

CITY OF LONG BEACH

C-5

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 4th Floor Long Beach, CA 90802 (562) 570-5237 Fax: (562) 570-6205

September 23, 2014

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution allowing for the initiation of a Consolidated Coastal Development Permit process pursuant to Section 30601.3 of the Public Resources Code (Coastal Act) in connection with the demolition of the Belmont Plaza Pool facility at 4000 East Olympic Plaza. (District 3)

DISCUSSION

On January 13, 2013, the Belmont Plaza Pool Natatorium (Belmont Pool) was permanently closed to the public after being deemed seismically unsafe in the event of a moderate earthquake. On April 15, 2014, the City Council adopted Statutory Exemption SE 14-01 to effectuate demolition of Belmont Pool in the interests of public safety. The City Council voted unanimously on August 19, 2014, to amend the City's contract with Psomas Corporation to include Belmont Pool Demolition (The Project) services.

Belmont Pool is located within two coastal jurisdictions (Exhibit A – Coastal Zone Map). The enclosed portion of Belmont Pool is located in the State Permit Jurisdiction, where the California Coastal Commission (CCC) has exclusive permitting authority. The ADA access ramp protruding from Belmont Pool's north façade extends into the area of the City's certified Local Coastal Program, where the City has jurisdiction, subject to appeal to the CCC. This jurisdictional duality would require both the City and CCC to issue separate coastal development permits for the Project, creating potential confusion, inconsistent conditions of approval or mitigation measures, and a lengthy timeline due to the joint application processes. Section 30601.3 of the Public Resources Code (Coastal Act) authorizes the CCC to process a Consolidated Coastal Development Permit application (CCDP) when requested by a local jurisdiction for projects that would otherwise require coastal development permits from both entities. Staff believes that a single, integrated coastal review process would be the most efficient means of coastal approval.

Before an application for a CCDP can be submitted to the CCC, the local jurisdiction (in this case the City Council) must provide its consent. Staff recommends that the City Council adopt a Resolution supporting the CCDP process, indicating its approval to delegate the City's coastal development permitting authority to the CCC. The

Resolution further provides direction to City staff to work with CCC staff to identify any other City actions necessary to undertake and complete the CCDP process.

Consenting to the CCDP process does not relinquish or reduce the City's role in taking action on other discretionary items related to the Project or a future pool rebuild, nor would consenting to the CCDP process jeopardize or lessen the public's opportunity to participate in either the City's entitlement or CCC's coastal permit review processes. During each respective process, members of the public may participate by attending public hearings or providing testimony prior to hearings, as usual.

This matter was reviewed by Assistant City Attorney Michael Mais on September 8, 2014, and by Budget Management Officer Victoria Bell on September 5, 2014.

TIMING CONSIDERATIONS

City Council action on this matter is time sensitive in order to proceed with demolition expeditiously.

FISCAL IMPACT

There is no fiscal or local job impact as a result of the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:JW:MH

P:\Planning\City Council Items (Pending)\Council Letters\2014\2014-09-23\Belmont Pool Demolition.doc

Attachments: City Council Resolution
Exhibit A – Coastal Zone Map

APPROVED:



PATRICK H. WEST
CITY MANAGER



Belmont Plaza Pool Facility

Council District : 3

Zoning Code: P, PD-2 SubArea 1, 3



- Coastal Zone
- Appealable Area
- Coastal Commission Permit Jurisdiction
- Coastal Zone

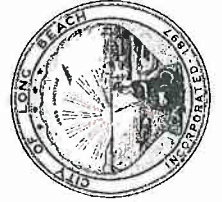
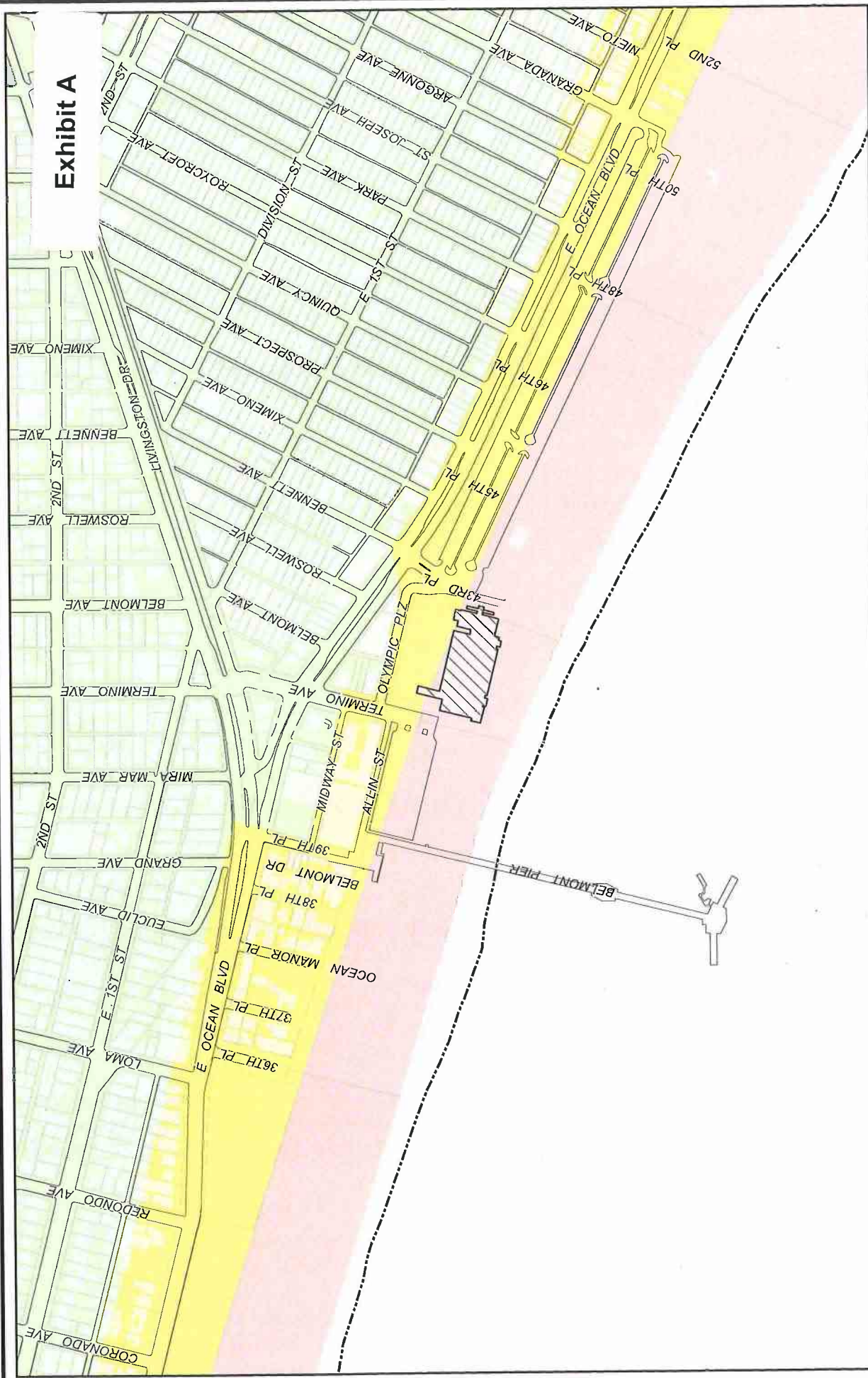


Exhibit A



OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH CONSENTING TO A
5 CONSOLIDATED COASTAL DEVELOPMENT PERMIT
6 PROCESS WITH THE CALIFORNIA COASTAL
7 COMMISSION PURSUANT TO PUBLIC RESOURCES
8 CODE SECTION 30601.3, IN CONNECTION WITH THE
9 BELMONT PLAZA POOL FACILITY LOCATED AT 4000 E.
10 OLYMPIC PLAZA IN THE CITY OF LONG BEACH
11

12 WHEREAS, on January 13, 2013, the Belmont Plaza Pool Natatorium
13 (Belmont Pool) was permanently closed to the public after being deemed seismically
14 unsafe in the event of a moderate earthquake;

15 WHEREAS, on April 15, 2014, the City Council adopted Statutory
16 Exemption SE 14-01 to effectuate demolition of Belmont Pool in the interests of public
17 safety. The City Council voted unanimously on August 19, 2014, to amend the City's
18 contract with Psomas Corporation to include Belmont Pool Demolition (The Project)
19 services;

20 WHEREAS, the Belmont Pool is located within two coastal jurisdictions.
21 The enclosed portion of Belmont Pool is located in the State Permit Jurisdiction where
22 the California Coastal Commission (CCC) has exclusive permitting authority. The ADA
23 access ramp protruding from Belmont Pool's north façade extends into the area of the
24 City's certified Local Coastal Program where the City has jurisdiction, subject to appeal to
25 the California Coastal Commission;

26 WHEREAS, this jurisdictional duality would typically require both the City
27 and CCC to issue separate Coastal Development Permits for the Project, creating
28 potential confusion, inconsistent conditions of approval or mitigation measures, and a

1 lengthy timeline due to the joint application processes;

2 WHEREAS, the California Coastal Act was amended by Senate Bill
3 (SB)1843 effective January 1, 2007, which allows for a consolidated permitting process
4 for projects for which the Coastal Development Permit (CDP) authority is shared by a
5 local government and the State Coastal Commission;

6 WHEREAS, SB 1843 (now codified as Section 30601.3 of the Public
7 Resources Code), requires that the applicant, the local government, and the Executive
8 Director of the Coastal Commission agree to the consolidation;

9 WHEREAS, consolidation may only proceed where public participation is
10 not substantially impaired by a consolidated review process;

11 WHEREAS, the City Council and Planning staff find that a consolidated
12 Coastal Development Permit application and process is beneficial to the public by
13 reducing the total time and cost that it takes to go through the entire Coastal permitting
14 process;

15 WHEREAS, the City Council and Planning staff find that a consolidated
16 Coastal Development Permit application and process would benefit the public by
17 reducing and avoiding unnecessary and duplicative processing efforts;

18 WHEREAS, this matter was considered by the City Council at a duly
19 agendized public meeting conducted by the City Council on September 23, 2014, to
20 receive public comment on the proposed Coastal Development Permit review
21 consolidation request and authorization.

22 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
23 follows:

24 Section 1. The City Council and the City of Long Beach hereby request
25 and authorize the California Coastal Commission to process a consolidated Coastal
26 Development Permit for the demolition of the Belmont Plaza Pool facility, as said project
27 is more fully described in that certain application prepared by the City of Long Beach, a
28 copy of which application and supporting documentation are hereby incorporated herein

1 by this reference as though set forth in full, word for word.

2 Section 2. That the Director of Development Services and the City
3 Manager and/or their respective designees are hereby delegated to act on behalf of the
4 City Council with respect to the proposed consolidated permit process in accordance with
5 the provisions of Public Resources Code Section 30601.3.

6 Section 3. That all documents, including but not limited to, the application
7 mentioned and listed in the recitals immediately above, as well as the City Council Staff
8 Report dated September 23, 2014, are incorporated herein by this reference as if fully set
9 forth herein.

10 Section 4. The City Council further determines that approval and consent
11 hereby given is limited to approval and consent to a legal procedure allowing the
12 California Coastal Commission, to process the above referenced application where
13 permitting would otherwise require both the City of Long Beach and the Coastal
14 Commission to consider Coastal Development Permit (CDP) applications. This is not
15 intended, and shall not be construed, deemed, or interpreted, to be an approval of any
16 required City entitlements or permits. Any such entitlement and permit determinations
17 shall remain in the discretion of the City. Consideration of such City entitlements may
18 include, without limitation, all appropriate and required CEQA review by City.

19 Section 5. The City Council hereby finds and determines that public
20 participation will not be substantially impaired by the proposed consolidated review
21 because: (1) the California Coastal Commission will hold a duly noticed public hearing on
22 the CDP application; and (2) the California Coastal Commission will provide public
23 notification of the public hearing when the CDP for the proposed project will be
24 considered.

25 Section 6. Pursuant to Public Resources Code Section 30601.3, the City
26 Council hereby requests and consents to the processing of a consolidated CDP for the
27 proposed project as is more fully described in the City Council Staff Report and the
28 aforementioned permit application prepared by the City as Applicant.

1 Section 7. This resolution shall take effect immediately upon its adoption
2 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

3 I hereby certify that the foregoing resolution was adopted by the City
4 Council of the City of Long Beach at its meeting of _____, 2014, by the
5 following vote:

6
7 Ayes: Councilmembers: _____
8 _____

9
10
11 Noes: Councilmembers: _____
12 _____

13 Absent: Councilmembers: _____
14 _____

15
16
17 _____
18 City Clerk
19
20
21
22
23
24
25
26
27
28

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664