

CITY OF LONG BEACH

H-1

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor Long Beach, CA 90802 (562) 570-5237 FAX (562) 570-6068

June 15, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, and adopt a Resolution amending the Local Coastal Program of the General Plan as it relates to the Colorado Lagoon;

Adopt an Ordinance amending the Zoning Code definition of Passive Park, Section 21.15.2007, read the first time and laid over to the next regular meeting of the City Council for final reading; and

Authorize the Director of Development Services to submit all necessary supporting materials to the California Coastal Commission. (District 3)

DISCUSSION

On October 14, 2008, City Council approved the Colorado Lagoon Restoration Project. This approval included the adoption of a Resolution amending the Resource Management Plan portion of the Local Coastal Program (LCP) and the adoption of an Ordinance amending the definition of "Passive Park" in the Zoning Code. The primary goals of this project are to restore the site's ecosystem, provide an improved habitat area, provide enhanced recreation facilities, improve water and sediment quality by removing contaminated sediment, improve water circulation, and manage storm water and dry weather runoff.

As required by the City's Local Coastal Program, the City submitted the project to the California Coastal Commission for certification of the LCP amendment. On January 14, 2010, the California Coastal Commission approved the City's request with suggested modifications. The suggested modifications included incorporating existing language from the Colorado Lagoon Restoration Project Local Coastal Development Permit and provisions from the California Coastal Act into the Local Coastal Program, and clarifying language to the definition of "Passive Park" in the City's Zoning Code.

The following is the definition of "Passive Park" as submitted to the Coastal Commission:

Passive Park means a plot of land that is landscaped, maintained as open space, serves a neighborhood, and is used as an informal gathering place for relaxation and play. Passive Park includes, but is not limited to, parquets, urban oases, and small space sites. Permitted improvements and features include, but are not limited to, walking paths, sitting areas, play equipment, tables, fire pits, barbecues, public restrooms, landscaped and natural open spaces, habitat reserves, beaches, lakes, streams, lagoons, bays, and Marine Stadium.

When the new definition of "Passive Park" was drafted, staff inadvertently added Marine Stadium to the list of permitted improvements and features. In turn, the Coastal Commission is requesting the definition be amended by removing Marine Stadium, beaches and bays, and adding ponds.

The Coastal Commission's approval of the Local Coastal Program amendment and Zoning Code definition revision will not be effective 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, and (3) the Executive Director certifies that the City has complied with the Commission's January 14, 2010 action.

This letter was reviewed by Assistant City Attorney Michael J. Mais on June 3, 2010 and Budget Management Officer Victoria Bell on May 27, 2010.

TIMING CONSIDERATIONS

The Coastal Act requires that the City's adoption of the suggested modifications be completed within six months of the Commission's January 14, 2010 action.

FISCAL IMPACT

There will be no fiscal impact and no known jobs impact as a result of the recommended action.

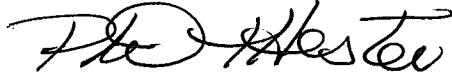
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



REGINALD I. HARRISON
INTERIM DIRECTOR OF DEVELOPMENT SERVICES




PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

RIH:JG:IB

P:\Planning\City Council Items (Pending)\Council Letters\2010-06-15\6.15.10 Colorado LagoonV8.doc

Attachments: City Council Ordinance
City Council Resolution

APPROVED:



PATRICK H. WEST
CITY MANAGER

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTION 21.15.2007
RELATING TO THE DEFINITION OF PASSIVE PARK

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 21.15.2007 of the Long Beach Municipal Code is amended to read as follows:

“Passive Park” means a plot of land that is landscaped, maintained as open space, serves a neighborhood, and is used as an informal gathering place for relaxation and play. Passive Park includes, but is not limited to, parquets, urban oases, and small space sites. Permitted improvements and features include, but are not limited to, walking paths, sitting areas, play equipment, tables, fire pits, barbecues, public restrooms, landscaped and natural open spaces, habitat reserves, lakes, streams, ponds and lagoons.

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 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 _____, 2010, by the following vote:

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OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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Ayes: Councilmembers:

Noes: Councilmembers:

Absent: Councilmembers:

City Clerk

Approved: _____

Mayor