

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 10000 Oceanside, Suite 1000  
 Long Beach, CA 90802-4302  
 (562) 590-5071



Filed: 7/6/99  
 49th Day: 8/24/99  
 180th Day: 1/2/2000  
 Staff: CP-LB  
 Staff Report: 9/22/99  
 Hearing Date: Oct. 12-15, 1999  
 Commission Action:

**STAFF REPORT: PERMIT AMENDMENT**

**APPLICATION NUMBER:** 5-94-010-A4

**APPLICANT:** Northwestern Mutual Life

**AGENT:** Jonathan Glasgow, A.I.A.

**PROJECT LOCATION:** 401-435 Shoreline Village Drive, City of Long Beach.

**DESCRIPTION OF CURRENT AMENDMENT REQUEST (5-94-010-A4):**

Modify special conditions of underlying permit relating to the management of the Shoreline Village public parking lot (parking rates and validation program).

**DESCRIPTION OF PROJECT ORIGINALLY APPROVED (5-94-010):**

Conversion of the Shoreline Village shopping center parking lot from free parking to controlled validated/fee parking, including the construction of three controlled access gates and two ticket booths.

**DESCRIPTION OF PREVIOUS AMENDMENTS:**

**FIRST AMENDMENT (5-94-010-A1):** Withdrawn by Applicant - No Change.

**SECOND AMENDMENT (5-94-010-A2):** Modify the existing Shoreline Village shopping center parking lot configuration and operation to: 1) expand from 409 to 433 parking spaces, 2) remove fence, 3) modify parking rates, and 4) install new landscaping and informational signs.

**THIRD AMENDMENT (5-94-010-A3):** Rejected - No Change.

**SUMMARY OF STAFF RECOMMENDATION**

Staff recommends that the Commission determine that the proposed amendment, subject to the amended special conditions, is consistent with the Chapter 3 policies of the Coastal Act, and recommends approval of the proposed amendment with amended special conditions relating to the management of the Shoreline Village parking lot. The applicant agrees with the recommendation. (See *Executive Summary of Staff Report on page two.*)

**EXECUTIVE SUMMARY OF STAFF REPORT:**

The primary Coastal Act issue addressed in this report is the relationship between public access opportunities and the management of the various public parking facilities that exist in the Downtown Shoreline area of Long Beach. The Downtown Shoreline area provides a wide range of uses that attract large numbers of visitors and employees, most of whom arrive by automobile. Many of the area's attractions are coastal related such as the beach, marinas, coastal parks, the Long Beach Aquarium of the Pacific, and Shoreline Village (Exhibit #2). When the visitors arrive in their vehicles, they have the following choices of parking facilities: Convention Center (\$7), Marina Green (currently free, but permitted to be \$2/hour when metered), Shoreline Village (\$0-6), Rainbow Harbor parking structure (\$2-7), and Shoreline Park (currently free, but permitted to be \$2/hour when metered). The cumulative effects of people's decisions on where to park can have a direct effect on the general public's ability to access the coast by private automobile.

The subject of this amendment request is the management of the public parking lot that serves the Shoreline Village. Shoreline Village is a pedestrian friendly commercial facility on the Long Beach waterfront. From its opening in 1981 until 1994, the general public could park in the Shoreline Village public parking lot for free. In 1994, the Commission approved a controlled parking plan for the Shoreline Village parking lot in order to discourage Convention Center visitors and boaters from leaving their cars in the lot all day without patronizing the shops and restaurants. The 1994 approval, however, required the applicant to provide two hours of free parking for all persons who requested a validation so that the free Marina Green recreational parking supply would not be overused by patrons of Shoreline Village trying to avoid parking fees. In 1997, the Commission approved the applicant's request to require patrons to make a minimum three-dollar purchase in order to receive a parking validation for two hours of free parking.

Now, the Downtown Shoreline area is being redeveloped under the Queensway Bay Plan, and more and more people are visiting the area. The competition for parking spaces is intensifying, and all free parking in the area is being phased out under Commission approved permits. For instance, Coastal Development Permit 5-98-042 permits the City to implement metered parking in the currently free Marina Green public parking lots that adjoin Shoreline Village. The planned elimination of free parking in the Marina Green parking lots is the primary factor that is driving this amendment request. The Marina Green parking lots, which are the primary parking supply for general recreationists and beach goers, are located directly adjacent to Shoreline Village (Exhibit #2).

The applicant, in anticipation of changing parking demands and future reductions in the amount of free parking opportunities in the area, has requested to limit free parking in the Shoreline Village lot to customers who spend at least twelve dollars during their visit. As currently proposed, the Shoreline Village parking lot would still provide two hours of free parking to patrons with validations, but only to those who make a minimum purchase of at least twelve dollars. The cost of parking in the Shoreline Village parking lot would also increase under the current proposal from a current maximum of six dollars to a proposed

maximum of eight dollars. The applicant believes that validated free parking for customers will continue to encourage its customers to use the Shoreline Village parking lot, while also encouraging non-customers to use the soon-to-be metered parking in the adjacent Marina Green parking lots.

Staff concurs that the previously approved validation program that allows free parking for customers has encouraged customers to use the Shoreline Village parking lot, and that a reasonable increase in the minimum purchase requirement for a parking validation can be supported as a way to differentiate between customers and non-customers. In addition, the proposed increase in parking rates is justifiable in light of the Commission's approval of metered parking for the Marina Green public parking lots at the rate of two dollars per hour. Without the proposed parking rate increase, the Shoreline Village parking lots would cost less for long-term parking than the metered Marina Green parking lots.

The applicant's proposed amendment, however, should not be effective until the City of Long Beach alters the balance of free parking in the area by actually implementing the Commission approved metered parking program in the Marina Green parking lots. The City plans to implement the metered parking by the end of 1999. Therefore, staff recommends approval of the proposed amendment with the amended special conditions listed in Section II of this report. The amended special conditions would allow the applicant to increase the parking rates and minimum purchase requirement for the parking validation program after the City implements the metered parking program in the Marina Green parking lots. The special conditions would also require the applicant to continue to participate in the Parking and Traffic Management Organization (PTMO) that has been established by the City of Long Beach pursuant to its certified LCP, and to continue the implementation of an updated employee parking program that has been reviewed and approved by the Executive Director. A special condition also requires that the applicant submit the approved parking lot management program for Commission review within three years of this action in order to determine whether the general public's coastal access opportunities are being adequately protected. The applicant agrees with the staff's recommendation.

**LOCAL APPROVAL RECEIVED:**

1. City of Long Beach Approval in Concept, 3/18/99.

**SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit P-79-5152 (City of Long Beach/Shoreline Village).
2. Coastal Development Permit P-80-7497 (City of Long Beach/Shoreline Village).
3. Coastal Development Permit 5-94-010 & Amendments (Northwestern Mutual Life).
4. Coastal Development Permit 5-96-010 (Northwestern Mutual Life).
5. Coastal Development Permit Amendment 5-96-274-A (Northwestern Mutual Life).
6. Coastal Development Permit 5-98-042 (City of Long Beach/Marina Green Meters).
7. Coastal Development Permit 5-98-156 (City of Long Beach/Queensway Bay).

**STAFF NOTE:** The Commission's approval of the proposed amendment is required because the site is located on state tidelands within the Commission's area of original jurisdiction. Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a coastal development permit from the Commission. The Commission originally approved Coastal Development Permit 5-94-010 on May 12, 1994, and amended it on February 6, 1997 (5-94-010-A2). The Commission's standard of review for the coastal development permit amendment for the proposed development is the Chapter 3 policies of the Coastal Act. The City's certified LCP is advisory in nature and may provide guidance.

**PROCEDURAL NOTE:** The Commission's regulations provide for referral of coastal development permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

In this case, the Executive Director has determined that the proposed amendment is a material change that would affect special conditions that were previously required for the protection of coastal access. If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. [14 California Code of Regulations 13166].

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

**I. Approval with Conditions**

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

## II. Special Conditions

The following special conditions of Coastal Development Permit 5-94-010 are amended as follows. Deletions are identified with ~~strike-outs~~, and additions are underlined.

### 1. Parking Lot Plans

The applicant shall maintain and operate the 433 space Shoreline Village parking lot consistent with the plans approved by the Executive Director pursuant to the Commission's approval of this amendment.

### 2. Validations

Free parking ticket validations which allow for two hours of free parking shall be available with a minimum \$3.00 purchase from any tenant of the Shoreline Village shopping center. Subsequent to the City of Long Beach implementation of the metered parking system in the Marina Green public parking lots, as permitted by Coastal Development Permit 5-98-042, the minimum purchase requirement for two hours of free parking may be increased up to a maximum of \$12.00.

### 3. Traffic Circulation

All vehicles shall be permitted a fifteen (15) minute grace period to pass through the Shoreline Village shopping center parking lot for free.

### 4. Signage

Prior to issuance of the coastal development permit amendment, the applicant shall submit a signage plan, subject to the review and approval of the Executive Director. The signage plan shall provide sign designs and shall identify specific locations of signs at each entrance of the parking lot and within the parking lot which clearly announce:

- a) The availability of free parking ticket validations from any tenant of the Shoreline Village shopping center with a minimum ~~\$3.00~~ purchase which allows for two hours of free parking (consistent with special condition two above).
- b) The ability of all vehicles to pass through the Shoreline Village shopping center parking lot for free during a fifteen (15) minute grace period.
- c) The approved parking fee rates.

- d) Unless provided by other notification approved by the Executive Director, the availability of employee parking provided by the approved employee-parking program.

The signs shall be posted in the parking lot prior to, or concurrent with, the implementation of the approved validated/fee parking program. The signs shall be maintained consistent with the signage plan approved by of the Executive Director.

**5. Parking Fees and Validation Program**

By acceptance of this permit amendment, the applicant agrees that any increase in the parking fees and/or change in the management practices of the Shoreline Village public parking lot shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary.

**6. Parking & Traffic Association**

The applicant shall continue to participate in the Parking and Traffic Management Organization (PTMO) ~~Traffic and Parking Management Association~~ that has been established by the City of Long Beach pursuant to its certified Local Coastal Program as soon as such an association is established [see certified LCP Downtown Shoreline Planned Development Plan (PD-6): General Development and Use Standard (b)6]. ~~The association shall:~~

- ~~a) Includes among its goals the preservation of public access and the coordination of parking facilities, parking fees and shuttle services to manage parking and traffic in the Downtown Shoreline area, and,~~
- ~~b) Allow its members to vote on all association decisions regarding the coordination of parking facilities, parking fees and shuttle services in the Downtown Shoreline area.~~

**7. Employee Parking**

Prior to issuance of the coastal development permit amendment, the applicant shall submit an updated interim employee-parking program, subject to the review and approval of the Executive Director, which meets the following criteria:

- a) The plan identifies at least 100 parking spaces that will be available to all employees, owners and tenants of the establishments of Shoreline Village while they are working, and,

- b) None of the 100 parking spaces shall be in the public parking areas located in Marina Green, Shoreline Riverfront Park or along the shoulders of Shoreline Drive, and,
- c) None of the 100 spaces is more than 1,500 feet from Shoreline Village unless: (i) they are located within 200 feet of an existing free public transit (Long Beach Transit Passport Runabout) stop, and (ii) the schedules and frequency of the shuttles and choice of routes will not significantly increase commute times such that employees will have an incentive to park in public lots to avoid being late for work, and,
- d) The plan insures that the employee parking is provided to employees at a cost that does not exceed the cost of parking in nearby public parking lots (such as the Marina Green lots), and,
- e) The plan identifies the signs, notices and other measures that will inform all Shoreline Village employees, owners and tenants of the employee-parking program.

The applicant shall implement the employee-parking program as approved by the Executive Director.

**8. Time Limit on Requiring Purchases for Parking Validation/Monitoring**

The Commission's approval for the fee structure and the requirement of a purchase for a parking validation shall expire three years after the date of the Commission's approval of Coastal Development Permit amendment 5-94-010-A4 unless the Commission approves an amendment to extend the time limit. If the applicant submits an amendment request before expiration of the time limit, the Executive Director may authorize the fees to continue to be collected at the rate authorized by this amendment until the Commission can act on the future amendment request. The Commission, in approving any subsequent amendment, shall review evidence that: (a) the use and enjoyment of the shoreline in the development by the general public has not been reduced, (b) that such methods have been effective in protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors, and (c) that increased fees have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public. If the Commission does not approve an amendment granting an extension of this time limit, the rates and policies in operation before the Commission approval of this amendment shall apply.

**III. Findings and Declarations**

The Commission hereby finds and declares:

**A. Amendment Description**

The applicant proposes to amend the special conditions of Coastal Development Permit 5-94-010 (Northwestern Mutual Life) that relate to the management of the existing Shoreline Village shopping center parking lot (Exhibit #4).

Specifically, the applicant proposes to:

1. Raise the minimum purchase requirement for validated parking from \$3.00 to \$12.00 (or less as determined by the applicant). The currently permitted parking validation program allows for two hours of free parking in the Shoreline Village shopping center parking lot with a minimum three-dollar purchase.
2. Designate a fifteen-minute grace period for passing through the parking lot. The current grace period for passing through the parking lot is undefined.
3. Increase the maximum daily parking rate from \$6.00 to \$8.00, and revise the parking rates as follows:

First Two hours	Free with validation (up to \$12 minimum purchase)
First Two hours	\$1.00 each thirty minutes without validation
After Two hours	\$2.00 each thirty minutes without validation
Daily Maximum	\$8.00
Maximum with validation	\$8.00

The current Commission-approved parking rates are:

First two hours	Free with validation (\$3 minimum purchase)
Each 30 minutes	\$1.00
Two hours	\$4.00
Daily Maximum	\$6.00
Maximum with validation	\$3.00

Shoreline Village is a shopping center with a maritime theme located on the waterfront in the Downtown Shoreline area of the City of Long Beach (Exhibits #1&2). The shopping center, which is built on former tidelands, shares the downtown Long Beach waterfront area with the Downtown Long Beach Marina, Rainbow Harbor, Long Beach Aquarium of the Pacific, and Shoreline Park. All are located on former tidelands which are now public trust lands. The nearest public beach is located one-half mile east of Shoreline Village.



The currently permitted parking validation program and parking rates for the Shoreline Village parking lot were approved by the Commission on February 6, 1997, as part of Coastal Development Permit amendment 5-94-010-A2. The Commission has permitted the applicant to charge for parking on this public parking lot in order to discourage long-term parking by visitors of other uses, such as the Long Beach Convention Center, who try to avoid paying for parking. The Commission, however, has required that the applicant implement a parking validation program that allows two hours of free parking with a validation. The parking validation program is required in order to discourage the shopping center's customers from using the free parking provided by the adjacent Marina Green public parking lots (Exhibit #2). The Marina Green public parking lots are a primary parking supply for beach goers and other coastal recreation activities.

The Commission, through a series of coastal development permit actions, has been regulating the management of the various parking reservoirs in the Downtown Shoreline area in order to protect the parking supplies that support the many coastal recreation activities in the area. The intent of the Commission approved parking rates and validation programs has been to direct Downtown Shoreline area visitors to the appropriate parking reservoirs that support each use in order to protect the public parking that is dedicated to support coastal recreation.

All the parking in the Downtown Shoreline area is located on public tidelands, and is therefore open to the general public. Each distinct use in the Downtown Shoreline area, however, has its own primary parking reservoir:

<u>Downtown Shoreline Use</u>	<u>Primary Parking Reservoir</u>
Beach & General Recreation	Marina Green Parking Lots (388 spaces)
Shoreline Village Commercial	Shoreline Village Lot (433 spaces)
Downtown Marina (Boaters)	Marina Permit Parking (1,669 spaces)
Convention Center	Convention Center Lots (4,830 spaces)
Rainbow Harbor & Aquarium	Parking Structure (1,471 spaces)
Shoreline Park	Shoreline Park Lot (150 spaces)
Catalina Landing	Parking Structure (1,472 spaces)
Pierpoint Landing Fishers	Future Parking Lot (95 spaces)
California State University	Chancellors' Office Lots (435 spaces)
Queensway Bay Commercial	Future Parking Supplies (2,655 spaces)

The Commission has approved consistent parking rate structures and validation programs for many of the above-stated parking reservoirs in order to encourage the various user groups to park in the appropriate parking areas. The Commission approved parking management techniques, which are being implemented by the Long Beach Parking and Traffic Management Organization (PTMO), protect public access and recreation opportunities by preserving a portion of the waterfront parking supplies for beach visitors and recreationists. Visitors to the many commercial uses in the area are encouraged by validation programs to use the appropriate commercial parking reservoirs. In addition, the consistent parking rates approved and endorsed by the Commission help to reduce traffic congestion by discouraging people from driving around while looking for a lower-cost parking space.

**B. New Information**

Section 13166(A)(1) of the California Code of Regulations states:

An application for an amendment shall be rejected if, in the opinion of the Executive Director, the proposed amendment would lessen or avoid the intended effect of a partially approved or conditioned permit unless the applicant presents newly discovered material information, which he could not, with reasonable diligence, have discovered and produced before the permit was granted.

Since the Commission's approval of Coastal Development Permit amendment 5-94-010-A2 on February 6, 1997, there have been two Commission actions that have the potential to alter the current pattern of parking lot usage at the Shoreline Village shopping center and the Marina Green public parking lots. The recent Commission actions constitute newly discovered information that could not have been discovered or produced before February 6, 1997.

First of all, on April 7, 1998, the Commission approved Coastal Development Permit 5-98-042 (City of Long Beach) permitting the City's plan to implement metered parking in the Marina Green public parking lots. The implementation of metered parking would eliminate the imbalance between the free parking that supports general recreation use, and the pay parking that has been permitted in the rest of the Downtown Shoreline area. It was found that the free parking that supports general recreation use was being usurped by the visitors of the other uses who use the Marina Green parking lots in order to avoid paying for parking. The parking rate of two dollars per hour approved for the Marina Green public parking lots is intended to keep these lots available for recreational users and beach visitors. The City states that it intends to implement the metered parking system in the Marina Green public parking lots by the end of the year 1999.

The applicant for this amendment, Northwest Mutual Life, contends that the Commission's approval of metered parking in the Marina Green public parking lots may cause more non-customers to park in the Shoreline Village parking lot because it would cost less for long-

term parking under the currently approved rates. The current maximum parking rate in the Shoreline Village parking lot is approved at six dollars. There is no maximum on the metered parking rate of two dollars per hour.

Secondly, on February 3, 1999, the Commission approved Coastal Development Permit 5-98-156 (City of Long Beach Queensway Bay) for the construction of a 508,550 square foot commercial retail and entertainment complex in the Downtown Shoreline area. The approval of Coastal Development Permit 5-98-156 for the proposed Queensway Bay commercial development includes a proposed seven-level parking structure to provide public parking at the approximate rate of two dollars per hour with a twelve dollar maximum. A parking validation program was also approved that would allow at least one hour of free parking for customers of the proposed commercial development. The conditions of Coastal Development Permit 5-98-156 do not prohibit or require any specific minimum purchase amount as part of the approved parking validation program.

The applicant for this amendment, Northwest Mutual Life, contends that because the Commission did not designate a minimum purchase amount for the Queensway Bay commercial development, the minimum purchase requirement for Shoreline Village should be reviewed and revised for consistency within the Long Beach Parking and Traffic Management Organization (PTMO).

### C. Shoreline Village History

The Shoreline Village shopping center, and the Downtown Shoreline area of Long Beach, has a long history of Commission actions dating back to the late 1970's. Most of the Long Beach Downtown Shoreline area was developed in the late 1970's and early 1980's under coastal development permits approved by the Commission in 1979. The more recent revitalization of the shoreline area, including the construction of the Long Beach Aquarium of the Pacific and Rainbow Harbor, was permitted by the Commission in the late 1990's. Most recently, the Commission approved Coastal Development Permit 5-98-156 (City of Long Beach Queensway Bay) for the construction of a 508,550 square foot commercial retail and entertainment complex on the north side of Rainbow Harbor and along the west side of South Pine Avenue.

The Downtown Shoreline area of Long Beach currently contains the Downtown Long Beach Marina, Marina Green Park, the Long Beach Convention and Entertainment Center, Hyatt Regency Hotel, Rainbow Lagoon Park, Shoreline Village shopping center, Shoreline Park, Rainbow Harbor, the Long Beach Aquarium of the Pacific, and Catalina Landing (Exhibit #2). Until its demolition in 1979, the famous Pike amusement park was situated on the now land-locked beach in the Downtown Shoreline area.

The Downtown Shoreline area of Long Beach is comprised primarily of state-owned public tidelands which are administered by the City of Long Beach under a Tidelands Trust Agreement with the State of California. The Chapter 138 line, the boundary between the

privately owned upland properties and the public tideland areas in the Downtown Shoreline area, is the former mean high tide line. The public tideland areas subject to the Long Beach Tidelands Trust Agreement are the filled areas which lie seaward of the Chapter 138 line. The Chapter 138 line runs roughly corresponds to the alignment of Seaside Way (Exhibit #2). Shoreline Village and its public parking lot are located on state-owned public tidelands that the City has leased to the applicant, Northwestern Mutual Life.

Originally, the Shoreline Village shopping center was approved by the Commission on June 11, 1979 by Coastal Development Permit P-79-5251. The purpose of the development was to encourage day use activities on the waterfront. Coastal Development Permit P-79-5251 approved three restaurants with a total of 17,500 square feet of gross floor area, and 18,000 square feet of other commercial uses. That project included the provision of 252 parking places to serve the approved commercial uses.

The Shoreline Village project was revised in 1980. The revised project, which was approved by the Commission in Coastal Development Permit P-80-7497, increased the permitted amount of commercial area from 35,500 square feet to 51,000 square feet and increased the amount of parking provided in the Shoreline Village public parking lot to 409 parking spaces.

On May 12, 1994, the Commission approved Coastal Development Permit 5-94-010 allowing the conversion of the Shoreline Village public parking lot from free uncontrolled parking to controlled validated/fee parking. The approved project included the closure of one of the four existing entrances, the construction of controlled access gates at the remaining three entrances, the construction of two 7.5 foot high ticket booths, and a validation/fee program which allowed two hours of free public parking with a validation. At that time, no purchase was required in order to receive a parking validation.

On March 14, 1996, the Commission approved Coastal Development Permit 5-96-010 (Northwestern Mutual Life) for the remodeling of existing restaurant space within Shoreline Village into two new restaurants: The Yardhouse Restaurant and Oink's Diner (now Tequila Jack's). The approved project also included the improvement of the public boardwalk that adjoins the Shoreline Village shopping center. The approval of Coastal Development Permit 5-96-010 did not affect the management or layout of the Shoreline Village parking lot.

Coastal Development Permit 5-94-010 was amended February 6, 1997 (see Coastal Development Permit amendment 5-94-010-A2). Coastal Development Permit amendment 5-94-010-A2 (Northwestern Mutual Life) approved an enlargement of the Shoreline Village parking lot from 409 to 433 spaces, revised the parking rates, and established a minimum purchase amount of three dollars for obtaining a parking validation for two hours of free parking. As part of the amendment approval, the applicant was required to implement an employee-parking program approved by the Executive Director.

On April 8, 1997, the Commission approved an amendment to Coastal Development Permit P-80-7497 (5-96-274-A), increasing the permitted amount of commercial floor area

in the Shoreline Village shopping center from 51,000 square feet to a total of 82,368 square feet. The approval of the amendment did not include the construction of any new floor area, but merely legalized the amount of floor area that had actually existed since the original construction of the project in the early 1980's. The approval of the amendment to Coastal Development Permit P-80-7497 (5-96-274-A) did not affect the management or layout of the Shoreline Village parking lot.

The applicant now proposes to revise the parking rates and the validation program that the Commission approved on February 6, 1997 as part of Coastal Development Permit amendment 5-94-010-A2.

**D. Public Access and Recreation**

The primary Coastal Act issue is the proposed amendment's impact on the public's ability to access the coast. A basic goal of the Coastal Act is to protect and maximize public access to the coast while providing recreational opportunities for all the people.

Section 30210 of the Coastal Act states:

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

Section 30213 of the Coastal Act states, in part:

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

One of the methods commonly used to maximize public access to the coast is to ensure that there is enough parking available for visitors of the coast. The Commission has consistently found that a direct relationship exists between the provision of adequate parking and availability of public access to the coast. Section 30252 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....

The Shoreline Village parking lot is located on public property seaward of the first public road in the Commission's area of original jurisdiction. The Shoreline Village shopping center and parking lot are located in a popular coastal recreation area where visitors can take advantage of sailing and boating opportunities, the coastal bicycle path, fishing opportunities, the parks and beach, or shopping and sightseeing at Shoreline Village and its boardwalk.

In its approval of Coastal Development Permit 5-94-010 and amendment 5-94-010-A2, the Commission found that it is important that the operation of the Shoreline Village parking lot does not preclude the general public from parking and accessing the various coastal recreation opportunities in the area. A parking lot management program was approved with parking rates and a parking validation program that encourages Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lots that support coastal recreation and beach goers.

The currently approved parking lot management program, with the two hours of free parking allowed with a validation, has been successful in encouraging the Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lots. Imminent changes to the Marina Green parking lots and Downtown Shoreline area, as well as special condition eight of amendment 5-94-010-A2, require that the Shoreline Village parking lot management program be reviewed by the Commission in order to ensure that:

- a) the use and enjoyment of the Downtown Shoreline area by the general public has, and will not be, reduced by the management of the Shoreline Village parking lot;
- b) the parking lot management program is effectively protecting the Shoreline Village parking lot from being used for long-term parking by Long Beach Convention Center and Arena visitors; and
- c) the parking rates have not resulted in employees and customers of Shoreline Village occupying the Marina Green parking lots to the exclusion of the general public.

Commission staff and the applicant agree that the currently approved parking lot management program has been successful in discouraging long-term parking by Long Beach Convention Center and Arena visitors, and in encouraging Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lots. In addition, the Commission-required employee-parking program has provided the Shoreline Village employees with a viable parking area without occupying the Marina Green parking lots to the exclusion of the general public. The employee parking area is currently located in an underused portion of the marina permit parking (boatowner) area of the Marina Green, pursuant to an agreement with the City of Long Beach.

The applicant now proposes to modify the previously approved parking rates and parking validation program. The applicant's current proposal would change the terms of the permit by giving validations only to customers with a minimum purchase of twelve dollars (or less as the applicant see fit), instead of the formerly permitted minimum purchase of three dollars. A parking validation will continue to allow for two hours of free parking. In addition, the parking rate structure would be slightly modified with the maximum daily parking rate proposed to be increased from six to eight dollars (Exhibit #4).

The proposed changes are in response to the City's plan to implement metered parking at the rate of two dollars per hour in the currently free Marina Green parking lots. On April 7, 1998, the Commission approved Coastal Development Permit 5-98-042 (City of Long Beach) permitting the City's plan to implement metered parking in the Marina Green public parking lots. The implementation of metered parking would eliminate the imbalance between the free parking that supports general recreation use, and the pay parking that has been permitted in the rest of the Downtown Shoreline area. It was found that the free parking that supports general recreation use was being usurped by the visitors of the other uses who use the Marina Green parking lots in order to avoid paying for parking. The parking rate of two dollars per hour approved for the Marina Green public parking lots is intended to keep these lots available for recreational users and beach visitors. The City states that it intends to implement the metered parking system in the Marina Green public parking lots by the end of the year 1999.

The Commission finds that a reasonable increase in the minimum purchase requirement for a parking validation is a viable method to differentiate between customers and non-customers who use the Shoreline Village parking lot. The proposed twelve dollar purchase requirement is not unreasonable due to the fact that many, if not most, of Shoreline Village visitors dine at one of the four major waterfront restaurants in the shopping center. A dinner bill for one person, or a lunch tab for two persons, can easily exceed twelve dollars. The expense of twelve dollars for a meal or retail item (to obtain a parking validation) will eliminate four dollars of parking costs with the parking validation. For persons who do not wish to spend at least twelve dollars, they may still park in the Shoreline Village parking lot for the same cost as it will cost to park in the Marina Green parking lots once metered parking is implemented (\$2/hour).

The parking validation program, even with a twelve-dollar minimum purchase requirement, will continue to encourage Shoreline Village customers to use the Shoreline Village parking lot instead of the adjacent Marina Green parking lots. Once the metered parking program is implemented in the Marina Green parking lots by the City, the only available free parking in the area will be provided by Shoreline Village through its Commission-approved parking validation program. Both the Shoreline Village and Marina Green parking lots will be available to the general public at the rate of two dollars per hour (once metered parking is implemented). A rate of two dollars per hour is consistent with most other parking facilities in the Los Angeles and Orange County coastal areas. Therefore, the proposed amendment will not cause Shoreline Village customers to use the adjacent Marina Green parking lots that are necessary to support lower-cost coastal recreation activities.

The approval of the proposed increase in the minimum purchase requirement for a parking validation, however, shall not be effective until the City of Long Beach alters the balance of free parking in the area by actually implementing the Commission approved metered parking program in the Marina Green parking lots. The City plans to implement the metered parking by the end of 1999.

The proposed parking rate increase is also justifiable in light of the Commission's approval of metered parking for the Marina Green public parking lots at the rate of two dollars per hour. With or without the proposed parking rate increase, it will cost less for long-term parking (three to eight hours) in the Shoreline Village parking lots than it would in the metered Marina Green parking lots. The applicant proposes a maximum daily cost of eight dollars to park all day in the Shoreline Village parking lot (overnight parking is not allowed unless permitted by the applicant). Eight dollars will buy only four hours of parking in the metered Marina Green parking lots. The currently proposed parking rates are still much lower than the twelve dollar maximum approved by the Commission for the seven-level parking structure that will serve the proposed 508,550 square foot commercial retail and entertainment complex in the Downtown Shoreline area [See Coastal Development Permit 5-98-156 (City of Long Beach Queensway Bay)].

The special conditions, as amended, require the applicant to continue to participate in the Parking and Traffic Management Organization (PTMO) that has been established by the City of Long Beach pursuant to its certified LCP, and to update and continue to implement the employee-parking program that has been reviewed and approved by the Executive Director. These conditions were established by the Commission's approval of Coastal Development Permit amendment 5-94-010-A2 on February 6, 1997.

Special condition eight, also established as part of amendment 5-94-010-A2, requires the applicant to submit the approved parking lot management program for Commission review within three years of this action in order to determine whether the general public's coastal access opportunities are being adequately protected. A three-year review is necessary because there may be unforeseen consequences of the City's plan to implement metered parking in the adjacent Marina Green parking lots. The City's implementation of the metered parking may cause conflicts between the many user groups that use the area for parking. The three-year review will give the Commission and the applicant an opportunity to make any changes to the parking management program that are deemed necessary to protect the public's ability to access the coast. If, in three-years, the Commission does not approve an amendment granting an extension of the three-year term, the rates and policies in operation before the Commission approval of this amendment shall apply (i.e. the terms of amendment 5-94-010-A2).

As amended, the special conditions of this amendment will protect public access to coastal facilities and will also continue to provide a viable parking supply for customers of Shoreline Village. Only as conditioned, the proposed amendment will not negatively affect the public's ability to access the Downtown Shoreline area and the coast, and is consistent with the public access and recreation policies of the Coastal Act.



**E. Local Coastal Program**

The City of Long Beach Local Coastal Program was certified by the Commission on July 22, 1980. Because the project is located seaward of the former mean high tide line, the LCP is advisory in nature and may provide guidance. The standard of review for this amendment is the Chapter 3 policies of the Coastal Act. The proposed amendment is consistent with the Chapter 3 policies of the Coastal Act and the certified LCP.

The certified LCP requires the provision of adequate parking supplies to meet the parking demands of the development in the Downtown Shoreline area. Because all of the Downtown Shoreline area is located on public tidelands, the certified LCP parking policies encourage the use of shared parking and joint use parking arrangements to meet the total parking demands of the public and private visitor-serving and recreational facilities in the area. The LCP also encourages the shared use of the parking supply in downtown Long Beach north of the Downtown Shoreline area and outside the coastal zone. The LCP states that the public transportation system, including the Blue Line light-rail, Long Beach Transit, and free trams, are expected to reduce the demand for parking in the Downtown Shoreline area. The LCP requires the City to form a traffic and parking management association to plan and carryout the joint use of public and private parking facilities to serve the Downtown Shoreline area. The Long Beach Parking and Traffic management Organization (PTMO) has been established as required by the LCP. The applicant is required to continue its participation in the PTMO.

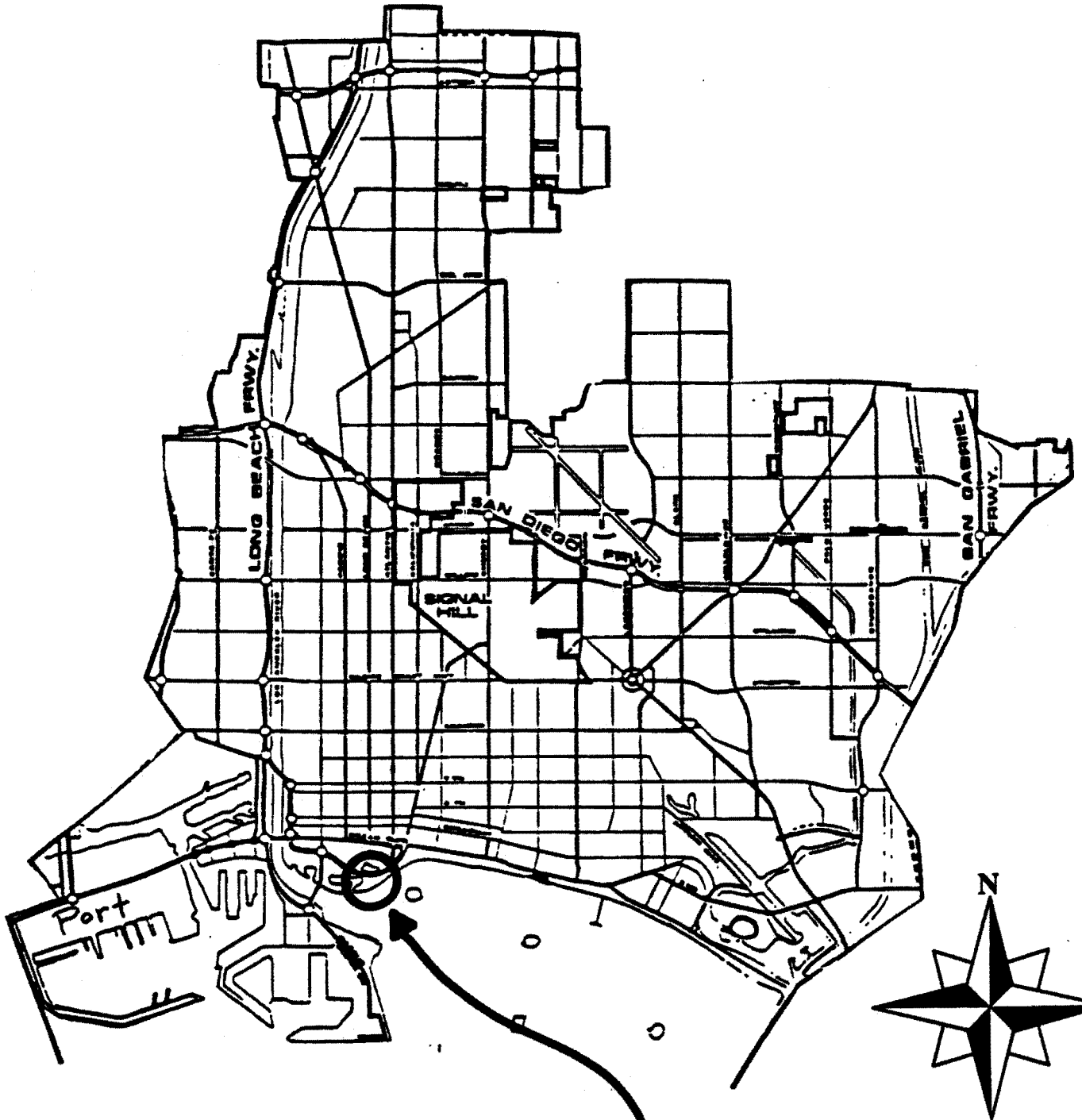
The LCP also requires that the parking supplies on public tidelands in LCP subareas 5 and 6 shall be available for use by the general public on a first-come, first-served basis. Shoreline Village is located in LCP subarea 6. No parking may be reserved for the exclusive use of any tenant or development. These parking policies enhance the public's ability to access both the lower cost recreational facilities and the visitor-serving commercial uses in the Downtown Shoreline area.

**F. California Environmental Quality Act (CEQA)**

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. As conditioned, the proposed project and permit amendment will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA. Therefore, the Commission finds that the project is consistent with the requirements of the Coastal Act to conform to CEQA.

End/cp

# City of Long Beach



Site

COASTAL COMMISSION

5-94-010-A4

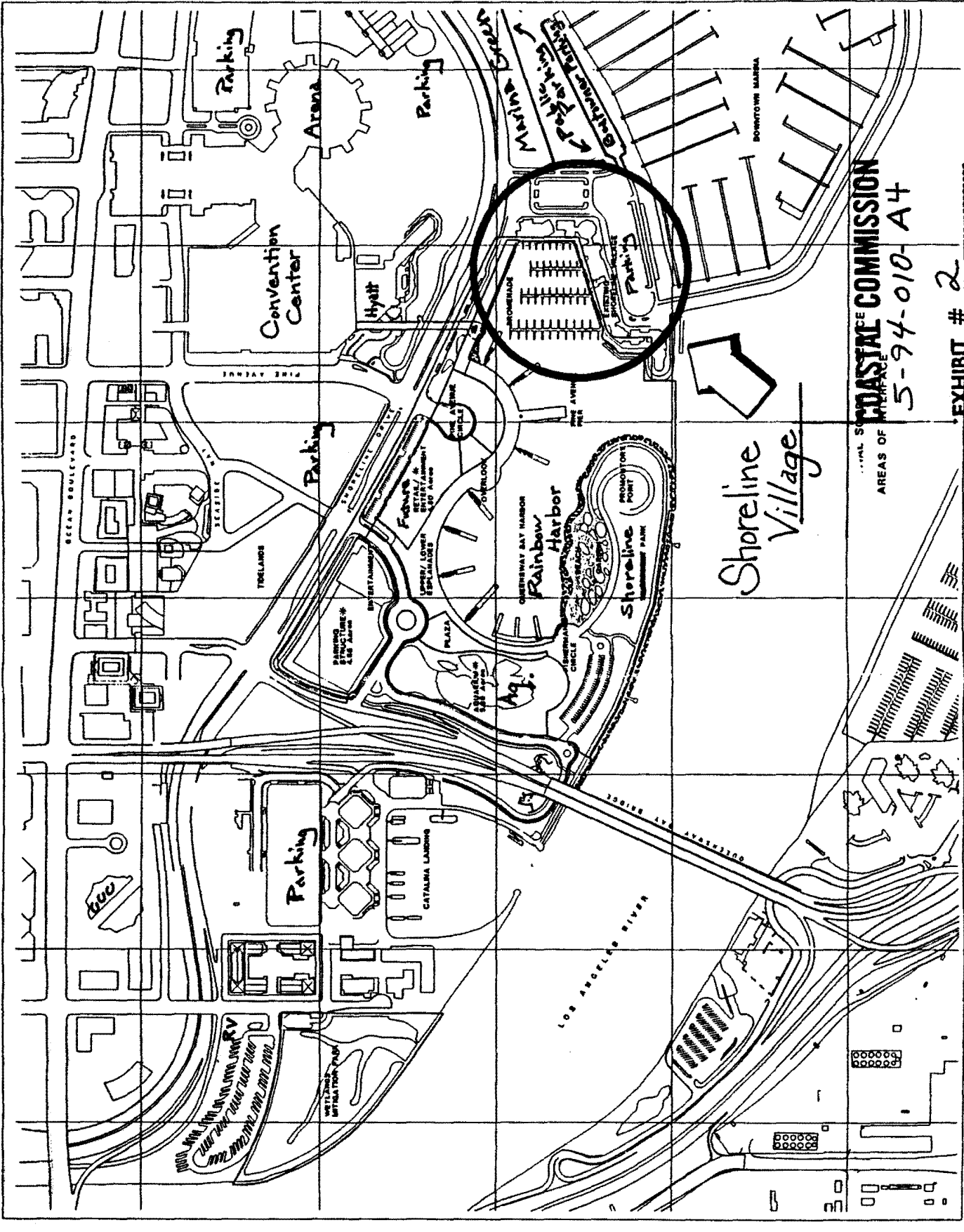
EXHIBIT # 1

PAGE 1 OF 1



QUEENWAY BAY  
MASTER SITE PLAN

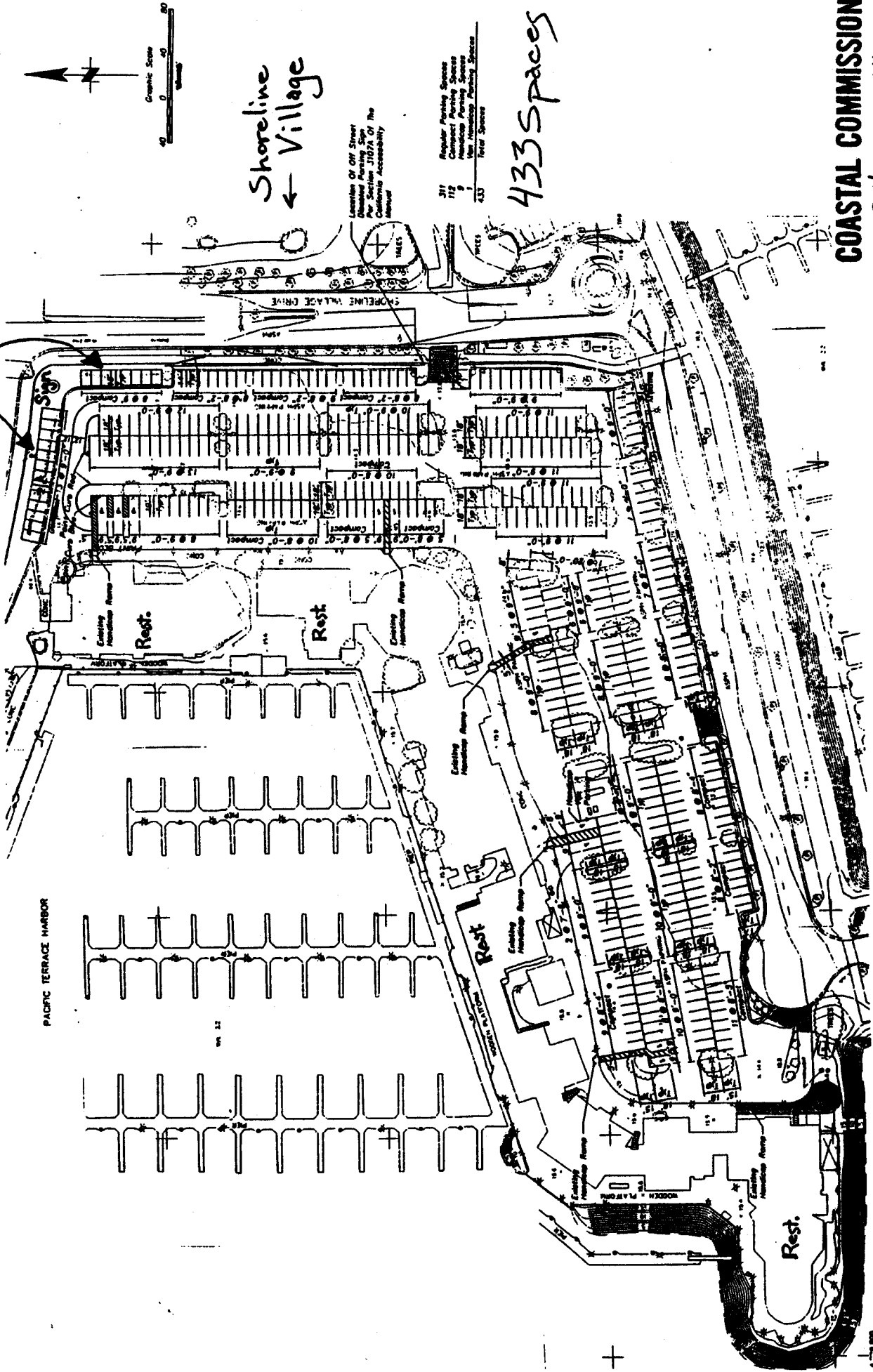
<p><b>LEGEND:</b></p> <p>1.000' - 1.500' (Light Green)</p> <p>1.500' - 2.000' (Medium Green)</p> <p>2.000' - 2.500' (Dark Green)</p> <p>2.500' - 3.000' (Light Blue)</p> <p>3.000' - 3.500' (Medium Blue)</p> <p>3.500' - 4.000' (Dark Blue)</p> <p>4.000' - 4.500' (Light Purple)</p> <p>4.500' - 5.000' (Medium Purple)</p> <p>5.000' - 5.500' (Dark Purple)</p> <p>5.500' - 6.000' (Light Grey)</p> <p>6.000' - 6.500' (Medium Grey)</p> <p>6.500' - 7.000' (Dark Grey)</p> <p>7.000' - 7.500' (Light Black)</p> <p>7.500' - 8.000' (Medium Black)</p> <p>8.000' - 8.500' (Dark Black)</p>	<p><b>REVISIONS:</b></p> <p>NO. DATE DESCRIPTION</p> <p>1 10/15/00 Initial Design</p> <p>2 11/15/00 Final Design</p> <p>3 12/15/00 Construction Documents</p>	<p><b>DATE:</b> 10/15/00</p> <p><b>BY:</b> [Signature]</p> <p><b>CHECKED BY:</b> [Signature]</p> <p><b>SCALE:</b> 1" = 100'</p>
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COASTAL COMMISSION  
 5-94-010-A4

EXHIBIT # 2

New Spacks (5-94-010-A2)



Shoreline Village  
←

Location Of Off Street  
Shower For Use By  
The Public 3707A Of The  
City Code  
Section 10.04.010  
Accessibility

371	Regular Parking Spaces
372	Handicap Parking Spaces
373	New Handicap Parking Spaces
433	Reel Spaces

433 Spaces

COASTAL COMMISSION  
5-94-010-A1

Shoreline Village  
Parking Lot

EXHIBIT # .....  
PAGE / OF /

320 Pine Avenue  
Suite 610  
Long Beach California  
90802

RECEIVED

562 432 6242

562 432 4342

INTERSTICES ARCHITECTURE  
INTERIOR  
DESIGN

JUL 2 1999

CALIFORNIA  
COASTAL COMMISSION

July 6, 1999

Regarding: Coastal Development Permit Amendment 5-94-010 *A4*

Project: Shoreline Village Parking Lot  
401-435 Shoreline Village Drive  
Long Beach, California

The Shoreline Village controlled parking rates and restrictions are currently governed by California Coastal Commission Amendment 5-94-010. This application requests modifications to these rates and restrictions in order to address various changes which have occurred or will soon occur in several adjacent parking areas. These modifications are necessary to maintain desired parity with adjacent lots and to encourage the appropriate use of all the available parking areas by the public.

Below is a listing of the requested changes to Amendment 5-94-010-A2 along with supporting background information:

**Requested Modifications to Special Conditions of Amendment 5-94-010-A2:**

Below is a summary of requested changes to the Special Conditions of Amendment 5-94-010-A2. A copy of the current approved conditions is attached for reference.

1. **Parking Lot Plans:**  
Unchanged.
2. **Validations:**  
Two hours free parking with validation given when up to a minimum \$12.00 purchase is made from any tenant of the Shoreline Village shopping center. The minimum validation purchase is currently set at \$3.00. Please note that the actual minimum purchase amount requirement will be established by Shoreline Village based on market conditions.
3. **Traffic Circulation:**  
Amend to designate 15 minute grace period as time allocation for passing through Shoreline Village shopping center for free. The grace period is currently not established in this condition.
4. **Signage:**  
Condition (a): Change to designate minimum purchase of up to \$12.00 required for validation.  
Condition (b): Change to designate 15 minute grace period as time allocation for passing through Shoreline Village for free.  
Condition (c): Unchanged.  
Condition (d): Unchanged.

COASTAL COMMISSION  
*5-94-010-A4*

EXHIBIT # 4  
PAGE 1 OF 5

5. **Parking Fees:**  
Amend parking rates to be as follows: \$1.00 each ½ hour for the first two hours; and \$2.00 each ½ hour thereafter with an \$8.00 maximum. First 15 minutes to be a grace period.
6. **Parking & Traffic Association:**  
Unchanged. Shoreline Village is participating in the recently-formed Queensway Bay Parking and Traffic Management Organization (PTMO).
7. **Employee Parking:**  
Unchanged.
8. **Time Limit on Requiring Purchases for Parking Validation/Monitoring:**  
Modified to extend the approval time period.

#### New Information

Since approval of the existing California Coastal Commission Amendment approval establishing parking rates and conditions for Shoreline Village, numerous changes have occurred which have greatly affected or will soon affect access to the entire area's limited parking supply. Below is a discussion of new information regarding changes which relate to the rate and condition modifications requested in this application. This information has changed or was not available at the time of the existing amendment approval.

1. **Marina Green:** The adjacent Marina Green parking lot, which previously offered free parking, has now been approved to charge for parking through parking meters. This change has been approved by the California Coastal Commission and is intended to be implemented by the City of Long Beach in August of 1999. Rates are approved to be up to \$2.00 per hour with no maximum amount. For Marina Green visitors planning to stay for longer periods, the Shoreline Village lot's rates are lower, thereby encouraging use of this limited-size lot for long-term parking.
2. **Convention Center:** The adjacent Long Beach Convention Center recently increased their flat rate charge from \$6.00 to \$7.00 per day. For Convention Center visitors, especially those not attending events for longer periods, Shoreline Village currently offers lower parking rates, either with or without validation, thereby encouraging use of this limited-size lot for long-term parking. This constrains the availability of parking for those visitors wishing to enjoy the public access offered at Shoreline Village.
3. **Hyatt Regency Hotel:** The adjacent Hyatt Regency Hotel currently charges \$2.00 per hour with a maximum of \$11.00 for non-guests. Shoreline Village offers lower parking rates, thereby encouraging use of this limited-size lot for long-term parking. This constrains the availability of parking for those visitors wishing to enjoy the public access offered at Shoreline Village.
4. **Aquarium:** The Long Beach Aquarium parking garage currently charges \$2.00 per hour with a maximum of \$6.00 for aquarium visitors and \$7.00 for others. For visitors not visiting the aquarium for longer periods, Shoreline Village offers lower rates with validation, thereby encouraging use of this lot for long-term parking. This constrains

**COASTAL COMMISSION**  
5-94-010-A4

EXHIBIT # 4  
PAGE 2 OF 5

the availability of parking for those visitors wishing to enjoy the public access offered at Shoreline Village.

5. **Queensway Bay:** The Queensway Bay Commercial Development has recently been approved by the California Coastal Commission to set parking rates at \$2.00 per hour with a \$12.00 maximum. Validations will give one hour free parking and reduced rates for additional time with a \$12.00 maximum. The minimum purchase amount for validation was not designated with the Coastal Commission approval, thereby leaving this amount to be established by the PTMO. Shoreline Village currently offers lower maximum rates, thereby potentially encouraging use of this limited-size lot for long-term parking. This will potentially constrain the availability of parking for those visitors wishing to enjoy the public access offered at Shoreline Village.
6. **Pine Avenue Surface Lot:** The closure of the Pine Avenue surface parking lot in the near future to allow for construction of the Queensway Bay Commercial Development may cause a significant negative effect on parking supply for the Convention Center and special events staged in Marina Green. With approximately 1,700 parking spaces, this lot is nearly four times as large as the Shoreline Village lot. The loss of the lot may further encourage use of the Shoreline Village limited-size lot for long-term parking.
7. **Special Events:** The City of Long Beach stages several special events in Marina Green and downtown Long Beach, including the following: Toyota Grand Prix, Rainbow Harbor Art Walk, Beachfest, Lesbian and Gay Pride Festival, Aloha Jam, and Jazz Festival. For every event, Shoreline Village experiences "lot full" conditions due to the close proximity to the events and the lower parking rates. Parking control labor costs are greatly increased in order to monitor and restrict use of this limited-size lot to those wishing to enjoy the public-access offered at Shoreline Village.

#### Additional Information

Because the Shoreline Village/Queensway Bay/Marina Green area is very attractive to visitors, especially during the summer months, it is vitally important that the limited parking supply in various locations be analyzed and controlled in order to limit congestion and confusion and to encourage appropriate use of each parking area. Even with careful planning, there will probably continue to be brief periods where parking demand will be greater than supply.

By its unique site location and configuration, Shoreline Village offers a large amount of public access to the water along the boardwalks. It is the center's intent to provide parking for those wishing to enjoy this public access and for customers of the center. Because the lot is very limited in size, careful control must be exercised to discourage long-term parking by those using the other adjacent facilities. Without such control, ability to provide parking for public access is greatly impaired.

Based on analysis of parking receipts, the average stay for a Shoreline Village visitor is approximately three hours. For this reason, it is appropriate that the maximum parking charge (without validation) be reached in three hours and that this charge be slightly higher than the adjacent Convention Center and Marina Green lots for a three-hour period. This discourages users of the Convention Center or Marina Green from using the Shoreline Village lot for longer-term parking. With validation, however, the Shoreline Village rates remain lower than the Convention Center and Marina Green for the average visitor, thereby discouraging Shoreline

**COASTAL COMMISSION**  
5-94-010-A4

EXHIBIT # 4

PAGE 3 OF 5

Village visitors from using these other lots. Therefore, this entire strategy works to encourage the users of each venue to use the lot planned for them and to discourage "shopping" for a lower parking rate. Below is a comparison of parking rates for the various adjacent venues for various lengths of stay, with both existing and proposed new Shoreline Village rates included:

Rate Comparison for Shoreline Village Area		1 Hour	2 Hours	3 Hours	4 Hours
<b>Shoreline Village, Existing Rates</b>					
	With Validation	\$0.00	\$0.00	\$2.00	\$4.00
	Without Validation	\$2.00	\$4.00	\$6.00	\$6.00
<b>Shoreline Village, Proposed Rates</b>					
	With Validation	\$0.00	\$0.00	\$4.00	\$8.00
	Without Validation	\$2.00	\$4.00	\$8.00	\$8.00
<b>Queensway Bay</b>					
	With Validation	\$0.00	\$2.00	\$2.00	\$3.00
	Without Validation	\$2.00	\$4.00	\$6.00	\$8.00
Aquarium Parking Garage		\$2.00	\$4.00	\$6.00	\$7.00
Convention Center		\$7.00	\$7.00	\$7.00	\$7.00
Pine Avenue Surface Lot		\$7.00	\$7.00	\$7.00	\$7.00
Hyatt Regency Self-Park		\$2.00	\$4.00	\$6.00	\$8.00

The setting of the minimum purchase for validation of up to \$12.00 is proposed in order to discourage more strongly the use of the lot for long-term parking by those not visiting the center. Because the vast majority of visitor automobiles contain from two to four occupants, reaching up to a \$12.00 combined minimum purchase is not difficult. The \$12.00 amount is based on the maximum total parking charge approved for the Queensway Bay Development. Please note that Shoreline Village may elect to set the minimum purchase amount at a lower level, based on market conditions and PTMO direction, until the adjacent projects are completed or greater control is required to alleviate congestion.

**Supporting Documentation**

Attached is additional reference information relating to this application, including the following:

1. Copy of Conditions of Approval for current California Coastal Commission Amendment.
2. Copy of letter from Queensway Bay Parking and Traffic Management Organization supporting the proposed Shoreline Village parking rate increases.
3. Copy of letter from City of Long Beach clarifying proposed schedule for installation of parking control at Marina Green (to follow under separate cover).
4. Parking Rate Survey for various parking venues in Long Beach and San Pedro.
5. City of Long Beach Approval in Concept Review Form.

**COASTAL COMMISSION**  
5-94-010-A4

EXHIBIT # 4  
PAGE 4 OF 5



**Summary**

The Shoreline Village parking lot is very limited in size in comparison to the lots for the Convention Center, the Hyatt Regency, the Queensway Bay Development, and the Aquarium, all of which are designed for a much larger number of cars and for longer-term parking. In order to preserve availability of parking for public access to the center and to the water, the Shoreline Village lot must be carefully monitored and controlled. The only effective way to control is to set appropriate rates and conditions which encourage the most appropriate use of each of the parking areas. The rates and conditions as proposed and justified in this application will most effectively influence the desired use of the Shoreline Village lot.

**COASTAL COMMISSION**  
5-94-010-A4

EXHIBIT # 4  
PAGE 5 OF 5

