

CALIFORNIA COASTAL COMMISSION

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Filed: 3/12/2002
49th Day: 4/30/2002
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Staff: CP-LB
Staff Report: 4/15/2002
Hearing Date: May 7, 2002
Commission Action:

**ITEM Tu22k****STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-02-084**RECORD PACKET COPY****APPLICANT:** Beach Charities (Long Beach Chili Cook-Off)**AGENT:** Paul Wallin**PROJECT LOCATION:** Marina Green Park and adjacent parking facilities including the Alamitos Avenue Public Beach Parking Lot, Downtown Shoreline area, City of Long Beach, Los Angeles County.**PROJECT DESCRIPTION:** The annual Long Beach Chili Cook-Off (formerly Beachfest) food and music festival June 8 & 9, 2002 (with setup commencing Thursday, June 6th).**LOCAL APPROVAL:** City of Long Beach, Office of Special Events, March 14, 2002.**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 the Chapter 3 policies of the Coastal Act.

The proposed temporary event does not qualify for an exclusion from 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 (five days including set-up & take-down); b) restrict public use of the Downtown Shoreline parking supply during the peak-use season (Memorial Day-Labor Day); and c) charge a fee for admission to the event area.

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).
4. Coastal Development Permit 5-00-175 (Beachfest 2000).
5. Coastal Development Permit 5-01-075 (Beachfest 2001).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION

"I move that the Commission approve with special conditions Coastal Development Permit 5-02-084 per the staff recommendation as set forth 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.

I. Resolution: ~~Approval~~ with Conditions

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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

During the two-day event (June 8 & 9, 2002), the applicant shall coordinate the parking supply for the event and for other coastal visitors consistent with the Parking Plan submitted with the coastal development permit application (**See Exhibit 3 of the Staff Report dated 4/15/02**). A parking fee, not to exceed ten dollars per day (\$10/day), may be charged to event goers and other coastal visitors for use of the designated parking areas on June 8 & 9, 2002. The designated primary parking areas shall be available for public use between the hours of 8 a.m. and 10 p.m. during the two-day event (June 8 & 9, 2002). The applicant may use the Alamitos Avenue public beach parking lot only on June 8 & 9, 2002. The applicant may use the Marina Green public parking lots only on June 7 through June 9, 2002. On all other days, the Alamitos Avenue public beach parking lot and the Marina Green public parking lots shall be open and available for use by the general public at the usual parking rate. By acceptance of the permit, the applicant has agreed to Special Condition One.

2. Signage

No less than three days prior to the first day of 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 parking lots designated for public parking in the Parking Plan submitted with the coastal development permit application (**See Exhibit 3 of the Staff Report dated 4/15/02**). At a minimum, the directional and informational signs shall be posted at: a) the intersections of Ocean Boulevard at Shoreline Drive, Linden Avenue, Long Beach Boulevard, Pine Avenue, Magnolia Avenue, and Golden Avenue; b) the intersections of Shoreline Drive at Chestnut Avenue, Aquarium Way, Pine Avenue, Linden Avenue, and Ocean Boulevard; and c) the entrances to all parking areas and garages designated for public parking in the Parking Plan submitted with the coastal development permit application (**See Exhibit 3 of the Staff Report dated 4/15/02**). The directional and informational signs

shall remain posted between the hours of 8 a.m. and 10 p.m. on the days of the event (June 8 & 9, 2002). By acceptance of the permit, the applicant has agreed to Special Condition Two.

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, waste, oil, grease, and other materials that may be deposited on-site incidental to public use of the Marina Green Park, beach and adjacent parking facilities. Such clean up shall be completed by 10 p.m. on June 10, 2002.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

This permit application is for the 2002 Long Beach Chili Cook-Off food and music festival, an annual Long Beach event (formerly Beachfest) put on by Beach Charities. This year's event is proposed to occur on the weekend of June 8 & 9, 2002 (See Exhibits). The proposed two-day event includes live entertainment, chili/salsa cook-off and tasting, arts and crafts booths, exhibits and vendors. The proposed project includes the installation and removal of the temporary improvements necessary to facilitate the event, including: security fencing around the event area, two stages, sponsor tents, vendor and craft booths, concession stands, exhibits, and portable toilets (Exhibit #2, p.2). Set-up will commence on Thursday, June 6, and takedown will be completed on Monday, June 10, 2002.

The proposed event is located in the Marina Green Park and Marina Green parking lots in the Downtown Shoreline area of Long Beach (Exhibit #2). The proposed event is not located on the public beach. An admission fee (\$15 per day) will be required for access to the event area on June 8 & 9, 2002.

The proposed project includes a Parking and Signage Plan submitted with the coastal development permit application (Exhibit #3). The proposed parking plan will provide approximately 5,000 parking spaces for event visitors and other visitors to the Downtown Shoreline area, including beach goers and other recreationists. A signage plan will be implemented to direct visitors to the various parking facilities during the two-day event.

This year's proposed event is the 20th annual Beach Charities event to be held in Long Beach. Prior to Beachfest 2000, the annual event was held before the Memorial Day weekend, and thus, was never required to apply for a coastal development permit (pursuant to the Commission's Temporary Events Guidelines). Beachfest 2000 was approved pursuant to Coastal Development Permit 5-00-175. Beachfest 2001 was approved pursuant to Coastal Development Permit 5-00-075.

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 Park, where the event is proposed, is a landscaped park area located on State tidelands in the Downtown Shoreline area of Long Beach (Exhibit #2). 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 #2). 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 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 1st Place Beach is a City beach located immediately east of the event site (Exhibit #2, p.1). 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, p.2). The Marina Green is a sloped lawn area 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. Approximately 293 public parking spaces will be displaced by the proposed exhibits, concession stands and a 15-foot fire lane. The 293 displaced public parking spaces will be replaced by opening the Long Beach Arena parking lot to the general public (situated on the opposite side of Shoreline Drive).

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 available for public use in the immediate area of the proposed event. The proposed parking plan provides parking for event visitors and the general public in the Alamitos Avenue/1st Place Beach Lot, Long Beach Arena parking lots and several lots and garages in the Marina area (Exhibit #3, p.4). The capacity of the Alamitos Avenue/1st Place Beach lot (896 parking spaces, including the unpaved parking area), Long Beach arena parking supply (approximately 2,000 parking spaces), Pike Lot (500 parking spaces), Aquarium parking structure (1400 parking spaces), and several other garages in the downtown area (approximately 1000-2000 parking spaces) are expected provide an adequate parking supply for the event and the existing shoreline uses, based on prior years' attendance figures.

The Alamitos Avenue public beach parking lot, a metered lot which has been used for other events in the Marina Green area such as the annual Gay Pride Festival, is located on the beach at the foot of 1st Place (Exhibit #2, p.1). The City of Long Beach has agreed to allow the applicant to use the Alamitos Avenue public beach parking lot (and the Marina Green lots) for the event. The applicant has proposed a ten-dollar (\$10) fee to park in the Alamitos Avenue public beach parking lot in order to cover the cost of the lot charged by the City for use of the lot. The Commission authorized a ten-dollar per day parking fee for the Alamitos Avenue public beach parking lot when it approved Coastal Development Permits 5-00-175 and 5-01-075 for Beachfest 2000 and 2001 respectively. Parking fees of seven to ten dollars are always charged for use of the Long Beach arena parking lot, Pike Lot, Aquarium parking structure and the other parking garages identified in the proposed parking plan (Exhibit #3, p.4).

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 8 a.m. and 10 p.m. on the days of the event. 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 #2). 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 Resources

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.

The event area is located near the shoreline, and any discharges or leaks in the area would drain directly into coastal waters. The applicant proposes to implement the actions necessary to prevent any discharges or leaks from entering coastal waters, including proper trash, wastewater and human waste control (Exhibit #3, p.2). The applicant has also agreed to clean any fluids that leak from the vehicles using the unpaved parking lot located inland of the 1st Place Beach. An organization employed by the applicant will 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.

The City is also prepared to use its resources to protect marine resources. The City of Long Beach Office of Special Events has assured Commission staff that a City maintenance crew will be on-site to clean any fluid leaks from cars or equipment in the event area or parking areas, including the unpaved parking lot located inland of the 1st Place Beach. There will also be a City Fire Department "stand-by" crew that can handle any hazardous materials that could spill during the event.

Special Condition Four requires the applicant to remove and legally dispose of all trash, waste, oil, grease, and other materials that may be deposited on-site incidental to public use of the Marina Green Park, beach and adjacent parking facilities. Such clean up shall be completed by 10 p.m. on June 10, 2002. 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.

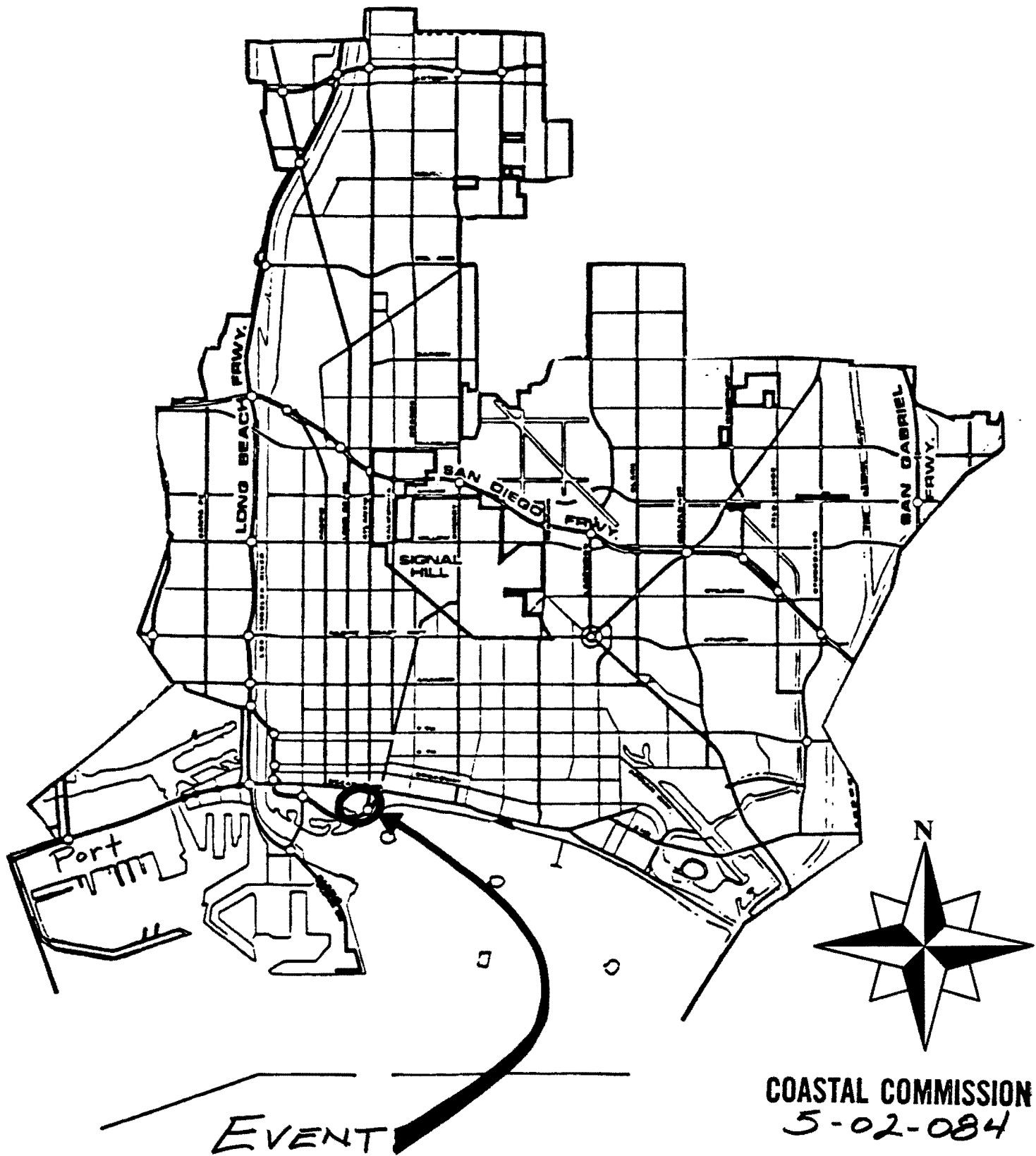
The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including the provision of adequate parking for event visitors and protection of public access on the waterfront, will minimize all adverse impacts. As conditioned, 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.

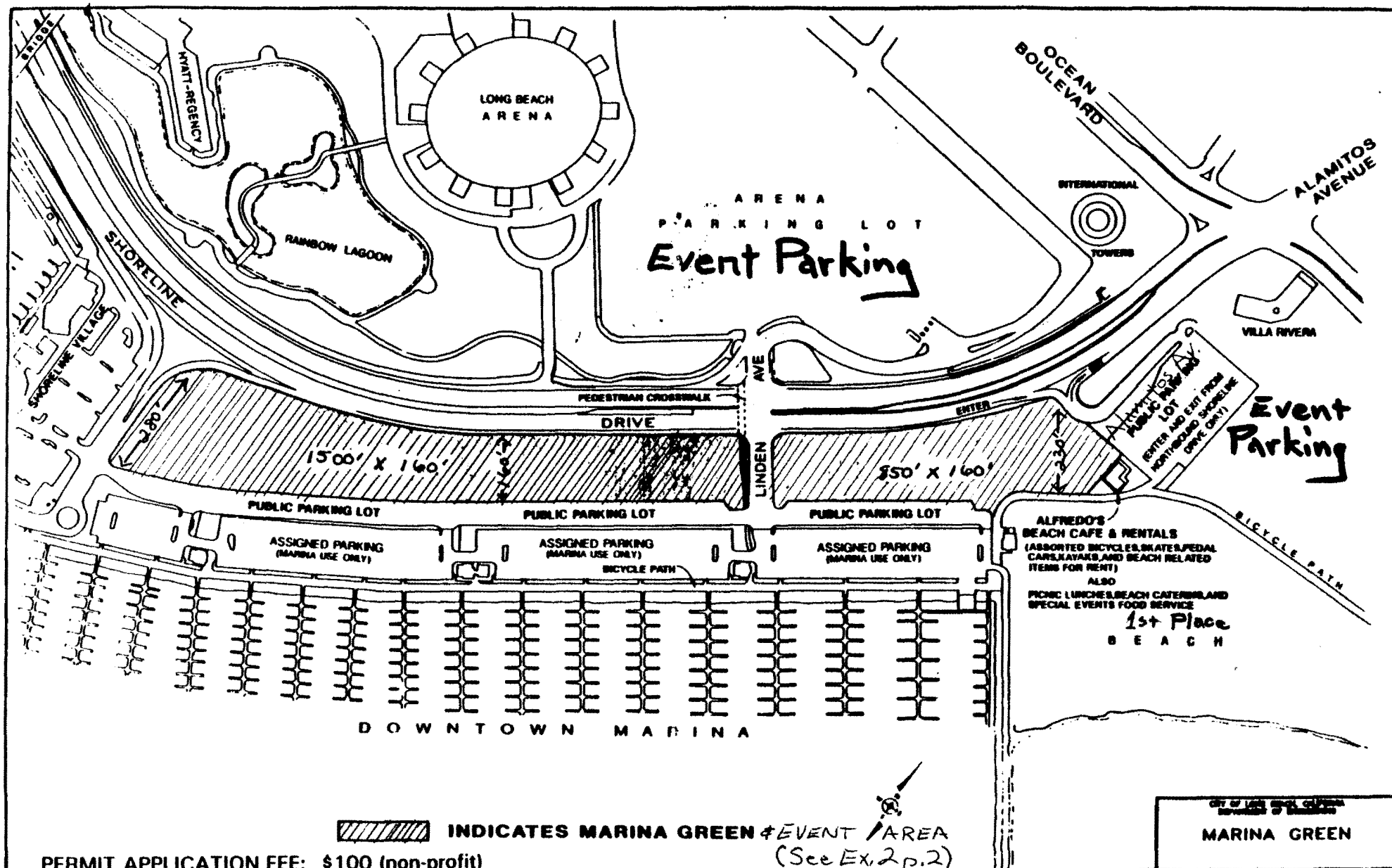
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City of Long Beach



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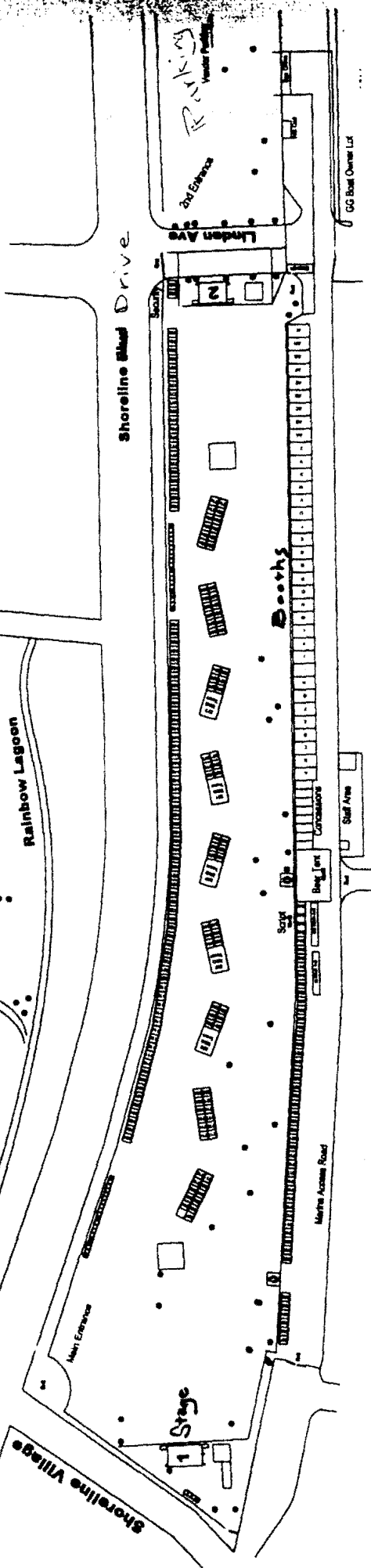
EXHIBIT # 2

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LB Arena
Convention
Center

Event Parking

Convention Center Parking



Marina Green

North



RECEIVED
South Coast Region

MAR 12 2002

CALIFORNIA
COASTAL COMMISSION

March 11, 2002

TO: California Coastal Commission

RE: Application for permit to host Long Beach Chili Cook-off (formerly called "Beachfest")

Dear Charles Posner;

Guess who's turning 21? Beach Charities, a registered non-profit corporation has been hosting the Long Beach Chili Cook-off for the past 20 years at the Long Beach Marina Area. The past few years, this event has been referred to as "Beachfest". But turning 21, we thought we'd go back to the original event name – LONG BEACH CHILI COOK-OFF! Profits from this event benefit the Long Beach Parks and Recreation, local youth organizations, and national organizations such as Boy Scouts.

Based on the last two years permits (this is when we were required to obtain permits), and foreseeing that similar questions will be raised, below please find information as it pertains to:

- Parking
- Trash
- Local Access

Parking Plan

The City of Long Beach has very minimal parking available. We have met with the city and Long Beach Convention Center and have put together a plan to accommodate not only event goers but also other guests to the city.

The layout of our event temporarily displaces 293 parking stalls during the event. We use these stalls for booths, concessions, and to provide a 15' fire lane as required by the Fire Department. To ensure that the Long Beach Chili Cook-off (LBCCO) has minimal effect on local visitors to the shoreline, LBCCO is planning on using, promoting, and directing all visitors (for event, shoreline, etc...) to the following parking locations:

Primary Lots: (All of these lots are within walking distance to the event / Shoreline)

- A •** Beach / Grass Lot 1,000 spaces
- B •** Convention Center 1,500+ Spaces
- C •** Aquarium Garage 500 – 1400 Spaces
- D •** Shoreline Square Garage 400 Spaces
- E •** Pike / Camden Properties 500 Spaces

(See Exhibit 3, page 4 Map)

2535 GARNET PEAK RD. ~ CHULA VISTA, CA 91915
TEL: (619) 216-9478 ~ FAX: (619) 216-9499
WWW.LONGBEACHCHILICOOKOFF.COM

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Parking Plan continued (Map on page 4)

Overflow parking will be available through use of the following lots:

- F
G
I
H
I
K**
- Courthouse Garage
 - Civic Center Garage
 - Landmark Garage
 - Arco Center Garage
 - 444 W. Ocean Garage
 - Blue Line Parking Lot (*access by taking Blue Line downtown*).

Handicap Parking: Approx. 40 stalls in the Alamitos Lot will be designated for "Handicap Parking Only".

Promotion of Parking Lots: LBCCO is promoting parking for the event on its website, printed on promotional handouts, through electric signs placed on Shoreline Blvd, and through the assistance of the Long Beach Boys & Girls Club (used to hold signs pointing to parking designated areas).

The city will be helping in putting up electric signs along with 6' tall, metal temporary parking directional signs in key locations throughout downtown Long Beach. The signs are designed to keep traffic flowing while directing traffic to parking lots.

** See Exhibit - page 4 Map*

Trash

LBCCO is renting 5 – 40 yard trash containers through American Classic Sanitation to haul all trash (cups, plates, food, etc...). We contract out to Maintenance Staff to pick up all trash prior to, during and after the event. Contracted area is Rainbow Lagoon, all area fenced in within the Marina Green and the Beach Parking Lot. All trash will be picked-up and removed by the day following the event. All gray water (held in holding tanks) will be hauled away by Andy Gump (e.g. Water used for sinks). All toilets are self-contained units and dumped at the rental company's facility.

We keep on hand the necessary tools to handle any spillage (from vehicles) so that they can be cleaned up and disposed of properly.



Local Access

Week Prior to the event: There will be no interruption of parking or local public access. Signs will be posted notifying the public of the upcoming event, and alternative locations for parking.

Thursday, June 6, 2002: Approx. 40 parking stalls will be occupied in the Marina Access road for set-up of large concession booths. All other parking stalls, entrances and exits are open for local public access.

Friday, June 7, 2002: Our event staff will monitor all traffic, in and out of the Marina Access road. Access will be limited to: Marina Boat Owners, Event Staff and Vendors.

Saturday, June 8, 2002: Our event staff will monitor all traffic, in and out of the Marina Access road. Access will be limited to: Police, Fire, and Event Staff only.

Sunday, June 9, 2002: Our event staff will monitor all traffic, in and out of the Marina Access road. Access will be limited to: Police, Fire, and Event Staff only. Following the event, all booths will be broken down (with exception to those installed on Thursday) and booths will be placed on the Marina Green for removal on Monday.

Monday, June 10, 2002: All parking stalls, entrances and exits will be open for local public access.

In closing, by working with the Long Beach City Officials (Police, Fire, Marina, City, and Parking) we feel confident that LBCCO has covered all the bases for operating a successful event.

Thank you for your consideration and the children of Long Beach (beneficiaries of Beach Charities for 2002) thank you for allowing us to host this wonderful annual event.

Best regards,

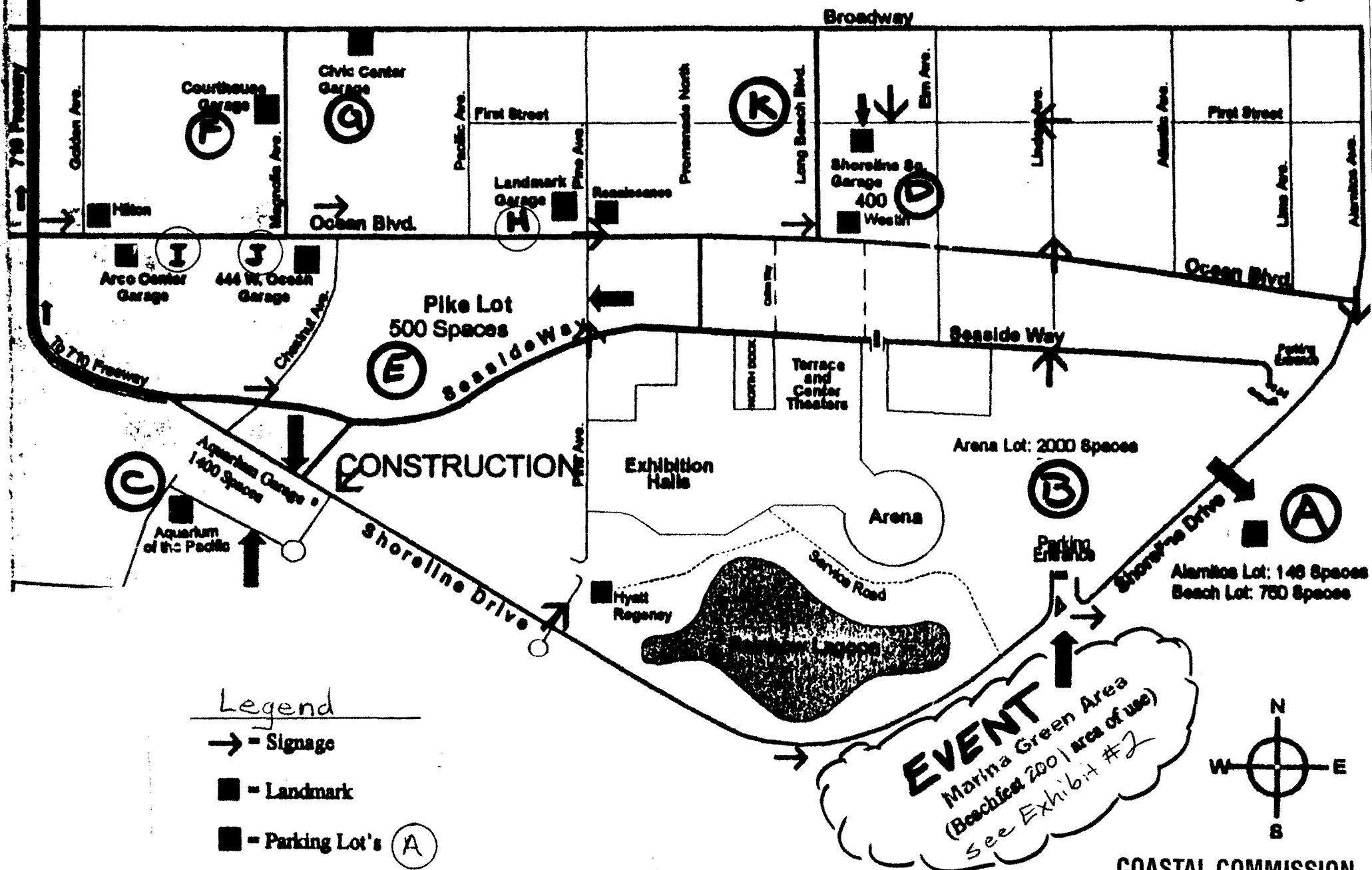
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● QUEENSWAY BAY AREA SIGNAGE MAP - *EVENT PARKING*



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