

STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

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

Tu/4a

Filed: 12/23/97
49th Day: 2/10/98
180th Day: 6/21/98
Staff: CP-LB
Staff Report: 3/17/98
Hearing Date: April 7-10, 1998
Commission Action:



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: 6500 Marina Drive (Basin Three 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 Three 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 (Exhibit #4).

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.

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.

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 Conditions

1. Approval Term Limit

Approval of the farmers' market is limited to a two-year term commencing on the date of Commission action (April 1998 to April 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 April 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 Three 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 Three 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 55 to 60 public parking spaces within the Alamitos Bay Marina Basin Three 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. From November 1997 until January 1998, the farmers' market was located in the Basin One parking lot at Alamitos Bay Marina (Exhibit #6). The farmers' market was relocated to the Basin Three parking lot at the end of January 1998 in order to avoid future parking conflicts between existing commercial uses near Basin One and the proposed farmers' market (Exhibit #5).

The temporary event exclusion is valid for a limited term which is due to expire on April 12, 1998. 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 Three 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 Three parking lot for the Alamitos Bay Marina (Exhibit #3). Recreational boat slips occupy Basins Three and Two directly adjacent the site. 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's December 7, 1992 parking study, the Basin Three parking lot contains 902 parking spaces. The 902 parking spaces are comprised of 870 free unreserved public parking spaces, 10 reserved boat owner parking spaces, 14 loading spaces, and 8 handicap parking spaces. Approximately 55 to 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 Three parking lot provides parking for slip leasees, marina visitors, and patrons of the Rusty Pelican restaurant and the Marine Bazaar commercial building. The Rusty Pelican restaurant, located about two hundred feet south of the site, is located in the Basin Three parking lot (Exhibit #3). The Marine Bazaar building, located between the Basin Three and Basin Two parking lots, 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 former site of the proposed farmers' market, the Basin One parking lot, is located about 2000 feet south of the currently proposed location (Exhibit #6). The Basin One parking lot provides parking for several commercial uses near Basin One including the Crab Pot restaurant and the Seaport Village shopping center (Exhibit #3). Seaport Village is a commercial retail and entertainment complex with a maritime theme. Seaport Village also 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)].

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 Three 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 Alamitos Bay Marina 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 Three parking lot currently provides parking for boat owners with slips in the marina, recreational visitors to the waterfront, and patrons of the Marine Bazaar and the Rusty Pelican restaurant (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 870 free unreserved public parking spaces in the immediate vicinity of the project in the Basin Three public parking lot (Exhibit #5). The Basin One and Two parking lots, located south of Basin Three parking lot, contain more than 600 additional unreserved public parking spaces. In all, the Basin One, Two and Three parking lots contain 1,810 parking spaces. Approximately 200 of the parking spaces are reserved for boat owners (Exhibit #6).

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 more than 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 Three 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 any of the 200 reserved boat owner parking spaces in the Basin One, Two and Three parking 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 Basin Three parking lot is primarily used by marina visitors who do not have permits for parking in the boat owner parking spaces. In the Basin Three public parking lot there are 870 free unreserved public parking spaces and

8 handicap parking spaces. These 878 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 Three 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 Three parking lot never exceeded 54% 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 Three 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. Each time that the City conducted a parking lot use survey on Sunday mornings since November 1997 there were hundreds of empty spaces counted during every morning hour. The Basin One, Two and Three parking lots have not been filled to capacity since the farmers' market was established. The Basin Three parking lot typically is the least used of all three of the parking lots.

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 Three 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 Three 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 (two-year term: April 1998 to April 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 April 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 Three 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. 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 tidelands 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 Alamitos Bay Marina 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.

D. 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.

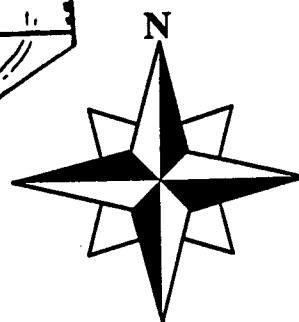
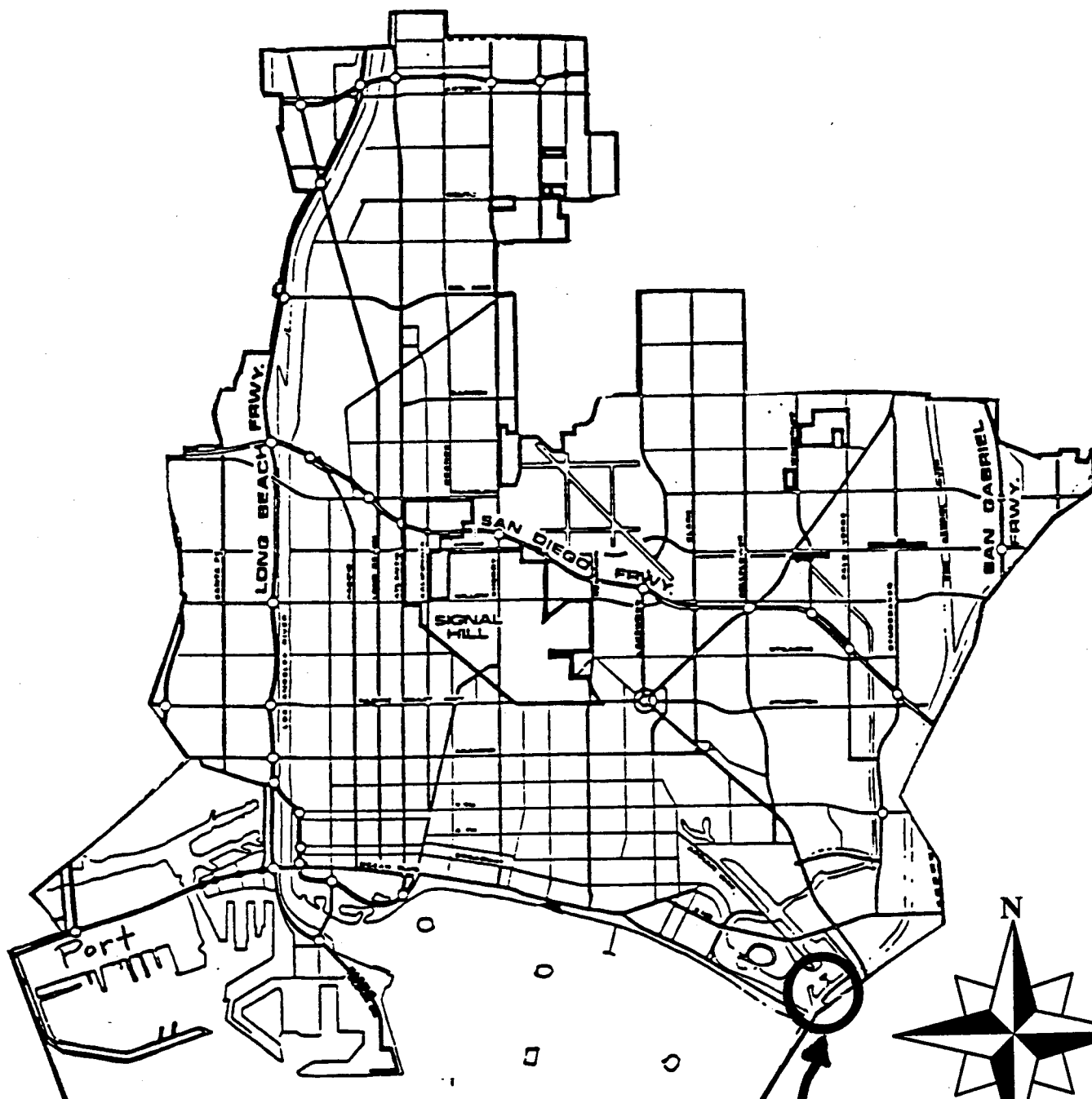
The proposed project does not conflict with any of the certified LCP policies or standards. As conditioned, the proposed project is consistent with the policies of the LCP. Approval of the project cannot prejudice the local government's ability to prepare a certifiable LCP because the City of Long Beach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

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

The proposed project, as conditioned, 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.

City of Long Beach



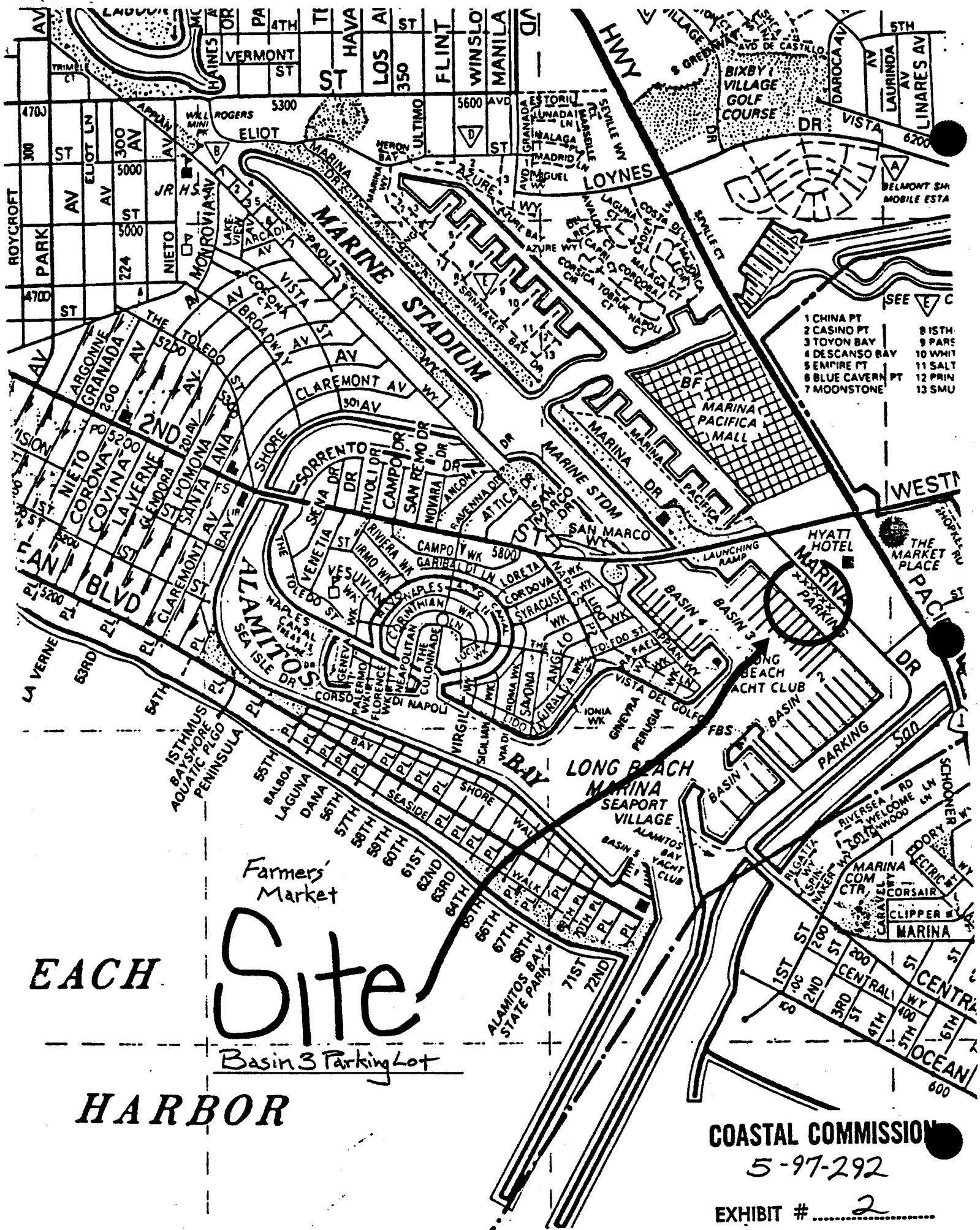
COASTAL COMMISSION

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EXHIBIT # 1

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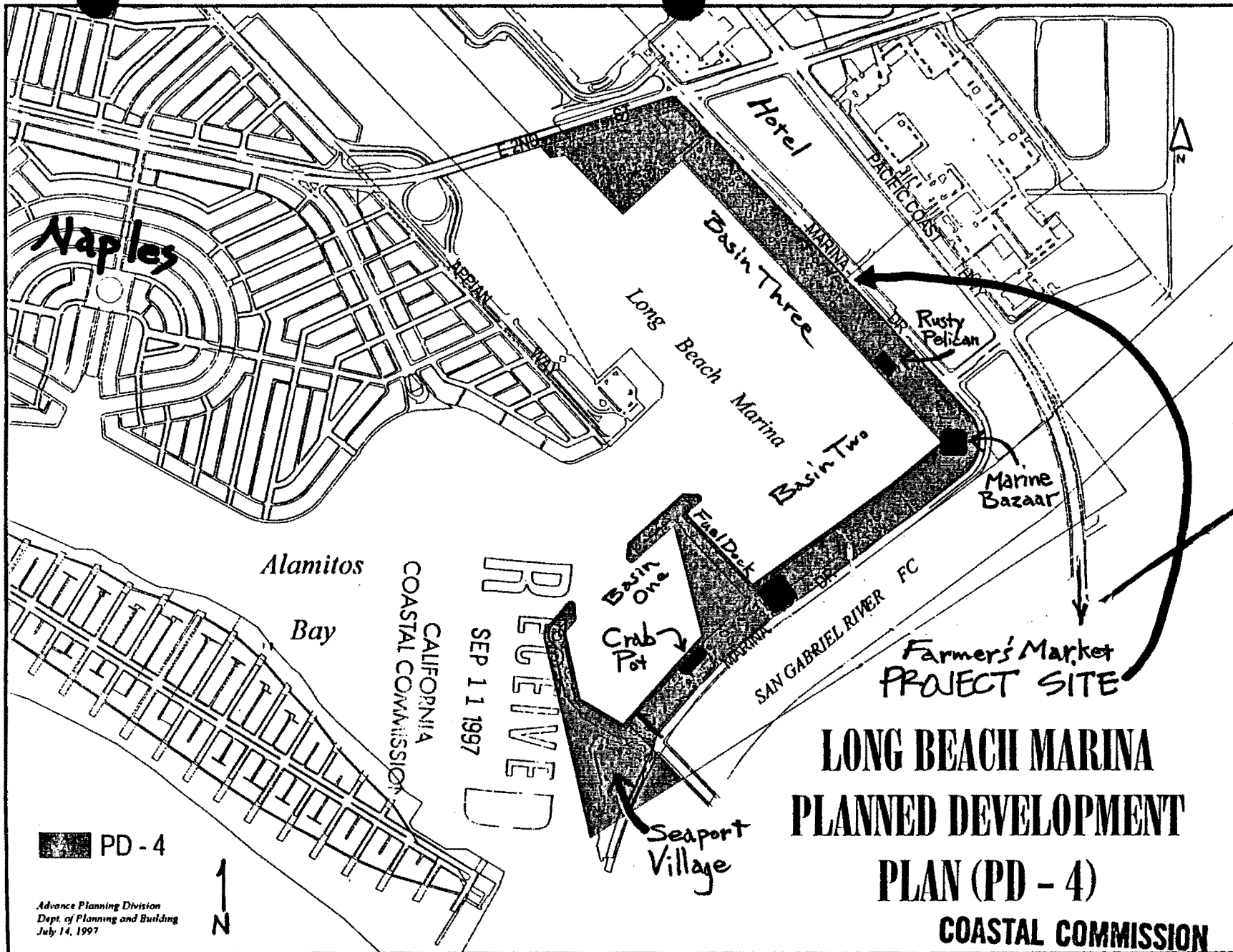
Site



- 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 Site
Basin 3 Parking Lot
HARBOR

COASTAL COMMISSION
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EXHIBIT # 2
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**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, 1997 12:26

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.

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EXHIBIT # 4

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September 30, 1997
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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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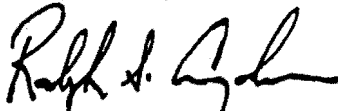
HONORABLE MAYOR AND CITY COUNCIL
September 30, 1997
Page 3

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.

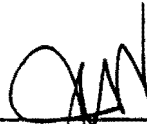
Respectfully submitted,



RALPH S. CRYDER
Director

RSC:GP:msm

APPROVED:



JAMES C. HANKLA
CITY MANAGER

COASTAL COMMISSION

5-97-292

EXHIBIT # 4

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CITY OF LONG BEACH

Department of Parks, Recreation and Marine

2760 Studebaker Road, Long Beach, CA 90815-1697

January 23, 1998

Mr. Charles Posner -
California Coastal Commission
South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302

RECEIVED
JAN 26 1998

CALIFORNIA
COASTAL COMMISSION

SUBJECT: Amendment to Coastal Permit Application 5-97-292 (Farmer's Market)

Dear Mr. Posner:

We would like to amend the subject permit application to change the location from Basin 1 to Basin 3. The reason for the change is the greater availability of parking in Basin 3. Although we did not experience any parking shortages, with almost 200 spaces available at all times during the temporary operations this fall, we anticipate that the parking situation will worsen in the spring and summer. This is expected due to heavier seasonal use of the marina boats and the reopening of a restaurant adjacent to the Farmer's Market.

We believe the proposed Basin 3 site will not experience the same competition for parking because this site is further from commercial uses (480 feet to 400 feet), and only one commercial business, the Rusty Pelican, uses parking in Basin 3. The current temporary site between Basins 1 and 2 is impacted by the Crab Pot, and Schooner Or Later restaurants, by two yacht clubs, by a yacht sales broker, by fishing and bay cruise charter boats, and by overflow parking from Alamitos Bay Landing.

This is reflected in the very light summer parking demand in Basin 3 of 40 percent and 42 percent for two summer Sundays at noon in 1992 (see enclosed parking study, although the parking lot has been redesigned to increase the total parking since then). This compares to 48 percent and 68 percent for the same time and dates in Basins 1 and 2. Counts from last weekend show Basin 3 nearly empty with 229-244 vacant parking spaces during the Farmer's Market operating hours (see hour-by-hour listing).

COASTAL COMMISSION

5-97-292

EXHIBIT # 5

PAGE 1 OF 2

Mr. Charles Posner
January 23, 1998
Page 2

Enclosed you will find a site plan showing the new location, a parking use study of the entire marina, and parking counts of Basin 3 from Sunday, January 18, 1998. Also enclosed are new stamped and addressed envelopes for mailing notices to Basin 3 tenants.

If you have any questions, please call me at 570-3130.

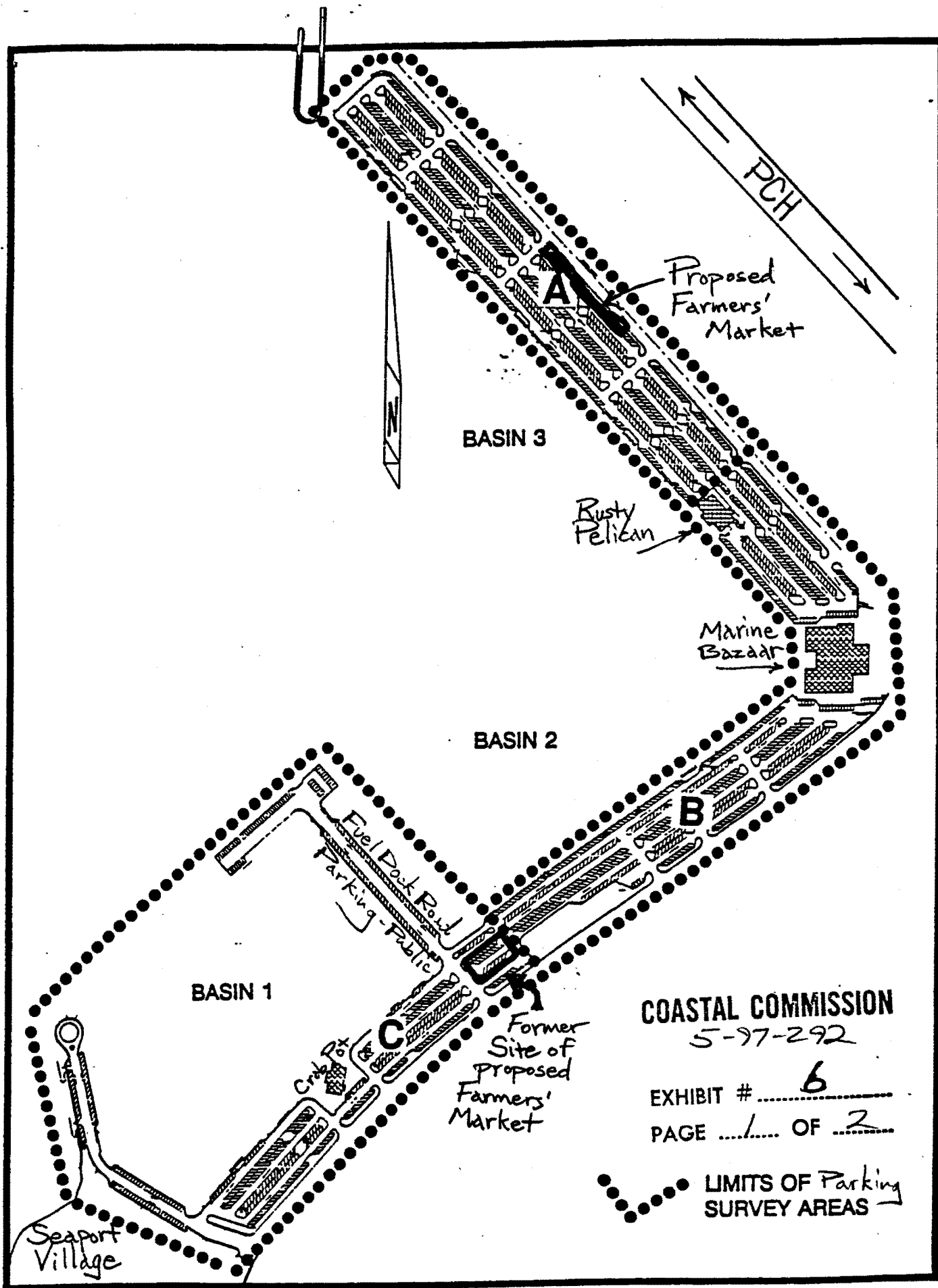
Sincerely,



Dennis Eschen, Superintendent
Parks Planning and Development

Enclosure

- c: Ralph S. Cryder, Director of Parks, Recreation and Marine
Phil Hester, Manager of Maintenance and Development
Mark Sandoval, Manager of Marine Bureau
Gail Wasil, Superintendent of Contract Management and Revenue Development
Steve Conley, Bancap Marina Center, Inc.
Dale Whitney, Farmer's Market



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
TOTAL	820	957	957	1,810	53

(* - 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
TOTAL	843	922	679	1,810	51

(* - 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.)

John and Maureen Lewis
15543 Del Gado Drive
Sherman Oaks, CA 91403

January 26, 1998

California Coastal Commission
P.O. Box 1450
200 Oceangate, 10th Fl.
Long Beach, CA 90802-4416

RECEIVED
JAN 28 1998

CALIFORNIA
COASTAL COMMISSION

Re: Public Hearing Notice (1/13/98) for Permit # 5-97-292 - Alamitos Bay Marina

Dear Commissioners:

Thank you for the opportunity to respond to this request for permit for a farmer's market at our marina.

We are adamantly opposed to this project.

We have been a resident of Alamitos Bay Marina for several years (on Gangway 12), and specifically requested a transfer to be here because it is quiet, secluded, and out of the public thoroughfare. Having spent years at the Downtown Marina "Salad Bowl" and the Long Beach Marina, we welcomed the transfer to this idyllic setting.

We are safe here. We can walk about a night without fear. We can leave our boat during the week without worrying that it will be vandalized. It's quiet. It's a much-needed week-end respite from the freeways and stress of the workday week.

This serene experience is NOT the experience we had when at the other marinas - which are accessible by the public. And that is why we wish to maintain Alamitos Bay Marina as a pristine hideaway, without a farmer's market or any other public attraction.

PLEASE do not open this area to a public that is not concerned with the cleanliness, quietude and serene ambiance of this marina. Please do not open this area to deafening boom boxes and people holding the bathroom doors open for each other and people walking their dogs to relieve themselves on our grass and people walking up and down the gangways ogling at our boats and destroying our privacy and compromising our safety and possessions.

Thank you.

Sincerely,


The Lewises

COASTAL COMMISSION

5-97-292

EXHIBIT # 7

PAGE 1 OF 1

Roger C. Farmer
2616 S. 10th Ave.
Arcadia, CA 91006

RECEIVED
JAN 28 1998
CALIFORNIA
COASTAL COMMISSION

California Coastal Commission
South Coast area
PO Box 1450
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

1/23/98

Re: Permit Number 5-97-292, "Farmers Market"

Dear Coastal Commission,

I find this "Farmers Market" situation extremely offensive and totally outrageous. As a slip owner on gangway 11 why was I not notified of this event and given a chance to speak out before this action was initiated?

The specific complaints are as follows:

- 1) I can no longer park close to my Gangway on Saturday afternoon. Ther is someone patrolling who tells me I can't park there! Is this boating fun?
- 2) Non-boating people inundate the area on Sunday mornings. Often, after checking the Market (which is rather pathetic, since better produce at better prices can be had at our local supermarkets.) these people check out our boats, walking the sidewalks and docks with noisy, inconsiderate (as far as yachting ettiquette anyway) adults, as well as kids. My boat is supposed to be my getaway and I object.

The Coast Highway in Seal Beach is a much more appropriate place for this sort of thing, and the draw would be much larger.

Sincerely,



Roger C. Farmer

COASTAL COMMISSION

5-97-292

EXHIBIT # 8

PAGE 1 OF 1

Chuck Posner
California Coastal Commission
P.O. Box 1450
200 Oceangate, 10th Floor
Long Beach, California 90802-4416

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JAN 23 1998

CALIFORNIA
COASTAL COMMISSION

January 21, 1998

Re: Establishing of a weekly farmer's market
(Sundays 8 am - 2 pm) in Alamitos Bay Marina
parking lot

Dear Sirs:

As a long time liveaboard tenant in Alamitos Bay Marina, I wish to comment on the Sunday farmer's market. The trial market itself is possibly an asset to the communities of East Long Beach and Seal Beach. The downside of the market is the potential parking problem when the boating season starts. People coming to their boats on Sundays will have a difficult time finding parking. If the boat owners arrive on Friday or Saturday for the weekend as many do, people coming to the market will find parking very difficult. In addition, a new restaurant adjacent to the market will be opening soon and will surely add to the parking congestion.

A remedy for this situation would be to move the market from its present location to an area in the marina adjacent to basin three between the Rusty Pelican and the Long Beach Marina Shipyard. The parking lot there is much larger and even on the busiest day of summer is never more than half full. Changing the location in the marina should satisfy the needs of the marina boat owners and the patrons of the farmer's market. If this change were made then the market would be an asset to the community.

Sincerely,

Donald R. Tiedtke

Donald R. Tiedtke, D.D.S.
230 N. Marina Dr.
Long Beach, CA 90803

COASTAL COMMISSION

5-97-292

EXHIBIT # 9

PAGE 1 OF 1

