

CALIFORNIA COASTAL COMMISSION

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 Staff: AM-LB AM
 Staff Report: 5/24/00
 Hearing Date: June 13-16, 2000
 Commission Action:

RECORD PACKET COPY**STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-00-175**APPLICANT:** Beach Charities, Attn: Paul Wallin**AGENT:** Todd Wallin**PROJECT LOCATION:** Marina Green Park, Downtown Shoreline area, City of Long Beach, Los Angeles County.**PROJECT DESCRIPTION:** The 18th annual Beach Charities, Beachfest '00 event (June 17, 2000) including live music, chili/salsa cook-off and tasting, arts and crafts booths, vendors, and exhibits.**LOCAL APPROVAL:** City of Long Beach, Office of Special Events, Special Event Permit, April 27, 2000.**SUMMARY OF STAFF RECOMMENDATION:**

A coastal development permit is required from the Commission for the proposed temporary event because it involves development on State Tidelands within the Commission's area of original jurisdiction. Pursuant to Section 30519 of the Coastal Act, any development located within the Commission's area of original jurisdiction requires a Coastal Development Permit from the Commission. The Commission's standard of review for the proposed event is consistent with the Chapter 3 policies of the Coastal Act.

The proposed temporary event has not been excluded from coastal development permit requirements under the Commission's Temporary Events Guidelines because the proposed event will occur after Memorial Day and before Labor Day and would: a) preclude the general public from use of a public recreational area (Marina Green Park) for a significant period of time (seven days including set-up & take-down); b) restrict public use of the Marina parking area during the peak season (Memorial Day-Labor Day); c) and will charge an admission fee.

Staff is recommending that the Commission grant a Coastal Development Permit for the proposed temporary event with special conditions that will mitigate the identified impacts

to public access, public parking, and marine resources. The applicant agrees with the recommendation.

SUBSTANTIVE FILE DOCUMENTS:

1. Guidelines for the Exclusion of Temporary Events from Coastal Commission Permit Requirements, Adopted 5/12/93.
2. City of Long Beach Certified Local Coastal Program, 7/22/80.
3. Coastal Development Permit 5-99-144 (1999 Long Beach Boat Show).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

Motion:

I move that the Commission approve CDP No. 5-00-175 pursuant to the staff recommendation.

Staff Recommends a **YES** vote. Passage of this motion will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

I. Approval with Conditions

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the sea and the 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 effects on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be

pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Public Parking

The applicant shall provide event parking at the existing Alamitos parking lot and the temporary 750 spaces located at the foot of 1st Place Beach. Within this lot the applicant has proposed parking for VIP and staff, event visitors and the general public, as well as 20 spaces designated as handicapped only parking. Parking in this lot, as proposed, will cost a one-time fee of five dollars. The applicant shall provide evidence that the Long Beach Arena parking lots, Pike Lot, and Aquarium, Shoreline Square, Landmark, 444 W. Ocean, Civic Center, Courthouse, Arco Center, and Hyatt Regency Garages are available and will provide additional parking to offset the loss of public parking for the Marina Green public parking lot (Exhibit #3). Parking fees for the privately owned lots and garages shall be set at the standard rate used during a normal day. Parking shall be provided for visitors to the event and the general public consistent with the proposed parking plan submitted with this coastal development permit application. The designated parking lots shall be available for public use between the hours of 10:00 a.m. and 10:00 p.m. on the day of the proposed event (June 17, 2000). By acceptance of the permit, the applicant has agreed to special condition #1.

2. Signage

No less than three days prior to the event, the applicant shall provide and erect directional and informational signs that clearly communicate to the public that event visitor and general public beach parking is available in the Alamitos/1st Place Beach Lot, Long Beach Arena parking lots, Pike Lot, and Public Garages as proposed in the parking plan submitted with this coastal development permit application. At a minimum, the directional and informational signs shall be posted at: 1) the intersections of Ocean Blvd. and Shoreline Drive, Linden, Long Beach Blvd., Pine Ave., Magnolia Ave., and Golden Ave.; 2) the intersection of Linden Ave. and First St.; 3) the intersection of Linden Avenue and Seaside Way; and 4) the entrances to all garages and lots that are proposed for the event. The directional and informational signs shall remain posted between the hours of 10am and 10pm on the day of the event (June 17, 2000). By acceptance of the permit, the applicant has agreed to special condition #2.

3. Regional Bicycle Path

The proposed event shall not interfere with the public's use of the regional bicycle path, which runs from Rainbow Lagoon Park, across Shoreline Drive and along Shoreline Village Drive, and along the Downtown Marina boardwalk between Shoreline Village and the 1st Place public beach. By acceptance of the permit the applicant agrees to keep the regional bicycle path open and unobstructed.

4. Marine Resource Maintenance

By acceptance of the permit, the applicant agrees to remove and legally dispose of all trash, oil, grease, and other materials that may be deposited on-site incidental to public use of the Marina Green and beach as required by the City of Long Beach. Such clean up shall be completed by June 23, 2000.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The proposed event is the 18th annual Beach Charities, Beachfest '00 event (June 17, 2000) including live entertainment, chili/salsa cook-off and tasting, arts and crafts booths, exhibits, and vendors. The proposed event is located in the Marina Green Park and Marina Green parking lots, Downtown Shoreline area (Exhibit #2). The proposed event is not located on the public beach. The proposed project includes the installation and removal of the temporary improvements necessary to facilitate the event. Set-up will begin on June 14 and takedown will be completed by June 20, 2000.

The proposed temporary improvements for the event include the installation of security fencing around the event area, four stages, sponsor tents, vendor and craft booths, concession stands, exhibits, and portable toilets (Exhibit #2). The event, as proposed, is located in the Marina Green Park and Marina Green parking lots. Public access to the event is restricted by admission fees (\$13-15) which are charged to spectators during the proposed one-day event (June 17, 2000). No portion of the restricted area is located on the sandy beach.

Also included in the proposal is the placement of informational signs and the provision of parking for visitors to the event (Exhibits #3). The proposed parking plan provides parking for event visitors and the general public in the Alamitos/1st Place Beach parking area, Long Beach Arena parking lots, and various other lots and garages in the Marina vicinity (Exhibit #3).

The Marina Green is a landscaped park area located on State tidelands in the Downtown Shoreline area of Long Beach (Exhibit #1). Shoreline Drive provides vehicular access to the Marina Green and its public parking lots. The Marina Green public parking lots, which provide parking for 1st Place Beach and marina visitors, are situated between the Marina Green park area and the Downtown Marina parking lots which are reserved for slip renters (boat owners with parking permits). The regional bicycle path runs through the area connecting the Los Angeles River Bicycle Path to the beach bicycle path (Exhibit #4). The regional bicycle path will remain open for public use during the event and during set-up and takedown. The Long Beach Convention Center, Hyatt Hotel, Shoreline Village shopping center, 1st Place public beach, Long Beach Aquarium of the Pacific, and Shoreline Park are all located within walking distance of the Marina Green.

The proposed event is the 18th annual Beach Charities, Beachfest '00. The past events were held prior to Memorial Day weekend, and thus, were never required to apply for a coastal development permit (under the Commission's Temporary Events Guidelines). Beachfest is a one-day event that raises money for Long Beach Parks and Recreation and local and national organizations.

B. Recreation and Public Access

The proposed project must conform to the following Coastal Act policies which encourage public access and recreational use of coastal areas.

Section 30210 of the Coastal Act states:

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

Section 30213 of the Coastal Act states:

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

The Marina Green public park and its public parking lots provide the public with coastal access and lower cost recreational opportunities which must be protected. Visitors to the area can take advantage of the many sailing and boating opportunities, access the coastal bicycle path, go fishing, use the parks and beach, sightsee, or shop at Shoreline Village. Many of these activities are free or lower cost visitor and recreational opportunities, protected by Section 30213 of the Coastal Act.

The City's 1st Place Beach is located immediately east of the event site (Exhibit #4). Because 1st Place Beach is the westernmost beach in the City, it is one of the City's most popular beaches, especially with the City's westside population. A primary parking supply for 1st Place Beach is the free parking located in the Marina Green parking lots.

The proposed event will use the Marina Green public parking lots for exhibits, concession stands and a 15-foot fire lane (Exhibit #2). The Marina Green is sloped and does not allow for the safe use of certain exhibits (skateboard ramp, jump truck, etc...). For this reason the applicant has proposed to use the Marina Green parking lot. The increase in the demand for parking caused by the proposed event could reduce the public's ability to access this coastal area. The proposed event, however, includes a parking plan that will substantially increase the number of parking spaces in the immediate area of the proposed event. The proposed parking plan provides parking for event visitors and the general public in the Alamitos/1st Place Beach Lot, Long Beach Arena parking lots and several lots and garages in the Marina area (Exhibit #3). The capacity of the Alamitos/1st Place Beach lot (896 parking spaces), Long Beach arena parking supply (approximately 2,000 parking spaces), Pike Lot (500 parking spaces), Aquarium Garage (1400 parking spaces), and several other garages in the Marina area (approximately 1000-2000 parking spaces) are expected to exceed the parking demands of the proposed event.

The 1st Place Beach lot, which has been used for other events in the Marina area (such as the Gay Pride Festival, May 20, 2000) is located at the foot of 1st Place Beach (Exhibit #4). The City of Long Beach has agreed to allow the applicant to use the Beach lot for the event. The applicant has proposed a one-time, five-dollar fee to park in the 1st Place Beach/Alamitos parking lot. The five-dollar fee is consistent with beach parking in the Long Beach area, as well as most beaches in Los Angeles County. The Alamitos lot will contain parking for VIP and handicapped attendance. The 1st Place Beach lot will allow parking for up to 750 spaces to offset the 293 parking stalls displaced by the event.

In order to protect public access and the public's ability to access this coastal area during the proposed event, the permit is conditioned to require the applicant to provide the additional public parking in the areas as proposed by the parking plan. The parking lots

shall be available for public use between the hours of 10:00 a.m. and 10:00 p.m. commencing on the day of the proposed event (June 17, 2000). In addition, the applicant shall provide and erect directional and informational signs that clearly communicate to the public that additional public parking is available in the parking lots as proposed by the parking plan. The applicant has agreed to post the required signs (Exhibit #3). Only as conditioned does the Commission find that the proposed temporary development and event is consistent with the public access and recreation policies contained in the Coastal Act.

Finally, the proposed event shall not interfere with the public's use of the regional bicycle path, which runs through the event site. The regional bicycle path runs through the area connecting the Los Angeles River Bicycle Path to the beach bicycle path (Exhibit #4). The regional bicycle path provides coastal access to cyclists from inland areas to Long Beach and Orange County. The bicycle path also provides public pedestrian access along the Downtown Marina waterfront. Therefore, the bicycle path shall remain open and unobstructed. The applicant has agreed to keep the bicycle path open. Only as conditioned does the Commission find that the proposed temporary development and event is consistent with the public access and recreation policies contained in the Coastal Act.

C. Marine Resource Maintenance

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

As stated by the City of Long Beach, Office of Special Events, a beach maintenance crew will be on-site to clean any oil and/or gasoline that leaks from cars or equipment onto the 1st Place Beach parking lot. There will also be a City Fire Department "stand-by" crew that can handle any hazardous materials that could spill onto the beach parking lot during the event. Project Future, an organization employed by the applicant shall clean the area during and after the event, and has been instructed to periodically check for leaks onto the lot and remove debris and small oil leaks when necessary. Only as conditioned does the Commission find that the proposed temporary development and event is consistent with section 30230 of the Coastal Act.

D. California Environmental Quality Act (CEQA)

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

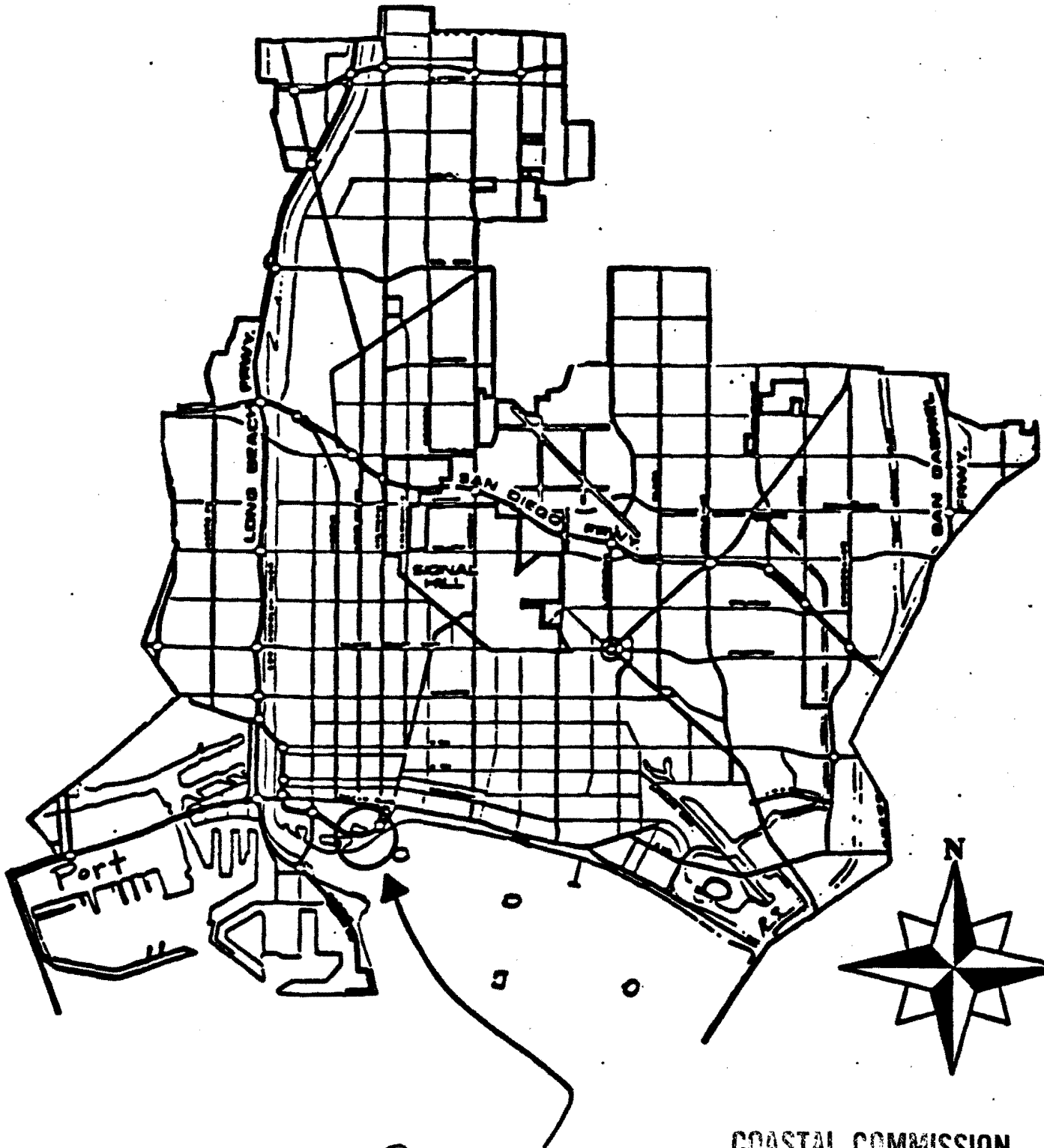
The proposed project has been conditioned in order to be found consistent with the public access and recreation policies of the Coastal Act. Mitigation measures, including the provision of adequate parking for event visitors and protection of public access on the waterfront, will minimize all adverse impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

E. Local Coastal Program

The City of Long Beach Local Coastal Program (LCP) was certified by the Commission on July 22, 1980. The proposed project complies with the policies of the certified LCP. However, the proposed project is located seaward of the former mean high tide line and in the Commission's area of original jurisdiction. Because the proposed project is located in the Commission's area of original jurisdiction, the LCP is advisory in nature and only provides guidance. The standard of review for this project is the Coastal Act. The proposed project is consistent with the policies of Chapter 3 of the Coastal Act.

End/am

City of Long Beach



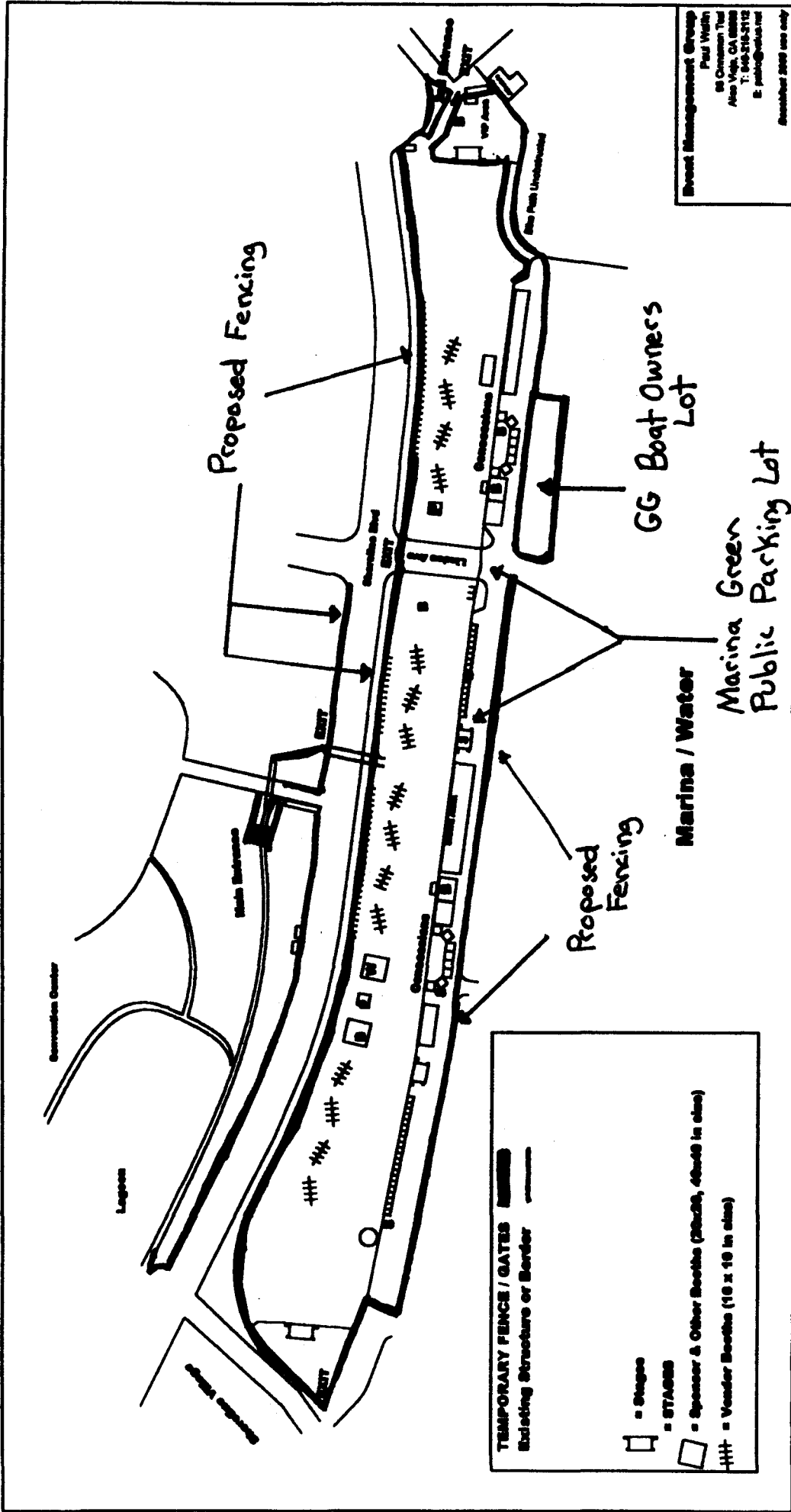
Beachfest
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EXHIBIT # 1

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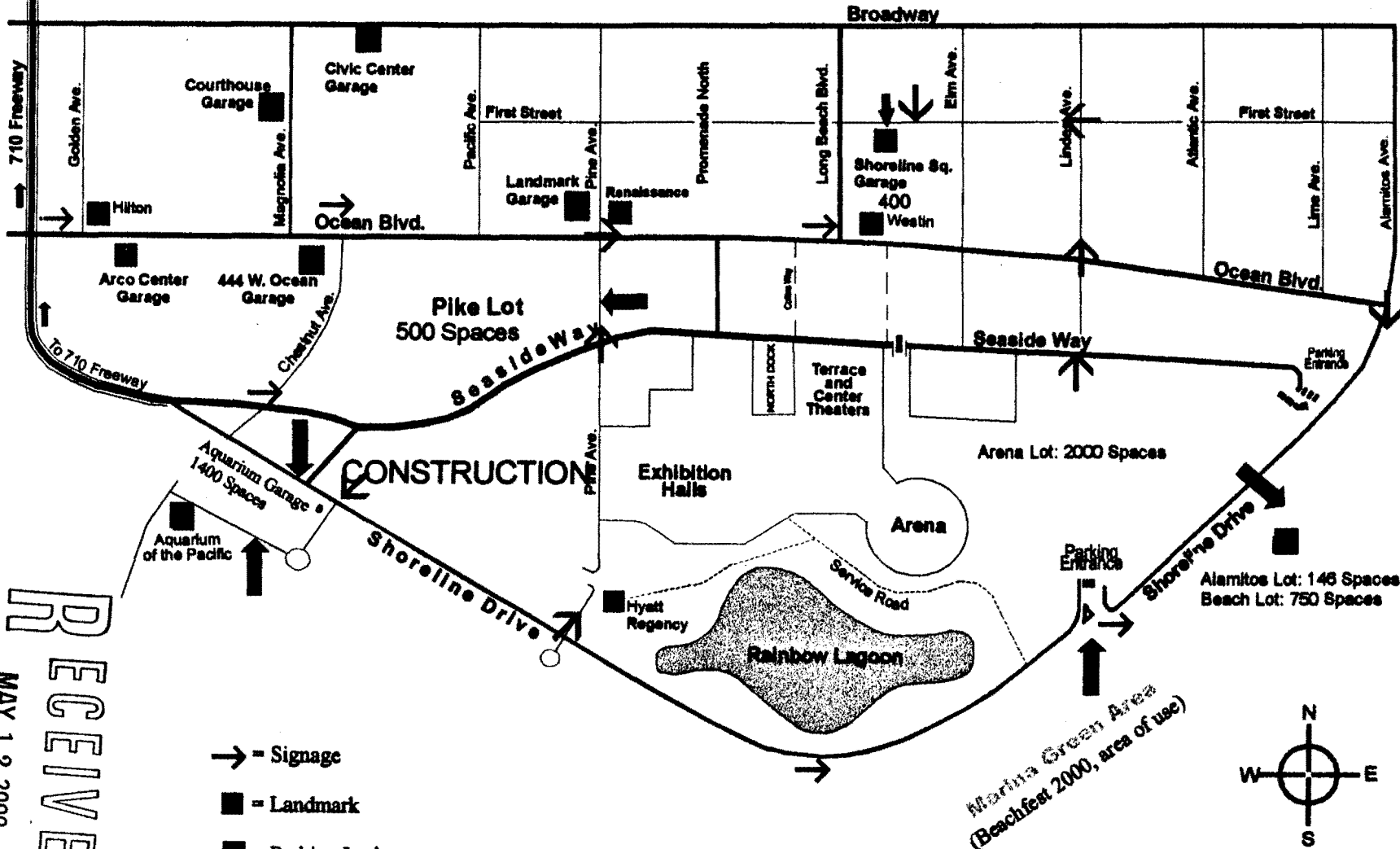


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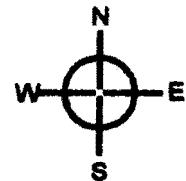
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EXHIBIT # 2
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QUEENSWAY BAY AREA SIGNAGE MAP



- = Signage
- = Landmark
- = Parking Lot's



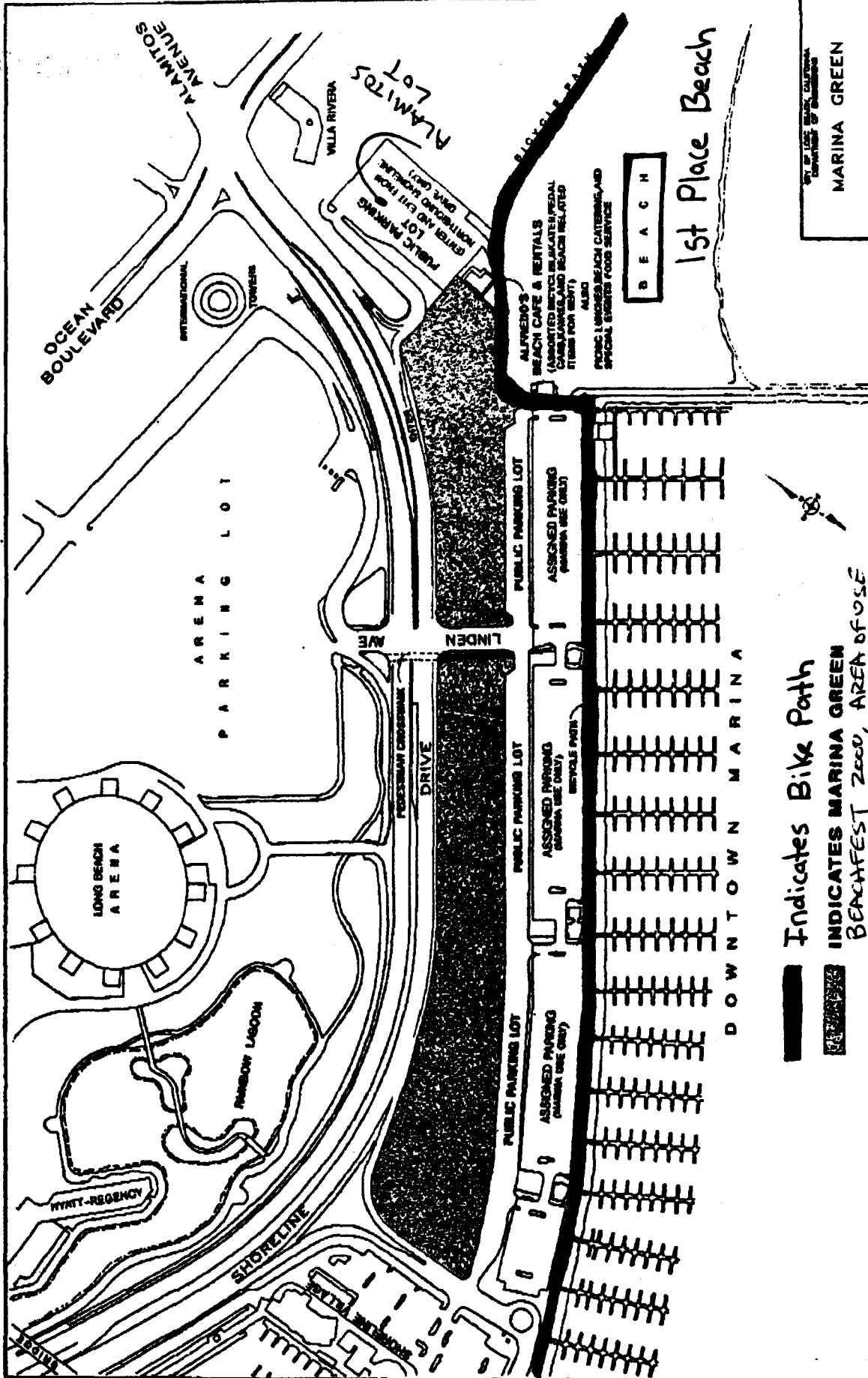
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 EXHIBIT # 3
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Map not to scale

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 Indicates Bike Path
 INDICATES MARINA GREEN BEACHFEST ZONE, AREA OF USE

CITY OF LONG BEACH
 DEPARTMENT OF PUBLIC WORKS
 MARINA GREEN

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EXHIBIT # 4

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