



CITY OF LONG BEACH

CITY PLANNING COMMISSION

333 W. OCEAN BLVD. LONG BEACH, CA 90802 PHONE 562.570.6005 FAX 562.570.6068

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02 OCT 10 AM 10:34

October 15, 2002

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Resolutions Considering and Approving EIR SCH # 2002021040 and Adopting the Open Space and Recreation Element and Related Provisions of the Land Use Element of the General Plan; Ordinances Implementing New Provisions by Amending the Zoning Code, Amending PD-1, PD-6, PD-21, PD-30, Rezoning Parks to "P" Zone, and Dedicating City Parks in Perpetuity; and Resolution Submitting These Changes to the California Coastal Commission (Citywide)

DISCUSSION

On July 18, 2002, the City Planning Commission voted unanimously 5-0 (Commissioners Greenberg and Whelan being absent) to recommend that the City Council approve a resolution adopting the Open Space and Recreation Element (OSRE) of the City's General Plan. The OSRE, which is attached for your consideration, has been updated to incorporate the changes recommended by the Planning Commission. These changes are indicated on Attachment B, the Final Draft OSRE, by the underlining of text to be inserted.

At the public hearing, the Planning Commission also certified the Environmental Impact Report (SCH # 2002021040); recommended that the City Council approve a resolution amending the Land Use Element text and maps (implementing the plan); and recommended that the City Council approve ordinances making necessary findings, rezoning all City-owned parklands to the "P" Park District, and amending text in Chapter 21 of the Zoning Code regulating development and uses in City parks.

The Planning Commission also acted to:

- A. Recommend that staff provide an annual report documenting progress in implementing each of the programs in the OSRE (incorporated into Attachment B – City Council, page 30);
- B. Recommend that instead of requiring only an acre-for-acre replacement of any lost parkland, a two-for-one mitigation of any lost acreage be required. One acre of replacement land would be located in the park service area where the land was converted and an additional acre of replacement land would be located in a park service area needing parkland, as determined by the Recreation Commission (incorporated into Attachment B – City Council, page 28 and Attachment C – City Council, page 3); and

- C. Recommend that the City Council adopt an ordinance dedicating all City-owned parks in perpetuity, and amend the City Charter to require that any conversion of parkland to a non-park use be put to a vote of the people.

Public Participation

This OSRE was developed over a four-year period with considerable public input. In 1998, an original draft OSRE was reviewed at two public meetings. Shortly thereafter, a new Citywide strategic planning effort commenced; the Parks, Recreation and Marine Department began their own strategic planning process to improve their operations; a new plan was under development for Alamitos Bay; and the City was completing an inventory of all vacant sites. It was decided that further revisions of the draft OSRE be postponed pending completion of these other activities.

Public meetings started again in February of 2001 when the City Council's Housing and Neighborhoods Committee began a discussion of "parks in perpetuity." This Committee held the initial meeting in the Council Chambers and four subsequent meetings at community recreation centers throughout the City. Following this input, the draft OSRE was revised and recirculated. (Over 300 draft elements were mailed directly to interested parties and the draft OSRE has been posted on the City's web page since January 2002.)

On February 23, 2002, the eighth public meeting was held. It was a half-day public workshop held at the Veteran's Park Community Center. Staff presented information from the Parks, Recreation and Marine Department's strategic planning efforts and the draft Open Space and Recreation Element's findings and proposals. The public was invited to ask questions and make comments on the draft plan.

On March 21, 2002, in a meeting held at Cesar E. Chavez Park, the public was invited to comment on the draft OSRE to the City's Recreation Commission. At that meeting, the Recreation Commission unanimously approved the draft OSRE with one recommendation: that program 4.4 be amended to include a proviso that future parks be deed restricted for park uses only.

On July 18, 2002, the Planning Commission acted to recommend approval of the OSRE as described in the first section of this report.

The Open Space and Recreation Element

California Government Code, Division 1, Chapter 3, Article 10.5 requires local governments to adopt policies and plans to guide the comprehensive and long-range preservation and conservation of open space lands within their jurisdictions. With the current Open Space Element almost 30 years old, there is a compelling need to revisit open space issues in our community. This OSRE is intended to meet the requirements of State legislation and present a policy framework and plan to meet the City's open space and recreation goals.

To that end, this OSRE has been modernized and streamlined to be a user-friendly document with most of the background material contained in technical references rather than within the OSRE. A synopsis provides the highlights of the background data. The issues, goals, policies and implementation actions within the plan are delineated and keyed to each other with specific programs and timelines. Every effort was made to keep the OSRE limited in length and on-target in its content.

Principal Deputy City Attorney Michael J. Mais reviewed the staff report and City Council letter and prepared the attached resolutions and ordinances for your consideration. Budget Manager Annette Hough has also reviewed the staff report and City Council letter.

TIMING CONSIDERATIONS

There is no mandatory deadline for adoption of the new Open Space and Recreation Element. However, Title 21 of the Long Beach Municipal Code requires that a positive Planning Commission action shall be transmitted by the Department of Planning and Building to the City Clerk for presentation to the City Council within 60 days.

FISCAL IMPACT

There are no direct fiscal impacts by the adoption of the new Open Space and Recreation Element. However, implementation of the OSRE will be a multi-million dollar effort. Park Impact Fees are the only dedicated source of City funding to implement the OSRE. Additional sources of funding will be needed for full implementation of the OSRE.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Receive the supporting documentation into the record, conclude the public hearing, consider and approve the information in Environmental Impact Report SCH# 2002021040 and adopt the Resolution regarding the Environmental Impact Report;
2. Adopt the Resolution incorporating the new Open Space and Recreation Element into the General Plan;
3. Adopt the Resolution amending the Land Use Element text and maps to implement the new Open Space and Recreation Element;
4. Declare the Ordinance amending Chapters 21.15, 21.35 and 21.52 regulating uses in City parks (including a 2 for 1 replacement of any lost parkland), read the first time and laid over to the next regular meeting of the City Council for final reading;
5. Declare the Ordinances amending PD-1, PD-6, PD-21, and PD-30 read the first time and laid over to the next regular meeting of the City Council for final reading;
6. Declare the Ordinance rezoning properties to the Park District designation read the first time and laid over to the next regular meeting of the City Council for final reading;

HONORABLE MAYOR AND CITY COUNCIL

October 15, 2002

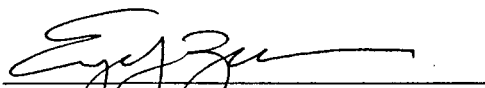
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7. Adopt the Resolution instructing the Zoning Official to submit said Resolution, together with supporting documentation, to the California Coastal Commission for their approval;
8. Direct the City Attorney to prepare an ordinance dedicating all City-owned parks in perpetuity; and
9. Refer to the Charter Amendment Committee the issue of requiring a vote of the people for conversion of parkland to non-park use.

Respectfully submitted,

CHARLES B. WINN, CHAIR
CITY PLANNING COMMISSION

BY:



EUGENE J. ZELLER
DIRECTOR OF PLANNING AND BUILDING

EJZ:AR:PG

CCrptOSRE.917.WORD

ATTACHMENTS:

- July 18, 2002 Planning Commission Staff Report (Attachment A incl. Planning Commission Attachments A – K)
- August 27, 2002 – Final Draft Open Space and Recreation Element – City Council (Attachment B)
- Planning Commission Recommended Zoning Code Text Change – City Council (Attachment C)
- Resolutions amending Land Use Element Text and Maps
- Ordinances amending the Zoning Code Text and Maps
- Resolution submitting package to California Coastal Commission
- Resolution Considering and Approving the Final Environmental Impact Report

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David Denevan
Gardens Beautifully Maintained

4322 Charlemagne Ave.
Long Beach, CA 90808-1409
(562) 425-9910

October 9, 2002

Long Beach City Council
City of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802

RECEIVED
CITY CLERK
LONG BEACH, CALIF.
02 OCT 10 AM 10:39

Dear Mayor O'Neill and Members of the City Council:

Regarding uses in public parks and the new Open Space Element of the Long Beach General Plan:

1. Classify cell phone relay towers as "not permitted," including those 60-foot-high antennas poorly disguised with plastic branches, needles, and bark to look like pine trees.

Many of us go to parks to get away from urban ugliness and clutter, and to enjoy real trees.

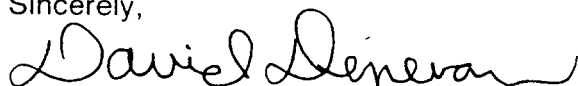
2. Classify as "not permitted" private address numbers like those posted by adjacent property owners, in Victory Park.
3. Classify as "not permitted" advertising signs that have no relation to parks and recreation, such as the REMAX real estate sign in Recreation Park on October 9, and the ARCO Center sign in Santa Cruz Park. The illuminated ARCO Center sign benefits only the adjacent ARCO Center, its tenants, their customers, and British Petroleum, which owns the ARCO name.

While the ARCO Center sign was placed in an abandoned driveway in Santa Cruz Park, it is definitely in violation of the park dedication, Local Coastal Program, and the Victory Park Design Guidelines which also covered Santa Cruz Park. The sign's approval by the Recreation Commission, with city staff concurring, reneged on the City's long-standing promise to 12 civic groups, including the League of Women Voters, that the park would be preserved for park use only. City officials just don't get it. The public wants parks preserved!

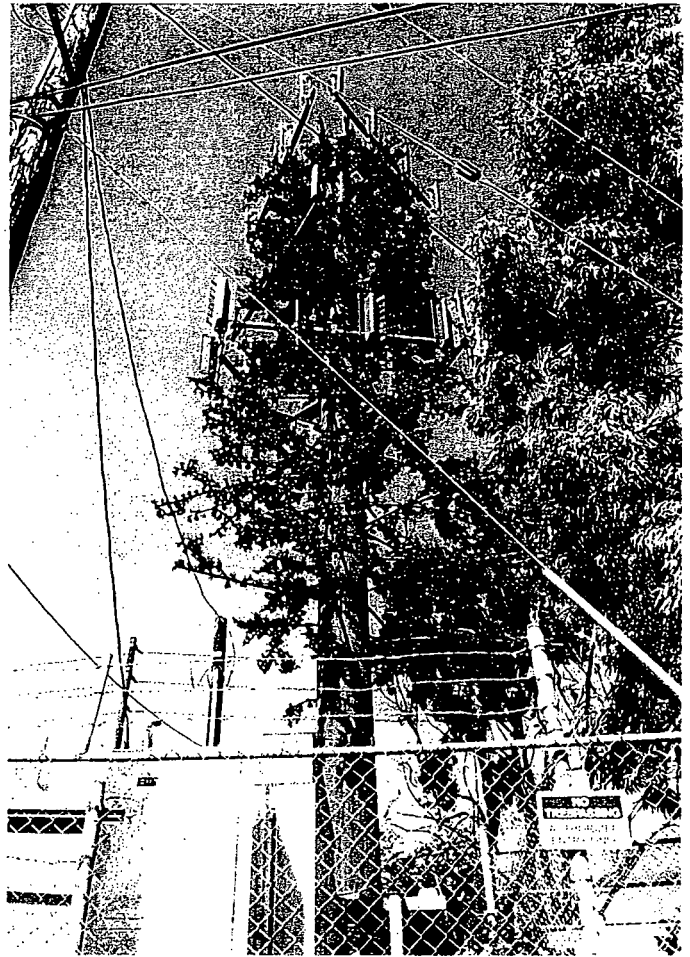
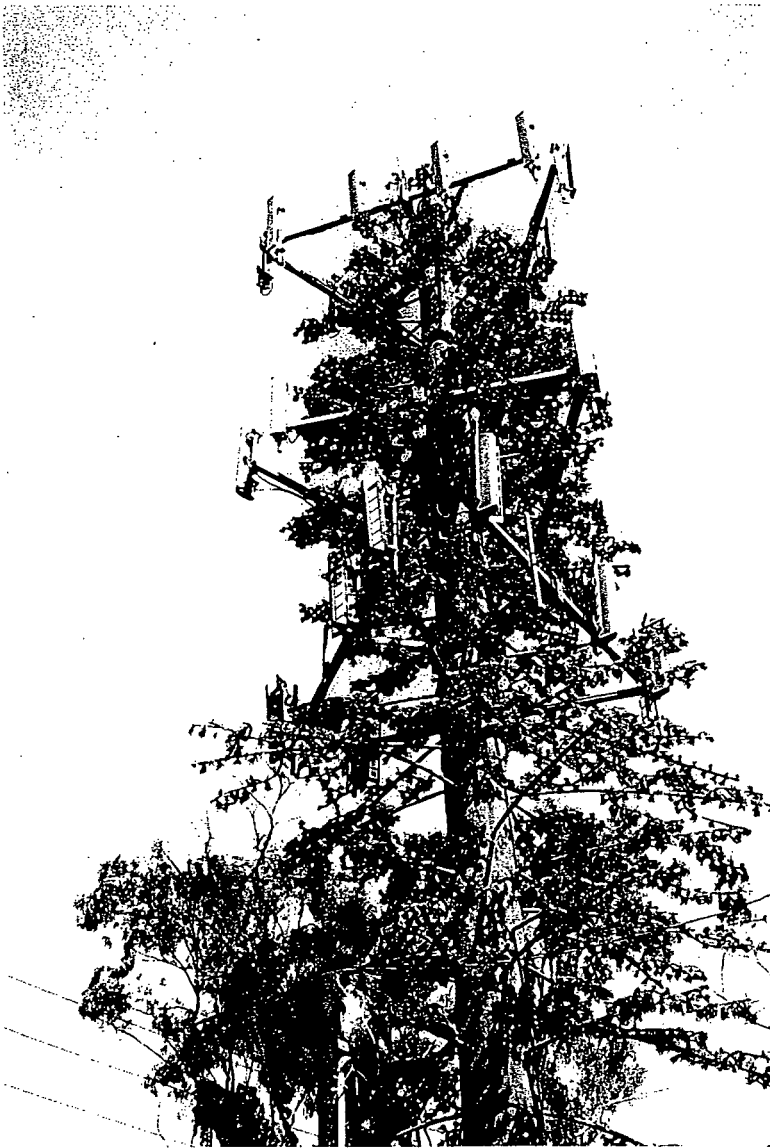
Obviously, Santa Cruz Park, which already had a 14-story bank in it, and other parks need a lot more protection.

Our magnificent parks are priceless treasures passed on to us by visionaries like the Bixbys. If approved by the City Council, my suggestions would give both the public and City Hall more ammunition to keep companies from exploiting these parks for blatantly non-park uses.

Sincerely,



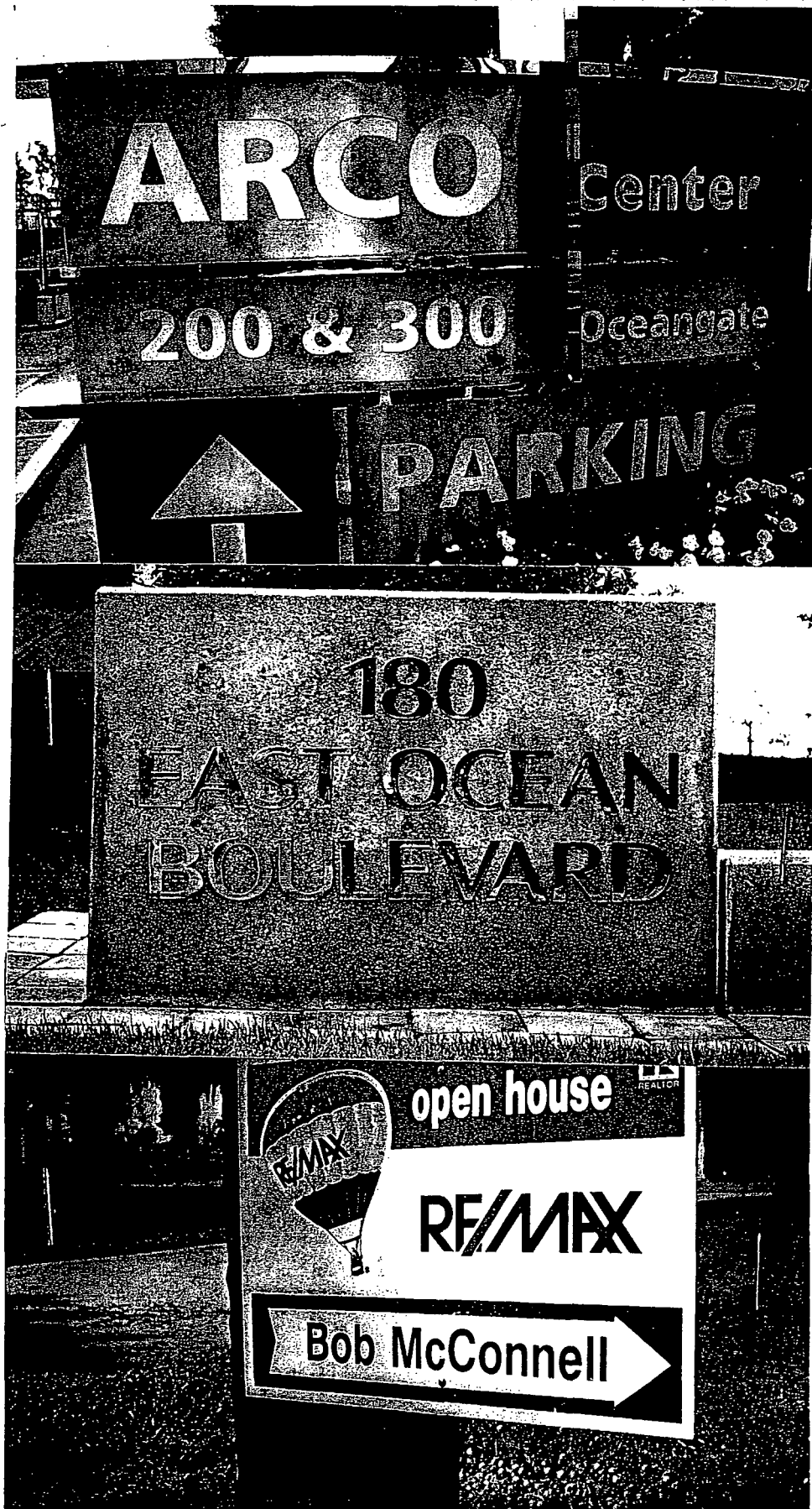
David Denevan



Do we want these in our public parks?

Cell phone relay tower at southeast corner of Willow Street and Fashion Avenue; includes paved access, chain-link fence, barbed wire, signage, and bulky equipment at ground level.

Photos by David Denevan, on October 8, 2002



Private sector signage in Santa Cruz, Victory, and Recreation parks.

END THE CONFUSION over the City's policies on private sector signage in parks! In table 35-1, Uses in Park Districts, spell out in detail that these types of signs are **"Not Permitted"** in parks.

Photos by David Denevan, on October 9, 2002

*Mini and Greenway Parks – 1%
Regional Parks – 2%*

*Neighborhood Parks – 7% Community Parks – 10%
Special Use Parks – to be determined by Site Plan Review*

21.35.225 Yards – required.

OLD VERSION: Ten feet abutting any street right-of-way shall be open, free of any structures and shall be landscaped.

NEW VERSION: Ten feet abutting any street right-of-way *and five feet abutting any other zoning district* shall be open, free of any structures and shall be landscaped.

(Ord. C-6533 § 1 (part), 1988).

**Table 35-1
Uses in Park Districts**

Use	District P
1. <i>Alcoholic beverage sales – with permitted or conditionally permitted uses</i>	C
2. <i>Amphitheater, band shell, performance stage and the like</i>	
<i>a. With a seating capacity up to 200 persons</i>	P
<i>b. With a seating capacity greater than 200 persons</i>	C
3. <i>Athletic activities facilities including sports fields, swimming pools, courts and the like</i>	Y
4. <i>Campgrounds (except recreational vehicle campgrounds)</i>	Y
5. <i>Cellular and personal communication services</i>	C
<i>a. Freestanding/monopole (see Section 21.52.210)</i>	
<i>b. Attached/roof mounted equipment (see Section 21.45.115)</i>	
6. <i>Circuses</i>	EN
7. <i>Comfort stations</i>	A
8. <i>Commercial recreation uses ^(a) (see definition, e.g., electronic video game arcades, miniature golf courses, water slides, bicycle rentals, non-motorized vehicles, and the like) ^(b)</i>	C
9. <i>Commercial uses – other</i>	N
10. <i>Community gardens</i>	Y
11. <i>Community service uses ^(b) – a. non-regional, City staffed</i>	Y
<i>b. non-regional, non-profit</i>	C
<i>c. non-regional, for-profit</i>	N
12. <i>Community service uses ^(b) – regional</i>	N
13. <i>Construction trailer</i>	T
14. <i>Cultural and educational uses (e.g., museums, ranchos, nature centers and the like)</i>	Y
15. <i>Day care and preschools – a. cooperatives and City staffed</i>	Y
<i>- b. non-profit</i>	C
16. <i>Electronic video games (not to exceed 4 in any one building)</i>	A
17. <i>Exhibitions, trade shows and the like</i>	T
18. <i>Fair and Exhibition grounds on a permanent basis for fairs, carnivals, trade shows and the like, or for continuation of fairs,</i>	EN

carnivals, trade shows and the like beyond 10 days in length	
19. Fairs, festivals, carnivals, holiday celebrations, pageants, social events and the like for a period not exceeding 10 days	T
20. Food and beverage concessions (not including alcoholic)	A
21. Landscaped open areas	Y
22. <i>Libraries of the City of Long Beach</i>	C
23. Motor vehicle racing or testing	EN
24. <i>Natural habitat reserves or preserves</i>	Y
25. Offices for the supervision and maintenance of park facilities, programs and activities	A
26. Parks and related improvements	Y
27. Parking (commercial)	EN
28. Passive games and activities, and arts and crafts classes	Y
29. <i>Police and fire stations, communication centers, schools, government buildings and the like</i>	N
30. Private clubs (<i>non-profit and recreational only</i>)	C
31. Recreational equipment sale and rental for use in park (except that motorcycles, motorized skateboards, and mopeds and the like, are not permitted)	NA
32. Recreational vehicle campground	C
33. Recreational vehicle storage	N
34. Residential uses (except caretaker or guard facilities)	N
35. Restaurants with or without alcoholic beverage sales	C
36. Sale of alcoholic beverage	C
37. Sewage and wastewater treatment of tertiary or more advanced level of treatment	A
38. Any use which violates the noise ordinance of the City	N

Abbreviations: Y=Permitted as a principal use.

N=Not permitted.

C=Conditional Use Permit required: Refer to Chapter 21.52.

A=Permitted as accessory use. Refer to Chapter 21.51.

T=Permitted as temporary use. Refer to Chapter 21.53.

(a) ~~A community service use is a use which may be operated by a government agency (such as a cheese distribution center) or a private, non-profit organization (such as YMCA).~~

(b) ~~The Land Use and Open Space Elements of the General Plan have special consistency findings established for commercial recreation uses.~~

(Ord. C-7399 § 9, 1996; Ord. C-7247 § 17, 1994; Ord. C-6755 § 1, 1990; Ord. C-6533 § 1 (part), 1988).

(a) *Commercial recreation is any recreational use in parks for which a fee is charged independent of City oversight. (See definition for commercial recreation in Section 21.15.565 and findings for such uses in the park (P) district in Section 21.52.253.)*

(b) *"Community service use" is a service provided for the health and welfare of the individual receiving the service. Such uses in parks do not include the permanent provision of food, shelter or medical services except for counseling, health fairs, medical screening and the like. Non-regional community service uses serve the local community – the neighbors nearby who require the service. Regional-serving community service providers serve a much wider constituency.*