2) 590-5071

GRAY DAVIS, Governor

#### CALIFORNIA COASTAL COMMISSION South Coast Area Office 200 Oceangate, Suite 1000 Ing Beach, CA 90802-4302 Fri12b



January 16, 2003

TO: Commissioners and Interested Persons

RECORD PACKET COPY

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

## SUMMARY OF LCP AMENDMENT REQUEST NO. 3-02

The Coastal Commission certified the City of Long Beach Local Coastal Program (LCP) on July 22, 1980. The current proposal is the City's third and final major LCP amendment request for 2002. Amendment Request No. 3-02, contained in City Council Ordinance No. C-7833 and submitted by City Council Resolution No. C-28111, would amend the Long Beach Marina Planned Development Plan (PD-4). The specific provisions within the Marina Planned Development Plan (PD-4) that the City proposes to change comprise part of the Implementing Ordinances (LIP) portion of the Long Beach certified LCP. Not *all* of the PD-4 ordinance, however, constitutes LCP implementing ordinances. The PD-4 ordinance also contains the certified LCP's only land use policies and regulations that apply specifically to this part of the City (other than the certified LUP Map's general land use designation of the area: Land use District 7 – Mixed Use).

Amendment Request No. 3-02 includes several changes to the certified Long Beach LCP that the Commission previously acted on when it approved LCP Amendment Request No. 1-02 with suggested modifications on July 8, 2002 (Exhibit #5). When the City adopted Ordinance No. C-7833 in order to accept the modifications suggested by the Commission pursuant to its action on July 8, 2002, however, the City made additional changes to the PD-4 ordinance that the Commission had not ever reviewed or approved. As a result, the City has submitted all of the proposed changes contained in Ordinance No. C-7833, including those already approved by the Commission, as a new LCP amendment request (Exhibit #6). The additional changes that the City is proposing, but the Commission has not yet reviewed or approved, consist solely of the changes to the list of Principal Permitted Uses for Subarea One: Sections A.1.b (Personal Services) and A.1.c (Professional Services) (Exhibit #8, p.5). The changes to the PD-4 ordinance that the Commission on July 8, 2002 are not contained in Ordinance No. C-7833, which constitutes LCP Amendment Request No. 3-02 (Exhibit #8).

The changes proposed by LCP Amendment Request No. 3-02 include: a) amend the list of allowable land uses for Subarea One of PD-4 (Alamitos Bay Marina) to include one 50-room hotel and offices (on upper floors only) for on-site property management, b) amend the list of allowable land uses for Subarea One of PD-4 to delete post office box rentals and day care uses, c) amend the list of prohibited land uses in Subarea Two of PD-4 to prohibit the storage of recreational vehicles and unattached trailers, and d) make other non-significant miscellaneous revisions. The requested changes would implement some of the recommendations contained in the City's Alamitos Bay Master Plan. The Alamitos Bay Master Plan is not being submitted for inclusion into the certified LCP.

.......

#### SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after public hearing <u>APPROVE AS SUBMITTED</u> the amendment request to the LIP. The motion to accomplish this recommendation is on *Page Three*. As submitted, the LCP amendment request is in conformance with, and adequate to carry out the land use policies of the certified LCP.

**SUBJECT:** Major Amendment Request No. 3-02 (LOB-MAJ-3-2) to the City of Long Beach Certified Local Coastal Program. For public hearing and Commission action at its February 7, 2003 meeting in San Diego.

## CONTENTS OF LCP AMENDMENT REQUEST

The LCP amendment request is contained in City Council Ordinance No. C-7833 (Exhibit #8). City Council Resolution No. C-28111, adopted by the local government after public hearing, submits the LCP amendment to the Commission for certification. Resolution No. C-28111 states that the LCP amendment is intended to be carried out in a manner fully in conformity with the California Coastal Act, and that the LCP amendment shall be effective upon certification by the Coastal Commission (Exhibit #7). The City Planning Commission held a public hearing for the proposed LCP amendment on February 7, 2002. The City Council held public hearings for the proposed LCP amendment on March 19, 2002 and November 12, 2002. The amendment request was deemed submitted for Commission review on December 2, 2002, the day it was received in the Commission's Long Beach office. This LCP amendment request is consistent with the submittal requirements of the Coastal Act and the regulations which govern such proposals (Sections 30501, 30510, 30514 and 30605 of the Coastal Act, and Sections 13551, 13552 and 13553 of the California Code of Regulations).

#### STANDARD OF REVIEW

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

## **ORIGINAL PERMIT JURISDICTION**

This LCP amendment request affects an area located wholly within the Commission's area of original jurisdiction. 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. Therefore, the Commission will review any development proposed in the area subject to this LCP amendment during the coastal development permit application process.

When reviewing a coastal development permit application for development within the Commission's area of original jurisdiction, the standard of review is the Chapter 3 policies of the Coastal Act. While the certified LCP provides guidance (for the Commission, City and applicants) for development in the Commission's area of original jurisdiction, the provisions of the certified LCP are not binding on the Commission. Therefore, the standards contained in the proposed LCP amendment are not be binding upon the Commission when reviewing development in the area of original jurisdiction. Any action on the LCP amendment request does not in any way prejudice the Commission's future action on any development proposal within the Commission's area of original jurisdiction.

#### ADDITIONAL INFORMATION

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

## I. STAFF RECOMMENDATION

Staff recommends adoption of the following motion and resolution:

## Approve the Amendment to the LCP Implementing Ordinances as Submitted

## **MOTION:**

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"I move that the Commission reject Amendment Request No. 3-02 to the City of Long Beach LCP Implementing Ordinances as submitted by the City."

Staff recommends a <u>NO</u> vote which will result in the certification of the amendment as submitted and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

## Resolution to Certify Amendment to LCP Implementing Ordinances as Submitted

The Commission hereby <u>certifies</u> Amendment Request No. 3-02 to the Implementing Ordinances of the City of Long Beach certified Local Coastal Program, as submitted, for the reasons discussed below and adopts the findings set forth below on the grounds that the amended ordinances, maps, and other implementing actions conform with, and are adequate to carry out, the provisions of the certified Land Use Plan, as provided in Section 30513 of the Coastal Act. Approval of the amendment to the Implementing Ordinances meets the requirements of Section 21080.5(d)(2)(A) of the California Environmental Quality Act in that there are no further feasible alternatives or mitigation measures available that would substantially lessen any significant adverse impact that the approval of the amendment to the Implementing Ordinances would have on the environment.

## II. FINDINGS FOR CERTIFICATION

The Commission hereby finds and declares as follows:

## A. Description of LCP Amendment Request and History of PD-4

This LCP amendment request would amend the land use regulations contained in the Long Beach Marina Planned Development Plan, which is referred to as Planned Development District No. 4 or PD-4 (Exhibit #4). The proposed changes to PD-4, which are contained in City Council Ordinance No. C-7833, would: a) amend the list of allowable land uses for Subarea One of PD-4 (Alamitos Bay Marina) to include one 50-room hotel and offices (on upper floors only) for on-site property management, b) amend the list of allowable land uses for Subarea One of PD-4 to delete post office box rentals and day care uses, c) amend the list of prohibited land uses in Subarea Two of PD-4 to prohibit the storage of recreational vehicles and unattached trailers, and d) make other non-significant miscellaneous revisions (Exhibit #8). Each proposed change to PD-4 is described in more detail below. The Commission staff report for LCP Amendment Request No. 1-02, dated June 20, 2002, provides additional

background information regarding PD-4 and the historical background of the LCP amendment request.

The Long Beach Marina Planned Development Plan (PD-4) is the City's zoning ordinance, as well as the LCP implementing ordinance, for the Alamitos Bay Marina area in southwest Long Beach (Exhibit #3). Planned Development District No. 4 (PD-4) is divided into Subareas One and Two (Exhibit #4). The entire PD-4 area is located within the Commission's area of original jurisdiction. Therefore, the standard of review for development within PD-4 has been, and continues to be, the Chapter 3 policies of the Coastal Act. Outside of the land use regulations contained in the PD-4 ordinance and the LUP Map, the certified Long Beach LCP does not contain any specific land use policies for this area. The general land use policies of the City's coastal zone.

The City originally adopted the planned development district and ordinance prior to the development and certification of the Long Beach LCP. When the LCP was certified in 1980, the City and Commission included the PD-4 ordinance (then known as PD-1) as part the original Long Beach LCP. The PD-4 ordinance contains the certified LCP's only land use policies and regulations that apply specifically to this part of the City (other than the certified LUP Map's general land use designation of the area). The City's land use district map of the general plan (part of the certified LUP) designates both subareas of PD-4 as Land Use District 7, a mixed-use district (Exhibit #2). The types of land uses allowed in Land Use District 7 include retail, office, medical, visitor-serving, personal, professional and recreational uses. Industrial and manufacturing uses are prohibited. The PD-4 ordinance, however, further defines the types of land uses that are allowed and prohibited within PD-4 area (Exhibit #8). The specific types of commercial land uses that are allowed and prohibited in PD-4 is the subject of this LCP amendment.

## **Changes to Subarea One of PD-4**

The LCP amendment request would amend list of allowable and prohibited uses for Subarea One of PD-4, where the Alamitos Bay Landing (formerly Seaport Village) shopping center is located (Exhibit #4). The City states that the proposed changes to the PD-4 ordinance would allow the area to be developed to its highest and best use in accordance with the Tideland Trust Doctrine, market forces and the desires of the community (Exhibit #7). Seaport Village/Alamitos Bay Landing is a commercial retail and entertainment complex with a maritime theme in the southwest area of Alamitos Bay. It is located on filled tidelands and is in the Commission's area of retained permit jurisdiction. The shopping center was built in the late 1960's and has endured economic difficulties over the past decades. High vacancy rates have been a problem. In approving LCP Amendment No. 1-89 as submitted, the Commission adopted the following findings:

"The original concept of the LCP was to create a visitor-serving center by restricting the array of permitted uses. The list of permitted uses was derived, in fact, from the uses which were operating there at the time of the preparation of the LCP. As some of those use failed, and similar types of uses did not follow because of the previous failures, the list of permitted uses in the LCP became irrelevant to the economic realities of the site. This amendment request proposes to amend Subarea One (Seaport Village) to expand the permitted uses to include: retail sales (e.g. delicatessen, bookstore, toy store, etc.); personal services (e.g. day care); professional services (e.g. yacht broker, architect, marine insurance); financial services (e.g. automatic teller machine); restaurants and taverns; and entertainment services (e.g. boat rental, boat cruises, hall rental).

The purpose of this proposal is to strengthen the visitor-serving character of Seaport Village, thereby enhancing the shoreline access potential of the site. Therefore, staff is recommending that the Commission find that the proposed amendment is consistent with all applicable Coastal Act and LCP polices and certifies the amendment request as submitted."

The list of permitted uses approved for Subarea One in 1989 is the currently certified list of permitted uses which the City is requesting to amend in order to allow one 50-room hotel and offices (on upper floors only) for on-site property management. The City also proposes to delete post office box rentals and day care uses from the list of allowable uses in Subarea One because such uses are not maritime related uses or visitor-serving uses. These changes are explained in more detail below.

The LCP amendment includes the following change to the introductory statement for Subarea One in order to clarify the location and extent of the subarea (See Exhibit #8, p.4) as follows:

This area is **located in** the south**westerly** easterly portion of the City PD. and is known as Seaport Village. This area extends southward from Marina Drive where it becomes an east/west roadway and bridges the San Gabriel River and includes the mole extension of Marina Drive which forms the southwestern border of Basin 1. This subarea is intended to maintain the existing specialty shopping center.

[*Staff Note*: **<u>Bold underlined text</u>** identifies the City's proposed new language. The crossed-out text would be deleted.]

Secondly, Subsection 1.A.c (Professional Services) of the list of Principal Commercial Uses for Subarea One would be revised in order to allow, on the upper floors only, "tenant occupied offices for management of leasehold premises" (See Exhibit #8, p.5). The Commission's action on July 8, 2002, when it approved LCP Amendment Request No. 1-02 with suggested modifications, provided the basis for the upper floor restriction on the new type of permitted office uses (Exhibit #5). This proposed change would allow the managers of the Seaport Village/Alamitos Bay Landing commercial complex to have an office on the site, while preserving the ground floor for visitor-serving or maritime-related uses. Currently, the types of principal permitted professional services (office) uses are limited to yacht broker, architect, artist studio, oceanographic study office and marine insurance. This proposed change is consistent with the suggested modification adopted by the Commission on July 8, 2002, when it acted on LCP Amendment Request No. 1-02 (Exhibit #5).

The proposed change is as follows:

Subarea 1.

A. Uses

1. Principal Uses. Commercial

[Subsections a,b,d,e,f & g not shown here; see Exhibit #8, ps.4-6] c. Professional Services

1. Yacht Broker

- 2. Architect
- 3. Artist Studio
- 4. Oceanographic study office
- 5. Marine Insurance
- 6. On upper floors only, tenant occupied offices for management of leasehold premises.

Also, the list of permitted interim uses would be modified to not include professional services (See Exhibit #8, p.6). The proposed change to the currently certified list of permitted interim uses is as follows:

Subarea 1.

- A. Uses [Sections 1 through 4 not shown here; see Exhibit #8, ps.4-6]
  - 5. Interim Uses. All other retail uses other than those permitted as principal uses under Subsection A.1.a, all other personal uses other than those permitted as principal uses under Subsection A.1.b, all other professional services other than those permitted as principal uses under Subsection A.1.c, and all other financial uses other than those permitted under Subsection A.1.d may be permitted as Interim Uses provides that the following standards are met:
    - The lease space has been vacant for 180 days or more and the lessee has made a reasonable effort to lease the property to primary permitted uses;
    - b. In order to ensure that the primary permitted uses maintain long term accessibility to the center, the term of the lease may not exceed five years;
    - c. Not more than twenty-five percent (25%) of the net leasable area of the Seaport Village Center may be leased for secondary permitted uses at any given time.

The third proposed change to the land use regulations for Subarea One involves the addition of one 50-room hotel as an allowable use in Subarea One of PD-4. Subsection 1.A.g (Hotel/Inn) would be added to allow one hotel or inn to be established in part of Subarea One of PD-4 (See Exhibit #8, p.6).

Proposed Subsection A.1.g states:

Subarea 1.

A. Uses

1. Principal Uses. Commercial

[Subsections a through f not shown here; see Exhibit #8, ps.4-6]

g. Hotel/Inn. A hotel or inn use is restricted to the southernmost end of Subarea 1 in the "Alamitos Bay Landing" center and is limited to a development of fifty (50) rooms or less.

As previously stated, the City proposes to delete post office box rentals and day care uses from the list of allowable uses in Subarea One because such uses are not maritime related uses or visitor-serving uses (See Exhibit #8, p.5). The proposed change is as follows:

Subarea 1.

A. Uses

 Principal Uses. Commercial [Subsections a,c,d,e,f & g not shown here; see Exhibit #8, ps.4-6] b. Personal Services

 Uses accessory to retail sales.

2. Post Office box rental.

3. Day care.

Transient residential uses, including hotels, motels and boatels are currently listed as prohibited uses in Subarea One of P4 (See Exhibit #8, p.6). The list of prohibited uses in Subarea One of P4-4 would be revised as follows to delete hotels from the list. As stated above, this LCP amendment request includes the listing of one 50-room hotel as an allowable use in Subarea One of PD-4. Therefore, hotels must be deleted from the following list of prohibited uses.

Subarea 1.

A. Uses [Sections 1,2,3 & 5 through 9 not shown here; see Exhibit #8, ps.4-7]
4. Prohibited Uses. Transient residential use (including hotels, motels and boatels).

As amended, motels and boatels would still be prohibited uses in Subareas One and Two, and hotels would still be a prohibited use in Subarea Two (Exhibit #8, p.7).

## One Change to Subarea Two of PD-4

The current LCP amendment request also proposes one change to the land use regulations that apply to Subarea Two of PD-4. Subarea Two of PD-4 comprises most of the land that abuts the Alamitos Bay Marina (Exhibit #4). The proposed change would list the storage of recreational vehicles<sup>1</sup> and unattached trailers as prohibited uses in Subarea Two of PD-4 (See Exhibit #8, ps.7-8).

<sup>&</sup>lt;sup>1</sup> The City states that parking for recreational vehicles owned by live-aboards in the marina will be permitted by a special parking permit.



The proposed change is as follows:

Subarea 2.

- A. Uses [Sections 1, 2 & 3 not shown here; see Exhibit #8, p.7]
  - 4. Prohibited Uses.
    - a. Hotels, motels, boatels, or any other form of transient housing.
    - b. Fast food restaurants.
    - c. <u>Storage of recreational vehicles and unattached trailers.</u> <u>Administrative relief from this regulation can be obtained if</u> <u>approved by the Marine Bureau.</u>

## Changes to the General Development and Use Standards for PD-4

The LCP amendment request also proposes three miscellaneous changes to the general development and use standards that apply to all of PD-4 (See Exhibit #8, ps.2-4). The proposed changes to PD-4's general development and use standards were all approved without changes when the Commission acted on LCP Amendment Request No. 1-02 on July 8, 2002. Amendment Request No. 1-02 has not been certified, so the same changes are included as part of LCP Amendment Request No. 3-02 (Exhibits #5&6).

First, the City proposes to add Subsection 3 to Section C (Building Design) in order to address the design of restrooms and the provision of public restroom facilities in the Alamitos Bay Marina area (Exhibit #8, ps.2-3).

Proposed Subsection C.3 (Restrooms) states:

C. Building Design.

- 1. Style. All new buildings shall be appropriately designed so as to be consistent with a coastal oriented design motif.
- 2. Height. No building shall exceed thirty-five feet (35') in height.
- 3. <u>Restrooms. The remodeling and/or additions to the restroom</u> <u>facilities shall be subject to design review. Separate restroom</u> <u>facilities for the public shall be added at each location.</u>

Secondly, the City proposes to add Subsection 5 to Section D (Parking) to clarify that the offstreet parking and loading requirements of the zoning ordinance (Chapter 21.41) apply to development in PD-4, unless otherwise specified (Exhibit #8, p.3). This change would provide the necessary parking standards for any future hotel/inn and the professional office uses that are being proposed to become principal permitted uses in Subarea One.

Proposed Subsection D.5 states:

- D. Parking. [Sections D1 through D4 not shown here; see Exhibit #8, p.3]
  - 5. Unless otherwise specified, all development shall comply with the off-street parking and loading provisions of Chapter 21.41 of the zoning regulations. The parking of recreational vehicles and unattached trailers shall be consistent with Marine Bureau policy.

Chapter 21.41 (Parking and Loading) of the zoning regulations, part of the currently certified LCP, requires the provision of parking for hotels and office uses at the following rates:

Hotel: 1 space per guest room plus parking figured separately for banquet rooms, meeting rooms, restaurant and gift shops, plus 2 loading and unloading spaces.

Medical or dental office: 5 spaces per 1000 sq. ft.

Professional or unspecified office use: 4 spaces per 1000 sq. ft up to 20,000 sq. ft, plus 2 spaces per 1000 sq. ft. for more than 20,000 sq. ft.

The above-stated parking standards are not a subject of this LCP amendment request, and therefore are unaffected by this action.

Finally, Section E (Landscaping) of the general development and use standards that apply to all of PD-4 would be amended to protect existing trees and seating areas, and to strengthen the City's ability to require appropriate landscaping for development in PD-4 (Exhibit #8, p.4).

As proposed, Section E states:

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E. Landscaping. Prior to approval of any new construction, landscaping plans for the new construction designed to harmonize with the existing landscaping shall be provided for review and approval. Existing berms, seating cutouts, and trees shall be maintained. A landscape theme shall be developed for Marina Drive that includes new palm tree, shrubs, vines, and accent lighting. The existing fence along Marina Drive will be removed and/or replaced with a better fence product. Prior to any major landscape improvements, a landscape Master Plan shall be submitted for review and approval.

The Commission can certify the proposed changes only if they are consistent with and carry out the stated goal of the LCP to preserve support facilities for the Alamitos Bay Marina and to maintain the specialty shopping center (Seaport Village/Alamitos Bay Landing).

## B. Certification of the LCP Amendment as Submitted

The Commission finds that the LCP amendment request, as submitted, is in conformance with, and adequate to carry out the land use policies of the certified LCP, for the reasons discussed below.

The certified LUP policy, contained in the introductory statement for PD-4 states:

"The intent of the Planned Development Plan is to provide a set of land use regulations for the Long Beach Marina. This is a unique area and facility. Such factors make the established Zoning Regulations inappropriate in this location. The area is also of sufficient interest to the surrounding community, including the

abutting areas in the SEADIP Planned Development Plan to warrant public review of each development proposal."

Subarea One's introductory policy, which is part of the certified LUP, states:

"This subarea is intended to maintain the existing specialty shopping center."

The intent of the Commission's prior actions in PD-4 and the above-stated LUP policies support the preservation of the marina area and the existing specialty shopping center. The currently certified PD-4 ordinance carries out this land use policy by limiting the types of permitted land uses in Subarea One to visitor-serving uses, with limited exceptions.

The currently proposed changes to PD-4 are consistent with goals of the LUP and the prior Commission actions for PD-4. A visitor-serving use (one inn) would be allowed in Subarea One, and three specific non-maritime and non-visitor-serving uses (recreational vehicle storage, post office box rentals and day care) would not be allowed. A new type of limited office uses would be permitted (on the upper floors only) in the specialty shopping center.

The future development plans for Subarea One of PD-4 involve the construction of new two or three-story commercial buildings to replace the existing single-story buildings that comprise the existing Seaport Village/Alamitos Bay Landing shopping center. A new two-story building has just been completed in Subarea One. This building has a restaurant on the ground floor, and offices (for the management of the shopping center) on the upper floor, as permitted by Coastal Development Permit 5-01-275 (BANCAP).

The proposed LCP amendment continues to restrict the types of professional uses allowed in PD-4. The proposed LCP amendment restricts office uses. Allowing unrestricted office uses would be inconsistent with the policy to maintain the existing shopping center. Shopping centers provides visitor-serving uses; they are not office complexes. The existing specialty shopping center is a visitor-serving land use that attracts the general public to the shoreline. It provides people with the opportunity to enjoy coastal views while dining and shopping, and to take boat tours of the marina. General or professional office uses are not visitor-serving land uses, and if allowed as proposed as an unrestricted land use, could displace the visitor-serving uses that have defined the character of the existing specialty shopping center. General office uses can be located anywhere, whereas the unique character of the existing shopping center is dependent on its shoreline location and its maritime ambiance. It should also be noted that non-coastal related office uses might not be consistent with the State Tidelands Grant that covers this area.

The Coastal Act gives priority to visitor-serving uses in the coastal zone, and the certified LCP gives priority to visitor-serving uses in PD-4. General office uses are not visitor-serving uses. An LCP amendment would not be certified if it would encourage the conversion of any existing visitor-serving uses to other low priority uses, like general office uses. The proposed deletion of post office box rentals and day care uses, and the prohibition against recreational vehicle and trailer storage, are consistent with the policy to give priority to visitor-serving uses. The LCP amendment request would not encourage the conversion of any existing visitor-serving uses to other low priority uses. The proposed deletion and trailer storage, are consistent with the policy to give priority to visitor-serving uses. The LCP amendment request would not encourage the conversion of any existing visitor-serving uses to other low priority uses. Therefore, it is approved as submitted.

The parking impacts that may result from new uses in the upper floors of new buildings in Subarea One must be mitigated by the provision of adequate parking facilities. The proposed addition of Subsection 5 to Section D (Parking) would clarify that the off-street parking and loading requirements of the zoning ordinance (Chapter 21.41) apply to development in PD-4, including any new office uses (Exhibit #6, p.3). This change would provide the necessary parking standards for any future hotel/inn and the other new uses in Subarea One.

Chapter 21.41 (Parking and Loading) of the zoning regulations, part of the currently certified LCP, requires the provision of parking for hotels and office uses (See Page Nine of this report). The proposed amendment to the parking standards for PD-4 is in conformance with, and adequate to carry out the land use policies of the certified LCP that require the provision of adequate parking facilities.

## Hotel Use in Subarea One of PD-4

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The proposed provision of one hotel, with fifty rooms or less, in Subarea One does not conflict with the land use policies of the certified LCP. In fact, because hotels are visitor-serving uses that provide public access to the coast, they are considered to be priority uses in the coastal zone. The proposed permitted use is also consistent with the land use policy that calls for the maintenance of the existing specialty shopping center.

The parking requirements for the hotel are contained in Chapter 21.41 (Parking and Loading) of the zoning regulations, which is being incorporated by reference into the PD-4 ordinance. Chapter 21.41 requires the provision of parking for hotels at the following rate: one space per guest room plus parking figured separately for banquet rooms, meeting rooms, restaurant and gift shops, plus two loading and unloading spaces. Any new hotel proposal would come before the Commission as a coastal development permit application because the entire subarea is situated within the Commission's area of original jurisdiction.

## **Restroom and Landscaping Provisions for PD-4**

The restroom and landscaping provisions proposed as part of this LCP amendment do not conflict with the land use policies of the certified LCP. The provision of public restrooms is consistent with the land use policy that calls for the preservation of necessary support facilities for the marina. Restrooms are necessary support facilities.

## C. California Environmental Quality Act (CEQA)

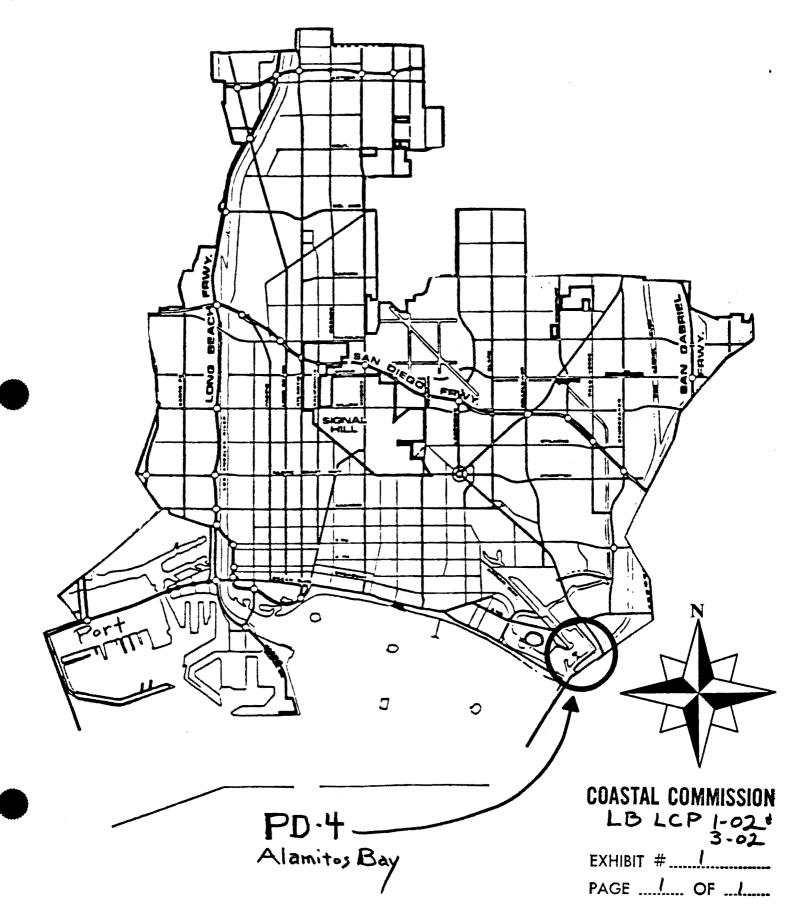
Pursuant to the California Environmental Quality Act (CEQA) and the California Code of Regulations [Title 14, Sections 13540(f), 13542(a), 13555(b)] the Commission's certification of this LCP amendment must be based in part on a finding that it is consistent with CEQA Section 21080.5(d)(2)(A). That section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

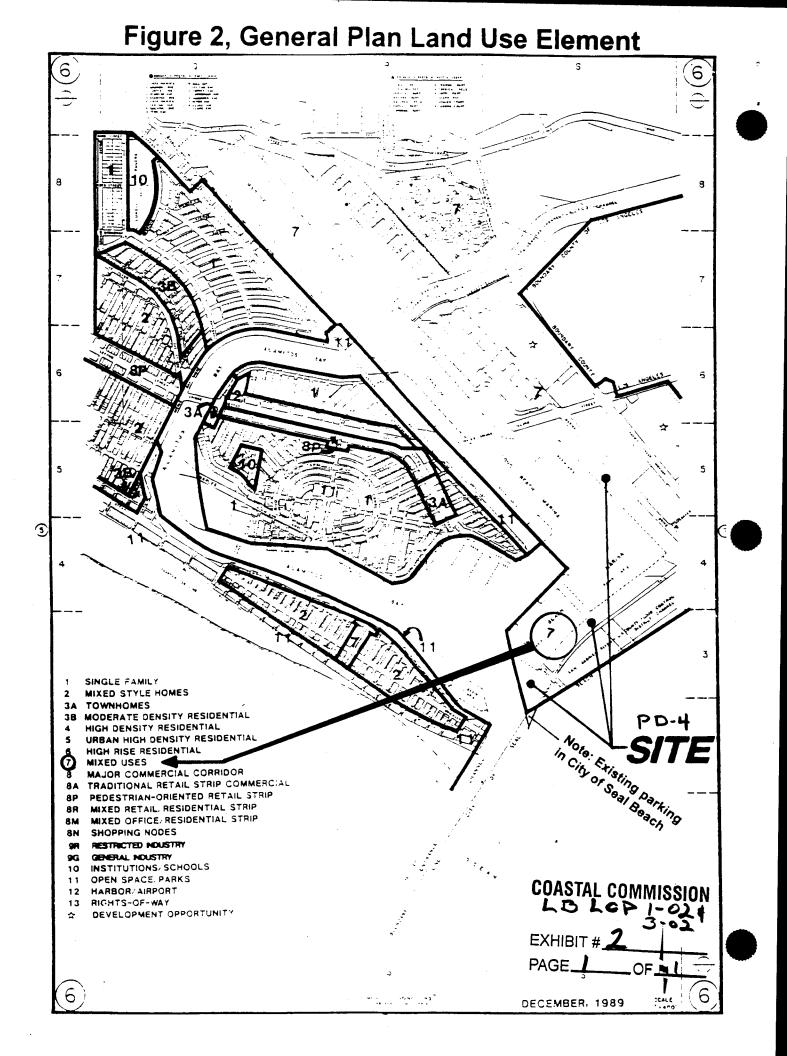
...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The Commission finds that for the reasons discussed in this report there are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Commission further finds that the proposed LCP amendment is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

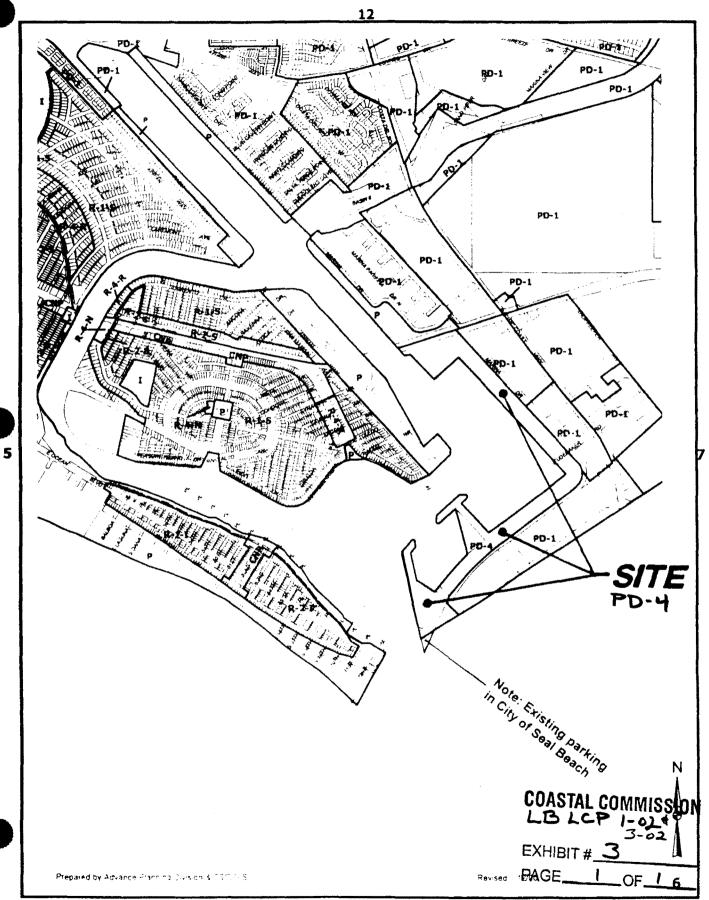
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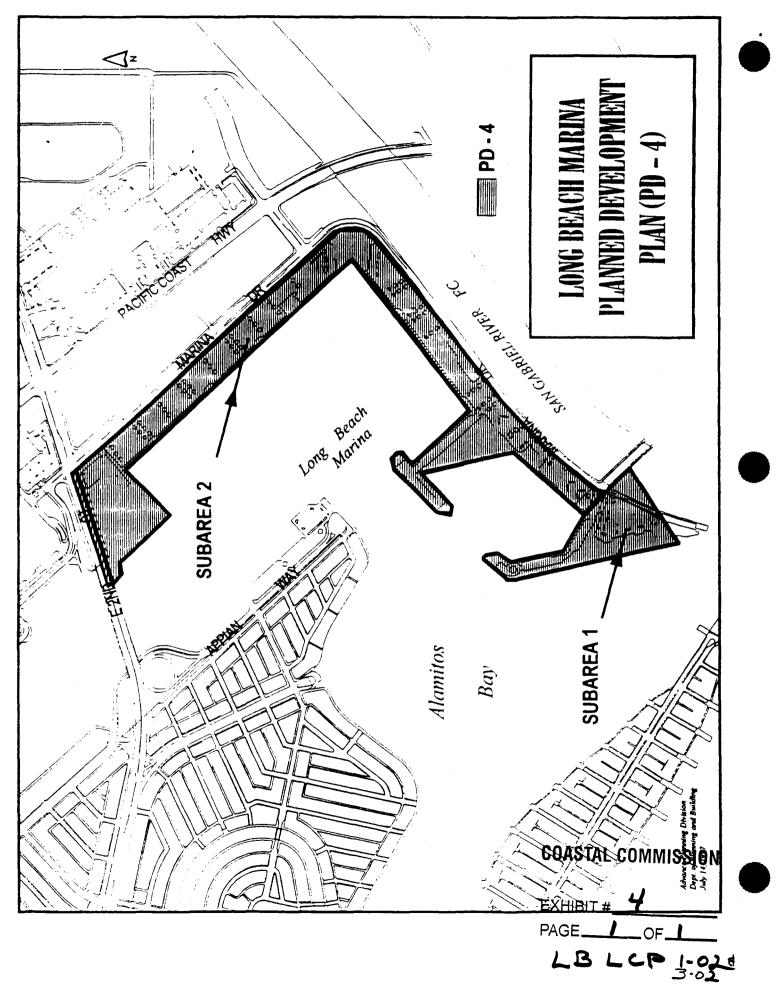


## Figure 3, Zoning Map



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# "A" Jidinx3



ong Beach, CA 90802-4302

52) 590-5071

### CALIFORNIA COASTAL COMMISSION South Coast Area Office 200 Oceangate, Suite 1000



July 16, 2002

Eugene Zeller, Director of Planning and Building City of Long Beach 333 West Ocean Boulevard Long Beach, CA 90802

Re: Long Beach Local Coastal Program (LCP) Major Amendment No. 1-02.

Dear Mr. Zeller:

You are hereby notified that the California Coastal Commission, at its July 8, 2002 meeting in Huntington Beach, approved City of Long Beach LCP Amendment No. 1-02 with modifications. Local Coastal Program (LCP) Amendment No. 1-02, contained in City Council Ordinance No. C-7794, would amend the Long Beach Marina Planned Development Plan (PD-4). Long Beach Marina Planned Development Plan (PD-4) is part of the Implementing Ordinances (LIP) portion of the Long Beach certified LCP. The Alamitos Bay Master Plan was not submitted for inclusion into the certified LCP.

The Commission approved the LCP amendment with two suggested modifications. Therefore, LCP Amendment No. 1-02 will not be effective for implementation in the City's coastal zone until: 1) the Long Beach City Council adopts the Commission's suggested modifications, 2) the City Council forwards the adopted suggested modifications to the Commission by resolution, and, 3) the Executive Director certifies that the City has complied with the Commission's July 8, 2002 action. The Coastal Act requires that the City's adoption of the suggested modifications be completed within six months of the Commission's July 8, 2002 action.

Pursuant to the Commission's action on July 8, 2002, certification of City of Long Beach LCP Amendment No. 1-02 is subject to the following two suggested modifications:

[*Note*: For the modifications shown below, the City's proposed language is shown in regular text, and Commission's suggested new or retained text is identified by **bold underlined text**. The Commission's suggested deletions are identified by the crossed-out text.]

## I. Subarea One - Principal Permitted Commercial Uses

The list of principal permitted commercial uses (Section A.1.c of the Specific Development and Use Standards for Subarea One) shall be modified to allow unlimited professional office uses <u>only on the upper floors</u> of buildings in Subarea One. Visitor-serving uses shall continue to be the preferred uses in the ground level of the shopping center. Section A.1.c of the Specific Development and Use Standards for Subarea One shall be modified to read as follows: COASTAL COMMISSION

LBLCP1-02+3-02 EXHIBIT #\_\_\_\_\_

Long Beach LCP Amendment No. 1-02 July 16, 2002 Page 2

Subarea 1.

A. Uses

1. Principal Uses. Commercial

[Subsections a,b,d,e,f & g not shown here; see Exhibit #6, ps.4-5]

- c. Professional Offices Services
  - 1. Yacht Broker
  - 2. Architect
  - <u>3. Artist Studio</u>
  - 4. Oceanographic study office
  - 5. Marine Insurance
  - 6. On upper floors only, Professional Offices

#### II. Subarea Two - Prohibited Uses

The list of prohibited uses in Subarea Two (Section A.4 of the Specific Development and Use Standards for Subarea Two) shall be modified delete boat storage and hoist facilities and non-dockside mooring. Section A.4 of the Specific Development and Use Standards for Subarea Two shall be modified to read as follows:

Subarea 2.

A. Uses

[Sections A.1-A.3 not shown here; see Exhibit #6, p.7]

- 4. Prohibited Uses.
  - a. Hotels, motels, boatels, or any other form of transient housing.
  - b. Fast food restaurants.
  - c. Boat storage and hoist facilities.
  - d. Non-dockside moorings (or anchoring in the bay).
  - e: Storage of recreational vehicles and unattached trailers. Administrative relief from this regulation can be obtained if approved by the Marine Bureau.

Thank you for your cooperation and we look forward to working with you and your staff in the future. Please call Charles Posner or myself at (562) 590-5071 if you have any questions regarding the modifications required for effective certification of City of Long Beach LCP Amendment No. 1-02.

Sincerely,

Teresa Henry

District Manager

COASTAL COMMISS

cc: Angela Reynolds, Advanced Planning Officer Ira Brown, Assistant Planner Harold Simkins, Planner



# **CITY OF LONG BEACH**

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

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Advance Planning

January 13, 2003

Mr. Charles Posner California Coastal Commission 200 Oceangate, Suite 1000 Long Beach, CA 90802

Dear Mr. Posner:

On July 8, 2002, the California Coastal Commission approved LCP Amendment No. 1-02 with two suggested modifications. In turn, on December 2, 2002, the City of Long Beach submitted City Council Ordinance No. C-7833 with the suggested modifications and additional language intended to implement the Tideland Trust Doctrine.

Although the additional language was more restrictive as it relates to non-maritime uses in the Coastal Zone, the California Coastal Commission did not have an opportunity to review and approve these changes. As a result, the City would like to resubmit Ordinance No. C-7833 as a new and separate amendment.

Thank you for your consideration on this matter and please call me (562) 570-5972 if you have any questions.

Sincerely -Ira Brown Planner

COASTAL COMMISSION 6 EXHIBIT # PAGE\_/ OF\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING, AFTER PUBLIC HEARING, AMENDMENTS TO THE LOCAL COASTAL PROGRAM RELATING TO LONG BEACH MARINA PLANNED DEVELOPMENT (PD-4)

**RESOLUTION NO. C-28111** 

The City Council of the City of Long Beach resolves as follows:

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

A. Pursuant to the California Coastal Act of 1976, the City Council
 approved the Local Coastal Program for the City of Long Beach on February 12, 1980; and
 B. The California Coastal Commission certified the Long Beach
 Local Coastal Program on July 22, 1980; and

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

D. Following duly noticed public hearings on February 7, 2002, the Planning Commission of the City of Long Beach reviewed certain proposed Amendments to the Local Coastal Program ("LCP"), and approved and recommended that the City Council adopt such Amendments to the Local Coastal Program, as described in this Resolution; and

E. That on March 19, 2002, after due consideration of appropriate environmental documents, and after public hearing duly noticed and conducted, the City Council considered and approved a revision to the Local Coastal Program relating to the Planned Development for Long Beach Marina (PD-4). Said revisions were embodied in Ordinance No. C-7794; and

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Long Beach, California 90802-4664 Telephone (562) 570-2200

Attorney of Long Beach West Ocean Boulevard

Robert E. Shannon

F. That the California Coastal Commission, at its July 8, 2002

COASTAL COMMISS

EXHIBIT #

PAGE

meeting, approved City of Long Beach LCP Amendment No. 1-02 with suggested 1 modifications relating to Subarea One (Principal Permitted Commercial Uses) and Subarea 2 Two (Prohibited Uses). 3

G. That the City Council of the City of Long Beach has amended 4 Ordinance No. C-7794 to incorporate the California Coastal Commission's suggested 5 modifications to LCP Amendment No. 1-02, as said modifications were suggested at the 6 California Coastal Commission's July 8, 2002 meeting. 7

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

11 I. That these Amendments to the Local Coastal Program shall be effective upon certification and approval by the California Coastal Commission. 12

Sec. 2. The Director of Planning and Building is hereby directed to submit a certified copy of this resolution, together with appropriate supporting materials, to the California Coastal Commission for certification pursuant to the California Coastal Act.

Sec. 3. This resolution shall take effect immediately upon its adoption by the 18 City Council, and the City Clerk shall certify to the vote adopting this resolution. 19

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Long Beach, California 90802-4664

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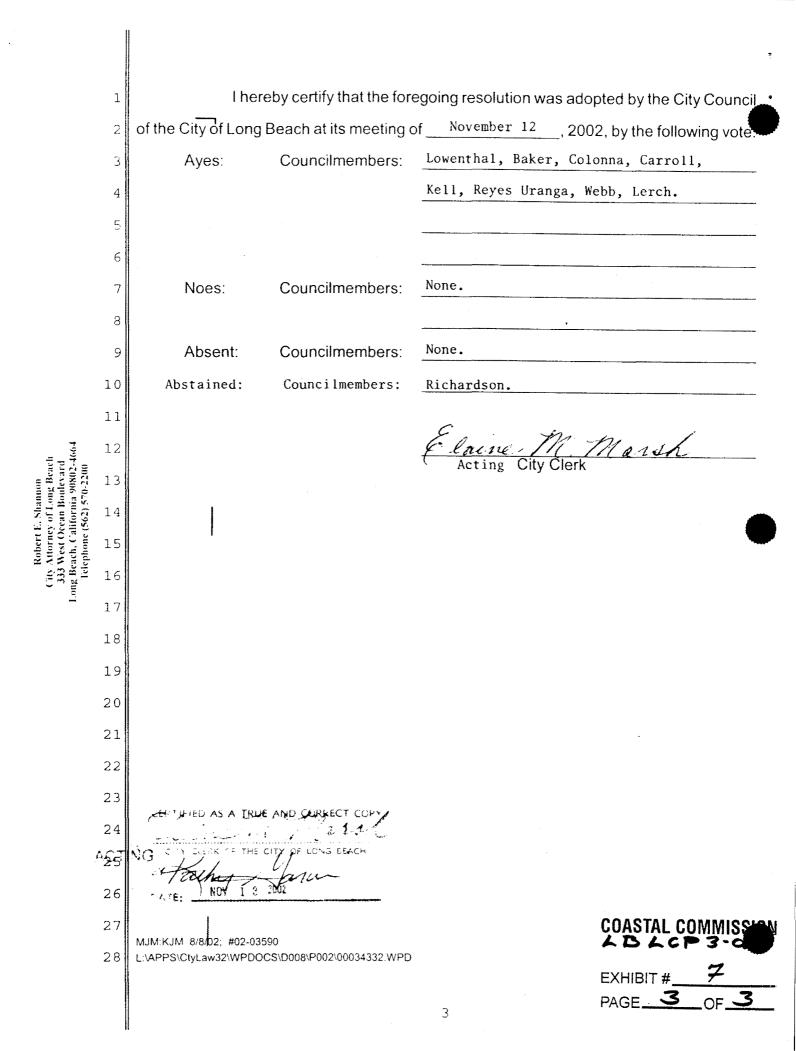
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Attorney of Long Beach West Ocean Boulevard lelephone (562) 570-2200

Shannon

COASTAL COMMISS ムB ムヒF EXHIBIT # PAGE



#### ORDINANCE NO. C-7833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AMENDING ORDINANCE NO. C-5561, ADOPTED FEBRUARY 26, 1980, BY AMENDING AND RESTATING THE LONG BEACH MARINA PLANNED DEVELOPMENT (PD-4)

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 3 of Ordinance No. C-5561, adopted February 26, 11 1980, and as amended by Ordinance No. C-5666, adopted on December 30, 1980, by 12 Ordinance No. C-5722, adopted on June 2, 1981, by Ordinance No. C-5770, adopted 13 on October 27, 1981, by Ordinance No. C-6151, adopted March 19, 1985, by 14 Ordinance No. C-6355, adopted on March 10, 1987, by Ordinance No. C-6585, .15 adopted March 28, 1989, by Ordinance No. C-7202, adopted May 3, 1994, and by 15 Ordinance No. C-7794, adopted March 26, 2002, is hereby further amended and restated in its entirety to read as follows: 1.8

#### PLANNED DEVELOPMENT FOR LONG BEACH MARINA (PD-4)

The intent of the Planned Development Plan is to provide a set of land use regulations for the Long Beach Marina. This is a unique area and facility. Such factors make the established Zoning Regulations inappropriate in this location. The area is also of sufficient interest to the surrounding community, including all the abutting areas in the SEADIP Planned Development Plan to warrant public review of each development proposal. A map of the Long Beach Marina Planned Development district is attached hereto as Exhibit "A" and incorporated herein by this COASTAL COMMISSIC

Note: ning added by Commission

LB LCP102 13-9 EXHIBIT #

33 West Ocean Boulevard Beach, California 90802-4664 Attorney of Long Beach lelephone (562) 570-2200 ert E. Shannon

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In reviewing and approving site plans and tract maps for the development of the area, the City Planning Commission shall be guided by the goals and policies of the General Plan and the General Development and Use Standards specified herein. The Commission shall not permit variance from those standards unless it finds that such variance meets the intent of the original standards and is consistent with the overall goals and objectives of the adopted Local Coastal Plan.

Any variance from those standards shall only be allowed if the following finding of fact is made: The variation will have no adverse affect on access along the shoreline including physical, visual or psychological characteristics of access.

#### GENERAL DEVELOPMENT AND USE STANDARDS

A. Uses. To be described in development and use standards for individual subareas.

B. Access.

 Vehicular access to all parking facilities shall be from Marina Drive.

 Pedestrian access shall be maintained along the water's edge of the marina and at marina channels at all locations where it exists at the time of adoption of this plan.

C. Building Design.

 Style. All new buildings shall be appropriately designed so as to be consistent with a coastal oriented design motif.

2. Height. No building shall exceed thirty-five feet (35') in height.

3. Restrooms. The remodeling and/or additions to the restroom facilities shall be subject to design review. Separate restroom COASTAL COMMIS.

EXHIBIT # 8 PAGE 2 OF 9

2

Robert E. Shannon ty Attorney of Long Beach 33 West Ocean Boulev ard Beach, California 90802-4664 Jelephone (562) 570-2200 facilities for the public shall be added at each location.

D. Parking.

1. Commercial:

New Construction Use	Parking per 1,000 square feet of Gross Floor Area 4.0	
Retail		
Restaurants (Dining Areas)	10.0	
Taverns (Including Tavern Areas in Restaurants)	20.0	
Dance Hall, Entertainment Lounge Areas, Restaurant Lobby Areas	25.0	

2. New use of existing commercial buildings. All new uses shall be required to provide the same parking as new construction; however, each new use shall be credited with the parking that is required of the existing uses.

3. Marina parking. Not less than 0.75 parking spaces per boat slip shall be maintained for non-commercial use boat slips and not less than one (1) space for each three (3) seats of passenger capacity for commercial boat uses operating as excursions, fishing trips, cruises, and harbor or bay tours.

4. Joint use. Joint use of parking spaces is to be encouraged.

5. Unless otherwise specified, all development shall comply with the off-street parking and loading provisions of Chapter 21.41 of the Zoning Regulations.

The parking of recreational vehicles and unattached trailers shall be consistent with Marine Bureau policy.

3

E. Landscaping. Prior to approval of any new construction, landscaping plans for the new construction designed to harmonize with the existing landscaping shall be provided for review and ap6@ASTAL COMMISSION

EXHIBIT #

33 West Ocean Boulevard Beach, California 90802-4664 Robert E. Shannon ity Attorney of Long Beach clephone (562) 570-2200 13 1415 16

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Existing berms, seating cutouts, and trees shall be maintained. A
landscape theme shall be developed for Marina Drive that includes new
palm trees, shrubs, vines, and accent lighting. The existing fence along
Marina Drive will be removed and/or replaced with a better fence product
Prior to any major landscape improvements, a landscape Master Plan.
shall be submitted for review and approval.

333 West Ocean Boulevard Long Beach, California 90802-4664

Felephone (562) 570-2200

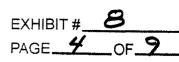
Attorney of Long Beach

Robert F. Shannon

SPECIFIC DEVELOPMENT AND USE STANDARDS
Subarea 1.

This area is located in the <u>southwesterly</u> portion of the <u>P.D.</u> This area extends southward from Marina Drive where it becomes an east/west roadway and bridges the San Gabriel River <u>and includes the mole road</u> <u>extension of Marina Drive which forms the southwestern border of</u> <u>Basin 1</u>. This subarea is intended to maintain the existing specialty shopping area.

Dasin 1. This subarea is intended to maintain the existing specialty
shopping area.
≏ A. Uses.
1. Principal uses. Commercial:
a. Retail sales.
(1) Bakery, donuts, pastries.
(2) Book store.
(3) Cards, gifts, novelties and stationery.
(4) Clothing store.
(5) Florist, plant shop.
(6) Chandlery.
(7) Gourmet foods.
(8) Fish market.
(9) Delicatessen.
(10) Photographic equipment and supplies,
COASTAL COMMISS



	1	telesco	opes and the like.
	2	(11) A	Art gallery.
	3	(12) C	Coin or stamp shop.
	4	(13) J	ewelry store.
	5	(14) E	Bicycle shop.
	6	(15) S	Sport goods store, fishing equipment.
	7	(16) +	lobby shop.
	8	(17) T	obacconist.
	9	(18) T	oy store.
	<sup>.</sup> 10	(19) C	Candy store, ice cream, yogurt.
	11	🛪 _b. Personal :	Services.
- 1064 	12	(1) Us	ses accessory to retail sales.
Röbert E. Shannon City Attorney of Long Beach 333 West Ocean Boulevard Long Beach, California 90802-4664 Tetephone (562) 570-2200	13	C. Profession	nal Services.
E. Shannon y of Long F cean Boulev lifornia 908 (562) 570-2	14	(1) Ya	acht Broker.
Robert E. Sh Ry Attorney of I 33 West Ocean Beach, Californ Gephone (562)	15	(2) Ar	chitect.
City / 333 N 333 N 333 N ang Ber	16	(3) Ar	tist studio.
<u> </u>	17	(4) Oc	ceanographic study office.
	18	(5) Ma	arine insurance.
	19	(6) <u>Or</u>	n upper floors only, tenant occupied
	20	offices for management of leaseh	old premises.
	21	d. Financial	Services.
	22	(1) AU	utomatic teller machine.
	23	e. Restaurar	nts and Taverns.
	24	(1) Re	estaurants without drive-up windows.
	25	(2) Al	I taverns.
	26	f. Entertainm	nent Services.
	27	(1) Re	estaurants or taverns with dancing.
	28	(2) BC *P.O. Box Rental	coastrental. COASTAL COMMISSION
-		*P.O. Box Rental *Day Care deleted from list. /List restored pursuantio Commissions July 8, 2002 Action. See Exhibit #5.	5
		VList restored pursuantion	D EXHIBIT # PAGEOF9
		See Exhibit # 5.	PAGEOF

(3) Boat cruises, charters or excursions. 1 2 (4) Restaurants or taverns with live 3 entertainers, including dinner theater. g. Hotel/Inn. 4 5 A hotel or inn use is restricted to the southern most end of Subarea 1 in the "Alamitos Bay Landing" center and is limited 6 7 to a development of fifty (50) rooms or less. 2. Conditional Uses. Hall rentals, subject to findings 8 required for approval of Conditional Use Permits in Title 21 of the Long 9 Beach Municipal Code. 10 Accessory Uses. Dancing and entertainment cafe uses 11 shall be permitted as accessory to restaurant and tavern uses. A 4. Prohibited Uses. Transient residential use (including motels and boatels). 5. Interim Uses. All other retail sales uses other than those 15 permitted as principal uses under Subsection a.1.A, all other personal 16 services uses other than those permitted as principal uses under 17 Subsection a.1.B, all other financial services uses other than those 18 permitted as principal uses under Subsection a.1.D, may be permitted as 19 Interim Uses provided that the following standards are met: 20 21 a. The lease space has been vacant for 180 days or more and the lessee has made a reasonable effort to lease the property 22 to primary permitted uses; 23 b. In order to ensure that the primary permitted uses 24 maintain long term accessibility in the center, the term of the lease may 25 not exceed five years; 26 c. Not more than twenty-five percent (25%) of the net 27 leasable area of the Alamitos Bay Landing may be leased for secondary COASTAL COMMISSI 28 \* Hotels deleted from list. + Professional Services deleted 6 EXHIBIT # from list nt with Cou nmissions

1 8,2002 Action

City Attorney of Long Beach 333 West Ocean Boulevard Long Beach, Catifornia 90802-4664 Telephone (562) 570-2200 E. Shannon

permitted uses at any given time.

6. Access. Same as General Standards.

7. Building Design. Same as General Standards.

8. Parking. Same as General Standards.

9. Landscaping. Same as General Standards.

## Subarea 2.

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City Attorney of Long Beach 333 West Ocean Boulevard Long Beach, California 90802-4664

bert E. Shannon

l'elephone (562) 570-2200

This area is the area that is backed up to Long Beach Marina and is located seaward of Marina Drive to the water's edge from the northern edge of the J.H. Davies Bridge. This subarea is intended to preserve the necessary support facilities for the Marina.

A. Uses.

1. Primary Use. Marina parking.

2. Other Marina supporting permitted principal uses:

a. Yacht brokerage

b. Boat rentals.

c. Boat repairs.

d. Chandleries.

e. Sports equipment (sales and/or rental).

f. Not more than five restaurants.

g. Oil drilling in boat yard abutting J.H. Davies Bridge.

3. Accessory Uses. Dancing and entertainment cafe uses

as accessory uses for restaurants.

4. Prohibited Uses.

a. Hotels, motels, boatels, or any other form of

transient housing.

b. Fast food restaurants.

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c. Storage of recreational vehicles and unattached

miniss July 8, 2002

EXHIBIT # PAGE

COASTAL COMMISSION

	r d	trailers. Administrative relief from	this regulation can be obtained if		
	2	approved by the Marine Bureau.			
	3	B. Access. Same as General Standards.			
	4	C. Building Design. Same as General Standards.			
	5	D. Parking. Same as General Standards.			
	6	E. Landscaping. Same as	General Standards.		
	7				
	8	Sec. 2. The City Clerk sha	Il certify to the passage of this ordinance by the		
	9	City Council and cause it to be posted in	three conspicuous places in the City of Long		
	10	Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.			
	11	I hereby certify that the foregoing ordinance was adopted by the City Council of			
1997 	12	the City of Long Beach at its meeting of	November 19, 2002, by the following vote:		
t E. Shannon tey of Long Beach Decan Boulevard "alifornia 90802-4 e (562) 570-2200	13	Ayes: Councilmembers:	Lowenthal, Baker, Colonna, Carroll,		
	14		Kell, Richardson, Reyes Uranga, Webb,		
モモビード	15		Lerch.		
Roba (Thy Atto 333 Wess 12 Beach, Telepho	16				
<b>.</b> .	17	Noes: Councilmembers:	None.		
	18				
	19	Absent: Councilmembers:	None.		
	20				
	21				
	22		Elaine M. Marsh Acting City Clerk		
	23				
	24				
	25	Approved: 11/25/02	- Acuert Neil		
	26				
	27		COASTAL COMMISS		
	28	MJM:kjm 8/6/02 #02-03319 L:\APPS\CtyLaw32\WPDOCS\D023\P002\00033732.WPD	EXHIBIT #8		
			PAGE 8_OF 9		
		II.			

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