

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071

February 16, 2012



**TO:** Commissioners and Interested Persons

**FROM:** Charles Lester, Executive Director  
John Ainsworth, Deputy Director  
Gary Timm, Coastal Program Manager  
Charles Posner, Coastal Program Analyst

**Th10b**

**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. LOB-MAJ-2-10 (2-10) is legally adequate. For Commission review at its March 8, 2012 meeting in Chula Vista.

**STAFF RECOMMENDATION**

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

**BACKGROUND**

On October 21, 2010, the City of Long Beach submitted Local Coastal Program (LCP) Amendment Request No. 2-10 for Commission certification. The LCP amendment request was submitted to the Commission's South Coast District office with City Council Resolution No. RES-10-0086 and Council Ordinance No. ORD-10-0024. The LCP amendment amends the Downtown Shoreline Planned Development District (PD-6) to remove the 150,000 gross square foot limit on the size of the aquarium allowed in Shoreline Park (Subarea 6). The LCP amendment affects both the Implementing Ordinances (LIP) and Land Use Plan (LUP) portions of the certified LCP.

On April 13, 2011, the Commission approved LCP Amendment No. 2-10 with suggested modifications. The suggested modifications directed the City Council to correct a map and to adopt a policy that would protect an open space area for public recreation on the northern portion of the aquarium lease area, between the main aquarium building and Aquarium Way.

On August 16, 2011, the Long Beach City Council unanimously adopted Resolution No. RES-11-0085 and City Council Ordinance No. ORD-11-0017, respectively, incorporating into the LCP the modifications suggested by the Commission pursuant to its approval of LCP Amendment No. 2-10, and submitted the modifications to the Executive Director for a determination that they are consistent with the Commission's action on April 13, 2011.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Long Beach acknowledging receipt and acceptance of and agreement with the Commission's certification of the above-referenced LCP amendment with suggested modifications 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 a majority of the Commissioners present object to the Executive Director's determination, the certification of City of Long Beach LCP Amendment No. 2-10 shall become effective upon the filing of the required Notice of Certification with the Secretary of Resources as provided in Public Resources Code Section 21080.5(d)(2)(E).

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RESOLUTION NO. RES-11-0085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING, AFTER PUBLIC HEARING, AMENDMENTS TO THE LOCAL COASTAL PROGRAM ELEMENT OF THE GENERAL PLAN OF THE CITY OF LONG BEACH; AND AUTHORIZING THE DIRECTOR OF DEVELOPMENT SERVICES TO SUBMIT CERTIFIED COPIES OF THIS RESOLUTION TOGETHER WITH ALL SUPPORTING MATERIALS AND THE ORDINANCE AMENDING THE DOWNTOWN SHORELINE PLANNED DEVELOPMENT DISTRICT (PD-6) TO THE CALIFORNIA COASTAL COMMISSION FOR APPROVAL AND CERTIFICATION

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

Section 1. The City Council does hereby find, determine and declare:

A. The City Council of the City of Long Beach has adopted, pursuant to Section 65300, et seq., of the California Government Code, a Local Coastal Program (LCP) as an Element of the City's General Plan.

B. The City Council desires to amend the Local Coastal Program (LCP) of the General Plan by amending PD-6 as it relates to the Golden Shore Master Plan, the Aquarium of the Pacific expansion, and the removal of certain Tidelands Trust restrictions in the PD-6 area as previously approved by the California State Lands Commission.

C. On April 13, 2011 at a duly noticed public hearing, the California Coastal Commission approved certain proposed amendments to

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1 PD-6 that would accommodate a development proposal to expand the  
2 Aquarium of the Pacific provided that the City incorporate a suggested  
3 modification to the PD-6 amendment under consideration.

4 D. On June 16, 2011 at a duly noticed public hearing, the  
5 California Coastal Commission approved certain proposed amendments to  
6 PD-6 that would accommodate a development proposal commonly referred  
7 to as the "Golden Shore Master Plan," provided that the City incorporate  
8 suggested modifications to the PD-6 amendment under consideration.

9 E. On June 21, 2011 the City Council authorized the City  
10 Manager to execute an Exchange Agreement with the State Lands  
11 Commission removing certain Tidelands Trust restrictions from the  
12 Queensway Bay parcel (the "Pike") of PD-6 and concurrently adding similar  
13 Tidelands Trust restrictions to certain areas of the City in and around the  
14 Colorado Lagoon parcel and the Marine Stadium Channel parcel, which  
15 Exchange Agreement was approved by the State Lands Commission at a  
16 duly noticed public meeting on June 23, 2011.

17 F. In accordance with the determination of the California Coastal  
18 Commission at its hearings conducted on April 13, 2011 and June 16, 2011,  
19 the City has incorporated the California Coastal Commission's "suggested  
20 modifications" to the proposed amendments to PD-6 in an ordinance  
21 presented to and adopted by the City Council at a duly noticed public  
22 hearing conducted on August 9, 2011.

23 Section 2. The Director of Development Services is hereby authorized to  
24 submit a certified copy of this Resolution and a certified copy of Ordinance No.  
25 ORD-11-0017 amending the zoning regulations of the City of Long Beach together  
26 with appropriate supporting materials, to the California Coastal Commission for  
27 certification and approval by the Coastal Commission as amendments to the City's Local  
28 Coastal Program and the implementing ordinances thereof in accordance with the

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1 provisions of the Public Resources Code.


2 Section 3. This resolution shall take effect immediately upon its adoption  
3 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

4 I hereby certify that the foregoing resolution was adopted by the City Council of the  
5 City of Long Beach at its meeting of August 9, 2011, by the following vote:

6 Ayes: Councilmembers: Garcia, Lowenthal, DeLong,  
7 O'Donnell, Schipske, Andrews,  
8 Johnson, Gabelich, Neal.

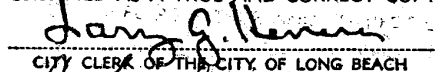
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10 Noes: Councilmembers: None.

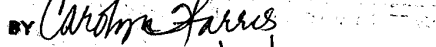
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12 Absent: Councilmembers: None.

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16 City Clerk

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18 CERTIFIED AS A TRUE AND CORRECT COPY

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CITY CLERK OF THE CITY OF LONG BEACH

20 BY 

21 DATE: 8/19/11