

Marina del Rey Land Use Plan



Marina del Rey Land Use Plan

A component of the
Los Angeles County Local Coastal Program

Certified by the California Coastal Commission
February 8, 2012

County of Los Angeles
Department of Regional Planning
Richard J. Bruckner, Director

Los Angeles County Board of Supervisors
Gloria Molina, First District
Mark Ridley-Thomas, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
Michael D. Antonovich, Fifth District

Chief Executive Officer
William T Fujioka

Marina del Rey Land Use Plan Legislative History

Original Marina del Rey/Ballona Land Use Plan:

January 12, 1984	Certification with suggested modifications approved by the California Coastal Commission.
September 13, 1984	Approval of suggested modifications by County Board of Supervisors.
October 11, 1984	Effective certification by Coastal Commission following Executive Director's determination of County compliance with suggested modifications.

Annexation Removes Ballona Area from Land Use Plan:

December 9, 1986	Certification of revised Land Use Plan, as submitted by Los Angeles County, approved by Coastal Commission; revision reflects removal of Playa Vista Areas B and C from Plan due to annexation by the City of Los Angeles.
------------------	--

Major Amendment to Marina del Rey Land Use Plan:

September 14, 1994 ~	Recommended by the Los Angeles County Regional Planning Commission.
November 3, 1994 ~	Approved for submittal to the Coastal Commission by the County Board of Supervisors.
May 10, 1995 ~	Certification with suggested modifications approved by the Coastal Commission.
August 22, 1995 ~	Approval of suggested modifications by Board of Supervisors.
February 8, 1996 ~	Effective certification by Coastal Commission following Executive Director's determination of County compliance with suggested modifications.
January 7, 2002 ~	LCPA 01-01 finally certified by California Coastal Commission (Parcel 20)
February 17, 2009 ~	Certification of amendment to Design Control Board responsibilities adopted by the Board of Supervisors.
February 8, 2012~	Effective Certification by Coastal Commission following Executive Director's determination of County compliance with suggested modifications.

**Major Amendment prepared by:
Michael Tripp, Samuel Z. Dea and Anita Gutierrez
Special Projects Section**

Table of Contents

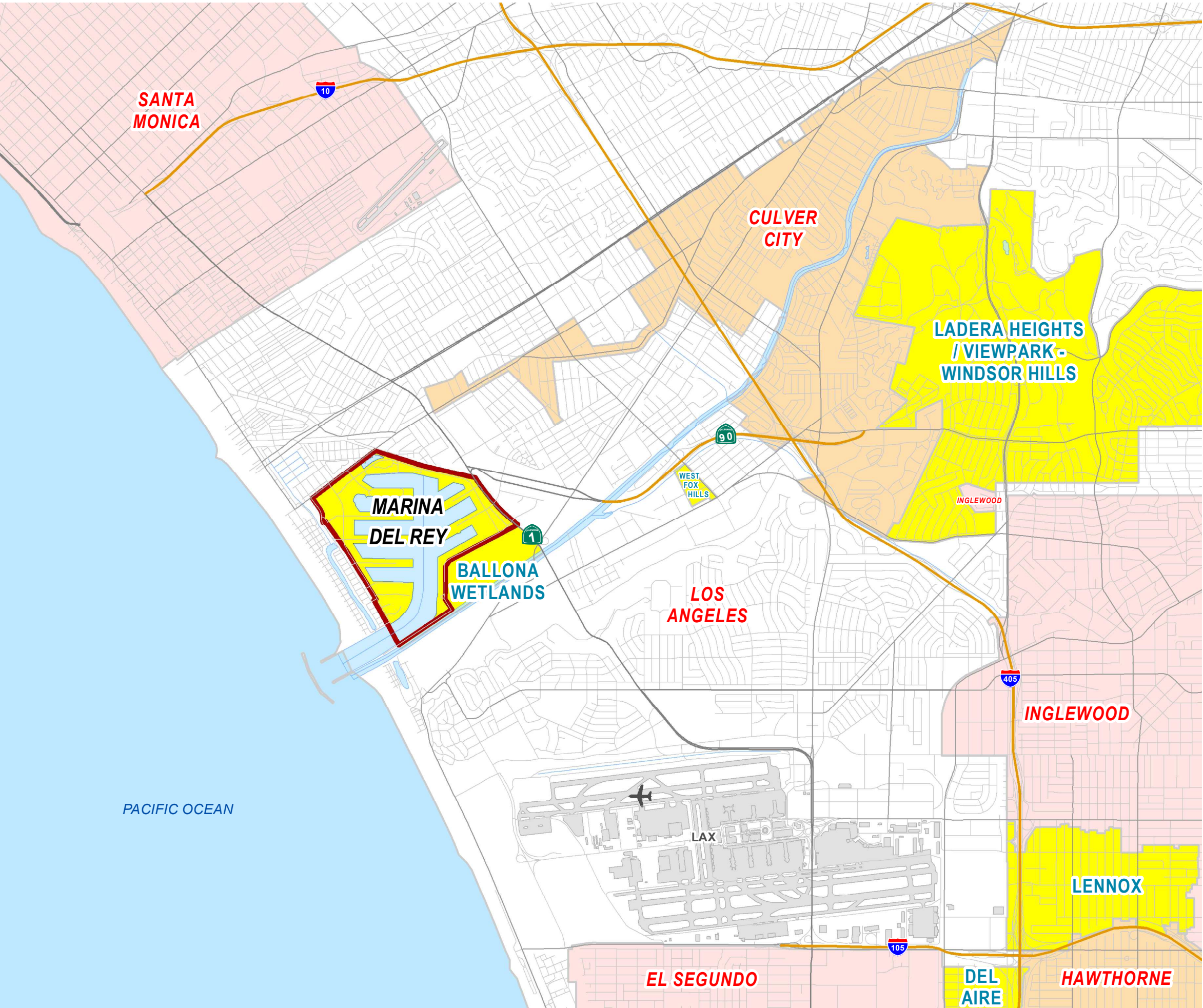
	Page
List of Maps	ii
List of Figures	iii
Definitions	v
Legal Challenges	ix
A. COASTAL ACCESS AND RECREATION POLICY	1
1. Shoreline Access	1-1
2. Recreation and Visitor-Serving Facilities	2-1
3. Recreational Boating	3-1
B. MARINE AND LAND RESOURCES	4
4. Marine Resources	4-1
5. Important Biological Resources ("IBR")	5-1
6. Agriculture	6-1
7. Cultural Heritage Resources	7-1
C. NEW DEVELOPMENT POLICY	8
8. Land Use Plan	8-1
9. Coastal Visual Resources	9-1
10. Hazard Areas	10-1
11. Circulation	11-1
12. Public Works	12-1
13. Diking, Dredging, Filling and Shoreline Structures	13-1
14. Industrial Development and Energy Facilities	14-1

LIST OF MAPS

Map Number	Title	Page
MAP 1:	REGIONAL VICINITY	iv
MAP 2:	LCP AREA	1-14
MAP 3:	LCP LEASE PARCELS	1-15
MAP 4:	EXISTING & PROPOSED SHORELINE ACCESS	1-16
MAP 5:	EXISTING & PROPOSED VISITOR-SERVING FACILITIES	2-14
MAP 6:	PERMITTED PUBLIC DRY STORAGE AREAS	3-9
MAP 7:	BOATING-RELATED SUPPORT FACILITIES	3-10
MAP 8:	LAND USE PLAN	8-25
MAP 9:	OPEN SPACE PLAN	8-26
MAP 10:	DEVELOPMENT ZONES	8-27
MAP 11:	DEVELOPMENT ZONE 1	8-28
MAP 12:	DEVELOPMENT ZONE 2	8-29
MAP 13:	DEVELOPMENT ZONE 3	8-30
MAP 14:	HEIGHT LIMITS	9-9
MAP 15:	SEISMIC HAZARDS	10-11
MAP 16:	REGIONAL CIRCULATION SYSTEM	11-15
MAP 17:	LOCATION OF STUDY INTERSECTIONS	11-16
MAP 18:	CIRCULATION SYSTEM IMPROVEMENTS	11-17
MAP 19:	GAS UTILITY EASEMENTS	14-5

LIST OF FIGURES

FIGURE 1:	TYPES OF LOCAL TRANSPORTATION	1-5
FIGURE 2:	MARINA DEL REY COASTAL ACCESS POINTS	1-13
FIGURE 3:	PUBLIC PARKING LOTS-NEAR TERM CONFIGURATION.....	2-10
FIGURE 4:	SLIP LENGTH DISTRIBUTIONS AND WET/DRY BOAT STORAGE	3-2
FIGURE 5:	DEVELOPMENT ZONE (DZ) ASSIGNMENTS	8-17
FIGURE 6:	DEVELOPMENT POTENTIAL SUMMARY BY DEVELOPMENT ZONE	8-18
FIGURE 7:	POTENTIAL EARTHQUAKE MAGNITUDES.....	10-3
FIGURE 8:	INTERSECTION LEVEL OF SERVICE DEFINITIONS.....	11-7
FIGURE 9:	VOLUME TO CAPACITY THRESHOLDS	11-8
FIGURE 10:	PM TRIP GENERATION RATES.....	11-8
FIGURE 11:	STATUS OF DKS RECOMMENDED TRANSPORTATION IMPROVEMENTS	11-10



Los Angeles County

MAP 1

MARINA DEL REY

Regional Vicinity

LEGEND

- Freeways
- Highways
- Arterials
- River, Stream or Channel
- Marina Del Rey LCP Area
- Airports
- Unincorporated Area
- Incorporated City
- Perennial Water Body
- Pacific Ocean



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



DEFINITIONS

The definitions in this chapter govern the interpretation of the Land Use Plan.

Ambient Traffic Growth represents the natural "background" growth in traffic volumes which is mainly attributable to regional traffic growth and the collective effects of many small developments.

City means the City of Los Angeles, unless another city is specifically cited.

Coastal-dependent development or use means any development or use which requires a site on, or adjacent to, the sea to be able to function.

Coastal Development Permit (CDP) means a permit for any development, as defined below, within the coastal zone what is required pursuant to subdivision (a) of Section 30600 of the California Coastal Act. This permit grants a right or entitlement to pursue development specified in the permit, so long as the permit remains valid and the project description and conditions of the permit are adhered to.

Commission means the California Coastal Commission.

County means the County of Los Angeles.

Development means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act, and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, and kelp harvesting. "Structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Development potential refers to the specific types of land uses and the maximum intensity of development that may be permitted on a specific parcel or sub-parcel as established by text policy or shown by land use category on policy maps. The actual development that may be granted on any given parcel is subject to constraints,

limitations and conditions, applicable at the time of application, that may be imposed during a public hearing process culminating in the granting of a Coastal Development Permit. Development potential, by it self, does not establish any right or entitlement to a specific development project.

Dry storage means a delineated surface or elevated area, defined by marked spaces, racks, or structures, for the purpose of accommodating a recreational boat or vessel as distinguished from wet slips.

Energy facility means any public or private processing, producing, generating, storing, transmitting or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

Entitlement means a right to develop secured by the legal granting of a Coastal Development Permit; such entitlement shall remain in force only so long as a CDP remains valid, and the conditions of approval are adhered to. An entitlement is not the same as development potential.

Environmentally sensitive habitat area (ESHA) means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development.

Farmers' Market, Certified means a location approved by the Los Angeles County agricultural commissioner where agriculture products are sold by producers or certified producers directly to consumers. A certified farmers' market may be operated by one or more certified producers, by a nonprofit organization, or by a local government agency.

Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Land Use Plan (LUP) means the relevant portion of a local government's general plan, or local coastal element, which are sufficiently detailed to indicate the kinds, location and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions. This document serves as the LUP for Marina del Rey.

Local Coastal Program (LCP) means a local government's (a) **Land Use Plan (LUP)**, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions which, when taken together, meet the requirements of, and implement the provisions and policies of the Coastal Act. Items

(b), (c) and (d) are collectively referred to as the **Local Implementation Program (LIP)**.

Major Public Works refers to public works, including all public utility facilities, roads, transportation facilities, publicly financed recreational facilities and community college facilities defined as public works in Section 30114 of the California Coastal Act that are also considered major public works under the provisions of Section 13012 of the California Code of Regulations.

Mole refers to a structure or fill set up in the water such as for a breakwater, pier or man-made peninsula. A mole is not a portion of land adjacent to the water, and connected to other land, whether raised by dredge spoil or otherwise, which does not form a peninsula.

Mole Road is a road situated on a man-made mole as defined above.

Open Space: means recreational uses including open viewing areas, promenades, plazas, commons, natural resources parks, bikeways, beaches, active parks, picnic facilities, nature/interpretive centers, associated surface parking and landscaping. Map 9 depicts the open space plan. The open space plan is intended to provide for three types of open spaces, defined as follows:

- a. **Active** - parks, playgrounds, view parks and beaches
- b. **Passive** - Areas that require minimal or no development that is subordinate to the natural environment and are designed for the enjoyment of the marine and natural resources of Marina del Rey.
- c. **Urban** - plazas, commons, amphitheatres, and gathering areas not associated with commercial or other uses and available for the enjoyment of the general public but which may be associated with a commercial or other development or a parking structure.

Phase II Development refers to all development authorized under this revised Local Coastal Program. Prior distinctions to Phase I and III development are no longer valid.

Important Biological Resources (IBR) means those natural plant or animal resources which require conservation and management in order to protect and perpetuate their presence in Marina del Rey. Important biological resources are not "Environmentally sensitive areas" with the meaning of California Public Resources Code Sections 30107.5 or 30240.

Shall and **will** when used in a policy statement implies the following interpretation: "shall" means that when the policy applies to a specific situation, the action required is

mandatory and must be followed by the decision makers; "will" means that the action required is discretionary, and that the decision makers may determine that alternative actions or mitigation measures are more appropriate for the specific situation.

Wetland: Lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Wet Slip refers to an accommodation in the water of the marina for a boat, whether sail or power on a regular, as opposed to periodic, basis.

Zoning Ordinance means the Los Angeles County Planning and Zoning Codes, Title 22, as submitted as Appendix A (on December 28, 1994), or as certified by the Commission as a subsequent amendment.

LEGAL CHALLENGES

a. Severability Clause

In the event of legal challenge to any portion of the Marina del Rey Local Coastal Program (LCP), the following legal provision shall govern the effect upon the remainder of the LCP:

If any provision, clause, sentence or paragraph of this Local Coastal Program or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the provisions of this LCP which can be given effect without the invalid provision or application, and, to this end, the provisions of this LCP are hereby declared severable.

Moreover, during any period of time that a portion of the LCP is subject to on-going litigation, that portion of the LCP not subject to the lawsuit shall remain in full force and effect, and the County's ability to issue valid permits shall not therefore be curtailed.

b. Indemnity Clause – Marina Lessees

In the event of legal challenge to any portion of the Marina del Rey Local Coastal Program (LCP) affecting the existing Marina, the lessees shall abide by the following provisions:

The lessees of the leasehold parcels within the existing Marina ("the lessees") shall cooperate jointly and severally to defend, indemnify and hold harmless the County of Los Angeles ("the County"), its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, annul or seek damages or compensation in connection with this LCP approval or the conditions of LCP approval, which action is brought within the applicable time period. If the County fails to promptly notify the lessees of any claim, action or proceeding, or if the County fails to cooperate fully in the defense, the lessees shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

A. COASTAL ACCESS AND RECREATION POLICY

- 1. Shoreline Access**
 - 2. Recreation and Visitor-Serving Facilities**
 - 3. Recreation Boating**
-

1. Shoreline Access

a. Coastal Act Policies

30210. *In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public right, rights of private property owners, and natural resource areas from the overuse.*

30211. *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

30212. *(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or

(3) agriculture would be adversely affected. Dedicated access way shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not seaward of the location of the former structure.

(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

30252. *The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential of public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provisions of on-site recreational facilities to serve the new development.*

b. Issues Identified

Access to the shoreline is limited to a certain extent by leased development. Given special Coastal Act provisions for public access, future development has the potential for providing greater shoreline access. HOW WILL GREATER ACCESS TO WATER AREAS BE INCORPORATED INTO FUTURE DEVELOPMENT?

Safety and security in the Marina are important to residents, boaters and visitors. Public access ways, private boats, apartments and commercial uses all require special security precautions. WHAT ARE THE CURRENT POLICING/SECURITY PROBLEMS AND HOW WILL THEY CHANGE IN THE FUTURE?

The County has a goal of encouraging public use of the Marina. In so doing, the public's use and proximity to development must be balanced with leaseholders' property rights. HOW WILL LEASED PROPERTY RIGHTS BE PRESERVED WHILE ALLOWING FOR MAXIMUM PUBLIC ACCESS?

Recreation and local visitor-serving automobile traffic contribute a large part of the traffic in the Marina. WHAT ALTERNATIVE TRANSPORTATION MODES ARE FEASIBLE IN IMPROVING THIS TRAFFIC?

c. Research Analysis

Shoreline Public Access

The Marina del Rey LCP Area is separated from the shore of the Pacific Ocean by the City of Los Angeles (see Map 2, LCP Area & Map 3 LCP Lease Parcels at the end of the chapter). Within the LCP Area, shoreline frontage consists only of the Marina entrance channel, the Ballona Creek flood control channel, and 9.2 miles of jetties and bulkheads facing the Marina harbor.

Regional access to the small craft harbor of Marina del Rey is provided through a network of freeways and major and secondary highways joining the area to the entire county. Local shoreline access within the marina is provided by local streets, driveways, bike paths, walks, promenades, open spaces and a WaterBus which carries visitors to various visitor-serving destinations in the Marina. Together, these features permit direct access to the harbor and creek waters (See Map 4, Existing & Proposed Shoreline Access, at the end of the chapter). The County has the option to allow office building parking lots near Burton Chace Park to be used as public parking lots on weekends and holidays.

While public safety necessitates the exclusion of the public from certain areas, 8.75 miles (or 78 Percent) of the 11.25 miles of shoreline in the LCP Area-in addition to jetties outside the LCP Area-are open to public access – all of which is served by paths, walks, drives, or streets. The public promenade, existing and proposed, is shown on Map 4.

Public access is as follows:

1. Property leased from the County, open to the public –

About 5.5 miles of shoreline located along basins A, B, C, portions of basins D, E, F, G, H, and Parcels 7, 55, 56 (Fisherman's Village), and 112.

Property leased from the County, open to the public. Open 24 hours.

The quarter mile portion of Promenade Way adjacent to the Marina City Club Towers (Parcel 125).

2. Property leased from the County, subject to restrictions –

The almost 2.5 mile portion of the harbor bordering Parcels 30, 52, 53, 54, 64, 113, and 132. The dry stack project proposed at Parcel 52 would restrict waterside public access for safety; however, a view park is proposed at the end of a 32-foot wide public promenade in order for the public to view the operation of the dry stack facility and open water areas. Moreover, as lease extensions are approved by the County and/or leased parcels are remodeled or redeveloped, public access will be augmented subject to available space and provisions to ensure safety.

3. Public (County) property, which is open to the public –

The nearly 3 miles adjoining the north jetty, south jetty, Marina Beach, portions of basins D, E, H, Palawan Way (a perimeter mole road), library, Burton Chace Park, launching ramp, Harbor Administration facilities (partial), and the bike path. In addition, the County is developing a 1.46 acre wetland park on Parcel 9, and the County intends to locate a small park waterside at Parcel 52 connected to Fiji Way by a 32-foot wide, landscaped public promenade. Finally, the County shall incorporate a pedestrian path on Parcel 147 (Formerly Parcel OT) connecting Washington Boulevard to Admiralty Way when development on that parcel occurs. The path on Parcel 147 shall be constructed and open to the public prior to the issuance of the Certificate of Occupancy for Parcel 147.

4. Public (County) property, which is subject to access restrictions –

Parcels 61 and 62 (although Parcel 61 has a promenade)

Local Transportation

Figure 1 lists the types of transportation serving the LCP Area.

In addition to commercial parking in the area, there are numerous public parking lots in the Small Craft Harbor (see page 2-4 of Chapter 2, *Recreation and Visitor-Serving Facilities*, for a fuller discussion of existing and proposed public parking conditions). The public parking provided has been sited and sized in accordance with a long range public parking needs study conducted in 2009, and incorporated into the Cumulative Impact Assessment for the Pipeline Projects amendment.

Access Improvements

The provision of additional public access consistent with Coastal Act policies §30210 and §30252, is achieved by a series of transportation options. Roadway systems, the public promenade, bicycle trails, the WaterBus, and a public shuttle operated during peak periods assist in helping the public to move within Marina del Rey and to the beach.

FIGURE 1: TYPES OF LOCAL TRANSPORTATION

<u>Type</u>	<u>Method</u>	<u>Route</u>
Private	Pedestrian	Arterial highways, Local Streets, drives, footpaths
	Bicycle	Marvin Braude Bike Trail, local streets, drives
	Automobile	via 90 and 405 freeways, local streets, and drives
	Boat	Marina Entrance and Main Channels, various basin fairways
Public	Bus	Culver City local bus routes along Washington Blvd
		Culver City Bus Line No. 7
		Santa Monica Big Blue Bus No. 3
		Santa Monica Big Blue Bus, Rapid Bus No. 3
		LADOT Commuter Express, Venice to Downtown Los Angeles No. 437
		MTA local bus line No. 108, linking Marina del Rey to South Los Angeles and Pico Rivera
		MTA local bus line 115 linking the Marina del Rey/Ballona area with Norwalk and points in-between
	Summer Shuttle	A seasonal shuttle for visitors to access the Marina, Playa Vista and Venice Beach Pier (operated in conjunction with Playa Vista)
	WaterBus boat	A seasonally operated system for on-the-water transit
	boat tours	Marina Entrance and Main Channels
	taxi	via 90 and 405 freeways, local streets, and drives

Additionally, the western most 1,400 feet of the south jetty would be paved to enhance pedestrian access.

Additional Bulkhead Access

The County commits to providing access along bulkheads on any redevelopment of a parcel bordering the Main and Entrance Channels, except where safety may be compromised, such as boatyards, dry stack storage facilities, launch ramps and public and private hoists or small craft staging areas. Redevelopment shall include refurbishment, such as interior remodeling and upgrades, as well as demolition and reconstruction, provided, however, that only in the case of demolition is the 28-foot promenade required.

Parcels 30 and 132 will open up their shoreline to public access if intensification occurs on the land side portions of their parcels (see Map). As stated under "Shoreline Public Access" herein, the County may restrict certain areas and not allow public access, for public safety reasons.

Summary of Access Improvements

The preceding access improvements will be implemented as development in these areas proceeds. New public shoreline access as explained above will add about 2,700 linear feet in the existing Marina.

Public and Leaseholder rights in Marina del Rey Small Craft Harbors:

Public rights in Marina del Rey

Public rights emanate from the fact that Marina del Rey is a publicly owned harbor to which the general public is guaranteed certain access. Public access and use of lessee facilities, such as apartments and boat slips, are subject to developers' contractual rights outlined in their County lease agreements. Access and use of County-constructed and operated facilities (parks, launch ramp, public beach) are subject to the County's recreational policies established by the County Board of Supervisors.

Leaseholder Private Rights in Marina del Rey

Of the Marina's 804 acres, 292 acres of land and 148 acres of water are leased to the private sector under long term leases. There are currently 54 leases which have been awarded by open competitive bids since the early and mid 1960's. The leaseholders are required to construct improvements on unimproved parcels in conformance with authorized uses designated in their leases and pursuant to a master plan for Marina del Rey. Most leases were given for an original term of 60 years.

In entering into these leases, the County retained certain controls over the private developer to ensure the facilities were constructed in a timely manner and thereafter operated in a manner consistent with the County's goal of encouraging public use of the

project. These controls provide the County the right to: 1) approve all construction on the leaseholds to ensure both use and architectural mandates are met; 2) ensure prices charged for facilities and services are fair and reasonable to the user public, while entitling the lessee to a fair and reasonable return on investment; 3) control commercial sublease agreements in compliance with authorized uses of the leaseholds; and 4) ensure adequate maintenance of leasehold facilities.

The lease agreements outline the parameters within which each private developer must operate. The private rights of these developers are best summarized as one of contractual law.

Restricted Use/Usage Problems

Higher levels of use place great demands, at times, on traffic circulation and parking.

Areas of more intense use are as follows:

- High Usage: North Jetty, the beach, and the launching ramp
- Moderate Usage: Fisherman's Village and Burton Chace Park

While public access is an issue of concern and a theme found throughout the Coastal Act, the demands of safety and security (Coastal Act § 30210), as well as protection of Important Biological Resources—as defined in this LUP, require that certain areas be precluded or restricted from public entry. Public safety concerns dictate excluding the public from areas maintaining potentially hazardous activities, such as boat yards, maintenance yards, dry stack storage facilities, hoist areas, boat ramps, flood control projects, Important Biological Resources, Southern California Gas Company facilities, and private launching facilities. Caution must also be exercised around boat slip areas where the non-boating public needs to understand boating safety concerns such as proper disposal of smoking materials. Access to important biological resource areas should be controlled so as not to degrade these natural resources.

To invite maximum use by the public, access to the shoreline requires: 1) public awareness, 2) physical presence, and 3) legal access.

Physical presence and legal access to the shoreline are available and consistent throughout most of the Marina. However, public awareness of shoreline access varies as follows:

Maximum Awareness:	Shoreline adjacent to public attractions such as Fisherman's Village, the Marina Beach and Burton Chace Park.
--------------------	---

Moderate

Awareness: Mole roads like Palawan Way.

Minimum Shoreline adjacent to private and commercial

Awareness: uses like apartments, boat clubs and dry stack storage facilities.

As a first step toward increasing public awareness of coastal access points, the County of Los Angeles already has contributed information on the Marina del Rey section of the *California Access Guide*, published by the California Coastal Commission (reproduced in Figure 2 at the end of this chapter). The County also annually publishes brochures and pamphlets with maps, and maintains a comprehensive website with information for visitors, boaters and residents alike.

d. Findings

There is a strong demand for increased public access to and public use of coastal resources in the Los Angeles area.

The existing Marina provides a well developed public shoreline access system, which is being expanded over time as older projects redevelop. However, if there is no redevelopment and the project is simply remodeled, there is often insufficient room to fit the County's 28-foot promenade with benches, drinking fountains and other public amenities.

The Marina has no shoreline in the traditional sense of beach shoreline; but rather a continuous bulkhead of functioning boating-related uses.

Public awareness of all shoreline access areas presently available in the Marina should be increased.

Unconstrained development would ultimately result in unacceptable heavy traffic congestion restricting public access to the shoreline.

Additional methods of transporting persons within the Marina area are advantageous to increased enjoyment of the marina as a whole. Modes of circulation other than by private automobile are preferred.

Access to coastal resources to allow persons with disabilities full enjoyment of the shoreline is highly desirable.

e. Policies and Actions

Shoreline Pedestrian Access

1. **Public Access to Shoreline a Priority.** Maximum public access to and along the Shoreline within the LCP Area shall be a priority goal of this Plan, balanced with the need for public safety, and protection of private property rights and sensitive coastal resources. This goal shall be achieved through the coordination and enhancement of the following components of a public access system: pedestrian access, public transit, water transit, parking, bikeways, circulation network, public views and directional signs and promotional information.
2. Existing public access to the shoreline or water front shall be protected and maintained. All development shall be required to provide public shoreline access consistent with Policy 1.
3. All development in the existing Marina shall be designed to improve access to and along the shoreline. All development adjacent to the bulkhead in the existing Marina shall provide pedestrian access ways, benches and rest areas along the bulkhead, except where safety may be compromised, such as boatyards, dry stack storage facilities, launch ramps and public and private hoists or small craft staging areas, as well as sheriff, fire, and lifeguard facilities.
4. All development in the existing Marina, other than as set forth above, shall provide for public access from the first public road to the shoreline along all fire roads and across all dedicated open space areas consistent with the Shoreline Access Improvements, shown on Map 4.
5. **Parcels 30, 52, and 132.** Any development or expansion of buildings, in excess of 10 percent of the existing floor area, shall require the provision of public pedestrian access along the full length of the bulkhead except where boat launch hoists present a safety hazard to pedestrians. Where access is interrupted due to safety hazard to pedestrians, an alternative access route shall be provided to ensure continuous pedestrian access throughout the Marina.
6. **Parcels 64, 112, and 113.** Waterfront pedestrian access, on-site public parks adjacent to main channel and public access along all roads shall be provided on parcels 64, 112, and 113 in conjunction with any development that increases intensity of use of the site or extends the current lease period for more than 10 years. If a parcel is renovated with no significant demolition or expansion of the use (less than 10 percent of the gross floor area), bulkhead access must be provided within the existing parcel. Upon demolition or reconstruction, further access improvements must be provided consistent with this LCP. aAccess improvements shall include a small waterfront viewing park of not less

than 500 square feet which may be on a platform over the bulkhead on parcels 112 and 113. Such access shall connect to access ways on adjacent parcels to assure continuous pedestrians access throughout the Marina.

7. In connection with the development of Parcel 147 (formerly Parcel OT), install a pedestrian walkway connecting Washington Boulevard with Admiralty Way.

Public Transit

8. Work with the Los Angeles County Metropolitan Transportation Authority (Metro) and other transit operators to provide high-quality transit service to the Marina including, the capability to transport bicycles to the Marina area.
9. Work with MTA to incorporate peak period/peak event scheduling for the Marina area.
10. Support the construction of a light rail, people mover, or other sub-regional transit system along the Coastal Transportation Corridor, if found feasible by local, regional or state agencies, to interconnect important destinations throughout the Westside Coastal Zone study area. This system should be linked to the internal shuttle bus, the regional MTA system, and should extend to Los Angeles International Airport.

Shuttle Bus Service

To further insure improved coastal access when there is sufficient demand to sustain it, a shuttle bus system shall be established to serve Marina del Rey with connecting service to nearby park-and-ride lots, parks, and local beaches in Venice and Playa del Rey. A shuttle would be likely deployed in conjunction with any light rail transit system that would be constructed along Lincoln Boulevard or the Expo RT line. In 2006, the County entered into an agreement with Playa Vista to expand its 2005 Playa Vista, Marina del Rey, Venice Beach Pier Summer Shuttle, which provides limited service to the Marina del Rey area. The service provider for the summer shuttle is contracted by Playa Vista, and the County contributes funding towards this service. The summer shuttle primarily operates on Fridays, weekends, and holidays from Memorial Day weekend through Labor Day. The County's share of costs is provided by the Fourth Supervisorial District's Proposition A Local Return Transit Program.

The County shall insure that all hotels and motels built or remodeled in Marina del Rey have shuttle service to and from the Los Angeles International Airport.

Hotels and motels shall also be encouraged to provide transit passes for employees who desire access to public transportation.

The County shall encourage alternative forms of transportation in new or remodeled residential projects by considering the use of Zip Cars, and other similar non-personal automobile strategies when evaluating requests for parking permits.

Pedestrian Access Improvements

11. The County has improved pedestrian travel along the public roads and mole roads in Marina del Rey. To encourage pedestrian travel, the County now requires development projects to widen sidewalks from five to eight feet along their frontage of Admiralty Way, Via Marina, and Fiji Way. Also, the County now requires developments to provide a five-foot sidewalk along their mole road frontage. To further increase pedestrian travel, the County has added new pedestrian crosswalks with traffic signal protection across Admiralty Way at the west leg of Mindanao Way, at the Marvin Braude Bike Trail crossing of Admiralty Way at the library (Parcel 40), at the Fire Station (Parcel 129) and at Parcel 125.

WaterBus Service

12. The County will operate a WaterBus for the destinations shown on Map 5 (end of Chapter 2, Recreation & Visitor-Serving Facilities) and other destinations which might be advisable in the future. The WaterBus only operates in the summer.

Directional Signs

13. Public awareness of shoreline access ways and public areas shall be promoted by the provision of appropriate signs, outdoor exhibits and brochures. All development in the existing Marina shall be required to incorporate the following informational features to improve the public's awareness of access opportunities and the coastal environment:
 - a. Outdoor maps indicating the location and type of public access ways and parks;
 - b. Identification and directional signs;
 - c. As appropriate, facilities for brochures and other informational aids; and
 - d. Outdoor exhibits describing historical, biological and recreational aspects of the Marina, coast, wetlands, and other aspects of the coastal environment, which should be coordinated and integrated

with similar such exhibits which may be established in other areas of the Playa Vista project.

Waterfront Viewing Opportunities

14. Public opportunities for viewing the Marina's scenic elements, particularly the small craft harbor water areas, shall be enhanced and preserved.
- All development on the waterfront side of Via Marina, Admiralty Way and Fiji Way shall provide windows to the water, wherever possible, while, at the same time, screening unsightly elements such as parking areas and trash receptacles with landscaping.
- All development – particularly visitor-serving commercial uses – proposed adjacent to the main channel shall provide additional opportunities and vantage points for public viewing of boating activity.
- All development, redevelopment or intensification on waterfront parcels shall provide an unobstructed view corridor of no less than 20 percent of the parcel's water front providing public views of the Marina boat basins and/or channels.

Figure 2 - Coastal Access Points

LOS ANGELES COUNTY MARINA DEL REY

FACILITIES

ENVIRONMENT

NAME	LOCATION	Entrance/Parking Fee	Parking	Restrooms	Lifeguard	Campground	Showers	Fire pits	Stairs to Beach	Path to Beach	Bike Path	Hiking Trail	Facilities for disabled	Boating Facilities	Fishing	Equestrian Trail	Sandy Beach	Dunes	Rocky Shore	Upland from Beach	Stream Corridor	Bluff	Wetland
Marina del Rey Harbor	South of Venice, Marina del Rey		*	*							*		*	*	*		*				*		*
Main Channel View Park	Along entrance channel, Marina del Rey		*												*					*			
Public Beach	End of Basin D, Penay Way, Marina del Rey	*	*	*	*		*						*	*			*						
Promenade Walkway	In front of Marina City Club, Marina del Rey																						
Admiralty Park	Admiralty Way, Marina del Rey	*	*								*									*			
Burton Chace Park	Basin H, West end of Mindanao Way, Marina del Rey	*	*	*			*							*	*					*			
Fisherman's Village	Basin H, Fiji Way, Marina del Rey	*	*	*											*	*				*			
Marina del Rey Bike Path	Around perimeter of Harbor, Marina del Rey			*							*									*			

MARINA DEL REY HARBOR: Built in 1960, the largest artificial small-craft harbor in the world, with more than 6,000 private pleasure craft. Facilities include public boat slips (waiting list), marine supplies, boats, fuel docks and fishing charter boats. There are also shops, restaurants, hotels and yacht clubs. A public boat launch ramp at Basin H, Fiji Way, is 10-lanes concrete with floating docks; open 24 hours. Fee for parking and use of ramp. Adjacent to the ramp is a public dry storage boating facility; fee. There are also private facilities for boat rentals and dry boat storage. Special events include the Christmas Boat Parade, the annual boat show at Burton Chace Park and the California Cup Race.

Guest berths with water, electricity, restrooms, and showers are available at Basin H; transients report to Harbor master for berth assignment. Advance reservations recommended. The Harbor master is on the east side of the bend in the main channel. Mailing address: Administration Building, 13837 Fiji Way, Marina del Rey 90292. Call: (310) 823-4571. The Marina Information Center is at Basin H, 4701 Admiralty Way, Marina del Rey 90292. Call: (310) 882-0119. Open daily in the summer and on weekends and holidays the rest of the year. Home of the Marina del Rey Chamber of Commerce; (310) 821-0555.

Mass transit: Metropolitan Transit Authority (MTA) Routes 108, 115 and 220. Santa Monica Municipal Bus Lines (MBL) Route 3. Culver City Bus routes 1 and 2.

MAIN CHANNEL VIEW PARK: Walkway with benches along north side of the entrance channel of the harbor (north jetty); fishing from jetties on either side.

PUBLIC BEACH: Swimming beach and hand launching, open all year. Free for hand-launched, non-motorized boats weighing less than 200 pounds. Public beach also features a handicapped ramp with wheelchairs provided free of charge.

PROMENADE WALKWAY: Public access way along the bulkhead in front of the Marina City Club walkway open 6 AM to 9 PM; Marina City Club is private.

ADMIRALTY PARK: A linear grassy park along Admiralty Way between Lincoln Blvd. and Washington Blvd. Parking fee. The Marina del Rey bike path runs along one edge.

BURTON CHACE PARK: 8-acre park with a panoramic view of the main channel. Transient boat docks, picnic shelter, watchtower, fishing dock and fish cleaning facility. Annual in-the-water boat show. Parking at the park is free only on weekdays.

FISHERMAN'S VILLAGE: Commercial area which offers shops, galleries, restaurants, sail, power, and sport fishing boat charters and rentals, fishing licenses, bait and tackle and a view of the harbor (310) 823-5411. Parking fee. Harbor cruises on the Marina Belle, which leaves every hour from the Boat House in the southern part of Fisherman's Village, 13727 Fiji Way, (310) 822-1151.

Los Angeles County

MARINA DEL REY

LCP Area

LEGEND

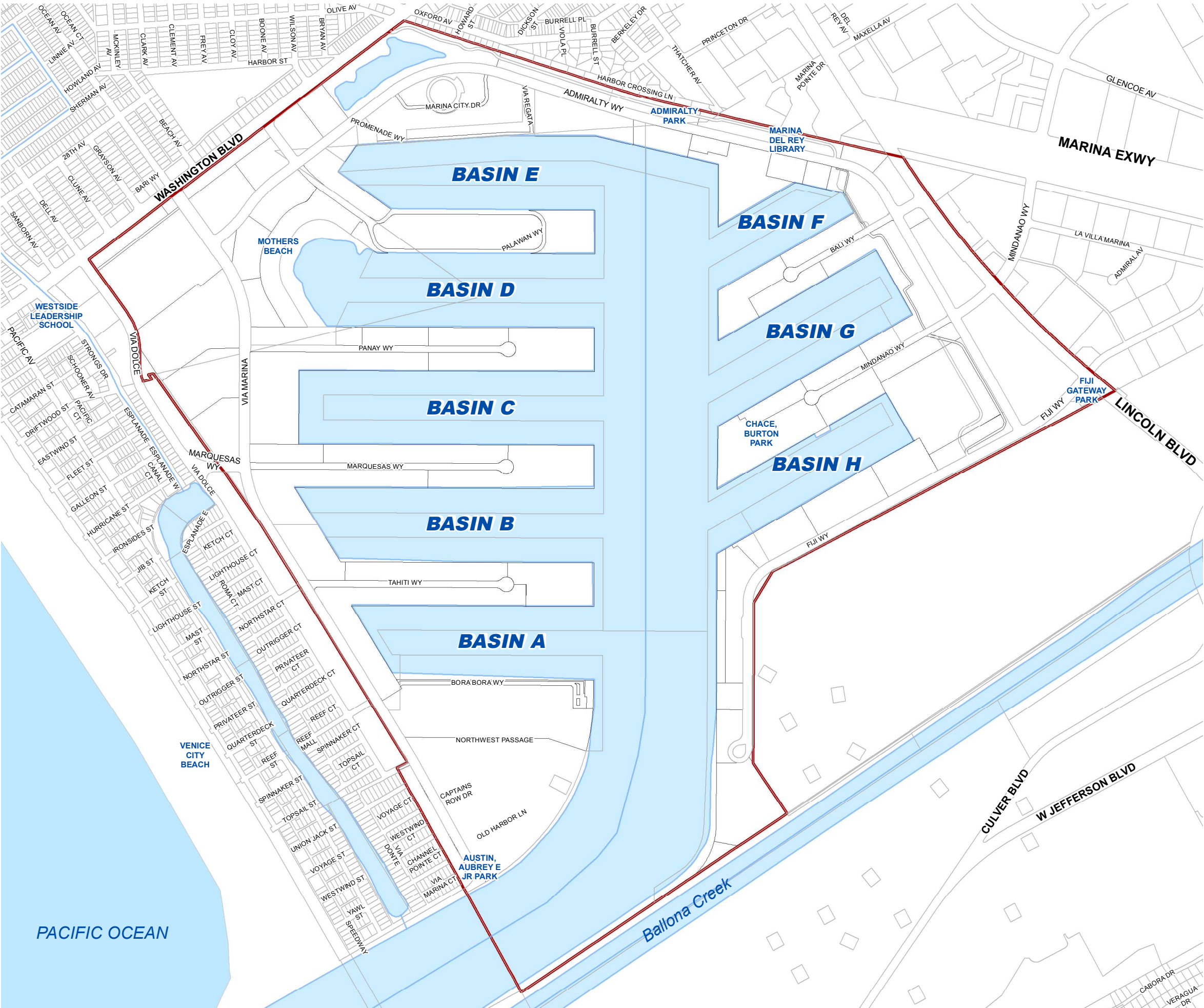
- River, Stream or Channel
- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean

NOTE:
EXISTING MARINA DEL REY - 804 Acres
(401 Land, 403 Water)



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



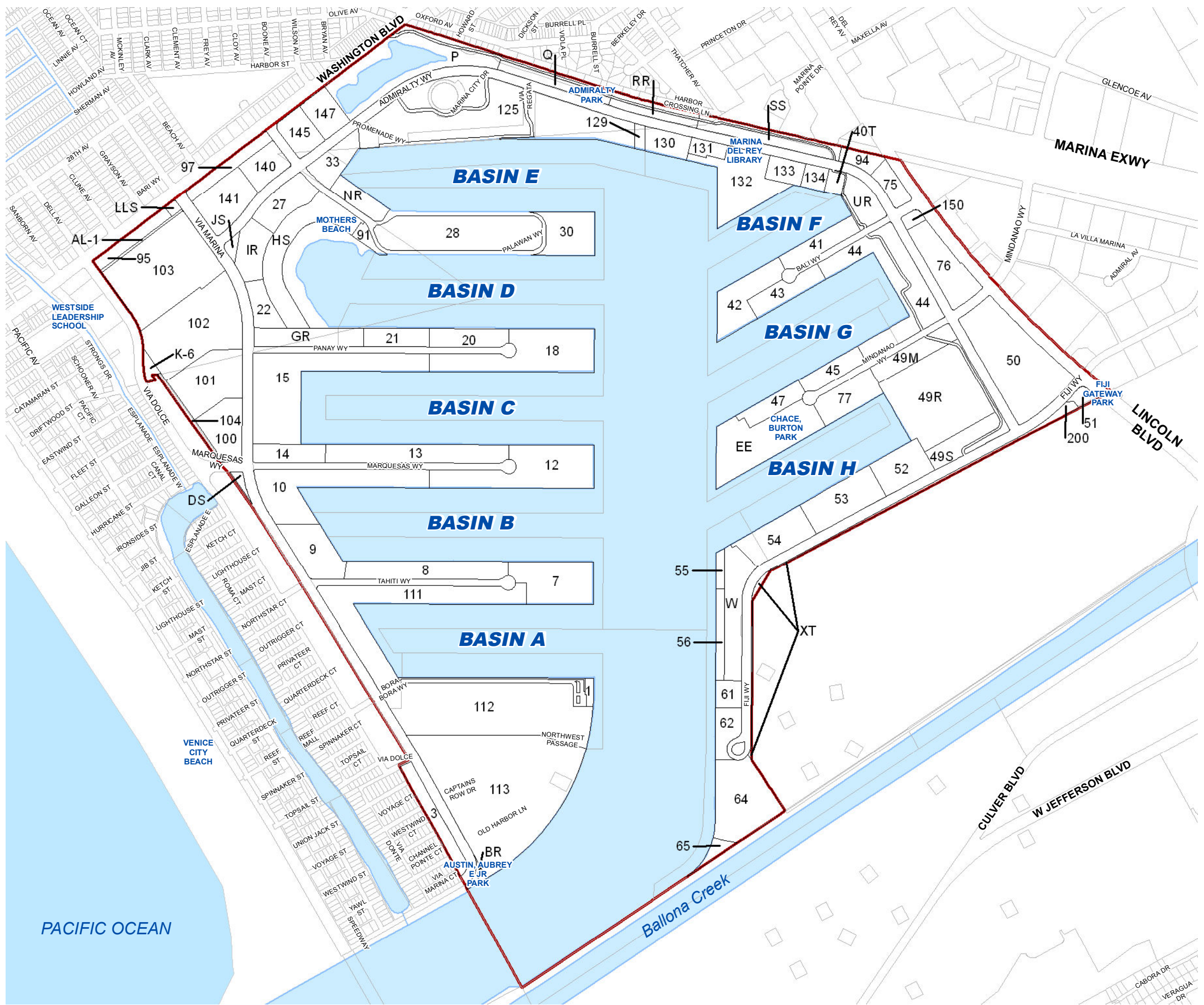
Los Angeles County

MARINA DEL REY

Lease Parcel Designations

LEGEND

- River, Stream or Channel
- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean



Current as of: December 2011



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



Los Angeles County

MARINA DEL REY

Existing and Potential Shoreline Access

LEGEND

Shoreline Access

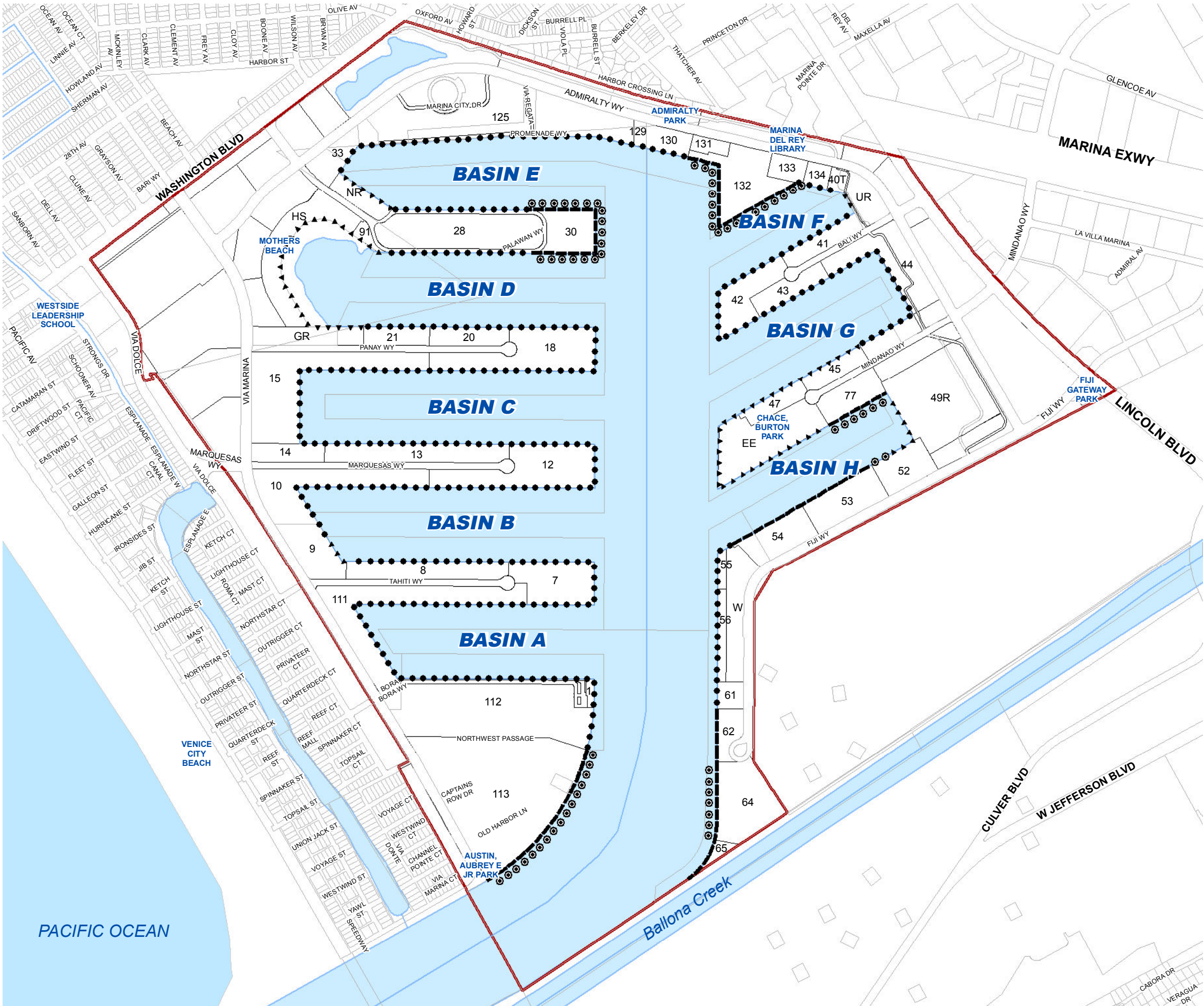
- Open To Public (Private Leasehold)
- ▲▲▲ Open To Public (County Controlled)
- Restricted Access
- ⊙⊙⊙ Potential Access

- River, Stream or Channel
- Lease Parcels LCP
- ▭ Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



2. Recreation and Visitor-Serving Facilities

a. Coastal Act Policies

30212.5 *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, or overcrowding or overuse by the public of any single area.*

30213. *Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible provided. Developments providing public recreational opportunities are preferred.*

Neither the commission nor any regional commission shall either: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate-income persons for the purpose of determining eligibility for overnight room rentals in any such facilities

30220. *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

30221. *Ocean front land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry*

30223. *Upland area necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

30250. *(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

b. Issues Identified

There is a wide variety of non-boating recreational activities sharing public use areas in and adjacent to the Marina. The use of these activities is largely dependent on public awareness of opportunities available. TO WHAT EXTENT SHOULD A BALANCE OF THESE ACTIVITIES BE PRESERVED OR CHANGED?

The provision of lower-cost recreational facilities is a trust of local government as well as a requirement of the Coastal Act. IS THERE A DEFICIT OF LOWER-COST RECREATIONAL FACILITIES IN AND ADJACENT TO THE MARINA?

Public parking in the Marina is very important because of the County's policy of maximizing recreational use of the area. However, the locations and size of parking lots may not be sufficient to handle peak periods. HOW CAN PUBLIC PARKING BE IMPROVED?

IS NO-FEE BEACH PARKING DESIRABLE OR FEASIBLE IN AND ADJACENT TO THE MARINA?

Present parking requirements are generally derived on an individual land use basis regardless of hours of operational use or actual need for parking. In some cases, shared parking is already utilized. HOW FEASIBLE WOULD MULTIPLE USE OF PARKING SPACES BE FOR LAND USES NOT CONFLICTING OR SHARING IDENTICAL HOURS?

Where apartment dwellers and boat slip renters share the same parking spaces, required parking is considered separately. SHOULD PARKING CONTINUE TO BE DETERMINED ON AN INDIVIDUAL BASIS?

Special events and peak summer periods present the most severe parking problems in the Marina. WHAT ALTERNATIVE PARKING STRATEGIES EXIST FOR THE MARINA DURING THESE SPECIAL TIMES?

c. Research Analysis

Recreational Activities in and Adjacent to the Marina

A variety of non-boating recreational activities are located within the Marina del Rey LCP. These can be classified as either public, leased, or commercial recreation. Existing land and water recreational uses are shown on Map 5, Existing & Proposed Visitor-Serving Facilities, located at the end of the chapter.

Public Areas

The Coastal Act concerns itself with the provision of recreational opportunities to serve the broader public, as opposed to local residents. Public recreation consists of those activities provided at minimal or no cost to users, and attractive to persons visiting the marina from distant areas. Surrounded by water on three sides, Burton W. Chace Park, located at the end of Mindanao Way, provides a community center, entertainment, picnic shelters and fishing dock. The County is proposing to expand Chace Park by 7.1 acres to better serve the public.¹ At this park, access is afforded to public docks and the fishing dock for persons with disabilities. Besides swimming and sunning, the Marina Beach, located along Admiralty Way and Via Marina between Palawan and Panay, provides water access ramp facilities for persons with disabilities, free wheelchairs, picnicking (tables and barbecue stands) and volleyball. For the walking/jogging, roller skating, and biking enthusiasts, the Marvin Braude Bike Trail, a 19.1 mile bike path from Torrance Beach to Santa Monica, provides an unequalled coastline experience. The path weaves through the outskirts of the developed marina. Fishing is permitted along the docks in front of Fisherman's Village. Informal fishing occurs at many locations in the Marina, but may require regulation to avoid conflicts with Important Biological Resources. Fisherman's Village also offers sightseeing opportunities (both of the village and the Main Channel), shopping, eating and equipment rentals. Walking to enjoy the view is likely to take place along the Marina bulkheads and north jetty promenade. Spectator events include scheduled regattas, crew races, boat parades, sailing races, and park concerts.

Additionally, Yvonne B. Burke Park, located along Admiralty Way in the northern portion of the Marina, offers an attractively landscaped public open space with opportunities for strolling, sitting, sunbathing, exercising, and bicycling. This Land Use Plan allows for significant increases in residential development, primarily on the west side of the Marina. To facilitate public use of and additional access along the harbor, a new wetland park, 1.46 acres in size, is to be established on Parcel 9 as part of a proposed hotel development in the vicinity of Tahiti Way. This park will also feature transient docking arrangements for water-borne visitors to visit the park as an in-marina destination.

Private Use Areas

Leased recreation consists of those facilities which require some form of membership or residence for facility use. UCLA offers various water-oriented sports classes, including wind surfing and sailing at their boat house located southerly of the Fiji Way terminus. Many of the apartment complexes provide a variety of recreational amenities for their

¹ The County purchased the lease on approximately four acres of land along Mindanao Way, and has an option to acquire an adjacent approximately three acres of land and water for this expansion.

tenants such as paddle tennis courts, tennis courts, swimming pools, and jacuzzis. Further, Marina City Club, located on Admiralty Way across from the Oxford Flood Control Basin (Oxford Basin), provides health club facilities for both resident and non-resident club members. Facilities/activities include swimming pools, tennis, racquetball, exercise and weight rooms, jacuzzis and saunas. The Great Western Council, Boy Scouts of America provides various boating activities and instructions on boat maintenance at the Sea Scout base. There are also several private sailing and boating opportunities open to the public, including Fairwinds Sailing Program, Outriggers at Marina Beach, and LA Rowing Club at Marina Beach

Commercial Recreation

Commercial recreation includes those privately-owned activities open to the general public for a set fee. Narrated harbor tours, ocean cruises and seasonal whale watching excursions are provided at Fisherman's Village, as well as sport fishing, sailing instruction and boat rentals. A variety of classes are also provided elsewhere in the Marina. Bike rentals are available in several locations, and at hotels. Additional facilities, including tennis courts and health clubs, are located in proximity to the LCP Area and are available to visitors and residents of Marina del Rey.

Visitor-Serving Facilities

Visitor-serving facilities are considered recreational and provide service to those who reside in or visit the Marina del Rey area. As of 2010, five shopping centers offer a wide range of goods and services: The Waterside Shopping Center at Admiralty Way, between Mindanao and Fiji Ways; two shopping centers located at Washington Street between Palawan and Via Dolce, a small center near Marina Beach, and Fisherman's Village at the end of Fiji Way. Five hotels and one motel provide 1,093 rooms. Twenty-eight restaurants with a total seating capacity of approximately 5,468 seats are located throughout the marina and are considered inexpensive to moderate in price. Public visitor-serving facilities include the information and central directories. The Marina Information Center, at the corner of Mindanao and Admiralty Ways, has a staff as well as information brochures and other information to assist visitors.

Support facilities include those necessary services and/or uses which maintain the recreational opportunities of the Marina. Beaches and Harbors, Fire, Sheriff, Harbor Patrol, Library, Park Maintenance, and Coast Guard maintain offices in the Marina and provide various service and administrative functions. An adequate number of public restrooms and drinking fountains are currently provided at Fisherman's Village, Marina Beach, Burton W. Chace Park, the public launching ramp and the Administration Office. Additional facilities are available at the information center. OnA restroom facility for transient boaters is located next to Chace Park. The Promenade through Parcel 30 connects to public restrooms, and the County is planning drinking fountains along the promenade as part of new development.

Further, to ensure the aesthetically clean atmosphere at the Marina, Beaches and Harbors adequately maintains a sufficient number of refuse containers throughout the facility. Various public parking facilities are also located throughout the Marina.

The County is also planning a transient docking facility at Parcel 9. This facility, which hosts 9-11 boats, will be available for in-the-marina destination sailing (such as student sailors from Chace Park) as well as visiting boats.

Important Biological Resources. (*See Chapter 5*)

Important Biological Resources (IBRs) as defined herein can be an attraction for visitors and recreating avian enthusiasts alike. Marina del Rey has long been associated with avian resources. Its proximity to the Ballona Wetlands, the ample food sources of the marina and the surrounding lagoons, and the large number of mature landscaping trees provide an attractive refuge for a wide variety of native and non-native birds. The Important Biological Resources section of this LUP recites policies for long-term conservation and management of these resources. Because the resources of Marina del Rey are virtually all man-made, attention to environmental resources is on a case-by-case basis where they occur, as opposed to a specifically defined area. This is described in more detail in Chapter 5.

The County is focusing on certain specific areas for concentrated attention and restoration. The Oxford Basin area (Parcel P) for a major restoration reminiscent of the open water and marsh habitat that was in existence before Marina del Rey was constructed. This recreation opportunity must operate in a manner consistent with the primary mission of the basin, which is flood control. Together with possible restoration efforts on the Ballona Lagoon and the Del Rey Lagoon (both within the City of Los Angeles), the wetland park on Parcel 9, and the restored Ballona wetlands, incrementally create a broad context for environmental interpretation and further the public access goals of the Coastal Act.

Existing Parking Conditions

Marina del Rey, while primarily devoted to boating interests, provides a variety of activities, including nearly 5,800 residential units that attract people from all over Los Angeles County. These activities result in the demand for parking facilities.

Parking facilities in the area provide sufficient capacity to serve the area, although special events and peak demand at restaurants and clubs sometimes create parking overloads. Public parking facilities located near visitor areas such as the Marina Beach fill up very quickly during summer weekends. However, when necessary, overflow parking demand is accommodated at more remote lots in the Marina.

In general, public parking is underutilized in Marina del Rey, even during summer weekends.

Public Parking

As of 2010, there were 12 permanent and one temporary public parking lots, as listed in Figure 4 plus a boat launch ramp that provide approximately 2,699 public parking spaces. The public lots are conveniently located close to major visitor attractions, including the jetty, Marina Beach, Burton Chace Park, Fisherman's Village and the bike path. A user fee ranging from \$5.00 - \$10.00 is charged for public lots. The fee is intended to prevent abuse and provide for parking lot maintenance and operation of public facilities in the Marina.

Parking demand varies by time (weekend-heavy), use (beach and north jetty promenade on weekend-daytime-heavy), and the scheduling of special events (i.e., regattas, boat parades, boat races, etc.)

In 2009, the County published a parking study entitled "Right-Sizing Parking Study for Public Parking Lots in Marina del Rey, California". This study assessed current and future parking demand in the Marina through the year 2030, including the expansion of public facilities. Parking supplies were surveyed by both the County and the consultant for a total of 12 public parking lots (and one temporary lot) containing 2,699 spaces. Peak demand periods were also evaluated. The data were linked to five key activity areas in the Marina in order to "co-locate" parking with the areas visitors most frequented. In terms of occupancy the parking lots only experienced demands of 43 percent to 92 percent of the spaces available even at the busiest periods, and in all cases noted a surplus of spaces at each activity area. The study then evaluated future demand and provided a recommendation, accepted by the County, of maintaining the 90th percentile of peak parking demand as the minimum parking supply. In addition, it recommended that an additional 10 percent supply be added, simply to avoid the need for visitors to circle to look for a parking space. The total number of parking spaces needed for Marina del Rey was projected at 1,175. While the County has concurred with this recommendation, and the figures herein reflect the recommended space allocations, the County has not reduced parking. Therefore, more public parking opportunities exist than are projected as necessary.

For the highest peak periods, such as the Boat Parade and the Fourth of July, a parking management plan will be implemented by the County. Notwithstanding the parking study, in the long term the County proposes to retain a minimum of 2,895 parking spaces.

A key feature of Marina del Rey is that it provides both water and surface transportation for the public to move throughout the Marina. The water and some of the surface transportation systems operate only seasonally at this time, when the demand is

highest and pressure on the transportation system is the greatest. During the summer, when the highest demand is present, the public could park in virtually any parking lot in the Marina and still be able to visit the key attractions in Marina del Rey via the Waterbus (see Map 5), and summer shuttle service, particularly during the summer when the highest demand is present. With over 40,000 riders in 2009, the WaterBus provides an effective and pleasant way to visit the most popular areas of the Marina,

Leasehold Parking

All leaseholds are required to provide parking on-site for their approved uses. Specific user parking requirements are intended to supply sufficient parking so that there will not be spill-over into public lots by the particular leasehold user group. However, in some areas, users of leaseholder property (residents, employees, customers, and boaters) are assigned and compete for common parking facilities. As the leaseholds are developed, the County requires a demonstration that the uses on the leasehold provide adequate parking for their own activities without resorting to the use of public parking areas.

It is important to note that the County has existing agreements, predating in most cases the LCP, which allow the use of underutilized public parking lots. This practice is expected to continue for the foreseeable future; however, once parcels with parking agreements are redeveloped, pursuant to a coastal development permit, the agreements will be terminated.

No additional use of public parking lots by private leaseholds to meet their private parking needs shall be permitted.

Special Event Parking

The County supports use of the Marina for special events of interest to the visiting public, including regularly scheduled events. Use of public parking lots for these events is permitted. Use of any public parking lot is specifically permitted for certified farmers' markets as defined herein, with a frequency not exceeding one day per week. Physical changes may be required. These might include signage, restrooms, refreshment stands and tables, displays and similar support features. Public parking lots may temporarily be used for support and staging of these events. It is the intention of the Local Coastal Plan to allow such events without the need to pursue permitting. However, all such events will be posted on the website of the Department of Beaches and Harbors for public information purposes at least 14 days before the event begins unless exigent circumstances prevent such notice.

The most severe parking demand occurs on special event days, the most notable of which is the Christmas boat parade. Boat shows, concerts in the park and the 4th of July Fireworks also draw major crowds. On these occasions, staff of the Department of

Beaches and Harbors (DBH) post "lot full" signs and direct traffic to other lots. A few specially designed overflow lots are used for these occasions.

The County will implement a parking management plan for these special events on an as-needed basis.

Physical Arrangement of Public Parking Lots

As Marina del Rey developed, there were a number of parking lots incidentally installed or provided for temporary use without a comprehensive plan. This fact in part accounts for the low usage of some parking lots. The County intends to increase both the size of Burton Chace Park and the number of parking spaces associated with it. In addition, a planned project for Parcel 21 will increase the size of Parcel GR by reducing Parcel 21 to accommodate more parking at Marina Beach. 101 replacement public parking spaces will be developed near Burton Chace Park as compensation for conversion of the Parcel FF parking lot to a residential use.

The study prepared by the County aptly demonstrates that the long-term parking demand falls well short of the parking supply shown in Figure 3, even with increases in recreational use and population. Peak periods are best served by a parking management plan, as opposed to physical facilities which are unused much of the year.

For the immediate future, and as finds become available, the County will add approximately 100 parking spaces to Parcel GR through a reduction in the leased area of Parcel 21. The County has also proposed to relocate 94 underutilized spaces from Parcel OT to Parcel 21, all when Parcel 21 re-develops through a proposed project. No occupancy of Parcel OT can commence before Parcel 21 has accommodated the 94 spaces at Parcel OT and the contribution of expanded area to Parcel GR.

In some cases, public parking will be incorporated into private projects. When this is undertaken, the public parking must be:

1. Separately signed as Public Parking;
2. Separately accessed as Public Parking;
3. Separated from private parking in such a way that the private parking cannot commingled with public parking.

The parcels which will have public parking incorporated into their design are as follows:

Parcel 147 – 92 spaces
Parcel 21 – 94 spaces
Parcel 56 – 502 spaces²

² Public spaces mixed with commercial spaces. Figure reflects current spaces at Parcel 56 as of 2009 and does not reflect number of public parking spaces that may be provided if the Fisherman's Village shopping complex is redeveloped.

It is understood that even with these precautions there is an opportunity for abuse. However, the abuse of public parking occurs in the Marina in open lots now, as many visitors park at off peak hours in leased parcels (such as restaurants) in order to avoid paying for parking. All reasonable steps will be taken to minimize such abuses.

Future Projects

The County is planning a major expansion of Chace Park, as well as an increased emphasis on visitor-serving uses at Parcels 49 and 77. The County plans to coordinate public parking and link bike trails and promenade development with these projects. While it is clear that public parking will be increased in this area, a specific number of spaces have not been set.

Construction Phasing on Public Parking Lots

Because of the large number of unused parking spaces in public parking lots now and in the foreseeable future, the County has designated other land uses on the most underutilized parking lots, in almost all cases mixed with some public parking. However, the displacement of any lot containing public parking during construction could adversely affect public parking opportunities. Therefore, for each project involving public parking lot redevelopment, the developer shall provide a study that available public parking will meet demand, or that adequate and reasonably located temporary accommodation elsewhere has been incorporated into the redevelopment plan.

d. Findings

A wide variety of non-boating recreational activities, free or at reasonable costs, are presently located in and adjacent to the LCP Area for use by both residents and visitors of the marina.

In addition to each marina leasehold providing adequate parking for their tenants and patrons, the County has provided off-street "visitor and overflow" parking areas to accommodate the general public and visitors to leasehold facilities.

The Right-Sizing Parking Study states that there are adequate parking facilities located throughout the Marina for the general public now and through the year 2030.

A strong demand exists for new lower-cost recreational opportunities in the LCP area such as restaurants, waterfront parks and pedestrian/bicycle paths, which the County is implementing on a regular basis and as opportunities and funding are available

A series of public parking lots are conveniently located throughout the Marina to provide access to key visitor attractions.

The County will continue to use appropriate design treatments to enhance the appearance of the lots while not interfering with the public's ability to identify the lot as a public parking opportunity.

To mitigate the loss of recreational park space due to the conversion of Parcel FF and OT from Open-Space to a lower priority use, the developer of Parcel FF and OT shall contribute at double (\$1,200) the rate to the Coastal Improvement Fund pursuant to Section 22.46.1950.

FIGURE 3: PUBLIC PARKING LOTS-NEAR TERM CONFIGURATION

Lot	Parcel	Address	Capacity	Remarks
1	W/55	13737 Fiji Way	502	Fisherman's Village
2	49R	13477 Fiji Way	466	Public Parking/Launch ramp
4	49M	13500 Mindanao Way	243	Overflow – Chace Park
5	UR	4545 Admiralty Way	240	Overflow MdR Hotel, Other
6	SS	4500 Admiralty Way	115	Admiralty Park – Turf
7	Q	4350 Admiralty Way	120	Admiralty Park – Paved
8	147	4220 Admiralty Way	92	-
9	N	14101 Palawan Way	191	Beach, Overflow
10	IR	4101 Admiralty Way	212	Beach
11	GR	14101 Panay Way	362	Beach, Overflow
13	3	4601 Via Marina	140	Channel Vista, Overflow
14	A	4601 Via Marina	60	Channel Vista
16	EE	13650 Mindanao	58	Chace Park
N/A	21	14004 Panay Way	94	None
TOTAL			2,895	

Notes: 1) The County plans to incrementally increase public parking in several areas as follows: a) Parcel GR-Increase by approximately 100 spaces, and b) Parcel 49M-Increase in association with the expansion of Chace Park and possible replacement of 101 spaces for Parcel FF, now Parcel 14, at either Chace Park or Marina Beach and c) 94 spaces from Lot 8 to Parcel 21.

Source: Los Angeles County Department of Beaches and Harbors, County Owned Public Parking Lots, January 2010; Right-Sized Parking Study, 2009.

User Fees

A nominal fee for public parking is collected by the County in order to defray the cost of maintaining the lots. The collection system involves either "Pay and Display" or on-site payment through automation. The fee never exceeds the fee charged at the nearest State beach.

e. Policies and Actions

Recreation and Visitor-Serving Uses

1. Visitor-serving uses may be provided in the LCP Area in accordance with the Existing & Proposed Visitor-Serving Facilities, as depicted on Map 5. Typical visitor-serving uses may include public or private recreation, parks, cultural and educational facilities, gift and specialty shops, service concessions, (i.e., boat, bicycle or skate rentals), bicycle lockers, food and drink establishments, overnight lodging and related parking areas. Specific improvements proposed by this LUP include the improvements to parcel P (Oxford Basin) to enhance the biological productivity of the site and accommodate, through a transfer of acreage to adjoining Parcel OT, a walking path from Washington Boulevard to Admiralty Way.
2. As defined by the Coastal Act and specified in the specific design guidelines for each parcel in the Local Implementation Program, new development shall provide additional recreational opportunities including trails, bikeways (additions and/or extensions of existing bike path), open space/park areas and viewing areas as appropriate. Adequate support facilities (bike storage lockers, drinking fountains, etc.) shall also be provided.
3. Existing and proposed recreation and visitor-serving uses in the Marina, as shown on Map 5, Existing & Proposed Visitor-Serving Facilities, shall be protected.
4. Lower cost visitor-serving facilities shall be protected and, to the extent feasible, new lower cost visitor-serving uses shall be encouraged and provided within the existing Marina. For the purposes of this policy, low or no cost visitor-serving facilities include but are not limited to parks, promenades, transient docks, open public plazas and seating areas, wildlife viewing areas, WaterBus transportation, public transit transportation, and special events.
5. Any new proposal for construction of facilities in the existing Marina along the waterfront that is a non-coastal priority or non-marine related use shall require off-setting mitigation. Mitigation shall be accomplished by contribution to a Coastal Improvement Fund or similar effort to support low or no cost visitor facilities. The Coastal Fund is primarily intended to finance construction of local park facilities. Uses exempt from this policy requirement include hotels, visitor-serving commercial, office, and marine commercial uses.

Parking Policies

Applicable Regulations

6. All development, including redevelopment, expansion projects or new construction, shall be subject to the applicable parking requirements set forth in Los Angeles County Code, Title 22 (Zoning), as certified by the Commission in Appendix B of the LIP Specific Plan. In addition, public recreation areas shall be supported with visible public parking, consistent with the standards of Title 22, except that boat launch, boat storage, and marina parking and design shall be provided as specified in the Dept. of Beaches and Harbors' *Specifications and Minimum Standards of Architectural Treatment and Construction*, adopted in 1989.

Parking Facility Design

7. The use of parking structures can enhance capacity but also reduce pollutant contribution to Marina waters that are associated with open parking lots.³ Parking facilities shall be integrated into the overall design of all development and landscaped to soften their visual appearance. Parking shall be located either below grade, or within multi-story structures, or, if on a level grade shall be attractively designed with a buffer of landscaping, berms or other screening materials. To enhance the visitor experience in Marina del Rey, parking facilities shall include posted public information, including maps and other wayfinding signs and resources.

Public Lots

8. Public parking lots shall be provided in locations convenient to key visitor attractions in the Marina. The lots shall feature adequate locational signage and publicity. Parking fees shall be comparable to those charged in public lots in the vicinity of Marina del Rey, such as at public beaches.
9. Public parking lots shall not be assigned to, nor allocated for use by private leasehold uses for the purposes of satisfying parking requirements for such private uses. All private uses shall satisfy their parking requirements on site. Parking agreements that predate the California Coastal Act or the LCP, or which have been incorporated into a coastal development permit shall be exempt from this requirement.

³ Surface parking lots collect automobile by products (oil, rubber, etc) as well as trash. When runoff from precipitation occurs, these pollutants are carried directly to the water body. Structured parking sharply reduces the contribution of these pollutants by minimizing or eliminating runoff.

10. One or more park-and-ride lots may be created for use by the commuter express bus service to Downtown Los Angeles and other major destination points as long as such lots are available for recreation use during holidays and weekends.
11. The use of peripheral parking lots outside the Marina shall be instituted so that a convenient shuttle from the lots to key Marina points of interest can be provided.
12. Parking spaces lost as a result of conversion of public parking areas to public park uses, shall be replaced on a 0.5:1 basis, either on-site or elsewhere in the Marina. The Regional Planning Commission shall have the discretion to determine the replacement parking rates for public parking spaces lost as the result of conversion of public parking lots to other uses.
13. In order to maximize public access, establish and implement short-term parking options (i.e. 2 and 4 hour limits) at all long-term only public parking lots to allow price flexibility to visitors for shorter term use.

Private Use Areas

14. Office, governmental and commercial development, where feasible shall provide multi-use parking facilities to be used at off peak hours for public parking. The Department of Beaches and Harbors shall review development applications and determine if any visitor support facilities should be required as a permit condition.
15. Encourage existing commercial developments to provide a program to make parking available to the general public during their off peak times to help meet the demand for parking during public recreation peak periods for special events and on weekends.
16. Encourage the concept of multi-use/time-shared parking for different user groups, such as commercial users during the weekday and recreational users during the weekend and evenings.
17. All new development shall provide visitor, public access and guest parking on site. Park and access areas shall be served by convenient and appropriate public parking.

Los Angeles County

MARINA DEL REY

Existing / Proposed Visitor-Serving Facilities

LEGEND

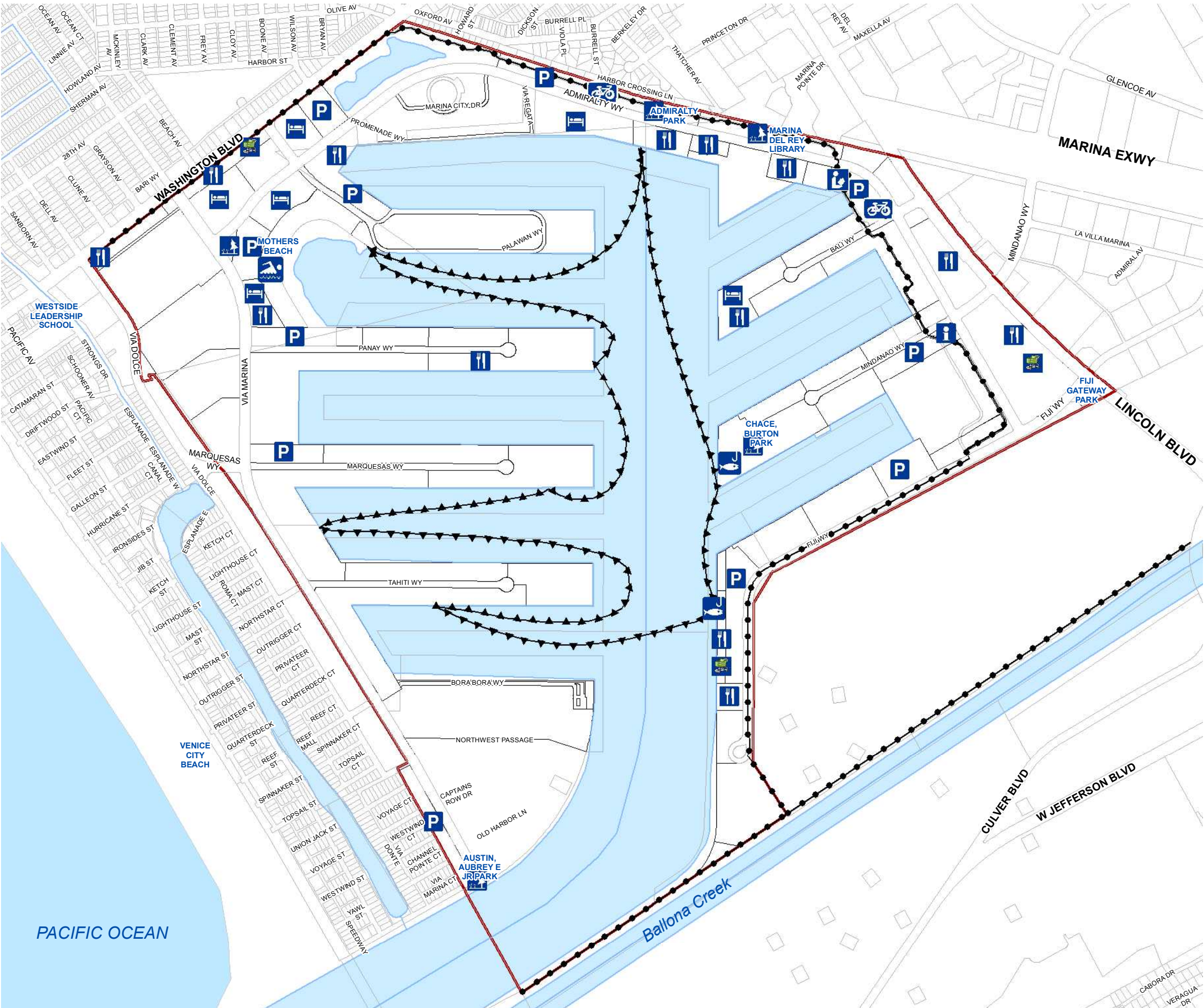
- Public Parking
- Hotel
- Restaurant
- Shopping
- Public Park
- Public Beach
- Marina Information Center
- Public Library
- Bike Lockers
- Fishing Docks
- WaterBus Route (Seasonal)
- Bike Path
- River, Stream or Channel
- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean

NOTE:
Check with the Marina Del Rey Visitor Center for a list of current facilities and locations



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



3. Recreational Boating

a. Coastal Act Policies

- 30224.** *Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.*
- 30234.** *Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities, shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.*
- 30255.** *Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*

b. Issues Identified

Marina del Rey was originally planned as a small craft harbor. Now, many other recreational, residential, and commercial uses have been developed, making it a multi-use area. SHOULD THE FUTURE USE OF THE MARINA FOCUS ON RECREATIONAL BOATING AS THE PRIMARY USE OF THE AREA?

A heavy demand exists for waterfront wet and dry boat storage in the Marina because of the limited amount of usable space. WHAT AND WHERE ARE THE BEST TECHNIQUES AND SITES FOR ADDITIONAL BOAT STORAGE?

c. Research Analysis

Planned and developed as a recreational small craft harbor, Marina del Rey will ultimately provide up to 4,338 wet-slips on its 406 acres of water-, together with up to 1,114 dry storage spaces for a minimum of 5,452 berths as defined herein. Figure 4 identifies the distribution of smaller berths in Marina del Rey.

Other boating facilities encompass over 3,000 lineal feet of transient docks, a public launching ramp, charter and rental boats, harbors tours, sailing instructions, and repair yards. Public safety services for boaters are provided by the Harbor Patrol and, outside the Marina, by the U.S. Coast Guard and the Los Angeles County Lifeguards.

The County of Los Angeles maintains and runs the ten-lane public launching ramp in Basin H (Parcel 49R) as well as the transient docks located in Chace Park. The County also provides 303 mast-up storage spaces. The Sheriff and Fire Department also maintain small docks for their operations. The remainder of the boating activities inventoried are handled by lessees and sub-lessees. The County will maintain the berth lengths and totals (both wet and dry) as shown in Figure 4 below. End ties and side ties are specifically not included although they provide additional berthing capacity.

FIGURE 4: MINIMUM SLIP PERCENTAGES FOR SMALLER BOATS

A. Waterfront Slip Length Distributions

Berth Length	Percentage
30 FEET AND UNDER	39%
31 to 35 FEET	20%

B. MDR Dry Boat Storage

Parcel No.	Number of Dry Boat Storage Spaces (Maximum Numbers)
30	52
44	234
47	27
52/GG	375
77	0
132	122
Mast-up	304
TOTAL	1,114

Source: Boat slip information from Department of Beaches and Harbors , Marina del Rey Slip Sizing Study, Noble Consultants, 2009

Over 59% of the wet slips will be in lengths 35 feet and under.

As the County redevelops aging marinas, slip counts and slip size ranges are expected to fluctuate until the ultimate configuration is reached. If the County is able to increase the number of total slips shown in Figure 4, the County may do so without a LCP amendment.

Harbor Focus: Satisfying Local Boating Needs

A primary purpose of the Marina remains provision of recreational boating opportunities to satisfy local needs. Within Los Angeles County, there were 110,288 registered boats in 2008. While many boats are stored on land or outside of the Marina, overall slip vacancy rates are low indicating that there is a need for slips beyond—currently provided. The shortage is exacerbated by restrictions-geographical, financial, or governmental-limiting the creation of new small harbors, marina, or anchorages in Los Angeles County.

The fact that there has been very little fluctuation in the vacancy rates of larger slips over 36 feet in length during the recession indicates a strong constant demand for this size of slip. This trend is reinforced by the interest of Marina anchorages in converting some of their smaller slips into larger boat slips. The County recognizes that while 2 small boats can fit into a large slip (like two 25-foot boats in a 60-foot slip), the converse is not true – a large boat cannot fit into a small slip. Therefore, a shift to larger slips allows more flexibility in marina management.

The 2009 Noble Consultants report demonstrates that there has been an overall decline in demand for small boat slips (i.e. under 30 feet) and an overall increase in demand for larger boat slips (greater than 36 feet).). Therefore, this LCP properly balances the slip size provision with the demand as identified in technical reports.

Dry Storage and Launching Options

The California Coastal Commission recommended in its final report to Governor Brown in December 1975, that the state "should initiate a dry storage program as a supplement to the state's support of small craft harbor development". Dry land storage provides a viable alternative to more expensive, scarce wet slips and meets the public's need for low-cost accessible boat storage.

Sailboats and powerboats require different types of land storage. Sailboats, limited by keels and high masts, are usually best served with "mast-up storage", level yards without roofs and adjacent to launching ramps. Powerboats may also be accompanied by similar facilities. However, the most space efficient storage for powerboats is a "dry stack storage building" in which boats are placed in pigeon-hole type racks with forklifts

or stacker cranes built into the structure. A dry stack storage structure demands high capital investment and is generally economically feasible only if it holds more than 220 boats.

Within the Marina, provision of dry stacked storage and additional mast-up-storage is limited by space, existing development, allowable land uses specified in 60-year land leases, and financial feasibility. Public mast-up storage yards are permitted on parcels 49 and 52.

In terms of storage, a dry stack facility is proposed for Parcel 52 which includes a mast-up storage with an on-site launch hoist. The Waterfront Overlay Zone will provide an opportunity for other potential visitor-serving amenities of a more limited character (such as a beverage facility at the park, boat rentals, bike rentals and other similar uses). An additional dry stack facility, containing storage spaces for up to 234 vessels has been incorporated into the proposed redevelopment plan for Parcel 44.

The County of Los Angeles wishes to support additional dry storage in the marina, which is the more cost-effective for small boats and also reduces the amount of pollutants which normally result from in-the-water storage. To do this, the County will seek opportunities to balance boating support uses with dry stack or dry storage opportunities in conjunction with boating support uses. Where it can be shown that boating support opportunities will not be materially diminished by including dry surface or stack storage, no Local Coastal Program amendment will be required to allow dry storage to be included. Since more than one-third of the boats registered in Southern California can be brought by trailer to a launching site, the County-run launching ramp in Marina del Rey has provided a vital service to the boating public. Approximately, 4,000 launchings were made from the facility during 2008.

Wet Slips

The Noble study examined slip sizing in Marina del Rey. Because of the age of most of the marinas in Marina del Rey, combined with antiquated dock arrangements, fairway and dock widths, many marinas will be redeveloped over the coming years. Such redevelopment is accompanied by improved construction techniques and increased environmental controls. However, the combination of new standards and guidelines, together with a corresponding reduction in demand for smaller boat wet slips, will cause the overall number of slips in Marina del Rey to be reduced.

Figure 4 depicts the various marinas in Marina del Rey, both existing and proposed.

To ensure that the maximum access to recreational boating is implemented, Figure 4 shall establish the wet slip percentages to be maintained in Marina del Rey. These percentages may be met by adding slips to other marinas as well.

Boating Support

Three land parcels in the Marina contain water-dependent support services for boaters. The fuel dock at the end of Bora Bora Way (Parcel 1) provides diesel and gasoline fuels for all boaters. Boat yards on parcels 53 and 54 provide local haul out servicing and repairs, including a "do-it-yourself" facility on each parcel (see Map 7 Boating-Related Support Facilities). As noted previously, the County will seek opportunities to include dry storage on these boating support parcels to the extent that such storage does not materially interfere with boating support uses.

Since these facilities are not presently used to capacity, retention of the fuel dock and the boat repair yards will provide the basic local boating services required in Marina del Rey.

Boater Parking

The County will insure adequate boater parking as the Marina redevelops. A parking ratio of 0.6 parking spaces per slip is considered adequate. For dry storage, parking will be provided in an amount which the director of planning finds adequate to prevent traffic congestion and excessive on-street parking.

d. Findings

A primary purpose of the Marina is to provide recreational boating opportunities for citizens of Los Angeles County.

Demand for boating recreation throughout Southern California historically has been very high. However, slip vacancies are on the increase in the small slip category. In terms of long-term operation of a Marina, one can always berth a smaller boat in a larger slip – but not the other way around. Therefore, prudent marina management dictates larger slips as opposed to smaller slips in order to maintain maximum flexibility.

Public demand for boating promotes the need for a wide range of boating services in terms of the time, resources, expense, and skill expected of the user.

e. Policies and Actions

- 1. Recreational Boating a Top Priority.** Recreational boating shall be emphasized as a priority use throughout the planning and operation of the Marina. To help achieve this goal, the Plan shall strive to ensure that adequate support facilities and services are provided including, but not limited to, the following: boat slips, a fueling dock, boat repair yards, boat dry storage yards, launch ramps, boat charters, day-use rentals, equipment rentals and on-going maintenance of the marina harbor and entrance channel, bulkhead repair,

pollution control, safety and rescue operations, and sufficient parking for boaters. Emphasis shall be given to providing water access for the small boat owner through provision of public ramp facilities.

2. Slip reductions resulting from marina reconstruction shall be offset in support of low-cost boating. For marina reconstruction projects, every 100 slips in excess of 30 feet shall comply with the following conditions:

PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY of a privately-leased marina, approved pursuant to a Coastal Development permit, the applicant shall provide an in-lieu fee to the Los Angeles County Department of Beaches and Harbors, or a non-profit organization acceptable to the Executive Director of the Coastal Commission, to be used for scholarships for youths to participate in boating programs, for purchase of sail training vessels, funding for transportation to bring youths to the Marina, and for other similar programs to enhance lower cost boating opportunities. Such programs may include, but are not limited to, the County's W.A.T.E.R. Youth Program.

The annual in-lieu fee shall be the amount equivalent to the annual rental of one 30-foot boat slip for each 100 new slips measuring over 30 feet in length in the subject anchorage. For new marinas containing fewer than 100 slips or fractions over 100 slips the in-lieu fee shall be prorated based on the number of slips; such as 30/100 [0.3 for 30 slips], or 150/100 [1.5 for 150 slips]. The annual rental of one 30-foot boat slip for the purposes herein shall mean the average annual rental of the published slip rates of all 30-foot boat slips in the subject marina. If there are no 30-foot boat slips then the average annual rental of the next larger size of slip in the subject marina as of July 1st of each year will be the basis for calculating the in-lieu fee.

The payment of the in-lieu fee to the County, or the approved non-profit organization, will commence upon completion of the marina redevelopment construction and continue annually, throughout the life of the project. The first annual payment of the fee will be due the earlier of the Outside Completion Date (as defined in the subject lease agreement) or the date on which a temporary certificate of occupancy was issued to the subject marina. If construction is phased, the minimum in-lieu fee will be due within 10 days of the issuance of the temporary certificate of occupancy, prorated to June 30th. Subsequent annual payments will be calculated from July 1st of each year, and be due no later than July 10th. The following provisions will also apply:

- End-ties will not be counted as a slip for in-lieu fee computational purposes.

- The Department shall provide (or shall cause the appropriate non-profit organization to provide) an annual report for the review and approval of the Executive Director of the Coastal Commission, detailing the in-lieu fees that have been collected, the lower cost boating programs developed and operated, and the number of people participating in such programs. The report shall be provided annually, no later than January 15th, for the preceding calendar year.
3. The County shall maintain the slip distribution for slips 35 feet in length and under, as shown in Figure 4, as the minimum slip distribution for those categories. At no time during reconstruction of any marina shall the slip distribution be less than 18% for slips 31 to 35 feet and under; and 37% for slips less than or equal to 30 feet.

Upon request from any boater with a vessel 30 feet and under, that has been unable to find a slip in the vessel's slip size range within any marina in Marina del Rey Harbor, the County shall provide, or require the marina operator to provide, a larger slip if available. The County, or marina operator, shall rent said slip, regardless of size, at the current rental rate for the smaller vessel's slip size range until an appropriate sized slip is available within Marina del Rey Harbor.

Boating-Related Support Facilities

4. At a minimum, the existing operating boating-related support facilities and services shall be maintained for the boating public. These facilities shall include, but are not limited to, the fuel dock on parcel 1, boat repair yards on parcels 53 and 54, the County launch ramp, mast-up storage and support parking on Parcel 49. With the exception of the facilities located on parcels 1, 54, and 56, which shall not be displaced, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina. Any project which relocates an existing coastal dependent boating use, including but not limited to boat launching, boat storage, boater parking or boater access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence.
5. Additional boat storage facilities may be developed within Marina del Rey. Deck storage (storage of small day-use sailboats on a floating dock) for sailboats may be constructed on a portion of Parcel 49 and dry stack storage may be constructed on Parcels 44 and 53 or on other parcels with a marine commercial or visitor-serving commercial designation, as long as view corridors are complied with and adequate private parking is available. A parking analysis demonstrating adequate independent or shared parking shall accompany project.

6. During reconstruction of the marinas if there are fewer than 5% of the total dry boat storage spaces available for rent, the County shall establish sufficient dry boat storage space so as not to fall below a 5% dry storage availability threshold until all 1,114 dry spaces are available.
7. **Commercial Fishing Not a Priority.** Recreational boating shall be emphasized over commercial boating activities, because of the strong public demand for recreational boating facilities. The original plans for Marina del Rey did not include support facilities for commercial fishing, and none have been developed or planned since then.
8. The County intends to expand boating-related support facilities, where feasible, particularly on Parcel 44 for dry stack storage, on Parcel 52 for mast-up and dry stack storage, and increased area for kayak and outrigger canoe launching on Marina Beach as well as a dock at Parcel 77 in conjunction with the Chace Park expansion.
9. A parking provision of 0.6 spaces for each wet-slip shall be provided.

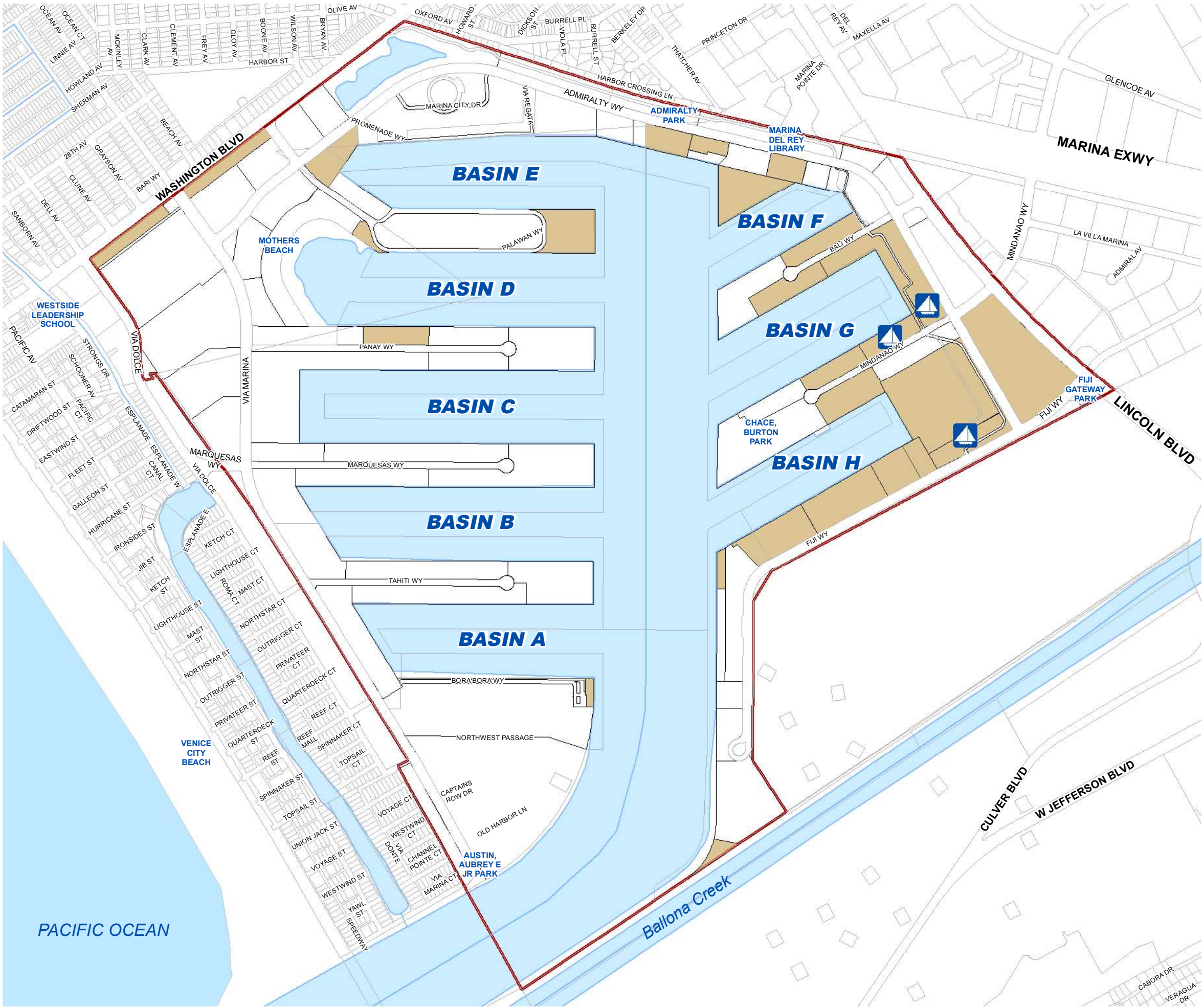
Los Angeles County

MARINA DEL REY

Permitted Public Dry Storage Areas

LEGEND

-  Mast-Up Storage
-  River, Stream or Channel
-  Lease Parcels LCP
-  Marina Del Rey LCP Area
-  Permitted Public Dry Storage Areas
-  Perennial Water Body
-  Pacific Ocean



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



Los Angeles County

MARINA DEL REY

Boating-Related Support Facilities

LEGEND

Boating-Related Support Facilities

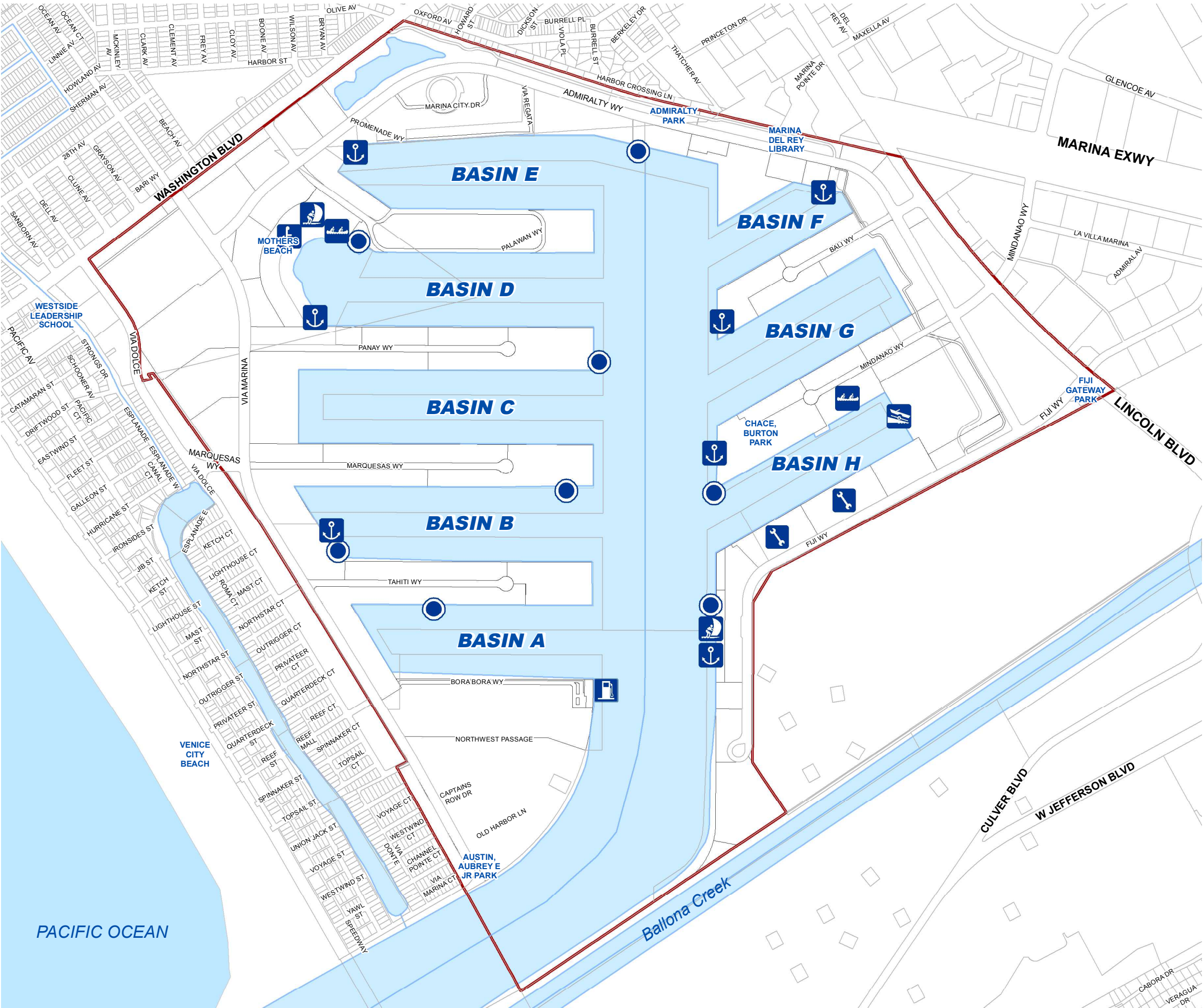
- WaterBus Stop
- Boat Yard
- Fuel Dock
- Watercraft Rental
- Kayak/Canoe Storage
- ADA Beach Access
- Public Launch Ramp
- Guest, Transient and Dinghy Docks

- River, Stream or Channel
- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



B. MARINE AND LAND RESOURCES

- 4. Marine Resources**
 - 5. Important Biological Resources**
 - 6. Deleted**
 - 7. Cultural Heritage Resources**
-

4. Marine Resources

Policies Specific to All New Development or Redevelopment

- 4.1. All new development and redevelopment shall be designed to prevent and minimize the discharge of pollutants that would cause or contribute to receiving water impairment or exceedances of state water quality standards.
- A. Promote pollution prevention and elimination methods that minimize the introduction of pollutants into coastal waters, as well as the generation and impacts of dry weather and polluted runoff.
 - B. Require that development not result in the degradation of coastal waters (including the ocean, estuaries and lakes) caused by changes to the hydrologic landscape.
 - C. Support and participate in watershed-based runoff reduction and other planning efforts with the Regional Board, the County of Los Angeles, upstream cities, and Los Angeles County Flood Control District (LACFCD).
 - D. Continue to update and enforce the County of Los Angeles Water Quality Ordinance(s) consistent with all applicable existing or new MS4 Permits.
 - E. Develop and maintain a water quality checklist to be used in the permit review process to assess potential water quality impacts.
 - F. Require beachfront and waterfront development to incorporate BMPs designed to prevent or minimize polluted runoff to beach and coastal waters.
 - G. Encourage and support public outreach and education regarding the water quality impacts of development.
 - H. Incorporate BMPs into the project design in the following progression:
 - a. Site Design BMPs.
 - b. Source Control BMPs.
 - c. Treatment Control BMPs.

Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the LCP or Coastal Act structural treatment BMPs shall be implemented along with site design and source control measures and a Water Quality Management Plan shall be prepared.

Appropriate Structural Treatment Control BMPs and a Water Quality Management Plans shall be implemented whenever the development is identified as a priority project in the applicable municipal stormwater permit for this LUP.

4.2 Water Quality Management Plan

Any new development or redevelopment identified under 4.1.H shall require a Water Quality Management Plan (WQMP) to be prepared by a licensed water quality professional, which shall include plans, descriptions, and supporting calculations. The WQMP shall incorporate where necessary, structural and non-structural Best Management Practices (BMPs) designed to reduce the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site.

The WQMP's purpose is to minimize to the maximum extent practicable dry weather runoff, runoff from small storms (less than 3/4" of rain falling over a 24-hour period) and the concentration of pollutants in such runoff during construction and post-construction from leaving the property.

In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- A. Mimic undeveloped stormwater and urban runoff rates and volumes in any storm event up to and including the "50-year capital design storm event," as defined by Public Works (Relevant County Code (LID): 12.84.440)
- B. Implement and improve upon best management practices (BMPs) for residences, businesses, new development and significant redevelopment, and County operations to prevent the transport of bacteria, pesticides, fertilizers, pet waste, oil, engine coolant, gasoline, hydrocarbons, brake dust, tire residue, and other pollutants into recreational waters.
- C. Where feasible, avoid conveying runoff directly to the County's streets or stormwater drainage system without the benefit of absorption by permeable surfaces, such as landscaped areas, or treatment control BMPs.
- D. Impervious surfaces, especially directly connected impervious areas, shall be minimized, and pervious pavement shall be evaluated and used where practicable.

- E. Appropriate structural and non-structural BMPs (site design, source control and treatment control) shall be designed and implemented to minimize water quality impacts to surrounding coastal waters.
- F. Where infiltration of runoff would exacerbate geologic hazards, include equivalent BMPs that do not require infiltration.
- G. Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized.
- H. To further reduce runoff; direct and encourage water conservation via the use of weather- and moisture-based irrigation controls, tiered water consumption rates, and native or drought-tolerant plantings in residential, commercial, and municipal properties where feasible.
- I. Provide storm drain stenciling and signage for new storm drain construction in order to discourage dumping into drains and increase public awareness.
- J. Trash, recycling and other waste containers shall be provided as necessary to meet prevent overflow. All waste containers, anywhere within the development, shall be covered, watertight, and designed to resist scavenging animals.
- K. Require new and redevelopment projects to protect the absorption, purification, and retention functions of open spaces that will be retained or are created by approved projects, and ensure that runoff from the development will not adversely impact these open spaces.
- L. Require commercial development to incorporate BMPs designed to prevent or minimize the runoff of pollutants from structures, landscaping, parking areas, loading and unloading dock areas, repair and maintenance bays, and vehicle/equipment wash areas.
- M. Where feasible, runoff from all roofs, roads and parking areas shall be collected and directed through a system of structural BMPs including vegetated areas and/or gravel filter strips or other vegetated or media filter devices. The system of BMPs shall be designed to 1) trap sediment, particulates and other solids and 2) remove or mitigate contaminants (including trash, debris and vehicular fluids such as oil, grease, heavy metals and hydrocarbons) through infiltration, filtration and/or biological uptake. These drainage systems shall also be designed to convey and discharge runoff from the developed site in a non-erosive manner.
- N. Require parking lots and vehicle traffic areas to incorporate BMPs designed to prevent or minimize runoff of oils and grease, car battery

acid, coolant, gasoline, sediments, trash, and other pollutants to receiving waters.

- O. Parking lots, driveways and streets shall be dry swept on a regular basis, in order to prevent dispersal of pollutants that might collect on those surfaces. All uncovered parking lots shall be swept at least once a year prior to the onset of the wet season. Parking lots shall not be washed down unless the water used is directed through the sanitary sewer system or a filtered drain.
- P. Require all service stations, car washes and vehicle repair facilities to incorporate BMPs designed to prevent or minimize runoff of oil and grease, solvents, car battery acid, coolant, gasoline, and other pollutants to stormwater system from areas including auto and boat fueling areas, repair and maintenance bays, vehicle/equipment wash areas, and loading/unloading dock areas.
- Q. Any detergents and cleaning components used on site shall at a minimum comply with the following criteria: they shall be phosphate-free, biodegradable, and non-toxic to marine wildlife; amounts used shall be minimized where feasible; no fluids containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye shall be used.
- R. Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- S. Require structural BMPs to be inspected, cleaned, and repaired as necessary to ensure proper functioning for the life of the development. Condition coastal development permits to require ongoing application and maintenance as necessary for effective operation of all BMPs (including site design, source control, and treatment control).
- T. All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired, for the life of the development, at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season (between April and October).
- U. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.

- V. It is the Los Angeles County's responsibility to maintain or ensure that its lessee maintains the drainage systems and the associated structures and BMPs according to manufacturer's specifications, for the life of the development.

4.3 Low Impact Development

In order to prevent significant adverse impacts on coastal water resources from existing and new development, either individually or cumulatively, the County of Los Angeles shall incorporate and implement Low Impact Development standards within the Harbor-MDR which includes incentives for the public and private users to reduce impacts to water quality. The program shall include a list of implementation measures to reduce impacts to water quality in line with the Low Impact Development Manual for Southern California (2010): <http://www.casqa.org/LID/SoCalLID/tabid/218/Default.aspx>

At a minimum this shall include:

- A. Post-development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increased peak storm water discharge rate will result in increased potential for downstream erosion;
 - B. Design and manage new development to prevent non-storm discharges (e.g., dry weather flow);
 - C. All projects that construct new storm drain inlets or maintain existing inlets shall add a sign or stencil to the inlet with the following statement or equivalent language: "No dumping, drains into ocean";
 - D. Promote the use of Low Impact Development practices to preserve the natural hydrologic cycle and minimize the impacts of new impervious surfaces or other development that increases stormwater or dry weather runoff.
 - E. Whenever feasible, runoff will be diverted through planted areas or sumps that recharge the groundwater and use the natural filtration properties of the earth to prevent the transport of harmful materials into receiving waters.
- 4.4. Material used for construction of piers, pilings, docks, dolphins, or slips shall not include timber preserved with creosote, (or similar petroleum-derived products). Pilings treated with Ammoniacal Copper Arsenate (ACA), Ammoniacal Zinc Arsenate (ACZA) or Chromated Copper Arsenate (CCA) shall be used only if wrapped or coated prior to installation with a water tight plastic sleeve, or similar sealant. To prevent the introduction of toxins and debris into the marine

environment, the use of plastic wrapped pilings (e.g., PVC Pilewrap) and reinforced plastic for pilings (e.g., high density polyethylene (HDPE) pile armor), shall conform to the following requirements:

- A. The material used shall be durable and a minimum of one-tenth of an inch thick.
- B. All joints shall be sealed to prevent leakage.
- C. Measures shall be taken to prevent ACA, CCA and/or ACZA from dripping over the top of plastic wrapping into State Waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping.
- D. The plastic sleeves shall extend a minimum of 18 inches below the mudline.
- E. Plastics used to protect concrete or timber piers and docks or for flotation shall be subject to regular inspection to prevent sloughing of plastics into the waterway. A comprehensive inspection and maintenance plan shall be a requirement of any approval for projects involving plastic/or similar material wrapped piles, for the life of the piles.
- F. The lessee shall be made responsible for removal of failed docks or materials.
- G. If federal or state regulatory agencies, through new or better scientific information, determine that environmentally less damaging materials or methods are available for new piles or piling replacement, the least environmentally damaging materials and/or methods should be required for such projects, where feasible.

Policies Specific to Construction Related Activities

- 4.5. All new development or redevelopment shall be designed to minimize erosion, sedimentation and other pollutants in runoff from construction-related activities to the maximum extent practicable. Development or redevelopment shall minimize land disturbance activities during construction (e.g., clearing, grading and cut-and-fill), especially in erosive areas (including steep slopes, unstable areas and erosive soils), to minimize the impacts on water quality.
- 4.6. Construction and Maintenance Responsibilities and Debris Removal

All new development or redevelopment in the Marina shall include the following construction-related requirements:

- A. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- B. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to Important Biological Resources, wetlands or their buffers.
- C. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- D. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- E. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- F. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located within the coastal zone, a separate Notice of Impending Development shall be required before disposal can take place.
- G. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets (or the inlets will be temporarily covered) and any waterway, and shall not be stored in contact with the soil.
- H. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- I. The discharge of any hazardous materials into any receiving waters shall be prohibited. Appropriate storage and containment shall be provided for all hazardous materials used during the construction period, and must be removed and properly disposed of upon completion of the project.
- J. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.

- K. The least damaging method shall be used for the construction of pilings and any other activity that will disturb benthic sediments. The suspension of benthic sediments into the water column shall be minimized (i.e., less than 1 hour in duration and less than 200 feet in greatest dimension) using appropriate BMPs (e.g., silt curtains).
- L. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity
- M. All construction BMPs shall be maintained in a functional condition throughout the construction of the project.

Policies Specific to Harbors, Marinas and Boating

- 4.7. Activities which produce, handle, or transport petroleum products or hazardous substances within Marina del Rey water areas shall be discouraged. This policy does not apply to retail fuel sales/operations for boaters and commercial fishermen in the Marina.
- 4.8. Adequate cleanup procedures and containment equipment shall be provided by the County of Los Angeles Department of Beaches and Harbors or by individual marina operators for all hazardous materials stored in the Marina.
- 4.9. Pump-out facilities adequate for all marine needs (e.g., bilges, wastewater) shall be provided by the County of Los Angeles Department of Beaches and Harbors or by individual marina operators.
- 4.10. All new development or redevelopment shall incorporate appropriate design elements and management practices to minimize adverse impacts to water quality related to boating facilities and boater waste in the Harbor to the maximum extent practicable. Boating in the Harbor shall be managed in a manner that protects water quality, and any persons or employees maintaining boats in slips or using slips on a transient basis shall be made aware of water quality provisions.
 - a. Implement a daily inspection routine to monitor over-the-water maintenance and cleaning activities in the marina. Immediately investigate the source of any pollution or debris in the water, stop the discharge and initiate clean up or containment of the pollutant.
 - b. Provide and maintain proper trash disposal facilities that are wind and rain proof.

- c. Maintain collection locations for discarding hazardous materials (e.g., contaminated fuel, oil absorbent materials, used oil, oil filters, antifreeze, batteries, paints, solvents, old cleaning products) or at least provide information to boaters on their individual responsibilities for discarding or recycling these materials.

4.11. Best Management Practices

The County of Los Angeles shall take the steps necessary to ensure that the long-term water-borne berthing of boats in the Marina will be managed in a manner that protects water quality through the implementation of the following BMPs, at a minimum:

A. Boat Maintenance and Cleaning Best Management Practices

- Boat maintenance shall be performed above the waterline in such a way that no debris falls into the water. If particulates (e.g. paint or plastic flakes) could be dislodged during work, a containment system should be installed between the work and the water, or the boat should be removed from the water. Containment systems include physical barriers such as tarps, drip pans, nets, floating work structures.
- In-water top-side boat cleaning shall be by hand and shall minimize the discharge of soaps and prevent the discharge of paints, trash or other debris. Where feasible, remove the boats from the water and perform cleaning at a location where debris can be captured and disposed of properly.
- Detergents and cleaning products used for washing boats shall be phosphate-free and biodegradable, and amounts used shall be kept to a minimum.
- Detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates or lye shall not be used.
- Establish policies for underwater hull cleaning methods that do not result in a visible plume of bottom paint during in-water hull cleaning. Clean boat hulls only by hand and using the least abrasive method available, to remove fouling organisms. No metal scrapers may be used. If growth cannot be removed by minimally abrasive materials (cloth, sponges or soft plastic scrubbing pads) the boat should be hauled out for cleaning or other methods used to capture paint and fouling organisms.
- Establish policies in tenant, contractor and maintenance worker contracts for the amount and type of maintenance work allowed over the water, and enforce consequences for non-compliance.

- All boaters shall regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. Boaters shall also use preventive engine maintenance, oil absorbents, bilge pump-out services, steam cleaning services or other methods to clean bilge areas that will not release contaminants to the coastal waters.
- Use of non-toxic hull coating materials shall be encouraged.

B. Solid and Liquid Waste Best Management Practices

- All trash, recyclables, and hazardous wastes or potential water contaminants, including old gasoline or gasoline with water, absorbent materials, oily rags, lead acid batteries, anti-freeze, waste diesel, kerosene, and mineral spirits shall be disposed of in a proper manner and shall not at any time be disposed of in the water or a gutter, or be allowed to discharge to any storm drain system.

C. Sewage Pumpout System Best Management Practices

- Vessels shall dispose of any sewage at designated pumpout facilities or dump stations provided by the County of Los Angeles or individual marina operators.
- Biweekly mobile pumpout services shall be included in all leases in the marina at the time the lease is updated, renegotiated, or established.

D. Petroleum Control Management Measures:

- Boaters shall practice preventive engine maintenance and shall use oil absorbents in the bilge and under the engine to prevent oil and fuel discharges. Oil absorbent materials shall be examined at least once a year, replaced as necessary, and disposed of properly.
- Used oil absorbents are hazardous waste in California. Used oil absorbents must therefore be disposed in accordance with hazardous waste disposal regulations. The boaters shall regularly inspect and maintain engines, seals, gaskets, lines and hoses in order to prevent oil and fuel spills. The use of soaps or dispersants that can be discharged by bilge pumps is prohibited.
- If the bilge needs more extensive cleaning (e.g. due to spill of engine fuels, lubricants, or other liquid materials), the boaters shall use a bilge pump-out facility or steam cleaning services that recover and properly dispose or recycle all contaminated liquids.

- Bilge cleaners which contain detergents or emulsifiers shall not be used for bilge cleaning since they may be discharged to surface waters by the bilge pumps.⁴
- Spill prevention and control measures shall be implemented for all fuel docks and remote fueling operations to ensure the proper handling and storage of petroleum products. Oil and spill prevention BMPs shall be used during fueling, whether at fuel docks or at remote vessel fueling, and shall include absorbent bibs and donuts.

E. Public Information

Best management practices will be provided in writing to all marina operators, or lessees, for dissemination to the boating public. Appropriate outreach and education to slip owners and lessees, residential and transient boaters, utilizing the Harbor and Marina facilities.

a. Coastal Act Policies

30230. *Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organism adequate for long-term commercial, recreational, scientific and educational purposes.*

30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

30236. *Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects*

⁴ Federal law prohibits the use of soaps or other dispersing agents to dissipate and/or mask oil on the water or in the bilge. Soaps emulsify oil, therefore, dispersing hydrocarbons through the water column and can be harmful to marine animals and bottom sediments. Violators are subject to criminal and civil penalties of up to \$32,500 per incident (33 CFR 153.305).

where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

b. Issues Identified

Water quality in the Marina del Rey Small Craft Harbor has been affected by the original construction of the harbor and its continued recreational use. GIVEN THE HEAVY RECREATIONAL USE OF THE HARBOR, HOW CAN WATER QUALITY BE MAINTAINED OR IMPROVED?

Surface water runoff is the major source of pollutants in Marina del Rey, originating both from the Marina drainage area and Ballona Creek's drainage area. HOW CAN THE DRAINAGE REQUIREMENTS FOR FLOOD CONTROL WITHIN THE MARINA DRAINAGE BASIN BE SATISFIED WITHOUT DEGRADING WATER QUALITY IN THE MARINA AND SANTA MONICA BAY?

Marinas can provide habitat for fish and wildlife. WHAT MEASURES CAN BE INCORPORATED INTO THE MARINA DESIGN TO INCREASE BIOLOGICAL PRODUCTIVITY OF THE MARINA AS A MARINE HABITAT?

c. Research Analysis

Existing Authority and Regulations

State Water Resources Control Board ("SWRCB"): Pursuant to the California Porter-Cologne Water Quality Control Act and the Clean Water Act, the SWRCB approved the Water Quality Control Plan for the Los Angeles River Basin Plan in 1975. Embodied in this plan are objectives, standards and policies regulating such water factors as pH balance, temperature, suspended materials, turbidity and solid wastes. Essentially these standards seek to prevent water quality degradation and to protect the beneficial uses of water.

The Basin Plan also includes goals, management principles and policies applicable to the Marina del Rey area.

The SWRCB also adopted an amendment to the Water Quality Control Plan for Ocean Waters of California in March 1990 ("California Ocean Plan"). This plan is intended to protect the quality of ocean waters for the use and enjoyment of the people of the state. It embodies objectives, requirements and prohibitions for waste discharge to ocean waters. The California Ocean Plan is to be reviewed at least every three years to insure that the standards developed are adequate and are not allowing degradation of marine species or posing a threat to human health.

Pursuant to the Clean Water Act amendments of 1987, U.S. Environmental Protection Agency ("EPA") developed regulations to control storm water discharges from municipal areas, industrial facilities, and construction sites of greater than five acres. The SWRCB was given authority by the EPA to implement this National Pollutant Discharge Elimination System ("NPDES") program. SWRCB in turn delegated responsibility to the Regional Water Quality Control Boards ("RWQCB") to implement at a local level.

Santa Monica Bay Restoration Project ("SMBRP"): The SMBRP was established following the inclusion of Santa Monica Bay in the EPA's National Estuaries Program. The purpose of the program is to document existing conditions in the Bay and the effects of pollution, evaluate its management and recommend future action to protect and enhance the Bay.

Los Angeles County Department of Public Works ("Public Works"): Public Works has liquid waste policies which apply to sewer discharges within the department's service area boundaries. These policies prohibit the following: interference with waste water-treatment processes; the endangerment of public health; the damaging of structures or the creation of nuisance.

Public Works is also responsible for the County's flood control functions. Department policy is to "provide for the control and conservation of the flood, storm and other waste waters of the County for beneficial uses by spreading, storing, retaining or otherwise percolating these waters; and shall protect from damage from such flood or storm waters, the harbors, waterways, public highways and properties within the County".

The RWQCB has issued a NPDES permit for storm water discharge to the County of Los Angeles as the principal permittee, with a number of cities, including Los Angeles, Culver City and Santa Monica, as co-permittees. Unincorporated areas within the cities must comply with the requirements of the NPDES permit through the development and approval of a Storm Water Management Plan.

Los Angeles County Code, Title 19 (Airports and Harbors): Water quality in the Marina is also protected by regulations contained in the Los Angeles County Code. These regulations relate to such uses and activities as sanitation, toilet fixtures, live-aboards, disposal/handling of dead animals or fish and the discharge of wastes, coal, petroleum or paint products.

Current Testing/Sampling Procedures

Los Angeles County Department of Health Services ("Health Services"): As of 1991, Health Services conducts a regular water sampling program in the Marina. The USC

Harbors Environmental Projects also conducts regular monthly water sampling tests of the Marina waters.

Once each week, Health Services tests marina water quality at four locations: (1) the Marina beach; (2) just off the beach, between the lifeguard tower and the boat docks; (3) at the Fire Department dock; and (4) at the Sheriffs Department dock. Tests are performed for total coliform, fecal coliform and enterococcus.

Hyperion Treatment Plants, City of Los Angeles ("Hyperion"): Staff at Hyperion also conduct coliform bacteriological counts of marina waters on special request from Health Services.

Los Angeles County Department of Public Works ("Public Works"): Public Works conducts a regular sampling program in Ballona Creek for both storm and dry weather flow.

Harbor Water Quality

In 1976, the Department of Small Craft Harbors (now Beaches and Harbors) initiated a contract with USC Harbors Environmental Projects (HEP) to conduct a three year study of the Marina to determine harbor water quality, assess the faunal population and develop recommendations to improve the marine environment.

Water quality in Marina del Rey is determined by both oceanographic conditions prevailing in the adjacent open coastal waters and the factors superimposed on those conditions by the rainfall, urban runoff and general uses of the marina waters. Water quality varies with rain and runoff frequency, rate and volume, with quality being poorest following a heavy rain after several dry years when pollutants have accumulated in storm drains and enter the runoff. Thus, only organisms tolerant of wide ranges of salinity, temperature, dissolved oxygen (D.O.) and the presence of various metals and other pollutants, particularly pesticides and polychlorinated biphenyls (PCBs) can survive this environment.

Marina del Rey has been rated as Class C (impaired) by the SWRCB. This is partly due to the introduction of Santa Monica Bay waters into the Marina, which are also rated Class C. Runoff from about 100 square miles of urban land uses also impacts the Marina, through the discharge of Ballona Creek into the mouth of the Bay and partial return of these waters into Marina del Rey due to tidal flow and wind action. Non-point sources of pollutants within the Marina and from adjacent developed land uses also contribute to the degradation of water quality within the Marina. This impact is most severe in areas of the Marina which are furthest from the Bay and its flushing action.

Temperature

The water temperature in Marina del Rey generally increases with distance from the Bay during the summer and decreases with distance from the Bay during the winter. Winter low temperatures have ranged from 11 to 14.4 degrees C and high temperatures from 22.6 to 26.0 degrees C, depending on whether cooler ocean temperatures or incursions of warm, tropical waters (El Niño events) prevail. The mean annual temperature in the ocean has ranged from 15.1 to 18.3 degrees C. Seasonal variation of 4.5 to 13.4 degrees C have been recorded during monitoring. Although impacts to aquatic life due to temperature fluctuations are possible, the aquatic life within Marina waters has adapted to such temperature fluctuations, although some fish species leave the area during warmer periods and may be replaced by other species.

Salinity

Salinity in ocean waters in Southern California generally range from 33 to 34.5 parts-per-thousand (ppth). Within the Marina, salinities are lower by one to two ppth. The salinity in Ballona Creek varies widely, and has fallen to 2 ppth during a storm event and 0.1 ppth at the Oxford Retention Basin. These discharges, along with runoff from surrounding land uses during rainfall events, has been shown to have a temporary impact on Marina salinities, lowering the mean to about 26 ppth.

Dissolved Oxygen (D.O.)

D.O. levels in surface waters is considered by regulatory agencies to be an indicator of the water quality for aquatic life. Levels usually range from 6.0 to 8.5 mg/l along the coast, depending on temperature. A D.O. concentration of 5 mg/l is considered to be acceptable for fish survival; however, many invertebrates can survive almost down to a point of anoxia.

In general, the monitoring of D.O. levels in Marina del Rey indicates that sufficient dissolved oxygen is available to support aquatic life. The potential for low D.O. concentrations exists during the summer months when the temperature is elevated and waters become stratified, and following storms when the organic nutrient loading of runoff into the Marina exerts a high chemical oxygen demand. This potential is most significant for portions of the Marina which are furthest from the flushing action of the Bay.

Some of the water-borne pollutants may enter the Marina from Ballona Creek because of the effects of southwest winds and tides on water currents and floating trash. However, sewage overflows from Hyperion do not normally impact internal Marina waters. Proportionally, more pollutants appear to enter the Marina from the Oxford Retention Basin than from Ballona Creek in spite of the much smaller volume of flow.

Nutrients

Inorganic nitrogen and phosphorus are essential nutrients for microorganism growth. In high concentrations, however, excess microbiological and phytoplanktonic growth may occur, depleting dissolved oxygen and creating odors and eutrophication. The ocean water in the Bay is generally nutrient poor. Elevated concentrations in the Marina result from storm runoff, from Ballona Creek and directly from surrounding uses. Inorganic nitrogen concentrations in the Marina average 0.266 mg/l as nitrogen, primarily in the form of ammonia, in 1992-1993, compared with 0.03 mg/l in the Bay. Nutrients also increase in the winter when phytoplankton crops are lower and are not using as much nitrogen.

Phosphate concentrations ranged from 0.024 to 0.073 mg/l in the Marina in 1992-1993, much lower than when phosphate detergents were in use. Phosphate in the Bay is generally not a limiting nutrient, at concentrations in surface waters of about 0.04 to 0.1 mg/l.

Sediments and Pollutants

Following the initial period of heavy runoff after a dry season, finer sediments appear to dominate in the inner slips (away from the entrance channel) and along the main channel, which lies in a north-south direction. In subsequent storms, finer sediments may be swept from the Marina unless flow is impeded by sand bars deposited near the Marina mouth. This suggests that sand may originate in flows from Ballona Creek as well as being carried from the beach by prevailing winds and storms. Sand settles out near the entrance to the harbor. The finer materials tend to deposit in areas where reduced turbulence permits settling. Heavy runoff tends to re-suspend and sweep the finer sediments out of the Harbor.

Concentrations of heavy metals found in the Marina sediments have generally been proportionate to their concentrations in local soils. The exception are copper and iron, which are found in concentrations in the Marina interior that are several times higher than in ocean sediments. The source of these metals is primarily leaching from boat surfaces. Elevated levels of lead and zinc have also been found in areas which receive large amounts of surface runoff.

Pesticide concentrations in the sediment have generally not decreased appreciably with time. DDT and its derivatives were still being detected in 1992, although widespread use ceased in 1972. Chlordane was banned from general public use in 1988, but it is still entering the marina and is present in toxic, inhibitory concentrations. Polychlorinated biphenyls (PCBs) have in recent years been found in separate episodes coincidental with large excavations nearby.

Concentrations of some metals (particularly copper, iron and zinc) in mussel tissue from the State Mussel Watch Program in the Marina are higher than typical soil concentrations. A major non-point source for these metals is leaching of anti-fouling bottom paints from the many boats moored in the Marina. State Mussel Watch results have also revealed high levels of DDT, Chlordane, and PCB's, in a gradient from low to high when going from the channel entrance to side basins. Elevated levels of lead and zinc have also been found in areas which receive large amount of surface runoff.

Overall, populations of benthic organisms have remained stable over the years, but have decreased in periods immediately following heavy rainfall, and species composition may change temporarily. The number of species is stable having ranged from 25 to 41, with an average of 32.3 per square meter. Fish populations are considered to be stable, although they also are affected by heavy rains, and fluctuate greatly, depending on the presence of young pelagic fish that feed in the Marina and depart. The mean number of species since 1984 is 39, with a range of 28 to 45. Some 90 species have been recorded during that period, with the species composition changing according to temperature preferences.

Although there are elevated concentrations of some parameters in Marina sediments, there does not appear to be pronounced related toxicity. Long-term toxicity test, however, have indicated slightly higher than normal mortality in two polychaete species and decreased byssal thread production, anchoring fibers in mussels. Tributyl tin was banned in California in 1988; in 1987, the mean concentration in Marina water samples was 0.155 ug/l, and in sediments it was 535 $\mu\text{g/kg}$ (dry wt). The peak value in water in 1987 was 1,070 $\mu\text{g/kg}$, dropping to 5.57 $\mu\text{g/kg}$ in 1988 and continuing to decline to a peak of 2.2 $\mu\text{g/kg}$ in 1992 and a mean of 0.57 $\mu\text{g/kg}$. These levels should now be below concentrations considered to be inhibitory to larval mussels, crustaceans and polychaete worms. Tributyl tin in water may have been the reason for decreased mussel production in the Marina in the 1980s, since mussels bioaccumulate pollutants. It is more likely that the synergistic effects from the interaction of multiple pollutants, are responsible for inhibition of some species. Tin in sediments, like many metals, may be more or less inactive when complexed to sediments in the bottom.

Microbiota and Phytoplankton

Bacteria and microheterotrophs (non-photosynthetic organisms) such as some protozoans are important constituents of the food web, especially for bottom dwellers and bottom feeding fish. Together with phytoplankton, they form the base of the macroscopic food web and, thus, provide food for fishes and invertebrates. In general, the Marina waters are more productive than the adjacent coastal waters, although the productivity of phytoplankton drops markedly during periods of low D.O. levels such as those following storms. Excess phytoplankton (blooms) can drive dissolved oxygen up to supersaturated levels, but the subsequent death of the bloom and bacterial degradation of it uses up oxygen, sometimes depleting the D.O. drastically.

Zooplankton

Zooplankton are tiny organisms permanently or temporarily suspended in a water mass which do not produce oxygen by photosynthesis. Approximately 95 percent of the total zooplankton found in the Marina in 1976-1979 were *Acarta californiensis*, a crustacean species which prefers shallower, warmer more turbid bottom waters and is believed to be more tolerant to environmental stress than other plankton. In the 1976-1979 surveys, less than 0.04 percent of the total consisted of ichthyoplankton, fish egg or larvae, which suggested that the Marina was not a center of fisheries reproduction. Zooplankton levels were high, but due to low species variety, it appeared not to be attractive to fish species. (A total of 36 fish species were found.)

A better understanding of the food web suggests that the Marina is more dependent on the microheterotrophs (bacteria, fungi, protista) than it is on phytoplankton, as USC-HEP studies demonstrated in Los Angeles-Long Beach Harbors.

In fish surveys since 1984, the techniques for sampling and identification have been much improved and standardized. Sampling only twice a year, in May and October, may sometimes miss the main reproductive period, which is temperature dependent, but counts have ranged from 1,714 to 68,756 ichthyoplankton (eggs and larvae) per cubic meter. The mean number of fish species per survey is 39 between 1977 and 1993.

Benthic Fauna

These invertebrates that live in or on substrate at the bottom of areas such as Marina del Rey give indications of long-term water and sediment quality conditions and kinds of food available for fish. A mean number of species in fall surveys since 1976 is 32, and the mean number of individuals is 15,611, per square meter of bottom sampled. The principal species are polychaete worms, which are good fish food, due to the soft bottom, low energy environment and the frequency of disturbances, ranging from propeller wash to storms and runoff volume.

In 1984, species diversity was greatest at a collecting station at the mouth of Ballona Creek but the site of highest diversity varies from year to year, depending on the amount of flushing or impacts of pollutants. Diversity indices were generally better than those in Los Angeles/Long Beach Harbors.

Flushing

The existing Marina design is generally directed toward protection of boats. The criteria involved achieving the least water movement while accommodating the highest number of vessels feasible.

Flushing in Marina del Rey's side basins is much lower than in the Entrance or Main Channels. To a large extent, this is due to the greater distance of these basins from the open ocean, the angles at which the basins are set and the dead end configuration of basins. The placement of pollution injection points (storm drains) at the inner ends of Basins E, G and H where the solid basin boundaries restrict dispersive transport of pollutants has exacerbated the situation. (There are also storm drains in the Oxford Retention Basin). Therefore, any future drainage should be connected to the main channel or Ballona Creek consistent with Coastal Act policy § 30231 rather than diverting it into boat basins.

It should be noted that the Department of Public Works recently constructed a pump station and intake line adjacent to the Oxford Retention Basin. The facility collects water from Oxford Street and discharges it into the retention basin. Since this project was considered to be merely an improvement to the existing drainage system, it discharges into the retention basin rather than Ballona Creek.

Additional studies, aimed at limiting non-point high oxygen demand or toxic materials from entering the Marina through the storm drains, should be pursued.

Marina Fish and Wildlife Resource

Marina del Rey provides habitat for numerous fish and wildlife species. Over 90 species of fish have been reported in the artificial bay since surveys began. In a 1990-91 survey, 22 species of fish were collected from the Entrance Channel, while the mean number of species throughout the Marina is 39 per survey, of which 20 are almost always present in the Marina, and the remainder are composed of various species that change according to temperature preferences or are simply more rare and/or not often captured. Of note are forage fish such as top smelt and northern anchovy, and sea bass, halibut, mullet, turbot and surfperch. Also, the now rare bone fish, *Albula vulpes*, is sometimes found in the Marina.

In addition, Marina del Rey provided habitat for many species of water-associated birds. The endangered California brown pelican rests and forages in the Marina's water. The endangered California least tern also forages in the Marina. The Dept. of Beaches and Harbors has begun a fish breeding project in the Marina to further enhance the biological productivity of the Marina habitat.

Wetland Resources (Parcel 9)

Parcel 9 contains a wetland, as defined under the Coastal Act and the Coastal Commission regulations, which was created when the excavation for a hotel project was

abandoned. This wetland is slated for restoration and inclusion in a new park, all in connection with the development of adjacent parcels.

Oxford Retention Basin

The Oxford Retention Basin (also designated as a bird conservation area by the L.A. County Board of Supervisors in 1963) occupies the 10.7 acres at the northwest corner of Marina del Rey. Its primary purpose is a storm water retention facility (also identified as the Oxford Street Flood Control Basin).

Although various proposals have been advanced over the years to improve the area as a wild bird habitat, the L.A. County Natural History Museum conducted a 17-month long study of the area (*The Birds of the Conservation Area* by Ralph W. Schreiber and Charles F. Dock, 1980) which described the area as "not an important component of the overall pattern of avian distribution in the L.A. area".

Among the drawbacks of this area cited in the report were its limited size and isolation and its proximity to tall apartment complexes cutting it off from the general path of bird movement in the surrounding vicinity.

The report concluded that it is very unlikely that the area could ever be improved to serve as a wild bird habitat regardless of the funding level assigned to the project. At the present level of pollutants including pesticides and PCBs in the sediments, it could be harmful to birds to feed on the invertebrates for which they forage in the mud along the banks.

However, as the study notes, small populations of birds, including abandoned ducks, do use the area. The opportunity exists to use the area as a public park with improved maintenance, landscaping and bird feeding locations provided. Public Works has indicated its willingness to support any reasonable use of this area which preserves its flood control function.

d. Findings

The Marina del Rey area provides habitat to many fish and wildlife species, including endangered species.

Water quality in the Marina is heavily impacted by storm drain run off and pollutants introduced from Ballona Creek and the Oxford Retention Basin, as well as the effects of anti-fouling paints leached and scraped from boat hulls and oily films from refueling or seepage.

Overall population of benthic organisms has remained relatively stable over the years, decreasing during times of heavy runoff, and possibly during incursions of pollutants. The number of species also fluctuates but is considered stable.

The fish population has remained stable, but has a wide range of fluctuation, depending on the presence of pelagic species feeding in the Marina at the time of surveys. The mean number of species dropped from 40 to 39 because of the dredging operations in October 1992.

State Mussel Watch results have indicated bio-accumulation of contaminants by mussels in the Marina occurs in these filter feeding organisms, resulting in higher concentrations of contaminants in mussels than in typical bottom sediments. Some terrestrial soils near the marina have higher concentrations than do Marina sediments.

Flushing in the Marina could be improved by diverting storm water flow into Ballona Creek.

The Oxford Retention Basin is a more significant source of pollutants for the Marina than is Ballona Creek, relative to their respective volumes of flow. Potential exists for the use of the Oxford Retention Basin as a public open space area as long as its flood control function is preserved.

Present standards, regulations and requirements of the Porter-Cologne Water Quality Control Act, State Water Resources Control Board, Regional Water Quality Control Board, and Los Angeles County Department of Public Works will govern any development plans which could impact water quality in the LCP Area.

Harbor water quality is controlled by applicable codes in the Los Angeles County Code, Title 19 (Airports and Harbors).

The U.S. Environmental Protection Agency in conjunction with the State Water Resources Control Board has brought storm water runoff systems under waste discharge requirements.

e. Policies and Actions

1. The existing wetlands, including the flood control basin on a portion of Parcel P, the Marina waters, and a portion of Parcel 9 are the marine resources which shall be maintained and, where feasible, enhanced and restored. Uses permitted in or adjacent to these areas shall be carried out in a manner to protect the biological productivity of these marine resources and maintain healthy populations of marine organisms.

2. All development shall include measures consistent with the Santa Monica Bay Restoration Plan and the programs of the Department of Public Works to reduce contaminated runoff into bay and Ballona Creek waters, including filtration of low flows, control and filtration of runoff from parking lots and roofs, reduction of impervious surfaces, and provision of pump out facilities, and other necessary measures to reduce harmful pollutants from storm drain waters prior to these waters entering the marina.
3. The storm drain emptying into Basin H shall be capped and diverted into Ballona Creek while correcting the existing drainage deficiency in this line.
4. The Oxford Retention Basin shall be retained as either an open space area and/or public park or marine-orientated museum. In any redesign, 1) the water volume shall remain the same or greater, 2) the flood control function shall be retained or alternatives provided to the satisfaction of the Department of Public Works, 3) the biological productivity of the basin and immediate land area enhanced, and 4) the quality of water discharged into the Marina improved.
5. Measures to reduce harmful pollutants should be pursued for discharge of storm runoff into the Marina.
6. Boat operations in the Marina shall follow the regulations of Part 7 (Sanitation), Part 8 (Safety and Maintenance), and Part 9 (Marina del Rey) of Chapter 19.12 of the Los Angeles County Code, Title 19 (Airports and Harbors), to minimize introduction of pollutants into Marina waters. This language is found in Appendix B of the Local Implementation Program.

5. Important Biological Resources ("IBR")

a. Coastal Act Policies

Coastal Act Section 30230 requires the maintenance, enhancement and where feasible, restoration of marine resources:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act Section 30231 requires protection of biological productivity and water quality as follows:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Coastal Act Section 30233 regulates the diking, filling or dredging and continued movement of sediment and nutrients in coastal waters, wetlands, estuaries, and lakes as follows:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where the improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before

issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

(Amended by: Ch. 673, Stats. 1978; Ch. 43, Stats. 1982; Ch. 1167, Stats. 1982; Ch. 454, Stats. 1983; Ch. 294, Stats. 2006.)

Coastal Act Section 30236, Water supply and flood control:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Coastal Act Section 30250 provides guidance for protecting coastal resources as follows:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

(Amended by Ch. 1090, Stats. 1979.)

As defined in the Coastal Act, "environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (Coastal Act, Section 30107.5). If an area is found to be an "environmentally sensitive area", the area is governed by Section 30240 of the Coastal Act and cannot be developed except in ways that are resource dependent. Marina del Rey is an entirely artificial environment. Everything within the bounds of Marina del Rey is created/urbanized; there are no completely natural areas in Marina del Rey. Nonetheless, starting in the mid-1990's, colonial waterbirds began

roosting and nesting in mature ornamental, non-native landscape trees in Marina del Rey; prior to this time colonial waterbirds occurred in small numbers as uncommon transients and winter visitors in the marina and surrounding area. Since the mid-1990's the numbers of individual birds and the numbers of species has steadily increased so that Marina del Rey now supports, according to the County's Conservation and Management plan (CMP), a combined total of more than 100 breeding pairs of Double-crested Cormorants, Black-crowned Night-Herons, Great Blue Herons, Great Egrets, and Snowy Egrets. The large number of colonial waterbird breeding pairs in Marina del Rey indicates that these birds are successfully adapting to the urban environment and are not easily disturbed or degraded by human activities and developments. Their tolerance of human activities and developments fails to meet one critical element of the ESHA test – that they could be disturbed or degraded by human activities and developments. Furthermore, neither the colonial waterbirds nor their habitat (non-native tree stands serving as heronries) are rare or especially valuable because of their special nature or role in the ecosystem. Therefore, no Environmentally Sensitive Habitat Areas (ESHA) exist in Marina del Rey and therefore no Coastal Act policies relating to environmentally sensitive habitat areas currently apply. However, while no ESHA exist in Marina del Rey, and therefore no Coastal Act policies relating to environmentally sensitive habitat areas currently apply, Important Biological Resources (IBR), including colonial waterbirds and their heronries, do exist within the bounds of MDR and require policy protection as coastal resources per Coastal Act sections 30230, 30231, 30233, and 30250. This protection is consistent with the California Environmental Quality Act. These policies in parallel with the CMP, provide the necessary protection and an adaptive management approach intended to ensure the persistence and health of all important biological resources in Marina del Rey.

MDR is bordered by several ESHA areas including the Ballona Wetlands, Ballona Lagoon, and the least tern roosting area on Venice Beach. Some of the sensitive coastal species utilizing these areas also utilize MDR for foraging, roosting, nesting, and other activities and this is another reason for important biological resource protection within MDR.

b. Issues Identified

Oxford Retention Basin- located at the northern end of the Small Craft Harbor is an important flood control facility, and was designated as a bird conservation area in 1963. It is currently an important roosting and nesting area for colonial waterbirds. BASED UPON A SCIENTIFIC EVALUATION OF THIS SITE, SHOULD IT CONTINUE TO BE USED AS A BIRD CONSERVATION AREA (AND POSSIBLY IMPROVED OR EXPANDED) OR SHOULD IT BE CONVERTED TO ANOTHER USE?

Wetlands may occur as a result of abandonment of construction sites. HOW SHOULD THE LCP ACCOMMODATE THESE MANMADE OR INCIDENTAL WETLANDS IN THE REDEVELOPMENT OF MARINA DEL REY?

Conflicts with landscape installation, tree trimming or removal, and maintenance policies and wildlife. WHAT PRECAUTIONS SHOULD BE INCORPORATED INTO THE PLAN TO ENSURE LONG-TERM PROTECTION OF IMPORTANT BIOLOGICAL RESOURCES WITHIN AND ADJACENT TO MARINA DEL REY?

Colonial waterbird roosting and nesting. This has occurred at Marina del Rey for many years, and was recognized in the supporting work of the 1996 LCP amendment. Over the years, some water birds – mainly herons and egrets – have expanded their use of the Marina, adapting to non-native mature trees, causing decline and death in some trees, and in some cases conflicting with the operation and redevelopment of Marina del Rey. BASED ON SCIENTIFIC EVALUATION OF MARINA DEL REY AND ITS ENVIRONS, WHAT IS THE APPROPRIATE LEVEL OF ATTENTION WHICH SHOULD BE DEVOTED TO THESE SPECIES, AND HOW SHOULD THEY BE ACCOMMODATED IN THE MARINA?

Important Biological Resources

Marina del Rey provides habitat for numerous fish and wildlife species. More than 90 species of fish have been reported in the artificial bay since surveys began. In a 1990-91 survey, 22 species of fish were collected from the Entrance Channel and the mean number of species throughout the Marina was 39 per survey, of which 20 are almost always detected in the Marina. The remaining species may be present or absent depending upon temperature variations, or they are simply more rare and/or not often captured. Of note are forage fish such as top smelt and northern anchovy, and sea bass, halibut, mullet, turbot and surfperch. Also, the now-rare bone fish, *Albula vulpes*, is sometimes found in the Marina.

In addition, Marina del Rey provides habitat for many species of water-associated birds. The endangered California brown pelican rests and forages in the Marina waters. The endangered California least tern also forages in the Marina. Multiple species of herons and egrets, as well as cormorants, roost and nest in Marina del Rey. The wading birds forage in Oxford Basin and the adjacent Ballona wetlands and Creek, as well as in Del Rey Lagoon and other nearby areas, and the cormorants forage in the marina, Ballona Creek channel, and in nearshore oceanic waters. While these colonial waterbirds have long been observed in Marina del Rey, particularly in the vicinity of the Oxford Basin, it is clear that they are adapting to human activity to the extent that their tolerance of noise and human activity is facilitating their use of mature landscape trees for nesting throughout the Marina. The establishment of breeding populations of colonial waterbirds in urban coastal settings has been documented in numerous locations in Los Angeles County and the wider region. Also documented is the propensity of these colonial waterbirds to change breeding and roosting sites from year to year, a life-history trait that must be taken into account when developing strategies to achieve long term protection of their local populations.

The proximity of the Ballona wetlands also calls for careful judgment in development with respect to lighting and landscaping in order to protect resources there.

The Department of Beaches and Harbors has a fish breeding project in the Marina to further enhance the biological productivity of the Marina habitat.

The County commissioned biologists Robert A. Hamilton and Daniel S. Cooper to prepare a comprehensive study of avian resources in Marina del Rey in 2008, and this culminated in their preparation of a Conservation and Management Plan (CMP) in 2010. The policies herein are consistent with the recommendations of the CMP, which uses a two-pronged approach. First, it provides Marina-wide management recommendations covering such topics as preserving viable nesting opportunities for native birds (e.g., through modifications to the County's existing tree-pruning policy) and avoiding impacts to actively nesting birds (e.g., through noise monitoring). Second, the CMP provides recommendations for improving habitat conditions in three specific areas of Marina del Rey (Oxford Retention Basin, Proposed Wetland Park at Parcel 9, and the margin of Ballona Wetlands Area A).

Oxford Retention Basin

The Oxford Retention Basin (also designated as a bird conservation area by the L.A. County Board of Supervisors in 1963) occupies 10.27 acres in the northwest corner of Marina del Rey. Its primary and dominant purpose is a storm water retention facility (flood control). The basin must be periodically maintained by excavating materials, and must be managed in terms of tides and water levels prior to storms to fulfill its flood control function. Over the years, the non-native landscape vegetation has reached the end of its useful life, and has deteriorated.

Although various proposals have been advanced over the years to improve the area as a wild bird habitat, the L.A. County Natural History Museum conducted a 17 month-long study of the area (The Birds of Bird the Conservation Area by Ralph W. Schreiber and Charles F. Dock, 1980) that described the area as "not an important component of the overall pattern of avian distribution in the L.A. area." That study first reported on herons foraging in Oxford Basin, and heron use of the basin has increased over the years. Since the study herons and egrets have continued to increase in number in Marina del Rey. Oxford Basin is the location of the largest roosting congregations of snowy egrets, black crowned night herons, and great egrets. Oxford Basin is an ideal place to encourage colonial water bird foraging because there are little if any human/bird conflicts at this location. Oxford Basin was created as a flood control facility and flood control remains its primary purpose. As such, ongoing maintenance activities such as sediment removal, pipeline clearance, and culvert repair are expected. However, in its role as a flood control facility Oxford Basin currently provides habitat with biological values that can be enhanced and restored. Removal of non-native

species and restoration of salt-marsh, coastal sage scrub, and willow scrub habitat will greatly improve the area.

The CMP published by the County in 2010 recommends the restoration and expansion of Oxford Basin, which contains a portion of the historical Lagoon, and also recommends incorporating professional management approaches into SBR policies for the basin while acknowledging that the basin's primary function is to provide flood protection for surrounding neighborhoods. Treating Oxford Basin as a IBR through enhancement and restoration as described above combined with improved maintenance and landscaping provides an opportunity to open up the area as a passive park where Important biological resources can thrive and MDR residents and visitors can enjoy.

Conservation Policies for Wetland Park at Parcel 9

Restore saltmarsh habitat with tidal influence

To the extent permitted under engineering constraints, tidally influenced saltmarsh habitat will be restored/enhanced at the Wetland Park. Once the final contours of the development are established, habitat should be established that includes areas of emergent native marsh vegetation, exposed even during high tide, to serve as refugia for animals, and areas of exposed mud ("mudflats") at low tide, to serve as foraging areas for migratory and resident birds. The potential area of mudflats may be limited by engineering constraints.

Debris, including a concrete slab that was installed as part of the abandoned hotel project, should be removed, as these would interfere with ecological functions of the Wetland Park.

Restoration and landscape management considerations for upper slopes

Non-native vegetation should be professionally removed from all parts of the Wetland Park on a regular, continuing basis. No non-native vegetation, or "California native" (but not locally-native) vegetation inappropriate for the Ballona Wetlands, should be introduced.

All vegetation above the high-tide line should consist of two habitat types: 1) coastal scrub (a low-profile, summer-deciduous community dominated by such species as California sagebrush, California sunflower, and coast goldenbush, and 2) willow scrub (a low thicket-like community dominated by narrow-leaved willow that already exists at the Wetland Park site). A professional firm, or firms, specializing in native plant restoration, installation, and maintenance should be retained to prepare the site for planting, and to achieve successful establishment of these native communities.

Establish the primacy of habitat values over recreational uses

The Wetland Park, as envisioned, will be a very small area (less than 1.5 acres) effectively surrounded by development. To provide habitat useful to wildlife other than the most human-tolerant species, this area will be designed and managed primarily for its wildlife habitat values. Passive recreation and other human uses at the Wetland Park should follow from this main purpose. For these reasons, a truncated trail system is recommended, with little or no area devoted to hardscape features, such as picnic tables, outdoor exhibit areas, or wide, paved trails.

Maintenance and management activities shall be compatible with managing the site as a native wildlife sanctuary. The routine use of power equipment (e.g., trimmers and electric or gas-powered blowers), dumping of compost, or feeding of wildlife or domesticated birds, should not be tolerated.

Conservation Policy for Margin of Ballona Wetlands (Area A)

Phase out non-native trees along southeastern shoulder of Fiji Way

The eastern shoulder of Fiji Way should be managed to promote the natural, open-country features along the northern margin of Ballona Wetlands Area A, especially as the Ballona Wetlands are restored to a more natural condition, as is proposed. In particular, non-native trees and shrubs along the shoulder of Fiji Way adjacent to Area A, including oleander (*Nerium oleander*), juniper (*Juniperus* sp.), and eucalyptus should be carefully removed, in a manner that ensures no significant negative impacts to nesting or roosting colonial waterbirds.

Coordinate maintenance practices with State Fish and Game Managers

County maintenance crews should work with California Department of Fish and Game (CDFG) managers at the Ballona Wetlands Ecological Reserve to ensure the success of future ecological restoration actions in Area A and elsewhere in the Ballona Wetlands. For example, County staff will be made aware that landscaping and maintenance practices along Fiji Way, such as garbage storage (which attracts non-native predators, including rats [*Rattus* spp.] that prey on bird eggs), tree-trimming during the nesting season, and rodent abatement using poison, would conflict with ecological restoration and/or wildlife management goals for the Ballona Wetlands.

Other Areas Identified for Restoration and Management

Areas further available for enhancement of their biological value include the proposed wetland park on Parcel 9, which is currently a vacant lot with the remnants of an abandoned hotel development project, Yvonne B. Burke Park, Burton W. Chace Park, and the margin of Ballona Wetlands (Area A). The Conservation and Management Plan identifies the removal of non-native trees and shrubs from along the eastern shoulder

of Fiji Way, adjacent to Area A, as a measure that would enhance ecological values of Area A. The CMP's Marina-wide management recommendations provide for the retention of mature non-native trees, where appropriate, and identify policies designed to maintain viable breeding populations of waterbirds, as well as other native species, in Marina del Rey.

c. Policies and Actions

Bird-Safe Buildings Policies:

- All new buildings, and major renovations of existing buildings, shall be required to provide bird-safe building facade treatments in order to reduce potential for bird strikes.
- Landscaped areas next to buildings, including patios and interior courtyards, shall be designed and sited to avoid or minimize bird-strike hazards caused by reflective building surfaces.
- Buildings shall be designed to use minimal external lighting (limited to pedestrian safety needs) and to minimize direct upward light, spill light, glare and artificial night sky glow. Buildings shall also be designed to minimize light pollution from interior lighting to the maximum feasible extent.

Oxford Basin

It is understood that Oxford Basin's primary role involves receiving runoff from streets and providing flood control for the surrounding area. There is no other flood control facility in this area, nor is there land available for such a facility. As such, the Basin must be regularly maintained, including periodic removal of sediments, regular inspection of the facility, and operation of tide gates. Nevertheless, opportunities exist to substantially increase habitat values of Oxford Basin for various native plant and wildlife species without compromising its flood control mission.

Restore functional saltmarsh habitat

The vegetated intertidal zone at Oxford Basin currently supports such native saltmarsh plants as Common woody pickleweed (*Salicornia virginica*), sandmarsh sand-spurry (*Spergularia marina*), and spearscale (*Atriplex prostrata*). This native vegetation should be preserved in place or stockpiled during any reworking of the basin's contours.

The term "functional saltmarsh habitat" implies regular and, if possible, natural tidal flushing (corresponding to timing and magnitude of natural tidal cycles). A functional saltmarsh at Oxford Basin would, ideally, support a healthy sedimentary invertebrate

fauna, to provide habitat for ducks and shorebirds, and a predictable population of small fish during the May-July nesting season for the California least tern, a listed species that maintains a large nesting colony on Venice Beach and that has been documented foraging at Oxford Basin in past years. Many other migratory and resident waterbirds would also benefit from the enhancement of this habitat.

To the extent possible and consistent with the primary flood control purpose, any reworked design of Oxford Basin should work with the natural characteristics of the site (e.g., historical land contours, soil characteristics). Once the final contours are established, habitat should be established to include areas of emergent native marsh vegetation exposed during high tide, to serve as refugia for animals, and areas of exposed mud ("mudflats") at low tide, to serve as foraging areas for migratory and resident birds. Although the extent of mudflats may be limited by engineering constraints, including at least a band of this habitat at low tide would be valuable, considering how much mudflat habitat was lost during construction of Marina del Rey, and how vital such areas are for a wide variety of native wildlife, including birds, mollusks, and other intertidal invertebrates.

Subsurface debris, including chunks of concrete and asphalt, and sections of pipe, should be removed from the basin where possible, as these would interfere with ecological functions of the mudflat.

The County will establish the primacy of wildlife habitat values over recreational uses

The County intends to remove non-native landscaping and increase public access to the margins of Oxford Basin. Existing dense vegetation and fencing provides considerable security for wildlife, including the herons and egrets that use the basin's existing habitats in large numbers. Improving public access to the basin and replacing the tall myoporum with low-growing scrub will be of little or no practical value (for wildlife or the public) if increased human activity causes the herons, egrets, and other wildlife species to stay away from Oxford Basin. Therefore, a phased plan to remove the invasive non-native trees and to replace them with appropriate roosting and nesting native and non-invasive. Non-native trees must be developed in conjunction with developing enhanced Oxford Basin public access opportunities. It is imperative to maintain and enhance Oxford Basin for wading bird roosting and nesting because this is an area currently favored by many species that does not have significant human/bird conflicts. The basin must be managed carefully for its wildlife habitat values, along with providing for flood protection and water quality improvement. Levels of passive recreation and other non-essential human uses should not conflict with these main purposes.

From the 1970s through the 1990s, Oxford Basin served as a "dumping ground" for unwanted pets, mainly ducks, chickens, and domestic rabbits (often exchanged at Easter). These animals were thrown over the fence, creating a public nuisance and

degrading the area's ecology. With plans for new fencing and increased public access to the basin, care must be given to ensure that the old pattern does not recur, perhaps by the creation and support of a local stewardship organization (including a volunteer ranger/docent program) and clear, vandal-resistant (and easily-replaced/repared) signage.

Any new development at Oxford Basin shall be evaluated for its role in promoting natural wildlife habitat, vs. degrading or hindering this habitat. As the site is restored and public access improves, the County may receive proposals from groups to make various uses of the area (e.g., filming, special events, trash clean-up). The County will establish a mechanism for handling such requests, will include appropriate provisions in a contract with an outside resource management group or a local Audubon chapter.

Care will be taken to communicate effectively with all relevant users and managers that Oxford Basin, although first and foremost a flood-control facility, can be managed simultaneously as a habitat for native plants and wildlife without affecting flood-control capabilities. Therefore, activities like dumping compost or construction material, planting inappropriate vegetation, and feeding wildlife or domesticated birds, will not be tolerated. Maintenance and management activities will be carefully crafted to insure that flood control and water quality goals are met, that wildlife habitat is enhanced, and that public activities are regulated in a way that fulfills the public works and wildlife enhancement objectives. If periodic restrictions to public access are necessary to fulfill one or both of the primary goals, such restriction is permitted.

Restoration and landscape management considerations for upper slopes

Non-native vegetation should be removed from all parts of Oxford Basin on a regular, continuing basis under the supervision of a qualified professional, except where demonstrated to be critical to fulfilling an important natural process (e.g., retention of a small number of eucalyptus, ficus, or other non-native trees with regularly-nesting herons/egrets), consistent with the operation and maintenance requirements of the Los Angeles County Flood Control District ("LACFCD"). However, no new non-native vegetation, or even "California native" (but not locally-native) vegetation inappropriate for the Ballona Wetlands, should be introduced.

The establishment of appropriate native landscaping will probably require a complete removal of all existing ground cover and weeds, and could also require eradication of the weed seedbank (e.g., through "solarization" or appropriate means).⁵

⁵ The term *solarization* refers to sterilization of soil by covering it with plastic sheeting for roughly six weeks during warm weather. The sun's radiation is converted to heat by absorption, heating the material above 60°C, hot enough to kill seeds and pathogens in the soil.

All vegetation above the high-tide line to be preserved, promoted, and restored/re-created should consist only of the two habitat types native to the historical Ballona Wetlands area: 1) coastal scrub (a low-profile, summer-deciduous community dominated by such species as California sagebrush *Artemisia californica*, California sunflower *Encelia californica*, and coast goldenbush *Isocoma menziesii*), 2) willow scrub (a low thicket-like community dominated by narrow-leaved willow *Salix exigua*), and riparian canopy (Native and non-invasive, non-native trees appropriate for supporting roosting and nesting colonial waterbirds). A professional firm, or firms, specializing in southern California native plant restoration, installation, and maintenance is recommended to prepare the site for planting, and to achieve successful establishment of these native communities.

Unnecessary and derelict concrete structures currently on the site (such as old wildlife watering troughs) and redundant fencing should be removed from the upper slopes where feasible.

The County will support relocation of telephone lines that currently cut across the northern part of Oxford Basin if such re-routing along Washington Boulevard or Admiralty Way is proposed by the entity operating these lines, as they could conflict with future wildlife use of the site (and lead to collisions with flying birds, especially on foggy days).

Tree Management Policies (No. 23 and 34)

The following policies provide standards for County personnel, contractors, lessees, and anyone else potentially involved in pruning or removing trees in Marina del Rey. Note that, for most species, the "breeding season" generally extends from February through August. For species like the Great Blue Heron, however, breeding activities may start as early as December, and both Mourning Doves (*Zenaida macroura*) and hummingbirds may nest essentially year-round. Since removal of the active nest of virtually any native species represents a violation of State and federal law, all tree pruning or removal should be done in consultation with a trained biologist familiar with the relevant statutes and with these policies. Furthermore, the "breeding season" for bats is considered to extend from March 1 to September 15. A coastal development permit is required for any nesting tree removal associated with new development, re-development, or renovation. The only exception would be if the nesting tree removal associated with new development, re-development, or renovation is necessary for a health and safety emergency.

POLICY NO. 23 - MARINA DEL REY TREE PRUNING AND TREE REMOVAL POLICY

1.0 INTRODUCTION/PURPOSE

The purpose of this Policy and Policy No. 34 is:

- 1.1 To establish guidelines within Marina del Rey for the pruning and removal of trees in accordance with the federal Migratory Bird Treaty Act and California Fish and Game Code, and to ensure the long-term protection of breeding, roosting and nesting habitats of federal and state-listed species, California Species of Special Concern, and colonial waterbirds.
- 1.2 To provide County staff with guidelines and procedures for tree pruning and/or tree removal within Marina del Rey in consideration of the colonial waterbird species, as the term is defined in Section 4.3 of this policy, and raptor species, as the term is defined in Section 4.12 of this policy, and the desire to reduce or eliminate impacts to their nesting habitats.

2.0 **POLICY**

This policy will be implemented by the County of Los Angeles Department of Beaches and Harbors for the purpose of overseeing the tree pruning and/or tree removal activities of Marina del Rey properties so as to minimize or avoid impacts to the nesting habitats established by colonial waterbird and raptor species. For clarification purposes, palms are included when any section in this policy refers to trees. Section 5.3 of this Policy contains procedures for addressing immediate and imminent health and safety and emergency issues.

The County will enforce and implement this policy in compliance with the Migratory Bird Treaty Act which prohibits the taking, killing or possession of any migratory bird and, therefore, disturbance of any nesting bird is illegal.

An earlier version of this policy has been carried out by the Department of Beaches & Harbors (Department) since 2003 to manage tree pruning and tree removal activities on County-operated Marina del Rey properties. This revised policy, taken together with the annual surveys of breeding and nesting federal and state listed species, California Species of Special Concern and colonial waterbirds, as outlined in the 2010 *Marina del Rey Conservation & Management Plan*, will continue to provide the basis for management and oversight to County-operated properties. The surveys shall be conducted by a qualified biologist(s) in Marina del Rey in order to establish the long-term status and trends of these species, especially colonial waterbirds. The survey reports shall include photos of active and inactive nests.

Following completion of the County's nesting colonial waterbird surveys each year, the Department will identify all County-operated properties on which no nests of colonial waterbird or raptor species were found. Tree pruning activities

may commence on the identified properties within a reasonable period of time (i.e., outside of the breeding/nesting season).

The Department's qualified biologist (as the term is defined in Section 4.11 of this Policy) may use the annual nesting colonial waterbird surveys as the basis for part or all of the initial survey, where required, prior to the commencement of annual tree pruning on County-operated properties.

Considering Marina del Rey's urban character, its abundance of trees, and the propensity of local herons and egrets to nest in a variety of arboreal settings, the potential will always exist for land-use conflicts to develop in the marina environment. Such conflicts could include health risks (such as co-location with restaurant uses or risks to humans from airborne pathogens), safety risks (such as an unbalanced tree), and substantial interference with public amenities such as public parking or public walkways. In those limited circumstances, appropriate management responses could include pruning of trees during the non-breeding season to make them unsuitable as nesting substrates. Any such "directed pruning" should be done during the non-breeding season, which allows the affected birds an opportunity to select among ample nesting trees elsewhere in the nearby area. The annual nesting colonial waterbird surveys to be conducted by the County or County contractors are intended to include documentation of any apparent bird-human conflicts and make recommendations for how the conflicts might be resolved in ways that best respond to the Marina del Rey Conservation & Management Plan and normal public health, safety, and public-access consideration.

Department policy requires that all tree pruning and removal conducted in Marina del Rey adhere to the procedures outlined in this policy and in policy no. 34. Tree pruning or removal of nesting trees is prohibited during the breeding/nesting season except in the case of a health and/or safety emergency as defined below. In circumstances where tree pruning and removal is not completed during the non-breeding/non-nesting season, tree pruning or removal may proceed as prescribed in section 5.2 below on trees that annual surveys have shown are not active nesting trees and that have not been active nesting trees in the last five years.

All tree pruning and removal shall be conducted in strict compliance with this policy and Policy No. 34. However, if the County determines that pruning impacts a nest, or removal of a nesting tree is necessary for a reason other than a health and safety issue, a coastal development permit is required.

3.0 **APPLICABLE STATUTES**

3.1 California Fish and Game Code § 3503

"It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto."

3.2 California Fish and Game Code § 3513

"It is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act or any part of such migratory non-game bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act."

3.3 Migratory Bird Treaty Act - U.S. Code, Title 16, § 703

"Unless and except as permitted by regulations made as hereinafter provided, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess . . . any migratory bird, any part, nest, or egg of any such bird. . . included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936, the United States and the Government of Japan for the protection of migratory birds and birds in danger of extinction, and their environment concluded March 4, 1972[,] and the convention between the United States and the Union of Soviet Socialist Republics for the conservation of migratory birds and their environments concluded November 19, 1976."

3.4 Special Purpose Permits - U.S Code of Federal Regulations, Title 50, § 21.27

"Special purpose permit is required before any person may lawfully take, salvage, otherwise acquire, transport, or possess migratory birds, their parts, nests, or eggs for any purpose not covered by the standard form permits of this part." Permit applications are submitted to the U.S. Fish and Wildlife Service's Regional Office.

4.0 **DEFINITIONS**

4.1 Active Nest - A nest that is under construction or that contains eggs or young.

4.2 Breeding/Nesting Season - January 1 through September 30.

4.3 Colonial Waterbirds - Great Blue Heron (*Ardea herodias*), Black-crowned Night-Heron (*Nycticorax nycticorax*), Double-crested Cormorant (*Phalacrocorax auritus*), Great Egret (*Ardea alba*), Snowy Egret (*Egretta thula*).

- 4.4 Department - Los Angeles County Department of Beaches & Harbors.
- 4.5 Health Issue/Safety Issue - A natural occurrence, disaster, or disease jeopardizing public health or safety and that causes immediate or imminent danger to any person or property. A health and safety danger exists if a tree or branch is dead, diseased, dying, or injured and said tree or branch is in immediate or imminent danger of collapse or breaking away. Health risks include proximity of airborne pathogens or animal waste to human habitation or dining facilities.
- 4.6 Nesting Tree - A Tree as defined in 4.13 below containing Occupied or Unoccupied nests that have been used in the past five years or supporting evidence of courtship or nest building.
- 4.7 Non-breeding/Non-nesting Season - October 1 through December 31.
- 4.8 Non-nesting Tree - A Tree, as defined in 4.13 below, containing no nests or containing Unoccupied nests that have not been used in five or more years.
- 4.9 Occupied Nest - A nest that contains eggs or young.
- 4.10 Pruning - The horticultural practice of cutting away an unwanted, unnecessary, or unhealthy plant part, used most often on trees, shrubs, hedges, and woody vines. Pruning includes, but is not limited to, 1) eliminating branches that rub each other, 2) removing limbs that interfere with wires, building facades, gutters, roofs, chimneys, or windows, or that obstruct streets or sidewalks, 3) removing dead or weak limbs that pose a hazard or may lead to decay, 4) removing diseased or insect-infested limbs, 5) creating better structure to lessen wind resistance and reduce the potential for storm damage, 6) training young trees, 7) removing limbs damaged by adverse weather conditions, 8) removing branches, or thinning, to increase light penetration, and/or 9) improving the shape or silhouette of the tree.
- 4.11 Qualified Biologist - Graduation from an accredited college with a bachelor or higher degree in biological science or ornithology and at least two (2) years experience conducting nesting bird surveys or an arborist with a bachelor or higher degree in arboriculture and having at least two (2) years experience conducting nesting bird surveys.
- 4.12 Raptor - Order Falconiformes, which includes eagles, hawks, falcons, and ospreys.

- 4.13 Tree - A palm or a plant having a permanently woody main stem or trunk, ordinarily growing to a height over eight (8) feet and usually developing branches at some distance from the ground.

5.0 **PROCEDURE**

Non-nesting trees on County-operated properties that are identified in the annual nesting colonial waterbird survey as having no active nests and no history of nesting within five years will be exempt from sections 5.1.1 through 5.1.11 of this Policy.

County-operated properties identified in the County's annual nesting colonial waterbird survey as having active nests will be required to follow the procedures contained in sections 5.1.1 through 5.1.11 of this policy.

Regardless of the results of the annual nesting colonial waterbird survey, the Department's plans to conduct tree pruning or tree removal activities at any time must follow the procedures prescribed by this policy.

- 5.1 Tree Pruning and Removal Restrictions During the Non-Breeding/Non-Nesting Season
- 5.1.1 Tree pruning on County-operated properties shall be performed during the non-breeding/non-nesting season on all nesting trees and to the greatest extent possible on non-nesting trees.
- 5.1.2 During the non-breeding season, at least fourteen (14) days prior to tree pruning, a qualified biologist shall coordinate with the County's landscape contractor and survey the trees to be pruned or removed to detect nests by conducting a ground level visual inspection of the trees scheduled for pruning. The tree survey report shall include a map with the respective status of all the trees scheduled for pruning or removal and a plot plan showing any trees suspected to have active or unoccupied nests. Copies of the survey and plot plan shall be filed by the Department for public agency review.
- 5.1.3 Seven (7) days prior to the commencement of tree pruning activities, the qualified biologist shall walk the entire area proposed for pruning with a pair of binoculars and/or spotting scope to determine whether the juveniles have fledged the nests and to evaluate whether any adults appear to be starting a new clutch (preparing to mate and lay eggs).
- 5.1.4 Upon complying with procedures described in subsections 5.1.1 through 5.1.3, the Department will notify the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG) and the Executive Director

of the California Coastal Commission (CCC) by submitting by e-mail within two (2) business days the qualified biologist's survey report and a copy of the tree pruning or removal plan prepared by the arborist or landscape contractor which shall incorporate the following:

- a. A description of how work will occur.
- b. Use of non-mechanized hand tools to the maximum extent feasible.
- c. Tree pruning and/or removal limits established in the field with flagging and stakes or construction fencing.
- d. Assurance that tree pruning will be the minimum necessary to accomplish the respective objectives.

5.1.5 Nesting or non-nesting tree(s) that show current evidence of courtship may not be pruned in a way that compromises the support structure of existing occupied or unoccupied nests. The amount of pruning at any one time shall be limited to preserve the suitability of the nesting tree for breeding and nesting habitat. Under limited circumstances, where a nesting tree(s) is determined to be an unmitigatable health or safety issue, the Department, in consultation with a Qualified Biologist and with notice to the appropriate agencies, may determine that pruning, so as to remove the empty nest and/or to discourage future nesting, or tree removal is appropriate.

5.1.6 Tree pruning or removal may not proceed if an active nest is found and/or evidence of courtship or nesting behavior is observed, even if it is occurring during the non-breeding season. Tree pruning or removal shall not occur any closer than 300 feet from these trees (500 feet in the case of an active Raptor nest). In the event that any birds exhibiting breeding and nesting behavior continue to occupy the trees during the non-breeding/non-nesting season, pruning or removal shall not take place until a qualified biologist has re-assessed the site, determined that breeding and nesting has ceased and given approval to proceed within 300 feet of any occupied tree (500 feet for raptor species). Following the compliance with procedures described in subsections 5.1.1 through 5.1.5, the Department will notify the USFWS, the CDFG and the Executive Director of the CCC by e-mail within two (2) business days of receiving qualified biologist's determination.

5.1.7 Unoccupied nests that have not been used in five or more years may be removed (including those attached to dead palm fronds) only after the qualified biologist documents and photographs the occurrence. Copies of photographs and reports shall be filed by the Department for public agency review.

5.1.8 In the event that colonial waterbirds are observed to return during the non-breeding season to a nest previously thought to be unoccupied while pruning operations are occurring, activities shall stop until the qualified biologist re-

assesses the site. The Biologist may recommend proceeding conditionally, consistent with Section 5.2 of this Policy.

- 5.1.9 Special emphasis shall be placed on public safety during pruning operations, particularly when the operation is adjacent to bike paths, parking stalls, sidewalks, driveways, or the promenade.
- 5.1.10 All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location.
- 5.1.11 Removal of any tree shall require mitigation at a 1:1 ratio. Replacement trees shall consist of native or non-native, non-invasive tree species. The Department shall develop a tree replacement planting plan for all trees to be removed, which plan should include the location, tree type, tree size, and planting specifications and a monitoring program with specific performance standards. A tree replacement monitoring report shall be prepared and then updated annually for five years.
- 5.2 Tree Trimming and Removal Restrictions During the Breeding/Nesting Season or Near Active or Occupied Nests
 - 5.2.1 This section addresses non-nesting tree pruning or removal during the breeding/nesting season. Nesting trees must be trimmed during the non-breeding and non-nesting season per section 5.1 above. This section specifically applies to those circumstances where the completion of tree pruning activities started during the non-breeding/non-nesting season extends into the breeding/nesting season. If tree pruning must occur during the breeding/nesting season, the Department will conduct a monitoring program to begin 14 days prior to commencing activities that have a potential to disturb any nesting tree. During the 14-day monitoring period, the Department shall arrange to have its qualified biologist conduct weekly surveys to detect and record any protected birds in the area of operation and to identify any active nests within 300 feet (500 feet for raptors) of the trees proposed to be pruned.
 - 5.2.2 If during the breeding/nesting season it cannot be determined from the ground whether a nest is active, the qualified biologist will make a close-range observation of each nest to determine whether the nest is an active nest; that is, whether there are eggs in the nest and/or whether nest maintenance has taken place. Photographs of nests will be taken from above, as near to vertical as possible. Nests should be accessed by using a cherry picker or a boom truck.
 - 5.2.3 After inspecting all trees for active nests in the specific area scheduled for pruning activities under Section 5.2.1, the qualified biologist shall identify those trees

containing active nests with caution tape, flags, ribbons or stakes. The Department shall instruct the tree pruning contractor to avoid disturbing all marked trees during scheduled pruning activities.

- 5.2.4 The tree pruning contractor should begin pruning operations within three to four (3-4) days of the qualified biologist's survey.
- 5.2.5 Pruning or removal activities within 300 feet of a tree with an active nest (500 feet in the case of an active raptor nest) must be performed with hand tools. If pruning activities cannot be accomplished with hand tools, the servicing of these trees must be postponed until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting.
- 5.2.6 In the event the tree pruning contractor discovers an active nest (eggs, nest construction, other evidence of breeding) not previously identified by the qualified biologist, the contractor shall immediately cease all pruning activities in that area of operation, and shall immediately notify the Department. Thereafter, the qualified biologist must perform a re-inspection of the tree containing an active nest following the procedures described in this policy to continue the tree pruning activities.
- 5.2.7 All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location.
- 5.2.8 Removal of any tree shall require mitigation at a 1:1 ratio. Replacement trees shall consist of native or non-native, non-invasive tree species. The Department shall develop a tree replacement planting plan for all trees to be removed, which plan should include the location, tree type, tree size, and planting specifications and a monitoring program with specific performance standards. A tree replacement monitoring report shall be prepared and then updated annually for five years.

5.3 Health and Safety Issues & Emergencies

- 5.3.1 The Department, in consultation with a certified arborist and qualified biologist or public health official, as necessary, shall determine if an immediate or imminent health and safety issue exists as described in the definitions above. The Department shall be proactive in identifying any tree related health and safety issue as early as possible during the non-breeding/non-nesting season in order to avoid habitat disturbances during the breeding/nesting season.
- 5.3.2 Nesting or non-nesting trees posing an immediate or imminent health or safety issue should be pruned/removed immediately regardless of the presence of nest(s).

- 5.3.3 If the location or change in the condition of a nesting tree located on property operated and maintained by the County presents an immediate or imminent health and safety issue as described in the definitions above, the Department shall submit a special permit application, as soon as possible, to the USFWS (see 3.4 above, Special Purpose Permits - U.S Code of Federal Regulations, Title 50, § 21.27) and notify CDFG, and the Executive Director of the CCC, as soon as possible, while proceeding, as necessary, with nesting tree removal or other remedies. When possible the Department shall submit a special permit application and notify above agencies prior to tree removal or other remedies.
- 5.3.4 The Department shall photograph the health and/or safety issue site conditions before and after the remedy(s) and document the impacts to the nesting tree (i.e. number of nests, eggs, and/or chicks lost) and adjacent biological resources. The photographs and report shall be available for public agency inspection.
- 5.3.5 Steps shall be taken to ensure that tree pruning or removal will be the minimum necessary, as determined by an arborist or qualified biologist, to address the health and safety issue while avoiding or minimizing impacts to nesting birds and their habitat. Steps taken shall include the use of non-mechanized, hand tools whenever the emergency occurs within 300 feet of a nesting tree.
- 5.3.6 All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location.
- 5.3.7 Removal of any tree shall require mitigation at a 1:1 ratio. Replacement trees shall consist of native or non-native, non-invasive tree species. The Department shall develop a tree replacement planting plan for all trees to be removed, which plan should include the location, tree type, tree size, and planting specifications and a monitoring program with specific performance standards. A tree replacement monitoring report shall be prepared and then updated annually for five years.

POLICY NO. 34 - MARINA DEL REY LEASEHOLD TREE PRUNING AND TREE REMOVAL POLICY

1.0 INTRODUCTION/PURPOSE

The purpose of this Policy is:

- 1.1 To establish guidelines within Marina del Rey for the pruning and removal of trees in accordance with the federal Migratory Bird Treaty Act and California Fish and Game Code, and to ensure the long-term protection of breeding, roosting

and nesting habitats of federal and state-listed species, California Species of Special Concern, and colonial waterbirds.

- 1.2 To provide Lessees with guidelines and procedures for tree pruning and/or tree removal on leaseholds located in Marina del Rey in consideration of the colonial waterbird species, as the term is defined in Section 4.3 of this policy, and raptor species, as the term is defined in Section 4.12 of this policy, and the desire to reduce or eliminate impacts to their nesting habitats.

2.0 **POLICY**

This policy will be implemented by the County of Los Angeles Department of Beaches and Harbors (Department) for the purpose of overseeing the tree pruning and/or tree removal activities of Marina del Rey Lessees so as to minimize or avoid impacts to the nesting habitats established by colonial waterbird and raptor species on leasehold property.

The Department will enforce and implement this policy in compliance with the Migratory Bird Treaty Act which prohibits the taking, killing or possession of any migratory bird and, therefore, disturbance of any nesting bird is illegal. For clarification purposes, palms are included in any reference herein to trees.

Lessees, in following the procedures set forth below, will carry out their tree pruning and/or removal activities in cooperation with the Department and only with the explicit authorization of the Department prior to starting such work. Section 5.3 of this policy contains procedures for Lessees or their authorized representatives to follow when addressing immediate or imminent health and safety and emergency situations.

This policy is an outgrowth of Internal Policy No. 23 that has been carried out by the Department since 2003 to manage tree pruning and tree removal activities on County-operated Marina del Rey properties. The Department's Internal Policy No. 23, taken together with the annual surveys of breeding and nesting federal and state listed species, California Species of Special Concern and colonial waterbirds, as outlined in the 2010 Marina del Rey Conservation & Management Plan, will provide the basis for extending management and oversight to Lessee-operated parcels. The surveys shall be conducted by a qualified biologist(s) in Marina del Rey in order to establish the long-term status and trends of these species, especially colonial waterbirds. The survey reports shall include photos of active and inactive nests.

Following completion of the Department's nesting colonial waterbird surveys each year, the Department will identify all leaseholds on which no nests of colonial waterbird or raptor species were found, and Lessees will be notified in

writing that tree pruning activities may commence on the identified leaseholds during the non-breeding/non-nesting season.

Lessees are encouraged to utilize the Department's annual nesting colonial waterbird surveys as the basis for part or all of the surveys prepared by Lessee's qualified biologist (as the term is defined in Section 4.11 of this policy), where required by this policy, prior to the commencement of annual tree pruning on Marina del Rey leaseholds.

Lessee is required, under the "Rules and Regulations" provision of Marina del Rey leases, to ensure that all tree pruning and/or tree removal conducted on leaseholds located in Marina del Rey adheres to the guidelines and procedures outlined in this policy statement. Similarly, the policies and procedures contained herein apply to the ongoing maintenance of existing developments and may not be used to substitute for the project and landscaping approvals required by the County of Los Angeles for new development, re-development, or renovations.

Considering Marina del Rey's urban character, its abundance of trees, and the propensity of local herons and egrets to nest in a variety of arboreal settings, the potential will always exist for land-use conflicts to develop in the marina environment. Such conflicts could include health risks (such as co-location with restaurant uses or risks to humans from airborne pathogens), safety risks (such as an unbalanced tree), and substantial interference with public amenities such as public parking or public walkways. In those limited circumstances, appropriate management responses could include pruning of trees during the non-breeding/non-nesting season to make them unsuitable as nesting substrates. Any such "directed pruning" should be done during the non-breeding/non-nesting season which allows the affected birds an opportunity to select among ample nesting trees elsewhere in the nearby area. The annual nesting colonial waterbird surveys to be conducted by the Department or Department contractors are intended to include documentation of any apparent bird-human conflicts and make recommendations for how the conflicts might be resolved in ways that best respond to the Marina del Rey Conservation & Management Plan and normal public health, safety, and public-access consideration.

Department policy requires that all tree pruning and removal conducted in Marina del Rey adhere to the procedures outlined in this document (Policy 34). Tree pruning or removal is prohibited during the breeding/nesting season except to complete tree pruning activities started during the non-breeding/non-nesting season as prescribed in section 5.2 below on trees that annual surveys have shown are not active nesting trees and that have not been active nesting trees in the last five years or in the case of a health and safety emergency.

All tree pruning and removal shall be conducted in strict compliance with this policy. If a Lessee determines that pruning impacts a nest, or removal of a nesting tree is necessary for a reason other than a health and safety issue, a coastal development permit is required.

3.0 **APPLICABLE STATUTES**

3.1 California Fish and Game Code § 3503

"It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto."

3.2 California Fish and Game Code § 3513

"It is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act or any part of such migratory non-game bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act."

3.3 Migratory Bird Treaty Act- U.S. Code, Title 16, § 703

"Unless and except as permitted by regulations made as hereinafter provided, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess . . . any migratory bird, any part, nest, or egg of any such bird. . . included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936, the United States and the Government of Japan for the protection of migratory birds and birds in danger of extinction, and their environment concluded March 4, 1972[,] and the convention between the United States and the Union of Soviet Socialist Republics for the conservation of migratory birds and their environments concluded November 19, 1976."

3.4 Special Purpose Permits- U.S Code of Federal Regulations, Title 50, § 21.27

"Special purpose permit is required before any person may lawfully take, salvage, otherwise acquire, transport, or possess migratory birds, their parts, nests, or eggs for any purpose not covered by the standard form permits of this part." Permit applications are submitted to the U.S. Fish and Wildlife Service's Regional Office.

4.0 **DEFINITIONS**

- 4.1 Active Nest - A nest that is under construction or that contains eggs or young.
- 4.2 Breeding/Nesting Season - January 1 through September 30.
- 4.3 Colonial Waterbirds - Great Blue Heron (*Ardea herodias*), Black-crowned Night-Heron (*Nycticorax nycticorax*), Double-crested Cormorant (*Phalacrocorax auritus*), Great Egret (*Ardea alba*), Snowy Egret (*Egretta thula*).
- 4.4 Department - Los Angeles County Department of Beaches & Harbors.
- 4.5 Health Issue/Safety Issue - A natural occurrence, disaster, or disease jeopardizing public health or safety and that causes immediate or imminent danger to any person or property. A health and safety danger exists if a tree or branch is dead, diseased, dying or injured and said tree or branch is in immediate or imminent danger of collapse or breaking away. Health risks include proximity of airborne pathogens or animal waste to human habitation or dining facilities.
- 4.6 Nesting tree – A tree as defined in 4.13 below, containing Occupied or Unoccupied nests that have been used in the past five years or supporting evidence of courtship or nest building.
- 4.7 Non-breeding/Non-nesting Season -- October 1 through December 31.
- 4.8 Non-nesting Tree - A Tree, as defined in 4.13 below, containing no nests or containing Unoccupied nests that have not been used in five or more years.
- 4.9 Occupied Nest - A nest that contains eggs or young.
- 4.10 Pruning - The horticultural practice of cutting away an unwanted, unnecessary, or unhealthy plant part, used most often on trees, shrubs, hedges, and woody vines. Pruning includes, but is not limited to, 1) eliminating branches that rub each other, 2) removing limbs that interfere with wires, building facades, gutters, roofs, chimneys, or windows, or that obstruct streets or sidewalks, 3) removing dead or weak limbs that pose a hazard or may lead to decay, 4) removing diseased or insect-infested limbs, 5) creating better structure to lessen wind resistance and reduce the potential for storm damage, 6) training young trees, 7) removing limbs damaged by adverse weather conditions, 8) removing branches, or thinning, to increase light penetration, and/or 9) improving the shape or silhouette of the tree.
- 4.11 Qualified Biologist - Graduation from an accredited college with a bachelor or higher degree in biological science or ornithology and at least two (2) years

experience conducting nesting bird surveys or an arborist with a bachelor or higher degree in arboriculture and having at least two (2) years experience conducting nesting bird surveys.

- 4.12 Raptor - Order Falconiformes, which includes eagles, hawks, falcons, and ospreys.
- 4.13 Tree - A palm or a plant having a permanently woody main stem or trunk, ordinarily growing to a height over eight (8) feet and usually developing branches at some distance from the ground.

5.0 **PROCEDURE**

Non-nesting trees on Leasehold parcels that are identified in the Department's annual nesting colonial waterbird survey as having no active Nests nor a history of nesting within five years will be exempt from sections 5.1.1 through 5.1.11 of this policy. Lessees will be notified in writing that tree pruning activities shall be carried out during the non-breeding/non-nesting season.

Leasehold parcels that are identified in the Department's annual nesting colonial waterbird survey as having active Nests will be required to follow the procedures contained in sections 5.1.1 through 5.1.11 of this Policy.

Regardless of the results of the Department's annual nesting colonial waterbird survey, all leasehold parcels proposing to conduct tree pruning or tree removal activities at any time must follow the procedures prescribed by this policy. Written authorization from the Department must be obtained before any action is undertaken that might disturb an active nest.

- 5.1 Tree Pruning and Removal Restrictions During Non-Breeding/Non-Nesting Season
 - 5.1.1 Tree pruning and removal on all leaseholds in Marina del Rey shall be performed during the non-breeding/non-nesting season on all nesting trees and to the greatest extent possible on non-nesting trees.
 - 5.1.2 During the non-breeding season, at least fourteen (14) days prior to tree pruning, the Lessee's qualified biologist shall coordinate with the Lessee's landscape contractor and survey the trees to be pruned or removed to detect nests by conducting a ground level visual inspection of the trees scheduled for pruning. The tree survey report shall include a map showing all the trees scheduled for pruning or removal and trees suspected to have active or unoccupied nests. Copies of the survey and map shall be submitted to and filed by the Department for public agency review.

- 5.1.3 Seven (7) days prior to the commencement of tree pruning activities, the Lessee's qualified biologist shall walk the entire area proposed for pruning with a pair of binoculars and/or spotting scope to determine whether the juveniles have fledged the nests and to evaluate whether the adults appear to be starting a new clutch (preparing to mate and lay eggs).
- 5.1.4 Upon complying with procedures described in subsections 5.1.1 through 5.1.3, no less than seven (7) days prior to the planned commencement of tree pruning or removal activities, the Lessee will notify the Department in writing with a copy of the survey report, plot plan and a tree pruning or removal plan prepared by the arborist or landscape contractor which addresses the following:
- a. A description of how work will occur (e.g. mechanized equipment, hand tools, phasing, etc.).
 - b. Use of non-mechanized hand tools to the maximum extent feasible.
 - c. Tree pruning and/or removal limits established in the field with flagging and stakes or construction fencing.
 - d. Assurance that tree pruning will be the minimum necessary to accomplish the respective objectives.

Notification must include the name and credentials of Lessee's qualified biologist. Once the Department receives the tree survey report, plot plan and tree pruning or removal plan, the Department will notify the United States Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG) and the California Coastal Commission (CCC) by submitting by e-mail, within (2) two business days of receipt of Lessee's notice.

- 5.1.5 Nesting or non-nesting tree(s) that show current evidence of courtship may not be pruned in such a way that compromises the support structure of existing occupied or unoccupied nests. The amount of pruning at any one time shall be limited to preserve the suitability of the nesting tree for breeding and nesting habitat. Under limited circumstances, where a tree(s) is determined to be an health or safety issue, the Lessee, in consultation with a qualified biologist and with the prior approval of the Department, may conduct pruning so as to remove the empty nest and to discourage future nesting, or tree removal as appropriate.
- 5.1.6 Tree pruning or removal may not proceed if an active nest is found and/or evidence of courtship or nesting behavior is observed, even if it is occurring during the non-breeding/non-nesting season. Tree pruning or removal shall not occur any closer than 300 feet from these trees (500 feet in the case of an active raptor nest). In the event that any birds exhibiting breeding and nesting

behavior continue to occupy the trees during the non-breeding/non-nesting season, Lessee shall immediately notify the Department and pruning or removal shall not take place until a qualified biologist has re-assessed the site, determined that breeding and nesting has ceased and given approval to proceed within 300 feet of any occupied tree (500 feet for raptor species). Following compliance with procedures described in subsections 5.1.1 through 5.1.3, the Department will notify the USFWS, CDFG, and the Executive Director of the CCC by e-mail within two (2) business days of receiving qualified biologist's determination.

- 5.1.7 Unoccupied nests that have not been used in five or more years may be removed (including those attached to dead palm fronds) only after the Lessee's qualified biologist documents and photographs the occurrence. Copies of the qualified biologist's report and photographs shall be forwarded to the Department within three (3) business days of the removal.
- 5.1.8 In the event that colonial waterbirds are observed to return during the non-breeding/non-nesting season to a nest previously thought to be unoccupied while pruning operations are occurring, activities shall stop until the qualified biologist re-assesses the site. The qualified biologist may recommend proceeding conditionally, consistent with Section 5.2 of this Policy.
- 5.1.9 Special emphasis shall be placed on public safety during pruning operations, particularly when the operation is adjacent to bike paths, parking stalls, sidewalks, driveways or the promenade. Lessee must obtain advance written approval from the Department for the closure of any public promenade or sidewalk necessitated by the tree pruning work.
- 5.1.10 All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location.
- 5.1.11 Removal of any tree shall require mitigation at a 1:1 ratio. Replacement trees shall consist of native or non-native, non-invasive tree species. The Lessee shall develop and submit to the Department for approval a tree replacement planting plan for all trees to be removed, which should include the location, tree type, tree size, planting specifications, and a monitoring program with specific performance standards shall be prepared and then updated annually for five years.
- 5.2 Tree Trimming and Removal Restrictions During Breeding/Nesting Season or Near Active or Occupied Nests
 - 5.2.1 This section addresses non-nesting tree pruning or removal during the breeding/nesting season. Nesting trees must be trimmed during the non-

breeding/non-nesting season per section 5.1 above. This section specifically applies to those circumstances where the completion of tree pruning activities started during the non-breeding/non-nesting season extends into the breeding/nesting season. If tree pruning or removal must occur during the breeding/nesting season, the Lessee's qualified biologist will conduct a monitoring program to begin fourteen (14) days prior to commencing activities that have a potential to disturb any nesting tree. During the 14-day monitoring period, the Lessee shall arrange to have its qualified biologist conduct weekly surveys to detect and record any protected birds in the area of operation and to identify any Active Nests within 300 feet (500 feet for raptors) of the trees proposed to be pruned or removed. Monitoring within the thirty (30) day advance monitoring period may include surveys conducted toward the end of the Non-breeding Season.

- 5.2.2 If during the breeding/nesting season it cannot be determined from the ground whether breeding activities have commenced, Lessee's qualified biologist will make a close-range observation of each nest to determine whether the nest is an active nest; that is, whether there are eggs in the nest and/or whether nest maintenance has taken place. Photographs of nests will be taken from above, as near to vertical as possible. Nests should be accessed by a cherry picker or a boom truck.
- 5.2.3 After inspecting all trees for active nests in the specific area scheduled for pruning or removal activities under Section 5.2.1, Lessee's qualified biologist shall identify those trees containing active nests with caution tape, flags, ribbons, or stakes. The Lessee shall instruct the contractor to avoid disturbing all marked trees during scheduled pruning activities.
- 5.2.4 Lessee's contractor should begin pruning or removal operations within three to four (3-4) days of receiving authorization from Department.
- 5.2.5 Pruning or removal activities within 300 feet of a tree with an active nest (500 feet in the case of an active raptor nest) must be performed with hand tools. If pruning activities cannot be accomplished with hand tools, the servicing of these trees must be postponed until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting.
- 5.2.6 In the event the Lessee's contractor discovers an active nest (eggs, nest construction or other evidence of breeding), not previously identified by Lessee's qualified biologist, the contractor shall immediately cease all pruning activities, and the Lessee shall immediately notify the Department. Thereafter, Lessee must consult with Lessee's qualified biologist to perform a re-inspection of the tree containing an active nest, determine that breeding and nesting has ceased and

obtain said biologist's approval to proceed if Lessee desires to continue tree pruning or removal activities.

- 5.2.7 All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location.
- 5.2.8 Special emphasis shall be placed on public safety during tree pruning or removal operations, particularly when the operation is adjacent to bike paths, parking stalls, sidewalks, driveways, or the promenade.
- 5.2.9 Removal of any tree shall require mitigation at a 1:1 ratio. Replacement trees shall consist of native or non-native, non-invasive tree species. The Department shall develop a tree replacement planting plan for all trees to be removed, which should include the location, tree type, tree size, planting specifications, and a monitoring program with specific performance standards. A tree replacement monitoring report shall be prepared and then updated annually for five years.

5.3 Health and Safety Issues & Emergencies

- 5.3.1 The Department shall determine if an immediate or imminent health and safety issue exists as described above. Lessees, with supporting documentation from a certified arborist, qualified biologist or public health official, shall notify the Department as soon as a health and safety issue is known. The Lessee shall be proactive in identifying and addressing injured, dying, or diseased trees and alerting the Department as early as possible during the Non-Breeding Season in order to avoid habitat disturbances during the nesting season.
- 5.3.2 Nesting or non-nesting trees posing an immediate or imminent health or safety issue should be pruned/removed immediately regardless of the presence of nest(s).
- 5.3.3 If the location or change in the condition of a tree located on any leasehold presents an immediate or imminent health and safety issue as described in the definitions above, Lessee shall submit a special permit application, as soon as possible, to the USFWS (see 3.4 above, Special Purpose Permits – U.S. Code of Federal Regulations, Title 50, § 21.27) and notify DCFG, and the Executive Director of the CCC, as soon as possible, while proceeding, as necessary, with tree removal or other remedies. When possible, the Lessee shall submit a special permit application and notify the Department and above agencies prior to tree removal or other remedies.
- 5.3.4 Lessee shall photograph and document the emergency occurrence, site conditions before and after the occurrence, and any observation of biological resources, and submit to Department a brief written report within fourteen (14)

business days. The Department shall create an incident file that shall be available for public agency inspection.

- 5.3.5 Steps shall be taken to ensure that tree pruning or removal will be the minimum necessary, as determined by an arborist or Lessee's qualified biologist, to address the health and safety issue while avoiding or minimizing impacts to nesting birds and their habitat. Steps taken shall include the use of non-mechanized, hand tools whenever the emergency occurs within 300 feet of a nesting tree.
- 5.3.6 All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location.
- 5.3.7 Removal of any tree shall require mitigation at a 1:1 ratio. Replacement trees shall consist of native or non-native, non-invasive tree species. Lessee is required to develop a tree replacement planting plan for all trees to be removed, which plan should include the location, tree type, tree size, and planting specifications and a monitoring program with specific performance standards. A tree replacement monitoring report shall be prepared and then updated annually for five years. The Lessee's annual monitoring report must be submitted to the Department prior to the start of each successive breeding/nesting season.

Management Policies for Crows and Other Omnivores

The following standards shall apply to the County and other land managers in Marina del Rey to help reduce predation pressure upon native wildlife populations from American Crows and other omnivores currently thriving in the local area:

- 1. Crows prefer to nest in trees, so discouraging tree-planting beyond requirements for tree replacement mitigation pursuant to policies 23 and 34 would help reduce numbers over time.
- 2. Crows are scavengers, especially of garbage cans, so restricting trash cans to the covered type and ensuring prompt servicing during periods of heaviest use (such as over weekends, especially during summer) would help to reduce numbers of crows, rats, and other scavengers.
- 3. Restaurants should be required to maintain covered, well-functioning dumpsters that discourage crows, rats, and other scavengers.
- 4. The County should consider similar measures on beaches adjacent to Marina del Rey (e.g., Venice and Dockweiler) as well as trash-reduction policies for Ballona Creek, where large numbers of crows congregate.

5. Crows, like Raccoons, frequently "wash" their food, and they often use irrigation runoff in gutters to do so. This attractant could be mitigated by reducing irrigation, where possible, by replacing tropical plants with drought-tolerant landscaping.

Waterbird Management Policies

The County will conduct waterbird population surveys on an annual basis, in order to track the status of colonies and to provide current information on the locations of active nests to the public, the County, resource agencies, and other regulators.

The County will also conduct periodic nesting colonial waterbird surveys (e.g., every 3–5 years) throughout the coastal slope of Los Angeles County to establish a regional context for the Marina del Rey colonies as funding permits. For example, the Snowy Egret is known to breed in fewer than five locations on the coastal slope of Los Angeles County, with Marina del Rey supporting one of the larger colonies. Should this continue to be the case, special care should be taken around the marina's Snowy Egret colonies, to help preclude a regional population decline.

Biological Report & Construction Monitoring Requirements

The following measures shall be implemented when construction (new development, re-development, or renovation) is proposed anywhere in Marina del Rey.

Qualified Biologist

Since trees capable of supporting nesting birds of many species are now established throughout Marina del Rey, many types of construction projects and maintenance in the marina area will have at least some potential to impact nesting birds. Construction within the aquatic habitats of the marina itself (e.g., in tidal basins) also entails potential impacts to biological resources, mainly in the form of potential water-quality impairment and potential impacts to foraging waterbirds. Thus, in most cases, the project proponent shall be required to retain a biological consultant with appropriate credentials to participate in the planning and monitoring of construction projects in Marina del Rey. Qualified biologists retained for this purpose must be familiar with the CMP and LUP, and possess a working knowledge of the County's other important resource protection policies.

Biological Reports

Applications for new development, re-development, and renovations on property where the initial site inventory indicates the potential presence of colonial waterbirds, sensitive species, or sensitive habitat shall include a detailed biological study of the site, prepared

by a qualified biologist or other resource expert. At minimum, the biological report shall include the following elements:

1. A study identifying biological resources, both existing on the site and with potential to occur. The biological study should focus on species identified in Table 3-5 of the CMP (Bird Species of Conservation Concern in Marina del Rey & Surroundings), on colonial waterbirds, and bats. In the absence of standard protocols, at a minimum, the area should be surveyed for two hours between dawn and 10:00 a.m. on five occasions with at least one week between surveys. If there is appropriate habitat for owls on site, at least one nocturnal survey should be conducted.
2. It is unknown at this time whether any bats roost or reproduce in Marina del Rey. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish and Game Code Section 4150, California Code of Regulations, Section 251.1). It is recommended by CDFG that disturbances to bridge structures, tree cavities, and other potential bat nursery and roosting habitats be avoided between March 1 and September 15 to avoid the breeding season for bats. If disturbance of any bridges, or trees large enough to have cavities or exfoliating bark, is proposed during the bat breeding season, a recognized bat specialist shall conduct a preconstruction survey.
3. Photographs of the site.
4. A discussion of the physical characteristics of the site, including, but not limited to, topography, soil types, microclimate, and wildlife use.
5. Consideration of whether project implementation could affect any areas under the jurisdiction of the U.S. Army Corps of Engineers, CDFG, and/or Regional Water Quality Control Board. If this is possible, a qualified wetlands specialist should be consulted to evaluate the site and to coordinate with the relevant agencies to ensure compliance with all applicable federal and state permitting requirements.
6. A map depicting the location of plant communities and other biological resources.
7. An identification of rare, threatened, or endangered species, that are designated or are candidates for listing under State or federal law, an identification of "fully protected" species and/or "species of special concern," and identification of any other species for which there is compelling evidence of rarity, for example, plants designated "List 1B" or "List 2" by the California Native Plant Society, that are present or expected on the project site.

8. An analysis of the potential impacts of the proposed development on the identified habitat or species.
9. An analysis of any unauthorized development, including grading or vegetation removal that may have contributed to the degradation or elimination of habitat area or species that would otherwise be present on the site in a healthy condition.
10. Project alternatives designed to avoid and minimize impacts to important resources.
11. Mitigation measures that would minimize or mitigate residual impacts that cannot be avoided through project alternatives.

Construction Timing

Since many types of projects will have potential to impact nesting birds, it is generally recommended that aspects of the project that have the greatest potential for such impacts be implemented during the "non-breeding season," which in the local area is between October 1 and December 31. This term cannot be taken literally in all cases since, for example, hummingbirds nest year-round and Great Blue Herons may exhibit breeding behaviors at virtually any time of the year. The bat breeding season is considered by CDFG to extend through September 15, although it is not known whether any bats actually breed in Marina del Rey. Nevertheless, the potential for substantial impacts is reduced during the specified period. If construction activities must take place near waterbird nesting sites during the nesting period, it is preferable that such impacts take place toward the end of nesting rather than toward the beginning, since waterbirds are more likely to abandon nests early in the nesting cycle.

Construction Near Waterbird or Raptor Nesting Sites

Typically, the project biologist should conduct an initial reconnaissance survey to determine whether any active waterbird or raptor nesting sites exist within 300 to 500 feet, respectively, of proposed construction activities. The survey should include inspection of the ground for the guano stains typically present below waterbird nesting sites, but also careful inspections of all trees where nests might be placed.

If an active waterbird or raptor nest is found within 300 or 500 feet, respectively, of construction, the following measures are recommended:

1. The project biologist shall either possess noise-monitoring equipment or work in conjunction with a noise-monitoring consultant to measure noise levels at active nesting sites.

2. The project biologist/noise monitor shall be present at all weekly construction meetings and during all activities with potential to generate noise over a threshold of 85 dB at any nest site. This includes such activities as hardscape demolition, pile-driving, and the use of chainsaws. The purpose of monitoring should be to ensure that nesting birds are not disturbed by construction related noise. Thus, the monitor shall watch for any behaviors associated with noise disturbance, including flushing or other startle movements, changes in foraging or reproductive rituals, interrupted feeding of young, or nest abandonment. If any such behaviors are observed, the monitor shall have the authority to stop work immediately so that measures may be taken to avoid any further disturbance.
3. Noise levels from construction, measured at the nest, shall not exceed 85 dB. Monitoring should be especially careful and intensive, and observations should be recorded in detail, when noise levels approach this level. Nevertheless, given that levels in excess of 100 dB have been recorded at heron and egret nests near Oxford Basin with no apparent adverse effects (Chambers Group 2008), there is no empirical evidence proving that 85 dB is a valid threshold above which birds nesting in an urban environment experience substantial disturbance. Still, the burden of proof shall be placed upon the project proponent to demonstrate that a higher noise level can be safely tolerated. If constant, detailed monitoring of noise levels above 85 dB demonstrates that the birds show no evidence of being disturbed, construction shall be allowed to continue. In such cases, the final monitoring report shall contain relevant details about (a) the types, intensities, and duration of noises the birds were subjected to, (b) any observations of stress behaviors in response to noises or other disturbances, and (c) the nesting success of those birds *relative to other birds in the nearby area that were not subjected to the same elevated levels of construction noise*. If it turns out that birds subjected to elevated noise levels appear to possibly experience reduced nesting success despite a general lack of evident stress behaviors, the project proponent shall not be subject to any penalties, but the monitoring results shall be incorporated into a revised construction monitoring policy that takes these important results into account. Without detailed monitoring of this nature, the actual thresholds that substantially disturb different nesting bird species at urban locations such as Marina del Rey may never be known.
4. If stress behaviors are observed from nesting birds in response to any construction activity, the project biologist shall be authorized to call for the implementation of such mitigation measures as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing or eliminating the use of back-up alarms. If these sound mitigation measures do not reduce noise levels enough to eliminate the observed stress behaviors, construction within 300 feet of the nesting trees shall cease and shall not recommence until either new sound mitigation can be employed or until

nesting is complete. To the extent possible, the biologist's monitoring report shall specify the sound levels at the nest at which the birds demonstrated stress behaviors.

5. Construction staging areas or equipment shall not be located under any nesting trees.
6. Construction employees shall be prohibited from bringing pets (e.g., dogs and cats) to the construction site.
7. Any lights used during construction shall be shielded downward.
8. Although these policies refer specifically to waterbirds and raptors (because they tend to be most sensitive to disturbance), virtually all native birds are legally protected from disturbance while actively nesting. Therefore, the biological monitor shall take all necessary steps to ensure that no native bird species are disturbed by construction activities.

Additional Controls on Construction Impacts

The project proponent shall not be allowed to discharge silt or debris into coastal waters. Pursuant to this requirement, project plans shall specify measures to minimize construction impacts. Plans shall include the following specifications, as applicable:

1. Delineation of the areas to be disturbed by grading or construction activities, including any temporary trenches, staging, and stockpile areas.
2. Best Management Practices as part of a written plan designed to control dust, concrete, demolition pavement, or pipe removed during construction, and/ or construction materials, and standards for interim control and for clean up. All sediment waste and debris shall be retained on-site unless removed to an appropriate dumping location approved to receive fill.
3. Plans to monitor, contain, and clean/remediate oil or fuel leaks from vehicles or equipment.
4. Temporary erosion control measures to be employed if grading or site preparation cease for a period of more than 30 days, include but are not limited to (a) filling or covering all holes in roadways such that traffic can continue to pass over disturbed areas; (b) stabilization of all stockpiled fill, disturbed soils, and trenches with shoring, sand bag barriers, silt fencing; (c) temporary drains and swales and sediment basins. These temporary measures shall be monitored and maintained at least on a weekly basis until grading or construction operations resume.

Prior to commencement of construction, the project proponent shall provide for the County's review and approval final plans and plan notes that conform to the County's requirements. Work shall not be permitted to commence until the County approves the plans in writing.

Proposed Approach to Evaluating Land use Conflicts

Currently, conflicts between nesting colonial waterbirds and designated land uses are relatively benign at all but one of the primary waterbird nesting colonies in Marina del Rey (the colony near Villa Venetia).

In parks and park-like settings, such as Yvonne B. Burke, and Burton W. Chace Park or around the parking lot near Oxford Basin, nesting waterbirds will not be **disturbed**, except as future permitted native habitat restoration and tree pruning and removal, as directed by policies 23 and 34, require that allow pruning and removal of non-nesting trees (to be done outside the breeding season).

In many cases, birds are causing only minor conflicts with a designated land use. For example, at the lightly-used parking lot along Admiralty Way near Oxford Basin, an appropriate response to the occupation of two large trees may be to temporarily designate limited "no-parking" zones beneath those trees and to identify alternate parking spaces elsewhere in the Marina, as needed (rather than to remove the trees outright, unless this is being done as part of native habitat restoration, for example). In the future, it could make sense to reconfigure the parking lots adjacent to Oxford Basin and Yvonne B. Burke Park, relocating the parking lots away from Oxford Basin and establishing passive parkland in the area closer to the Basin that is compatible for waterbird nesting and wildlife values of a restored Basin.

The only current land use conflict that appears to be highly problematic is at the Villa Venetia colony, where guanotrophy has killed one nesting tree and nearly killed the other two (creating a potential public safety hazard), and where constant deposition of guano has caused a small parking lot to be almost completely unusable by residents and Coast Guard employees while also creating a potential health risk from psittacosis. The remaining cypress trees at this location are in very poor health. The County has not made a final determination as to their disposition at this time.

Considering Marina del Rey's urban character, its abundance of trees, and the propensity of local herons and egrets to nest in a variety of arboreal settings, it can be expected that the potential will always exist for problematic land-use conflicts to develop in the marina environment. Such conflicts could include health risks (such as co-location with restaurant uses or risks to humans from airborne pathogens), safety risks (such as an unbalanced tree), and substantial interference with public amenities such as public parking or public walkways. In those limited circumstances, appropriate

management responses could include pruning of trees during the non-breeding season to make them unsuitable as nesting substrates. Any such "directed pruning" should be done during the non-breeding season and in compliance with tree-pruning and removal policies 23 and 34, which allows the affected birds an opportunity to select among ample nesting trees elsewhere in the nearby area, as has already been documented with respect to guanotrophy and subsequent dereliction of cypress trees at Parcel 64. We expect that an annual monitoring of the marina's nesting colonies recommended in this plan would include documentation of any apparent bird-human conflicts and recommendations for how they might be resolved in ways that best respond to both the goals of the LCP as well as normal public health, safety, and public-access considerations.

6. Agriculture

(Text of this chapter deleted, as no longer applicable.)

7. Cultural Heritage Resources

a. Coastal Act Policies

30116. *"Sensitive coastal resources areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resources areas" include the following:*

(d) Archaeological sites referenced in the California coastline and Recreation Plan or as designated by the State Historic Preservation Officer.

30244. *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

b. Issues Identified

A limited number of possible archaeological sites have been identified in the LCP area and may experience possible disruption by new development. WHAT IS THE BEST WAY TO PROTECT THESE RESOURCES?

c. Resources Analysis

Cultural heritage resources, as protected by the Coastal Act, are those of archeological and paleontological values as identified by the State Historic Preservation Officer. These resources, particularly ones relatively undisturbed, must be considered when planning new development and protected through reasonable mitigation measures.

The Ballona Creek area, which includes the land within the LCP study, is the lower portion of the Los Angeles River drainage system, once an unaltered and non-channelized flood plain. Some of the oldest human fossils in North America, including the Los Angeles man fossil and the Haverty skeleton, have been found along this drainage system indicating the early people on this continent occurred locally and that more of this type may still lie deeply buried in the area. Other artifacts also indicate an extensive time depth. Cogged stones and extensive mano-metate components suggest a time period between 8000 to 5000 years ago while flexed burials underlying cremations in stratified deposits represent the Middle Period, from 5000 to 3000 years

ago. The most numerous deposits are late period Canalino and Shoshonean sites dated 3000 to 150 years old.

The State Historic Preservation regional office is UCLA's Institute of Archaeology where archaeological site survey records are maintained. One study, "Archaeological Assessment of the Summa Corporation Property, Culver City, Los Angeles County, California", March 5, 1979 by archaeologist R.L. Pence, identifies sixteen (16) known sites in the general vicinity although only two relate directly to the study area. Sites in the Ballona Creek area have produced quartzite debitage, pismo and chione clam shells, a temporary campsite, artifact materials plus burials and cremations, food, fish, and mammal remains and arrowheads.

Since Pence's survey, there have been a large number of projects conducted in and around the Ballona Lagoon. One recent survey, conducted by Peck and Associates in conjunction with the development of a fiber optics line, was restricted to a narrow corridor along Lincoln Boulevard. One new site, CA-LAN-1698 which consisted of a shell scatter with no observed artifactual remains, was recorded within the study area.

Because of the area's water dispersion function during heavy rains, the low-lying areas were not popular for permanent residences. Instead, as the recorded site locations demonstrate, they were built up along the bluffs overlooking the marsh area.

Another known site located near the County LCP area and one of the few sites in the lower elevations, was recorded by Hal Eberhart on November 27, 1949 as a probable village. Located east of Lincoln Boulevard near the upstream banks of the previously free-flowing Ballona Creek (within Area C in the City of Los Angeles), most of it is presently under ten (10) feet of fill. It was partially disturbed when recorded and has been built over by Culver Boulevard, Pacific Electric Railroad right-of-way, and the Blue Goose Packing House.

Potential impacts on known and unknown archeological and paleontological resources are reviewed by the County through permit processing and environmental procedures. When it is determined that a project may pose adverse impacts on archaeological and/or paleontological resources, a survey prepared by a qualified archaeologist, paleontologist or geologist is required.

Future impacts on archaeological and/or paleontological resources, if any, will depend on where development occurs. Protection measures shall be determined through County environmental procedures and by the State Historic Preservation Office.

Any resources on Marina land already altered or designated for development have been or probably have already been impacted. The existing land mass within the marina facility has been covered with fill material from channel construction and developed with residential and commercial buildings, thereby destroying or burying any potential

resources. Anticipated second generation development should not impose any further impacts unless mass excavation is proposed. A qualified archaeologist, paleontologist, and/or geologist should be contacted if any resources are uncovered during construction and depending on the importance of the find, as determined by Regional Planning and the State Historic Preservation Office, salvage of the resources shall be considered.

d. Findings

There are two known archaeological sites partially within the LCP study area and two partially adjacent to the study area.

There is a limited potential for additional archaeological and paleontological finds.

If any resources exist, they would more likely be discovered and/or impacted in those areas planned for development.

e. Policies and Actions

1. Proposed projects shall be reviewed for potential cultural impacts through the County environmental review process. Appropriate environmental documentation and reasonable mitigation measures shall be required as determined by the Department of Regional Planning and the State Historic Preservation Office. These mitigation measures shall be incorporated into any development approved pursuant to the certified local coastal program.
2. As defined by §30116(d) of the Coastal Act, any cultural resource found in the portion of the LCP study area planned for development shall be located and maintained at the Los Angeles County Museum of Natural History, or other appropriate location as otherwise provided by state law.
3. To ensure proper surface and site recordation, the State Historic Preservation Office shall be notified, along with Regional Planning, if any resource is discovered during any phase of development construction. A professional archaeologist shall be retained to monitor any earth-moving operations in the study area. A halt-work condition shall be in place in the event of cultural resource discovery during construction.
4. As part of the application for any coastal development permit involving disturbance of native soils or vegetation, including but not limited to excavation, pile driving or grading, the applicant shall provide evidence that they have notified the Office of State Historic Preservation and the Native American Heritage Commission of the location of the proposed grading, the proposed extent of the grading and dates on which the work is expected to take place.

B.7. Cultural Heritage Resources

5. As part of an application for coastal development permit involving disturbance of native soils or vegetation, the County shall notify applicants that, in the event of discovery of Native American remains or of grave goods, § 7050.5 of the Health and Safety Code, and § 5097.94, § 5097.98, and § 5097.99 of the Public Resources Code apply, and shall govern the applicant's development activities. Copies of these code sections shall be provided to applicants and to appropriate local officials.
6. Archaeological recovery programs shall require coastal development permits consistent with the provisions of the certified local coastal program.

C. NEW DEVELOPMENT POLICY

- 8. Land Use Plan**
 - 9. Coastal Visual Resources**
 - 10. Hazard Areas**
 - 11. Circulation Plan**
 - 12. Public Works**
 - 13. Diking, Dredging, Filling and Shoreline Structures**
 - 14. Industrial Development and Energy Facilities**
-

LAND USE PLAN FOR MARINA DEL REY NEW DEVELOPMENT POLICY

The two previous policy sections, **Coastal Access and Recreation**, and **Marine and Land Resources**, contained policies and actions for public access, recreation and resource protection. Recognizing these concerns, the Land Use Plan for Marina del Rey was developed addressing future land use, new access, recreation and resource protection areas, and improvement of existing facilities.

The map entitled "Land Use Plan" (Map 8) presents in visual terms the policies and actions found in this LCP. Physical changes engendered by this plan are detailed in the balance of the New Development Policy section:

Chapter 8.	Land Use Plan
Chapter 9.	Coastal Visual Resources
Chapter 10.	Hazard Areas
Chapter 11.	Circulation Plan
Chapter 12.	Public Works
Chapter 13.	Diking, Dredging, Filling and Shoreline Structures
Chapter 14.	Industrial Development and Energy Facilities

8. Land Use Plan

a. Coastal Act Policies

30250. *(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction of visitors.

30251. *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

30252. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision of extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automotive circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public*

transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

30253. *New Development shall:*

- (1) Minimize risks to life and property in areas of high geologic, flood and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.*
- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.*
- (4) Minimize energy consumption and vehicle miles traveled.*
- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

30254. *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provision of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

30255. *Coastal-dependent developments shall have priority over developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*

b. Issues Identified

Leases on many parcels in the Marina expire after the year 2023. AS THE LANDOWNER FOR THE EXISTING MARINA, WHAT OPTIONS FOR RECYCLING AND CHANGING DENSITIES EXIST FOR THE COUNTY?

Coastal Act provisions specify a priority for "marine dependent developments". However, non-marine related uses exist in the Marina and are complementary to the overall marine environment. WHAT CONSTITUTES A MARINE DEPENDENT DEVELOPMENT? WHAT BALANCE OF USES SHOULD EXIST?

Public uses such as beaches, bikeways, boat launching, storage and parks exist in the Marina alongside leased uses of yacht/sailing clubs, docks and residential. Likewise, some non-marine dependent commercial retail shares waterfront space with marine dependent commercial uses. WHAT BALANCE BETWEEN PUBLIC AND LEASED, COASTAL AND NON-COASTAL DEPENDENT USES SHOULD BE DEVELOPED?

The extent of compatibility of development with Coastal Act provisions and existing use of the Marina is dependent on the design and integration of new development with the adopted standard in the LCP. To a larger degree this is a product of trade-offs between development priorities (recreation access, traffic, boating, etc). WHAT TRADE-OFFS ARE THEN NECESSARY FOR COMPATIBILITY?

c. Research Analysis

Policy Framework for Phase II Development

Under County guidance over the past 40 plus years, Marina del Rey has developed into one of the largest man-made multi-use recreational small craft harbor facilities in the world. During this time period, the County of Los Angeles has evolved broad policies for the use of Marina waters and land areas.

In terms of use, the first priority of the Marina is to maximize public boating facilities; the second priority is to provide boating-related facilities and services for the boating public and for traditional boating organizations. The water areas are reserved for boating uses, and recreational activities which require a water surface, such as swimming and wind surfing. County parcels, not leased to private developers, are dedicated to public uses such as dry boat storage, public boat ramps, public park areas,

including a public beach, public parking, a segment of the coastal bike path, dinghy storage at the beach, and view piers on the north jetty.

Above all, the County has sought to maximize revenues from the Marina for operation of the Marina and other social programs of the County by entering into long-term leases for private development of land areas, and for construction of boat anchorages. These revenues are intended to provide an on-going stream of revenue for the County, and to pay off bonded indebtedness. Notwithstanding, the combined acreage of land and water, leaseholds comprise less than 50 percent of the property owned by the County in Marina del Rey.

Within the Marina, most structural improvements, beyond construction of the harbor, have been made by private entrepreneurs, operating under long-term land leases. Lease termination dates for many parcels will occur after 2023. Leases typically specify a range of primary and related uses appropriate for a parcel, the minimum cost of improvements, and the allowable maximum, height. All leases include a section on "active public use", assuring public use of the premises without discrimination as to race or religion.

Within the existing Marina, development of some kind has occurred on all leasehold parcels. This development cycle is generally referred to as Phase I development. Recycling, intensification, or conversion of these initial uses on leased parcels is referred to as Phase II development. Phase II development will be encouraged and permitted, subject to the individual leaseholders' demonstrated consistency with the policies of this LCP, which include priority consideration for development of boating and visitor-serving facilities.

Design requirements for Marina structures on leased parcel are set forth in the Specification portion of the County leases. The Marina del Rey Design Control Board, whose five members are appointed by the Board of Supervisors, reviews building plans, sign and façade designs, and renovation plans. Both existing and future structures must meet requirements of the Board's guidelines, as contained in the *Specifications and Minimum Standards of Architectural Treatment and Construction*.

A program of public improvements is intended to maintain the Marina in first-class order, and provide impetus for, and support of Phase II development by the private sector. This program calls for expanded boat storage facilities, a sand screen project to minimize shoaling in the main channel, new facilities at the beach playground, expanded dinghy and/or rowing shell storage and restrooms near the beach, and various road improvements. A major repair and replacement program is intended to strengthen bulkheads throughout the Marina.

Identification of Reasons for Change in the Existing Marina

Phase I development of the Marina is now complete. This LCP presents the next phase of the development (Phase II) for the Marina in which existing uses may be recycled or intensified, and new uses may be created⁶. The Land Use Plan for the LCP is based on the need for making necessary changes and improvements in the land uses to ensure that recreational boating, visitor-serving accommodations, and other recreational and commercial facilities are made available to the public on an orderly basis. Consequently, the reasons for a consolidated review of Phase II development projects requiring LCP amendments are:

- Implementing objectives of the California Coastal Act;
- Aggregating amendments to account for cumulative impacts of the amendments, taken together with the cumulative impact of projects which do not require amendments;
- Encouraging controlled change over the next 30 years, rather than facing the prospect of major simultaneous changes when leases expire, and
- Correcting existing problems, and mandating the replacement of physically obsolete structures.

A look at the Future Marina

The LCP establishes the following principles regarding future development in the existing Marina portion of the LCP Area:

The Phase II development will offer:

- Increased boating opportunities;
- Establishing the first phase of right sizing public parking, and co-locating public parking with the appropriate facilities;
- Increased visitor-serving facilities, including no or low cost facilities such as improvements to Marina Beach and expansion of Burton Chace Park;
- Open space plan specifying three categories of open space for public use;
- A new mixed-use residential project using approved dwelling units; and
- A new seniors accommodations site using approved development potential.
- Enhanced coastal access and harbor view opportunities; and

⁶ Phase II development intensities were originally approved by the County and certified by the Coastal Commission in 1996. However, parcel refinements have become necessary in some cases, particularly to relocate existing approved entitlement. Development beyond Phase II will be preceded by a visioning process and a single, integrated LCP amendment for all parcels contemplated for future development.

High-rise development generally will be permitted in four locations on the periphery of the Marina, provided that such development will be sited such as to allow for adequate passage of prevailing off-shore winds into the Marina waters, and two locations on the water to encourage visitor-serving development of hotels. Flexible height limits are intended to encourage a variety of buildings types. Winter shadow effects are an important concern in the location of taller buildings.

New development in the existing Marina area is expected to occur incrementally over the next 30 years, thus minimizing significant disruption from construction and related impacts.

The design and appearance of new development will be controlled by requiring conformity to the LCP, and by adhering to the *Specifications and Minimum Standards of Architectural Treatment and Construction* which will be embodied by reference in new or revised lease agreements.

In the final analysis, future development in the existing Marina can be viewed as an evolutionary process which builds upon a successful base, and creates opportunity for selective reconstruction at higher intensities, while enhancing visitor-serving, public access and coastal view opportunities within the Marina.

Determination of Land Use Intensities

The following factors were considered in assigning Land Use Categories to individual parcels:

- Requirements of the California Coastal Act, as amended.
- The historic development pattern of the existing Marina, which emphasizes marine commercial and visitor-serving uses on the eastern side of the Marina, and residential uses on the western side.
- County's commitment to provide more public boating facilities.
- Plan amendment requests from individual lessees and/or the County.
- Traffic studies conducted for the LCP Area

Conclusions by the County related to the above considerations have led to a determination of the types, location and intensities of land use based on the need to:

- Optimize boating opportunities, low cost recreation opportunities, open space and diverse visitor-serving facilities in the existing Marina.
- Relate land use proposals to capacity of existing and planned circulation facilities in the LCP Area.
- Provide for new residential construction consistent with circulation capacity, coastal access and low-cost recreation goals and opportunities, and environmental objectives.

Establishing the Appropriate Level of Intensification

The County maintains several target objectives when considering land use intensity, as follows:

- Preserving public access and pedestrian amenities
- Creation of attractive "gathering places" for visitors
- Characterization and establishment of open space categories
- Architectural and urban design quality
- Effective view corridors
- Marina and regional traffic flow
- Public parking requirements
- Adequate boating facilities
- Balancing height limits in relation to view corridors
- Setbacks
- Sufficient solar access

The criteria and rationale for allocating intensified land uses in the existing Marina is based on the nature and intensity of existing uses. Proposed changes that complement desired public improvements and enrich the existing environment are given priority. It is not the intent of these intensified uses to detract from the main function of the Marina, which is recreational boating and visitor-serving commercial facilities.

Phasing Development

New development and reconstruction in the existing Marina is divided into three phases. Marina del Rey was originally governed by restrictions on growth pending the installation of certain circulation improvements. These have now been completed and only project-driven circulation improvements are necessary. Additional phasing issues may arise from the displacement of public parking lots from development if not properly coordinated.

Phase I development consisted of three hotel projects on Parcels 9, 125, and 141. Two of three hotels were constructed (parcels 125 and 141). A hotel was approved for Parcel 9 and preliminary construction commenced, but because of bankruptcy proceedings, the project was never completed and the parcel has reverted back to the control of the Department of Beaches and Harbors.

The approved Phase II development and project-driven amendments consist of a mix of visitor-serving uses, residential uses, open space and office uses which are detailed in the parcel-by-parcel description which follows in the policy section. None of these amendments changes the overall land use intensity granted for Marina del Rey in 1996.

Original approval of Phase II development in 1984 was conditioned upon construction of the Marina Bypass and four intersection improvements at various Marina intersections. However, the DKS Traffic Study (1991) identified alternative improvements which could substitute as mitigation measures to provide the new traffic capacity, in lieu of the Bypass and original intersection improvements. The alternate circulation system improvements are defined in Chapter 11, *Circulation*. Additionally, alternative circulation improvements or other mitigation measures may be suggested to offset the impacts of a particular development project. A project approved under these conditions shall be exempt from paying the appropriate development impact fees for the circulation system improvements program.

Phase III development will be undertaken after completion and approval of a long-term visioning process to be undertaken by 2014. This phase will address leases which are set to expire in the 2020-2030 period.

It should be recognized that Marina del Rey, while unincorporated, is dominated by two key features over which it has no regulatory control; 1) the Lincoln Boulevard corridor linking Los Angeles International Airport and Santa Monica/Malibu (and points north and east) and 2) City of Los Angeles, generally. Since 1996, the area immediately surrounding Marina del Rey has experienced intensive growth of residential high-rises and commercial uses, without corresponding major circulation system improvements. While Marina del Rey development entitlement has not changed, the intensification of the surrounding area causes Admiralty Way to be used as a "bypass" to the Lincoln Boulevard corridor, magnifying traffic impacts beyond what is caused by Marina del Rey and posing special challenges to the County in its planning process, as more fully explained in Chapter 11, *Circulation*.

Development Zones Created

To relate specific development proposals to their impact on the circulation system, the County has established three development zones (DZ). Land use intensities are established by development zone, and transfers from one parcel to another within the same development zone do not require a local coastal program amendment provided, however, that no transfer of land use intensity can occur from one parcel to another as shown on Map 10 without first showing that there will be no unmitigatable traffic impacts greater than what would have occurred without the transfer.

"First Come, First-Served" Development Priority

Development potential in Phase II will be granted on a "first-come, first-served" basis until the maximum development threshold is reached in each DZ. Total development potential for each DZ is allocated on the basis of the zone's maximum capacity to accommodate traffic.

Phasing Mechanism and Funding

The intensity of development in each phase is carefully coordinated with the available capacity of the circulation system. This is to ensure that additional development will not result in a level of traffic congestion in Marina del Rey which would detract from the liveability of the Marina or constrain public access to coastal resources. Development which would generate traffic which would exceed these transportation capacities will not be permitted until it can be demonstrated that sufficient traffic capacity will be available through circulation improvements. Moreover, the circulation improvements must be incorporated as a part of the proposed development.

However, it should be noted that the County of Los Angeles is only a small part of this system, and that the City of Los Angeles controls the vast majority of the regional circulation system. Therefore, the County can only commit to those measures and those impacts that are within its control. Also, the vast majority of entitled trips in the area are by the City of Los Angeles and to a lesser degree, Culver City. Since the LCP was certified by the Coastal Commission in 1996, only 355 PM peak hour trips have been entitled in the unincorporated Marina del Rey community by the County of Los Angeles as part of the County's Phase II development of the Marina. In stark contrast, during that same time period, over 10,000 peak hour trips have been entitled by the City of Los Angeles and Culver City in conjunction with approval of development projects by those cities in areas immediately surrounding and in the near vicinity of Marina del Rey.

Circulation improvements required to mitigate Phase II development will be funded through developer contracts negotiated at the time that new development is approved. Developer contracts will require either the payment of fees, on a fair share basis, or the actual construction of new improvements. Other possible funding mechanism such as revenue bonds, assessment districts, and general road funds also may be used.

d. Findings

Future development of the Marina will be influenced by the long-term land leases presently in existence or modifications to land leases within the current approved development capacity of Marina del Rey as enunciated in the LCP.

Revisions to the land leases require the participation and agreement of both the County and the lessee.

Parcels which have not been leased are being developed by the County to respond to the needs of the boating public as well as the needs of non-boaters using the Marina for recreation.

Long-term leaseholds, while providing opportunities to increase County revenues, should not compromise the County's flexibility to manage activities on the water-oriented moles.

New development and recycling of existing uses in the Marina will provide opportunities to (1) improve the Harbor for recreational boaters and other recreational visitors and, (2) improve coastal access.

e. Policies and Actions

Unlike other chapters in this LCP document, the Land Use Policy Map is more complex than other policy maps. It is, therefore, set off as a separate policy section in Part 2 below.

Part 1 – Written Policy

PRIORITY OBJECTIVES

1. **Preservation of the Small Craft Harbor facility a Priority.**
 - The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities.
 - Development shall not detract from, nor interfere with the use of existing or planned boating facilities, nor the ancillary uses which support these facilities.
2. **Maintenance of the physical and economic viability of the marina a priority.** Lessees shall be encouraged to replace structures and facilities which are physically or economically obsolete.

LAND DEVELOPMENT ENTITLEMENT PROCEDURES

1. **Phase II Development.** All development approved under the authority of this LUP shall be deemed to be Phase II development. All prior distinctions of phased development into Phases I, II or III shall be deemed void.
2. **Development Zones Created.** Three Development Zones (DZs) within the Marina del Rey segment shall be established as a means of allocating development potential within the LCP Area. These zones relate to and are based upon aggregation of the Traffic Analysis Zones used in the traffic studies that are discussed in the Circulation Chapter and upon logical relationships between parcels and the circulation system.

3. **Design Guidelines.** The Department of Beaches and Harbors shall maintain and, when deemed appropriate, modify guidelines for the design and architectural treatment of all structures in the Marina.
- These guidelines shall be known as the Manual for the *Specifications and Minimum Standards of Architectural Treatment and Construction*.
 - These guidelines are supplemental to, and not overriding of any standards or conditions of development set forth in the Specific Plan, acting as Local Implementation Plan, Title 22 (Planning & Zoning) of the Los Angeles County Code.
 - **Conflicts of Interpretation.** Should any situation arise where a conflict of interpretation exists between these guidelines, and standards set forth in this LCP the certified LCP shall control.
 - **Enforcement.** The County shall have primary responsibility for the enforcement of these guidelines. The most recently approved version of the guidelines shall be applicable at the time an applicant files a development proposal.
4. **Design Control Board.** The Design Control Board, appointed by the Board of Supervisors, shall review all new development proposals, including renovations, for consistency with the Manual for Specifications and Minimum Standards of Architectural Treatment and Construction, the Statement of Aims and Policies and the Revised Permanent Sign Controls and Regulations.

The Design Control Board shall conduct a conceptual review of the architectural design (i.e. building and façade design) and site planning during the Coastal Development Permit process. Any Design Control Board recommendations to the Regional Planning Commission or Hearing Officer shall be submitted in a timely fashion. Following the Regional Planning Commission's or Hearing Officer's action on Coastal Development Permits, the Design Control Board will have final review of architectural design (i.e. building and façade design, materials, colors), landscaping and signs based on the site plan approved by the Regional Planning Commission or Hearing Officer.

5. **Entitlement Process.** The Regional Planning Commission or Hearing Officer shall be responsible for determining consistency of development proposals with the LCP through the Coastal Development Permit process. All applications for development on a specific parcel shall provide evidence of consistency with all of the following: 1) the access and recreation policies of the Coastal Act and this LCP, including the identity and accessibility of the Marina as a public boating and recreational facility and 2) all policies and development standards in the certified LCP, including the amount of development potential allocated to the Development Zone in which the parcel is located, and the principal permitted land use assigned to that parcel, permitted in the Waterfront Overlay Zone, or

identified in the LCP as compatible uses that may be allowed, subject to a grant of a Conditional Use Permit.

Actual entitlement to develop a new use, or to change or expand an existing use on a given parcel shall be determined by the Regional Planning Commission or the Hearing Officer through the Coastal Development Permit process as contained in Part 17 of Chapter 22.56 of Title 22, (Planning & Zoning) of the Los Angeles County Code which may culminate in either granting, denying or conditionally approving a Coastal Development Permit, including the site plan. This process shall analyze all applicable policies of this LUP, the County-wide General Plan, and Title 22 (Planning & Zoning) of the Los Angeles County Code, and shall consider any recommendations made by the Design Control Board in determining the design, location, and intensity of development on a specific parcel. This process also shall determine the extent of off-setting mitigation measures that shall be required of an applicant. All approvable development shall include modifications to ensure consistency with all policies and development standards of the certified LCP.

NON-PRIORITY USES

- 1. Coastal Housing not a Priority.** Although construction of housing is not a priority use in the Coastal Zone, additional opportunities for coastal housing may be provided, where appropriate.

All development of coastal housing shall be contingent upon meeting all applicable policies and development standards of the certified LCP, including but not limited to adequate parking, view corridors, public access to the shoreline, provision of new usable public recreation and open space and visitor serving recreational uses in the plan segment, provision of adequate traffic capacity, and any provisions for low-and moderate-income and senior citizen housing subsequently certified by the California Coastal Commission.

- 2. Office Commercial Uses Not a Priority.** New or expanded development of office commercial uses shall be discouraged, and, where permitted, confined to sites outside the Waterfront Overlay Zone.

AFFORDABLE HOUSING

- 1.** Affordable and senior citizen housing projects shall be encouraged as part of Phase II development consistent with the policies and development standards of the certified LCP.
 - a) The following General Plan policies shall be applicable to the review and approval of housing projects within the existing Marina:

- Encourage private sector participation in the development of low and moderate-income housing.
 - Support and facilitate the development of housing affordable to lower-income households, and encourage the dispersal of new lower-income housing throughout the unincorporated areas of the County.
 - Support the design and construction of rental housing to meet the needs of lower income households, particularly large families, senior citizens, and people with disabilities.
- (b) To the extent feasible, new housing developments shall comply with Government Code § 65590 relating to the provision of low- and moderate-income housing within the Coastal Zone.
- (c) The conversion or demolition of existing residential dwelling units occupied by persons of low and moderate income shall be replaced consistent with the provisions of Government Code § 65590.

Part 2 – Mapped Policy for the Land Use Plan

The Land Use Plan Map illustrates the policies applicable to redevelopment, renovation, and intensification of development in Marina del Rey. The Land Use Plan is summarized on Map 8, found at the end of the chapter. The policy map section has four related components: 1) the Legend of Land Use Categories; 2) Definition of Development Zones (DZs); 3) Development Potential Allocation by Zone; and 4) the Parcel-specific Land Use Designations.

Legend of Land Use Categories

The following list of land use categories establishes the range of uses permitted in Marina del Rey. When applied to a specific parcel, the category establishes the principal permitted land use for each separate parcel of land in the LCP Area. Special optional height standards may be applicable to mole road development.⁷

- **Residential III:** Permitting medium density multi-family residential development, up to 35 dwelling units per net acre. Height limit of 45 feet. Special height standards may apply to mole roads.
- **Residential IV:** Permitting medium-high density multi-family residential development, up to 45 dwelling units per net acre. Height limit of 140 feet.

⁷ See policy 9 of Chapter 9, *Coastal Visual Resources*, regarding special optional height standards applicable to loop and mole roads.

- **Residential V:** Permitting high density multi-family residential development up to 75 dwelling units per net acre. Height limit of 225 feet.
- **Hotel:** Permitting hotels and motels to provide overnight accommodations and attendant visitor-serving services including dining and entertainment areas. Height limit of 225 feet, except on mole roads where the limit is 45 feet. Special height standards may apply to mole roads.
- **Seniors Facilities:**
 - **Seniors Accommodations:** A specialized use for the housing of persons age 62 and older who may or may not be retired. Units shall contain no more than two bedrooms and shall not provide a kitchen. However, communal dining facilities shall be available on-site. Mixed use services provided on-site for residents may include, but are not limited to, one or more of the following: concierge, dry cleaners, laundry, hair and beauty salon, spa (excluding massage), recreation room, lounge, shuttle/limousine, travel, maid, linen, and other similar personal services. The accommodations may be rented or leased on a monthly or yearly basis. Units within a Seniors Accommodations facility are not considered residential uses for purposes of assessing affordable housing requirements, or assessing transient occupancy taxes or fees. A height limit of 75 feet from finished floor, not including rooftop appurtenances, is permitted. This use is limited to Parcel 147 (Formerly Parcel OT).
 - **Congregate Care;** A specialized use in accordance with Title 22 definitions.
- **Visitor-Serving Commercial:** Permitting dining facilities, retail and personal services and youth hostels. Height limit of 45 feet.
- **Office:** Permitting general offices, professional offices and financial institutions. Height limit to 225 feet.
- **Boat Storage:** Permitting public and commercial boat launching and storage including public parking, ramps and associated launching hoists, dry boat storage, dry stack storage, boat rentals and instruction, and ancillary support commercial facilities (fishing license sales, snack bars, equipment rental, bait and pole rental and sales) associated with that use provided such facility does not occupy more than 200 square feet or 10 percent of the site, whichever is larger. Small convenience facilities not associated with the use may be established for visitors if a park, promenade, and/or transient dock is associated with the facility. Height limit of 75 feet for public dry stack boat storage facilities and 25 feet for commercial support facilities.

- **Marine Commercial:** Permitting coastal-related or coastal-dependent uses associated with operation, sales, storage and repair of boats and marine support facilities. Uses include public boat launching (and associated launching ramp hoists), boat rentals, boating schools, dry boat storage, yacht club facilities (with associated dry storage and launch hoists), marine chandleries, boat repair yards, yacht brokerages, charter boat operations, and associated ancillary retail and office uses. Height limit of 45 feet for habitable structures and up to 75 feet for public dry stack boat storage.
- **Parking:** Permitting parking lots and structures open to the public, in most cases multi-use and fee-charging. Multi-use includes commercial and office parking lots made available during non-business hours. Height limit of 90 feet for parking structures, except on mole roads and waterfront parcels where the limit is 45 feet. Public parking may be included in any category in the LCP.
- **Public Facility:** Permitting public uses and facilities other than roads, including libraries, parks, museums, harbor administration, public utilities, police and fire facilities. Height limit of 45 feet, except for entrance displays, government offices, and theme towers which may not exceed 140 feet.
- **Open Space:** Permitting recreational uses including open viewing areas, promenades, bikeways, beaches, parks, picnic facilities, nature/interpretive centers, associated surface parking and landscaping. Height limit of 25 feet, except for public facility buildings supportive of Chace Park where a maximum height limit of 45 feet would apply.
- **Water:** Permitting recreational uses, wet boat slips, dry stack boat storage facilities attached to a landside structure, docking and fueling of boats, flood control and light marine commercial. The water area is delineated by boundaries showing the approximate location of existing and potential wet boat slip anchorages. Charter boats, ferries, commercial fishing boats, and sightseeing boats shall not be permitted to operate in any boat anchorage unless the adjacent land use permits such uses.

Overlay Zones

Overlay Zones are designated on limited number of parcels throughout the Marina del Rey Specific Plan Area. The Zones are intended to encourage more creative and desirable projects by allowing mixed-used projects. The Mixed Use Zone applies to selected parcels, adjacent to major thoroughfares while the Waterfront Overlay Zone applies to selected parcels adjacent to the water edge. The Overlay Zones work in conjunction with the Principal Permitted Use

designation on each parcel to establish the criteria and guidelines for more flexible development of the property. Lessees desiring to enhance their project by applying for additional development potential allowed by either of the two Overlay Zones will be subject to a Conditional Use Permit requirement.

- **Mixed Use Overlay Zone (MUZ):** The Mixed Use Overlay Zone is intended to provide additional flexibility for development of creatively-designed mixed-use projects on selected non-waterfront parcels. Parcels with this overlay zone are permitted to combine the above land use categories on an individual parcel, and are allowed to mix primary uses with a structure. Development potential available to each applicant is subject to limitations of the zone in which the parcel resides. Height limits are subject to the standards of each land use category noted above. This Overlay Zone applies to the following parcels: 75, 95, 97, and 140.
- **Waterfront Overlay Zone (WOZ):** The Waterfront Overlay Zone is intended to provide additional flexibility for development of coastal-related and marine-dependent land uses, primarily on waterfront parcels. Permitted uses include: Hotel, Visitor-serving Commercial, Open Space, Boat Storage, and Marine Commercial. The lessee of any parcel with this overlay zone designation, may apply for any of the permitted land uses within this category, regardless of the principal permitted use on the specific parcel. Development in the WOZ may not displace existing public recreation, visitor serving or coastal dependent boating uses, unless the use is relocated within the development zone in a comparable manner. The development potential available to each applicant is subject to the limitations of the zone in which the parcel is located. Height limits are subject to the standards of each land use category noted above.

Definition of Development Zones

For the purpose of allocating future development potential, the Marina del Rey Specific Plan area is divided into three Development Zones (DZs). A DZ includes several parcels grouped together for the purposes of analyzing traffic movements and impacts (See Figure 5). The zones are designed to isolate traffic impacts on individual intersections in the Marina. More information regarding this study is found in Chapter 11, *Circulation*. Refer to Map 10, at the end of the chapter, for a depiction of the Development Zones.

FIGURE 5: DEVELOPMENT ZONE (DZ) ASSIGNMENTS

DZ No.	Development Zone Streets/Names	Parcels	Policy Map No.
1	Bora Bora, Tahiti, Marquesas, Panay, Via Marina	1, 3, 7, 8, 9, 10, 12, 13, 14, 15, 18, 20, 95, 100, 101, 102, 103, 104, 111, 112, 113, AL-1, BR, DS, K-6, LLS	Map:11
2	Palawan/Beach, Oxford, Panay	21, 22, 27, 28, 30, 33, 91, 97, 125, 128, 129, 140, 141, 145, 147, GR, HS, IR, JS, N, P, Q, RR	Map:12
3	Admiralty, Bali, Mindanao, Fiji, Fisherman's Village, Harbor Gateway	40T, 40W, 41, 42, 43, 44, 45, 47, 48, 49M, 49R, 49S, 50, 51, 52, 53, 54, 55, 56, 61, 62, 64, 65, 75, 76, 77, 94, 130, 131, 132, 133, 134, 150, 200, BB, EE, UR, SS, W, XT	Map:13:

Special Land Use Conversion Options

1. **Mixed Use Overlay Zone.** Parcels with a Mixed Use Overlay Zone designation may apply to convert existing residential and office development on their own parcel and all allocated residential and office development available within their Development Zone to visitor-serving, marine commercial or other coastal-oriented uses. Conversion of development shall be consistent with subsection 3 below.
2. **Waterfront Overlay Zone.** Parcels with a Waterfront Overlay Zone designation may apply to convert existing residential and office development on their own parcel and all allocated residential and office development available within their Development Zone to public open space, visitor-serving commercial or recreation, hotels and youth hostels, marine commercial or other coastal-oriented uses. In addition, existing and allocated visitor-serving, marine commercial and coastal-oriented development may be converted to other visitor-serving, marine commercial and coastal dependent uses. Conversion of development shall be consistent with subsection 3 below.
3. **Conversion Monitoring.** The common unit of conversion among land uses shall be the number of P. M. peak hour traffic trips generated by each land use, using the standard trip generation table found in the 1991 DKS study of Marina del Rey traffic. The number of peak hour trips generated by the added development of the recipient use shall not exceed the number of peak hour trips generated by the donor use. Conversion shall not be construed to allow transfer of development between Development Zones.

- a) Conversion of allocated development shall be monitored such that the amount of development converted is deducted from the zone balance for the donor use and added to the zone balance for the recipient use.
- b) Conversion of existing development shall be similarly monitored to ensure no increase in trip generation occurs as a result of the conversion. Conversion is limited to the amount of development existing on the parcel at the time of application for conversion.

Development Potential by Zone

The following section lists the amount of potential development allocated to each Development Zone. This listing provides for new development potential over and above what is existing in the zone at the time this LCP is certified (See Figure 6). Existing development is not included in this development potential description. At the end of the chapter are maps of each Development Zone depicting the land use category for each individual parcel.

Every parcel that adjoins the waterfront may apply for designation within the "Waterfront Overlay Zone" and, based on the principal permitted use designation, be approved for development of a mix of land uses, including: hotel, visitor-serving commercial, open space, boat storage, and marine commercial.

Each applicant may seek entitlement for the type of development potential consistent with the principal permitted use on their parcel as shown in each respective Development Area. The development potential identified in the "Waterfront Overlay Potential" is available to all applicants holding parcels identified by a WOZ prefix as lying within the Waterfront Overlay Zone, regardless of the principal permitted use designation on their parcel.

FIGURE 6: DEVELOPMENT POTENTIAL SUMMARY BY DEVELOPMENT ZONE

Dev Zone	D.U.	Gov't Office (sq ft)	Hotel Rooms	Vis-Serv Comm (sq ft)	Active Senior Units	Congregate Care Units	Library (sq ft)	Rest. Seats	Dry Stack Spaces	Office (sq ft)
D Z 1	1384	0	288	53 000	0	15	0	340	0	0
D Z 2	72	0	331	42 000	114	0	0	410	0	0
D Z 3	255	26,000	0	178,741	0	0	3,000	573	345	32,000
TOTAL	1711	26,000	619	273,741	114	15	3,000	1,323	345	32,000

Each applicant may apply to acquire entitlement, through the coastal development permit process described in Title 22.56, to a portion of any available development potential assigned to each Zone.⁸

DEVELOPMENT ZONE NO.1

A. Bora Bora Area

Parcels: 1, 3, 112, 113, BR

Principal Permitted Use by Parcel –

WOZ	Parcel 1	- Marine Commercial
		- Water
	Parcel 3	- Parking
WOZ	Parcel 112	- Residential V
		- Water
WOZ	Parcel 113	- Residential V
	Parcel BR	- Open Space

B. Tahiti Area

Parcels 7, 8, 9, 111

Principal Permitted Use by Parcel –

WOZ	Parcel 7	- Residential III
		- Water
WOZ	Parcel 8	- Residential III
		- Water
WOZ	Parcel 9	- Hotel
	- Open Space (Southern 1.46 acres)	WOZ Parcel 111 - Residential III (on mole portion)
		- Residential V (on non-mole western portion)
		- Water

C. Marquesas Area

Parcels: 10, 12, 14, 13

Principal Permitted Use by Parcel –

WOZ	Parcel 10	- Residential III and V (density averaged over all parcel)
		- Water
WOZ	Parcel 12	- Residential IV
		- Water

⁸ The development potential for each land use category in the three Development Zones may slightly change due to potential conversion of up to 10 percent of residential or office commercial potential uses to visitor-serving, marine commercial, or hotel uses.

- WOZ Parcel 13 - Residential III
- Water
- WOZ Parcel 14 - Residential III & V (density averaged over all parcel)
(Formerly Parcel FF)

- WOZ Parcel 15 - Residential IV

Development on Parcel 10 and 14 shall be limited to a maximum height of 75 feet.

D. **Panay Area**

Parcels: 15, 18 and 20

Principal Permitted Use by Parcel –

- WOZ Parcel 18 - Residential III (on mole terminus)
- Residential IV (on mole road portion)
- Water
- WOZ Parcel 20 - Residential IV
- Water

E. **Via Marina Area**

Parcels: 95, 100, 101, 102, 103, 104, DS, LLS, AL-1, K-6

Principal Permitted Use by Parcel –

- MUZ Parcel 95 - Visitor-serving Commercial
- Parcel 100 - Residential V
- Parcel 101 - Residential V
- Parcel 102 - Residential V
- Parcel 103 - Residential V
- Parcel 104 - Visitor-serving Commercial
- Parcel DS - Open Space
- Parcel LLS - Public Facilities
- Parcel AL-1 - Public Facilities
- Parcel K -6 - Residential V

DEVELOPMENT ZONE NO. 2

A. **Palawan/Beach Area**

Parcels: 21, 22, 27, 28, 30, 33, 91, 97, 140, 141, 145, GR, HS, IR, JS,

Principal Permitted Use by Parcel –

- WOZ Parcel 21 - Marine Commercial/Public Parking
- WOZ Parcel 22 - Hotel

WOZ	Parcel 27	- Hotel
WOZ	Parcel 28	- Residential III
		- Water
WOZ	Parcel 30	- Marine Commercial
		-Water
WOZ	Parcel 33	- Visitor Serving Commercial
		- Water
WOZ	Parcel 91	- Boat Storage
		- Water
MUZ	Parcel 97	- Visitor-serving Commercial
MUZ	Parcel 140	- Residential V
	Parcel 141	- Hotel
	Parcel 145	- Hotel
	Parcel GR	- Parking
	Parcel HS	- Open Space
	Parcel IR	- Parking/Open Space
	Parcel JS	- Open Space
	Parcel N	- Parking

B. **Oxford Area**

Parcels: 125, 128, 129, 147, P, Q, RR

Principal Permitted Use by Parcel -

WOZ	Parcel 125	- Residential V (on western portion)
WOZ		- Hotel (on eastern portion)
		- Water
	Parcel 128	- Water
	Parcel 129	- Public Facility: Fire Station
		- Water
	Parcel P	- Open Space (flood control facility)
	Parcel Q	- Open Space
	Parcel RR	- Open Space
MUZ	Parcel 147(Formerly Parcel OT	- Seniors Accommodations

DEVELOPMENT ZONE NO. 3

A. **Admiralty Area**

Parcels: 40T, 40W, 94, 130, 131, 132, 133, 134, SS

Principal Permitted Use by Parcel –

	Parcel 40T	- Public Facility: Library
	Parcel 94	- Parking
WOZ	Parcel 130	-Visitor-serving Commercial

WOZ	Parcel 131	- Visitor-serving Commercial
WOZ	Parcel 132	- Marine Commercial (mole portion)
		- Hotel (Admiralty Way portion)
		- Water
WOZ	Parcel 133	- Visitor-serving Commercial
WOZ	Parcel 134	- Office
	Parcel SS	- Open Space

Park Area lost in Yvonne B. Burke Park for road widening must be replaced on an acre-per-acre basis.

B. Bali Area

Parcels: 41, 42, 43, 44, 75, 76, 150, UR

Principal Permitted Use by Parcel –

WOZ	Parcel 41	- Marine Commercial
		- Water
WOZ	Parcel 42	- Hotel
		- Water
WOZ	Parcel 43	- Visitor-serving Commercial
		- Water
WOZ	Parcel 44	- Boat Storage (portion of parcel at corner of Admiralty Way and Mindanao Way)
		- Marine Commercial (adjacent Admiralty Way)
		- Visitor-serving Commercial (on mole portion)
		- Water
MUZ	Parcel 75	- Visitor-serving Commercial
	Parcel 76	- Office
	Parcel 150	- Office
	Parcel UR	- Public Parking

C Mindanao Area

Parcels: 45, 47, 48, 49M, 49R, 49S, 50, 52, 53, 54, 77. EE

Principal Permitted Use by Parcel –

WOZ	Parcel 45	- Open Space
		- Water
WOZ	Parcel 47	- Open Space
		- Water
	Parcel 48	- Water
WOZ	Parcel 49M	- Parking/Public Facilities
WOZ	Parcel 49R	- Boat Storage

WOZ	Parcel 49S	- Boat Storage - Water
	Parcel 50	- Visitor-serving Commercial
WOZ	Parcel 52	- Boat Storage - Water
WOZ	Parcel 53	- Marine Commercials - Water
WOZ	Parcel 54	- Marine Commercials - Water
WOZ	Parcel 77	- Open Space - Water
	Parcel EE	- Open Space - Water

D. **Fisherman's Village Area**

Parcels: 55, 56, 61, BB, W

Principal Permitted Use by Parcel –

WOZ	Parcel 55	- Marine Commercial - Water
WOZ	Parcel 56	- Visitor-serving Commercial - Water
WOZ	Parcel 61	- Visitor-serving Commercial - Water
	Parcel BB	- Water
	Parcel W	- Parking

E. **Harbor Gateway Area**

Parcels: 62, 64, 65

Principal Permitted Use by Parcel –

	Parcel 62	-Public Facility: Sheriff, Harbor Patrol, Lifeguard, Coast Guard - Open space - Water
WOZ	Parcel 64	- Residential V - Water
	Parcel 65	- Boat storage - Water

F. **North Shore Area**

Parcels: XT

Development Potential for Zone –NONE

Principal Permitted Use by Parcel –
Parcel XT - Open Space

G. **Fiji Way Area**

Parcels: 51, 200

Development Potential for Zone –
Parcel 51 - Open Space
Parcel 200 - Public Facility

Los Angeles County

MARINA DEL REY

Land Use Plan

LEGEND

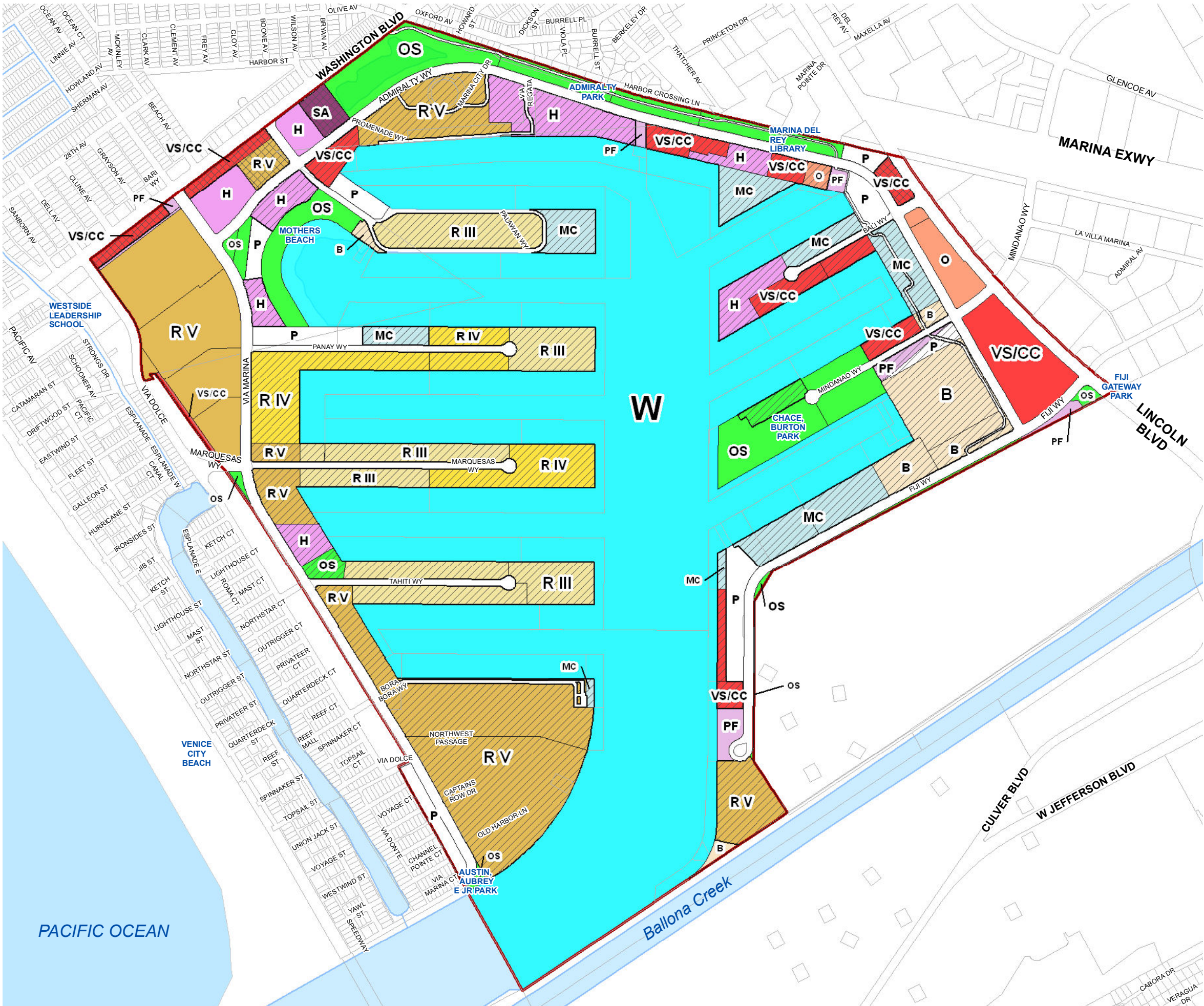
LUP

- R III - Residential III (35 du/ac)
- R IV - Residential IV (45 du/ac)
- R V - Residential V (75 du/ac)
- H - Hotel
- VS/CC - Visitor-Serving / Convenience Commercial
- O - Office
- MC - Marine Commercial
- B - Boat Storage
- P - Parking
- PF - Public Facilities
- SA - Seniors Accommodation
- OS - Open Space
- W - Water
- Mixed Use Overlay
- Waterfront Overlay
- River, Stream or Channel
- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean



Current as of: December 2011

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



Los Angeles County

MARINA DEL REY

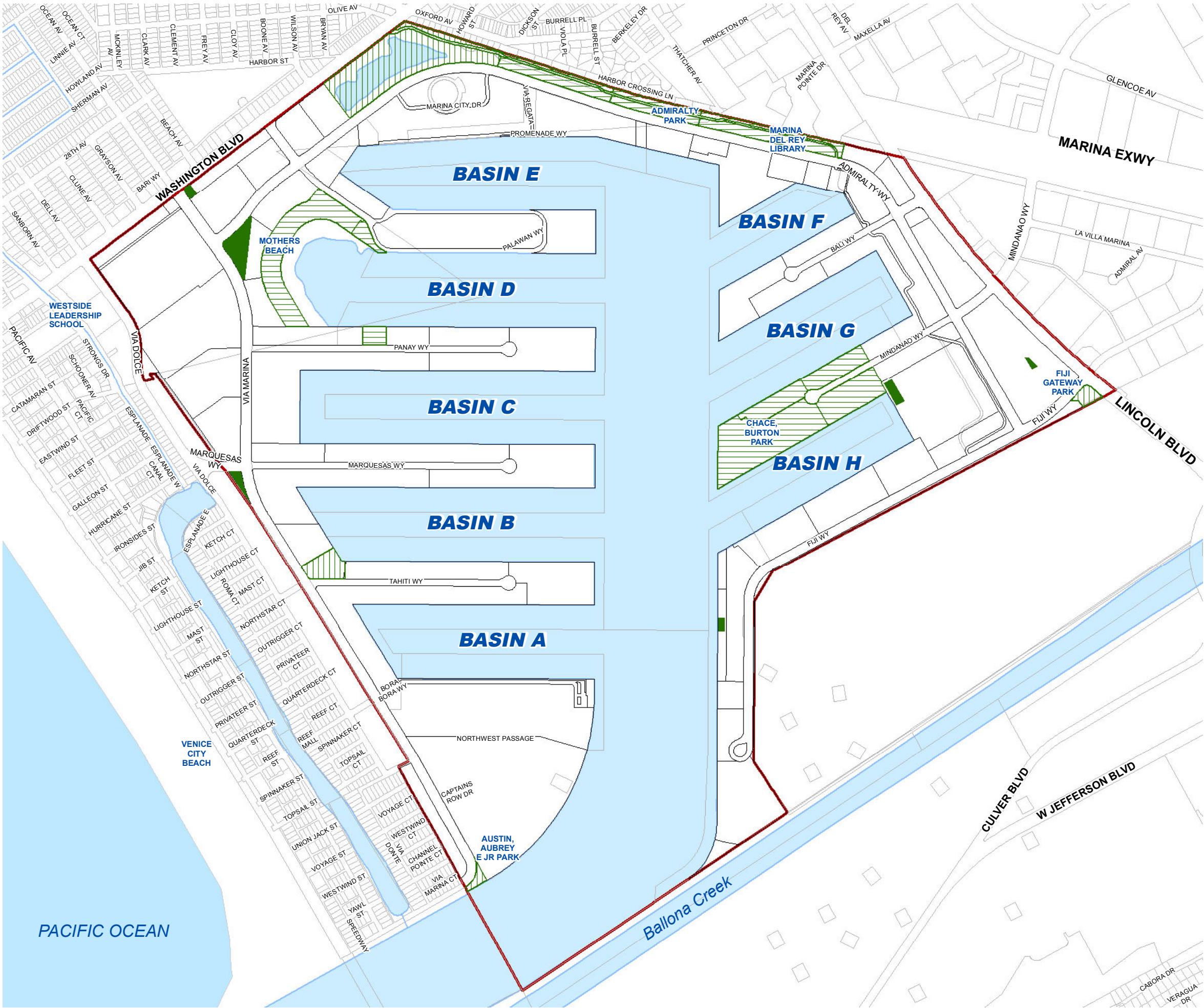
Open Space Plan

LEGEND

- River, Stream or Channel
- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean

Open Space Plan

- Active Open Space
- Passive Open Space
- Urban Open Space



Current as of: December 2011

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



LEGEND

- River, Stream or Channel
- Lease Parcels LCP
- Proposed Development Zones
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean

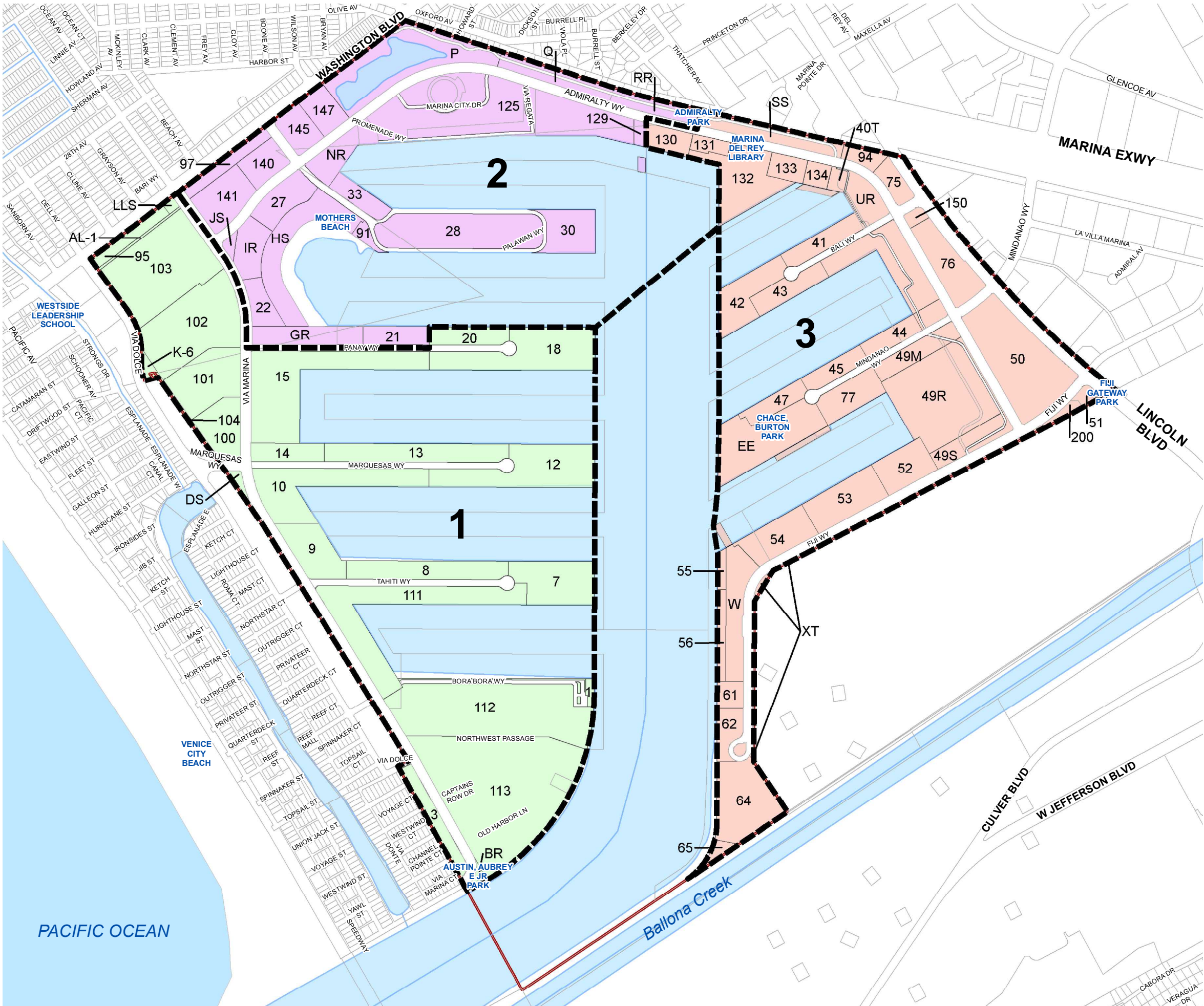
Zone

- Parcels 1, 3, 7, 8, 9, 10, 12, 13, 14, 15, 18, 20, 95, 100, 101, 102, 103, 104, 111, 112, 113, AL-1, BR, DS, K-6, LLS.
- Parcels 21, 22, 27, 28, 30, 33, 91, 97, 125, 128, 129, 140, 141, 145, 147, GR, HS, IR, JS, P, Q, RR.
- Parcels 40T, 40W, 41, 42, 43, 44, 45, 47, 48, 49M, 49R, 49S, 50, 51, 52, 53, 54, 55, 56, 61, 62, 64, 65, 75, 76, 77, 94, 130, 131, 132, 133, 134, 150, 200, BB, EE, SS, UR, W, XT.



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



Los Angeles County

MAP 11

MARINA DEL REY

Proposed Development Zone 1

LEGEND

LUP

R III - Residential III (35 du/ac)

R IV - Residential IV (45 du/ac)

R V - Residential V (75 du/ac)

H - Hotel

VS/CC - Visitor-Serving / Convenience Commercial

O - Office

MC - Marine Commercial

B - Boat Storage

P - Parking

PF - Public Facilities

SA - Seniors Accommodation

OS - Open Space

W - Water

Mixed Use Overlay

Waterfront Overlay

River, Stream or Channel

Lease Parcels LCP

Proposed Development Zone 1

Marina Del Rey LCP Area

Perennial Water Body

Pacific Ocean

LOS ANGELES COUNTY

Department of Regional Planning

320 W. Temple St.

Los Angeles, CA 90012

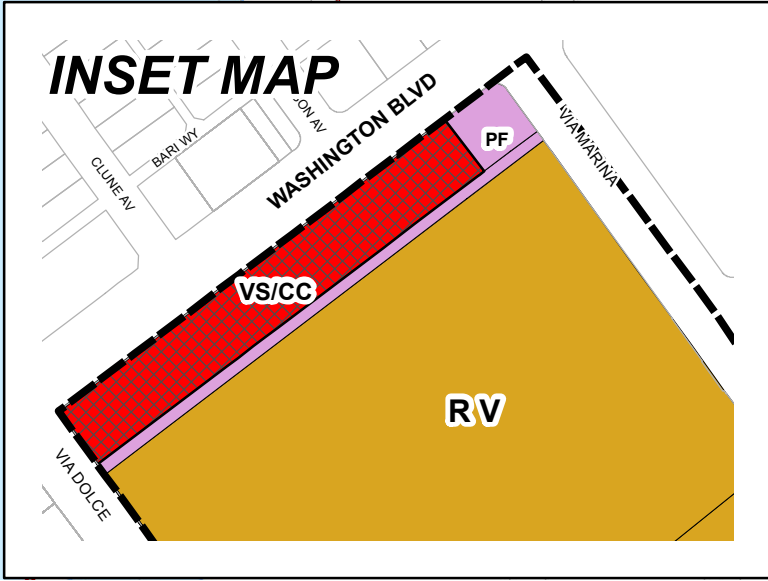
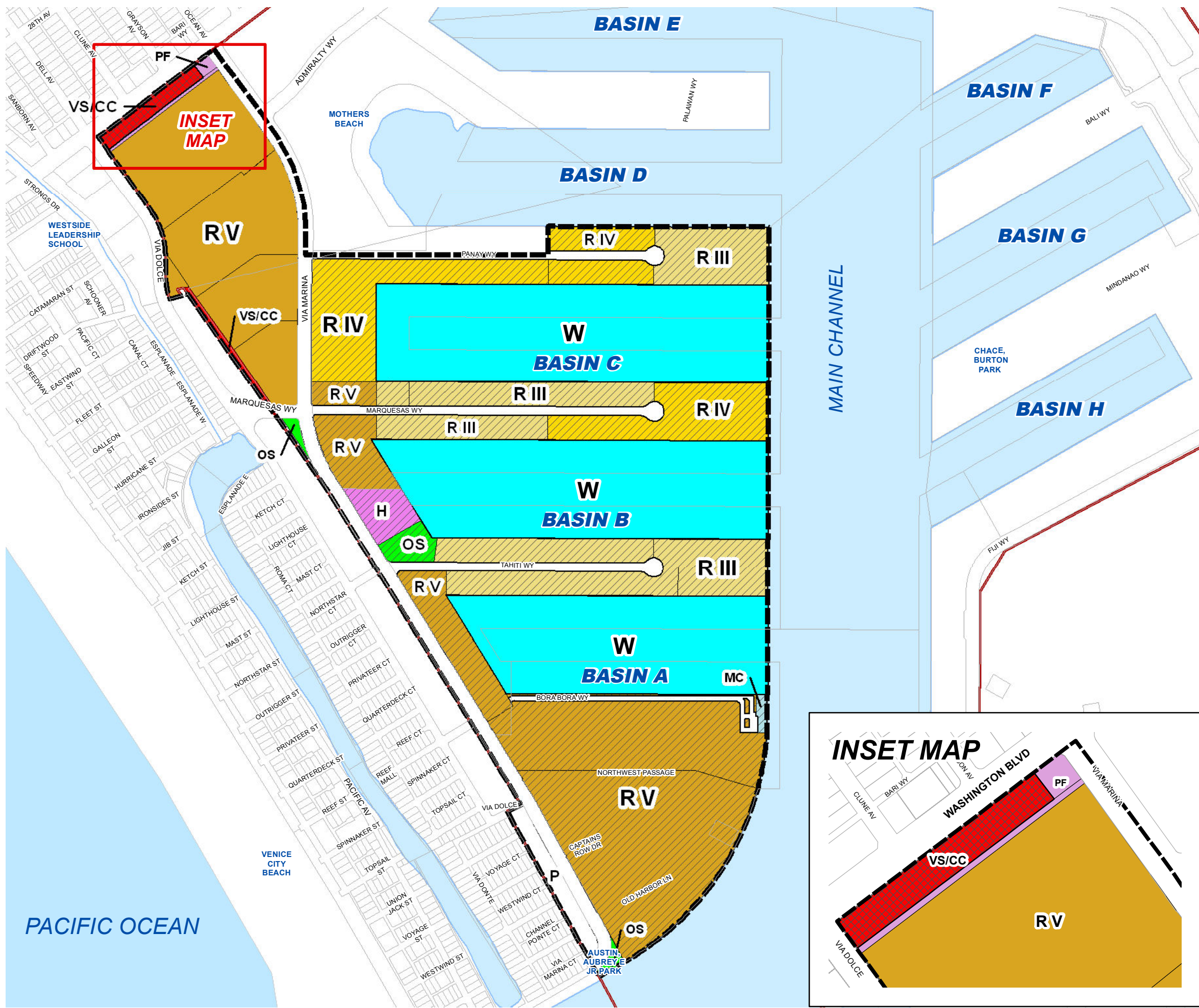
LOS ANGELES COUNTY

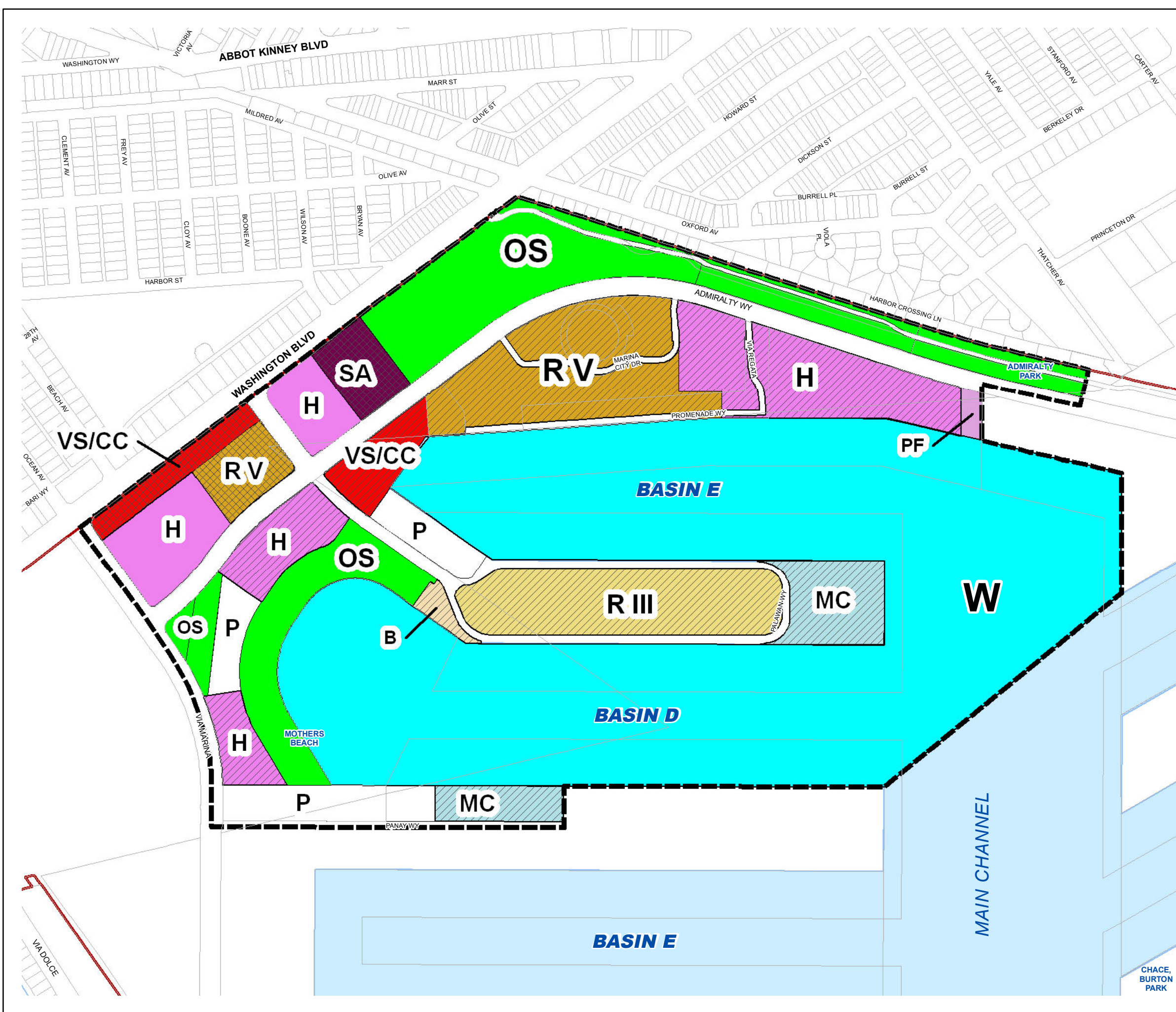
Department of Regional Planning

Current as of: December 2011

Scale In Feet

0600





Los Angeles County

MAP 12

MARINA DEL REY

Proposed Development Zone 2

LEGEND

LUP

R III - Residential III (35 du/ac)

R IV - Residential IV (45 du/ac)

R V - Residential V (75 du/ac)

H - Hotel

VS/CC - Visitor-Serving / Convenience Commercial

O - Office

MC - Marine Commercial

B - Boat Storage

P - Parking

PF - Public Facilities

SA - Seniors Accommodation

OS - Open Space

W - Water

Mixed Use Overlay

Waterfront Overlay

River, Stream or Channel

Lease Parcels LCP

Proposed Development Zone 2

Marina Del Rey LCP Area

Perennial Water Body

Pacific Ocean



Current as of: December 2011

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012


Scale in Feet
0 400

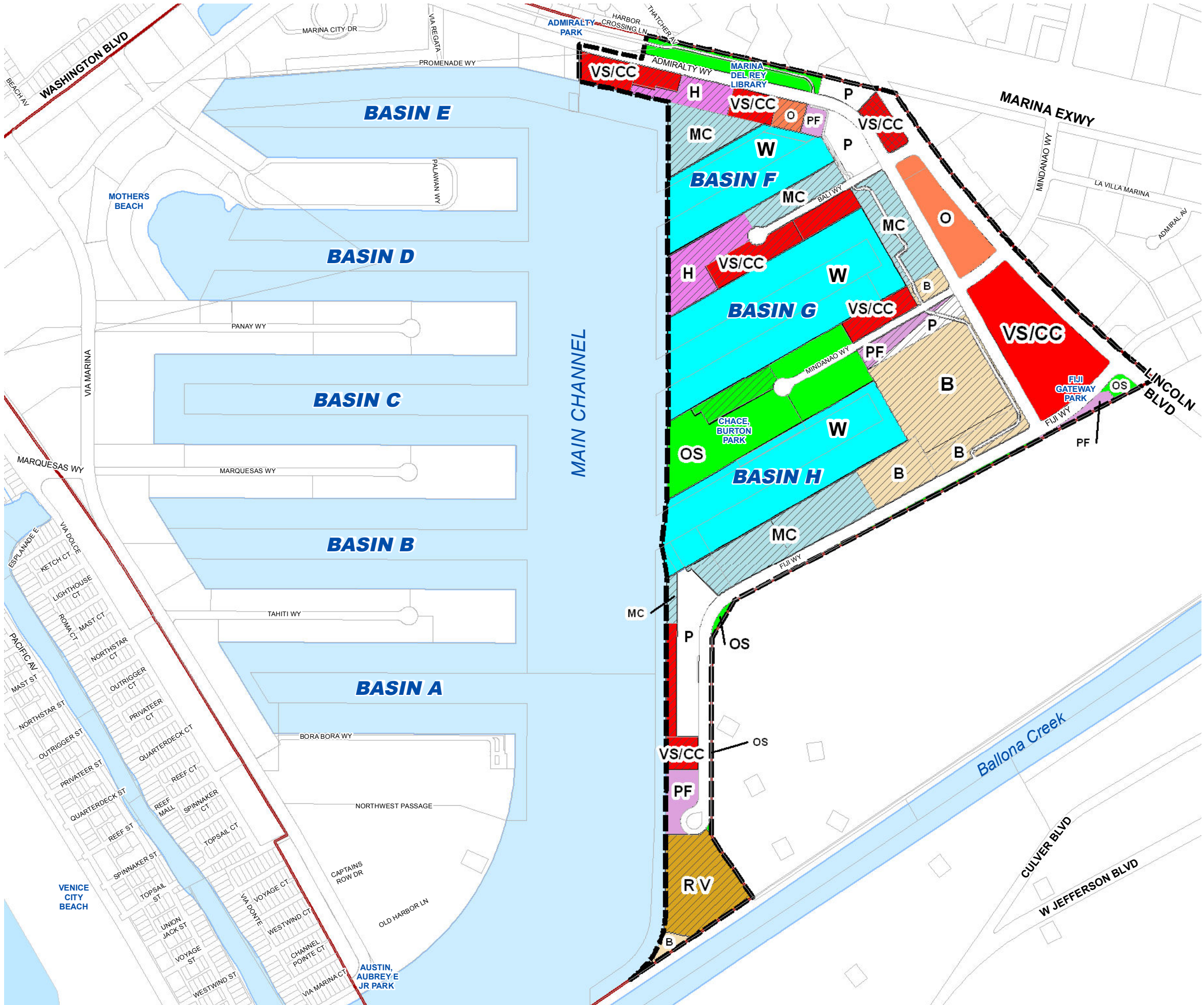
LEGEND

- LUP
- R III - Residential III (35 du/ac)
 - R IV - Residential IV (45 du/ac)
 - R V - Residential V (75 du/ac)
 - H - Hotel
 - VS/CC - Visitor-Serving / Convenience Commercial
 - O - Office
 - MC - Marine Commercial
 - B - Boat Storage
 - P - Parking
 - PF - Public Facilities
 - SA - Seniors Accommodation
 - OS - Open Space
 - W - Water
- Mixed Use Overlay
- Waterfront Overlay
- Lease Parcels LCP
- Proposed Development Zone 3
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean



Current as of: December 2011

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



9. Coastal Visual Resources

a. Coastal Act Policies

30251. *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

30253. *New Development shall:*

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

b. Issues Identified

The existing Marina is known for its scenic harbor views. HOW CAN THE HARBOR VIEWS BE PROTECTED AND MAINTAINED WHILE ALLOWING REASONABLE NEW DEVELOPMENT?

Sharp contrasts exist in the visual amenities of the existing Marina and Area A. HOW CAN VISUAL COMPATIBILITY OF NEW DEVELOPMENT WITH EXISTING NATURAL AND MANMADE ENVIRONMENTS BE ENCOURAGED?

c. Research Analysis

Introduction

Identification and description of coastal visual resources in Marina del Rey will establish the baseline for an analysis of coastal views.

Visual Resource Descriptions

The Marina del Rey Small Craft Harbor represents a land use of tremendous significance and distinction to Los Angeles County. As a whole, it symbolizes a lifestyle based upon coastal amenities. For this reason, the most significant qualities of the area in terms of visual resources are the waters within the Small Craft Harbor, the boats, and boating-related elements (e.g., masts, sails, moles, slips, etc.). Boats in motion provide a particularly pleasant viewing experience. Undoubtedly, this visual setting is one of the major factors in the area's very high popularity for non-boaters as well as boaters.

Other positive scenic elements in the Marina include Burton Chace Park, Fisherman's Village, Yvonne B. Burke Park, Marina beach, the jetties and the breakwater. Although the Marina is characterized mainly by low-rise buildings, there is sufficient height diversity to allow for visual interest and variety. At the northern end of the main channel, the high rise Marina City complex and Promenade Apartments provide an example of architectural diversity.

With respect to public viewing locations, all moles within the Marina allow opportunities for public viewing – the seaward ends allow vistas of greater than 180 degrees. Landscaping is provided along many of these walkways which softens the profile of the bulkheads.

Among the particularly significant vantage points within the Marina are the following:

- Burton Chace Park;
- Bike path along the northern boundary of the flood control channel;
- Parking lot just northwest of the County Fire Station (view of the main channel);
- North jetty viewing area (good views of bluffs, as well);
- Major streets (Via Marina, Admiralty Way and Fiji Way);
- Fisherman's Village; and
- Ends of moles, and lands adjacent to the Main Channel.

The following is a list of potential Marina design features which would improve the visual experience and access opportunities in this area consistent with Coastal Act § 30251 and § 30253(5):

- Provision of additional waterfront access on Parcels 112 and 113;
- Public viewing decks and promenades provided via new development or redevelopment;
- Provision of new park and open space areas along the waterfront and Main Channel.

Flexibility of Design Desirable

The design of existing development, particularly several residential projects on the west side mole roads, have hindered the ability of the public to view the waterfront. Much of this design is low-rise, rectilinear buildings taking up most of the linear frontage along the bulkhead. A tunnel vision experience for motorist and walkers is often the result of such design patterns along the mole roads. The existing forty-five foot height limit for mole road projects has contributed to this effect.

To mitigate this undesirable effect, some of the buildings incorporate a design concept referred to as "windows to the water" view shed, whereby the project attempts to afford views by raising the structure a half-floor, and providing an open view through a sunken parking structure. This design has been far from successful. Likewise, public access, which is supposed to be accommodated along the edge of the bulkheads, is made more difficult by such massive and linear buildings.

Flexibility in the design of mole structures could afford greater waterfront views. The moles in Marina del Rey are: Tahiti, Marquesas, Panay, Palawan, Bali and Mindanao. By allowing taller, but narrower structures to be built, greater view corridors could be maintained. Allowing structures to be built up to median height limits of 140 feet could provide sufficient flexibility in design to accommodate greater view corridors. Structures between 9 and 11 stories could be built within this height limit. The tallest structures allowed in the Marina, those up to 225 feet, would still only be permitted on the periphery of the Marina or on Parcel 9, as is the case today. Map 14 depicts parcel development height limits within Marina del Rey.

To guarantee that a public benefit is gained from such taller structures, a strict standard of open, and accessible view corridor would be required. Otherwise, the existing forty-five foot height limit would remain effect. A change in the height limit on the mole roads would require modification of the Bowl Concept, which has been a guiding design concept for the Marina since its earliest days. The benefits of improved public viewing and access the waterfront more than offset the loss of the original design concept.

Existing Visual Resource Protection

Scenic Highway Element (Los Angeles County General Plan):

The following route within the Marina del Rey LCP Area has been designated as a scenic highway making the views from these roadways a high priority; Via Marina to Admiralty Way to Fiji Way (west, then east). It is recommended the portion within the LCP Area most frequented by visitors (Via Marina, Admiralty and Fiji Way) be designated as a Scenic Drive, and signed appropriately.

Included among the recommendations in the element's action program are proposals to (1) prepare ordinances and amendments to protect scenic highways and, (2) to direct County departments to give special consideration to esthetics in the planning, design, and construction of public facilities along scenic highways.

Specifications and Minimum Standards of Architectural Treatment and Construction (Department of Beaches and Harbors) previously served as guidelines and requirements (in addition to existing building laws, zoning ordinances and other applicable ordinances) for construction and established minimum standards, spacing and other requirements for construction of land and water facilities in the Marina del Rey Small Craft Harbor. For purposes of future development and redevelopment, the policies of this LCP replace and supersede the land use and height policies of the *Specifications and Minimum Standards of Architectural Treatment and Construction*. The superseded policies that no longer govern development in Marina del Rey are found on pages 16 through 26 of Appendix C of the LIP.

The Design Control Board (appointed by the L.A. County Board of Supervisors), using the aforementioned Specifications as a guide, reviews and approves the architectural design and arrangement of facilities in the Marina del Rey Small Craft Harbor.

d. Findings

Man made factors (telephone poles and wires, litter) have negatively impacted the visual experience of the Marina.

The Small Craft Harbor represents a highly significant, "sea-oriented" recreational resource to the County.

Marina waters, boats, and boating-related elements are the most positive scenic resources in the harbor and should merit highest priority for viewshed protection.

Landscaping along moles aids in softening harsh visual impacts of bulkheads and marine service facilities.

The existing height limit of forty-five feet for mole road projects often leads to large, low-rise rectilinear buildings that create a tunnel vision effect and inhibit the public's view of the waterfront. To accommodate enhanced views of the waterfront mole roads, more flexibility in the design of structures, especially taller and narrower buildings, could be effective in achieving this objective.

For the most part mid-rises or high rises would be appropriate for the outer periphery where little view obstruction would result, and to Parcel 9 for the hotel.

e. Policies and Actions

1. **Views of the Harbor a Priority.** Maintaining and enhancing views of the Marina shall be a priority goal of this Plan. Enhancing the ability of the public to experience and view the Marina waters shall be a prime consideration in the design of all new, modified or expanded development. This goal shall be achieved by placing conditions on permits for new development to enhance public viewing, to allow for greater public access, and to create new view corridors of the waterfront.
2. **Signage.** No billboards or off-premise commercial signs shall be permitted in the LCP Area. On-premise signs shall be restrained in size and color and subordinated to the setting.
3. **Scenic Drive.** Through appropriate signing, a Scenic Drive shall be designated from Via Marina at Pacific Avenue north to Admiralty Way, Admiralty to Fiji Way, Fiji east to Lincoln Boulevard, and Fiji west to its terminus.
4. **Design Control Board Scope of Review.** Architectural design (i.e. building and façade design, materials, colors) landscaping, signs and site planning in the existing Marina shall continue to be reviewed by the Design Control Board in accordance with the revised Statement of Aims and Policies, the Permanent Sign Controls and Regulations and the *Specifications and Minimum Standards of Architectural Treatment and Construction* of this certified LCP. (Note: The relevant parts of these documents are found on pages 1 through 15 and 27 through 70 of Appendix C of the LIP. It should be noted that pages 16 through 26 of Appendix C, referring to land use and height standards, shall not govern redevelopment in Marina del Rey.) The Design Control Board will have final review of architectural design (i.e. building and façade design, materials, colors), landscaping and signs based on the site plan approved by the Regional Planning Commission or Hearing Officer.

View Protection

5. The following existing views within the existing Marina shall not be significantly disturbed.
 - All views from north jetty and south jetty (on the jetty at points west of UCLA boathouse);
 - Harbor views from Burton Chace Park and Fisherman's Village
 - Cross-beach view from Panay Way parking lot (parcel GR) unless a parking structure increasing public parking is provided; and
 - Main Channel view from Yvonne B. Burke Park.

6. All development shall incorporate harbor views from streets and pedestrian access ways consistent with security and safety considerations. All development, redevelopment or intensification on waterfront parcels shall provide an unobstructed view corridor of no less than 20 percent of the parcel's water front providing public views of the Marina boat basins and/or channels.

7. **Height Design Concept.**

Existing Marina. The height of new structures within the existing Marina shall be governed by height standards established by the applicable Land Use Category (see Chapter 8, Land Use), and by the following general height standards applied to various similarly-situated parcels in the existing Marina:

- | | |
|-------------------|--|
| 25-Foot Standard | Applies to accessory structures on the Marina Beach area, public open space, some public parking lots, the fueling docks, the public boat ramp site, and ancillary commercial structures in the Boat Storage land use category. |
| 45-Foot Standard | Applies to moles, including all parcels adjacent to mole roads and mole ends, and to office uses seaward of the loop roads, public parking lots, and public facilities (with the exception of theme towers on public facilities). |
| 75-Foot Standard | Applies to dry stack storage facilities and does not apply to cranes appurtenant to those facilities which may be taller, whether enclosed or unenclosed. This height also applies to parcel 10 and 14. |
| 140-Foot Standard | Except as noted above, applies to parcels adjacent to and seaward of Via Marina, and Admiralty Way (excluding the Marina City Towers and parcels 112 and 113, which are allowed a 225-foot standard), the Marina shopping center and frontage along Washington Blvd. |
| 225-Foot Standard | Except as noted above, applies to parcels landward of Via Marina and Admiralty Way, and includes parcel 112 and 113, and the westerly portion of parcel 125. This height standard also applies to Parcel 9 for the hotel, subject to increased view corridor requirements. |

The Height Design Concept may be modified where a valid public benefit is achieved, such as increased views of the waterfront. For parcels adjacent to mole roads, and seaward of Admiralty Way and Via Marina, flexible height

standards may apply in exchange for increased view corridors, as provided for in Policy No. 8 below.

8. **Height Design Flexibility for Waterfront Parcels.** Any project design for any parcel on the seaward side of a public access road may apply for flexible height standards above the maximum allowable height in exchange for providing increased view corridors in excess of the minimum requirement of 20 percent, as provided for below:
- a) **Mole Roads Optional Height Areas.** Structures proposed on parcels where a 45-foot standard applies and located between a mole road and the bulkhead may be allowed up to a maximum height of 75 feet when a 40 percent view corridor is provided. Height above 45 feet shall be permitted at the ratio of 1.5 feet of additional height for every additional 1 percent of view corridor provided in excess of the 20 percent minimum standard. This policy is applicable on the following mole roads; Panay Way, Marquesas Way, Tahiti Way, Bali Way and Mindanao Way, and the mole portion of Parcel 132. This policy shall not apply to that portion of the Parcel 132 mole seaward of the cul-de-sac, where a 45-foot maximum height standard applies.
 - b) **Via Marina and Admiralty Way Optional Height Areas.** Except as noted in Policy No. 7 above, structures proposed on parcels where a 140-foot standard applies and located adjacent to and seaward of Via Marina and Admiralty Way may be allowed up to a maximum height of 225 feet when a 40 percent view corridor is provided. Height above 140 feet shall be permitted at the ratio of 4.25 feet of additional height for every additional 1 percent of view corridor provided in excess of the 20 percent minimum standard.
 - c) The open area may allow public amenities such as benches and landscaping, and parking lots provided the parking area is at least two feet below grade to allow views of the harbor from the mole road. Projects not meeting the minimum "open viewing area" requirement shall be restricted to 45 feet in height. Such projects shall be required to meet the mandatory 20 percent "open viewing area" requirement for all projects on the seaward side of any roadway within the LCP Area.
9. **Wind Factor.** Development shall not significantly increase infringements of wind access for boats in their berths, in the fairways, or in the Main Channel. Wind studies shall be required to determine the significant adverse impact of taller buildings on wind currents and sailing by small boats within the Marina. All structures proposed at height greater than 45 feet shall determine the cumulative impact of taller buildings on wind current within the Marina.

Development shall only be approved if all identified significant adverse impacts, including cumulative impacts of a pattern of higher buildings, are fully mitigated.

10. **Parcels 64, 112, and 113.** Continuous waterfront pedestrian access adjacent to the Main Channel shall be provided on parcels 64, 112, and 113 in conjunction with any extension of the lease term that commits the site to on-going residential use and/or increases the intensity of use of the site. In addition, if demolition and redevelopment of Parcel 64 takes place, a small waterfront viewing platform shall be established.
11. **Main Channel View Corridor.** To preserve views of the Santa Monica and San Gabriel Mountains from the Main Channel, no structure over 40 feet in height shall be constructed on the eastern-most 300 feet of Parcel 125, or on Parcels 129, 130, 131, and the panhandle portion of Parcel 132, or along Yvonne B. Park (Parcels RR and SS).
12. Landscaping and plant materials may be used to screen and soften visually obtrusive elements in the LCP Area (e.g., utilities, services areas, bulkheads, fencing, etc.)
13. A landscaped pedestrian viewing area shall be provided along the bulkhead in conjunction with all new development. Such area shall include benches, shade structures and other amenities, and shall be the equivalent of an eight-foot-wide corridor seaward of the fire access road.

Los Angeles County

MARINA DEL REY

Parcel Development Height Limits

LEGEND

- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean

Parcel Development Height Limits

- 25 Feet (Open Space, Boat Storage)
- 40 Feet (Main Channel View Corridor)
- 45 Feet (Residential III, Hotel, Parking, Public Facility, Marine Commercial, Visitor-Serving Commercial)
- 140 Feet (Residential IV, Senior Accommodations)
- 225 Feet (Residential V, Hotel, Office)

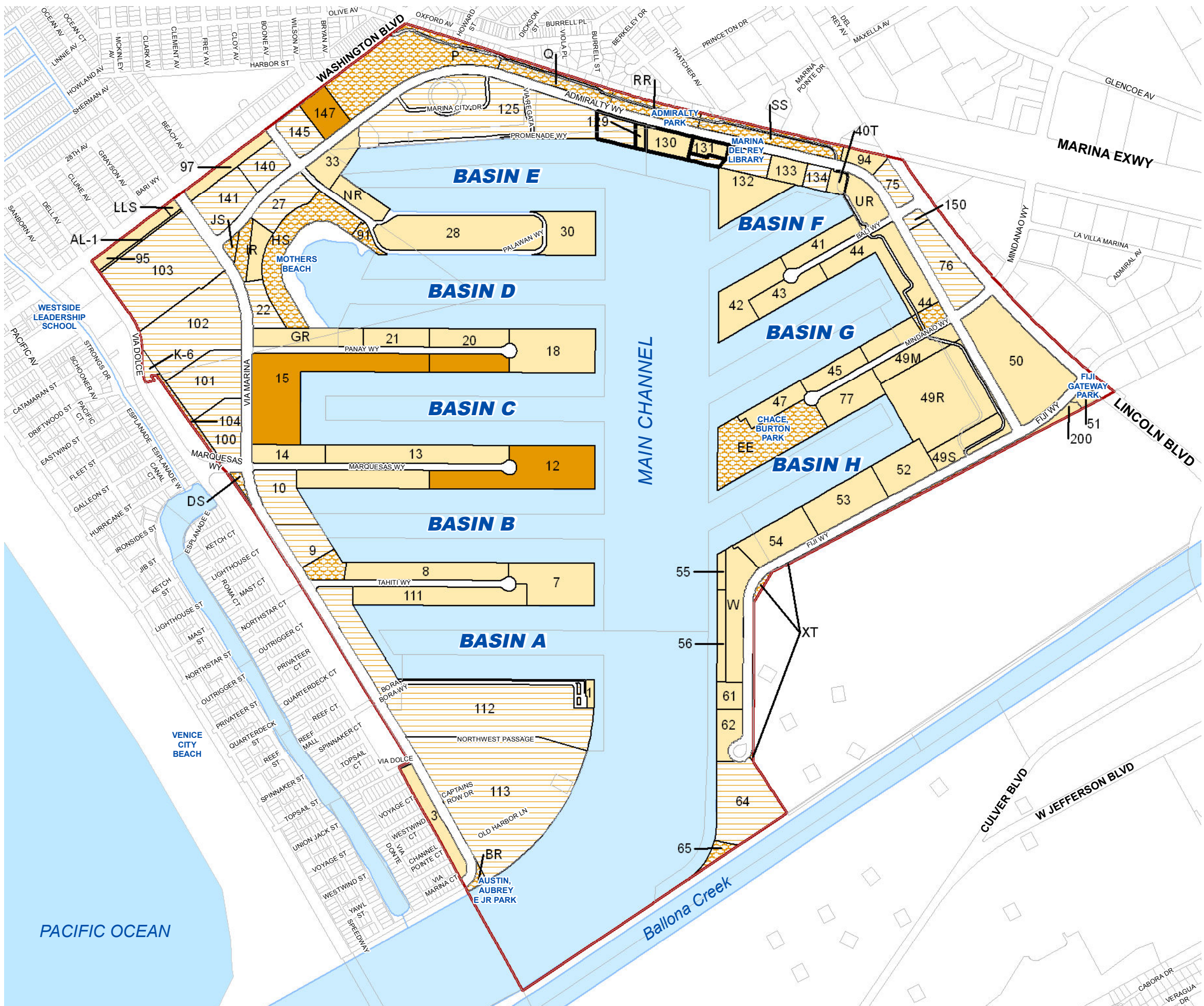
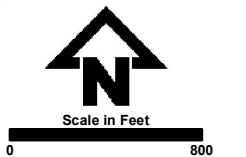
NOTES:

- Hotel** - Limited to 45 feet on mole roads.
- Public Facility** - Entrance displays, gov't offices and theme towers may be up to 140 feet.
- Parking** - Limited to 75 feet for parking structures, 45 feet on moleroads or waterfront parcels.
- Main Channel View Corridor** - Limited to 40 feet, to preserve views of the Santa Monica and San Gabriel Mountains.
- Marine Commercial** - Limited to 45 feet for habitable structures, 75 feet for public dry stack (currently none in Marina).
- Boat Storage** - Limited to 75 feet for public dry stack (currently none in Marina), 25 feet for commercial support facilities.
- * Parcels 10 and 14 height capped at 75 feet, density averaged over entire parcel(s).



Current as of: December 2011

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



10. Hazard Areas

a. Coastal Act Policies

30253. *New Development shall:*

(1) Minimize risks to life and property in areas of high geologic, flood and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.

b. Issues Identified

Geologic hazards may exist in the Marina Coastal Zone; ground shaking, liquefaction and tsunami are possible hazards. ARE THERE SPECIAL PRECAUTIONS THAT SHOULD BE MADE BEYOND NORMAL BUILDING AND SAFETY STANDARDS?

c. Research Analysis

In the Marina del Rey LCP Area, flood and geologic forces exert sufficient impact to be of potential concern.

Assessment of Flood

The LCP Area has an urban watershed of about 129 square miles which includes the West Central Los Angeles area, Benedict Canyon, Sawtelle/Westwood, and Centinela Creek, and numerous small canyons on the southern slopes of the Santa Monica Mountains. Drainage results from rainfall (average 10 to 15 inches per year), channel stream flow (Ballona Creek), storm drains and tidal action

Public Works is responsible for planning, development, and operation of County facilities connected with flood prevention, such as the control channel drainage systems and tidal gates.

Assessment of Geologic Hazards

Although no active or potentially active earthquake fault traverses the LCP Area, some potential geologic hazards could result from seismic activity centered in adjacent areas. The Charnock fault and Overland fault, which lie respectively 2.75 miles and 5.5 miles easterly of the LCP Area, are part of a major fault system - the active Newport-Inglewood Fault Zone. Also, the Malibu Coast fault, which lies about 7 miles to the northwest, is a potentially active fault (see Map 15, at the end of the chapter). The following descriptions are taken from the Los Angeles County General Plan, Seismic Safety Element.

Newport-Inglewood Fault Zone (Active Fault)

The Newport-Inglewood Fault Zone is a series of "en echelon" northwest-trending, vertically dipping faults extending from the southern edge of the Santa Monica Mountains southeastward to the offshore area near Newport Beach. Numerous recent shocks greater than magnitude 4.0 and also the historic magnitude 6.3 Long Beach Earthquake on March 11, 1933, centered offshore near Newport Beaches suggest an active seismic history. Although there has been no observed ground surface displacement associated with the Newport-Inglewood Fault Zone, there may have been subsurface fault displacement of approximately 7 inches associated with the October 21, 1941, earthquake (Magnitude 4.9) and with June 18, 1944, earthquake (Magnitude 4.5). This fault Zone could generate a $7.0 \pm$ Magnitude earthquake within the next 50-100 years.

Malibu Coast Fault (Potentially Active Fault)

This fault extends from West Hollywood westward to Leo Cabrillo Beach where it continues westward offshore. The latest movement on this fault may have been more than 5,000 to 6,000 years ago (Rzonca and others, 1991). Some seismologists and geologists believe that the 1972 Point Mugu earthquake was a result of movement along the Malibu Coast Fault. The Malibu Coast Fault is approximately 43 miles long, is a north-dipping thrust fault and could be capable of generating a 7.0 Magnitude earthquake.

The degree of hazard inherent in any seismic event will depend upon the magnitude, location, and frequency of the fault displacement as well as the local potential for damage due to soil type, geologic structure and existing building structures. The hazards for this area include earthquakes (ground shaking and liquefaction) and tsunamis (tidal waves).

Ground Shaking

Should a seismic event occur, the most widespread and damaging effect of an earthquake would be ground shaking. Ground shaking during an earthquake is largely due to the release of the seismic energy during periods of sudden displacement along a fault. The amount of shaking sustained in any locality will depend upon (1) local geologic deposits (for example, the intensity of ground shaking can be several times larger on sites underlain by thick deposits of saturated sediments than on bedrock), (2) characteristics of the earthquake source (magnitude, location, and area of causative fault surface), and (3) distance from fault. As the greatest damage to life and property from ground shaking is the failure of buildings, the extent of damage will depend upon the structural integrity of buildings as well as where they are sited.

According to the Los Angeles County General Plan (1980), the maximum credible (expected) earthquake that may occur on the Charnock fault would have a Richter magnitude of 6.6 and New-port-Inglewood fault zones (those closest to the LCP Area) would have a Richter magnitude of M 7.0. The 1920 Inglewood earthquake (1969 Richter estimated magnitude of M 4.9) was most likely located on a strand of the Newport-Inglewood fault zone near Inglewood or in the Baldwin Hills. In addition of the 1920 event, numerous other epicenters have occurred on the Newport-Inglewood Fault System. Among these are the 1933 Long Beach Earthquake (M 6.3), and the 1944 Dominguez Hills Earthquake (M 4.5).

Figure 7, below, lists other active and potentially active faults that may produce strong Earthquake-induced ground accelerations (Greensfelder, 1974).

FIGURE 7: POTENTIAL EARTHQUAKE MAGNITUDES

<u>Fault</u>	<u>Distance</u>	<u>Maximum Credible Earthquake Magnitude</u>
San Andreas	43. mi	M 8.25
Santa Susana-San Fernando Sierra Madre Fault System	21 mi.	M 6.5
Whittier-Elsinore	24 mi.	M 7.5
Malibu	7 mi.	M 7.5
Palos Verdes	12mi.	M 7.0

The maximum bedrock acceleration, according to Greensfelder, 1974, in the Venice area is in excess of 0.5 g (force of gravity). This acceleration may be modified by the several hundred feet of soft sediment overlying the bedrock. Modified Mercalli Intensities for a postulated M 7 earthquake on the Newport-Inglewood fault in the Marina del Rey area are inferred to be VIII and, locally, IX (according to California Division of Mines and Geology Special Publication 99).

Liquefaction

Liquefaction is the result of strong ground shaking of water-saturated, loose to moderately dense sand and silty sand. It occurs because the instantaneous random accelerations of the sand caused by an earthquake occur so rapidly that the water around the sand particles cannot drain away as it normally does in other deformation processes (e.g., placing a footprint on a sandy soil). The result is that water pressure builds up to the point where soil particles no longer rest against each other but are separated by water. At this point, the entire mass becomes fluid-like and cannot support loads. Lateral spreading, a hazard associated with liquefactions is an incident where a body of compacted fill moves laterally upon the failure of the liquefaction prone soils surrounding it.

The United States Geological Survey map in Professional Paper 1360 (1896) designates the LCP Area as having "very high" susceptibility to liquefaction. Further, the Los Angeles County General Plan, Seismic Safety Element in the Seismic Zone map shows the LCP Area to be within a "Potential Liquefaction Zone" (4L) and defines this zone as follows:

Liquefaction and Landslide Potential

The area shown as "High Liquefaction or High Landslide Potential" on a Seismic Zone Map will be subject to liquefaction, acceleration of active landslides, renewed movement of inactive landslides, and to original movement of rock material. Geologic-seismic and soils reports should be required within these zones for high-cost or high-occupancy facilities, critical-use facilities, and for subdivision-type residential developments. The findings should demonstrate the geotechnical feasibility for the proposed use.

In the LCP Area, the potential for liquefaction resulting from seismic activity may be high in portions of the underdeveloped area due to the shallow depth of the water table and the loose fine-grained alluvial deposits that underlie the site. Liquefaction and/or lateral spreading may cause local ground instability which could result in the collapse of bridges or buildings. However, modern day building techniques are designed in accordance with state Building Codes to provide foundations and structures able to compensate for liquefaction problems and/or underlying soils will be properly prepared.

Tsunamis and Seiches

Seismic sea waves (tsunamis) are a series of traveling ocean waves of extremely long length and period. Tsunamis are believed to originate as vertically displaced columns of ocean water, resulting from phenomena such as; vertical displacement of the ocean floor, submarine avalanche and long period earthquakes waves.

The effect of a tsunami reaching a coastal area can range from indicators measurable only by instrument, to waves that crest to heights of more than 100 feet, and strike with devastating force.

Seismic sea waves pose a potential hazard to the low-lying portions of the LCP Area, because of their minimal elevation and proximity to the ocean. Earthquakes with epicenters anywhere in the Pacific Ocean may generate such waves. No existing proposals are known which would provide protection to physical structures, although warning systems are in effect which allow persons time to vacate the area.

According to the J.H. Wiggins' *Seismic Safety Analysis, City of Los Angeles*, the maximum expected run-up of a tsunami wave in the Venice Beach area is 9.6 feet in a 100-year interval and 15.3 feet in a 500-year interval. These values are based on vertical height above mean sea level and have an average maximum error of ± 40 percent. Other data suggests that a 100-year run-up of 7.9 feet and a 500-year run-up of 12.5 feet (Houston & Garcia, 1974). Moreover, the run-up figures are computed for tsunamis generated from distant earthquakes. Tsunamis generated from local earthquakes (faults in Santa Monica Bay for example) may be larger than from distant earthquakes but are less likely to occur. However, finished pad and street elevations for the Marina will be 20 and 10 feet above mean sea level, thereby minimizing any potential damage.

Seiches or "sloshing" of captive bodies of water such as the Marina del Rey Small Craft Harbor due to seismic activity usually occur in moderate to great earthquakes (magnitude 5.0 and above). Seiches may raise and lower a water surface from a few inches to several feet, and may occur several thousand miles away from the earthquake epicenter. The possibility of seiches occurring in Ballona Creek is considered remote because the height of a seiche is a function of the size of the water body, and the channel is relatively narrow. Potential impacts to the planned marina similarly are considered minimal due to its relatively limited surface area.

Sea Level Rise

Sea level rise as a result of global climate change is anticipated to increase significantly over the next over 100 years.

Recent calculations and observations suggest that future ice-sheet contributions to sea level rise could be about 32 inches (80 cm) by 2100 and no more than 6.5 feet (2 meters) (Pfeffer 2008). Other estimates based on the semi-empirical method of quantifying the relationship between temperature and sea level rate project an increase of 12 inches to 71 inches (30-180 cm) by 2100, using 1990 as a baseline (Rahmstorf 2007; Vermeer and Rahmstorf 2009; Grinsted et al. 2009). These all exceed the upper estimate of 23 inches (60 cm) sea level rise suggested by the IPCC for the business-as-usual scenario (Nicholls and Cazanave 2010).

The long-term (1923 to 2006) tide records for Los Angeles show a trend in sea level rise of 0.83 +/-0.27 mm/yr (0.27 +/-0.09 ft/century). Tide records for the past decade have shown a seasonal signal for water level changes, but little if any interannual sea level rise. Researchers speculate that the Pacific Decadal Oscillation ("PDO") has dropped water levels along the eastern Pacific, and this regional effect has temporarily countered or dampened the global signal of sea level rise. If this hypothesis is correct, as the PDO again shifts basin-wide water toward the eastern Pacific, the dampening of sea level rise will reduce, and soon the shift will augment the sea level along the California coast. (Bromirski et al. 2011)

Executive Order S-08-13 directed the Ocean Protection Council to initiate a study by the National Academy of Science ("NAS") to provide regional guidance for projections of sea level rise. This study is expected to be completed in the spring of 2012. Until the NAS is completed, the Ocean Protection Council ("OPC") has provided Interim Guidance for Sea level Rise. The sea level rise estimates provided in the OPC report are shown in the table below..

Sea Level Rise Projections using 2000 as the Baseline

Year		Average of models	Range of models
2030		7 in (18 cm)	5-8 in (13-21 cm)
2050		14 in (36 cm)	10-17 in (26-43 cm)
2070	Low	23 in (59 cm)	17-27 in (43-70 in)
	Medium	24 in (62 cm)	18-29 in (46-74 cm)
	High	27 in (69 cm)	20-32 in (51-81 cm)
2100	Low	40 in (101 cm)	31-50 in (78-128 cm)
	Medium	47 in (121 cm)	37-60 in (95-152 cm)
	High	55 in (140 cm)	43-69 in (110-176 cm)

There are uncertainties surrounding future greenhouse gas emissions, vertical land movement measurements, past rates of sea level change, and future contributions to SLR from the Greenland and Antarctica. Given the uncertainties associated with future sea level rise, there are no probabilities assigned to these estimates.

Data on recent ice-sheet melt and the current trajectory of global greenhouse gas emissions suggests that sea level rise will be greater than projections (Rahmstorff 2010). The very low scenarios likely under represent future sea level rise and climate scientists recommend using the medium and high scenarios for planning.

In addition, the combined effects of chronic sea level rise resulting from climate change and episodic storm surge, unusually high tides, and tsunamis should be considered. Sea level rise is expected to lead to the following impacts that could have serious negative consequences for marine environments and intensify existing shoreline management challenges:

- Permanent or periodic inundation of low-lying areas;
- Increase in coastal flooding during extreme storms and high tides;
- Increase in erosion rates and shoreline recession in erosion-prone areas;
- Inward migration and loss of coastal wetlands;
- Erosion of some barrier dunes, exposing previously protected areas to flooding;
- Saltwater intrusion into storm water systems and aquifers (Heberger et al. 2009).

The specific impacts of sea level rise along the California coast and at Marina Del Rey will depend on the characteristics of the shoreline, geomorphology and land use patterns. In many cases, the main threat from sea level rise results from the impacts of increased potential for inundation and erosion. Local sea level rise trends should continue to be monitored closely in the future.

d. Findings

Public Works considers the Marina del Rey LCP Area as reasonably free of flood hazards.

The LCP Area is susceptible to ground shaking from earthquake.

Damage from ground shaking can be mitigated through the use of earthquake-resistant design and construction and site selection.

The LCP Area has a high potential for liquefaction and lateral spreading should a seismic event occur.

Hazards from liquefaction can be mitigated by stabilizing development sites if adequate geologic and soils investigations are utilized.

While low lying areas are statistically endangered by tsunami, they are isolated from the shoreline by distances of from 1,500 feet to 6,000 feet and are not considered directly exposed to tsunami hazard.

The Marina del Rey Small Craft Harbor has sustained only minor damage in the past due to tsunami and seiche because of special design standards embodied in the moles, docks and breakwater.

Marina Del Rey plans, designs, and builds infrastructure with a lifespan that will be impacted by future sea level conditions. The main areas of Marina Del Rey that will be at risk from sea level rise are the harbor and the ocean shoreline. It is important that land-use decisions and project designs consider projected sea level rise and incorporate design features that build capacity to withstand or respond to these conditions whenever practicable.

e. Policies and Actions

1. As a prerequisite to all development approval of a flood control, runoff and storm drain plan by the Department of Public Works consistent with the Santa Monica Bay Recovery Plan shall be required.
2. Future development shall be based on thorough site specific geologic and soils studies, including specific geotechnical studies related to mitigation of liquefaction and lateral spreading.
3. All development shall utilize earthquake resistant construction and engineering practices, particularly those intended for high density of human occupancy. All development shall be designed to withstand a seismic event. All earthquake studies shall comply with the latest recommendations of the California Division of Mines and Geology and the Seismic Safety Board for seismic safety, especially for projects on unconsolidated sediments with high groundwater.

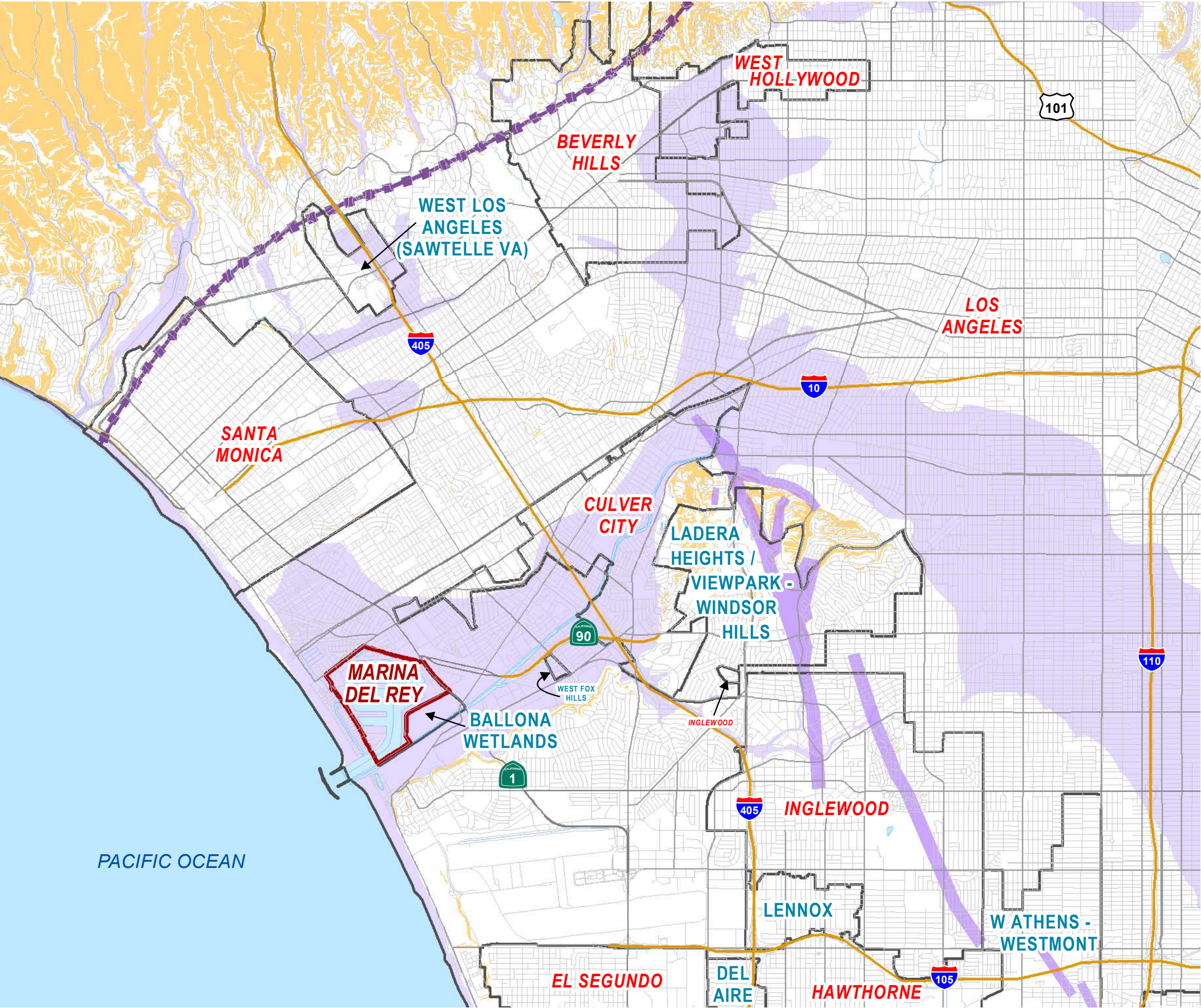
Preliminary engineering mitigation and structural setbacks shall be designed for a bedrock acceleration of no less than 0.5g. and high potential for liquefaction.

Avoidance and Mitigation of Geologic/Geotechnical Hazards. Applicants and their engineers are responsible for following all current requirements and recommendations of the Los Angeles County Department of Public Works, the California Division of Mines and Geology and the California Seismic Safety Board. Accordingly, all development applications shall include a detailed geotechnical report completed by a certified engineering geologist and a registered civil engineer experienced in the field of soil mechanics, and approved by Public Works. A copy of the report, and its approval, shall be submitted. The report must include, but not be limited to:

- A comprehensive geologic/soils analysis showing underlying geology, soil type and structure;

- Delineation and evaluation of areas prone to fault rupture, secondary effect of seismic shaking, such as lateral spreading, settlement, liquefaction, etc. and excessive ground motion, due to seismic wave amplification;
 - Delineation of low-lying areas which may be inundated by tsunamis, floods or unusually high tides or may be damaged by excessive wave action;
 - Recommendations for development in geologically stable areas, and restriction of development unstable or unmitigated areas;
 - Channels constructed in areas of liquefiable soils shall be engineered to preclude or mitigate the impacts of liquefaction; and
 - No development in which hazard to life and property cannot be fully mitigated shall be approved.
4. Require that marina and harbor facilities continue to be designed and constructed so as to reduce the potential impacts of tsunamis.
 5. Direct the Chief Executive Office's ("CEO") Office of Emergency Management to consider the potential threat of tsunamis in the preparation of disaster response plans for low-lying harbor and coastal areas.
 6. Recommend that the CEO's Office of Emergency Management investigate the feasibility of establishing a tsunami alert procedure.
 7. New Development shall be sited and designed to ensure that it is not adversely affected by impacts from climate change, including the potential impacts from continued and accelerated sea level rise over the expected design life of the new development.
 8. Applications for coastal development permits for major development shall include a report prepared by a certified civil engineer describing the hazards to the area from continued and accelerated sea level rise. Siting and design of new major shoreline development anywhere in Marina del Rey Harbor and the siting and design of new or replacement shoreline protective devices shall take into account anticipated future changes in sea level, based on the best available scientific information and projections or range of projections of future sea level. Replacement of a structure refers to more than 50% of the cumulative repair and maintenance. Due to the uncertainties about future sea level rise, a range of likely and extreme rises in sea level shall be used in the planning and permitting of development to assess project sensitivity to future water levels, identify possible adverse consequences to the development and the surrounding area if the anticipated sea level is exceeded, and determine the minimum acceptable amount of future sea level rise that can be used for design purposes.

9. If the major development site is at risk, then the lease should disclose that the land is subject to extraordinary hazards posed by future sea level rise, which may also increase the risks posed by coastal erosion, storm surge and inundation.
10. Los Angeles County should study the potential impacts of continued and accelerated sea level rise and flooding of water ways on the existing or proposed structures within all development zones, including impacts to development zones, traffic flow, public access, natural areas and water quality. The County should delineate low lying areas which may be inundated by tsunamis, floods or unusually high tides and/or may be damaged by excessive wave action, and changes to inundation and high damage areas due to continued and accelerated sea level rise.
11. Periodically review tsunami preparation and response policies/practices to reflect current and predicted future sea level trends, development conditions, and available tools and information for preparedness and response.



Los Angeles County

MAP 15

MARINA DEL REY

Seismic Hazards

- LEGEND
- Freeways

Highways

Arterials

River, Stream or Channel

Marina Del Rey LCP Area

Perennial Water Body

Pacific Ocean

Seismic Hazards

Potentially Active Fault

Active Fault

Potential Liquefaction Zone

Landslide Zone

COUNTY OF LOS ANGELES

CALIFORNIA

LOS ANGELES COUNTY

DEPARTMENT OF REGIONAL PLANNING

Current as of: August 2010

LOS ANGELES COUNTY

Department of Regional Planning

320 W. Temple St.

Los Angeles, CA 90012

0

1.25

Miles

11. Circulation

a. Coastal Act Policies

30252. *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision of extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.*

30254. *New or expanded public works facilities⁹ shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public work facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

b. Issues Identified

The present circulation system in the LCP area handles local and pass-through traffic for recreational, work and shopping purposes.

⁹ Coastal Act policy § 30114(b) defines public works to include all public transportation facilities, including streets, roads, highways, public parking lots and structures.

Past traffic studies have identified access into the Marina as an issue. HOW CAN TRAFFIC DESTINED FOR THE MARINA MOST EFFICIENTLY TRAVEL FROM ADJACENT ARTERIAL HIGHWAYS, INCLUDING THE MARINA FREEWAY, INTO THE MARINA?

Pass-through traffic (traffic that has neither an origin nor destination in the Marina) using Marina streets is a concern, in part, because of the heavily congested intersection at Washington and Lincoln Boulevards, and the additional pressure placed upon Marina streets that are used by pass-through traffic to circumvent this congested intersection. ARE THERE ALTERNATIVE ROUTES THAT COULD BE CONSTRUCTED THAT WOULD ALLEVIATE THE PASS-THROUGH TRAFFIC PATTERN?

WHAT IS THE CURRENT LEVEL OF SERVICE OF THE EXISTING CIRCULATION SYSTEM, AND WHAT LEVEL OF BYPASS TRAFFIC SHOULD THE COUNTY ACCOMMODATE AND MITIGATE?

Future development will increase traffic on this circulation system which has a limited flow capability. CAN A CIRCULATION SYSTEM BE DESIGNED TO MINIMIZE CONGESTION AND INCREASE TRAFFIC EFFICIENCY?

New development will have an impact upon traffic circulation in and around the LCP Area. HOW CAN THESE TRAFFIC IMPACTS BE MITIGATED?

c. Research Analysis

Introduction

Future development in the Marina del Rey LCP Area depends to a large extent upon the ability of the circulation system to accommodate existing traffic and new traffic generated by new development projects. The potential for development in the LCP Area is directly linked to the present and future capacity of the circulation system. Future development will consist of the recycling of existing Marina leasehold uses. The circulation policies that are set forth herein are designed to meet the multiple objectives of enhancing recreational access to Marina del Rey, accommodating new development in the LCP Area, and mitigating future traffic impacts resulting from development.

Traffic Studies

Traffic studies are an important planning tool. They serve to assess the traffic impacts of existing and proposed development upon the circulation system. Through traffic studies, various land use scenarios can be tested, and their future traffic impacts calculated. The traffic study facilitates the optimum allocation of future land use, and promotes traffic mitigation measures that are demonstrated to have a beneficial effect on existing and future traffic flow.

To assess the Pipeline Projects redevelopment and the full build-out of the Marina, the County commissioned a comprehensive traffic impact study by Raju Associates in 2009 to determine the extent of existing traffic capacity and the degree of congestion at intersections in the study area. More detailed analysis and figures may be found in the following studies used by the County in the development of this LCP amendment:

- Gruen Associates, *Marina del Rey Traffic Study*, 1982.
- DKS Associates/Gruen Associates, *Marina del Rey Traffic Study*, 1991 and the *Addendum* to this study by DKS Associates, 1994.
- Raju Associates, Inc., *Traffic Study For the Marina Del Rey Local Coastal Program Amendment*, March 2010.

Existing Circulation System

The Marina's internal circulation system consists Admiralty Way on the east and north, Via Marina on the west and Fiji Way on the south. Admiralty Way and Via Marina are classified as secondary highways on the County's Highway Plan and Fiji way is considered a local street.. A number of mole roads, maintained by the Department of Beaches and Harbors, provide access to the waterfront, including Mindanao Way and Bali Way on the east side; Tahiti Way, Marquesas Way, and Panay Way on the west side, and Palawan on the north side.

Outside the Marina, two state highways serve the LCP Area. They are the Marina Freeway/Expressway ("Route 90") and Lincoln Boulevard ("Route 1"). The Route 90 Freeway and its extension to Lincoln Boulevard serve as the main access to the Marina from the east. Connections between Route 90 and the San Diego Freeway provide access to the Westside, Southbay and Los Angeles International Airport ("LAX"). Mindanao Way is the only Marina street that connects directly with the Route 90 extension, but some Route 90 traffic uses Lincoln Boulevard to Bali Way as an alternate route to the Marina. The existing Regional Circulation System is shown on Map 16, located at the end of the chapter.

As originally planned, the Marina Freeway was to extend to Washington Boulevard and provide for an extension, known as the Marina Bypass, along the former Pacific Electric right-of-way. The Marina Bypass would have provided a through highway corridor directly from the San Diego Freeway into the community of Venice. The Marina Bypass plan has been eliminated, and homes have been constructed along the railroad right-of-way.

The County proposed a subsequent plan to extend Route 90 as a connector road from its present terminus at Lincoln Blvd to Admiralty Way, with an at-grade crossing of Lincoln Blvd. The County submitted the project to the Metropolitan Transportation Authority's ("Metro") 2007 call for projects, however, the project was not funded. The

City of Los Angeles did not support the project. The project is currently on hold pending funding from Metro.

Lincoln Boulevard serves north and southbound traffic along the eastern boundary of the Marina and provides access to the Marina via Fiji Way, Mindanao Way and Bali Way. Culver Boulevard and Jefferson Boulevard serve as the major east-west corridors linking the LCP Area to communities east of Lincoln Boulevard, and south to Westchester.

Access to and from the Venice community is provided via Palawan Way and Via Marina connections to Washington Blvd. Outlets to the Venice Silver Strand community are provided at Marquesas Way, Tahiti Way, Bora Bora Way, and exit Via Marina.

Traffic and Circulation Analysis

1991 and 1994 DKS Traffic Studys.

The Marina del Rey Traffic Study was prepared by DKS Associates in 1991. The Marina del Rey Traffic Study Addendum was prepared by DKS in 1994. The primary purpose of these studies was to provide information and data for reanalyzing the traffic impacts of the Marina del Rey LCP, and to determine the changes in conditions since the Gruen Associates traffic studies previously conducted in 1982.

Raju Associates Traffic Study

In March 2010, a comprehensive traffic study was performed by Raju Associates to assess the implementation of the Marina del Rey Local Coastal Program ("LCP") Amendment and analyze the need for mitigation measures that may be required to alleviate traffic congestion within Marina del Rey. The study assessed the effects of five projects that require plan amendments, known as the "Pipeline Projects" and compared traffic flow conditions resulting from development of these projects to what was previously envisioned by the 1996 LCP. The study included Pipeline_Project changes in land use, specific project locations and the creation of consolidated the Development Zones from 14 to 3. The traffic study also assessed the effects of the Revised Set of Intersection Improvement Projects compared to the improvements in the 1996 LCP. The traffic study assessed impacts of the Pipeline Projects (Horizon year 2020) as well as the full build-out of the Marina.

The four Pipeline Projects include:

- Parcels 10/FF (FF is new Parcel 14): 526 dwelling units replacing 136 dwelling units, a net total of 390 dwelling units
- Parcels OT (OT is new Parcel 147): Parcel OT includes 114-room senior accommodations facility, 3,500 square feet of visitor-serving/convenience commercial space and 92 public parking spaces, replacing 186 public

- parking spaces. The remaining 94 public parking spaces will be moved to Parcel 21 as a condition of this project;
- Parcels 49/77: Option 1 -135,000 square feet of visitor-serving commercial space; Option 2 – 116,495 square feet of visitor-serving commercial space and 255 dwelling units; Option 3 – Up to 26,000 square feet of office use (Department of Beaches and Harbor Administration Building) with either Option 1 or Option 2.
- Parcels 52/GG (Parcel GG would be absorbed into Parcel 52): 375 dry stack spaces, 3,080 square feet of associated office use and 2,835 square feet of Sheriffs Boatwright Shop (existing).

Raju Associates reviewed all relevant documents to obtain background information. In addition, they reviewed all the traffic models conducted in the region, including the traffic model prepared for the 1996 LCP, the updated SCAG model, the Playa Vista models and the model prepared for the LAX Master Plan. Raju Associates analyzed 20 intersections within Marina del Rey and its immediate environs in the City of Los Angeles. The study analyzed the same 19 intersections that were previously analyzed in the 1991/1994 DKS Studies (Map 17, intersections 1-19). The intersection of Washington Boulevard and Palawan Way, the 20th intersection, was also analyzed because of the improvements planned at that intersection. Raju Associates took new traffic counts at all the intersections in 2009. The traffic study analyzed traffic conditions at each of these intersections and compared the findings to those presented in the 1996 LCP.

Background Conditions

A summary of relevant background information and assumptions is provided below:

Existing Traffic and Levels of Service:

- The 2010 Raju Study indicates that all study intersections operate at levels of service ("LOS") of D or better. LOS D is typically recognized as the minimum acceptable LOS in urban areas. The amount of congestion projected by the 1991/1994 DKS traffic studies has not materialized.

Pass-Through Traffic:

- A majority of the total traffic entering Marina del Rey via Fiji Way, Mindanao Way and Bali Way has a destination in the Marina. A significant amount of the daily traffic in the Marina is "bypass traffic," i.e. traffic that passes through the Marina without an origin or destination in the Marina.
- Historically, bypass traffic in the evening peak constitutes approximately eight to nine percent of the peak period and peak hour traffic volumes on major segments of Admiralty Way and Via Marina.

Trip Generation:

- Marina-specific trip generation surveys indicate that several types of land uses within the Marina are unique because of the unique socioeconomic characteristics of Marina del Rey. The locally developed trip generation rates, shown in Figure 10, shall be used to estimate the amount of traffic generated by future development. The use of locally developed trip generation rates is consistent with Institute of Transportation Engineers ("ITE") guidelines.
- Some Marina trip generation rates are shown to be lower and some higher than ITE rates. Hotels and residential developments (apartments and condominiums) are lower and commercial, restaurant and boating facilities are higher than ITE trip generation rates.

Future Land Development and Mitigation Measures:

- Traffic generated by new development both inside and outside the Marina would result in needed mitigation measures to intersections in the Marina.

Analysis Terminology and Thresholds

The following introduction to transportation terminology and governing policies is intended to provide a context for understanding existing and projected traffic conditions.

"Level of Service" (LOS)

"Level of Service" (LOS) is a qualitative measure that represents various driving factors such as speed, travel time, freedom of maneuver, and safety under a particular volume of traffic conditions. Speed and the ratio of volume to capacity are the criteria most frequently cited because of their relative ease of measurements.

The analyses of traffic conditions focus on the Level of Service (LOS) service at specific intersections in the Marina area. Figure 8 presents standard definitions of "Levels of Service" (LOS) with level "A" being free flowing traffic and "F" being total congestion.

FIGURE 8 INTERSECTION LEVEL OF SERVICE DEFINITIONS

<u>Level of service</u>	<u>Interpretation</u>	<u>Volume/Capacity Ratio</u>
A, B	Uncongested operation; all vehicles clear in a single cycle	0.00 – 0.70
C	Light congestion; occasional backups on critical approaches	0.71 – 0.80
D	Congestion on critical approaches but intersection functional. Vehicles required to wait through more than one cycle during short peaks. No long standing lines formed.	0.81 – 0.90
E	Significant congestion with some long standing lines on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements.	0.91 – 1.00
F	Forced flow operation at low speed where volumes are below capacity. The conditions usually result from queues of vehicles backing up from a restriction downstream. The section under study will be serving as a storage area during parts of all of the peak hour. Speeds are reduced substantially and stoppages may occur for short or long periods of time because of downstream congestion. In the extreme, both speed and volume can drop to zero.	Greater Than 1.00

"Volume to Capacity Ratio" (V/C)

"Volume to Capacity Ratio" (V/C) is used to measure the ease of traffic flow in an intersection. The Volume/Capacity ratio is determined by dividing the volume of traffic moving through an intersection by the number of vehicles that can physically move through the intersection. According to County criteria in place when the LCP was certified in 1996, the goal of mitigation measures is to provide additional capacity to improve the volume to capacity ratios at the study intersections to 0.85 (mid-range Level of Service "D"), or to the predevelopment ambient V/C ratio if the ambient ratio exceeds 0.85.

Traffic Impact Analysis Criteria for Individual Traffic Impact Studies

The thresholds of significant impact in the County's current Traffic Impact Analysis (TIA) Guidelines were established in 1997. The County's current thresholds of significant impact are significantly more conservative (i.e., require less traffic to create a significant impact at intersections), than the criteria used in the 1991/1994 DKS traffic studies. As shown in Figure 8, at LOS C, a development project causing a V/C ratio increase of 0.04 or more results in a significant impact. At LOS D, a V/C ratio increase of 0.02 or more results in a significant impact, and at LOS E/F, a V/C ratio increase of only 0.01 or more results in a significant impact.

Under the DPW's current criteria, there are two ways a development may cause a significant impact on traffic. A development may have a "stand-alone" impact and a "cumulative" impact in concert with other nearby developments.

FIGURE 9: VOLUME TO CAPACITY THRESHOLDS

Signalized Intersections		
Pre-project		Project V/C Increase
LOS	V/C	
C	0.71 to 0.80	0.04 or more
D	0.81 to 0.90	0.02 or more
E/F	0.91 or more	0.01 or more

"Trip Generation"

"Trip Generation" is used in forecasting travel demands. Trip generation rates are used to calculate the number of trips generated by development in a particular area or Development Zone. Trip generation rates shall be based on the 1991/1994 DKS traffic studies shown in Figure 10. For land uses not shown in Figure 10, trip generation rates from the latest edition of the Institute of Transportation Engineers' (ITE) publication, Trip Generation, shall be used.

FIGURE 10: PM TRIP GENERATION RATES

<u>Land Use</u>	<u>Trip Rate</u>
Residential	0.326 per unit
Congregate Care	0.17 per unit
Hotel	0.353 per room
Specialty Retail	4.44 per 1,000 square feet
Restaurant	0.25 per seat
Boat Slip	0.137 per slip
Office	2.21 per 1,000 square feet

Conference Room (within hotel)	1.37 per 1,000 square feet
Marine Science	0.279 per 1,000 square feet
Ferry Terminal	0.68 per 1,000 square feet
Community Center	1.21 per 1,000 square feet
Hostel	0.31 per 1,000 square feet

For marine commercial/office uses, the peak hour trip generation factor for office applies. In cases where the marine commercial use is not feasibly expressed in terms of footage (hoists, launches, etc.), the developer of such uses will be required to submit information based on traffic studies to support the amount of traffic to be generated by the project.

Traffic Conditions at Intersections

The 1991/1994 DKS traffic studies selected 19 intersections for analysis, of which nine are in the unincorporated area of Marina del Rey, four are shared County/City of Los Angeles and six are in the City of Los Angeles adjacent to unincorporated Marina del Rey (see Map 17, Location of Study Intersections at the end of the chapter). Traffic counts were obtained for these 19 intersections. The PM peak period was determined to have the greatest demand at the various intersections during a typical day. This measure of weekday peak period traffic flows was used in the traffic model to measure the traffic impacts of new development. It is against this traffic standard that the levels of congestion resulting from new development were analyzed in the Raju Associates Traffic Study.

Traffic counts taken in 2010 show that summer weekend peak-traffic demands are slightly lower than weekday commuter peak-hour traffic demands. Also, throughout most of the year, weekday Marina traffic during the non-peak periods is relatively light. Thus, access to the Marina's coastal waterfront is relatively unimpeded during off-peak periods.

Status of Transportation Improvements

Pursuant to findings in the 1991/1994 DKS traffic studies, the Marina del Rey Land Use Plan (LUP) identified a package of transportation improvements, known as Category 1 and Category 3 transportation improvements (See Figure 11). Category 1 improvements were primarily improvements to the intersections inside the Marina, and Category 3 improvements were primarily improvements to the regional transportation system.

The following circulation system improvements represent those mitigation measures which were identified in the 1996 LUP as essential projects to mitigate the increase in PM peak hour traffic. The following also describes the status of each improvement in

terms of "Active" or "Not Active." A project is described as "Active" if the Department of Public Works is actively pursuing the project, or if the project is on hold pending availability of funds or is pending redevelopment of an adjacent parcel. A project is described as "Not active" if the Department of Public Works is not pursuing the project and there are no plans to pursue the project.

FIGURE11: STATUS OF DKS RECOMMENDED TRANSPORTATION IMPROVEMENTS

Project	General Purpose	Status
Category 1		
Admiralty Way Five-Lane	Increase Admiralty Way roadway capacity from Via Marina to Fiji Way	Active (Down-scoped under the revised set intersection Improvement Projects, see Policies and Actions)
Via Marina at Admiralty Way	Increase capacity of the intersection by adding a third left-turn lane to westbound Admiralty Way.	Active
Palawan Way northbound & southbound at Admiralty Way	Northbound-Restripe to provide right-turn approach lane to Admiralty Way. Southbound- second left-turn lane onto Admiralty Way	Active
Lincoln Boulevard southbound at Bali Way	Widen west side of Bali Way to provide a right-turn lane	Not Active
Lincoln Boulevard northbound at Mindanao Way	Widen west side of Mindanao Way, relocate narrow median island to provide right-turn lane at Mindanao Way	Complete
Admiralty Way northbound at Mindanao Way	Widen east side south from Mindanao Way to provide a right-turn approach lane	Active
Admiralty Way southbound at Fiji Way	Widen west side north from Fiji Way to provide for three through lanes	Not Active
Fiji Way eastbound at Lincoln Boulevard	Widen the south side of Fiji to accommodate an additional eastbound left turn lane	Not Active
Category 3		
Installation of Automated Traffic and Surveillance & Control (ATSAC)	Traffic signal interconnection and complete computerized traffic synchronization of intersections within the Marina and on the regional transportation system	Complete
Admiralty Way/Via Marina intersection Redesign	Assess preferred alternative: 1) Triple Left-Turn alternative or 2) Admiralty Way/Via Marina Intersection Reconfiguration	Active
Shuttle Systems	Enhance coastal access	Seasonal Shuttle Complete, Year-round Shuttle Active

Periphery parking lots	Provide additional peak-period parking	Not Active
SR 90 Connector Road to Admiralty Way	Connect Route 90 to Admiralty Way, widen Admiralty Way to connect with Washington Boulevard.	Active
Other coastal access/public transportation improvements	Promote transit usage	Active
Lincoln Blvd. people-mover system between Westchester & Santa Monica.	Improved transit along the Lincoln Boulevard corridor, including a people mover	Active
Light rail line from Westchester/LAX to Venice.	Light rail transit along the Lincoln Boulevard corridor	Active

Summary of Analysis Scenarios by Raju Associates

Any assessment of the effects of land use change and development upon a given circulation system must consider how travel demands affect transportation infrastructure in the broader context. Traffic conditions in and around Marina del Rey are predominantly affected by development and land use changes occurring in the incorporated communities surrounding the Marina. While development activity and the potential to further develop outside the Marina are extensive, possibilities within the Marina are finite and established by the entitlements allowed in the LCP.

The capacity of the circulation system and the ability to add additional capacity are the predominant factors which will determine what levels of development are appropriate. The Raju Associates' Traffic Study assessed traffic conditions under a number of scenarios to determine how the Pipeline Projects and the full build-out of the Marina would affect the transportation infrastructure under various transportation improvement options, described in the Policies and Actions section of this chapter. The result of this assessment is a Revised Set of Intersection Improvement Projects to improve access to the Marina in conjunction with Marina del Rey redevelopment.

The Raju Associates Traffic Study found that current (2009) levels of traffic congestion at all of the 20 intersections analyzed are equivalent to or better than the base conditions projected in the 1991/1994 DKS traffic studies. Overall, current traffic counts have decreased by 5% and 8% during the morning and evening peak hours, respectively. This finding, which is supported by other traffic studies, shows that the amount of ambient traffic growth projected in the DKS Traffic Study has not occurred in this region. Therefore, baseline traffic data for all scenarios tested were found to be less than DKS Traffic Study projections for the year 2010.

The proposed five Pipeline Projects would result in a total of approximately 1,163 trips (610 inbound, 553 outbound) during the evening peak hour. The Pipeline Projects account for approximately 46% of the overall remaining trip generation within the Marina. In 2020, the Revised Set of Intersection Improvement Projects would provide sufficient additional capacity at all intersections in the Marina to fully accommodate the

increase in traffic from the Pipeline Projects.

With the full build-out of the Marina (including the Pipeline Projects), trip generation would total approximately 2,503 trips (1,378 inbound, 1,125 outbound) during the evening peak hour. The Raju traffic study found that under Marina del Rey build-out traffic conditions, in 2020 with and without the Revised Set of Intersection Improvement Projects, all intersections are projected to operate with less congestion than the 1991/1994 DKS traffic studies projected for the year 2010 for all scenarios. Accordingly, the Revised Set of Intersection Improvement Projects would provide sufficient capacity for the five Pipeline Projects and for the proposed LCP build-out traffic conditions.

d. Findings

Current (2010) and projected operations at all of the analysis locations are equivalent to or better than the conditions projected in the 1991/1994 DKS traffic studies. Overall, current traffic counts have decreased by 5% and 8% during peak hours. Therefore, baseline traffic data for all scenarios tested were found to be less than the 1991/1994 DKS traffic studies projections for the year 2010.

In 2020, the Revised Set of Intersection Improvement Projects sufficiently alleviates the traffic impacts associated with the Pipeline Project land use changes proposed in this LCP amendment.

Under build-out traffic conditions, with and without the Revised Set of Intersection Improvement Projects, all intersections studied are projected to operate with less congestion than projected in the 1991/1994 DKS traffic studies.

The Revised Set of Intersection Improvement Projects would provide all needed transportation-related infrastructure improvements to support the entire development of Marina del Rey.

e. Policies and Actions

The Revised Set of Intersection Improvement Projects planned to accommodate the increased traffic generated by the Pipeline Projects are as follows (Map 18):

- 1) Via Marina/Admiralty Way Intersection Alternatives
 - (a) Alternative A – Provide a third westbound left-turn lane on Admiralty Way and a second southbound left-turn lane on Via Marina.
 - (b) Alternate B - Realign this intersection to make Admiralty Way and the Via

Marina Way segment south of Admiralty to become a continuous east-west roadway and realign Via Marina Way north of Admiralty Way to "T" intersect this roadway.

- 2) Palawan Way/Admiralty Way – Provide a third through lane in the westbound direction of Admiralty Way.
- 3) Admiralty Way/Bali Way Intersection – Provide a second southbound left-turn lane on Admiralty Way.
- 4) Admiralty Way/Mindanao Way Intersection Alternatives – Provide a second southbound left-turn lane on Admiralty Way and an additional lane on the eastbound approach of Mindanao Way.

The interim and final striping configuration at the intersections will be determined by the Department of Public Works.

Improvements to the Regional Transportation System:

Improvements to the Regional Transportation System are listed under Category 3 in Figure 11. These improvements generally require coordination and approval of other jurisdictions.

In addition, the Department of Public Works may include other coastal access or public transportation improvements which mitigate significant adverse cumulative impacts of development on the Regional Transportation System.

Funding of Transportation Improvements – The funding of transportation improvements shall be undertaken in the following manner:

1. Revised Set of Intersection Improvement Projects
All lessees within the existing Marina, which propose new development pursuant to the LCP, shall pay their fair-share developer fees based on the number of trips they generate to pay for the Revised Set of Intersection Improvement Projects.
2. Improvements to the Regional Transportation System
All lessees within the existing Marina, who propose new development pursuant to the LCP, shall pay their fair-share developer fees based on the number of trips they generate to pay for the improvements to the Regional Transportation System. The Los Angeles County Metropolitan Transportation Authority ("Metro"), as part of their new Congestion Management Plan ("CMP"), is expected to develop a plan for county wide developer

trip fees by 2012. It is expected that the fees for the Improvements to the Regional Transportation System will become new CMP fees.

3. Developer trip fees for the Revised Set of Intersection Improvement Projects and their fees for the Improvements for the Regional Transportation will remain separate fees.
4. Improvement Costs Fairly Apportioned.
The requirement of this policy shall not require any lessee or developer to contribute more than its fair share, based on the amount of trips they generate, of the cost of the required transportation improvements.
5. Phasing of the Transportation Improvements
The Director of Public Works shall set the schedule for Transportation Improvement Projects so that the improvements are implemented in a safe, cost-effective and orderly manner. Improvements to the Regional Transportation System are projects that involve other jurisdiction outside of the County. Therefore, the Director of Public Works shall coordinate improvements to the Regional Transportation system with other jurisdictions. Individual lessees or developers may agree as part of a coastal development permit, to perform road improvements to ensure the timely construction of individual development proposals.
6. An annual report on the amount and expenditures of the Transportation Improvement Fund shall be submitted to the Department of Regional Planning and a copy submitted to the Executive Director.

Design and Standards of Improvements

1. Internal Improvements. The Department of Public Works shall approve the interim and final design, alignment, standards, and specifications for the Revised Set of Intersection Improvement Projects in this LCP.
2. Regional Transportation System Improvements. The Department of Public Works shall coordinate the Regional Transportation Improvements with the appropriate transportation agencies having jurisdiction over the Improvement Projects in this LCP.

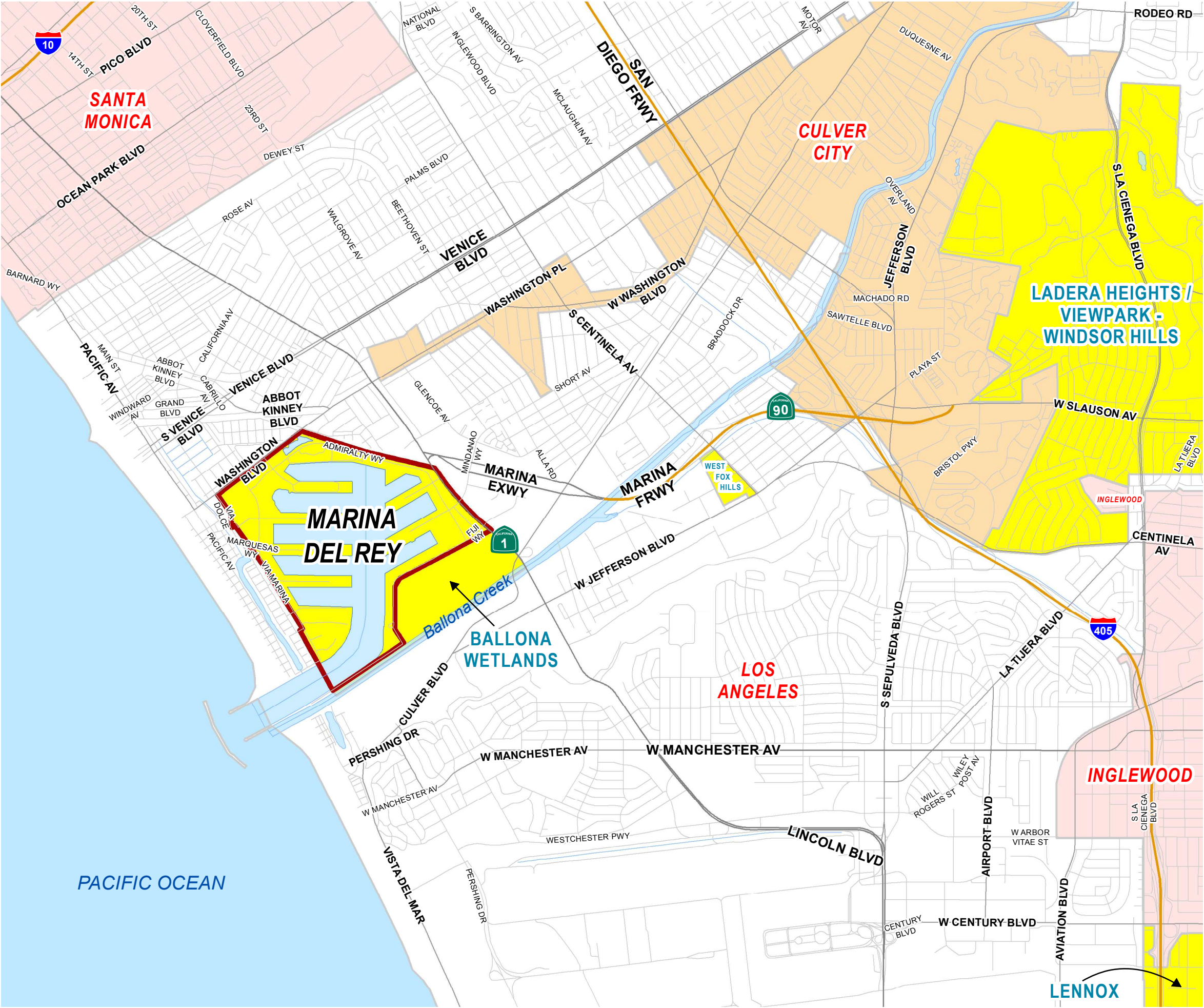
Los Angeles County

MARINA DEL REY

Regional Circulation

LEGEND

- Freeways
- Highways
- Arterials
- River, Stream or Channel
- Marina Del Rey LCP Area
- Unincorporated Area
- Incorporated City
- Perennial Water Body
- Pacific Ocean



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



Scale in Feet
0 3,000

Los Angeles County

MARINA DEL REY

Locations of Traffic Study Intersections

LEGEND

- Study Intersection
- Freeways
- Highways
- Arterials
- River, Stream or Channel
- ▭ Marina Del Rey LCP Area
- ▭ Unincorporated Area
- ▭ Incorporated City
- ▭ Perennial Water Body
- ▭ Pacific Ocean






Current as of: August 2010



Scale in Feet
0 1,500

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

LEGEND

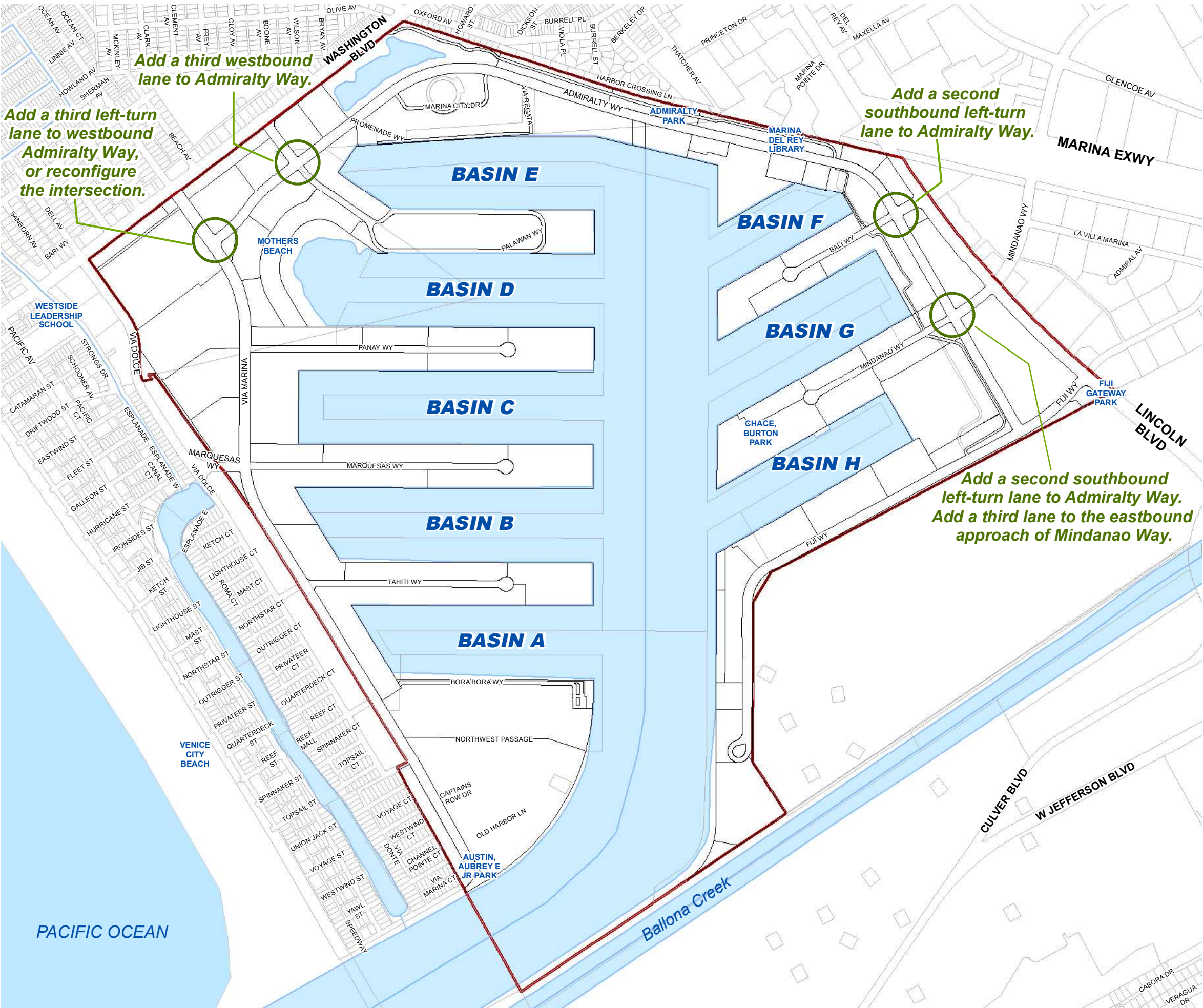
- River, Stream or Channel
- Lease Parcels LCP
- Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean

NOTE:
EXISTING MARINA DEL REY - 804 Acres
(401 Land, 403 Water)



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



12. Public Works

a. Coastal Act Policies

30254. *New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.*

b. Issues Identified

Assessment of sewerage and water systems. CAN ADEQUATE WATER AND SEWER SERVICES BE PROVIDED TO ALLOW ADDITIONAL DEVELOPMENT TO TAKE PLACE?

c. Research Analysis

Adequacy of Sewer System in the Marina Area

The existing sanitary sewer system for the Marina consists of about eleven miles of 8-, 10-, 12-, and 15-inch lines extending around Via Marina, Admiralty Way, and Fiji Way. From this perimeter, 8-inch lines reach into each of the moles to collect sewage from the parcels located there. A pump station with a capacity of 970 gallons per minute is located near the intersection of Bali Way and Admiralty Way to serve the eastern portion of the Marina. This system discharges to the City of Los Angeles system through metering stations at Washington Boulevard near Palawan Way and at 30th Street near Pacific Avenue, site of the Venice Pump Station. Parcels 95 and 97 connect directly to the city system.

Within the city's network, the sewage becomes part of the Coastal Interceptor Sewer ("CIS") System, which runs from the city's northwest boundary to the Hyperion Treatment Plant ("Hyperion") near Imperial Highway.

The Marina area holds contractual flow rights, purchased from the city, for the use of the pipe and pumping system, as well as treatment at Hyperion. Payment for these rights is based on the proportionate share of capital costs and annual costs for the system used, based on the relation of its contractual capacity to the design capacity of the system. The Marina Sewer Maintenance District has a 0.9 mgd (million gallons per day) purchased capacity right into Hyperion. The remaining 2.13 mgd must be purchased at their current rate.

Maintenance of the sanitary sewers within the Marina is handled by the Los Angeles County Department of Public Works ("DPW"), Waterworks and Sewer Maintenance Division. Apart from conventional maintenance, this system has had the problem of seawater infiltration, which results in corrosion and capacity losses. A recent sealing program substantially reduced infiltration, but additional sealing will be necessary in the future. In addition, sections of the Marina along Admiralty Way have experienced odor problems from the sewer system. This resulted from low flow velocities due to flat grades, high sewage strength, and warm temperatures. Continuing and successful remedies include cleaning certain sewers every two months, pumping hydrogen peroxide into the system, and maintaining deodorant blocks in affected manholes. The Marina del Rey seawater infiltration study has recently been completed. Plans for lining sewer lines starting with sewer lines with the most significant amount of infiltration is underway.

Adequacy of Water System in the Marina Area

The Department of Public Works operates and maintains the Marina del Rey water system for the Department of Beaches and Harbors.

The Marina purchases its water from the Los Angeles County Waterworks District No. 29, which is the purveyor for the Metropolitan Water District of Southern California. The amount of water available for purchase is established by an entitlement agreement, negotiated between the Dept. of Beaches and Harbors and the district. The current entitlement provides for a maximum capacity of 5 cubic feet per second (cfs). The Dept. of Beaches and Harbors sets the water rate schedule for the Marina.

Water enters the system via a 14" service line on Washington Boulevard near Palawan Way. Water mains along perimeter roads connect to lines for each mole, as well as a pipeline crossing under the main channel between parcels 62 and 113.

Emergency service is provided by the City of Los Angeles water system. Connections for this purpose are located at Marquesas and Via Dolce and at Mindanao Way and Lincoln Boulevard.

The present water usage in the Marina is near the entitlement limit, and thus surplus water is not available to serve significant new developments within the Marina. To augment the water supply to serve additional development, the following actions need to be taken:

- negotiate an increase in water entitlements with Waterworks District No. 29;
- fund the expansion of water storage tanks at the Topanga Canyon waterworks facilities; and
- upgrade the local water storage and conveyance capabilities to meet both domestic and fire flow water demands.

Other Public Services:

Electricity

The Southern California Edison Company provides electricity for the Marina del Rey area. The present substation, located on Fiji Way, can handle a certain amount of additional load. If development generates demand beyond this existing unused capacity, a new substation would need to be constructed.

Health Services

Public health services are provided to the Marina del Rey area by L.A. County Department of Health Services (West District, 2509 Pico Boulevard, Santa Monica). Two sub-centers (4150 Overland Boulevard, Culver City and 905 Venice Boulevard, Venice) provide general health services and clinics.

Harbor General at 1124 West Carson Street in Torrance is the closest public hospital to the LCP Area. Daniel Freeman Hospital located at 4650 Lincoln Boulevard provides private medical services to the Marina area and other adjacent communities.

Police

Law enforcement in the Marina del Rey area is provided by the L.A. County Sheriff's Station at 13851 Fiji Way (Parcel 62). Although the administrative functions of the station are based at the Lennox Sheriff's station, the Marina station is a 24-hour, full-service police facility.

The station is staffed with 65 sworn, fourteen reserve, and eight civilian personnel who use fifteen cars, one van, and six boats to perform their duties. The station provides: a 24-hour public counter for service, information and dispatching; 911 emergency operators; Harbor Patrol rescue services; detective services; and complete landside law and parking enforcement services.

Any substantial development, beyond Phase II, may necessitate additional staff and patrol vehicles.

Fire Department

Marina del Rey has its own County fire station located at the end of the Main Channel. It is anticipated that intensified Marina development may necessitate expansion of the existing fire department services. This expansion could involve a cooperative agreement with the City of Los Angeles Fire Department to handle a certain portion of the service area.

The option, permitted by this Land Use Plan, to construct taller multi-story structures on the moles increases fire safety concerns. The single means of access along lengthy mole roads presents greater risks of fire equipment being delayed in reaching a fire site, and potentially hampers emergency evacuation of persons located seaward of a site on fire. For these reasons, the Fire Dept. recommends more stringent standards. These standards include providing for greater access adjacent to structures on mole roads, and mandating that emergency evacuation plans to be established for residents of new multi-story structures.

Schools

The Marina del Rey area is served by the the L.A. Unified School District. Additional needs for school sites, if any, based on residential development as authorized through this certified LCP will be determined by the district.

d. Findings

Contracts with the City of Los Angeles for use of the Coastal Interceptor Sewage System and Hyperion Treatment Plant determine the capacity of the Marina's sewer system.

Apartments and restaurants place the greatest demand on sewage systems. Offices and commercial developments require less capacity.

The existing water supply system is near capacity. Any significant new development in the Marina will require extensive and costly upgrades to the Waterworks District No. 29 conveyance system.

As a result of intensified levels of growth being permitted in the LCP Area, the Fire Dept. finds that an additional fire station may be necessary as new development takes place to maintain emergency response times, and that more stringent requirements for evacuation plans and for emergency access to multi-story buildings on mole roads should be included in the LCP.

Other public works and services in the area appear adequate and no major problems appear imminent.

e. Policies and Actions

1. Public Works improvements in the LCP Area shall be designed to accommodate new development permitted in the area and provide for future public access needs.
2. This Land Use Plan includes a phasing program. Necessary public works facilities shall be provided at the same time as the development creating the need for the public facility occurs. Public improvements required in this Land Use Plan shall be completed consistent with the phasing program as described in Chapter 8, *Land Use*, (on pages 8-7 and 8-8 of the text, in policies 4 and 7, and outlined in the "development potential by zone" section beginning on page 8-21 (Figure 6), and further described in §22.46.1090 of the Specific Plan. Phasing of development and internal traffic improvements shall take place as indicated in policies 1, 2, 3, and 4 of Chapter 11, *Circulation*, of this LUP, and §22.46.1090 of the Specific Plan, which require necessary public improvements to be constructed in a timely and orderly manner, to minimize possible adverse impacts of new development on coastal resources (such as sensitive habitat resources or recreation areas) and to protect the ability of the public to travel to coastal attractions.

Water and Sewer Services

3. Permission to build new and/or intensified development in the LCP Area shall be contingent upon the ability to provide proof of availability of adequate water and sewerage facilities.
4. In cases where existing unused capacity cannot meet increased demand, developer financed improvement of existing water and/or sewerage facilities shall be required before new development and /or intensification can proceed.
5. Installation of new sewer and water lines shall be accomplished via the least environmentally damaging method.

6. Water conservation technology shall be employed in all development, including landscaping and irrigation, in compliance with the County's Green Building Ordinance. Design of new development requiring the installation and operation of additional water service shall be reviewed for water conservation.

Fire and Emergency Services

7. **Fire Station.** A new fire station may be required as part of Phase II development. The size, location and timing of the new station shall be determined after appropriate study by the Fire Department and shall be submitted as an amendment to this LCP. The new fire station shall be funded and constructed as its need is determined in the environmental studies. The new fire station shall not displace parks, coastal recreation support or coastal dependent uses.
8. **Fire access requirements.** On property fronting on mole roads, developers shall provide fire clear zones on the water side of the buildings. These fire access roads shall be reached by vertical fire access roads no less than 28 feet in width and shall be a minimum of 20 feet wide. All fire access routes established at the minimum width shall be constructed and maintained clear to the sky, with no benches, planters or fixed objects. The Fire Department access roads shall be dedicated for public pedestrian access and shall make up the greater part of the required pedestrian promenade. The Fire Department access roads shall maintain unimpeded access to both pedestrians and emergency vehicles on no less than twenty feet of all promenades at all times.
9. **Pedestrian Promenades.** All projects located on shoreline parcels shall provide public pedestrian promenades adjacent to bulkheads no less than 20 foot wide that also provide benches, trash containers, shade structures and other pedestrian amenities along the seaward edge of the bulkhead. If these promenades are combined with a 20 foot wide fire access road, they may be constructed in one of two configurations, that allow for both unimpeded fire access and pedestrian amenities:
 - a) A 20 foot wide accessible fire road in addition to an eight foot wide landscaped strip, resulting in a total dedicated access area no less than 28 feet wide. The eight foot wide landscaped strip adjacent to the bulkhead shall be landscaped and provided with benches and structures. The eight-foot-wide landscaped strip shall be provided in addition to required fire access roads and shall be located, seaward of the fire access road, or

- b) A series of 10 by 10 foot-wide improved view points no less than 150 feet apart, also adjacent to the bulkhead and integrated with vertical access ways.

In either configuration, turn radii shall be approved by the Fire Department.

- 10. **Sprinklers.** All new development shall be required to provide fire sprinklers consistent with specifications of the Fire Dept. Remodeling or expansion projects involving 50 percent or more of the existing floor area of the structure shall be subject to review by the Fire Dept. for sprinkler requirements.
- 11. **Multi-Story Building.** Where a new building exceeds three stories or 35 feet in height, the following standards shall apply:
 - a. The maximum height of a proposed multi-story building shall be subject for review of the Fire Department.
 - b. All multi-story buildings shall have an emergency evacuation plan and, on mole roads, a safe refuge area shall be designated for multi-story occupants on the dock area;
 - c. Emergency access (or clear zones) along the sides of all multi-story buildings shall be required to be a width of 28 feet. A lesser width may be granted where the Fire Dept. finds such width provides sufficient emergency access; a greater width may be mandated where the Fire Dept. finds such width to be necessary for the provision of adequate emergency access. This requirement may apply to the adjacent pedestrian promenades except for the viewing areas described in policy 9 above. Where a building is not more than 10 feet from the edge of a road, the roadway may serve as the required access area for that side of the building. Clear zones provided on the sides of a building may count toward any linear view-corridor requirements for buildings located between the first public road and the sea; and
 - d. Applicants for multi-story buildings shall submit documentation in the form of a Fire Safety Plan, verifying that Fire Dept. requirements relative to access, fire flow, sprinklers, and evacuation plans have been satisfied.

13. Diking, Dredging, Filling and Shoreline Structures

a. Coastal Act Policies

30233. *a. The diking, filing, or dredging of open coastal waters, wetlands, estuaries and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*

- (1) New or expanded port, energy, coastal-dependent industrial facilities including commercial fishing facilities.*
 - (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
 - (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities shall not exceed 25 percent of the degraded wetland.*
 - (5) Incidental public service purposes, including but not limited to, burying cables, and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
 - (6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.*
 - (7) Restoration purposes.*
- b. Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and*

water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

30235. *Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

b. Issues Identified

As a result of adverse runoff, tidal influences and wind erosion, shoaling conditions frequently create real hazards to navigation in Marina del Rey. These shoals must be removed from time to time by dredging operations in the main channel and other locations. WHAT STEPS CAN BE TAKEN TO PROTECT THE MARINA FROM SHOALING?

c. Research and Analysis

Remedial Dredging

Because eroded land materials constantly settle in the Marina main channel and basins, remedial dredging is anticipated to be an on-going task.

Removal of accumulating sediment in the Marina channel and basins has been necessary from time to time since the harbor was created in the late 1950s. Two specific shoaling locations in the entrance channel have caused hazards to navigation. Runoff in the Ballona Creek flood control channel continues to deposit material at its mouth near the Marina breakwater and entrance. Tide and runoff movements combine to shift sediment into the southern channel entrance. This area has been dredged in 1963, 1969, and in 1981, after the entire entrance was closed to boats for a year. The second site for shoaling is located along the north jetty where wind-driven beach sand settles in the channel narrowing the critical north navigation lane for power boats. This location has been dredged in 1958, 1969, 1973, and 1978. Current plans call for a screen to block sand movement across the jetty into the channel. Other areas may require dredging such as the basin near the beach in Basin D inasmuch as sand is eroding from the beach. Dredging is accomplished by water-based equipment hauling the spoils to an approved ocean disposal site.

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (the "Corps") has jurisdiction over the construction of shoreline structures and other activities in the waters of U.S. The Corps administers this authority by two permit programs:

1. § 10 Permit: Pursuant to the U.S. Rivers and Harbors Act of 1899, the Corps handles permits for any structures (e.g., docks, piers, bulkheads not requiring fills, buoys, moorings, etc.) and activities in traditional navigable waters by permits for any connections to these waters.

Applicants must first obtain approval from the California Coastal Commission and the California Water Quality Control Board (WQCB).

2. § 404 Permit: Pursuant to the U.S. Clean Water Act of 1972, the Corps controls filling operations in waters of the U.S., including any streams or wetlands.

As part of the permit process, the Corps issues a public notice to interested public agencies and private individuals including National Marine Fisheries Services, U.S. Fish and Wildlife Service, the Environmental Protection Agency, the Coast Guard, and the California Department of Fish and Game.

If any objections are raised, the project may be rejected or the project may be modified to satisfy the objections.

If all objections are satisfied, a permit is issued and a certain time is designated within which the project must be completed.

Finally, the Corps is responsible for enforcement; assuring that projects and activities conform to Corps guidelines and permit provisions.

d. Findings

Marina waters provide foraging habitat for the California least tern, a state and federal endangered species, that nests immediately north of the Marina del Rey entrance channel at Venice Beach.

Remedial dredging is necessary on an as-needed basis in the Marina's Main Channel and basins to insure safe, navigable water for boaters.

e. Policies and Actions

Marina Area – Maintenance Requirements

1. Develop a program to monitor shoaling with periodic hydrographic sounding, surveying and inspections as necessary.
2. Continue to dredge as necessary within the Marina and in surrounding waters.
3. Promote feasible measures necessary to mitigate shoaling and sediment buildup.
4. Incorporate in dredging operations a program to replenish beaches with suitable (non-polluting) spoil materials. All materials must be seeped-out prior to placement of remaining dry sand on beaches.
5. Monitor conditions of bulkheads, and repair or replace damaged and decaying bulkheads throughout the Marina.
6. The departments of Public Works and Beaches and Harbors will fully participate in the Marina del Rey task force established by the U.S. Army Corps of Engineers. The purpose of the task force is to identify short and long-term options for disposal of material dredged from Marina del Rey channels. These options include upstream management of pollutants and sediments and selection of environmentally benign alternatives for disposal, treatment or re-use of dredged materials and the Regional Water Quality Control Board regarding long term location and methods for dredge disposal.
7. As part of any grading or dredging project within the Marina del Rey LCP Area, the County shall require a turbidity management plan. That plan shall provide for monitoring water quality impacts of any dredging, grading or other development adjacent to the water. To the extent that the project could impact the waters of the state, the plan should commit to the use of silt curtains and also provide for monitoring water quality impacts at the excavation site and the identification of turbidity levels that would trigger additional mitigation measures. The Plan should identify these additional mitigation measures.

14. Industrial Development and Energy Facilities

a. Coastal Act Policies

- 30255.** *Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.*
- 30260.** *Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Section 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.*
- 30262.** *Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:*
- (a) The development is performed safely and consistent with the geologic conditions of the well site.*
- (b) New or expanded facilities related to such development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.*
- 30263.** *(a) New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is*

not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.

(b) In addition to meeting all applicable air quality standards, new or expanded refineries or petrochemical facilities shall be permitted in areas designated as air quality maintenance areas by the State Air Resources Board and in areas where coastal resources would be adversely affected only if the negative impacts of the project upon air quality are offset by reductions in gaseous emissions in the air by the users of fuels, or, in the case of expansion of an existing site, total size emission levels, and site levels for each emission type for which national or state ambient air quality standards have been established do not increase.

(c) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from in-plant processes where feasible.

30610. *Notwithstanding any provisions in this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas:*

(d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance that involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained under this chapter.

(f) The installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this division; provided, however, that the commission may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources.

b. Issues Identified

The Southern California Gas Company (the "Gas Company") facility and its associated network of storage and transmission lines are crucial to natural gas for a larger segment of the Los Angeles area. HOW WILL THE COUNTY COORDINATE WITH THE GAS COMPANY DURING DEVELOPMENT?

c. Research Analysis

The Gas Company operates a large natural gas processing, storage, and transmission facility south of the LCP Area; part of which is located in Playa Vista Area B in the City of Los Angeles area. Associated with this facility is an extensive network of subsurface storage and transmission lines in the area. Gas Company access for operating and servicing the lines in the County area is assured via an easement granted in perpetuity in 1948. Gas Company property within the City of Los Angeles is held by the Company through fee ownership. (See Map 19, Southern California Gas Company Property, at the end of the chapter.) Due to pipeline deterioration, the Gas Company line under the main channel was capped and rerouted around the Marina to Area A (now owned by the State) in 1983.

The Marina del Rey Small Craft Harbor area is served by Gas Company lines. At present, unused capacity exists to provide some additional and/or intensified development with natural gas. If proposed development exceeds this capacity, additional supply lines or other methods would be necessary to meet the additional demand. The Gas Company has indicated that ample natural gas could be supplied to major new development in this area via main extensions.

Given the significance of the Gas Company's underground gas storage facility to a major segment of the Los Angeles area, continuance and proper functioning of the facility must be assured. This activity includes, but is not limited to, operation and maintenance of surface and subsurface facilities, the replacement of facilities for the injection, storage, and withdrawal of natural gas and associated liquids in and from subsurface strata, including the drilling of new wells, maintenance, testing and reconditioning of existing wells, structures, and other facilities, and performing operations incidental thereto. There are about 34 existing gas storage, fluid removal and observation wells in the LCP Area as well as about 38 abandoned oil wells. The 34 active wells are essential to the operation of the gas storage facility.

d. Findings

If new and/or intensified development in the Marina area exceeds existing natural gas capacity, additional natural gas supply needs will be met by line extensions and/or other methods.

On September 5, 1978, the California Coastal Commission adopted a guideline interpreting the exclusionary provisions of Coastal Act policy § 30610, subsection (d) and (f). This document, entitled *Interpretive Guideline on Exclusions from Permit Requirements*, should be incorporated into ordinances implementing this LCP.

As the Gas Company's gas storage facility provides natural gas for a major portion of the Los Angeles area, continuance of this energy facility at its present or greater storage capacity is vital.

Access to active and abandoned gas, oil and storage observation wells and facilities associated with such wells in the area by service personnel and servicing equipment must be assured. The Gas Company must retain its rights to perform maintenance and rework activities to replace facilities, to drill new wells, to recondition existing wells and structures, and to perform functions incidental to operating its gas storage field.

e. Policies and Actions

1. Land Use decisions shall not interfere with the Gas Company's ability to continue operation of its gas storage facility. Land use decisions shall be protective of the company's existing and future needs for gas storage facilities and operations.
2. Development in the Marina del Rey LCP Area shall not interfere with access to gas or oil wells, to observation wells associated with gas storage, nor to other facilities associated with the gas storage field operation by service personnel and servicing equipment.
3. In areas where new development occurs, the developer shall provide landscaping (trees, shrubbery) to visually buffer existing or relocated gas or oil wells.
4. The Department of Regional Planning and the Gas Company shall jointly determine appropriate gas well setbacks from streets and new development for existing wells associated with the gas storage project. The Los Angeles County Code, Title 22 (Planning & Zoning), regulations regarding siting and operation of oil wells shall remain in force.
5. Prior to new development over old, unused or previously abandoned wells, the California Division of Oil and Gas shall be asked to determine that the wells have been abandoned in accordance with current standards. Development over wells shall not be allowed to take place until this determination has been made.

Los Angeles County

MARINA DEL REY

Gas Utility Easements

LEGEND

- Easement of Southern California Gas Company
- River, Stream or Channel
- Lease Parcels LCP
- ▭ Marina Del Rey LCP Area
- Perennial Water Body
- Pacific Ocean

NOTE:
EXISTING MARINA DEL REY - 804 Acres
(401 Land, 403 Water)



Current as of: August 2010

LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

