

CALIFORNIA COASTAL COMMISSION

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Staff: Charles Posner - LB
Staff Report: 2/18/2010
Hearing Date: March 10, 2010
Commission Action:

**W17a****STAFF REPORT: PERMIT AMENDMENT**

APPLICATION NUMBER: 5-96-268-A3

APPLICANT: City of Long Beach **AGENT:** Ira Brown, City Planner

PROJECT LOCATION: 201 W. Shoreline Drive, Downtown Shoreline, City of Long Beach, Los Angeles County.

LOCAL APPROVAL: Long Beach City Council Resolution No. RES-09-0160, 12/15/09.

DESCRIPTION OF PROJECT ORIGINALLY APPROVED ON FEBRUARY 6, 1997:

Construction of a five-level (Queensway Bay) parking structure with 1,471 parking spaces to serve the Downtown Shoreline area. A 45-foot high "Queensway Bay" sign is also approved.

DESCRIPTION OF FIRST AMENDMENT (5-96-268-A1) APPROVED ON APRIL 13, 2000:

Modify the previously approved parking rates and customer validation program for the existing Queensway Bay parking structure located in Shoreline Park.

DESCRIPTION OF SECOND AMENDMENT (5-96-268-A2) APPROVED FEBRUARY 7, 2002:

Establish a monthly permit parking program (up to 300 monthly permits at \$60 per month) not to extend beyond December 31, 2004.

DESCRIPTION OF CURRENT AMENDMENT REQUEST (5-96-268-A3):

Increase the previously approved hourly and daily parking rates and implement a monthly parking permit program for the existing Queensway Bay parking structure.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission **APPROVE** the permit amendment request with a revised Special Condition Eleven. Special Condition Eleven, as revised by this permit amendment, would limit the maximum daily parking rate in the City-owned structure to sixteen dollars (instead of twelve dollars as approved in 2000), and would limit the maximum number of monthly parking permits to 300 (See Page Three for the revised condition). The revised special condition is necessary to protect the availability of the public parking supply that supports the recreational opportunities provided at Shoreline Park and Rainbow Harbor. The other special conditions of amended Coastal Development Permit 5-96-268 are not affected by this amendment (See Appendix A). The applicant agrees with the staff recommendation. **See Page Two for the motion to carry out the staff recommendation.**

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program (LCP), 7/22/80.
2. Coastal Development Permit 5-96-268 (Queensway Bay Parking Structure).
3. Coastal Development Permit 5-98-156 (Pike/Queensway Bay).
4. Coastal Development Permit 5-98-042 (Marina Green/Shoreline Dr. Parking Meters).
5. Coastal Development Permit 5-98-154 (Aquarium Way Parking Lot).
6. Coastal Development Permit 5-94-010 (Shoreline Village Parking).
7. Parking Analysis for the Pike at Rainbow Harbor, Long Beach, CA, by Linscott, Law & Greenspan, 9/28/2009.
8. Downtown Long Beach Parking Rate Study, by Carl Walker, Inc., 11/6/2008.

STAFF NOTE:

The proposed project is located on filled State Tidelands administered by the City of Long Beach. Pursuant to Section 30519 of the Coastal Act, a coastal development permit (amendment) must be obtained from the Commission because the proposed development is located on State Tidelands within the Commission's area of original jurisdiction. The Commission's standard of review for the development within the Commission's area of original jurisdiction is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the permit amendment request with special conditions:

MOTION: *"I move that the Commission approve with special conditions the proposed amendment to Coastal Development Permit 5-96-268 per the staff recommendation."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the amendment 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, 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. Special Condition of Permit Amendment 5-96-268-A3

The following special condition shall replace and supersede Special Condition Eleven, imposed by Permit Amendment 5-96-268-A1, which limits the maximum daily parking cost. The recommended additional language to Special Condition Eleven is identified by underlined text and deleted text is crossed-out. *Please refer to Appendix A* of this staff report for a list of the ten original permit conditions and the three special conditions added by Permit Amendment 5-96-268-A1. Permit Amendment 5-96-268-A2 had no new special conditions. The Commission authorizes no other changes to the special conditions of amended Coastal Development Permit 5-96-268 other than those changes noted below.

11. Daily Parking Rate and Monthly Permit Parking

The maximum daily cost for public parking in the parking structure shall not exceed a rate of fifteen ~~twelve~~ dollars per day (\$15 ~~12~~ each 24 hours), or sixteen dollars per day for special events. Permit Amendment 5-96-268-A3 authorizes the permittee to provide for sale to the general public up to 300 monthly permits (cumulative maximum limit of 300 monthly permits for each month). A monthly parking permit shall allow non-preferential use of available parking spaces within the parking structure. No parking stalls shall be reserved for permit holders.

III. Findings and Declarations

The Commission hereby finds and declares:

A. Amendment Description

On February 6, 1997, the Commission approved Coastal Development Permit 5-96-268 (City of Long Beach) for the construction of the five-level "Queensway Bay" parking structure in the northwest corner of Shoreline Park on the Downtown Long Beach waterfront. The City-owned parking structure opened in 1998. The 1,471-stall parking structure, situated entirely on State Tidelands, provides public parking for the shoreline area's many recreational opportunities, including Rainbow Harbor, Shoreline Park, and the Aquarium of the Pacific (Exhibit #2). The parking structure is a pay-attendant-upon-exit facility. Time-stamped tickets are issued to drivers automatically when a vehicle passes the gated entrance. Sometimes, the City charges a flat daily fee upon entry. Another parking structure located on the inland side of Shoreline Drive provides the primary parking supply (2,195 stalls) for the Pike commercial and entertainment complex.

This permit amendment is to increase the previously approved parking rates for the Queensway Bay parking structure, and to implement a new monthly parking permit program. The basic hourly parking rate would be increased from \$3 per hour to \$5.50 per hour. The parking rates have not been increased since 2000 when the Commission approved an increase from \$2 per hour (\$6 daily maximum) to \$3 per hour (\$12 daily maximum) as part of Permit Amendment 5-96-268-A1. The permit amendment is required because of the size of the proposed rate increase and Special Condition Eleven of the amended permit currently limits the maximum daily rate to \$12. The City proposes to raise the daily maximum to \$15 on regular days, and up to \$16 (flat rate) for special events. The permit amendment is also required for approval of the proposed monthly parking permit program.

Previously Approved/Current Parking Rates

The Commission's April 13, 2000 approval of Coastal Development Permit Amendment 5-96-268-A1 authorized the following parking rates and customer validation program for the Queensway Bay parking structure as follows:

Basic rate:	\$1.50/half hour (\$3/hour)
Daily maximum rate:	\$12
	\$6 for Aquarium patrons with validation
	\$6 for validated diving & fishing patrons

Special validated rates for customers of participating commercial uses with a minimum purchase of \$5 to \$12:

0 to 90 minutes:	Free with validation
90 minutes to 3 hours:	\$2 with validation
3 to 4 hours:	\$3 with validation
Beyond 4 hours:	\$3 for first 4 hours plus \$1.5/half hour thereafter

Cinema customers (Coastal Development Permit 5-98-156) with validation:

0 to 3 hours:	Free with validation
3 to 4 hours:	\$3 with validation
Beyond 4 hours:	\$3 for first 4 hours plus \$1.5/half hour thereafter

Currently Proposed Parking Rates

The City's proposed changes to the previously approved parking rates and customer validation program are as follows:

Basic rate:	\$2.75/half hour (\$5.50/hour)
Daily maximum rate:	\$15
	\$8 for Aquarium patrons with validation
	\$8 for validated diving & fishing patrons

Special validated rates for customers of participating commercial uses with a minimum purchase of \$5 to \$12:

0 to 90 minutes:	Free with validation
90 minutes to 3 hours:	\$3.50 with validation
3 to 4 hours:	\$5.25 with validation
Beyond 4 hours:	\$5.25 for first 4 hours plus \$2.75/half hour thereafter \$15 Maximum

Cinema (Cinemark at the Pike) customers with validation:

0 to 3 hours:	Free with validation
3 to 4 hours:	\$5.25 with validation
Beyond 4 hours:	\$5.25 for first 4 hours plus \$2.75/half hour thereafter \$15 Maximum

Special Events	Up to \$16 flat rate
Monthly Parking Permit	\$70 per month
Aquarium Employees	\$4 per day
Aquarium Members	\$20 for 5 entrances

The customer validation program for the Queensway Bay parking structure is similar to the validation program approved by the Commission for the 2,195-stall parking structure approved and built as part of the Pike commercial and entertainment complex [Coastal Development Permit 5-98-156 (City of Long Beach & DDR)]. It is primarily the cinema and restaurants in the Pike that issue parking validations to their customers.

Monthly Parking Permit Program

In February 2002 the Commission approved Permit Amendment 5-96-268-A2 authorizing the City to establish a monthly permit parking program to sell up to 300 monthly parking permits (\$60 per month) for the Queensway Bay parking structure. The Commission's approval of the monthly permit parking program was valid until December 31, 2004, when the program was set to expire unless the City asked for and received another Commission approval. The 300-permit limit was proposed in order to ensure that sufficient parking would remain available in the parking structure to meet the demands of visitors to the shoreline area's many recreational opportunities, including Rainbow Harbor, Shoreline Park, and the Aquarium of the Pacific. The City did not ask for or receive Commission authorization to extend the monthly parking permit program beyond the end of 2004.

As part of this permit amendment request, the City is requesting Commission approval to re-establish the monthly permit parking program at a rate of \$70 per month. The monthly parking permits would be available to the general public for non-preferential use of available parking within the Queensway Bay parking structure. A parking spot would not be guaranteed, as parking stalls cannot be reserved for monthly parking permit holders. Special Condition One of the underlying permit requires that all parking within the proposed parking structure shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis (See Appendix A). Persons utilizing monthly permits would include workers in the area (e.g., aquarium employees and Rainbow Harbor workers) and Catalina Island residents who keep vehicles on the mainland. The sales of monthly permits would again be limited to 300 to protect the availability of public parking for daily visitors to Shoreline Park and Rainbow Harbor.

Aquarium Employee Parking

The current proposal also includes a special discounted rate (\$4 daily) for aquarium employees. In 1997, before the parking structure had been constructed, the City was required to identify an off-site aquarium employee parking area (outside of the structure which is part of Shoreline Park). The off-site parking plan has proven to be impractical because most of the employees have found the off-site parking areas to be too far from the aquarium. Many employees choose to park in the Queensway Bay parking structure because of its proximity to the aquarium. Others, however, ride bikes or use public transportation to get to work. Sufficient parking is usually available in the Queensway Bay parking structure to meet the

demands of all visitors, including employees. The structure only fills up on the busiest summer weekends, or during special events.

B. Public Access and Recreation

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 30213 of the Coastal Act states, in part:

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

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....

The primary Coastal Act raised by the permit amendment request is the relationship between public access opportunities and the management of the various public parking facilities that exist in the Downtown Shoreline area of Long Beach. The Downtown Shoreline area provides a wide range of uses that attract large numbers of visitors and employees, many of whom arrive by automobile. Many of the area's attractions are coastal related such as the beach, marinas, coastal parks, the Aquarium of the Pacific, Rainbow Harbor, and the Shoreline Village boardwalk (Exhibit #2). The Downtown Shoreline area is also well served by public transportation, including the Blue Line light-rail line and water taxis operated by Long Beach Transit. Free buses transport people around the entire downtown area, including Rainbow Harbor and the aquarium. Well-established bicycle routes along the shoreline connect Rainbow Harbor to the Orange County and Downtown Los Angeles bicycle routes.

All of the parking in the Long Beach Downtown Shoreline area is located on public tidelands and is open to the general public on a shared-use basis. Special Condition One of Coastal Development Permit 5-96-268 ensures that all parking within the parking structure is reserved for the use of the general public on a first-come, first-serve basis (See Appendix A). All of the area's parking is fee-based (i.e., no free parking - validated parking notwithstanding).

Each distinct use in the Downtown Shoreline area has its own primary parking reservoir. The City and the Commission have worked together to determine the appropriate parking rates and management schemes for each facility so that various users are encouraged (by rates, time limits and validation programs) to use the appropriate parking reservoir for each use in order to protect access to the lower cost visitor and recreational facilities in the Downtown Shoreline area.

Visitors to the Downtown Shoreline area have the following choices of parking facilities (See Exhibit #2 for map). The list includes the Commission-approved parking rates:

<u>Downtown Shoreline Use</u>	<u>Parking Reservoir (No. of spaces)</u>	<u>Rate</u>
A. Beach & General Recreation	Marina Green Park Lots (388)	\$3/hour (meters) No maximum
B. Shoreline Village Commercial	Shoreline Village Lot (433)	\$1 for 2 hrs w/valid, or \$4/hour \$8 maximum
C. Downtown Marina (Boaters)	Marina Permit Parking (1,669)	Permit only
D. Convention Center	Convention Center Lots (4,830)	\$10 Flat rate
E. Rainbow Harbor, Aquarium & Shoreline Park	City-owned Structure (1,471)	\$0 w/validation, or \$3/hour \$12 maximum
E. Shoreline Park	Shoreline Park Lot (150)	\$3/hour (meters) No maximum
E. Shoreline Park	Shoreline Dr./Pine Ave.(128)	\$2/hour \$12 maximum
F. Catalina Landing	Parking Structure (1,472)	\$4/hour \$14 maximum
G. Pierpoint Landing Fishers	Surface Parking Lot (95)	Permit only
H. California State University	Chancellors' Lots (435)	Permit only
J. Pike Commercial	Parking Structure (2,195)	\$0 w/validation, or \$3/hour \$24 maximum
K. All Uses-Pike	On-street Parking (143)	\$2/hour (meters) No maximum

The cumulative effects of people's decisions on where to park can have a direct impact on the general public's ability to access the coast by private automobile. The Commission, through a series of coastal development permit actions, has regulated the management of the various parking reservoirs in the Downtown Shoreline area in order to protect the parking supplies that support the many coastal recreation activities in the area. The intent of the Commission-approved parking rates and validation programs has been to direct Downtown Shoreline area visitors to the appropriate parking reservoirs that support each use in order to protect the public parking availability that is necessary to support public access to the coast.

For example, in 1999 the Commission approved a parking rate and customer validation program for the 2,195-stall parking structure built as part of the 508,550 square foot Pike commercial and entertainment [Coastal Development Permit 5-98-156 (City of Long Beach & DDR)]. The Pike's parking structure, constructed on the inland side of Shoreline Drive across the street from the City-owned Queensway Bay parking structure in Shoreline Park, primarily serves the customers of the Pike's cinema and restaurants (Exhibit #2). The parking rate and customer validation program approved by the Commission is intended to direct customers of the commercial uses into the Pike's parking structure that is part of commercial and entertainment complex, and away from the public parking supplies provided within Shoreline Park and the Marina Green.

The currently proposed parking rate and customer validation program for the Queensway Bay parking structure is similar to the Commission-approved parking rate and customer validation program for the Pike's parking structure. The City's currently proposed rates, however, are higher than the rates approved for the Pike in 1999. Approval of the new higher parking rates for the City-owned Queensway Bay parking structure will be followed soon by other requests for fee increases, but the requests are inevitable because the parking rates have not been increased for more than ten years. In any case, customers with parking validations will still receive free short-term parking (up to 3 hours) and a discounted rate for longer parking times. With the validation system and the proximity of the Pike parking structure to the cinema and other stores, most Pike customers choose to use the Pike parking structure. The high cost for non-validated parking (up to 24 dollars) is intended to discourage use of the Pike's parking structure by non-customers.

Prior Commission actions ensure that specific public parking reservoirs in the Downtown Shoreline area are protected to support public access to shoreline recreational opportunities. The recreational opportunities available in the Downtown Shoreline area include picnicking, sightseeing, walking, bicycling, fishing, boating, and going to the beach. These types of activities do not qualify for any discounted parking rates that are available to customers with validations. The parking reservoirs that support recreational uses include the Queensway Bay parking structure located in Shoreline Park (the subject of this amendment), a 150-stall surface lot in Shoreline Park, the Marina Green public parking lots, a 128-stall surface Shoreline Park parking lot (near Pine Avenue Pier), and the on-street parking (Exhibit #2). All of these parking reservoirs that support shoreline recreational uses, except for the Shoreline Park parking lot near Pine Avenue Pier and the Queensway Bay parking structure in Shoreline Park, are permitted to be metered in order to discourage long-term parking by convention center visitors and employees of the area's commercial uses. The parking meters, which require the purchase of additional time every 90 to 120 minutes, discourage long-term storage of vehicles in these shoreline parking areas. The City has recently increased the parking rate for the parking meters from \$2 per hour to \$3 dollars per hour, with no maximum limit.

The price for all day non-validated parking within the Queensway Bay parking structure located in Shoreline Park (the subject of this amendment) will increase from \$12 to \$15. The parking structure in Shoreline Park supports recreational uses that involve the need for parking near the shoreline for more than two hours (i.e. boating, bicycling) but do not qualify for any validated parking discounts. The parking structure serves the parking demand for Rainbow Harbor, Shoreline Park, the Aquarium of the Pacific, and other Downtown Shoreline area attractions (Exhibit #2). The all day, non-validated parking that is currently available within the Queensway Bay parking structure is a necessary component of the overall parking supply in the Downtown Shoreline area.

The City's proposal would increase the cost of parking at the shoreline to \$5.50 per hour, and up to \$15 for the whole day (and \$16 for special events). Parking for \$3 per hour will still be available at the metered Shoreline Park and Marina Green park parking lots. Fifteen dollars is equal to the cost of a five-hour visit to the Downtown Shoreline area using metered parking at the Commission-approved rate of three dollars per hour (\$3/hour). Although the parking meters would require the purchase of additional time every 90 to 120 minutes (in order to discourage long-term storage of vehicles by convention visitors), there is no maximum time limit. The monthly permit parking program (\$70 per month) is also available as a way to minimize the cost of parking for regular visitors to the shoreline area.

The proposed parking rates are consistent with the rates being charged in other areas. For example, the City's proposed \$15 all-day parking fee is equivalent to the cost of visiting the beach at Bolsa Chica State Beach, located ten miles south of Downtown Long Beach. Bolsa Chica State Beach charges a flat \$15 entrance fee per vehicle. In 2008, the average hourly cost of parking in Downtown Long Beach was \$4.45 (Downtown Long Beach Parking Rate Study, by Carl Walker, Inc.). Parking fees throughout the City have been increased in the last year.

Therefore, the proposed fee increase will not have a significant adverse impact on public access and use of the public parking facilities. Public parking will be available, and as previously mentioned, the Shoreline Park and Rainbow Harbor area is well served by public transportation and bicycle routes. Water taxis and free buses operated by Long Beach Transit bring people to Rainbow Harbor and the aquarium. There are racks for locking bicycles located throughout the shoreline area. The amendment is conditioned to limit the maximum daily parking rate to no more than \$15 dollars per day (\$16 for special events) so that the City will have to obtain another Commission approval for any further increase in the maximum rate. The special condition to limit the maximum daily parking rate protects long-term parking opportunities for recreational visitors who choose to drive and do not qualify for the validated parking discounts. Only as conditioned is the proposed amendment consistent with the public access and recreation policies of the Coastal Act.

The proposed revision to the customer validation program will not have a negative impact on public access to the shoreline because it will encourage customers to use the commercial parking structures instead of paying the \$3 per hour rate for on-street metered parking and the Shoreline Park and Marina Green parking lots. The customer parking validation program would continue to grant customers free parking for up to three hours. Therefore, the proposed modifications to the customer parking validation program will encourage customers to use the proposed parking structure while leaving the coastal access support parking (i.e. metered on-street spaces and public park spaces) available for recreational visitors to the shoreline.

In conclusion, the Commission finds that the proposed amendment, only as conditioned, adequately protects public access to coastal recreation opportunities, will not negatively affect the public's ability to access the Downtown Shoreline area and the coast, and is consistent with the public access and recreation policies of the Coastal Act.

C. Local Coastal Program

The City of Long Beach Local Coastal Program was certified by the Commission on July 22, 1980. Because the project is located seaward of the former mean high tide line, the LCP is advisory in nature and may provide guidance. The standard of review for this amendment is the Chapter 3 policies of the Coastal Act. The proposed amendment, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act and the certified LCP.

The certified LCP requires the provision of adequate parking supplies to meet the parking demands of the development in the Downtown Shoreline area. Because all of the Downtown Shoreline area is located on public tidelands, the certified LCP parking policies encourage the use of shared parking and joint use parking arrangements to meet the total parking demands of the public and private visitor-serving and recreational facilities in the area. The LCP also encourages the shared use of the parking supply in downtown Long Beach north of the Downtown Shoreline area and outside the coastal zone. The LCP states that the public transportation system, including the Blue Line light-rail, Long Beach Transit, and free trams, are expected to reduce the demand for parking in the Downtown Shoreline area. The LCP calls for the City to form a traffic and parking management association to plan and carryout the joint use of public and private parking facilities to serve the Downtown Shoreline area. The Long Beach Parking and Traffic Management Organization (PTMO) has been established as required by the LCP. The City is participating in the PTMO as required by special condition three of Coastal Development Permit 5-96-268.

The LCP also requires that the parking supplies on public tidelands in LCP subareas 5 and 6 shall be available for use by the general public on a first-come, first-serve basis. No parking may be reserved for the exclusive use of any tenant or development. These parking policies enhance the public's ability to access both the lower cost recreational facilities and the visitor-serving commercial uses in the Downtown Shoreline area.

D. California Environmental Quality Act (CEQA)

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)(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 amendment is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) because it is a modification of parking fees by the City for the purposes of meeting operating expenses for the Queensway Bay parking structure. The permit amendment, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. All significant environmental effects have been mitigated by conditions of approval. As conditioned, the proposed project and permit amendment will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA. Therefore, the Commission finds that the project is consistent with the requirements of the Coastal Act to conform to CEQA.

Appendix A

Special Conditions of Coastal Development Permit 5-96-268 and Amendment 5-96-268-A1

1. Public Parking

All parking within the proposed parking structure shall be reserved for the use of the general public and shall be available for use on a first-come, first-served basis. There shall be no exclusive use of parking spaces or reserved parking spaces within the approved structure by any person or group other than the general public (handicapped spaces excluded).

2. Parking Fees and Validations

By acceptance of this permit the applicant agrees that any increase in the approved parking fees which exceed 25% in any one-year period, or 50% in any three-year period, shall require an amendment to the coastal development permit. The City and/or the parking structure manager shall submit any increase in the parking fees or changes in the validation policies of the parking structure to the Executive Director to determine whether an amendment to this permit is necessary.

3. Parking & Traffic Association

The applicant shall participate in the Traffic and Parking Management Association established by the City of Long Beach pursuant to its certified Local Coastal Program as soon as such association is established [see certified LCP Downtown Shoreline Planned Development Plan (PD-6): General Development and Use Standard (b)6]. The applicant shall include the parking resources approved by this permit in the total parking resources addressed by the Traffic and Parking Management Association. The applicant shall also require all operators of the parking structure under contract or lease to the applicant to conform with this condition. The applicant shall also inform the operator that the parking resources of the facility are required by this permit to be part of the total parking resources managed by the association and that the operators are required to participate in the association.

4. Employee Parking

By acceptance of this permit the applicant agrees that prior to completion of the parking structure, the applicant shall submit an employee parking program, subject to the review and approval of the Executive Director, which meets the following criteria:

- a) The plan identifies at least 120 parking spaces that will be available to Long Beach Aquarium employees and the employees of the commercial establishments located in and around Rainbow Harbor while they are working, and,
- b) None of the 120 parking spaces shall be in the public parking areas located in Marina Green, Shoreline Park or along the shoulders of Shoreline Drive, and,
- c) None of the 120 parking spaces are more than 2,000 feet from the place of employment unless: (i) they are located within 200 feet of an existing free public transit (Passport) stop, and (ii) the schedules and frequency of the shuttles and choice of routes will not significantly increase commute times such that employees will have an incentive to park in public lots to avoid being late for work, and,

- d) The plan insures that the employee parking is provided to employees at a cost that does not exceed the cost of parking in nearby public parking lots (such as the spaces along Shoreline Drive and in the Marina Green and Shoreline Park lots), and,
- e) The plan identifies the signs, notices and other measures that will inform all Long Beach Aquarium employees and the employees of the commercial establishments located in and around Rainbow Harbor of the employee parking program.

The applicant shall implement the employee parking program as approved by the Executive Director.

5. Lease to Private Operators

The lease of any development approved by Coastal Development Permit 5-96-268 to private operators shall explicitly incorporate provisions for public use, public access, employee parking, parking fees and management practices consistent with all conditions contained herein.

6. Siltation Control

Prior to commencement of development, the applicant shall submit an erosion control and siltation prevention plan, for the review and approval of the Executive Director, which controls erosion and prevents siltation of Shoreline Lagoon/Queensway Bay Harbor during the construction of the proposed project. The approved plan shall be implemented during construction of the proposed project.

7. Drainage Plan

Prior to commencement of development, the applicant submit for the review and approval of the Executive Director, a drainage plan which incorporates best management practices that will reduce the volume of runoff and amount of pollutants which leave the site and enter the storm drain system. The drainage plan shall incorporate the following: catch basins to collect trash, trash racks or bars to filter runoff, grease and oil separators, and provisions for periodic cleaning of the paved parking lot surfaces and catch basins. The drainage plan may include other measures as well. The applicant shall implement the approved drainage plan on an ongoing and permanent basis.

8. Consistency with State Tidelands Grant

Prior to issuance of the Coastal Development Permit, the applicant shall provide written documentation to the Executive Director, including specific citation of the relevant sections of the applicable State Tidelands Grant, specifically demonstrating that the proposed project is consistent with the terms and conditions of the Legislature's grant of this portion of the Downtown Shoreline to the City of Long Beach.

9. Foundation Design

Prior to the commencement of development, the applicant shall submit for review and approval by the Executive Director, final plans for the proposed parking structure which have been reviewed and approved for structural soundness and safety by a qualified engineer. The submitted plans must be in substantial conformance with the plans approved by the

Commission. Any changes in the structure design approved by the Commission which may be required by the engineer shall be submitted to the Executive Director to determine whether an amendment to the permit is required. The proposed parking structure shall be constructed in a manner consistent with the final approved plans.

10. Assumption of Risk

By acceptance of this Coastal Development Permit, the City agrees that: (a) the site may be subject to extraordinary hazard from seismic events, storms, waves, floods and erosion; and (b) the City hereby waives any future claims of liability against the Commission or its successors in interest for damage from such hazards.

[Note: Special Conditions 11, 12 and 13 were added by Permit Amendment 5-96-268-A1.]

11. Daily Parking Rate (As revised by Commission 4/13/2000).

The maximum daily cost for public parking in the approved parking structure shall not exceed a rate of twelve dollars per day (\$12 each 24 hours).

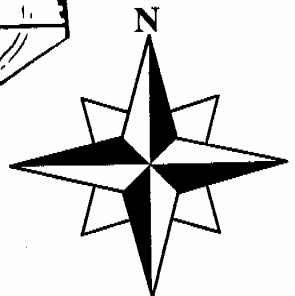
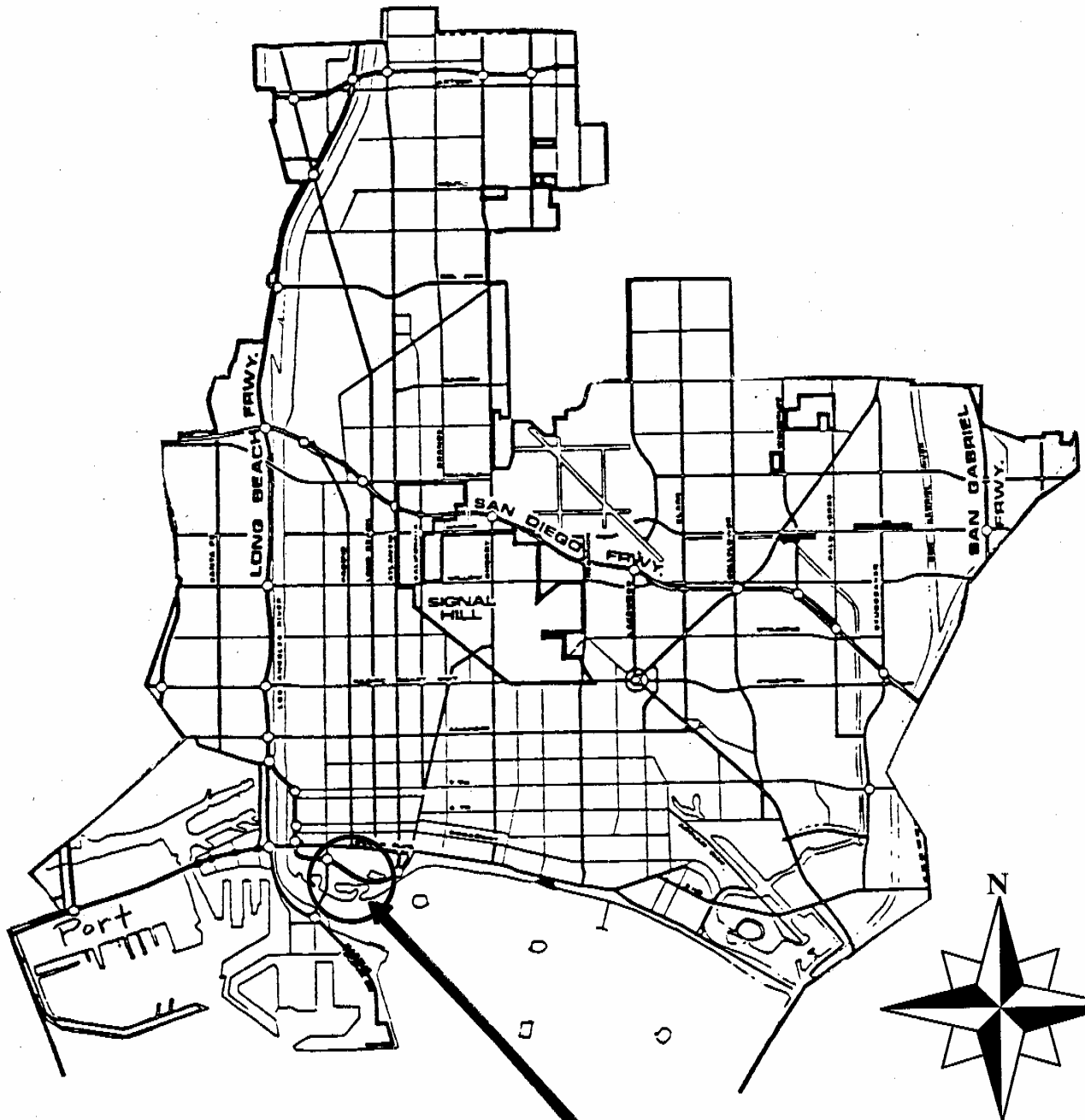
12. Signage Plan (As added by Commission 4/13/2000).

Prior to issuance of the coastal development permit amendment, the applicant shall submit, for the review and approval of the Executive Director, a signage program for the Downtown Shoreline area to direct convention center visitors to the convention center parking reservoirs. The plan shall include, at a minimum, the placement of conspicuous signs along Shoreline Drive, Seaside Way and Pine Avenue in the vicinity of the convention center and Queensway Bay parking structures. The signage shall include directional information and the price for convention center parking. The applicant shall implement the signage program as approved by the Executive Director.

13. Shoreline Park Metered Parking (As added by Commission 4/13/2000).

Prior to issuance of the coastal development permit amendment, the applicant shall submit a written request to the Executive Director that the Commission amend Special Condition Three of Coastal Development Permit 5-96-124 in order to change the current 90 minute limit on pre-paid metered parking in Shoreline Park to allow 2 hours of pre-paid metered parking in Shoreline Park.

City of Long Beach



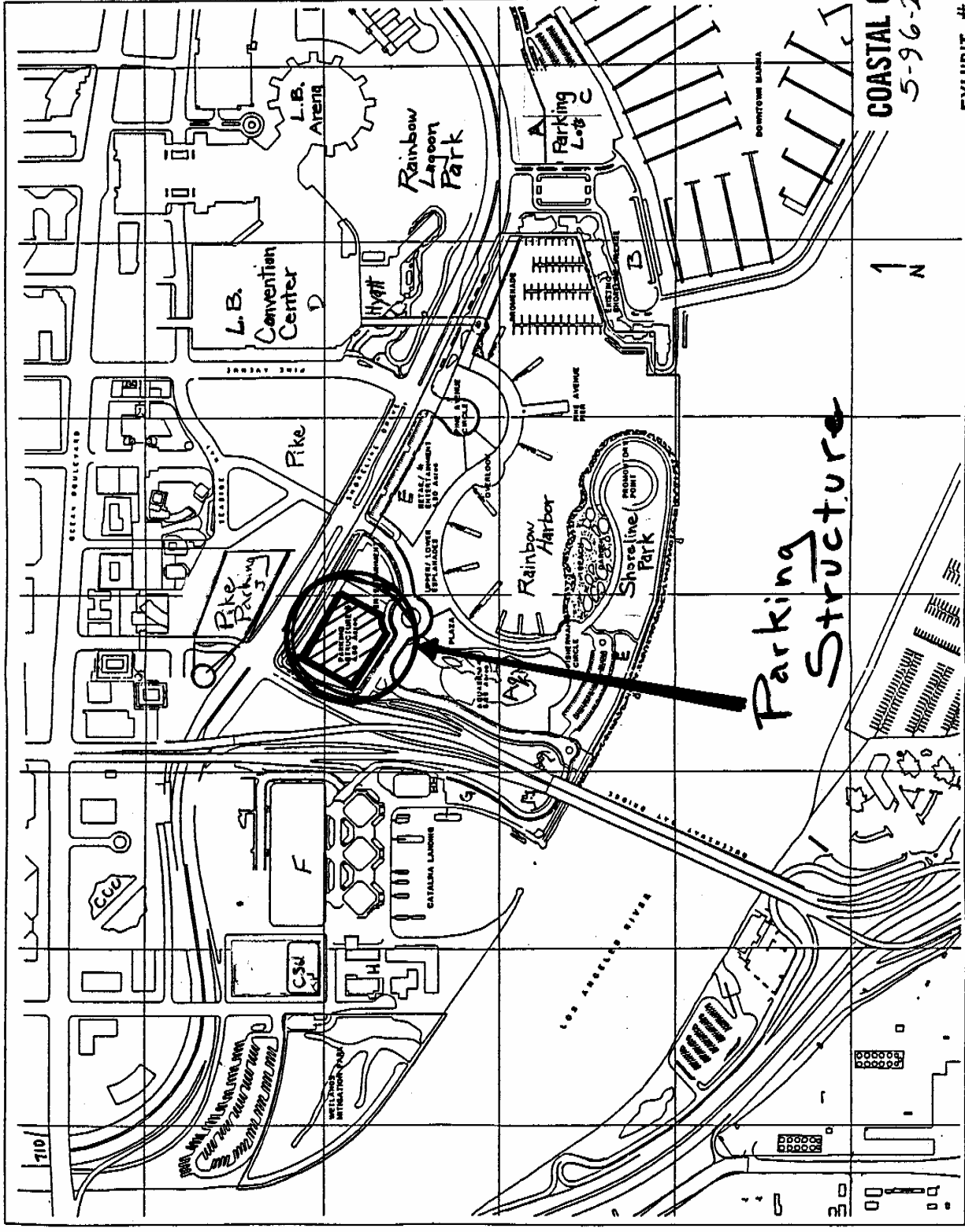
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COASTAL COMMISSION
5-96-268-A3
EXHIBIT # 1
PAGE 1 OF 1



QUINCYWAY BAY	
PROJECT:	Large Housing Development
DESIGNER:	City of Los Angeles
DATE:	1990-08-10
SCALE:	1/8" = 1'-0"
APPROVED:	
REVISIONS:	
NO. 1	Initial Design
NO. 2	Final Design
NO. 3	Construction Documents
NO. 4	Final Construction Documents
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COASTAL COMMISSION
 5-96-268-A3
 EXHIBIT # 2
 PAGE 1 OF 1



The Aquarium of the Pacific (Aquarium) Parking Structure was opened for public parking in 1998; the parking rates for this structure have not been adjusted since 2000. This structure incurs a considerable expense due to old and outdated gate equipment and a poorly designed elevator system. Additionally per agreements with the Aquarium, the Aquarium shares in the revenues generated by the parking structure. City Staff contracted with Carl Walker, Inc., a leading parking industry consulting firm, to conduct a parking system market rate study. To meet funding requirements for the issues mentioned above, Carl Walker Inc., in consensus with City Staff, recommends the following rate adjustments.

The rate adjustment will offset expenses, fund security enhancements, and ensure that funds are available to meet the City's agreements with the Aquarium. The Aquarium of the Pacific has reviewed the recommended rate adjustment and is supportive of this action. Current and Proposed parking rates are as follows:

	Current Rates:	Proposed Rates:
Basic Rate	\$1.50 for each 30 min. (Maximum \$12.00)	\$2.75 for each 30 min. (Maximum \$15.00)
Daily maximum rate:		
Aquarium patrons with validation	\$6 flat rate	\$8 flat rate
Validated diving & fishing patrons	\$6 flat rate	\$8 flat rate
Validation Program		
First 90 minutes	Free with validation	Free with validation
90 minutes to 3 hours	\$2 with validation	\$3.50 with validation
3 to 4 hours	\$3 with validation	5.25 with validation
Beyond 4 hours	\$3 for first 4 hours plus \$1.50 for each additional half hour (Maximum \$12.00)	\$5.25 for first 4 hours plus \$2.75 for each additional half hour (Maximum \$15.00)
Cinema customers		
First 3 hours	Free with validation	Free with validation
3 to 4 hours	\$3 with validation	5.25 with validation
Beyond 4 hours	\$3 for first 4 hours plus \$1.50 for each additional half hour (Maximum \$12.00)	\$5.25 for first 4 hours plus \$2.75 for each additional half hour (Maximum \$15.00)
Maximum Rate / Lost Tickets	\$12.00	\$15.00
Special Events		\$8 - \$9 flat rate* \$10
Monthly permit rate		\$70
Employee daily rate		\$4 flat rate
Aquarium members		\$20 for 5 visits

*Determined on a per event basis by the City Manager