

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: CONSENT CALENDAR

Application No.: 5-26-0238

Applicants: Lara and Steve Hoiles; and
Sandy Feet, LLC c/o Donald English

Agent: Megan Lawler

Location: 301 Pier Avenue, Hermosa Beach, Los Angeles
County (APN: 4183-017-001)

Project Description: Remodel interior of one (1) existing, vacant retail space into two tenant spaces with a 396 sq. ft. shared toilet/shower facility; remove two (2) non-conforming vehicular parking stalls encroaching into the public right-of-way; restripe the onsite parking lot; install 9 bicycle racks; construct pad-mounted enclosures for mechanical, electrical and plumbing systems and trash with concrete masonry unit (CMU) retaining walls within the footprint of the onsite parking lot; and install new planters along the Pier Avenue commercial frontage.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The project site is located at 301 Pier Avenue in Hermosa Beach, Los Angeles County. The 8,704 sq. ft. lot is currently developed with an existing 5,292 sq. ft. vacant retail space owned by Sandy Feet LLC c/o Donald English and is leased by Lara and Steve Hoiles. The lot is designated as C-2 General Commercial in the certified Hermosa Beach Land Use Plan (LUP). The applicants propose interior modifications to the existing retail space that will partition off the existing building, resulting in two (2) 2,689 sq. ft. retail spaces to accommodate a Pilates studio and a physical recovery studio (RCVRI) with a shared bathroom and shower facilities. The project also includes exterior modifications within the footprint of the existing parking lot, including the construction of pad mounted enclosures with concrete masonry unit (CMU) retaining walls on the pad to support mechanical, electrical and plumbing systems, and trash facilities for the proposed development and for conformance with the City's uncertified Municipal Code. The project will also remove two (2) non-conforming vehicular parking spaces encroaching onto the public right-of-way; restripe the existing parking lot to accommodate eight (8) standard vehicular parking stalls, two (2) golf cart stalls, and one (1) ADA parking stall; install nine (9) bicycle racks; and install new planters along the Pier Avenue commercial frontage with native, or non-native drought tolerant non-invasive plant species.

The existing retail space was constructed in 1959, prior to the enactment of the Coastal Act, and has not expanded since. In addition to the existing retail space, the site contains surface parking, striped for 15 standard vehicular parking stalls and one ADA parking stall (one standard vehicular parking stall and the ADA parking stall is non-conforming). The proposed project will increase the intensity of use on site from one retail space to two (2) retail spaces to accommodate both the Pilates studio and the physical recovery studio (RCVRI). Due to the exterior modifications and removal of the non-conforming parking stalls onsite, available parking would decrease by seven (7) vehicular parking stalls, as proposed. In past Commission action, the Commission has applied parking ratios (one space per 250 square feet of commercial space), which equates to 13 required parking spaces for the proposed project. The applicants were unable to identify feasible off-site parking options to offset the deficit, including leasing off-site parking from a private, off-site lot; coordinating with the city to remove any red curb to open public parking on adjacent streets; and opening the parking lot for public use after business hours. However, these options were deemed to be infeasible by the project applicants due to proximity of existing City-operated metered lots, the absence of removable red curb on adjacent streets, and practical limitations on enforcing public after-hours use.

The Coastal Act generally requires new development to provide adequate parking to ensure access for those that may not be able to be provided by public transit, walking, biking, or other non-vehicular modes of travel. Without additional mitigation, the project would not sufficiently address public access impacts associated with the anticipated change in intensity of use of the site and increased demand for public parking in the beach areas of Hermosa Beach. Thus, the applicants have proposed and special conditions require additional measures to mitigate the public access impacts, including a final Transportation Demand Management Plan (TDMP) memorialized by **Special Condition 1**, which requires applicants to provide a total of 11 bike racks to accommodate 44 bicycles, restripe the parking lot to accommodate two (2) golf cart

spaces, and implement a transportation fare reimbursement program for employees. Thus, as conditioned, the project will be consistent with public access policies of the Coastal Act.

Commission staff is recommending **APPROVAL** of the coastal development permit application with **seven (7) special conditions**. The issues raised by the proposed development are consistency with water quality and public access and recreation policies of the Coastal Act. Therefore, staff is recommending the Commission impose the following special conditions: **Special Condition 1**, requiring the applicants to implement a Transportation Demand Management Plan (TDMP) to avoid public access and recreation impacts; **Special Condition 2**, which requires the applicants to maintain the existing vehicular spaces on-site; **Special Condition 3**, which informs the applicants that future development at the site requires an amendment to Coastal Development Permit No. 5-26-0238 or a new coastal development permit; **Special Condition 4** requires the applicants to conform with conditions imposed by the City of Hermosa Beach; **Special Condition 5** outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris; **Special Condition 6** requires proposed landscaping to consist of native, or non-native drought tolerant non-invasive plant species; and **Special Condition 7**, which requires 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. The motion to approve the coastal development permit application is on **Page 5**. The special conditions begin on **Page 5**.

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APPENDIX A – Substantive File Documents

EXHIBITS

[Exhibit 1 – Vicinity Map & Project Site](#)

[Exhibit 2 – Project Plans](#)

[Exhibit 3 – Public Transportation](#)

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 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.

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 permittees 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 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 permittees to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Revised Transportation Demand Management Plan.** PRIOR TO ISSUANCE OF THE PERMIT, the applicants shall submit, for the review and written approval of the Executive Director, two (2) sets of a revised Transportation Demand Management Plan (TDMP) which shall include the following:
 - A. The permittees/building operator shall maintain on-site bicycle parking to accommodate 44 bicycles and two (2) golf cart spaces.
 - B. A public transit fare reimbursement program shall be implemented and maintained by the permittees and their successors and assigns. The public transit fare reimbursement program shall offer full (100 percent)

reimbursement of public transit fare to and from work for employees working onsite at the development, provided that the employee purchases a monthly regional public transit pass of the employee's choosing (e.g., Beach Cities Transit, Torrance Transit, and LADOT Commuter Express, Metrolink, etc.).

- C. The applicants and its successors and assigns shall implement a publicity program, the content of which is subject to the review and approval of the Executive Director, that indicates how the future employees of the development will be made aware of the provisions of this special condition. A publicity program detailing the TDMP as conditioned shall be distributed by the permittees/ building operator to their employees during the first month of occupancy of the new development and shall be distributed to all employees annually thereafter for the life of the development. Newly hired employees shall receive the TDMP during first 30-days of their employment.

The permittees shall implement the approved Transportation Demand Management Plan as long as the development authorized by this permit exists, unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

2. **Retention of Onsite Parking.** The nine (9) standard automobile parking spaces (including one ADA parking space) shall be maintained and provided onsite for commercial patrons. Any changes to the parking amount available will require written approval from the Executive Director and/or an amendment to this permit.
3. **Future Development.** This permit is only for the development described in Coastal Development Permit No. 5-26-0238. 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 Coastal Development Permit No. 5-26-0238. Accordingly, any future improvements to this structure authorized by this permit shall require an amendment to CDP No. 5-26-0238 from the Commission or shall require an additional CDP from the Commission or from the applicable certified local government. In addition, thereto, an amendment to CDP No. 5-26-0238 from the Commission or an additional CDP from the Commission or from the applicable certified local government shall be required for any repair or maintenance identified as requiring a permit in PRC Section 30610(d) and Title 14 CCR Sections 13252(a)-(b).
4. **Conditions Imposed by Local Government.** This action has no effect on conditions imposed by the City of Hermosa Beach for entitlements other than a coastal development permit. The permittees are responsible for compliance with all terms and conditions of this coastal development permit in addition to any other requirements imposed by other local government conditions, including but not limited to bicycle parking, landscaping, solid waste enclosures, commercial encroachment permit, and Storm Water and Urban Runoff Control Regulations. In the event of conflicts between terms and conditions imposed by the local government and those

of this coastal development permit, such terms and conditions of this coastal development permit shall prevail.

5. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris. The permittees 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. 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 applicants 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 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;
- 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 shall be 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.
- N. During construction of the project, no runoff, site drainage or dewatering shall be directed from the site into any street, alley or stormdrain, unless specifically authorized by the California Regional Water Quality Control Board.

6. Landscaping-Drought Tolerant, Non-Invasive Plants. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit two (2) full-size sets of final landscaping plans, which shall include and be consistent with the following:

- A. All landscaping shall consist of native, or non-native drought tolerant non-invasive plant species, appropriate to the habitat type. No plant species listed as problematic and/or invasive by the California Native Plant Society (<https://www.cnps.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<https://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.
- B. 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. All plants shall be low water use plants as identified by California Department of Water Resources (<https://ucanr.edu/sites/WUCOLS/files/183488.pdf>).
- C. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or micro-spray irrigation systems may be used. Other water conservation measures shall be considered, such as weather-based irrigation controllers.

The permittees shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

7. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and

approval, documentation demonstrating that the landowner has executed and recorded against the parcel 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 recorded against title to the property shall include a legal description of that entire parcel. 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 DESCRIPTION AND LOCATION

The project site is located at 301 Pier Avenue, between Monterey Boulevard and Loma Drive in Hermosa Beach, Los Angeles County ([Exhibit 1](#)). The 8,704 sq. ft. lot is a sloped lot currently developed with an existing 5,292 sq. ft. one-story, vacant commercial building with an onsite parking lot accessed from Monterey Boulevard, exiting onto Loma Drive. The lot is designated as C-2 General Commercial in the certified Hermosa Beach Land Use Plan (LUP) and within the City's uncertified Housing Overlay District. The existing retail space was constructed in 1959, prior to the enactment of the Coastal Act, and has not expanded since. Due to the topography, the retail space is accessible from the onsite parking area via elevator. Currently, the parking lot is striped for 15 standard vehicle stalls and one ADA stall that does not meet current accessibility standards. Both the non-compliant ADA stall and one adjacent standard stall extend into the public right-of-way along the western property line. Off-site parking is available along the Pier Avenue frontage between Monterey Blvd. and Loma Dr., where seven (7) metered spaces including two (2) electric vehicle spaces are located, and along Monterey Blvd., which has four (4) on-street standard vehicle parking spaces.

The applicants propose interior modifications to the existing retail space that will partition off the existing retail space, resulting in two (2) 2,689 sq. ft. retail spaces: a Pilates studio (STRONG Pilates) and a physical recovery studio (RCVRI) with a 396 sq. ft. shared bathroom/ shower facility ([Exhibit 2](#)). As a result, the proposed project will increase the intensity of use on site. The project also includes exterior modifications within the footprint of the existing parking lot, including the construction of pad-mounted enclosures with concrete masonry unit (CMU) retaining walls to support mechanical, electrical and plumbing systems, and trash facilities for the proposed development and for conformance with the City's uncertified Municipal Code; and new planters with native, or non-native drought tolerant non-invasive plant species along Pier Avenue. The proposed parking modifications include the removal of two (2) non-conforming vehicular parking spaces encroaching onto the public right-of-way; restriping the existing parking lot to accommodate eight (8) standard vehicular parking stalls, two (2) golf cart stalls, and one (1) ADA parking stall; and installation of nine (9) bike racks to accommodate a maximum

of 44 bicycles (four (4) per bike rack). The project will not result in modifications to the ground level footprint or height of the existing retail building.

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 proposed project received approval from the City of Hermosa Beach during a Planning Commission hearing on November 18, 2024, for a conditional use permit (CUP 24-07) and a precise development plan (PDP 24-04).

Coastal Act 30210 requires maximization of public access to the coast and Section 30252 of the Coastal Act requires that new development should maintain and enhance public access to the coast by providing adequate parking or by providing substitute means of serving the development with public transportation.

Pier Avenue is a primary visitor serving commercial area and serves as a primary location for the public to access the coast since the Hermosa Beach Pier and the beach are located at the end of Pier Avenue. According to the City's LUP, existing parking demand on Pier Avenue is high because most of the existing businesses do not provide adequate on-site parking for either employees or customers and some businesses use what little available space, they have for trash or storage areas (a result of the historic development pattern). Since the City's pier and beach are approximately three (3) blocks seaward of the site and multiple visitor-serving uses line Pier Avenue, demand for existing on-street parking comes from both the business patrons, and pier/beach visitors. The immediate project vicinity experiences high vehicular volumes during the summer months. A lack of public parking discourages visitors from coming to the beach and taking part in other visitor-serving activities or coastal-dependent uses in the Coastal Zone. All development must, as a consequence, provide adequate parking or provide alternative transit options to minimize and mitigate adverse impacts on public access.

Due to the exterior modifications and removal of the non-conforming parking stalls onsite, the project would result in a net reduction of seven (7) vehicular parking spaces. Using the parking ratio historically applied by the Commission (one space per 250 square feet of commercial space), this project would require 21 parking spaces. Therefore, the project would be deficient by 13 parking spaces upon project implementation. The applicants explored alternatives to providing all 21 parking spaces onsite, including leasing off-site parking from a private, off-site lot; coordinating with the city to remove any unnecessary red curb to open public parking on adjacent streets; and opening the parking lot for public use after business hours. However, these options were deemed to be infeasible by the project applicants due to proximity of existing City-operated metered lots, the absence of removable red curb on adjacent streets, and practical limitations on enforcing public after-hours use.

The new retail spaces have a combined maximum approved occupancy of 66 people (48 for the Pilates studio and 18 for RCVRI), representing a 23-person (25 percent) reduction from the existing approved occupancy of 89, as identified in the applicants' Parking Demand Analysis prepared by PQNO Studio. To ensure controlled, non-disruptive

turnover in parking demand, the Pilates studio will operate on a reservation-based model, limited to 20 participants per class based on available equipment and supported by up to three staff members. RCVRI will offer 30-minute pre-booked sessions with no more than 18 clients at any time. During typical operating hours, the two uses are therefore expected to accommodate a combined maximum of 41 people (23 for Pilates and 18 for RCVRI). To minimize conflicts with peak coastal visitation, the Pilates studio will restrict class times during holidays and weekends during periods of high beach use, consistent with the City's certified LUP, which identifies peak beach demand between 10 AM and 3 PM. Accordingly, Pilates classes will operate Monday through Friday from 5 AM to 11 AM and 4 PM to 7 PM, and on weekends from 7 AM to 10 AM. RCVRI will operate all day, offering pre-booked sessions Monday through Friday from 8 AM to 8 PM, Saturdays from 9 AM to 4 PM, and Sundays from 9 AM to 5 PM.

Without additional mitigation, the project would not adequately address public access impacts associated with the anticipated intensity of use onsite and increased demand for public parking in the beach areas of Hermosa Beach. Therefore, the applicants revised their proposal to address the shortfall in onsite parking in part by removing the non-conforming vehicular parking stalls and restripe to accommodate eight (8) standard parking stalls, one (1) ADA parking stall, and two (2) golf cart stalls. Golf carts are common in the community and access to the area via bicycle is common for residents and visitors alike. In addition to two (2) existing bike racks in the public right-of-way. The applicants also propose adding 9 bike racks onsite to accommodate a maximum of 44 bicycles (four bicycles per bike rack at any given time). Eight (8) bike racks are proposed within the footprint of the existing parking lot, and one (1) bike rack will be added near the building frontage along Pier Avenue within the subject property boundaries. Increasing bicycle parking for visitors and employees of the commercial spaces is expected to further reduce overall parking demand and support additional non-vehicular access to the project site.

As stated previously, Pier Avenue is the City's primary visitor serving commercial area and serves as a primary location for the public to access the coast since the Hermosa Beach Pier and the beach are located at the end of Pier Avenue. To address deficiencies in available onsite parking, the applicants also propose to provide a transit reimbursement program, which includes 100 percent refundable transit passes to employee of the commercial spaces. Public transit options for the surrounding Hermosa Beach area include Beach Cities Transit, Torrance Transit, and LADOT Commuter Express¹ ([Exhibit 3](#)). Beach Cities Transit has Line 109 that stops at the intersection of Pier Ave and Manhattan Ave., approximately 384 ft. southwest from the project site, and connects to other areas throughout the South Bay. Torrance Transit also has Line 13 that stops at the same location, connecting to major destinations including Redondo Beach Pier, South Bay Galleria, Harbor Gateway Transit Center, Dignity Health Sports Park, and California State University, Dominguez Hills. LADOT Commuter Express maintains Line 438 connecting Downtown LA to the beach cities, that has stops at the intersection of 10th and Hermosa Ave., approximately 0.2 miles southwest of the project

¹ [Public Transit + Commuter Resources | City of Hermosa Beach](#)

site and the intersection of 16th and Hermosa Ave., approximately 0.3 miles northwest of the project site. Using these transit opportunities reduces demand for parking in the area and are beneficial for both visitors and employees of the Pier Avenue area. Thus, the applicants are proposing to implement a Transportation Demand Program (TDMP) measure, in which transit passes would be offered to 100% of the employees of the commercial spaces at a 100% cost reimbursement rate. The applicants also propose to implement a publicity program to inform employees of the reimbursement program within 30-day of employment and annually thereafter for the life of the development. While the project would still be deficient in onsite parking spaces, this measure would mitigate the lack of parking by reducing the demand. Since the new commercial retail spaces will be adequately served by public transportation options and alternative transit options, the project is consistent with Section 30252 of the Coastal Act and will provide adequate alternative transit options.

With the transportation-related revisions to the proposed project that will minimize and mitigate adverse impacts to public access in an area that is highly used by the public, the project is consistent with the Coastal Act regarding public access. However, there could be cumulative adverse effects on coastal resources if additional commercial uses on Pier Avenue do not provide sufficient parking. Thus, the applicants have proposed, and special conditions memorialize the additional measures to mitigate the public access impacts by requiring a final Transportation Demand Management Plan (TDMP) (**Special Condition 1** that includes a total of 11 bike racks to accommodate 44 bicycles (four bicycles per bike rack), two (2) golf cart spaces, and a transportation fare reimbursement program for employees. In addition to alternative forms of transportation required through the TDMP, the applicants propose limited occupancy hours during peak beach use on holidays and weekends for the Pilates Studio, as compared to business days. Because the new use will be adequately served by public transportation options that employees will be encouraged to use and will provide alternative transit options onsite (including bicycle & golf cart parking), the project is consistent with Section 30252 of the Coastal Act and the public access policies of the Coastal Act.

To ensure that public access is not impacted by a reduction in parking in the future, **Special Condition 2** memorializes the retention of the existing nine (9) vehicular parking stalls (including the ADA parking stall) onsite and includes a requirement of approval from the Executive Director or an amendment in the event of a change in parking availability.

Since the proposed development is located in an area where coastal resources including water quality and access opportunities can adversely impacted, the Commission imposes **Special Condition 3**, to ensure continued Commission oversight and waives any right to exemption from Coastal Commission permitting requirements for this development and requires either an amendment to CDP No. 5-26-0238 or a new coastal development permit for any future parking, building, or exterior improvements.

Special Condition 4 is imposed to ensure that the special conditions of approval on this subject coastal development permit do not affect any conditions of approval imposed by the local government. If there is a conflict between the conditions of approval, the Commission's conditions override.

The predominant character of the surrounding area is one or two-story commercial structures. The proposed change in use will not result in a change to the massing of the building and thus will not be out of character with the area. In addition, there are no public blue water views within the immediate vicinity of the project site. Therefore, the project as proposed is consistent with the visual resource protection policies of Section 30251 of the Coastal Act.

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 could result in adverse impacts upon the marine environment that could reduce the water quality and biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. Sediment discharged into coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts to water quality and biological productivity and to be consistent with Sections 30230, 30231 and 30232 of the Coastal Act, adequate construction best management practices must be implemented. Thus, the Commission imposes **Special Condition 5**, which outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris. This condition requires applicants to remove any and 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. As conditioned to protect water quality and biological productivity through the implementation of requirements for safe storage of construction materials and safe disposal of construction debris, the project is consistent with Sections 30230, 30231 and 30232 of the Coastal Act. To ensure landscaping does not introduce invasive species, **Special Condition 6** requires submission of a native or drought-tolerant planting plan for Executive Director review and approval prior to permit issuance.

Finally, to ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit **Special Condition 7** 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.

B. DEVELOPMENT

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To ensure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a special condition to retain on-site vehicular parking spaces shall be imposed. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act.

C. PUBLIC ACCESS

As conditioned, 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. Therefore, as conditioned the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

D. WATER QUALITY

The proposed development has the potential of discharge of polluted runoff from the project site into coastal waters. 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 through the use of permeable, non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, 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.

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 one additional 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 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

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

The City of Hermosa Beach is the lead agency responsible for certifying that the proposed project is in conformance with the California Environmental Quality Act (CEQA). The City determined that the project is Categorically Exempt pursuant to Title 14 of the California Code of Regulations, Section 15303, Article 19 of Chapter 3, Guidelines for Implementation of CEQA under Class 3 (New construction or Conversion of Small Structures) because the project has no potential to have a significant effect on the environment. Section 13096(a) of the Commission's administrative 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 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.

Under Section 15251(c) of Title 14 of the California Code of Regulations, the Commission's CDP regulatory process has been certified as the functional equivalent to the CEQA process. The proposed project has been conditioned in order to be found consistent with the public access and resource protection policies of the Coastal Act and the LCP, as applicable. As conditioned, the proposed project has been found consistent with the hazards, water quality and marine resources, and public access and recreation policies of the Coastal Act and the LCP, as applicable.

Therefore, as conditioned, the Commission finds that 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 consistent with the requirements of the Coastal Act and CEQA.

Appendix A—Substantive File Documents

Coastal Development Permit Application No. 5-26-0238 file.