

CALIFORNIA COASTAL COMMISSION

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**W16b**

Filed: December 29, 2007
 49th Day: February 16, 2008
 180th Day: June 26, 2008
 Staff: Gabriel Buhr-LB
 Staff Report: March 17, 2008
 Hearing Date: April 9-11, 2008
 Commission Action:

STAFF REPORT: REGULAR CALENDAR**APPLICATION NUMBER:** 5-07-419**APPLICANT:** Hermosa Seaside Development Corporation**AGENT:** Elizabeth Srour**PROJECT LOCATION:** 906 & 910 Hermosa Avenue, City of Hermosa Beach, Los Angeles County

DESCRIPTION: Demolition of an existing dry cleaners and private single-story parking garage and construction of a three-story (over subterranean parking structure), 30-foot high, 19,405 square foot commercial condominium complex with 19 on-site parking spaces on a 5,863 square foot, C-2 zoned lot.

Lot Area	5,863 square feet
Building Coverage	5,670 square feet
Pavement Coverage	193 square feet
Parking Spaces	19
Zoning	C-2 (Restricted Commercial)
Plan Designation	General Commercial
Height above existing grade	30 feet

SUMMARY OF STAFF RECOMMENDATION

The proposed development involves the construction of a commercial condominium office building. The major issues before the Commission relate to adequate parking, and water quality. Staff is recommending that the Commission **APPROVE** a coastal development permit for the proposed development with **Five (5) Special Conditions** addressing: **1)** submittal of a final parking plan; **2)** submittal of a drainage and runoff control plan; **3)** storage of construction materials and mechanized equipment and removal of construction debris; **4)** future development; and **5)** a deed restriction against the property, referencing all of the Special Conditions contained in this staff report.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Hermosa Beach Land Use Plan, certified 4/21/82.
2. Amendment to City of Hermosa Beach Land Use Plan (HRM-MAJ-2-03).
3. City of Hermosa Beach Approval in Concept, 10/15/07.
4. City of Hermosa Beach City Council Resolution No. 07-7.
5. Traffic and Parking Analysis prepared by Linscott, Law & Greenspan, December 2006.
6. Coastal Development Permit No's. 5-06-341, 5-05-162, and 5-06-478.

LIST OF EXHIBITS

1. Location Map
 2. Assessor's Parcel Map
 3. Site Plan
 4. Elevations
 5. Building Sections
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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 by passing the following motion:

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-07-419 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

I. 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. 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. Parking Plan

A minimum of 19 parking spaces shall be provided and maintained on the site to serve the approved 19,405 square-foot mixed use commercial condominium complex. Any proposed change in the number of parking spaces or change in use shall be submitted to the Executive Director. No such change shall occur without a Commission amendment to this permit unless the Executive Director determines that no amendment is legally necessary, pursuant to the requirements of the Coastal Act and the California Code of Regulations. All available parking shall be shared among and equally available to all of the patrons, employees, and other users of the buildings, and no parking spaces shall be assigned for exclusive use by any owner, occupant or tenant.

Prior to issuance of the coastal development permit, the applicant shall submit evidence of a written agreement between the applicant and the City of Hermosa Beach to purchase sixteen in lieu parking fees (currently \$28,900 each) in a program administered by the City of Hermosa Beach City Council and the Downtown Business Area Enhancement District Commission, or its successor agency. The applicant shall provide evidence, for review and approval of the Executive Director, that this fund can only disburse money for the purpose of construction of new public parking spaces.

After payment of the sixteen in lieu parking fees has been collected by the City, the applicant shall submit a copy of the receipt of purchase to the Executive Director, submittal of this receipt is not a prerequisite for issuance of the permit.

2. Water Quality Management Plan

- A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed water quality professional, and shall include plans, descriptions, and supporting calculations. The WQMP shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

Water Quality Goals

- Post-development peak runoff rates and average volumes shall not exceed pre-development conditions.
- Appropriate structural and non-structural BMPs shall be designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site.
- Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- Runoff from all roofs and parking areas shall be collected and directed through a system structural BMPs of vegetated areas and/or gravel filter strips or other vegetated or media filter devices. The filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through infiltration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.

Parking Lot

- The WQMP shall provide for the treatment of runoff from parking lots using appropriate structural and non-structural BMPs. At a minimum this must include a bioswale and/or filter designed specifically to minimize vehicular contaminants (oil, grease, automotive fluids, heavy metals), sediments, and floatables and particulate debris.
- The applicant shall regularly sweep the parking lot at a minimum on a weekly basis, in order to prevent dispersal of pollutants that might collect on those surfaces.
- The detergents and cleaning components used on site shall comply with the following criteria: they shall be phosphate-free, biodegradable, and non-toxic to marine wildlife; amounts used shall be minimized to the maximum extent practicable; no fluids containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye shall be used;
- The applicant shall not spray down or wash down the parking lot unless the water used is directed through the sanitary sewer system or a filtered drain.
- All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where

necessary, repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season.

- Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner;
 - It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification.
- B.** Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property.
- C.** The permittee shall undertake development in accordance with the final plan. Any proposed changes to the final plan shall be reported to the Executive Director. No changes to the final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

The permittee shall comply with the following construction-related requirements:

- Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity;
- No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain
- All trash and debris shall be disposed in the proper trash or recycling receptacle at the end of every construction day.
- Construction debris and sediment shall be properly contained and secured on site with BMPs, to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day;
- The discharge of any hazardous materials into any receiving waters shall be prohibited;
- A pre-construction meeting shall be held for all personnel to review procedural and BMP/GHP guidelines;

- All BMPs shall be maintained in a functional condition throughout the duration of the project.
- Debris shall be disposed at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

4. Future Development

This permit is only for the development described in coastal development permit No. 5-07-419. Pursuant to Title 14 California Code of Regulations section 13253(b)(6), the exemptions otherwise provided in Public Resources Code section 30610 (b) shall not apply to the development governed by the coastal development permit No. 5-07-419. Accordingly, any future improvements to the structure authorized by this permit, including but not limited to changes in square footage of the office condominiums, conversion of common space lobbies or storage areas to office units, number of on-site parking spaces, and repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to Permit No. 5-07-419 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

5. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the landowner has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the special conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The subject site is located at 906 and 910 Hermosa Avenue, within the City of Hermosa Beach, Los Angeles County (Exhibit #1). The 5,863 square foot lot is located directly across from where 9th Street terminates at Hermosa Avenue, approximately 500 feet from the beach, and is within the downtown district of Hermosa Beach. The site is directly adjacent to commercial uses along its northern and southern borders, and a multi-family residential uses border the eastern edge of the property.

The proposed project includes demolition of all existing improvements located within the subject site, which include an existing dry cleaners and private single-story parking garage. The applicant proposes to construct a three-story (over basement parking structure), 30-foot high, 19,405 square-foot commercial condominium office building. The proposed project would include 19 office condominium units situated on the second and third floors of the building, with two additional office units on the ground level for a total of 21 units. The ground floor and basement levels would also host an office lobby and storage facilities for the building and the second and third floors include open courtyard areas designated as common space. The proposed parking component would include a 6,676 square foot parking structure that would provide 19 on-site parking spaces distributed between the ground floor and basement level. Access to the basement parking level would be from Hermosa Avenue, while access to the ground floor parking would be available via the alley (Palm Drive) located behind the building. Grading to accommodate the basement parking will consist of 720 cubic yards of cut. The site is zoned C-2 (Restricted Commercial), and the Land Use Plan designation is General Commercial.

B. Development

Section 30222 of the Coastal Act states:

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.

Section 30250 of the Coastal Act states:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Section 30251 of the Coastal Act states:

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.

The proposed three-story commercial and professional office use is compatible with the character and scale of surrounding development located within the downtown district of Hermosa Beach. The City's public parking structure that contains 261 public parking spaces is located four blocks north of the subject site, and another public parking lot is available just two blocks to the north. The Commission recently approved an 18,496 square-foot mixed use commercial condominium complex comprised of a street level restaurant and upper level office units, a 14,580 square-foot mixed-use commercial condominium building complex containing a mix of office and retail units and 38 on-site parking spaces at 338 and 400 Pier Avenue (CDP No. 5-06-341) and an 18,648 square-foot commercial condominium building complex containing 54 office units and 56 on-site parking spaces at 200 Pier Avenue (CDP No. 5-05-162).

In most areas, the Commission has approved "business commercial" uses as long as there is evidence that there is adequate visitor serving commercial uses in the area. Hermosa Beach already has several small restaurants and bars in the area, which are adequate to serve expected visitors. Hermosa Beach planners indicate that the evening bar and club uses have reached a saturation point. In their view this development will relieve parking and traffic during peak times because the occupants will not be at their offices during peak use hours, freeing traffic and parking closer to the beach. Additionally the increase in activity brought to the area during off peak times will potentially invigorate the many retail and restaurant establishments located within the Downtown District.

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, and has been designed to assure structural integrity. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30222, 30250 and 30251 of the Coastal Act.

C. Public Access

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 30252(4) of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by ... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation.

In the South Bay, the cities of Manhattan Beach, Hermosa Beach and Redondo Beach provide limited on-street parking and limited public transportation options. The downtown beach pier area in Hermosa Beach is a major visitor destination for recreational purposes. The amount of public access to the beach is, in practice, therefore largely 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 its parking on-site, rather than reducing parking requirements by the presumed number of on-street parking spaces available.

The City of Hermosa Beach submitted LUP amendment HRM-MAJ-2-03 to change the parking standard within the City's certified LUP for parking in the Downtown District. The amendment reduced the required number of parking spaces for office and retail development from 1 parking space/250 square feet to 1 parking space/333 square feet of proposed office or retail. The reduced parking amendment was certified in June 2004 with an expiration date of three years. After the three years, the City would need to submit for a new amendment to extend the reduced parking plan along with a parking analysis that would address the cumulative impacts of the reduced parking plan on public access. The reduced parking program expired in June 2007, and at this time the City has not submitted an amendment to extend the reduced parking plan. Therefore the current parking space requirement for office and retail development within the Downtown District has returned to 1 parking space/250 square feet of proposed office or retail development.

Based on the current parking standard in the LUP which requires 4 spaces per 1,000 square feet of office or retail space in the downtown area, the proposed development requires 35 parking spaces. The applicant is proposing to supply a total of 19 on-site parking spaces available within the ground level and basement parking structure.

During the peak weekday periods, especially in the summer season, local, on-street parking may be limited, and during peak weekend periods throughout the year on-street parking can be scarce. The City of Hermosa Beach's downtown parking structure is located four blocks south of the subject site and another public parking lot exists two blocks south of the subject site. As a part of the provided parking analysis, an accumulation survey was conducted (August 2006) to evaluate the amount of public parking available within the structure throughout the day and evening periods. This study demonstrated that surplus public parking was available at the downtown parking structure well in excess of the deficit the proposed project would create during both weekday and weekend peak periods.

To mitigate for the parking deficit of sixteen parking spaces present during peak weekday periods, the applicant has agreed to purchase in-lieu fees from the City at an amount of \$28,900 per space for a total of \$462,400. The City's 1982 certified LUP allows the City to require in-lieu fees only if sufficient parking within the downtown area exists to accommodate the parking demands of new development. An amendment to this in-lieu parking policy was approved by the Commission in December 2003 that required a threshold limit of 100 spaces be placed on the in-lieu fee program, and that a fund be required for collected fees for the sole purpose of construction of new parking

spaces to enhance public access opportunities in the downtown area. At present a total of 52 spaces have been bought as a part of the in-lieu fee program.

In order not to interfere with beach parking, the Commission has imposed **Special Condition #1**, which requires the applicant to provide and maintain a minimum of 19 on-site parking spaces for the proposed development and requires an amendment to this permit for any change in the number of parking spaces, or change in use of the proposed building complex. It also requires that the parking will not be assigned and will be available to all building employees and users of 906 - 910 Hermosa Avenue in order to ensure maximum parking efficiency during peak and non-peak occupancy periods. In other permits where the Commission has examined proposals for shared parking, such as the St. Joseph's Center in Venice Beach and several projects in Long Beach, studies supporting shared parking have shown that the total demand for spaces in the building complex can be reduced if there are no assigned parking spaces (other than required ADA parking). Sixteen in-lieu parking fee certificates are required to be purchased from the City by the applicant to compensate for the on-site deficit in provided parking.

The Commission also imposes **Special Condition #4**, which limits the uses and development for the proposed project and requires an amendment to this permit or a new coastal development permit for any changes to the development, including, but not limited to the hours of operation, land use, or intensification of use.

As conditioned, the proposed development will not have any new adverse impacts on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210, 30211 and 30252(4) of the Coastal Act.

D. Water Quality

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed development would result in urban runoff entering the storm water system. Pollutants such as sediments or toxic substances such as grease, motor oil, heavy metals, pesticides and fertilizers are often contained within urban runoff entering the storm water system. In this case, the site drains a new office building and associated parking lot, paved walkways and

landscaped areas. Therefore, the primary post-construction water quality concerns associated with the proposed project include sediments, grease, motor oil, heavy metals, pesticides and fertilizer.

The proposed development would result in the discharge of storm water into the storm water conveyance system. As such, the amount of pollutants carried through the system would increase proportionally. Therefore, the project has the potential to affect the water quality of the coastal waters in Hermosa Beach.

The proposed commercial condominium building is new development, which affords an opportunity to improve water quality. Much of the pollutants entering the ocean come from land-based development. The Commission finds that it is necessary to minimize to the extent feasible within its jurisdiction the cumulative adverse impacts on water quality resulting from incremental increases in impervious surface associated with additional development. Reductions in the amount of pollutants in the existing runoff would be one step to begin to reduce cumulative adverse impacts to coastal water quality. The proposed project drains a new 19-space parking area, paved walkways and landscaped areas. As such, appropriate measures must be taken to assure that adverse affects on water quality are minimized.

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. Due to this, the Commission has imposed **Special Condition #3**, which requires the applicant to comply with construction-related requirements related to storage of construction materials, mechanized equipment and removal of construction debris, and **Special Condition #2**, which requires the applicant to submit water quality management plan prior to issuance of the permit.

Other sources of polluted runoff could include runoff from the large amount of impervious surface in the proposed project and over-watering, which sometimes occurs from installation of landscaping with a high water demand. Plants with a high-water demand are typically not well-suited to the Mediterranean climate of southern California, and therefore often require intense fertilization and application of pesticides/herbicides as a maintenance regime, in addition to regular irrigation. Thus, this type of landscaping can add pollutants to both dry weather and stormwater runoff. Therefore, the use of drought tolerant plants or low-maintenance landscaping is a preferred alternative.

The term “drought tolerant” is equivalent to the terms “low water use” and “ultra low water use” as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 and is available for review at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>.

Invasive plants can invade an area and displace native plants, impeding restoration and preservation efforts. Seed dispersal can occur via water transport and drainage, wind, and via avian and mammalian species. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org>) and California Native Plant Society (www.CNPS.org) in their publications. Commission staff reviewed the submitted landscaping plan and determined that the plan does contain one invasive species of limited concern, *Schinus molle* (Peruvian peppertree).

Therefore the Commission has imposed **Special Condition #2** requiring the applicant to submit a final landscaping plan. The plan requires the applicant to plant non-invasive, drought tolerant vegetation on the site. Non-invasive, drought tolerant plants are used because they require little to

no watering once they are established (1-3 years), they have deep root systems that tend to stabilize the soil, and are spreading plants that tend to minimize erosion impacts of rain and water run-off.

As conditioned, the Commission finds that the proposed development conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. Deed Restriction

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes **Special Condition #5**, which requires that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

F. Local Coastal Program

Section 30604 (a) of the Coastal Act states:

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).

The Commission conditionally certified the City of Hermosa Beach Land Use Plan on August 19, 1981. The Land Use Plan (LUP) was effectively certified 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. The amendment and Implementation ordinance was scheduled for public hearing and Commission action at the October 8, 2001 meeting, but the City withdrew. Therefore, these have not been certified and the standard of review for development in Hermosa Beach is still the Coastal Act.

After initial certification, the Commission processed two amendments that allowed mixed commercial uses in downtown and reduced parking standards to reflect the high number of downtown restaurants and the number of public parking lots. In this first amendment, the City assumed that visitors would patronize more than one downtown business in an evening or on a Saturday afternoon. Therefore, the downtown parking district allows some reduced parking reflecting the presence of downtown parking lots operated by the City of Hermosa Beach. After the initial amendment the Commission certified a second amendment that again altered parking standards, and, reflecting the weekend evening traffic jams the City had experienced, encouraged offices and other non-restaurant uses on the periphery of downtown. The City determined that enough area has been identified for visitor serving uses and decided to encourage business use as

well as visitor serving uses in the downtown. The Commission supported this decision due to the high numbers of existing visitor serving uses in the Hermosa Beach downtown area. The proposed project meets the basic zoning requirements of the C-2 zone (Restricted Commercial) and the Commercial Recreation designation of the certified LUP.

As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. California Environmental Quality Act (CEQA)

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications 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, which would substantially lessen any significant adverse effect which the activity may have on the environment.

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

906 Hermosa Ave, Hermosa Beach, CA 90254-4119

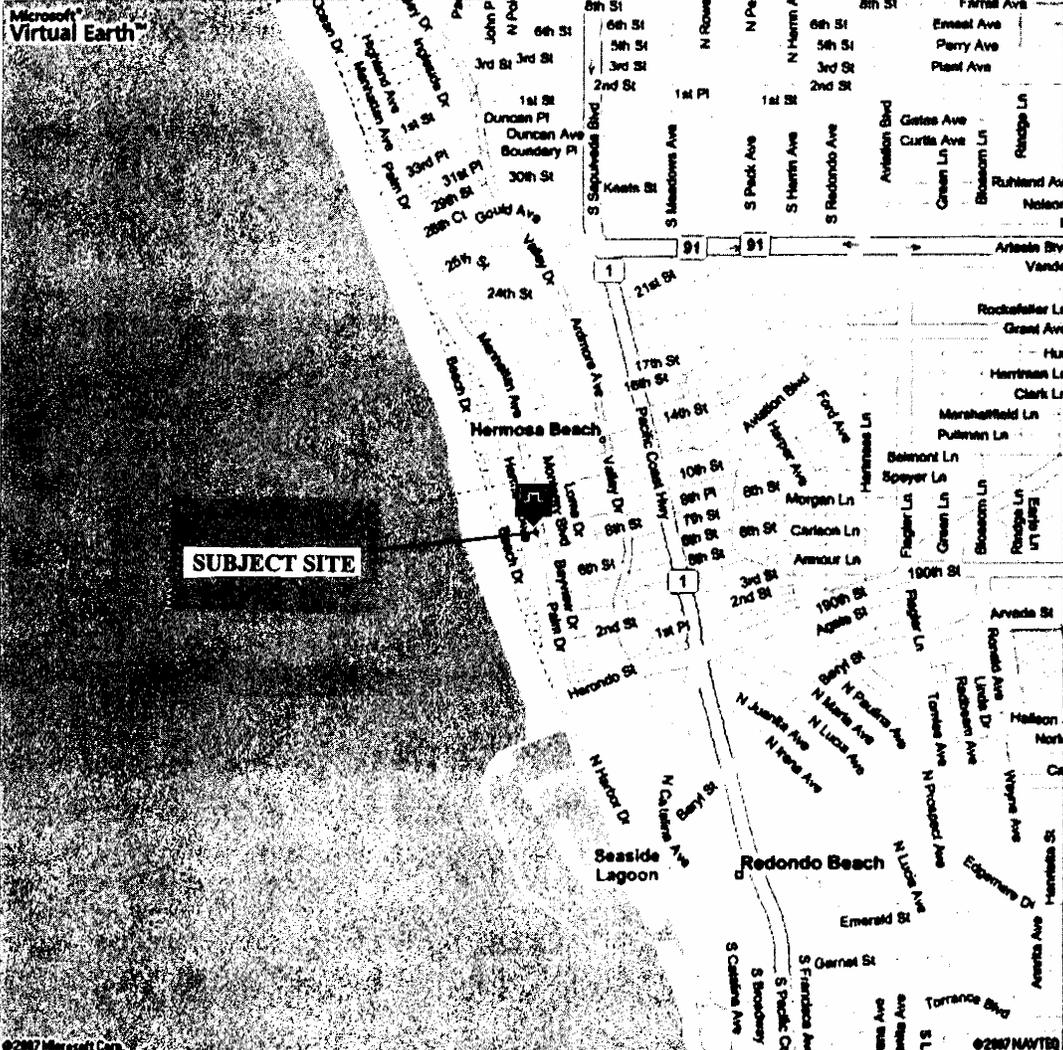
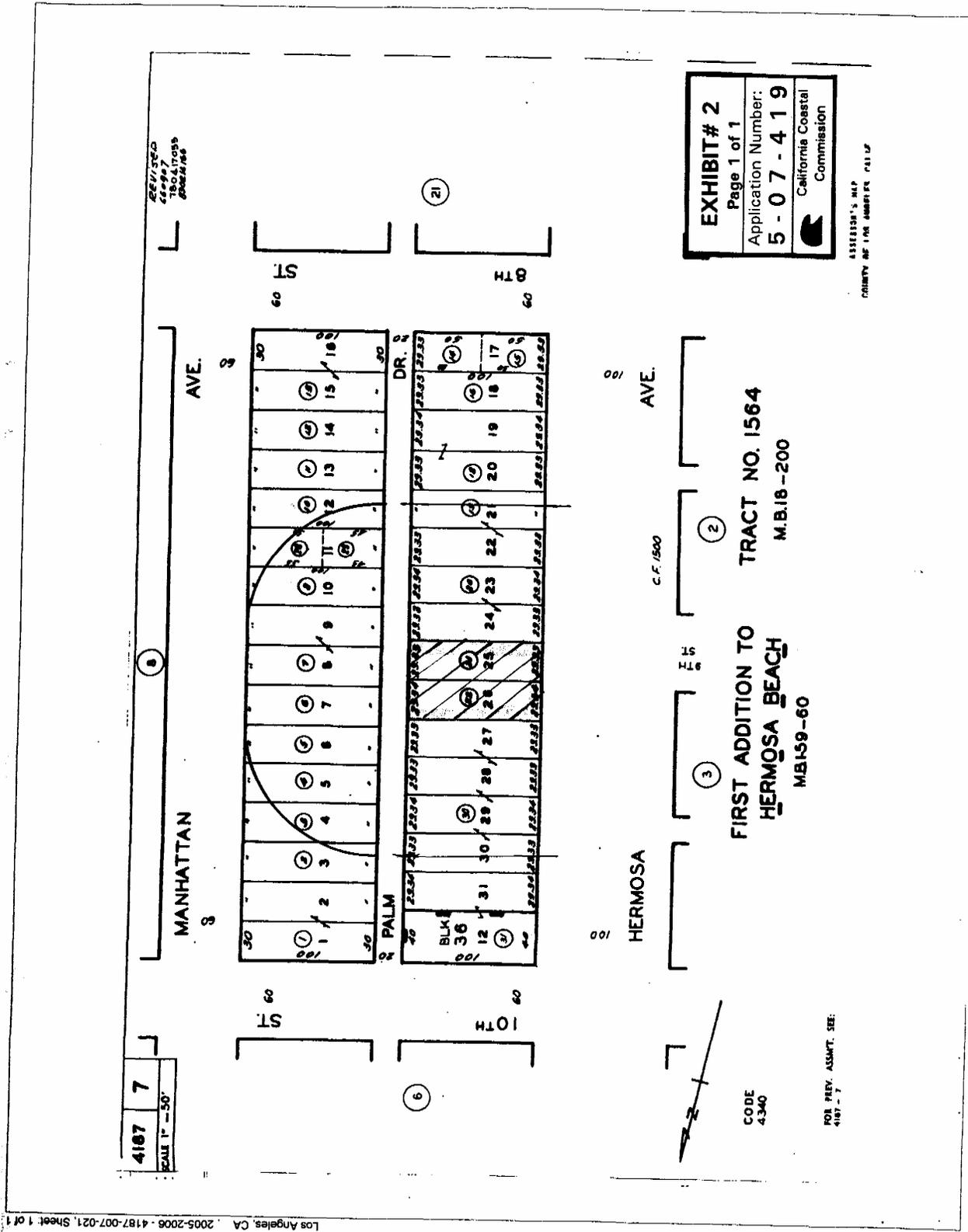
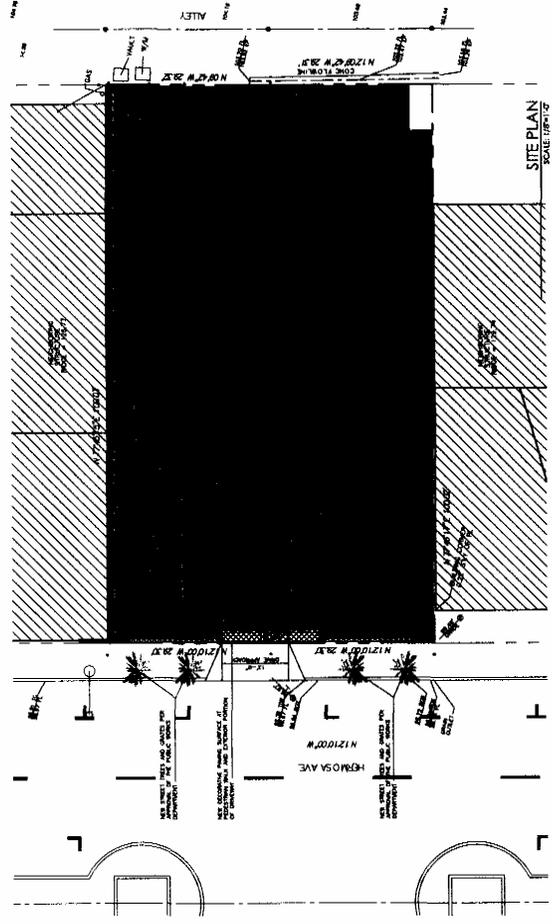
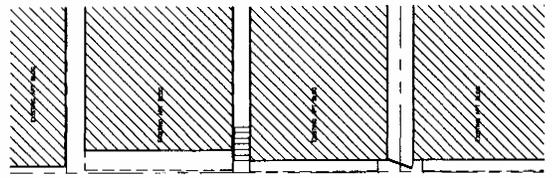
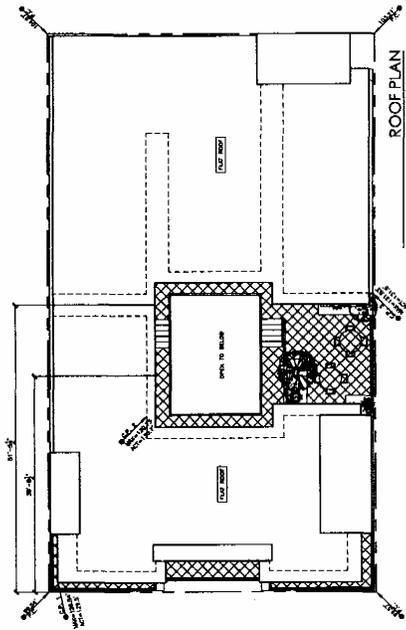


EXHIBIT # 1
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California Coastal
Commission



TOMARO ARCHITECTURE INCORPORATED 1001 Sixth Street Suite No. 100 Manhattan Beach, California 90256 Tel: 310.318.8089 Fax: 310.318.0400 www.tomaro.com info@tomaro.com	A NEW OFFICE CONDO 8890 HERMOSA AVE HERMOSA BEACH CALIFORNIA 90254	DATE	SCALE	SITE PLAN 
				

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TOMARO
 ARCHITECTURE
 INCORPORATED

1001 Sixth Street
 Suite No. 100

Marlinton Beach,
 California 90266

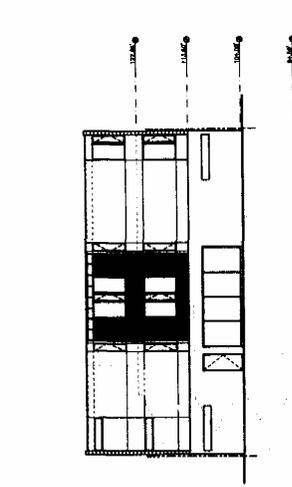
Tel: 310.318.8089
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 info@tomaro.com

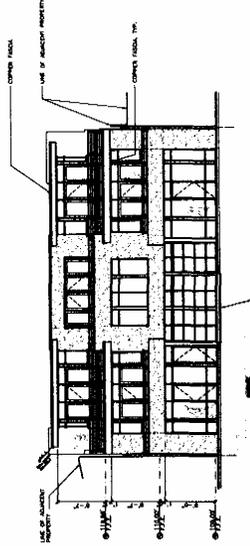
A NEW

OFFICE CONDO
 REPRESENTATIVE
 ARCHITECTURE
 CALIFORNIA REG.

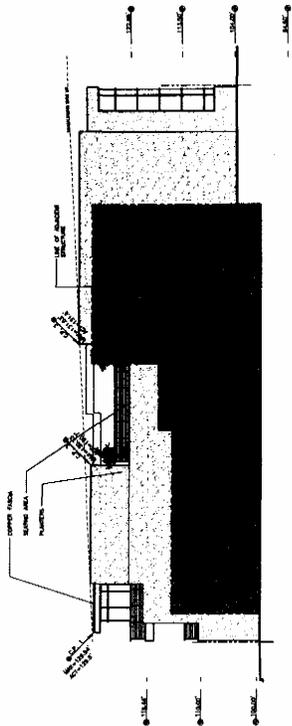
ELEVATIONS



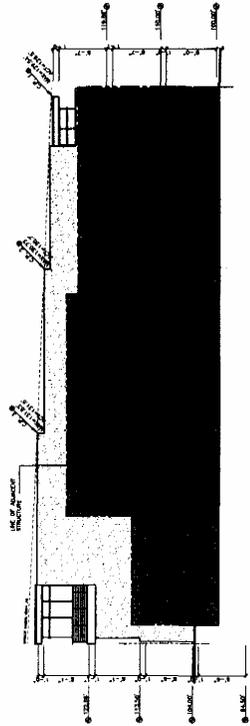
SOUTH ELEVATION
 SCALE: 1/8"=1'-0"



EAST ELEVATION
 SCALE: 1/8"=1'-0"



WEST ELEVATION
 SCALE: 1/8"=1'-0"



NORTH ELEVATION
 SCALE: 1/8"=1'-0"

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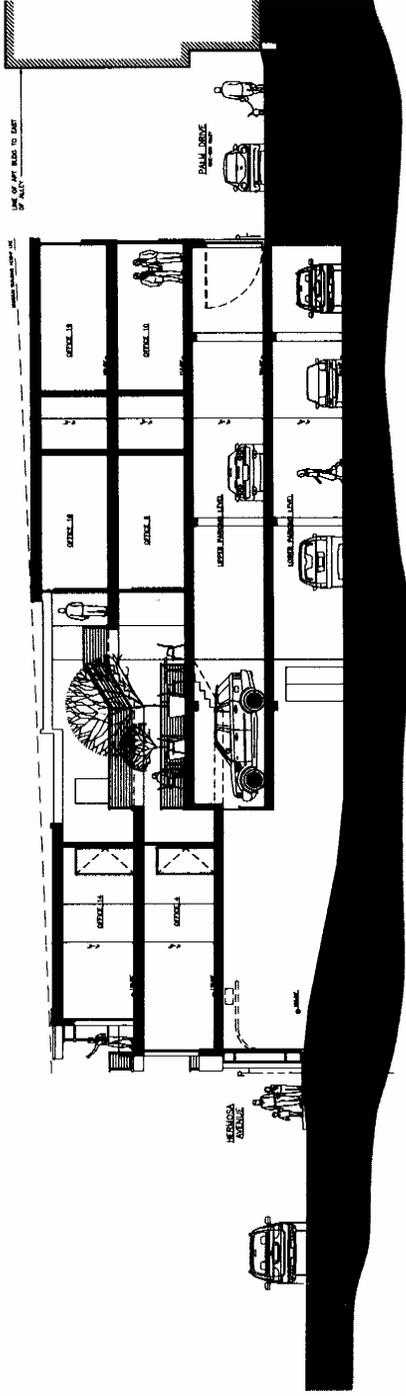
TOMARO
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A NEW
OFFICE CONDO
WITH HERMOSA LAKE
HERMOSA BEACH
CALIFORNIA 90264

DATE: 08/16
SCALE:
SHEET NO. 18

SECTIONS

A-05



SECTION B
FOUR 3/8" X 1/2"

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