CALIFORNIA COASTAL COMMISSION
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Filed:	08/30/2025
180th Day:	02/26/2026
Staff:	AD-LB
Staff Report:	11/25/2025
Hearing Date:	12/12/2025

STAFF REPORT: CONSENT CALENDAR

Application No.:	**5-25-0499**
Applicant:	**Paul and Sandra Kalemkiarian**
Agent:	Srour and Associates
Location:	28 18th St, Hermosa Beach, Los Angeles County (APN: 4183-007-007)
Project Description:	Demolition of an existing two-story, approximately 22 ft. high, 3,664 sq.ft. triplex with attached two-car garage and construction of a new three-story, 29.84 ft. high, 4,021 sq.ft. single family residence with two attached ADUs, an attached two-car garage with three additional uncovered parking spaces, and grading (59 cy. of cut), drainage improvements and landscaping on a 2,847 sq ft lot. The project includes encroachments in the public right of way.
Staff Recommendation:	Approval with conditions

SUMMARY OF STAFF RECOMMENDATION:

The applicants propose the demolition of an existing two-story triplex, with a 2,350 sq. ft. main unit, and two smaller, 767 sq. ft. and 547 sq. ft. units, and construction of a new three-story single-family residence with two attached Accessory Dwelling Units (ADUs). The proposed residential structure consists of a 2,476.9 sq.ft. single family residence with two attached ADUs larger than the existing units onsite, one 785.5 sq.ft. ADU and one 759.1 sq.ft. ADU, a 429 sq.ft. attached two-car garage and three additional uncovered parking spaces (**Exhibit 2**). The project site is located on a developed 2,847 sq.ft. lot located approximately 180 ft. inland of the beach, in an urbanized residential neighborhood on a walk-street. The lot is designated Medium Density (MD) by the City's certified Land Use Plan, and the proposed project conforms to the permitted uses for the MD zone, which allows 14-25 dwelling units per acre. The site is zoned R2-B.

The Commission certified the City of Hermosa Beach's Land Use Plan (LUP) in 1982. However, the City does not yet have a certified Local Coastal Program (LCP). Therefore,

the Chapter 3 policies of the Coastal Act constitute the standard of review for the project, with the certified LUP used as guidance.

The primary coastal resource impacts at issue are the public access impacts that may be caused by the retained encroachment, and the preservation of housing units in developed areas able to accommodate it.

The Coastal Act encourages the concentration of new development in already developed areas that can accommodate it to avoid cumulative impacts to coastal resources and minimize vehicle miles traveled (Coastal Act sections 30250 and 30253(d)). As the Commission has consistently found, these policies reflect an overarching acknowledgment that concentrated and well-planned residential development supports the long-term preservation of coastal resources. In addition, the certified LUP identifies the preservation of existing housing stock as an important objective and states the need to continue the current mix of low, moderate, and high housing densities (LUP Sections IV.B and IV.C).

The existing triplex is non-conforming to the current zoning code, so the applicants would not be able to construct a new triplex. The existing triplex is also non-conforming to the certified LUP. The LUP defines the Medium Density (MD) designation as two-family homes and single-family homes on small lots. The MD designation corresponds to the R2-B zoning.

Due to the lot size, under the uncertified zoning code, the maximum number of units that could be constructed is one; under the LUP, the subject lot size is sufficient to construct two units. Thus, while the City designated this lot medium density, the density limits in the zoning code would not support multifamily on a lot of this size.

In relation to public access, the project site is located adjacent to the 18th Street walk-street, which serves as a pedestrian coastal access walkway between Hermosa Avenue and The Strand. The project proposes to maintain a private encroachment into the City's public right-of-way located directly in front of the project site and improve it with pavers and landscaping, and retain an existing block wall. Because the project is adjacent to a public coastal accessway, imposing setbacks from the public accessway is important. The LUP requires setbacks, however does not comment on projections into the setbacks for balconies or other architectural features. In this case, the proposed second floor balcony encroaches 2 feet into the required minimum setback, and therefore the Commission imposes **Special Condition 1** requiring conformance with the final revised plans submitted to the Commission, which must incorporate three separate utility systems for the three units on the site and conform to a minimum 5 foot setback. **Special Condition 2** requires retention of three units onsite and requires that a minimum of five parking spaces shall be provided onsite, and all units shall have vehicular access and separate pedestrian ingress/egress access to the garage, which shall provide shared parking for all units in perpetuity. To ensure that the development within the right-of-way is controlled by an encroachment permit with the City, which is revocable by the City of Hermosa Beach Public Works Department, staff recommends **Special Conditions 3, 4, and 5**, which describe the applicants' obligations related to the encroachment and imposes a 5-year authorization on the development within the encroachment area. At the end of the 5-year term, an amendment to the subject CDP must be sought and approved in order to retain the encroachment, or remove the development from the public right of way.

During construction, the proposed project has potential for adverse impacts to water quality and marine resources. Therefore, staff recommends the Commission impose **Special Condition 6** which provides standards for the safe storage of construction materials and the safe disposal of construction debris. **Special Condition 7** requires that the permittee undertake development in compliance with specific mitigation measures to protect archaeological resources, including tribal cultural resources, and to ensure that appropriate tribal monitoring occurs prior to and during ground-disturbing activities.

In order to ensure these conditions are enforced and future owners are made aware of the conditions, **Special Condition 8** requires a deed restriction.

Staff recommends the Commission find that the project, as proposed by the applicants and further conditioned by the Commission, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, Commission staff recommends that the Commission APPROVE coastal development permit application 5-25-0499 with eight special conditions. The motion and resolution can be found on Page 5.

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APPENDICES

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EXHIBITS

Exhibit 1 - Vicinity Map
Exhibit 2 – Project Plans

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. STANDARD CONDITIONS:

This permit is granted subject to the following 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 on which the Commission voted on the application. 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 of 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:

This permit is granted subject to the following special conditions:

1. Revised Final Plans. PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and written approval of the Executive Director, two-full size sets of final plans that have been reviewed and approved by the City of Hermosa Beach. The revised plans shall substantially conform with the plans submitted to the Commission, titled "28 18th Street Hermosa Beach, CA 90254," by Kassabian Design | Build, dated May 15, 2025, except that they shall be modified to reflect:

a) separate utility meters for the single family unit and the ADUs for all proposed utility services.

b) Remove the 2-foot second floor balcony projection into the required front yard setback.

The permittee shall undertake development in conformance with the approved final revised plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

2. Retention of Three Units On-Site. BY ACCEPTANCE OF THIS PERMIT, the permittee and all assigns/successors agree that:

A. The development approved by Coastal Development Permit No. 5-25-0499 is for construction of three residential units: a 2,476.49 sq. ft. single-family residence with a 785.5 sq. ft. ADU and a 759.1 sq. ft. ADU. The permittees and all assigns/successors shall maintain a minimum of three separate units. At no point may there be a reduction in the number of units or any units converted to a non-residential use. Ingress and egress (doors) between the three residential units are prohibited.

B. A minimum of five (5) parking spaces shall be provided onsite, and all three units shall have vehicular access to the garage and uncovered parking spaces, equal pedestrian ingress/egress access to the garage shall be provided, which shall provide shared parking for three units in perpetuity.

3. Encroachment Permit. PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for review and written approval of the Executive Director, the following:

A. The approved Encroachment Permit from the City of Hermosa Beach.

B. If the encroachment permit is not granted by the City of Hermosa Beach, revised final plans are required which remove all proposed development from the public right of way and adjust drainage as necessary.

4. City's Right to Revoke Encroachment Permit. Approval of this coastal development permit shall not restrict the City's right and ability to revoke, without cause, the approved City encroachment permit in order to construct public access and recreation improvements within the public right-of-way.

5. Encroachment and Public Access Impact Mitigation.

A. The existing site wall on the seaward facing side of the property extends into the public right-of-way for approximately 30 feet along the width of the seaward property line is the only development allowed by this Coastal Development Permit in the City of Hermosa Beach Oceanfront Encroachment Area as shown in **Exhibit 2.** Any development in the 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. Length of Authorization. The authorized development described in Special Condition 4A shall only be authorized for five (5) years. Upon expiration of this authorization period, the permittee shall either A) remove all development within the public right-of-way; or B) apply to the California Coastal Commission for a CDP Amendment to extend the authorization period for the development within the public right-of-way.

6. **Storage of Construction Materials, Mechanized Equipment, and Removal of Construction Debris.** The permittee shall comply with the following construction-related requirements:

   A. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion;

   B. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers;

   C. All debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project;

   D. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters;

   E. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;

   F. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;

   G. Debris shall be disposed of 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 unless the Executive Director determines that no amendment or new permit is legally required;

   H. All stockpiles 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;

   I. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems;

   J. The discharge of any hazardous materials into any receiving waters is prohibited;

   K. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible;

   L. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity; and

M. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

7. **Protection of Archaeological and Tribal Cultural Resources.** The permittee shall undertake development in compliance with the following mitigation measures to protect archaeological, including tribal cultural resources:

   A. AT LEAST ONE MONTH PRIOR TO COMMENCEMENT OF ANY GROUND-DISTURBING CONSTRUCTION ACTIVITIES, the permittee shall (i) notify in writing, email, and/or phone calls, as necessary, the representatives of Gabrieleño-affiliated Native American Tribes listed on an updated Native American Heritage Commission (NAHC) contact list for the area; (ii) invite all affiliated Tribal representatives on that list to be present and to monitor ground-disturbing activities; and (iii) arrange for any invited Tribal representative that requests to monitor and a qualified archaeological monitor to be present to observe project activities with the potential to impact archaeological and/or tribal cultural resources. A qualified archaeologist means an individual who meets the Secretary of the Interior's Professional Standards for an Archaeological Principal Investigator and/or is listed as Registered Professional Archaeologist. The archaeological monitor(s) shall have experience monitoring for archaeological resources of the local area during excavation projects, be competent to identify significant resource types, and be aware of recommended procedures for the inadvertent discovery of archaeological resources and human remains. Evidence of written notification shall be made available to the Executive Director upon request.

   B. If an area of archaeological or tribal cultural resources is discovered during ground-disturbing activities, all construction shall cease and shall not recommence except as provided in subsection (D) hereof, and the permittee shall retain a qualified archaeologist and/or a tribal cultural resource specialist(s) qualified to analyze the significance of the find. The specialist(s) shall immediately notify the affiliated Tribes on the NAHC list. The methods of protection of Tribal Cultural Resources shall be developed in consultation with the Gabrieleño-affiliated Native American Tribes listed on the NAHC list. If there is disagreement regarding the method(s) of protection of resources, the methods that are most protective of coastal resources shall be selected. Significance testing may be carried out for tribal cultural resource finds only if acceptable to the affected Native American Tribe(s), in accordance with a Significance Testing Plan. An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area that includes a reasonable buffer zone recommended by the monitor(s). Project activities may continue outside of the exclusion zone.

   C. Should human remains be discovered on-site during the course of the project, immediately after such discovery, the on-site archaeologist and Native American monitor(s) shall notify the County Coroner within 24 hours of such discovery, and all construction activities shall be temporarily halted until the remains can be identified. An "exclusion zone" may be established around the discovery area. If the county coroner determines that the human remains are those of a Native American, the coroner shall contact the NAHC within 24 hours, pursuant to Health

and Safety Code Section 7050.5. The NAHC shall deem the Native American most likely descendant (MLD) to be invited to participate in the Identification process pursuant to Public Resources Code Section 5097.98. The permittee shall comply with the requirements of Section 5097.98 and work with the MLD person(s) to preserve the remains in place, move the remains elsewhere onsite, relinquish the remains to the descendants for treatment, or determine other culturally appropriate treatment. Within five (5) calendar days of notification to NAHC, the permittee shall notify the Coastal Commission's Executive Director of the discovery of human remains and identify any changes to the proposed development or mitigation measures that may be needed related to the inadvertent discovery. The Executive Director shall maintain confidentiality regarding the presence of human remains on the project site. The Executive Director shall determine whether the identified changes are de minimis in nature and scope.

D. A permittee seeking to recommence construction within an exclusion zone (excluding the discovery of human remains, which shall follow Section 5097.98 as noted in (C) above), following discovery of the archaeological resources shall submit a Supplementary Archaeological Plan (SAP) prepared by the project archaeologist in consultation with the Gabrieleño-affiliated Native American Tribes listed on the NAHC list for the review and written approval of the Executive Director. If the Executive Director approves the SAP and determines that the SAP's recommended changes to the proposed development or mitigation measures are de minimis in nature and scope, construction may recommence after this determination is made by the Executive Director in writing. If the Executive Director approves the SAP but determines that the changes therein are not de minimis, construction may not recommence until after an amendment to this permit is approved by the Commission.

8. **Deed Restriction.** PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant have 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:

A. PROJECT LOCATION & DESCRIPTION

The subject site is an inland 2,852 sq.ft. rectangular lot located within a developed urban residential area approximately 0.6 miles north of the Hermosa Beach Pier (**Exhibit 1**). The project site is designated in the certified LUP as a Medium-Density residential lot, which corresponds to the R-2B zone in the City's uncertified zoning code. The R-2B zone allows single family residences to be developed. The lot currently has a 3,664 sq.ft. triplex, containing 2,350 sq. ft., 767 sq. ft. and 547 sq. ft. units, with a two-car garage with a patio space in the public right-of-way along the walkstreet. The applicants are proposing to demolish the existing structure and construct a new three-story, 29.84 ft high, 2,476.9 sq.ft. residence with two ADUs (one 785.5 sq.ft. and the other 759.1 sq.ft.) a two-car garage and three additional uncovered parking spaces. The first floor contains a one-bedroom ADU, the second and a portion of the third floor contains the primary unit, and the third floor contains the second one-bedroom ADU. The primary unit has access to an elevator. The project requires approximately 59 cu. yds. of cut to be exported to a site outside of the coastal zone.

Non-invasive, drought tolerant landscaping and permeable pavement is proposed for the project. The driveway is proposed to use 454 sq. ft. of permeable pavers, and the site drainage incorporates a stormwater collection and treatment system that filters runoff before entering the city's storm drains. An additional 118 sq. ft. of landscaping will also allow for improved infiltration of storm water. The proposed development in the encroachment area is limited to planted landscaped areas and decorative stone pavers. There is an existing 42" tall block wall to remain in the right-of-way.

The proposed project site is located immediately adjacent to a walkstreet, a wide public accessway in lieu of a street for vehicular traffic. This walkstreet provides direct access from Hermosa Ave to the beach. These walkstreets connect to The Strand, the public pedestrian path lateral to the beach (**Exhibit 1**). Fronting the walkstreets, a portion of the right-of-way is occupied by small fences and walls that provide yard space for the adjacent residences.

The project proposes to maintain an approximately 671 sq. ft., private encroachment into the City's right-of-way located directly in front of the project site and improve it with pavers and landscaping, while maintaining the existing 42 in high block wall with gate at the perimeter of the encroachment area. The encroachment area is subject to review, approval, and revocation by the City of Hermosa Beach Public Works Department (**Exhibit 2**). The applicant has applied for an encroachment permit with the City. To ensure that the applicant maintains the encroachment permit with the City, staff recommends the Commission impose **Special Conditions 3 and 4**, laying out the applicant's rights and obligations related to the encroachment. Pursuant to **Special Condition 5**, the approval for these improvements in the right of way is limited to 5 years. Prior to expiration of this authorization period, the permittee shall either remove all development within the public right-of-way or apply to the California Coastal Commission for a CDP amendment to extend the authorization period for the development within the public right-of-way. The limited authorization period allows for continued discussions between the City and the Coastal Commission to address the City's encroachment program and the fees assessed for the use of public land.

The LUP requires a front yard setback of ten percent of lot depth (with a minimum of five ft. and a maximum of ten ft.) in the R-2B zone. The majority of the first floor of the structure is set back approximately 8.5 feet, however a portion of the first floor on one side is set back five feet. This level contains a one-bedroom ADU, which opens onto the patio in the encroachment area. The existing structure on site has a 2.5 foot setback. In past Commission actions, the Commission has required a minimum five-foot setback along The Strand where private property is adjacent to public areas, so that the property can be maintained without impacting the public areas. The proposed varied first floor front setback achieves this. However, there is a portion of the second floor balcony that is only set back three feet from the front property line. The LUP does not discuss projections for balconies, but it does reference a minimum five-foot setback. In order to be consistent with the LUP and coastal view protection policies of Chapter 3, **Special Condition 1** requires revised plans to remove the portion of the second floor balcony that projects into the five-foot minimum setback. Additionally, **Special Condition 2** requires the applicant to adhere to a minimum five-foot seaward setback from the property line for all habitable and non-habitable portions of the residence, except for ground-level patios.

Figure XV of the LUP indicates that lower 18th street (walkstreet) is a public viewshed. Looking down 18th street toward the shoreline, ocean views are visible. The proposed project will not impact any existing views of the ocean.

Because the project includes 59 cubic yards of grading, **Special Condition 7** requires conformance to monitoring standards during grading, to avoid impacts to archeological and tribal cultural resources, in conformance with Section 30244 of the Coastal Act. To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, **Special Condition 8** requires the property owners to 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.

Section 30600(c) of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified Local Coastal Program. The City of Hermosa Beach does not have a certified Local Coastal Program, however there is a certified Land Use Plan (LUP). Therefore, the Coastal Commission is the permit issuing entity, and the standard of review is Chapter 3 of the Coastal Act, with the LUP policies used as guidance.

B. DEVELOPMENT

Coastal Act section 30250 provides that new residential development shall be located in or in close proximity to existing developed areas that are able to accommodate it, or in other areas with adequate public services and where it will not have significant, cumulative adverse effects on coastal resources. Section 30253 requires that new development must minimize energy consumption and vehicle miles traveled. As the Commission has found in prior actions, these policies together encourage “smart” growth by locating new development in appropriate areas that minimizes impacts on coastal resources and discourages residential sprawl into more rural or sparsely populated areas that are not adequately developed to support new residential development and where coastal resources could be threatened. To implement the Chapter 3 policies, the certified LUP

identifies the preservation of existing housing stock as an important objective. Furthermore, the LUP also states the need to continue the current mix of low, moderate, and high housing densities (LUP Sections IV.B and IV.C).

The site is designated Medium Density in the Certified LUP. The medium-density designation corresponds to the R-2 and R-2B zones in the City's uncertified zoning code. The subject site is zoned R-2B. The LUP establishes a density limit of one dwelling unit per 1200 sq. ft. of lot coverage for the R-2 zone, however according to the uncertified zoning code, the R-2 zone has a density limit of one dwelling unit per 1750 sq. ft. of lot coverage. An issue raised by this project is the inconsistency between the City's zoning code and the certified LUP with regard to the maximum number of units allowable on-site. The existing lot is 2,847 sq. ft. and contains 3 units, which is inconsistent with both the requirements established in the certified LUP density limits and the uncertified zoning code density limits for the R-2B zone. Due to the lot size, under the uncertified zoning code, the maximum number of units that could be constructed is one; under the LUP, the subject lot size is sufficient to construct two units. The additional two proposed attached ADUs are slightly larger than the current sizes of the units onsite and will, as conditioned, function as independent units.

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

C. MARINE RESOURCES/WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, 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.

D. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. The project provides adequate off-street parking. As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214 of the Coastal Act.

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 a condition requiring

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 notice of the restrictions and/or obligations imposed on the use and enjoyment of the land, 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 (LCP)

Coastal Act Section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Land Use Plan (LUP) for Hermosa Beach was effectively certified on April 21, 1982; however, because Hermosa Beach does not have a certified LCP, the Coastal Act is the standard of review for this project.

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 Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by findings showing the approval, as conditioned, 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. The Commission's regulatory program for reviewing and granting CDPs has been certified by the Resources Secretary to be the functional equivalent of CEQA. (14 CCR § 15251(c).)

In this case, the City of Hermosa Beach is the lead agency and the Commission is a responsible agency for the purposes of CEQA. On June 18, 2025, the City of Hermosa Beach determined that the proposed development is exempt under Section 15303(a), which exempts construction of a single-family residence in a residential zone from CEQA requirements. The findings in this staff report discuss the applicable resource protection policies of Chapter 3 of the Coastal Act and City's LUP. The Commission incorporates these findings herein by reference. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect, individual or cumulative, 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.

Appendix A - Substantive File Documents

- Coastal Development Permit Application No. 5-25-0499 and associated file documents.