

CALIFORNIA COASTAL COMMISSION

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Commission Action:

**RECORD PACKET COPY****STAFF REPORT: REGULAR CALENDER**

APPEAL NUMBER: 5-04-437

APPLICANT: City of Long Beach/Dept. of Parks, Recreation and Marine

AGENT: Dennis Eschen, Manager of Planning and Development

PROJECT LOCATION: Bixby Park (2000-2300 E. Ocean Blvd.), City of Long Beach.

PROJECT DESCRIPTION: Beach structure improvements identified in the Bixby Park Redevelopment Plan that are located in the Commission's retained jurisdiction, seaward of the adjudicated mean high tide line, which includes portions of the skating plaza and beach bike path realignment, a children's playground on the beach, new storage building and the replacement of a public restroom on the beach. Total project also includes the grading and stabilization of the coastal bluff at Bixby Park, and improvements to the portion of the park situated on the bluff face and the public beach, including: a path and 3.5-foot high railing along the top edge of the bluff, landscaping the bluff face with native California vegetation, two stairways and one ramp to provide public access from the top of bluff to the beach, a skating plaza and 199-seat amphitheater at the bottom of the bluff, and realignment of the beach bike path, as described in permit no. A-5-LOB-04-222.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, **approve with conditions** a coastal development permit for the proposed development with special conditions to protect public access, recreation, visual resources and water quality. **See Page Two for the motion and resolution** necessary to carry out the staff recommendation. Please note that related coastal development permit application A5-LOB-04-222 addresses those parts of the development located in the City's jurisdiction.

STAFF NOTE: The standard of review for this coastal development permit are the Chapter 3 policies of the Coastal Act. In this case, the entire City project is not in the appeal area; part is in the area City's jurisdiction (i.e. the area landward of the Chapter 138 Line). The Coastal Commission retains jurisdiction seaward of the adjudicated Mean high tide line. In downtown Long Beach, the "Chapter 138 line" marks the adjudicated mean high tide line of the Pacific Ocean, the result of an agreement between the State Lands Commission and the City. The physical median high tide line is significantly seaward of the adjudicated mean high tide line.

This coastal development permit addresses only those parts of the project seaward of the Chapter 138 line, which involves portions of the skating plaza and beach bike path

realignment, a children's playground on the beach, new storage building and the replacement of a public restroom on the beach. Related coastal development permit application A5-LOB-04-222 addresses development landward of the Chapter 138 line which includes grading and stabilization of the coastal bluff at Bixby Park, and improvements to the portion of the park situated on the bluff face and the public beach, including: a path and 3.5-foot high railing along the top edge of the bluff, landscaping the bluff face with native California vegetation, two stairways and one ramp to provide public access from the top of bluff to the beach, a skating plaza and 199-seat amphitheater at the bottom of the bluff, and realignment of the beach bike path.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program (LCP), 7/22/80.
2. City of Long Beach Local Coastal Development Permit No. 0306-32.
3. Mitigated Negative Declaration for Bixby Park Redevelopment (ND-36-03).
4. Coastal Development Permit 5-00-484 (City of Los Angeles: Damson Oil Demolition, Beach Restoration and Skate Venue).
5. Coastal Development Permit 5-04-481 (County of Los Angeles: Venice Beach Refurbishment Project).

LIST OF EXHIBITS:

1. Vicinity Map
2. Location Map
3. Site Plan
4. Letter from Dennis Eschen, Manager of Planning and Development, City of Long Beach
5. Letter from Steven Ormenyi of Steven A. Ormenyi & Associates, Project Landscape Architect

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION: *"I move that the Commission approve Coastal Development Permit 5-04-437 pursuant to the staff recommendation."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

I. Resolution: Approval with Conditions

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3

of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date 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. Final Project Plans

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, final plans for the approved development. The final plans shall conform to, and clearly demonstrate compliance with, the following requirements:

A. Grading Plans: The final plans must conform to conceptual plans provided to the Commission. No fill in excess of the level of the parking lot shall be allowed.

B. Water Quality (BMPs): The project shall incorporate the structural and non-structural BMPs approved pursuant to Special Conditions Five (Construction Best Management Practices Plan) and Special Condition Six (Water Quality Management Plan).

The permittee shall undertake the development in accordance with the final plans approved by the Executive Director pursuant to this condition. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Landscape Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a final landscape plan consistent with the objectives described in page X of the application and in the letter dated August 24, 2004, from the landscape architect Mr. Ormenyi. The plan shall be prepared by a licensed landscape architect.

1. The plan shall demonstrate that:

- (a) All vegetation planted on site will be consistent with the conceptual plans and letter dated August 24, 2004, from the landscape architect, Mr. Ormenyi.
- (b) All required plantings will be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan.
- (c) No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, 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. 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.

2. The plan shall include, at a minimum, the following components:

- (a) A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features, and
- (b) a schedule for installation of plants.

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

3. Location of Debris Disposal Site

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location. If the offsite disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

4. Management of the Junipero Avenue Public Beach Parking Lot

There shall be no exclusive use of parking spaces or reserved parking spaces within the existing adjacent parking lots for any of the facilities proposed in this permit or by any person or group proposing to rent or use the facilities. No change to the parking lot management shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. Protection of Water Quality – During Construction

The applicant shall not allow discharge of silt or debris into coastal waters as a result of this project. Pursuant to this requirement, **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated with construction to receiving waters. The applicant shall implement the approved Construction Best Management Practices Plan on the project sites prior to and concurrent with the project staging, demolition and construction operations. The BMPs shall be maintained throughout the development process.

A. The plan shall include the following requirements:

- (i) No construction materials, debris, or waste shall be placed or stored in a manner where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- (ii) Any and all refuse and debris resulting from construction and demolition activities shall be removed from the project site within 72 hours of completion of demolition and construction. Construction and demolition debris and sediment shall be removed or contained and secured from work areas each day that construction or demolition occurs to prevent the accumulation of sediment and other debris that could be discharged into coastal waters. All demolition/construction debris and other waste materials removed from the project site shall be disposed of or recycled in compliance with all local, state and federal regulations. No debris shall be placed in coastal waters. If a 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.

- (iii) No storage of mechanized equipment is allowed on the beach, except in specific areas where a paved parking lot has been permitted.
 - (iv) No disturbance or use of areas below the high tide line is permitted for the construction of the proposed development.
 - (v) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction and demolition activities. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean.
 - (vi) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and kept as far away from a storm drain inlet and receiving waters as possible.
- B. The required Construction Best Management Practices Plan for the project site shall also include the following BMPs designed to prevent spillage and/or runoff of construction and demolition-related materials, sediment, or contaminants associated with construction activity. The applicant shall:
- (i) Develop and implement spill prevention and control measures and shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These 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. It shall be located as far away from the receiving waters and storm drain inlets as possible.
 - (ii) Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters, and more than fifty feet away from a storm drain, open ditch or surface waters.
 - (iii) Provide and maintain adequate disposal facilities for solid waste, including excess concrete, produced during construction.
 - (iv) Provide and maintain temporary sediment basins (including debris basins, de-silting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence, snow fences, or hay bales, and silt fencing.
 - (v) Stabilize any stockpiled fill with geofabric covers or other appropriate cover, and close and stabilize open trenches as soon as possible.
 - (vi) Prior to final inspection of the proposed project the applicant shall ensure

that no gasoline, lubricant, or other petroleum-based product was deposited on the sandy beach or at any beach facility. If such residues are discovered, the residues and all contaminated sand shall be reported to the Executive Director in order to determine if the removal and disposal of the contaminated matter shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

The Construction Best Management Practices Plan approved by the Executive Director pursuant to this condition shall be attached to all final construction plans. The permittee shall undertake the approved development in accordance with the Construction Best Management Practices Plan approved by the Executive Director pursuant to this condition. Any proposed changes to the approved Construction Best Management Practices Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

6. Protection of Water Quality – Project Design & Post Construction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed water quality professional, and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site. The plan shall be in substantial conformance with the following requirements:

A. Water Quality Goals

- (i) Appropriate structural and non-structural BMPs shall be designed to treat, infiltrate, or filter the runoff from all surfaces and activities on the development site, without the construction of drain outlets onto the sandy beach.
- (ii) Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (iii) Runoff from all roofs, parking areas, maintenance areas, and driveways shall be collected and directed through a system of appropriate structural and/or non-structural BMPs. The filter elements shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants through filtration and/or biological uptake. The drainage system

shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.

B. Monitoring and Maintenance

All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, at the following minimum frequencies: 1) prior to October 15th each year; 2) during each month between October 15th and April 15th of each year and, 3) at least twice during the dry season (between April 16 and October 14).

- (i) Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- (ii) All inspection, maintenance and clean-out activities shall be documented in an **annual report** submitted to the Executive Director no later than June 30th of each year. This report shall be submitted for the first three years following the completion of development, biannually thereafter unless the Executive Director determines that no additional reports are necessary.
- (iii) It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification.

The permittee shall undertake and maintain the approved development in accordance with the Water Quality Management Plan approved by the Executive Director pursuant to this condition. Any proposed changes to the approved Water Quality Management Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

7. Beach and Recreation Area Closures and Project Staging Areas

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a final demolition and construction schedule, and detailed plans which identify the specific location of: demolition staging and equipment storage areas, areas where any demolished structures and excavated soils are proposed to be temporarily stockpiled, and the access corridors to the project sites. Said plans shall include the following criteria and limitations specified via written notes on the plans:

- A. In order to reduce adverse impacts to public access and recreation, all project staging, demolition and construction activities shall be restricted during the annual peak beach use period that commences at the start of Memorial Day

weekend and ends on October 31 of each year. During the peak beach use period the following restrictions shall apply:

- (i) No project staging, demolition or construction activities of any kind shall take place during weekends or holidays.
 - (ii) Sanitary chemical restrooms shall be provided for public use at all times and locations where the existing or new permanent restroom facilities are unavailable for public use.
 - (iii) Whenever the permitted project staging, demolition or construction activities occur in a public beach parking lot, the activities and development shall be phased to ensure that at least one-half ($\frac{1}{2}$) capacity of each of the public beach parking lots is open for public use.
- B. Beach and recreation area closures during demolition and construction shall be minimized and limited to areas immediately adjacent to the project area. Closed areas shall not to exceed a 100-foot radius from the active work area. All beach areas and recreation facilities outside of the 100-foot radius shall remain open and available for public use during the normal operating hours (unless they are closed pursuant to a Commission approved coastal development permit or permit amendment).
- C. Public access to and along the beach bicycle route shall be maintained at all times, except for temporary interruptions (5 minutes or less) for truck crossing. When the current beach bicycle route is closed for demolition and reconstruction, the permittee shall provide a clearly marked beach bicycle route detour to bypass the project site. No sand areas may be paved for any detour, except within the specific areas where a Commission-approved permit or amendment allows the installation of pavement on the sand.
- D. Staging areas, equipment and materials storage areas, and soil stockpiles shall be located at least 100 feet from the water at all times. These areas shall be fenced-off to prevent any encroachment of equipment or debris within 100 feet of water.
- E. Truck and heavy equipment access corridors to the project site shall be located in a manner that has the least impact on public access and public parking areas.

The permittee shall undertake development in accordance with the plans and construction schedule approved by the Executive Director pursuant to this condition. Any proposed changes to the approved plans or construction schedule shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

8. Operation of Facilities Approved in this Permit

The applicant shall operate the facilities approved in this permit as part of a public park as proposed in its application. No fees shall be charged for admission to or for use of any of the facilities.

9. Future Uses and Improvements

This approval is limited to the uses and development specifically described in the project description, approved plans and related findings contained in Coastal Development Permit 5-04-437. Any proposed additional development, including, but not limited to: new construction, intensification of use, addition of food services or dining areas, and the lease of beach or park areas, will require an amendment to the permit or a new coastal development permit unless the Executive Director determines that no amendment is required pursuant to the requirements of the Coastal Act and the California Code of Regulations.

10. Lease to Private Operators

Any lease of any development approved by Coastal Development Permit 5-04-437 to private operators shall maintain free public use of the facility and shall require an amendment of this permit.

11. Prohibited Construction Materials

Project related fences, benches, walls, bollards, or support structures shall not contain any of the following: petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary products of petroleum, including creosote, or carbonaceous materials or substances.

12. No Future Shoreline Protective Device

A. BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant agrees, on behalf of itself and all successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit 5-04-437 including, but not limited to the restrooms, playground, skate park, storage facilities and bike path, and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, flooding, storm conditions, or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

By acceptance of this permit, the applicant further agrees, on behalf of itself and all successors and assigns, that the permittee and/or whoever has authority over this site and the development authorized by this permit shall remove the development authorized by this permit, including, but not limited to the restrooms, playground, skate park, storage facilities and bike path, and any other future improvements, if

any government agency has ordered that the development is not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the permittee and/or whoever has authority over this site and the development authorized by this permit shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

13. Assumption of Risk, Waiver of Liability and Indemnity Agreement

A. BY ACCEPTANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant acknowledges and agrees: (i) that the site may be subject to hazards from seismic events, liquefaction, storms, waves, flooding and erosion; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

B. PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record 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 all Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special 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.

C. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

14. Permit Compliance

All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether

an amendment to this coastal development permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and History

The applicant proposes to construct the improvements of the of the Bixby Park Redevelopment Plan that are located in the Commission's retained jurisdiction (seaward of the adjudicated mean high tide line), which includes portions of the skating plaza and beach bike path realignment, a children's playground on the beach, new storage building and the replacement of a public restroom on the beach (Exhibit #3). The total project also includes the grading and stabilization of the coastal bluff at Bixby Park, and improvements to the portion of the park situated on the bluff face and the public beach, including: a path and 3.5-foot high railing along the top edge of the bluff, landscaping the bluff face with native California vegetation, two stairways and one ramp to provide public access from the top of bluff to the beach, a skating plaza and 199-seat amphitheater at the bottom of the bluff, and realignment of the beach bike path, as described in permit no. A-5-LOB-04-222. The existing Junipero Avenue public beach parking lot, which provides some parking for Bixby Park, is not being altered by the proposed project.

Bixby Park, a dedicated City Park that extends four blocks inland from the beach to Broadway, is situated in the heart of the densely developed residential neighborhood east of downtown (Exhibit #1). The proposed project is situated only in the portion of the park located closest to the beach, between Ocean Boulevard and the sea (Exhibit #2). The most seaward portion of the proposed project is situated on State Tidelands within the Commission's area of retained jurisdiction (i.e. the beach area seaward of the Chapter 138 Line). The top of the bluff in Bixby Park provides an excellent shoreline viewing area where one can see RMS Queen Mary and the Port of Long Beach to the west, Santa Catalina Island to the south, and the rest of the beach and seascape to the east. The existing beach bike path runs through the project site between the toe of the bluff and the Junipero Avenue public beach parking lot. This bike path would be realigned and moved closer to the parking lot in order to provide the space for the proposed amphitheater and skating plaza, which would be located on a fill area at the toe of the bluff. The fill would not extend above the elevation of the parking lot.

B. Public Access and Recreation

The proposed project, which is located between the first public road and the sea, must conform with the following public access and recreation policies of the Coastal Act:

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution,

maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

According to the City, the primary objective of the proposed project is to attract more people to use the beaches in Long Beach. The beaches are lightly attended except on holiday weekends or times of special events, and they are the City's greatest underused recreational resource. In 1998, the Long Beach Marine Advisory Commission produced the report "Observations and Comments on Current City Beach Use," and after several trips to observe usage, concluded that there is a lack of use. This report indicated that without the surf typical of southern California beaches (due to the presence of the Long Beach Harbor breakwater), the beaches in Long Beach are best suited to attract family groups with younger children and older adults. To attract those groups, the beaches needed to provide shade, picnic areas, and additional recreational activities. The proposed project is designed to add those elements to the area adjoining an existing parking lot.

The elements of the Bixby Park Redevelopment Plan located in the retained jurisdiction, seaward of the adjudicated mean high tide line, includes portions of the skating plaza and beach bike path realignment, a children's playground on the beach, new storage building and the replacement of a public restroom on the beach. Most of this proposed development, except for the children's playground, is not on the beach proper but between the beach access parking lot and the bluff. On a site visit Staff confirmed that between

the parking lot and the toe of the bluff, sand has been mixed with clay and silt materials that have eroded from the bluff, creating a mix that is "dirtier" than the nearby, unmixed sand. Thus, few beachgoers ever use the area for sitting and placing their blankets. The majority of the site is inland of the parking lot, so sitting in this location does not provide a view of the ocean or of swimmers, further discouraging typical beach uses. In addition, the area is about two feet lower than the parking lot so that it affords no views of the water. The only traditional active beach use that exists in the area is volleyball. The City indicates that volleyball will be relocated west of the project site.

The Skate Park:

The City indicated that its plans for managing the facilities would reduce any conflict with beach use. There is no defined capacity for the skate park. Observations at other facilities in Long Beach (primarily the El Dorado Park Skate Park) and discussions with the designer of the proposed skate plaza, indicate that one skater per 250 square feet is about the maximum use. Skaters will wait in line to be able to skate, but the combined factors of a long wait and too little room per skater seems to generate a capacity of approximately those proportions. The 27,000 square foot skate plaza would thus accommodate 108 skaters. As many skaters are below driving age, peak demand of 50 or fewer vehicles is probable. This demand can be accommodated by the 396-space parking lot and the 55 new spaces added on the access ramp.

The potential creation for a for-fee skate park could reduce previously available beach access, and raise issues with both Section 30211 and Section 30213 of the Coastal Act. According to the City, no charge is intended for any of the facilities associated with the proposed project. If the facilities are operated as free facilities, the development will not interfere with existing beach use and will provide lower cost recreation facilities. Special Condition 8 requires that all the proposed facilities, including the skate park, be free to the general public. As conditioned, the proposed project will conform to Sections 30211, 30213 and 30220 of the Coastal Act.

Parking:

Dennis Eschen (Manager of Planning and Development for the City of Long Beach) provided the Commission with a letter discussing the City's objectives, its plans to operate the proposed facilities, and among other topics, the parking situation (Exhibit #4). Mr. Eschen indicated that there is currently ample capacity in the existing Junipero Avenue parking lot. This parking lot, and the recently striped and metered access road, provides 451 parking spaces.

Finally, Mr. Eschen stated that at present the site of the proposed project is lightly used. According to the City of Long Beach, based on a parking survey conducting in August 2004, parking demand by new users will not displace existing beach use, because there is substantial available parking. On several weekday visits at various times of the day in August 2004, City staff observed that parking use ranged from 120 to 199 cars (27 to 44 percent of capacity).

On weekend days, the range increased to 203 to 282 vehicles (45 to 63 percent). If the skate plaza attracted an anticipated maximum of 50 additional vehicles, the lot would only range up to 74 percent of capacity. In a worst case, that all 108 potential users drove separately, that would only increase up to 86 percent of capacity. On a typical August weekend, the typical peak of beach use, the skate plaza could attract up to 169 skaters, all driving separate cars, before parking capacity would be reached (Exhibit #5).

On special event weekends, City staff observed that occupancy increased to as much as 322 to 451 spaces (71-100 percent). The local lifeguards believe that overall usage is down from previous summers and that the parking lot capacity has only been reached on Memorial Day and 4th of July weekends. In previous summers, a full parking lot has occurred five weekends per summer (before the addition of 55 more spaces).

Children's Playground:

City representatives state that the playground facilities are intended to attract more families to the beach area. The City does not view the playground user as separate from the beach user. Families coming to the area primarily for the playground have the option of playgrounds in many other parks in Long Beach, and Bixby Park has a larger playground in the section of the park between 1st and 2nd streets. It is fully intended that the playground will make this beach location more popular for families who want to engage in traditional beach activities, but also want the option of additional activities for their children.

This children's playground will occupy space on the sandy beach, which could otherwise be used for other recreational purposes, but this encroachment is minor. Additionally, the Commission certified the City of Long Beach's LCP, which allows children's playgrounds on the beach at several nearby locations, this general location included. Therefore, the Commission finds that the children's playground conforms to Public Access and Recreation policies of the Coastal Act.

Storage Building:

The proposed 288 square-foot storage building will be located next to the existing boat storage building, which is adjacent to the existing lifeguard building. It will be used for storing equipment for the skate park and amphitheater. Since it will be located next to existing buildings and since its encroachment is minor, the Commission finds that it conforms to Section 30211 of the Coastal Act.

Bike Path:

Part of the bike path will be realigned and moved into the Commission's jurisdiction to make room for the skate park and amphitheater. Since there is an existing bike path at this location, which provides recreational opportunities to the general public, it is consistent with the existing development and the Commission finds that it conforms to Sections 32013 and 30221 of the Coastal Act.

Public Restroom: Public Restroom facilities are necessary at this location for public access and recreation activities. The proposed restroom would be built on the same site as the existing restroom after it is demolished. The new restroom would be similar in height and size as the old restroom building. Therefore, the Commission finds that it conforms to the Public Access and Recreation policies of the Coastal Act.

Timing of Construction Activities:

This area of Long Beach provides the public with important coastal access and recreation opportunities, including the existing bike path. These public recreation resources must be protected during the completion of the proposed project. In order to conform with Sections 30210 and 30211 of the Coastal Act, staff has incorporated Special Condition 7, which ensures that construction impacts on access are not significant.

The public benefits of the proposed development offset the temporary reduction in beach use. As conditioned, the impacts of the proposed development on public access and recreation have been mitigated. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the public access and recreation policies of the Coastal Act.

B. Visual Resources

The Coastal Act requires that the scenic and visual qualities of the project area be considered and protected as a resource of public importance.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The proposed project involves construction of public recreation facilities on the beach, including portions of the skate park, a children's playground, new storage building and realignment of portions of the bike path. In addition, the existing public restroom will be demolished and rebuilt.

Section 30251 of the Coastal Act requires that the proposed new structures be sited and designed to protect views to and along the shoreline, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

Skate Park:

The concrete surface skate park is 200' x 60' in size and is shaped like the profile of the Cyclone Racer roller coaster at the Pike in Long Beach. This image of the roller coaster would be painted on the surface. Benches, also shaped like roller coaster cars would be located around the edges of the skate park. This skate park is designed to be mostly at or below ground level. Therefore, it will not have a negative effect on existing public views to or along the shoreline and it conforms to Section 30251 of the Coastal Act.

Children's Playground:

The majority of the children's playground will be located in the Commission's jurisdiction. The playground will incorporate landscaping and is otherwise designed to look like the Anacapa Islands. It will include swings and spring toys, typical of children's playgrounds. The entire playground is 4,450 square feet in size, with roughly 80 percent of it located seaward of the Chapter 138 line. The highest element is between 10 to 12 feet high. It is located seaward of the bike path and adjacent to the public restroom. As mentioned earlier, the proposed playground will encroach onto the sandy beach, but public views to or along the shoreline will not be significantly impacted.... Therefore, the Commission finds that it conforms to Section 30251 of the Coastal Act.

Storage Building:

As mentioned earlier, the proposed new 288 square-foot , ten-foot tall event equipment storage building will be placed next to the existing City of Long Beach Lifeguard boat storage container. The architecture is to match the existing lifeguard building. Therefore the proposed storage building will not have a negative effect on existing public views to or along the shoreline and it conforms to Section 30251 of the Coastal Act.

Bike Path:

Part of the bike path will be realigned and moved into the Commission's jurisdiction to make room for the skate park and amphitheater. Since this bike path is at ground level and will connect to the existing bike path, it will not have a negative effect on existing public views to or along the shoreline and it conforms to Section 30251 of the Coastal Act.

Public Restroom:

The proposed restroom would be built on the same site as the existing restroom after it is demolished. The new restroom would be similar in height and size as the old restroom building. Therefore, the proposed sixteen-foot high restroom will not have a negative effect on existing public views to or along the shoreline and it conforms to Section 30251 of the Coastal Act.

C. Landscaping

The landscaping goal is to integrate the landscaped improvements with adjacent beach property and to re-introduce plants representative of Southern California's unique coastal

sage scrub plant community, a goal which is based upon experiences of coastal projects completed by the City in recent years.

As proposed, irrigated lawn areas will be limited to the high-traffic areas (picnic areas, bike path, skate park, and public restroom). Washingtonia palms and *Metrosideros tomentosa* (New Zealand Christmas trees) are proposed in the improved area to "knit" together with the existing palms and non-native tree plantings along the existing beach strand and bluff areas. To provide transition from the beach and shelter from prevailing winds, the City proposes to landscape the children's playground area with low-growing native dune vegetation. In addition, interpretive signs will identify these plants and describe how they are used by Native Americans.

The applicant proposes to use trees and shrubs endemic to the Channel Islands which are proposed to provide shade and serve as an acoustic buffer to the adjacent bike path and skate park.

The proposed project is not in a natural area, nor adjacent to a habitat area. The applicant has provided a letter from the proposed project's landscape architect (Exhibit #5), which indicates the plants to be used and the design concepts behind those selections. The applicant proposes to plant palms, but only in select areas, with the goal of "knitting" together with the existing palms, which are quite prevalent along the beach strand of Long Beach. Staff has incorporated Special Condition 2, which among other things, ensures that no plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, 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. 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. Therefore, the Commission finds that the proposed development's landscaping, as conditioned, is consistent with sections 30240 and 30251 of the Coastal Act.

D. Water Quality

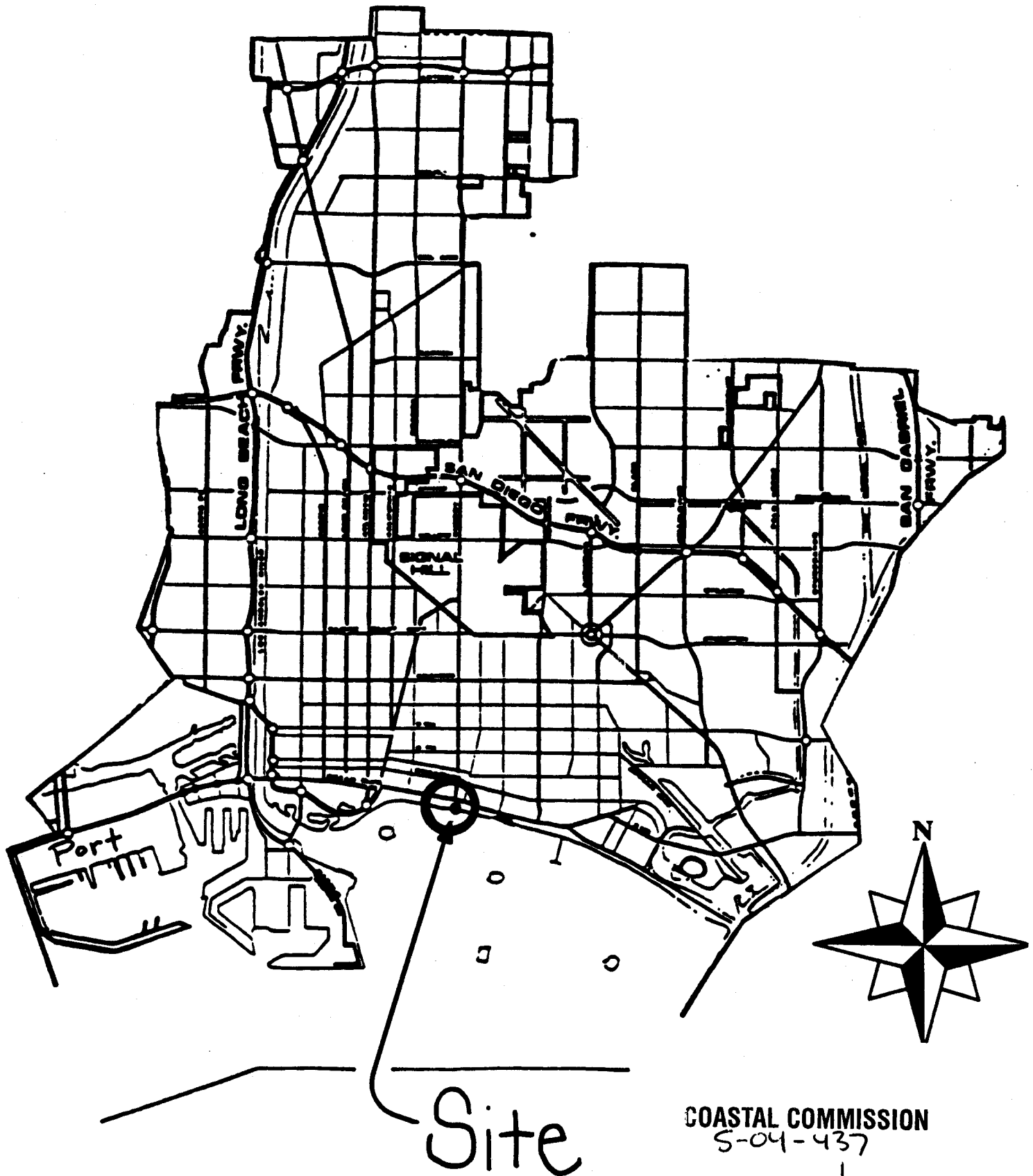
The proposed development involves potential water quality impacts as a result of construction activities as well as potential impacts due to the location of the proposed facilities in relation to the ocean. Therefore the proposed project has a potential for a discharge of sediment and trash into coastal waters. The parking lot, a potential source of polluted runoff, exists already, and will not be expanded as part of this project. The development, as proposed and as conditioned incorporates design features to minimize the effect of construction, as described in Special Condition 5, and post-construction activities, as described in Special Condition 6, on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of 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 to the LCP and the public access and recreation policies of the Coastal Act.

E. California Environmental Quality Act

Section 13096 Title 14 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)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized by the recommended conditions of approval and there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act and certified LCP to conform to CEQA.

City of Long Beach



COASTAL COMMISSION
S-04-437

EXHIBIT # 1
PAGE 1 OF 1



Site: Bixby Park

COASTAL COMMISSION
5-04-437

EXHIBIT # 2

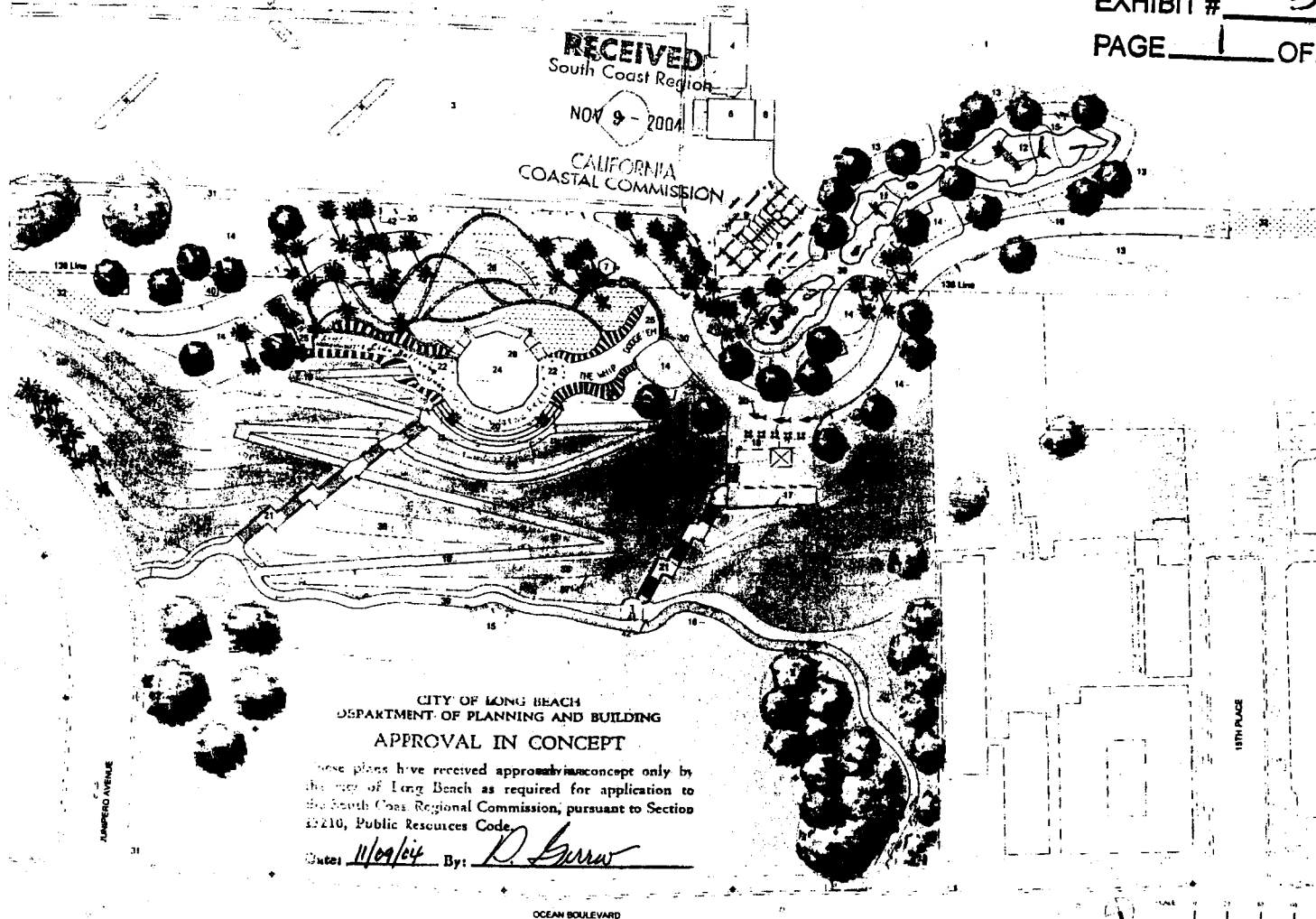
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5-04-431

5-04-437

EXHIBIT # 3
PAGE 1 OF 1

RECEIVED
South Coast Region
NOV 9 - 2004
CALIFORNIA
COASTAL COMMISSION



CITY OF LONG BEACH
DEPARTMENT OF PLANNING AND BUILDING
APPROVAL IN CONCEPT

These plans have received approval in concept only by the City of Long Beach as required for application to the South Coast Regional Commission, pursuant to Section 12210, Public Resources Code.

Dated 11/09/04 By: D. Lunn

OCEAN BOULEVARD

NORTH

SECTION THROUGH AMPHITHEATER
SCALE: 1" = 10'

- 1 Existing beach
- 2 Existing trees
- 3 Existing parking lot
- 4 Existing historic lifeguard building
- 5 Existing boat storage
- 6 New additional events storage
- 7 Information kiosk & public telephone
- 8 Existing toilet building
- 9 New toilet building & showers
- 10 Toddler Anacapa playground
- 11 3 to 5-year-old Anacapa playground
- 12 5 to 12-year-old Anacapa playground
- 13 California native dune vegetation
- 14 Irrigated lawn
- 15 Seating
- 16 3-6" high fencing
- 17 Existing mural
- 18 Future concession area
- 19 Stabilized decomposed granite 1:20 sloped ramps
- 20 Concrete seating w/ elevation image of Municipal Auditorium
- 21 New stair access
- 22 Towers modeled after Bibby Spiral Airship to support the shade canopy, Stage Curtain & lights
- 23 Shade canopy w/ pattern of the old Bath House roof
- 24 Stage
- 25 Concrete path w/ stained images of Walk of 1000 Lights
- 26 Skating plaza w/ stained image of Cyclone Racer
- 27 Concrete Cyclone Racer carts
- 28 Steps w/ rails
- 29 Battered walls
- 30 Bollards
- 31 Existing sidewalk
- 32 Existing bike path
- 33 New palm trees
- 34 New shade trees
- 35 Existing slope planting
- 36 Existing top of slope
- 37 Re-graded top of slope
- 38 Low profile, California native groundcover
- 39 Stabilized decomposed granite walks
- 40 Picnic tables & benches
- 41 Historic cannon pad
- 42 Light standards



CITY OF LONG BEACH
Department of Parks, Rec., & Marine
Department of Public Works
JANUARY 2004

Tetra Tech, Inc.
4412 E. 11th Street, Suite 100
Long Beach, CA 90804
Tel: (562) 441-1000

BIXBY PARK RE-DEVELOPMENT
Amphitheater/Skate Park/Recreation Areas

Consultants

- Tetra Tech, Inc. - Lead Consultant
- Steven Ormery & Assoc. - Landscape Arch
- Purkiss-Rose, Inc. - Skate Park Consultant
- Braunstein & Stone - Art Consultant



CITY OF LONG BEACH

Department of Parks, Recreation and Marine

2760 N. Studebaker Road, Long Beach, CA 90815-1697

(562) 570-3100 • FAX (562) 570-3109

www.lbparks.org X 3120

5-04-437

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South Coast Region

November 8, 2004

NOV 9 - 2004

Charles R. Posner
Coastal Program Analyst
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

COASTAL COMMISSION

5-04-437

EXHIBIT # 4
PAGE 1 OF 13

COASTAL COMMISSION

Subject: Local Coastal Development Permit Appeal [REDACTED] and Coastal Development Permit (Bixby Park Redevelopment Plan).

Dear Mr. Posner:

Enclosed is an application for an amendment for a Coastal Development Permit to be considered with appeal A-5-LOB-04-222. I will describe the total project and then describe the portion in the California Coastal Commission's permit jurisdiction, as the appeal jurisdiction boundary line cuts through several of the proposed improvements. On the application form, I am including only those elements within the Commission's permit jurisdiction.

Project Objective. The primary objective of the project is to attract more people to use the beaches in Long Beach. The beaches are lightly attended except on holiday weekends or times of special events, and they are the City's greatest underused recreational resource. In 1998, the Long Beach Marine Advisory Commission produced the report "Observations and Comments on Current City Beach Use," and after several trips to observe usage, concluded that there is a lack of use. This report indicated that without the surf typical of southern California beaches, the beaches in Long Beach are best suited to attract family groups with younger children and older adults. To attract those groups, the beaches needed to provide shade, picnic areas, and additional recreational activities. The proposed project is designed to add those elements to the area adjoining an existing parking lot.

Although the specific design proposed resulted from community input received during a study of bluff erosion, and the project would solve a localized erosion problem, this project is not primarily intended to address erosion issues.

Existing Site. The site consists of the area between the Junipero Avenue Beach Parking Lot and the bluff. The bluff is about 40 feet high, and on the top of the bluff is one section of Bixby Park. The beach is south, or seaward, and east and west of the

COASTAL COMMISSION

5-04-437
4

EXHIBIT # _____

PAGE 2 OF 13

parking lot. The site between the parking lot and the bluff is about 140 feet deep and 450 feet long (63,300 square feet or 1.44 acres), while the bluff face is 120 feet from toe to shoulder and 390 feet long (46,800 or 1.09 acres). The site also includes a restroom (2,380 square feet) and beach area west of the restroom (22,650) for a total of 135,130 square feet or 3.10 acres.

The 15-foot wide concrete beach bicycle and pedestrian path runs through this area (11,100 square feet), and the remainder of the site is an unimproved mix of erosion debris soils from the bluff, which is primarily silt and clay with sand. Poles for volleyball nets are often on the site but are not fixed in place. At the west end of the area, next to the parking lot, is a lifeguard building that is also a historic landmark, a storage container for the Lifeguards' boats, and a public restroom. Also at the west end, but next to the bluff, are a sewer lift station and a terraced area where the tunnel from Bixby Park formerly exited to the beach. The bluff is covered with a mix of grasses, shrubs and ice plant, with large bare sections.

Bluff Stability. The attached supplemental letter and geo-technical report on the entire bluff indicate that this section of bluff is geo-technically stable due to the relative low degree of slope. This gentle slope allows the public, enjoying the beach or park above the bluff, to transverse the slope instead of taking the sidewalk on the Junipero Avenue access road. The bluff is also used to simulate a "mountain biking" trail. The pathways thus created by pedestrians and bicycles become low spots on the edge of the bluff that increase erosion in winter rains, creating rutted channels for runoff and depositing the eroded soil at the bottom.

Total Project Description. The project is to construct a small amphitheater with three rows of concrete seats seating approximately 180 persons (1,200 square feet); a concrete skate plaza including the amphitheater stage as a dual use facility (27,000 square feet); a children's playground in three modules shaped like islands (4,450 square feet); a shade, rest, and picnic area with lawn (9,600 square feet); two beach access stairways (1,760 square feet); a beach access ramp (5,490 square feet); a new restroom (2,700 square feet); a storage building (288 square feet); a terraced concession area (2,750 square feet); bluff area landscaping with coastal sage scrub plant community (38,350 square feet); a beach dune plant community landscaping (17,242 square feet); the relocated and more curvilinear bicycle path (11,400 square feet); miscellaneous non-native landscaping (9,060 square feet); and stabilized decomposed granite (3,840 square feet). In order to do this, the existing pedestrian and bicycle path must be relocated from the edge of the bluff to locations closer to the parking lot, and the existing restroom must be replaced.

Coastal Commission Permit Jurisdiction. The majority of the project site is in the Local Coastal Development Permit (LCDP) area with a part of the site in the Commission's permit jurisdiction. The LCDP portions of the project have been

appealed to the Commission. The items in the Commission's permit jurisdiction are the replacement restrooms (2,700 square feet), portions of the bicycle path after relocation (4,650 square feet), a storage building (288 square feet), two of the three playground modules (3,400 square feet), portions of the skate plaza (3,600 square feet), the beach dune landscaping (11,000 square feet), and portions of the non-native lawn landscaping (4,875 square feet).

For the detailed project, including accessory items, consisting of the following elements referenced by the numbers on the site plan, see the attached list. The following will try to address the points where the Commission found a substantial issue existed in reviewing the appeal.

Beach Access – New Uses Displacing Active Beach Use. The first substantial issue was that the new uses could displace active beach uses, which are by their nature limited to relatively few locations. The City of Long Beach does not believe that is a substantial issue in the context of this project for several reasons.

1. The site is not an active beach use site. The proposed site is not on the beach proper but in the location between the beach access parking lot and the bluff. Beach sand has been mixed with clay and silt materials that have eroded from the bluff, creating a mix that is "dirtier" than the nearby, unmixed sand. Thus, few beachgoers ever use the area for sitting and placing their blankets. The site is also inland of a parking lot, so sitting in this location does not provide a view of the ocean or of swimmers, further discouraging typical beach uses. Finally, the only traditional active beach use that exists in the area is volleyball. This can and will be relocated west of the project site.
2. The new uses will not generate additional use sufficient to displace existing uses. First, as mentioned above, the site of the project is lightly used. The occasional volleyball game held there can be moved nearby, and other use is infrequent.

Second, the parking lot, and the recently striped and metered access road, provides 451 parking spaces. For concert or stage performances, the standard of three persons per vehicle is typically used to calculate parking demand for seating capacity. With a seating capacity of 180 persons, the amphitheater would generate a maximum of 60 vehicles. This is a small impact compared to the parking lot size, which is lightly used at the current time (see item 3 below).

Further, the amphitheater will not be used during summer weekends. This is not intended as an "event" site. Use will be generated from Parks, Recreation and Marine programming and is totally controllable by the applicant. Thus, by conscious decisions, amphitheater use will be limited to non-peak times. The intended use is for weekday summer day-camp youth theater, weekday evening Long Beach Municipal Band (not exceeding once a week, six to eight weeks per year), and

potentially weekday evening art museum concert series (not exceeding once a week).

The playgrounds and shaded picnic area intended to attract more families to the beach. The City does not view the playground user as separate from the beach user. Families coming to the area primarily for the playground have the option of playgrounds in many other parks in Long Beach, and Bixby Park has a larger playground in the section of the park between 1st and 2nd streets. It is fully intended that the playground will make this beach location more popular for families who want to engage in traditional beach activities but also want the option of additional activities for their children.

The same is true of the limited picnic and shade area. It is intended that this amenity will make this beach more popular, but the new users will not displace beach users, they will still be beach users.

There is no defined capacity for the skate plaza. Observations at other facilities in Long Beach (primarily the El Dorado Park Skate Park) and discussions with the designer of the proposed skate plaza, indicate that one skater per 250 square feet is about the maximum use. Skaters will wait in line to be able to skate, but the combined factors of a long wait and too little room per skater seems to generate a capacity of approximately those proportions. The 27,000 square foot skate plaza would thus accommodate 108 skaters. As many skaters are below driving age, peak demand of 50 or fewer vehicles is probable. This demand is similar to the amphitheater parking demand and can be accommodated by the 396-space parking lot and the 55 new spaces added on the access ramp.

Finally, the amphitheater and skate plaza cannot operate simultaneously. The skate plaza and the amphitheater are designed as overlapping spaces that cannot be used at the same time.

3. Substantial unused parking capacity exists. Parking demand by new users will not displace existing beach use, as there is substantial available parking. On several weekday visits at various times of the day in August 2004, parking use ranged from 120 to 199 cars (27 to 44 percent of capacity). If 60 additional cars were attracted by a day-camp theater or music production, the lot would only be at 57 percent capacity. At worst case, if the 180 seats attracted 180 cars, the lot would still be at only 84 percent of capacity.

On weekend days, the range increased to 203 to 282 vehicles (45 to 63 percent). If the skate plaza attracted an anticipated maximum of 50 additional vehicles, the lot would only range up to 74 percent of capacity. In a worst case, that all 108 potential users drove separately, that would only increase up to 86 percent of capacity. On a

typical August weekend, the typical peak of beach use, the skate plaza could attract up to 169 skaters, all driving separate cars, before parking capacity would be reached.

On special event weekends, usage did increase to 322 to 451 spaces (71-100 percent). The local lifeguards believe that overall usage is down from previous summers and that the parking lot capacity has only been reached on Memorial Day and 4th of July weekends. In previous summers, a full parking lot has occurred five weekends per summer (before the addition of 55 more spaces).

4. Free Public Access. No charge is intended for any of the facilities proposed in this application.

Conformance with the certified Local Coastal Program (LCP). A second issue raised in the staff report on the appeal is that the proposal does not conform to the Long Beach Local Coastal Program (LCP). The report summarizes several topics in the LCP taken from the "Community Plans" section of the LCP. However, the Long Beach LCP has two sections that deal with the area of the proposed project. The first is the Section II, beginning on page 25, the General Strand Policies, Use and Access (Strand), and the second is in the Section III, the Community Plans, Area B, Bixby Park/Bluff Park Neighborhood (Area B). Although the sections are close to being identical, there are some subtle differences. I will review the identified inconsistencies against both relevant sections.

1. Use-Proposed facilities not included in the LCP. It is true that the proposed facilities are specifically mentioned in the LCP. In the staff report on Appeal A-5-LOB-04-222, conformance issues are raised regarding the fact that neither the amphitheater nor the skate plaza, are not mentioned in the LCP, referencing the Area B. The referenced section seemed to indicate that only the items listed were permitted. However, in the Strand section, the language is slightly different, with the Segment 2, relating to this site and stating in recommendation #3:

Recreational facilities, including basketball, should be permitted in any area north of the parking lot, where parking space development is not feasible.

This does not limit recreational facilities to basketball, but is permissive of other unnamed recreational facilities, which could include an amphitheater, playgrounds and a skate plaza.

There is also concern that a basketball court is mentioned for the site in the LCP, but is not included in the project. The City believes this concern is derived from the corresponding policy from the Area B, under "The Beach" states:

Basketball Courts shall be permitted between the eastern arm of the parking lot and the bluff.

The proposed project site is between the west arm of the parking lot and the bluff. Improvement plans for the area behind the east arm are being developed but have not been finalized and proposed for approval. Thus, there is no conflict between this policy and the current project, as the proposed improvements do not preclude the desired basketball courts, which were proposed for a different location.

2. Open Space Policy. In the staff report on the appeal, the staff correctly characterizes some of the policies of the Open Space and Recreation Element of the General Plan adopted by the Long Beach City Council in October of 2002, and more recently amended into the LCP, as stressing the need to protect open space and park areas from over development. These policies state:

Protect and improve the community's natural resources, amenities and scenic values including nature centers, beaches, bluffs, wetlands and water bodies (policy 1.2), and

Keep parklands open and green by limiting the amount of parking lot and building coverage areas within parks (policy 4.3).

The only standard adopted to implement this was limited to building coverage. As the beach is considered a regional park, the building coverage is two percent. The total building improvement on the site is 2,700 square feet, a 320 square foot increase over the current building area. That building area does meet the two percent coverage limit. However, this is calculated on the basis of an arbitrary line defining the project site, with the lifeguard building just outside the site boundary. Considering the whole 258 acres of beach, there is only approximately 0.3 percent building coverage including all restroom, concession, lifeguard, and maintenance buildings.

The concern for over developing the beach involves more than constructing buildings. The total impervious improvements to the site will cover 26 percent of the site including the amphitheater, skate plaza, playground surfacing, stairways and increased area in restroom and bicycle path. This retains 70 percent of the site as landscaped open space. Placed in the context that the entire site is only 1.2 percent of Long Beach's ocean front beach, the impervious improvements are only 0.3 percent of the ocean front beach. Including all the beach parking lots and the bicycle path 10.9 percent of the Long Beach ocean front beach is covered with impervious surfacing.

In making the subjective determination of whether the project is consistent with the policy of "...protecting and improving...the beach..." the "naturalness" and scenic qualities of the existing area also need to be considered. The existing site is "open" but is neither natural nor scenic. It is an area sandwiched between the beach parking lot and a partially landscaped, partially eroding bluff. It is scraped by beach cleaning equipment on a regular basis, so that any plant life that begins to establish is removed. Finally, the surface is a mix of beach sand and eroded clay from the bluff, so it appears as "dirty" sand. The City believes the native and non-native landscaping combined with visually interesting recreational facilities will be an attractive park setting inland of the beach parking lot that is fully consistent with the City's open space policy.

3. View Protection - Railing. The staff report on the appeal correctly identifies the LCP policies that protect the visual character of Bixby and Bluff Parks. These are that the LCP "...preserved intact..." the visual character of the two parks, and "...No changes are proposed to either park which would impair or reduce existing views and open space character..." However, the improvements proposed in this project are not in either park, except for the railing and benches proposed for the edge of Bixby Park. The staff report unfortunately projects the strict language relative to the surface of the parks, above the bluffs, to include views from the parks and toward the bluffs from the beach or the sea. Although these are appropriate visual quality issues, they are not addressed in the LCP, and should be evaluated on their own merits without reference to the LCP policies for the two parks.

The City of Long Beach believes the railing in Bixby Park and benches are consistent with these LCP policies. The railing is necessary to prevent the climbing of the bluff at unimproved locations by pedestrians and bicycle riders. Stopping this climbing is necessary because it wears paths in the bluff that become channels that direct rain or irrigation water down the face of the bluff instead of away from the bluff, leading to erosion in the form of ruts that cut into the bluff.

It is also necessary for public safety as climbing or descending the bluff at unimproved locations and at steep angles is not safe. Further, the railing and controlled access is necessary to protect the proposed native landscaping for the bluff restoration from being trampled. Finally, the railing will help keep soccer balls from going over from the bluff top during the frequent games in Bixby Park.

During the community meetings at which this project was presented, there has been substantial discussion of the looks of the railing. The proposed design is to reflect the design of the railing in Bluff Park with the two horizontal poles, supported every 20 feet with vertical poles terminated above the top rail with a bulb. This historical design will not meet current building code requirements, so additional wire cables will be strung horizontally to meet those requirements.

The current railing and benches in Bluff Park are not considered structures that impair or reduce views. Thus, the City of Long Beach believes that the proposed railing and benches for Bixby Park will also not create a view impairment.

4. View Protection – Stage Towers. The structures that are proposed that would intrude into these view sheds from and toward Bixby Park are the two towers on the stage. These are open frame structures to be constructed of metal tubing. They are round and look like wire Victorian gazebos, except without a solid roof. The design is taken from an amusement ride in Long Beach in the early 20th century. The period of design is consistent with the period of the local historical landmark of the Lifeguard Headquarters building that is adjacent to the project site.

The function of the towers is to hold the lights and speakers for the stage, to support a backdrop curtain to be placed behind the stage when desired, and to allow a shade canopy to be pulled over the stage and audience when desired. Neither backdrop nor shade canopy would be permanently affixed to the towers. Visually, the towers are intended to be thematic landmarks, identifying the site, and to be visually attractive complements to the early 20th century amusement park theme for the area, which is primarily expressed through the painted concrete surface of the amphitheater and skate plaza.

The Long Beach LCP does not include any language relative to structures being viewed against the backdrop of the bluffs, so the stage towers do not conflict with the Long Beach LCP.

The other concern that was raised concerning views was for the view of the beach from the Bixby Park. As noted above, the view of the park should be "...preserved intact..." and "...no changes are proposed that impair or reduce the existing views or open space character..." of the parks. The analysis cited in the staff report indicated that the views of the water are not impacted, but the towers intrude into the views of the beach sand and that could be considered a conflict with the LCP. The view of the beach sand will be intruded upon by the towers only at selected locations. First, the towers are lower than the height of the bluff, so they are not visible until someone approaches the shoulder of the bluff. Then, it is possible to view around the towers as each is only 12 feet wide and 150 feet from the shoulder of the bluff while the beach sand is 340 feet away. Next, as an open frame structure, anyone can see through the towers - they would create a visual silhouette in the view. Finally, the beach is relatively narrow in front of the parking lot and screened by a three-foot high block wall along the edge of the parking lot, and the beach falls away at a relatively steep angle, so that relatively little of the beach is visible now without the structures.

Grading the Bluff. The LCP policies relating to the treatment of the bluff are found in several sections. In "the Strand" the recommendations are that:

Bluff stabilization measures should be designed to cause minimum encroachment on existing sand areas."

Further, it states:

Between Cherry Avenue and Belmont Pier, it is recommended that only those measures absolutely required to protect and promote bluff stability be taken in order that the absolute minimum amount of encroachment on either the upland bluff areas or the beach will occur. It is also recommended that appropriate planting be placed on the bluff both for aesthetic purpose and to contribute to bluff stability.

Also included In Area B, the policy statement is:

Bluff erosion and slumping, which may be hazardous, should be stabilized by planting and diversion of runoff waters away from the face of the bluff. As long as this feature is left in its natural state, however, no maintenance program can guarantee a complete elimination of hazardous conditions.

Finally, under the list of "Public Works" projects to be carried out to implement the LCP, "Bluff Erosion Control" is one of the construction projects recommended, while "stairway improvements down bluffs" is another listed project.

From these items, it is clear that the LCP does not recommend that the bluff be left in an undisturbed state. The Strand policy does refer to minimizing encroachment on the beach, possibly in relation to a plan from years before the LCP to extended a gently sloping bluff several hundred feet out onto the beach. However, in the overall bluff erosion study done in 2001, and not incorporated in the LCP, the clear preference was to minimize the change to the look and character of the bluff. This was demonstrated in three projects constructed that year at Junipero, Molino and Coronado Avenues. These three projects "micro-terraced" or "rilled" the face of the bluff to slow any possible sheet flow and provide room for planting.

The current project will increase the amount of grading in order to meet the slope requirements for the access stairs and ramps. Construction plans for the grading have not been done as regulatory permits can have substantial impact on final design, but sufficient design work has been done to indicate that the 55 foot contour, representing the shoulder of the bluff, will retreat 16 feet. Excavated soil will be placed between the east arm of the parking lot and the bluff. This material will then be utilized in the improvements to be proposed later for that location. Previous stairway designs floated the stairways over the bluff obtaining the necessary slope by encroaching on the beach.

This approach of cutting into the bluff was proposed as more consistent with the LCP policy.

Landscaping. The final issue in the staff report on the appeal was that the plans did not specify plant materials. That is correct. The attached letter from the landscape architect for the project, Steven A. Ormenyi, indicates the plants to be used and the design concepts behind those selections. As the planting for the natives will be by hydro-seeding a typical landscape plan layout would not add to the information presented.

I hope this information is sufficient to complete this application. I will call and arrange an appointment after you have had time to review this submittal and hope that I can answer any additional questions at that time.

Sincerely,



Dennis Eschen,
Manager of Planning and Development

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Attachment:

- c: Phil T. Hester, Director of Parks, Recreation and Marine
- Christine F. Andersen, Director of Public Works
- Mark Christoffels, City Engineer
- Mark Sandoval, Manager of the Marine Bureau
- Tom Shippey, Manager of Maintenance Operations Bureau
- Ramon Arevalo, Superintendent, Maintenance Operations Bureau
- Barbara Muñoz, Division Engineer, Project Development
- Paterno Castro, Chief Construction Inspector
- Anthony Arevalo, Public Works Engineering

Detailed Project Description

1. Existing beach.
2. Existing trees.
3. Existing parking lot (451 spaces, 55 of which were added to the access road down to the parking lot in 2003 in anticipation of this project).
4. Existing historic lifeguard building.
5. Existing lifeguard boat storage.
6. New storage. Additional 288 square foot, ten-foot tall storage building to be placed next to the existing Lifeguards boat storage container. The architecture is to match the existing lifeguard building.
7. Information kiosk and emergency telephone.
8. New public restroom. The existing public restroom is difficult to maintain and in need of renovation. Its existing location crowds the area for the proposed playground, and due to age, condition, and location, will be replaced by a new restroom facility. The new facility would be designed as individual direct entry family toilet stalls, with exterior sinks.
9. Pre-school aged children's playground. One of three playground sets to be designed like the Anacapa Islands.
10. Playground swings and spring toys in island shape.
11. School-aged children's playground in island shape.
12. Dune vegetation restoration area. This area will be planted with coastal strand planting, mostly endemic to the Channel Islands. Proposed are:
 - Calystegia marcostegia (Island morning glory),
 - Comarostaphylis diversifolia (Summer Holly),
 - Coreopsis gigantea (Giant coreopsis)
 - Eriogonum grande (Giant buckwheat),
 - Grindelia stricta (Gumplant)
 - Lotus dendroideus (Island deerweed)
13. Irrigated lawn area.
14. Park benches.
15. Bluff top railings and playground fencing. Railings are proposed that will replicate the look of the historical Bluff Park railings. The railings are necessary to prevent pedestrian and bicycle travel down the bluff face at locations other than designated stairs and ramps. This number is also used to indicate the location of a fence around the playgrounds to keep children from leaving the playground area.
16. Existing mural. The mural is painted on the covering that prevents entrance into the former beach access tunnel.
17. Future concession area. Location for potential concessionaire kiosks or vendor carts. Use will be limited to food, beverages, beach support items (sun screen, hats, umbrellas), and skate equipment.
18. Access ramp. Access ramp from Bixby Park to the beach meeting Americans with Disabilities Act standards. Ramp will be built with a decomposed gravel surface held in place with an organic binder.

19. Three rows of concrete seating, 100 feet in length, accommodating approximate 180 persons (at 20 inches per person). This is to stabilize the toe of the bluff and provide seating for what has been referred to as the amphitheater.
20. Access stairs. Two sets of access stairs are proposed. One leads from the eastern edge of Bixby Park near Junipero Avenue to the beach at the eastern edge of the amphitheater, and one leads from the center of Bixby Park, just west of the center of the park, to the tunnel terrace and the playground.
21. Stage towers. Two 32'-6" tall towers, one on either side of the stage. The towers will be open trellis-like structures to hold stage lights, speakers, and stage back drop screens or curtains. Towers would also anchor removable canopy for spectator shade.
22. Canopy support poles. Two poles anchoring the inland extent of the shade canopy.
23. Decagon shaped stage, approximately 8,000 square feet in area. The stage will be six inches below the walkway on the north side and 42 inches above skate plaza on the south side. When not in use as part of the amphitheater, the stage will be part of the skate plaza. The amphitheater use has not been programmed, but it is expected that it will be used for such things as the Long Beach Municipal Band concerts, children's theater productions, and community presentations,
24. Walkway. Walkway between stage and seating. Also used for skating when not in use for amphitheater.
25. Skate plaza. 200' x 60' concrete surface for skating and skateboarding. Shaped like profile of the Cyclone Racer roller coaster at the Pike in Long Beach, the image of the roller coaster would be painted on the surface. "Bench" skate elements would be shaped like roller coaster cars and areas of the "tracks" would be "rail" skating elements.
26. Cyclone racer carts. The bench skate elements in roller coaster theme design.
27. Steps and hand rail. The steps and handrails down from the stage to the skating surface would be part of the skate elements.
28. Battered wall. The edge between the bluff and the walkway would be designed as a sloping concrete surface for skating while anchoring the toe of the bluff.
29. Bollards. The bollards form a barrier between the bicycle path and the parking lot, skating surface, and concession area. Bollards will also provide majority of area security and activity lighting.
30. Existing sidewalk adjoining parking lot.
31. Existing pedestrian and bicycle path.
32. New palm trees.
33. New shade trees.
34. Existing slope planting. The slope was replanted with a mix of California native grasses and shrubs in 2001 after the erosion ruts were filled and the sloped shaped with micro terraces. Over pruning due to July 4th fire concerns and pedestrian encroachments have damaged an otherwise successful native plant demonstration planting and slope protection.
35. Existing top of slope.
36. New top of slope. Re-grading will move top of slope from 6 feet to 26 feet inland.

37. New native groundcover. A Coastal scrub mix similar to that used in the bluff landscaping demonstration projects will be used, although the mix will be reviewed to reduce the amount fuel that has been a concern of neighbors and fire prevention personnel. Proposed are:

- Achillea millefolium (Common yarrow),
- Bromus carinatus (California brome),
- Eriogonum parvifolium (Coastal buckwheat),
- Encelia californica, Haplopappus ventus (Coastal golden brush), and
- Lotus scoparius (Deerweed).

38. Decomposed granite walkway. Walkway along top of bluff connecting stairways, access ramp and overlook benches to Ocean Boulevard sidewalk.

39. Picnic benches and tables.

40. Historic cannon pad. Location of World War II anti-aircraft gun emplacement.

41. Overhead Light Standards.

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Steven A. Ormenyi & Associates

Landscape Architects

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Woodland Hills, California 91364

24 August 2004

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CALIFORNIA LICENSE 1733

Dennis Eschen
Planning and Development
Department of Parks, Recreation and Marine
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EXHIBIT # 5

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Re: Proposed Bixby Park Plant List, Long Beach, CA

Dear Dennis:

Per your request, here is a brief description of the rationale for the proposed planting palette and plan for the Bixby Park project.

Existing Conditions:

The existing Bluff slopes are predominantly covered with a non-native ice plant called Hottentot Fig (*Carpobrotus edulis*). The adjacent beach areas feature numerous mature *Washingtonia robusta* palms and non-native evergreen tree plantings.

Landscape Strategy:

The landscaping goal is to integrate the landscaped improvements with adjacent beach property and to re-introduce plants representative of Southern California's unique coastal sagescrub plant community. The strategy is based upon the experiences of coastal projects completed by the city of Long Beach in recent years. These projects include: The Bluff Demonstration project featuring the surficial stabilization of eroding bluffs with native coastal scrub vegetation. Rainbow Harbor is another project featuring coastal dune plantings. These landscaped plantings were developed in cooperation with the Long Beach Fire Department and the Department of Parks, Recreation, and Marine maintenance personnel to be low growing, low fuel and low maintenance.

Proposed Plantings:

Irrigated lawn areas will be limited to the high traffic areas, notably the picnic areas, bike path, the skate park and toilet building where lounging, people-watching and other recreational activities are expected. *Washingtonia* palms and *Metrosideros tomentosa* – New Zealand Christmas trees are proposed in the improved area to "knit" together with the existing palms and non-native tree plantings evident along the existing beach strand and existing bluff properties.

To provide transition from the beach and shelter from prevailing winds, the children's playground area will feature low growing native plants endemic to the coastal strand. Interpretive signs will identify the plants and how they are used by native Americans. Trees and shrubs endemic to the Channel Islands are

proposed to provide shade and serve as an acoustic buffer to the adjacent bike path and skatepark. Representative plant selections in the playground area may include:

Grindelia stricta – Gumplant
Coreopsis gigantea – Giant coreopsis
Calystegia macrostegia – Island morning glory
Eriogonum grande – Giant buckwheat
Lotus dendroideus – Island deerweed
Comarostaphylis diversifolia- Summer Holly

The slopes between the bluffs and the beach strand will be hydroseeded with a coastal scrub seed mix designed to naturally stabilize the bluffs and reflect the native coastal sagescrub community. Proposed plantings may include the following:

Encelia californica – California encelia
Haplopappus venetus –Coastal golden bush
Lotus scoparius – Deerweed
Eriogonum parvifolium – Coastal buckwheat
Bromus carinatus – California brome
Achillea millefolium – Common yarrow

We hope this information clarifies the California Coastal Commission's questions. Please do not hesitate to contact me at 818.224.4770, if you have any further questions.

Sincerely,
STEVEN A. ORMENYI & ASSOCIATES

Scott Shimatsu
Project Manager

Cc: Tony Arevalo, CLB-DPW
Fernando Pagés, Tetra Tech, Inc.
Steven A. Ormenyi, SAO & Associates

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