

CALIFORNIA COASTAL COMMISSION

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



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DATE: March 29, 2018

TO: Coastal Commission and Interested Parties

FROM: Steve Hudson, Deputy Director
Charles Posner, Supervisor of Planning
Amber Dobson, Coastal Program Analyst

SUBJECT: Redondo Beach Harbor Redevelopment: Waterfront Development Original Jurisdiction Application (5-17-0236) and Appeal (A-5-RDB-16-0092); Public Boat Launch Facility Original Jurisdiction Application (5-17-0235) and Appeal (A-5-RDB-17-0008); LCP Amendment No. 1-17, Measure C (LCP-5-RDB-17-0045-1) for the Commission meeting of April 12, 2018

PROCEDURAL NOTE

The Commission staff requests that the Commission open an initial public hearing and discussion regarding the proposed Harbor redevelopment projects and LCP Amendment at the April 12, 2018 meeting. No final Commission action will occur on any of these items at the April 12, 2018 meeting; rather, the Commission vote on the above applications will occur following a public hearing tentatively scheduled for the August 2018 meeting in Los Angeles County, CA.

EXECUTIVE SUMMARY

Commission staff recommends that the Commission hold an initial public hearing and discussion on the applications concerning the Redondo Beach King Harbor redevelopment: Waterfront Development Original Jurisdiction application (5-17-0236) and De Novo application (A-5-RDB-16-0092); Public Boat Launch Facility Original Jurisdiction application (5-17-0235) and De Novo application (A-5-RDB-17-0008); and the related Local Coastal Program (LCP) Amendment, "Measure C" (LCP-5-RDB-17-0045-1), which was submitted to the Commission pursuant to a City of Redondo Beach voters' initiative.

It is Commission staff's objective to have the Commission hear these five related applications together at the same hearing, given the complexity of the issues and controversial nature of the applications. These items were originally scheduled to be heard at the Commission's April hearing, which was the last available hearing for the Waterfront Development coastal development permit application to be heard in the Los Angeles area pursuant to timing requirements of the Permit Streamlining Act. At the direction of the commissioners, the hearing

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was scheduled to be heard in Redondo Beach to allow for a local hearing. On March 5th, the applicant (Waterfront LLC) submitted to staff a 90-day extension that would allow their application to be heard after the 180-day deadline of the of the Permit Streamlining Act; however, at that time, they did not request postponement of the matter. However, on March 21st, the applicant (Waterfront LLC) requested the matter be postponed in order to allow the applicant additional time to respond to issues raised by Commission staff. Pursuant to the provisions of the Permit Streamlining Act, the applicant has the right to exercise a one-time postponement. Because the City of Redondo Beach and the Waterfront LLC are co-applicants on the application, the City concurred with the request for postponement and to ensure that these items may be heard at the next local Commission hearing in August, the City also provided the 90-day extension to the Permit Streamlining Act deadline. Commission staff is working with the City to ensure that Commission's August meeting will also be held in the City of Redondo Beach to allow for maximum public participation. In addition, although Commission action on the 5 related applications will be postponed, pursuant to the applicant's request, given the complexity of this matter and the significant amount of public interest, an initial hearing for each of the 5 related applications has been scheduled for the Commission's April meeting for informational purposes and to allow for the opportunity for public comments to be received.

The 36 acre site is located in Redondo Beach King Harbor, between the sea and Harbor Drive (the first public road) from Portofino Way to Torrance Circle, in Redondo Beach. There are several moles in the Harbor (Moles A-D). The Waterfront Development project is proposed to occupy largely Mole D, the Seaside Lagoon, and the southern portion of the harbor beyond Basin 3. Currently Mole D contains a surface parking lot, commercial and office and marina related structures. The area in the harbor proposed for the boat launch facility is at the seaward end of Marina Way, on Mole B, which contains Moonstone Park, public parking, a Harbor Patrol Facility, and a storage yard for an outrigger canoe club. Mole B is surrounded on 3 sides by boat slips. The City of Redondo Beach approved coastal development permits for both the Waterfront Development project and the boat launch facility, which were subsequently appealed to the Coastal Commission. The Commission found substantial issue on both appeals in May 2017.

The City of Redondo Beach and the Waterfront LLC are co-applicants on the original jurisdiction coastal development permit (CDP) application for the proposed Waterfront Development project, because a portion of the project site is within the Commission's original jurisdiction. The City of Redondo Beach is the applicant for the original jurisdiction CDP application for the proposed boat launch facility and applied because Mole B is entirely within the Commission's original jurisdiction. Both original jurisdiction applications are complete.

The Commission certified the Redondo Beach Land Use Plan (LUP) in 1981. In 2008, the certification of the Implementation Plan for the entire City was completed, including the harbor. The City submitted Measure C as a Local Coastal Plan (LCP) amendment to the Coastal Commission in June 2017. The amendment would amend the IP of the certified LCP to include the new harbor development standards set forth in the ballot Measure C, known as the King Harbor Coastal Access, Revitalization, and Enhancement Act, which was approved by the voters in March 2017.

The proposal for the Waterfront Development project is a significant redevelopment of the Redondo Beach King Harbor which would include demolition of the existing structures in the project site and construction of 19 new structures with 3 view corridors for retail, restaurant, creative office, cinema, a public market hall, and a 130 room boutique hotel, construct 1 new parking garage, reconstruct the existing pier parking structure, construct a new 2-lane road south of Harbor Dr. connecting Pacific Ave. to Torrance Blvd. inland of Basin 3, realign the bike lanes to the inland side of the new road, construct a second new 2 lane road west/seaward of Harbor Dr. (Waterfront Way), and construct a new pedestrian pathway (Esplanade) along the seaward side of the development. Within the Commission's original jurisdiction, the proposal includes improvements to the Horseshoe Pier, reconstruction of the existing Sportsfishing Pier, remove of a portion of the revetment adjacent to the Seaside Lagoon and remove the fence surrounding the lagoon, demolish the access road and hand launch and dinghy facility located on the revetment, develop portions of the lagoon for a park venue and concession structures and a portion of a roadway, reconstruct the dock system and bulkhead cap in Basin 3, and construct a pedestrian drawbridge over the entrance to Basin 3.

The portion of the Waterfront Development project within the City's LCP jurisdiction that was appealed to the Coastal Commission is subject to consistency with the LCP and with the Access and Recreation policies of Chapter 3 of the Coastal Act. The portion of the Waterfront Development project within the Commission's original jurisdiction is subject to consistency with Chapter 3 policies of the Coastal Act, and the certified LCP may be used as guidance. The development uses proposed do not contain an accounting of coastal dependent uses, and in some instances, propose to remove existing coastal dependent uses, which presents consistency issues with both the Coastal Act and the LCP. Similarly, the development proposes changes to the existing lower cost visitor serving uses and proposes new high-cost uses. The development project would impact current public views to the harbor; would develop a portion of dry sand area available for public use with structures; may not provide sufficient parking for the increased demand of the project; and does not appear to be sited and designed to protect life and property in light of sea level rise in a currently hazardous location. These project elements present consistency issues with both the Coastal Act and the LCP. The project proposes development on State Tidelands that may not be consistent with the tidelands grant, but proposes a tidelands exchange subject to review and approval by the State Lands Commission.

The construction of the boat launch facility on Mole B would involve demolition of 38 boat slips, fill of coastal waters, creating new parking spaces in an area currently occupied by Moonstone Park, reconfiguration of the parking lot, and construction of a 2-lane boat launch ramp including a floating dock, boarding float space and aluminum gangway, side-tie queue dock, a boat hoist, installation of a bulkhead and baffle wall, and a new boat wash-down station. Development on Mole B must be subject to consistency with Chapter 3 policies of the Coastal Act, and the certified LCP may be used as guidance. Mole B is dedicated to certain uses according the LCP, and is required to maintain passive park space, which conflicts with the current proposal to eliminate a portion of park space for the development of the boat launch facility. The facility may not provide sufficient parking and the removal of boat slips presents an issue of consistency with the policies of the LCP and recreational boating protection policies of Chapter 3 of the Coastal Act.

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The LCP requires construction of a public boat launch facility in association with a harbor redevelopment project. Accordingly, failure to approve a boat launch facility, or uncertainty regarding where such boat launch facility would be located, could affect the ability to approve any larger redevelopment project. There are several options for the location of the boat launch facility, and some may still be under consideration, including the location where the Waterfront Development is currently proposed.

Measure C proposes additions to the IP to create new development standards for the Parks and Open Space zone by adding specifics for the Seaside Lagoon, and five new Land Use Regulations for Coastal Commercial Zones for harbor development regarding views, boat launch, parking, traffic, and the development cap. The LCP amendment to the IP is subject to consistency with the Commission certified Land Use Plan. Measure C, if certified as proposed, would require maintenance of the current Seaside Lagoon, or if that is not feasible, replacement of the lagoon with a pool or similar swimming facility. A pool is not considered a coastal dependent use and presents issues of consistency with the LUP policies that prioritize coastal dependent uses in the harbor area. Measure C would impose new regulations on the boat launch facility required by the LCP that could exclude two of the four possible locations that could support the facility. Measure C would subject the square footage of new parking structures in the harbor to the LCP's development cap, which would reduce the overall amount of development allowed in the harbor, potentially impacting future coastal-dependent uses.

The projects and related LCP amendment have generated significant controversy in the local community and raise issues regarding their consistency with the both the City's certified LCP and the Chapter 3 policies of the Coastal Act. Holding an initial public hearing at the April 2018 meeting in Redondo Beach will allow the local community an opportunity to comment on the projects and proposed LCP amendment at a local Commission meeting. The two-hearing Commission review process will enable Commission staff to take into account public comments on the subject during the preparation of the final staff recommendation and will allow the Commissioners to be briefed, to ask preliminary questions, and to obtain clarifications that will assist with later action on the applications.

ADDITIONAL INFORMATION

For further information on the Redondo Beach Harbor Redevelopment projects or this report, please contact Amber Dobson, Coastal Program Analyst at (562) 590-5071. Correspondence should be sent to the South Coast District Office: 200 Oceangate, 10th floor, Long Beach, CA 90802.

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EXHIBITS

- Exhibit 1 – Project Site
- Exhibit 2 – LCP Jurisdiction and Commission Jurisdiction
- Exhibit 3 – LCP Zoning
- Exhibit 4 – Boat Launch Plans
- Exhibit 5 – Waterfront Development Plans
- Exhibit 6 – Measure C
- Exhibit 7 -- Draft Mole B plans for reconfigured uses
- Exhibit 8 – Waterfront Plans for Seaside Lagoon
- Exhibit 9 – View Analysis and Site photos

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I. STANDARD OF REVIEW

The five applications are subject to different standards of review, as follows (See **Exhibit 2**):

Waterfront Development Retained Jurisdiction Application (CDP 5-17-0236): Redondo Beach Waterfront LLC and the City (as co-applicants) applied to the Commission for a coastal development permit for portions of the Waterfront Development that are within the Commission’s retained coastal development permit issuance jurisdiction. The standard of review is the Chapter 3 policies of the Coastal Act, though the certified LCP may be used as guidance.

Waterfront Development Appeal (A-5-RDB-16-0092): The City approved a coastal development permit (CDP) for the portions of the Waterfront Development within the City’s permitting jurisdiction. The permit was appealed to the Commission, and the Commission found substantial issue at a hearing in May 2017. On the pending de novo CDP hearing, the standard of review is the certified LCP and the Recreation and Access policies of Chapter 3 of the Coastal Act.

Public Boat Launch Facility Original Jurisdiction Application (5-17-0235): The City also applied directly to the Commission for a coastal development permit for the boat launch facility. The standard of review is the Chapter 3 policies of the Coastal Act, though the certified LCP may be used as guidance.

Public Boat Launch Facility Appeal (A-5-RDB-17-0008): The City also approved a coastal development permit for the boat launch facility even though it is actually located within the Commission’s retained permitting jurisdiction. The permit was appealed to the Commission, which found substantial issue at a hearing in May 2017. On the de novo CDP hearing, the standard of review is the Chapter 3 policies of the Coastal Act, though the certified LCP may be used as guidance.

LCP Amendment, Measure C (LCP-5-RDB-17-0045-1): The public organized a ballot initiative-“Measure C,” known as the King Harbor Coastal Access, Revitalization, and Enhancement Act- to include the new development standards. It was approved by the voters in March 2017, and was submitted by the City to the Coastal Commission for certification as an LCP amendment. Measure C would affect only the Implementation Plan portion of the LCP, and therefore the standard of review for the proposed amendment is the certified Land Use Plan.

II. BACKGROUND

The 36 acre site is located in Redondo Beach King Harbor, between the sea and Harbor Drive (the first public road) from Portofino Way to Torrance Circle, in Redondo Beach (**Exhibit 1**). Approximately 32 acres are on land, and 4 acres are over water including Basin 3 and the boat launch ramp area. There are several moles in the Harbor (Moles A-D). The Waterfront project is proposed to occupy Mole D, the Seaside Lagoon, and the southern portion of the harbor beyond Basin 3 as shown on Exhibit 1.

The area in the harbor where the proposed Waterfront Development would be located currently contains: six one and two story stand-alone restaurants (totaling approximately 38,000 square

feet) generally located on the edges of the project site; a one story restaurant and sportfishing charter business located on the Sportfishing Pier; one and two story shops and restaurants along Horseshoe Pier (approximately 81,300 square feet); the International Boardwalk, a pedestrian walkway inland of Basin 3, has a narrow strip of small shops and restaurants (approximately 22,464 square feet) located along a paved access road (which is accessible to pedestrians, delivery, service, and emergency vehicles only) with an elevated boardwalk and bike path above the shops; and the Pier Plaza contains approximately 70,000 square feet in one and two story structures above the parking level, and approximately 20,000 square feet miscellaneous space such as storage, basement, restroom, and maintenance offices within the Pier Parking Structure.

The total existing development in the project site is approximately 219,881 sq. ft. of retail, restaurants, and office structures (not including parking structures) as described above. The landward side of the site contains large surface parking lots with approximately 775 spaces and 67 boat-trailer spaces, and a 495,000 sq. ft. 3 level pier parking structure with 1,018 spaces, and one parking structure located inland of Harbor Dr. at the southern end of Pacific Ave. (Plaza parking structure at the seaward side of Czuleger Park with approximately 332 spaces). The site includes portions of Harbor Dr. from Portofino Way to Pacific Ave. and Torrance Blvd. up to Catalina Ave., and a sandy area with swimming lagoon that is separated from the harbor and tidal action by a revetment. On the seaward side of the project site there is a public pier (Horseshoe Pier, excluding the Monstad Pier), a fishing pier, a hand launch and dinghy dock, and existing revetments. The project site includes Basin 3, which contains recreational and commercial boat slips and a boat hoist.

The area in the harbor proposed for the Boat Launch Facility is at the seaward end of Marina Way, on Mole B, which contains Moonstone Park, public parking, a Harbor Patrol Facility, and a storage yard for an outrigger canoe club. The project site is 1.6 acres of land and 0.4 acres over water. The Mole is surrounded on three sides by boat slips. Access from Harbor Drive to Marina Way is limited by a gate controlled by the marina, although the public is allowed access during certain hours.

LCP Background

The Commission certified the Redondo Beach Land Use Plan (LUP) in 1981. In 2002, the City submitted its Implementation Plan (IP), but included an LUP amendment that applied to the harbor and pier area and the power generating plant located west of Catalina Ave (Harbor-Pier area), where most of the coastal recreation resources in the City are located, including a beach. When the LUP amendment proved to be locally controversial, the City requested segmentation separating the Harbor-Pier area (AREA 2) from the rest of the City so the LCP could be certified for the non-controversial areas (AREA 1). The City then withdrew the proposed Harbor-Pier LUP amendment. The Commission approved the segmentation of the City into two areas. The Commission found that development in AREA 1, which is already developed with commercial and residential uses, would not affect the intensity of development or circulation patterns or public access to the shoreline in the Harbor-Pier area and, the City's LCP was effectively certified for AREA 1 as of September 2003. AREA 2 effectively was deferred certification.

In 2008, the City submitted an LCP amendment request that would certify AREA 2 and eliminate the previously created geographic segmentation of the City's Coastal Zone. The

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Commission approved the LCP amendment and certified the remainder of the City with suggested modifications. The LCP amendment established land use designations and sub-areas for AREA 2, including development standards, and established land use designations and development standards for portions of the harbor within the Commission's retained jurisdiction, which may be used as guidance.

Current Zoning and Land Use Designations

In the certified LUP, the entire harbor has a land use designation of Commercial Recreation, with the exception of the Seaside Lagoon, which has a designation as Parks, Recreation, and Open Space (**Exhibit 3**). The zoning map of the IP indicates that all of Mole B is zoned Coastal Commercial (CC-4), which allows for the following permitted uses: snack shop, retail less than 5,000 SF, and Parks, Recreation and Open Space. The height limit is 45 feet, 3 stories. Mole D is zoned CC-3 which allows for commercial recreation, food service, hotels, marina uses, office, rental, retail shops not exceeding 5,000 sq. ft., public safety. The height limit is 37 feet high, 2 stories. The areas within the Commission's Retained Jurisdiction of the Waterfront development are zoned CC-1, which allows uses similar to CC-3. Zone CC-1 primarily has a height limit of 30 feet measured from the top of the pier deck, 2 stories. And the Waterfront project site south of Basin 3 is zones CC-2, which allow uses similar to CC-3 without Marina related uses, and has a height limit of 30 feet above the top deck of the existing parking structure.

III. PROJECT DESCRIPTIONS AND SUMMARY OF MEASURE C

A. BOAT LAUNCH FACILITY (CDP 5-17-0235 & A-5-RDB-17-0008)

The two related CDP applications (including the De Novo action for the CDP approved by the City and appealed to the Commission and a regular CDP for the portion of the project within the Commission's retained CDP jurisdiction) are for the demolition of 38 existing boat slips on the north side of Mole B and construction of a public boat launch facility with two lanes in the Marina channel between Moles A and B, to include 300 linear feet of boarding float space and 3 concrete guide piles, 320 linear feet of side-tie queue dock with 6 concrete piles inland of the boat launch, a 5-ton jib crane boat hoist, and a 55 foot long by 20 foot wide cast-in-place concrete deck for the hoist launch pier immediately seaward of the boat launch, over the water (**Exhibit 4**). The facility will include 888 square feet of concrete floating dock, and the hoist pier will be accessible from an 80 foot long aluminum gangway. The launch ramp's boarding float will be a 150 foot long by 8 foot wide dock, decking would be made of a composite material. The dock would be secured by 18 (16-20 inch diameter) precast concrete guide piles. The dock space would provide temporary mooring for 23 small crafts under 26 feet in length. The boat launch would provide a space for hand-powered watercraft launching from one lane or the queuing floats. The project would require 12,000 cubic yards of fill in the water. A precast vertical bulkhead would be installed at the ramp apron on the northwest perimeter.

The landward portion of the project would include installation of a wash down station at the seaward edge of the parking lot with 2 wash spaces, and would require reconfiguration of the existing parking lot to remove 131 public parking spaces in order to provide 32 new parking spaces for vehicles with trailers (20 parking spaces at 40 feet in length with one ADA designated space; 6 parking spaces at 50 feet in length; and 6 parking spaces at 55 feet in length) and 38 regular spaces. As a result, there would be a net loss of 61 public parking spaces in order to

accommodate the new larger trailer spaces necessary to serve the boat launch ramp. In addition, as proposed, the reconfiguration of the parking lot would require the removal of 6,400 square feet (sq. ft.) of the public park located at the end of Mole B, known as Moonstone Park. The encroachment into the park would be necessary to accommodate the construction of 6 of the new trailer spaces and 17 replacement regular parking spaces.

The parking lot elevation would be raised with 3,000 cubic yards of fill. Minimal landscaping is proposed. The project site does not include the whole park and is limited to the 6,600 square foot section of the northernmost end of Moonstone Park, where parking spaces are proposed.

B. WATERFRONT DEVELOPMENT (CDP 5-17-0236 & A-5-RDB-16-0092)

The two related CDP applications (including the De Novo action for the CDP approved for the project by the City and appealed to the Commission and a regular CDP for the portion of the project within the Commission's retained CDP jurisdiction) are for the demolition of 199,171 sq. ft. of existing commercial and office structures (the project would retain 12,479 sq. ft. of existing development for Kincaid's restaurant and the lagoon restrooms), surface parking lots, a pier parking structure, a fishing pier, a hand launch and remove portions of an existing revetment in front of the swimming lagoon. Largely within the City's permitting jurisdiction, the project proposes to construct 511,460 sq. ft. of new development (312,289 sq. ft. of net new development) that would range in height from approximately 20 feet to 48 feet. There would be 19 new structures for retail, restaurant, creative office, cinema, a public market hall, and a 130 room boutique hotel, with 3 view corridors to the harbor. The project would construct 1 new 48 foot high parking garage with 697 spaces on the corner of Portofino Way and Harbor Dr., reconstruct the existing pier parking structure in a similar configuration and size, and reconfigure the existing Plaza parking structure near Czuleger Park. The project proposes to construct a new 2-lane road south of Harbor Dr. connecting Pacific Ave. to Torrance Blvd. where the elevated boardwalk is currently, inland of Basin 3 with an 8 foot wide walkway on the west side and a 12 foot wide 2-lane bike path on the east/inland side, realign the bike lanes to the inland side of the new road, and construct a second new 2-lane road west/seaward of Harbor Dr. (proposed as Waterfront Way) from Portofino Way and construct 115 surface parking spaces along Waterfront Way, and construct a new 20-30 foot wide pedestrian pathway (Esplanade) along the seaward side of the development. The shoreline side of the Waterfront Development site will be filled and raised approximately 7 feet ([Exhibit 5](#)).

Within the Commission's retained coastal development permit issuance, the proposal includes: New piles and cement decking to support the Horseshoe Pier and construction of a new 6,574 sq. ft. building on the pier, replacement of the wooden portion on the southern side of the Horseshoe Pier with new concrete decking and steel piles and demolition of the exiting one and two story 14,270 sq. ft. pier commercial structures in that location and construction of 2 new structures (11,496 and 3,840 sq. ft. buildings between 26-30 feet high, measured from the pier deck);

Reconstruction of the 243 ft. long by 30 ft. wide existing wooden Sportsfishing Pier with 46 new pier piles including new boat mooring and passenger loading ramps, demolition of the existing one story 2,704 sq. ft. building on the fishing pier (currently containing a bait shop, fishing

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charter ship office, restaurant, and public restrooms) and construction of a new 1,836 sq. ft., 24 ft. high building for visitor serving commercial on the pier;

The project includes the reconfiguration of Seaside Lagoon, which is a 3.6 acre public park with a non-tidal saltwater sandy-bottom swimming facility with a beach separated from the open water of the harbor by a rock revetment. The water supply is imported from the harbor to the AES (power plant) cooling facility located inland of the lagoon offsite, and then a portion is pumped from the AES site into the lagoon as warm water. The water is chlorinated upon entrance to the lagoon, and dechlorinated before being discharged back into the harbor. The “once through” cooling system will be eliminated by 2020 and therefore, the warm water supply to the lagoon will also be eliminated by 2020. The Seaside Lagoon contains a picnic area, restrooms, a facility building, and an open air pavilion.

The Seaside Lagoon is a popular public recreational amenity that contains a picnic area, restrooms, a facility building, and an open air pavilion. The facility is surrounded by a fence and is open to the public during the summer months subject to an entrance fee. The revetment on the seaward side of the lagoon contains a paved access road which leads to an existing hand-launch and dinghy dock facility that would be removed and not replaced as part of the proposed project. The project also includes removal of a portion of the revetment opening the lagoon to tidal action creating a 150 foot wide inlet to the harbor by dredging approximately 6,200 cubic yards of sand and rip rap, removal of the access road, hand launch and dinghy facility located on the revetment, removal of the fence surrounding the lagoon with public access available for free year-round where hand-powered watercraft (such as kayaks and paddle boards, etc.) would be launched directly off the sand into the harbor. Approximately 2,100 cubic yards of dredged sand would be placed on the beach of the lagoon. Approximately 16,200 sq. ft. of rip rap would fill tidelands along the side slopes of the entrance to the lagoon.

The development in the Seaside Lagoon would include construction of a park venue on the far west side of the lagoon, which would include enclosing the existing open air pavilion, outdoor tables, lawn and landscaping, new hardscape and new built-in amphitheater seating and stage and viewing platform which would be made available for private events. A new ADA accessible boardwalk would be constructed through the park on the inland side of the sandy beach and connect to the boardwalk (Esplanade) extending along the seaward side of the development south of the lagoon. Lastly, a portion of a road (Waterfront Way) and 3 accessory buildings approximately 20 feet high (for marine recreation retail and rentals, beach club, maintenance and public safety, and general concessions) would be constructed on the inland side of the lagoon for a total of 8,194 sq. ft. of structures within the lagoon (including the existing restrooms and enclosing the existing pavilion);

The Waterfront development would include improvements to Basin 3, a 3.5 acre marina area with 61 existing slips used for long term mooring by recreational, commercial, fishing, and tourism vessels ranging in size from 15 to 68 feet in length. The existing 18,500 sq. ft. timber dock system with 57 concrete guide piles would be replaced with new concrete docks, 40 new 16-inch diameter concrete guide piles and aluminum gangways and 60 slips in a similar configuration to the existing system. The concrete bulkhead cap would be reconstructed at 7.5 feet above MLLW and minor repairs to the existing bulkhead are proposed. During construction

the vessels located in Basin 3 would be relocated to other vacant areas in the harbor and deep water moorings;

The project proposes construction of a new 248 foot long, 12 foot wide steel frame with concrete deck pedestrian and bicycle draw bridge over the entrance to Basin 3 that would be approximately 19.7 feet above MMLW (mean lower low water) supported by two concrete bridge abutments and two interior piers and two 45 foot high towers on opposite bridge piers with mechanical equipment located in an underground vault and a control booth. The entrance to Basin 3 would be 120 foot wide with the installation of the bridge. Ships taller than the 19 feet above MLLW clearance would enter or exit Basin 3 when the draw bridge is open according to an operations schedule. Permitting for the bridge is subject to the US Coast Guard review and approval and conditions;

The project includes a proposed tidelands exchange (Basin 3 would become public tidelands and a seaward portion of Mole D would become private lands), that is subject to review and approval by the State Lands Commission (**Exhibit 2**).

C. SUMMARY OF MEASURE C (LCP-5-RDB-17-0045-1)

Measure C is a voter-approved ballot initiative by the citizens of the City of Redondo Beach that was submitted by the City as an LCP amendment. It amends the Implementation Plan (IP) component of the certified LCP only in order to add new development standards to for the harbor. It does not propose any deletions or edits to the existing language (**Exhibit 6**).

Specifically, it amends the IP development standards of P-PRO (Parks, Recreation, and Open Space) zone by adding specifics for the Seaside Lagoon and amends the IP additional Land Use Regulations for Coastal Commercial Zones by adding 5 new land use regulations for Harbor development regarding views, boat launch, parking, traffic, and the development cap.

The Seaside Lagoon is within the Commission's retained jurisdiction and is primarily State Tidelands. Measure C changes the development standards to require that the Seaside Lagoon open space that is "accessible by the public for water-oriented recreational activities" be expanded. If expansion of the park's acreage is infeasible, then the open space shall be preserved, which includes the salt water sandy-bottom swimming facility. Specifically, the amendment would prohibit conversion of the lagoon to an open-water beach with connectivity to the harbor channel. If water quality standards require an alternative to the current lagoon, then a replacement facility with equivalent water surface area, beach, and amenities (volleyball courts, showers, restrooms, concessions, picnic areas, play structures, and luau shelter) is required.

Pursuant to the amendment, no new or expanded structures, parking, streets or driveways adjacent to the lagoon would be allowed to impact the open space or degrade the area. If the lagoon is replaced, a pool or similar recreational facility of equal size shall be provided at the lagoon park, and is subject to all state safety and environmental health regulations. Swimming or wading in the harbor water does not suffice for a replacement facility. The launch point for human powered watercraft (including the existing small-craft dock that would be removed as part of the related CDP applications) shall be preserved and expanded within the vicinity of the

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lagoon or otherwise at Mole C, D, Basin 1, 2 or 3. Public access signage is required identifying the lagoon and the launch point as public facilities.

The LCP currently has policies to protect harbor and ocean views and requires view corridors. Measure C adds a requirement (§ 10-5.811(f)) that new development in CC-1 and CC-3 zones preserve existing harbor and ocean views, consistent with the views available as of January 1, 2016. Specific views to be protected include: 1) views along north Harbor Dr. (between Beryl St. and Pacific Ave.) where a minimum of 40% of the ground level view shall be preserved; and 2) a minimum of 60% of ground level views shall be preserved from Czuleger Park, subject to survey and verified by selecting specific viewpoints with the broadest ocean and harbor views, at 5 feet above the ground along the east side of the park, at the midpoint of the park on a line running east to west, and in the plaza on the west side of the park. The regulation requires story poles be erected 45 days prior to the first public hearing on the CDP application, that accurately reflect the footprint, final height of the building, and bulk of the development and verification of accuracy. The story pole requirement may be waived by the Community Development Director.

The current LCP has a requirement for construction of a public boat launch ramp in association with harbor redevelopment. Measure C would add new requirements (§ 10-5.811(g)) related to the public boat launch ramp. The regulation would clarify that construction of a boat launch ramp and parking and accessory facilities are required as part of any project that proposes a net increase of 10,000 SF of floor area or more in any Coastal commercial zone in the harbor. The requirements for the boat launch specify that it shall be constructed and fully operational prior to the issuance of the certificate of occupancy for a new structure, and it shall have a minimum of 2 lanes, shall provide no less than 30 double-length boat trailer/vehicle parking spaces per lane (minimum of 60) that are within 500 feet or less of the ramp. At least 10%, but no more than 25% of the parking spaces shall be at least 55 feet long. No parking spaces shall be less than 40 feet long. The ramp shall meet the requirements for Department of Boating and Waterways guidelines for layout, design and construction for small craft launching facilities and shall meet AASHTO roadway design standards for turn radii and maneuverability of vehicle-boat combinations.

In addition, Measure C would require that the ramp shall be designed to avoid net loss of any boat slips that are available as of January 2016 and shall not have any adverse impact on public access or coastal dependent uses and shall be located a safe distance from any human-powered watercraft launch point and swimming area. The ramp shall accommodate safe launch and recovery in surge conditions and shall not be located where waves topping the outer breakwall would create safety hazards during launching or recovery. Directional public access signage would also be required for the launch facility.

In addition, Measure C (§ 10-5.811(h)) would prohibit construction of new parking structures in CC-3 zone. The existing Plaza parking structure can be maintained or replaced, but not expanded. It requires that parking in Coastal Commercial zones be designed to prioritize peak summer demand and coastal-dependent/water-oriented recreational uses. The uses shall not be subject to, or restricted by, valet, reservations, or offsite parking. Shared parking shall not decrease or restrict coastal dependent/ water oriented recreational uses, enforceable standards shall be applied for prioritizing any proposed shared parking, and compliance monitoring is

required. Reduced parking fees would apply for frequent users of the harbor for coastal dependent uses.

Measure C also adds a requirement (§ 10-5.811(i)) that any project within the Coastal Commercial zone provide a traffic analysis for peak weekend and weekday use. It also requires maintenance of the existing bike and pedestrian path connecting Torrance Blvd. with Harbor Dr. No new street would be allowed to connect those two roads, and motorized traffic would be limited to emergency vehicles. The area between Harbor Dr. and Torrance Blvd. would be maintained as it is currently, as a vehicular access point to the Pier parking, and could not be redeveloped as a road, as proposed by the related CDP applications.

The existing LCP includes a development cap for net new development in the harbor: *Cumulative development for Commercial Recreation district sub-areas 1 – 4 shall not exceed a net increase of 400,000 square feet of floor area based on existing land use on April 22, 2008.* Measure C (§ 10-5.811(j)) modifies the above development cap provisions by requiring that any area for parking in parking structures shall be included in the computation of the cumulative existing development cap for *Commercial Recreation district sub-areas 1 – 4*, which includes the project site for the related CDP applications. As a result, the square footage of new structured parking would be required to be counted against the development cap, the same as the square footage of the project.

IV. AREAS OF CONTROVERSY

A. BOAT LAUNCH FACILITY

Application Logistics

At the request of City Council, the Harbor Commission hosted public workshops as recently as March 2018 to discuss the location of the public boat launch. According to City staff, it is possible, as a result of the workshops, that a new or amended application for a boat launch ramp will be submitted to the Coastal Commission, which could include an alternative location for the boat launch. The other possible locations for the boat launch ramp include Moles A, C, and D. Mole D is within the footprint of the proposed Waterfront development. The Waterfront development project includes commercial development on Mole D, so approval of that project would remove the potential of Mole D to support a boat launch. Further, LUP Policy 1 requires construction of a public boat launch facility in association with a harbor redevelopment project. Accordingly, failure to approve a boat launch facility, or uncertainty regarding where such boat launch facility would be located, could affect the ability to approve any larger redevelopment project.

Boat Launch Requirement and Removal of Slips

The City's certified LCP requires that: "*a public boat launch shall be constructed in association with future development projects within the Harbor area*" (Land Use Policy 1). In addition, the LCP also protects all existing slips in the harbor, "*All existing boating and boating-related facilities will be maintained, enhanced and preserved, and where possible, expanded. All of the existing slips within the Harbor area will be maintained, enhanced, and preserved...*" (Recreation Policy E. 3). Therefore, removal of 39 boat slips for the construction of the boat

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launch ramp is inconsistent with the LCP, which may be used as guidance because the boat launch is proposed to be on Mole B within the Commission's original jurisdiction. It also raises issues regarding consistency with Chapter 3 of the Coastal Act, and in particular, Section 30224 of the Coastal Act, which encourages increased recreational boating use and development of public launching facilities and providing additional berthing space in existing harbors. Although the boat launch ramp would provide a ramp that members of the public may use for low-cost boating and recreation, it will remove 39 privately rented boat slips. Ideally a location could be found that would provide a ramp without removing slips or to provide for the replacement of the boat slips. Alternatively, if no such feasible alternatives exist, then the City could potentially request an amendment to its LCP to revise the above referenced development standard prohibiting the loss of slips.

Open Space Requirement of Mole B

Section C, Land Use Classifications of the LCP requires that a minimum of 33% of Mole B shall be maintained as contiguous passive park and public open space. In this case, the City has calculated that Moonstone Park, the existing public park at the terminus of Mole B, would need to maintain approximately 23,500 sq. ft. in size in order to maintain a minimum of 33% of passive park on Mole B. As proposed the location of the City-approved 6 trailer parking spaces for the boat launch and 17 regular spaces would encroach approximately 6,400 sq. ft. into the green space of Moonstone Park and would reduce the open space below the required 33%. While parking is allowed as a park use in the LCP, it is not consistent with the intent of providing 33% *contiguous passive park and open space*. Further, the policy requires preservation of 33% of contiguous passive park AND open space. Even if the City takes the position that the parking spaces could qualify as open space, they do not qualify as passive park.

A portion of the park is currently occupied by a public Outrigger Club that launches canoes off of Mole B and has a lease agreement with the City. The City is negotiating a new lease agreement for the Outrigger Club parcel and has circulated a draft plan to reconfigure the park uses in order to support the existing Harbor Patrol facility, the Outrigger club facility, and maintain the existing park open space with the proposed boat launch facility on Mole B (**Exhibit 7**). The draft, conceptual plan would maintain the passive park space required by the LCP by constructing a new public boardwalk and viewing deck over the existing revetment on the seaward side of the park, thereby replacing the square footage of park that would be lost by the boat launch trailer parking spaces. The draft park reconfiguration is still in conceptual form, is not proposed as part of the coastal development permit application, and therefore is not before the Commission at this time. Thus, it is unclear how the current proposal for the boat launch ramp on Mole B can be found consistent with the LCP's open space requirement on Mole B, and the project raises corresponding issues regarding consistency with Chapter 3 policies protecting views and recreational areas.

Parking

LUP Access policy F. 3 requires that the City enforce parking standards for new development: "*The City will continue to diligently enforce existing parking standards for new development*"; however, the number of trailer parking spaces proposed may not be sufficient to meet the demand of the project, as contended by project appellants, and therefore raises an issue of consistency with the F.3 policy.

LUP Access policy F. 9 states: “*Existing public parking space in the Harbor-Pier area will not be reduced as a result of further development in the area. In the event of the removal of existing public parking spaces in the Harbor-Pier area, additional spaces equal in number to those removed must be provided within the Harbor-Pier area.*” The City-approved project would remove 131 existing public parking spaces and would replace them with 32 new trailer spaces and 38 new regular spaces. Overall there would be a net loss of 61 public parking spaces, although all of the parking would continue to be public parking. Thus, the project, as proposed, raises issue with Policy F9 of the City’s LCP, which requires that if parking spaces in the harbor are removed, then an equivalent number of replacement parking spaces must be provided.

Lastly, Mole B is within original commission jurisdiction, so the standard of review is consistency with Coastal Act policies. Section 30252 requires that new development must maintain public access to the coast by providing adequate parking facilities or providing substitute means of serving the development with public transportation. A total of 61 existing parking spaces for the harbor would be removed and replaced with trailer parking spaces; however, the 32 new trailer parking spaces may not be adequate for the use of the new boat launch, as appellants have argued. The City’s approval required that 30 additional trailer spaces and 30 single car spaces be provided in a satellite location for overflow parking needed for the boat launch facility. The final location of these spaces has not been determined. If the development of the boat launch on Mole B removes existing parking spaces, it raises issues of consistency with the LCP. If the development of the boat launch on Mole B does not provide sufficient parking for the new boat launch use, then it raises issues of consistency with the Coastal Act.

B. SUMMARY OF MEASURE C

Seaside Lagoon

The preservation of the publicly accessible sandy-swimming bottom is consistent with Coastal Act access and recreational chapter 3 policies. However, if water quality concerns present an issue (as described above), the replacement of the swimming lagoon with a pool raises concerns regarding LUP consistency. Construction of a concrete lined pool adjacent to the sea might be inconsistent with the LUP policies to site and design structures outside of hazardous locations, especially in light of sea level rise. Additionally, a pool can be constructed anywhere and therefore is not a coastal dependent use that receives priority for ocean-front land. By requiring replacement of the swimming lagoon with a pool if it cannot be maintained, Measure C could negatively impact this oceanfront recreational resource. Alternative plans to provide a new water source and maintain the existing swimming facility have not been provided.

Critics of Measure C have argued that disallowing “new or expanded structures” in the lagoon is overly limiting and would prevent necessary accessory structures, such as lifeguard towers, etc. However, the measure includes qualifying language so that no new or expanded structures can reduce the open space for water-oriented recreational uses. Arguably, temporary structures such as a lifeguard tower would not reduce the open space available for recreational uses and the existing amenities on site are required to be maintained.

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The Seaside Lagoon is currently open only during the summer months and the City charges an entrance fee. The Waterfront development project would remove the fence surrounding the lagoon and it would be open year round. Measure C does not prevent year-round access to the lagoon, which could be allowed at any time by the City.

Boat Launch Facility

Commission staff is concerned that Measure C's detailed requirements for the boat launch may have the unintended consequence of eliminating 2 of the 4 possible locations for the boat launch. While the above requirements are intended to result in the best possible design and location for the boat launch facility, they may or may not be attainable or realistic. Eliminating options for the location of a public boat launch could be overly limiting and could negatively impact coastal access by preventing construction of a boat launch ramp in the future.

Measure C proponents argue that the two options that may be excluded by the requirements are already essentially excluded by the current LCP because Mole B has use restrictions that protect the existing parking and Moonstone Park, and Mole A is subject to overtopping and wave attack and therefore is inconsistent with general safety policies of the City and the LUP Land Use Policy 3 and that requires adequate safety for Harbor uses. More information and analysis is needed on this issue.

Development Cap

What is not clear in this Measure C regulation is whether or not the replacement of the existing parking structure in CC-3 (subdivision (h) in Measure C, above) would count toward the LCP's development cap, pursuant to the new proposed development standards. The proponents of Measure C have indicated that because the current language of the LCP allows for "*a net increase of 400,000 square feet...*" the replacement of the existing Plaza parking structure would not count toward the development cap because there would be no *net* increase in square footage if it was demolished and reconstructed with the same square footage.

Since 2008, the City approved development of the Shade Hotel in the harbor, and as such there is 362,989 sq. ft. remaining of the development cap. The new parking structure proposed as part of the Waterfront development would be 261,000 sq. ft. and 3 stories high with parking on 4 levels, including the roof (the replaced Pier parking structure would be 347,340 sq. ft. with 5 levels of parking, 2 underground levels and rooftop parking.) If Measure C was the standard of review for the project, this new parking structure square footage would be counted against the total development cap, minimizing the development square footage available for coastal commercial.

If the floor area of any new parking structures were to be included in the development cap, then this would significantly reduce the amount of other development—including visitor-serving or coastal-dependent development—allowed within the harbor. While it is uncommon to include square footage of parking space in the calculation of floor area counting toward a development cap, the Coastal Act does not have policies that would preclude the City from doing so.

However, at this time the LCP is silent on the issue and defines "Floor Area" as:

"Floor Area, Gross" shall mean the floor area of the ground floor and any additional stories, and the floor area of mezzanine, lofts, and basements of a structure. All horizontal dimensions

shall be taken from the exterior faces of walls, including covered enclosed porches, but not including the area of inner courts or shaft enclosures.

Measure C would amend the LCP to subject the square footage of parking structures within the harbor to the development cap, which would reduce the overall amount of development allowed in the harbor, which could reduce the development potential for future coastal-dependent uses. However, depending how Measure C is interpreted, it might not subject any replacement of the existing parking structure (described above) to the development cap, which would reduce the potential that Measure C would preclude appropriate future development.

C. WATERFRONT DEVELOPMENT PROJECT

Application Logistics

Redondo Beach Waterfront LLC and the City of Redondo Beach are co-applicants for the Original jurisdiction Waterfront Development CDP. Waterfront LLC and the City previously entered into an agreement regarding the development project that included a 99-year lease for the project site in the harbor. Subsequently, the City and Waterfront LLC had disagreements regarding whether they were meeting their respective obligations under the agreement, and there are now pending legal challenges regarding the agreement. Thus, there is legal uncertainty regarding the status of Waterfront LLC's lease for the project site, and this raises issues regarding the applicant's legal ability to develop the site, as proposed.

Coastal Dependent Uses

While the LCP does not define the term "coastal dependent uses," the Coastal Act's definition that coastal dependent "means any development or use which requires a site on or adjacent to, the sea to be able to function at all" is relevant to the LCP policies. Examples of coastal dependent uses in the harbor include the recreational boating facilities, the existing hand-launch facility, the public fishing pier, etc. Because the project proposes to remove the existing hand launch and dinghy dock and remove 1 boat slip, it raises issues of consistency with LUP policies and the Coastal Act's policies regarding access, recreation, and prioritization of coastal-dependent uses.

The applicants have stated that the hand launch dock is not necessary and the public could launch hand powered watercraft (stand up paddle boards, kayaks, etc.) off the sand through the opened seaside lagoon. If the revetment was removed in front of the seaside lagoon as proposed, the lagoon would be open to the harbor and hand powered watercraft could be launched into the harbor directly off the lagoon beach. However, this could cause a conflict of uses between swimming in the lagoon and launching, and is not consistent with the above policy which states that these uses must be preserved and enhanced unless it is infeasible, and that removal of existing coastal dependent uses shall be discouraged unless they are no longer useful or necessary. In addition, appellants have argued that persons wishing to hand launch from the opened-up lagoon would need to park in parking structures and carry their equipment to the beach launch location, or temporarily drop off their equipment and leave it near the lagoon while they move their car to the structure, which could cause practical problems and could reduce the level of access for such boaters/kayakers/paddlers etc. The existing hand launch could likely be preserved in situ, or replaced elsewhere in the harbor however, that is not proposed at this time. The applicants have not shown that it is infeasible to keep or replace the hand launch facility.

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Further, LUP Policy 1 encourages expansion of coastal dependent uses, where feasible. The project application has not delineated which project components are coastal-dependent nor described whether it is feasible to expand the existing coastal dependent uses in the harbor. The coastal dependent uses of the harbor, such as the boating facilities, the hand launch and dinghy dock, and the fishing pier, as well as the associated coastal dependent commercial spaces, should be expanded in conjunction with the proposed development, if feasible.

Beyond the sportfishing charter business, marina office, restrooms, sportfishing pier, hand launch boat facility, private boat launch with hoists, and recreational swimming lagoon, the harbor currently contains a mix of commercial, limited office, restaurants, and general visitor serving uses. The new project would propose to expand the square footage of commercial and other uses, including an expansion or addition of retail, restaurant, creative office, cinema, public market, hotel, and a police sub-station. The Coastal Act encourages visitor serving uses, but not at the expense of coastal dependent uses. The recreation policies of Chapter 3 of the Coastal Act protect waterfront areas for water-oriented uses and protect harbor spaces for boating uses. Section 30220 protects coastal areas for water-oriented recreational activities that cannot be provided inland.

LUP Policy 5 requires a balanced mix of coastal-dependent uses, including the protection of lower cost visitor serving uses and recreational facilities. LUP Policy 1 encourages Coastal dependent uses in the Harbor and pier area and states that removal of existing coastal dependent uses shall be strongly discouraged unless such uses are determined to no longer be necessary for the functional operation and utility of the harbor. The project opponents argue that the development does not encourage coastal dependent uses, and instead focuses on providing high-cost uses. For example, a luxury cinema is not considered coastal-dependent and could be located anywhere because it does not depend on the harbor or ocean. The mix of uses in the City approved project includes the following breakdown of square footage: 24% hotel, 35% food service, 20% retail, 12% office, and 9% cinema. However, there is no breakdown showing what percentages of these uses are visitor-serving, lower cost, and coastal-dependent. However, the LCP does not require 100% coastal dependent uses. The policy states that the City shall encourage these uses and avoid removing any existing coastal dependent uses unless it makes certain findings that they are no longer necessary for the operation or utility of the harbor. Such findings have not been made. Overall, the proposed project raises concerns regarding whether there would be an appropriate mix of visitor-serving uses and coastal-dependent uses and whether it appropriately reserves ocean-front land for high priority uses.

Removal of Boat Slips

The project includes the redevelopment of Basin 3, which would include replacing all wooden docks with concrete docks, replacing the bulkhead cap at the same elevation, and reconstructing all boat slips. Basin 3 currently has 61 slips and 60 would be replaced, for a net loss of 1 slip. Additionally, the new arrangement of the slips and the sizes of the slips have not been determined and there is a potential that the proposed mix of slip sizes will impact the existing commercial ships in Basin 3.

The proposed dock system in Basin 3 would eliminate 1 boat slip. All of the existing boat slips are useful for the function of the harbor and removal of 1 slip raises consistency issues with the LCP because the slip could likely be maintained in the Basin. The removal of boat slips raises issues of consistency with LUP Policy 1, which requires the City to preserve and enhance the existing facilities and strongly discourages removal of facilities, and Recreation policy E. 3., which requires all existing boating and boating-related facilities be maintained, enhanced and preserved. The development in Basin 3 is within the Commission's original jurisdiction and the LCP policies serve as guidance. The removal of boat slips is discussed more in depth above (see Boat Launch discussion re: removal of slips).

Parking

Access to the coast is required by the Coastal Act and LCP. Not providing sufficient parking or hindering access with poor circulation around coastal areas can have a negative impact on coastal access. There is a question as to whether the project provides for sufficient parking for the increased demand, especially given that it would remove surface parking used for coastal dependent uses.

The Harbor currently has sufficient parking for 199,171 SF of development, spread across 2 parking structures and a large surface parking lot. The parking adequately serves the existing development and the other coastal-related uses of the harbor. LUP Access policies F. 3 and F. 9 require the City to enforce parking standards for new development and states that existing public parking in the Harbor-Pier area will not be reduced as a result of further development:

“additional spaces equal in number to those removed must be provided within the Harbor-Pier area.” The total number of parking spaces for the City-approved project is 2,363, which is 171 more spaces than currently exist onsite; however, the project will add significantly more square footage of new development, and therefore, the project may not have proposed enough parking to support the new development. The project also proposes shared commercial parking uses, which is not allowed under the current LCP.

According to the Implementing Regulation of the LCP, Title 10, Chapter 5, article 5 parking regulations, general commercial uses require a minimum of 1 space per 250 square feet of development. The new development proposes to construct 312,289 sq. ft. of net new development in the harbor, which would require 1,249 new parking spaces in addition to the existing spaces on Mole D that support the current uses in the harbor. Because the City is required to enforce existing parking standards for new development (Policy F.3) and is required to preserve the existing parking in the harbor and shall not reduce the parking available as a result of further development in the area (Policy F.9), the new development project raises significant issues with regard to LCP consistency and public access.

Seaside Lagoon

Coastal Act Section 30211 requires that development shall not interfere with public access to the sea, including but not limited to the use of dry sand and rocky coastal beaches. The project raises significant issues of consistency with that provision because recreational use areas suited for water-oriented recreational activities are impacted and removed. The development would remove approximately 1/3 of the sandy beach area in the Seaside Lagoon used for passive recreation and

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remove a hand-launch used for stand-up paddle boarding and kayaking. The removal of the hand-launch for kayaking and paddling would not be replaced in the harbor, as discussed above.

The Seaside Lagoon is currently gated and operated by the City. It is open from Memorial Day to Labor Day and there is an admission fee. The lagoon is not subject to tidal action. Currently it is separated from the harbor by a revetment that the City-approved project would remove, which would open the lagoon to the harbor water. Currently, the lagoon is fed by water from the power plant on the inland side of Harbor Dr., is treated and eventually discharged into the harbor. The project would remove approximately 1/3 of the sandy beach area of the lagoon for the development of a road and concession retail structures (**Exhibit 8**).

According to the certified LUP, the Seaside Lagoon has a designation of Parks, Recreation and Open Space and the development of a road and accessory concession structures were approved by the City under a conditional use permit with the CDP but are not ordinarily permitted under the land use designation. The removal of passive recreational areas, and removal of sandy beach for the construction of concession/retail, raises significant issues regarding consistency with the intent of the LUP and the access policies of the Coastal Act. The removal of dry sandy area may also be inconsistent with LUP Policy 1, which encourages preservation of coastal dependent uses. By removing sandy beach area, the project removes land area used for coastal dependent beach recreation and passive recreational use. Again, there is no finding that maintenance or expansion of the Seaside Lagoon sandy beach area is not feasible. Further, the majority of the Seaside Lagoon is within the Commission's retained jurisdiction and the development of a road and accessory structures on sandy beach area on public tidelands raises significant issues of consistency with the public access policies of the Coastal Act and the duty to protect public trust lands. Although the overall project may provide better access in some ways, it will also interfere with public access to the sandy beach area and the sea in other ways.

By opening the lagoon to the harbor, the lagoon area would be tidally influenced and would be impacted by rising sea levels in the future. With rising sea levels, the area of beach that currently exists would likely be reduced. If the project develops approximately 1/3 of the existing beach for new retail and concession structures, this would leave less beach area accessible to the public over time as the sea level rises, raising long-term public access issues.

Lower Cost Visitor Serving Facilities

The Waterfront Development includes construction of a 130 room boutique hotel, with projected rates of approximately \$250 per night; it is expected to be a 4 star hotel on the oceanfront. Coastal Act Section 30213 and the LUP Recreation Policy E. 2 both state that lower cost visitor serving and recreational facilities shall be protected, encouraged, and where possible provided. LUP Policy 15 states that low cost visitor accommodations shall be encouraged and where feasible, provided.

The City-approved hotel will not provide lower cost overnight accommodations. According to both the Coastal Act and LUP Policy 15, lower cost accommodations must be provided in a hotel, unless it is infeasible. The City's records do not indicate whether or not a feasibility study was submitted prior to the approval of the hotel and it was not submitted as part of the CDP

application to the Coastal Commission. The feasibility study would indicate if it is feasible to provide lower cost accommodations onsite.

If it is not feasible to provide lower cost accommodations onsite, and if high-cost accommodations are proposed, then LUP Policy 15 requires payment of an in-lieu fee at \$30,000 per room, to be adjusted for inflation for 25% of the total number of rooms. The City's record indicates that if the hotel is built as a high-cost hotel, then the in-lieu fee will be required. The LCP states that the in-lieu fee shall be required as a condition of approval upon the coastal development permit. The City's record does not indicate what the fee would be with adjustments for inflation, when the fee would be paid, or how the fees would be expended.

It is not clear if the project protects existing lower cost recreational facilities in the harbor. The rates of the City-approved parking structures have not been submitted to the City and it is unclear if the parking rates will be affordable for day-users of the harbor compared to the existing \$10 daily parking rates. As described above, the project may not adequately protect lower-cost recreational facilities such as the hand-launch dock. The proposed project would require the users of the hand-launch site in the opened-lagoon to park in a multi-level parking structure at a further distance away from the current surface parking lot.

Views

The development project raises potential issues in regard to LUP Policy 2, which states that new development in the Harbor shall preserve and enhance views from Harbor Dr. The project proposes to construct a parking structure on the corner of Harbor Dr. and Portofino Way which would be 48 feet high and would include 1 view corridor from Harbor Dr. to the harbor water with landscaping (**Exhibit 9**). The development would significantly block existing views of the sea from Harbor Dr. compared to the current development on site, which contains a surface parking lot, landscaping, and scattered one and two story structures. Currently, there is a partial view of the harbor and views of the Palos Verdes Peninsula.

However, another policy in Section C of the LUP states that new development should include view corridors from Harbor Dr., which the City-approved project does. There are 3 view corridors from Harbor Dr. to the ocean in the development project.

There is a difference between preserving the existing views and providing view corridors, which in this case would result in two very different projects. The interpretation of the two LCP policies and the relationship between them needs to be clarified. Taking the two policies together, it is possible that the intent was to have any new development incorporate view corridors from N. Harbor Dr. that would be designed to preserve the current public views from Harbor Dr. The applicants contend that because of the elevation of Harbor Dr., there is currently little to no view of the actual harbor from the street.

Additionally, views from Czuleger Park to the Harbor must be protected, per Section C of the LUP. Renderings of the project showing the views from Czuleger Park indicate that a portion of the development on the North side of Basin 3 for the development of the Market would block a portion of the ocean views as well as on the South side of Basin 3 for the development of the hotel (**Exhibit 9**). Currently these areas are partially blocked by vegetation; however additional

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renderings taken from the low point of Czuleger Park are necessary to assess the significance of the view impact.

Lastly, LUP policy 2 states that new development shall be harmonious and consistent with the existing development. The current development in this area of the harbor is a mix of 1 and 2 story buildings containing approximately 200,000 sq. ft. with large surface parking. The proposed development would more than double the square footage of the current structures in this area of the harbor, construct up to 3 story buildings ranging in height from 20 to 48 feet high, and would convert most of the existing surface parking into a parking structure. While the development may support the City's objectives to create a pedestrian village, neither the City nor the developer have shown that the project is consistent with the bulk, scale, and massing of the existing development of the area or would serve to adequately maintain and protect coastal views. As such, the project raises potential issues regarding consistency with the LCP's view policies.

Hazards

The City-approved project contains requirements to raise the elevation of the project site and to enhance an existing shoreline protective device; however, the City's report did not analyze whether the enhancement of the existing shoreline protective device is consistent with the LCP, the extent to which the new development will rely on the enhanced structure, if the enhanced protective device will adequately minimize risks, or if the structure is necessary to protect uses or structures—such as coastal-dependent uses—that are entitled to be protected.

A wave uprush analysis prepared for the project site concluded that wave overtopping would occur along the proposed public boardwalk landward of the Horseshoe Pier, on the inland side of Basin 3, at the perimeter of Mole D, and at the Seaside Lagoon if the high end of sea level rise projections occur.

At the Horseshoe Pier, the proposed boardwalk immediately landward of the pier has an elevation of 23 ft. MLLW on the northern end and slopes down to 20 feet MLLW at the southern end, similar in elevation to the existing boardwalk. Under existing conditions the northern segment of the boardwalk is exposed to wave splash annually, and wave run-up reaches the 23 ft. MLLW elevation of the revetment. Along the southern side, the wave run up rarely reaches the top of the existing revetment. Because the proposed elevation of the boardwalk is the same as the existing boardwalk, wave-overtopping would continue to occur and get progressively worse with sea level rise. Inundation would increase over time. The EIR identified, as mitigation, the possibility of installing a four-foot high recurve splash wall at the base of the existing revetment. The applicants have proposed to monitor site conditions every 10 years and take unspecified future action to address overtopping and flooding if it gets worse.

The proposed boardwalk inland of Basin 3 would also be subject to inundation, but the proposed new road would not be subject to wave overtopping, according to projections. Waves under severe storm conditions can overtop the boardwalk at 13.7 ft. MLLW along the west perimeter of the Seaside Lagoon currently. The inundation depth can be as much as 1 foot at Mole D and more than 1 foot along the walkway perimeter of the lagoon. As proposed to open the lagoon to tidal action, the breakwater at the mouth of the lagoon would reduce the energy of waves

entering the lagoon. The wave uprush is not anticipated to reach the inland side of the lagoon where accessory structures are proposed. The area proposed for the new park venue would be raised by approximately 4 feet to prevent inundation.

The entire project would also rely heavily on the existing revetments in the harbor, and the development in Basin 3 would replace the cap of the bulkhead, with the possibility to raise the bulkhead in the future. The proposed project and the proposal to monitor the site conditions for possible future installation of a splash wall raise issues of conformity with the LCP policy of siting and designing the development to minimize hazards, especially given the expected sea level rise conditions that will increase wave attack events and intensity in the near future. Additionally, the areas of the project site that are project to be subject to flooding, wave attack and inundation are within the Commission's original jurisdiction, and in some areas are State Tidelands.

Section 30235 of Chapter 3 of the Coastal Act states that shoreline armoring is permitted when required to protect coastal-dependent uses, or protect existing structures, or public beaches from erosion, and when they are designed to mitigate adverse impacts on the shoreline and sand supply. The project proposes to perpetuate non-coastal dependent uses and construct new development in a hazardous location (hotel, new road, Market hall). These new structures would be located inland of the public walkway and would rely on the existing revetment for protection. As described above, the proposed public walkway located seaward of the development would be threatened by the hazards. The coastal dependent public walkway may be entitled to shoreline protection, however it should be sited and designed (raised elevation and located further inland, for example) to avoid the need for protection, as best as possible. The new development located inland of the proposed public walkway should not rely on the walkway's entitlement for shoreline protection to perpetuate development in a hazardous location. The development project has not proposed to mitigate for any adverse impacts to the shoreline or sand supply. Further, Section 30253 of Chapter 3 of the Coastal Act requires development to minimize risk to life and property in hazardous areas, and as such the new development should be sited and designed outside of hazardous locations. Additionally, the City-approved project that allows for enhancement of the existing revetment in the future to protect the new development, as well as the proposed design for the public walkway and proposed new development in a hazardous location raises consistency issues with above Coastal Act policies.

Marine Resources

The development project proposes to dredge the area of the Seaside Lagoon and open the lagoon to the harbor, as well as deposit rip-rap at the throat of the tidally influenced lagoon. The majority of the Seaside Lagoon is within the Commission's original jurisdiction and therefore the proposal must be consistent with Section 30233 of Chapter 3 of the Coastal Act, which states that dredging and fill of open coastal waters is limited to certain projects and, where feasible mitigation measures have been provided, and where there is no feasible less environmentally damaging alternative. It is not clear if the removal of the revetment adjacent to the lagoon would create soft-bottom intertidal habitat that may be considered restoration, and the application does not provide a mitigation plan or demonstrate that the proposal is the least environmentally damaging alternative.

Redondo Beach Harbor: 5-17-0236, A-5-RDB-16-0092, 5-17-0235, A-5-RDB-17-0008; and LCP Amendment LCP-5-RDB-17-0045-1, Measure C

Development on Tidelands

Under the Concessionaries' agreement with the City and as proposed by the Waterfront development, a portion of the Seaside Lagoon could be rented for private events. Because the lagoon is on State Tidelands, private and exclusive use of the lagoon raises significant issues regarding consistency with LUP public access policies and the Commission's duty to protect public trust lands for public use.

A portion of Mole D is public tidelands, and the consistency of the proposed use of Mole D for general commercial space (the proposed Market hall) may not be consistent with the State Tidelands grant between the City of Redondo Beach and the State Lands Commission which allows for marina uses, aquatic recreational facilities, utilities, and uses including but not limited to: cafes, restaurants, motels and hotels, boating and fishing resources, restrooms, parking, roadways, pedestrian ways, landscaping and other compatible commercial and recreational uses, and raises potential issues regarding appropriate use of public trust lands. Further, the proposed project includes a tidelands exchange whereby the portion of Mole D tidelands would be converted to private property in exchange for Basin 3 becoming State Tidelands, which is yet to be approved by the State Lands Commission. Regardless, this component of the project raises potential issues regarding appropriate use of public trust lands for private development.