

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: 4/04/02  
 49th Day: 5/23/02  
 180th Day: 10/01/02  
 Staff: MS-LB ✓  
 Staff Report: May 16, 2002  
 Hearing Date: June 11, 2002  
 Commission Action:

## RECORD PACKET COPY

### STAFF REPORT: CONSENT CALENDAR

**APPLICATION NUMBER:** 5-02-104

**APPLICANT:** Steve Plenge and Kathy Briscoe

**AGENT:** Srour and Associates, Attn: Elizabeth Srour

**PROJECT LOCATION:** 2222 Monterey Blvd., Hermosa Beach (Los Angeles County)

**PROJECT DESCRIPTION:**

Converting a legal, nonconforming duplex to a 3,993 square-foot, 27-foot high (from existing grade), 2-story single family residence that includes a guest suite. Remodel and expansion of the existing structure consists of adding 1,239 square feet of living area to the second level and 315 square feet of living area to the first level of the structure. The existing unattached garage will be demolished and replaced with a new 2-car garage and parking pad for an additional guest space, with two levels of deck area above the garage. Total square footage, including garage and roof decks, is 4,463 on a 5,606 square-foot, R-1 lot.

Lot Area	5,606 square feet
Building Coverage	2,672 square feet
Pavement Coverage	444 square feet
Landscape Coverage	2,490 square feet
Parking Spaces	3
Zoning	R1
Plan Designation	Low – Single Family Residential
Ht above centerline of frontage road	27 feet, 4 inches

**LOCAL APPROVALS RECEIVED:**

1. Approval in Concept, City of Hermosa Beach, March 18, 2002

**SUBSTANTIVE FILE DOCUMENTS:**

1. City of Hermosa Beach Land Use Plan
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**SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to intensity of use.

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**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

**Motion**

*"I move that the Commission approve with special conditions Coastal Development Permit 5-02-104 per the staff recommendation as set forth below"*

Staff recommends a **YES** vote which would result in the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

**I. Resolution: Approval with Conditions**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

**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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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. Future Development

This coastal development permit 5-02-104 approves only the development, as expressly described and conditioned herein, converting a legal nonconforming duplex located at 2222 Monterey Boulevard in the City of Hermosa Beach into a single family residence; demolition of the existing garage and construction of a new two-car garage and parking pad for a guest parking space, with two levels of deck area above the garage; and the addition of 1,554 square feet of living area to the main structure (315 square feet on the first level and 1,239 square feet of living area on the second level). Any future development to the single family residence or garage, such as a change in the intensity of use (including a change in the physical number of residential units or a change in the number of parking spaces) shall require an amendment to this permit from the Coastal Commission or a new coastal development permit.

### IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

#### A. Project Description and History:

The proposed project consists of converting a nonconforming duplex to a 3,993 square-foot, 27-foot high (from existing grade), 2-story single family residence. Remodel and expansion of the existing structure consists of adding 1,239 square feet of living area to the second level and 315 square feet of living area to the first level of the structure. The

additional living space consists of a guest-room design that includes a bar/prep area, bathroom and fireplace. The remodeled area and additional living space does connect internally to the rest of the house through a hallway on the first floor and stairs that lead to the second floor family room. The existing unattached garage will be demolished and replaced with a new 2-car garage and parking pad for an additional guest space, with two levels of deck area above the garage. Total square footage, including garage and roof decks, is 4,463 on a 5,606 square-foot, R-1 lot.

The proposed project is not located between the sea and the first public road (Exhibit 1). The subject site is located approximately 700 feet inland from the esplanade, a public right-of-way that is parallel and adjacent to the beach. The area is zoned R-1, low-density residential (Exhibit 3). The new structure is replacing an existing, nonconforming duplex structure. The proposed project conforms to the existing LUP standards of a 30-foot height limit above the existing grade. The proposed three on-site parking spaces provide adequate parking consistent with the development standards contained within the City's Certified LUP. The proposed project conforms to the existing LUP permitted uses for an R-1 low-density zone. The proposed project has received an approval in concept from the City of Hermosa Beach.

The City of Hermosa Beach allows for guest houses or accessory living quarters within a main building but is subject to the issuance of a conditional use permit. However, according to the Hermosa Beach Department of Planning, because the current use on the subject lot is a legal, nonconforming duplex, the guest suite is permitted by the City without a conditional use permit.

## **B. Future Development**

Section 30250 of the Coastal Act requires, in part, that new residential development be located where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, Section 30252 of the Coastal Act requires, among other things, that the amount and location of new development maintain and enhance public access to the coast by providing adequate parking facilities.

When private development does not provide adequate on-site parking, users of that development may be forced to occupy public parking that could be used by visitors to the coast. A lack of public parking discourages visitors from coming to the beach and other visitor serving activities in the coastal zone. A proposed development's lack of parking could therefore have an adverse impact on public access.

The proposed project includes a remodel and expansion of an existing, legal, nonconforming duplex that will be converted to a single family residence (Exhibit 2). The existing rental unit located in the back area of the house is being incorporated into the main residence as a guest suite. The guest suite contains a bath, bar and sleep area that is connected to the rest of the house by stairs and a hallway. There is an entryway that leads to the outside from the guest suite on the first floor. Because access to the house from the guest room is easy, the applicant contends that the guest room will not be used

as a second unit. It is possible however that if these accesses (hallways) were closed off, the addition could possibly be converted to a second unit since it also has its own access to the outside. If the rear area of the house was to become a separate and distinct dwelling unit from the single family residence, the issue of adequate parking is raised. Although impacts that arise from one dwelling unit might appear to be minimal, Section 30250 requires that the cumulative effects of such impacts be considered. The Commission must consider whether approval of the proposed addition at the subject site could create adverse impacts on coastal resources, specifically to public access due to lack of parking. A second unit could create an increase in parking demand. The proposed project does not provide adequate parking to serve two units. Therefore, use of the proposed addition as a second unit could potentially lead to adverse impacts on public access due to insufficient parking. Therefore, the Commission finds that it is necessary to place a condition on the permit informing the permittee that a new coastal development permit, or an amendment to this permit, would be required for any future improvements to the project as proposed. This would allow for the review of future improvements for any potential adverse impacts to public access.

The Commission has consistently found that two parking spaces are necessary to satisfy the parking demand generated by individual dwelling units. The proposed project will provide two enclosed and one guest parking space, consistent with the Commission's standard. Therefore, as conditioned for a future improvements condition, the Commission finds that the proposed development is consistent with Sections 30250 and 30252 of the Coastal Act.

### **C. 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.*

On August 20, 1981 the Commission staff denied the City of Hermosa Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications on April 21, 1982. The modifications were accepted and the LUP is certified. The City submitted a final draft of its

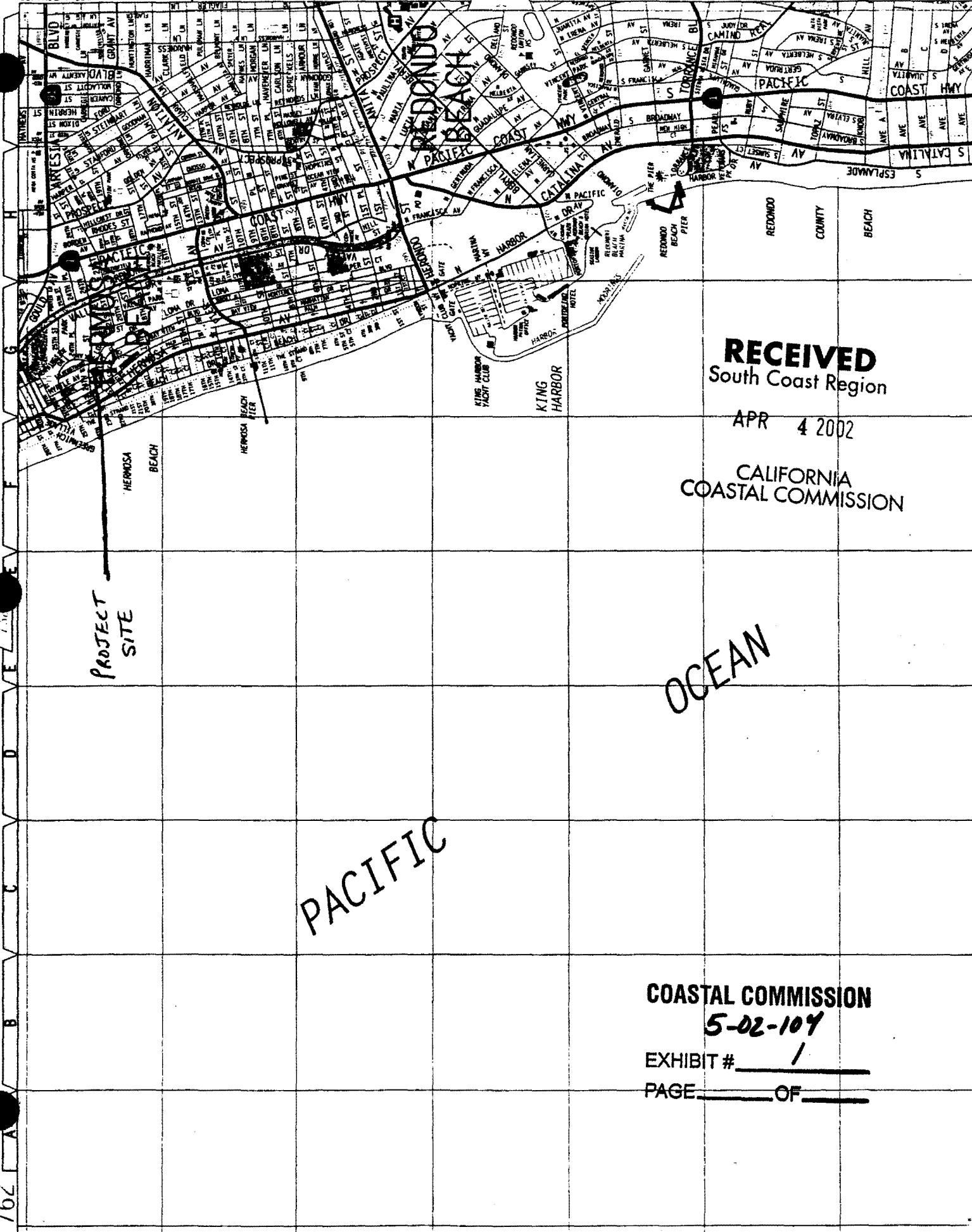
zoning and implementation ordinances (LIP) and a revision to their LUP in 2000, but these have not yet been certified. Therefore, the standard of review for development in Hermosa Beach is still the Coastal Act.

The proposed development as conditioned is consistent with the development policies of Chapter 3 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).

**D. California Environmental Quality Act (CEQA)**

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

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that 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.



PROJECT SITE

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5-02-104

EXHIBIT # 1

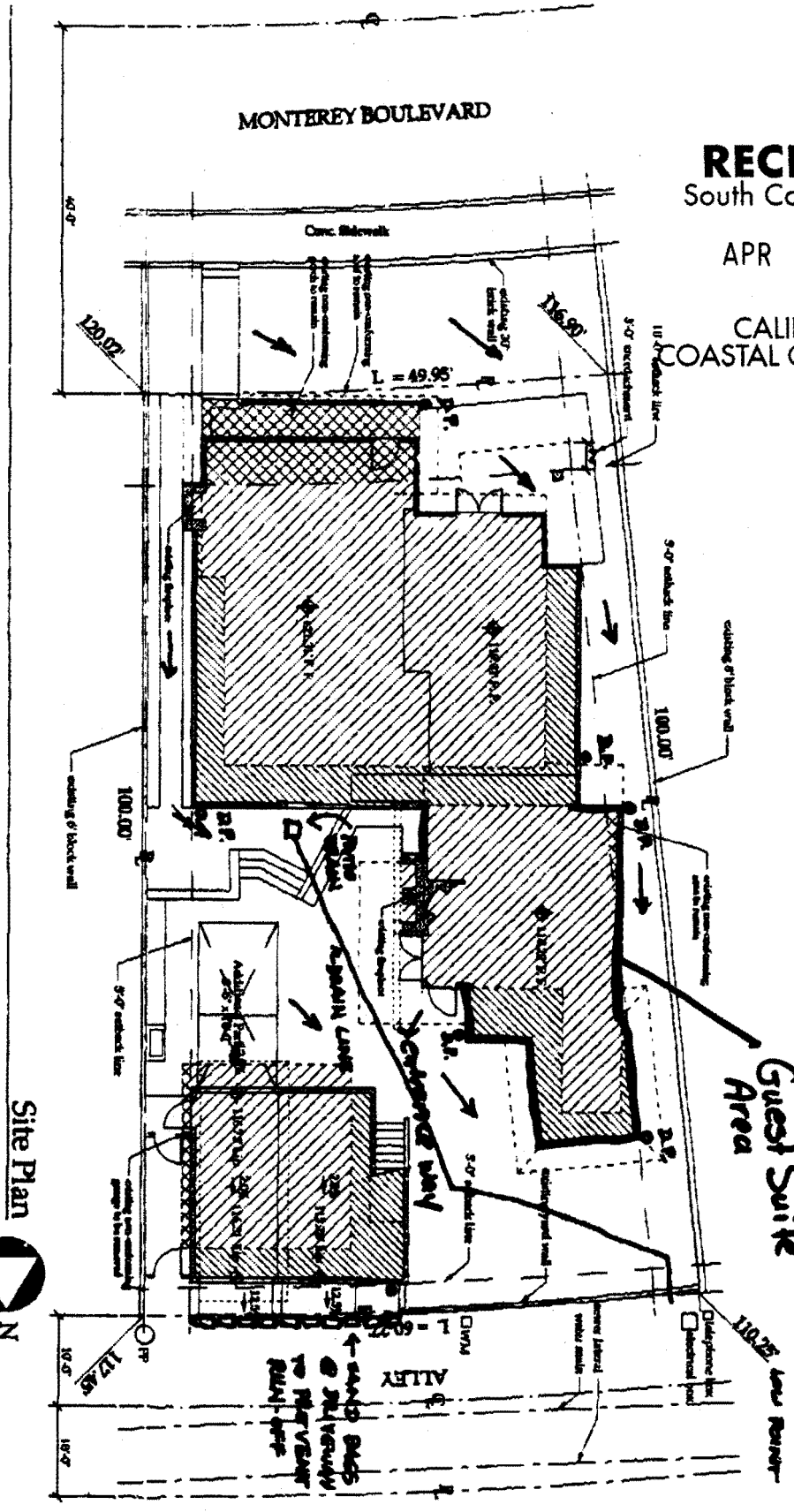
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Sheet No. 10 of 10  
Drawing No. 02-104-110



2222 MONTEREY BLVD., HERMOSA BEACH

-  Existing
-  Non-conforming
-  Proposed Addition

Site Plan



COASTAL COMMISSION

5-02-104

EXHIBIT # 2

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APPENDIX B  
LOCAL AGENCY REVIEW FORM

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**SECTION A** (TO BE COMPLETED BY APPLICANT)

Applicant KATHLEEN BRISCOE and STEVEN PLENCE

Project Description REMODEL OF EXISTING RESIDENCE **CALIFORNIA COASTAL COMMISSION**

Location 2222 MONTEREY BLVD., HERMOSA BEACH

Assessor's Parcel Number 4182-016-006

**SECTION B** (TO BE COMPLETED BY LOCAL PLANNING OR BUILDING INSPECTION DEPARTMENT)

Zoning Designation R-1 13 du/ac

General or Community Plan Designation LD 13 du/ac

**Local Discretionary Approvals**

Proposed development meets all zoning requirements and needs no local permits other than building permits.

Proposed development needs local discretionary approvals noted below.

*Needed* *Received*

- Design/Architectural review
- Variance for \_\_\_\_\_
- Rezone from \_\_\_\_\_
- Tentative Subdivision/Parcel Map No. \_\_\_\_\_
- Grading/Land Development Permit No. \_\_\_\_\_
- Planned Residential/Commercial Development Approval
- Site Plan Review
- Condominium Conversion Permit
- Conditional, Special, or Major Use Permit No. \_\_\_\_\_
- Other \_\_\_\_\_

**CEQA Status**

Categorically Exempt Class ministerial Item \_\_\_\_\_

Negative Declaration Granted (Date) \_\_\_\_\_

Environmental Impact Report Required, Final Report Certified (Date) \_\_\_\_\_

Other \_\_\_\_\_

Prepared for the City/County of Hermosa Beach by Scott Luceford

Date 3/20/2 Title Planning Assistant

**COASTAL COMMISSION**

**5-02-104**

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Rec'd: 12/19/00

