temporary bleachers (with a total seating capacity of 6,747), courtside chairs, staging, tents/canopies, and eight volleyball courts (30' x 60') for AVP Beach Volleyball Tournament to be held on July 25-27, 1997, with set-up July 21-24, and tear-down July 28-29. The proposed event also includes the closure of lower Pier Avenue to be used by vendors, closure of lower 13th Street to be used by AVP event personnel resulting in the loss of 60 on-street metered public parking spaces. The three enclosed center courts will have an admission charge (6,747 seats total) and the five outer un-bleached courts are open for public events with no admission fee. The applicant also proposes to provide remote parking at Mira Costa High School and the Hermosa Beach City Hall (approx. 503 parking spaces) with shuttle service.

Project Area	2.0 acres
Parking spaces:	N/A
Zoning:	Park and Recreation
Plan designation:	Public Beach
Ht abv fin grade	25 feet

Summary of Staff Recommendation:

Staff is recommending approval of the temporary volleyball event with conditions which require the provision of remote public parking and a free public shuttle service to the beach in order to replace reserved public parking spaces and to offset the additional parking demands generated by the proposed event. The parking/traffic management plan must also include an interim traffic control plan and monitoring report. Special conditions also require a 60 foot setback from the water, prohibit interference with the public's use of the bike path and The Strand, and require the removal of all temporary improvements from the beach by 7:00 p.m. on July 29, 1997.

SUBSTANTIVE FILE DOCUMENTS: City of Hermosa Beach Certified Land Use Plan, CDP No.6-88-102 (San Diego Pops), 6-91-207 (Knight and Carver), 6-91-73 (22nd Ag district), 5-96-082 (Hermosa Beach), Staff Report dated XXX for Commission Workshop on Temporary Events Held on January 8, 1997, and CDP No. 5-92-177 City of Hermosa Beach (preferential parking program).

PROCEDURAL NOTE

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).

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, 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, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies 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 this permit is reported to the Commission. 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 in the application for permit, subject to any special conditions 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 project during its development, 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. Parking/Traffic Management Plan

Prior to the issuance of the Coastal Development Permit and June 25, 1997, the applicant shall submit a Parking/Traffic Management Plan, for the review and approval of the Executive Director. The approved plan shall be implemented by the applicant and shall include the following components:

- a) The applicant shall provide a valid lease or licensing agreement for remote parking lots providing public parking for no fewer than 1,060 cars, in order to replace the parking reserved on the streets for event and vendor use, and to provide parking to meet the increased demands generated by the proposed event. The replacement parking shall not include any parking lots that are included in the City's approved beach preferential parking program, as approved in CDP #6-92-177. The applicant shall provide a valid lease agreement for each lot indicating its number of spaces and location. The 1,060 required parking spaces shall be available for use by all members of the public on Saturday and Sunday (July 26-27, 1997) between the hours of 7 a.m. to 7 p.m.
- b) The applicant shall be responsible for the provision of a free

shuttle service, in order to provide free public transportation between the remote parking lots and the event and beach area. The applicant shall provide a valid agreement with a shuttle operator, shuttle routes and operating schedule to provide such a shuttle service, as follows: the shuttle service shall run continuously to provide free public beach transportation between the beach area and the remote parking areas on Saturday and Sunday (July 26-27, 1997) between the hours of 7 a.m. to 7 p.m.; the "headway" time between shuttle service pick-ups shall be not more than 15 minutes; and, the free shuttle service shall be available for both the general public and event spectators.

- c) The plan shall include conspicuously posted on-street informational signs and banners to direct visitors to the remote free parking areas and free shuttle stops. The signs and banners shall also inform the public of the availability of a free bus shuttle for both event customers and the general public. No fewer than ten informational signs shall be placed along major intersections leading into the City i.e., Gould Avenue/Pacific Coast Highway, Aviation Blvd./Pacific Coast Highway, Herondo Street/Ardmore Avenue, Herondo Blvd/Hermosa Avenue, and Valley Drive/Pier Avenue. The signs shall be 6' high, freestanding and be no smaller than 2' x 3'.
- d) The applicant shall provide no fewer than eight radio announcements within the Los Angeles County area informing the public of the availability of remote parking. These stations shall represent all diverse ethnic and cultural Los Angeles radio markets and shall include Spanish language, youth and news stations.
- e) Interim traffic control shall be provided along Pier Ave., Valley Drive, Ardmore and Pacific Coast Highway at points, as appropriate, to avoid lack of traffic circulation and potential gridlock at the streets terminating around the event site. The traffic control plan coupled with the signage program should direct traffic away from the event site to the remote lots and other available parking in the vicinity and avoid significant traffic congestion on streets surrounding the event site to the maximum extent possible.
- f) The parking/traffic management plan shall include provisions for monitoring and evaluating the effectiveness of the approved plan. The monitoring must document the adequacy of off-site parking by identifying the percentage of lots, or number of spaces, occupied during the time of highest attendance each day; the condition of traffic flow along Pier Ave., Valley Drive, Ardmore and Pacific Coast Highway, in the vicinity of the event and along the proposed shuttle routes (i.e., free-flowing but moving, congested, gridlock, etc.); and the effectiveness of signage, traffic officers, etc., based on the applicant's observations and feedback from the public and City of Hermosa Beach. Following the event, the monitoring program shall be summarized in a written report which shall be submitted to the Executive Director on or before August 31, 1997. The report should identify any problems that occurred and make recommendations for

improvements in the future. The report shall be retained in the file and used in the review of future permit applications for the AVP volleyball tournament or similar events.

- g) The City Hall lot and the Valley Drive Community Center lot and other lots in the City's Preferential Parking Program shall not be used as exclusive remote parking lots for event employees nor should they be identified as remote "public access mitigation" lots for the event.
- h) The number of metered on-street parking spaces to be exclusively used by personnel for the event and vendors shall not exceed 60 spaces.

The permittee shall undertake the development in accordance with the approved parking/traffic program. Any significant changes to the approved plan should be reported to the Executive Director. No change to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required. The applicant shall provide the required parking spaces, signs and free shuttle service as approved by the Executive Director.

2. Pier, Bicycle Path and The Strand

The event shall not interfere with the public's use of the pier, bicycle path and The Strand, a public walkway that parallels the beach. The pier, bicycle path and The Strand shall remain open and unobstructed. No fences, trucks or other structures shall be placed on the bicycle path or The Strand, or block access to the pier. The applicant shall monitor The Strand and bicycle path in order to prevent any encroachments by event sponsors and vendors.

3. Public Access to and Along the Water

The proposed event, and all associated development, shall not encroach any closer than 60 feet to the highest water mark.

4. 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 7:00 p.m. Tuesday, July 29, 1997.

IV. Findings and Declarations

The Commission hereby finds and declares as follows:

A. Project Description, Location and Background

The proposed project is for the installation of temporary improvements associated with the AVP Beach Volleyball Tournament to be held on July 25-27, 1997, at Hermosa Beach. The subject site will be located approximately 70 feet north of the Hermosa Pier on sandy beach. The entire set-up/site plan will occupy approximately 2.0 acres of sandy beach. Sale of food, drink and

souvenirs is proposed. The equipment on-site includes three tour trucks, two sponsor trucks, two television trucks and generator, one concessions truck and trailer, bleachers, two camera platforms, stage, P.A. system, an electronic score board, up to twenty tents, a maximum of six inflatable advertisement displays, flags and eight volleyball courts. The event has received a park use permit issued by the City of Hermosa Beach.

The proposed event also includes the closure of lower Pier Avenue to be used by vendors, closure of lower 13th Street to be used by AVP event personnel resulting in the loss of 60 on-street metered public parking spaces. The three enclosed center courts will have an admission charge (6,747 seats total) and the five outer un-bleachered courts are open for public events with no admission fee.

Last year's event included perimeter fencing. This year's event does not propose any fencing. Instead, the center court and two outer courts will be enclosed with bleachers. Admission will be charged for the events that take place in these center courts. The five other courts open to public access and view. Between the outer courts and center court, a mall area will be set up that will contain sponsor booths that will be free to the public (See exhibit B). According to the applicant "the purpose of this plan is to allow access to as much open area as possible, while still having the opportunity to charge admission for the event ". In addition, the applicant is proposing to incorporate auxiliary programs during the week-end event to attract youngsters to the event including a free volleyball clinic and youth tournament culminating in a youth match game in the center court stadium.

Set-up and promotion for the proposed AVP event will occur from July 21, through July 24, 1997, 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. July 25-27, 1997, 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, July 28-29, 1997.

The applicant also proposes to provide remote parking at Mira Costa High School and the Hermosa Beach City Hall (total of 503 parking spaces), with one (52 seat) free shuttle bus to transport the public from the remote lots to the event site to be run every 30 minutes. Public parking for the event will also be available in the nearby improved parking lots and along streets.

B. Objections Received from the Public at Last year's Event

Last year's event raised objections from the public. The basic concerns were cumulative impacts of temporary events, beach parking, litter, noise, and public safety. The applicant contends that these concerns have been mitigated for this year's event. The opponents objections are as follows:

- a) This event is a commercial use that should not be permitted on a public beach.
- b) The inflated advertising displays are visually intrusive and inconsistent with the County "zero" alcohol provisions.

- c) The event will prevent the public from using the beach because of adverse impacts on parking/circulation.
- d) The scale of the event is too large for this narrow beach.
- e) There is no week-end in summer when there is not a special event.
- f) Heavy equipment used for the set-up and tear-down is not compatible with recreational use.
- g) The shuttle bus system was not properly advertised.
- h) The project generates too much noise.
- i) The generators used for the event create obnoxious odors .
- j) The number and size of the signs, inflatable beer cans and other product replicas and vehicles painted with signs attached result in unacceptable commercialization of the beach.
- k) Charging admission is exclusionary.

Regarding cumulative impacts, objections received from the public at last year's event stated that temporary events were precluding the public from use of a public beach. Various persons objected to the private, exclusive use of the public beach and that cumulatively, temporary events were precluding the public from use of the beach.

To address the issue of cumulative effects, the City states that only three other commercial (privately sponsored) temporary events are scheduled this summer between Memorial and Labor Day. The City contends that because of the small number of scheduled commercial events, there will be no significant cumulative impacts on beach access. Following is information provided by the City:

- 2. There are four (4) commercial events on the beach scheduled between Memorial and Labor Day Weekends on the beach (see attached grid). With the exception of the AVP, no event has requested to charge admission fees for their event. While attendance at each of these events varies, experience has shown that the AVP usually draws up to 6,000 spectators while the remaining events attract approximately 500-2000.
- 3. The City schedules additional low key recreational activities on the beach each summer such as youth and adult classes and amateur tournaments. Staff has not completed the 1997 program to date but we have tentatively scheduled:

Two AVP youth tournaments (on weekdays)

One CBVA amateur tournament

These events are for participation only and have a minimal impact on the beach.

The applicant has attempted to mitigate the concerns raised by the public. Following is a summary of the changes as submitted by the applicant (See Exhibit D for more details):

As a preface to the specific points let me say that we have gone to great lengths to make this year's event the best organized, most attractive, and least impactful in recent history. Specifically, we have worked to maximize access to the event area by doing away with perimeter fencing used last year to secure the event venue. In addition to increased access, we will improve on the aesthetic appeal by maintaining an ocean view through the venue. Secondly, we have put a tremendous emphasis on minimizing our impact on existing parking and traffic flow through the more aggressive advertisement and use of our shuttle service. We will mitigate noise impact by changing the direction of public address speaker systems which has required the reconfiguration of the center court area. Finally, we have worked very closely (and will continue to do so) with the City of Hermosa Beach to deal most effectively with all these impact issues as well as new programs that will make the US Championships at Hermosa Beach a more community friendly event. These include the addition of community events and youth activities run in conjunction with our event.

C. Public Access and Recreation

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). The proposed project must conform to the following Coastal Act policies which encourage public access and recreational use of coastal areas.

Section 30210 of the Coastal Act states:

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 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

- (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects...

Section 30213 of the Coastal Act, a public access policy, requires that the plaza's lower cost visitor and recreational facilities shall be protected and encouraged.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot be readily provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30233

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

Although the proposed event will not physically block access to the pier or water, it will impact the public's ability to access and use the coast in two ways: 1) by increasing the demand for public parking in the area while reducing the supply of available public parking, and 2) by restricting the use of a portion of the sandy beach to a specific group of people attending the event; and, in this particular case, access is restricted to only those people willing to pay for a ticket to the event.

In regards to public beach parking, the crowds generated by the proposed event, in association with the event's reserved use of public parking areas, will negatively affect beach goers' ability to find a parking space near the beach. The Commission has consistently found that a direct relationship exists between the provision of adequate parking and availability of public access to the coast.

Section 30252 of the Coastal Act States:

The location and amount of new development should maintain and enhance public access to the coast...(4) providing adequate parking facilities...

Temporary events, such as that proposed, attract thousands of people to already crowded beach areas during the summer. However, such events rarely provide any additional parking for attendees. The additional visitors drawn by the special events can overburden the limited beach parking supplies. When large events draw thousands of additional people to one beach area, there simply is not enough public parking available to accommodate all of the people. Many beach goers who cannot find a parking place may be prevented from using the beach during a large event.

The City of Hermosa Beach addressed the issue of availability of public beach parking by developing a preferential parking program which was reviewed by the Commission through CDP #5-92-177. In review of the proposal, the Commission must find the downtown beach/pier area currently serves as a major visitor destination point for recreational purposes. Given this resource, it is important that development be carefully evaluated so as to protect, preserve and enhance public access to these recreational facilities. The Commission recognized parking lots in Los Angeles County are necessary to support recreational uses. Public access to beaches in Los Angeles County is limited by public parking availability. A State Park study published in 1965 identified on-street parking as the principle limitation on public access to publicly owned beaches throughout the County. Since the time the survey was done, there has been no significant change in the transportation system serving Los Angeles County Beach Areas.

Most of the urbanized coastline in Los Angeles and Orange Counties is within small cities. In many, like Hermosa Beach, the beach is publicly owned and access is limited by the transportation system, which for people in the Los Angeles basin means the automobile. Many of these small cities, including Hermosa Beach, were subdivided in the time of the street railways and have inadequate provisions for cars. The inadequate provisions for cars includes narrow streets and very little off-street parking. Additionally, historic downtown subdivision and development practices have restricted adequate provisions of off-street private parking spaces. This has resulted in a shortage of parking due to competing peak hour and seasonal parking demands of beach-goers, customers of commercial establishments and the surrounding residential uses which range from low to high density.

In order to mitigate these parking conflicts, the City established a preferential beach parking program. On May 18, 1982, the Commission conditionally approved a permit for the implementation of a preferential parking and remote beach parking program for the City of Hermosa Beach. That program reserved street parking for residents and reserved beach parking at seven parking lots located approximately 1/2 mile from the beach. The preferential/remote system approved by the Commission allows preferential parking by permit for residents who live within four blocks of the beach, but is also designed to mitigate the exclusionary effects of the system. This system differs from other systems the Commission has denied because long term remote parking is provided and because non-residents can park on all streets

available to the residents either by purchasing day permits or by paying for up to 12 hours at meters. In addition to 533 spaces in seven designated lots, the system includes "unlimited parking" on the City streets east of Loma Drive.

The proposed event is expected to attract over 6,000 persons a day on Saturday and Sunday. A crowd of 6,000 spectators, at the rate of 2-3 spectators per car, will generate a demand for 2,000 to 3,000 parking spaces over and above the normal weekend beach crowds. The proposed event will also utilize 60 metered on-street public parking spaces to be reserved for players, media sponsors, VIP, service trucks and a shuttle drop-off area, and associated with the closure of lower Pier Ave. to be used by vendors. Specifically, the street spaces impacted are 43 spaces on 13th Street between Hermosa Avenue and Beach Drive, 4 spaces on Hermosa Avenue in front of Bank of America for shuttle drop-off and and 13 spaces for closure of lower Pier Avenue west of Hermosa Avenue.

All of the public parking spaces proposed to be reserved for the exclusive use of the AVP operations staff and sponsors normally provide public parking for residents and beach goers. The public parking areas provide the public with coastal access and lower cost recreational opportunities which must be protected. Visitors to the area can take advantage of the many waterfront activities, access the coastal bicycle path, go fishing, surf, use the beach, sightsee, or shop in town. Many of these activities are free or lower cost visitor and recreational opportunities protected by Section 30213 of the Coastal Act.

Traffic problems can also limit people's ability to access the coast. Large temporary events can overburden the local transportation system, especially in small beach cities like Hermosa Beach. The sheer number of spectators drawn to the event, along with the normal summer weekend traffic, can lead to near gridlock conditions on the local roads. The traffic problems are made worse when all of the available parking is used and people are unable to find a place to leave their vehicles. Additionally, the traffic and parking problems also make it extremely difficult for the local residents to access or leave their homes. One common complaint is that visitors illegally park their cars in front of residents' driveways.

In order to provide additional parking facilities for event visitors and beach goers and to mitigate the impact of the event on general public access to the shoreline, the applicant is proposing to provide a free shuttle bus service from the Mira Costa High School parking lot located 1 1/2 miles from the event which contains approximately 450 spaces. The applicant's original submittal also included using a Community Center located approximately a half mile from the site. At a recent meeting with the applicant, staff informed the applicant that the Community Center lot (46 spaces) was public designated to be used for public parking in the City's Preferential Parking Program. Subsequently, the applicant modified the project description to not designate the Community Center for remote parking and instead, use the City Hall parking lot containing 53 spaces. However, that lot is also part of the City's Preferential Parking Program.

The Commission finds in order to mitigate the impacts on public beach parking, the applicant, at an minimum, should replace all public beach parking spaces

that are removed from public use for exclusive use by the proposed event. Replacement means the provision of alternate parking spaces at a one-to-one ratio. The alternate parking spaces must be available for use by the general public and event spectators. Existing public beach parking facilities may not be identified as replacement parking spaces for the obvious reason that they are already providing public beach parking opportunities. The alternate parking spaces will likely be remotely located, such as the proposed Mira Costa High School, so the provision of replacement parking must include the provision of transportation between the parking areas and the beach areas, i.e. through a shuttle service. The existence of the alternate parking and transportation system must be advertised to adequately inform the public so it will be used efficiently.

The applicant should also provide remote parking to meet at least some of the demands generated by the AVP event itself. For the estimated attendance of 6,000 persons per day on Saturday and Sunday, the Commission recognizes it is difficult to identify the amount of parking that should be provided because it is difficult to differentiate between the members of the public that are at the beach solely to attend the AVP event, from those that would be at the beach anyway. Also, it is difficult to know how many members of the public that would usually be at the beach are not attending the weekend of the AVP event because they want to avoid the traffic and congestion associated with this event. Therefore, the standard ratio of one parking space for every 2 to 3 persons attending the event may well be unnecessary to accommodate the additional demands from the event itself.

Therefore, in order to offset the additional demands on public parking generated by the proposed event, the Commission finds that the applicants shall provide a minimum of 1,000 additional free public parking spaces for use by event visitors and beach goers. The 1,000 parking spaces must be provided in addition to any existing free public beach parking spaces, and cannot utilize any of the preferential parking lots which are already designated for public beach parking. Such remote parking facilities, used in association with a free beach shuttle service, will increase the amount of parking spaces available for both beach goers and event attendees. This amount of parking is required in addition to replacing the 60 public beach parking spaces that are proposed to be reserved in the pier area for the exclusive use of the event, or otherwise not available for public use. As conditioned, the Commission finds a total of 1,060 additional parking spaces must be provided through a viable shuttle program to meet the increased demand for public parking associated with staging the event.

Therefore, the permit is conditioned to require the applicant to submit a Parking/Traffic Management Plan that shall include the following:

- a) The applicant shall provide a valid lease or licensing agreement for remote parking lots providing public parking for no fewer than 1,060 cars, in order to replace the parking reserved on the streets for event and vendor use, and to provide parking to meet the increased demands generated by the proposed event. The replacement parking shall not include any parking lots that are included in the City's approved beach preferential parking program, as approved in CDP

#6-92-177. The applicant shall provide a valid lease agreement for each lot indicating its number of spaces and location. The 1,060 required parking spaces shall be available for use by all members of the public on Saturday and Sunday (July 26-27, 1997) between the hours of 7 a.m. to 7 p.m.

- b) The applicant shall be responsible for the provision of a free shuttle service, in order to provide free public transportation between the remote parking lots and the event and beach area. The applicant shall provide a valid agreement with a shuttle operator, shuttle routes and operating schedule to provide such a shuttle service, as follows: the shuttle service shall run continuously to provide free public beach transportation between the beach area and the remote parking areas on Saturday and Sunday (July 26-27, 1997) between the hours of 7 a.m. to 7 p.m.; the "headway" time between shuttle service pick-ups shall be not more than 15 minutes; and, the free shuttle service shall be available for both the general public and event spectators.
- c) The plan shall include conspicuously posted on-street informational signs and banners to direct visitors to the remote free parking areas and free shuttle stops. The signs and banners shall also inform the public of the availability of a free bus shuttle for both event customers and the general public. No fewer than ten informational signs shall be placed along major intersections leading into the City i.e., Gould Avenue/Pacific Coast Highway, Aviation Blvd./Pacific Coast Highway, Herondo Street/Ardmore Avenue, Herondo Blvd/Hermosa Avenue, and Valley Drive/Pier Avenue. The signs shall be 6' high, freestanding and be no smaller than 2' x 3'.
- d) The applicant shall provide no fewer than eight radio announcements within the Los Angeles County area informing the public of the availability of remote parking. These stations shall represent all diverse ethnic and cultural Los Angeles radio markets and shall include Spanish language, youth and news stations.
- e) Interim traffic control shall be provided along Pier Ave., Valley Drive, Ardmore and Pacific Coast Highway at points, as appropriate, to avoid lack of traffic circulation and potential gridlock at the streets terminating around the event site. The traffic control plan coupled with the signage program should direct traffic away from the event site to the remote lots and other available parking in the vicinity and avoid significant traffic congestion on streets surrounding the event site to the maximum extent possible.
- f) The parking/traffic management plan shall include provisions for monitoring and evaluating the effectiveness of the approved plan. The monitoring must document the adequacy of off-site parking by identifying the percentage of lots, or number of spaces, occupied during the time of highest attendance each day; the condition of traffic flow along Pier Ave., Valley Drive, Ardmore and Pacific Coast Highway, in the vicinity of the event and along the proposed shuttle

routes (i.e., free-flowing but moving, congested, gridlock, etc.); and the effectiveness of signage, traffic officers, etc., based on the applicant's observations and feedback from the public and City of Hermosa Beach. Following the event, the monitoring program shall be summarized in a written report which shall be submitted to the Executive Director on or before August 31, 1997. The report should identify any problems that occurred and make recommendations for improvements in the future. The report shall be retained in the file and used in the review of future permit applications for the AVP volleyball tournament or similar events.

- g) The City Hall lot and the Valley Drive Community Center lot and other lots in the City's Preferential Parking Program shall not be used as exclusive remote parking lots for event employees nor should they be identified as remote "public access mitigation" lots for the event.
- h) The number of metered on-street parking spaces to be exclusively used by personnel for the event and vendors shall not exceed 60 spaces.

Only as conditioned does the Commission find that the proposed temporary development and event is consistent with the public access and recreation policies contained in the Coastal Act. The information generated through the monitoring effort can be used in future review by the City and the Commission of similar temporary events.

The second way that public access will be affected by the proposed event is the exclusiveness of the proposed temporary use of the beach. 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 water edge and extends approximately 1.5 miles in length between Manhattan Beach to the north and Redondo Beach to the south. The project will encroach no closer than approximately 60 feet to the water's edge.

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.

The applicants claim that this short-term loss of beach use will be replaced by a public recreational opportunity designed to enhance the public's use of the beach. Regarding the fee issue, the opponents of the event have argued that the proposed event is not recreational, but a commercial use which is not appropriate for the public beach because admission fees are collected.

The Commission must review the proposal and consider the impacts on low cost public recreational opportunities such as the sunbathing, surfing, swimming activities generally associated with public beach use. In review of such

proposals which clearly represent an increase in intensity of use of an already crowded beach area, the Commission must weigh the benefits of providing a public recreational opportunity, such as the event proposed, against its impacts to public access and parking. The Commission must also consider whether the charging of a fee for admission to the event negate the benefit of the public recreational opportunity to the point that the adverse impacts to parking and access cannot be rationalized.

In this particular case, the Commission can find the proposed volleyball event an appropriate temporary use of public beach for the following reasons. The 2 acre area devoted to the event is small relative to the size of Hermosa's 50 acre 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. In the past, only up to 25% of the courtside seating was available for paid admission. However, last year the Commission approved an AVP permit that include a charge for all the seating.

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 approximately 60 feet to the water's edge. The project is also conditioned to prohibit the proposed event from interfering with the public's use of the pier, The Strand or the bicycle path, which runs next to the event site. The bicycle path provides coastal access to cyclists from many surrounding areas.

In addition, all of the temporary improvements permitted herein shall be removed in their entirety and the site restored to its pre-existing condition by no later than 7:00 p.m. Tuesday, July 28, 1997. The opponents claim that it took several days for the event improvements to be removed from the beach in 1996, thus precluding public use of the beach until the site was restored to public use.

Regarding the admission fee, in this particular case, the Commission finds the impacts to access and parking associated with the intensity of use are present regardless of whether an admission fee is charged. The provision of remote parking and a viable shuttle program as required through the conditions of approval are adequate to mitigate those adverse effects on public access to the shoreline. Denial of the admission charge would not have any mitigating effect. The same number of people would be allowed seating to the view the event, they would simply not have to pay; thus, the impacts are not changed without the admission charge. In fact, the applicant argues the impacts will be less because there will be greater crowd control. Therefore, as conditioned, the Commission finds that the proposed temporary development and event with an admission charge is consistent with the public access and recreation policies contained in the Coastal Act.

The Commission is concerned, however, about the cumulative effect of allowing all temporary events to charge a fee for admission. If such a trend should continue for more events, the effect to public access opportunities may become more significant. The Commission has addressed the issue of charging

admission for events on the beach through adoption of guidelines which require a coastal development permit for any temporary event proposed on the beach, in the summer, for which an admission fee is charged. Therefore, approval of this event with an admission charge will not establish a precedent for unregulated approval of many other similar events. Each proposal must be reviewed individually, taking into consideration the specific site conditions and project components to assess the appropriateness of the event at the proposed time and location, to determine the degree of adverse effect and its required mitigation. Therefore, the Commission finds approval of the admission charge, in this particular case, will not set an adverse precedent or conflict with the public access and recreation provisions of the Act.

D. 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 event site is located just south of the pier and seaward of the pedestrian promenade and bike path. The area is heavily used by beachgoers, roller-skaters, bicyclists, joggers, and strollers. Therefore, the compatibility of the proposed event and associated development with 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 25 feet in height. The inflatable advertisements will also be approximately 25 feet in height. Last year's event included approximately 2,000 linear feet of perimeter fencing. This year's event does not include any perimeter fencing but does include a 4' high fence around the bleachers and at the entranceways.

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.

E. 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 of Hermosa Beach has a certified Land Use Plan. The City's certified LUP designates the subject site as Beach/Park Open Space. 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 above findings, the subject short-term use of beach, as conditioned, has been found to be consistent with all applicable public access

and recreation 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.

F. Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5 (d) (2) (i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the public access and recreation policies of the Coastal Act. Mitigation measures to submit a Parking/Traffic Management Plan and to restore the site after the event will minimize all adverse impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

1684A

JR/lm

5-97-062

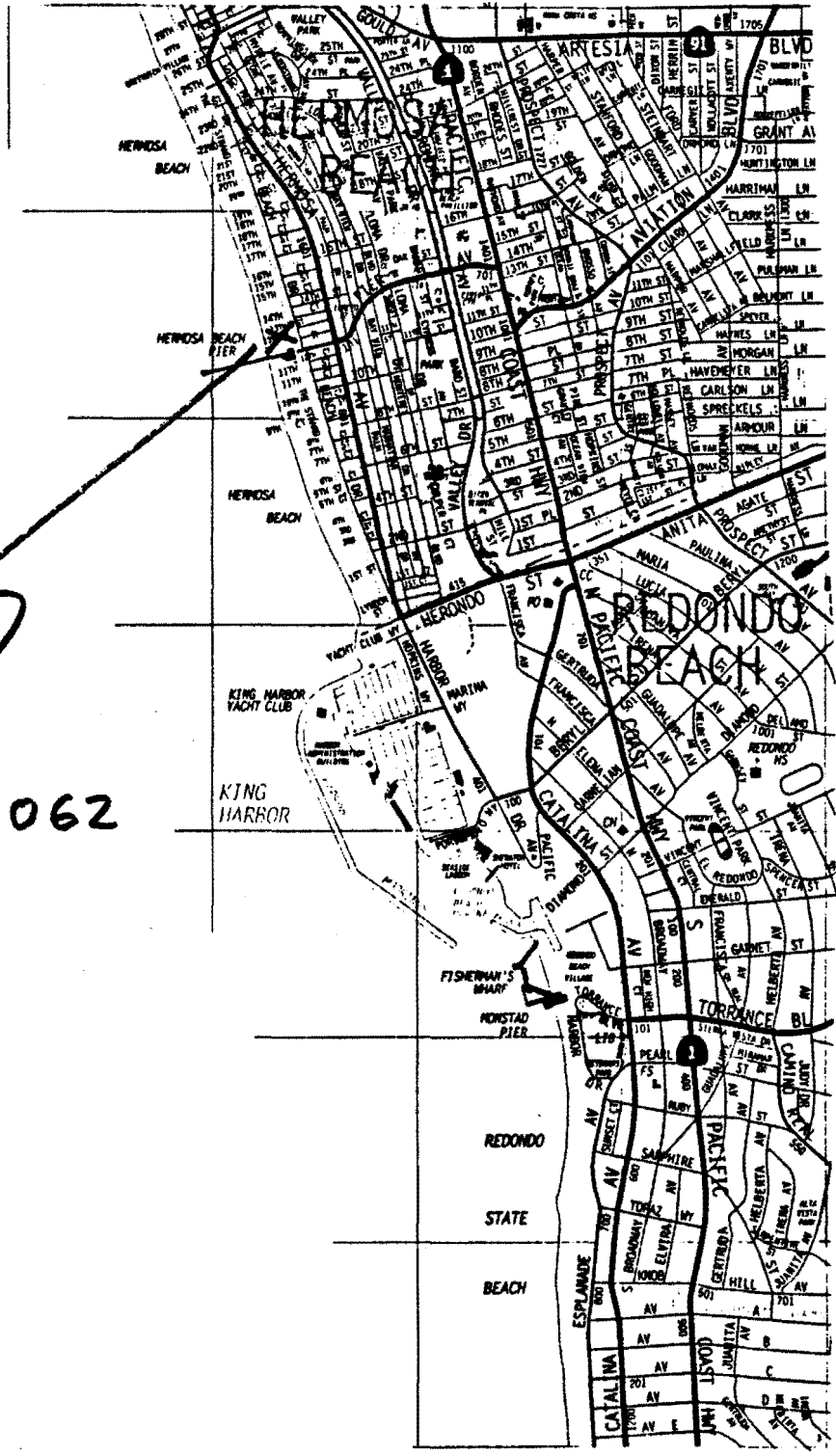


Exhibit A
5-97-062



"The World's Best"

Memorandum

To: Jim Ryan, California Coastal Commission
From: Jon Stevenson

Re: Follow-up Information cc: Pam Emerson
Date: April 15, 1997 Sherylin Sarb
Mary Rooney

RECEIVED
APR 16 1997
CALIFORNIA
COASTAL COMMISSION

Jim - The following will outline specific information requested by you at our April 9 meeting with Pam Emerson, Sherylin Sarb, and Mary Rooney regarding the AVP's efforts to mitigate the impact of our proposed July 25 - 27 event in Hermosa Beach. As a preface to the specific points let me say that we have gone to great lengths to make this year's event the best organized, most attractive, and least impactful event in recent history. Specifically, we have worked to maximize access to the event area by doing away with perimeter fencing used last year to secure the event venue. In addition to increased access, we will improve on the aesthetic appeal by maintaining an ocean view through the venue. Secondly, we have put a tremendous emphasis on minimizing our impact on existing parking and traffic flow through the more aggressive advertisement and use of our shuttle service. We will mitigate noise impact by changing the direction of public address speaker systems which has required the reconfiguration of the center court area. Finally, we have worked very closely (and will continue to do so) with the City of Hermosa Beach to deal most effectively with all these impact issues as well as new programs that will make the US Championships at Hermosa Beach a more community friendly event. These include the addition of community events and youth activities run in conjunction with our event.

In answer to your request for specific information I would like to provide you with the following:

1) Remote parking lots will be located at Mira Costa High School and at the Hermosa Beach City Hall. Two marquees, one at the Hermosa Beach Community Center and the second at Mira Costa High School, will advertise the shuttle service on the event weekend. Two banners will be placed on Pier Avenue/Valley and 1st Street/Pacific Coast Highway. These will both state the availability of free parking and location of the shuttle service at Mira Costa High School, along with the dates of the event. Signs will be posted on 13th Street directing drivers to the shuttle locations. The distance from Mira Costa High School to the drop-off location is approximately 2 miles, while City Hall is only .6 miles from the drop-off. This is following a route from Pier Avenue to Sepulveda to Artesia.

Exhibit B
1 of 7
5-97-062

2) A schematic of the event site is attached, with the measurements of bleacher size and approximate location of the courts. This is marked to show limited access areas.

3) Other additional parking areas include the Hermosa Beach Community Center, the upper pier area, Valley Park, the greenbelt, and the Von's complex (on Pier and Sepulveda). Fans also walk and ride bicycles to the event.

4) Only 43 spaces on 13th Street North and South have been set aside for the AVP on Saturday and Sunday. These spaces will be allocated to Media, who need access to the event site as needed; Vendors who will be accessing the site frequently to deliver goods; Television Production Crew; and certain Event Staff, who need access to their vehicles for business off-site. All other sponsors, VIP's and non-essential AVP staff will utilize the shuttle.

5) The only fencing used on site is "snow fencing" in areas that are restricted for security purposes, such as the backstage area where the player tents are located. Snow fencing is also used to create entrance chutes into the stadium court to help ease crowd congestion. It is also placed for safety reasons on the rear of the bleachers to prevent people from going under the bleachers. The height of the regular snow fencing is approximately 4 feet, however, the snow fencing used on the back of the bleachers is 6 feet high. In 1996 approximately 2000' of fencing was installed around the perimeter of the venue. This year there will be no perimeter fencing.

6) Mary Rooney supplied a listing of proposed events in her recent letter to you. To our knowledge, the proposed events are two junior tournaments and one amateur event. None are projected to have an attendance of more than 100.

7) No stage will be erected as in previous years, and two sound system platforms will be stationed at the north end of center court. The speakers will be oriented toward the southwest, away from businesses and residents. No music will be played prior to 9:00 a.m., or 30 minutes after the conclusion of the matches each day.

8) The marquees at the Hermosa Beach Community Center and Mira Costa High School will both advertise the shuttle service the weekend of the event.

9) The portable toilets will be located south of the pier, adjacent to the public restrooms.

You also asked for information on the generators in the previous meeting. The generators will be located in the same location as in past years. They will be placed at the base of the Pierhead, where the event trucks and television trucks

Exhibit B

*2097
5-97-062*

are parked. Flex tubing will be attached to the trucks to direct the fumes vertically to alleviate any potential diesel fumes.

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COASTAL COMMISSION

Exhibit B
3 of 7
5-97-062

AVP STADIUM MANIFEST

126 Feet (78 Seats, 21 Rows)

1,638 Total Seats

5 Foot Elevated Aisle

16 Foot Space Between Court and Bleacher for Riser

66 Feet

39 Seats

21 Rows

819 Total Seats

5 Feet

16 Feet

Player Rest Area Side

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COASTAL COMMISSION

16 Feet

5 Feet

33 Feet

19 Seats

21 Rows

399 Total Seats

16 Foot Space Between Court and Bleacher for Riser

5 Foot Elevated Aisle

126 Feet (78 Seats, 21 Rows)

1,638 Total Seats

4,494 Bleacher Seats (General Admission)

867 Reserved Seats

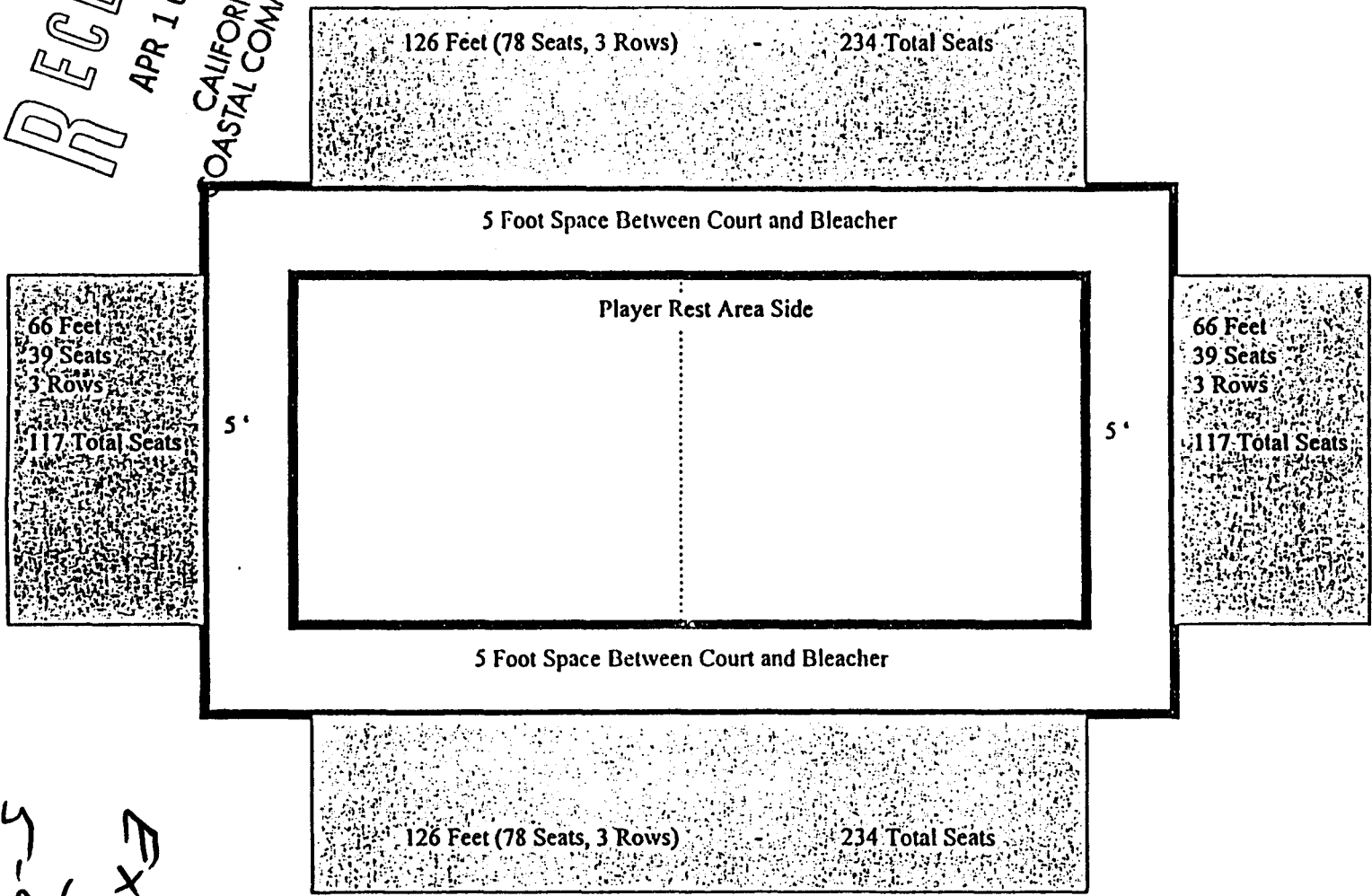
Total Seats = 5,361

Stadium Courts

EXH. b.1c B
4 of 7
5-97-062

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APR 16 1997
CALIFORNIA
COASTAL COMMISSION

AVP STADIUM MANIFEST



126 Feet (78 Seats, 3 Rows) - 234 Total Seats

5 Foot Space Between Court and Bleacher

Player Rest Area Side

66 Feet
39 Seats
3 Rows
117 Total Seats

5'

5'

66 Feet
39 Seats
3 Rows
117 Total Seats

5 Foot Space Between Court and Bleacher

126 Feet (78 Seats, 3 Rows) - 234 Total Seats

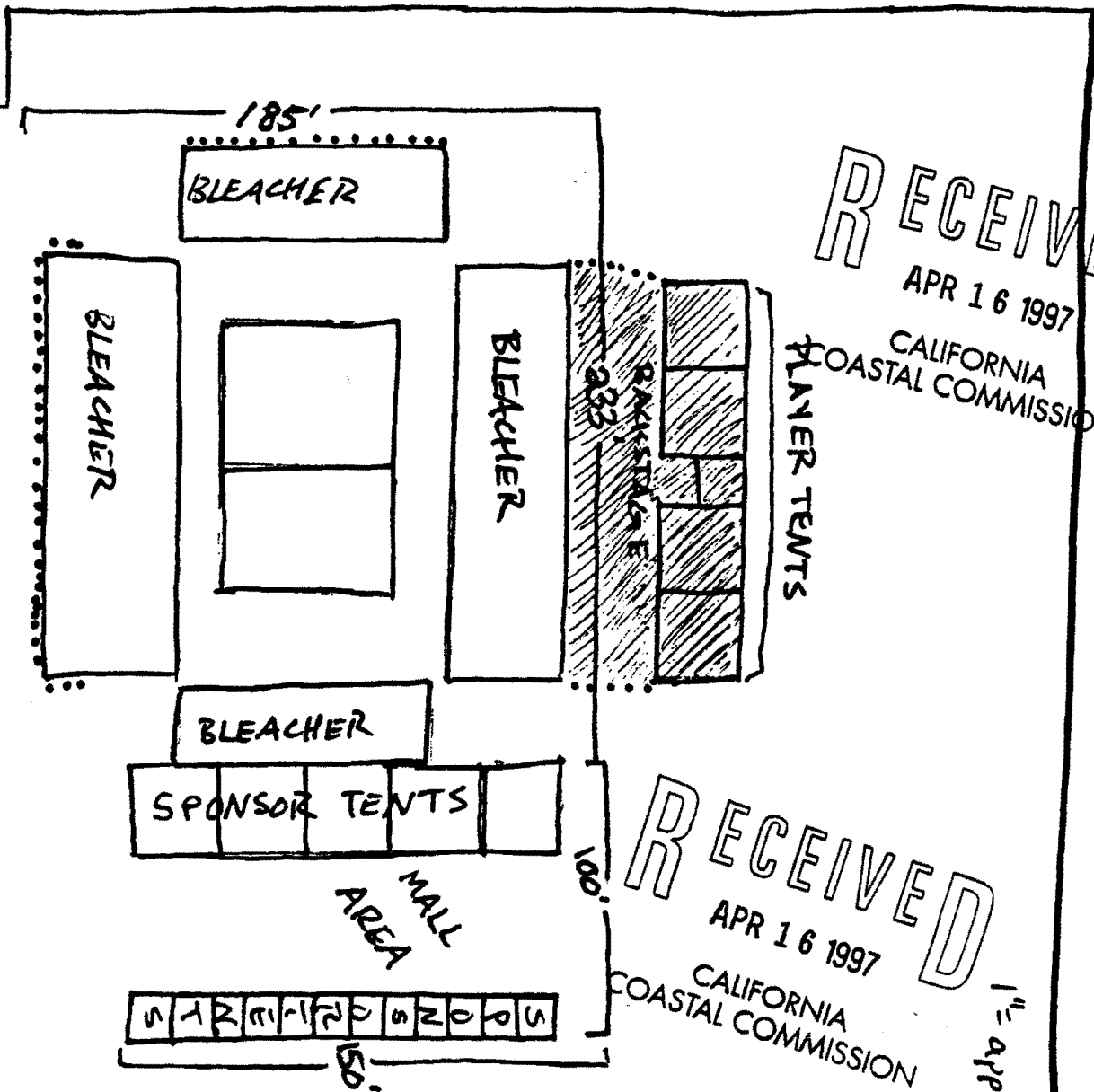
702 Total Bleacher Seats

Feature Courts

5-97-062
Exhibit B
5 of 7

2111 V

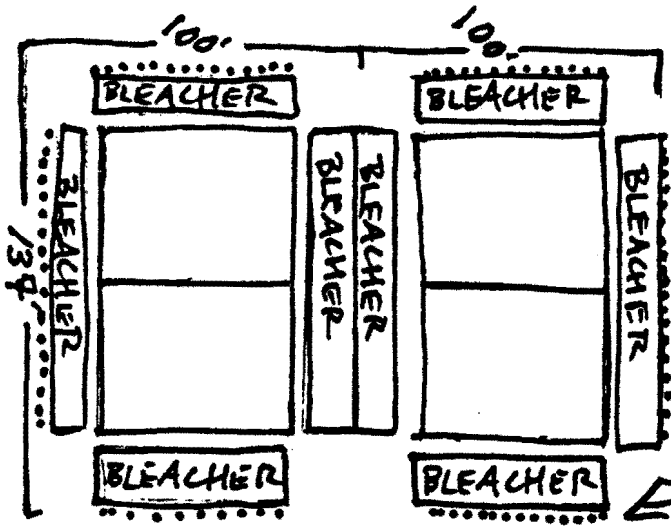
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APR 16 1997
CALIFORNIA COASTAL COMMISSION



PLANNER TENTS

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APR 16 1997
CALIFORNIA COASTAL COMMISSION

1" = approx. 60'



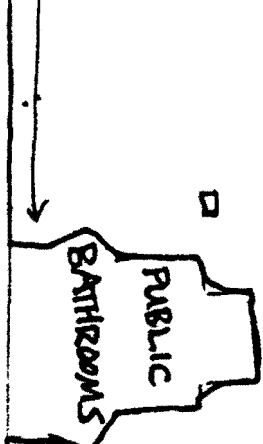
- Restricted (APR Staff)
- Ticket Access Area
- = snow fencing

6 of 7
Exhibit
5-97-062

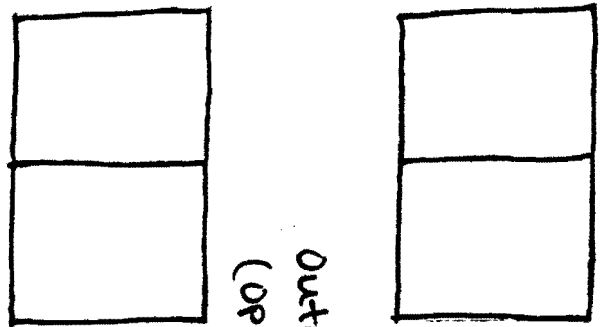
THE STRAND

590'

134'



990'



Outer Courts
(OPEN ACCESS)

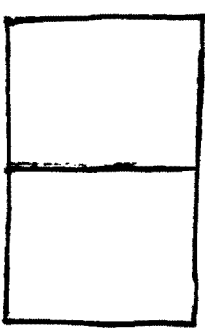
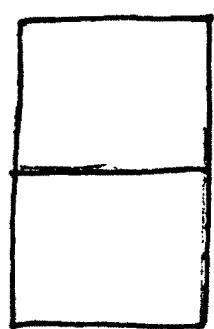
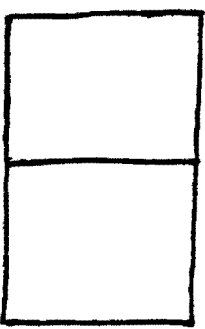


Exhibit B
7 of 7
5-97-062

February 26, 1997

Honorable Mayor and Members of the
Hermosa Beach City Council

Regular Meeting of
March 11, 1997

1997 COMMERCIAL EVENT APPLICATIONS

Recommendation

It is recommended by the Parks, Recreation and Community Resources Commission and staff that Council approve the slate of special events as listed below and authorize the Mayor to sign the attached contracts.

- | | |
|--|------------|
| 1. West Coast Artists - Art Festival | June 28-29 |
| 2. CE Sports - 4-Person Volleyball Tournament | July 12-13 |
| 3. AVP - U. S. Championships | July 25-27 |
| 4. WPVA - Evian Women's Pro Volleyball | Aug. 9-10 |
| 5. Event Productions, Inc. - Cuervo Gold Volleyball Tour | Aug. 23-24 |
| 6. MESP - Sprint Triathlon and Festival | Oct. 12 |

Background

The City has received six (6) applications for commercial events, four (4) exclusively on the beach, one with limited beach use (Triathlon) and one on the Community Center lawn. The applicants have paid the City a \$500 deposit each as required by the special event policy.

Attachment A provides the Council with a grid that identifies: (a) years with the City (b) proposed event dates, and (c) projected City fees and (d) a parking plan for each event, while Attachment B includes: (a) a description for each proposed event, (b) event applications, (c) site maps, and (d) event contracts.

The Parks Recreation and Community Resources Commission reviewed and approved the slate of events at their February 19, 1997 meeting.

Analysis

The attached contracts and policies have been developed by the City from several years of experience in staging commercial events. The City and event operators have worked together through the years in order to consider the needs of residents and to account for potential opportunities for local businesses in the assembly and conduct of these events.

Exhibit C
10F3
5-97-062

5

Not only have special events provided local residents and visitors with an opportunity to enjoy world class sporting and cultural events but they have also given the downtown area commerce and media exposure as a result of their existence here.

As Council is well aware, there have been concerns expressed by some residents with regards to the issue of charging admission for beach events. Clearly this issue only has relevance to the AVP application as they remain the only event requesting approval for admission fees. To that end, it is important to identify that they are proposing to eliminate the fence that surrounded the event in 1996 in favor of a less obtrusive stadium set-up (see site plan). In addition, in order to ensure that Hermosans have more direct involvement with the tournament, the AVP has proposed a number of community outreach programs including: (a) a junior tournament, (b) a youth volleyball clinic (Hermosa Beach youth have priority), (c) free admission to clinic participants, and (d) a cooperative event with lower Pier Avenue merchants.

It is also noteworthy that Coastal Commission approval is required for the AVP event prior to final authorization by the City. Per Coastal Commission policy, this event would be the only City event subject to a Coastal permit. This is due to the fact that they propose to charge admission for the event and that it is scheduled during the summer season (see Attachment C).

In addition, there have been concerns expressed to Council about the exclusive use of the public beach for commercial events. The largest beach event of the summer (AVP) uses less than 2 acres or 4% of the City's 50 acre beach. This means that 96% of the beach space remains open and available for other recreational uses.

Beach volleyball tournaments and special events have long been part of the summer culture in Hermosa Beach. The City has been fortunate to work in partnership with the competent event operators through these years in order to ensure that these events are safe and successful to the betterment of the City, the business community and residents who enjoy these activities.

Fiscal Impact: \$85,818.88 To the General Fund \$20,566.46 Direct Costs and City Overhead Charges
--

Attachments:

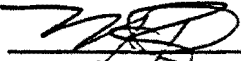
- A1: City of Hermosa Beach: 1997 Commercial Events
- A2: Parking Plans
- B: Event description, applications, maps, contracts

Exhibit C
20F3
5-97-062

- C: Coastal Commission Policy
- D: City's Special Event Policy
- E: Construction schedule for: Lower Pier Ave., Hotel Project, Pier and Parking Structure

Respectfully Submitted,

Noted for Fiscal Impact:

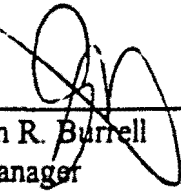


Mary C. Rooney
Community Resources Director




Viki Copeland
Finance Department

Concur:



Stephen R. Burrell
City Manager



Val Straser
Chief of Police

Exhibit C
3 of 3
5-97-062

**ASSOCIATION OF VOLLEYBALL PROFESSIONALS
CITY OF HERMOSA BEACH
COMMERCIAL BEACH EVENT CONTRACT**

This contract is entered into on March 11, 1997, at Hermosa Beach, California by and between the ASSOCIATION OF VOLLEYBALL PROFESSIONALS (AVP) and the CITY OF HERMOSA BEACH (CITY) with regards to the Association of Volleyball Professionals' Men's U. S. Championships on July 25, 26, and 27, 1997.

FEES

Event fee shall be \$3,302.80 per day plus set up/tear down fee of \$200 per day.

The \$500 application deposit will be applied toward the permit fee and will be refunded only if the permit request is denied by the CITY.

All predetermined costs/fees shall be paid two weeks prior to the Tournament.

All unanticipated costs incurred by the CITY on behalf of the event shall be paid within 15 days of receiving an invoice from the CITY.

ADMISSION FEES

Pending Coastal Commission approval, the AVP may charge for all general admission seating for the Men's U. S. Volleyball Championships with the following stipulation:

1. Free admission to youth volleyball clinic participants.

The City of Hermosa Beach will be provided with a fee scale chart two weeks prior to the Tournament.

AVP agrees to pay the City of Hermosa Beach \$4,000 or 25 percent of the gross admission revenue, whichever is greater.

The AVP agrees to furnish records and make payment of \$4,000 to the City of Hermosa Beach two weeks prior to the Tournament and make additional payments, if applicable within two weeks after the tournament.

The City of Hermosa Beach reserves the right to audit any and all financial records of the AVP specific to priority seating for the Tournament.

The City of Hermosa Beach will receive a final copy of the tournament revenue and expenditures in regards to priority seating ticket sales within seven (7) days of the end of the tournament.

SECURITY

The CITY of Hermosa Beach shall establish a command post in the immediate vicinity of the Tournament. The command post shall be staffed at all times with one representative of the Hermosa Beach Police Department and one representative of AVP.

Exhibit D
1 of 5
5-97-062

AVP shall provide no less than ten (10) security officers. Said officers shall wear identifiable uniforms that indicate a separate identity from other tournament staff.

A representative of the security staff shall meet with the Hermosa Beach Police Department Watch Commander prior to the Tournament for a pre-event briefing.

The private security staff shall be responsible primarily for informing spectators of the CITY'S alcohol ordinance.

The CITY of Hermosa Beach shall provide officers for the event as follows: **On Friday and Saturday 1 Sergeant and 2 Officers and on Sunday 1 Sergeant and 4 Officers** or as many officers as deemed necessary by Chief of Police;

The CITY shall provide two (2) Fire/Paramedic personnel for the event or as many firefighters as deemed necessary by the Fire Chief.

Cost of officers and fire/paramedic personnel shall be assumed by AVP.

CLEAN-UP

AVP shall use a professional maintenance service to clean the following areas each day of the Tournament:

- The Beach and Strand, from 8th Street to 15th Street
- Pier Avenue, from Strand to Monterey Avenue

The maintenance service shall be responsible for hauling the trash collected outside the CITY each day of the Tournament.

AVP shall provide additional trash receptacles at the following locations:

- Beach (impacted area)
 - Strand (impacted area)
- or additional trash receptacles as needed.

AVP shall use Browning-Ferris Industries to provide: One (1) 30 yard roll-off on 13th Street at Beach and six (6) portable toilets that includes one (1) handicap toilet at the base of the Pier on the south side. CITY staff will determine if additional toilets are needed.

AVP shall take necessary steps to encourage participants and require sponsors to utilize recycling bins for appropriate materials. AVP shall make arrangements for such bins.

LOS ANGELES COUNTY DEPARTMENT OF BEACHES AND HARBORS SERVICES

AVP shall assume all costs for any additional lifeguards each day of Tournament if required by Los Angeles County Lifeguards.

The CITY shall make any necessary contacts on behalf of the event with the Los Angeles County Department of Beaches and Harbors. If AVP desires any County services, they must process their request through the CITY. Any costs for County services will be borne by AVP.

Exhibit D
2 of 5
5-97-062

INSURANCE

Ten (10) days prior to the event, AVP shall provide the CITY a Certificate of Insurance providing personal injury and property damage liability insurance naming the CITY, and County of Los Angeles their officers, employees and agents as additional insured with a minimum coverage of \$2 million combined single limit coverage. Said insurance shall not be canceled or altered without 30 days notice in writing to the City and County.

AVP insurers shall be primarily responsible for any and all liability resulting or arising from the performance of the contract and CITY and County and their insurers shall not be required to contribute. Said insurance's shall not be canceled or terminated without at least ten (10) days written notice to the CITY.

AVP agrees to defend, indemnify, and hold the CITY and County of Los Angeles harmless from and against any and all liability and expense, including defense costs and legal fees, caused by the negligent or wrongful act or omission of AVP its agents, officers and employees, including, but not limited to, personal injury, bodily injury, death and property damage.

For insurance purposes, the event area shall be defined to include any and all areas occupied or affected by the event.

CO-SPONSORS

A fee of \$100 each shall be charged for all co-sponsors; with each co-sponsor permitted one display booth. All co-sponsors must meet with CITY approval prior to event.

ADVERTISING

Signage regarding the CITY'S alcohol ordinance shall be required by AVP. CITY staff shall determine criteria for size, wording and locations for postings.

CITY shall permit two street banners to be posted for Tournament. Cost of installation shall be the responsibility of AVP.

CITY shall permit AVP to display six (6) large replicas of their product. CITY staff shall have final approval of said replicas and determine location.

AVP shall be required to make announcements informing spectators of the CITY's alcoholic beverage ordinance as deemed necessary by Hermosa Beach Police.

All sponsor signs, props, product facsimiles, etc. deemed necessary by AVP to identify the event, shall be approved as to location and content by CITY. CITY will not unnecessarily deny said approval and will not curtail certain constitutional rights of AVP.

PARKING

AVP shall be required to post temporary "No Parking" signs 24 hours in advance of event and be responsible for the removal of signs on final event day. AVP shall use plastic cable ties to secure the signs.

Exhibit D
30FS
5-97-062

AVP shall be required to make announcements indicating: 1) where there is free parking; and, 2) that the CITY will strictly enforce all traffic and parking regulations.

AVP shall provide a shuttle bus service from a major satellite point(s) on the outskirts of or outside of Hermosa Beach. AVP shall provide directional signs and advertisement which shall be approved in advance by the CITY. Information regarding shuttle bus service shall be included in all tournament advertisements.

At no time may AVP block emergency vehicle access. Parking privileges may be revoked at anytime by the CITY.

SPECIAL EVENTS

The CITY shall review all requests for any special events to be held as part of the Tournament. The CITY shall have the right to deny all requests.

Pier Avenue west of Hermosa Avenue will be reserved for AVP event vendor booths and Hermosa Beach merchant participation. The CITY shall have final approval of the street closure to ensure there is benefit for Hermosa Beach Businesses.

MISCELLANEOUS CITY RIGHTS/RESPONSIBILITIES

The CITY reserves the right to use the stadium for civic or recreational events or activities.

The CITY shall allow AVP the opportunity to sell official AVP tournament concession items pursuant to certain conditions:

- No food or beverage concessions shall be permitted on the Beach; and,
- All concession items must be approved by CITY prior to event.

THE CITY OF HERMOSA BEACH RETAINS THE RIGHT TO AMEND, ADD OR DELETE ANY CONDITION(S) OF SAID CONTRACT.

MISCELLANEOUS AVP RESPONSIBILITIES

AVP shall be responsible to obtain all necessary County and State health permits as required.

AVP will be required to obtain an amplification permit from the CITY.

AVP will be solely responsible for event management.

AVP shall provide barricades and cones for use at pre-approved street closures and other areas as deemed necessary by City staff.

AVP shall designate area for spectators to store alcoholic beverages.

AVP shall maintain public access openings on the Strand Wall (Pier).

AVP will abide by any additional policies or appropriate fees as established by the CITY.

AVP shall be responsible for all prize money, equipment, sound system and personnel necessary for conducting such a Tournament.

Exhibit D

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5-97-062

Event shall be conducted in compliance with CITY of Hermosa Beach Noise Ordinances. Ordinances on file at the Department of Community Resources.

AVP shall set up/tear down between the hours of 8:00 a.m. and 9:00 p.m. on scheduled days.

At the CITY'S option, AVP is required to display and permit CITY representatives to present a perpetual trophy to Tournament winners following the finals.

CITY OF HERMOSA BEACH

[Signature]
MAYOR

3/11/97
Date

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

3/11/97
Date

DEPARTMENT OF COMMUNITY RESOURCES

[Signature]
DIRECTOR

3/25/97
Date

ASSOC. OF VOLLEYBALL PROFESSIONALS

[Signature]
DIRECTOR OF OPERATIONS

3/25/97
Date

ATTEST:

[Signature]
CITY CLERK

03-25-97
Date

EXHIBIT D
5 of 5
5-97-062



City of Hermosa Beach

Civic Center, 1315 Valley Drive, Hermosa Beach, California 90254-3885

April 9, 1997

RECEIVED
APR 11 1997

CALIFORNIA
COASTAL COMMISSION

Jim Ryan, Staff Analyst
California Coastal Commission
South Coast Area
245 West Broadway, Suite 380
Long Beach, California 90802-4416

Dear Mr. Ryan:

Please extend thanks to Pamela Emerson and the rest of the Coastal Commission staff for our productive meeting today. Although we discussed a number of items related to the AVP Tournament and beach events, I thought it would be helpful to clarify a few of the issues in writing for the purposes of your staff report:

1. Extra Police and Fire protection services are provided for the AVP US Championships as dictated by the City Chiefs. Off-duty officers and paramedics are hired and labor and administrative costs are charged in their entirety to the AVP (estimated charges for 1997 are \$4,977 for Police Officers and \$1,606 for Paramedics).
2. There are four (4) commercial events on the beach scheduled between Memorial and Labor Day Weekends on the beach (see attached grid). With the exception of the AVP, no event has requested to charge admission fees for their event. While attendance at each of these events varies, experience has shown that the AVP usually draws up to 6,000 spectators while the remaining events attract approximately 500-2,000.
3. The City schedules additional low key recreational activities on the beach each summer such as youth and adult classes and amateur tournaments. Staff has not completed the 1997 program to date but we have tentatively scheduled:
 - Two AAU youth tournaments (on weekdays)
 - One CBVA amateur tournament

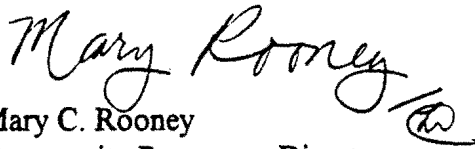
These events are for participation only and have a minimal impact on the beach.

EXHIBIT E
ZOFZ
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4. The AVP has agreed not to include the perimeter fencing that was present at the 1996 tournament. In addition, they have developed auxiliary programs to attract youngsters to the event including a free volleyball clinic and youth tournament (all participants in the clinic get free admission to the AVP event) culminating in a youth match game in the Center Court Stadium.

As noted from my previous letter, the City addresses beach events with a review process that includes: (a) established policies, (b) contractual agreements and (c) Commission and Council review. Hermosa Beach is proud to host the US Championships of Volleyball, knowing that it is one of the finest visitor serving events in the City. To that end, we look forward to working with you to ensure its continued success. Thank you again for your input.

Sincerely,



Mary C. Rooney
Community Resources Director

Encl.

EXHIBIT E
2 of 2
5-97-062

Donley Falkenstien
South Bay Coastal Defense Alliance
1412 Palm Dr
Hermosa Beach, CA 90254

April 18, 1997

To Coastal Commission staff Re: AVP permit request for Hermosa Beach, and Manhattan Beach LCP amendments and permit issuance to AVP.

Dear Staff; As you know, the public has been outraged at the level of commercialism directed at our coast re: the AVP. Please attach to the staff report all letters and information I have sent you on this issue. Attached you will also find a copy of a law suit filed on behalf of all citizens of this land against the Manhattan Beach LCP amendments and the permit issuance to the AVP from Manhattan Beach.

Re: Hermosa Beach, and the letter from the AVP dated April 15, 1997.

No proof has been submitted that the AVP has or will "agressively advertise parking shuttles". I have attached a copy of the Mira Costa Parking lot agreement that shows no more than 350 spaces exist there. The average ridership per car is known to be appx. 1.2 people per car. $350 \times 1.2 =$ capacity for 420 people. Even at 2 per car that would be only 700 people. Attached you will also find a tally sheet for last years MB AVP event that shows less than 200 people utilized the shuttle each of 2 days. No such tally is required for the Hermosa event per the staff report. The avp says they expect 8,000 per day. From their own survey presented to the MB city council, the last MB AVP event they show that only 8% of the spectators were from the area. So at least 90% of the people were having to drive to the event. At 8,000 people \times 90% $=$ 7,200 divided by 2 per car $=$ 3,600 cars would be the same for this city where Hermosa Beach's last Aug 96 summer weekend survey showed that less than 93 actually available public on-street and off-street spaces were available for beach access, copy attached. This has not been even close to mitigated.

Notably of para. 3 is that Valley park is at least 2 miles away with no shuttle provided and is used for that parks parking, that Hermosa Plaza lower level has been dedicated for use thru the city's permit from the CCC #5-82-251, and 5-92-177 preferential parking program as has been the other sites listed as parking for this permit request which are the Hermosa Greenbelt, community center, and upper pier spaces. Also at the time of the event another 6 spaces on 14 adjacent the water, 2 spaces for their trash rolloff container on 13 th street adj. the water, and 14 spaces in lot C adj. the water for construction of the hotel, also the city is giving another exclusive 43 spaces on 13th street adj. the water the entire street. Traffic circulation will also be effected from beach drive (adj. the water) being shut down for the construction of the hotel, all of which the city is failing to tell you.

Para 7 says the other commercial events are of no more than 100 attendance each. Attached you will find copies of info on those events, which show the events are mostly professional in nature, Bud Lite vball event 2,000 expected July 5-6, Evian women pro vball event 3,000 expected Aug. 8-10, Cuervo vball 500 expected Aug 23-24, Triathlon

Exhibit F

20F2
5-97-062

expecting 1,100 Oct. 12.

Speakers are not pointed at the water as in MB. Attached you will also find a letter from Hermosa Beach where they are promoting our beach as "The #1 location for special events in the south bay."

If this is not enough, then I will supply more info for you later.

Thank you for your time.

Sincerely, Donley Falkenstien

A handwritten signature in black ink, appearing to read "Donley Falkenstien". The signature is fluid and cursive, with a long horizontal stroke at the end.

Exhibit F
2 of 2
5-97-062

Donley Falkenstien
1412 Palm Drive
Hermosa Beach, CA 90254
(310) 372-0872 Ph / Fax: call 1st
e-mail: donley@southbay.com

Calif. Coastal Comm.
Permit Enforcement Officer
Sherilyn Sarb
3111 Camino Del Rio North #200
San Diego, Ca. 92108-1725

Jan 31, 1997

Dear Ms. Sarb:

Attached is a copy of the declaration I handed you at the Jan. 8th, 1997 commission hearing regarding the AVP. Also included are the yellow tape and measurement string exhibits not originally included and color copies of the photo exhibits for clearer definition.

I have also attached written remarks / list of the problems I made on behalf of the Alliance to Keep Beach Access Free...Forever I at the same commission meeting. Within the next 30-45 days we will be delivering a comprehensive list of solutions for the noted problems that we feel will conclude this issue before the Commission.

Also, I understand you have had a meeting with Manhattan Beach officials where they plan to include changes to their LCP that would allow a major commercialization of our public beach. I am interested in knowing the purpose of that meeting and the results.

Please contact us ASAP with the information and let us know what the time line looks like for commission review of our proposal.

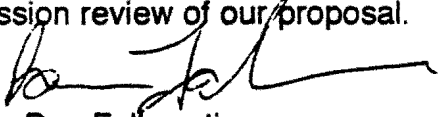
Thank you,  Don Falkenstien

EXHIBIT G
2095
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~~Alliance to Keep Beach Access Free...Forever!~~

Executive Director, Donley Falkenstien
 1412 Palm Drive
 Hermosa Beach, CA 90254
 (310) 372-0872 Ph / Fax: call 1st
 e-mail donley@southbay.com

California Coastal Commissioners

January 8, 1997

Re: Commission review of temporary beach events.

I am here today on behalf of the Alliance to Keep Beach Access Free...Forever I, a non-profit group dedicated to saving California Beaches from corporate commercialization and domination.

The beaches are fast becoming the domain of corporations like the Assoc of Volleyball Professionals (AVP) and the beer companies who sponsor them.

I have the privilege of delivering to you (at the next hearing in 97) the names of over 4,700 people of California speaking with one voice who have signed the "Petition to Keep Beach Access Free...Forever I" saying:

"We the People being residents thereof declare our opposition to a:) allowing paid admission to any events held on our beach ever, and b:) the restricted access via competition for parking..."

At the earliest possible convenience and per the Commissions request we will deliver a comprehensive set of solutions designed to meet the needs of all Californians and the needs of the Commission to limit it's workload concerning events on or near the beach.

The problems we feel need discussing include the following (but are not limited to):

1. Parking opportunities = beach access
2. Distance to parking shuttles
3. Charging access to the beach during events & the future of our beach
4. Temporary events have become permanent
5. Excessive commercial advertisements associated with the events
6. The necessity to include all events that affect parking / beach access
7. The total number of events
8. Noise nuisances from events interfere with quiet peaceful enjoyment of residents
9. Set-up and breakdown construction
10. Restoration of sites in a timely manner
11. Back-to-back events
12. Simultaneously events

Exhibit G
 2 of 5
 5-97-062

13. Simultaneous events held in neighboring cities
14. The need to extend coastal protection all year
15. Negative visual impacts
16. Negative environmental impacts
17. Events transporting heavy equip. and supplies along the beach to neighboring city event.
18. Unregulated vehicles on the beach during events
19. Public safety hazards created by events
20. Violation of Cal OSHA and Cal DOT laws
21. Notice warning of potential permanent hearing loss not posted as required
22. Legal notices of Coastal Commission AVP Permit Hearing not mailed as certified
23. Major commercial sporting event held on the beach without a coastal permit
24. Documented evidence of Coastal Commission AVP (would-be permit) violations
25. Strained police, paramedic, firemen, and lifeguard services
26. Future event proposals will triple stadium beach coverage
27. Appeals for all temp event permits
28. Definitions need to be established.
29. Non coastal-dependent events
30. Moratorium on new permits until issue is resolved

1. In Hermosa Beach during 1996 there were 20 events of which 13 were held May - September, with construction they took away use of our beach 72 of the 123 days. In the space of just a few years they have contributed heavily to the deterioration of the natural balance and social well being of the people of this city.

The Coastal Act requires avoiding long term costs to the public and a diminished quality of life resulting from the misuse and over use of coastal resources. The heavy impact on parking leads directly to the elimination of public access opportunities to and along the coast and is inconsistent with sound long range resource conservation principals and constitutionally protected rights of private property owners. Indeed parking = access. Those beachgoers who would like to visit the coast are prevented access opportunities by the excessive size and number of temporary events.

Individually and cumulatively these events have become a detriment to the residents and the state as a whole.. The excessive number and size of events have contributed to a diminished quality of life for the residents of Hermosa Beach from the misuse and over use of our coast. The heavy impact on parking leads directly to the elimination of public access opportunities to and along the coast and is inconsistent with sound long range resource conservation principals and constitutionally protected rights of quiet and peaceful enjoyment of private property owners. Indeed parking = access. Those beachgoers who would like to visit the coast are prevented access opportunities by these events. Individually and cumulatively these events have become a detriment to the residents and the state as a whole.

In Hermosa this last Aug. 23-25 the AVP held their event with an expected attendance of over 8,000 where the most recent parking survey showed that on this weekend there were only 93 public parking spaces actually available. The AVP used 201 prime parking spaces exclusively & records from Mira Costa parking lot show that less than 200 people a day actually used the shuttle parking, and the AVP didn't even bother to spend the \$300- to use the Hermosa

Exhibit G
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Street banner to advertise shuttle parking. Just where exactly does the AVP plan to park the other 7,000 expected ?

2. It should be noted that when asked to approve the event the Coastal Comm. was told the distance to the shuttle parking was .1/2 mile away (Mira Costa). It is actually 1.5 miles to the Hermosa Pier

3. What is the long-term future of our beach ? Charging access to the beach for any reason is just plain wrong. If you allow a corporation like the AVP to charge access to our public beach you set a precedent and you can be sure that some corporate lawyer will soon be arguing that they have an entitlement here. This is just the 1st case, & you send a signal to all the corporations that our golden treasures are for sale ! Management policy should not treat our beach as a cash cow to be exploited for the profit of a few at the expense of the rest of the hard-working tax-paying public.

4. Also at question here is when does a "temporary event" become "permanent" ? The AVP has been squatting on our beach for over 13 years. Now they have shown how hard they are willing to work to stay here, it goes to show that their intentions are to be a permanent major commercial sporting event on our under-defended public beaches. At some point long term events become "permanent events".

5. The AVP alone brings appx. 10,000 square feet of commercial advertisements onto our beach every summer, and their obnoxious announcer spews out many more in an in-your-face fashion.

6. All events that affect parking and beach access negatively must be accounted for and regulated in order to know the full impact and the mitigation measures required.

7. The total number of events held in the Hermosa Beach coastal zone during 1996 are stated in item #1 above. Clearly, the sheer size and number of events must be limited, especially during the months of May thru September.

8. The city allows these events to be exempt from the noise ordinance. I personally have heard the AVP announcer more than a mile away. I live near the downtown and often cannot hear into my telephone, or its ring or the radio or TV when these events occur. So for \$38 they can get a permit from the city to disturb the quiet and peaceful enjoyment of the neighborhood for 3 days straight each.

9. Set-up and break-down lasts longer than the event, the AVP took 11 days before site restoration, and the IMG/FIVB event took 25 days straight, almost all of the month of June 96.

10. Site restoration to it's original condition is often required by the 3rd day following, that means that by wed morning following the event all courts must be back in place. That did not happen once this last year. If you wanted to use the nets at the pier you had to wait till Fri. at the earliest.

11. There were back-to-back events held on or adjacent to the beach in Hermosa Beach that lasted 11 out of the 12 weeks of summer 96.

Exhibit G
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5-97-062

23. The AVP held a major commercial sporting event on our beach without ever getting the required permit from the coastal commission as required by law, and the city made no attempt to enforce permit requirements even though they were notified in advance of the lack thereof, nor did they ask to see a permit. The host cities must be required to make sure all required permits are "in-hand" prior to construction.

24. The AVP violated six conditions of the agreement for coastal permit issuance which are documented in a declaration filed Jan 8, '97 with the Coastal Commission.

25. Police, paramedic, firemen and lifeguards resources are strained to the limit because of the size and high number of events. These personnel have to spend their only days off during the summer working these events, running up their overtime pay and stress levels.

26. Future event proposals (notably the AVP) include tripling the massive bleachers coverage of the sand to 10,000 - 11,000 seats (the "Green Berlin Wall" a six foot chain-link fence with green tarping will now be replaced with 30 foot bleachers), and extending the number of days (from 3 day events to 4), not to mention charging us access to our public beach.

27. All regulated events should be directly appealable to the Coastal Commission regardless of whether or not the host city has a certified LCP.

28. Definitions such as "event site", "impact area", "maximum size" etc. and standards such as "expected passengers per car", and "allowable advertising square footage" should be defined.

29. Most large commercial events are non coastal-dependent and should be given the lowest priority.

30. A moratorium on future event permit issuance should be instituted until a substantial number of problems have been resolved.

Clearly the large events such as the AVP event have crossed the line and become a commercial operation on a public beach seriously affecting coastal access, and setting a precedent for excluding the general public from use of the beach and shoreline.

- "We're host to a parasite" Manhattan Bch. Parks & Rec. Commissioner in reference to the AVP event.

Thank you



Donley Falkenstien,

Visit our web site at "Beach Alliance"

Exhibit G
5 of 5
5-97-062

April 10, 1997

California Coastal Commission
245 W. Broadway
Suite 380
Long Beach, CA 90802

RECEIVED
APR 14 1997

CALIFORNIA
COASTAL COMMISSION

Dear Coastal Commission,

I am writing to oppose the City of Manhattan Beach's request for authority to regulate and administer its coastal planning. As a five year resident of Manhattan Beach, I highly value the community's unique lifestyle and urban seclusion from greater Los Angeles.

I am completely against any measure that prevents me from the freedoms to which I am accustomed and allowed on any given day in the year except when a commercial enterprise proposes an event. I was outraged that the AVP was able to charge admission to its tournament in Hermosa Beach last year. I understand that Manhattan Beach has a 25% limit on charging patrons, which allows for paid seating on the volleyball courts, but does not regulate the stands. This is barely tolerable, and an increase would be most distasteful. I understand that these events are held to generate profits, but I do not give my consent to paying any entity other than my city for events brought to the locale.

I believe I already pay taxes which support my city and I do not reside here to encourage a higher profile. I beseech your committee's vote to restrict the City of Manhattan Beach's ability to empower and encourage the invasion of entities that may not consider our residents' commitment to their way of life. Thank you for your time and consideration.

Sincerely,

Shannon Rubin

Shannon Rubin
113 28th Place
Manhattan Beach, CA 90266

Exhibit H

5-97-062

RECEIVED

APR 14 1997

CALIFORNIA
COASTAL COMMISSION

Frank Watters
3207 The Strand
Hermosa Beach, CA.
90254

Dear Jim,

I am writing as a concerned resident who sees his community negatively impacted from the AUP events. I live ~~at~~ on the Strand just above Longfellow in north Hermosa. I am just about as far away from the piers as I can be and still live in Hermosa, (about $\frac{3}{4}$ of a mile from Manhattan's pier and 1 mile from Hermosa's). During the volleyball events there is absolutely no parking in my neighborhood, even with the shuttle parking at Mira Costa, the crowds are noticeably bigger. One AUP event at Hermosa caused me to park about a $\frac{1}{2}$ mile from my house. Another concern is the sound that the event makes. It is so loud that I can hear it all the way at my house on the beach and it ruins the serenity I find at the beach. Also I am strongly opposed to the gross advertising and commercialization of the beach that occurs during these events, especially advertising for alcohol on the beach. I signed a petition against this commercialization as well as the fencing off of the beach and charging to get on the beach. They shouldn't be able to charge for even 25% of seats on the beach in my opinion. The beach should not be for sale. Please make sure to attach my letter to the staff report and include me on the mailing list for the staff report. Thank You.

Sincerely, Frank Watters

Exhibit I

5-97-062