

CALIFORNIA COASTAL COMMISSION

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Th13c

ADDENDUM

March 5, 2021

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM Th13c, APPLICATION NO. 5-20-0503 FOR THE COMMISSION MEETING OF THURSDAY, MARCH 11, 2021.**

I. CHANGES TO STAFF REPORT

Commission staff recommends changes to the staff report dated February 18, 2021 to make the following modifications. The modification in subsection (a) clarifies that the applicant has paid an after-the-fact fee for the unpermitted development described in the staff report prior to the hearing for this project. Therefore, no special condition is being imposed for an after-the-fact fee. The modification in subsection (b) clarifies Special Condition 7 regarding an encroachment permit for the proposed project. Neither of the proposed modifications would alter staff's recommendation of Approval with Conditions for the proposed project. Language to be added to the conditions and findings is shown in underlined text, and language to be deleted is identified by ~~strike-out~~.

a) **Modify the Executive Summary on Page 3 as follows:**

As described in more detail below, violations of the Coastal Act have occurred on the subject site including but not limited to the conversion of an existing duplex to a single-family residence, without benefit of the necessary coastal development permit. Approval of this application pursuant to the staff recommendation will result in the resolution of the existing violation on the project site. ~~However, the Commission also imposes a special condition requiring the applicant to pay an after-the-fact fee equaling two times the regular permit fee for the development, as required pursuant to Section 13055 of the Commission regulations. The applicant~~ has paid an after-the-fact fee for the unpermitted conversion of the duplex to a single-family residence by the previous property owner, and has modified the project description to include an after-the-fact authorization for the conversion of a duplex to a single-family residence.

b) **Modify Special Condition 7 on Page 9 as follows:**

Encroachments.

- A. An approximately 180 square-ft. patio extending approximately 6 ft. into the public right-of-way, for approximately 30 ft. along the width of the seaward property line, and an approximately 1,760 sq. ft. patio extending approximately 22 ft. into the public right-of-way for approximately 80 feet along the length of the side yard property line (adjacent to 8th Street) are the only developments allowed by this Coastal Development Permit (5-20-0503) in the City of Hermosa Beach Oceanfront Encroachment Area, at 802 The Strand, as shown in [Exhibit 2](#). Any development in the oceanfront public right-of-way, including additional improvements, repairs, and maintenance, cannot occur without an amendment to this coastal development permit or a new coastal development permit from the Coastal Commission, unless the Executive Director determines through written confirmation that no amendment or new permit is legally required.
- B. The applicant and all other successors and assigns shall remain enrolled in the City's public access impact mitigation program (i.e. annual payment to City for encroachment) and make the recurring annual payment so long as the encroachment remains in place.
- C. **Public Rights.** The Coastal Commission's approval of this permit shall not constitute a waiver of any public rights that exist or may exist on the property. The permittee shall not use this permit as evidence of a waiver of any public rights that may exist on the property now or in the future.