Attachment E

GENERAL PLAN AMENDMENT FINDINGS

4200 E. Ocean Blvd. Application No. 1910-05, GPA19-001 December 19, 2019 (Planning Commission)

Pursuant to California Government Code Section 65358, the City Council shall not approve a General Plan Amendment unless the following findings are made. These findings and analysis are presented for consideration, adoption and incorporation into the record of proceedings.

1. THE PROPOSED CHANGE WILL BENEFIT THE PUBLIC INTEREST; AND

<u>Positive Finding</u>: The existing General Plan Land Use Designation (LUD) for the site is split between two districts. The northern majority of the site, corresponding to the PD-2 Planned Development District zoning, is in LUD #7 (Mixed Use District), and the southern portion of the site, corresponding to the P (Park) zoning district, is in LUD #11 (Open Space) (see page 5 of the General Plan Land Use District Map). The proposed use, a recreational and competitive pool and aquatics complex, is consistent with and allowed in both LUDs.

A change to the LUD map is not proposed as part of this project's entitlements, nor is any text amendment to the General Plan Land Use Element itself. However, the project requires a Local Coastal Program Amendment (LCPA) due to the Zone Change and Zoning Code Amendment needed to accommodate the project (see staff report and other supporting information in file no. 1910-05). PD-2, which is the zoning designation for the majority of the project site, is an implementing ordinance of the Local Coastal Program (LCP), therefore any Zoning Code Amendment to change PD-2 triggers an amendment to the LCP, which must be approved by the Planning Commission, City Council, and California Coastal Coastal Program Element), the Zoning Code Amendment technically triggers a General Plan Amendment.

The General Plan Amendment, via an LCP amendment via a Zoning Code Amendment, will allow for the construction of the Belmont Beach and Aquatics Center (BBAC). The proposed change will benefit the public interest by allowing construction of this public facility of citywide and regional significance, by amending the affected portions of the zoning, LCP and General Plan to permit this facility while conforming with the overall goals and intent of the zoning, LCP, and General Plan.

2. THE PROPOSED CHANGE IS CONSISTENT WITH THE ZONING DESIGNATIONS.

<u>Positive Finding:</u> The project does not actually require a change to the General Plan Land Use Designation (LUD) or changes to the Land Use Element of the General Plan, as discussed in #1. A Zone Change to PD-2 is proposed to accommodate the project; this triggers an amendment to the Local Coastal Program, which triggers the General Plan Amendment. This technical change to the General Plan will, by necessity, be consistent with the amended zoning for the project site. The existing General Plan LUDs for the site, LUD #7 (Mixed Use District), and LUD #11 (Open Space), are both consistent with the existing (PD-2 and P) and proposed (PD-2 only) zoning for the project site, as both LUDs allow the type of recreational and competitive aquatics facility contemplated by this project.

ZONING CODE AMENDMENT FINDINGS

4200 E. Ocean Blvd. Application No. 1910-05, ZCA19-010 December 19, 2019 (Planning Commission)

Pursuant to Government Code Sections 65853 and 65855, the Planning Commission shall render a decision on any proposed Zoning Code Amendment and transmit the reasons for the recommendation, and the relationship of the proposed amendment to the applicable general and specific plans, to the City Council. These findings and analysis are presented for consideration, adoption and incorporation into the record of proceedings.

1. THE AMENDMENT IS CONSISTENT WITH OBJECTIVES, PRINCIPLES, AND STANDARDS OF THE GENERAL PLAN; AND

Positive Finding: The existing General Plan Land Use Designation (LUD) for the site is split between two districts. The northern majority of the site, corresponding to the PD-2 Planned Development District zoning, is in LUD #7 (Mixed Use District), and the southern portion of the site, corresponding to the existing P (Park) zoning district, is in LUD #11 (Open Space) (see page 5 of the General Plan Land Use District Map). The proposed use, a recreational and competitive pool and aquatics complex, is consistent with and allowed in both LUDs (see staff report and other supporting information in file no. 1910-05). No LUD map change is proposed as part of this project. The proposed Zoning Code Amendment (ZCA) will amend the Belmont Pier Planned Development District (PD-2), which is the zoning document for the majority of the project site, by expanding PD-2 to encompass the entire project site through creation of a new subarea, and implementation of development standards that accommodate the proposed Belmont Beach and Aquatics Center (BBAC) project. Additionally, these new development standards would accommodate the prior Belmont Plaza Olympic Pool facility, which was demolished in 2015 and was potentially inconsistent with PD-2 with respect to certain development standards (building height, parking) despite standing on the site since 1968 and being a facility of citywide and regional importance. A Zone Change (separate from this ZCA but part of the same entitlement package) also will be processed for changes to the Zoning Map to reflect the expanded boundary of PD-2 where it replaces the existing P (Park) zoning district on the southern portion of the development site.

LUD #7 (Mixed Use District), dating from the 1989 General Plan, is a forerunner of the currently-widespread resurgence of the concept of mixed-use zoning. LUD #7 acknowledges that while the purpose of most zoning is to separate land uses thought to be incompatible, a careful blending of different types of uses can serve to save time and energy, vitalize a site, give it more importance in the urban structure of the City, and have synergistic effects upon the surrounding area. This ZCA continues PD-2's existing blending of recreational uses, public facilities, open

Zoning Code Amendment Findings 4200 E. Ocean Blvd. App No. 1910-05, ZCA19-010 December 19, 2019 (Planning Commission) Page 2 of 2

space, beach, retail, restaurants, and high-density residential to create a unique Belmont Pier Planned Development District, specific to the PD-2 plan area and unlike any other site within the City. As such, the proposed amendment is consistent with LUD #7.

Additionally, the southern portion of the site currently located in the P zoning district and is within LUD #11 (Open Space and Parks). Like LUD #7 for this project, this LUD will remain and no map change is proposed. The description of LUD #11 opens by emphasizing the diversity of permitted uses in a large general category of recreation and public-serving facilities, including specific elements of the Local Coastal Program such as PD-2. LUD #11 states that uses should serve the overall purpose of promoting mental and physical health of the urban citizenry through one of the many permitted recreational or public facilities uses allowed. The creation of a new recreational and competitive aquatics complex of citywide and regional significance conforms to these goals, therefore, the ZCA is consistent with LUD #11 as well.

2. THE AMENDMENT WILL NOT ADVERSELY AFFECT THE CHARACTER, LIVABILITY OR APPROPRIATE DEVELOPMENT OF THE CITY, AND IS IN CONFORMITY WITH PUBLIC NECESSITY, CONVENIENCE, GENERAL WELFARE, AND GOOD PLANNING PRACTICE.

<u>Positive Finding:</u> The proposed ZCA will amend PD-2 to reflect development standards that will accommodate the proposed Belmont Beach and Aquatics Center (BBAC) project. The project, which the ZCA reflects, has been carefully designed to be a less-impactful replacement for the former Belmont Plaza Olympic Pool (see staff report and other supporting information in file no. 1910-05) through reduced structure height, coastal-oriented and eco-friendly design, enhanced public access, site and viewshed beautification, and achievement of goals of the Local Coastal Program. The proposed ZCA will guide the evolution of the Belmont Pier area and PD-2, and will enhance the character, livability, and appropriate development of the PD-2 plan area and surrounding neighborhood. The ZCA is necessary to allow construction of the BBAC project, which is in conformance with the public necessity, enhances public convenience and welfare, and is in conformance with good planning practice.

ZONE CHANGE FINDINGS 4200 E. Ocean Blvd. Application No. 1910-05, ZCHG19-005 December 19, 2019 (Planning Commission)

Pursuant to Section 21.25.106 of the Long Beach Municipal Code, in all cases, the Planning Commission and the City Council shall be required to make the following findings of fact before rezoning a parcel. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

1. THE PROPOSED CHANGE WILL NOT ADVERSELY AFFECT THE CHARACTER, LIVABILITY OR APPROPRIATE DEVELOPMENT OF THE SURROUNDING AREA; AND

Positive Finding: The site of the proposed Belmont Beach and Aquatics Center (BBAC) will be rezoned from a combination of the Belmont Pier Planned Development District (PD-2) – Subarea 1, and the P (Park) zoning district (see page 5 of the Zoning Map), to PD-2 - Subarea 5. Subarea 5 will be a new subarea of PD-2, created by a separate Zoning Code Amendment (ZCA) part of the same overall entitlement package, specifically written to reflect development standards that will accommodate the proposed project. The project, which the ZCA reflects, has been carefully designed to be a less-impactful replacement for the former Belmont Plaza Olympic Pool (see staff report and other supporting information in file no. 1910-05) through reduced structure height, coastal-oriented and ecofriendly design, enhanced public access, site and viewshed beautification, and achievement of goals of the Local Coastal Program. The proposed ZCA will guide the evolution of the Belmont Pier area and PD-2, and will enhance the character, livability, and appropriate development of the PD-2 plan area and surrounding neighborhood. The ZCA is necessary to allow construction of the BBAC project, which is in conformance with the public necessity, enhances public convenience and welfare, and is in conformance with good planning practice. The Zone Change (and accompanying ZCA) will continue to allow the same types of permitted uses, recreational and public facilities, that are allowed by the existing zoning, and at the same overall levels of intensity.

2. THE PROPOSED CHANGE IS CONSISTENT WITH THE GOALS, OBJECTIVES AND PROVISIONS OF THE GENERAL PLAN.

<u>Positive Finding</u>: The existing General Plan Land Use Designation (LUD) for the site is split between two districts. The northern majority of the site, corresponding to the PD-2 Planned Development District zoning, is in LUD #7 (Mixed Use District), and the southern portion of the site, corresponding to the P (Park) zoning district, is in LUD #11 (Open Space) (see page 5 of the General Plan Land Use District Map). The proposed use, a recreational and competitive pool and aquatics complex, is consistent with and allowed in both LUDs.

Zone Change Findings 4200 E. Ocean Blvd. App No. 1910-05, ZCHG19-005 December 19, 2019 (Planning Commission) Page 2 of 2

According to the General Plan's Consistency Tests (see pp. 265–268, 1990 General Plan Land Use Element), *zoning is consistent with the Land Use Element when and where the zoning fulfills the intent of the land use district in which the zoning/proposed zone change is located.* The Zone Change to PD-2 – Subarea 5 is consistent with the uses allowed by and the intent of both LUD Nos. 7 and 11, as it will create a significant public facility of widespread community benefit.

LUD #7 (Mixed Use District), dating from the 1989 General Plan, is a forerunner of the currently-widespread resurgence of the concept of mixed-use zoning. LUD #7 acknowledges that while the purpose of most zoning is to separate land uses thought to be incompatible, a careful blending of different types of uses can serve to save time and energy, vitalize a site, give it more importance in the urban structure of the City, and have synergistic effects upon the surrounding area. This ZCA continues PD-2's existing blending of recreational uses, public facilities, open space, beach, retail, restaurants, and high-density residential to create a unique Belmont Pier Planned Development District, specific to the PD-2 plan area and unlike any other site within the City. As such, the proposed Zone Change is consistent with LUD #7.

Additionally, the southern portion of the site currently located in the P zoning district and is within LUD #11 (Open Space and Parks). Like LUD #7 for this project, this LUD will remain and no map change is proposed. The description of LUD #11 opens by emphasizing the diversity of permitted uses in a large general category of recreation and public-serving facilities, including specific elements of the Local Coastal Program such as PD-2. LUD #11 states that uses should serve the overall purpose of promoting mental and physical health of the urban citizenry through one of the many permitted recreational or public facilities uses allowed. The creation of a new recreational and competitive aquatics complex of citywide and regional significance conforms to these goals, therefore, the Zone Change is consistent with LUD #11 as well.

3. IF THE PROPOSED CHANGE IS A REZONING OF AN EXISTING MOBILE HOME PARK, THAT THE REQUIREMENTS OF SECTION 21.25.109 HAVE BEEN OR WILL BE FULLY MET.

<u>N/A:</u> The proposed change is not a rezoning of an existing mobile home park.

SITE PLAN REVIEW FINDINGS 4200 E. Ocean Blvd. Application No. 1910-05, SPR19-027 December 19, 2019 (Planning Commission)

Pursuant to Section 21.25.506 of the Zoning Ordinance, the Site Plan Review Committee or the Planning Commission shall not approve a Site Plan Review unless the following findings are made. These findings and staff analysis are presented for consideration, adoption, and incorporation into the record of proceedings.

1. THE DESIGN IS HARMONIOUS, CONSISTENT, AND COMPLETE WITHIN ITSELF AND IS COMPATIBLE IN DESIGN, CHARACTER, AND SCALE WITH NEIGHBORING STRUCTURES AND THE COMMUNITY IN WHICH IT IS LOCATED;

<u>Positive Finding:</u> The proposed Belmont Beach and Aquatic Center development consists of a pool complex containing outdoor aquatic facilities, passive park and landscape area, and beach restroom buildings on a 5.8-acre site (see project plans in File No. 1910-05). The design of the project is harmonious, consistent, and complete within itself. Through a comprehensive and iterative planning process that relied heavily on community input, the project manager (City of Long Beach Department of Public Works) and the project architect have carefully designed a project that fits within the context of its coastal setting.

The primary component of the project is the main pool facility, which consists of the main pool, diving well, recreation pools. The main outdoor pool deck will be located atop a seven-foot-tall plinth. Bleachers with a seating capacity of 1,555 will face the main pool, with a sun shade over the bleachers rising to a height of 48 feet above the plinth, and architectural and support structures extending to 60 feet above the plinth, the same height as the former Belmont Plaza Olympic Pool building. The existing temporary pool located at the project site also will become a permanent feature, with new restrooms and support buildings.

The main pool facility is situated at the southern end of the project site, thereby maximizing its distance from the residential uses of Belmont Shore and allowing it to be surrounded on four sides by open space. The closure of the Olympic Plaza roadway, at the northern edge of the site, will provide additional project open space and a buffer from neighboring uses. The facility is oriented towards the north, with a distinct and visible main entry located in the center of this elevation. Direct paths of travel to the main entrance from the Pier Parking Lot (located to the west), the landscaped passive park area (located to the north), and the Beach Parking Lot (located to the south) have been provided for efficient pedestrian circulation. An area of bicycle parking is provided, and passive outdoor open space surrounds the plinth. The project's open space areas features primarily non-invasive and climate-adapted plantings that meet the City's landscape requirements, thereby beautifying the site and creating an attractive and inviting pedestrian-friendly environment. The restroom buildings are located west of the pool facility, abutting The Pier Parking Lot.

Site Plan Review Findings 4200 E. Ocean Blvd. App No. 1910-05, SPR19-027 December 19, 2019 (Planning Commission) Page 2 of 5

The most prominent feature of the project is the sun shade and architectural supports over the main pool bleachers. The rounded, natural shape of the sunshade creates a contemporary, iconic structure that will serve as a Long Beach landmark. The innovative shape and material composition of the structure will result in a reduced sense of scale and mass when compared to the former facility that stood at the site, the Belmont Plaza Pool, thereby enhancing area viewsheds.

The project demonstrates an understanding of the City's sustainability goals and policies and has been designed to meet the Leadership in Energy and Environmental Design (LEED) Gold certification.

2. THE DESIGN CONFORMS TO ANY APPLICABLE SPECIAL DESIGN GUIDELINES ADOPTED BY THE PLANNING COMMISSION OR SPECIFIC PLAN REQUIREMENTS, SUCH AS THE DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE DOWNTOWN DESIGN GUIDELINES, PD GUIDELINES, OR THE GENERAL PLAN;

<u>Positive Finding:</u> The project site is located in the Belmont Pier Planned Development District (PD-2) and the Coastal Zone. PD-2 seeks to revitalize the area surrounding Belmont Pier through a combination of flexibility of regulation and detailed development standards. The plan places heavy emphasis on maintaining (or enhancing) physical, visual, and psychological access to the coast. As part of this application, PD-2 will be amended (see Zoning Code Amendment ZCA19-010) to provide the necessary zoning and development standards for this unique public facility, so that it may become a conforming part of the certified Local Coastal Program.

The Belmont Beach and Aquatic Center development reflects an understanding of the PD-2 and Coastal Zone design criteria. The project's main sun shade is consistent with the document's call for "open" and "airy" buildings. Furthermore, the elliptical shape reflects a more natural form than the former box-shaped Belmont Pool building it replaces. This shift in architecture results in a less imposing, more "coastal oriented" style. Views of the ocean will be improved as compared to the previous pool facility, because of a reduction in overall building massing. The PD's goals of preserving area view corridors, including the specified Termino Avenue and Bennett Avenue view corridors providing ocean views from vantage points north of the project site, will be met with the proposed project. Landscaping and hardscape improvements that surround the pool facility on its north, east, and west sides have been carefully considered to create a park-like setting that functions as a flexible space with the ability to accommodate large, event-related crowds. Plant selections consists primarily of native and drought-tolerant species that are suitable for the project site's coastal habitat. The project and landscape design establish physical, visual, and psychological access to the coast. Therefore, the project meets the goals of PD-2.

3. THE DESIGN WILL NOT REMOVE SIGNIFICANT MATURE TREES OR STREET TREES, UNLESS NO ALTERNATIVE IS POSSIBLE;

<u>Positive Finding:</u> The 5.8-acre project site currently consists of a temporary, shallow backfilled sand area where the former pool facility stood and a passive park and landscape area containing turf grass, hardscape improvements, and mature ornamental trees. Ornamental tree species that are currently found on site include eucalyptus, ficus, oak, and paperbark. Some of the existing trees on site may be relocated, depending on their condition and potential to survive relocation. These are not significant or protected trees, however, and the proposed project will comply with all City on- and off-site landscaping requirements including the installation of a full landscape palette of trees, shrubs, and groundcover plants. Any tree work also will comply with the City's policy for tree trimming within the Coastal Zone Original Permit Jurisdiction area (see policy).

4. THERE IS AN ESSENTIAL NEXUS BETWEEN THE PUBLIC IMPROVEMENT REQUIREMENTS ESTABLISHED BY THIS ORDINANCE AND THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT; AND

<u>Positive Finding</u>: As this is a public facilities project funded by the City, no exactions of public improvements are required of a private property owner or developer. Neither will any private property be condemned, taken, or otherwise encumbered.

The proposed project improves City-owned land and will be operated by the Department of Parks, Recreation, and Marine. The proposed public improvements in and around the project site, including within the Beach Parking Lot, have been promoted and directed by City staff and been found to be necessary for the project's function and success. The project necessitates these public improvements to ensure that development does not adversely impact other public and private facilities and services.

5. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT).

TDM Requirements	New Nonresidential Development		
	25,000+ Square Feet	50,000+ Square Feet	100,000+ Square Feet
Transportation information area	*	*	*
Preferential carpool/vanpool parking		*	*
Parking designed to admit vanpools		*	*
Bicycle parking		*	*
Carpool/vanpool loading zones			*
Efficient pedestrian access			*
Bus stop improvements			*
Safe bike access from street to bike parking			*
	For all residential and nonresidential projects subject to EIR		

Table 25-1Transportation Demand Management Ordinance Requirements

<u>Positive Finding</u>: The proposed project contains more than 100,000 square feet of new, nonresidential development and is therefore subject to the Transportation Demand Management Ordinance requirements. A condition of project approval will require all measures listed above be incorporated into the final project design to the satisfaction of the Director of Development Services.

Environmental Impact Report 01-16 (the Belmont Pool Revitalization Project EIR, BPRP EIR) was prepared for the previous version of this project, and EIR Addendum 03-19 was prepared for this revision to the project. Within the document potential project-related traffic and transit-related impacts were analyzed. The analysis found that normal operational traffic generated by the project is not expected to conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the area circulation system. A study of 10 area intersections found that all study area intersections will operate at a Level of Service (LOS) that is considered acceptable by the City of Long Beach (LOS "D" or better).

Site Plan Review Findings 4200 E. Ocean Blvd. App No. 1910-05, SPR19-027 December 19, 2019 (Planning Commission) Page 5 of 5

> Project-specific mitigation measures required by the BPRP EIR will require a Construction Traffic Management Plan and an Event Traffic Management Plan. The Construction Traffic Management Plan will ensure that emergency vehicles will be able to navigate through streets adjacent to the project site without interference due to construction activities. The plan will identify traffic control for any potential street closures, detours, or other disruption to traffic circulation or public transit routes. Additionally, the plan will require the use of trained traffic management personnel (flag men) to assist in emergency response by restricting or controlling the movement of traffic that could interfere with emergency vehicle access. The Event Traffic Management Plan will be required for all events expected to draw more than 450 spectators. The plan will include active traffic management and/or off-site parking and shuttle service. All Event Traffic Management Plans will be subject to review and approval by the City Traffic Engineer. The implementation of this plan will reduce event-related traffic impacts to the surrounding residents and businesses. These measures all are incorporated as conditions of approval of the project (see conditions of approval, Application No. 1910-05).

6. THE APPROVAL IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.

<u>Positive Finding:</u> The project is proposed to be constructed and certified at the LEED Gold or equivalent level. Section 21.45.400.C.2 requires that any City project consisting of 7,500 square feet of new building or building addition on City land achieve LEED Silver certification or equivalent. This project exceeds the code requirement as currently proposed. At a minimum, it will be required to comply with this code section by achieving LEED Silver if attaining LEED Gold is found not to be feasible during the preconstruction design process. Conditions of approval have been added requiring that the project achieve the LEED Gold standard, or LEED Silver in the event that LEED Gold certification or equivalent is determined not to be feasible.

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS 4200 E. Ocean Blvd. Application No. 1910-05, LCDP19-023 December 19, 2019 (Planning Commission)

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

<u>Positive Finding:</u> The 5.8-acre project site is located entirely within the Coastal Zone. The northern portion of the project site is located in the City's Appealable Area Coastal Zone jurisdiction, and the southern portion of the site located is in the Coastal Commission Original Permit Jurisdiction area. Development at the project site requires compliance with the Coastal Act and the City's Local Coastal Program.

The California Coastal Act was adopted in 1976, with the aim of protecting, maintaining, and enhancing the coastal environment and its resources and maximizing public access and public recreational opportunities in coastal areas. The Coastal Act also sought to encourage state and local agency cooperation in preparing procedures to implement these goals. The City adopted its Local Coastal Program in 1980. The Local Coastal Program functions as the action plan for effecting implementation of the Coastal Act while acknowledging the highly urbanized shoreline and the unique challenges that are presented as it redevelops.

The Local Coastal Program contains policies that generally mirror those of the California Coastal Act, and specific policies for various planning areas of the City's Coastal Zone. The project site is located within Area C – Belmont Heights Neighborhoods of the Local Coastal Program, an area containing a mixture of residential housing types, a node of commercial uses south of Ocean Boulevard at Livingston Drive, and the Belmont Pier, Belmont Pool, and Colorado Lagoon recreation areas. The proposed project furthers Local Coastal Program policies that call for enhancement of Coastal Zone public recreation and public access, and an increase in public use of coastal resources. Project compliance with Area C-specific policies also will be achieved. These policies include retention of existing Termino Avenue and Bennett Avenue view corridors (achieved, and enhanced from the former box-shaped facility, with the proposed facility's architectural design) and the closure of Olympic Plaza at the north end of the site (the area will be converted into a landscaped pedestrian circulation and emergency fire access path).

Local Coastal Development Permit Findings 4200 E. Ocean Blvd. App No. 1910-05, LCDP19-023 December 19, 2019 (Planning Commission) Page 2 of 2

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.

<u>Positive Finding:</u> Chapter 3 of the Coastal Act contains the standards used by the California Coastal Commission in the review of Coastal Development Permits. The chapter provides the basis for state and local government beach access requirements with a stated objective of prohibiting development projects that restrict public access to the beach and/or water resources. The proposed facility is consistent with Chapter 3 Coastal Act policies. The oceanfront project site is suitable for a public recreation facility, as evidenced by the 45-year lifespan of the former pool facility that occupied the site. The new facility will represent a larger, more modern incarnation of the use that will remain open to the public and offer aquatic programming that will serve the same populations, in larger numbers, as the former facility.

The facility will be fully compliant with current ADA accessibility requirements, thereby increasing public access to the site and improving public safety. Existing public access to the sandy beach of the coastline will be maintained and enhanced by the project as well, through incorporation of on-site landscaped walking paths and circulation areas north, east, and west of the facility, and proposed linkages to the beach bicycle and pedestrian paths located south of the site. More people will have access to visit the sandy beach as a result of this project. The increased spectator seating potential for the new facility and nature of competitive events, ranging from local to national levels, will elevate the facility to a regional public amenity, thereby increasing the number of new visitors to the City's coastal zone. Local access to the site will be improved through the provision of on-site bicycle amenities and hardscape improvements that better connect the site to existing rights-of-way. The increased accessibility and recreational nature of the project is thus consistent with Chapter 3 Coastal Act policies.