CALIFORNIA COASTAL COMMISSION
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W16a

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STAFF REPORT: REGULAR CALENDAR

Application No.:	**5-25-0341**
Applicant:	**Myrtle Ave LLC**
Agent:	Richard Meaglia
Location:	2425 Myrtle Ave, Hermosa Beach, Los Angeles County (APN: 4182-013-034)
Project Description:	Application for the demolition of three approximately 8 ft. tall, non-conforming garages/storage spaces and construction a new 25 ft. tall three-story, 3,738 sq. ft. single family residence with an attached 2-car garage and an additional guest parking space in front of the new garage, a 554 sq ft deck on the third level, a 308 sq. ft. roof deck, 644 sq. ft. of landscaping and 320 cy of grading (277 cy. of cut, and 43 cy. of fill).
Staff Recommendation:	Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION:

The applicants request approval for the demolition of three legal non-conforming garages/storage spaces on an inland lot and construction of a new three-story single-family residence with a two-car garage and guest parking space. The existing garage/storage spaces were built between the 1920's and 1950's and feature non-conforming parking spaces but have been used in recent years as storage spaces by residents of a neighboring multi-family residence on a separate parcel. The parking garages were constructed prior to the City's adoption of parking requirements in 1956. The parking spaces/storage spaces were not required by the City at the time of their

construction, and the lot tie which connected the two parcels was later removed. The project site is located at 2425 Myrtle Ave. in Hermosa Beach, approximately 640 ft. inland from the beach (Exhibit 1).

This project was originally scheduled as a Coastal Development Permit De Minimis Waiver on the Deputy Director's Report for the February 2026 agenda, but prior to that hearing, the Commission received written comments from members of the public opposed to the project, which are attached as correspondence to this item on the Commission's website. The letters of opposition were related to 1) public access impacts through the loss of parking and 2) whether the lot tie between the two parcels was removed legally. As a result, Commission staff pulled the item off of the Deputy Director's Report to evaluate these concerns.

With regard to parking, the garages on site were constructed prior to the establishment of City parking standards and were not legally required by the City to provide parking for the neighboring parcel at the time of their construction. In addition, the garages on-site do not conform to current parking space size requirements, have been utilized as storage, and the driveway to access the garages does not conform to current development standards. Therefore, since the garages are not being utilized for parking and the project is located approximately 640 feet inland of the beach, the project will not result in public access impacts.

With regard to the lot tie, Los Angeles County assessor records dating from as far back as 1911 show the two parcels as separate legal lots. The two parcels were tied together by the County assessor in the 1960's because a previous owner undertook the unpermitted development of a staircase from the multifamily residence to the rooftop of one of the garages, across and over the lot line between the two lots. The current property owner then demolished the unpermitted staircase after taking ownership of the property, and the lot tie was subsequently removed by the County assessor since the lots were no longer connected by development.

The primary coastal resource issue raised by the project is the potential for tribal cultural resource impacts. The proposed development would require approximately 320 cy of grading (277 cu. yds. of cut and 43 cu. yds. of fill), which could potentially impact archaeological, tribal cultural, and paleontological resources. The applicant's Cultural Resources consultant, CRM Tech, conducted a Paleontological Resources Review and a Cultural Resources Assessment dated October 18, 2025, which concluded that no historic resources were observed on-site. The reports also included recommendations to reduce the potential impacts to paleontological and tribal cultural resources including the addition of an inadvertent discovery response protocol. The applicant is proposing to incorporate all of the impact reduction measures recommended in the archaeology/paleontology and tribal cultural resources reports to minimize impacts to any inground resource deposits. The assessment included an NAHC Sacred Lands file search, which did not identify any Tribal Sacred Lands on-site but recommended that Tribes be contacted for further information. On March 11, 2026, the Gabrieleño Band of Mission Indians - Kizh Nation indicated that they would like to consult on the project.

The standard of review is Chapter 3 of the Coastal Act, with the certified Hermosa Beach LUP providing guidance. The primary Coastal Act issues raised by the subject development are: tribal cultural resources and impacts to water quality.

Staff is recommending **approval** of the proposed coastal development permit with **three** special conditions. The special conditions would address: **1**) Construction BMPs; 2) Protection of Tribal Cultural Resources, and **3)** Remaining Fees. The motion can be found on page 5.

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EXHIBITS

Exhibit 1 - Vicinity Map
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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.*
I move that the Commission approve Coastal Development Permit No. 5-25-0341 pursuant to the staff recommendation.

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:

The Commission hereby approves the Coastal Development Permit for the proposed project 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. 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 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. Protection of Archaeological, Paleontological, and Tribal Cultural Resources.

The permittee shall undertake development in compliance with the following mitigation measures to protect archaeological, paleontological, and 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 qualified archaeological and paleontological monitor(s) to be present to observe project activities with the potential to impact archaeological, paleontological, 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 and paleontological monitor(s) shall have experience monitoring for archaeological and paleontological resources of the local area during excavation projects, be competent to identify significant resource types, and be aware of recommended Tribal procedures for the inadvertent discovery of archaeological and/or paleontological 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 paleontological 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 paleontologist, and a tribal cultural resource specialist qualified to analyze the significance of the find in consultation with the Gabrieleño-affiliated Native American Tribes listed on the NAHC list. Significance testing may be carried out only if acceptable to the affected Native American Tribe(s), in accordance with a Significance Testing Plan. The specialist(s) shall immediately notify the affiliated Tribes on the NAHC list. 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.

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

By acceptance of this permit, the permittee agrees that:

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. Any and 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.

3. Permit Fees

PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall pay the remaining application fees of $7,640.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION & DESCRIPTION

The subject site is a 3,010 sq. ft. inland lot located within a developed urban residential area approximately 640 feet east of the beach, inland of the first public road and the sea (**Exhibit 1**). The lot is designated Medium Residential in the certified Hermosa Beach Land Use Plan and Single Family (R-1) in the City of Hermosa Beach's uncertified zoning code. The LUP establishes that the R-2 zone allows for the development of single-family dwelling units, condominium developments, and duplexes. The site is currently developed with three single-story non-conforming garage/storage structures.

The applicant proposes to remove the three existing legal non-conforming garage/storage spaces and to construct a new 25 ft. tall, three-story, 3,738 sq. ft. single family residence with a 554 sq ft deck on the third level, a 309 sq. ft. rooftop deck area, an attached 2-car garage, and an additional guest parking space (**Exhibit 2**). The project as proposed would include 320 cy of grading (277 cy. of cut and 43 cy. of fill).

This project was originally scheduled as a Coastal Development Permit De Minimis Waiver on the Deputy Director's Report for the February 2026 agenda, but prior to that hearing, the Commission received written comments from members of the public opposed to the project, which are attached as correspondence to this item on the Commission's website. The letters of opposition are related to 1) public access impacts through the loss of parking and 2) whether the lot tie between the two parcels was split legally. As a result, Commission staff pulled the item off of the Deputy Director's Report to evaluate these concerns.

With regard to parking, the garages on site were constructed prior to the establishment of City parking standards and were not legally required by the City to provide parking for the neighboring parcel at the time of their construction. In addition, the garages on-site do not conform to current parking space size requirements, have been utilized as storage, and the driveway to access the garages does not conform to current development standards. Therefore, since the garages are not being utilized for parking and the project is located approximately 640 feet inland of the beach, the project will not result in public access impacts.

With regard to the lot tie, Los Angeles County assessor records dating from as far back as 1911 show the two parcels as separate legal lots. The two parcels were tied together by the County assessor in the 1960's because a previous owner undertook the unpermitted development of a staircase from the multifamily residence to the rooftop of one of the garages, across and over the lot line between the two lots. The current property owner then demolished the unpermitted staircase after taking ownership of the property, and the lot tie was subsequently removed by the County assessor since the lots were no longer connected by development. Furthermore, the removal of the lot tie here did not require a coastal development permit and is not evaluated as a part of this CDP application.

The Commission certified the City's 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.

B. DEVELOPMENT

Section 30250 of the Coastal Act states, in pertinent part:

> (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, in pertinent part:

> 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.

Section 30253 of the Coastal Act states, in pertinent part:

> New development shall do all of the following:
>
> > (d) Minimize energy consumption and vehicle miles traveled.

LUP Section IV.B states:

Goals and Objectives

1. To preserve the City's existing diversified mix of age and income groups.
2. To preserve the City’s existing diversified neighborhoods.
3. To promote and encourage the conservation, rehabilitation, and maintenance of the City’s existing housing stock.

LUP Section IV.C.1 states, in relevant part:

Policy: To continue the current mix of low, moderate, and high housing densities.

Program: The Land Use Element of the General Plan shall continue to define low, medium, and high-density residential areas within the City. (See Appendix I.)

Program: The Zoning Code shall continue to define the different building standards for each of the residential zones.

> The project site is designated in the certified LUP as a medium-density residential lot. The certified LUP defines medium-density development as follows:
>
> MEDIUM DENSITY: 14 to 25 dwelling units per net acre. This category would consist mostly of two-family homes and single-family homes on small lots, including garden apartments, and townhouses. It is intended that any future development in this area shall fall within the specified density range.

The LUP medium-density designation corresponds to the R-2 and R-2B zones in the City's uncertified zoning code. The LUP establishes a density limit of one dwelling unit per 1200 sq. ft. of lot coverage for the R-2 zone. The LUP establishes a maximum height for the R-2 zone of 30 ft. The project as proposed would be 25 ft. tall and thus would comply with the LUP height requirements. The LUP also establishes a 65% percent lot coverage standard for the R-2 zone. The residence would cover 61% of the lot and would therefore comply with this policy. The project as proposed has been designed to comply with all LUP setback requirements for the R-2 zone.

The proposed project would implement the policies provided in the LUP by constructing a single-family residence on an already developed site. 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 30251 requires new development to protect public views to and along the beach and other coastal areas; minimize landform alteration; and be designed to be visually compatible with the character of the surrounding area. 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.[1]

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 construction of a new single-family residence on a site zoned and designated for residential development would maintain and increase housing, avoiding urban sprawl by adding a new housing unit within an existing urbanized area. Furthermore, the proposed project site is located within 600 feet of a transit stop and in close proximity to public-serving facilities such as grocery stores, restaurants, shops, and entertainment.

A majority of the development along Ozone Ct. and Myrtle Ave. is single-family and multi-family residential homes. The proposed 25-ft. high, 3,738 sq. ft. single family residence is

[1] Findings for CDP No. 5-07-014 (Haugh); CDP No. 5-07-085 (Homes); CDP Appeal No. A-5-MNB-20-0020/A-5-MNB-20-0041 (Corinna Cotsen 1991 Trust); CDP No. 5-20-0541 (South Bay Land.

of a similar mass, scale, and density as other properties in the project vicinity. Therefore, the proposed project is visually compatible with the character of the surrounding area. Thus, the proposed development conforms to Sections 30250 and 30251 of the Coastal Act.

C. ARCHAEOLOGICAL, PALEONTOLOGICAL, AND TRIBAL CULTURAL RESOURCES

Section 30244 of the Coastal Act states:

> Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

The proposed development requires approximately 320 cu. yds. of ground disturbance for site leveling that could impact archaeological, tribal cultural, and paleontological resources.

The proposed development would require approximately 320 cy of grading (277 cu. yds. of cut and 43 cu. yds. of fill), which could potentially impact archaeological, tribal cultural, and paleontological resources.

The applicant's Cultural Resources consultant, CRM Tech, conducted a Paleontological Resources Review and a Cultural Resources Assessment dated October 18, 2025, which concluded that no historic resources were observed on-site. The reports also included recommendations to reduce the potential impacts to paleontological and tribal cultural resources including the addition of an inadvertent discovery response protocol. The applicant is proposing to incorporate all of the impact reduction measures recommended in the archaeology/paleontology and tribal cultural resources reports to minimize impacts to any inground resource deposits. The assessment included an NAHC Sacred Lands file search, which did not identify any Tribal Sacred Lands on-site but recommended that Tribes be contacted for further information. On March 11, 2026, the Gabrieleño Band of Mission Indians - Kizh Nation indicated that they would like to consult on the project.

The Commission acknowledges Tribal sovereignty and understands that California's Tribes and their members have long served as stewards of the State's important coastal resources and possess unique and valuable knowledge and practices for conserving and managing these resources in a sustainable manner and in a manner consistent with the spirit and intent of the Coastal Act.

While there are no known resources, paleontological, archaeological, and tribal cultural resources any such resources found during ground disturbance should be preserved and protected to the maximum extent feasible. The applicant is proposing to incorporate the impact reduction measures recommended in the archaeology/paleontology and tribal cultural resources reports to address inadvertent discovery. To further ensure that the proposed project protects any potential tribal cultural resource deposits that may be encountered during ground disturbance, the Commission imposes **Special Condition 1** requiring the applicant to adhere to monitoring and discovery treatment measures, including the monitoring of ground disturbing activities by a qualified archaeologist and any

Gabrieleño-affiliated Native American Tribe that accepts the invitation to monitor. Therefore, as proposed and conditioned, the development would minimize potential impacts to paleontological, archaeological, and tribal cultural resources, consistent with Coastal Act section 30244.

D. 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 30212 of the Coastal Act states, in pertinent part:

> (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:
> …
> (2) adequate access exists nearby, …

The subject site is a 3,010 sq. ft. lot located approximately 640 feet inland from the beach. The project location is well served by transit options for visitors and residents. The Hermosa Ave & 25th St. transit stop for bus route 109 is located approximately 600 ft. to the northwest of the project site. This transit line connects with Metro rail at Union 13 Station, Artesia, and Aviation/LAX. While well connected to transit, this stop is not considered to be a major transit stop as the frequency of buses can be as long as 30-50 minutes depending on the day of the week.

Currently existing on the subject site are three legal non-conforming parking garages/storage spaces that historically were used by the neighboring multifamily residential building located at 223 24th St. The garages were constructed between circa 1927 and 1952, prior to the implementation of the City’s first parking standards, which were established in 1956. The parking garages, however, are located entirely on a separate lot than the multifamily structure. At the time of their construction, the three garages were not required by the City to provide parking for the neighboring multifamily structure. A previous owner of the site undertook the development of an unpermitted staircase connecting the roof of one of the garages and the multifamily structure. Because the structures on each parcel were connected by the staircase, which crossed over the lot

lines, the Los Angeles County assessor established a lot tie between the two properties. No covenants or agreements to hold the two properties as one was ever recorded. The current property owner undertook removal of the unpermitted staircase connecting the properties, and the lot tie was subsequently removed by the county assessor. Because the garage parking spaces are on a separate lot and were not required by the City at the time of their construction, there is no mechanism which requires that the project applicant retain the legal non-conforming garage parking spaces on the subject lot to serve the neighboring multifamily structure. The proposed single-family residence would include an attached two-car garage and would include an additional parking space in front of the garage. The City's certified LUP requires two parking spaces for single family residences and an additional guest parking space for every three units on-site, which with the project as proposed would comply. Thus, the proposed development provides sufficient off-street parking for the associated single-family residence, and the Commission finds that the proposed project complies with the public access policies of Chapter 3 of the Coastal Act.

E. COASTAL HAZARDS

Section 30253 of the Coastal Act states:

New development shall do all of the following:

> (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
>
> (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
>
> (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
>
> (d) Minimize energy consumption and vehicle miles traveled.
>
> (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30253 of the Coastal Act requires that new development minimize risks to life and property in hazardous areas, including areas subject to flooding. New development must also not significantly contribute to erosion or destruction of the site or surrounding area or require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Commission staff has utilized the USGS Coastal Storm Modeling System (CoSMoS) to analyze the project site's vulnerability to coastal hazards assuming that 4.5 feet of sea level rise occurs by 2100 (the medium-high risk aversion scenario in the Commission's sea level rise guidance). Based on the site conditions, beach erosion and wave uprush events

will not significantly impact the proposed development given the distance and elevation between beach and the project site. The flood maps also show that the subject site is not likely to flood over the next 75 years under a 4.9 ft. sea-level rise scenario and a 100-year storm scenario.[2] This was determined using the "Flood Potential" model, which utilizes spatially variable elevation data to display the minimum and maximum flooding possible. Therefore, the proposed development would not be threatened by 4.5 feet of sea level rise, and the Commission finds that the development conforms to the requirements of Section 30253 of the Coastal Act regarding the siting of development in hazardous locations.

F. 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 water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act states:

> Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Construction Impacts to Water Quality

The above policies of the Coastal Act require protection of marine resources, including the protection of coastal waters by controlling runoff and preventing spillage of hazardous materials. Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain or wind would result in adverse impacts upon the marine environment that would reduce the

[2] The CoSMoS modeling tool has a limited range of sea-level rise scenarios to choose from. The 4.9 feet sea-level rise scenario was the closest available approximation to the 4.5 foot scenario recommended under the Commission's sea-level rise guidance.

biological productivity of coastal waters. Sediment discharged into coastal waters may cause turbidity, which can inhibit light penetration and reduce habitat quality and foraging success for avian and marine species. To avoid adverse construction-related impacts upon marine resources, the Commission imposes **Special Condition 2**, which outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. This condition requires the applicants to remove all debris resulting from construction activities within 24 hours of completion of the project. In addition, all construction materials, excluding lumber, shall be covered, and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

Post-Construction Impacts to Water Quality

The proposed project has the potential to adversely impact the water quality of the nearby Pacific Ocean. 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. To address post construction water quality impacts, the applicant has submitted a drainage plan that minimizes impacts to water quality the proposed project may have after construction. The plan includes a drainage system to manage and increase on-site percolation of runoff, including new sub drains, downspouts, and pipes connecting to an existing catch basin. The development, as proposed and as conditioned, 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 using permeable surfaces, and for the use of post construction best management practices to minimize the project's adverse impact on coastal waters to maintain the biological productivity and the quality of coastal waters.

The Commission finds that the proposed development, as conditioned, conforms with Sections 30230, 30231 and 30232 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

G. 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.

H. 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).)

The City of Hermosa Beach determined that the proposed development is statutorily exempt from CEQA under Section 15268, which ministerially exempts projects which include little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The Commission's findings are incorporated herein by reference. 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.

Appendix A - Substantive File Documents

Coastal Development Permit Application No. 5-25-0341 and associated file documents.