

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS
Marina Drive Public Right-of-Way between 2nd Street and Studebaker Road
Application No. 1810-12 (LCDP18-033)
November 19, 2018

Pursuant to Section 21.25.904 of the Long Beach Municipal Code, a Local Coastal Development Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE PROPOSED DEVELOPMENT CONFORMS TO THE CERTIFIED LOCAL COASTAL PROGRAM INCLUDING BUT NOT LIMITED TO ALL REQUIREMENTS FOR REPLACEMENT OF LOW AND MODERATE-INCOME HOUSING; AND

The project conforms to the Certified Local Coastal Program. The proposed project consists of trimming and relocation of trees in the public right-of-way on Marina Drive between 2nd Street and Studebaker Road (see project plans in file no. 1810-12). According to the plans on file with the City of Long Beach Planning Bureau, no trees are proposed for removal. If relocated trees are lost in the process of relocation, the trees would be replaced on a one-to-one basis within the project area consistent with the procedures outlined in the conditions of approval. The existing trees consist mainly of the Mexican fan palm (*Washingtonia robusta*) species. The trees are to be trimmed or relocated in conjunction with a separately-permitted street improvement project (see plans in project file for "Marina Drive Complete Streets Project") that requires alterations to existing landscaped street medians, sidewalks, curbs, and bike lanes on Marina Drive. This street improvement project qualifies for a Coastal Permit Categorical Exclusion (CPCE), as authorized by Section 21.25.903.C.3 of the Zoning Regulations. This CPCE was approved previously (see CPCE18-10). However, the tree trimming and relocation cannot be categorically excluded with the street improvements, and is the subject of this Local Coastal Development Permit.

The project is located within the SEADIP area of the Certified Local Coastal Program (LCP) (refer to pages III-S-1 to III-S-11 of the LCP). Marina Drive itself is split near its centerline between PD-1, which is the Southeast Area Development Improvement Plan (SEADIP) planned development district, and PD-4, the Long Beach Marina Planned Development District (see zoning map in project file). The portion of Marina Drive within PD-1 is located in Subarea 17 adjacent to the former Seaport Marina Hotel site, and Subarea 29 for the remainder of Marina Drive. Both PD-1 and PD-4 are adopted Implementing Ordinances of the LCP.

Neither PD-1 nor PD-4 speak directly to standards for street trees within the public right-of-way along the subject section of Marina Drive. The project will be carried out in accordance with the regulations, standards, and best practices of the City's Department of Public Works with regards to street trees. The Public Works Department intends to preserve as many trees as possible in place. Where existing

trees that conflict with required right-of-way improvements, Public Works intends to relocate all existing trees.

All trimming and relocation of trees will be carried out in accordance with the tree trimming policy adopted for the Coastal Zone State Permit Jurisdiction Area within the City, which was approved by the Coastal Commission in 2009 under Coastal Permit No. 5-08-187. Although this adopted policy does not legally apply to the project area, since the project area is located within the City's Coastal Zone (Appealable Area) jurisdiction, the same tree trimming policy will be applied in parallel nonetheless (see conditions of approval of this LCDP). This policy sets forth specific requirements for the trimming and removal of trees during the nesting and non-nesting seasons, and requires a bird survey by a qualified biologist prior to commencement of any tree work. Specific measures must then be followed, depending on whether or not birds or nests are found in the trees that will be trimmed or relocated, as well as nearby trees (see staff report and attachments for Coastal Permit No. 5-08-187, included in this LCDP project file).

The City's tree trimming policy for areas within the State Permit Jurisdiction was developed in consultation with the Audubon Society, Coastal Commission staff and the California Department of Fish and Game. Application of the same policy for tree trimming within the City's Coastal Zone (Appealable Area) jurisdiction will satisfy the same high standards for protection of any potentially-present birds or bird nests in the trees to be trimmed or relocated, which are the subject of this permit.

The project is located solely in the public right-of-way and does not affect any low- or moderate-income housing.

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THIS SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.

The project site is located seaward of the nearest public highway to the shoreline. The project conforms to the public access and recreation policies of the Coastal Act.

Chapter 3 of the Coastal Act, (Section 30200 *et seq.*) protects the California coast in several aspects, including Public Access (Article 2), and Recreation (Article 3). The project involves only the trimming and/or relocation of existing street trees.

No aspects of public access to the coast or coastal recreation will be affected by the project, since it is limited to tree trimming and relocation of the existing street trees on Marina Drive.