

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4302  
(562) 590-5071

Filed: 12/23/97  
49th Day: 2/10/98  
180th Day: 6/21/98  
Staff: CP-LB  
Staff Report: 1/8/98  
Hearing Date: Feb. 3-6, 1998  
Commission Action:



*af*

**RECORD PACKET COPY**

STAFF REPORT: REGULAR CALENDAR

**APPLICATION NO.:** 5-97-292  
**APPLICANT:** City of Long Beach  
**AGENTS:** Dennis Eschen, Supervisor of Parks Planning & Development  
Jack Humphrey, Advance Planning Officer  
**PROJECT LOCATION:** 225 Marina Drive (Basin One parking lot at Alamitos Bay Marina), City of Long Beach, Los Angeles County.  
**PROJECT DESCRIPTION:** Establish a weekly farmers' market (Sundays 8am-2pm), including installation and removal of temporary facilities for vending, in the Basin One parking lot at Alamitos Bay Marina.

Lot Area .75 acre  
Building Coverage 0 sq. ft.  
Pavement Coverage .75 acre  
Landscape Coverage 0 sq. ft.  
Parking Spaces 160 of 1,810 total spaces  
Zoning PD-4  
Plan Designation Planned Development District 4  
Ht abv fin grade 9 feet (vendors' booths)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with special conditions regarding protection of public parking, term of permit effectiveness, and consistency with the State Tidelands Grant. The City agrees with the recommendation.

**LOCAL APPROVALS RECEIVED:**

1. City of Long Beach Approval in Concept, 9/11/97.
2. City of Long Beach License Agreement with Harbor Area Farmers Markets for use of public area to conduct a certified farmers' market at Marina Drive area, 10/23/97.

## SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program, 7/22/80.
2. Coastal Development Permit 5-90-500 (Chart House Restaurant).
3. Coastal Development Permit 5-92-050 (Seaport Vlg./City of LB).
4. Coastal Development Permit 5-92-126 (Long Moose, Inc.).
5. Coastal Development Permit 5-92-314 (Marine Bazaar/City of LB).
6. Coastal Development Permit 5-94-120 (Chart House Restaurant).
7. Coastal Development Permit 5-97-310 (Crab Pot Restaurant).
8. City of Long Beach Parking Study for Alamitos Bay Marina, Jan. 1992.
9. City of Long Beach Parking Study for Alamitos Bay Marina, Dec. 1992.

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STAFF NOTE:

A Coastal Development Permit is required from the Commission for the proposed development because the project site is located on state tidelands within the Commission's area of original jurisdiction. Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a Coastal Development Permit from the Commission. The Commission's standard of review for the Coastal Development Permit for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Long Beach certified LCP is advisory in nature and may provide guidance.

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STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### III. Special Condition

#### 1. Approval Term Limit

Approval of the farmers' market is limited to a two-year term commencing on the date of Commission action (February 1998 to February 2000). Near the end of the two-year term, when the term of the Commission's approval of the project is due to expire, the applicant may request an amendment to Coastal Development Permit 5-97-292 in order to extend the Commission's approval for another term. The Commission will then reexamine the project's effects on coastal resources and public access. The Commission's granting of an additional term will depend on the project's continuing conformance with the Chapter 3 policies of the Coastal Act. In the event that the Commission has not approved an additional term by February 2000, the two-year term shall expire and the weekly farmers' market shall cease operations until such time as a new permit or an amendment to Coastal Development Permit 5-97-292 is granted by the Commission.

#### 2. Public Parking

No public parking shall be reserved for the exclusive use of customers of the farmers' market. The vending area for the farmers' market approved

by Coastal Development Permit 5-97-292 may occupy up to sixty public parking spaces within the Alamitos Bay Marina Basin One public parking lot on Sunday mornings. All public parking spaces within the Alamitos Bay Marina public parking lots which are not occupied by the vending area (boat owner reserved parking and handicapped spaces excluded) shall be available for the use of the general public on a first-come, first-served basis. The farmers' market shall not reserve or have exclusive use of any public parking spaces other than those permitted to be occupied by the vending area.

3. 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 City of Long Beach.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to establish a weekly farmers' market in the Basin One parking lot at Alamitos Bay Marina (Exhibit #3). The certified farmers market would occur once each week on Sunday mornings. Set-up of vending booths would commence at 8am Sunday morning, and all vendors and their equipment would be removed by 2pm Sunday afternoon. The vending area, which will occupy 50 to 60 public parking spaces within the Alamitos Bay Marina Basin One public parking lot, is comprised of vendors' booths, tents and trucks, and portable public toilets.

The vendors will be permitted by the City to sell fresh fruits and vegetables, eggs, cut flowers, decorative plants, seafood, honey, baked goods, and other items approved by the Department of Parks, Recreation and Marine (Exhibit #4). Customers of the proposed farmers' market would park in the public parking spaces located in the marina parking lots. No permanent improvements are proposed. There is no charge to customers to access the market or the public parking spaces.

The farmers' market has been operating on a temporary basis since November of 1997 under a temporary event exclusion issued by Commission staff. The temporary event exclusion is valid for a limited term which is due to expire on March 8, 1998, or at the time that the Commission acts on this permit application, whichever occurs first. Pursuant to the Coastal Commission's Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements, a Coastal Development Permit is required in order for the proposed farmers' market to operate on an ongoing basis because it does not

qualify as a temporary event of limited duration. According to the Coastal Commission's Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements, a temporary event of limited duration is defined as an event which does not exceed a four month period on an intermittent basis. The applicant proposes to hold a weekly farmers' market on an ongoing and permanent basis.

The Commission's guidelines for temporary events apply in the area of the proposed event because the site is located within the Commission's area of original jurisdiction. The Alamitos Bay Basin One public parking lot, where the project is located, is constructed entirely on former tidelands subject to the original jurisdiction of the Commission. Because the proposed project is located in the Commission's area of original jurisdiction, the required Coastal Development Permit must be issued by the Commission.

As stated above, the proposed farmers' market is located on the waterfront within the Basin One parking lot for the Alamitos Bay Marina (Exhibit #3). Recreational boat slips occupy Basins One and Two directly adjacent the site (Exhibit #5). A public walkway and the marina bulkhead separate the parking lot from the waters of the marina. The proposed project will not interfere with access to and along the public walkway or the marina docks.

According to the City, the Basin One parking lot is comprised of 128 reserved boat owner parking spaces, 290 free unreserved public parking spaces, and 13 handicap parking spaces. Approximately 60 of the unreserved public parking spaces will be occupied by the proposed farmers' market on each Sunday morning. In addition, the City estimates that the customers of the proposed farmers' market will occupy about 100 of the public parking spaces. The Basin One parking lot also provides parking for patrons of the Crab Pot Restaurant (Coastal Development Permit 5-97-310), patrons of party boat cruises, and overflow parking for the Seaport Village shopping center (Exhibits #3&5).

The Crab Pot Restaurant, located about two hundred feet south of the site, is also located in the Basin One parking lot [see Coastal Development Permit 5-97-310 (Crab Pot)]. The Seaport Village shopping center and other existing commercial uses are located near the site in the Alamitos Bay Marina area. The Seaport Village shopping center, located about five hundred feet south of the proposed project, is the largest commercial use in the area (Exhibit #3). Seaport Village is a commercial retail and entertainment complex with a maritime theme. Seaport Village has its own 330 space public parking lot to serve its three restaurants and many retail establishments. [See Coastal Development Permits 5-92-050 (City of Long Beach) & 5-92-126 (Long Moose)].

North of the project site, between the Basin Two and Basin Three parking lots of the Alamitos Bay Marina, is the Marine Bazaar commercial center (Exhibit #3). The Marine Bazaar building is another commercial center in Alamitos Bay. It contains one restaurant, yacht sales, and other retail uses. The parking for the Marine Bazaar center is supplied by the Alamitos Bay Marina Basin Two and Basin Three public parking lots [See Coastal Development Permit 5-92-314 (City of Long Beach)].

The proposed project, Seaport Village, the Marine Bazaar building, the Crab Pot Restaurant, and the Alamitos Bay public parking lots are all located on

filled tidelands which are State tidelands located within the Commission's area of retained permit jurisdiction. The City administers the State tidelands under the Tidelands Trust Agreements with the State of California. The City leases the commercial sites to commercial operators under the terms of specific contracts.

B. Public Access/Parking

One of the basic goals of the Coastal Act is to maximize public access to the coast. One of the methods commonly used to maximize public access to the coast is to ensure that there is enough parking available for visitors of 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. Section 30252 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

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 Coastal Act also requires that development itself does not interfere with the public's right to access the coast.

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.

The proposed project is located entirely on public tidelands located seaward of the first public road. The proposed project involves the establishment of a weekly farmers' market on the waterfront. The primary coastal access issue of the proposed project is public access to the waterfront and the public parking supply that provides such access.

A lack of adequate parking for commercial uses near the coast can reduce the public's ability to access the coast by causing a shortage of parking spaces for coastal visitors. Therefore, the applicant must show that there is an adequate parking supply to meet the increased demand caused by the proposed project on Sunday mornings.

The proposed farmers' market is a commercial use located on the waterfront within the Basin One parking lot for the Alamitos Bay Marina (Exhibit #3). Because the proposed project is located on public tidelands, and not on private property, the public parking lot is the only parking supply for

customers and vendors. The City's agreement with the operators of the proposed farmers' market permits the market to utilize up to 60 unreserved public parking spaces in the Basin One parking lot for the vendors to set up their sales areas on Sunday mornings (Exhibit #4). The City estimates that the customers of the proposed farmers' market will occupy approximately 100 of the adjacent public parking spaces during peak periods.

The Basin One parking lot currently provides parking for boat owners with slips in the marina, recreational visitors to the waterfront, patrons of the Crab Pot Restaurant, patrons of party boat cruises, and overflow parking for the Seaport Village shopping center (Exhibit #5). The additional parking demands of the proposed project could have the potential to overburden the parking supply on Sunday mornings at the expense of the existing permitted uses. The public access policies of the Coastal Act require that the public parking supply be protected in order to ensure that the public is able to visit waterfront.

There is no question of whether there is enough parking near the site to meet the demands of the proposed project. There are at over 1,000 free unreserved public parking spaces in the immediate vicinity of the project in the Basin One, Two and Three public parking lots (Exhibit #5). The Basin One parking lot itself is comprised of 128 reserved boat owner parking spaces, 290 free unreserved public parking spaces, and 13 handicap parking spaces. The Basin Two and Three parking lots, located north of Basin One parking lot, contain over 1,500 additional parking spaces (some are reserved for boat owners) for a total of 1,810 parking spaces (Exhibit #5).

However, the public parking supply is shared by all the people who visit the Alamitos Bay Marina for its mix of recreational and commercial activities. The question is: will the increased parking demand generated by the proposed project on Sunday mornings negatively impact coastal access opportunities by usurping the public parking supplies upon which other uses in the marina are dependant?

To answer this question, the applicant has submitted a Parking Study for Alamitos Bay Marina, prepared by the City of Long Beach and Stevens/Garland Associates, Inc. (Dec. 1992). Although the parking study is five years old, there has not been any significant changes or development in the area which have significantly changed the pattern of parking in the area.

The study supports the City's conclusion that there is sufficient parking in the Basin One parking lot to supply the existing uses as well as the proposed project on Sunday mornings. In regards to the parking supply required by the boat owners with slips in the marina, customers of the proposed farmers' market would not be able to park in the 128 reserved boat owner parking spaces in the Basin One parking lot or in the reserved boat owner spaces in the other lots because they are reserved for permit holders. Boat owner parking spaces are clearly identified by red paint markings. The parking study concludes that there is adequate parking for the boat owners.

The remainder of the Basin One parking lot is used by marina visitors who do not have permits for parking in the boat owner parking spaces. In the Basin One public parking lot there are 290 free unreserved public parking spaces and

13 handicap parking spaces. These 303 public parking spaces are used by customers of the existing commercial uses in the area and people visiting the marina to sightsee, stroll, or go on a boat ride. The public parking spaces are available at no charge to the user. There are no parking meters or parking fees. Free parking encourages people to use this coastal area whether they are shopping or just sightseeing.

The City parking study shows that the Basin One public parking lot was underutilized when parking counts were taken on two summer weekends in 1992. On July 11-12, 1992 and August 1-2, 1992, the use of Marina Basin One parking lot never exceeded 59% of its capacity. Based on this parking study and on the ongoing observations of the parking lot, the City concludes that there is ample parking in the Marina Basin One public parking lot to meet the demands of the existing recreational and commercial uses in the area, as well as the parking demands of the proposed project. Therefore, the conclusion is that public access to the marina will not be negatively impacted by the proposed project because there is adequate parking available for the existing and proposed uses, even on Sunday mornings during the summer.

Additionally, the City has studied the parking lot use while the farmers' market has been operating on a temporary basis since November of 1997. The City conducted a parking lot use survey on two Sunday mornings in November 1997 and found that there were hundreds of empty spaces available during every morning hour.

Therefore, Commission staff agrees with the City's conclusion that adequate parking currently exists in the area to protect the public's coastal access opportunities. Staff has observed that the Basin One parking lot is rarely filled to capacity. The parking lot is not used by beach visitors because the nearest beach is about one mile away in the City of Seal Beach. Many visitors do come to the marina, but there is adequate parking for them.

However, the current surplus of parking in the Basin One parking lot may not exist in the future if conditions in the area change. Future development of the area with restaurants anticipated in the certified Local Coastal Program (LCP), or a substantial increase in the number of waterfront visitors, may create additional parking demands that eliminate the current parking surplus. The Commission must ensure that this waterfront area continues to provide the public a good place to park and access the coast.

Therefore, the approval of the farmers' market is limited to a two-year term commencing on the date of Commission action (February 1998 to February 2000). Near the end of the two-year term, when the term of the Commission's approval of the project is due to expire, the applicant may request an amendment to Coastal Development Permit 5-97-292 in order to extend the Commission's approval for another term. The Commission will then reexamine the project's effects on coastal resources and public access. The Commission's granting of an additional term will depend on the project's continuing conformance with the Chapter 3 policies of the Coastal Act. In the event that the Commission has not approved an additional term by February 2000, the two-year term shall expire and the weekly farmers' market shall cease operations until such time as a new permit or an amendment to Coastal Development Permit 5-97-292 is granted by the Commission. Only as conditioned is the proposed project consistent with the public access policies of the Coastal Act.



In addition, in order to ensure that public access to the public parking spaces in the area is not usurped by the customers of the proposed project, the permit is conditioned to clearly state that this approval does not allow the City or the operator or vendors of the farmers' market to reserve any public parking for the exclusive use of customers of the farmers' market. The vending area for the farmers' market approved by Coastal Development Permit 5-97-292 may occupy up to sixty public parking spaces within the Alamitos Bay Marina Basin One public parking lot on Sunday mornings. However, all public parking spaces within the Alamitos Bay Marina public parking lots which are not occupied by the vending area (boat owner reserved parking and handicapped spaces excluded) shall be available for use by the general public on a first-come, first-served basis. The farmers' market shall not reserve or have exclusive use of any public parking spaces other than the those permitted to be occupied by the vending area. Only as conditioned is the proposed project consistent with the public access policies of the Coastal Act.

As conditioned, all visitors to the area will be able to find a parking space on a first-come, first-served basis, and will be able to stroll along the water's edge throughout the marina on the existing public walkway. The proposed project does not interfere with the public's ability to walk along the water's edge on the public walkway adjacent to the parking lots.

Therefore, the Commission finds that the proposed project, as conditioned, will not negatively impact coastal access and is consistent with Sections 30210 and 30252 of the Coastal Act.

C. Local Coastal Program

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

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

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 project is the Chapter 3 policies of the Coastal Act.

The proposed project does not conflict with any of the certified LCP policies or standards. As conditioned, the proposed project is consistent with the policies of the LCP. Approval of the project cannot prejudice the local government's ability to prepare a certifiable LCP because the City of Long Beach LCP was certified in 1980.

D. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project, 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 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.

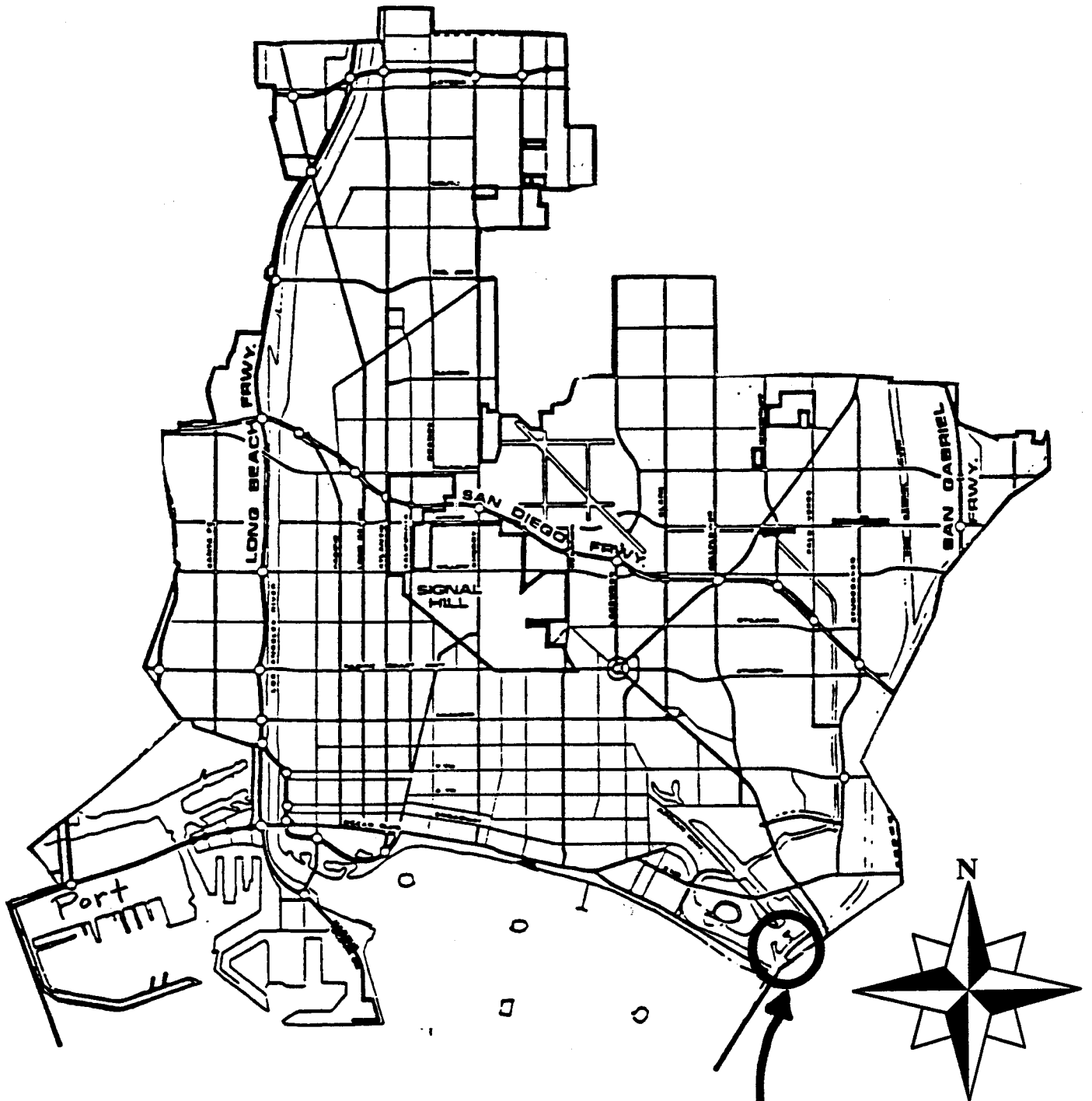
E. State Lands

The proposed project is located on state tidelands which are administered by the City of Long Beach under the Long Beach Tidelands Trust Agreement. State lands are generally restricted to public serving uses. No evidence has been submitted that indicates whether the State Lands Commission has reviewed or approved the proposed project for consistency with the City's tidelands grant.

In order for the Commission to find that the proposed use of state lands is consistent with the City's tidelands grant, the Commission requires that the City document that the proposed project is consistent with all tideland grant requirements imposed on the City with respect to this portion of the City.

Therefore, as a condition of approval, the City is required to provide written documentation, including specific citation of the relevant sections of the applicable State Tidelands Grant, showing that the proposed use is consistent with the public trust and with the terms and conditions of the Legislature's grant of this portion of the Downtown Shoreline area to the City of Long Beach. Only as conditioned does the Commission find that the proposed project is consistent with the requirements of the Coastal Act.

# City of Long Beach



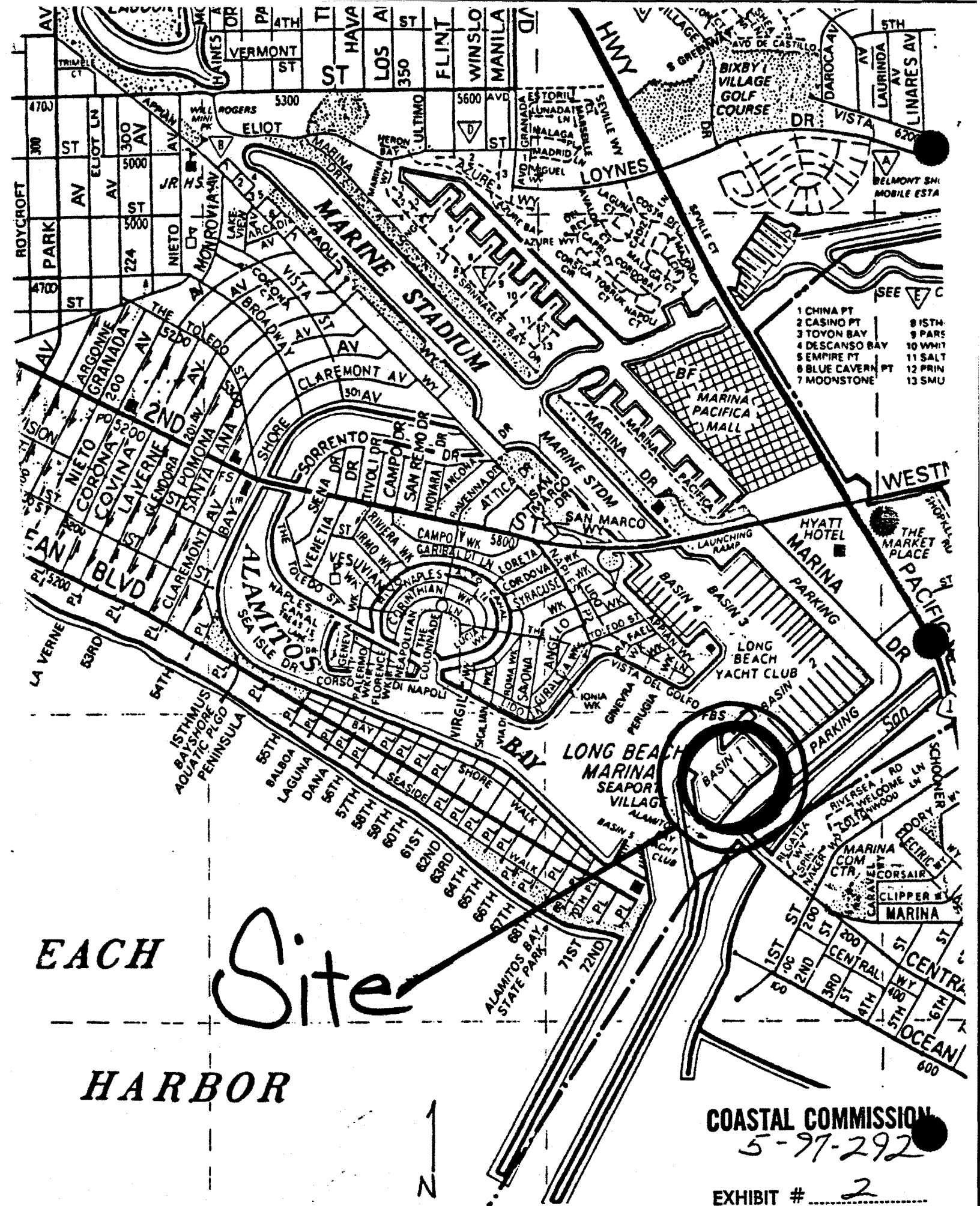
Site

COASTAL COMMISSION

5-97-292

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 PARS
- 10 WHIT
- 11 SALT
- 12 PRIN
- 13 SMU

EACH

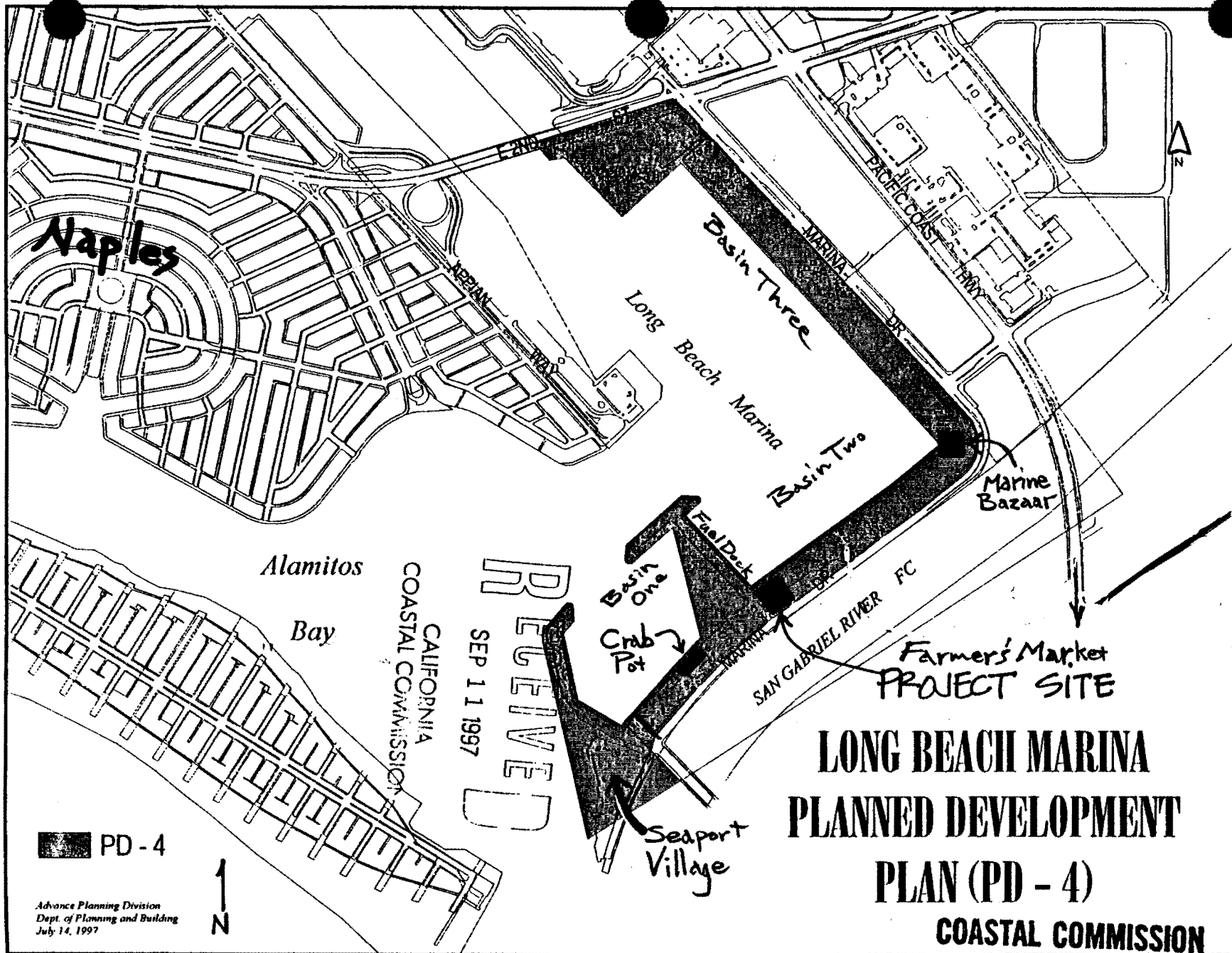
Site

HARBOR

COASTAL COMMISSION  
5-97-292

EXHIBIT # 2

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5-97-292

■ PD - 4

Advance Planning Division  
Dept. of Planning and Building  
July 14, 1997

RECEIVED  
SEP 11 1997

**LONG BEACH MARINA  
PLANNED DEVELOPMENT  
PLAN (PD - 4)**

**COASTAL COMMISSION**

5-97-292

EXHIBIT # 3

PAGE 1 OF 1



# CITY OF LONG BEACH

Department of Parks, Recreation and Marine

2760 Studebaker Road, Long Beach, CA 90815-1697

APPROVED

SEP 24 11:26

September 30, 1997

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**SUBJECT:** License Agreement with the South Coast Ecumenical Council for Use of City-Owned Property to the West of Marina Drive to Conduct a Certified Farmers' Market (3)

**REVENUE:** \$1 For the Initial Agreement Term and \$1 for Any Extension Up to One Year (Tidelands Operating Fund-Marina)

It is recommended that the City Council request the City Attorney to prepare and authorize the City Manager to execute a license agreement between the City of Long Beach and the South Coast Ecumenical Council for the use of approximately 60 parking spaces within the City-owned parking lot west of Marina Drive to conduct a certified farmers' market.

### BACKGROUND

On June 19, 1990, the City Council authorized the City Manager to execute a license agreement with the South Coast Ecumenical Council to enable the Licensee to conduct a farmers' market on the Promenade in Downtown Long Beach from Broadway to Third Street. The market has been successful on the Promenade, attracting many shoppers to the downtown area.

Impressed with the attraction of the farmers' market on the Promenade, Bancap, master lessee of the Alamitos Bay Marina Center and Seaport Village, contacted the South Coast Ecumenical Council about establishing a farmers' market in the Alamitos Bay Marina area. Bancap and the South Coast Ecumenical Council agree that having a farmers' market in the Alamitos Bay Marina area would attract more people to the area, and could have the benefit of exposing people to the commercial activities on City property along Marina Drive.

On behalf of the South Coast Ecumenical Society, Bancap has met with City staff to discuss the requirements for establishing a weekly farmers' market within the Alamitos Bay Marina area. City staff presented the South Coast Ecumenical Council's proposal for a farmers' market to the Marine Advisory Commission and received support for a pilot operation. Bancap was advised that subject to City Council approval, the City could enter into a temporary two-month agreement with the South Coast Ecumenical Council. The Farmer's Market would operate adjacent to the Alamitos Bay Marina on a trial basis for ten Sundays beginning October 26, 1997. A permit from the California Coastal Commission would be required to enable a long term operation.

**COASTAL COMMISSION**

5-97-292

EXHIBIT # 4

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Before commencing operation, the South Coast Ecumenical Council would be required to obtain all requisite approvals and permits from the Health Department and the Fire Department and all other agencies that regulate this licensed operation.

Staff recommends City Council approval of a license agreement with the South Coast Ecumenical Council containing the following terms and conditions:

Premises - The premises will be approximately 55 to 60 contiguous parking spaces adjacent to the Alamitos Bay Marina parking lot at Fuel Dock Road, west of Marina Drive or other space as mutually agreed to by the Director of Parks, Recreation and Marine and the Licensee.

Use - The Licensee shall use the premises on Sundays for the sale of fresh fruits and vegetables, eggs, cut flowers, decorative plants, seafood, and honey and other items as approved by the Director of Parks, Recreation and Marine.

Hours of Operation - The Licensee shall begin setting up for the farmers' market no earlier than 8:00 a.m., and shall be off the premises by 2:00 p.m. The hours of operation may be extended subject to the approval of the Director of the Department of Parks, Recreation and Marine.

Maintenance - The Licensee will be responsible for cleaning the premises and hauling away their own trash.

Restrooms - The Licensee will be responsible for supplying portable restroom facilities.

Parking - Customers of the farmers' market will use up to 100 parking spaces on Fuel Dock Road, at peak time. According to a parking study prepared by the Department of Parks, Recreation and Marine and Steven Garland and Associates, Inc., the area to be occupied by the farmers' market was only 42 - 52 percent occupied on mid-summer Sundays, with approximately 300 vacant spaces remaining .

Term - The license agreement will have an initial terms of two months, but may be extended for up to one year, subject to obtaining necessary regulation approval. The license agreement may be terminated by either party at any time with 30 days notice.

License Fee - A \$1.00 license fee for the initial agreement term and for any extended term. Should the City incur any costs associated with the Licensee's use of the premises. The Licensee shall reimburse the City the expense.

Insurance - The Licensee shall maintain insurance coverage as defined by the City's Risk Manager.

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EXHIBIT # 4  
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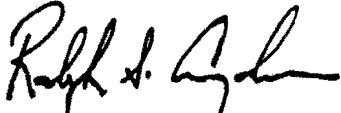
HONORABLE MAYOR AND CITY COUNCIL  
September 30, 1997  
Page 3

The terms of the proposed permit were reviewed by James N. McCabe, Deputy City Attorney, on September 19, 1997.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Request the City Attorney to prepare and authorize the City Manager to execute a license agreement between the City of Long Beach and the South Coast Ecumenical Council for the use of approximately 60 parking spaces within the City-owned parking lot west of Marina Drive to conduct a certified farmers' market.

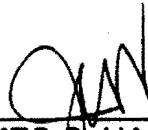
Respectfully submitted,



RALPH S. CRYDER  
Director

RSC:GP:msm

APPROVED:



JAMES G. HANKLA  
CITY MANAGER

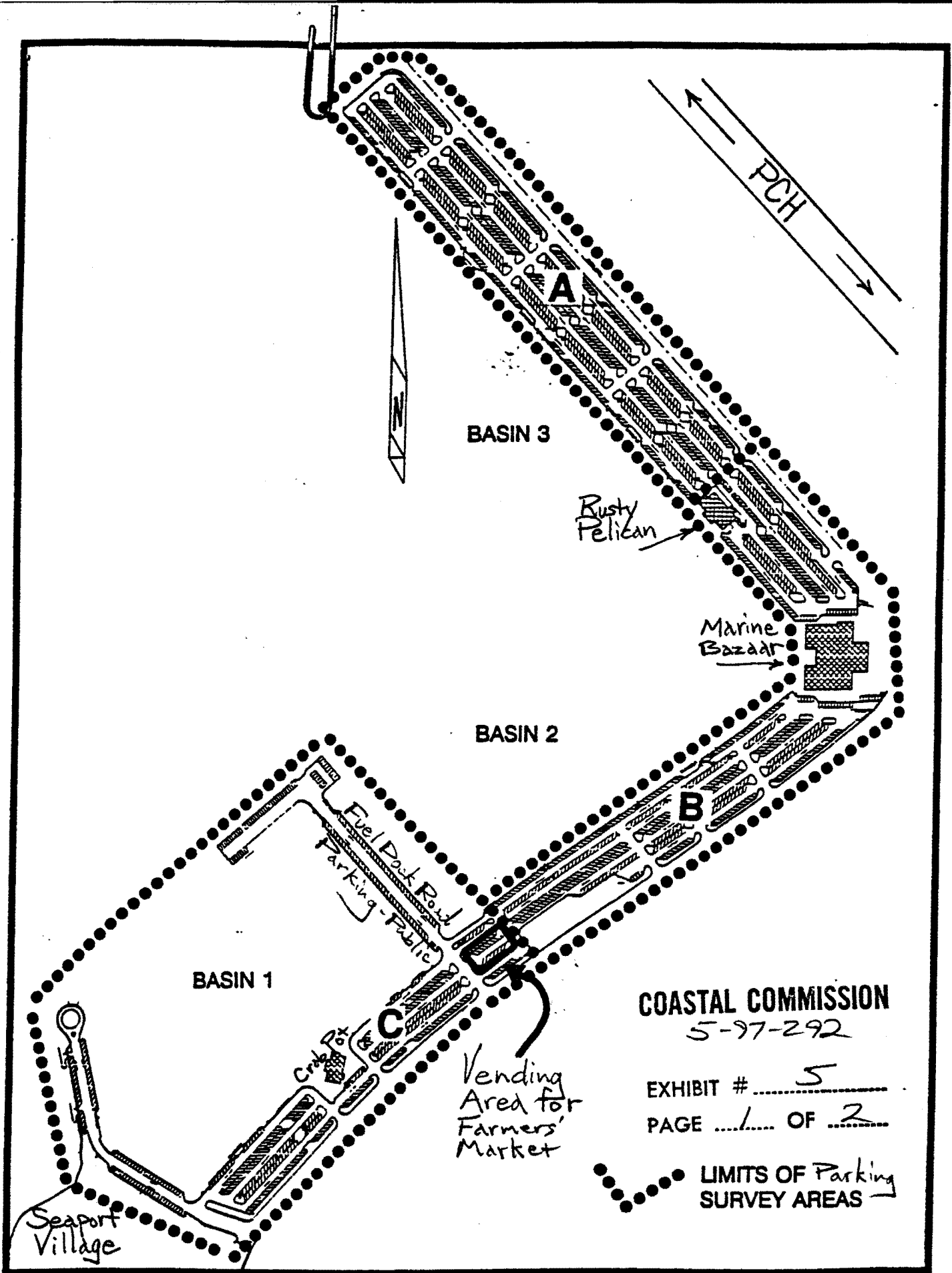
COASTAL COMMISSION

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EXHIBIT # 4

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EXHIBIT # 5  
PAGE 1 OF 2

 LIMITS OF Parking SURVEY AREAS

**ALAMITOS BAY MARINA**  
Survey Areas  
FIGURE 2

5-97-292  
**RECEIVED**  
 SEP 11 1997

**TABLE 3  
 PARKING UTILIZATION SUMMARY  
 SATURDAY, JULY 11, 1992**

CALIFORNIA  
 COASTAL COMMISSION

AREA	SPACES USED BY SURVEY PERIOD			TOTAL SPACES AVAIL.	PERCENT of AVAIL. USED*
	12:00	3:00pm	6:00pm		
A	222	287	243	697	41
B	376	385	297	581	66
C	222	285	242	532	54
<b>TOTAL</b>	<b>820</b>	<b>957</b>	<b>957</b>	<b>1,810</b>	<b>53</b>

(\* - Percentage of available spaces used for each area is based on highest period of use and total is based on period with highest total use.)

**TABLE 4  
 PARKING UTILIZATION SUMMARY  
 SUNDAY, JULY 12, 1992**

AREA	SPACES USED BY SURVEY PERIOD			TOTAL SPACES AVAIL.	PERCENT of AVAIL. USED*
	12:00	3:00pm	6:00pm		
A	220	292	239	697	42
B	408	404	277	581	70
C	215	226	163	532	42
<b>TOTAL</b>	<b>843</b>	<b>922</b>	<b>679</b>	<b>1,810</b>	<b>51</b>

(\* - Percentage of available spaces used for each area is based on highest period of use and total is based on period with highest total use.)

ALAMITOS BAY MARINA  
 COASTAL COMMISSION  
 5-97-292

EXHIBIT # 5

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