

CALIFORNIA COASTAL COMMISSION

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Hearing Date: August 6, 2002
Commission Action:

**Item Tu16a****STAFF REPORT: PERMIT AMENDMENT**

APPLICATION NUMBER: 5-94-010-A5

RECORD PACKET COPY

APPLICANT: Shoreline Village Enterprises

AGENTS: Michael Pashaie, Operator & Cecilia Charky, Manager

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

LOCAL APPROVAL: Long Beach Planning Dept., Site Plan Review Case #0111-10.

DESCRIPTION OF CURRENT AMENDMENT REQUEST (5-94-010-A5):

Modify the Shoreline Village shopping center public parking lot to: a) increase parking spaces from 426 to 487, b) install filters in drains, c) enhance landscaped areas, and d) install new fountain/monument sign at entrance to Shoreline Village Drive.

DESCRIPTION OF ORIGINAL APPROVAL AND PRIOR AMENDMENT REQUESTS:

ORIGINAL PERMIT APPROVAL (5/12/94): 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.

FIRST AMENDMENT (5-94-010-A1): Withdrawn by Applicant - No Change.

SECOND AMENDMENT (5-94-010-A2) APPROVED 2/6/97: Modify the Shoreline Village shopping center public 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.

FOURTH AMENDMENT (5-94-010-A4) APPROVED 10/15/99: Modify special conditions of underlying permit relating to the management of the Shoreline Village public parking lot (parking rates and validation program).

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission approve the permit amendment request for the proposed development with special conditions to prevent polluted runoff from adversely affecting marine resources. The applicant agrees with the staff recommendation. **See Page Three for the motion to carry out the staff recommendation.**

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 (Shoreline Village).
4. Coastal Development Permit 5-96-010 (Shoreline Village).
5. Coastal Development Permit Amendment 5-96-274-A (Shoreline Village).
6. Coastal Development Permit 5-98-042 (City of Long Beach/Marina Green Meters).
7. Coastal Development Permit 5-98-156 & Amendments (City of Long Beach).

STAFF NOTE:

This permit amendment request affects an area (State Tidelands) located wholly within the Commission's area of original jurisdiction. The Commission originally approved Coastal Development Permit 5-94-010 on May 12, 1994. The Commission approved two prior permit amendments on February 6, 1997 (5-94-010-A2) and October 15, 1999 (5-94-010-A4).

Approval for the currently proposed development must also be obtained from the Commission. Pursuant to Sections 30519 and 30600 of the Coastal Act, only the Commission can approve a coastal development permit for development located in the area of original jurisdiction, which includes tidelands, submerged lands and public trust lands. When reviewing a coastal development permit application for development within the Commission's area of original jurisdiction, the Commission's standard of review is the Chapter 3 policies of the Coastal Act. Therefore, the Commission's standard of review for this permit amendment request 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 to the previously approved project. If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. [I4 California Code of Regulations 13166].

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the permit amendment request with special conditions:

MOTION: *"I move that the Commission approve Coastal Development Permit Amendment 5-94-010-A5 pursuant to the staff recommendation."*

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

I. Resolution to Approve a Permit Amendment

The Commission hereby **APPROVES** the coastal development permit amendment and adopts the findings set forth below on grounds that the development as amended and subject to conditions will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit amendment 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 amended 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 amended development on the environment.

II. Special Conditions

Note: The conditions of the underlying permit and prior permit amendments are not altered by this permit amendment.

1. Protection of Water Quality – During Construction

A. PRIOR TO ISSUANCE OF THE PERMIT AMENDMENT, the applicant shall submit for the review and approval of the Executive Director, a Construction Best Management Practices Plan for the project site, prepared by a licensed professional, and shall incorporate erosion, sediment, and chemical control Best Management Practices (BMPs) designed to minimize to the maximum extent practicable the adverse impacts associated with construction to receiving waters. The plan shall include the following requirements:

- (i) No construction materials, debris, or waste shall be placed or stored in a manner where it may be subject to wave, wind, rain, or tidal erosion and dispersion.
- (ii) Any and all debris resulting from construction and demolition activities shall be removed from the project site within 24 hours of completion of demolition and

construction. Construction and demolition debris and sediment shall be removed from work areas each day that construction or demolition occurs to prevent the accumulation of sediment and other debris that could be discharged into coastal waters. All demolition/construction debris and other waste materials removed from the project site shall be disposed of or recycled in compliance with all local, state and federal regulations. No debris shall be placed in coastal waters. If a disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

- (iii) No disturbance or use of areas below the high tide line is permitted for the construction of the proposed development.
- (iv) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control dust and sedimentation impacts to coastal waters during construction and demolition activities. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and Pacific Ocean.
- (v) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and kept as far away from a storm drain inlet and receiving waters as possible.

B. The required Construction Best Management Practices Plan for the project site shall also include the following BMPs designed to prevent spillage and/or runoff of construction and demolition-related materials, sediment, or contaminants associated with construction activity. The applicant shall:

- (i) Develop and implement spill prevention and control measures and shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. It shall be located as far away from the receiving waters and storm drain inlets as possible.
- (ii) Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems. Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters, and more than fifty feet away from a storm drain, open ditch or surface waters.
- (iii) Provide and maintain adequate disposal facilities for solid waste, including excess concrete, produced during construction.
- (iv) Provide and maintain temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, wind barriers such as solid board fence, snow fences or hay bales, and silt fencing.

- (v) Stabilize any stockpiled fill with geofabric covers or other appropriate cover, and close and stabilize open trenches as soon as possible.
- (vi) Prior to final inspection of the proposed project the applicant shall ensure that no gasoline, lubricant, or other petroleum-based product (except for the permitted asphalt) was deposited on the project site. If such residues are discovered, the residues and all contaminated materials shall be reported to the Executive Director in order to determine if the removal and disposal of the contaminated matter shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.
- (vii) Implement the approved Construction Best Management Practices Plan on the project sites prior to and concurrent with the demolition and construction operations. The BMPs shall be maintained throughout the development process.

C. The Construction Best Management Practices Plan approved by the Executive Director pursuant to this condition shall be attached to all final construction plans. The permittee shall undertake the approved development in accordance with the approved Construction Best Management Practices Plan. Any proposed changes to the approved Construction Best Management Practices Plan shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission-approved permit amendment unless the Executive Director determines that no amendment is required.

2. Protection of Water Quality – Project Design & Post Construction

PRIOR TO ISSUANCE OF THE PERMIT AMENDMENT, the applicant shall submit for the review and approval of the Executive Director, a Water Quality Management Plan (WQMP) for the post-construction project site, prepared by a licensed water quality professional, and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of storm water and nuisance flow leaving the developed site. The plan shall be in substantial conformance with the following requirements:

A. **Water Quality Management Plan**

- (i) Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (ii) Runoff from the parking lot shall be collected and directed through a system of appropriate structural and/or non-structural BMPs. The filter elements shall be designed to: 1) trap sediment, particulates and other solids, and 2) remove or

mitigate contaminants through filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff in excess of this standard from the building site in a non-erosive manner.

- (iii) The applicant shall regularly sweep all parking lots and vehicle maintenance surfaces and shall, at a minimum, sweep all parking lots on a weekly basis in order to prevent dispersal of pollutants that might collect on those surfaces.
- (iv) The detergents and cleaning components used on site shall comply with the following criteria: they shall be phosphate-free, biodegradable, and non-toxic to marine wildlife; amounts used shall be minimized to the maximum extent practicable; no fluids containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye shall be used.
- (v) The applicant shall not spray down or wash down the parking lot unless the water used is directed through the sanitary sewer system or a filtered drain.

B. Monitoring and Maintenance.

The Water Quality Management Plan (WQMP) shall include monitoring and maintenance provisions in substantial conformance with the following requirements:

- (i) All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, at the following minimum frequencies: 1) prior to October 15th each year; 2) during each month between October 15th and April 15th of each year and, 3) at least twice during the dry season (between April 16 and October 14).
- (ii) Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- (iii) All inspection, maintenance and clean-out activities shall be documented in an annual report submitted to the Executive Director no later than June 30th of each year. This report shall be submitted for the first three years following the completion of development, biannually thereafter unless the Executive Director determines that no additional reports are necessary.
- (iv) It is the applicant's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specification.

The permittee shall undertake and maintain the approved development in accordance with the WQMP approved by the Executive Director pursuant to this condition. Any proposed changes to the approved WQMP shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved WQMP shall occur without a Commission-approved amendment unless the Executive Director determines that no amendment is required.

III. Findings and Declarations

The Commission hereby finds and declares:

A. Amendment Description

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 (Exhibit #1). 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 (Exhibit #2). The nearest public beach is located one-half mile east of Shoreline Village.

The applicant, who leases the site from the City of Long Beach, is proposing to modify the Shoreline Village shopping center public parking lot to: a) increase the total number of parking spaces from 426 to 487 (Exhibit #3), b) install filters in the five existing catch basins/drains, c) enhance the landscaped areas (Exhibit #4), and d) install a new fountain/monument sign at southwest corner of Shoreline Drive and Shoreline Village Drive (Exhibit #5). The previously approved parking rates/fees and other parking lot management provisions are not being changed by this amendment request (See Coastal Development Permit Amendment 5-94-010-A4).

As proposed, the existing paved parking lot would be sealed with a new coat of slurry-type sealant, portions of some planter islands would be removed and replaced with new paved area, and new curbs and bollards would be installed around the parameter of the lot. The proposed stripping pattern would replace the current layout of the parking lot, and this would result in an increase of 61 more parking spaces than currently exist in this public parking lot (Exhibit #3). The applicant proposes to implement the proposed project during the fall and winter so as to avoid the peak visitor season that runs from May until October.

The applicant proposes to relocate eight trees and remove 37 trees as part of the proposed parking lot reconfiguration. The proposed landscaping plan, however, includes the provision of 67 new potted and planted trees (Exhibit #4). As a result, the total number of trees in and adjacent to the parking lot would be increased by thirty. The row of palms along the west side Shoreline Village Drive and a few other existing trees would not be touched. The proposed landscaped area would cover approximately 15,000 square feet in and around the four acres (174,240 square feet) of paved parking lot area. No sensitive plants or habitat areas exist on the site, which is comprised of compacted fill that was placed on former tidelands in the 1960s.

B. 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 construction of the approved Queensway Bay commercial retail and entertainment complex recently commenced in May (2002).

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 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, Shoreline Village Enterprises.

Originally, the Shoreline Village shopping center was approved by the Commission on June 11, 1979 by **Coastal Development Permit P-79-5251**. The stated purpose of the commercial development was to encourage day use activities on the waterfront. Three restaurants and 18,000 square feet of other commercial uses were approved, with the provision of 252 parking places. In 1980, the Shoreline Village project was revised by **Coastal Development Permit P-80-7497**. The amount of permitted commercial area was increased from 35,500 square feet to 51,000 square feet, and the public parking lot was enlarged to 409 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 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 February 6, 1997, Coastal Development Permit 5-94-010 was amended. **Permit Amendment 5-94-010-A2** 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. 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.

Coastal Development Permit 5-94-010 was again amended on October 15, 1999. **Permit Amendment 5-94-010-A4** revised the parking rates and the validation program that the Commission had originally approved on February 6, 1997 pursuant to Permit Amendment 5-94-010-A2.

Specifically, Permit Amendment 5-94-010-A4 authorized the following parking lot management provisions for a three-year term¹:

1. Raise the minimum purchase requirement for validated parking from \$3.00 to \$12.00 (or less as determined by the applicant). The parking validation program allows for two hours of free parking with a minimum purchase.
2. Grant a fifteen-minute grace period for passing through the parking lot.
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

The permitted parking validation program and parking rates for the Shoreline Village parking lot have been reviewed and approved by the Commission in 1997 and 1999 as part of Amendments 5-94-010-A2 and 5-94-010-A4. 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. As previously stated, the Commission-approved parking rates/fees and other parking lot management provisions are not being changed by this amendment request.

C. Public Access and Recreation

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...

¹ The three-year term is due to expire on October 15, 2002, unless the applicants apply and receive Commission authorization for a new term.

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 subsequent amendments (5-94-010-A2 and 5-94-010-A4), 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. The current amendment request would not alter the previously approved parking rates/fees and other parking lot management provisions that protect public access and recreational opportunities in the Downtown Shoreline area. The proposed increase in the number of parking spaces will have a positive effect on public access by partially relieving the high demand for public parking that exists in the immediate area during peak use periods.

Therefore, the approval of the permit amendment request and the proposed development will not have any negative effect on the public's ability to access the coast and nearby recreational facilities. Therefore, the amendment and proposed development conform to the public access and recreation policies of the Coastal Act.

D. Marine Resources – Water Quality

The Coastal Act contains policies that address development in or near coastal waters. The proposed project is located on filled tidelands located adjacent to the ocean (Exhibit #2). The standard of review for the proposed development is the Chapter 3 policies of the Coastal Act, including the following marine resource policies. Sections 30230 and 30231 of the Coastal Act require the protection of biological productivity, public recreation and 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.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 of the Coastal Act requires that special precautions be implemented to protect the coastal environment from hazardous substances. Section 30232 of the Coastal Act states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Section 30240 of the Coastal Act requires that environmentally sensitive habitat areas (ESHA) be protected from adverse impacts. The proposed project is located along the shoreline of the Los Angeles River Estuary, an ESHA. Section 30240 of the Coastal Act states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Sections 30230, 30231, 30232 and 30240 of the Coastal Act require that marine resources be maintained, enhanced, and restored in a manner that will sustain the biological productivity of all species of marine organisms in coastal waters, and that the biological productivity and water quality of coastal waters be maintained and restored by controlling polluted runoff.

The Los Angeles River Estuary supports a wide array of marine habitat for fish, waterfowl and shorebirds. Endangered species in the area include the brown pelican and the California least tern. The Los Angeles River Estuary also provides people with water-related recreational

activities such as fishing and boating. Because of the coastal recreation activities and the sensitivity of the habitat, water quality issues are essential in the review of this project.

Pollutants such as sediments, toxic substances (e.g., grease, motor oil, heavy metals, and pesticides), bacteria, and trash and particulate debris are often contained within urban runoff entering via the storm water system or directly into the ocean. Parking facilities (because of the people and their vehicles that utilize them), like the ones subject to this permit, are major sources of these pollutants. The discharge of polluted runoff into the Los Angeles River Estuary would have significant adverse impacts on the overall water quality of the water area. Poor water quality has an adverse effect on marine life and coastal recreation.

Construction Impacts to Water Quality

Storage or placement of construction materials, debris, or waste in a location subject to erosion and dispersion or which may be discharged into coastal water via rain, surf, tide, or wind would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of machinery in coastal waters not designed for such use may result in the release of lubricants or oils that are toxic to marine life. Sediment discharged to coastal waters may cause turbidity, which can shade and reduce the productivity of foraging avian and marine species' ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, Special Condition One outlines construction-related requirements to provide for the safe storage of construction materials and the safe disposal of construction debris.

Special Condition One requires the applicant to dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit. This condition also requires the applicant to submit a Construction Best Management Practice Plan that will protect marine resources from the negative impacts of construction activities.

In addition, Special Condition One requires the implementation of Best Management Practices (BMPs) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity prior to the onset of construction. Only as conditioned can the proposed development be completed in conformance with the marine resource protection policies of the Coastal Act.

Water Quality Management Plan

The proposed project includes the resurfacing of a public parking lot that is currently lacking in water quality measures to treat or filtrate storm water runoff that leaves the site and enters the coastal waters. Typically, runoff from parking lots contain high concentrations of oils, grease, heavy metals, and other automobile fluids, as well as trash and particulate debris. Currently, there is no water quality filtration infrastructure in the five existing parking lot drains. The discharge of these pollutants to coastal waters can cause cumulative adverse impacts to water quality, including eutrophication and anoxic conditions. Eutrophication and anoxic conditions can result in fish kills, aquatic diseases, algae blooms, sedimentation, turbidity, toxicity in marine organisms, and disruptions to the reproductive cycle of aquatic species. These

impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require Special Condition Two. This special condition requires the incorporation of Water Quality Management Plan (WQMP) designed to treat, infiltrate, or filter the runoff from the development site.

Critical to the successful function of post-construction structural BMPs in removing pollutants in storm water to the Maximum Extent Practicable (MEP) is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small in scale. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost. Therefore, post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event² for volume-based BMPs, and/or the 85th percentile one-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.

The Commission notes that BMPs are very new in design and some are still in the experimental stage and the applicant may determine that another method is more effective after the completion of the project. A key factor in the continued effectiveness of structural BMPs is regular and adequate maintenance and monitoring of the implemented system. Also, by implementing a monitoring program the applicant can ensure, through an annual report submitted to the Executive Director for no less than three years, that the proper type and design of BMPs were selected to comply with the Water Quality Management Plan.

Special Condition Two (B) requires that the BMPs be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned out, and when necessary, repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season. Debris and other water pollutants removed from filter device(s) during clean-out shall be contained and disposed of in a proper manner.

Only as conditioned to comply with construction related requirements, dispose of all debris at an approved disposal site, and to incorporate and maintain BMPs during and after construction, is the proposed project consistent with the marine resource policies of the Coastal Act.

E. Scenic Resources

The proposed project includes the installation of a water fountain/monument sign at the entrance of Shoreline Village Drive (Exhibit # 5). Of primary concern is that the proposed sign on public property could result in negative impacts to public recreation areas along the City's coast by obstructing public views or impeding public access and recreation. In order to protect

² 24-hour storm event for the specific project area.

public access, recreation and visual resources, a provision of the certified Long Beach LCP requires that impacts to public views, recreation and access be considered whenever a sign is approved on public property near the coast.

Also, Section 30251 of the Coastal Act states in part that:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas...be visually compatible with the character of surrounding areas...

The proposed sign and fountain would encourage public access to Shoreline Village by identifying its location. The proposed sign has no text except for "Shoreline Village." The proposed fountain design is unobtrusive and would not block access or significant views to the shoreline. Therefore, the proposed sign design and scale does not: (a) obstruct views to or along the coast from publicly accessible places; (b) adversely impact public access to and use of the water; (c) adversely impact public recreational use of a public park or beach; or (d) otherwise adversely affect recreation, access or the visual resources of the coast.

F. California Environmental Quality Act (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a 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. As conditioned, there are no feasible alternatives or additional 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 permit amendment request and proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and complies with the applicable requirements of the Coastal Act to conform to CEQA.

End/cp

City of Long Beach



Site

COASTAL COMMISSION
5-94-010-A5

EXHIBIT # 1
PAGE 1 OF 1



631007

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REGION DEVELOPMENT

問題 7

488 P. 120

04287 71740

MASTER
SITE PLAN

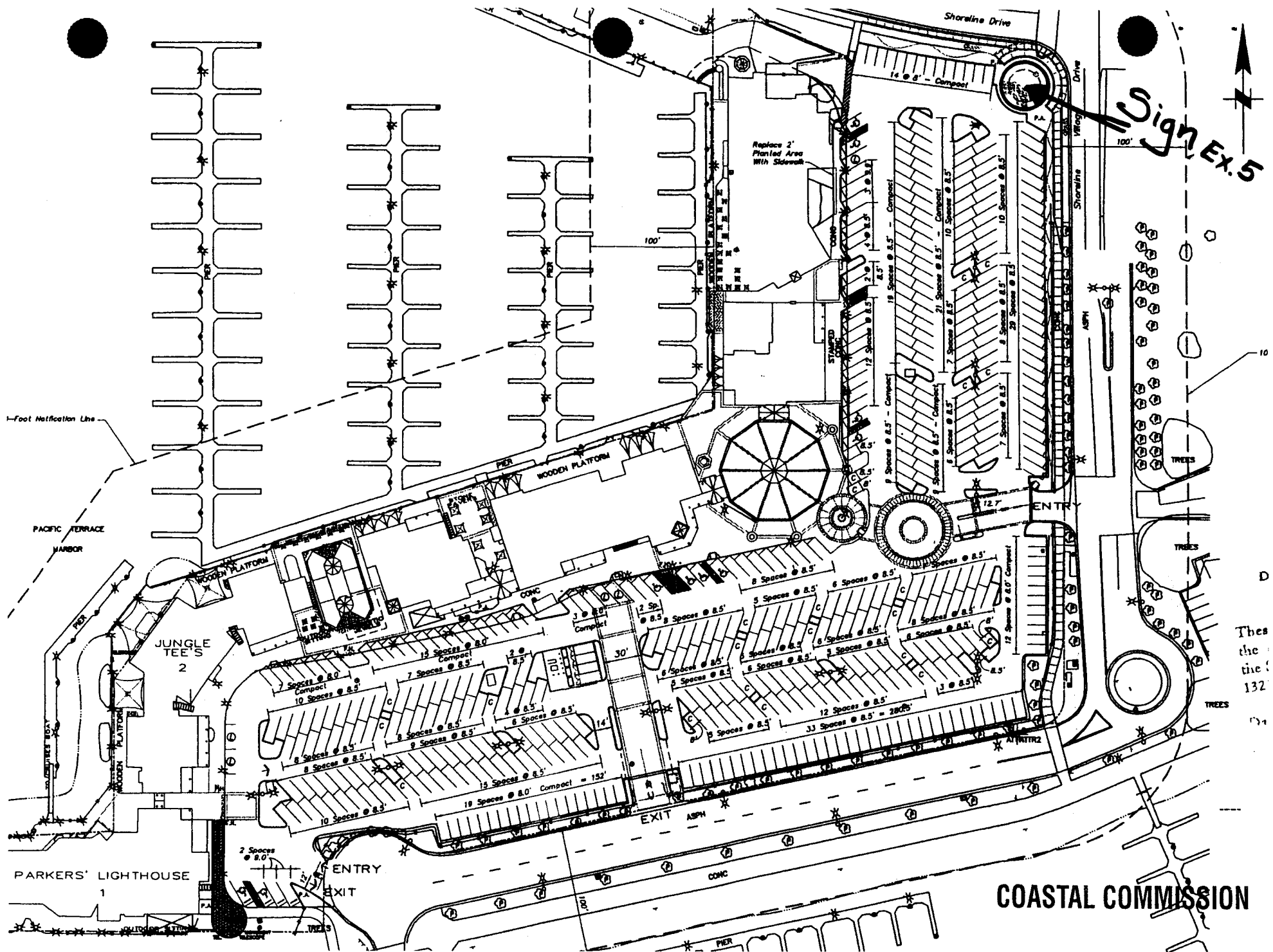
DATE 25 MAY 68	CLASS MF - MF
ISSUED BY MCP	ENDORSED BY

1998年12月

30632.00



EXHIBIT # 2



Proposed Parking Lot Plan 5-94-010-A5

COASTAL COMMISSION

EXISTING PARKING LAYOUT

Regular Parking Spaces ————— 305

Compact Parking Spaces ————— 111

Handicap Parking Spaces ————— 9

Van Handicap Parking Spaces ————— 1

Total 426

PROPOSED PARKING LAYOUT

Regular Parking Spaces ————— 341

Compact Parking Spaces (C) ————— 131

Handicap Parking Spaces ————— 9

Van Handicap Parking Spaces ————— 1

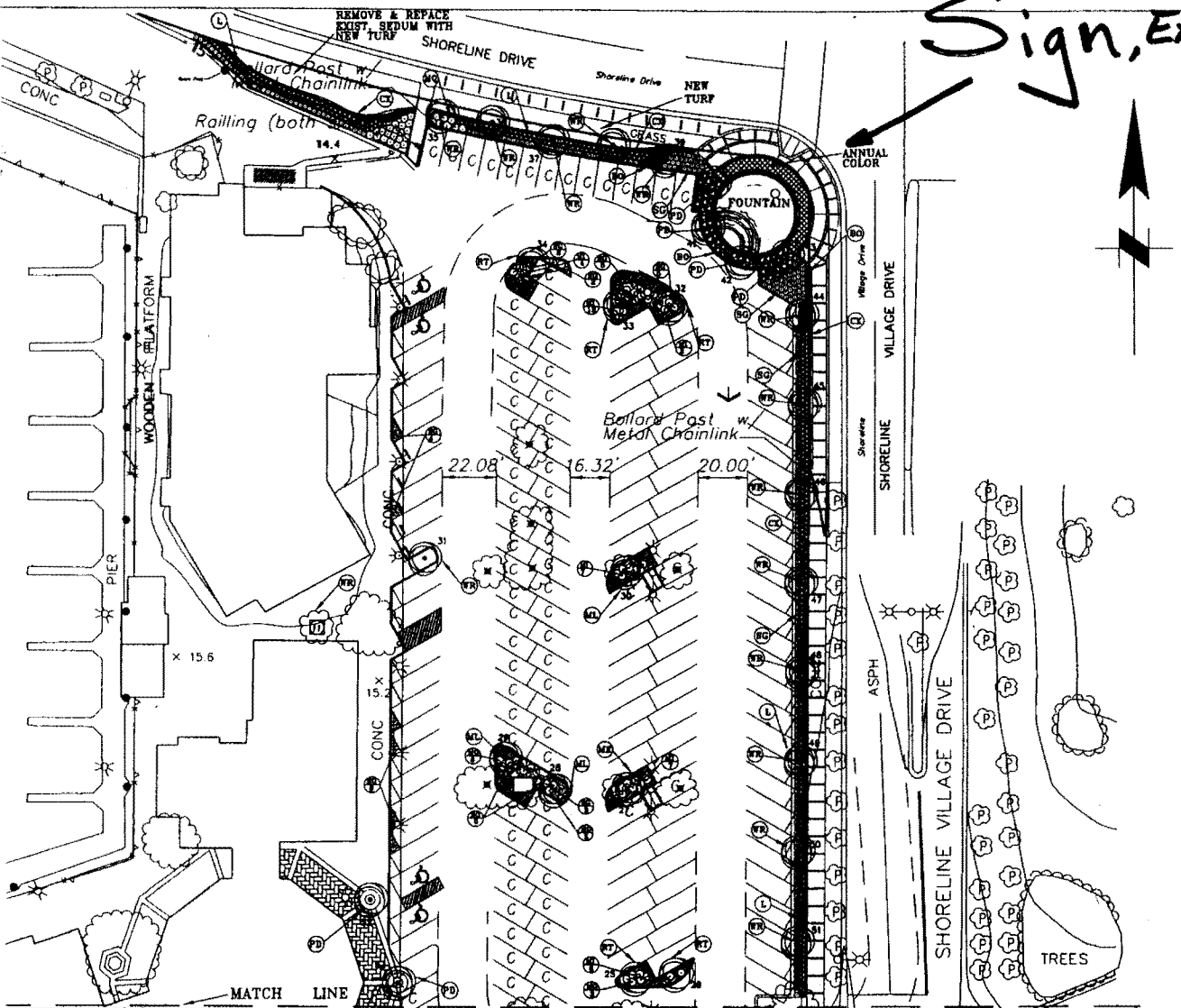
Passenger Loading Only (L) ————— 5

Total 487

Additional Pkg. Spaces $487 - 426 = 61$

5-94-010-A5
Shoreline Village

EXHIBIT # 3
PAGE 2 OF 2



PLANTING PLAN

- EXISTING TREE TO BE REMOVED/RELOCATED
- EXISTING TREES OR PLANT TO BE REMAIN
- EXISTING PLANT TO REMAIN
- NEW 15 GALLON TREE IN POTS
- NEW 24" BOX TREES IN PLANTERS
- NEW PALM TREES IN PLANTERS (SEE LEGEND FOR SIZE)

TREE SYMBOL	BOTANICAL/Common NAME	QUANTITY	SIZE
FB	FICUS BENJAMINA weeping CHINESE BANYAN	6	15 GAL
JT	JUNIPERUS C. 'TORULOSA' TWISTED HOLLYWOOD JUMPER	4	24" BOX
PD	PHOENIX DACTYLIFERA DATE PALM (TO BE PLANTED PER GROWERS SPECIFICATIONS)	8	15 FT. TRUNK TO TOP OF FRONTPALE
ML	MELALEUCA LEUCADENDRA CAJUPUT TREE	25	36" BOX LOW BRANCHING
ME	METROSIDEROS EXCELSUS NEW ZEALAND CHRISTMAS TREE	2	36" BOX
TF	TRACHYCARPUS FORTUNEI WINDMILL PALM	1	15 GAL
WR	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	11	24" BOX 30" BOX
RT	RELOCATED TREES CAJUPUT TREE	6	
TAL		87	

SHRUB SYMBOL	BO	TICAL/Common NAME	QUANTITY	SIZE
CR	COPROSMA MIRROR PLANT	'ARISLE QUEEN'	31	5 GAL
MI	MORAEA (H.E.)	IRIDIODES FORTNIGHT L.A.	80	5 GAL
MO	PHORUM T. 'MAORI QUEEN'	DWARF PLANT	85	5 GAL
PT	PHORUM T. 'ATROPURPUREUM'	Bronze FLAX	61	15 GAL
PR	PHOENIX ROEBELII POMY DATE PALM		8	5 GAL
SG	COLEONEMA 'SUNSET GOLD'	BREATH OF HEAVEN	501	1 GAL
BO	HELIOTRICHON SEMPERVIRENS	BLUE OAT GRASS	8	1 GAL
CX	CAREX BLAUCA	BLUE SEDGE	701	1 GAL
B	HIBISCUS ROSA SINCHIS 'TALLMOON'	FULL MOON HIBISCUS	12	5 GAL
L	LOROPETALUM CHINENSE 'PLUM DELIGHT'	PLUM DELIGHT	629	1 GAL
P	PARTHENOCISSUS THROUSPIATA	BOSTON IVY	8	5 GAL
ANNUAL COLOR				FROM FLATS AT 8" O.C.
HEDERA H. 'HAWK'				FROM FLATS AT 8" O.C.
MARATHON II (TURF)				500

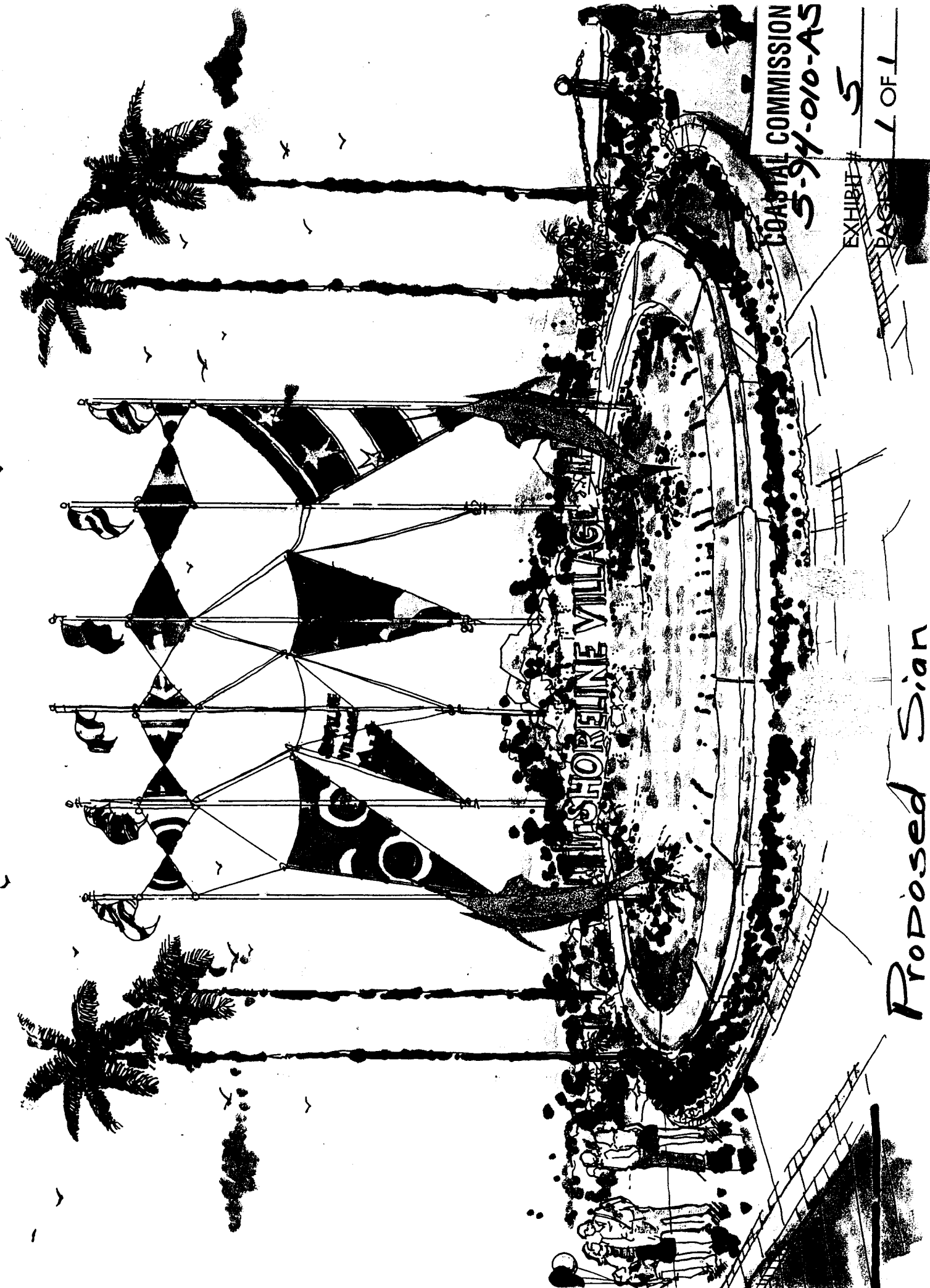
TREE ANALYSIS

EXISTING TREES TO BE RELOCATED	=	8
EXISTING TREES TO BE REMOVED	=	37
NEW TREES REQUIRED FOR ADDITIONAL 81 PARKING SPACES	=	81 = 15
TOTAL NEW TREES REQUIRED	=	37 + 15 = 52
TREES IN POTS	=	11
TREES IN PLANTERS	=	58
TOTAL NEW TREES PROVIDED	=	87

CITY OF LONG BEACH
DEPARTMENT OF PLANNING AND BUILDING
APPROVAL IN CONCEPT

COASTAL COMMISSION plans have received approval in concept only by the city of Long Beach as required for application to the South Coast Regional Commission, pursuant to Section 13210, Public Resources Code.

EXHIBIT # 4 4/8/02 By: [Signature]



COASTAL COMMISSION
5-94-010-A5

EXHIBIT #

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PAGE

1 OF 1

Proposed Sian

2

