

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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May 21, 2004

**RECORD PACKET COPY****TO:** Commissioners and Interested Persons**Th5b**

FROM: Peter Douglas, Executive Director
Deborah Lee, Deputy Director
Pam Emerson, Los Angeles County Area Supervisor
Charles Posner, Staff Analyst

SUBJECT: Concurrence with the Executive Director's determination that the action of the City of Long Beach accepting certification with suggested modifications of Major LCP Amendment No. 2-02 (LOB-MAJ-2-2) is legally adequate. For Commission review at its June 10, 2004 meeting in San Pedro.

STAFF RECOMMENDATION

Staff recommends that the Commission concur with the Executive Director's determination that the City's action is legally adequate.

BACKGROUND

On November 21, 2002, the City of Long Beach submitted Major Local Coastal Program (LCP) Amendment Request No. 2-02 for Commission certification. Amendment No. 2-02, submitted for Commission certification by City Council Resolution No. C-28098, includes City Council Ordinance Nos. C-7826 through C-7831 and City Council Resolution Nos. C-28095 through C-28097. Amendment No. 2-02 amends the certified City of Long Beach LCP by adopting the 2002 Open Space & Recreation Element of the General Plan to replace the 1973 Open Space Element that was adopted by reference as part of the original certified LCP in 1980. Amendment No. 2-02 also includes changes to portions of the Land Use Element, Land Use District Map, and the zoning regulations that are directly related to the City's adoption of the new Open Space & Recreation Element of the General Plan. Both the Land Use Plan (LUP) and the LCP Implementing Ordinances (LIP) portions of the certified LCP are affected by this major LCP amendment.

On October 7, 2003, the Commission approved LCP Amendment No. 2-02 with two suggested modifications. The suggested modifications directed the City Council to: A) insert an informational paragraph into the 2002 Open Space & Recreation Element to clarify that the element is a component of the certified Land Use Plan (LUP) portion of the certified LCP, and B) retain as part of the certified LUP certain goals and policies that were contained in the 1973 Open Space Element that was part of the originally certified LCP.

On March 23, 2004, the Long Beach City Council unanimously adopted Resolution No. C-28338 incorporating into the LCP the modifications suggested by the Commission pursuant to its approval of LCP Amendment No. 2-02, and submitted the modifications to the Executive Director for a determination that they are consistent with the Commission's action on October 7, 2003 (See Attachment).

As provided in Section 13544 of the California Code of Regulations, the Executive Director must determine whether the City's action is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the City's action is legally adequate. Unless the Commission objects to the Executive Director's determination, the certification of LCP Amendment No. 2-02 shall become effective upon Commission concurrence with the Executive Director's determination.

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RESOLUTION NO. C- 28338

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING, AFTER PUBLIC HEARING, CALIFORNIA COASTAL COMMISSION MODIFICATIONS TO LOCAL COASTAL PROGRAM FOR NEW GENERAL PLAN OPEN SPACE AND RECREATION ELEMENT (OSRE); AND AUTHORIZING THE DIRECTOR OF PLANNING AND BUILDING TO SUBMIT SAID MODIFICATIONS TO THE CALIFORNIA COASTAL COMMISSION FOR ITS REVIEW AND APPROVAL

WHEREAS, on October 15, 2002, the City Council of the City of Long Beach adopted a new Open Space and Recreation Element (OSRE or Element) to the City's General Plan as set forth in Resolution No. C-28096 of the City of Long Beach; and

WHEREAS, concurrent with the adoption of Resolution No. C-28096, the Director of Planning and Building was instructed to submit the OSRE to the California Coastal Commission for its review and approval; and

WHEREAS, on October 7, 2003, the Coastal Commission approved, with modifications, the amendment to the City's Local Coastal Program (LCP) that allowed implementation of the OSRE; and

WHEREAS, the City Council gives full consideration to all facts and the proposals respecting the Coastal Commission's suggested modifications to the OSRE at a properly noticed and advertised public hearing; and

WHEREAS, the City Council approves the proposed amendments to the OSRE as mandated by the Coastal Commission and said modifications are to be carried out in a manner fully consistent with the Coastal Act and become effective in the Coastal Zone immediately upon Coastal Commission certification; and

1 WHEREAS, environmental documentation has been prepared, certified,
2 received and considered as required by law, and the City Council hereby finds that the
3 proposed amendments to the OSRE will not adversely affect the character, livability or
4 appropriate development of the surrounding properties and that the amendments are
5 consistent with the goals, objectives and provisions of the LCP and the OSRE; and

6 WHEREAS, the modifications requested by the California Coastal
7 Commission as more fully set forth below, must be resubmitted to the Coastal Commission
8 for its review, approval and certification.

9
10 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
11 follows:

12
13 Section 1. The City Council finds, determines and declares that:

14 A. Pursuant to the California Coastal Act of 1976, the City Council
15 approved the Local Coastal Program (LCP) for the City of Long Beach on February 12,
16 1980; and

17 B. The California Coastal Commission certified the Long Beach
18 Local Coastal Program on July 22, 1980; and

19 C. The California Coastal Act, at Public Resources Code Section
20 30514, provides a procedure for amending local coastal programs; and

21 D. On March 23, 2004, after a public hearing duly noticed and
22 conducted, the City Council considered and approved the modifications to the amendments
23 of the Local Coastal Program relating to the Open Space and Recreation Element (OSRE)
24 of the General Plan of the City of Long Beach; and

25 E. Said Amendments to the Local Coastal Program are intended
26 to be carried out in a manner fully in conformity with the California Coastal Act; and

27 F. Said Amendments to the Local Coastal Program shall be
28 effective upon certification and approval by the California Coastal Commission.

1 Sec. 2. The City Council hereby amends the Local Coastal Program by
2 adding the following paragraph to the Open Space and Recreation Element under "The
3 Planning Process" as follows:

4 Local Coastal Program

5 The Open Space and Recreation Element of the General Plan is a
6 component of the Land Use Plan (LUP) portion of the City of Long Beach
7 Local Coastal Program. All items listed as goals, policies or programs in the
8 Open Space and Recreation Element of the General Plan are equally
9 weighted policies of the Land Use Plan (LUP) portion of the City of Long
10 Beach Local Coastal Program.

11
12 Sec. 3. The City Council hereby amends the Local Coastal Program by
13 adding the following under "Documents Adopted by Reference by the Long Beach Local
14 Coastal Program:"

15 1. Goals: Open Space - Preservation of Natural Resources

16 a) To preserve the beach from Alamitos Boulevard to the Long
17 Beach Marina as a unique geological zone and to perpetuate its public use
18 as an open entity.

19 b) To preserve and enhance the open space opportunities
20 offered by the inland waterways of the City through improved access and
21 beautification.

22 c) To acquire and remove privately owned properties that
23 intrude upon the open character of the shore.

24 d) To maintain open vistas of the ocean across public lands.

25 e) To critically evaluate any proposed public improvements on
26 the beach and any projects that could contribute to the erosion of the
27 beaches.

28 f) To prevent the loss of the open space character of the

1 shoreline by unjustified landfill.

2 g) To preserve areas which serve as natural habitats for fish
3 and wildlife species and which can be used for ecologic, scientific, and
4 educational purposes.

5 h) To locate, define and protect other beneficial natural habitats
6 in and about the City.

7 2. Goals: Open Space - Managed Production of Resources

8 a) To manage the petroleum resources of the City in a manner
9 that will not only maximize their economic value but will enhance the quality
10 of open space.

11 b) To convert the oil drilling islands to public open space upon
12 the termination of oil drilling operations.

13 c) To continue to take preventive measures to remedy and
14 prevent subsidence associated with oil extraction.

15 3. Goals: Open Space – Outdoor Recreation

16 a) To establish an open space recreation system that will serve
17 all social and economic groups for both active and passive recreation.

18 b) To identify and preserve sites of outstanding scenic, historic
19 and cultural significance or recreational potential.

20 c) To utilize public easements for a system of connecting
21 corridors between major recreational facilities and open space.

22 d) To closely relate the park system to take full advantage of
23 school grounds and facilities.

24 e) To develop the shoreline to provide a wide variety of
25 recreation and entertainment available to all segments of the population.

26 f) To encourage the acquisition and development of open
27 spaces for recreational purposes by private organizations, civic groups and
28 public agencies.

g) To develop the shoreline as an elongated regional park designed in harmony with a beach setting.

h) To develop a bicycle path/boardwalk as a connecting corridor of access between the many shoreline public facilities.

i) To expand the planned system of connecting corridors.

j) To encourage citizen participation in the identification and preservation of historic and cultural sites.

4. Goals: Open Space - Public Health and Safety

a) To recognize the value of open space as providing contrast to, and relief from, the tensions associated with urban living.

b) To utilize open space as one strategy by which the public can be protected from natural disasters.

c) To develop streets and other public places into points of visual relief in the urban setting through the use of landscaping and design.

d) To apply zoning, easement regulations, setback ordinances and State open space enabling legislation to prevent land congestion and preserve open living areas.

e) To enact a stringent sign regulatory ordinance.

f) To provide that utilities be installed underground within new subdivisions.

5. Goals: Open Space - Shaping Urban Development

a) To maintain and enhance existing and potential open space areas which are important as links, nodes and edges, or provide relief from urban built-form.

b) To shape and guide development in order to achieve efficient growth and maintain community scale and identify.

6. Goal: Open Space - Special Purposes

a) To preserve open space needed for utilities, communications

and transportation facilities, sites and corridors.

7. Policies: Open Space Node – Major Downtown Node

Preserve and enhance the major downtown open space node by:

a) Limiting and carefully controlling any further landfill operations;

b) Protecting the quality of the water so that whole body contact sports can be maintained at a high level, and so that marine life will flourish;

c) Exerting strict design controls on improvements developed along its perimeter in order to prevent a degradation of the aesthetic environment;

d) Exerting strict development controls through utilization of the environmental review process;

e) Encouraging greater usage for recreation and commercial-recreation activities;

f) Implementing conservation measures related to beach erosion and the deposition of material from the rivers (see Conservation Element);

g) Committing the oil drilling islands to permanent open space use when they are no longer needed for oil recovery purposes; and,

i. restricting structures on the islands to those which clearly serve a public recreation purpose; and,

ii. not permitting the islands to be connected to the mainland or to one another by bridges, landfills or mechanical means.

8. Policies: Open Space Node - Alamitos Bay & Recreation Park

Conserve and enhance Alamitos Bay - Recreation Park open space node by:

a) Preserving Recreation Park and Colorado Lagoon in

1 perpetuity for park, recreation and open space uses;

2 b) Preventing the intrusion into the Park of any uses or
3 activities which are not clearly of a public recreational nature and of benefit
4 to the public at large. Commercial and commercial-recreation uses and
5 additional highways and freeways should not be permitted in or through the
6 Park;

7 c) Controlling land uses around the Park and Lagoon so that
8 possible future effects which could lead to their environmental, social or
9 aesthetic degradation or their usefulness to the general public can be
10 identified and prevented;

11 d) Preserving the water surfaces of Alamitos Bay from intrusion
12 by man-made facilities, except for those which are clearly for a public
13 purpose or are necessary to protect the public health, safety or welfare;

14 e) Improving the quality of the Bay waters by controlling all
15 forms of possible pollution, both in Bay and in tributaries upstream;

16 f) Developing a closed sewage disposal system for all small
17 craft anchored in the Bay, especially those where owners live aboard the
18 vessels;

19 g) Improving the water circulation in the Bay by whatever
20 natural and/or artificial means may prove feasible and necessary;

21 h) Maintaining close surveillance over all proposed projects in
22 the Bay area through the environmental review process;

23 i) Exerting design controls on proposed improvements in order
24 to prevent degradation of the aesthetic environment;

25 j) Investigating methods for reducing noise nuisances and air
26 pollution aspects of power boat operations in the whole of Alamitos Bay, and
27 particularly in Marine Stadium;

28 k) Protecting Colorado Lagoon from intrusion of urban uses;

1 l) Improving recreational facilities at the Lagoon.

2 9. Policies: Shoreline Linkage

3 Preserve and enhance the Shoreline Linkage by:

4 a) Conserving and protecting the beach in perpetuity;

5 b) Increasing the opportunities for people to enjoy the beach;

6 c) Conserving and enhancing Bluff Park by preventing urban
7 encroachments and by adding to the total park acreage where and when
8 economically feasible;

9 d) Reviewing the zoning ordinance and maps for the area
10 south of Ocean Boulevard to derive methods for better protecting the
11 aesthetic and view qualities of the Linkage;

12 e) Continuing to monitor the proposed developments along the
13 entire shoreline through use of the environmental review process.

14 10. Policy: Westside - Alamitos Bay Linkage

15 a) Develop and enhance this Crosstown Linkage by making
16 land available south of Pacific Coast Highway for trail purposes.

17
18 Sec. 4. The Director of Planning and Building of the City of Long Beach is
19 hereby directed to submit a certified copy of this resolution, together with appropriate
20 supporting materials, to the California Coastal Commission with a request for its earliest
21 action, as an amendment to the Local Coastal program that will take effect automatically
22 upon Commission approval pursuant to the Public Resources Code or as an amendment
23 that will require formal City Council adoption after Coastal Commission approval.

24
25 Sec. 5. This resolution shall take effect immediately upon its adoption by the
26 City Council, and the City Clerk shall certify to the vote adopting this resolution.

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28 //

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I hereby certify that the foregoing resolution was adopted by the City Council
of the City of Long Beach at its meeting of March 23, 2004, by the
following vote:

Ayes: Councilmembers: Baker, Colonna, Carroll, Kell,
Reyes Uranga, Webb, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Lowenthal, Richardson.


City Clerk

MJM:kjm 3/16/04 #03-05688

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