

July 13, 2021

H-18

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, and find the project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.9 and CEQA Section 15265(a)(1);

Declare an Ordinance approving a Zoning Code Amendment (ZCA21-001) amending and restating the Belmont Pier Planned Development District (PD-2), to implement suggested modifications by the California Coastal Commission, read the first time and laid over to the next regular meeting of the City Council for final reading;

Declare an Ordinance approving a Zone Change (ZCHG21-001) and amending the Use District Map (Zoning Map) from the Belmont Pier Planned Development District (PD-2) Subarea 4 to R-4-R, and from PD-2 Subarea 5 to PD-2 Subarea 4, to implement suggested modifications by the California Coastal Commission, read the first time and laid over to the next regular meeting of the City Council for final reading;

Adopt a Resolution approving a General Plan Amendment (GPA21-002) to the Local Coastal Program Element of the General Plan to implement suggested modifications by the California Coastal Commission;

Adopt a Resolution adopting amendments to the Local Coastal Program (LCP) of the General Plan by amending the Implementation Plan Land Use Map by amending portions of the Map to make conforming changes, incorporating modifications suggested by the California Coastal Commission; and,

Adopt a Resolution authorizing the Director of Development Services to submit the LCP Amendment (LCPA19-005, LCP-5-LOB-20-0014-1) and associated materials to the California Coastal Commission for its review and certification, all related to the Belmont Beach and Aquatics Center (BBAC) project at 4200 East Ocean Boulevard in the Belmont Pier Planned Development District (PD-2). (District 3)

DISCUSSION

On January 21, 2020, the City Council denied the appeals, adopted an Environmental Impact Report Addendum, amended the Local Coastal Program (LCP) Element of the General Plan, adopted a Zoning Code Amendment to the Belmont Pier Planned Development District (PD-2), adopted a Zone Change, approved a modification to a previous Site Plan Review, approved a

HONORABLE MAYOR AND CITY COUNCIL

July 13, 2021

Page 2 of 6

Local Coastal Development Permit, and directed the Director of Development Services to submit a LCP Amendment to the California Coastal Commission (Coastal Commission), all related to approval of the Belmont Beach and Aquatics Center (BBAC) project at 4200 East Ocean Boulevard (Application No. 1910-05), which is the replacement facility for the former Belmont Olympic Plaza Pool at 4000 Olympic Plaza.

On February 11, 2021, the Coastal Commission denied the appeals and approved Coastal Development Permit Nos. 5-18-0788, A-5-LOB-17-0032, and A-5-LOB-20-0007 requested by the City of Long Beach (City), subject to conditions, for development of the BBAC project. The Coastal Commission also approved, with modifications, LCP Major Amendment No. LCP-5-LOB-20-0014-1, which amends the Implementing Ordinances and Land Use Plan of the certified LCP to revise the Belmont Pier Planned Development District (PD-2) to allow development of the BBAC.

Because the Coastal Commission approved the LCP amendment with modifications, LCP Amendment No. LCP-5-LOB-20-0014-1 will not be effective for implementation in the City's coastal zone until:

- 1) The City Council adopts the Coastal Commission's suggested modifications;
- 2) The City Council forwards the adopted suggested modifications to the Coastal Commission by Resolution;
- 3) The Executive Director of the Coastal Commission certifies that the City has complied with the Coastal Commission's February 11, 2021 action; and,
- 4) The Coastal Commission concurs with the Executive Director's determination that the action by the City Council adopting the suggested modifications is legally adequate.

The Coastal Commission's requested modifications to the LCP Implementing Ordinance (PD-2) include the following nine subject areas (Attachment A – Coastal Commission Approval of LCP Amendment with Suggested Modifications). These requested modifications are technical in nature and do not change the design of the pool or ability to operate the pool for the recreational needs of Long Beach residents. Each change requested by the Coastal Commission, and staff's response, is discussed below.

- Suggested Modification 1: Ensure that public access and recreational use of the BBAC, beach, and park areas are provided for all people. The Coastal Commission has provided suggested language and staff has incorporated the language into the Ordinance. This change relates to PD-2 in its entirety.
- Suggested Modification 2: Clarify the standard of review and permitting requirements for local CDPs and development located within the Commission's retained jurisdiction. The Coastal Commission provided suggested language establishing Chapter 3 of the Coastal Act as the standard of review with the certified LCP providing guidance. This change relates to PD-2 in its entirety. Staff has incorporated the language into the Ordinance.

- Suggested Modification 3: Remove a reference to an uncertified element of the City's General Plan and add a reference to the applicable LCP component. The Coastal Commission has provided suggested language removing a reference to the Bicycle Master Plan and replacing it with a reference to the version of the Mobility Element of the General Plan that is certified into the LCP. This is a previous version of the Mobility Element, as the effort to certify the current Mobility Element, which includes the Bicycle Master Plan, is still pending with the Coastal Commission. This change relates to an issue essentially unrelated to the BBAC project, but which must be resolved for the amendment to the LCP to proceed. Staff has incorporated the suggested language into the Ordinance.
- Suggested Modification 4: Remove the exception of the BBAC from meeting the LCPs requirement for buildings not to cover more than 50 percent of their lot's area. The Coastal Commission has provided suggested language modifying this development standard in the PD-2 Ordinance. This change relates to PD-2 in its entirety, but directly concerns the BBAC project. After confirming that this change and the Coastal Commission's understanding of the definition of lot coverage will not negatively affect the project plans for the BBAC. Staff has incorporated the suggested language into the Ordinance.
- Suggested Modification 5: Delete language that was already taken out of the certified LCP pursuant to LCPA No. 1-83 and remove the City's proposed language requiring no new parking be provided for new development in the future. The Coastal Commission has provided suggested language cleaning up the PD-2 Ordinance language to make it consistent with the certified version in the LCP. These changes relate to a 1983 modification that was certified by the Coastal Commission but omitted in error from the City Ordinance. The subject matter is the number of parking spaces allowed in public beach parking lots, both currently and in future buildouts, and is essentially unrelated to the BBAC project, but must be resolved for the amendment to the LCP to proceed. Staff has incorporated the suggested language into the Ordinance.
- Suggested Modification 6: Reinstate the policies approved pursuant to LCPA Nos. 1-82B and eliminate the policies proposed under LCPA No. 2-87 that were previously denied by the Commission. The Coastal Commission has provided suggested language cleaning up the PD-2 Ordinance language to make it consistent with a 1982 modification that was certified by the Coastal Commission but omitted in error from the City Ordinance, and to remove language that was adopted by the City Council but denied certification by the Coastal Commission in 1987. The language in question deals with development standards in Subarea 1 of PD-2 (to be restored to certified 1982 language), and creation of Subarea 4 in PD-2 (denied in 1987 and to be removed from the Ordinance). Both changes are essentially unrelated to the BBAC project, but must be resolved for the amendment to the LCP to proceed. Staff has incorporated the suggested language into the Ordinance.
- Suggested Modification 7: Clarify the new allowable uses in Subarea 5. The Coastal Commission has provided suggested language clarifying the uses allowed in the new Subarea 5 of PD-2 (renumbered Subarea 4 with the deletion of the previous Subarea 4

per the above). These modifications directly concern the BBAC project, and clarify that, in addition to the public aquatics center complex, secondary uses are permitted to support it, such as uses that support beach or aquatics center programming, and storage or maintenance rooms. Staff has incorporated the suggested language into the Ordinance.

- Suggested Modification 8: Modify the access requirements for the new BBAC subarea to reflect the current project description and ensure the proposed project (and future development) protects public access and recreational opportunities. The Coastal Commission has provided suggested language clarifying access requirements to the BBAC subarea of PD-2 and ensuring the preservation of beach access and ocean views. These changes directly concern the BBAC project but do not negatively impact the project design. Staff has incorporated the suggested language into the Ordinance.
- Suggested Modification 9: Distinguish the height of buildings from the height of structures allowed in Subarea 5. The Coastal Commission has provided suggested language clarifying the development standards between the permitted height of buildings (30 feet) and non-building accessory structures (60 feet) such as light standards. These changes directly concern the BBAC project. After confirming that these changes will not negatively impact the project design, staff incorporated the suggested language into the Ordinance.

These recommended modifications to PD-2 and the associated actions for a Zoning Code Amendment, Zone Change, General Plan Amendment to the Local Coastal Program Element, and amendment to the Local Coastal Program Implementation Plan Land Use Map, require City Council approval prior to resubmittal to the Coastal Commission for certification.

Required Approvals and Recommendation

To complete the approvals required for the BBAC project, the following entitlements and approvals are required by the City Council:

- Determination that no further environmental review is required, as this action is statutorily exempt from CEQA per Section 21080.9 of the California Public Resources Code, and Section 15265(a)(1) of the CEQA Guidelines, and note that all required environmental review was completed in the Environmental Impact Report (EIR) prepared for the previous version of the BBAC project (the Belmont Pool Revitalization Project EIR (BPRP EIR), EIR 01-16, State Clearinghouse No. 2013041063), and the EIR Addendum that was subsequently prepared for the current version of the BBAC project;
- Approval of a Zoning Code Amendment to implement the Coastal Commission's suggested modifications to PD-2, an Implementing Ordinance of the LCP;
- Approval of a Zone Change to implement the above Zoning Code Amendment to PD-2;
- Approval of a General Plan Amendment to the Local Coastal Program Element to incorporate the above changes into the City's LCP;

- Approval of an amendment to the LCP Implementation Plan Land Use Map, by amending portions of the Map to make conforming changes, incorporating modifications suggested by the Coastal Commission; and,
- Adoption of a Resolution directing the Director of Development Services to submit the above actions to the California Coastal Commission to complete the modifications requested by the Coastal Commission in their February 11, 2021 approval of the BBAC project and to allow these changes to be certified by the Coastal Commission.

Positive findings as required by the Zoning Regulations and State Planning and Zoning Law for the Zoning Code Amendment, Zone Change, and General Plan Amendment can be made for the changes (Attachment B – Findings). The City Council’s discretion in these matters is limited to either accepting or rejecting the changes, no further modifications are possible at this stage in the Coastal Commission review process. Appropriate conditions of approval also have been included for these actions (Attachment C – Conditions of Approval).

This matter was reviewed by Assistant City Attorney Michael J. Mais on June 2, 2021 and by Budget Management Officer Rhutu Amin Gharib on June 21, 2021.

Public Hearing Notice

A 1/8th page notice of public hearing was published in the Long Beach Press-Telegram on June 24, 2021, and total of 3,242 notices of public hearing were also distributed on June 24, 2021, in accordance with the requirements of Chapter 21.21 of the Zoning Regulations. A notice of public hearing also was distributed through the City’s LinkLB e-mail system. Any comments received following the preparation and publication of this report will be forwarded to the City Council as they are received.

Environmental Review

As this action is necessary for the preparation and adoption of a Local Coastal Program, it is statutorily exempt from the California Environmental Quality Act (CEQA) per Section 21080.9 of the California Public Resources Code, and Section 15265(a)(1) of the CEQA Guidelines.

Additionally, in accordance with CEQA and the CEQA Guidelines, an Environmental Impact Report (the Belmont Pool Revitalization Project EIR (BPRP EIR), EIR 01-16, State Clearinghouse No. 2013041063) previously was prepared for the prior version of the BBAC project, and certified by the City Council on May 16, 2017. An EIR Addendum was prepared for the redesign of the BBAC project, which is the current version of the project, and was approved by the City Council on January 21, 2020. The revised BBAC project remains subject to the original Mitigation Monitoring and Reporting Program (MMRP) from the BPRP EIR. The current action, which is procedural in nature and consists only of relatively minor modifications to land use regulations, and does not include any direct land use approvals, falls within the scope of the previously certified EIR and the scope of the previously adopted EIR Addendum, and no further environmental review is required.

TIMING CONSIDERATIONS

The Coastal Commission, in its February 11, 2021 approval of the LCP Amendment, set a six-month time limit for the City to adopt the modifications discussed in this report and return them to the Coastal Commission for certification. City action must be completed no later than August 11, 2021, to meet this requirement.

FISCAL IMPACT

This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. While this recommendation provides the necessary City environmental and planning approvals to construct the proposed project, the recommendation does not commit the City to expend any funds for the proposed project's construction. As a result, this recommendation does not have a fiscal or local job impact.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

APPROVED:



OSCAR W. ORCI
DIRECTOR OF DEVELOPMENT SERVICES



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS: ORDINANCES (2)
RESOLUTIONS (3)
ATTACHMENT A – COASTAL COMMISSION APPROVAL OF LCP AMENDMENT WITH MODIFICATIONS
ATTACHMENT B – FINDINGS
ATTACHMENT C – CONDITIONS OF APPROVAL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE NO. ORD-

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING AND RESTATING
THE BELMONT PIER PLANNED DEVELOPMENT
DISTRICT (PD-2)

WHEREAS, the Planning Commission, at its hearing on December 19,
2019, reviewed the proposed amendment to the maps and text of the Belmont Pier
Planned Development District (PD-2), and recommended the City Council adopt same;

WHEREAS, on January 21, 2020, the City Council adopted Ordinance No.
ORD-20-0005 amending and restating the Belmont Pier Planned Development District
(PD-2), which was thereafter submitted to the California Coastal Commission for approval
of the amendment/modifications to PD-2 and the associated amendment to the City's
Local Coastal Program (LCP);

WHEREAS, the California Coastal Commission, at its February 11, 2021
virtual meeting, reviewed and approved modifications to the LCP and PD-2, with
suggested modifications;

WHEREAS, the City Council hereby finds that the proposed amendments to
Belmont Pier Planned Development District (PD-2) will not adversely affect the character,
livability or appropriate development of the surrounding properties and that the proposed
amendments are consistent with the goals, objectives and provisions of the General Plan,
including all of the relevant Elements thereof.

WHEREAS, the suggested Coastal Commission modifications have been
incorporated into the amended and restated Belmont Pier Planned Development District
(PD-2);

NOW, THEREFORE, the City Council of the City of Long Beach ordains as
follows:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 1. The Belmont Pier Planned Development District (PD-2) is hereby amended and restated in its entirety as set forth in Exhibit "A", which exhibit is attached hereto, and incorporated herein by this reference, as though set forth in full, word for word.

Section 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2021, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

Approved: _____

Mayor

BELMONT PIER PLANNED DEVELOPMENT DISTRICT (PD-2)

Ordinance History: Ord. C-5563, adopted 2/26/80; Ord. C-5610, adopted 7/8/80; Ord. C-5626, adopted 8/25/80; Ord. C-5824, adopted 4/27/82; Ord. C-5899, adopted 9/28/82; Ord. C-6063, adopted 5/22/84, Ord. 20-0005, adopted 1/22/21; Ord-21-____, adopted __/__/21.

I. PURPOSE AND INTENT

The intent of the Planned Development is to encourage a joint public and private effort to revitalize this underutilized area containing the significant public resources of the Belmont Pier and the Olympic Plaza Pool. The Planned Development District is to be utilized in this effort because of its ability to combine flexibility of regulation while specifying detailed development requirements within a framework of maximum public review and involvement. This plan shall promote use of and visitation to the Coastal Zone by all people, including recreational and competitive swimming, as well as use of the public beach and park areas.

In reviewing and approving site plans and tract maps for the development of the area, the City Planning Commission and Site Plan Review Committee shall be guided by the goals and policies of the General Plan and the General Development and Use Standards specified herein. For development located within the Coastal Commission's retained jurisdiction area, the standard of review is Chapter 3 of the Coastal Act and the certified Local Coastal Program (LCP) may provide guidance. All specific procedures not specified in this plan shall be carried out pursuant to Chapter 21.25 (Specific Procedures) of the Zoning Regulations, Title 21, of the certified LCP.

II. General Development and Use Standards

A. Uses. Recreation, commercial recreation and retail, residential and office commercial.

B. Access.

(1) Vehicle. Primary vehicular access to the area shall be from Ocean Boulevard and Livingston Drive. Vehicular circulation within the area shall be from Termino Avenue. Parts or all of 39th Place, Midway, Olympic Plaza and Ocean Boulevard may be vacated.

(2) Bicycle. A continuous bicycle path, as part of the beach bicycle path linking the Los Angeles and San Gabriel Rivers, shall run through the area per the City's certified LCP, including the certified Mobility Element.

(3) Pedestrian. Pedestrian walkways shall flow throughout the area to maximize access, including ADA-accessible access, to the beach,

pier, pool, and other public facilities. All walkways shall be improved to the satisfaction of the City Engineer.

C. Building Design.

- (1) **Style.** All buildings shall be designed in appropriate coastally oriented design styles in harmony with other existing styles in the area.
- (2) **Height.** No building shall exceed two stories in height or twenty-five feet above grade if located on-shore or two stories or twenty-five feet above the pier if located over the water, except in Subarea 4, as specified in development standards for that subarea.
- (3) **Lot Coverage.** No building shall cover more than fifty percent of its site nor shall it occupy more than fifty percent of its site parallel to Ocean Boulevard. Commercial uses on the west site of 39th Place shall be excepted from this and may occupy one hundred percent of their sites.
- (4) **Special Design Standards.** All buildings shall be located and designed to provide a maximum feasible amount of the unobstructed views through their sites toward the beach and recreational facilities.
- (5) **Open Areas.** Open areas shall be landscaped and shall contain pedestrian pathways accessible to the public. Such access shall be guaranteed through deed restrictions. Open areas may also be utilized as areas for outdoor dining.

D. Parking.

- (1) **Public.** The existing number of public parking spaces shall be retained with the exception of 40 parking spaces along Olympic Plaza and 130 parking spaces within the Granada public beach parking lot that may be removed pursuant to a California Coastal Commission-approved coastal development permit for the Belmont Beach and Aquatics Center. No parking structures shall be allowed.
- (2) **Private.** Expansions or changes in use of private developments shall be required to provide additional parking for the expansion or change of use as required in the Zoning Regulations.

E. Landscaping. Landscaping shall comply with the provisions of Chapter 21.42 (Landscaping Standards) of the Zoning Regulations. Landscaping for public facilities shall create a park-like setting.

- (1) **Materials.** Landscape materials for public facilities shall be California-native drought-tolerant species.

- (2) Maintenance. All landscaped areas on private property shall be maintained by the property owner.
- (3) Quantity. Not less than five percent of each site shall be landscaped. One street tree shall be planted for each twenty-five feet of street frontage, or ten feet of pathway frontage.

F. Developer On and Off-Site Improvements and Maintenance.

- (1) All walkways on private property or vacated streets.
- (2) All landscaping on private property or vacated streets.

III. Specific Development and Use Plans

Subarea 1.

Subarea 1 is developed with coastal-oriented retail, restaurant, hospitality (hotel), and personal service uses.

A. Uses.

- (1) Retail sales of clothing, jewelry, gifts, cards, novelties, sporting goods, fishing bait, art, groceries, drugs, sundries, and tobacco products.
- (2) Sporting goods rental.
- (3) Residential uses on second story only.
- (4) Motel.
- (5) Professional and Personal Services on the second story only.
 - (a) Professional and Personal Services shall be allowed in buildings for which a Certificate of Occupancy has been granted prior to July 22, 1982.
 - (b) Additions, alterations and repairs amounting to more than fifty percent (50%) of the replacement value or of the area of the existing building, excluding improvements required to meet minimum health and safety code standards, shall require issuance of a new Certificate of Occupancy.
- (6) Restaurants, taverns, delicatessens, snack bar.
- (7) Entertainment uses, subject to the conditional use provisions of the Zoning Regulations.

B. Access.

- (1) Vehicular. Ocean Boulevard, Livingston Drive, and Termino Avenue.
- (2) Vehicular access to be abandoned, and streets to be vacated, as feasible with new development.
 - (a) Ocean Boulevard south of Livingston Drive from 39th Place to Termino Avenue.
 - (b) 39th Place.
 - (c) Olympic Plaza.
 - (d) Termino Avenue from Ocean Boulevard to Olympic.
 - (e) Plaza may be narrowed to the satisfaction of the City Engineer.
- (3) Pedestrian.
 - (a) Along Ocean Boulevard, south curb.
 - (b) Along Livingston Drive, south curb.
 - (c) 39th Place.
 - (d) Along Termino Avenue east and west curbs.
 - (e) Mid-block between Termino Avenue and 43rd Place.

C. Building Design.

- (1) Style. The buildings should be as open, airy and colorful as possible within a coastal oriented style. Balconies, decks and terraces are encouraged.
- (2) Site Locations.
 - (a) As Ocean Boulevard is vacated, this area may be used as landscaped parking area to serve adjacent developments. Parking lot landscaping for any new parking spaces shall be provided at one fifteen gallon tree for each two parking spaces. The landscaping may be placed in or along the existing lot.
 - (b) As the block from Termino Avenue to 43rd Place is redeveloped, that site may expand one lane into Termino.

- (c) Special Design Features. Portions of vacated Ocean Boulevard shall be utilized for landscape treatment to create an entrance an image for the area.
- (d) Parking.
 - 1) Commercial. Parking shall be provided at the rate of four spaces per one thousand square feet of floor area, for any addition of floor area beyond the existing floor area.
 - 2) Residential. Parking shall be provided at a rate of one space per zero-bedroom unit and two spaces per unit with one bedroom or more.
- (e) Landscaping. As noted above.
- (f) Off-site and Public Use Improvements by Developers. The pedestrian walkways as previously noted.

Subarea 2.

This subarea is currently in high density residential use. It shall remain in such use unless redeveloped. If redeveloped by removing the existing buildings, the provisions of Subarea 1 for use and building design shall apply. Additionally, a mid-block walkway shall be provided.

Subarea 3.

This is the Belmont Pier and public trust tidelands area, except for the Belmont Beach and Aquatics Center complex (see Subarea 4).

A. Uses.

- (1) Fishing pier, parking plaza over portion of the parking area and accessory uses.
- (2) Restaurants serving various types and prices of food and other commercial facilities in keeping with the coastal theme of the area.

B. Access.

- (1) Vehicular. From Termino Avenue and through existing parking lot.
- (2) Bikeway. Along south beach edge of parking lot.
- (3) Pedestrian:
 - (a) Along Allin Street;

- (b) Along Termino Avenue;
- (c) Along the south edge of parking lot;
- (d) On pier; and
- (e) Around the Plaza on the south and west perimeter of the Plaza and including a viewing platform at the foot of 39th Place extending from the south end of the Plaza, a sufficient distance to provide panoramic views.

C. Building Design.

(1) Site locations.

- (a) Restaurants at southern ends of pier, mid-pier, and at northern end of the pier or on plaza.
- (b) Restrooms at mid-pier should be moved to outside edge to provide clear view to the end of the pier.

(2) Style. The restaurant at the center of the south end of the Pier should be built above and below pier level, as feasible, according to the Belmont Pier Concept Plan to provide views underneath it.

(3) Special Design Features. The pier may be expanded to provide additional fishing platforms at various locations along the pier, but no major expansions of the pier shall be permitted.

(4) Open Space. All portions of the subarea shall be open except parts of the plaza, the plaza covering parts of the parking, and the restaurants and restrooms on the pier. An open public area shall be provided on the plaza at least as large as existing plaza.

D. Parking.

(1) The existing parking lot shall remain.

(2) A new parking lot of up to two hundred vehicles may be provided in the future to enhance public access.

E. Landscaping. One fifteen-gallon tree shall be provided in and surrounding the new parking lot for each five open parking spaces.

F. Off-site and Public Use Improvements Developer Requirements. New parking lot with landscaping.

Subarea 4.

Subarea 4 contains the Belmont Beach and Aquatics Center complex on an expanded site that was the former location of the Belmont Plaza Olympic Pool.

A. Uses.

- (1) Public aquatics center complex, including but not limited to recreational and competitive swimming and diving, and similar aquatic uses, and related special events.
- (2) Coastal-oriented support and accessory uses related to the public aquatics center complex (such as uses that support beach or aquatics center programming).
- (3) Other public facilities accessory to the public aquatics center complex (such as storage or maintenance rooms).
- (4) Uses as allowed in the P (Park) zoning district, per Division I of Chapter 21.35 of the Zoning Regulations.

B. Access.

- (1) Public Access to Subarea 4 and any public facilities therein shall be maximized for all people. All recreational opportunities provided within this subarea shall be lower cost and visitor-serving.
- (2) Vehicular. Vehicular access shall be provided from Ocean Blvd. via a southerly prolongation of Bennett Ave. Access to the site by public transportation shall be increased and encouraged.
- (3) Pedestrian.
 - (a) Along a walkway not less than twenty feet (20') in width, in the former Olympic Plaza right-of-way between Termino Ave. and Bennett Ave., with unobstructed views of the Belmont Beach and Aquatics Center.
 - (b) Ocean Blvd., south curb west of Bennett Ave.
 - (c) Along beach frontage. A lateral path from east to west on the seaward side of the Belmont Beach and Aquatics Center with unobstructed views of the beach and ocean shall be provided and maintained onsite in perpetuity.
- (4) Beach. Public access to the sandy beach and ocean shall be provided through the maintenance of not less than one hundred fifty feet (150') of beach width seaward of the line of development or through the implementation of a Coastal Commission-approved

alternative sea level rise adaptation plan that conforms with the Chapter 3 policies of the Coastal Act.

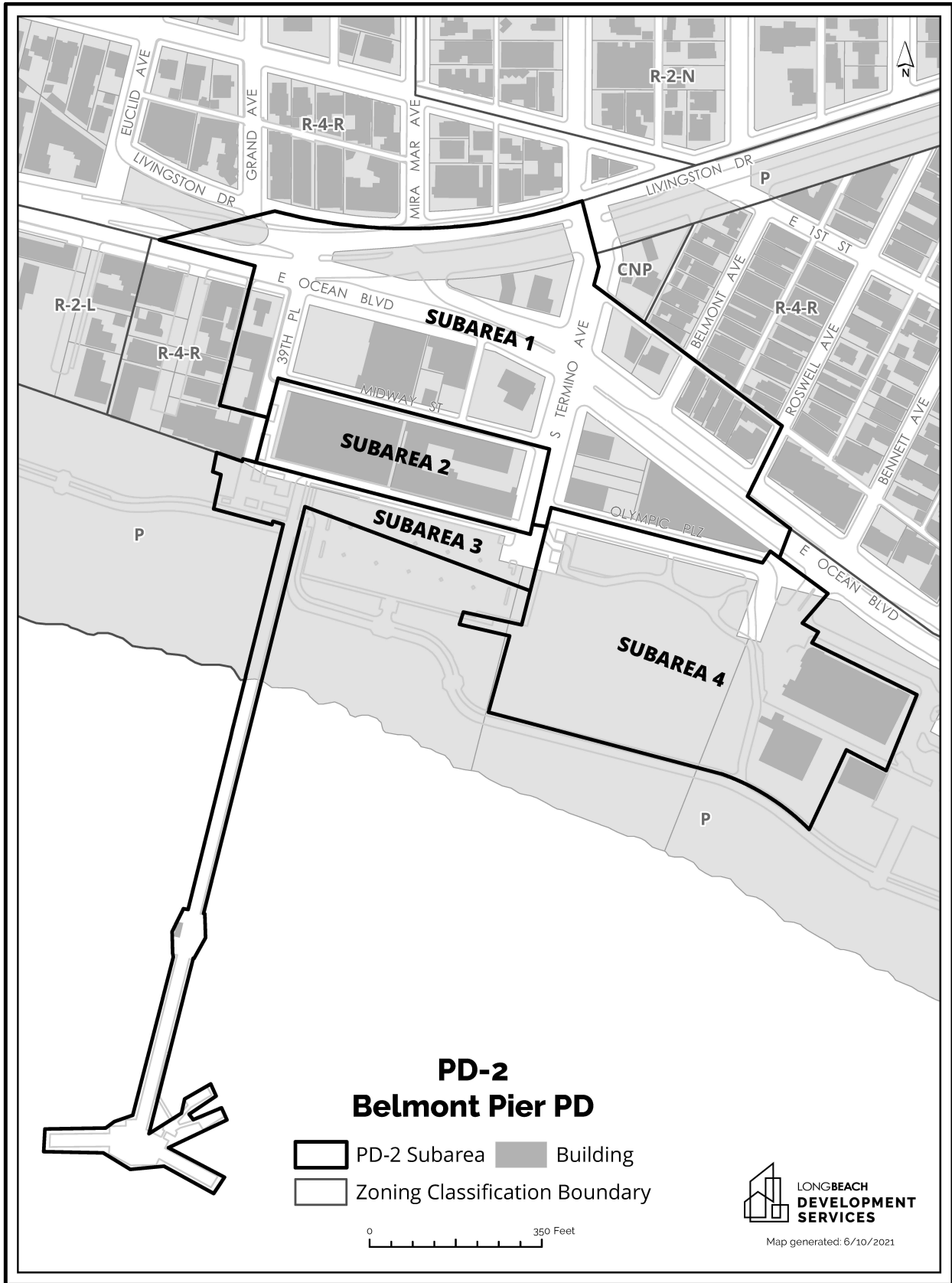
C. Building Design.

- (1) Style. Building design shall implement the policies of the Local Coastal Program.
- (2) Height. Buildings are allowed up to a height of 30 feet and visually permeable or minimally obtrusive accessory structures (including but not limited to the aquatics complex shade awnings or structures, architectural features, and diving towers) are allowed up to a height of 60 feet. Height in Subarea 4 shall be measured from the project grade datum established for the Belmont Beach and Aquatics Center project, which is approximately +10'-0" NGVD29.
- (3) Setbacks. Because the public aquatics complex in Subarea 4 is a unique public facility with unique building requirements, appropriate setbacks shall be determined by the Site Plan Review Committee. The SPR Committee may choose to require no setback in one or several areas or frontages, provided that the goals and intent of this ordinance are met.

D. Parking. As provided in Section II, Subsection (D)(1), General Use and Development Standards – Parking – Public.

E. Landscaping. Landscaping shall be provided as specified in Section II, Subsection (E).

Belmont Pier Planned Development District (PD-2)



T:\DevelopmentServices\Planning\Zoning\PD2_Overview.mxd

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 4. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2021, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

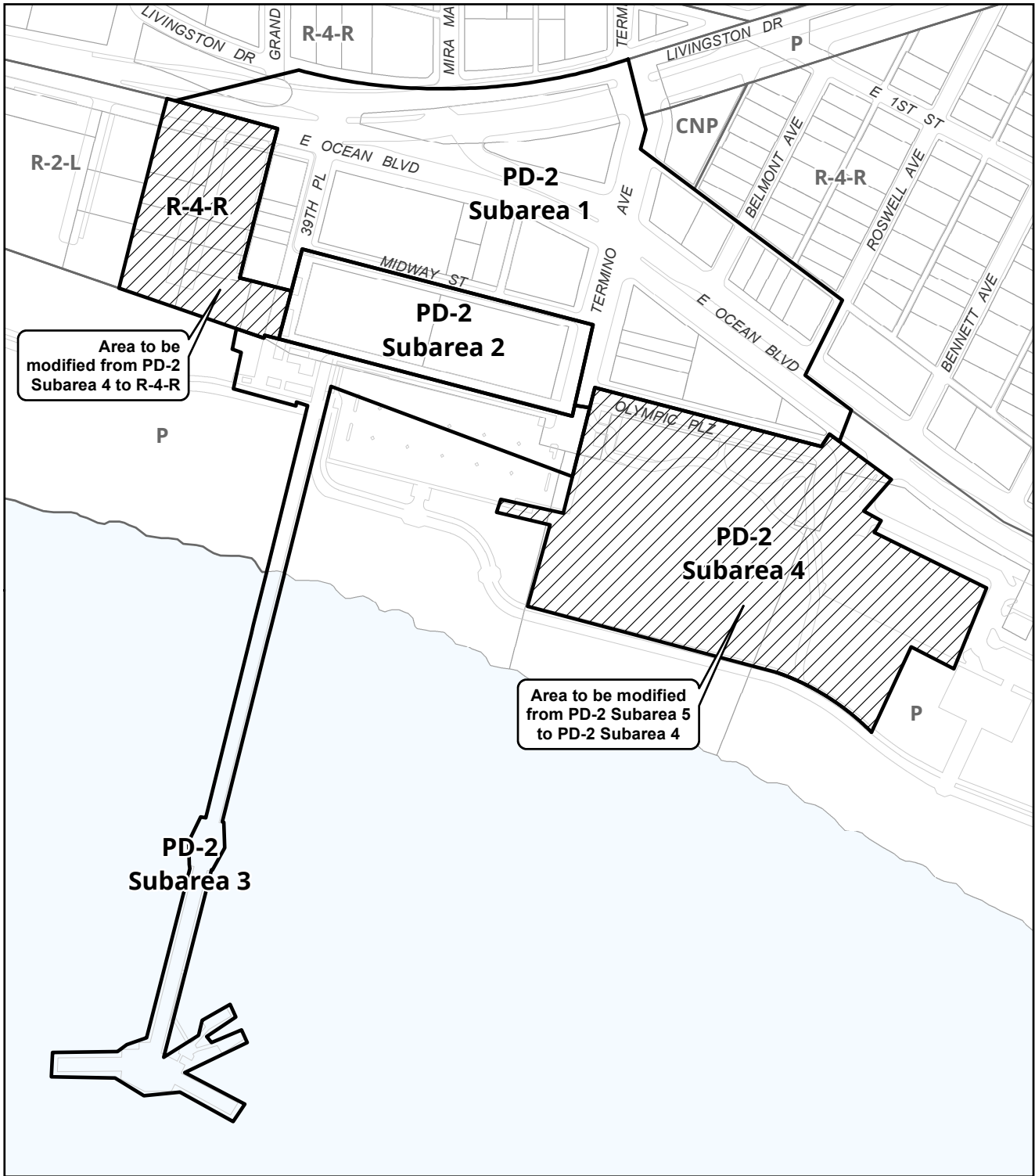
Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk




Approved: _____

Mayor



Area to be modified from PD-2 Subarea 4 to R-4-R

Area to be modified from PD-2 Subarea 5 to PD-2 Subarea 4

 Area to be modified
  Other Zoning Classifications
 PD-2



AMENDMENT TO A PORTION OF PART 5 OF THE USE DISTRICT MAP

Rezoning Case
1910-05 (ZCHG21-001)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING, AFTER PUBLIC HEARING, AMENDMENTS TO THE LOCAL COASTAL PROGRAM (LCP) ELEMENT OF THE GENERAL PLAN OF THE CITY OF LONG BEACH CONSISTING OF AMENDMENTS TO THE BELMONT PIER PLANNED DEVELOPMENT DISTRICT (PD-2), AND THE USE DISTRICT MAP, ALL RELATING TO THE BELMONT POOL REVITALIZATION PROJECT

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 65302 of the California Government Code, a Local Coastal Program Element as part of the City's General Plan.
- B. The City Council desires to amend the Local Coastal Program Element of the General Plan of the City of Long Beach by adopting amendments to the Belmont Pier Planned Development District (PD-2) and by amending the Use District Map of the City of Long Beach.
- C. The Planning Commission held a public hearing on December 19, 2019, on a proposed amendment to the Local Coastal Program Element of the General Plan. At that hearing, the Planning Commission gave full consideration to all pertinent facts, information, proposals, environmental documentation and recommendations respecting the proposed amendment, and to the views expressed at the public hearing, and afforded full opportunity for public input and participation.
- D. Following receipt and consideration of all appropriate environmental

1 documentation, full hearings and deliberation, the City Planning Commission voted on
2 December 19, 2019, to recommend approval of the amendment to the Local Coastal
3 Program Element of the City of Long Beach General Plan and further directed that said
4 recommendation be forwarded to the City Council for its consideration.

5 E. On January 21, 2020, the City Council conducted a duly noticed
6 public hearing at which time full consideration was given to all pertinent facts,
7 information, proposals, environmental documentation and recommendations respecting
8 the proposed amendments to the Local Coastal Program (LCP) Element of the General
9 Plan, and to the views expressed at the public hearing, and afforded full opportunity for
10 public input and participation.

11 F. On February 11, 2021, the California Coastal Commission, at its
12 virtual meeting, reviewed and approved modifications to the Local Coastal Program
13 (LCP) with suggested modifications;

14 G. On July 13, 2021, the City Council conducted a duly noticed public
15 hearing at which time full consideration was given to all pertinent facts, information,
16 proposals, environmental documentation and recommendations respecting the proposed
17 amendments to the Local Coastal Program (LCP) Element of the General Plan, and to
18 the views expressed at the public hearing, and afforded full opportunity for public input
19 and participation.

20 H. Following receipt and consideration of all appropriate environmental
21 documentation, full hearings and deliberation, the City Council adopted amendments to
22 the Local Coastal Program Element of the General Plan by amending and restating the
23 Belmont Pier Planned Development District (PD-2), which is attached hereto as Exhibit
24 "A" and incorporated herein by this reference as though set forth herein in full; and by
25 amending the Zoning Use District Map from PD-2 Subarea 4 to R-4-R, and from PD-2
26 Subarea 5 to PD-2 Subarea 4, for those portions of the City shown on the Map attached
27 hereto as Exhibit "B" and incorporated herein by this reference as though set forth herein
28 in full.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2021, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

BELMONT PIER PLANNED DEVELOPMENT DISTRICT (PD-2)

Ordinance History: Ord. C-5563, adopted 2/26/80; Ord. C-5610, adopted 7/8/80; Ord. C-5626, adopted 8/25/80; Ord. C-5824, adopted 4/27/82; Ord. C-5899, adopted 9/28/82; Ord. C-6063, adopted 5/22/84, Ord. 20-0005, adopted 1/22/21; Ord-21-____, adopted __/__/21.

I. PURPOSE AND INTENT

The intent of the Planned Development is to encourage a joint public and private effort to revitalize this underutilized area containing the significant public resources of the Belmont Pier and the Olympic Plaza Pool. The Planned Development District is to be utilized in this effort because of its ability to combine flexibility of regulation while specifying detailed development requirements within a framework of maximum public review and involvement. This plan shall promote use of and visitation to the Coastal Zone by all people, including recreational and competitive swimming, as well as use of the public beach and park areas.

In reviewing and approving site plans and tract maps for the development of the area, the City Planning Commission and Site Plan Review Committee shall be guided by the goals and policies of the General Plan and the General Development and Use Standards specified herein. For development located within the Coastal Commission's retained jurisdiction area, the standard of review is Chapter 3 of the Coastal Act and the certified Local Coastal Program (LCP) may provide guidance. All specific procedures not specified in this plan shall be carried out pursuant to Chapter 21.25 (Specific Procedures) of the Zoning Regulations, Title 21, of the certified LCP.

II. General Development and Use Standards

A. Uses. Recreation, commercial recreation and retail, residential and office commercial.

B. Access.

(1) Vehicle. Primary vehicular access to the area shall be from Ocean Boulevard and Livingston Drive. Vehicular circulation within the area shall be from Termino Avenue. Parts or all of 39th Place, Midway, Olympic Plaza and Ocean Boulevard may be vacated.

(2) Bicycle. A continuous bicycle path, as part of the beach bicycle path linking the Los Angeles and San Gabriel Rivers, shall run through the area per the City's certified LCP, including the certified Mobility Element.

(3) Pedestrian. Pedestrian walkways shall flow throughout the area to maximize access, including ADA-accessible access, to the beach,

pier, pool, and other public facilities. All walkways shall be improved to the satisfaction of the City Engineer.

C. Building Design.

- (1) **Style.** All buildings shall be designed in appropriate coastally oriented design styles in harmony with other existing styles in the area.
- (2) **Height.** No building shall exceed two stories in height or twenty-five feet above grade if located on-shore or two stories or twenty-five feet above the pier if located over the water, except in Subarea 4, as specified in development standards for that subarea.
- (3) **Lot Coverage.** No building shall cover more than fifty percent of its site nor shall it occupy more than fifty percent of its site parallel to Ocean Boulevard. Commercial uses on the west site of 39th Place shall be excepted from this and may occupy one hundred percent of their sites.
- (4) **Special Design Standards.** All buildings shall be located and designed to provide a maximum feasible amount of the unobstructed views through their sites toward the beach and recreational facilities.
- (5) **Open Areas.** Open areas shall be landscaped and shall contain pedestrian pathways accessible to the public. Such access shall be guaranteed through deed restrictions. Open areas may also be utilized as areas for outdoor dining.

D. Parking.

- (1) **Public.** The existing number of public parking spaces shall be retained with the exception of 40 parking spaces along Olympic Plaza and 130 parking spaces within the Granada public beach parking lot that may be removed pursuant to a California Coastal Commission-approved coastal development permit for the Belmont Beach and Aquatics Center. No parking structures shall be allowed.
- (2) **Private.** Expansions or changes in use of private developments shall be required to provide additional parking for the expansion or change of use as required in the Zoning Regulations.

E. Landscaping. Landscaping shall comply with the provisions of Chapter 21.42 (Landscaping Standards) of the Zoning Regulations. Landscaping for public facilities shall create a park-like setting.

- (1) **Materials.** Landscape materials for public facilities shall be California-native drought-tolerant species.

- (2) Maintenance. All landscaped areas on private property shall be maintained by the property owner.
- (3) Quantity. Not less than five percent of each site shall be landscaped. One street tree shall be planted for each twenty-five feet of street frontage, or ten feet of pathway frontage.

F. Developer On and Off-Site Improvements and Maintenance.

- (1) All walkways on private property or vacated streets.
- (2) All landscaping on private property or vacated streets.

III. Specific Development and Use Plans

Subarea 1.

Subarea 1 is developed with coastal-oriented retail, restaurant, hospitality (hotel), and personal service uses.

A. Uses.

- (1) Retail sales of clothing, jewelry, gifts, cards, novelties, sporting goods, fishing bait, art, groceries, drugs, sundries, and tobacco products.
- (2) Sporting goods rental.
- (3) Residential uses on second story only.
- (4) Motel.
- (5) Professional and Personal Services on the second story only.
 - (a) Professional and Personal Services shall be allowed in buildings for which a Certificate of Occupancy has been granted prior to July 22, 1982.
 - (b) Additions, alterations and repairs amounting to more than fifty percent (50%) of the replacement value or of the area of the existing building, excluding improvements required to meet minimum health and safety code standards, shall require issuance of a new Certificate of Occupancy.
- (6) Restaurants, taverns, delicatessens, snack bar.
- (7) Entertainment uses, subject to the conditional use provisions of the Zoning Regulations.

B. Access.

- (1) Vehicular. Ocean Boulevard, Livingston Drive, and Termino Avenue.
- (2) Vehicular access to be abandoned, and streets to be vacated, as feasible with new development.
 - (a) Ocean Boulevard south of Livingston Drive from 39th Place to Termino Avenue.
 - (b) 39th Place.
 - (c) Olympic Plaza.
 - (d) Termino Avenue from Ocean Boulevard to Olympic.
 - (e) Plaza may be narrowed to the satisfaction of the City Engineer.
- (3) Pedestrian.
 - (a) Along Ocean Boulevard, south curb.
 - (b) Along Livingston Drive, south curb.
 - (c) 39th Place.
 - (d) Along Termino Avenue east and west curbs.
 - (e) Mid-block between Termino Avenue and 43rd Place.

C. Building Design.

- (1) Style. The buildings should be as open, airy and colorful as possible within a coastal oriented style. Balconies, decks and terraces are encouraged.
- (2) Site Locations.
 - (a) As Ocean Boulevard is vacated, this area may be used as landscaped parking area to serve adjacent developments. Parking lot landscaping for any new parking spaces shall be provided at one fifteen gallon tree for each two parking spaces. The landscaping may be placed in or along the existing lot.
 - (b) As the block from Termino Avenue to 43rd Place is redeveloped, that site may expand one lane into Termino.

- (c) Special Design Features. Portions of vacated Ocean Boulevard shall be utilized for landscape treatment to create an entrance an image for the area.
- (d) Parking.
 - 1) Commercial. Parking shall be provided at the rate of four spaces per one thousand square feet of floor area, for any addition of floor area beyond the existing floor area.
 - 2) Residential. Parking shall be provided at a rate of one space per zero-bedroom unit and two spaces per unit with one bedroom or more.
- (e) Landscaping. As noted above.
- (f) Off-site and Public Use Improvements by Developers. The pedestrian walkways as previously noted.

Subarea 2.

This subarea is currently in high density residential use. It shall remain in such use unless redeveloped. If redeveloped by removing the existing buildings, the provisions of Subarea 1 for use and building design shall apply. Additionally, a mid-block walkway shall be provided.

Subarea 3.

This is the Belmont Pier and public trust tidelands area, except for the Belmont Beach and Aquatics Center complex (see Subarea 4).

A. Uses.

- (1) Fishing pier, parking plaza over portion of the parking area and accessory uses.
- (2) Restaurants serving various types and prices of food and other commercial facilities in keeping with the coastal theme of the area.

B. Access.

- (1) Vehicular. From Termino Avenue and through existing parking lot.
- (2) Bikeway. Along south beach edge of parking lot.
- (3) Pedestrian:
 - (a) Along Allin Street;

- (b) Along Termino Avenue;
- (c) Along the south edge of parking lot;
- (d) On pier; and
- (e) Around the Plaza on the south and west perimeter of the Plaza and including a viewing platform at the foot of 39th Place extending from the south end of the Plaza, a sufficient distance to provide panoramic views.

C. Building Design.

(1) Site locations.

- (a) Restaurants at southern ends of pier, mid-pier, and at northern end of the pier or on plaza.
- (b) Restrooms at mid-pier should be moved to outside edge to provide clear view to the end of the pier.

(2) Style. The restaurant at the center of the south end of the Pier should be built above and below pier level, as feasible, according to the Belmont Pier Concept Plan to provide views underneath it.

(3) Special Design Features. The pier may be expanded to provide additional fishing platforms at various locations along the pier, but no major expansions of the pier shall be permitted.

(4) Open Space. All portions of the subarea shall be open except parts of the plaza, the plaza covering parts of the parking, and the restaurants and restrooms on the pier. An open public area shall be provided on the plaza at least as large as existing plaza.

D. Parking.

(1) The existing parking lot shall remain.

(2) A new parking lot of up to two hundred vehicles may be provided in the future to enhance public access.

E. Landscaping. One fifteen-gallon tree shall be provided in and surrounding the new parking lot for each five open parking spaces.

F. Off-site and Public Use Improvements Developer Requirements. New parking lot with landscaping.

Subarea 4.

Subarea 4 contains the Belmont Beach and Aquatics Center complex on an expanded site that was the former location of the Belmont Plaza Olympic Pool.

A. Uses.

- (1) Public aquatics center complex, including but not limited to recreational and competitive swimming and diving, and similar aquatic uses, and related special events.
- (2) Coastal-oriented support and accessory uses related to the public aquatics center complex (such as uses that support beach or aquatics center programming).
- (3) Other public facilities accessory to the public aquatics center complex (such as storage or maintenance rooms).
- (4) Uses as allowed in the P (Park) zoning district, per Division I of Chapter 21.35 of the Zoning Regulations.

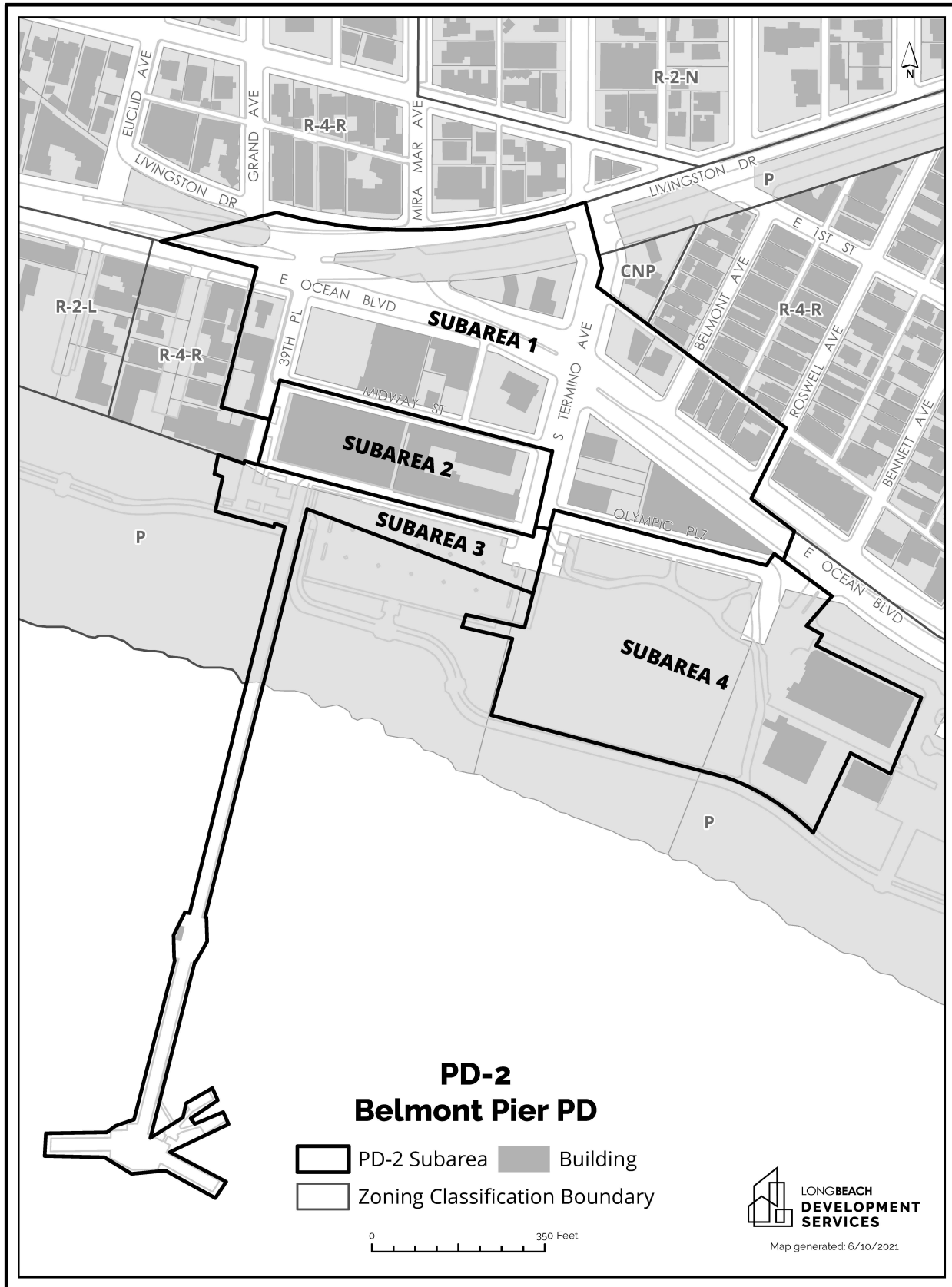
B. Access.

- (1) Public Access to Subarea 4 and any public facilities therein shall be maximized for all people. All recreational opportunities provided within this subarea shall be lower cost and visitor-serving.
- (2) Vehicular. Vehicular access shall be provided from Ocean Blvd. via a southerly prolongation of Bennett Ave. Access to the site by public transportation shall be increased and encouraged.
- (3) Pedestrian.
 - (a) Along a walkway not less than twenty feet (20') in width, in the former Olympic Plaza right-of-way between Termino Ave. and Bennett Ave., with unobstructed views of the Belmont Beach and Aquatics Center.
 - (b) Ocean Blvd., south curb west of Bennett Ave.
 - (c) Along beach frontage. A lateral path from east to west on the seaward side of the Belmont Beach and Aquatics Center with unobstructed views of the beach and ocean shall be provided and maintained onsite in perpetuity.
- (4) Beach. Public access to the sandy beach and ocean shall be provided through the maintenance of not less than one hundred fifty feet (150') of beach width seaward of the line of development or through the implementation of a Coastal Commission-approved

alternative sea level rise adaptation plan that conforms with the Chapter 3 policies of the Coastal Act.

- C. Building Design.
- (1) Style. Building design shall implement the policies of the Local Coastal Program.
 - (2) Height. Buildings are allowed up to a height of 30 feet and visually permeable or minimally obtrusive accessory structures (including but not limited to the aquatics complex shade awnings or structures, architectural features, and diving towers) are allowed up to a height of 60 feet. Height in Subarea 4 shall be measured from the project grade datum established for the Belmont Beach and Aquatics Center project, which is approximately +10'-0" NGVD29.
 - (3) Setbacks. Because the public aquatics complex in Subarea 4 is a unique public facility with unique building requirements, appropriate setbacks shall be determined by the Site Plan Review Committee. The SPR Committee may choose to require no setback in one or several areas or frontages, provided that the goals and intent of this ordinance are met.
- D. Parking. As provided in Section II, Subsection (D)(1), General Use and Development Standards – Parking – Public.
- E. Landscaping. Landscaping shall be provided as specified in Section II, Subsection (E).

Belmont Pier Planned Development District (PD-2)



T:\DevelopmentServices\Planning\Zoning\PD2_Overview.mxd

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ADOPTING, AFTER PUBLIC HEARING, AMENDMENTS TO THE LOCAL COASTAL PROGRAM (LCP) OF THE GENERAL PLAN BY AMENDING THE IMPLEMENTATION PLAN LAND USE MAP BY AMENDING PORTIONS OF THE MAP TO MAKE CONFORMING CHANGES, INCORPORATING MODIFICATIONS SUGGESTED BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, the City Council of the City of Long Beach has adopted, pursuant to Section 65302 of the California Government Code, a Local Coastal Program Element as part of the City's General Plan.

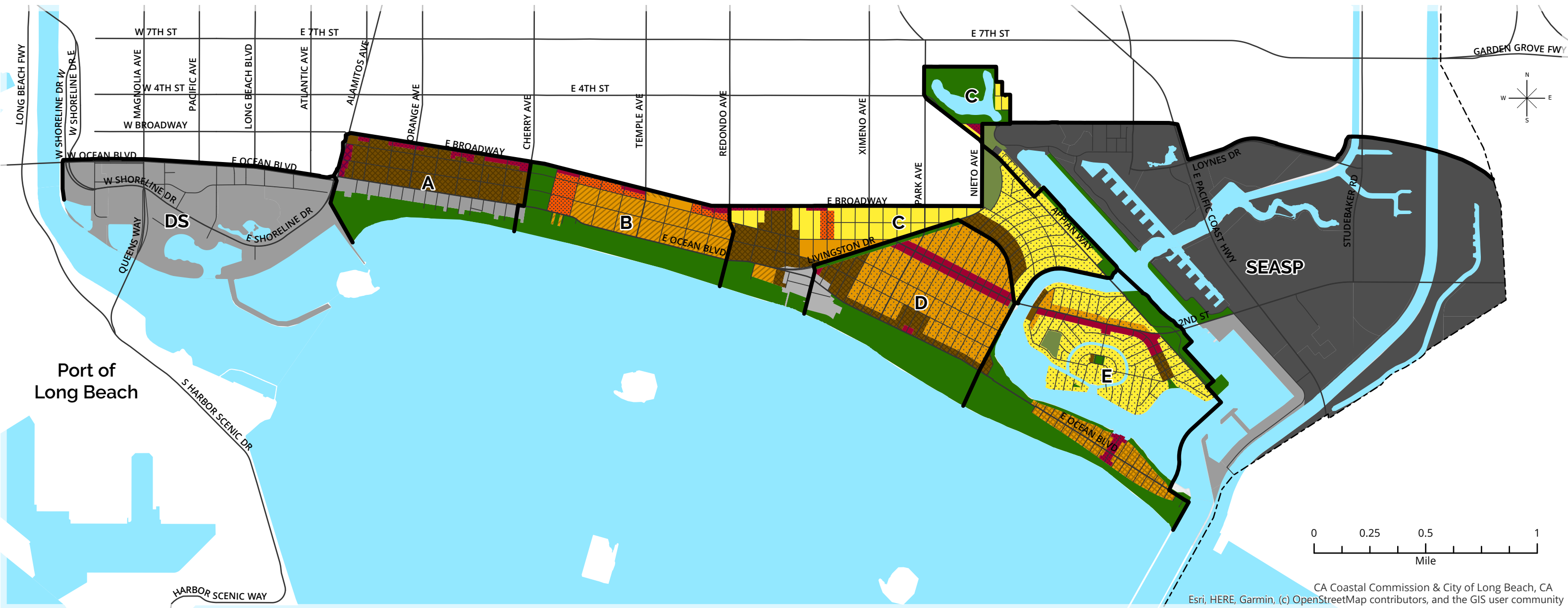
WHEREAS, the City Council desires to amend the Local Coastal Program Element of the General Plan of the City of Long Beach by adopting amendments to the Implementation Plan Land Use Map by amending portions of the Map to make conforming changes, incorporating the suggested modifications recommended by the California Coastal Commission.

WHEREAS, on July 13, 2021, the City Council conducted a duly noticed public hearing at which time full consideration was given to all pertinent facts, information, proposals, environmental documentation and recommendations respecting the proposed amendments to the Local Coastal Program (LCP) Element of the General Plan Implementation Plan Land Use Map, and to the views expressed at the public hearing, and afforded full opportunity for public input and participation.

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:.

Long Beach Local Coastal Program Implementation Plan

City of Long Beach Development Services
 Updated April 29, 2021
 Revised July 13, 2021



T:\Development\services\Planning\Coastal\Coastal\LCP_Planning_Areas.aprx

CA Coastal Commission & City of Long Beach, CA
 Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Zoning Districts

- | | | | | | | | |
|-------|---|-------|---|-------|---|----|--------------------------------------|
| R-1-S | Single-family Residential, small lot | R-2-N | Two-family Residential, standard lot | R-4-N | Medium-density Multiple Residential | CT | Tourist and Entertainment Commercial |
| R-1-N | Single-family Residential, standard lot | R-2-A | Two-family Residential, accessory second unit | R-4-R | Moderate-density Multiple Residential | I | Institutional |
| R-2-S | Two-family Residential, small lot | R-2-L | Two-family Residential, large lot | CNP | Neighborhood Pedestrian-Oriented Commercial | P | Park |
| R-2-I | Two-family Residential, intensified development | R-3-S | Low-density Multi-family Residential, small lot | CNR | Neighborhood Commercial and Residential | SP | Specific Plan |
| | | | | | | PD | Planned Development |

Coastal Community Outline

- | | |
|-------|---|
| DS | Downtown Shoreline |
| A | Bluff Community |
| B | Bixby Park/Bluff Park Community |
| C | Belmont Heights/Belmont Park Communities |
| D | Belmont Shore |
| E | Naples and Alamitos Peninsula Communities |
| SEASP | Southeast Area Communities |

EXHIBIT "A"

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE DIRECTOR OF
5 DEVELOPMENT SERVICES TO SUBMIT LOCAL COASTAL
6 PROGRAM AMENDMENTS TO THE CALIFORNIA COASTAL
7 COMMISSION FOR ITS REVIEW AND CERTIFICATION
8

9 WHEREAS, on January 21, 2020, the City Council adopted Ordinance No.
10 ORD-20-0005 amending and restating the Belmont Pier Planned Development District
11 (PD-2), and was thereafter submitted to the California Coastal Commission for approval
12 of the modifications to the Local Coastal Program (LCP);

13 WHEREAS, the California Coastal Commission, at its February 11, 2021
14 virtual meeting, reviewed and approved modifications to the Local Coastal Program
15 (LCP) with suggested modifications;

16 WHEREAS, on July 13, 2021, the City Council of the City of Long Beach adopted
17 amendments to the Local Coastal Program (LCP) of the Long Beach; and

18 WHEREAS, it is the desire of the City Council to resubmit the above
19 referenced amendments to the California Coastal Commission for its review and
20 consideration; and

21 WHEREAS, the City Council gave full consideration to all facts and the
22 proposals respecting the adoption of the amendments to the Local Coastal Program at a
23 duly noticed City Council public hearing; and

24 WHEREAS, the City Council approved the proposed LCP amendments
25 which are to be carried out in a manner fully consistent with the California Coastal Act
26 and become effective upon Coastal Commission certification and approval; and

27 WHEREAS, the City Council hereby finds that the Local Coastal Program
28 amendments will not adversely affect the character, livability or appropriate development

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

1 in the City of Long Beach and that the amendments are consistent with the goals,
2 objectives and provisions of the City’s General Plan and the City’s Local Coastal
3 Program.

4 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
5 follows:

6 Section 1. The amendments to the City’s Local Coastal Program
7 adopted on July 13, 2021, shall be submitted to the California Coastal Commission for its
8 earliest review as to those parts of the amendments that directly affect land use matters
9 in that portion of the California Coastal Zone within the City of Long Beach.

10 Section 2. The Director of Development Services of the City of Long
11 Beach is hereby authorized to and shall submit certified copies of the resolutions and
12 ordinances, together with all appropriate supporting materials, to the California Coastal
13 Commission with a request for its earliest action, that will take effect and be implemented
14 in the Coastal Zone upon Coastal Commission approval.

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

17 //

18 //

19

20

21

22

23

24

25

26

27

28

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I certify that this resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2021, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 E Ocean Blvd, Suite 300
Long Beach, CA 90802
(562) 590-5071



March 1, 2021

Christopher Koontz, Planning Bureau Manager
Long Beach Development Services
411 West Ocean Boulevard – 3rd Floor
Long Beach, CA 90802

Re: Long Beach Local Coastal Program Amendment No. LCP-5-LOB-20-0014-1 (Belmont Beach and Aquatics Center)

Dear Christopher Koontz:

You are hereby notified that the California Coastal Commission, at its February 11, 2021 virtual meeting, approved with modifications Local Coastal Program (LCP) Major Amendment No. LCP-5-LOB-20-0014-1. LCP Amendment No. LCP-5-LOB-20-0014-1 amends the Implementing Ordinances and Land Use Plan of the certified LCP to revise regulations for the Belmont Pier Planned Development (PD) District to allow for a new outdoor competitive and recreational swimming pool complex, the Belmont Beach and Aquatics Center (BBAC).

The Commission approved the LCP amendment with suggested modifications. The suggested modifications are attached. Therefore, LCP Amendment No. LCP-5-LOB-20-0014-1 will not be effective for implementation in the City's coastal zone until: 1) the Long Beach City Council adopts the Commission's suggested modifications, 2) the City Council forwards the adopted suggested modifications to the Commission by resolution, 3) the Executive Director certifies that the City has complied with the Commission's February 11, 2021 action, and 4) the Commission concurs with the Executive Director's determination that the action by the City Council adopting the suggested modifications is legally adequate. The Coastal Act requires that the City's adoption of the suggested modifications be completed within six months of the Commission's February 11, 2021 action. Therefore, the deadline for City Council adoption in this case is **August 11, 2021**.

Thank you for your cooperation and we look forward to working with you and your staff in the future. If you have any questions, please contact Dani Ziff at dani.ziff@coastal.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Dani Ziff". The signature is fluid and cursive, with the first name "Dani" and last name "Ziff" clearly distinguishable.

Dani Ziff
Coastal Program Analyst

Suggested Modifications for LCP Amendment No. LCP-5-LOB-20-0014-1

For the following suggested modifications:

- Language of the currently certified LCP is shown in plain text.
- The City’s proposed additions are shown in underline text.
- The City’s proposed deletions are shown in ~~strike out text~~.
- The Commission’s suggested additions are shown in **bold, underline text**.
- The Commission’s suggested deletions are shown in **bold, underline, strike out text**.
- The Commission’s suggested direction is shown in *bold italics text*.

The following suggested modifications are necessary to carry out the Chapter 3 policies of the Coastal Act and the provisions of the certified LUP:

Suggested Modification 1: Ensure that public access and recreational use of the BBAC, beach, and park areas are provided for all people.

Purpose and Intent, end of the 1st paragraph

This plan shall promote use of and visitation to the Coastal Zone **by all people, including recreational and competitive swimming, as well as use of the public beach and park areas.**

Suggested Modification 2: Clarify the standard of review and permitting requirements for local CDPs and development located within the Commission’s retained jurisdiction.

Purpose and Intent, 2nd paragraph

In reviewing and approving site plans and tract maps for the development of the area, the City Planning Commission and Site Plan Review Committee shall be guided by the goals and policies of the General Plan and the General Development and Use Standards specified herein. **For development located within the Coastal Commission’s retained jurisdiction area, the standard of review is Chapter 3 of the Coastal Act and the certified LCP may provide guidance.** ~~The Commission shall not permit variance from those standards unless it finds that such variance meets the intent of the original standards and is consistent with the overall goals and objectives of the adopted Specific Plan. Any variance from those standards shall only be allowed if the following finding of fact is made: The variation will have no adverse affect on access along the shoreline including physical, visual or psychological characteristics of access.~~ All specific procedures not specified in this plan shall be carried out pursuant to Chapter 21.25 (Specific Procedures) of the Zoning Regulations, Title 21, **of the certified LCPLBMC.**

Suggested Modification 3: Remove a reference to an uncertified element of the City’s General Plan and add a reference to the applicable LCP component.

General Development and Use Standards, Access

Bicycle. A continuous bicycle path, as part of the beach bicycle path linking the Los Angeles and San Gabriel Rivers, shall run through the area per the City's **certified LCP, including the certified Mobility Element Bicycle Master Plan.**

Suggested Modification 4: Remove the exception of the BBAC from meeting the LCPs requirement for buildings not to cover more than 50% of their lot's area.

General Development and Use Standards, Building Design

Lot Coverage. No building shall cover more than ~~50%~~ fifty percent of its site nor shall it occupy more than ~~50%~~ fifty percent of its site parallel to Ocean Boulevard. Commercial uses on the west side of 39th Place shall be excepted from this and may occupy ~~100%~~ one hundred percent of their sites. **The Belmont Beach and Aquatics Center located in Subarea 5 also shall be excepted from this requirement.**

Suggested Modification 5: Delete language that was already taken out of the certified LCP pursuant to LCPA No. 1-83 and remove the City's proposed language requiring no new parking be provided for new development in the future.

General Development and Use Standards, Parking

Public. The existing number of public parking spaces shall be ~~retained~~ supplemented by the addition of up to ~~200~~ spaces to be located immediately south of the existing Belmont Pier parking lot **with the exception of 40 parking spaces along Olympic Plaza and 130 parking spaces within the Granada public beach parking lot that may be removed pursuant to a California Coastal Commission-approved coastal development permit for the Belmont Beach and Aquatics Center. Notwithstanding the requirements of Chapter 21.41 of the Zoning Regulations, no additional parking for new, rebuilt, or remodeled public facilities shall be required. Public parking may be relocated from the Granada Avenue parking lot to under and west of the Belmont Pier, but not to extend westward of 38th Place, provided an equal number of spaces in the Granada Avenue parking lot be converted to beach, bicycle path or landscaped uses.** No parking structures shall be allowed.

Subarea 1, Parking

Commercial. Parking shall be provided at the rate of four spaces per one thousand square feet of floor area, for any addition of floor area beyond the existing floor area. **This requirement does not apply to parking for public facilities.**

Subarea 3, Parking, 2nd policy

A new parking lot of up to ~~200~~ three hundred two hundred vehicles ~~cars~~ may be provided **in the future to enhance public access. Such parking shall be located southerly of the existing Belmont Pier parking lot under an enclosed 39th Place Plaza, and westerly of the pier to the western edge of 38th Place. Such parking**

~~lot may be built provided an equal number of spaces are eliminated in the Granada Avenue parking lot and the area obtained converted to beach, bikeway, walkways or landscaping. The 39th Place Plaza shall be expanded as shown in Belmont Pier Concept Plan so that no parking area is exposed along the southern edge of the plaza. This plaza should be appropriately designed along the eastern edge to direct view of pedestrians over the parking lot rather than directly down upon it.~~

Suggested Modification 6: Reinstate the policies approved pursuant to LCPA Nos. 1-82B and eliminate the policies proposed under LCPA No. 2-87 that were previously denied by the Commission.

Subarea 1, Uses

~~Professional offices and Personal Services on the second story only~~ **on the second story only.**

~~Uses – Nonconforming~~

- (a) Professional and Personal Services shall be allowed in buildings ~~which were originally occupied~~ for which a Certificate of Occupancy has been granted **for which a Certificate of Occupancy has been granted** prior to July 22, ~~1982~~ **1982**.
- (b) **Professional and Personal Services shall not be allowed on the street level of any building originally occupied on or after July 22, 1980.**
- (c) Additions, alterations and repairs amounting to more than fifty percent (50%) of the replacement value or of the area of the existing building, excluding improvements required to meet minimum health and safety code standards, shall require issuance of a new Certificate of Occupancy, ~~and hence no building so expanded, altered or repaired on or after July 22, 1980 shall be allowed to be used for professional and personal services on the street level.~~

Subarea 4

Delete the entire Subarea 4 section and revise the associated map to reflect the elimination of the subarea and revise the LCP maps of the Belmont Pier Planned Development District, Area C, and Area D to reflect the subarea 5 boundaries.

Suggested Modification 7: Clarify the new allowable uses in Subarea 5.

Subarea 5, Uses

- (1) **Public aquatics center complex, including but not limited to recreational and competitive swimming and diving, and similar aquatic uses, and related special events.**

- (2) Coastal-oriented support and accessory uses related to the public aquatics center complex (such as uses that support beach or aquatics center programming).
- (3) Other public facilities accessory to the public aquatics center complex (such as storage or maintenance rooms).
- (4) Uses allowed in the P (Park) zoning district, per Division I of Chapter 21.35 of the Zoning Regulations.

Suggested Modification 8: Modify the access requirements for the new BBAC subarea to reflect the current project description and ensure the proposed project (and future development) protects public access and recreational opportunities.

Subarea 5, Access

- (1) **Public access to Subarea 5 and any public facilities therein shall be maximized for all people. All recreational opportunities provided within this subarea shall be lower cost and visitor-serving.**
- (2) Vehicular. Vehicular access shall be provided from Ocean Blvd. via a southerly prolongation of Bennett Ave. **Access to the site by public transportation shall be increased and encouraged.**
- (3) Pedestrian.
 - (a) Along a walkway not less than twenty feet (20') in width, in the former Olympic Plaza right-of-way between Termino Ave. and Bennett Ave., with unobstructed views of the Belmont Beach and Aquatics Center.
 - (b) Ocean Blvd., south curb west of Bennett Ave.
 - (c) Along beach frontage. **A lateral path from east to west on the seaward side of the Belmont Beach and Aquatics Center with unobstructed views of the beach and ocean shall be provided and maintained onsite in perpetuity.**
- (4) **Beach. Public access to the sandy beach and ocean shall be provided through the maintenance of not less than one hundred and fifty feet (150') of beach width seaward of the line of development or through the implementation of a Coastal Commission-approved alternative sea level rise adaptation plan that conforms with the Chapter 3 policies of the Coastal Act.**

Suggested Modification 9: Distinguish the height of buildings from the height of structures allowed in Subarea 5.

Subarea 5, Building Design

Height. Buildings are allowed up to a height of 30 feet and visually permeable or minimally obtrusive accessory structures (~~non-building area~~, including but not limited to the aquatics complex shade awnings or structures, architectural features, and diving towers) are allowed up to a height of 60 feet (~~the height of the former Belmont Pool building~~). Height in Subarea 5 shall be measured from the project grade datum established for the Belmont Beach and Aquatics Complex project, which is approximately at sea elevation level +10'-0" NGVD29.

ZONING CODE AMENDMENT FINDINGS

4200 E. Ocean Blvd.
Application No. 1910-05, ZCA21-001
July 13, 2021 (City Council)

Pursuant to Government Code Sections 65853 and 65855, the Planning Commission shall render a decision on any proposed Zoning Code Amendment and transmit the reasons for the recommendation, and the relationship of the proposed amendment to the applicable general and specific plans, to the City Council. These findings and analysis are presented for consideration, adoption and incorporation into the record of proceedings.

1. THE AMENDMENT IS CONSISTENT WITH OBJECTIVES, PRINCIPLES, AND STANDARDS OF THE GENERAL PLAN; AND

Positive Finding: The existing General Plan Land Use Designation (LUD) for the site is split between two districts. The northern majority of the site is in LUD #7 (Mixed Use District), and the southern portion of the site is in LUD #11 (Open Space) (see page 5 of the General Plan Land Use District Map). The proposed use, a recreational and competitive pool and aquatics complex, is consistent with and allowed in both LUDs. The proposed development also is consistent with the new Land Use Element adopted by the City Council on December 3, 2019, with the project site in PlaceTypes “WF” (Waterfront) and “OS” (Open Space). and No LUD map change is proposed as part of this project (see staff reports, council letters, and other supporting information in the administrative record for the entitlements for the Belmont Beach and Aquatics Center project, file no. 1910-05).

The proposed Zoning Code Amendment (ZCA) consists of incorporating the California Coastal Commission’s suggested modifications to the previously approved amendment to the Belmont Pier Planned Development District (PD-2), approved by the City Council on January 21-22, 2020 (ZCA19-010). The proposed changes, copied verbatim from the Coastal Commission’s suggested modifications, consist of minor changes to the language of PD-2 to achieve two ends: 1) to make PD-2 consistent with the Coastal Commission’s certified version of PD-2 in the Local Coastal Program, and 2) to add additional language making PD-2 more consistent with the Coastal Act. These changes are discussed in detail in the staff report, but do not materially change or affect the consistency of PD-2 with the General Plan. PD-2 is and will remain consistent with the objectives, principles, and standards of the General Plan.

A Zone Change (separate from this ZCA but part of the same entitlement package) also will be processed for changes to the Zoning Map to reflect the revised boundary of PD-2, as one of the Coastal Commission’s suggested modifications removes a subarea that was never certified into the Local Coastal Program’s version of PD-2. This subarea, the former Subarea 4, was located on the western

side of PD-2 and is unrelated to the BBAC project. This is not to be confused with the new subarea created for the BBAC project, called Subarea 5 in the previous version of PD-2 adopted on January 21-22, 2020, but now renumbered to Subarea 4, as a result of the deletion of the previous Subarea 4.

2. THE AMENDMENT WILL NOT ADVERSELY AFFECT THE CHARACTER, LIVABILITY OR APPROPRIATE DEVELOPMENT OF THE CITY, AND IS IN CONFORMITY WITH PUBLIC NECESSITY, CONVENIENCE, GENERAL WELFARE, AND GOOD PLANNING PRACTICE.

Positive Finding: The proposed Zoning Code Amendment (ZCA) consists of incorporating the California Coastal Commission's suggested modifications to the previously-approved amendment to the Belmont Pier Planned Development District (PD-2), approved by the City Council on January 21-22, 2020 (ZCA19-010). The proposed changes, copied verbatim from the Coastal Commission's suggested modifications, consist of minor changes to the language of PD-2 to achieve two ends: 1) to make PD-2 consistent with the Coastal Commission's certified version of PD-2 in the Local Coastal Program, and 2) to add additional language making PD-2 more consistent with the Coastal Act. The proposed ZCA refines the previous ZCA, which amended PD-2 to reflect development standards that accommodate the proposed Belmont Beach and Aquatics Center (BBAC) project. The project has been carefully designed to be a less-impactful replacement for the former Belmont Plaza Olympic Pool (see staff reports, council letters, and other supporting information in the administrative record for the entitlements for the Belmont Beach and Aquatics Center project, file no. 1910-05) through reduced structure height, coastal-oriented and eco-friendly design, enhanced public access, site and viewshed beautification, and achievement of goals of the Local Coastal Program. The proposed ZCA will guide the evolution of the Belmont Pier area and PD-2, and will enhance the character, livability, and appropriate development of the PD-2 plan area and surrounding neighborhood. The ZCA is necessary to allow construction of the BBAC project, which is in conformance with the public necessity, enhances public convenience and welfare, and is in conformance with good planning practice.

ZONE CHANGE FINDINGS
4200 E. Ocean Blvd.
Application No. 1910-05, ZCHG21-001
July 13, 2021 (City Council)

Pursuant to Section 21.25.106 of the Long Beach Municipal Code, in all cases, the Planning Commission and the City Council shall be required to make the following findings of fact before rezoning a parcel. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE PROPOSED CHANGE WILL NOT ADVERSELY AFFECT THE CHARACTER, LIVABILITY OR APPROPRIATE DEVELOPMENT OF THE SURROUNDING AREA; AND

Positive Finding: The proposed Zone Change consists of a boundary adjustment to the Belmont Pier Planned Development District (PD-2) to make it consistent with the California Coastal Commission's version of PD-2 in the certified Local Coastal Program. The most significant change is the removal of the former Subarea 4 on the western end of the PD-2 area from the Planned Development District and its reversion to the R-4-R zoning district. This Subarea was adopted into PD-2 by the City in 1987, but this modification to PD-2 and the Local Coastal Program was denied by the California Coastal Commission in the same year. Although the City had not removed this former Subarea 4 from the PD-2 ordinance or the zoning map, this subarea was never legally in effect and the existing zoning of R-4-R was never effectively changed. This Zone Change will update the Use District Map (Zoning Map) to reflect this fact. The other change carried out by this Zone Change is to re-designate the new Subarea 5, in the version of PD-2 adopted by the City Council on January 21-22, 2020 (ZCHG19-005), to Subarea 4, following the deletion of the previous Subarea 4 from the PD-2 document and Zoning Map.

Both changes are suggested modifications from the California Coastal Commission's February 11, 2021 approval of the Local Coastal Program Amendment (LCPA) for the Belmont Beach and Aquatics Center (BBAC) project, which was approved by the City Council on January 21-22, 2020. The City is required to implement these Coastal Commission modifications to complete the LCPA.

The BBAC project, which necessitates this Zone Change, has been carefully designed to be a less-impactful replacement for the former Belmont Plaza Olympic Pool (see staff reports, council letters, and other supporting information in the administrative record for the entitlements for the Belmont Beach and Aquatics Center project, file no. 1910-05) through reduced structure height, coastal-oriented and eco-friendly design, enhanced public access, site and viewshed beautification, and achievement of goals of the Local Coastal Program. The proposed Zone Change will guide the evolution of the Belmont Pier area and PD-2, and will enhance the character, livability, and appropriate development of the PD-2 plan

area and surrounding neighborhood. The Zone Change is necessary to allow construction of the BBAC project, which is in conformance with the public necessity, enhances public convenience and welfare, and is in conformance with good planning practice. The Zone Change (and accompanying ZCA) will continue to allow the same types of permitted uses, recreational and public facilities, that are allowed by the existing zoning, and at the same overall levels of intensity.

2. THE PROPOSED CHANGE IS CONSISTENT WITH THE GOALS, OBJECTIVES AND PROVISIONS OF THE GENERAL PLAN.

Positive Finding: The existing General Plan Land Use Designation (LUD) for the site is split between two districts. The northern majority of the site is in LUD #7 (Mixed Use District), and the southern portion of the site is in LUD #11 (Open Space) (see page 5 of the General Plan Land Use District Map). The proposed use, a recreational and competitive pool and aquatics complex, is consistent with and allowed in both LUDs.

According to the General Plan's Consistency Tests (see pp. 265–268, 1990 General Plan Land Use Element), *zoning is consistent with the Land Use Element when and where the zoning fulfills the intent of the land use district in which the zoning/proposed zone change is located.* The Zone Change to PD-2 – Subarea 5 is consistent with the uses allowed by and the intent of both LUD Nos. 7 and 11, as it will create a significant public facility of widespread community benefit.

LUD #7 (Mixed Use District), dating from the 1989 General Plan, is a forerunner of the currently-widespread resurgence of the concept of mixed-use zoning. LUD #7 acknowledges that while the purpose of most zoning is to separate land uses thought to be incompatible, a careful blending of different types of uses can serve to save time and energy, vitalize a site, give it more importance in the urban structure of the City, and have synergistic effects upon the surrounding area. This ZCA continues PD-2's existing blending of recreational uses, public facilities, open space, beach, retail, restaurants, and high-density residential to create a unique Belmont Pier Planned Development District, specific to the PD-2 plan area and unlike any other site within the City. As such, the proposed Zone Change is consistent with LUD #7.

Additionally, the southern portion of the is within LUD #11 (Open Space and Parks). Like LUD #7 for this project, this LUD will remain and no map change is proposed. The description of LUD #11 opens by emphasizing the diversity of permitted uses in a large general category of recreation and public-serving facilities, including specific elements of the Local Coastal Program such as PD-2. LUD #11 states that uses should serve the overall purpose of promoting mental and physical health of the urban citizenry through one of the many permitted recreational or public facilities uses allowed. The creation of a new recreational

and competitive aquatics complex of citywide and regional significance conforms to these goals, therefore, the Zone Change is consistent with LUD #11 as well.

Under the new General Plan Land Use Element, the PlaceType for the PD-2 area of the project site is WF (Waterfront). The WF PlaceType is targeted at six unique waterfront locations in the City, one of which is the project site. The description of the PlaceType speaks specifically to this project site, with one of the six areas of the WF PlaceType named the “Belmont Pier and Pool Complex Waterfront PlaceType.” The LUE specifically allows this proposed project for this WF PlaceType area. Further, the remaining portion of the project site that is in LUD #11 is in the Open Space PlaceType, which is functionally equivalent to the LUD #11 designation and allows the project’s development; overall the project is consistent with the General Plan.

3. IF THE PROPOSED CHANGE IS A REZONING OF AN EXISTING MOBILE HOME PARK, THAT THE REQUIREMENTS OF SECTION 21.25.109 HAVE BEEN OR WILL BE FULLY MET.

N/A: The proposed change is not a rezoning of an existing mobile home park.

GENERAL PLAN AMENDMENT FINDINGS

4200 E. Ocean Blvd.

Application No. 1910-05, GPA21-002

July 13, 2021 (City Council)

Pursuant to California Government Code Section 65358, the City Council shall not approve a General Plan Amendment unless the following findings are made. These findings and analysis are presented for consideration, adoption and incorporation into the record of proceedings.

1. THE PROPOSED CHANGE WILL BENEFIT THE PUBLIC INTEREST; AND

Positive Finding: The proposed change consists of a Local Coastal Program Amendment, which requires amendment of the Local Coastal Program Element of the General Plan. This will be accomplished through a Zoning Code Amendment to the Belmont Pier Planned Development District (PD-2), which is an Implementing Ordinance of the certified Local Coastal Program, and a Zone Change to reflect the amendments to the PD-2 ordinance and the extent of the PD-2 district. A change to the General Plan LUD map is not proposed as part of this scope of work, nor is any text amendment to the General Plan Land Use Element itself. The specific amendments consist only of incorporation of the California Coastal Commission's suggested modifications to the previous version of this Local Coastal Program Amendment, which was approved by the City Council on January 21-22, 2020.

The existing General Plan Land Use Designation (LUD) for the site is split between two districts. The northern majority of the site is in LUD #7 (Mixed Use District), and the southern portion of the site is in LUD #11 (Open Space) (see page 5 of the General Plan Land Use District Map). The proposed use, a recreational and competitive pool and aquatics complex, is consistent with and allowed in both LUDs. Additionally, under the new General Plan Land Use Element adopted by the City Council on December 3, 2019, the PlaceType for the PD-2 area of the project site is WF (Waterfront). The WF PlaceType is targeted at six unique waterfront locations in the City, one of which is the project site. The description of the PlaceType speaks specifically to this project site, with one of the six areas of the WF PlaceType named the "Belmont Pier and Pool Complex Waterfront PlaceType." The LUE specifically allows this proposed project for this WF PlaceType area. Further, the remaining portion of the project site that is in LUD #11 is in the Open Space PlaceType, which is functionally equivalent to the LUD #11 designation and allows the project's development; overall the project is consistent with the General Plan.

The General Plan Amendment, via an LCP Amendment via a Zoning Code Amendment, will allow for the construction of the Belmont Beach and Aquatics Center (BBAC). The proposed change will benefit the public interest by allowing

construction of this public facility of citywide and regional significance, by amending the affected portions of the zoning, LCP and General Plan to permit this facility while conforming with the overall goals and intent of the zoning, LCP, and General Plan. (See staff reports, council letters, and other supporting information in the administrative record for the entitlements for the Belmont Beach and Aquatics Center project, file no. 1910-05, for a full description of the proposed BBAC facility and the City's interest in constructing and operating it.)

2. THE PROPOSED CHANGE IS CONSISTENT WITH THE ZONING DESIGNATIONS.

Positive Finding: The project does not actually require a change to the General Plan Land Use Element or map, as discussed in #1. The proposed change consists of a Local Coastal Program Amendment, which requires amendment of the Local Coastal Program Element of the General Plan. This will be accomplished through a Zoning Code Amendment to the Belmont Pier Planned Development District (PD-2), which is an Implementing Ordinance of the certified Local Coastal Program, and a Zone Change to reflect the amendments to the PD-2 ordinance and the extent of the PD-2 district. The specific amendments consist only of incorporation of the California Coastal Commission's suggested modifications to the previous version of this Local Coastal Program Amendment, which was approved by the City Council on January 21-22, 2020.

The LUE specifically allows this proposed project at this location, and overall the project is consistent with the General Plan; the zoning is being amended to enhance its consistency with the General Plan's Local Coastal Program Element and the certified Local Coastal Program.

CONDITIONS OF APPROVAL

4200 E. Ocean Blvd. (Belmont Beach and Aquatics Center)

Application No. 1910-05

(GPA21-002, ZCA21-001, ZCHG21-001)

July 13, 2021 (City Council)

1. The following permits are approved for this application:
 - a. General Plan Amendment GPA21-002 resulting from a Zoning Code Amendment to an implementing ordinance of the Local Coastal Program, triggering a Local Coastal Program Amendment to amend the Local Coastal Program Element of the General Plan (no change to the General Plan Land Use District Map or Land Use Element);
 - b. Zoning Code Amendment ZCA21-001 for a text amendment to PD-2 to implement the California Coastal Commission's suggested modifications for the LCPA; and
 - c. Zone Change ZCHG21-001, for a change to the Zoning Map to implement the California Coastal Commission's suggested modifications to PD-2 and the LCPA.

Special Conditions:

2. All conditions of approval from the January 21-22, 2020 approval by the City Council of Application No. 1910-05 shall remain in full force and effect, unless superseded by these conditions of approval.
3. The intent of this approval is to achieve consistency with the California Coastal Commission's February 11, 2021 approval of Local Coastal Program (LCP) Major Amendment No. LCP-5-LOB-20-0014-1, which amends the Implementing Ordinances and Land Use Plan of the certified LCP to revise the Belmont Pier Planned Development District (PD-2) to allow development of the BBAC project. The City intends through this action to adopt all of the California Coastal Commission's suggested modifications set forth in their February 11, 2021 approval.
4. The applicant shall comply with all mitigation measures set forth in the Belmont Pool Revitalization Project (EIR 01-16) Mitigation Monitoring and Reporting Program (MMRP).

Standard Conditions – General:

5. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City, concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.