

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 OceanGate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



July 12, 2011

Th21a

ADDENDUM

To: Commissioners and Interested Parties

From: John Ainsworth, Deputy Director
Gary Timm, Coastal Program Manager
Charles Posner, Staff Analyst

Re: **Appeal No. A-5-LOB-11-136 (City of Long Beach Department of Parks, Recreation & Marine), Marina Vista Park Electrical Switchboard Enclosure.**

Site Plan

Attached is the City's revised site plan for the proposed project which minimizes the electrical enclosure's footprint in Marina Vista Park.

Enclosure Addition

Existing Enclosure

Removed Section

TO (A) TRANSFORMER AT
RESTROOMS. SEE SINGLE LINE
DIAGRAM FOR UTILITY
(APPEND. 1/-301, FIELD KEY)

SEE STRUCTURAL DRAWINGS
FOR REQUIRED CLEANINGS
NEW FENCE, FASTS, SLAB AND
ANCHORING OF SWITCHBOARD
CONNECT GROUND WIRE WITH
OZ-DENY COPPER ALLOY
SUTURE TO FORM CURE
FENCE POST TYPICAL TO ALL
NEW FENCE PARTS.
(WPOST(TYP))

(1/2) 1/2" O BARE COPPER
CONNECT TO (E) GROUND GRID
(TYP)

(E)SE POLE
(1)USAGE

105(TYP)
RADIUS WEL

SEE TRANSFORMERS

STANDARDS & FINISHES OF CONDUIT PER
PER SEE DRAWING A&B NO. 240313-1

AREA PER SEE
REQUIREMENTS. COORDINATE
EXACT LOCATIONS OF NEW
CONDUITS WITH SEE ALL
ENCLOSURE SHALL BE
PERFORMED BY SEE
APPROVED CONTRACTOR

ABANDONED CONDUIT FROM
DEMOLITION

(1/2) 1/2" O BARE COPPER
CONNECT TO (E) GROUND GRID
(TYP)

(E)GROUND WEL

(E)PEDESTALS

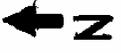
(E)GROUND WEL

(E)PEDESTALS

105(TYP)
RADIUS WEL

Eliot Street

ELECTRICAL SITE PLAN



ALL WORK WITHIN SEE
ENCLOSURE SHALL BE
PERFORMED BY SEE
CONTRACTOR. ALL
OTHER WORK RELATED TO
OPERATION/DISCONNECTION/
INSTALLATION OF SKV
SYSTEM SHALL BE
PERFORMED BY A HIGH
VOLTAGE LICENSED
CONTRACTOR.

NOTE:
ALL ELECTRICAL DUCTS AND STRUCTURES SHALL CONFORM TO GENERAL
REQUIREMENTS FOR CONSTRUCTION OF UNDERGROUND ELECTRICAL
SUPPLY AND COMMUNICATIONS SYSTEMS OF THE PUBLIC UTILITIES
COMMISSION OF THE STATE OF CALIFORNIA, JANUARY 2003.
SEE SEE B DRAWINGS, DESIGN R148213.1, FOR SEE REQUIREMENTS.
SEE CONTRACT: JEFFREY BERRY-(52)791-8240

NOTE:
SYSTEM GROUND AND GROUND RADIATION AND EXISTING SHALL BE
TESTED BY AN INDEPENDENT TESTING AGENCY, AND CERTIFY ALL
TEST RESULTS AND TEST REPORTS ACCEPTABLE WITHIN
PERMISSIBLE VALUES.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

Appeal Filed: 5/31/2011
49th Day: 7/19/2011
180th Day: N/A
Staff: Charles Posner - LB
Staff Report: 6/23/2011
Hearing Date: July 14, 2011
Commission Action:



Th21a

STAFF REPORT: APPEAL **NO SUBSTANTIAL ISSUE**

LOCAL GOVERNMENT: City of Long Beach

LOCAL DECISION: Approval with Conditions

APPEAL NUMBER: A-5-LOB-11-136

APPLICANT: City of Long Beach Department of Parks, Recreation & Marine

APPELLANT: Laurence B. Goodhue

PROJECT LOCATION: 5350 Colorado Street (Marina Vista Park), City of Long Beach.

PROJECT DESCRIPTION: Appeal of City of Long Beach Local Coastal Development Permit No. 1009-14, approved with conditions to allow the expansion of a fence enclosure and the replacement of an electrical switchboard and feeders that service public restrooms and lighting in Marina Vista Park.

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. 1009-14 (Exhibit #3).

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, determine that the appeal raises **no substantial issue** with respect to the grounds on which the appeal has been filed. The local coastal development permit approving the upgrades to the park's electrical system does not raise a substantial issue with respect to the provisions of the City of Long Beach certified Local Coastal Program (LCP) or the public access policies of the Coastal Act. The City-approved project will not adversely affect public access, public safety, or the public's use of Marina Vista Park. The City has provided factual and legal support for its decision, and the extent and scope of the approved development is small. There are no significant coastal resources affected by the decision, and no adverse precedent will be set for future interpretations of the LCP. Finally, the appeal does not raise issues of regional or statewide significance. **The motion to carry out the staff recommendation is on Page Four.**

I. APPELLANT'S CONTENTIONS

Laurence B. Goodhue has appealed the City's approval of Local Coastal Development Permit No. 1009-14 (See Exhibits). The local permit authorizes the City Department of Parks, Recreation and Marine to expand a fence enclosure and replace the electrical switchboard and feeders that provide power for the restrooms and lighting in Marina Vista Park, near the northern end of Marina Stadium (Exhibit #2).

On May 31, 2011, the Commission's South Coast District office in Long Beach received an appeal from the appellant contending that the facility consumes public park space and should be relocated out of the City park. The appeal also asserts that the facility should be relocated out of the tsunami flood zone (Exhibit #5).

II. LOCAL GOVERNMENT ACTION

In early November 2010 the City of Long Beach Zoning Administrator held a public hearing and approved Local Coastal Development Permit No. 1009-14 (with conditions) for the proposed project. The Zoning Administrator's decision was appealed to the Planning Commission by Laurence B. Goodhue. On May 5, 2011, after a public hearing, the City of Long Beach Planning Commission upheld the Zoning Administrator's action and denied the appeal (Exhibit #6). The Planning Commission's action was not appealable to the City Council.

On May 26, 2011, the Commission's South Coast District office in Long Beach received from the City Planning Department the Notice of Final Local Action for Local Coastal Development Permit No. 1009-12 (Exhibit #6). The Commission's ten working-day appeal period was established on May 27, 2011. On May 31, 2011, the appeal of Laurence B. Goodhue was officially filed in the Commission's South Coast District office. The appeal period ended at 5 p.m. on June 10, 2011, with no other appeals received.

The City of Long Beach Local Coastal Program (LCP) was certified on July 22, 1980. Section 30603(a)(1) of the Coastal Act identifies the proposed project site as being in an appealable area by virtue of its location. The proposed project is located within three hundred feet of the beach at the north end of Marine Stadium.

III. APPEAL PROCEDURES

After certification of Local Coastal Programs (LCP), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea or within three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff [Coastal Act Section 30603(a)]. In addition, an action taken by a local government on a coastal development permit application may be appealed to the Commission if the development constitutes a "major public works project" or a "major energy facility" [Coastal Act Section 30603(a)(5)].

Section 30603 of the Coastal Act states:

- (a) After certification of its Local Coastal Program, an action taken by a local government on a coastal development permit application may be appealed to the Commission for only the following types of developments:
 - (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
 - (2) Developments approved by the local government not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

The grounds for appeal of an approved local coastal development permit in the appealable area are stated in Section 30603(b)(1), which states:

- (b)(1) The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in this division.

The action currently before the Commission is to find whether there is a "substantial issue" or "no substantial issue" raised by the appeal of the local approval of the proposed project. Sections 30621 and 30625(b)(2) of the Coastal Act require a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

When Commission staff recommends that no substantial issue exists with respect to the grounds stated in the appeal, the Commission will hear arguments and vote on the substantial issue question. It takes a majority of Commissioners present to find that the grounds for the appeal raise no substantial issue. If the Commission determines that no substantial issue exists, then the local government's local coastal development permit action will be considered final. Should the Commission determine that the appeal does raise a substantial issue, the Commission will consider the permit application de novo at a future meeting. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing.

IV. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that **no substantial issue exists** with respect to the grounds for the appeal regarding conformity of the project with the City of Long Beach certified Local Coastal Program and the public access policies of the Coastal Act, pursuant to Public Resources Code Section 30625(b)(2).

Staff recommends a **YES** vote on the following motion:

MOTION: *“I move that the Commission determine that Appeal No. A-5-LOB-11-136 raises **NO SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act.”*

Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

Resolution to Find No Substantial Issue for Appeal A-5-LOB-11-136

The Commission finds that Appeal No. A-5-LOB-11-136 does not present a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

V. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description

Local Coastal Development Permit No. No. 1009-14 would permit the City Department of Parks, Recreation and Marine to expand a fence enclosure and replace the electrical switchboard and feeders that provide power for the restrooms and lighting in Marina Vista Park, near the northern end of Marina Stadium (Exhibit #2). The existing electrical system and its fence enclosure were constructed about fifty years ago and are in need of repairs. The facility is permitted to be upgraded and is not proposed to be relocated from its current location on the north side of Eliot Street and its public sidewalk (Exhibit #3). A new 27'x19' wrought iron fence enclosure (about 500 square feet) is permitted to be attached to the rear of the existing enclosure, thus expanding the facility's footprint in the park by about five hundred square feet (Exhibit #4). New electrical switchboard and feeders would be placed within the new enclosure, and the old enclosure would remain in its current location. Special Condition Four of the local coastal development permit requires landscaping to be added to the exterior of the new fencing.

Marina Vista Park is a City Park with athletic fields (soccer and baseball), tennis courts, a children's playground, and open space. It is situated on filled tidelands between Alamitos Bay (Marine Stadium) and Colorado Lagoon. An underground culvert runs beneath the park, providing a tidal connection between the lagoon and the bay. The park is separated from the water bodies by Eliot Street and Colorado Street.

B. Substantial Issue Analysis

As stated in Section III of this report, the grounds for appeal of a coastal development permit issued by the local government after certification of its Local Coastal Program (LCP) are specific. In this case, the local coastal development permit may be appealed to the Commission on the grounds that it does not conform to the certified LCP or the public access policies of the Coastal Act. The Commission must then decide whether a substantial issue exists in order to hear the appeal.

In this case, for the reasons stated below, Commission staff recommends a finding of no substantial issue because the locally approved development is in conformity with the certified City of Long Beach LCP and the public access policies of the Coastal Act. The appeal raises no allegations of inconsistency between the local government's approval of the project and the standards set forth in the certified Local Coastal Program (LCP) and the public access policies of the Coastal Act.

Mr. Goodhue's appeal is attached as Exhibit #5 to this staff report (See Exhibit #5). The appellant contends that the facility should be relocated out of the City Park and out of the tsunami flood zone. The appellant is requesting that the Commission accept his appeal and overturn the local coastal development permit that the City approved for the proposed project.

The City-approved project constitutes an upgrade to an existing facility that provides electricity for the restroom and lighting in a public park. It is a minor project that does not conflict with the policies of the certified LCP or the public access policies of the Coastal Act.

Chapter 3 of the Coastal Act contains the following public access policies:

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

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

Section 30212 of the Coastal Act states:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby, or, (3) Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.

(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Section 30212.5 of the Coastal Act states:

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

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 30214 of the Coastal Act states:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

The certified LCP policies for Open Space and Parks state:

1. Goals: Open Space - Preservation of Natural Resources

- a) To preserve the beach from Alamitos Boulevard to the Long Beach Marina as a unique geological zone and to perpetuate its public use as an open entity.
- b) To preserve and enhance the open space opportunities offered by the inland waterways of the city through improved access and beautification.
- c) To acquire and remove privately owned properties that intrude upon the open character of the shore.
- d) To maintain open vistas of the ocean across public lands.
- e) To critically evaluate any proposed public improvements on the beach and any projects that could contribute to the erosion of the beaches.
- f) To prevent the loss of the open space character of the shoreline by unjustified land fill.
- g) To preserve areas which serve as natural habitats for fish and wildlife species and which can be used for ecologic, scientific, and educational purposes.
- h) To locate, define, and protect other beneficial natural habitats in and about the city.

2. Goals: Open Space – Managed Production of Resources

- a) To manage the petroleum resources of the City in a manner that will not only maximize their economic value but will enhance the quality of open space.
- b) To convert the oil drilling islands to public open space upon the termination of oil drilling operations.

- c) To continue to take preventive measures to remedy and prevent subsidence associated with oil extraction.

3. Goals: Open Space – Outdoor Recreation

- a) To establish an open space recreation system that will serve all social and economic groups for both active and passive recreation.
- b) To identify and preserve sites of outstanding scenic, historic, and cultural significance or recreational potential.
- c) To utilize public easements for a system of connecting corridors between major recreational facilities and open space.
- d) To closely relate the park system to take full advantage of school grounds and facilities.
- e) To develop the shoreline to provide a wide variety of recreation and entertainment available to all segments of the population.
- f) To encourage the acquisition and development of open spaces for recreational purposes by private organizations, civic groups, and public agencies.
- g) To develop the shoreline as an elongated regional park designed in harmony with a beach setting.
- h) To develop a bicycle path/boardwalk as a connecting corridor of access between the many shoreline public facilities.
- i) To expand the planned system of connecting corridors.
- j) To encourage citizen participation in the identification and preservation of historic and cultural sites.

4. Goals: Open Space – Public Health and Safety

- a) To recognize the value of open space as providing contrast to, and relief from, the tensions associated with urban living.
- b) To utilize open space as one strategy by which the public can be protected from natural disasters.
- c) To develop streets and other public places into points of visual relief in the urban setting through the use of landscaping and design.
- d) To apply zoning, easement regulations, setback ordinances, and State open space-enabling legislation to prevent land congestion and preserve open living areas.
- e) To enact a stringent sign regulatory ordinance.
- f) To provide that utilities be installed underground within new subdivisions.

5. Goals: Open Space – Shaping Urban Development

- a) To maintain and enhance existing and potential open space areas which are important as links, nodes, and edges, or provide relief from urban built-form.
- b) To shape and guide development in order to achieve efficient growth and maintain community scale and identity.

6. Goal: Open Space – Special Purposes

- a) To preserve open space needed for utilities, communications, and transportation facilities, sites and corridors.

7. Policies: Open Space Node – Major Downtown Node

Preserve and enhance the major downtown open space node by:

- a) Limiting and carefully controlling any further landfill operations;

- b) Protecting the quality of the water so that whole body contact sports can be maintained at a high level, and so that marine life will flourish;
- c) Exerting strict design controls on improvements developed along its perimeter in order to prevent a degradation of the aesthetic environment;
- d) Exerting strict development controls through utilization of the environmental review process;
- e) Encouraging greater usage for recreation and commercial-recreation activities;
- f) Implementing conservation measures related to beach erosion and the deposition of material from the rivers (see Conservation Element);
- g) Committing the oil drilling islands to permanent open space use when they are no longer needed for oil recovery purposes; and,
 - i. restricting structures on the islands to those which clearly serve a public recreation purpose; and,
 - ii. not permitting the islands to be connected to the mainland or to one another by bridges, landfills, or mechanical means.

8. Policies: Open Space Node – Alamitos Bay & Recreation Park

Conserve and enhance Alamitos Bay – Recreation Park open space node by:

- a) Preserving Recreation Park and Colorado Lagoon in perpetuity for park, recreation, and open space uses;
- b) Preventing the intrusion into the Park of any uses or activities which are not clearly of a public recreational nature and of benefit to the public at large. Commercial and commercial-recreation uses and additional highways and freeways should not be permitted in or through the Park;
- c) Controlling land uses around the Park and Lagoon so that possible future effects which could lead to their environmental, social or aesthetic degradation or their usefulness to the general public can be identified and prevented;
- d) Preserving the water surfaces of Alamitos Bay from intrusion by man-made facilities, except for those which are clearly for a public purpose or are necessary to protect the public health, safety, or welfare;
- e) Improving the quality of the Bay waters by controlling all forms of possible pollution, both in Bay and in tributaries upstream;
- f) Developing a closed sewage disposal system for all small craft anchored in the Bay, especially those where owners live aboard the vessels;
- g) Improving the water circulation in the Bay by whatever natural and/or artificial means may prove feasible and necessary;
- h) Maintaining close surveillance over all proposed projects in the Bay area through the environmental review process;
- i) Exerting design controls on proposed improvements in order to prevent degradation of the aesthetic environment;
- j) Investigating methods for reducing noise nuisances and air pollution aspects of power boat operations in the whole of Alamitos Bay, and particularly in Marine Stadium;
- k) Protecting Colorado Lagoon from intrusion of urban uses;
- l) Improving recreational facilities at the Lagoon.

9. Policies: Shoreline Linkage

Preserve and enhance the Shoreline Linkage by:

- a) Conserving and protecting the beach in perpetuity;
- b) Increasing the opportunities for people to enjoy the beach;

- c) Conserving and enhancing Bluff Park by preventing urban encroachments and by adding to the total park acreage where and when economically feasible;
- d) Reviewing the zoning ordinance and maps for the area south of Ocean Boulevard to derive methods for better protecting the aesthetic and view qualities of the Linkage;
- e) Continuing to monitor the proposed developments along the entire shoreline through use of the environmental review process.

10. Policy: Westside – Alamitos Bay Linkage

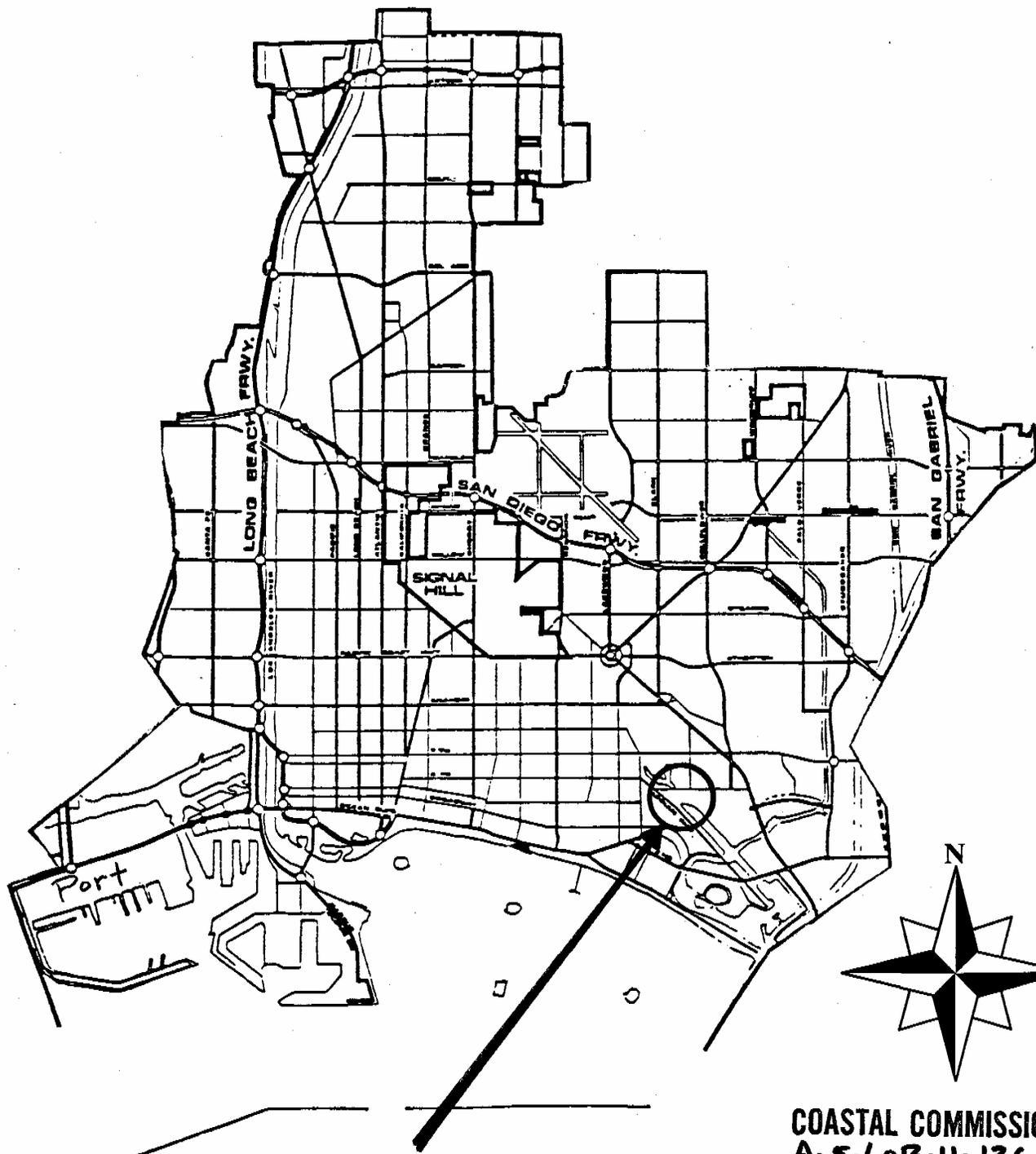
- a) Develop and enhance this Crosstown Linkage by making land available south of Pacific Coast Highway for trail purposes.

In this case, the City-approved project does not conflict with any of the above-stated public access policies or LCP provisions as the City-approved project will not adversely affect public access, public safety, or the public's use of Marina Vista Park. The proposed project is necessary to provide amenities in the public park. In response to the appellant's local appeal, the City considered relocating the facility and determined that relocation is not a feasible alternative at this time because of the significant cost. The City states that the current condition of the state of the electrical facility is a public safety issue and its repair should not be further delayed. In regards to the tsunami threat, the existing facility is a minor uninhabited structure similar to existing structures in Marina Vista Park and Marine Stadium such as restrooms.

The appeal raises no "substantial" issue with respect to conformity with the certified LCP or the public access policies of the Coastal Act to a level of significance necessary to meet the substantial issue standard of Section 30625(b)(1). The local coastal development permit approving the upgrades to the park's electrical system does not raise a substantial issue with respect to the provisions of the City of Long Beach certified LCP or the public access policies of the Coastal Act. The City-approved project will not adversely affect public access, public safety, or the public's use of Marina Vista Park. The City, in the local coastal development permit findings, has provided factual and legal support for its decision (Exhibit #6, p.4). The extent and scope of the approved development is small and there are no significant coastal resources affected by the decision. No adverse precedent will be set for future interpretations of the LCP. Finally, the appeal does not raise issues of regional or statewide significance.

In conclusion, the Commission finds that the appeal raises no substantial issue in regards to the locally approved development's conformity with the City of Long Beach Certified LCP and the public access policies of the Coastal Act.

City of Long Beach



Marina Vista Park

COASTAL COMMISSION
A-5-LoB-11-136

EXHIBIT # 1
PAGE 1 OF 1



- 1 CHINA PT
- 2 CASINO PT
- 3 TOYON BAY
- 4 DESCANSO BAY
- 5 EMPIRE PT
- 6 BLUE CAVERN PT
- 7 MOONSTONE
- 8 15TH
- 9 PARE
- 10 WHIT
- 11 SALT
- 12 PRIN
- 13 SMU

EACH

Project Site

HARBOR

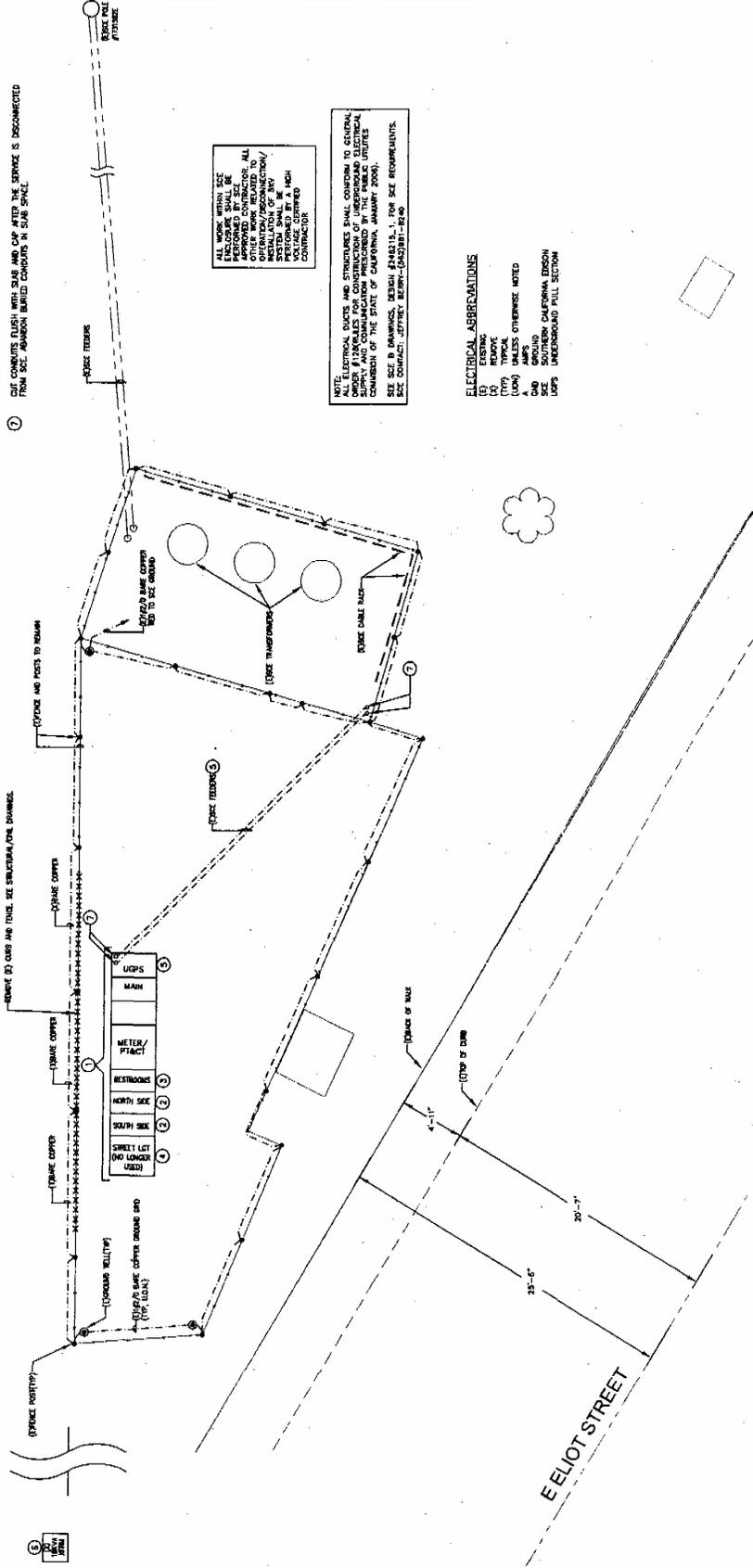
COASTAL COMMISSION
A-5-LoB-11-136

EXHIBIT # 2

PAGE 1 OF 1

CONSTRUCTION NOTES:

- ① DISCONNECT SERVICE AND REMOVE EXISTING SIX UNDERGROUND CONDUITS EAST WITH SEE AND PANS, RECEPTION, AND MARKING DEPARTMENT INTERFERENCE TO EXISTING SERVICE OF MARK WITH SEE AND PANS. CONTRACTOR SHALL PROVIDE SEQUENCE OF CONSTRUCTION AND WORK SCHEDULE AS PART OF BID.
- ② REMOVE EXISTING FEEDERS SERVING NORTH SIDE AND SOUTH SIDE FOR REUSE.
- ③ REMOVE EXISTING RESTROOM FEEDER.
- ④ REMOVE FEEDERS AND CONDUIT NO LONGER IN USE. CUT CONDUITS FLUSH WITH SLAB AND CAP AND REMOVE UNUSED WIRES.
- ⑤ DETERMINE WITH SEE FOR REMOVAL OF (B) SEE FEEDERS AFTER INSTALLATION OF NEW FEEDERS AND CONDUITS. ALL CONDUITS AND FEEDERS TO BE REMOVED SHALL BE SCHEDULED AND ARRANGED TO MAINTAIN THE SLAB ABOVE FEEDERS AND ARRIVAL DISRUPTION TO EXISTING OPERATIONS. CONTRACTOR TO SUBMIT SCHEDULE ACCORDING TO PANS, RECEPTION, AND MARKING DEPARTMENT.
- ⑥ REMOVE EXISTING SINGLE PHASE TRANSFORMER(DISCONNECTED) AND ENCLOSEURE SERVING RESTROOM NORTH INCLUDING EQUIPMENT PAN. REMOVE TRANSFORMER AND ENCLOSEURE TO EXISTING RESTROOM BUILDING PANEL. TELL VERTY (EAST) LOCATION.
- ⑦ CUT CONDUITS FLUSH WITH SLAB AND CAP AFTER THE SERVICE IS DISCONNECTED FROM SEE. ABANDON BURIED CONDUITS IN SLAB SPACE.



ALL WORK WITHIN SEE PERFORMED BY SEE OR CONTRACTOR SHALL BE OPERATED/DECOMMISSIONED/REMOVED BY SEE. SYSTEM SHALL BE HIGH VOLTAGE CERTIFIED CONTRACTOR.

NOTE: ELECTRICAL PANS AND CONDUITS SHALL REMAIN IN PLACE. ORDER #123456 FOR CONSTRUCTION OF UNDERGROUND ELECTRICAL CONDUITS OF THIS SECTION PREPARED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, JANUARY 2008. SEE SEE IN MARKING, DESIGN, INSTALLATION, AND MAINTENANCE. SEE SEE IN MARKING, DESIGN, INSTALLATION, AND MAINTENANCE.

- ELECTRICAL ABBREVIATIONS**
- (B) EXISTING
 - (N) NEW
 - (TV) TYPICAL
 - (UN) UNLESS OTHERWISE NOTED
 - (C) CONDUIT
 - (D) DUCT
 - (E) SEE SOUTHERN CALIFORNIA Edison
 - (U) UNDERGROUND FULL SECTION

ELECTRICAL DEMOLITION PLAN



Scale: 1/8" = 1'-0"
 1/4" = 3'-0"
 1/2" = 6'-0"
 1" = 12'-0"
 1 1/2" = 18'-0"
 2" = 24'-0"
 3" = 36'-0"
 4" = 48'-0"
 6" = 72'-0"
 8" = 96'-0"
 10" = 120'-0"
 12" = 144'-0"
 15" = 180'-0"
 18" = 216'-0"
 24" = 288'-0"
 30" = 360'-0"
 36" = 432'-0"
 48" = 576'-0"
 60" = 720'-0"
 72" = 864'-0"
 90" = 1080'-0"
 108" = 1296'-0"
 144" = 1728'-0"
 180" = 2160'-0"
 216" = 2592'-0"
 288" = 3456'-0"
 360" = 4320'-0"
 432" = 5184'-0"
 540" = 6480'-0"
 648" = 7776'-0"
 720" = 8640'-0"
 864" = 10368'-0"
 1080" = 12960'-0"
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 1800" = 21600'-0"
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 2520" = 30240'-0"
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 168480" = 1821120'-0"
 168840" = 1824960'-0"
 169200" = 1828800'-0"
 169560" = 1832640'-0"
 169920" = 1836480'-0"
 170280" = 1840

CONSTRUCTION NOTES

- 1 REMOVE EXISTING FENCE AND POSTS. LENGTH PER PLAN.
- 2 REINVEST EXISTING CURB AND CONCRETE WITHIN TRENCH UNITS PER PLAN.
- 3 CONSTRUCT 4" THICK CONCRETE SLAB WITH PER SECTION B REINFORCEMENT.
- 4 PROVIDE CURBS FOR EQUIPMENT PER PLAN LAYOUT ON SHEET A. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 5 FINISH AND INSTALL FENCE SYSTEM, TYPE 12, MODEL LEASIA EXCLUSIVE PER PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 6 CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 7 FINISH AND INSTALL 12" DIAMETER ANCHOR MOUNTING SYSTEM PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 8 FINISH AND INSTALL MASTERCARD SWITCH GEAR EQUIPMENT, MODEL 1480 MC PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
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- 10 FINISH AND INSTALL 12" DIAMETER ANCHOR MOUNTING SYSTEM PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 11 FINISH AND INSTALL 12" DIAMETER ANCHOR MOUNTING SYSTEM PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
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CONTRACTOR TO LOCATE ANY UTILITIES OR OBSTRUCTIONS PRIOR TO CONSTRUCTION AND RELOCATE AS NECESSARY, TYPICAL.

17'-23"

10.31/16

10.31/16

EXISTING TRANSFORMERS TO BE REMOVED AND REPLACED IN PLACE.

EXISTING FENCE

EXISTING MEDIUM VOLTAGE SWITCH GEAR

EXISTING VALVE

EXISTING CHANNEL

EXISTING ANCHOR BOLTS

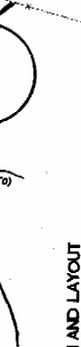
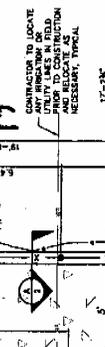
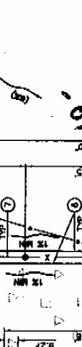
EXISTING SLAB

EXISTING CURB

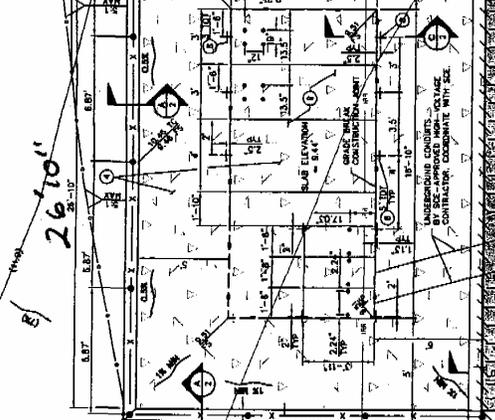
EXISTING DOWEL

LINE/HATCH LEGEND

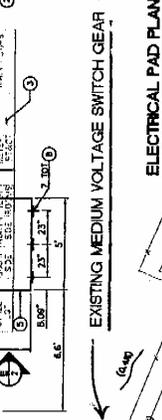
- EXISTING FENCE/POST REMOVAL
- FENCE
- FENCE POST
- 3" DIAMETER ANCHOR BOLT LOCATION
- GRADE BREAK
- CONCRETE LOCATION/FORMING OR DASH HATCH
- FINISH DIRECTION
- DASHED SLAB/CONCRETE CURB REMOVAL
- DASHED MISCILLANEOUS BASE (CMB)
- NEW CONCRETE
- FACE REFERENCE
- CHALK LINE FENCE WITH COVER
- 12" DIAMETER PIPE RAIL PER SPECIFICATION



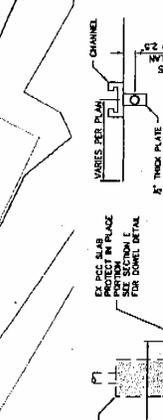
ELECTRICAL PAD PLAN AND LAYOUT



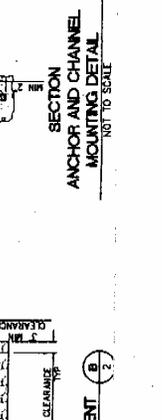
SECTION ANCHOR AND CHANNEL MOUNTING DETAIL



SECTION ANCHOR AND CHANNEL MOUNTING DETAIL



SECTION ANCHOR AND CHANNEL MOUNTING DETAIL



CONSTRUCTION NOTES

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- 9 FINISH AND INSTALL 12" DIAMETER ANCHOR MOUNTING SYSTEM PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 10 FINISH AND INSTALL 12" DIAMETER ANCHOR MOUNTING SYSTEM PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 11 FINISH AND INSTALL 12" DIAMETER ANCHOR MOUNTING SYSTEM PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.
- 12 FINISH AND INSTALL 12" DIAMETER ANCHOR MOUNTING SYSTEM PER SECTION B. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES WITH IMPACTED AREA DRAWINGS PRIOR TO CONSTRUCTION.

CONTRACTOR TO LOCATE ANY UTILITIES OR OBSTRUCTIONS PRIOR TO CONSTRUCTION AND RELOCATE AS NECESSARY, TYPICAL.

10.31/16

EXISTING TRANSFORMERS TO BE REMOVED AND REPLACED IN PLACE.

EXISTING FENCE

EXISTING MEDIUM VOLTAGE SWITCH GEAR

EXISTING VALVE

EXISTING CHANNEL

EXISTING ANCHOR BOLTS

EXISTING SLAB

EXISTING CURB

EXISTING DOWEL

PLAN

ELECTRICAL PAD

MARINE VISTA PARK

PLAN

ELECTRICAL PAD

MARINE VISTA PARK

PLAN

ELECTRICAL PAD

DATE: 05/20/19

SCALE: 1"=4'

PROJECT: MARINE VISTA PARK

SHEET: 5

DATE: 05/20/19

SCALE: 1"=4'

PROJECT: MARINE VISTA PARK

SHEET: 5

DATE: 05/20/19

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DATE: 05/20/19

SCALE: 1"=4'

PROJECT: MARINE VISTA PARK

SHEET: 5

APPEAL OF FINAL ACTION OF CITY OF LONG BEACH RE ITEM #--SEE ATTACHED.

From: "commonsense-sayssavthefence@fastmail.fm" <cacrewood8@fastmail.fm>
To: cacrewood8@fastmail.fm
Date: Tue, 24 May 2011 1:38 PM

The claim by the City of Long Beach as well as the recalcitrant southern California Edison, which since November 2010-has refused to provide data relative to the number of homes served buy its(SCE)equipment on the SHARED GENERATING PAD--viz that the project for which permit is being requested is but a simple repair.replacement job-is disengenious.

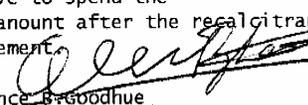
SCE is avoiding its responsibility; TO WIT:

The SCE facility which consumes public park space,serves thousands of homes.That being the case the 12,8 billion dollar corporation needs to re locate its facility-to a location other than a public park.

Enter now into the picture the Tsunami of this spring and the de jure doctrine,now in place by the state of California requiring all stake holders in City.State Marina's to enter into new leases holding state harmless.In sum the State of California has issued the Clarion call.

Thus SCE will have to move its facility.Absent such a Tuunami would,if not eviscerate the the SCE--it would leave the referenced homes sans any power for weeks.

Hence it makes no sense for the City to spend circa \$500,000 today only to have to spend the same amount after the recalcitrant SCE final installs responsible management.


Laurence B. Goodhue
United States Post Office Box
14464
Long Beach
California
90803

cacrewood8@fastmail.fm

COASTAL COMMISSION
A-5-LOB-11-136

EXHIBIT # 5
PAGE 1 OF 3

Re: Fw: City of Long Beach service replacement at 5355 Eliot. Marina Vista Park,

From: "commonsense-sayssavthefence@fastmail.fm" <cacewood8@fastmail.fm>
To: Jeffrey.Berry@sce.com
Cc: pat.west@longbeach.gov, mayor@longbeach.gov, district3@longbeach.gov, jfutchpt@aol.com, robin.black@longbeach.gov
Date: Tue, 17 May 2011 5:43 PM

Thank you for your response—which confirms SCE;s tolling attempt to ignore what has surfaced as the larger and more seminal issue: TO WIT:

The need to repair the aging City equipment-is not an issue.Indeed, it is my understandingt the City employees responsible for its up keep;as well as City Light and Power have lamented for circa three years the City has elected to ignore the issue.

While the near doubling of the City's footprint,as was proposed at the local zoning hearing,was initially at the epi center of my concern(in the City Park)—the focus of concern has shifted—not only on my part,but also,fortunately on the part of increasing numbers in the surrounding community —including the Planning Commission of the City of Long Beach—who would be overjoyed at seeing the entire electrical pad-removed and relocated from the public park.

My poition,and the position of increasing numbers if that SCE must step up to the plate and undertake the responsible course of action and not try to hide its responsibility by saying it is but a sim[ple repair project.

Enter into the picture the TSUNAMI which beseiged our Coastline(which came AFTER,the Planning Commission had found the placement of the facility(SCE and City;s) directly repugant to the betterment and interest of the people of Long Beach.

The dejure doctrine and position of the State of Caliofornia as codified in the new ruling that any and all Stake Holders within City/State Marinas along the Coast must now sign new leases holding State Harmless from ensuing damage flowing frim a TSUNAMI—can been seen by any trier of fact or any other discharging a ordinary standard of care—as the CLARION CALL that a TSUNAMNI will be rolling in.When? We do not know.But come it will.

That being the case—even thw most recalcitrant should be able to realize said facility mist be re located to higher ground.Absnt such—the thousands in Alamitos Heights...as well as thousands more East of PCH would be without power—for weeks—if not months.

Let the record refetc the exact number of homes which would be without power is still yet known becuase SCE has—since November 2011—has adopted a reclcitrant position—and refused to provide such data.

SCE is what a circa12,8 billion dollar organization.It should step up to its responsibility find a home for its facility-other than in a City Park,More to point:work with the City to find a more suitable site with which to feed the v—e—r-y limited needs said Ctty serves—ie a few light bulbs and toll gate.

Speaking of light bulbs—though Long Beach does not enjoy the brightest bulbs at 333 West Ocean(City Hall)—particularly on the 13th and 14 floors—even they realize it is folly for City to spend circa \$500,000—only to turn around and spend as much once SCE upgrades the caliber of those on Mahogany Row.

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California
90803

COASTAL COMMISSION

EXHIBIT # 5
PAGE 2 OF 3

(323) 474 4446

c. Jack Hume; Chief of Staff Governor
Ex Director PUC

On Tue, 17 May 2011 15:27 -0700, Jeffrey.Berry@sce.com wrote:

Subject: City of Long Beach service replacement at 5355 Eliot.
Marina Vista Park,

Dear Mr. Goodhue,

Thank you for your e-mail that was received in our executive offices at Southern California Edison. I have been asked to respond on our executives' behalf.

On June 15, 2009, City of Long Beach staff, their engineers, and I met at the above-referenced site to discuss the need for the City to repair their primary electric service at this site. The existing meter panel for that primary service was installed in 1962, and in the subsequent 49 years had rusted to the point that it has become unreliable and must be replaced. As part of the repair, it will be necessary for SCE to replace the meter and the underground conductor serving the City's panel.

The new meter panel must meet an updated electrical code requirement that there be 5 feet of clearance around the meter panel. Therefore, the City must modify the existing enclosure so that there is adequate clearance between the enclosure and the new meter panel. SCE's responsibility is limited to replacing the meter and conductor providing electric service to the City's new panel; SCE has no other involvement with this project.

This is a City of Long Beach project, on City property; all questions and concerns regarding the project should be directed to the City's project manager, Ms. Sandra Gonzalez, at 562-570-3210.

Sincerely,

Jeff Berry
Southern California Edison
Long Beach District Planner
2800 E. Willow St.
Long Beach, CA. 90806

cacrewood8@fastmail.fm

COASTAL COMMISSION

EXHIBIT # 5
PAGE 3 OF 3



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • FAX (562)570-6068

NOTICE OF FINAL LOCAL ACTION **RECEIVED** South Coast Region

Application No.: 1009-14 MAY 26 2011

Project Location: 5350 Colorado Street CALIFORNIA
COASTAL COMMISSION

Applicant: Sandra Gonzalez
Department of Parks, Recreation, and Marine
2760 Studebaker Road
Long Beach, CA 90815

Permit(s) Requested: Local Coastal Development Permit

Project Description: An appeal of the Zoning Administrator's decision to approve a Local Coastal Development Permit to allow the expansion of a fence enclosure and the replacement of an electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park, located at 5350 Colorado Street within PD-1. This item was continued from the March 3, 2011 Planning Commission hearing.

Local action was taken by the: Planning Commission on:
May 5, 2011

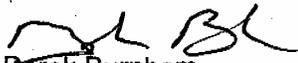
Decision: Conditionally Approved

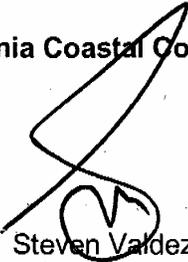
Local action is final on: May 16, 2011

This project is in the Coastal Zone and IS appealable to the Coastal Commission.

"If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or issues raised via written correspondence delivered to the (public entity conducting the hearing) at or prior to the public hearing."

See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.


Derek Burnham
Planning Administrator


Steven Valdez, Planner
Phone No.: (562)570-6571

District: 3

COASTAL COMMISSION
A-5-LOB-11-136

EXHIBIT # 6
PAGE 1 OF 4

**LOCAL COASTAL DEVELOPMENT PERMIT
CONDITIONS OF APPROVAL**

APP. NO. 1009-14

Date: May 16,2011

1. The approved Local Coastal Development Permit is to allow the replacement of an electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park. The replaced switchboard will be relocated approximately 10-feet north of the existing switchboard within a new wrought iron fence enclosure.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request approved by the Zoning Administrator, submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.

Special Conditions of Approval

3. The existing and new fence enclosure surrounding the switchboard and feeders shall be modified to the satisfaction of the Director of Development Services. Southern California Edison and the Building Bureau shall determine the minimum height and permeability required for the new fence enclosure.
4. Landscaping shall be added to the exterior of the new fencing, to the satisfaction of the Director of Development Services.
- 4a. The new fence enclosure addition shall be limited to a maximum of 500 square feet in size, or to the minimum size allowed per Long Beach Building Code, while meeting Southern California Edison requirements, and to the satisfaction of the Director of Development Services..

Standard Conditions of Approval

5. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
6. If, for any reason, there is a violation of any of the conditions of this permit or

Fire Department for their review and approval prior to the issuance of a building permit.

15. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed

16. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

COASTAL COMMISSION

EXHIBIT # 6
PAGE 3 OF 4

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS

5350 Colorado Street

App. No. 1009-14

Date: May 16, 2011

1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM, INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING

The project consists of the replacement of existing electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park. Installation of new equipment will be provided within a maximum 500-square foot addition to the existing enclosure. The addition is required to allow continued operation of restroom and park lighting, while allowing the required separation from Southern California Edison transformers. Relocation of the entire structure was an option; however due to the cost, it would cause a financial burden on the City. Thus the replacement is being proposed. The proposed development is consistent with the local coastal programs and will not be visible from the nearest public right of way with proposed screening.

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT.

The project is consistent with the public access and recreation policies of Chapter 3 of the Coastal Act since the project is only a replacement of existing electrical switchboard and feeders to existing restrooms in Marina Vista Park. Public access will not be affected by this proposal. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act.

COASTAL COMMISSION
A-5-LOB-11-136

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