



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Zoning Administrator Special Meeting—Christopher Koontz, AICP
Action Summary *(Revised)*
November 19, 2018

The Zoning Administrator opened the meeting at 2:05pm

Item—Regular Agenda

Application No.: 1810-12 (LCDP 18-033)

Address: Marina Drive (a public right of way) between 2nd Street and Studebaker Road

Council District: 3

Project Description: A Local Coastal Development Permit request for the trimming and removal of existing street trees in the public right-of-way, in conjunction with a separately-permitted street improvement project that will include installation and replacement of street trees, located on the segment of Marina Drive between 2nd Street and Studebaker Road.

The project is located within the public right-of-way between the Southeast Area Development and Improvement Plan (SEADIP) and the Planned Development for Long Beach Marina (PD-1 and PD-4) zoning districts.

Summary

Maryanne Cronin, Planner, provided a staff presentation summarizing the project description, required findings and facts in support of findings, and proposed conditions of approval.

Ms. Cronin indicated that since the public hearing notice, the scope of the project has been modified to only include trimming and relocation of the public right of way trees. No permanent removal of trees is considered at this time. Consistent with the required findings, she stated that there would be no impact on beach access or affordable housing. Further, she indicated that the proposed trimming would be consistent with the City's adopted Tree Trimming policy. There are also added conditions which require the new trees to be of a specie that benefits the existing bird species within the area and that another bird migration survey be conducted prior to the issuance of a permit.

The Zoning Administrator asked E. Lopez the Applicant with the Public Works Department for any additional comments.

Mr. Lopez stated that they conducted community outreach about the project and that the project, developed in accordance with the City's Complete Streets Policy will improve access and mobility around the area and add more trees to the area. The Public Works Department hired LSA as a consultant to conduct the latest bird study in October, which resulted in consistent findings as the prior survey. It was concluded that the City should avoid work in bird nesting season.

The Zoning Administrator opened the public hearing.

- A. Cantrell expressed concern about the following: (1) lack of availability of documents prior to the meeting, (2) the notice sent on 11/5 doesn't provide any information about removal, (3) if the latest survey was done in October, she isn't surprised it indicated no birds. (4) trees have already been illegally cut down without permission prior to the survey;
- B. A. Christiansen stated that the Coastal Commission has a several year period for studying nesting birds, and not just a single-survey; She told those present that if the trees are relocated that will have to be supported with 2x4's for a year and didn't know how this worked with the time line of the development at 2nd Street and Pacific Coast Highway. She didn't agree with the lack of public notice and now access will be less because people will have to pay to park their car.
- C. L. Rash was concerned about the lack of public notice that what was done was not good enough, the notices and agenda was not on-line and not consistent with the City's mission to be transparent. If the residents want engagement from the City, the city should respond and not be deaf.
- D. M. Cotton indicated the lack of plans as very troubling. The lack of notice, no recording of the meeting, lack of communication from Public Works staff very concerning. She believes there will be an impact on traffic and parking. She would like more advance notice.
- E. C. Sharp spoke on the lack of advance notice, the change in the project description and why it wasn't renoticed. She is very concerned about the yellow caution tape on some (not all) of the trees because she didn't understand what it meant. Why wasn't the consultant who conducted the latest study present today? She believes there will be an impact on affordable housing, and that the City is being disingenuous.
- F. *Declined to provide name.* Happy that the hotel is going away. Would like to know where the final resting place, permanent location for the trees will be. She would like to see trees that will accommodate the habitat of the Great Blue Heron as they need a habitat. She is not in favor of the road diet because of inadequate public transportation.
- G. M. Parsell indicated that the Great Blue Heron will not nest in the Mexican Fan Palm trees as they are too small and short. She knows of two qualified biologists, one a CSU Professor that would love to help and comment, however there wasn't enough time given the short notice. The Great Blue Heron's nesting season is primarily January through September.

The Zoning Administrator closed the public hearing.

The Zoning Administrator asked Mr. Lopez with the Public Works Department to walk-through the relocation and final resting spot of the trees.

Mr. Lopez emphasized that with the relocation the Public Works Staff minimized the distance to move the trees because of the potential impact of the move. He walked through the plans he brought to the meeting with the Zoning Administrator.

The Zoning Administrator will have the Public Works Department clarify the overall mature height of the proposed new trees, Washington Robusta and if they are conducive to a Great Blue Heron habitat.

The Zoning Administrator provided an overview and clarified of his role.

The Zoning Administrator asked M. Cronin to provide an overview of the Categorical Exemption that was issued. M. Cronin stated that because the project was the maintenance of non-native trees in accordance with the City's policy, it would be Categorically Exempt pursuant to Section 15301, Existing Facilities.

The findings as required by the CPCE are met in that the proposed project does not impair access to the coast as the public right of way now provides improved alternatives for all methods of transportation, including walking and bicycling to access the coast. As a result, the paperwork was submitted to the Coastal Commission on October 30, 2018. It is unknown the status. It was recommended that those individuals get in touch with the Coastal Commission for status.

The Zoning Administrator explained that the project meets all three findings of the City's Local Coastal Program, including the lack of information and/or development standards on trees in the City's Local Coastal Development Program, the respective Zoning district (PD-1 or PD-4), Chapter 3 of the Coastal Act. He indicated that the Washingtonia Robusta is not a native tree species to the area and not covered under the Endangered Species Habitat Act (ESHA), but the tree does have value. Furthermore, the public access will not be compromised in that there will be improved American's with Disabilities Act (ADA) access, and improved shade along the pedestrian sidewalk areas. Finally there is no impact to affordable housing as this is an improvement to the public right of way.

The Zoning Administrator did request two (2) additional conditions of approval which were accepted by the Applicant, including the verification of the tree species Washingtonia Robusta, and to monitor the relocated trees for a minimum five (5) year period and to replace said trees if necessary.

The Zoning Administrator conditionally approved Application No. 1810-12 (LCDP 18-033).

Any appeal of the Zoning Administrator's decision shall be made in writing no later than November 29, 2018 at 4:00pm, delivered to the 4th Floor at City Hall.

All appeals shall be heard by the Planning Commission at their December 20, 2018 meeting, held at 5:00pm in Council Chambers at City Hall.

The Zoning administrator adjourned the meeting at 2:49pm.



Christopher Koontz, AICP
Zoning Administrator