

## CALIFORNIA COASTAL COMMISSION

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July 23, 1998

Th7b

TO: Commissioners and Interested Persons

FROM: Deborah Lee, Deputy Director  
Pam Emerson, Los Angeles County Area Supervisor  
Charles Posner, Coastal Program Analyst

SUBJECT: Major Amendment Request No. 2-98B to the City of Long Beach Certified Local Coastal Program (For Public Hearing and Commission Action at the August 13, 1998 meeting in Huntington Beach).

SUMMARY OF LCP AMENDMENT REQUEST

The City of Long Beach Local Coastal Program (LCP) was certified by the Coastal Commission on July 22, 1980. The current proposal is the City's second major LCP amendment request for 1998. The proposed LCP amendment would affect only the implementing ordinances (LIP) portion of the City's certified LCP contained in the City's Southeast Area Development and Improvement Plan (SEADIP). This LCP amendment request would not affect any LCP wetland policies or wetland standards. The certified Land Use Plan (LUP) and the uncertified provisions and geographic areas of SEADIP would also not be affected. The recently annexed portions of the City (Los Cerritos Wetlands) are not subject to the currently certified City of Long Beach LCP. This LCP amendment would not affect any of these currently uncertified portions of the coastal zone.

The City has requested this LCP amendment in order to bring the certified LCP into conformance with a local coastal development permit approved for the "Marina Shores" shopping center in SEADIP Subarea 29 (Exhibits #3&4). The land use, height, and curb cut standards for Subarea 29 of SEADIP are proposed to be amended to allow the construction of the 67,930 square foot retail/commercial shopping center retail commercial project approved by local coastal development permit No. 9702-18 (Exhibit #4). Specifically, the proposed LCP amendment would: 1) add retail uses to the list of allowable uses in SEADIP Subarea 29 which currently allows only commercial office, restaurants, commercial recreation uses; 2) allow architectural features to exceed the 35 foot height limit by eight feet (up to 43 feet); and 3) allow curb cuts on Pacific Coast Highway and Studebaker Road subject to the approval of the City Traffic Engineer and/or CALTRANS.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after public hearing, deny the amendment request to the LCP Implementing Ordinances as submitted; and then approve, only if modified, the amendment request to the LCP Implementing Ordinances. The modification is necessary to limit the proposed height increase to SEADIP Subarea 29 only. The City is in agreement with the

City of Long Beach  
LCP Amendment 2-98B (SEADIP)  
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suggested modification that would limit the proposed height increase to SEADIP Subarea 29 only (Exhibit #9). The suggested modification is on PAGE FOUR. The motions to accomplish this recommendation are on PAGE THREE.

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The proposed changes to the certified LCP are contained in Ordinance No. C-7528 (Exhibit #7). Resolution No. C-27312 submits the LCP amendment request for certification by the Commission (Exhibit #6). The City Planning Commission held three public hearings for the proposed LCP amendment on June 5, 1997, June 19, 1997, and January 15, 1998. The City Council held two public hearings for the proposed LCP amendment on July 15, 1997 and March 17, 1998. The Long Beach City Council adopted Ordinance No. C-7528 on March 24, 1998. On June 16, 1998, the City Council adopted Resolution No. C-27370 and submitted it to the Commission in order to clarify the City's position in regards to the LCP amendment request and its relation to the recently annexed and currently uncertified portions of SEADIP located within the coastal zone (Exhibit #8). This LCP amendment request is consistent with the submittal requirements of the Coastal Act and the LCP regulations which govern such proposals (Sections 30501, 30510, 30514 and 30605 of the Coastal Act, and Sections 13551, 13552 and 13553 of the California Code of Regulations).

STAFF NOTE

It must be noted that the SEADIP document includes both certified and uncertified standards and geographic areas. This LCP amendment request affects only the portion of SEADIP that is certified and only the portion that is currently part of the area covered by the certified City of Long Beach LCP (Exhibit #2). The Los Cerritos Wetlands area, which was recently annexed from Los Angeles County into the City of Long Beach, is not within the area covered by any certified LCP. This LCP amendment will not alter the boundaries of the currently certified City of Long Beach LCP (Exhibit #2). The recently annexed areas of SEADIP, which are currently uncertified, are unaffected by this LCP amendment request.

STANDARD OF REVIEW

The standard of review for the proposed amendment to the LCP Implementing Ordinances, pursuant to Sections 30513 and 30514 of the Coastal Act, is that the proposed amendment is in conformance with, and adequate to carry out, the provisions of the certified Land Use Plan (LUP).

ADDITIONAL INFORMATION

Copies of the staff report are available at the South Coast District office located in the ARCO Center Towers, 200 Oceangate, Suite 1000, Long Beach, 90802. To obtain copies of the staff report by mail, or for additional information, contact Charles Posner in the Long Beach office at (562) 590-5071.

I. STAFF RECOMMENDATION

Staff recommends adoption of the following motions and resolutions:

A. DENIAL OF THE AMENDMENT TO THE LCP IMPLEMENTING ORDINANCES AS SUBMITTED  
MOTION

"I move that the Commission reject amendment request No. 2-98B to the City of Long Beach LCP Implementing Ordinances as submitted."

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

Resolution to reject the amendment to the Implementing Ordinances as submitted

The Commission hereby rejects the amendment to the Implementing Ordinances of the City of Long Beach certified Local Coastal Program, as submitted, for the reasons discussed below on the grounds that it does not conform with, or is inadequate to carry out, the provisions of the Land Use Plan as certified. There are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the approval of the amendment to the Implementing Ordinances would have on the environment.

B. APPROVAL OF THE AMENDMENT TO THE LCP IMPLEMENTING ORDINANCES IF MODIFIED  
MOTION

"I move that the Commission approve amendment request No. 2-98B to the City of Long Beach LCP Implementing Ordinances if it is modified in conformity with the modification suggested below."

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

Resolution to certify the amendment to the Implementing Ordinances if modified

The Commission hereby approves the certification of the amendment to the Implementing Ordinances of the City of Long Beach Local Coastal Program, for the reasons discussed below on the grounds that the amended ordinances, maps, and other implementing actions are consistent with, and adequate to carry out, the provisions of the certified Land Use Plan, as provided in Section 30513 of the Coastal Act, if amended according to the suggested modification stated in Section II of this report. This amendment is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) of the Coastal Act, and approval of the amendment will not have significant

environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

The Commission further finds that if the local government adopts and transmits its revisions to the amendment to the Implementing Ordinances in conformity with the suggested modification, then the Executive Director shall so notify the Commission.

## II. SUGGESTED MODIFICATION

Certification of amendment No. 2-98B to the City of Long Beach LCP Implementing Ordinances is subject to the following modification (modification is underlined):

### A. Modify Item 5 of "Provisions Applying To All Areas":

5. The maximum height of buildings shall be 30 feet for residential and 35 feet for non-residential uses, unless otherwise provided herein. In Subarea 29, architectural features such as tower elements may be approved up to a height of 43 feet through the Site Plan Review process.

## III. FINDINGS

The following findings support the Commission's denial of the amendment to the LCP Implementing Ordinances as submitted, and approval of the amendment to the LCP Implementing Ordinances if modified as indicated in Section II (Suggested Modification). The Commission hereby finds and declares as follows:

### A. Amendment Description and Background

The proposed LCP amendment, contained in Ordinance No. C-7528 (Exhibit #7), modifies the use, height, and curb cut standards contained in the SEADIP (Southeast Area Development and Improvement Plan) Specific Plan. This LCP amendment request does not affect the certified Land Use Plan (LUP).

The SEADIP Specific Plan was developed by the City of Long Beach in 1977, prior to certification of the City's LCP. In 1980, when the City of Long Beach LCP was certified by the Commission, portions of SEADIP were incorporated into the implementing ordinances (LIP) portion of the LCP. Portions of the SEADIP Specific Plan contain the development standards that carry out the LUP in the southeast portion of the City's certified LCP area (Exhibit #2).

The SEADIP Specific Plan, however, includes within its boundaries some parcels that are not part of the certified City of Long Beach LCP (Exhibit #2). In

1980, when the Commission certified the City of Long Beach LCP, the unincorporated portions of Los Angeles County (Los Cerritos Wetlands) and Parcel 11b were deleted from the LCP. Other parts of the SEADIP area are located outside of the coastal zone (Exhibit #2). Although the City has recently annexed the former unincorporated County parcels, this LCP amendment request does not affect any of these currently uncertified portions of the coastal zone.

This LCP amendment request would modify the use, height, and curb cut standards for Subarea 29 of SEADIP where the City recently approved a local coastal development permit No. 9702-18 for a 67,930 square foot retail/commercial shopping center (Exhibits #3&4). The proposed LCP amendment purports to bring the certified LCP into consistency with this local coastal development permit. The LCP amendment would not affect any standards or policies that address the issue of wetlands.

Subarea 29 is located on the west side of Pacific Coast Highway (Route 1) near the boundary between the cities of Seal Beach and Long Beach (Exhibit #1). Subarea 29 is located inland of Marina Drive, the primary road around the Alamitos Bay Marina (Exhibit #1). The waters of Alamitos Bay are approximately 350 feet west of the site of the City-approved shopping center. The site is currently vacant and surrounded by a chain-link fence.

The City-approved shopping center within Subarea 29 is located just outside of the Commission's mapped appealable area. The local permit action was not noticed as appealable to the Commission. The permit, however, may have been appealable to the Commission because there is an unresolved controversy regarding whether wetlands occupy a portion of the project site. The City of Long Beach determined that wetlands would not be impacted by the proposed shopping center project. In any case, local coastal development permit No. 9702-18, approved by the City Council on March 17, 1998, was not appealed to the Commission (Exhibit #4). Therefore, the City-approved shopping center project that is driving this LCP amendment request is not currently before the Commission. The Commission will act only on the City's request to amend the LCP use, height and curb cut standards that apply to the site.

The City's requested changes to the certified LCP are contained in Ordinance No. C-7528 (Exhibit #7). Ordinance No. C-7528, modifying the SEADIP Specific Plan, was adopted by the Long Beach City Council on March 24, 1998. Resolution No. C-27370, adopted by the City Council on June 16, 1998, clarifies the City's intent in regards to the LCP amendment request and its relation to the recently annexed and currently uncertified portions of SEADIP located within the coastal zone (Exhibit #8).

The proposed LCP amendment would modify the certified portion of the SEADIP Specific Plan as follows:

BUILDING HEIGHT

Modify Item 5 of "Provisions Applying To All Areas" to allow architectural features to exceed the 35 foot height limit in non-residential developments:

5. The maximum height of buildings shall be 30 feet for residential and 35 feet for non-residential uses, unless otherwise provided herein. In non-residential developments, architectural features such as tower elements may be approved up to a height of 43 feet through the Site Plan Review process.

CURB CUTS

Revise Item 14 of "Provisions Applying To All Areas":

14. (To be deleted and replaced). No additional curb cuts shall be permitted on Pacific Coast Highway, Westminster Avenue, Studebaker Road, or Seventh Street, unless it can be shown that inadequate access exists from local streets. This restriction shall not preclude the provision of emergency access from these streets as may be required by the City.
14. (Proposed). Curb cuts shall be permitted on Pacific Coast Highway, Westminster Avenue, Studebaker Road and Seventh Street subject to the approval of the City Traffic Engineer and/or CALTRANS, where appropriate.

PERMITTED USES

Add commercial retail to list of uses permitted in Subarea 29:

SUBAREA 29

Use: Commercial office, restaurants, commercial recreation and commercial retail uses.

Delete: Restaurant uses shall be permitted only south of Studebaker Road.

In order to be certified by the Commission pursuant to Section 30513 of the Coastal Act, the proposed amendment to the Implementation Sections of the LCP must conform to the certified LUP and be adequate to carry out the provisions of the LUP. Staff is recommending that the Commission approve the proposed LCP amendment with a suggested modification to confine the height limit increase to SEADIP Subarea 29 as agreed to by the City. If modified as suggested, the LCP amendment request can be found to be consistent with the certified LUP, and would adequately carry out the provisions of the certified LUP.

B. Analysis

The land use portion (LUP) of the certified LCP contains policies which regulate land use and development within the certified area of the Long Beach coastal zone. The implementation ordinances portion (LIP) of the certified LCP carries out the provisions of the LUP. As previously stated, an amendment to the LIP must conform to the certified LUP and be adequate to carry out the provisions of the LUP in order to be certified by the Commission.

This LCP amendment request would affect only the implementing ordinances contained in the certified portion of the SEADIP Specific Plan which apply to the certified area of southeast Long Beach (Exhibit #2). The permitted use, building height, and curb cut standards are proposed to be amended for Subarea 29 of SEADIP in order to accommodate a City-approved 67,930 square foot retail/commercial shopping center (Exhibits #3&4). This LCP amendment request does not affect the certified Land Use Plan (LUP).

The following is an analysis of the certified development standards and the modifications proposed by the LCP amendment.

#### Permitted Uses

The proposed LCP amendment would add commercial retail uses to the current list of uses that may be permitted in Subarea 29 of SEADIP (Exhibit #7, p.36). The certified LUP designates this area as "mixed uses". The currently certified LUP list of permitted uses in Subarea 29 allows only commercial office, restaurant and commercial recreation uses. Restaurant uses are currently permitted only south of Studebaker Road in Subarea 29. The proposed LCP amendment would delete the restaurant restriction to also allow restaurants on the north side of Studebaker Road in Subarea 29. The City-approved 67,930 square foot retail/commercial shopping center is located on the north side of Studebaker Road in Subarea 29 (Exhibits #3&4).

The certified LUP calls for the development of the Alamitos Bay Marina area with a mixture of uses that will draw more people to the shoreline. There are no specific LUP policies that would discourage visitor-serving commercial uses in Subarea 29. Subarea 29 is located approximately 350 feet from the waters of the Alamitos Bay Marina, and across the street from the one of the marina's public parking lot (Exhibit #2). The proposed addition of commercial retail uses to the currently certified list of permitted uses for Subarea 29 of SEADIP is consistent with the LUP's intent to attract more people to the coast. The proposed LCP amendment will allow the development of Subarea 29 with the restaurants and retail uses proposed as part of the 67,930 square foot retail/commercial shopping center approved by local coastal development permit No. 9702-18 (Exhibits #3&4).

Denial of the proposed LCP amendment would maintain the currently certified list of permitted uses which allows the construction of commercial offices, restaurants and commercial recreation uses. Office uses are less likely to attract visitors to this coastal area than would restaurant and retail uses. Increased pedestrian use in the area will promote the shoreline amenities of the City and support increased public access to the coast. The proposed LUP amendment carries out the intent of the LUP to increase public access by allowing additional commercial uses which will attract more pedestrians and visitors to the area. Therefore, the proposed amendment to the list of permitted uses in Subarea 29 of SEADIP conforms to, and can carry out the provisions of the certified LUP.

Wetlands

A controversial land use issue was addressed by the City during the local hearings on the proposed LCP amendment and local coastal development permit No. 9702-18. The issue is whether or not wetlands exist on the site of the the 67,930 square foot retail/commercial shopping center approved by local coastal development permit No. 9702-18 (Exhibits #3&4).

The City-approved shopping center is located just outside of the Commission's mapped appealable area in SEADIP Subarea 29. Local coastal development permit No. 9702-18 was approved by the City Council on March 17, 1998, and it was not noticed as appealable to the Commission (Exhibit #4).

At the heart of the matter is whether the vegetation and ponding of water on the site since it was graded in 1993 qualifies as a wetland that is protected by the Coastal Act. The opponents of the City-approved shopping center believe that a wetland is present on the site (Subarea 29), and that the wetland should be protected from development. The project applicant and the City of Long Beach do not believe that the vegetation and ponding water on the site qualifies as a wetland that must be protected.

The site of the City-approved shopping center (Marina Shores) is a vacant six acre parcel situated on the northwest corner of Pacific Coast Highway (State Route One) and Studebaker Road in southeast Long Beach (Exhibit #3). The site is one block (approximately 350 feet) from the Alamitos Bay Marina. The marina's public parking lot is located directly across Marina Drive from the site (Exhibit #3). The site is within two blocks of the San Gabriel River and the City of Seal Beach.

According to the applicant's consultants, the site supported wetlands until 1928 when the site and surrounding areas were filled (Exhibit #5). Chevron operated a fuel refinery on the site from 1928 to the mid 1970's. In 1993, the soils on the site were excavated and remediated in order to remove contaminants that were discharged from the refinery. The site was recontoured to its existing topography and a catch basin was graded at the southeast corner of the site which allows water to pond. There are no records of any Coastal Development Permits ever issued by the City or Commission for the remediation or development of the site prior to 1998.

Currently, the site has a depression at the southeast corner that collects drainage from the site and surrounding areas. During the past several winters the site has contained a pond that has attracted several bird species to the site. The EIR lists observed bird species as: American Kestrel, Rock Dove, House Finch, European Starling, Western Gull, American Crow, Ring-billed Gull, Great Blue Heron, and Mallard Duck. The size of the pond varies in response to the levels of rainfall and evaporation during each season. In the past, Commission staff has observed pumps at the site pumping water out of the pond and into the storm drain.

The applicant's consultant conducted its own wetlands determination and submitted it to the City as part of the EIR (Exhibit #5). The consultant, Glenn Lukos Associates, reports that the site is partially inundated during



the rainy season and that the site supports scattered native hydrophytes (wetland plants) including saltgrass (*Distichlis spicata*), alkali heath (*Frankenia salina*), heliotrope (*Heliotropium curassivicum*), pickle weed (*Salicornia virginica*), and alkali bulrush (*Scirpus maritimus*). The site also supports a population of southern tarplant (*Hemizonia parryi* var. *australis*), a federally endangered plant species.

The conclusion of Glenn Lukos and Associates, which is included in the certified EIR for the project, is that the site does not qualify as a wetland under the jurisdiction of the U.S. Army Corps of Engineers or the California Department of Fish and Game. Based on the consultants report, the City Council found that no wetland exists on the site and approved local coastal development permit No. 9702-18 for the construction of a shopping center on the site (Exhibits #3&4). Because the City found that no wetland exists on the site, local coastal development permit No. 9702-18 does not require the implementation of any wetland mitigation measures contained in the certified LCP, and local coastal development permit No. 9702-18 was not noticed to the Commission as appealable.

The California Department of Fish and Game, however, was not consulted until after the City had already approved local coastal development permit No. 9702-18. Subsequent to the City's April 20, 1998 submittal of this LCP amendment request, both the applicant and Commission staff requested that the California Department of Fish and Game to issue an opinion on the matter. In June 1998, a California Department of Fish and Game staff member visited the site at the request of the applicant and Commission staff.

In telephone conversations with Commission staff, the California Department of Fish and Game estimates that approximately .02 acres of potential wetland habitat may exist on the site. However, because of the potential wetland's extremely small size, low biological productivity, location, and recent history, the California Department of Fish and Game is reticent to issue a determination that a wetland exists on the site.

The Coastal Commission relies on the expertise of the California Department of Fish and Game and Section 30121 of the Coastal Act when determining what is a wetland. Section 30121 of the Coastal Act states:

"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

This is the definition upon which the Commission relies to identify "wetlands." The definition refers to lands "...which may be covered periodically or permanently with shallow water..." However, due to highly variable environmental conditions along the length of the California coast, wetlands may include a variety of different types of habitat area. For this reason, some wetlands may not be readily identifiable by simple means. The Commission's Statewide Interpretive Guidelines provide guidance for the sometimes difficult decision whether a site is a wetland (Exhibit #10). The Commission's Statewide Interpretive Guidelines state that the Commission also

relies on the presence of hydrophytes and/or presence of hydric soils to make a wetlands determination. The presence of any one of the three conditions (water, hydrophytes or hydric soils) could result in a determination that a wetland is present. The California Department of Fish and Game typically provides the Commission with the expertise required in such a determination.

In this case, any conclusive determination that the site is a wetland will come after a local coastal development permit was already approved for the development of the site and the potential wetland. The City's action on the local coastal development permit was not noticed to the Commission as appealable because the site is located outside of the Commission's mapped appealable area. If a wetland exists on the site, however, then the local coastal development permit could be appealed to the Commission pursuant to Section 30603 of the Coastal Act and Section 13577 of the California Code of Regulations which include areas within one hundred feet of a wetland as appeal jurisdiction. When the City of Long Beach LCP was adopted in 1980, the mapped appealable area did not include the site of this potential wetland. In 1993 the site was graded and converted into a catch basin.

In any event, the City-approved shopping center project that is driving this LCP amendment request is not before the Commission. The Commission will act only on the City's request to amend the LCP use, height and curb cut standards that apply to the site. In this proposed LCP amendment, no wetland policies or standards are proposed for revision. Therefore, the Commission need not determine whether a wetland exists on the site. The LCP wetland policies applicable to the site remain unchanged.

#### Building Height

The proposed LCP amendment would modify the height standards for SEADIP by allowing architectural features such as tower elements to exceed the 35 foot height limit for non-residential development. Such architectural elements would be permitted to be a maximum of 43 feet, eight feet over the currently certified height limit.

In the currently certified SEADIP Specific Plan's provisions that apply to all subareas, Item 5 (Building Height) states:

5. The maximum height of buildings shall be 30 feet for residential and 35 feet for non-residential uses, unless otherwise provided herein.

This LCP amendment request would replace the currently certified building height standard (Item 5) with the following revised standard:

5. The maximum height of buildings shall be 30 feet for residential and 35 feet for non-residential uses, unless otherwise provided herein.  
In non-residential developments, architectural features such as tower elements may be approved up to a height of 43 feet through the Site Plan Review process.

Although the certified LUP does not identify any specific public views in Subarea 29, public views to and along the coast are protected by the Coastal

Act. Building heights must be addressed whenever visual resources are discussed. Excessively high structures can negatively impact the character of an area as well as public views. Tall buildings may be appropriate in high density urban areas, such as the core of downtown Long Beach, but they are not appropriate in most other areas where scenic resources are considered important. A 35 foot high building is generally not considered an excessively high building, nor is a 35 foot high roofline with a 43 foot high architectural element. Many of the beachfront homes along Southern California beaches have 30 or 35 foot high roof elevations with roof access structures that extend ten feet above the roof.

In SEADIP Subarea 29, 43 foot high architectural elements over 35 foot high rooflines will not significantly impair public views to the coast. The 35 foot high buildings may block views from Pacific Coast Highway toward Alamitos Bay Marina, but the architectural elements will not. An additional eight feet over the 35 foot height limit will not block any more public view area than would a 35 foot high building.

Staff is recommending that the Commission modify the height limit standard for architectural elements so that it only applies to Subarea 29 where the City has already approved the shopping center. The City is in agreement with the suggested modification that would limit the proposed height increase to SEADIP Subarea 29 only (Exhibit #9). Subarea 29 is the location of the 67,930 square foot retail/commercial shopping center approved by local coastal development permit No. 9702-18 (Exhibits #3&4).

If modified to limit the additional height to Subarea 29 only, the proposed revision would be a minor change because the additional eight feet of building height would only be allowed for architectural elements on one site where the City has already approved a local coastal development permit for a shopping center.

The Commission finds that the proposed LCP amendment increasing the height limit for architectural elements conforms to and can carry out the provisions of the certified LUP. The City requested modification that would limit it to Subarea 29 only also conforms to and can carry out the provisions of the certified LUP.

#### Curb Cuts

The certified LCP allows curb cuts on Pacific Coast Highway, Westminster Avenue, Studebaker Road and Seventh Street only if it can be shown that inadequate access exists from the local streets in a development. Pacific Coast Highway, Westminster Avenue, Studebaker Road and Seventh Street are the main traffic arteries in the SEADIP area. These road provide vehicular access to the coast from the inland areas.

In the currently certified SEADIP Specific Plan's provisions that apply to all subareas, Item 14 (Curb Cuts) states:

14. No additional curb cuts shall be permitted on Pacific Coast Highway, Westminster Avenue, Studebaker Road, or Seventh Street, unless it

can be shown that inadequate access exists from local streets. This restriction shall not preclude the provision of emergency access from these streets as may be required by the City.

This LCP amendment request would replace the currently certified curb cut standard (Item 14) with the following revised standard:

14. Curb cuts shall be permitted on Pacific Coast Highway, Westminster Avenue, Studebaker Road and Seventh Street subject to the approval of the City Traffic Engineer and/or CALTRANS, where appropriate.

The proposed revision is a minor change because both the currently certified standard and the proposed revised standard allow curb cuts on the main traffic arteries in the SEADIP area. The issue is not a public parking issue because there are no public parking spaces along Pacific Coast Highway in southeast Long Beach. The curb cut issue is a traffic and circulation issue. Curb cuts should be minimized in order to maximize the flow of traffic on these busy streets. Caltrans and the City Traffic Engineer are the experts in traffic and roadway design. Therefore, it is Caltrans and the City Traffic Engineer that can best determine whether inadequate access exists from local streets in new developments.

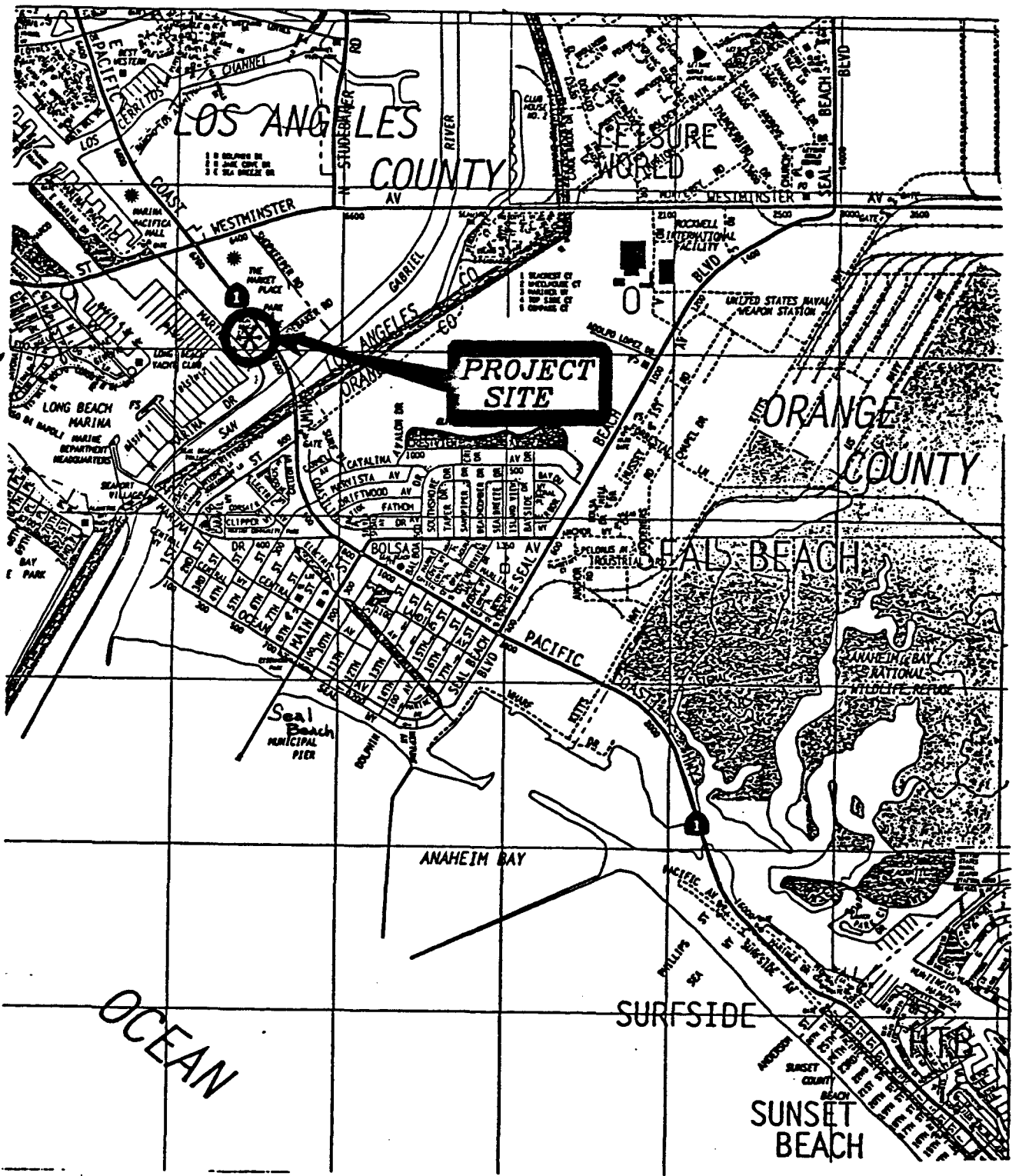
The certified LUP does not address the issue of curb cuts. The proposed amendment to the curb cut standard does not conflict with any certified LUP policies. Therefore, the proposed amendment to the curb cut standard of SEADIP conforms to, and can carry out the provisions of the certified LUP.

C. California Environmental Quality Act (CEQA)

Pursuant to the California Environmental Quality Act (CEQA) and the Coastal Commission's regulations [see California Code of Regulations, Title 14, Sections 13540(f), 13542(a), 13555(b)] the Commission's certification of this implementation plan amendment must be based in part on a finding that it is consistent with CEQA Section 21080.5(d)(2)(A) of the Public Resources Code requires that the Commission not approve or adopt an LCP:

...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 Commission finds that for the reasons discussed in this report, the LIP amendment, if modified as suggested, will have no significant adverse impacts on the environment. There are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Commission further finds that the proposed LIP amendment is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.



NO SCALE

UNSCOTT  
LAW &  
GREENSPAN  
ENGINEERS

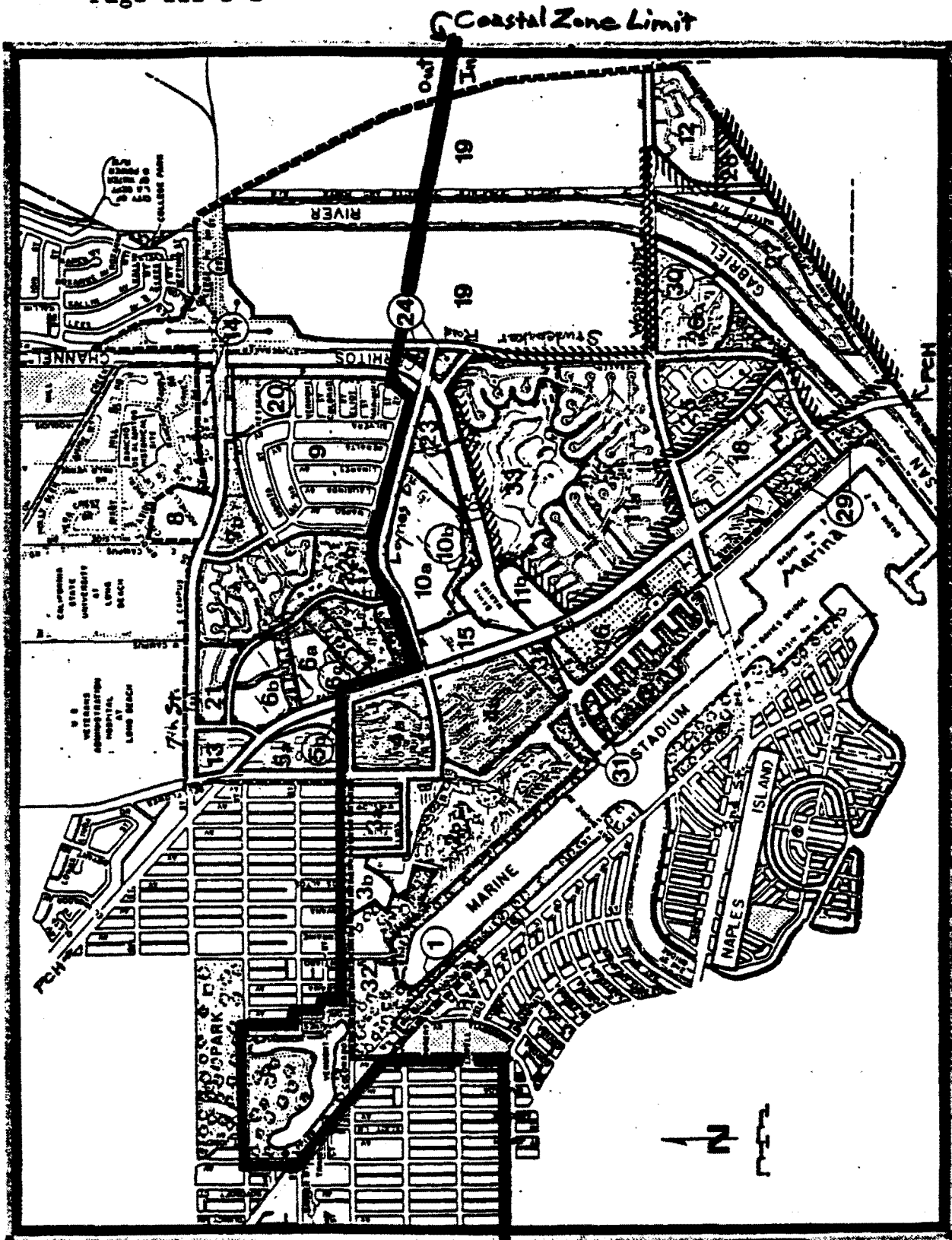
COASTAL COMMISSION

**LB LCP 2-98B**

EXHIBIT # **1**

VICINITY MAP

PCH • STUDEBAKER MARKET CENTER, LONG BEACH



SEADIP PLAN SUBAREAS

# SEADIP SPECIFIC PLAN

# COASTAL COMMISSION

### Boundary Lines:

**Coastal Zone**

----- SEADIP

~~////////~~ Properties Omitted from LCP

EXHIBIT # 2

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## SUMMARY OF LAND USES

SEADIP Area	Owner/Developer/Project	Approximate Gross Acreage	Proposed Use	Dwelling Units	DU Density Per Acre
1	San Gabriel River Improvement Co.-	4	Residential	38	9.5
2 (b)	Southern Pacific Land Company	54	Residential	453	8.4
3 (b)	Marina Pacifica (Phase IB)	5	Residential	33	6.6
4 (a)	Bank of America--RLM Oil	21	Residential	126	6.0
4 (b)	Chazen: Pacific Highlands	48	Residential	198	4.1
5 (b)	Roe: Costa del Sol	4	Residential	10	2.5
6 (b)	CalTrans*	11	Residential	198	18.0
6 (c)	Bixby: Pathways Related	6	Residential	500	5.6
7 (a)	Bixby: Pathways Extension (Apts.)	11	Residential		
7 (b)	Bixby	51	Residential		
21 (b)	Bixby: Golf Course*	24	Commercial Recreation		
7 (b)	S & S Construction	9	Residential	45	5.0
8	S & S Construction	8	Residential	129	15.6
10 (b)	Lansdale	3	Residential	35	11.7
11 (a)	Bixby	91	Residential	764	8.4
11 (b)	Roe	6	Residential	50	8.4
14	CalTrans*	6	Residential	18	3.0
22 (a)	San Gabriel River Improvement Co.	6	Residential	48	8.0
26 (a)	Bryant	10	Residential	95	9.5
27	Bryant	20	Residential	190	9.5
33	Bixby*	55	Marsh and Trails	-	-
PROPOSED RESIDENTIAL AREA SUBTOTALS		450		2,926	6.50
25	Bixby	49	Business Park		
26 (b)	Bryant	28	Business Park		
29	San Gabriel River Improvement Co.	9	Non-retail Commercial		
PROPOSED BUSINESS-COMMERCIAL AREA SUBTOTALS		86	Office-Restaurants Commercial Recreation		
5 (b)	CalTrans*	4	Landscaped Open Space		
14	CalTrans*	34	Landscaped Open Space		
20	City of Long Beach	2	Landscaped Open Space		
22 (b)	Bixby*	24	Commercial Recreation		
23	Bixby	8	Active/Passive Park		
24	Bixby	2	Stream Side Park		
28	Orange County	3	Retention Basin		
30	Bryant	5	Stream Side Park		
31	City of Long Beach	6	Stream Side Park		
32	City of Long Beach	35	Passive/Active Park		
33	Bixby*	55	Marsh and Trails		
OPEN SPACE-PARK AREA SUBTOTALS		180			
2 (a)	Marina Pacifica IA	26	(Residential)	570	21.9
3 (a)	Colorado Street	10	(Residential)	115	11.5
5 (a)	Stoneybrook	13	(Residential)	570	43.9
6 (a)	Pathways	17	(Residential)	370	21.8
9	College Park Estates	76	(Residential)	406	5.3
10 (a)	Belmont Shore Mobile Home Estates	32	(Residential)	335	10.5
12	Island Village	19	(Residential)	190	10.0
EXISTING RESIDENTIAL AREA SUBTOTALS		193		2,566	13.24
13	Bixby Village Plaza	7	(Shopping Center)		
15	Golden Sails	9	(Motel-Restaurant)		
16	Marina Pacifica Village	26	(Shopping Center)		
17	Edgewater Hyatt House	22	(Motel)		
18	The Market Place	21	(Shopping Center)		
19	Los Angeles City-- Edison Steam Generating Plants	285	(Power Generation)		
EXISTING COMMERCIAL-INDUSTRIAL AREA SUBTOTALS		370			
	City of Long Beach	32			
	Flood Channels	167			
	Streets	112			
MISCELLANEOUS PUBLIC SUBTOTALS		311			
GRAND TOTALS--RESIDENTIAL LAND		643		5,462	8.52

\*Counted in two categories.

Note: At the local adoption hearings on this LCP the Los Angeles County portions of SEADIP were deleted from the LCP until the extent of the wetlands can be determined by State agencies. Parcels deleted are 33, 11a, 25, 26a, 26b, 27, 28, and 30. At the State Commission hearings, parcel 11b was also deleted from this submittal.

COASTAL COMMISSION

EXHIBIT # 2

PAGE 2 OF 2

# Alamitos Bay Marina Parking Lot

SECONDARY ENTRY/EXIT  
(FULL ACCESS, UNSIGNALIZED)

④ SERVICE ENTRY/EXIT

RIGHT-TURN  
IN/OUT DRIVEWAY

⑥

MARINA DRIVE

⑤

STUDEBAKER ROAD

PUMP  
PAD A  
5,000 SF.

SHOPS  
1  
1,500 SF.

SHOPS  
2  
1,500 SF.

MARKET  
4,000 SF.

③

PACIFIC COAST HIGHWAY

②

①

RIGHT-TURN  
IN/OUT DRIVEWAY

PRIMARY ENTRY/EXIT  
(RESTRICTED ACCESS, UNSIGNALIZED)

SERVICE ENTRY/EXIT

COASTAL COMMISSION

LCP 2-98B

EXHIBIT # 3



NO SCALE

UNSCOTT  
LAW &  
GREENSPAN  
ATTORNEYS

SOURCE: NADEL ARCHITECTS, INC.

KEY

① - PROJECT DRIVEWAY

PROPOSED SITE PLAN

PCH • STUDEBAKER MARKET CENTER, LONG BEACH



5-LOB-98-065



ZONING DIVISION

# CITY OF LONG BEACH

DEPARTMENT OF DEPARTMENT OF PLANNING & BUILDING

Long Beach, CA 90802 (562) 570-6607 FAX (562) 570-6068

RECEIVED  
APR 3 1998

## NOTICE OF FINAL ACTION

**Case No.** 9702-18  
**Project Location:** 6500 E. Pacific Coast Highway  
**Applicant:** Mr. Joel Miller, Psomas and Associates  
**Applicant Address:** 3420 Ocean Park Avenue, Suite #1040  
Santa Monica, CA 90405

CALIFORNIA  
COASTAL COMMISSION

### Permits Requested:


Local Coastal Program (General Plan) Amendment/Southeast Area Development and Improvement Plan PD-1 (SEADIP) Amendment/Local Coastal Development Permit/Site Plan Review/Standards Variance

### Project Description:

A new 67,930 sq. ft. commercial development with 340 on-site parking spaces with code exceptions to allow 23% open space (instead of not less than 30%) and a 15 ft. setback for a portion of a building along Marina Drive (instead of not less than 20 ft.)

**Action was taken by the:** City Council on:  
March 17, 1998  
**Decision:** Conditionally Approved  
**Action is final:** March 17, 1998

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

  
Robert Benard  
Zoning Administrator  
Attachments

  
Harold Simkins, Senior Planner  
Project Planner Phone No. 570-6607  
Council District: 3

COASTAL COMMISSION  
LCP 2-98B

EXHIBIT # 4  
PAGE 1 OF 8

**LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS**

**Case No. 9702-18**

**March 17, 1998**

Pursuant to Chapter 21.25, Division IX of the Long Beach Municipal Code, the City shall not approve a Local Coastal Development Permit unless positive findings are made consistent with the criteria set forth in the Local Coastal Development Permit regulations.

**1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PLAN.**

A positive finding can be made on this item.

The Local Coastal Program (LCP) deals with development in this area by referring to subarea 29 of the Southeast Development and Improvement Plan (SEADIP). An amendment to the LCP and SEADIP is part of the application. Once the amendments are adopted, conformity will be achieved.

**2. FOR THE DEVELOPMENT SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE: THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT.**

This development is not seaward of the nearest public highway to the shoreline.

**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 2 OF 8

# Site Plan Review/Coastal Permit/Standards Variance

## CONDITIONS OF APPROVAL

Case No. 9702-18

Date: March 17, 1998

1. The use permitted hereby on the site, in addition to uses permitted in the Southeast Area Development and Improvement Plan PD-1 (SEADIP) shall be a 67,930 sq. ft. commercial development with 340 on-site parking spaces with a code exceptions to allow a 15 ft. setback for a portion of a building along Marina Drive (instead of not less than 20 ft.) and 28% open space (instead of not less than 30%).
2. This permit and all rights hereunder shall terminate within one year of the effective date of the Site Plan Review/Coastal Permit/Standards Variance unless construction or the use has commenced or a written time extension is granted, based on a written request submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
3. This approval shall be invalid if the owner(s) and applicant(s) have not returned a written acknowledgment of their acceptance of the conditions of approval on forms supplied by the Planning Department. This acknowledgment must be submitted within one month from the date of this approval.
4. Violation of any of the conditions of this Site Plan Review/Coastal Permit/Standards Variance shall be cause for the issuance of an infraction, citation, prosecution, and/or revocation and termination of all rights thereunder by the City of Long Beach.
5. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use and development of said property as set forth by this t together with all conditions which are a part thereof. The specific requirements must be recorded with all title conveyance documents at time of closing escrow if the same use is to be continued.
6. This approval is required to comply with these Conditions of Approval as long as this use is on this site. As such the site shall allow periodic re-inspection to verify compliance. When such inspection is carried out, the property owner or the responsible party of the property shall reimburse the city for the cost according to the special building inspection established by City Council.
7. All operational conditions of these permits shall be posted in a location visible to the public, in such a manner as to be readable when the use is open for business.
8. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Planning and Building Department. These conditions must be printed on the site plan or a subsequent reference page.

**COASTAL COMMISSION**

EXHIBIT # 4

PAGE 3 OF 8

9. Approval of this development project is expressly conditioned upon payment, (prior to building permit issuance, or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established city service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
10. The Director of Planning and Building is authorized to make minor modifications to the approved concept design plans or any of the conditions without benefit of an additional public hearing before the Planning Commission if such modifications shall achieve substantially the same results as would strict compliance with said plans and conditions and if no detrimental effects to neighboring properties are caused by said modifications.
11. Prior to the release of the building permit, the applicant shall submit complete landscape and irrigation plans for the discretionary approval of the Director of Planning and Building. The applicant must install street trees (with tree well grates) capable of achieving a significant canopy to the installation specifications of the Street Tree Division of the Bureau of Public Service. The applicant shall install root guards for all street trees, to the specifications of the Director of Public Works.
12. Site development, including landscaping, shall conform to plans approved and on file in the Department of Planning and Building.
13. Where feasible, landscaped areas should be planted with drought tolerant plant materials. These plant types should contribute to the aesthetic value of the building as a whole.
14. All landscaped areas must be provided with water conserving automatic irrigation systems, designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk. Periodic re-inspections will be conducted by city officials to verify that all sprinkler system are working appropriately. The property owner shall reimburse the city for the cost according to the special building inspections specifications established by City Council.
15. All landscaped areas must be maintained in a neat, and healthy condition, including public parkways and street trees. Any plant materials that happen to die must be replaced. Furthermore, the property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.

**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 4 OF 8

16. The operator of the use shall prevent loitering in all parking and landscaping areas serving the use during and after hours of operation. The operator must clean the parking and landscaping areas of trash debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Planning and Building may require additional preventive measures such as but not limited to, additional lighting or private security guards.
17. All parking and common areas shall be provided with appropriate security lighting with light and glare shields so as to avoid any light intrusion onto adjacent or abutting residential uses.
18. All rooftop mechanical equipment must be screened from any public view. Said screening must be architecturally compatible with the building in terms of materials, textures, and colors. If the screening is not designed specifically into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Planning and Building.
19. All structures shall conform to Building Code requirements. Notwithstanding these permits, all required permits from the Building and Safety Bureau must be secured.
20. All commercial projects must submit a planned sign program for review and approval of the Director of Planning and Building prior to the issuance of a building permit.
21. The operator of the use shall provide security measures to the satisfaction of the Chief of Police.
22. Any graffiti found on site must be removed within 24 hours of its discovery.
23. Site preparation and construction activities shall be conducted in a manner which minimizes dust.
24. Demolition, site preparation, and construction activities are limited to the hours between 7:30 a.m. and 6:00 p.m., except for the pouring of concrete, which may occur as needed.
25. Any off-site improvements found damaged shall be replaced to the satisfaction of the Director of Public Works.
26. All unused curb cuts must be replaced with full height curb, gutter, and sidewalk. Any proposed curb cuts shall be constructed to the specifications of the Director of Public Works.
27. All required utility easements shall be provided for to the satisfaction of the concerned department or agency.

**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 5 OF 8

28. The applicant/developer shall provide the following right-of-way vacations, dedications, and off-site improvements to the satisfaction of the Director of Public Works:
- a. Dedicate 7 ft. along Pacific Coast Highway;
  - b. Provide a combined bike path/sidewalk on Pacific Coast Highway. The combined sidewalk/bike path shall be 13 ft. in width, with the 5 ft. sidewalk located between Pacific Coast Highway and the 8 ft. bike path;
  - c. Restripe Pacific Coast Highway at the main driveway (driveway #2) to provide a minimum 100 ft. northbound left-turn pocket, with a 90 ft. transition, in the painted center median;
  - d. Widen Pacific Coast Highway at the main driveway (driveway #2) to provide a separate southbound 100 ft. right-turn pocket with a 60 ft. transition and restrict outbound traffic to right hand turns only;
  - e. Provide a grading/drainage plan;
  - f. Provide sidewalk with the approved paving material on Pacific Coast Highway, Studebaker Road, and Marina Drive;
  - g. Provide street lights on the street frontage perimeter of the entire site as necessary;
  - h. Provide for compliance to Area Traffic Improvement Measures listed in the Mitigation Monitoring Program for improvements to the intersections of Pacific coast Highway at Westminster-2nd Street, N. Studebaker Road at Westminster Avenue, Pacific Coast Highway at Studebaker Road, and Pacific Coast Highway at Main Street-Bolsa Avenue; and
  - i. Restripping and median modifications on Studebaker Road and Marina Drive shall be provided as access improvements.
29. The applicant/developer shall provide a water flow plan and appropriate fire hydrants to the satisfaction of the Fire Department.
30. The applicant/developer shall provide the following design elements/improvements to the satisfaction of the Director of Planning and Building;
- a. Design and construct a separate drain to the street for wash down water in and around all trash enclosure. No wash down drainage water shall be allowed to flow over the sidewalks into the street. All trash enclosures shall have a stucco finish and painted to match the color of adjacent structures;

COASTAL COMMISSION

- b. Provide for compliance with the Transportation Demand Management Ordinance requirements including, but not limited to, provisions for a transportation information area, preferential carpool/vanpool parking areas, and bicycle parking areas on-site;
  - c. Sign area shall not exceed the size specified by the sign code (freestanding signs are currently oversize);
  - d. Provide a fence along the north property line;
  - e. Exposed roof drains shall be prohibited on the exterior facade of all buildings;
  - f. Landscape the 2 ft. overhang area for all parking areas facing a landscape planter;
  - g. Provide compliance with the landscape standards of the code relative to the number of trees and shrubs while selecting a species that is sensitive in maintaining the view corridors toward the marina on the west side of the development. Trees may be clustered as required. The landscape plan shall utilize grass berms and a strong palm tree theme on the perimeter of the site. All existing palms shall be used in the landscape plan. Shrubs shall be required against structures. Several tall palms shall be required in the walkway in front of the market building;
  - h. A formal landscaped entry with a landscaped median shall be provided at the main driveway. The parking south of the entry shall be eliminated to provide additional open space and landscaping. A lawn berm and an upright palm tree theme shall be emphasized. Care shall be taken to not obstruct sight lines for traffic safety;
  - i. Relocate and/or design the freestanding signs so they will not obstruct view corridors;
  - j. A park like setting shall be created with the landscape plan. A minimum of 28% open space shall be provided;
  - k. Transformers shall not be allowed in the 20 ft. required setback along the street frontage; and
  - l. Provide an additional roof line on the north elevation of the market to improve the design as viewed from Pacific Coast Highway.
31. The applicant/developer/operator shall be required to provide information on the presence of methane gas, and if applicable, provide a method of removal and/or detection of the gas to the satisfaction of the Director of Planning and Building.

**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 7 OF 8

32. The applicant/developer/operator shall be required to provide compliance to the Mitigation Monitoring Program of EIR 25-97 to the satisfaction of the Director of Planning and Building.

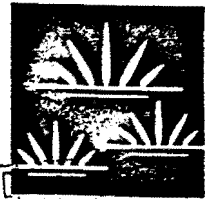
COASTAL COMMISSION

EXHIBIT # 4  
PAGE 8 OF 8



# GLENN LUKOS ASSOCIATES

Regulatory Services



RECEIVED  
MAY 5 1998

CALIFORNIA  
COASTAL COMMISSION

April 30, 1998

Leslie MacNair  
California Department of Fish and Game  
Marine Resources Division  
330 Golden Shore, Suite 50  
Long Beach, California 90802

Subject: Wetland Determination for Marina Shores Property Located at 6655 Marina Drive, Long Beach, California

Dear Ms. MacNair:

Glenn Lukos Associates (GLA) has evaluated the above-mentioned site [Exhibits 1 and 2] to evaluate the potential presence of U.S. Army Corps of Engineers (Corps) jurisdiction pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. GLA has also evaluated the site to determine the site's jurisdictional status pursuant to the California Coastal Act.

At the direction of Coastal Commission Staff, GLA is seeking concurrence from CDFG that the site does not support jurisdictional wetlands, as defined by the California Coastal Act. If, after reviewing this report, you would like to visit the site, such arrangements could be made to accommodate your busy schedule; however, we hope that this report provides sufficient information for you in making your wetland determination, as requested by the Coastal Commission staff. Coastal Commission staff has requested that the comments be submitted by Thursday May 7, 1998.

## Project Location

The Marina Shores Site in Long Beach, Los Angeles County [Exhibit 1], comprises approximately 6 acres and contains no blue-line drainages (as depicted on the U.S. Geological Survey (USGS) topographic map Los Alamitos, California [dated 1964 and photorevised in 1981]) [Exhibit 2]. The site is completely surrounded by development and is bounded by Marina Drive, Studebaker Road, Pacific Coast Highway, and an existing resort Hotel.

## Site History

The site supported wetlands until early in 1928 when the site and surrounding lands were covered by approximately six feet of fill, converting wetlands to upland. This activity was conducted prior

COASTAL COMMISSION

LCP 2-98B

EXHIBIT # 5

PAGE 1 OF 3

to passage of the California Coastal Act (or the Clean Water Act), and as such was an unregulated, legal activity.

Chevron Oil constructed a facility for refining natural gas on the site which operated from 1928 to the mid 1970's at which point the activity was discontinued. Operation of the natural gas refinery resulted in the discharge of various soil contaminants, mostly hydrocarbons, into the soil (which was actually fill from the previous legal conversion of wetland to upland) on the site. It was subsequently determined that remediation of the soil was necessary. Remediation was conducted by Levine-Fricke in 1993 which included removing soil over approximately two-thirds of the site to a depth of about 12 feet (the depth of the water table), cleaning the soil, replacing the soil, and finally mixing and compacting the soil. Finally, the site was recontoured, and at the request of the City of Long Beach and Caltrans, the site was graded to its current topography which is depressional [Exhibit 3, Photographs A and B]. The depressional topography was created as a temporary measure, intended to prevent sediments and excessive runoff from exiting the site onto the abutting public streets. Upon final buildout of the site, the exposed soils would be covered and adjacent stormdrains would be improved to handle runoff from the site.

#### Current Conditions on the Site

Currently, the site supports a predominance of ruderal species typically associated with human disturbance [Exhibit 3, Photographs A and B]. The majority of the site is dominated by non-native herbaceous species that include slender-leaved iceplant (*Mesembryanthemum nodiflorum*), sickle grass (*Parapholis incurva*), five-hook bassia (*Bassia hyssopifolia*), bur clover (*Medicago polymorpha*), and rabbitsfoot grass (*Polypogon monspeliensis*). In addition to the predominance of non-native ruderal species, the site supports scattered native hydrophytes in very limited numbers including saltgrass (*Distichlis spicata*), alkali heath (*Frankenia salina*), heliotrope (*Heliotropium curassavicum*), pickleweed (*Salicornia virginica*), and alkali bulrush (*Scirpus maritimus*). In addition, the corner of the site adjacent to the corner of Studebaker Road and Pacific Coast Highway supports a population of southern tarplant (*Hemizonia parryi* var. *australis*).<sup>1</sup>

#### Wetland Determination

Because of the temporary depressional topography on the site (created intentionally following remediation), portions of the site pond water for a few weeks to a few months, depending on the rainfall regime, thereby providing sufficient water to support the limited amount of native and

<sup>1</sup> The southern tarplant was identified during biological surveys conducted for the environmental impact report (EIR), recently prepared (and certified) for the project, and will be subject to mitigation as conditioned in the EIR.

COASTAL COMMISSION

EXHIBIT # 5

PAGE 2 OF 3

Leslie MacNair  
California Department of Fish and Game  
April 30, 1998  
Page 3

non-native wetland vegetation. However, because the area that exhibits seasonal ponding is clearly artificial and temporary, created as a final remediation measure (and necessary only until the stormdrains are improved) GLA has determined that the site does not support jurisdictional wetlands as defined by the California Coastal Act due to the artificial and temporary nature of the hydrology on the site.

On April 28, 1998 a meeting was held at the Coastal Commission Offices in Long Beach. At that meeting, Coastal Commission staff Pam Emerson and Chuck Posner indicated that the Coastal Commission would look to CDFG to provide a wetland determination for the site. It is our desire, as well as the desire of Coastal Commission Staff, to obtain such a determination as soon as possible as it appears that the project will be considered for approval by the Commission in June. They directed us to coordinate directly with you and to provide the background information contained in this letter. If you believe that the information contained in this letter is sufficient to allow you to make such a determination please FAX the response to Pam Emerson and Chuck Posner directly at (562) 590-5084.

If you have any questions please of if there is anything that I can do to help to expedite your response regarding these matters please contact me at (949) 837-0404.

Sincerely,

GLENN LUKOS ASSOCIATES

Tony Bomkamp  
Regulatory Specialist

cc: Pam Emerson  
Chuck Posner  
Joel Miller  
Dan Selleck

S:0269-1a.dfg

COASTAL COMMISSION

EXHIBIT # 5  
PAGE 3 OF 3

1 RESOLUTION NO. C-27312

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH ADOPTING, AFTER PUBLIC  
5 HEARING, AMENDMENT NO. 1-98 TO THE LOCAL  
6 COASTAL PROGRAM RELATING TO SECTION A,  
7 "PROVISIONS APPLYING TO ALL AREAS" AND SUBAREA  
8 29 OF THE SOUTHEAST AREA DEVELOPMENT AND  
9 IMPROVEMENT PLAN (SEADIP) (PD-1)

10  
11 The City Council of the City of Long Beach resolves as  
12 follows:

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

15 A. Pursuant to the California Coastal Act of  
16 1976, the City Council approved the Local Coastal Program  
17 for the City of Long Beach on April 29, 1980; and

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

20 C. The California Coastal Act, at Public  
21 Resources Code Section 30514, provides a procedure for  
22 amending local coastal programs; and

23 D. Following duly noticed public hearings on  
24 June 5, 1997, June 19, 1997, and January 15, 1998, the  
25 Planning Commission of the City of Long Beach reviewed  
26 certain proposed Amendments to the Local Coastal Program,  
27 and approved and recommended that the City Council adopt  
28 such Amendments to the Local Coastal Program, as described

John R. Calloun  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
(562) 570-2200

1 in this Resolution; and

2 E. That on January 15, 1998, after due  
3 consideration of appropriate environmental documents, and  
4 after public hearing duly noticed and conducted, the City  
5 Council considered and approved a revision to the Local  
6 Coastal Program relating to Subarea 29 of the Southeast  
7 Area Development and Improvement Plan (SEADIP) (PD-1); and

8 F. These Amendments to the Local Coastal  
9 Program are intended to be carried out in a manner fully  
10 in conformity with the California Coastal Act; and

11 G. These Amendments to the Local Coastal  
12 Program shall be effective upon certification and approval  
13 by the California Coastal Commission.

14  
15 Sec. 2. The City Council hereby amends the Local Coastal  
16 Program, Section A, "Provisions Applying to All Areas", to read as  
17 follows:

18 A. PROVISIONS APPLYING TO ALL AREAS

19 1. Homes and offices shall be oriented toward open  
20 space, green belts and water wherever possible. Vehicular  
21 access shall generally be provided from the side opposite  
22 these natural amenities.

23 2. Areas which are designated for single-family  
24 detached dwellings shall be developed in accordance with  
25 R-1-N standards. However, if the area is to be re-  
26 subdivided, lot size and lot width and setback may be  
27 reduced provided that adequate common open space and guest  
28 parking are provided, and that the design is consistent

John R. Calhoun  
City Attorney of Long Beach  
333 West Ocean Boulevard  
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1 with the adjacent residential development.

2 3. Prior to issuance of a building permit, all  
3 infrastructure, including street improvements, fire  
4 hydrants, water lines, storm drains, and sanitary sewers  
5 shall be constructed on a block basis in accordance with  
6 the approved plans. Such improvements, including  
7 engineering plans, shall be financed by subdivider(s) or  
8 by an assessment district or both.

9 4. A minimum of thirty percent of the site shall  
10 be developed and maintained as usable open space (building  
11 footprint, streets, parking areas and sidewalks adjacent  
12 to streets shall not be considered usable open space.  
13 Bicycle and pedestrian trails not included within the  
14 public right-of-way may be considered usable open space).  
15 All buildings shall be set back a minimum of twenty feet  
16 from all public streets and a wider setback may be  
17 required by individual subarea. Within this minimum  
18 twenty-foot setback area, a strip having a minimum width  
19 of ten feet and abutting the street shall be attractively  
20 landscaped.

21 5. The maximum height of buildings shall be 30 feet  
22 for residential and 35 feet for non-residential uses,  
23 unless otherwise provided herein. In non-residential  
24 developments, architectural features such as tower  
25 elements may be approved up to a height of 43 feet through  
26 the Site Plan Review process.

27 6. Minimum parking for each residential unit shall  
28 be the same as required City-wide by the zoning

1 regulations; except that, in that part of SEADIP within  
2 the coastal zone, coastal zone standards shall apply.  
3 Minimum parking for commercial and industrial uses shall  
4 be provided in accordance with parking standards as  
5 specified in the zoning regulations.

6 7. Navigable waterways shall not be extended unless  
7 it can be demonstrated that such extension will not have  
8 an adverse impact on water quality and boat traffic.

9 8. All developments shall be open and inviting to  
10 the public; the public shall not be excluded from use of  
11 private streets and bicycle and pedestrian trails,  
12 although the public may be excluded from private yard  
13 areas, from private recreation areas designed for the use  
14 of residents of the development, and from private drives  
15 serving parking lots and garage structures reserved for  
16 residents and their guests.

17 9. All development shall be designed and  
18 constructed to be in harmony with the character and  
19 quality of surrounding development so as to create  
20 community unity within the entire area.

21 10. Developers shall construct public open space,  
22 trails, pathways and bicycle trails for each development  
23 in such a manner that they will be generally accessible  
24 to the public and that they will interconnect with similar  
25 facilities in adjacent developments so as to form an  
26 integrated system of open space and trails connecting  
27 major points of destination.

28 11. Public access shall be provided to and along the

COASTAL COMMISSION

EXHIBIT # 6  
PAGE 4 OF 9

John R. Calhoun  
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1 boundaries of all public waterways as provided for in the  
2 wetlands restoration plan.

3 12. Public views to water areas and public open  
4 spaces shall be maintained and enhanced to the maximum  
5 extent possible, consistent with the wetlands restoration  
6 plan.

7 13. Adequate landscaping and required irrigation  
8 shall be provided to create a park-like setting for the  
9 entire area. A landscaped parkway area shall be provided  
10 along all developments fronting on Pacific Coast Highway,  
11 Westminster Avenue, Studebaker Road, Seventh Street and  
12 Loynes Drive.

13 14. Curb cuts shall be permitted on Pacific Coast  
14 Highway, Westminster Avenue, Studebaker Road and Seventh  
15 Street subject to the approval of the City Traffic  
16 Engineer and/or CALTRANS, where appropriate.

17 15. All utility lines shall be placed underground  
18 and utility easements shall be provided as required unless  
19 waived by the Commission on the advice of the Director of  
20 Public Works.

21 16. Developers shall construct, in accordance with  
22 plans approved by the Director of Public Works, all  
23 necessary sanitary sewers to connect with existing public  
24 sewers, and shall provide easements to permit continued  
25 maintenance of these sewers by the City where the City  
26 accepts responsibility for such maintenance.

27 17. Developers shall construct, in accordance with  
28 plans approved by the Director of Public Works, all new



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1 streets and ways within the area. All streets and ways  
2 will include:

3 a. Roadway pavement, curbs and sidewalks  
4 approved by the Director of Public Works. The sidewalk  
5 requirement may be waived or the sidewalk may be combined  
6 with an enlarged bicycle trail in such cases where the  
7 Commission and the Director of Public Works determine that  
8 an independent sidewalk is not required for pedestrian  
9 convenience and safety.

10 b. Water lines approved by the General Manager  
11 of the Water Department.

12 c. Fire hydrants approved by the Fire Chief  
13 and the General Manager of the Water Department.

14 d. Street lighting using low energy luminaries  
15 as approved by the Director of Public Works.

16 e. Storm drainage approved by the Director of  
17 Public Works.

18 f. Street trees approved by the Manager of the  
19 Park Bureau.

20 g. Street signs and pavement traffic markings  
21 approved by the Director of Public Works.

22 h. All traffic control devices required by the  
23 Director of Public Works.

24 18. Developers shall improve and dedicate to the  
25 City certain streets, recreation areas and other public  
26 facilities necessary to support the proposed private  
27 development, as specified by area in subsequent  
28 paragraphs. If any such required improvements are found

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1 by the Commission to be infeasible or undesirable for  
2 engineering, legal or other reasons, the Commission may  
3 accept alternative improvements proposed by the developer  
4 so long as they meet the intent of the original  
5 requirements and are consistent with the overall goals and  
6 objectives of the adopted Specific Plan. Developers shall  
7 make such improvements or furnish security in connection  
8 with such improvements prior to commencement of  
9 construction of adjacent areas which the improvements are  
10 designed to support; improvements may be phased with the  
11 phased construction of such adjacent areas. In those  
12 cases where the developer is to dedicate land area for  
13 subsequent improvement by the City, the developer shall  
14 not be required to convey such area until the City has  
15 budgeted funds for the improvements.

16 19. Developers shall make provision for the  
17 continued private maintenance of all common areas that are  
18 not to be dedicated and accepted by the City, and of all  
19 ways not to be dedicated and accepted by the City,  
20 including maintenance of street lighting, walks, curbs,  
21 storm drainage, water lines, fire hydrants, and street  
22 trees. Such provisions shall be perpetuated by their  
23 inclusion in the covenants, conditions, and restrictions  
24 of the property owners.

25  
26 Sec. 3. The City Council hereby amends the Local Coastal  
27 Program, Subarea 29 to read as follows:

28 a. Use: Commercial Office, Restaurants,

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1 Commercial Recreation and Commercial Retail uses.

2 b. All improved building sites shall have a  
3 minimum landscaped coverage of 15 percent and shall be  
4 provided with an irrigation system. Boundary landscaping  
5 shall be provided on all interior property lines. Parking  
6 areas shall be landscaped with a minimum of one tree per  
7 each five parking stalls.

8 c. No more than 5,000 square feet of floor  
9 area shall be used for medical/dental offices.

10 d. The developer shall construct a widening  
11 of Pacific Coast Highway in accordance with a plan  
12 prepared by the Director of Public Works which calls for  
13 a six lane, divided highway with sidewalks and bike trail,  
14 and dedicate the same to the City.

15 e. The developer shall dedicate and improve  
16 necessary land along the San Gabriel River bank to provide  
17 a pedestrian walk, bicycle trail and related landscaping,  
18 such development to continue one-half of the distance  
19 under the Pacific Coast Highway bridge to join with  
20 similar facilities in Area 25. Also, the developer shall  
21 continue Studebaker extension bikeway from Pacific Coast  
22 Highway to Marina Drive.

23  
24 Sec. 4. The Director of Planning and Building is hereby  
25 directed to submit a certified copy of this resolution, together  
26 with appropriate supporting materials, to the California Coastal  
27 Commission for certification pursuant to the California Coastal Act.

28 //

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1           Sec. 5.   This resolution shall take effect immediately  
2 upon its adoption by the City Council, and the City Clerk shall  
3 certify to the vote adopting this resolution.  
4

5           I hereby certify that the foregoing resolution was adopted  
6 by the City Council of the City of Long Beach at its meeting of  
7 March 17, 1998, by the following vote:

8       Ayes:       Councilmembers: Drummond, Roosevelt, Robbins.

9                                   Topsy-Elvord, Donelon, Kellogg.

10                                  Shultz.

11       Noes:       Councilmembers: Oropeza, Lowenthal.

12  
13       Absent:    Councilmembers: None.

14  
15  
16                                   Shelba Powell  
                                  City Clerk

17  
18  
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22  
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24  
25  
26  
27  
28   KJN:kjm  
     3/9/98  
     [RS] SEADIP.RES

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EXHIBIT # 6  
PAGE 9 OF 9

ORDINANCE NO. C-7528

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING ORDINANCE NO.  
C-5328, AS AMENDED, RELATING TO THE SOUTHEAST  
AREA DEVELOPMENT AND IMPROVEMENT PLAN (SEADIP)  
(PD-1); AND REPEALING ORDINANCE NOS. C-6058  
C-6424, C-6425, AND C-6448

WHEREAS, on July 19, 1977, the Long Beach City Council  
adopted Ordinance No. C-5328 establishing the Southeast Area  
Development and Improvement Plan (SEADIP);

WHEREAS, Ordinance No. C-5328 was amended by Ordinance No.  
C-5336 adopted August 9, 1977, by Ordinance No. C-5501 adopted June  
26, 1979, and by Ordinance No. C-6058 adopted May 22, 1984.  
Ordinance No. C-6058 was amended by Ordinance No. C-6424 adopted  
September 22, 1987, by Ordinance No. C-6425 adopted September 22,  
1987, and by Ordinance No. C-6448 adopted December 22, 1987.

NOW, THEREFORE, the City Council of the City of Long Beach  
ordains as follows:

Section 1. The Southeast Area Development and Improvement  
Plan (SEADIP) (PD-1) development and use standards are hereby  
adopted and restated in its entirety to read as follows:

//

//

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SOUTHEAST AREA DEVELOPMENT AND IMPROVEMENT PLAN  
(SEADIP PLAN)

The Southeast Area Development and Improvement Plan provides for a total community of residential, business and light industrial uses integrated by an extensive system of parks, open space, and trails. The residential areas shall be family-oriented; the predominant type shall be sales units, although provision is also made for moderately priced apartments as well as luxury condominium units. In reviewing and approving site plans and tract maps for the development of the areas within the City of Long Beach, the City Planning Commission shall be guided by the goals and policies of the Specific Plan and the Commission shall not permit variance from those standards unless it finds that such variance meets the intent of the original standards and is consistent with the overall goals and objectives of the adopted Specific Plan.

A. PROVISIONS APPLYING TO ALL AREAS

1. Homes and offices shall be oriented toward open space, green belts and water wherever possible. Vehicular access shall generally be provided from the side opposite these natural amenities.

2. Areas which are designated for single-family detached dwellings shall be developed in accordance with R-1-N standards. However, if the area is to be re-subdivided, lot size and lot width and setback may be reduced provided that adequate common open space and guest parking are provided, and that the design is consistent with the adjacent residential development.

3. Prior to issuance of a building permit, all

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1 infrastructure, including street improvements, fire hydrants, water  
2 lines, storm drains, and sanitary sewers shall be constructed on a  
3 block basis in accordance with the approved plans. Such  
4 improvements, including engineering plans, shall be financed by  
5 subdivider(s) or by an assessment district or both.

6 4. A minimum of thirty percent of the site shall be  
7 developed and maintained as usable open space (building footprint,  
8 streets, parking areas and sidewalks adjacent to streets shall not  
9 be considered usable open space. Bicycle and pedestrian trails not  
10 included within the public right-of-way may be considered usable  
11 open space). All buildings shall be set back a minimum of twenty  
12 feet from all public streets and a wider setback may be required by  
13 individual subarea. Within this minimum twenty-foot setback area,  
14 a strip having a minimum width of ten feet and abutting the street  
15 shall be attractively landscaped.

16 5. The maximum height of buildings shall be 30 feet for  
17 residential and 35 feet for non-residential uses, unless otherwise  
18 provided herein. In non-residential developments, architectural  
19 features such as tower elements may be approved up to a height of  
20 43 feet through the Site Plan Review process.

21 6. Minimum parking for each residential unit shall be the  
22 same as required City-wide by the zoning regulations; except that,  
23 in that part of SEADIP within the coastal zone, coastal zone  
24 standards shall apply. Minimum parking for commercial and  
25 industrial uses shall be provided in accordance with parking  
26 standards as specified in the zoning regulations.

27 7. Navigable waterways shall not be extended unless it  
28 can be demonstrated that such extension will not have an adverse

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1 impact on water quality and boat traffic.

2 8. All developments shall be open and inviting to the  
3 public; the public shall not be excluded from use of private streets  
4 and bicycle and pedestrian trails, although the public may be  
5 excluded from private yard areas, from private recreation areas  
6 designed for the use of residents of the development, and from  
7 private drives serving parking lots and garage structures reserved  
8 for residents and their guests.

9 9. All development shall be designed and constructed to  
10 be in harmony with the character and quality of surrounding  
11 development so as to create community unity within the entire area.

12 10. Developers shall construct public open space, trails,  
13 pathways and bicycle trails for each development in such a manner  
14 that they will be generally accessible to the public and that they  
15 will interconnect with similar facilities in adjacent developments  
16 so as to form an integrated system of open space and trails  
17 connecting major points of destination.

18 11. Public access shall be provided to and along the  
19 boundaries of all public waterways as provided for in the wetlands  
20 restoration plan.

21 12. Public views to water areas and public open spaces  
22 shall be maintained and enhanced to the maximum extent possible,  
23 consistent with the wetlands restoration plan.

24 13. Adequate landscaping and required irrigation shall be  
25 provided to create a park-like setting for the entire area. A  
26 landscaped parkway area shall be provided along all developments  
27 fronting on Pacific Coast Highway, Westminster Avenue, Studebaker  
28 Road, Seventh Street and Loynes Drive.

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1           14. Curb cuts shall be permitted on Pacific Coast Highway,  
2 Westminster Avenue, Studebaker Road and Seventh Street subject to  
3 the approval of the City Traffic Engineer and/or CALTRANS, where  
4 appropriate.

5           15. All utility lines shall be placed underground and  
6 utility easements shall be provided as required unless waived by the  
7 Commission on the advice of the Director of Public Works.

8           16. Developers shall construct, in accordance with plans  
9 approved by the Director of Public Works, all necessary sanitary  
10 sewers to connect with existing public sewers, and shall provide  
11 easements to permit continued maintenance of these sewers by the  
12 City where the City accepts responsibility for such maintenance.

13           17. Developers shall construct, in accordance with plans  
14 approved by the Director of Public Works, all new streets and ways  
15 within the area. All streets and ways will include:

16           a. Roadway pavement, curbs and sidewalks  
17 approved by the Director of Public Works. The sidewalk  
18 requirement may be waived or the sidewalk may be combined  
19 with an enlarged bicycle trail in such cases where the  
20 Commission and the Director of Public Works determine that  
21 an independent sidewalk is not required for pedestrian  
22 convenience and safety.

23           b. Water lines approved by the General Manager  
24 of the Water Department.

25           c. Fire hydrants approved by the Fire Chief and  
26 the General Manager of the Water Department.

27           d. Street lighting using low energy luminaries  
28 as approved by the Director of Public Works.

COASTAL COMMISSION

1 e. Storm drainage approved by the Director of  
2 Public Works.

3 f. Street trees approved by the Manager of the  
4 Park Bureau.

5 g. Street signs and pavement traffic markings  
6 approved by the Director of Public Works.

7 h. All traffic control devices required by the  
8 Director of Public Works.

9 18. Developers shall improve and dedicate to the City  
10 certain streets, recreation areas and other public facilities  
11 necessary to support the proposed private development, as specified  
12 by area in subsequent paragraphs. If any such required  
13 improvements are found by the Commission to be infeasible or  
14 undesirable for engineering, legal or other reasons, the Commission  
15 may accept alternative improvements proposed by the developer so  
16 long as they meet the intent of the original requirements and are  
17 consistent with the overall goals and objectives of the adopted  
18 Specific Plan. Developers shall make such improvements or furnish  
19 security in connection with such improvements prior to commencement  
20 of construction of adjacent areas which the improvements are  
21 designed to support; improvements may be phased with the phased  
22 construction of such adjacent areas. In those cases where the  
23 developer is to dedicate land area for subsequent improvement by the  
24 City, the developer shall not be required to convey such area until  
25 the City has budgeted funds for the improvements.

26 19. Developers shall make provision for the continued  
27 private maintenance of all common areas that are not to be dedicated  
28 and accepted by the City, and of all ways not to be dedicated and

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1 accepted by the City, including maintenance of street lighting,  
2 walks, curbs, storm drainage, water lines, fire hydrants, and street  
3 trees. Such provisions shall be perpetuated by their inclusion in  
4 the covenants, conditions, and restrictions of the property owners.

5  
6 B. RESPONSIBILITY FOR CONSTRUCTION AND MAINTENANCE OF  
7 WETLANDS AND BUFFERS

8 The Wetlands

9 1. The wetlands and associated habitats, and all fresh,  
10 brackish and tidal water supply and control systems, shall be  
11 constructed at the expense of the developers of Areas 11a, 25 and  
12 26, unless otherwise provided for by agreements between land owners  
13 and the managing agency. The developer(s) of Areas 11a and 25 shall  
14 be responsible for wetlands development of Areas 23 and 33. The  
15 developer(s) of Area 26 shall be responsible for wetlands  
16 development of Area 27.

17 2. Owing to the need to make connections with the  
18 existing tidal marsh, the major wetlands restoration project between  
19 Los Cerritos Channel and Westminster Boulevard shall be accomplished  
20 at one time. Restoration of wetlands north of the Los Cerritos  
21 Channel and south of the San Gabriel River need not be accomplished  
22 concurrently with the major restoration project, or with each other.  
23 Prior to the issuance of permits for residential, commercial or  
24 industrial development, each applicant shall develop a detailed  
25 phasing plan that assures that restoration of wetlands will be  
26 completed prior to or concurrently with the completion of urban  
27 development on related parcels as specified above. Said detailed  
28 phasing plans shall be submitted for approval to the agency

COASTAL COMMISSION

1 responsible for granting the coastal permit.

2 3. The standard of wetlands restoration is that it shall  
3 be completed prior to or concurrently with upland development on  
4 related areas. This standard may be satisfied by using one of the  
5 following options:

6 a. Percentage Option. Whenever part of the  
7 development acreage is built upon, an equal percentage of  
8 the future wetland acreage will be developed as wetlands;  
9 and

10 b. Acre-for-Acre Option. For every acre of  
11 wetland identified for fill and/or consolidation under the  
12 Local Coastal Plan that will be covered by the  
13 development, the developer shall improve one acre of  
14 wetland.

15 4. Exceptions to this standard may arise in Areas 25, 26  
16 and 27 where continuing oil operations and/or leasing problems may  
17 make it impossible to fulfill part of a permanent wetlands  
18 obligation in connection with upland developments. In such  
19 instances (and only in such instances), the following method of  
20 fulfilling the wetland obligation may be utilized.

21 a. The developer must first develop wetlands  
22 on all areas designated for wetlands which are not  
23 encumbered by active oil operations and/or leases.

24 b. If the full wetlands obligation is not  
25 satisfied thereby, the remainder of his obligation may be  
26 fulfilled by construction of interim wetland areas as a  
27 temporary wetlands restoration measure. If such an interim  
28 restoration alternative is needed, an interim wetlands

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1 restoration program may be developed for up to 8 acres of  
2 the total wetlands obligation for development of Parcel  
3 26, and up to 8 acres for development of Parcel 25, where  
4 continuing oil operations and/or leasing problems may  
5 interfere with the total restoration program as set forth  
6 in the Wetlands Enhancement Plan. Such a program shall  
7 be subject to review and approval by the Executive  
8 Director of the California Coastal Commission in  
9 consultation with the Department of Fish and Game.

10 This alternate interim wetlands restoration program,  
11 limited for up to 16 acres total, shall at minimum,  
12 include provisions that:

13 (1) Identify location and size of affected  
14 developable areas and proposed interim wetland areas, and  
15 provide for the construction of interim wetlands equal in  
16 productivity and size to areas filled. They shall be  
17 maintained for wildlife by the developer until such time  
18 as the major restoration program can be accommodated on  
19 encumbered lands.

20 (2) Provide for a monitoring system  
21 undertaken in conjunction with Department of Fish and  
22 Game, assuring biological values of the interim wetlands.

23 (3) Where legally possible, place deed  
24 restrictions over the interim wetlands prohibiting  
25 development in such areas until the implementation of the  
26 primary restoration program.

27 (4) Provide for the construction of the  
28 interim wetlands prior to or concurrently with the

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1 development of wetland areas of Areas 25 and 26 that  
2 cannot be directly mitigated by the acre-for-acre  
3 restoration option set forth in the land use plan.

4 (5) Insure that interim wetlands are to  
5 be viewed as temporary and shall not in any way be  
6 construed to increase the total wetland obligation within  
7 the study area. These areas may be converted to upland  
8 areas for development purposes upon completion of the  
9 primary restoration project.

10 (6) When sufficient on-site acreage is not  
11 available, use of off-site acreage within the San Gabriel  
12 River Wetlands system may be permitted for interim  
13 wetlands, with such location of off-site interim wetlands  
14 being subject to the approval of the Executive Director  
15 of the California Coastal Commission in consultation with  
16 the Department of Fish and Game.

17 5. If an owner/developer elects to utilize the  
18 temporary wetlands option to obtain permits and proceed with  
19 development, it is necessary to provide a mechanism which will  
20 assure that monies for future construction of permanent wetlands to  
21 replace the temporary wetlands will be available when such permanent  
22 construction is imminent. This is particularly important in view  
23 of the fact that many years may separate the construction of the  
24 temporary and permanent wetlands, and that during that span of time,  
25 title may change several times and the obligation for permanent  
26 wetlands construction may become clouded or lost. Therefore, when  
27 an owner/developer utilizes the temporary wetlands option (in the  
28 limited circumstances described in #4 above), he/she must deposit

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1 monies in a Wetlands Restoration Fund, under the terms described  
2 below, (or provide other means to guarantee development of the  
3 permanent wetlands):

4 a. The construction assurance funds shall  
5 be deposited at the time the developer applies for  
6 construction permits for a temporary wetlands program;

7 b. The amount of the funds to be deposited  
8 shall be derived from the cost estimate referred to in  
9 Item 5c, below;

10 c. The first developer shall be  
11 responsible for the preparation of construction drawings,  
12 specifications, and cost estimates for the total wetland  
13 plan in his area. Such cost estimates shall include a  
14 contingency factor which is normal and customary in  
15 projects of this magnitude and complexity. These shall  
16 be approved by the engineer of the local jurisdiction in  
17 consultation with the Department of Fish and Game;

18 d. The Wetlands Restoration Fund shall be  
19 established by the City of Long Beach when the first  
20 assurance payment is imminent. The fund shall be  
21 established in an interest-bearing account. Interest  
22 shall accrue to the account. As much as possible, the  
23 account shall be managed to earn sufficient annual  
24 interest to match the annual increases in the Consumer  
25 Price Index for Southern California.

26 Monies shall be withdrawn from the fund to pay for  
27 the construction of permanent wetlands deferred through  
28 use of the temporary option. Any monies remaining in the

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1 fund, including interest, after all wetlands are totally  
2 restored, shall be utilized for on-going maintenance of  
3 the wetlands.

4 When an agency or non-profit corporation accepts  
5 permanent management responsibilities of the wetlands, the  
6 Fund may be transferred to that agency or corporation.

7 e. Wetlands in those areas for which assurance  
8 funds were deposited shall be developed at the first  
9 available opportunity. When an agency or non-profit  
10 corporation accepts permanent management responsibilities  
11 of the wetlands, the Fund may be transferred to that  
12 agency or corporation.

13 6. Overall custodial and interpretive management and  
14 financial responsibility for maintenance of Los Cerritos Wetlands  
15 shall be vested in an appropriate governmental agency or private  
16 non-profit corporation upon the initiation of the first wetlands  
17 restoration project. Prior to issuance of any permits for any  
18 projects related to wetlands construction, nomination of the  
19 managing agency shall be made by the City of Long Beach with the  
20 concurrence of the State Department of Fish and Game.

21  
22 The Buffers

23 1. The wetlands are to be separated from urban  
24 developments by "buffers". In the context of this LCP, the buffers  
25 are treated as a part of the adjacent urban developments, as they  
26 will form a part of the amenities. Construction and maintenance of  
27 the buffers, therefore, falls entirely on the developers and their  
28 successors in interest. The reader should note that buffers are



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1 constructed only north of Westminster Boulevard. The restored  
2 wetlands south of Westminster Boulevard will have no buffers, owing  
3 to the fact that they will be separated from other uses by natural  
4 barriers.

5 2. Buffers between subareas 11a and 33 shall be created  
6 by developer(s) of 11a prior to or concurrently with development of  
7 upland areas. The berm between wetlands and development shall be  
8 created as a part of the grading operation of the wetland. If build  
9 out is phased over a period longer than two years, then the  
10 landscaping and irrigation system for the buffer can be phased with  
11 each phase of landscaping for the development with this exception;  
12 that at the beginning of each phase, prior to finish grading for  
13 that phase, a row of shrubs shall be planted at the top of the berm  
14 to offer protection during construction. Provisions must be made  
15 to deny public access to all portions of areas not included in the  
16 current building program. Design of the buffers must conform to the  
17 standards set forth in the certified Local Coastal Plan for the Los  
18 Cerritos Wetlands.

19 3. If urban developments remain the property of  
20 landowners and/or developers, they shall be responsible for  
21 continuous maintenance of the buffers. This responsibility shall  
22 run with the land. If urban developments become condominiums, the  
23 buffers shall become a part of the area held in common, and  
24 continuous maintenance shall be the responsibility of the property  
25 owner's association(s). The agency in charge of the management of  
26 the restored wetlands may provide comments and recommendations to  
27 those responsible for maintenance of the buffers if lack of proper  
28 maintenance is causing the buffers to fail in their primary mission

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1 to prevent visual and physical access to the wetlands habitats.  
2 Breeches in the buffer which seriously threaten habitat values in  
3 the wetlands, and which have been reported by the wetlands  
4 management agency and have not been repaired in a timely fashion by  
5 the individual or agency responsible for maintenance, may be  
6 repaired by the wetlands management agency. Costs for such repairs  
7 shall be collected from the property owner's association.

8 4. Where property owners' associations are formed, the  
9 requirement for continuous buffer maintenance shall be included in  
10 their Articles of Incorporation, and monthly dues shall be  
11 sufficient for this purpose.

12 5. The primary mission of the buffer is to prevent  
13 physical access into the wetlands and to prevent visual disturbances  
14 of wetland wildlife. The buffer, as shown in the Local Coastal  
15 Plan, consists of a berm of mounded soil, a fence, and plant  
16 material. Plant material will be chosen to be (in descending order  
17 of priority):

18 a. of a growth form that supports the primary  
19 mission (i.e., of assistance in preventing access and/or  
20 screening development from the wetlands);

21 b. compatible with soil, water and climate  
22 conditions of the immediate site;

23 c. fast growing;

24 d. compatible with adjacent development;

25 e. low maintenance; and

26 f. of wildlife food and/or cover value.

27 //

28 //

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1 C. SPECIFIC DEVELOPMENT AND USE STANDARDS

2 SUB-AREA 1

3 a. Use: Residential.

4 b. Maximum Density: 9.5 dwelling units/gross  
5 acre.

6 c. Planning or Coastal Commission may require  
7 such additional parking (over and above the minimum of two  
8 integral spaces) as it determines to be necessary for  
9 guests and for storage of boats and recreational vehicles.

10 d. The site plan should provide for views of  
11 Marine Stadium from Appian Way; a minimum of 20 percent  
12 of the property frontage along Appian Way shall be left  
13 open to Marine Stadium.

14 e. Developers shall construct, in accordance  
15 with plans approved by the Director of Public Works, Paoli  
16 Way from its present terminus to the proposed public park  
17 in Area 32 and dedicate the same to the City.

18 f. Vehicular access shall be limited to no  
19 more than two points from Appian Way if the area is  
20 developed as a single entity, or to no more than three  
21 points if the area is developed as two separate parcels.

22  
23 SUB-AREA 2 (a)

24 a. Use: Residential.

25 b. This area is fully developed in accordance  
26 with Special Use Permit S-90-72 and Subdivision Tract No.  
27 30643.  
28 //

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SUB-AREA 2 (b)

a. Use: Residential.

b. Maximum density: 8.4 dwelling units/gross acre (number of permitted units to be calculated on the basis of gross area, including any land area to be dedicated to the City as public park).

c. Convenient public street access shall be provided through the site in accordance with the adopted Specific Plan, and to Marine Stadium and the public park proposed for Area 31.

d. Developers shall construct, in accordance with plans approved by the Director of Public Works, bicycle and pedestrian trails along abutting waterways and connecting the proposed trails on Loynes Drive extension to the proposed park in Area 32.

SUB-AREA 3 (a)

a. Use: Residential.

b. This area shall be developed with single-family detached dwellings at a maximum density of 8.4 dwelling units per gross acre.

c. If feasible, Manila Avenue south of Colorado Street may be vacated and merged into adjacent property for development. No vehicular access to Bellflower Boulevard shall be permitted.

d. If vacation of Manila Avenue is not feasible, Manila Avenue shall be developed as a service road with a ten-foot landscaping buffer parallel to

COASTAL COMMISSION

1 Bellflower Boulevard.

2  
3 SUB-AREA 3 (b)

4 a. Use: Residential.

5 b. This area shall be developed with single-  
6 family detached dwellings.

7  
8 SUB-AREA 4 (a)

9 a. Use: Residential.

10 b. Maximum density: 6.0 dwelling units/gross  
11 acre.

12 c. This area shall be developed with single-  
13 family detached dwellings in accordance with Subdivision  
14 Tract 32868 (S-64-76).

15 d. The developer shall construct, in  
16 accordance with specifications listed in the Director of  
17 Public Works' report on Tentative Tract 32868, an  
18 extension of Bellflower Boulevard from Colorado Street to  
19 Loynes Drive and an extension of Loynes Drive from street  
20 improvements made in Area 4 (b) and shall be reconstructed  
21 in accordance with plans approved by the Director of  
22 Public Works.

23  
24 SUB-AREA 4 (b)

25 a. Use: Residential.

26 b. Maximum density: 4.1 dwelling units/gross  
27 acre.

28 c. This area shall be developed with single-

COASTAL COMMISSION

1 family detached dwellings in accordance with the approved  
2 Tentative Tract Map No. 32277 (S-55-74).

3 d. The developer shall construct, in  
4 accordance with plans approved by the Director of Public  
5 Works, and extension of Loynes Drive and parallel bikeway  
6 from Pacific Coast Highway westerly across the developers'  
7 lands to the extension of Bellflower-Loynes roadways built  
8 in connection with the development of Area 4 (a) --  
9 Tentative Tract 32868, and dedicate the same to the City.

10 e. The developer shall construct, in  
11 accordance with plans approved by the Director of Public  
12 Works, necessary public access to the proposed public park  
13 in Area 31, and dedicate the same to the City.

14 f. The natural wetland known as Sims Pond  
15 shall be preserved and maintained in accordance with the  
16 requirements of the California Department of Fish and  
17 Game.

18  
19 SUB-AREA 5 (a)

20 a. Use: Residential.

21 b. This area is fully developed in accordance  
22 with Special Use Permit No. S-37-69 and the approved  
23 Subdivision Tract No. 30911.

24  
25 SUB-AREA 5 (b)

26 a. If this area remains in the ownership of  
27 the California Department of Transportation, it should be  
28 improved as landscaped open space. If sold, it shall be

1 developed at a maximum density of 2.5 dwelling units per  
2 acre, and church uses may also be permitted.

3 b. No direct access to this site shall be  
4 permitted from Pacific Coast Highway.

5  
6 SUB-AREA 6 (a)

7 a. Use: Residential.

8 b. This area is fully developed in accordance  
9 with Subdivision Tract No. 4681.

10  
11 SUB-AREA 6 (b)

12 a. Use: Residential.

13 b. Maximum density: 18.0 dwelling units/gross  
14 acre.

15 c. Every effort shall be made to construct  
16 apartment units that can be priced so as to serve families  
17 of moderate income.

18  
19 SUB-AREAS 6 (c), 7 (a), 21 and 22 (b)

20 a. Use: Residential.

21 b. Maximum density: 5.62 dwelling units/  
22 gross acre.

23 c. A variety of housing types and densities  
24 is encouraged, with higher density apartments oriented  
25 toward the golf course in Areas 7 (a) and 21.

26 d. No more than three dwelling units shall be  
27 provided in any one structure in Areas 7 (a) and 21.

28 e. A golf course open to the general public

COASTAL COMMISSION

1 shall be constructed on Area 22 (b).

2 f. No additional street access to Seventh  
3 Street shall be permitted.

4 g. The developer shall construct, in  
5 accordance with plans approved by the Director of Public  
6 Works, a new street connecting Loynes Drive and Channel  
7 Drive, and a street connecting said new street to Margo  
8 Avenue in the vicinity of Sixth Street, and dedicate the  
9 same to the City.

10 h. The developer shall construct, in  
11 accordance with plans approved by the Director of Public  
12 Works, a bicycle trail generally parallel to the new  
13 street connecting Loynes Drive and Channel Drive, and  
14 dedicate the same to the City. This trail will include  
15 a segment along Loynes Drive to connect with existing  
16 Vista Street, and a spur connection to Seventh Street  
17 opposite West Campus Drive.

18 i. The developer shall construct a widening  
19 of Pacific Coast Highway in accordance with a plan  
20 prepared by the Director of Public Works which calls for  
21 an eight-lane, divided highway with sidewalks and bike  
22 trails, and dedicate the same to the City.

23  
24 SUB-AREA 7 (a)

- 25 a. Use: Residential  
26 b. Maximum density: 5.0 dwelling units/gross  
27 acre.  
28 c. This area shall be developed with single-

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1 family detached dwellings.

2  
3 SUB-AREA 8

4 a. Use: Residential

5 b. Maximum density: 15.6 dwelling units/gross  
6 acre

7 c. Structures should be designed and located  
8 in such a manner as to minimize the obstruction of views  
9 from the adjacent Bixby Hill Community

10 d. Only one point of access to Seventh Street  
11 shall be permitted, preferably via East Campus Drive. If  
12 the developer is unable to obtain permission from  
13 California State University to utilize East Campus Drive,  
14 access to Seventh Street may be provided via an extension  
15 of Pepper Tree Lane. This requirement shall not preclude  
16 the provision of a second emergency access as may be  
17 required by the City.

18 e. The developer shall construct and dedicate  
19 a widening of Seventh Street in accordance with a plan  
20 prepared by the Director of Public Works to provide for  
21 a six-lane highway with curb, sidewalks, and bicycle  
22 trail.

23 f. The developer shall construct, in  
24 accordance with plans approved by the Director of Public  
25 Works, an underpass of Seventh Street at the Los Cerritos  
26 Channel to provide for pedestrian and bicycle circulation  
27 between the residential developments and nearby public  
28 schools.

COASTAL COMMISSION

1 g. The developer shall construct, in  
2 accordance with plans approved by the Director of Public  
3 Works, a bridge over Bouton Creek at the Los Cerritos  
4 Channel to provide for bicycle and pedestrian circulation  
5 from residential developments to the Hill Jr. High School.  
6

7 SUB-AREA 9

- 8 a. Use: Residential  
9 b. This area is fully developed in accordance with  
10 Special Permit No. S-158-62 and subdivision Tract No.'s 24883  
11 and 22087.  
12

13 SUB-AREA 10 (a)

- 14 a. Use: Residential  
15 b. This area is fully developed in accordance  
16 with Special Permit No. S-174-60.  
17

18 SUB-AREA 10 (b)

- 19 a. Use: Residential  
20 b. Maximum density: 11.7 dwelling units/gross  
21 acre.  
22 c. Structures should be designed and located  
23 in such a manner as to not obstruct views from the  
24 Belmont Shore Mobile Estates Park, Area 10 (a). No more  
25 than 1/3 of the dwelling units should be located in the  
26 narrow eastern section of the site along the Los Cerritos  
27 Channel.  
28 d. A bicycle and pedestrian trail shall be

provided through the site from Loynes Drive to the proposed public park in Area 23.

SUB-AREA 11 (a)

- a. Use: Residential
- b. Maximum density: Approximately 15.3 units per acre, 764 units.
- c. Unit configuration shall be stacked flats and townhouses.
- d. Height: Three stories up to thirty feet.
- e. Length: Maximum building length for any residential structure shall be 180 feet.
- f. The exterior of buildings shall appear as single family dwellings or townhouses. No ore than two upper story units shall share a common stairway from the ground level and no exterior corridors shall be allowed. To the maximum extent feasible, each unit shall have its own physical identity.
- g. All buildings shall be articulated on all exterior facades so as to create visual interest through changes of volume, massing and shadowing. Articulation by building projection with such items as chimneys, bay windows and balconies are encouraged.
- h. All building facades shall contain windows and/or variations in building materials to provide visual interest. Building details such as window and door framing, shutters, window boxes, decorative eave treatments and the like are encouraged.

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1 i. All building bordering on Pacific Coast  
2 Highway, Westminster Boulevard, and Studebaker Road shall,  
3 to the maximum extent possible, present a side elevation  
4 instead of a front or rear elevation to those roads.

5 j. To ensure that area 11 (a) is open and  
6 inviting to the public as far as is consistent with the  
7 preservation of the wetlands and with the noise and  
8 security problems resulting from the bordering major  
9 highways, the following special design features shall  
10 apply:

11 (1) One pedestrian path and one bicycle  
12 trail entrance shall be placed along Studebaker Road and  
13 Westminster Boulevard connecting pedestrian paths and  
14 bicycle ways along these highways to the interior trail  
15 system. Design treatment of such connections shall ensure  
16 that they are visually prominent and open to the public.

17 (2) The vehicular entries at Westminster  
18 Boulevard shall provide an open view to wetlands.

19 (3) The edges along Studebaker Road,  
20 Pacific Coast Highway and Westminster Boulevard shall be  
21 improved with landscaped berm setbacks. The visibility  
22 of any fences behind the berms shall be minimized by the  
23 height of the berm and may also be minimized by dense  
24 planting of shrubs. Trees planted in this setback may be  
25 evergreen with dense foliage.

26 (a) A suitable buffer shall be provided  
27 along the eastern border of the site to screen the  
28 residents from the steam-generating plant located east of

COASTAL COMMISSION

1 Studebaker Road.

2 (b) A buffer, a minimum of 25 feet in  
3 width, between the trail edge and the wetland edge, shall  
4 be provided. That buffer width may be modified to provide  
5 a greater buffer in areas of the wetland closer to the  
6 inter-tidal channels. Use of a variable buffer is  
7 encouraged to provide for meandering of the trail in order  
8 to decrease overall impact and enhance the attractiveness  
9 of the trail. Along the approximately 500 ft. linear edge  
10 of the wetland identified as more sensitive where the  
11 Conservancy proposes a variable buffer, that buffer shall  
12 be appropriate provided that the distance between the  
13 wetland and the edge of patios averages 63 feet. (The  
14 buffer width may be decreased to a minimum of 25 feet if  
15 the inter-tidal channels can be redesigned to occur deeper  
16 into the wetlands and farther away from developments).

17 (c) In addition to the setback for buffer,  
18 the elevation and setbacks between development and wetland  
19 edge shall be sufficient to ensure stability during  
20 liquefaction events caused by the maximum credible  
21 earthquake. Such data, including review by the State  
22 Division of Mines and Geology, shall be provided at time  
23 of site plan approval for any development in this subarea.

24 (d) The developer shall construct, in  
25 accordance with plans approved by the Director of Public  
26 Works, an extension of Shopkeeper Drive North from  
27 Westminster Avenue to the public marsh and recreation  
28 area, and dedicate the same to the City.

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1 (e) The developer shall provide for the  
2 extension of the non-wetlands habitat corridor from  
3 Westminster Boulevard to the wetlands of Area 33. Such  
4 corridor shall be 400 feet wide approximately centered on  
5 the extension of Shopkeeper Drive. No building shall be  
6 allowed in this area except for a single story recreation  
7 building, or as otherwise provided for herein.

8 (f) The developer shall construct, in  
9 accordance with plans approved by the Director of Public  
10 Works, a new spine road from Shopkeeper Drive extension  
11 westward to area 11 (b) and eastward to the intersection  
12 with the most northerly cul-de-sac, and dedicate the same  
13 to the local jurisdiction.

14 (g) The developer shall construct a  
15 widening of Pacific Coast Highway, in accordance with  
16 plans prepared by the Director of Public Works which call  
17 for an eight-lane divided highway with sidewalks, and  
18 dedicate the same to the City.

19 (h) The developer shall construct and  
20 dedicate to the City, a bicycle lane within the roadway,  
21 in accordance with plans approved by the Director of  
22 Public Works, from Westminster Boulevard parallel to  
23 extended Shopkeeper Drive, where it will split into a  
24 westward lane of the local residential road toward area  
25 11 (b) and into an eastward and northward lane along the  
26 local residential road to the west side of Studebaker  
27 Road. From that intersection with Studebaker Road, the  
28 trail shall continue north on Studebaker Road to Loynes

COASTAL COMMISSION

1 Drive where it will be extended westerly to connect to the  
2 trail along the west bank of the Los Cerritos Channel.

3  
4 SUB-AREA 11 (b)

5 a. Use: Residential at a maximum density of 8.4  
6 units per gross acre shall be permitted.

7 b. No more than three dwelling units shall be  
8 provided in any one structure, and all shall be designed  
9 as sales units. Height limit is two stories in 30 ft.  
10 maximum.

11 c. Permanent vehicular access to this site  
12 shall be provided through Area 11 (a). Until Area 11 (a)  
13 is developed, access may be provided on a temporary basis  
14 from Pacific Coast Highway.

15 d. The developer shall construct in accordance  
16 with plans approved by the Director of Public Works, a  
17 pedestrian walkway adjacent to Los Cerritos Channel  
18 connecting with a pedestrian walkway to be constructed by  
19 the developer of Parcel 11 (a) adjacent to Parcel 33, at  
20 one end, and at the other end, connecting with either a  
21 pedestrian/bikeway along Pacific Coast Highway, or, at the  
22 discretion of the Director of Public Works, with the  
23 walkway adjacent to the bulkhead in the southeast portion  
24 of Parcel 31.

25 e. Prior to development, the final details  
26 concerning wetlands consolidation on this Parcel shall be  
27 approved by the Department of Fish and Game.  
28 //

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SUB-AREA 12

a. Use: Residential

b. This area is fully developed in accordance with Special Use Permit S-140-72 and the approved Subdivision Tract No's. 31204, 31203, 31205, and 29312.

SUB-AREA 13

a. Use: Commercial

b. This area is fully developed in accordance with Special Use Permit S-44-73.

SUB-AREA 14

a. This area, in the ownership of the California Department of Transportation, should be improved as landscaped open space. If the northwest quadrant is sold, it shall be developed with a maximum of 3.0 dwelling units/gross acre. Access to this property from Seventh Street shall be permitted only through Area 8 or via an extension of Pepper Tree Lane.

SUB-AREA 15

a. Use: Commercial.

b. This area is fully developed in accordance with Special Use Permit No's S-174-60, S-5-60, S-180-72, and S-178-69.

//

//

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SUB-AREA 16

- a. Use: Commercial
- b. This area is fully developed in accordance with Special Use Permit No's. S-167-72 and S-13-61.

SUB-AREA 17

- a. Use: Commercial
- b. This area is fully developed in accordance with the CR zone.

SUB-AREA 18

- a. Use: Commercial
- b. This area is fully developed in accordance with Special Use Permit No. S-29-75. Also see Area 26.

SUB-AREA 19

- a. Use: Industrial
- b. This area is fully developed in accordance with the provisions of the MG zone.

SUB-AREA 20

- a. Use: Open space
- b. This area has been fully improved by the adjacent residential community and is maintained by the City.

SUB-AREA 21

See Area 6 (c).

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EXHIBIT # 7  
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SUB-AREA 22 (a)

a. Use: Residential

b. Maximum density: 8.0 dwelling units/gross  
acre.

c. Site plan should provide for views of the  
proposed golf course on Area 22 (b) from Loynes Drive; a  
minimum of 20 percent of the property frontage along  
Loynes Drive shall be left open to the golf course.

d. No vehicular access shall be provided to  
Pacific Coast Highway, and no more than two access points  
to Loynes Drive shall be provided.

e. The developer shall construct, in accordance  
with plans approved by the Director of Public Works, a  
bikeway along the Loynes Drive frontage of his property,  
and dedicate the same to the City.

f. The developer shall construct a widening of  
Pacific Coast Highway in accordance with a plan prepared  
by the Director of Public works which calls for an eight  
lane divided highway with sidewalks, and dedicate the same  
to the City.

g. The developer shall cooperate with the  
Director of Public Works and with the adjacent property  
owner of Area 22 (b) to provide for the design and  
construction of a small portion of the new roadway between  
Loynes Drive and Channel Drive through the eastern portion  
of Area 22 (a).

//

//

COASTAL COMMISSION

EXHIBIT # 7  
PAGE 30 OF 43

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City Attorney ...  
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SUB-AREA 22 (b)

See Area 6 (c).

SUB-AREA 23

a. The two wetland concepts generally outlined shall include a 8.3 acre brackish pond on Area 23 provided that the Executive Director of the California Coastal Commission determines (i) in addition to the setback for buffer, the elevation and setbacks between development and wetland edge shall be sufficient to ensure stability during liquefaction events caused by the maximum credible earthquake; (ii) that the location and operation of the proposed wetland are acceptable to the Regional Water Quality Control Board, the State Department of Health and to the Local Mosquito Abatement District.

b. If approval from these agencies results in reductions to the net size of the proposed wetland, restoration at this site shall only occur if the remaining area is sufficient to create a wetland at least the same size as the existing brackish pond at the Marketplace.

SUB-AREA 24

a. This designation actually applies to two distinct parcels of land, one at the southwest corner of Loynes Drive and Studebaker Road (called herein "24 South"), and the other across Loynes Drive at the northwest corner (called herein "24 North").

b. Area 24 South is to be developed as an

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1 overlook area and interpretive center for the bordering  
2 marsh. The developer of Subarea 11 (a) shall dedicate  
3 Parcel 24 South to the State of California or other agency  
4 responsible for management of Area 33.

5 c. Area 24 North shall be dedicated to the City  
6 of Long Beach for park and playground purposes.

7 d. The owner of Area 24 shall dedicate area  
8 along Studebaker Road for the bicycle trail to be built  
9 along Studebaker Road.

10  
11 SUB-AREAS 25 and 26

12 a. Use: (Area 25) Business Park (Office  
13 Commercial and light Industrial); restaurants and hotel.

14 b. Use: (Area 26) Business Park (Office  
15 Commercial and Light Industrial).

16 c. The City Planning Commission shall approve  
17 development of specific office commercial and light  
18 industrial uses which will not emit noise, odor, or air  
19 pollutants beyond the boundaries of their parcels.

20 d. The Commission may adopt specific  
21 performance standards or a specific list of permitted uses  
22 to guide developers and the Commission.

23 e. No outdoor storage of materials and  
24 equipment shall be permitted. Loading and service areas  
25 shall not be permitted within required yard setback areas  
26 and all such loading and service areas shall be enclosed  
27 or screened so as not to be visible from the street.

28 f. No more than 40,000 square feet of floor

COASTAL COMMISSION

1 area for medical/dental offices, and no more than 16,000-  
2 20,000 square feet of floor area shall be restaurant use.

3 g. The business park shall be predominantly  
4 office commercial uses, and no less than 75 percent of the  
5 area shall be devoted to office commercial use. No light  
6 industrial uses shall front on Pacific Coast Highway or  
7 Westminster Avenue.

8 h. Not more than 35 percent of the area of each  
9 office commercial lot shall be occupied by a building or  
10 buildings and not more than 50 percent of the area of each  
11 light industrial use shall be occupied by a building or  
12 buildings.

13 i. All improved building sites shall have a  
14 minimum landscaped coverage of 15 percent of the area of  
15 each lot and shall be provided with an irrigation system.  
16 Boundary landscaping shall be provided on all internal  
17 property lines. Parking areas shall be landscaped with  
18 a minimum of one tree per each five parking stalls. The  
19 proposed retention basin in Area 25 shall be developed in  
20 a park-like manner.

21 j. Required yard areas: Thirty feet front; ten  
22 feet side (except 30 feet side when a side yard abuts a  
23 street and except that the internal side yard may be 0  
24 feet provided the main building on the same lot line on  
25 the abutting lot is set back 0 feet and both lots are  
26 developed at the same time).

27 k. A 30 foot wide landscaped setback shall also  
28 be required along the San Gabriel River Channel property

COASTAL COMMISSION

1 line to create a park-like setting for the bicycle trail  
2 along the river bank. (This substitutes for the park in  
3 the former Area 30).

4 1. One access from Westminster Avenue shall be  
5 allowed to Area 26; no addition curb cuts shall be  
6 permitted on Westminster Avenue or Pacific Coast Highway.  
7 All other vehicular access shall be from Studebaker Road  
8 or Shopkeeper Drive.

9 m. The developer of Area 25 shall construct a  
10 widening of Pacific Coast Highway in accordance with a  
11 plan approved by the Director of Public Works, an  
12 extension of Studebaker Road, and dedicate the same to the  
13 City.

14 n. The developer of Area 25 shall construct,  
15 in accordance with plans approved by the Director of  
16 Public Works, a bicycle trail along the south side of  
17 Westminster Avenue and along the north side of Pacific  
18 Coast Highway, south of Studebaker Road. The developer  
19 shall dedicate the same to the City.

20 o. The developers of Areas 25 and 26 shall  
21 provide for the construction of any improvements necessary  
22 to cross the San Gabriel River Regional Bikeway from the  
23 east levee to the west levee of the river at Westminster  
24 Avenue. These should be limited to on-street pavement  
25 markings.

26 p. The developers shall participate in the cost  
27 of constructing the Studebaker Road extension between  
28 Westminster Avenue and Pacific Coast Highway, the amount

COASTAL COMMISSION

1 of that participation to be calculated to be the length  
2 in feet of property fronting on each side of said roadway  
3 multiplied by the average cost per linear foot of  
4 constructing one lane of said roadway.

5 q. The developers shall improve that portion  
6 of the San Gabriel River bank adjacent to their property  
7 with a pedestrian walk, bicycle trail and related  
8 landscaping, such development to continue one-half of the  
9 distance under the Pacific Coast Highway bridge to join  
10 with similar facilities in Area 29.

11 r. The developer of Area 26 shall construct a  
12 bicycle trial along the east side of Studebaker Road for  
13 the entire frontage on said road.

14 s. A non-wetland habitat corridor shall be  
15 provided in Area 25 from Westminster Avenue to the San  
16 Gabriel River. Such corridor shall be not less than 400  
17 feet in width (when measured from the existing buildings  
18 in Area 18, the Marketplace) and shall include Shopkeeper  
19 Drive. No building shall be allowed in this corridor,  
20 except that no less than 70 feet from Shopkeeper Drive,  
21 single story (not to exceed 20 feet in height) commercial  
22 office or light industrial use building shall be allowed.  
23 The long axis of any buildings in the non-wetland habitat  
24 corridor shall be parallel to the long axis of the  
25 corridor.

26 t. Additionally, the following wording shall  
27 be appended to the standards for Area 18 in order to  
28 assure control of development in the non-habitat corridor.

1 "The parking lot between the existing buildings  
2 and Shopkeeper Drive is part of the non-wetland  
3 habitat corridor. No buildings shall be  
4 allowed in this corridor (see Area 25)."

5  
6 SUB-AREA 27

7 This area is to be utilized entirely in the  
8 wetlands restoration program.

9  
10 SUB-AREA 28

11 This site is owned by Orange County and is  
12 utilized by the County as a retention basin.

13  
14 SUB-AREA 29

15 a. Use: Commercial Office, Restaurants,  
16 Commercial Recreation and Commercial Retail uses.

17 b. All improved building sites shall have a  
18 minimum landscaped coverage of 15 percent and shall be  
19 provided with an irrigation system. Boundary landscaping  
20 shall be provided on all interior property lines. Parking  
21 areas shall be landscaped with a minimum of one tree per  
22 each five parking stalls.

23 c. No more than 5,000 square feet of floor area  
24 shall be used for medical/dental offices.

25 d. The developer shall construct a widening of  
26 Pacific Coast Highway in accordance with a plan prepared  
27 by the Director of Public Works which calls for a six  
28 lane, divided highway with sidewalks and bike trail, and

COASTAL COMMISSION



1 dedicate the same to the City.

2 e. The developer shall dedicate and improve  
3 necessary land along the San Gabriel River bank to provide  
4 a pedestrian walk, bicycle trail and related landscaping,  
5 such development to continue one-half of the distance  
6 under the Pacific Coast Highway bridge to join with  
7 similar facilities in Area 25. Also, the developer shall  
8 continue Studebaker extension bikeway from Pacific Coast  
9 Highway to Marina Drive.

10  
11 SUB-AREA 30

12 (Deleted)

13  
14 SUB-AREA 31

- 15 a. Use: Public park.  
16 b. This area is to be improved by the City.

17  
18 SUB-AREA 32

- 19 a. Use: Public park.  
20 b. This area is to be improved by the City.

21  
22 SUB-AREA 31

23 a. This area has been expanded in area to 96.1  
24 acres and shall be devoted entirely to wetland purposes.  
25 An additional 2.0 acres shall be devoted to least tern  
26 nesting site. See Marine Environment of the Local Coastal  
27 Plan for description. The developer shall dedicate this  
28 area to the Management Agency and restore the wetlands in

COASTAL COMMISSION

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1 accordance with plans approved by the State Coastal  
2 Commission for continued public use and maintenance.

3 b. The recently established least tern site  
4 shall be designated as habitat area and preserved as such  
5 unless or until the Department of Fish and Game may  
6 determine that it is appropriate to experiment with  
7 enhancing least tern habitat and allow up to two acres  
8 within Parcel 33.  
9

10 Sec. 2. Use District Map The Southeast Area Development  
11 and Improvement Plan is established in Parts 6, 7, 12 and 13 as  
12 designated on maps attached hereto and incorporated herein by this  
13 reference as Exhibit "A". The attached maps are hereby readopted  
14 and by this reference made a part of the Official Use District Map.  
15

16 Sec. 3. Ordinance Nos. C-6424, C-6425, C-6448 and C-6058  
17 are hereby repealed.  
18

19 Sec. 4. The City Clerk shall certify to the passage of  
20 this ordinance by the City Council of the City of Long Beach and  
21 cause the same to be posted in three conspicuous places in the City  
22 of Long Beach, and it shall take effect on the thirty-first day  
23 after it is approved by the Mayor.  
24 //

25 //  
26  
27  
28

COASTAL COMMISSION

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1 I hereby certify that the foregoing ordinance was adopted  
2 by the City Council of the City of Long Beach at its meeting of  
3 March 24, 1998, by the following vote:

4  
5 Ayes: Councilmembers: Oropeza, Lowenthal, Topsy-Elvord,

6 Donelon, Kellogg, Shultz.

7  
8 Noes: Councilmembers: None.

9  
10 Absent: Councilmembers: Drummond, Roosevelt, Robbins.

11  
12  
13 Shelba Powell  
14 City Clerk

15  
16 Approved: 3-27-98  
17 (Date)

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29 Dwight Neil  
Mayor

MJM:kjm  
3/5/98  
(010) seadip.pdl

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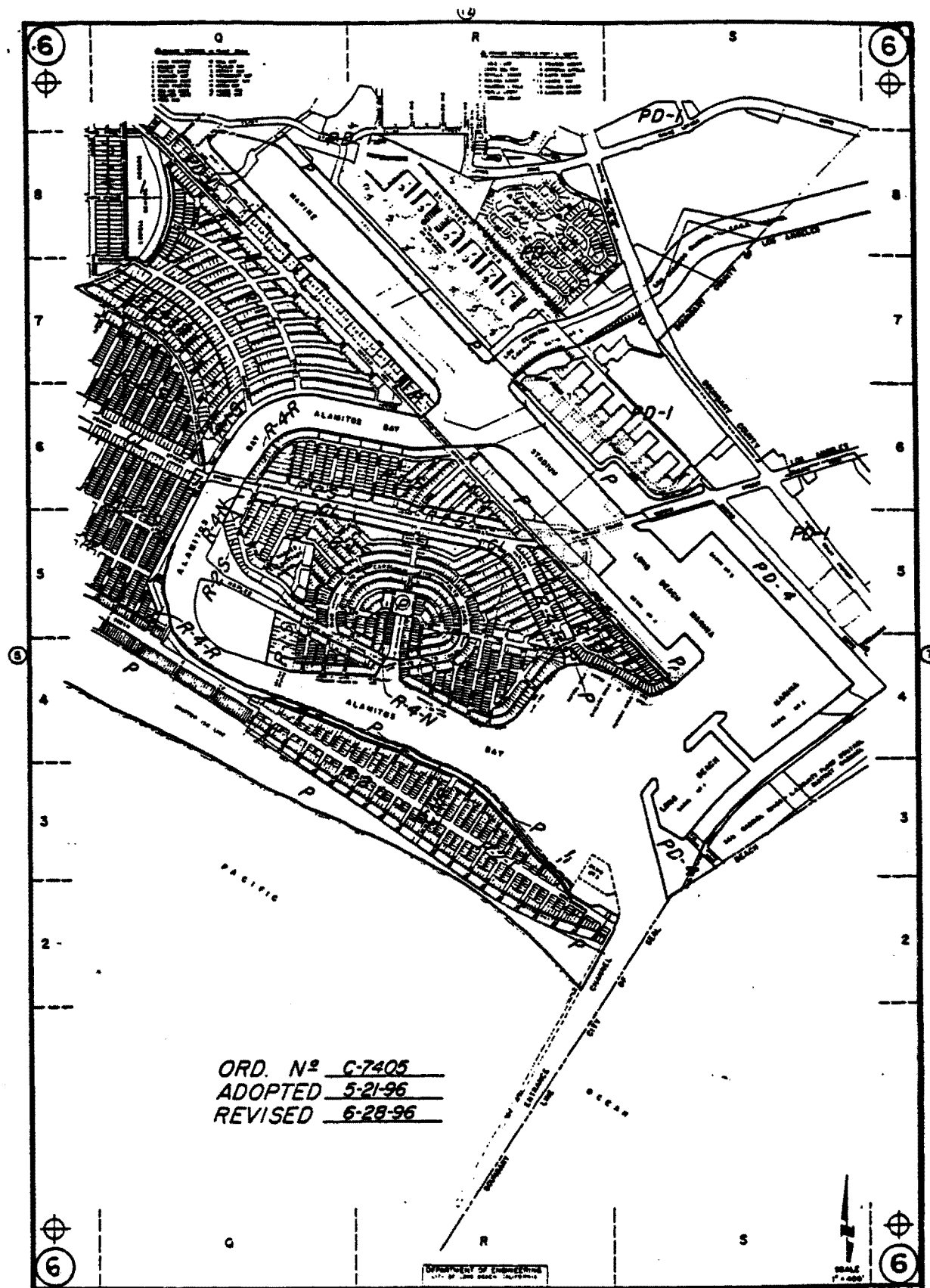


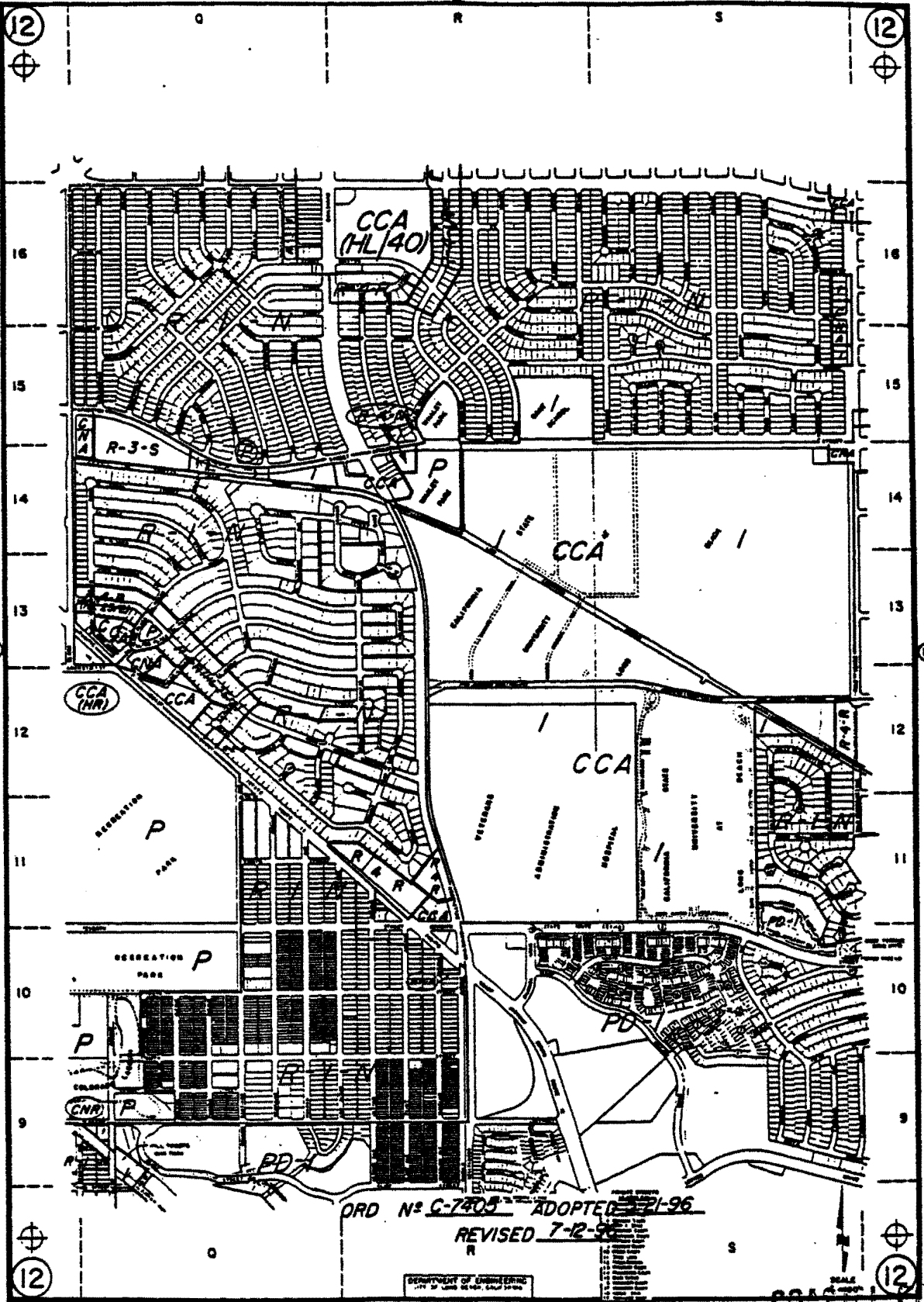
EXHIBIT "A"

# COASTAL COMMISSION

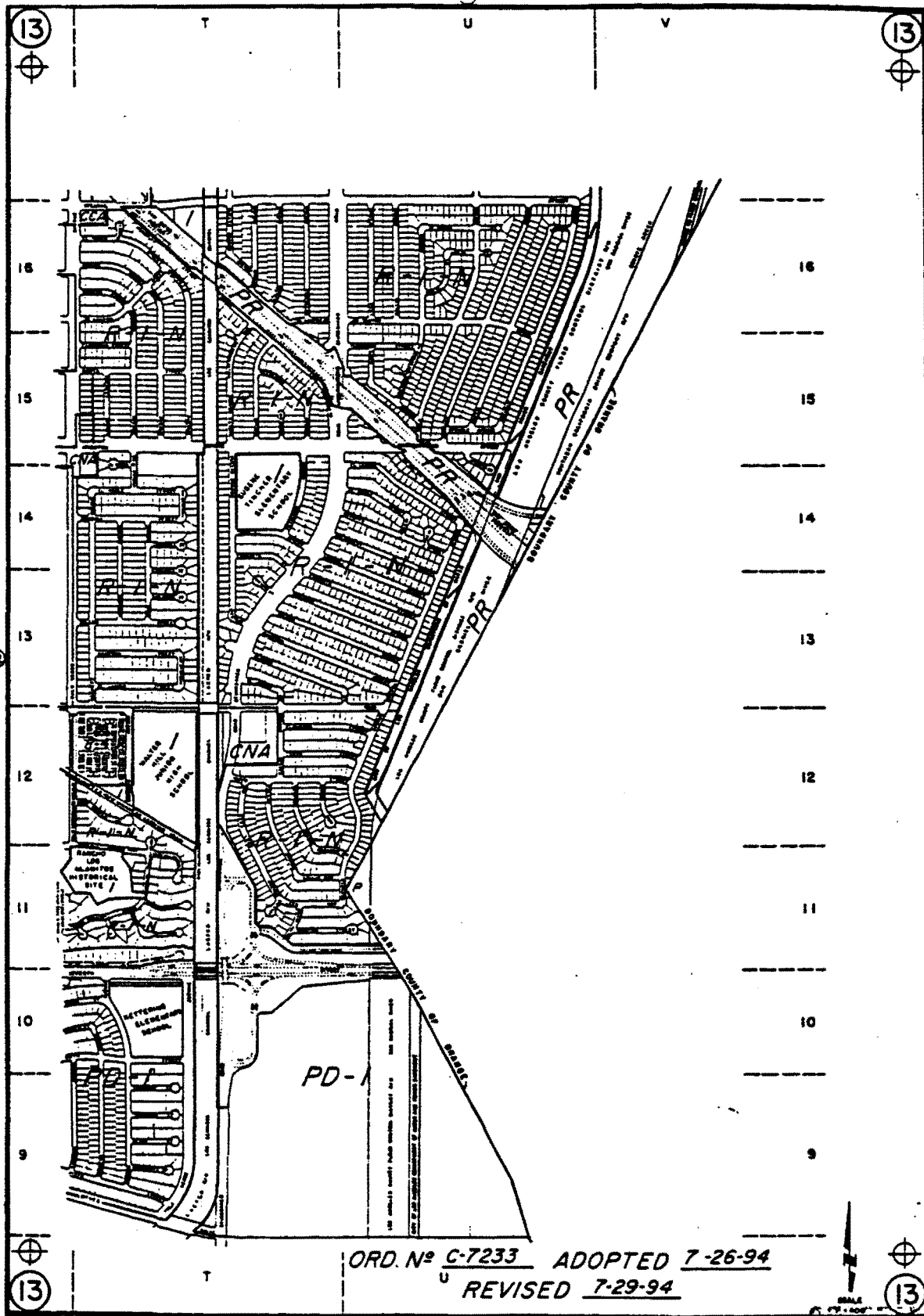
EXHIBIT # 7

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COASTAL COMMISSION



ORD. N<sup>o</sup> C-7233 ADOPTED 7-26-94  
 U REVISED 7-29-94

COASTAL COMMISSION

1 RESOLUTION NO. C- 27370

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH RELATING TO THE SOUTHEAST  
5 AREA DEVELOPMENT AND IMPROVEMENT PLAN (SEADIP)  
6 AND CLARIFYING THE CITY'S POSITION REGARDING  
7 THE SUBMISSION OF RESOLUTION NO. C-27312 AND  
8 ORDINANCE NO. C-7528 TO THE CALIFORNIA COASTAL  
9 COMMISSION AS AMENDMENTS TO THE CITY'S LOCAL  
10 COASTAL PROGRAM  
11

12 The City Council of the City of Long Beach does hereby  
13 find, determine and resolve:

14 WHEREAS, on or about April 22, 1997, Daniel F. Selleck,  
15 of Selleck Development Group, submitted to the City of Long Beach  
16 a development application for the construction of a 67,930 square  
17 foot retail/commercial center (hereinafter the "Marina Shores  
18 Project"), on a 5.82 acre parcel of land located at 6500 East  
19 Pacific Coast Highway in the City of Long Beach; and

20 WHEREAS, on March 17, 1998, the City Council of the City  
21 of Long Beach adopted Resolution No. C-27311 approving the Marina  
22 Shores Project and certifying the Final Environmental Impact Report  
23 relating thereto; and

24 WHEREAS, on March 17, 1998, the City Council of the City  
25 of Long Beach adopted Resolution No. C-27312 and Ordinance No. C-  
26 7528, which Resolution and Ordinance approved amendments to the  
27 City's Local Coastal Program and amendments to one of the Local  
28 Coastal Program's implementing ordinances, the "Southeast Area



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1 Development and Improvement Plan" (SEADIP). Said amendments  
2 amended Section A "Provisions Applying to All Areas" and Subarea 29  
3 of SEADIP. The intent of the amendments was to: 1) permit  
4 architectural features such as tower elements to be approved up to  
5 a height of 43 feet through the Site Plan Review process in  
6 Sub-Area 29 of SEADIP; 2) clarify the process to permit curb cuts  
7 on Pacific Coast Highway, in addition to Westminster Avenue,  
8 Studebaker Road and Seventh Street in the SEADIP area subject to  
9 the approval of the City Traffic Engineer and/or CalTrans, as  
10 appropriate; and 3) permit both retail sales and restaurants, in  
11 addition to previously approved uses, in subarea 29, which area is  
12 the specific site of the Marina Shores Project. However, Items 1)  
13 and 2) above became applicable to the entire SEADIP area contrary  
14 to the desired intent; and

15 WHEREAS, on or about April 17, 1998, the Director of  
16 Planning and Building for the City of Long Beach did, in accordance  
17 with the direction of Resolution No. C-27312, submit certified  
18 copies of Resolution C-27311, Resolution C-27312 and Ordinance No.  
19 C-7528 together with other relevant supporting materials to the  
20 California Coastal Commission for its review, consideration,  
21 approval and certification; and

22 WHEREAS, the staff of the Coastal Commission has  
23 expressed a desire that the City Council clarify the City's  
24 position and understanding with regard to the intended effect of  
25 the proposed Local Coastal Program amendments as contained in  
26 Resolution C-27312 and Ordinance No. C-7528 on Parcels 11a, 11b,  
27 25, 26a, 26b, 27, 28, 30 and 33 of the SEADIP area. The parcels in  
28 question are depicted on the map which is attached hereto as

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1 Exhibit "A" and incorporated herein by this reference. Said  
2 parcels (with the exception of Parcel 11B) were annexed into the  
3 City on or about November 5, 1997.

4 WHEREAS, the City has engaged in land use planning on  
5 Parcels 11a, 11b, 25, 26a, 26b, 27, 28, 30 and 33 since  
6 approximately March of 1976 when the City's Planning Department  
7 initially published a plan for development of the SEADIP area; and

8 WHEREAS, in 1977 an Environmental Impact Report ("EIR")  
9 was completed and certified for the SEADIP area; and

10 WHEREAS, said EIR analyzed the environmental effects of  
11 the SEADIP, including the effects of the then unincorporated  
12 parcels 11a, 25, 26a, 26b, 27, 28, 30 and 33, as well as  
13 incorporated Parcel 11b, and further stated that SEADIP would apply  
14 to said parcels when annexation into the City was approved in  
15 accordance with established Local Agency Formation Commission  
16 Procedures; and

17 WHEREAS, in May, June and July of 1977, the City  
18 undertook a series of actions to implement SEADIP for property  
19 within the City and to "pre-zone" the then unincorporated parcels  
20 referred to above, which actions included, among other things,  
21 adopting Ordinance No. C-5310 (establishing authority for Planned  
22 Development Districts ("PD")); adopting Resolution No. C-22303  
23 (amending City's Land Use Element of the General Plan by adopting  
24 the SEADIP specific plan), and adopting Ordinance No. C-5328  
25 (amending the Official Use District Maps of the City to designate  
26 those portions of SEADIP within the City as "PD" and to adopt  
27 Development and Use Standards for the then unincorporated parcels  
28 as part of the City's Official Use District Map); and

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1           WHEREAS, in 1983, the City and County of Los Angeles  
2 adopted the Los Cerritos Wetlands Local Coastal Program ("Los  
3 Cerritos Wetlands LCP"), and certified an Environmental Impact  
4 Report for the Los Cerritos Wetlands Local Coastal Plan ("Wetlands  
5 EIR"), which documents were submitted to the California Coastal  
6 Commission for review and approval; and

7           WHEREAS, the California Coastal Commission denied  
8 approval of the Los Cerritos Wetlands LCP, but stated, pursuant to  
9 Public Resources Code Section 30512, that the Los Cerritos Wetlands  
10 LCP would be approved if certain modifications were made; and

11           WHEREAS, the City Council of the City of Long Beach  
12 adopted the requested modifications by adopting Resolution No. C-  
13 23516 and Ordinance No. C-6058 and submitted both to the California  
14 Coastal Commission, thereby completing all actions required by the  
15 City on its part to achieve certification of the Los Cerritos  
16 Wetlands LCP, which was intended to apply to the entirety of the  
17 SEADIP property, including the then unincorporated parcels, when  
18 said properties were eventually annexed into the City of Long  
19 Beach; and

20           WHEREAS, the County of Los Angeles, however, failed to  
21 adopt the modifications required by the Coastal Commission, thus,  
22 the Coastal Commission did not certify the Los Cerritos Wetlands  
23 LCP.

24           NOW, THEREFORE, the City Council of the City of Long  
25 Beach does hereby find, determine or resolve as follows:

26           Section 1. That the City Council acknowledges and  
27 understands that when the Coastal Commission certified the LCP for  
28 SEADIP in July of 1980, Parcels 11a, 25, 26a, 26b, 27, 28, 30 and

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1 33 were not located in the City of Long Beach and, therefore, said  
2 parcels were not submitted for consideration and thus were not  
3 certified by the Coastal Commission as being part of the certified  
4 LCP, and that even though Parcel 11B was, in fact, part of the City  
5 at that time, it was deleted from the City's submittal by the  
6 Coastal Commission.

7           Sec. 2.     That the City Council acknowledges and  
8 understands that the Coastal Commission did not and has not  
9 certified the Los Cerritos Wetlands LCP, which LCP was intended to  
10 apply to Parcels 11a, 11b, 25, 26a, 26b, 27, 28, 30 and 33, as  
11 depicted on Exhibit A, and that the required certification cannot  
12 take place until such time as the City of Long Beach "submits" the  
13 Los Cerritos Wetlands LCP or similar documents for consideration,  
14 approval and certification by the California Coastal Commission.

15           Sec. 3.     That the City Council of the City of Long Beach  
16 further acknowledges and understands that the lack of a certified  
17 Local Coastal Plan for the Los Cerritos Wetlands Area would  
18 preclude any person or entity wishing to perform or undertake any  
19 development, which required a development permit, from developing  
20 Parcels 11a, 11b, 25, 26a, 26b, 27, 28, 30 or 33 absent  
21 certification of the appropriate LCP and/or the issuance of a  
22 Coastal Development Permit ("CDP") by the California Coastal  
23 Commission pursuant to the provisions of Public Resources Code  
24 Section 30600.

25           Sec. 4.     That in connection with the proposed  
26 certification of the amendment to the City's Local Coastal Program,  
27 as described in Resolution C-27312 and Ordinance No. C-7528, it is  
28 not the intent of the City, at this time, to submit any policies,

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City Attorney of Long Beach  
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1 maps, zoning or development standards pertaining to Parcels 11a,  
2 11b, 25, 26a, 26b, 27, 28, 30 or 33 of SEADIP to the Coastal  
3 Commission for its consideration, approval or certification and to  
4 the extent that any such policies, maps, zoning or development  
5 standards pertaining to Parcels 11a, 11b, 25, 26a, 26b, 27, 28, 30  
6 or 33 have previously been submitted, or could be interpreted as  
7 having been submitted, to the Coastal Commission they are hereby  
8 withdrawn by the City from consideration.

9           Sec. 5. The Director of Planning and Building is hereby  
10 directed to submit to the California Coastal Commission a certified  
11 copy of this Resolution, together with Ordinance No. C-7528,  
12 Resolution No. C-27311 and Resolution No. C-27312, and all relevant  
13 supporting documentation, as an amendment that will take effect  
14 automatically upon Commission approval pursuant to the Public  
15 Resources Code or as an amendment that will require formal City  
16 Council adoption after Coastal Commission approval.

17           Sec. 6. This resolution shall take effect immediately  
18 upon its adoption by the City Council, and the City Clerk shall  
19 certify to the vote adopting this resolution.

20 //

21 //

22

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26

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28

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City Attorney of Long Beach  
333 West Ocean Boulevard  
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Telephone (562) 570-2200

1 I hereby certify that the foregoing resolution was  
2 adopted by the City Council of the City of Long Beach at its  
3 meeting of June 16, 1998, by the following vote:

4 Ayes: Councilmembers: Drummond, Roosevelt, Topsy-Elvord,  
5 Donelon, Kellogg, Shultz.  
6 \_\_\_\_\_

7 Noes: Councilmembers: None.  
8 \_\_\_\_\_

9 Absent: Councilmembers: Oropeza, Lowenthal, Robbins.  
10 \_\_\_\_\_

11 Shelba Powell  
12 City Clerk  
13  
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26 CERTIFIED AS A TRUE AND CORRECT COPY

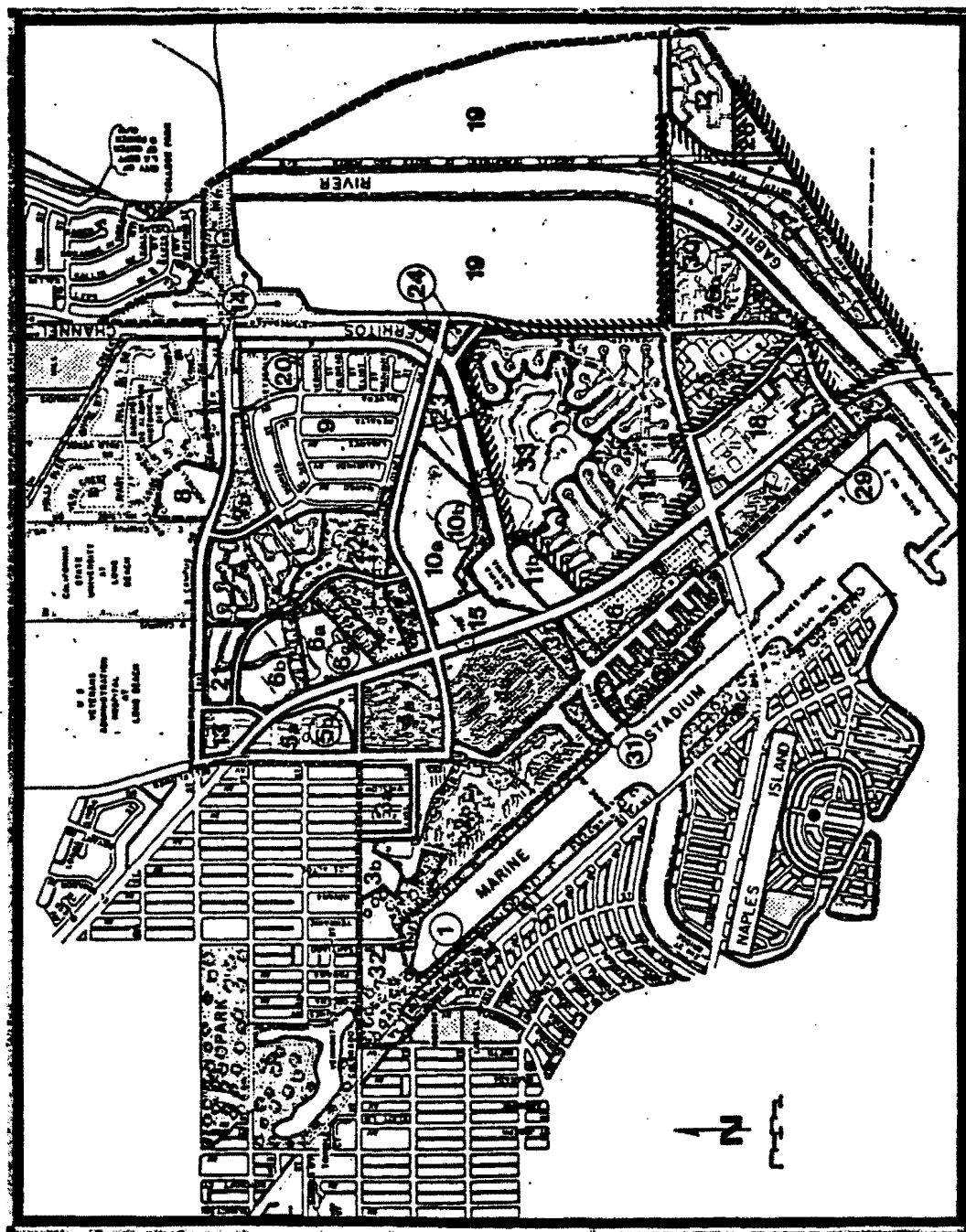
27 CITY CLERK OF THE CITY OF LONG BEACH

28 BY Shelba Powell

DATE: 6-17-98

NJM:tap:kjm;06/12/98

A:\[R9]MarinaShores.res



# SEADIP SPECIFIC PLAN

Exhibit "A" COASTAL COMMISSION

EXHIBIT # 8

PAGE 8 OF 8

JOHN R. CALHOUN  
CITY ATTORNEY

ROBERT E. SHANNON  
ASSISTANT

OFFICE OF THE  
CITY ATTORNEY

OF  
LONG BEACH

RECEIVED

JUN 1 1998

CALIFORNIA  
May 28, 1998 COASTAL COMMISSION

City Hall  
233 West Ocean Boulevard  
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FAX (562) 436-1579

WORKERS' COMPENSATION SECTION  
(562) 570-2245  
FAX (562) 570-2220

Pam Emerson  
CALIFORNIA COASTAL COMMISSION  
200 Oceangate, 10<sup>th</sup> Floor  
Long Beach, CA 90802

By Mail and Fax (562) 590-5084

Re: Selleck Project

Dear Pam:

It is my understanding that there are two primary areas of concern in regard to the "Marina Shores (Selleck)" project. Those areas are: (1) the maximum height of buildings and (2) the possibility of curb cuts on Pacific Coast Highway, Westminster Avenue, Studebaker Road and Seventh Street.

I would suggest that the following "strikeouts/additions" might resolve the concerns that have been expressed.

Under "Provisions Applying to All Areas" the following changes could be made:

Item #5. The maximum height of buildings shall be 30 feet for residential and 35 feet for non-residential uses, unless otherwise provided herein. ~~In non-residential developments in Subarea 29~~ architectural features such as tower elements may be approved up to a height of 43 feet through the Site Plan Review process.

Item #14. Curb cuts shall be permitted on ~~Pacific Coast Highway, Westminster Avenue Studebaker Road and Seventh Street and for Subarea 29 on Pacific Coast Highway and Studebaker Road~~, subject to the approval of the City Traffic Engineer and/or CALTRANS, where appropriate.

Please note, that even without these changes, projects would still have been subject to discretionary review under the City's Site Plan Review process (for Item #5) and under CALTRANS' and/or the City Traffic Engineer's approval (for Item #14).

COASTAL COMMISSION

LB LCP 2-98B

EXHIBIT # 9

PAGE 1 OF 2



Pam Emerson, California Coastal Commission  
Re: Selleck Property  
May 28, 1998  
Page 2

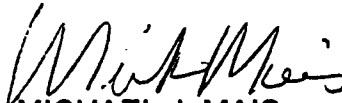
As you know, the City must readopt any changes to the LUP/LIP made by the Commission. Given all of the above, we would hope that the Commission staff (as well as the Commission) would be willing to support the above changes.

If you would like to discuss the matter further, please do not hesitate to contact me.

Very truly yours,

JOHN R. CALHOUN, City Attorney

By

  
MICHAEL J. MAIS  
Deputy City Attorney

MJM:kjm

COASTAL COMMISSION

EXHIBIT # 9  
PAGE 2 OF 2

APPENDIX D. TECHNICAL CRITERIA FOR IDENTIFYING AND MAPPING WETLANDS AND OTHER  
WET ENVIRONMENTALLY SENSITIVE HABITAT AREAS

The purpose of this discussion is to provide guidance in the practical application of the definition of "wetland" contained in the Coastal Act. The Coastal Act definition of "wetland" is set forth in Section 30121 of the Act which states:

SEC. 30121

"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

This is the definition upon which the Commission relies to identify "wetlands." The definition refers to lands ". . . which may be periodically or permanently covered with shallow water . . . ." However, due to highly variable environmental conditions along the length of the California coast, wetlands may include a variety of different types of habitat areas. For this reason, some wetlands may not be readily identifiable by simple means. In such cases, the Commission will also rely on the presence of hydrophytes and/or the presence of hydric soils. The rationale for this in general is that wetlands are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities living in the soil and on its surface. For this reason, the single feature that most wetlands share is soil or substrate that is at least periodically saturated with or covered by water, and this is the feature used to describe wetlands in the Coastal Act. The water creates severe physiological problems for all plants and animals except those that are adapted for life in water or in saturated soil, and therefore only plants adapted to these wet conditions (hydrophytes) could thrive in these wet (hydric) soils. Thus, the presence or absence of hydrophytes and hydric soils make excellent physical parameters upon which to judge the existence of wetland habitat areas for the purposes of the Coastal Act, but they are not the sole criteria. In some cases, proper identification of wetlands will require the skills of a qualified professional.

The United States Fish and Wildlife Service has officially adopted a wetland classification system\* which defines and classifies wetland habitats in these terms. Contained in the classification system are specific biological criteria for identifying wetlands and establishing their upland limits. Since the wetland definition used in the classification system is based upon a feature identical to that contained in the Coastal Act definitions, i.e., soil or substrate that is at least periodically saturated or covered by water, the Commission will use the

\* "Classification of Wetlands and Deep-Water Habitats of the United States." By Lewis M. Cowardin, et al, United States Department of the Interior, Fish and Wildlife Service, December 1979.

COASTAL COMMISSION

classification system as a guide in wetland identification. Applying the same set of biological criteria consistently should help avoid confusion and assure certainty in the regulatory process. This appendix discusses the adaptation of this classification system to the Coastal Act definition of "wetland" and other terms used in the Act, and will form the basis of the Commission's review of proposals to dike, fill or dredge wetlands, estuaries or other wet habitat areas.

I. U.S. Fish and Wildlife Classification System: Upland/Wetland/Deep-water Habitat Distinction

The United States Fish and Wildlife Service classification is hierarchical, progressing from systems and subsystems, at the most general levels, to classes, subclasses, and dominance types. The term "system" refers here to a complex of wetland and deep-water habitats that share the influence of one or more dominant hydrologic, geomorphologic, chemical, or biological factors.

The Service provides general definitions of wetland and deep-water habitat and designates the boundary between wetland and deep-water habitat and the upland limit of a wetland. The following are the Services' definitions of wetland and deep-water habitats:

A. Wetlands

"Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.

Wetlands as defined here include lands that are identified under other categories in some land-use classifications. For example, wetlands and farmlands are not necessarily exclusive. Many areas that we define as wetlands are farmed during dry periods, but if they are not tilled or planted to crops, a practice that destroys the natural vegetation, they will support hydrophytes.\*

---

\* For the purposes of identifying wetlands using the technical criteria contained in this guideline, one limited exception will be made. That is, drainage ditches as defined herein will not be considered wetlands under the Coastal Act. A drainage ditch shall be defined as a narrow (usually less than 5 feet wide) manmade nontidal ditch excavated from dry land.

COASTAL COMMISSION

Drained hydric soils that are now incapable of supporting hydrophytes because of a change in water regime are not considered wetlands by our definition. These drained hydric soils furnish a valuable record of historic wetlands, as well as an indication of areas that may be suitable for restoration.

The upland limit of wetland is designated as (1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; (2) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or (3) in the case of wetlands without vegetation or soil, the boundary between land that is flooded or saturated at some time each year and land that is not."

Wetlands should be identified and mapped only after a site survey by a qualified botanist, ecologist, or a soil scientist (See section III. B. of the guideline for a list of required information)\*.

B. Deepwater Habitats

"Deepwater habitats are permanently flooded lands lying below the deepwater boundary of wetlands. Deepwater habitats include environments where surface water is permanent and often deep, so that water, rather than air, is the principal medium within which the dominant organisms live, whether or not they are attached to the substrate. As in wetlands, the dominant plants are hydrophytes; however, the substrates are considered nonsoil because the water is too deep to support emergent vegetation (U. S. Soil Conservation Service, Soil Survey Staff 1975)."

---

\* Further details regarding the standards and criteria for mapping wetlands using the Service's classification system may be found in the following, "Mapping Conventions of the National Wetland Inventory," (undated), published by the U.S.F.W.S. The document may be obtained from the U.S.F.W.S. Regional Wetland Coordinator, Region 1, Portland, Oregon.

COASTAL COMMISSION