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STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

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Filed: 6/17/97
49th Day: 8/5/97
180th Day: 12/14/97
Staff: PE/LB
Staff Report: 6/18/97
Hearing Date: July 8-11, 1997
Commission Action:



STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 5-97-180

APPLICANT: City of Hermosa Beach AGENT: Sol Blumenfeld

PROJECT LOCATION: Pier Avenue, west of Hermosa Avenue extending to Hermosa Beach City Pier

PROJECT DESCRIPTION: Creation of 3300 sq. ft. fenced outdoor dining area on City right of way adjacent to seven existing restaurants for the use of those restaurants, payment of \$78,000 City Vehicle Parking District incentive funds into Downtown Parking Improvement fund in lieu of 13 parking spaces.

Lot area:	NA
Building coverage:	3300 sq. ft. (enclosed area)
Zoning:	C2/public street/outdoor dining
Plan designation:	General commercial/outdoor dining

LOCAL APPROVALS RECEIVED:

1. City of Hermosa Beach, mitigated negative declaration for outdoor dining
2. City of Hermosa Beach, Parking Plan for outdoor dining, May 29, 1997
3. City of Hermosa Beach, zoning text amendment of May 29, 1997 to allow outdoor dining on lower Pier Avenue without a CUP, within limitations of available in lieu fee funds.

SUMMARY OF STAFF RECOMMENDATION:

The staff is recommending approval of this development. Even though no additional parking will be directly provided for this development, as proposed the extra seating will be limited, and will serve existing small scale visitor serving cafe's. As proposed by the City, the City-funded in lieu fee will go to the development of additional parking to serve the downtown or other parking improvements. As proposed by the City, the sidewalk dining will enhance the visual and recreational environment of the downtown gateway to Hermosa Pier and will not generate significant impacts on beach access and parking or pedestrian access along the sidewalk. Staff recommends approval with conditions to monitor the development, control signs on public property and improve directional signage to the City's remote parking. As conditioned, the project is visitor serving and consistent with the City's long term parking and visitor enhancement strategy. While the conditions reflect general discussions with the City representatives, the City staff has not had time to respond to the particulars of this staff recommendation.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Hermosa Beach, certified LUP, 1982
2. City of Hermosa Beach, Land Use Plan amendment 1-94
3. 5-96-282 (Seaview Hotel)
4. 5-97-011 (City of Hermosa Beach/Parking Structure)
5. City of Long Beach LCP amendment 1-93 (Belmont Shore sidewalk dining)
6. 5-92-212 (City of Hermosa Beach/Pier Avenue Street-scape)

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

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

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date 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

1. Encroachment permits.

No individual may develop under this permit until the City has granted a an encroachment permit consistent with these terms and conditions and provided a copy of the encroachment permit to the Executive Director.

2. Monitoring

Beginning one year from the date of issuance of this permit, and annually thereafter, the City shall prepare annual inspection reports in which the development is monitored for (a) conformance with the limits of extension onto public property authorized in this permit--extension of a maximum of 12 feet onto the sidewalk and (b) parking impacts. The City shall agree to enforce all restrictions indicated in its Parking Plan resolution of May 29, 1997, with regard to the granting of encroachment permits.

3. Signs.

All signs shall be limited to pedestrian use only. Pursuant to this requirement, with the exception of a two foot by one foot menu board, no signs shall be placed on public property or on the barriers around the seating areas.

4. Directional signs for remote parking

Prior to issuance of the permit the City shall submit a written agreement, subject to the review and approval of the Executive Director, to install signs to better direct the public to the downtown lots and to the remote beach parking lots. Pursuant to this requirement, the City shall prepare a study indicating the main routes taken by beach visitors to Hermosa Beach and devise a system of integrated directional signs that will direct out-of-area visitors to the City's free beach parking lots. Said study shall be completed no more than three (3) months after the granting of this permit. The City shall return to the Commission for its review and approval of the sign program no less than six months after the issuance of this permit and shall agree to install said signs by March 1, 1998.

IV. Findings and Declaration.

A. Project Description and Background

This project, the installation of 3300 square feet of sidewalk cafe area on two public sidewalks, is part of a plan by the City of Hermosa Beach to enhance the visitor serving attractions in its downtown. The 3300 square feet will be developed on the sidewalks of newly improved "Lower Pier Avenue", located on the first block inland of the beach and fishing pier. After issuance of the Coastal development permit, the City will approve individual outdoor dining areas by granting encroachment permits to each of the seven restaurants now located on lower Pier Avenue.

Hermosa's downtown encompasses several blocks along Pier and Hermosa Avenues. Pier Avenue is about eight blocks long and connects Pacific Coast Highway to the beach. Hermosa Avenue runs parallel to the beach one city block inland. The downtown extends about three blocks north, east and west from the corner of Hermosa Avenue and Pier Avenue.

This area has traditionally supported typical day use support businesses such as restaurants, fast food and souvenir stores as well as a number of nightclubs and coffee houses. In addition, in the past, there was a neighborhood shopping node that included banks, a hardware store, clothing stores, a variety store and a movie house. Many of these businesses have closed as major shopping centers were constructed several miles inland.

In 1993, the City conducted a parking survey of its downtown. As a result of the study, the City changed its parking requirements and the methods of managing its public parking. These changes are described in more detail below. Subsequently, the City undertook a "Street-scape" project to enhance the pedestrian quality of lower Pier Avenue (Pier Avenue west of Hermosa Avenue) by widening the sidewalks and reconfiguring the parking. As part of improving the pedestrian atmosphere of lower Pier Avenue (Pier Avenue west of Hermosa Avenue), the City now proposes to encourage the seven existing restaurants to place tables and chairs out on the newly widened sidewalks. The sidewalks will be widened to 22 feet, and the restaurants will be allowed to occupy up to 12 feet. This will result in a total of 3300 square feet of service area. The City calculates that it has the parking to accommodate 3300 square feet of sidewalk dining on the Pier Avenue sidewalk.

As part of a strategy to improve downtown, the City has also approved a new hotel, now under construction (5-96-282 Seaview hotel), and contracted with the County of Los Angeles to build a new four level parking structure to serve the both second phase of the hotel and to allow further expansion of downtown businesses (5-97-011 City of Hermosa Beach). The structure will provide 380 public parking spaces and 100 spaces allocated to the hotel.

After the parking structure is built, the City anticipates using the public portions, 380 spaces to support beach access and commercial use, including allowing an additional 4400 square feet of sidewalk dining on upper Pier Avenue. Upper Pier avenue is north of Hermosa Avenue. The City's objective with all of these programs is to serve and attract visitors and to enliven the downtown area.

B. Public Shoreline Access.

In the South Bay, the cities of Manhattan Beach, Hermosa Beach and Redondo Beach, provide limited street parking. The amount of public access to the beach is limited by the amount of on street parking. For this reason, the Commission has generally required that development in near-beach areas provide all of their parking on the site, rather than reducing parking requirements by the presumed number of on street spaces available. This requirement is based on four Coastal Act policies. Section 30210 requires the Commission to provide adequate a maximum access to the beach. Section 30211 requires the Commission to protect existing beach access. Section 30250 requires the Commission to approve development in areas that can accommodate it, and Section 30252 requires that the Commission require adequate parking for development so that public on street parking can be reserved for beach goers.

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.

Coastal Act Section 30213 states:

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

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Even though its Interim Guidelines require strict parking standards, the Commission has reduced parking requirements for visitor serving development in beach areas if it can find that the area is pedestrian oriented, and the facilities will primarily serve beach goers. In Venice, on Ocean Front Walk,

where most customers are walk-up customers, small restaurants and take out stands are allowed to reduce their parking on a sliding scale that only requires the Commission's standard parking requirement on larger restaurants. The Commission normally requires one space per 50 square feet of customer area but restaurants of 500 square feet or less on Ocean Front Walk require only one parking space, and a 1200 square foot restaurant require 4 spaces. Only when a restaurant on Ocean Front Walk approaches the size of a visitor attraction, 2000 square feet, does the standard revert to the guideline standard.

Similarly in Long Beach, the Commission required no additional parking for sidewalk dining in Belmont Shore, an area where there is little parking but where many customers arrive on foot or by bicycle. Again the Commission concurred with the City's objective in creating a street-scape using outdoor dining even though no additional parking could be provided.

Hermosa Beach has a unique parking situation because it has three large parking lots downtown, and also the City maintains over 500 free long term parking spaces five to six blocks from the beach to serve beach visitors. The new parking structure is planned on one of the downtown lots.

In 1993, the City conducted a parking survey of its downtown, in which it analyzed why the downtown businesses that remained were not expanding and why the parking lots that were located downtown in the parking district were not used to capacity. The study showed that because many customers arrived on foot or by bicycles, businesses in the downtown require only 65% of the a parking needed by automobile dependent strip malls. As a result of the study the City changed its zoning and processed an amendment to its LUP that allowed it to reduce parking requirements in the downtown area, based on the high number of customers who walked or rode bicycles to the beach front/downtown area. The City also lowered parking charges in the three downtown municipal parking lots that are located to increase their use, and encouraged downtown merchants to validate parking. The Commission concurred with the study, and noting the existence of three large parking lots, certified the amended LUP in 1993.

The amended LUP allows the City to require only 65% of the regular parking in the parking district, to waive parking requirements up to the capacity of its existing lots, 96,000 square feet, and to accept in lieu fees for parking. Because the City intended to build a parking structure, the LUP provided an opportunity for smaller development to participate in an in lieu fee program. When no more development could be allowed under the capacity of the existing lots, if the Community Development Director determined that there was still under-utilized parking in the system, new development could take place if the developer provided on site parking or an in lieu fee representing the actual cost of a new space.

Based under-utilization of the existing parking lots, and the 533 spaces in the remote lots, the Commission found that it could approve increases in intensity without impacting public beach access.

The City states that it has calculated that the new dining space would have a demand of 13 parking spaces based on one car per 250 square feet gross floor area. The city zoning would require one space per 100 square feet of a restaurant, or 33 spaces, which reduced to 65% would be 22 spaces. The reason the City states that the 13 spaces would be adequate is that in the City's view the sidewalk dining would be part of a large mixed use development with shared parking based on shopping center standard. The Parking Plan limits outdoor dining to 3300 square feet unless the developer pays his or her own in lieu fee.

The City proposes to mitigate serve the demand of these 13 cars by reallocating \$78,000 that had been earmarked for development incentive funds to pay into the parking district to encourage new businesses to open. City representatives state that this will use up 100% of the City's reserve of City-supplied in lieu fees and require all other new developers to supply their own in lieu fee at \$6,000 to \$10,000 a space. The downtown parking fund is used to construct the new parking structure, or, if even more parking is needed, to construct a second parking structure on another public lot. The City intends to apply all of the remaining funds in the program to this development. These remaining funds, \$78,000, represent the actual cost of 13 parking spaces.

The practical result is that any new business expanding in downtown Hermosa will need to pay an in lieu fee itself, representing the actual cost of a structure parking space, until such time as the new parking structure is completed and the City can again amend its LUP and zoning code.

In support of its action, the City has supplied a traffic study by Linscott and associates, that states that the new outdoor dining will generate minimal trips--36 peak hour weekend trips. Clearly this is slightly more than the 13 calculated in the parking mitigation, but is is not a large or significant number of trips.

In analyzing the impact of this project, the Commission's standard of review is the impact on beach parking. Except during major events, Hermosa's remote beach parking lots are under-used. If these were fully used, the improved availability of these lots use would fully mitigate any impact of 36 additional trips to downtown might have. However, because the City's calculation of the adequacy of beach parking is based in part on the availability of the remote lots to serve beach goers, the Commission requires that access to these lots be improved with a signage system making clear that they are available free of charge, available for beach parking. On a recent Saturday site visit, staff observed that the public tried these lots as a last choice, not usually being able to find them. Although the lots are posted as public parking, it is not indicated that they are in fact free and available for up to six hours.

While the Commission must scrutinize every intensification of use for its impact on parking, and therefore beach access, in this case, it finds that the impacts are negligible. The Commission finds that the remote lots and free long term street parking presently supply a great deal of beach access parking access in Hermosa Beach. This parking will not be impacted by the outdoor

dining areas. Moreover, given the limits in the City's action, there is no likelihood of cumulative impact of additional sidewalk dining area being created until additional parking is available.

As conditioned, the Commission finds that the project is consistent with the public access and development policies of the Coastal Act.

C. Public Recreation

Section 30221 requires reservation of public lands for public recreation. Section 30222 of the Coastal Act gives priority to public visitor serving and visitor serving commercial uses near the beach. The Street-scape includes public parking, public benches and trees in addition to these small cafe areas. These small scale open air restaurants are there to support recreational use of the nearby beach. As such they are consistent with section 30222 of the Coastal Act that states:

Section 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

As conditioned to require signage as noted above, to limit advertising on public property and to limit the expansion of the restaurants over the walk the project is consistent with Section 30222 of the Coastal Act

D. Development.

Section 30251 encourages the protection and if feasible the restoration of the scenic and visual qualities of coastal communities, and requires special protection to for those communities that are visitor destinations. It states:

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30250 encourages intensification in those areas able to accommodate development. Section 30252 of the Coastal Act states, in part:

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

The Commission finds that the creation of a pedestrian friendly environment, open to the strollers that find their way to the beach pier complex will enhance the visual environment of Pier Avenue by providing a small scale, lively and complicated visual environment. Most studies of public areas and plazas have shown that people like to watch other people and are attracted to areas where they can sit and where there are other people. The Street-scape project, with outdoor dining, encourages people watching, strolling and sitting to occur in a reasonable, and controlled scale. As proposed the project is consistent with Section 30251 of the Coastal Act because it is in scale with the present development and provides an open and varied environment, consistent with pedestrian use and enjoyment. As conditioned to require that the City enforce the limits of encroachment and to avoid visual clutter by limiting the proliferation of signs on public property, the project will enhance and restore the pedestrian environment of downtown Hermosa Beach and is consistent with Coastal Act Section 30251. As limited by the City to 3300 square feet, the amount of downtown dining will not displace other public uses from the public areas on lower Pier Avenue.

The area is a developed, urban area, where there will be no impact on habitat, public safety or landforms as a result of the development. As conditioned, the project is consistent with Coastal Act Sections 30250, 30251 and 30252.

E. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

Hermosa Beach has a certified LUP, which was certified by the Commission in 1982, but as yet does not have a fully certified LCP. Because of this, the

Commission's standard of review is not the LUP, but whether the approval of this project will compromise the City's ability to develop an LCP that is consistent with Chapter 3. The Land Use Plan has been amended several times, most recently in 1993, when the Commission approved the modifications to parking standards for the downtown summarized in the public access section above. While the proposed project provides slightly fewer spaces than might be contemplated by the LUP, the project is consistent with chapter 3, limited in extent and as conditioned, is consistent with the visual quality, coastal access, and recreation policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

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)(1) 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; including limitations on the amount of seating area as proposed, and as proposed by the applicant, an fee paid into the parking improvement fund, will mitigate the impacts of the project. Finally the control of the extent of the encroachments on public property, monitoring the proposed seating areas for any impacts on parking and beach access and sign control 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.

Vicinity Map

5-97-180

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JUN 13 1997

CALIFORNIA
COASTAL COMMISSION

HERMOSA BEACH

Project Site

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REDONDO BEACH

Source: USGS 7.5 Minute Series, Redondo Beach Quad, 1981

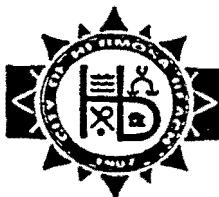


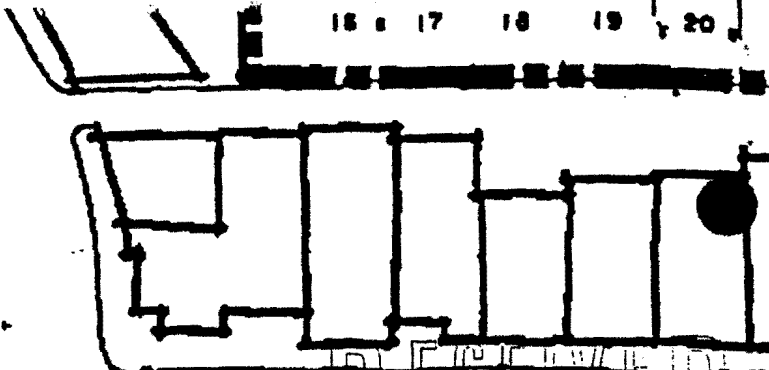
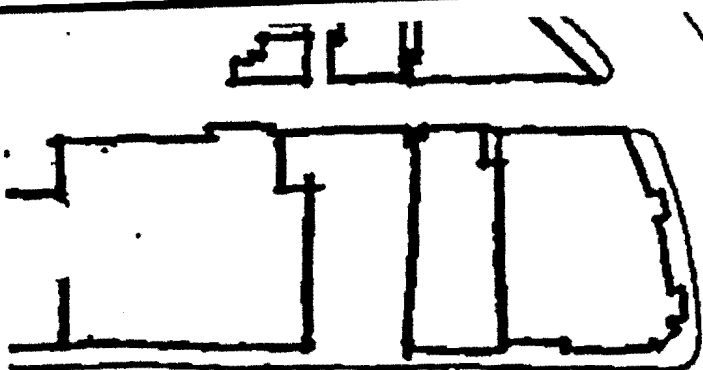
EXHIBIT NO. 1

APPLICATION NO.

5-97-180

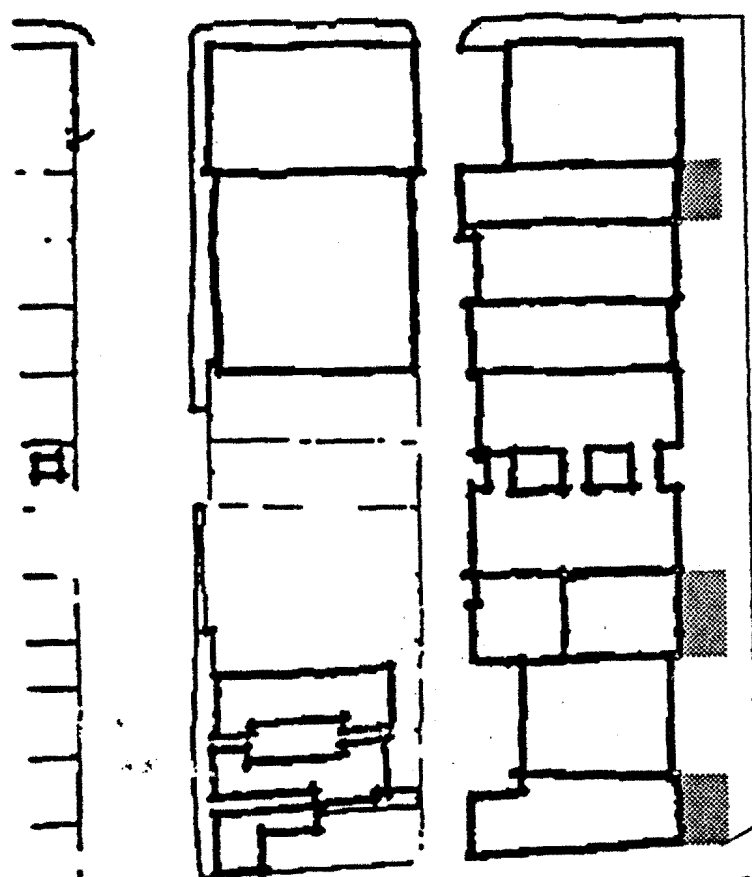
(Hermosa Beach)

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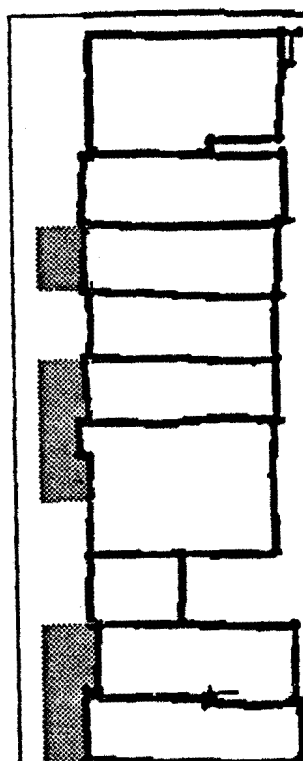


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5-97-180



Pier Avenue



CALIFORNIA
COASTAL COMMISSION

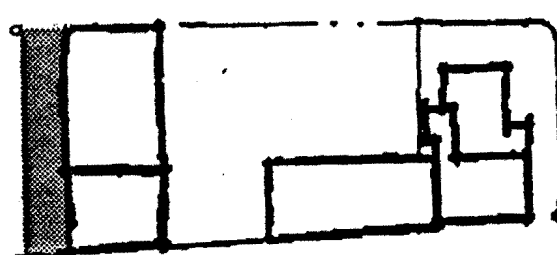
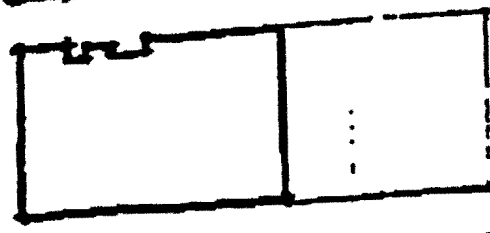
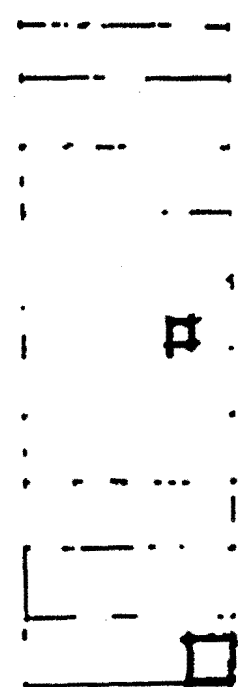


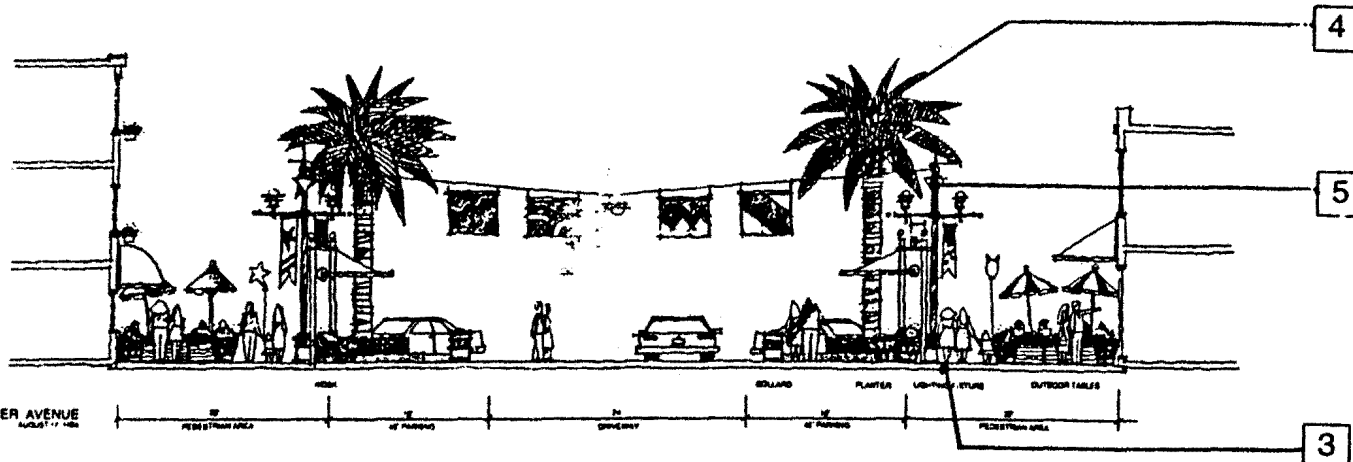
EXHIBIT NO. 2
APPLICATION NO.
5-97-180
Hermosa Drains

ENCROACHMENT AREA
12' INTO PUBLIC R.O.W. MAXIM

CITY OF HERMOSA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

LOWER PIER OUTDOOR DINING PLAN

ILLUSTRATIVE SECTION, PIER AVENUE
SCALE 1" = 10'



LAND USE

It is the goal of the community to create a vibrant, active, and safe environment for the residents of the community and the visitors to the beach. The Pier Avenue area is a key component of the community's vision for the future. The Pier Avenue area is a key component of the community's vision for the future. The Pier Avenue area is a key component of the community's vision for the future.

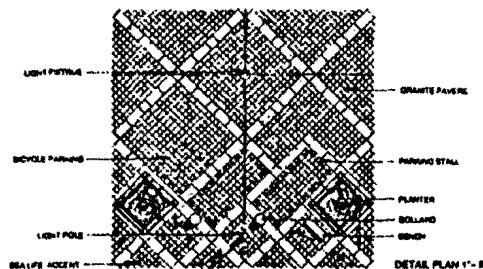
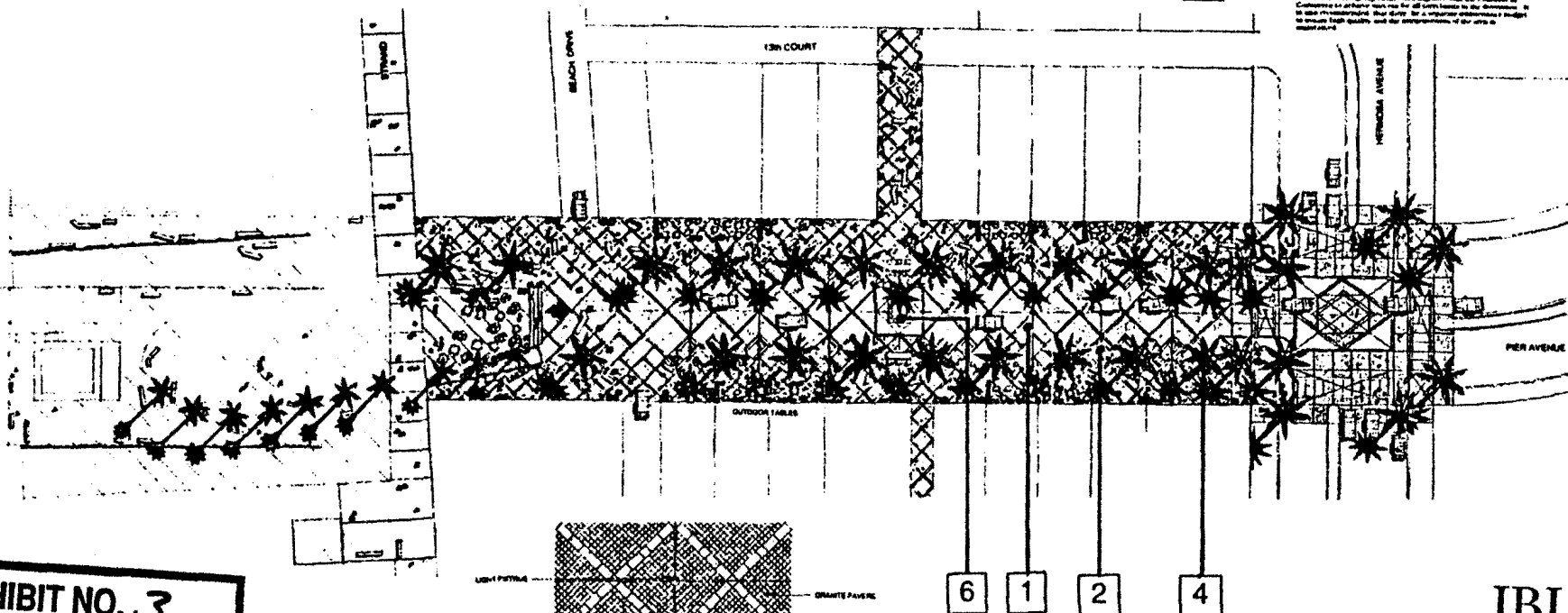
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LOWER PIER
IMPLEMENTATION PLAN

HERMOSA BEACH
ILLUSTRATIVE PLAN, PIER AVENUE
SCALE 1" = 10'

IBI
GROUP



EXHIBIT NO. 3

APPLICATION NO.

S-97-180

Hermosa Dining

(plan)



City of Hermosa Beach

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

5-97-180

May 20, 1997

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JUN 13 1997

California Coastal Commission
245 Broadway, Suite 380
Long Beach, CA 90802-4416

CALIFORNIA
COASTAL COMMISSION

Attention: Charles Damm, South Coast District Director

Subject: Coastal Development Permits - City of Hermosa Beach
Downtown Outdoor Dining & Parking Improvements

Honorable Chairman and Memembers of the California Coastal Commission:

The City of Hermosa Beach is implementing its Downtown Improvement Plan pursuant to the City's Certified Coastal Land Use Plan and recently granted coastal permits. We are requesting that the Commission approve coastal development permits to complete the City's downtown streetscape program by approving new outdoor dining and parking improvements for the area.

Implementation of the amended LUP and recent coastal permits for implementing the DIP have brought about many positive changes. We are excited about the changes underway in our downtown and hope that the Commission will favorably consider our permit application.

Sincerely,



Stephen R. Burrell
City Manager

EXHIBIT NO. 4
APPLICATION NO.
5-97-180
Hermosa Dining

Linscott, Law & Greenspan, Engineers

TABLE 1

PROJECT TRIP GENERATION

Hermosa Beach DIP - Outdoor Dining

04/08/97

LOCATION	SIZE	PM PEAK HOUR	IN	OUT	TOTAL
Lower Pier	3,300 SF	Weekday	16	8	24
		Saturday	21	15	36
Upper Pier	2,100 SF	Weekday	11	5	16
		Saturday	13	9	22
Total	5,400 SF	Weekday	27	13	40
		Saturday	34	24	58

EXHIBIT NO. 5

APPLICATION NO.

5-97-180

Hermosa Dining

Traffic impact

Coastal Permit Application -- Outdoor Dining Lower Pier Avenue

Background

The Lower Pier Avenue Downtown Improvement Project (approved under Coastal Permit No. 5-96-212) is nearly complete. The streetscape plans call for widened sidewalks, special paving, landscaping, lighting and street furniture to create an attractive pedestrian environment. The widened sidewalks provide the opportunity to permit outdoor dining for restaurant uses. Each restaurant that wishes to have outdoor dining will be required to obtain an encroachment permit from the Public Works Department. New outdoor dining encroachment provisions specific to the downtown have been approved by the City Council and the City's Zoning Ordinance has recently been amended to make outdoor dining a permitted use in the downtown for properties fronting on Pier Avenue.¹

Parking Plan

The proposed outdoor dining area will result in a marginal increase in parking demand which will be off-set with the set-aside in-lieu parking funds pursuant to Coastal Development Permit No. 5-84-236. The City is proposing to satisfy parking requirements for existing restaurant uses on a district-wide basis through use of a Parking Plan and in lieu parking fees. A Parking Plan for the existing restaurant uses along Lower Pier Avenue has been approved by the Planning Commission and City Council to provide parking off-site utilizing in lieu parking. The use of in lieu parking to off-set the increased parking demand is justified because the City is currently in the process of building a 480 car parking structure (approximately 380 public parking spaces) and because the downtown uses require less parking than elsewhere in the City.¹

In Lieu Parking Funds - Lower Pier Avenue

The number of existing restaurants on Lower Pier Avenue result in 3300 square feet of outdoor dining area.² Based on the currently applicable maximum parking requirement for restaurant use in the downtown (1 per 100 square feet X 65%) 22 spaces are required. However, the standard is based on indoor square footage of a specific use, and not necessarily appropriate for the *mix of restaurant and snack shop uses* that will occupy outdoor areas in a pedestrian oriented downtown.

The City is proposing a reduced standard of one space per 250 square feet for the sum of the outdoor dining uses due to both the mix of businesses and the nature of the outdoor use being secondary and seasonal to the primary indoor restaurant use. The 1:250 square feet parking ratio is also consistent with the standard for mixed use retail shopping centers and vehicle parking districts (Section 17.44.220, Consolidated Off-Street Parking requirement). This parking ratio was used to determine the existing surplus downtown parking supply under the Land Use Plan Amendment 1-94 approved by the Coastal Commission.³

Using the ratio of 1 parking space per 250 square feet results in a parking requirement of 13 spaces. To satisfy parking requirements these spaces either need to be provided on site or through payment of parking in-lieu fees. The City is proposing to assign the balance of funds previously set aside as incentive funds to encourage downtown office/retail development as parking in-lieu fees. The current balance (\$78,000) can be allocated to fully fund 13 spaces (\$6,000 per space). Given that any further expansion of the program beyond lower Pier Avenue will occur after the downtown parking structure is completed, the subject Parking Plan focuses on the *current need* to satisfy parking requirements for lower Pier Avenue. A district Parking Plan for Upper Pier Avenue will be submitted for Coastal Commission consideration at a later date.

EXHIBIT NO. 601
APPLICATION NO. 5-97-180
City Staff report

Environmental Assessment - Circulation & Parking

The potential impact on traffic circulation for outdoor dining was evaluated in a Traffic Impact Study prepared by Linscott, Law, and Greenspan, Engineers. The conclusion was that the implementation of the maximum of 5400 square feet of outdoor dining would not produce a significant impact on any of the 18 intersections previously studied as part of the Hermosa Inn EIR.⁴

The impact on parking anticipated from this outdoor seating, including the cumulative impact of the outdoor seating and all other anticipated development, was included in the evaluation of the cumulative impacts of the DIP, as contained in the Downtown Circulation and Parking Study.⁵ Allowing a "worst case" impact associated with the outside dining on Lower Pier Avenue accounts for 2% of the total parking demand at the Saturday evening peak period. The cumulative parking impact of the outdoor dining and other anticipated projects will be mitigated by the construction of the parking structure planned for completion by 1999. Therefore based upon the traffic study prepared for the project the City's Environmental Review Committee recommended adoption of a mitigated environmental Negative Declaration pursuant to CEQA guidelines.

Downtown Outdoor Dining Encroachment Permits

The following encroachment permit standards have been established for outdoor dining uses:

- *Uniform standards for improvements*
- *Maintenance requirements*
- *Common Operating hours*
- *Maximum occupant requirements*
- *Prohibitions on excessive noise*

Attachments

1. Resolutions - Outdoor Dining and Parking Plan Approval & Coastal Commission Transmittal
 2. Map of Potential Lower Pier Outdoor Dining areas
 3. Initial Study Checklist
 4. Encroachment Permit Standards
-
1. Encroachment permit standards include details for application, insurance, maintenance, pedestrian clearance, improvements, landscaping, barriers if alcohol is sold, lighting, hours, noise, and maximum occupancy. These standards were considered by the City Council at their May 27, 1997.
 2. Section 17.44.040 Zoning Code specifies that parking requirements for the downtown be calculated as 65% of the parking required elsewhere in the City. (See also "City of Hermosa Beach, Downtown Circulation and Parking Study", Korve Engineering, April 9, 1996, see page B-12.)
 3. Sidewalk dining per restaurant: 12' depth X 25' width (30' typical frontage - 5' entrance aisle) = 300 sq. ft. Total Outside Dining, Lower Pier Avenue: $300 \times 11 = 3300$ square feet - 11 existing restaurants
 4. See Coastal Commission report dated 9/24/94 on Hermosa Beach's Major Land Use Plan Amendment No. 1-94, page 11 and attachment F. The surplus of parking was determined based on a shared parking ratio of one space per 250 square feet of existing floor area of all retail, restaurant, and office uses. The calculated surplus was then multiplied by a lower parking ratio of 1:385 square feet (65% of the 1:250 ratio) to yield the allowable new development of 96,250 square feet that would not require additional parking.
 5. "Traffic Impact Analysis Downtown Outdoor Dining Ordinance," prepared by Linscott, Law, and Greenspan Engineers, April 9, 1997.
 6. "City of Hermosa Beach, Downtown Circulation and Parking Study", Korve Engineering, April 9, 1996, calculations relative to outdoor dining and cumulative impact of outdoor dining in conjunction with anticipated development, see pages B-14; B-49 through B-59 of text, and Appendix B tables B-1 through B-4.

EXHIBIT NO. 6 p2
APPLICATION NO.
5-97-180

City
report

5-97-180

RECEIVED
JUN 13 1997

RESOLUTION NO. 97-5857

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO SUSTAIN THE PLANNING COMMISSION'S DECISION TO APPROVE A PARKING PLAN FOR A REDUCED PARKING REQUIREMENT AND TO ACCEPT SET ASIDE FUNDS IN-LIEU OF PROVIDING REQUIRED PARKING TO ALLOW OUTDOOR DINING ON LOWER PIER AVENUE AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION

WHEREAS, the City Council held a public hearing on May 29, 1997, to reconsider the decision of the Planning Commission and to receive oral and written testimony regarding the subject Parking Plan and made the following findings:

- A. In order to effectively implement the outdoor dining portion of the City's Downtown Improvement Project the City is proposing to satisfy parking requirements for all potential outside dining on lower Pier Avenue (west of Hermosa Avenue) on a district-wide basis.
- B. The parking requirement for the potential use of 3,300 square feet of the newly widened sidewalk area is 22 spaces, based on the parking requirement for restaurant use in the downtown area. Also, pursuant to Section 17.44.210 Parking Plans and Section 17.44.220 Consolidated Parking, it is appropriate to reduce the applicable ratio for the subject outdoor dining to 1 space per 250 square feet resulting in a requirement of 13 spaces based on the following factors:
- The unique and seasonal nature of the proposed outdoor restaurant uses, which are ancillary to the primary indoor restaurant use,
 - The distinctly pedestrian nature of the lower Pier Avenue and its close proximity to a regional bike path
 - Availability of public parking areas within close proximity to Pier Avenue and the shared parking it offers for the variety of commercial uses in the downtown district;
- C. Accepting set-aside funds for the required 13 spaces in lieu of providing any additional parking is appropriate for the proposed use within the downtown vehicle parking district, and consistent with Section 17.44.190 of the Zoning Ordinance;
- D. The City Council concurs with the Planning Commission and the Staff Environmental Review Committee's recommendation, based on their environmental assessment/initial study, that the outdoor dining program, including this Parking Plan, and amendments to

EXHIBIT NO. 7
APPLICATION NO. 5-97-180
Council Action


1 the Zoning and Streets and Sidewalk portions of the Municipal Code, with the
2 mitigating conditions included herein, will result in a less than significant impact on the
3 environment, and therefore qualifies for a Negative Declaration
4

5 NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL DOES HEREBY
6 SUSTAIN THE PLANNING COMMISSION DECISION TO APPROVE A PARKING
7 PLAN TO APPLY A REDUCED PARKING REQUIREMENT AND TO ALLOW USE
8 OF CITY SET-ASIDE FUNDS IN-LIEU OF PROVIDING REQUIRED PARKING
9

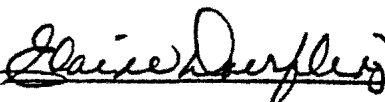
10 **SECTION 1** Specific Conditions of Approval

- 11 1. Set aside funds shall be provided in the amount of \$78,000 to a downtown parking
12 improvement fund, in-lieu of providing the required 13 additional parking spaces,
13 prior to the issuance of encroachment permits for outside seating.
14 2. The reduced parking requirement and distribution of parking in-lieu funds shall be
15 applicable only for outdoor dining on Lower Pier Avenue, limited to a maximum of
16 3,300 square feet. The City shall tabulate the areas of all outdoor dining that obtain
17 encroachment permits, and when the cumulative total exceeds 3,300 square feet,
18 any further requests will have to comply with parking requirements pursuant to
19 Section 17.44 of the zoning ordinance (the calculation of outdoor dining areas may
20 exclude entrance aisles and other areas not usable for seating purposes.)
21

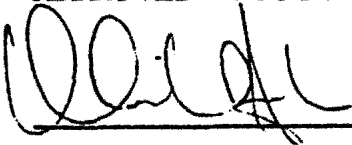
22 PASSED, APPROVED, and ADOPTED this 29th day of May, 1996,

23
24 
25 PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California

26 ATTEST:

27
28  CITY CLERK

APPROVED AS TO FORM:

 CITY ATTORNEY

2

EXHIBIT NO. 7 p2
APPLICATION NO.
557-180

198

REVISED REMOTE PARKING

1-19-89

OF
HERMOSA BEACH
CALIFORNIA

5-92-177 Exhibit 4

1989
general
plan

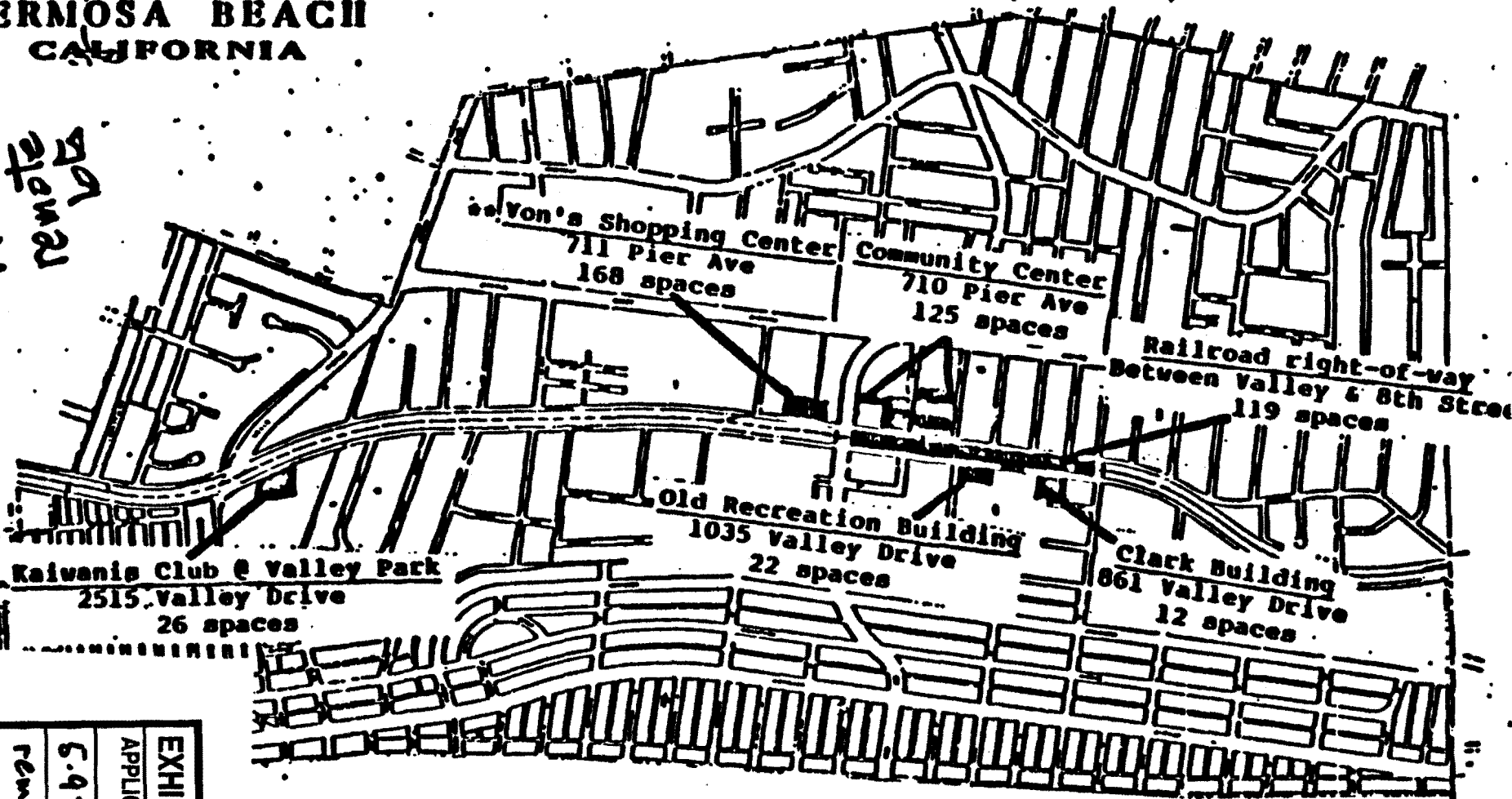


EXHIBIT NO. 8
APPLICATION NO.
5-97-180 (H)
remote Beach parking

2/1/89

Previous Remote Parking: 401 spaces

401

Revised Remote Parking: 472 spaces

472

Total Additional Parking: 71 spaces

king.
on level)

III. SPECIAL CONDITIONS:

1. Beach parking at City Hall

Prior to issuance of the permit, the applicant shall adopt a resolution designating 43 spaces in the existing City Hall Parking lot for long-term free parking to serve beach visitors. The applicant may reserve up to five spaces for handicapped and very short term City Hall and Library use. For purposes of this permit, "short-term" shall mean approximately 30 minutes, and "long-term" shall mean six hours or more between daylight and dusk. Pursuant to 5-84-236, all streets inland of Loma Drive shall remain as "unlimited free parking".

2. Remote lot/long term spaces

Consistent with the provisions of coastal development permits 5-84-236 and 5-92-177, the applicant shall provide no fewer than 533 long term free public parking spaces to serve beach-goers and users of public facilities in the Greenbelt area. Such spaces shall include:

Hermosa Plaza lower level:	168	spaces
Clark building (two lots)	57	spaces
Hermosa Greenbelt (Valley Dr.)	78	spaces
City Hall front lot	43	spaces
Community Center	125	spaces
Ardmore and Pier (replace)	36	spaces
Kiwanis Club	26	spaces

Such spaces shall be designated by appropriate signs as required in condition 4 below, and shall provide free public, long-term, daytime parking spaces seven days a week. The Executive Director may approve minor reallocation of these spaces among the parking lots subject to this permit action, as long as the total number of public access spaces remains the same. For purposes of this permit, "long-term" shall mean six hours or more between daylight and dusk. Pursuant to 5-84-236, all streets inland of Loma Drive shall remain as "unlimited free parking".

3. Peak use spaces

Prior to issuance of the permit the applicant shall adopt a resolution designating the 30 space City employee parking lot, that is located on Valley Drive and known as the "mini-storage" lot, for long term (no fewer than six hour) public parking on weekends and holidays.

EXHIBIT NO. 9
APPLICATION NO.
5-97-180
remote lots identified

Parking Capacity
of the Preferential
Parking Lots

P.C. RESOLUTION NO. 97-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PARKING PLAN TO APPROVE A REDUCED PARKING REQUIREMENT AND TO ACCEPT SET ASIDE FUND IN- LIEU OF PROVIDING REQUIRED PARKING TO ALLOW OUTDOOR DINING ON LOWER PIER AVENUE AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION

WHEREAS, the Planning Commission held a public hearing on May 20, 1997, to receive oral and written testimony regarding the subject Parking Plan and made the following findings:

- A. In order to effectively implement the outdoor dining portion City's Downtown Improvement Project the City is proposing to satisfy parking requirements for the all the potential outside dining on lower Pier Avenue (west of Hermosa Avenue) on a district-wide basis.
- B. The parking requirement for the potential use of 3300 square feet of the newly widened sidewalk area is 22 spaces, based on the parking requirement for restaurant use in the downtown area. Also, pursuant to Section 17.44.210 Parking Plans and Section 17.44.220 Consolidated Parking, it is appropriate to reduce the applicable ratio for the subject outside dining to 1 space per 250 square feet resulting in a requirement of 13 spaces based on the following factors:
- The unique and seasonal nature of the proposed outdoor restaurant uses, which are ancillary to the primary indoor restaurant use,
 - The distinctly pedestrian nature of the lower Pier Avenue and its close proximity to a regional bike path
 - Availability of public parking areas within close proximity to Pier Avenue and the shared parking it offers for the variety of commercial uses in the downtown district;
- C. Accepting set-aside funds for the required 13 spaces ~~fees~~ in lieu of providing any additional parking is appropriate for the proposed use within the downtown vehicle parking district, and consistent with Section 17.44.190 of the Zoning Ordinance;
- D. The Planning Commission concurs with the Staff Environmental Review Committee's recommendation, based on their environmental assessment/initial study, that the outdoor dining program, including this Parking Plan, and amendments to the Zoning

EXHIBIT NO. 9.21
APPLICATION NO.
5-97-180
Hermosa Beach

1 and Streets and Sidewalk portions of the Municipal Code, with the mitigating
2 conditions included herein, will result in a less than significant impact on the
3 environment, and therefore qualifies for a Negative Declaration
4

5 **NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF**
6 **THE CITY OF HERMOSA BEACH DOES HEREBY APPROVE A PARKING PLAN**
7 **TO APPLY A REDUCED PARKING REQUIREMENT AND TO ALLOW USE OF**
8 **CITY SET-ASIDE FUND IN-LIEU OF PROVIDING REQUIRED PARKING**

9 **SECTION I Specific Conditions of Approval**

- 10 1. Set aside funds shall be provided in the amount of \$78,000 to a downtown parking
11 improvement fund, in-lieu of providing the required 13 additional parking spaces, prior to
12 the issuance of encroachment permits for outside seating.
13 2. The reduced parking requirement and distribution of parking in-lieu funds shall be
14 applicable only for outdoor dining on Lower Pier Avenue, limited to a maximum of 3300
15 square feet. The City shall tabulate the areas of all outdoor dining that obtain
16 encroachment permits, and when the cumulative total exceeds 3300 square feet, any
17 further requests will have to comply with parking requirements pursuant to Section 17.44
18 of the zoning ordinance (the calculation of outdoor dining areas may exclude entrance
19 aisles and other areas not usable for seating purposes.)
20

21 VOTE: AYES:
22 NOES:
23 ABSTAIN:
24 ABSENT:

25 **CERTIFICATION**

26 I hereby certify that the foregoing Resolution P.C. 97- is a true and complete record of the
27 action taken by the Planning Commission of the City of Hermosa Beach, California at their
28 regular meeting of May 20, 1997.
29

Pete Tucker, Chairman

Sol Blumenfeld, Secretary

Date

KR/h:rsoutpp

EXHIBIT NO. 702
APPLICATION NO.
547.180
Hermosa Beach

