

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4416
(310) 590-3071



October 31, 1995

TO: Commissioners and Interested Persons

FROM: Charles Damm, South Coast District Director
Pam Emerson, Los Angeles County Area Supervisor
Charles Posner, Coastal Program Analyst

SUBJECT: Major Amendment Request No. 3-95 to the City of Long Beach Certified Local Coastal Program (For Public Hearing and Commission Action at the November 16, 1995 meeting in Los Angeles).

SYNOPSIS

The Coastal Commission certified the City of Long Beach Local Coastal Program (LCP) on July 22, 1980. The current proposal is the City's third and last major LCP amendment request for 1995. The proposed amendment affects only the Land Use Plan (LUP) portion of the City's certified LCP. The proposed amendment would allow a residentially zoned lot at 207 St. Joseph Avenue to be used as a commercial parking lot.

The proposed change to the certified LCP is contained in Resolution No. C-25902 (Exhibit #4). The Long Beach City Planning Commission held the first public hearing for the proposed LCP amendment on February 18, 1993. The Long Beach City Council held two public hearings for the proposed LCP amendment on April 20, 1993 and September 26, 1995. The City Council approved the proposed LCP amendment on September 26, 1995, and adopted Resolution No. C-25902 on October 10, 1995.

The LCP amendment request is consistent with the submittal requirements of the Coastal Act and the LCP regulations which govern such proposals (Sections 30501, 30510, 30514, and 30605 of the Coastal Act, and Sections 13551, 13552, and 13553 of the California Code of Regulations). City of Long Beach LCP Amendment No. 3-95 was deemed submitted on October 16, 1995.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after a public hearing, certify the amendment request to the Land Use Plan as submitted. The motion to accomplish this recommendation is found on page two.

PRIMARY ISSUE

The primary issue involved with the proposed LCP amendment is whether it will negatively affect the unique character of the Belmont Shore community by allowing a commercial use to encroach into the residential portion of the neighborhood. Staff recommends that the Commission determine that the proposed LCP amendment affects the use of only one lot and will not negatively affect community character and is consistent with the Chapter 3 policies of the Coastal Act.

STANDARD OF REVIEW

The standard of review for the proposed amendment to the LUP, pursuant to Section 30512 of the Coastal Act, is that the proposed amendment meets the requirements of, and is in conformity with, the Chapter 3 policies of the Coastal Act.

ADDITIONAL INFORMATION

Copies of the staff report are available at the South Coast District office located in the State Veterans Building, 245 West Broadway, Suite 380, Long Beach, 90802. To obtain copies of the staff report by mail, or for additional information, contact Charles Posner in the Long Beach office at (310) 590-5071.

I. STAFF RECOMMENDATION

Staff recommends action on the following motion and adoption of the following resolution:

CERTIFY THE AMENDMENT TO THE LAND USE PLAN AS SUBMITTED

MOTION: "I move that the Commission certify amendment request No. 3-95 to the City of Long Beach Land Use Plan as submitted."

Staff recommends a YES vote which would result in the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution to certify the amendment to the Land Use Plan as submitted

The Commission hereby certifies amendment request No. 3-95 to the City of Long Beach Land Use Plan for the reasons discussed below on the grounds that the amended Land Use Plan meets the requirements of and conforms to the Chapter 3 policies of the Coastal Act. The Land Use Plan amendment is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) of the Coastal Act, and approval of the amendment will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

II. FINDINGS FOR CERTIFICATION OF LCP AMENDMENT REQUEST

The Commission hereby finds and declares as follows:

A. Amendment Description

Resolution No. C-25902 (Exhibit #4), adopted by the Long Beach City Council on October 10, 1995, contains a modification to the City's LUP policy section which would allow a residentially zoned lot at 207 St. Joseph Avenue to be used as a commercial parking lot (Exhibit #3). The lot is located adjacent to the commercial strip which runs along Second Street in Belmont Shore (Exhibit #2). No rezoning of the lot is proposed.

The LCP currently separates the commercial strip along Second Street from the adjacent residential portion of the neighborhood through the use of commercial and residential zoning designations (Exhibit #2). All the lots situated between Second Street and the two alleys which parallel Second Street are zoned for commercial uses. The lots located north and south of the alleys are zoned for residential uses. The LCP does, however, allow the first row of residential lots located north and south of the alleys to be used as parking lots under the provision of conditional use permits. The certified LUP policy on LCP page III-D-10 states:

"Parking in the first lots north and south of the alleys behind the shops may be allowed under provisions of conditional use permits".

The proposed LCP amendment would revise (revisions underlined) the LUP policy to state:

"Parking in the first lots north and south of the alleys beyond the shops may be allowed under provisions of conditional use permits, except in the block between Park Avenue and St. Joseph Avenue, north of Second Street, where parking may extend up to two lots north of the alley".

The proposed LUP policy modification affects only the two lots which are the second lots north of the alley on the block between Park Avenue and St. Joseph Avenue north of Second Street. Because one of the lots is already used as a parking lot which predates the Coastal Act, the proposed LCP amendment really only affects the use of the lot located at 207 St. Joseph Avenue. This lot would be allowed to be used as a parking lot under the proposed LCP amendment. The 3,100 square foot lot is currently paved for use as a parking lot, but is chained-off and unused.

F&M Bank, which owns the subject lot, is located on Second Street. The alley which parallels Second Street runs behind the bank (Exhibit #3). The first lot behind the bank and alley contains drive-up bank tellers but is primarily used for parking. The subject lot (207 St. Joseph Avenue) is the second lot from the alley and is located next to the bank's drive-up teller lot (Exhibit #3). The third lot from the alley contains a single family residence. The two lots to the west of the subject lot comprise the existing parking lot which serves Thrifty Drugs.

The proposed LCP amendment has a long and controversial history. In 1978, F&M Bank requested local permits to use the lot for additional drive-up teller stations. That proposal, which generated strong opposition from the neighborhood, was denied by the Planning Commission for being inconsistent with the City's General Plan.

In 1985, the F&M Bank demolished the single family home which formerly occupied the site and paved the lot. No permits were obtained to use the lot for parking or any other use, and the lot has remained chained-off and unused since then.

On December 30, 1992, F&M Bank applied to the City for an LCP amendment, Local Coastal Development Permit, and a Conditional Use Permit to allow the lot to be used for parking. On February 18, 1993, after a public hearing in which many neighbors objected to the proposal, the Planning Commission denied the request. F&M bank appealed the Planning Commission's denial to the City Council. On April 20, 1993, the City Council opened a public hearing, then continued it to a future undetermined date. On September 26, 1995, the City Council reopened the public hearing, heard public testimony, and approved the bank's request. The resolution for the proposed LCP amendment was adopted on October 10, 1995 and was submitted to the Commission's Long Beach office on October 16, 1995.

The City's action on F&M Bank's Local Coastal Development Permit and the Conditional Use Permit applications has been delayed pending the outcome of the LCP amendment request. The residential zoning designation (R-2-S) for the site has not been changed.

B. Community Character

The standard of review for the proposed amendment to the LUP, pursuant to Section 30512 of the Coastal Act, is that the proposed amendment meets the requirements of, and is in conformity with, the Chapter 3 policies of the Coastal Act. The primary Chapter 3 policy issue involved with the proposed LCP amendment is whether the modification to the LUP will protect the scenic and visual qualities of the Belmont Shore area.

Section 30251 of the Coastal Act states:

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

The opponents of the proposed LCP amendment state that it will negatively

affect the character of the community by allowing commercial development to encroach into the residential portion of the Belmont Shore neighborhood. The concern is that the proposed LCP amendment will set a precedent which will destroy the traditional boundary that has separated the commercial and residential portions of the neighborhood.

The traditional boundary between the Second Street commercial strip and the residential portions of the Belmont Shore neighborhood is comprised of the alleys which parallel Second Street and the first row of residentially zoned lots which adjoin the alleys. The certified LCP allows the first row of residentially zoned lots along the alleys to be used as parking lots, but only residential uses are allowed behind the first row of lots.

The proposed LCP amendment will allow a parking lot use on a lot which is the second lot from the alley, thereby allowing a commercial use within the traditionally residential portion of the neighborhood.

The preservation of the special character of the Belmont Shore neighborhood is a valid concern. However, the proposed amendment only affects the use of only one lot within the entire City and does not eliminate the traditional boundary between the commercial and residential uses. The proposed LCP amendment retains the LUP policy which separates the commercial development along Second Street from the adjacent residential neighborhood and prohibits further encroachment of commercial uses into the residential neighborhood. Therefore, the proposed LCP amendment will continue to protect the unique character of the Belmont Shore community.

Therefore, the Commission finds that the proposed amendment to the LUP will continue to protect the character of the community and the scenic and visual qualities of the area. The proposed amendment to the LUP meets the requirements of, and is in conformity with, Section 30251 and the Chapter 3 policies of the Coastal Act.

C. Public Access/Parking

The Coastal act contains policies which require the protection and provision of public access to the coast. Because the site affected by the proposed LCP amendment is located approximately one-half mile from the nearest shoreline or beach, there will be no direct impact on public access to the coast (Exhibit #2).

However, the provision of or lack of parking in coastal areas can also affect the public's ability to access the coast. The Commission has consistently found that a direct relationship exists between the provision of adequate parking and availability of public access to the coast. In fact, the certified City of Long Beach LCP, as well as Section 30252 of the Coastal Act, both require that new development maintain and enhance public access to the coast by providing adequate parking facilities.

The proposed LCP amendment would allow a residentially zoned lot to be used as a parking lot which would increase the parking space supply in the

neighborhood by nine spaces. The creation of nine new parking spaces would give some relief to the parking shortage in the Belmont Shore area. The use of the parking lot by bank customers or employees would make more on-street public parking spaces available. While the creation of new parking spaces in the area could improve public access opportunities, the impact of the LCP amendment on public access to the coast would not be significant because the nearest beach is located about one-half mile from the site and the area north of Second Street is not commonly used for beach access parking.

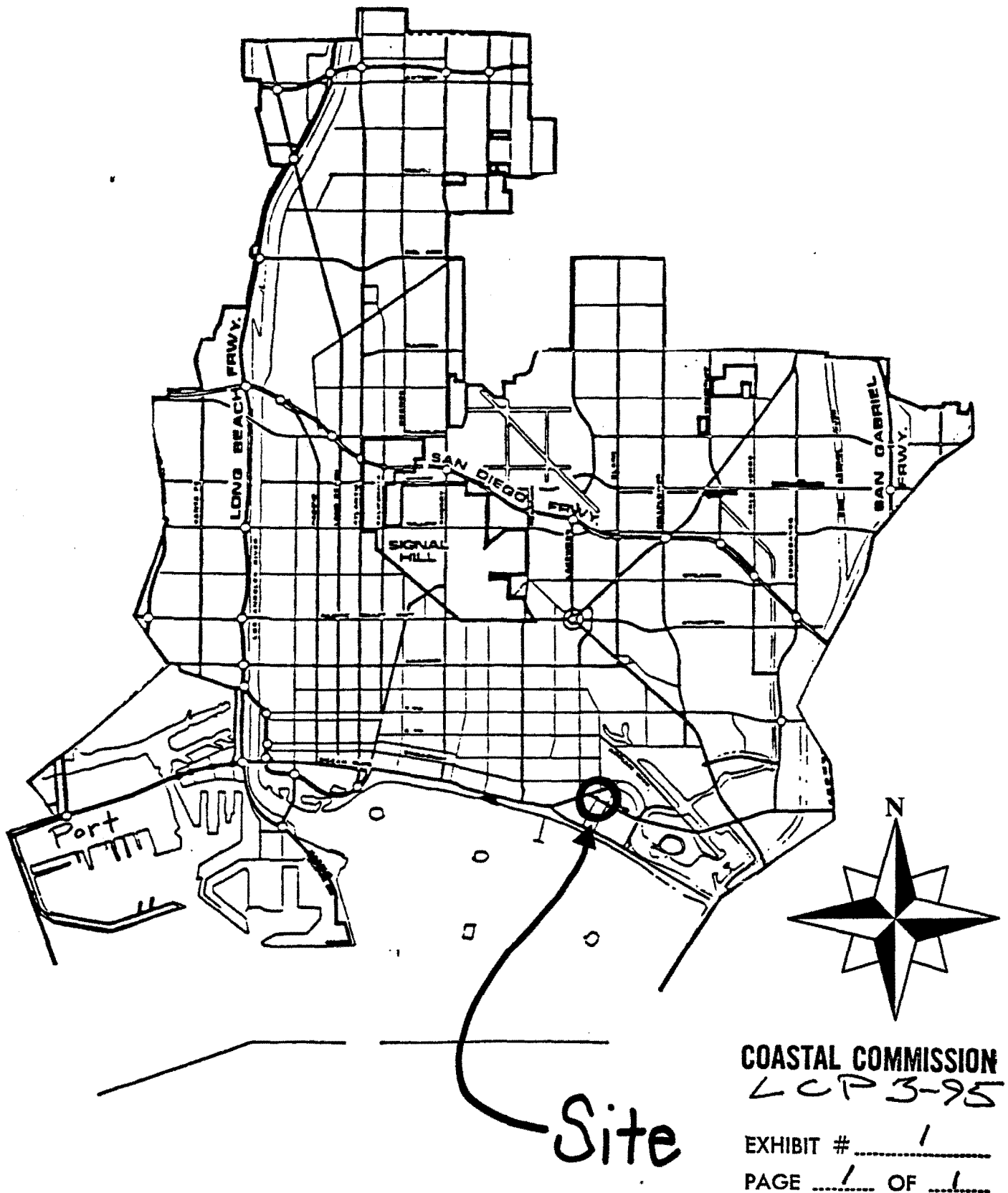
Therefore, the proposed amendment to the LUP will not negatively affect the public's ability to access the coast and meets the requirements of, and is in conformity with, the public access and Chapter 3 policies of the Coastal Act.

D. California Environmental Quality Act (CEQA)

The Long Beach City Planning Commission certified Negative Declaration ND-22-92 in order to satisfy the CEQA requirements for the proposed LCP amendment. The City found that the proposed amendment will not cause significant adverse environmental impacts.

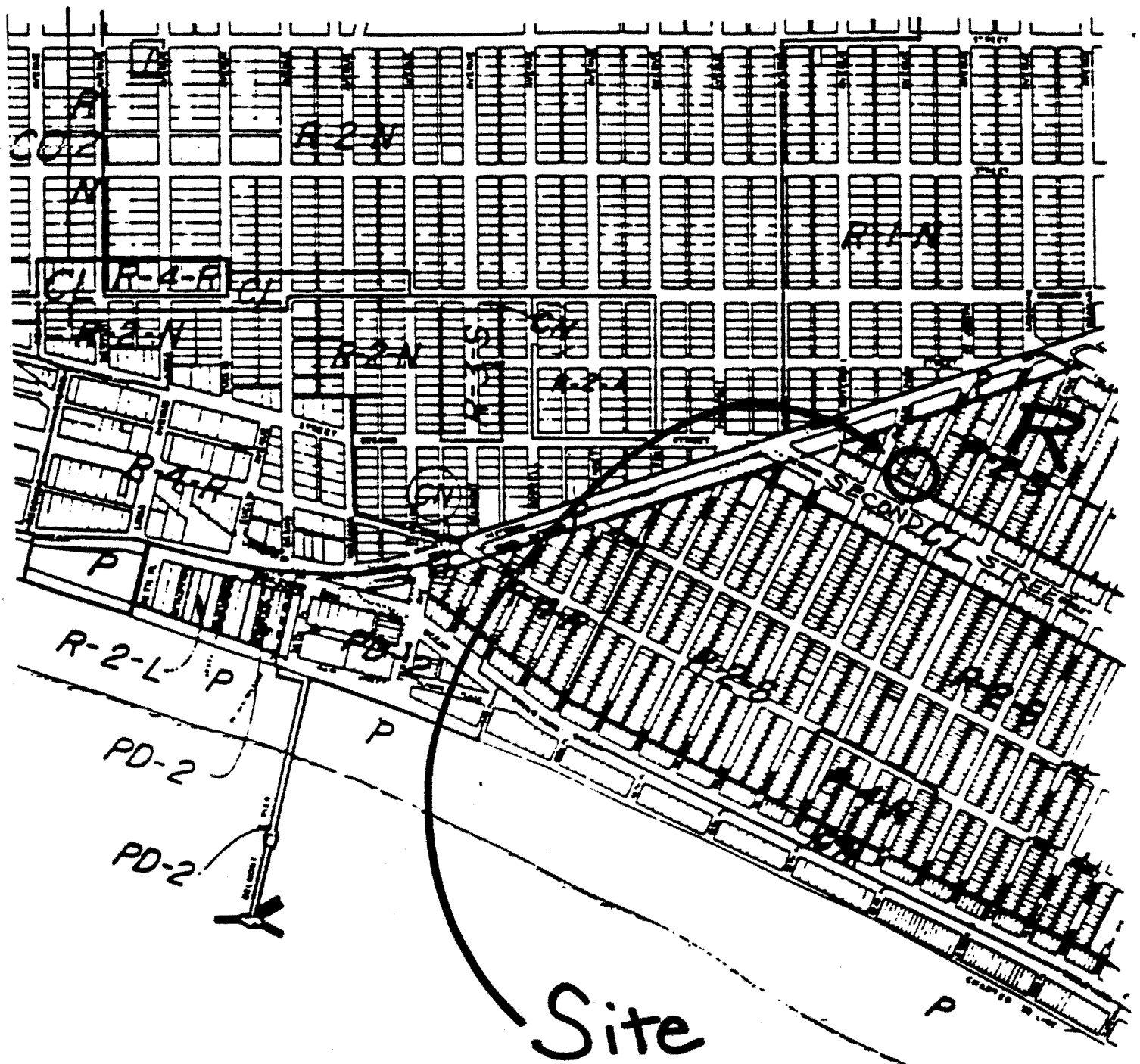
The Commission also finds that the proposed LCP amendment will not cause significant adverse environmental impacts. Therefore, the LCP amendment will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA.

City of Long Beach



COASTAL COMMISSION
LCP 3-95

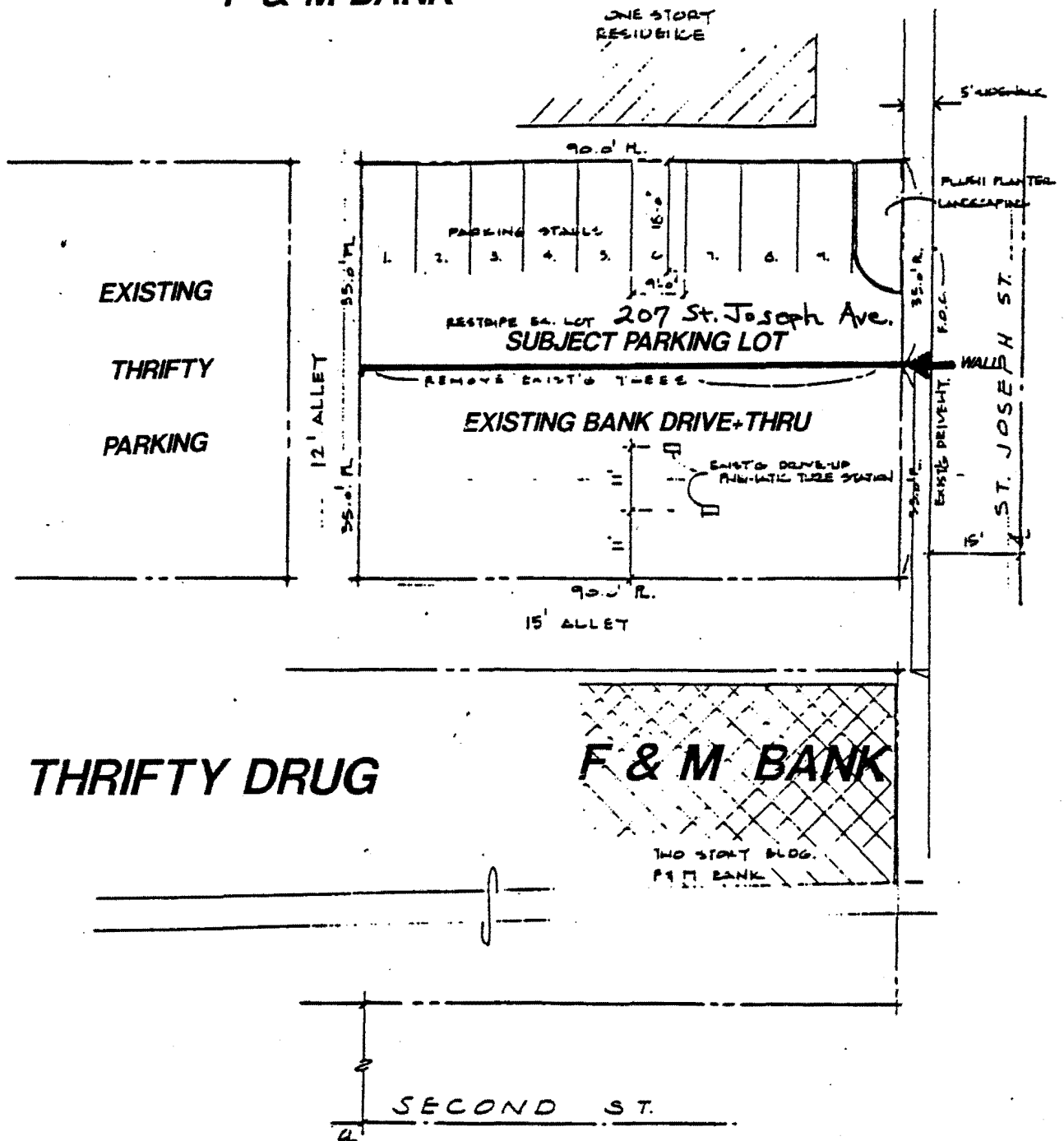
EXHIBIT # 1
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EXHIBIT # 2
PAGE 1 OF 1

F & M BANK



CONDITIONAL USE PERMIT:
F&M BANK EMPLOYEE PARKING
SITE ADDRESS: 207 ST. JOSEPH ST.
/ LONG BEACH, CA.



COASTAL COMMISSION
LCP 3-95

EXHIBIT # 3

PAGE 1 OF 1

333 West Ocean Boulevard
Long Beach, California 90802-4664
(310) 570-2200

RESOLUTION NO. C-25902

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH ADOPTING AN AMENDMENT TO THE
LOCAL COASTAL PROGRAM RELATING TO THE BELMONT
SHORE POLICY PLAN SUMMARY

The City Council of the City of Long Beach does hereby
resolve as follows:

Section 1. The City Council finds, determines and
declares:

A. Pursuant to the California Coastal Act of 1976,
the City Council approved the Local Coastal Program for the City of
Long Beach on April 29, 1980.

B. The California Coastal Commission certified the
Long Beach Local Coastal Program on July 22, 1980; and

C. The California Coastal Act, at Public Resources
Code Section 30514, provides a procedure for amending the local
coastal programs.

D. Following its duly noticed public hearing, the
Planning Commission certified Negative Declaration No. 22-92
relating to the proposed amendment to the Belmont Shore Policy Plan
Summary, but recommended a denial of the proposed amendment.

E. The City Council set the proposed amendment, and
related development proposals, for hearing on April 20, 1993.

F. On April 20, 1993, the City Council continued the
amendment proposal, and related development approvals, to a date
uncertain.

COASTAL COMMISSION

LCF 3-95

EXHIBIT # 4

PAGE 1 OF 3

1 G. Following a duly noticed public hearing on
2 September 26, 1995, and with full environmental documentation, the
3 City Council of the City of Long Beach desires to amend the Local
4 Coastal Program.

5 H. This amendment to the Local Coastal Program is
6 intended to be carried out in a manner fully in conformity with the
7 California Coastal Act.

8 I. This amendment to the Local Coastal Program shall
9 be effective upon certification by the California Coastal
10 Commission.

11 Sec. 2. The City Council does hereby amend the Local
12 Coastal Program at Page III-D-10, Belmont Shore Policy Plan Summary,
13 Locating and Planning New Development, Non-Residential, to read as
14 follows:

15 Non-Residential

16 The unique character of the shopping district in Belmont
17 Shore should be preserved. It should not emphasize
18 region-serving facilities, but rather should be developed
19 to serve the residents of the area. Retail shops which
20 encourage foot traffic and window shopping shall be the
21 predominant uses. Financial institutions and drive-in and
22 drive-through facilities are prohibited. No further
23 encroachment into residential areas by commercial
24 enterprises shall be allowed. All parking spaces
25 connected with the commercial strip shall be considered
26 the parking reservoir in individual permit applications
27 (see Implementation section). Parking in the first lots
28 north and south of the alleys beyond the shops may be

1 allowed under provisions of conditional use permits,
2 except in the block between Park Avenue and St. Joseph
3 Avenue, north of Second Street, where parking may extend
4 up to two lots north of the alley.

5 Sec. 6. The Director of Planning and Building is hereby
6 directed to submit a certified copy of this resolution, together
7 with appropriate supporting materials, to the California Coastal
8 Commission for certification pursuant to the California Coastal Act.

9 Sec. 7. This resolution shall take effect immediately
10 upon its adoption by the City Council, and the City Council shall
11 certify the vote adopting this resolution.

12 I hereby certify that the foregoing resolution was adopted
13 by the City Council of the City of Long Beach at its meeting of
14 October 10, 1995, by the following vote:

15 Ayes: Councilmembers: Oropeza, Lowenthal, Drummond,
16 Clark, Robbins, Topsy-Elvord,
17 Kellogg, Shultz.
18 Noes: Councilmembers: None.
19
20 Absent: Councilmembers: Donelon.
21
22

23 Shelba Powell
City Clerk

24
25
26
27 TBM:vmh
10/2/95
28 A:R8LCP-3.res

CERTIFIED AS A TRUE AND CORRECT COPY
Shelba Powell
CITY CLERK OF THE CITY OF LONG BEACH
BY [Signature]
10/12/95

Mr Charles Posner
Calif. Coastal Commission
South Coast Area
245 W. Broadway , Ste. 380
P. O. Box 1450
Long Beach Ca. 90802-4416

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OCT 30 1995

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

10/27/95

City of Long LCP Amendment 3-95
Public Hearing Nov. 14, 1995

Dear Mr. Posner,

My wife and I are against the rezoning of residential lot at 207 St. Joseph Ave.
to a commercial lot.

The lines were drawn many years ago dividing the commercial area of Belmont Shore
and the residential area of the village.

The F & M Bank bought that property for the express purpose of turning it into an
extension of the banks activities whether a drive through teller station or parking lot.

For years the neighborhood has been fighting the bank's efforts to change the zoning
on that property. The bank thought by tearing down the house and paving the lot over
the neighborhood would have little choice but to allow the rezoning to take place.

Please do not let this rezoning of 207 S. Joseph to take place. The bank should
rebuild a house on the lot to bring the street up to the standard that the City,
neighborhood and the Coastal Commission agreed to originally.

Thank you for your consideration

Sincerely,



Lou & Sue Leopold
212 St. Joseph Ave.
Long Beach Ca. 90802

COASTAL COMMISSION

LCP 3-95

EXHIBIT # 5

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