

**CALIFORNIA COASTAL COMMISSION**

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Staff Report: 7/22/2004  
Hearing Date: 8/11-13/2004  
Commission Action:

**Th 24a****STAFF REPORT: MATERIAL AMENDMENT**

**APPLICATION NUMBER:** 5-84-236-A2

**RECEIVED**

AUG 04 2004

**APPLICANT:** City of Hermosa Beach

COMMUNITY DEV. DEPT.

**AGENT:** Sol Blumenfeld; Planning Director

**PROJECT LOCATION:** Pier Avenue, between Valley Drive and Monterey Boulevard; the area bounded by The Strand, Morningside Drive (north of Pier Avenue) and Loma Drive (south of Pier Avenue) to the east, and the City limits to the north and south, City of Hermosa Beach, Los Angeles County.

**DESCRIPTION OF PROJECT ORIGINALLY APPROVED (7/11/84):** Implementation of preferential parking and remote beach park and ride system.<sup>1</sup>

**DESCRIPTION OF PREVIOUS AMENDMENT 5-84-236-A1, (4/7/98):** Amend preferential parking program to change the permit-restricted parking area hours from present hours (8 am to 5 pm) to extended hours (10 am to 10 pm); eliminate parking prohibition without a permit from 2 am to 6 am; enforce parking restrictions for "yellow" (12-24 hour) and "silver" (2 hour) meters from 10 am to 12 midnight; and install two-hour maximum parking meters along upper Pier Avenue which is currently subject to two hour parking limits.

**PROPOSED AMENDMENT 5-84-236-A2:** Expand preferential parking district to restrict 13 spaces on west side of Cypress Avenue between Pier Avenue and 11<sup>th</sup> Street to residents and to add 15 spaces along Valley Drive near Second Street to 12-hour public parking inventory; also, the request includes updating the parking district management (See Pages 5, 6 and 16).

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission determine that the proposed development, with the proposed amendment, subject to the conditions below, is consistent with the public access requirements of the Coastal Act. The special conditions are designed to assure that most spaces previously proposed for free long-term remote public parking continue to be available to the public, but allow the City to reduce the number of free remote spaces on weekdays other than summer holidays. Further, the 1,100 long-term metered beach parking spaces along Hermosa Avenue (and portions of Herondo Avenue) must remain long-term (6 hour minimum) in order to continue to provide beach access parking. Finally

<sup>1</sup> These are the descriptions as they appeared on the front page of the staff report and on the coastal development permits. For a more detailed description, see Exhibits and pages 7-11 of this staff report.

the staff recommends that the City update its signage system, advising the public both of the locations of the long-term spaces and of the availability of day passes.

**SUBSTANTIVE FILE DOCUMENTS:**

1. 5-86-834 (City of Hermosa Beach; Strand bicycle rest area);
2. 5-92-177 (City of Hermosa Beach, Removal of Parking from Greenbelt);
3. 5-97-011 (City of Hermosa Beach, downtown parking structure);
4. 5-82-251 (City of Hermosa Beach Limited Term Preferential Parking.)

**LOCAL APPROVALS RECEIVED:**

Hermosa Beach City Council resolution to approved the incorporation of Cypress Avenue in the Preferential Parking District, June 25, 2002.

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**PROCEDURAL NOTE:** The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- (1) The Executive Director determines that the proposed amendment is a material change,
- (2) Objection is made to the Executive Director's determination of immateriality,
- (3) Or, the proposed amendment affects conditions required in order to protect a coastal resource or coastal access.

In this proposed amendment to a conditionally approved permit, the proposed revision is a material change that affects conditions required for the purposes of protecting public coastal access. Therefore, the Executive Director has determined that the change must be reported to the Commission and noticed to the public.

**STAFF RECOMMENDATION:**

**MOTION:** I move that the Commission **approve** amended Coastal Development Permit No. 5-84-236-A2 pursuant to the staff recommendation.

**STAFF RECOMMENDATION OF APPROVAL:**

1. 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.

**I. RESOLUTION TO APPROVE A PERMIT AMENDMENT:**

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit amendment 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 amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

**II. STANDARD CONDITIONS**

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**III. SPECIAL CONDITIONS.**

**1. PROVISION OF LONG TERM PUBLIC PARKING.**

A. Prior to issuance of the amended permit, the applicant shall agree in writing to the following:

- 1) The applicant shall provide no fewer than 1,100 metered parking spaces within two blocks of the beach (yellow meters), that allow parking for no less than six hours and that accept coins for up to six hours for each visit.
- 2) The applicant shall maintain no fewer than 440 short-term, 2-3 hour, public, metered, commercial spaces on streets and public lots.
- 3) The applicant shall provide an accessible supply of free, long-term, remote public parking spaces in the numbers and in the locations and on the days of the week indicated below. The parking spaces shall be identified with legible signs. A remote space is generally a public space that is located from five to eight blocks walking distance of the beach. Pursuant to this requirement:

(a) **Weekends- Free Remote spaces.** The applicant shall continue to provide no fewer than 396 free long-term (6-12 hour) remote public parking spaces on weekends and holidays during the hours of enforcement of the preferential parking (10 am to 10 pm), on City streets and in City owned lots located within eight blocks of the beach. Spaces shall be provided in the following numbers in following locations:

i.	Clark Building lots <sup>2</sup>	51
ii.	Hermosa Greenbelt	78
iii.	City Hall front lot <sup>3</sup>	29
iv.	City Hall self-storage	32
v.	Community center	107
vi.	Ardmore & Pier	34
vii.	Kiwanis Club/valley park	35
viii.	Valley Drive West Side	15
ix.	City Yard	15

(b) **Weekdays- Free Remote spaces:** The applicant shall continue to provide no fewer than 320 free long-term (6-12 hour) remote public parking spaces during weekdays, on City lots and on City streets located within eight blocks of the beach, during the hours of enforcement of the preferential parking program (10am to 10 pm.) Such spaces, with the concurrence of the Executive Director, may be reasonably restricted for street cleaning and for a Farmer's Market. Spaces shall be provided in the following numbers in following locations:

i.	Clark Building lots	51
ii.	Hermosa Greenbelt	78
iii.	Community Center	107

<sup>2</sup> The Clark building lots are used for the Farmer's market on Fridays

<sup>3</sup> These two City facilities are available on Fridays.

iv.	Ardmore & Pier	34
v.	Kiwanis Club/Valley Park	35
vi.	Valley Drive West Side	15

B. The permittee shall undertake development in accordance with the measures listed above. Any proposed changes to the final measures agreed upon shall be reported to the Executive Director. No changes to the approved remote long term parking measures shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required

## **2. CHANGES IN PREFERENTIAL PARKING PROGRAM.**

The Commission has approved the preferential program as described in its permit 5-84-236 as amended. Any change, including, but not limited to, changes in the location of the remote parking spaces, the duration of the free parking, the amounts of fees for on-street parking or day passes, or any other feature of the program shall be reported to the Executive Director to determine whether an amendment to the permit is necessary.

## **3. UPDATED SIGNAGE/PUBLIC INFORMATION PROGRAM**

**PRIOR TO ISSUANCE OF THE AMENDED PERMIT**, the applicant shall provide for the review and approval of the Executive Director an updated signage/public information program that explains the location of the free remote parking lots, the absence of time limits on holidays and summer weekends on the City lots, and the availability of the day-pass program. The program shall include a schedule of installation of the signs; such that new signs shall be installed prior to the 2005 beach season.

## **III. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

### **A. PROJECT DESCRIPTION AND LOCATION**

In this present amendment, the City proposes to add 13 public on-street parking spaces that are located on one side of a small residential street, Cypress Avenue, to the restricted portion of an existing preferential parking program. This change would limit parking without a "resident" pass to one hour from 10 am to 10pm along this side of the street. As part of the proposal, the City will provide 15 new long-term public spaces along Valley Drive at the southern end of the City. These spaces would provide beach and recreation parking that is not available in the southern end of the City and would increase public

access. The underlying preferential parking program was approved in 1984 and was intended to discourage parking in the downtown commercial lot by increasing its price, and to provide long-term parking in inland locations. The program also restricts non-resident parking on residential streets inland of the seaward-most arterial, Hermosa Avenue and west of Loma and Morningside Drives to one hour except for residents. As a result of this amendment, Cypress Avenue would be added to the restricted area of the City. In addition to imposing restrictions on visitor parking, the program, as approved, provides no less than 400 long-term free six-hour parking spaces a quarter of a mile inland of the beach, 200 short-term commercial spaces (marked by silver two-hour and three-hour meters) in the downtown Pier Avenue commercial district, and 1,100 metered twelve and twenty four-hour spaces along the first street inland of the beach, Hermosa Avenue (yellow meters)<sup>4</sup>. Residents with passes can park at yellow meters for an unlimited time. The street being added to the restricted area, Cypress Avenue, is a residential street located just inland of City Hall, six blocks from the beach, extending between Pier Avenue, a commercial street, and 11<sup>th</sup> Street, a residential street. For detailed information submitted by the City, see Exhibits 7, 8a, 8 and pages 2, 3, 4, and 9.

In addition, the amendment would reflect operational changes to the system that have occurred since the Commission initially approved the program. The principal clarification that the City seeks in this amendment is that due to the loss of 165 public parking spaces in a commercial parking structure just outside the coastal zone, (Plaza Hermosa), the City can provide close to 400 free remote spaces only on weekends. This is because some of the weekend long-term spaces do double duty serving City Hall and the one-day Farmer's Market during the week. In addition, the location of some long-term parking has changed since the City last contacted the staff. Some spaces have been designated for City vehicle or police use, or restricted to two hours, and are no longer available for long-term use by the general public. Restriping to accommodate handicapped spaces or traffic needs has also reduced the number of spaces available. The City has opted to sponsor a Farmer's Market at the Clark Building on Fridays. This event has resulted in a reduction of remote spaces available to serve beach goers on that day, although some City employee spaces have been used to fill the gap. While the long-term spaces were clearly labeled as providing 12 hours of free parking, there were few signs at community entrances directing visitors to the long-term parking.

### Permit History/Area Description

Hermosa Beach is a developed city in the South Bay area of Los Angeles County. The Hermosa Beach Coastal Zone extends approximately eight blocks inland, marked by Ardmore Avenue, a street that is inland of an abandoned light rail right-of-way. The beach is public. Inland of the beach, there is a paved public walkway known as "The Strand." Inland of The Strand, there is a row of houses, backed by an alley (Beach Drive), and then

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<sup>4</sup> Earlier staff reports on this permit and the first amendment, 5-84-236 and 5-84-236A describe these spaces as twenty-four or twelve-hour spaces. City staff has now confirmed that 1,213 of these long-term meters are available on Hermosa Avenue and Herondo Street. They continue to allow 12-24 hour parking. Residents can park at these meters without paying for an unlimited time. They were initially approved at 12 hours.

developed 3,000 sq. ft. lots, that extend inland one block deep. Inland of this, a four-lane collector street, Hermosa Avenue, provides public parking. Most of the coastal zone is developed with duplexes and triplexes on small lots that are served by both walk streets and vehicular streets that run at right angles to the beach. Other collector streets run parallel to Hermosa Avenue, extending from Manhattan Beach on the north to Redondo Beach on the south. These streets each support two lanes of parking. Valley Drive parallels an abandoned railroad right-of-way, "the Greenbelt", on its seaward side. Ardmore Drive, which is the coastal zone boundary, parallels the right-of-way on its inland side. Outside the coastal zone, and one long block inland of Ardmore, highway-oriented commercial properties front Pacific Coast Highway. In the middle of town, Pier Avenue extends from Pacific Coast Highway to the beach, ending at the City Pier.

In 1984, the Commission approved a preferential parking system for the City of Hermosa Beach (5-84-236). The initial program was a continuation of a two-year "trial preferential parking program" in which the Commission allowed the City to create areas where public parking was discouraged and areas where, because of the absence of fees and generous time limits, visitor parking was encouraged (5-82-251). The following is a summary of the terms of each iteration of the preferential parking permit and related permits:

**1982: Trial preferential parking program 5-82-251.**

**Detailed Project description:**

"Project includes two major features: a disincentive system to make it hard to park in the 43-acre area near the beach and free remote parking system to replace both the spaces in the residential areas (from one to four blocks from the beach) where visitors would be limited to one-hour parking and areas near the beach where the City plans to place 1300 meters. ...

"The metered areas include the downtown commercial district (200 silver meters restricted to two hours without a permit) and Hermosa Avenue, the first collector inland of the beach, where the City planned to place 1,100 yellow meters. Yellow meters provided 12 hours parking, but nearby residents and employees of beach front businesses could purchase permits to park at those meters. The area from one to four blocks from the beach would be limited to one-hour parking, without a resident permit. Annual permits cost 15 dollars, are available to residents and certified employees. They allow a car to be parked in any zone with no time limit. Visitors could purchase day use permits to allow them to park anywhere."

Exhibits indicated that the project included:

1. 200 remote free spaces --use the free parking lots located at City Hall (50 spaces) and on the Railroad Right of Way (150 spaces) and take the shuttle to the beach.

2. Purchase of a day permit for \$2.00 to allow a visitor to park at any meter or in any zone for no additional fee.
3. Pay at one of the 1,100 yellow meters at \$.50 an hour up to 12 hours (yellow meters were located along Hermosa Avenue, where either day permits or residential permits could be used.)
4. Use the commercial lots at \$0.25 per hour [City had two down town lots totaling about 270 spaces about half a block from the beach]
5. Pay at one of the 200 silver meters; two hour limit \$.0.50 per hour
6. Park where there are no restrictions east of Loma Drive, approximately five blocks from the beach (in residential areas). (Exhibit 16)

**Special conditions:**

1. Permit would expire in two years from date of approval.
2. City shall submit a sign and public information plan.
3. Demonstrate that the shuttle would be available when the restrictions are enforced.
4. Within thirty days of Commission action, the City shall designate the location of a reservoir of one hundred (100) additional spaces which shall be made available to the satellite parking program by the middle of June 1982. Furthermore, by March 1, 1983, the City shall identify an additional one hundred (100) such spaces which shall be available for the parking program by mid June (June 19) of 1983.

**(1984) 5-84-236. "Implementation of preferential parking and remote beach park and ride system."**

**Findings state:** The proposed development is to continue the [1982] program with the same mitigation measures regarding fees, posting of signs, enforcement and remote parking facilities to accommodate an additional 100 cars over and above the previous permit that provided 300 spaces. ... City would raise the day permits to \$5.00, charge a 25 cent fee for the shuttle, the proposed parking program will affect 1300 metered on-street parking spaces and will provide 400 remote parking spaces at seven locations. The meters included 1,100 yellow meters along Hermosa Avenue and 200 silver meters in the downtown. (See Exhibits 5 and 17.)

A letter from the City described the program (Gregory Meyer March 29, 1984):

1. Purchase a day permit
2. Pay the yellow meter at \$ .50/hr (12 hour maximum)
3. Use the commercial lots at \$ .25 /hr.
4. Park where there are no restrictions east of Loma Drive (approximately five blocks from the beach).
5. Use the free parking lots located at City Hall and on the Railroad Right Of Way and take the shuttle to the beach.



The staff report refers to Exhibit B (see the current Exhibit 5) for a description of the locations and numbers of remote parking spaces. Based on the exhibit, in 1984, the remote spaces were the following:

<b>Location</b>	<b>Number of Spaces</b>
Rotary Club and Valley Park, 2515 Valley Drive	26
Valley Middle School	125
Old recreation building 1035 Valley Drive	22
City Hall front lot	47
City Hall back lot	25
City Hall side lot	25
Railroad right of way (Greenbelt)	119
Clark building	<u>12</u>
<b>1984 Total</b>	<b>401</b>

In 1986, citing the cessation of federal funding, the City asked to remove the jitney bus from the system and the Commission approved the request. (5-82-251A).

In 1989, following a compliance investigation, the City resubmitted their list of available remote spaces to staff. (Exhibits 6,13)

<b>Location</b>	<b>Number of Spaces</b>
Kiwanis Club and Valley Park, 2515 Valley Drive	26
Old recreation building 1035 Valley Drive	22
Railroad right of way (Greenbelt)	119
Clark building 861 Valley Drive	12
Vons shopping center (Plaza Hermosa lower level)	168
Community center	<u>125</u>
<b>1989 Total spaces</b>	<b>472</b>

**(1992) Coastal Development Permit 5-92-177.** In this related permit, the City requested:

Removal of 59 parking spaces on the Greenbelt, formerly the railroad right of way, reducing parking from 119 spaces to 60; landscape with pocket park and jogging trail. Restripe Bard Street and other City lots to create 53 new parking spaces.

After an initial recommendation requiring replacement of 60 spaces on site, the City returned with an inventory of remote spaces that would more than replace the missing spaces. While some spaces were outside the coastal zone, and some of them supported other recreational uses, the Commission accepted them. In August of 1992, the Commission approved the construction of the park, the removal of the parking spaces and the following inventory:

<b>Location</b>	<b>Number of Spaces</b>
Vons shopping center (Plaza Hermosa lower level)	168
Clark Building 861 Valley Drive, (two lots)	57
Railroad right of way (Hermosa Greenbelt)	78
City Hall front lot	43
Community center	125
Kiwanis Club and Valley Park, 2515 Valley Drive	26
Ardmore and Pier	<u>36</u>
<b>Total 1992 spaces</b>	<b>533</b>

In addition, the City proposed 30 weekend spaces at the City employee parking lot (Mini-storage lot.) No changes to the meter operation were proposed or approved, although the Commission changed the definition of "long term parking" to 6 hours or more to reflect limitations of the City's contract with the owner of the Plaza Hermosa. This change allowed the City to consider the Plaza Hermosa spaces as long-term remote parking spaces. The Commission also added a special condition that stated that if the City were found out of compliance, the preferential parking program would terminate.

**(1998) 5-84-236-A-1.** In April 1998, in the first amendment to the preferential parking permit, 5-84-236A1, the Commission approved an amendment to the underlying permit. The amendment explicitly addressed two issues: 1) the hours of enforcement of the district, and 2) the installation of meters on upper Pier Avenue. The Commission approved the changes with no special conditions. The following was the request that the City submitted.

Amend preferential parking program to change the permit-restricted parking area hours from present hours (8-am to 5 pm) to extended hours (10 am to 10 pm); eliminate parking prohibition without a permit from 2 am to 6 am; enforce parking restriction for "yellow" and "silver" meters from 10 am to 12 midnight; and install two-hour maximum parking meters along upper Pier Avenue which is currently subject to two hour parking limits.

While the project description did not state how long a person could park at either the yellow or silver meters, both the staff report and exhibits prepared by the applicant indicated that the 1,100 spaces along Hermosa Avenue would allow 12 hour parking, and that some spaces adjacent to Hermosa Avenue would allow 24 hour parking. The City submitted the 1989 map of remote spaces that showed 472 remote spaces and a list of parking provided. The City also provided a map of metered spaces. (See Exhibits 2, 3 12 and 14)

As indicated above, given the somewhat confusing record, the Commission concludes the following:

1. The remote spaces need to be free and open for at least six hours to allow adequate time to walk the 5-6 blocks to and from the beach and enjoy the beach while there.
2. The City is obliged to provide at least 400 remote spaces every day.
3. Hermosa Avenue is supposed to provide 1,100 long-term (6-12hour) meters.
4. As part of the program, residents of the immediate neighborhood could buy a pass that allowed the unlimited parking on these "yellow (long term) meters," and in the residential areas where parking was otherwise limited to one hour.

The Commission required that the City also sell day-passes to the public that allowed them to park in restricted areas. The City still sells these passes at the Department of Public Works, although staff observed no signs indicating that the permits exist. City officials state that out-of-town beach visitors park at the yellow meters on Hermosa Avenue, and now that the parking structure near the beach is complete, in the parking structure.

In an earlier report, staff indicated that some Hermosa Avenue meters were limited to two or three hours. City staff has now re-surveyed its long-term pay spaces. While about 195 spaces along Hermosa Avenue are limited to serve commercial uses,<sup>5</sup> there are still over 1200 long-term pay spaces located about a block from the beach (Exhibit 18). Staff corroborated that the long-term meters exist.

## **B. PUBLIC SHORELINE ACCESS**

The Coastal Act requires the Commission to protect existing public access and to protect uses that support public beach access and recreation.

### **Section 30210 Access; recreational opportunities; posting**

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.

(Amended by Ch. 1075, Stats. 1978.)

### **Section 30211 Development not to interfere with access**

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 30212.5 Public facilities; distribution**

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<sup>5</sup> Other short-term pay spaces are located in downtown pay lots and along Pier Avenue and other streets immediately adjacent to the downtown Pier Avenue district.

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

**Section 30223 Upland areas; recreation:**

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

The amount of public beach parking is directly related to the amount of public access to beaches in Los Angeles County, and the amount of public use of these beaches. A State Park study published in 1965 identified on-street parking as the principal limitation on public access to publicly owned beaches throughout the County. Since the time the survey was completed, there has been no significant change in the transportation system serving Los Angeles County beach areas.

Beach users from other parts of the City or from cities that are located farther east in the metropolitan area cannot walk to the beach, and generally must rely on automobiles to get to the beach. However, parking for visitors' cars is limited. Hermosa Beach, like other South Bay cities, was subdivided in the early years of the century. The result of the subdivision pattern is dense development with limited on-street parking, and high demand from local residents and businesses for the parking that is available. Older structures are deficient in parking, and new development, typically a duplex on a 30' x 90' lot, provides little or no guest parking. Side streets are cut with driveways. In some cases, side streets do not provide parking because they are landscaped as walk streets, providing a pedestrian amenity, but no parking. In the late 1960's, in response to a declining downtown retail center, the City developed three public parking lots about a block from the beach in the "old downtown".

In response to the competition for parking between residents, small business and beachgoers, Hermosa Beach instituted the preferential parking district. The Commission approved the installation of the meters, the imposition of the other restrictions and the creation of this district as a two-year experiment in 1982 (5-82-251). The restrictions were coupled with mitigation that provided an attractive alternative to beach visitors: 1,100 metered long-term beach parking spaces on Hermosa Avenue; and no less than 400 free long-term spaces six to seven blocks from the beach along the railroad right of way. In 1984, the Commission approved a permanent program that incorporated all of the Commission's conditions on the prior action into the project description (5-84-236) - except for the two-year time limit. In 1986, one feature was eliminated from the original program, a shuttle bus that had proved infeasible.

**Objectives of the Commission-approved system**

As noted above, the preferential/remote system approved by the Commission is not aimed at reducing public parking. Instead, it is intended to redirect the location of public beach parking with a combination of fees, time limits and free parking. The program allows

preferential parking by permit for residents who live within four blocks of the beach, but is also designed to mitigate the exclusionary effects of the system. This system differs from other systems the Commission has denied because the City provides long-term parking meters for beach access near the beach, and free remote parking and because non-residents can park on all streets available to the residents by purchasing day permits. Additionally, 1,100 metered parking spaces located one block inland of the beach allowed ample time (12 hours) to enjoy the beach. The creation of the remote lots was crucial in persuading the Commission to approve the preferential/remote parking system in Coastal Development Permits 5-82-251 and 5-84-236 (City of Hermosa Beach). In addition to no fewer than 400 free, long-term spaces in "remote" lots, the system was described as including "unlimited parking" on the City streets east of Loma Drive. Cypress Avenue is east of Loma Drive.

In making its findings of approval in 5-82-251, the Commission noted, "the cumulative impacts of such restrictions could be the closing of such County-owned public beaches to all but residents." The Commission noted a cumulative parking deficit of 33,340 beach parking spaces in Los Angeles County in 1964, before the seventies building boom replaced many vacant lots with more intensive uses; and it found that without parking available to the general public, it would be theoretically possible to close off the beach to non-residents. The Commission found that the Hermosa Beach plan, as approved and conditioned, was not exclusionary, rather, it redirected tourist parking to several lots which by their location on major beach routes were easy for beach visitors to find. The system relied on financial disincentives to park near the beach, where long-term parking was allowed but could cost two dollars for four hours. At the same time parking in the remote lots was free. Presently, parking prices in the downtown commercial lot or structure, immediately adjacent to the beach, and on the 1,100 yellow meters are set at one dollar an hour. At the time of the initial approval, the City contemplated charging up to 12 dollars a day for use of its downtown lots.

The system relies on easy availability of free parking and clear signage to maintain the level of beach access while restricting certain areas. Signs indicating the location of public parking are posted where Valley Drive, the location of much of the parking, crosses arterials leading from the freeway. The system has not reduced public use of the beach. Recent beach visitor information from the County Department of Beaches and Harbors indicates that two and a half million visitors used the beach at Hermosa Beach last year. While these figures are estimates and do not distinguish between local citizens and visitors from other communities, they suggest that the beach remains heavily used and attracts tourists.

Site visits conducted by staff revealed that a significant number of the parking spaces identified for remote parking were available for shorter intervals than originally proposed, or were reserved for other public purposes and not available as public long-term beach parking. The program was reviewed by the Commission as an integrated system, comprised of a delineation of restricted areas and mitigating free parking areas and a detailed description of the restrictions and prices that would apply. The applicant has requested only one small change to the system, but this change triggered a survey to

determine whether the Coastal Commission approved system continues to operate. Changes identified included a private developer's posting of 168 spaces in one lot for "customer use only," the redirection of 51 spaces for a Farmers' Market on Friday afternoons, conversion of some parking spaces identified in the 1992 related permit (5-92-177) to a recreation facility, reduction in space counts due to identification of handicapped spaces and several other changes that have occurred since the program was initially approved in 1984.

While some parking has been lost, other parking has become available. Since the initial approval of the program, the City has constructed a new 300-space downtown parking structure that presently allows all day parking for one dollar an hour and is located one block from the beach. However, at the time of the construction of the structure, the City characterized its primary purpose as providing parking for downtown visitor-serving development, including bars and restaurants that have been developing near the pier. 100 spaces of the lot are reserved for a hotel, and others have been committed to providing spaces for downtown businesses that lost on-street parking when the City turned lower Pier Avenue into a plaza. Since many of the restaurants operate in the evenings, the downtown facility continues to provide some beach parking. However, in an analogous situation in Santa Monica, increased commercial use of the downtown parking lead to shortening the hours that spaces in the shopping center structure were available, reducing the effectiveness of the structure for beach visitor parking.

As described above, in this present amendment, the City proposes to add the west side, of one (one-block long) residential street, Cypress Avenue, to the preferential parking area and to create 15 new long-term spaces on the Greenbelt, adjacent to Valley Drive near the southern edge of the City. The spaces on Cypress Avenue would be limited to one hour except for residents. The street is six blocks inland of the beach; driveways break up the available parking. The street is not visible from major arterials and is located close to commercial establishments, not the beach. Cypress Avenue is one block from some specialty food stores and a block and a half from City Hall. It is more likely that motorists from outside the neighborhood who park there are drawn to attractions that are closest, which are the commercial establishments and City Hall. Even though the number of beach visitors who park on the block is likely to be small, the City is proposing to amend the system. All parts of the system must function in order for the preferential parking system not to impede public access to the beach. Commercial customers who had been parking on this street could move west or toward the bigger lots on Valley Drive, and displace beach visitors.

The Commission finds that the remote parking system as designed, as conditioned in 1982, and resubmitted by the City as a complete system "incorporating the conditions" and approved by the Commission is consistent with public access to and use of the beach. The Commission has consistently found that if the free remote lots, long term parking on the first road and adequate signage are provided, restriction of public parking in the residential neighborhoods closer to the beach is consistent with Sections 30210, 30211, 30212.5, and 30223 of the Coastal Act that require public access to the beach. Moreover

consistent with Section 30213, the remote parking is provided at an affordable price - free. As long as the system is functioning as designed, and the proposed mitigation is provided, the proposed changes to the restricted area will not reduce access to the beach.

The reduction of the number of free remote spaces during the workweek is the first material change. In the Los Angeles region, with the exception of an anomalous hot day, beach attendance is much higher on holidays and weekends than during the workweek. Earlier efforts to use the City Hall lot had to be abandoned in the 1992 action because the City Hall parking lot is heavily used during the week for City business. The City initially proposed to replace these spaces with spaces in the lower level of the Plaza Hermosa shopping center, but can no longer use that lot. It can however provide 396 spaces on weekends and holidays. The loss of four spaces to re-striping is not significant number.

The conversion of Cypress Avenue to preferential spaces will not reduce beach access because the existing spaces are difficult to find and because the mitigation spaces provide better coastal access parking spaces than the spaces on Cypress Avenue that the City is proposing to restrict. The new spaces along Valley Drive are located closer to the beach than the newly restricted spaces; and, more importantly, they are located on a major arterial. Therefore, the change is consistent with Sections 30210-30223 of the Coastal Act.

### **C. COMPLIANCE/VIOLATIONS**

The materials submitted as part of the application indicate that the City has not continued to provide the number of long-term free remote spaces that it proposed in the past, inconsistent with the permit. When the City and Commission staffs inventoried parking spaces in May and June 2004, the City staff identified 598 public parking spaces that were available to the public for varying lengths of time. The total number of seven-day remote spaces is lower than the City's initial offer, and much lower than the offer made when moving some of the parking lots eastward. While the City had previously identified 472 parking spaces that were available for public use for long-term free parking for seven days a week, as required in the permit, in 2004, City staff could only identify 269 free long term spaces available for no less than 6 hours for 7 days a week and a total of 320 long term spaces available on at least six days a week (including the 269 that are available 7 days per week)) (Exhibit 11); 76 spaces were available only on weekends. This is inconsistent with both CDP 5-84-236 as amended and in the Commission's approval of the related CDP 5-92-177 in which "long term" was defined to mean at least 6 hours. (Exhibits 12 and 15).

Following are the changes to the originally approved system:

1. The 168 spaces in Plaza Hermosa identified as long term spaces in 1989, 1992 and 1996 were not available;

2. Seventeen spaces on Eleventh Place near the Community Center had been metered to 2-hour spaces, as had Pier Avenue near the Community Center.
3. Part of the 125-space Community Center lot that had been identified as a major source of remote parking in 1992 and 1998 was developed for other uses.
4. Some spaces at City Hall and in the Greenbelt were reserved for City vehicle storage.
5. Fifty-one spaces along Valley Drive (the Clark Building lots) were used for a Friday farmers' market.
6. Re-stripping for safety and handicapped use had slightly reduced the number of parking spaces in several lots, including the Plaza Hermosa lot. See next page)

As the chart below will show, the number of free remote spaces available in the system has dropped to 269 and (396 on the weekends). Except during unusually hot weather, most visitors come on weekends, when the remote system is four spaces short. The Commission can, on the other hand, require changes to the system so that adequate parking remains for the public. (See chart on next page.)



<b>Hermosa Beach Downtown preferential parking inventory – spaces</b>						
<b>Location/ Duration</b>	<b>Seven day; 6-12 hours Free</b>	<b>Six day; 6-12 hours</b>	<b>Weekend only, 6-12 hours</b>	<b>Weekends Total available free long term</b>	<b>Seven day long term pay</b>	<b>2-3 – hour meters</b>
Clark Building lots*		51		51		
Hermosa Greenbelt	78			78		
City Hall front lot			29	29		
City Hall self storage			32	32		
Community center	107			107		
Ardmore & Pier	34			34		
Kiwanis Club	35			35		
Valley Drive West Side	15			15		
City Yard			15	15		
Hermosa Avenue 12-24 hr yellow meters					1,213	
Pier/Hermosa Avenue / lots/ commercial node 2 and 3 hour silver meters**						446
<b>Total</b>	<b>269</b>	<b>51</b>	<b>76</b>	<b>396</b>	<b>1,213</b>	<b>446</b>
	Seven day	Six day	Fri-Sat-SU	Total weekend free parking	Long -term meters	2-3 hour meters

The use of Plaza Hermosa has long been essential in maintaining the adequate number of remote spaces. In 1989, the City offered to incorporate the 168-space Plaza Hermosa parking lot into the system. The City again offered the lot when they proposed to construct park facilities on the former right-of-way (Hermosa Greenbelt) (CDP 5-92-177). In CDP 5-92-177, the Commission agreed to redefine the minimum parking interval for "long term parking" to six hours because the City's agreement with the Plaza Hermosa limited parking to 6-hour periods. However, the City now indicates that the owner does not want to offer parking to the public.

A second, vital part of the beach parking program, were the 1,100 12-24 hour meters along Hermosa Avenue, which stretches from one city boundary to the other. The Commission approved the initial installation of these meters and accepted that a resident with a tag or a visitor with a day-pass could park along Hermosa Avenue without paying as part of the preferential parking system. The City agrees that these spaces are an important component of its beach access system. The City asserts that a field count indicates that 1,213 of these spaces are presently available to the public.

The applicant indicates that it continues to provide 396 long-term free public parking spaces on weekends, fewer than the number of spaces that it previously proposed (400, 533 and 472). It indicates that these spaces are available when the demand is the highest. By approval of this amendment, the Commission concurs with the reduction of the number of remote spaces, and the provision of fewer than 400 spaces during the work week. Day passes are still available at the Police Department; an initial attempt to sell them at booths in Valley Park did not result in the sale of many passes. The price is still five dollars.

To assure that the City continues in compliance after the reduction, Special Condition 2 provides that if the City wishes to change the location, cost or hours of any remote or metered spaces, the change must be reported to the Executive Director to determine where an amendment to the permit is necessary. To assure that the public is informed of alternative parking, staff is recommending in Special Condition 3, that the City prepare an updated signage and public information program. As conditioned, to assure that the underlying project is operating as originally proposed, the project, with the proposed minor change, will be consistent with the Coastal Act. As conditioned, the project will be consistent with the public access sections of the Coastal Act.

Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to any alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit.

While compliance with the suggested special conditions should achieve the Commission's intent in approving the original permit, the amendment, and the related permit, the Commission's enforcement division will evaluate whether further actions to address this matter are necessary.

#### **D. Local Coastal Program**

Section 30604 (a) of the Coastal Act states that:

*Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).*

In 1981, the Commission approved a coastal Land Use Plan for the City of Hermosa Beach. The Land Use Plan included conceptual discussion of a preferential parking program that, similar to the one that was approved, included free long term remote parking as an incentive to avoid parking near in residential neighborhoods, fees for parking nearer the beach, and a preferential system in neighborhoods located from one to four blocks from the beach. The implementation ordinances are not yet certified. The Commission approved the permit for the preferential parking program before certifying the LCP, and will continue to have jurisdiction over the permit. As conditioned, to assure that the proposed development will be carried out as proposed in 1984 and in 1998, and as conditioned in this action to assure that the development will be consistent with the public access policies of the Coastal Act, approval of the amendment to the proposed development will not prejudice the City's ability to prepare a certifiable Local Coastal Program. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

#### **E. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Section 13096 of the California Code of Regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the activity may have on the environment.

The Commission considered denying the inclusion of Cypress Avenue into the preferential parking program because the City had changed the administration of its project, and had reduced the number of weekday remote spaces. The Commission concludes that this would leave 13 spaces open to the public. Those thirteen spaces are already heavily used by nearby residents, by visitors to City Hall and to nearby commercial establishments and provide relatively little beach parking. In addition, the City is proposing to provide 15 new spaces along Valley Drive at the southern end of the City. These spaces would provide beach and recreation parking that is not available in the southern end of the City and would increase public access consistent with the public access policies of the Coastal Act. Denying the amendment would result in fewer public parking spaces.

The Commission considered approving this amendment without addressing the inconsistencies of the current operation of the preferential parking system with the project that the Commission approved. Without the mitigation measures and features that brought the project into consistency with the Coastal Act, the underlying project is not consistent with the Coastal Act. Even thirteen spaces cannot operate separately from the project as a whole and the mitigation measures devised to bring the project into consistency with the Coastal Act. Moreover, approval without resolving issues that affect the integrity of the system as a whole would result in confusion as to whether the Commission's original conditions and the features of the City's original project were necessary to achieve a balanced system of parking control and provision of public access. Approval of a system without access features would result in an exclusionary system. A preferential parking system that did not replace restricted parking and did not reserve some parking near the beach for the public could reduce the availability of the beach and other day-use facilities to the public. The proposed project as conditioned includes mitigation measures that guarantee that long-term paid parking will be available to the public near the beach and long term free parking will be available in locations that are a reasonable walking distance from the beach.

As conditioned, the proposed permit amendment will not cause any significant adverse impacts on the environment. Therefore, the Commission finds that there are no feasible alternatives or additional mitigation measures available which would substantially lessen any significant adverse impact which the activity would have on the environment, and that the project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

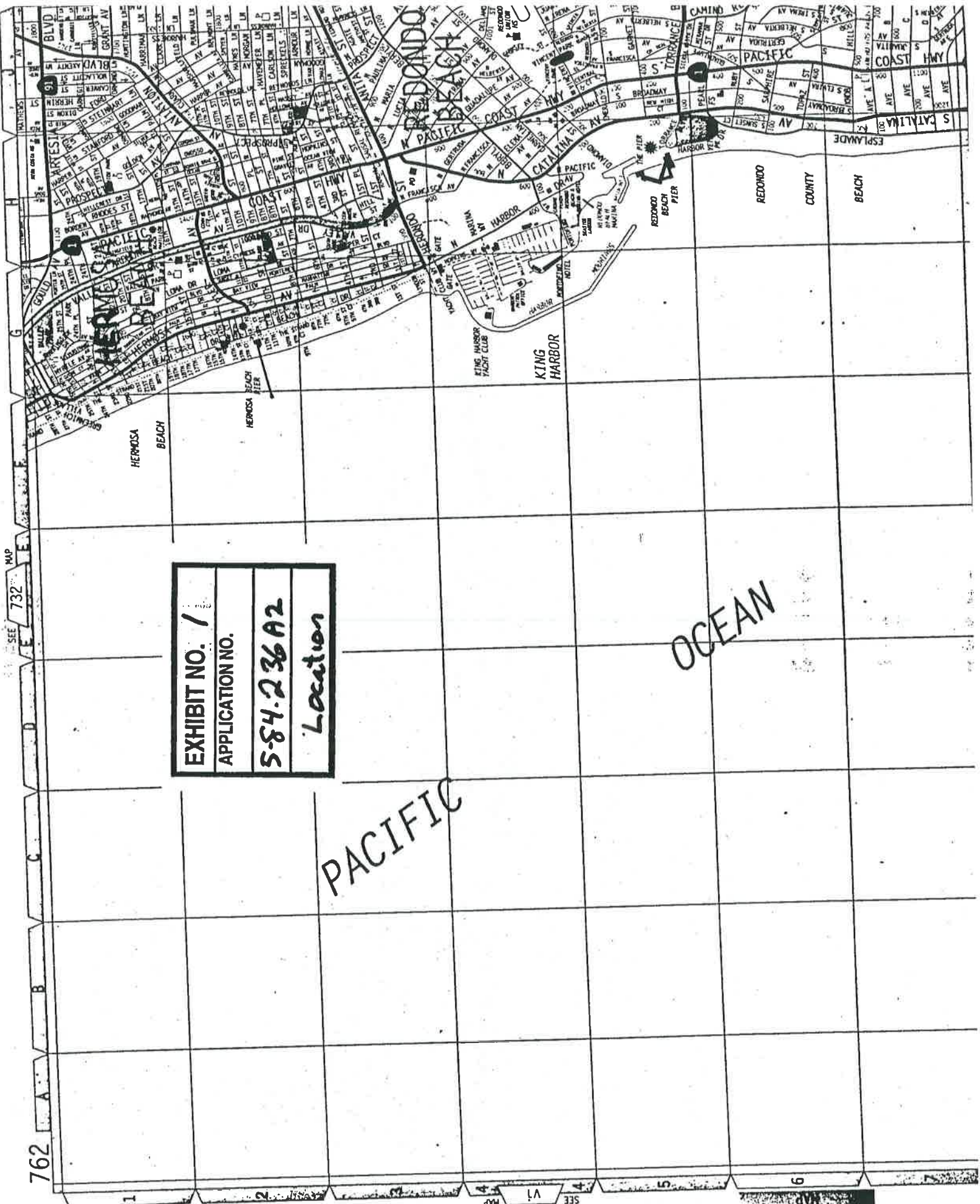


EXHIBIT NO. /
APPLICATION NO.
584-236A2
Location

OCEAN

PACIFIC

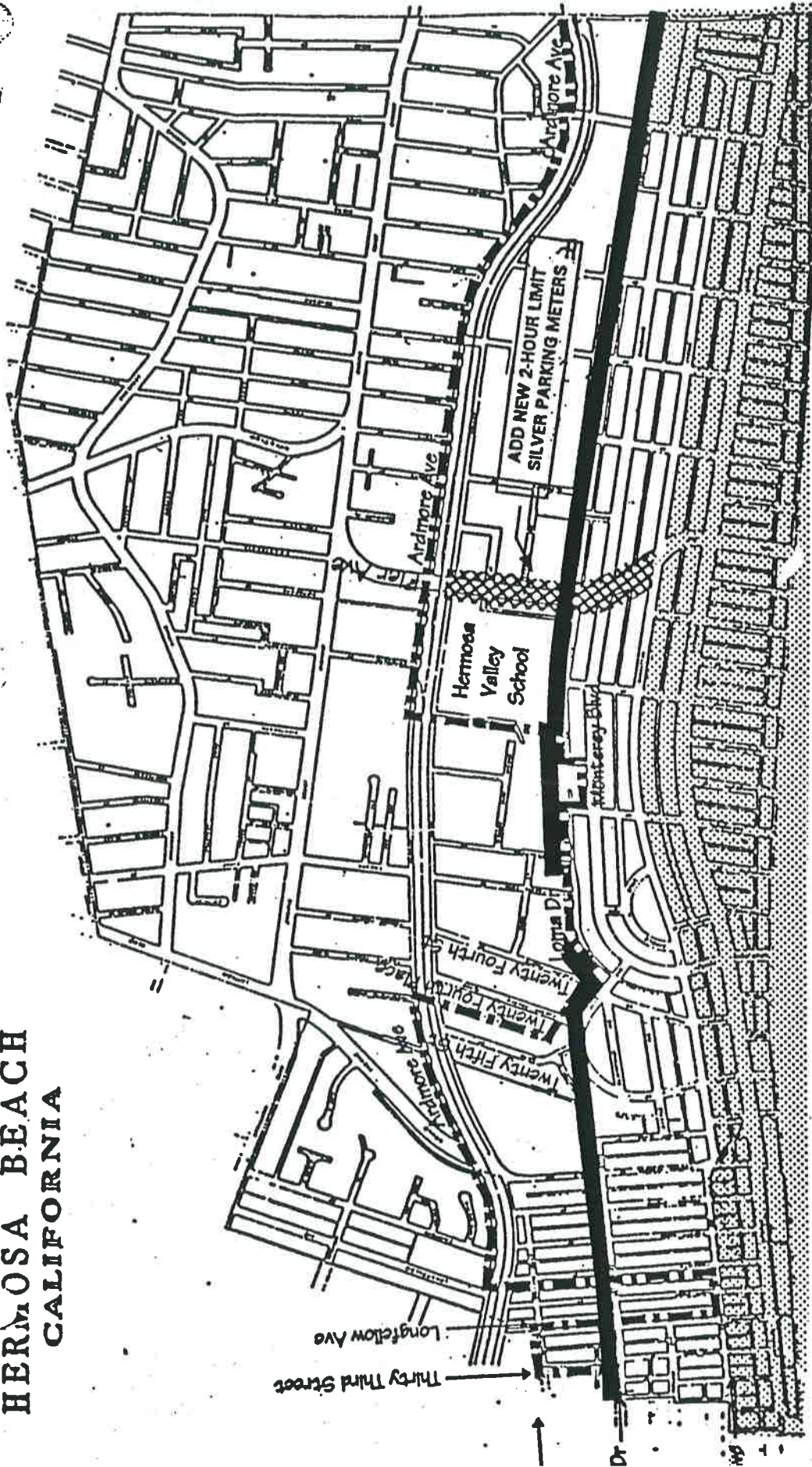
MAP 732

762

LOS ANGELES CO.

SEE V1 MAP

**CITY OF  
HERMOSA BEACH  
CALIFORNIA**



**COASTAL ZONE BOUNDARY**

**PREFERENTIAL PARKING DISTRICT BOUNDARY**

**PARKING METER LOCATIONS**

**(24-HOUR YELLOW & 2-HOUR SILVER METERS)**  
12.

**CITY OF HERMOSA BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

(from  
5-84-236A)

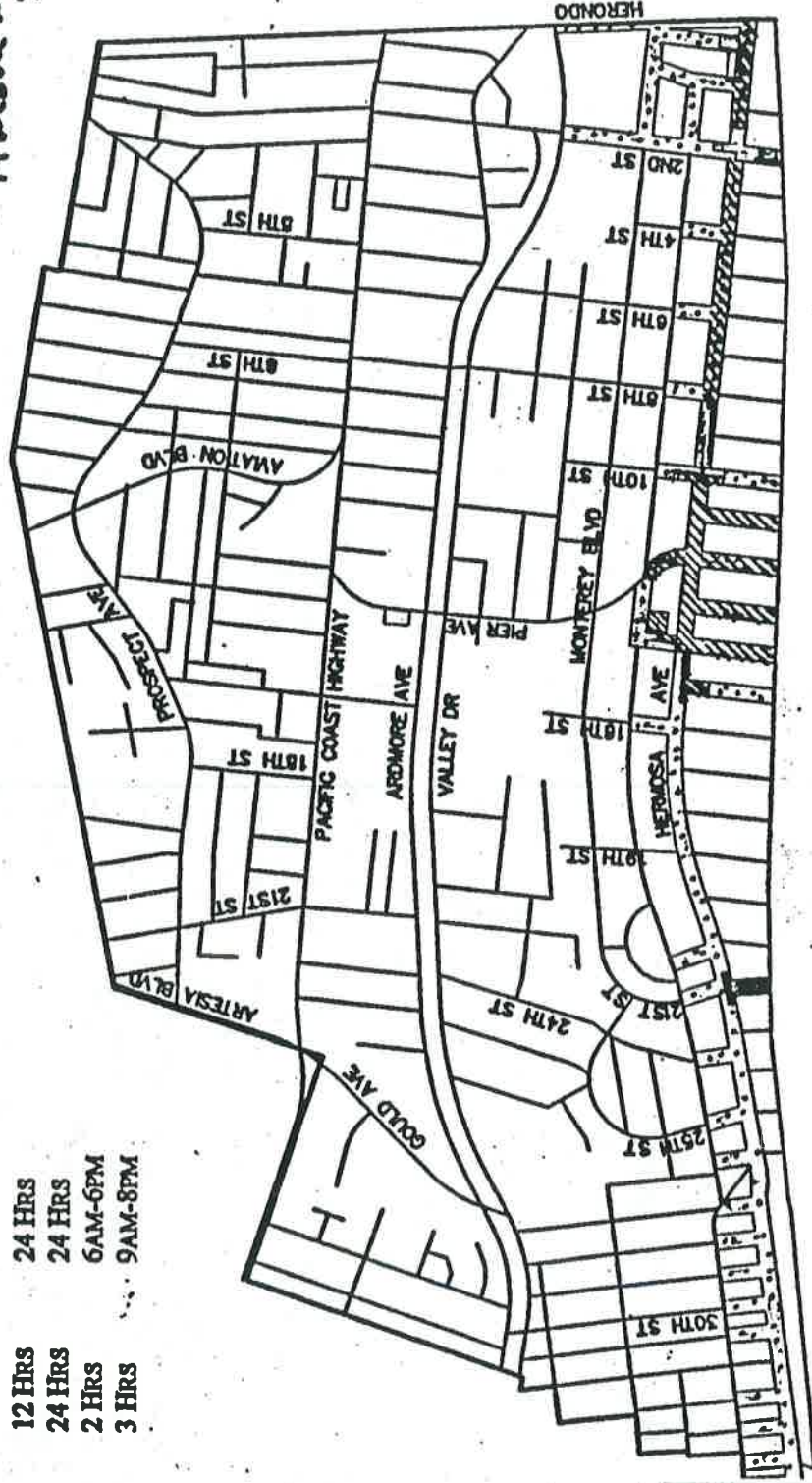
<b>EXHIBIT NO. 2</b>
Application Number <b>5-84-236A2</b>
Vicinity Map

**RECEIVED**  
NOV 18 1997  
CALIFORNIA  
COASTAL COMMISSION

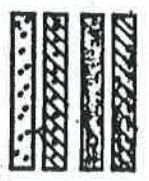
# PARKING METER INVENTORY (COASTAL ZONE)

EXHIBIT NO. 3
APPLICATION NO.
584-236A2
Map from

*Harold unit 2*



METER TYPE	MAX HOURS	HOURS ENFORCED
YELLOW	12 HRS	24 HRS
YELLOW	24 HRS	24 HRS
SILVER	2 HRS	6AM-6PM
SILVER	3 HRS	9AM-8PM



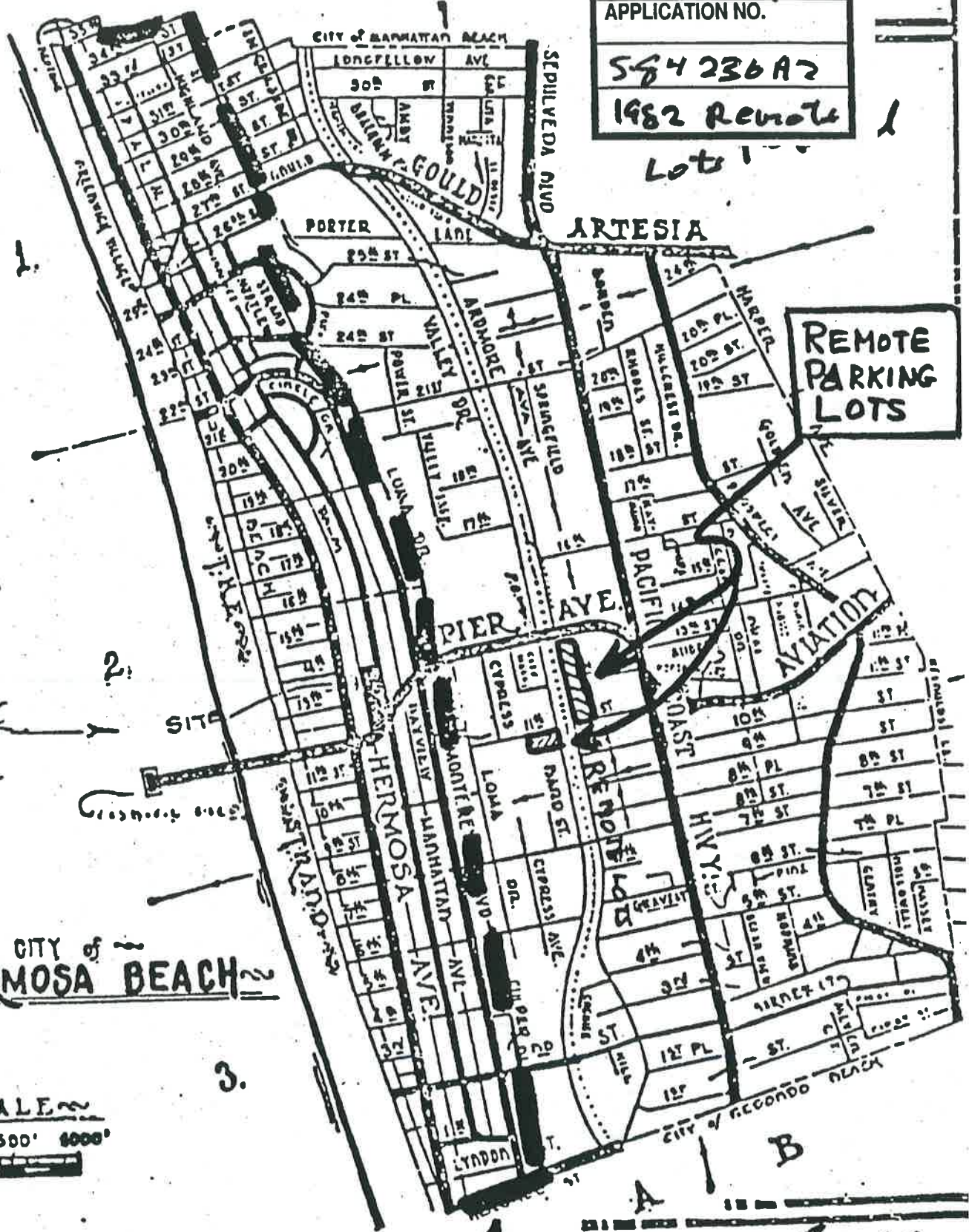
YELLOW 24-HRS IN MEDIAN

EXHIBIT NO. 2
Application Number
5-84-236A
Meter locations
Hours
California Coastal Commission

EXHIBIT NO. 4  
 APPLICATION NO.  
 584 236 A2  
 1982 Remote 1

Lots 1

REMOTE  
 PARKING  
 LOTS



THE CITY of  
 HERMOSA BEACH

SCALE  
 500' 1000'

preferential  
 area





CALIFORNIA

EXHIBIT NO. 5

APPLICATION NO.

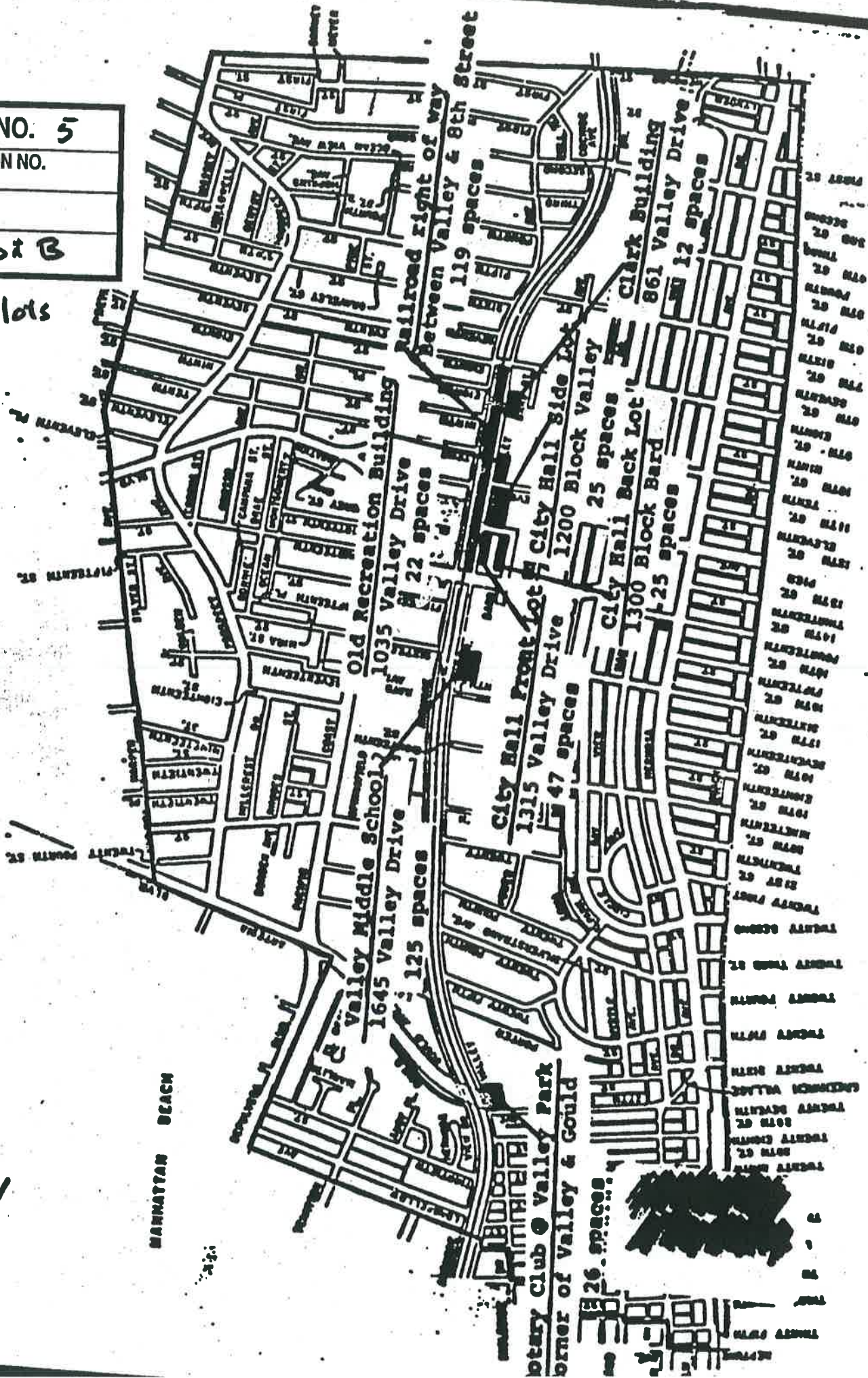
1984

\* Exhibit B

Remote lots

RECONDO BEACH

MANHATTAN BEACH



City Club Valley Park  
corner of Valley & Gould

1989

# REVISED REMOTE PARKING

1-19-89

OF  
HERMOSA BEACH  
CALIFORNIA

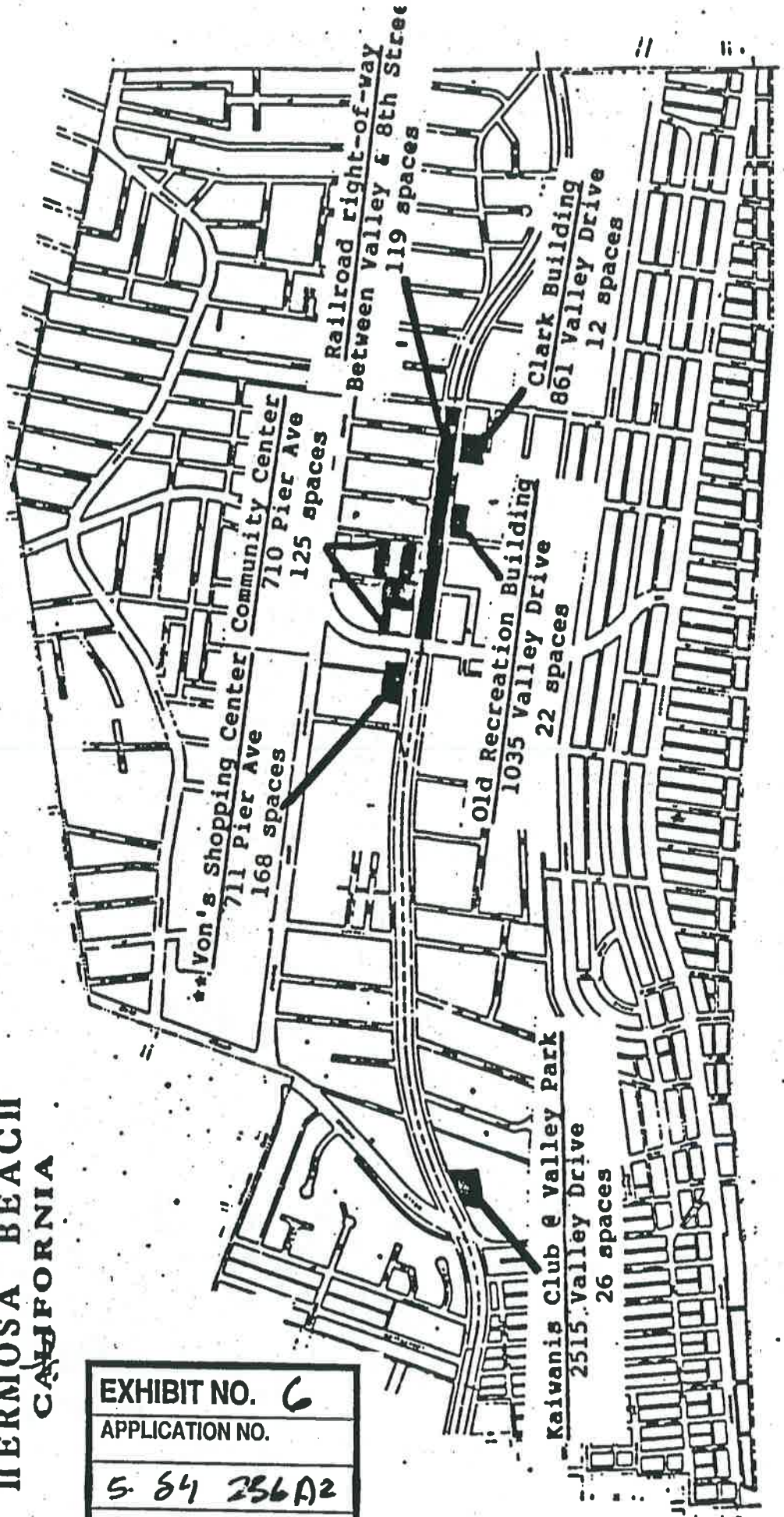


EXHIBIT NO. 6
APPLICATION NO.
S 54 256A2
1989 Lots

Previous Remote Parking: 401 spaces  
 Revised Remote Parking : 472 spaces  
 Total Additional Parking: 71 spaces

Publicly Financed Parking.  
 to Public (bottom level)