



Legislation Details (With Text)

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File created:	8/12/2022	In control:		In control:	City Council
On agenda:	9/6/2022	Final action:		Final action:	9/6/2022
Title:	Recommendation to declare ordinance setting aside and dedicating in perpetuity certain lands owned by the City of Long Beach for public park purposes and uses, read and adopted as read. (District 7)				
Sponsors:	Development Services				
Indexes:					
Code sections:					
Attachments:	1. 082322-H-16sr&att.pdf, 2. 090622-ORD-22att, 3. ORD-22-0025.pdf				

Date	Ver.	Action By	Action	Result
9/6/2022	2	City Council	approve recommendation and adopt	Pass
8/23/2022	1	City Council	declare ordinance read the first time and laid over to the next regular meeting of the City Council for final reading	Pass

Recommendation to declare ordinance setting aside and dedicating in perpetuity certain lands owned by the City of Long Beach for public park purposes and uses, read and adopted as read. (District 7)

The Development Services and Parks, Recreation and Marine Departments have been working collaboratively for more than five years to assure land records, Zoning, dedications, and General Plan references of the parks within the City of Long Beach (City) are all accurate and up-to-date across multiple regulatory instruments and documents. This is an important effort toward updating and modernizing appropriate protections for all of the City's parks.

Dedication is the process that applies to City-owned parkland, to protect it in perpetuity for public open space use. The City Charter states that the Parks and Recreation Commission (Commission) shall have exclusive authority over all leisure activities in public parks and recreational facilities, controlled or operated by the City; and shall recommend to the City Manager and the City Council the dedication of public land for public parks. On November 18, 2021, the Commission recommended the dedication or designation of Tanaka Park, including any other land use actions needed, such as General Plan Amendments, Zoning Code Amendments, and Zone Changes (Attachment A).

The actions before the City Council for Tanaka Park are related to a broader effort which began more than five years ago to dedicate and ensure the appropriate Land Use and Zoning designations for parks throughout Long Beach. In June 2019, several months before Tanaka Park was acquired by the City, the Commission recommended the dedication/designation of 28 City-owned parks. Several parks recommended as part of the original 28 are still being

analyzed due to more complex property boundary or land survey requirements that must be addressed before they can be dedicated or designated; however, 11 of the 28 parks were approved for dedication and appropriate Land Use designation changes by the City Council on June 21, 2022. The other 17 parks, including Willow Springs Park, will return to the City Council in late 2022. Since Tanaka Park was not owned by the City when it began the process for dedication/designation of the 28 parks, it was not included in that effort. Subsequent to the purchase of the park, the City began efforts to identify all required actions to ensure Tanaka Park's dedication in perpetuity, including appropriate Land Use and Zoning actions and environmental review.

Tanaka Park is a 1.4-acre park, developed with a playground, picnic area, benches, walking trail and half-court for basketball in 2004 (Attachment B). The park is a remnant of the former Tanaka Farm which was leased to the City by the Tanaka Family for park space from the early 2000's until 2019.

The proposed changes to Tanaka Park consist of a change in Zoning Designation from Single-Family Residential (R-1-N) to Park (P) in order to ensure the appropriate District is applied, and a Zoning Code Text Amendment prepared to add Tanaka Park to the list of dedicated parks found in Table 35-2, within "Parks Chapter" of the Zoning Code (21-35). These changes will protect Tanaka Park in perpetuity for public open space use. Tanaka Park already has the appropriate General Plan Land Use Element (LUE) of Open Space, so no General Plan Amendment is needed. This action is consistent not only with Tanaka Parks' General Plan "PlaceType" designation but is also consistent with the goals and policies of both the Open Space and Recreation Element (OSRE), and the LUE, for equitably increasing access to park space in communities with the greatest need. The ongoing program (of which this action is a part) to change the Zoning and Land Use Designations of existing parks to P zoning and to the Open Space LUE "PlaceType" are needed to reflect and memorialize the existing park use, and to protect the parks by ensuring development regulations are aligned with park uses. Overall, the proposed project formally dedicates Tanaka Park, and protects it in perpetuity for open space uses.

Zone Change

The proposed zone change has been reviewed and recommended by the Planning Commission to the City Council for final approval, subject to the Findings contained in the City's Code (Attachment C). The proposed Zone change from R-1-N to P will provide for consistency with the Open Space PlaceType. No physical construction or change is proposed in this action; rather, the Planning Commission is requested to forward the recommendation to the City Council to change the Zoning to reflect the current conditions and operations of this property as a park (Attachment D).

Dedication

The City Charter and OSRE provide guidance on dedication and parkland replacement requirements that preserve and protect parks in perpetuity, for public open space uses. The

City Charter outlines that those areas that have been dedicated or designated as public park or recreation areas of the City shall not be sold or otherwise alienated unless ratified by an affirmative vote at a municipal election for such purpose; or after a recommendation by the Commission to the City Council, and a public hearing whereby the City Council determines that said park or recreation areas will be replaced by other dedicated or designated park or recreation areas on substantially an amenity-for-amenity basis and at a ratio of at least two to one (2:1), with an approximately equal portion of the replacement land located in the park service area where the land was converted; and an approximately equal portion of the replacement land located in a park service area needing parkland as determined by the Commission (Long Beach Municipal Code [LBMC] Sec. 905). The OSRE calls for formal dedication of all City-owned parks (Policies 4.2, 4.4, 4.5, and 4.8), and requires that any conversion of parkland be replaced amenity-for-amenity and acre-for-acre at a 2:1 ratio, with one acre of replacement land located in the park service area where the land was converted, and an additional acre of replacement land located in a park service area needing parkland (Policy 4.5).

Consistent with the City Charter and the OSRE, the proposed project includes an action to dedicate Tanaka Park and protect it in perpetuity for public open space use. The action includes a Zoning Text Amendment to list Tanaka Park as a dedicated park in the Zoning Code in Table 35-2 (Attachment E).

This matter was reviewed by Assistant City Attorney Dawn McIntosh on July 20, 2022 and by Revenue Management Officer, Geraldine Alejo on July 27, 2022.

Public Hearing Notice

In accordance with public hearing notification requirements, in LBMC Section 21.21.302, notice of this public hearing was posted at Tanaka Park, and published in the Long Beach Press-Telegram. On August 4, 2022 notices were also mailed out to the property owners and tenants within 1,000 feet of the subject property. Additionally, notice of the proposed project was distributed through the City's LinkLB e-mail blast system. As of the date of preparation of this report, no written comments have been received.

Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) this project is eligible for a Categorical Exemption per Section 15307 (Actions by Regulatory Agencies for the Protection of Natural Resources and Section 15061 (b) (3)) the 'Common Sense' Exemption of the CEQA Guidelines (CE-22-093).

Section 21.25.103 of the Zoning Regulations requires that for Zone Changes and Zoning Code Amendments, within 60 days following positive Planning Commission action, the Commission's recommendation shall be transmitted by the Development Services Department to the City Clerk for presentation to the City Council. The Planning Commission acted on July 7, 2022. Per this Code Section, City Council action is requested on August 23,

2022 to meet the September 6, 2022 deadline.

This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with City Council priorities. There is no fiscal or local job impact associated with this recommendation.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH SETTING ASIDE AND DEDICATING
IN PERPETUITY CERTAIN LANDS OWNED BY THE CITY OF
LONG BEACH FOR PUBLIC PARK PURPOSES AND USES

Approve recommendation.

CHRISTOPHER KOONTZ
ACTING DIRECTOR
DEVELOPMENT SERVICES

APPROVED:

THOMAS B. MODICA
CITY MANAGER