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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
 1000 Ocean Gate, 10th Floor
 Long Beach, CA 90802-4302
 (562) 590-5071

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 Staff Report: 5/15/98
 Hearing Date: June 9-12, 1998
 Commission Action:



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STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 5-98-160

APPLICANT: City of Long Beach

AGENTS: Jack Humphrey, Advance Planning Officer
 Dennis Eschen, Supervisor of Parks Planning & Development

PROJECT LOCATION: Marina Green Park, Shoreline Village, Shoreline Wharf,
 and Shoreline Marina, Downtown Shoreline area, City of
 Long Beach, Los Angeles County.

PROJECT DESCRIPTION: The 1998 Long Beach In-the-Water Boat Show (July 31 thru
 August 9, 1998), including installation and removal of
 temporary in-water and on-land facilities for the event.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with special conditions regarding public access along the waterfront, public parking, signage, and the bicycle path. The City agrees with the recommendation.

LOCAL APPROVAL RECEIVED:

1. City of Long Beach Approval in Concept, 4/17/98.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Long Beach Certified Local Coastal Program, 7/22/80.
2. Coastal Development Permit 5-96-105 (1996 Boat Show).
3. Coastal Development Permit 5-97-116 (1997 Boat Show).
4. Coastal Commission Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements, adopted 1/12/93.

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. Public Access

Unrestricted public access shall be provided along the waterfront at all times. Unrestricted means that the general public may pass and repass without having to pay an admission fee, present a ticket, accept conditions of passage, or request permission to pass. The waterfront, where unrestricted public access shall be protected, includes (but is not limited to) the boardwalk in the Shoreline Village shopping center, a minimum ten foot wide public accessway along Shoreline Wharf, and the Rainbow Harbor Esplanade. Unrestricted public access shall also be provided on the pedestrian Promenade connecting Ocean Boulevard and Shoreline Wharf.

2. Public Parking

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

3. Signage

The City shall provide and erect directional and informational signs which clearly communicate to the public that additional public parking is available in the Long Beach Convention Center parking lots. At a minimum, the directional and informational signs shall be posted at: 1) the intersection of Shoreline Drive and Pine Avenue; 2) the intersection of Shoreline Drive and Shoreline Village Drive; 3) the intersection of Shoreline Drive and Linden Avenue; and 4) at the entrance to the 1st Place Beach public beach parking lot. The directional and informational signs shall remain posted every day of the event between the hours of 10 a.m. and 8 p.m.

4. Regional Bicycle Path

The event shall not interfere with the public's use of the regional bicycle path which connects the Los Angeles River bicycle path to the beach bicycle path. The regional bicycle path runs on the north side of Shoreline Drive to Rainbow Lagoon Park, crosses Shoreline Drive at Shoreline Village Drive, passes east of Shoreline Village Drive to the Downtown Long Beach Marina boardwalk, and along the marina boardwalk between Shoreline Village and the 1st Place public beach. The regional bicycle path shall remain open and unobstructed.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The proposed event is the 1998 Long Beach In-the-Water Boat Show to be held on July 31 thru August 9, 1998 in the Downtown Shoreline area (Exhibit #2). Activities associated with the proposed event will occupy several sites: the Shoreline Village Boardwalk, Shoreline Wharf, the waters of Shoreline Marina, and the grass areas of Marina Green Park (See Exhibits). The proposed boat show is not located on the public beach. The proposed project includes the installation and removal of the temporary in-water and on-land facilities and improvements necessary to facilitate the event. Set-up will begin on Sunday, July 26, and take-down will be completed by August 11, 1998.

The proposed temporary improvements for the event include the installation of security fencing around the event areas, concession stands, exhibit booths, and portable toilets (Exhibits #3-5). The on-land locations of the boat show are proposed to be located on the Shoreline Village Boardwalk, on Shoreline Wharf, and in Marina Green Park (Exhibit 5, p.3). Boats will be displayed in the water using the existing recreational docks in Shoreline Marina (Exhibit #3). A few temporary dock floats will be added to the existing docks to accommodate additional vessels in the marina. The proposed temporary dock floats are pre-fabricated so that no construction is necessary in the water.

Public access to the most event sites is restricted by admission fees which are charged to spectators during the proposed ten day event. The areas where an admission fee will be required for passage will be defined by fences and/or gates. These "ticket-only" areas include the docks of Shoreline Marina, the fenced area on Shoreline Wharf, and Marina Green Park (Exhibits #3&5). There are no restricted areas or event sites on the sandy beach.

Several exhibitor booths are proposed to be placed at various locations along the boardwalk at the Shoreline Village shopping center (Exhibit #4). The City, however, has assured staff that paid admission will not a requirement to walk on the boardwalk and that it will be open for public access. In addition, the City has proposed to provide a ten foot wide public accessway along the waterfront at Shoreline Wharf so people can pass through the area without paying admission (Exhibit #3). No part of the proposed event is located on the Rainbow Harbor Esplanade.

No public parking spaces are proposed to be displaced for this year's event. Event visitors will, however, have access to the public parking facilities in the Downtown Shoreline area. In order to ensure that adequate parking is available for event visitors and the general public, the City has prepared a parking plan that would accommodate the additional parking demand generated by the proposed event. The proposed parking plan would direct event visitors into the convention center parking lot located adjacent to the event site at the intersection of Shoreline Drive and Pine Avenue (Exhibit #5). The convention center parking lot holds approximately 1,700 vehicles and charges a six dollar fee for parking.

Marina Green Park will also be used for event parking, storage, and exhibitions (Exhibit #5). The Marina Green is a landscaped park area located located on State tidelands in the Downtown Shoreline area of Long Beach (Exhibit #2). The Marina Green public parking areas, which provide parking for 1st Place Beach, are situated between the Marina Green park area and the Downtown Marina parking lots which are reserved for boat owners. The Long Beach Convention Center, Hyatt Hotel, Shoreline Village shopping center, 1st Place public beach, and Shoreline Park are all located within walking distance of the Marina Green.

The regional bicycle path runs through the area connecting the Los Angeles River Bicycle Path to the beach bicycle path (Exhibit #2). The regional bicycle path will remain open for public use during the event and set-up and take-down.

This is the 15th annual Long Beach In-the-Water Boat Show. The 1996 boat show, the first boat show held in the Marina Green area, was permitted by Coastal Development Permit 5-96-105 (City of Long Beach). The 1997 boat show was permitted by Coastal Development Permit 5-97-116 (City of Long Beach). Prior to 1996, the annual boat show was held in Shoreline Park. The construction of Rainbow Harbor and the reconstruction of Shoreline Park has temporarily displaced all park uses.

The proposed boat show will preclude the general public from use of coastal recreation areas for a significant period of time during the summer (Exhibit #2). Pursuant to the Coastal Commission's Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements, a Coastal Development Permit is required because it would restrict public use of a public park, wharf and water area for a significant period of time during the peak beach use period. The Commission's guidelines for temporary events apply in the area of the proposed event because it is located within the Commission's area of original jurisdiction. The Long Beach Downtown Shoreline area, where Marina Green Park and Shoreline Wharf are 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.

B. Recreation and Public Access

One of the basic goals of the Coastal Act is to maximize and protect public access and recreational opportunities along the coast. The proposed project must conform to the following Coastal Act policies which encourage public access and recreational use of coastal areas.

Section 30210 of the Coastal Act states:

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

Section 30211 of the Coastal Act states:

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

Section 30213 of the Coastal Act states, in part:

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

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

The Downtown Shoreline area of Long Beach is a popular coastal recreation area that provide the public with many different types of activities. The site of the proposed event, Marina Green Park and Shoreline Wharf and Marina, provides the public with coastal access and lower cost recreational opportunities which must be protected. Visitors to the area can take advantage of the many sailing and boating opportunities, the coastal bicycle path, fishing activities, parks, the beach, sightsee, or shop at Shoreline Village. Many of these activities are free or lower cost visitor and recreational opportunities protected by Section 30213 of the Coastal Act.

The City's 1st Place Beach is located about 300 feet east of the event site. Because 1st Place Beach is the westernmost beach in the City, it is one of the City's most popular beaches, especially with the City's westside population. A primary parking supply for 1st Place Beach is the free parking located in the Marina Green public parking lots.

The Long Beach Aquarium of the Pacific and Shoreline Park are located about 800 feet west of the event site. Public access between the 1st Place Beach on the east and the aquarium on the west must be protected in order to protect access to the recreational opportunities they provide. The primary pedestrian access that currently connects the east end to the west end of the Downtown Shoreline is provided on boardwalks and esplanades that run along the waterfront. Public access along the waterfront shall not be restricted.

The proposed project is also located on the waterfront at Shoreline Village and Shoreline Wharf. The City has proposed to provide a ten foot wide public accessway along the waterfront at Shoreline Wharf so people can pass through the area without paying admission (Exhibit #3). The City has also stated that paid admission will not a requirement to walk on the boardwalk in Shoreline Village. The proposed event is not located on Rainbow Harbor Esplanade.

Special condition one of the permit prohibits the interruption of the existing public accessway that runs along the entire waterfront connecting the east

side to the west side. Special condition one states:

Unrestricted public access shall be provided along the waterfront at all times. Unrestricted means that the general public may pass and repass without having to pay an admission fee, present a ticket, accept conditions of passage, or request permission to pass. The waterfront, where unrestricted public access shall be protected, includes (but is not limited to) the boardwalk in the Shoreline Village shopping center, a minimum ten foot wide public accessway along Shoreline Wharf, and the Rainbow Harbor Esplanade. Unrestricted public access shall also be provided on the pedestrian Promenade connecting Ocean Boulevard and Shoreline Wharf.

The pedestrian Promenade connects the downtown area to the shoreline. Only as conditioned to protect public access on the existing coastal access routes is the proposed event consistent with the public access and recreation policies contained in the Coastal Act.

Bicycle access along the coast shall also be protected. The proposed event shall not interfere with the public's use of the regional bicycle path which runs through the Downtown Shoreline area connecting the Los Angeles River Bicycle Path to the beach bicycle path (Exhibit #2). The regional bicycle path provides coastal access to cyclists from inland areas to Long Beach and Orange County. Therefore, the bicycle path shall also remain open and unobstructed. The City has agreed to keep the bicycle path open.

The availability of parking can also affect coastal access and recreation opportunities. Even though no public parking spaces are proposed to be displaced for this year's event, the additional visitors generated by the proposed event will increase the parking demand in this popular coastal area. Event visitors and others will compete for the limited number of free public parking spaces in the Downtown Shoreline area. The free public parking spaces in the Marina Green public parking lots are available on a first-come, first-served basis. The spaces fill up quickly on warm summer days. The permit is conditioned to prohibit the event from reserving any of the free public parking spaces.

Even without reserving any parking spaces, the visitors to the proposed event will temporarily interfere with public access to the Downtown Shoreline area by occupying a large portion of the public parking supply. The impact to public access caused by the increased demand on public parking during the peak beach use season must be mitigated in order to conform to the public access and recreation policies of the Coastal Act.

In order to mitigate the impacts to public access and protect the public's ability to access this coastal area during the proposed event, the City has proposed a parking plan that would ensure that adequate parking is available for event visitors and the general public alike (Exhibit #5). Event visitors will be directed into the convention center parking lot located adjacent to the event site at the intersection of Shoreline Drive and Pine Avenue (Exhibit #5). The convention center parking lot holds approximately 1,700 vehicles and charges a six dollar fee for parking. Directional signs will be placed at various intersections to inform the public of the availability of parking.

Special condition three requires the City to provide and erect directional and informational signs which clearly communicate to the public that additional public parking is available in the Long Beach Convention Center parking lots. At a minimum, the directional and informational signs shall be posted at: 1) the intersection of Shoreline Drive and Pine Avenue; 2) the intersection of Shoreline Drive and Shoreline Village Drive; 3) the intersection of Shoreline Drive and Linden Avenue; and 4) at the entrance to the 1st Place Beach public beach parking lot. The directional and informational signs shall remain posted every day of the event between the hours of 10 a.m. and 8 p.m. Only as conditioned is the proposed temporary development and event consistent with the public access and recreation policies contained in the Coastal Act.

The Commission finds that the proposed event is consistent with the public access and recreation policies contained in the Coastal Act only if conditioned to protect public access along the waterfront and on the bicycle path, and to provide adequate parking.

C. Local Coastal Program

The City of Long Beach Local Coastal Program was certified by the Commission on July 22, 1980. Because the project is located seaward of the former mean high tide line on state tidelands in an area of original jurisdiction retained by the Commission, 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.

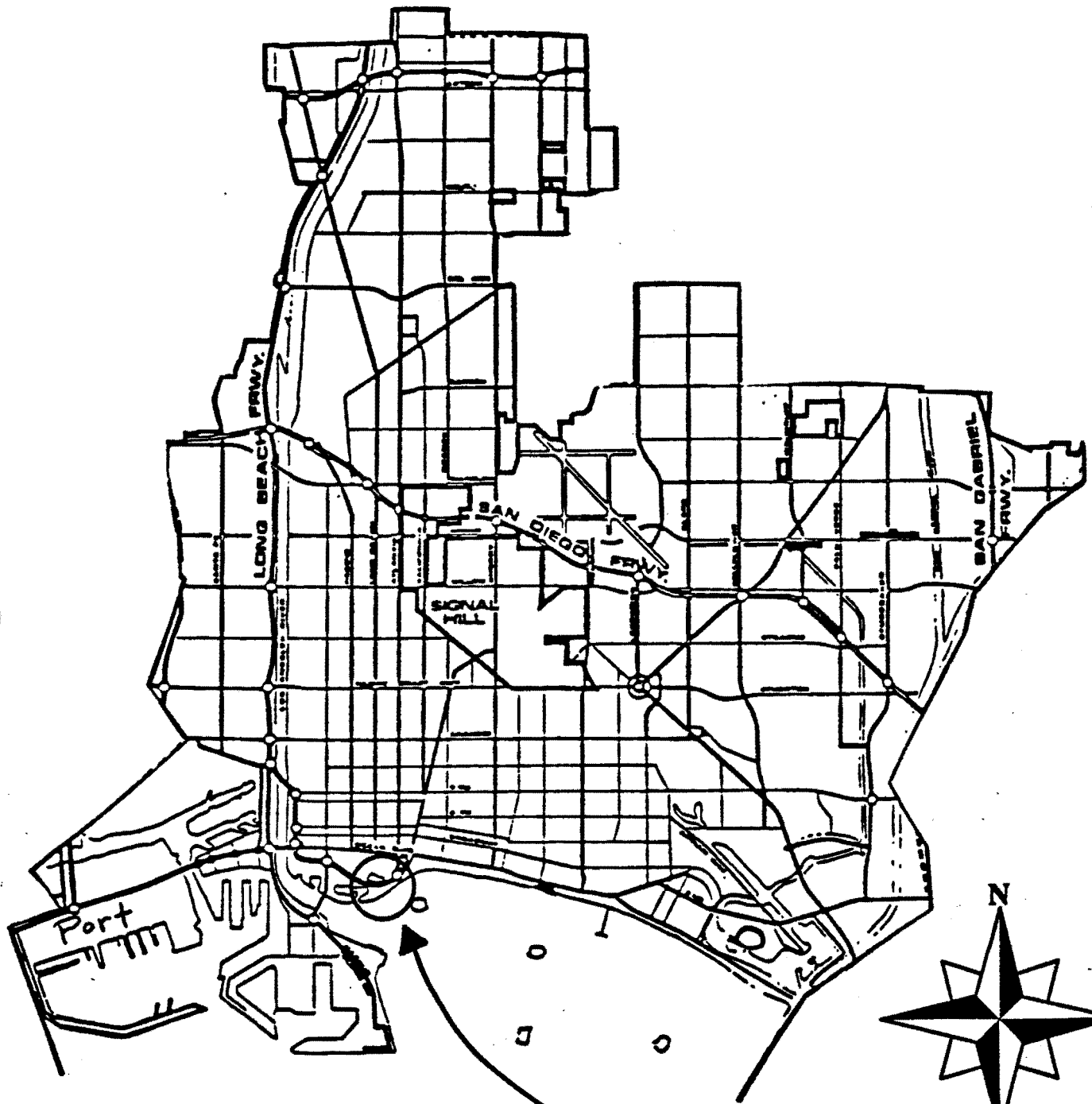
In any case, the certified LCP provides guidance for development of the proposed project site. The certified LCP includes the Queensway Bay Plan which includes Shoreline Village, Rainbow Harbor, the public esplanade, and the aquarium. As conditioned, the proposed project is consistent with the specific development policies contained the certified LCP.

D. California Environmental Quality Act (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, 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, only 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



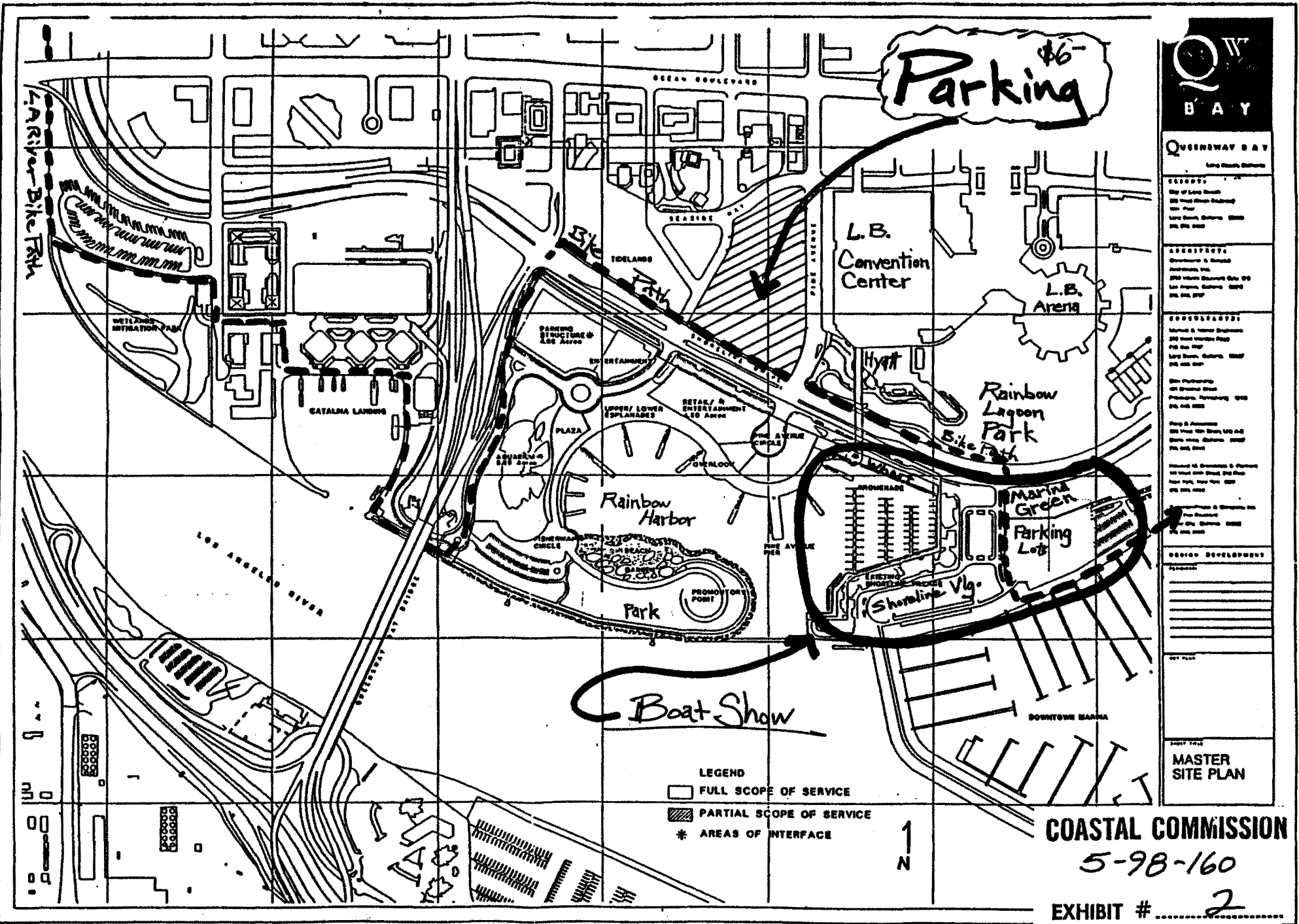
Boat Show

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EXHIBIT # 1

PAGE 1 OF 1



QUEENSWAY BAY
Long Beach, California

CONTRACTOR:
City of Long Beach
200 West Ocean Boulevard
Long Beach, California 90802
310.533.3333

ARCHITECT:
Architects & Planners
200 West Ocean Blvd. 2nd Fl.
Long Beach, California 90802
310.533.3333

ENGINEER:
Morgan & Vonner Engineers
200 West Ocean Blvd.
Long Beach, California 90802
310.533.3333

ENVIRONMENTAL:
400 Broadway
Long Beach, California 90802
310.533.3333

PLANNING & DESIGN:
200 West Ocean Blvd. 2nd Fl.
Long Beach, California 90802
310.533.3333

LANDSCAPE ARCHITECTURE:
200 West Ocean Blvd. 2nd Fl.
Long Beach, California 90802
310.533.3333

MARKETING & COMMUNITY:
200 West Ocean Blvd. 2nd Fl.
Long Beach, California 90802
310.533.3333

CONSTRUCTION:

MASTER SITE PLAN

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EXHIBIT # 2

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PINE AVENUE

UIE

DEVELOPMENT

Pedestrian Promenade (overpass) Terminus
Open to Public

Hyatt Hotel

Rainbow Lagoon

Regional

Bike Path

WATER TAX
FLOATING DOCK
NO. 7

Vessel Displays

Boat Show
Public Accessway

SHORELINE WHARF

SHM2

In-Water
Vessel
Displays

SHM3

SHM4

DINNER BOAT
FLOATING DOCK

In-Water
Vessel
Displays
SHM V

EXISTING
SHORELINE
MARINA

Public Dock

Public Accessway

Boat Show
Fence



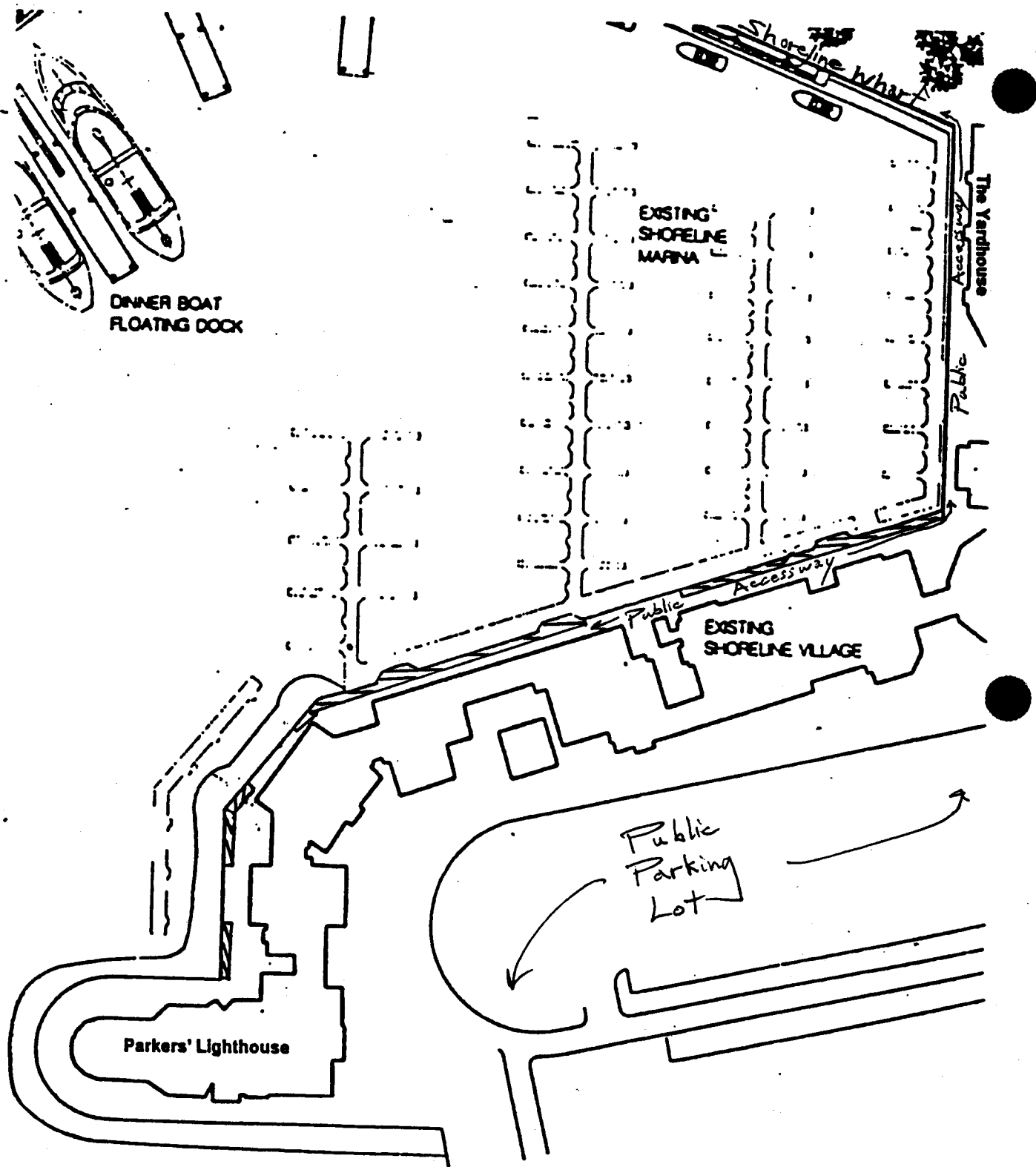
EXISTING
SHORELINE VILLAGE


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EXHIBIT # 3

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 = Approximate locations of the Boat Show exhibitor booths (No Ticket Required)

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EXHIBIT # 4

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PARKING

The Southern California Marine Association (SCMA) In-The-Water Boat Show (July 31, 1998 through August 9, 1998) will be located at Shoreline Village, Shoreline Marina, Shoreline Wharf, and the Marina Green. These event areas do not displace public parking and beach goers will not be affected. However, the SCMA has developed a parking plan for the Boat Show as defined below.

- Parking accommodations for the event will be coordinated and managed by Five Star Parking, the parking manager for the Convention Center.
- In-The-Water Boat Show parking accommodations will be provided at the parking lot across from the Hyatt Regency (operated by Five Star Parking) and at the Marina Green. The Marina Green parking will be located on the turf area, between Shoreline Village Drive and Linden Avenue. This section of the Marina Green will also accommodate vessel display and exhibitor booths.
- The parking fees for all locations will be consistent with the \$6 fee which is charged for Convention Center parking.

Signage

The SCMA and Five Star Parking shall place directional and informational signage for Boat Show parking. The signs will be placed at the intersections identified below, but will not be limited to those sites. The signs will be posted every day of the event (July 31, 1998 through August 9, 1998) from 10:00 a.m. to 8:00 p.m.

Five Star Parking, SCMA, and Marine Patrol personnel will direct motorists and supervise the parking sites.

See Exhibits P-1 and P-2.

Directional and/or informational signage for the Boat Show, at minimum, will be placed in the proximity of the intersections identified below.

- Shoreline Drive - Pine Avenue
- Shoreline Drive - Shoreline Village Drive
- Shoreline Drive - Linden Avenue

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EXHIBIT # 5

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LONG BEACH CONVENTION & ENTERTAINMENT CENTER PARKING



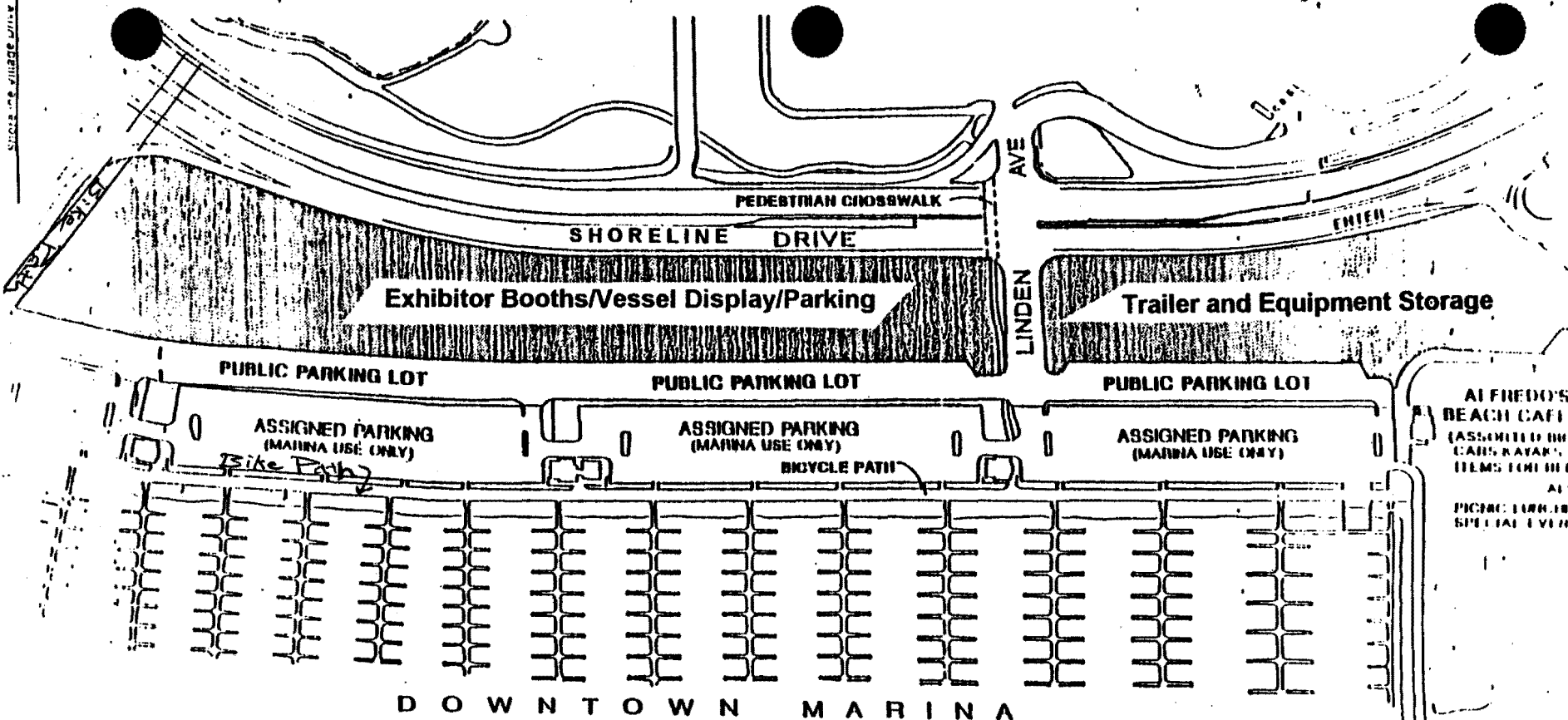
 = Boat Show Parking
(across from the Hyatt Regency)

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N
NOT TO SCALE

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EXHIBIT # 5
PAGE 2 OF 3

SHORELINE DRIVE



INDICATES MARINA GREEN

ALFREDO'S BEACH CAFE
 (ASSIGNED FOR
 CANOES, KAYAKS, &
 ITEMS FOR THE
 ALL
 PICNIC TABLES
 SPECIAL EVENTS)

