**CALIFORNIA COASTAL COMMISSION**
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

October 31, 2011

**Th 11a**

# ADDENDUM

To: Commissioners and Interested Persons

Click here to go
to the original staff report.

From: John Ainsworth, Chief Deputy Director
Gary Timm, Coastal Program Manager
Al Padilla, Coastal Program Analyst

SUBJECT: Summary of Periodic Review Recommendations the County is not in Agreement with.

In reviewing the Status report on the Periodic Review (Th11a), and its relationship to the Marina del Rey (MDR) LCP Amendment MDR-MAJ-1-11 (Th11b) and the Coastal Development permit (CDP) report for Application No. 5-11-131 (Th12a) for recreational marinas, the Coastal Commission staff has prepared the following summary report to assist the Commission and the public to better understand which Periodic Review Recommendations the County does not agree with and how the proposed LCP amendment and CDP address those areas of disagreement.

Of the 67 Periodic Review Recommendations adopted by the CCC on January 9, 2008, the County had disagreement with 13 of them (approximately 20%), which fell into only five topical areas, as follows:

1. The CCC conclusion that areas of Marina del Rey constituted ESHA and that the County should recognize them as such (Recommendations 45, 47, 49, 51, 52, 53, 60, 61, 62);
2. Recommendation 4a that called for no reduction in total boat slips and no reduction in slips 35 feet or less in length;
3. Recommendation 16, which stated that the County should consider options for funding of a shuttle bus program;
4. Recommendation 28, which called for the County to consider requiring a 2:1 replacement for the displacement of public parks, parking spaces, or lower cost facilities (unless the park or lower cost facility is to be replaced on the waterfront); and
5. Recommendation 41, which recommends inclusion of the Standards for Architectural Treatment in the LCP.

The County has performed further study on areas of disagreement #1, 2, and 4. This new data was not available at the time of the Commission's periodic review, and the LCP amendment specifically addresses these issues areas.

1. ESHA Recommendations

With respect to the ESHA recommendations, based on the County's response to the Periodic Review (attached to the staff report for this item – Th11a), and more importantly, the County's preparation of a Conservation and Management Plan and voluntary inclusion of specific policies for protection of Sensitive Biological Resources, as well as additional biological review, staff is now recommending that the appropriate strategies for addressing the protection of sensitive biological resources (SBR) are now included in the LCP amendment if it is modified as suggested. Specifically, on the basis of extensive review of new ecological studies provided by the County, the Commission's biologist, Dr. Jonna Engel, has concluded that the heron and egret nesting colonies in Marina del Rey **do not** constitute ESHA, and would not meet the definition of environmentally sensitive habitat in the foreseeable future. A more complete analysis of this issue is presented in the report for the LCP Amendment, Item 11b, Marina del Rey (MDR) LCP Amendment MDR-MAJ-1-11.

The County has proposed a comprehensive set of LCP policies that are protective of these heron and egret nesting colonies and as modified in the staff report staff is recommending the Commission approve the LCP amendment.

2. Prohibition to ensure no loss of total boat slips and no loss of slips 35 feet and under in marina reconstruction

Recommendation 4a was added by the Commission on January 9, 2008 and recommended that the total number of slips in Marina del Rey should not be reduced, and there should be no loss of slips 35 feet and under. The recreational boating recommendations also suggested that the County conduct a comprehensive study of boating needs, improve the mix of slip sizes in response to the study, include more low cost boating opportunities, and provide more short-term day docks near public facilities. The County has performed two studies, cited in the Marina del Rey LCP Amendment MDR-MAJ-1-11 and in CDP 5-11-131 staff reports, which establish the maximum number of slips and the appropriate lengths in the marina. In fact, even though the primary study, The Noble Study, recommended that no slips of 30 feet long or less be re-established in the marina when reconstructions occur, the County has still included a complement of these slip sizes. Commission staff is recommending a modification to the proposed LCP that would ensure there are a majority of slips in the smaller boat slips categories (59% 35 feet and under). Finally, the County has included a substantial number of new non-motorized low cost boating amenities in its CDP as well as transient and small craft storage docks, all of which are responsive to the Commission's Periodic Review recommendations.

Based on review of the evidence provided by the County, such as high historic and recent vacancies in smaller slips 35 feet and under; statewide boating trends indicating a decreasing demand for smaller slips; and the County boating studies indicating a lack of demand for smaller slips; coupled with the provision of additional dry boat storage for smaller boats in the Marina, staff believes that that the loss of total slips and the loss of

slips in the 35 feet and under category will not adversely impact recreational boating including lower cost boating in Marina del Rey if the proposed LCP amendment is modified, and the CDP is conditioned, to ensure a higher percentage of boat slips in the smaller more affordable slip categories 30 feet and under (39%) and the 31 – 35 feet (20%) are protected and maintained in the future.

3. Funding of a Shuttle Program

The County opposed this recommendation, stating that this is a regional transportation issue and that the shuttle funding does not exist. However, the County has included a policy in the LCP to maintain a summer shuttle serving Marina del Rey, Venice, and the Playa Vista development provided that funding is available. In addition, the policy provides for expansion of this shuttle system throughout the year if there is demand for such a system and funding for the shuttle system. Staff is recommending that this approach adequately addresses this transportation issue.

4. Replacing public parking spaces at a ratio of 2:1

The County opposed this recommendation on the basis of a specialized study, not available at the time of the Periodic Review and prepared in response to it, that demonstrated that the public parking was sparsely used and could be sustained for the foreseeable future at a level of 1200 spaces (the County currently has more than twice that number). In addition, staff is recommending a suggested modification for that will ensure there is no net loss of public parking in Marina del Rey. Staff is recommending that this approach adequately addresses this public parking issue.

5. Inclusion of the Standards for Architectural Treatment in the LCP

The County opposed inclusion of these standards on the basis that these dealt with design details unrelated to carrying out Coastal Act policies and were better administered through a stand-alone document. The Commission has recently approved an LCP amendment that specifies the role of the Design Control Board in the County.

Remaining Recommendations

As stated in the staff report for this item (Th11a) all of the remaining recommendations have been addressed by the County in Marina del Rey (MDR) LCP Amendment MDR-MAJ-1-11, or are going to be addressed in the Road Map process, the next step of which is the Visioning Process and associated LCP Amendment. The Board of Supervisors, in September, 2009, endorsed the Road Map process suggested by the Coastal Commission staff, and instructed the Department of Regional Planning to complete the Visioning Process to be heard by the Board within 5 years. Further steps will follow the completion of the current LCP effort.

Conclusion

The County has either accepted or has proposed alternative measures to address the Periodic Review recommendations. Commission staff believes the County has adequately addressed the Periodic Review recommendations through the proposed LCP amendment and through their commitment to a comprehensive review of the Marina del Rey LCP within five years via the “Visioning” process. The County will process an LCP amendment to implement the new policies and programs that result from the “Visioning” process.

**FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS**

| | |
|---|---|
| Name or description of project, LCP, etc.: | T. 11a Marina del Rey Local Coastal Program Periodic Review<br>T. 11b Los Angeles County, Dept. of Regional Planning Marina del Rey LCP Amendment No. MDR-MAJ-1-11<br>T. 12aApplication No. 5-11-131 (Los Angeles County Dept. of Beaches & Harbors, Marina del Rey) |
| Date and time of receipt of communication: | 10/24/11 4:00 pm |
| Location of communication: | Board of Supervisor's Office, Santa Cruz, CA |
| Type of communication: | Meeting |
| Person(s) initiating communication: | Donna Andrews<br>Gary Jones<br>Michael Tripp |
| Person(s) receiving communication: | Mark Stone |

Detailed substantive description of content of communication:
(Attach a copy of the complete text of any written material received.)

**Project Description:** LA County representatives provided an overview of the following three items that will be before the Commission at the November 2011 Coastal meeting:

1. LA County's response to the Periodic Review of the Marina del Rey Local Coastal Program;
2. Marina Del Rey LCP Amendment ("Map & Text Amendment") involving four "Pipeline" projects. The LCP amendment proposes to change land uses within specific parcels and re-allocate approved development units to allow the development of visitor-serving commercial, residential and senior housing, dry stack boat storage, and a Department of Beaches and Harbors administrative building; and,
3. Master Waterside Coastal Development Permit for demolition of six leasehold marinas and one public marina, and construction of five public docks.

**Detailed substantive description of content of communication:**

LA County representatives presented briefing materials which provided background on the Marina as well as the County's pending applications. Some of the key points highlighted during our discussion included:

- All County revenues from Marina del Rey provide public benefit by supporting core public services.
- The proposed applications will not increase the amount of potential development granted by the 1996 LCP.
- A right-sizing parking study was commissioned for the Marina. The study determined that the lots that have development projects proposed on them are underutilized for most of the year. The County intends to relocate public parking spaces closer to public attractions.
    - 103 parking spaces lost on Parcel FF will be replaced near Chace Park; this rearrangement places parking in areas with higher public access demand.
- There are 35.62 acres of existing open space areas in Marina del Rey and an additional 10.64 acres are proposed to expand and concentrate public open space throughout the Marina.
    - As part of the proposed development for Parcel FF, a public wetland park will be built on Parcel 9 to compensate for the loss of open space.
- There are 4,761 existing boat slips and 4,349 are proposed; a change of 8.6%. To preserve a minimum number of smaller slips, the County is proposing a minimum distribution for slips under 35 ft.:
    - At least 39% of all slips shall be 30' or less
    - At least 59% of all slips shall be 35' or less
- The County said that aging docks within the Marina are rapidly deteriorating and in need of replacement. The proposed decrease in the number of slips is necessary due to ADA and DBAW requirements, as well as the market demand for larger slips. They noted that there are currently 800 vacancies in total (17.0% of total Marina) and that 80% of all vacancies are slips at or under 35 ft.
- The Master CDP will provide first time protections for small boaters. For marina reconstruction projects, an applicant will have to pay the equivalent of the annual rent for one 30 foot slip for every 100 slips they build that are over 30 feet in length. This fee will go to youth recreational boating programs.
- They also highlighted the proposed dry stack storage project for Parcel 52/GG which would utilize state-of the art technology to store 345 small boats within a condensed facility with an additional area for 30 mast up storage spaces. The proposed project focuses on storage for boats 20' to 35' and will offset the unavoidable loss of smaller slips with redevelopment and the trend toward larger wet slips.

- All of the aforementioned changes are based on public input as well as input and direction from the Coastal Commission.
    - The County has held 79 public meetings and numerous local hearings on the amendment.

In closing, the representatives noted that they are in full agreement with the Coastal staff reports, including staff's recommendation for approval for both the Map & Text Amendment as well as the Master CDP. The Periodic Review status report (Th11a) does not include a staff recommendation as the Coastal Commission will not take action on this item.

Date: 10/25/11 Signature of Commissioner: Mark Stone

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred within seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meting, other means of delivery should be used; such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

**FORM FOR DISCLOSURE OF EX PARTE COMMUNICATION**

**Date and time of communication:** October 24, 2011 at 12:30 PM

**Location of communication:** Marin County Board of Supervisors, 3501 Civic Center Drive., Suite 329, San Rafael, CA

**Persons initiating communication:** Donna Andrews, Gary Jones and Michael Tripp

**Person(s) receiving communication:** Commissioner Steve Kinsey

**Name of project(s):** Los Angeles County's response to the Periodic Review of the Marina del Rey Local Coastal Program (LCP); Marina Del Rey Local Coastal Program Amendment ("Map & Text Amendment"); and, Master Waterside Coastal Development Permit (CDP) for demolition of six leasehold marinas and one public marina, and construction of five public docks.

**Project Description:** LA County representatives provided an overview of the following three items that will be before the Commission at the November 2011 Coastal meeting:

1. LA County's response to the Periodic Review of the Marina del Rey Local Coastal Program;
2. Marina Del Rey LCP Amendment ("Map & Text Amendment") involving four "Pipeline" projects. The LCP amendment proposes to change land uses within specific parcels and re-allocate approved development units to allow the development of visitor-serving commercial, residential and senior housing, dry stack boat storage, and a Department of Beaches and Harbors administrative building; and,
3. Master Waterside Coastal Development Permit for demolition of six leasehold marinas and one public marina, and construction of five public docks.

**Detailed substantive description of content of communication:**

This meeting was a follow up to my discussion with LA County in August 2011 when I participated in a briefing and waterside tour of the marina. LA County representatives presented briefing materials, which provided similar background previously shared during the August briefing and tour, on the Marina as well as the County's pending applications. Some of the key points highlighted during our discussion included:

- All County revenues from Marina del Rey provide public benefit by supporting core public services.
- The proposed applications will not increase the amount of potential development granted by the 1996 LCP.
- A right-sizing parking study was commissioned for the Marina. The study determined that the lots that have development projects proposed on them are underutilized for most of the year. The County intends to relocate public parking spaces closer to public attractions.
    - 103 parking spaces lost on Parcel FF will be replaced near Chace Park; this rearrangement places parking in areas with higher public access demand.
- There are 35.62 acres of existing open space areas in Marina del Rey and an additional 10.64 acres are proposed to expand and concentrate public open space throughout the Marina.
    - As part of the proposed development for Parcel FF, a public wetland park will be built on Parcel 9 to compensate for the loss of open space.
- There are 4,761 existing boat slips and 4,349 are proposed; a change of 8.6%. To preserve a minimum number of smaller slips, a minimum distribution is proposed for slips under 35 ft.:
    - At least 39% of all slips shall be 30' or less
    - At least 59% of all slips shall be 35' or less
- The County said that aging docks within the Marina are rapidly deteriorating and in need of replacement. The proposed decrease in the number of slips is necessary due to ADA and DBAW requirements, as well as the market demand for larger slips. They noted that there are currently 800 vacancies in total (17.0% of total Marina) and that 80% of all vacancies are slips at or under 35 ft.

- The Master CDP will provide first time protections for small boaters. For marina reconstruction projects, an applicant will have to pay the equivalent of the annual rent for one 30 foot slip for every 100 slips they build that are over 30 feet in length. This fee will go to youth recreational boating programs.
- They also highlighted the proposed dry stack storage project for Parcel 52/GG which would utilize state-of the art technology to store 345 small boats within a condensed facility with an additional area for 30 mast up storage spaces. The proposed project focuses on storage for boats 20' to 35' and will offset the unavoidable loss of smaller slips with redevelopment and the trend toward larger wet slips.
- All of the aforementioned changes are based on public input as well as input and direction from the Coastal Commission.
    - I asked the representatives to discuss the extensive public review process that has undertaken since the Coastal Commission hearing in October 2008, when the Commission reviewed the revised findings in support of Commission's action on periodic review of implementation of LA County's Marina Del Rey LCP. Since then, the County has held 79 public meetings and numerous local hearings on the amendment.
    - In addition, the County made copies of the draft documents available to the public at no cost, and public notice of availability of the documents was sent to over 11,000 persons and organizations well over 6 weeks before the final Board of Supervisors hearing (February 1, 2011).

In closing, the representatives noted that they are in full agreement with the Coastal staff reports including staff's recommendation for approval for both the Map & Text Amendment as well as the Master CDP. The Periodic Review status report (Th11a) does not include a staff recommendation as the Coastal Commission will not take action on this item.

10/25/11
Date

Signature of Commissioner

**CALIFORNIA COASTAL COMMISSION**
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

# Th11a

October 20, 2011

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: John Ainsworth, Deputy Director
Gary Timm, Coastal Program Manager
Al Padilla, Coastal Program Analyst

**SUBJECT:** Status Report on Los Angeles County's Response to the Periodic Review of the County of Los Angeles Marina del Rey Local Coastal Program (LCP). For public hearing and Commission consideration at its meeting on Thursday, November 3, 2011, to be held at the Oceanside City Council Chambers, 300 North Coast Highway, Oceanside, CA.

**EXECUTIVE SUMMARY**:

This is a status report on Los Angeles County's response to the Coastal Commission's Periodic Review of the Marina del Rey Local Coastal Program. On October 16, 2008, the Commission adopted Revised Findings, to support the Commission's action on January 9, 2008, on the report evaluating the implementation of the Marina del Rey LCP pursuant to Section 30519.5 of the Coastal Act. Section 30519.5 provides for Commission review of certified local coastal programs to determine whether such programs are being effectively implemented in conformity with Coastal Act policies. Where such review determines that a certified LCP is not being carried out in conformity with any Coastal Act policy the Commission is required to submit recommendations of corrective actions to the local government which may include amendments to the local government's local coastal program. The local government is further required to review the Commission's recommendations and respond to the Commission within one year of its intent to either carry out, or not carry out, the recommendations along with the reasons supporting the response.

Although the Commission found that the LCP for Marina del Rey is not being implemented fully in conformity with the policies of Chapter 3 of the Coastal Act the Commission's Periodic Review also acknowledges the many achievements of the County in carrying out its partnership responsibilities pursuant to California's coastal management program. While the resolution adopted by the Commission to transmit its final action on the Periodic Review is based on the strict statutory language required by Public Resources Code Section 30519.5, the specific actions of the County identified as not being in conformity with the Coastal Act policies were not the only focus of the recommendations. The

principal purpose of many recommended corrective actions is the need for updates based on new information and changed factual conditions on the ground since the LCP was effectively certified in 1990. The underlying reason for periodic reviews is to ensure continuing conformity of the LCP and its implementation with Coastal Act policies. The statute acknowledges that one of the reasons that a local government may not be implementing its LCP in conformity with the Coastal Act is that the LCP itself needs to be updated. The Commission's recommended corrective actions are varied. Some may require local amendments to the LCP and others can be addressed through improved Commission and County coordination.

The Commission adopted 67 recommendations for corrective action to improve the County's LCP in several different areas of coastal protection. Recommendations included proposed policy changes related to: 1) recreational boating; 2) marine resources and water quality; 3) new development; 4) transportation and circulation; 5) recreation and visitor facilities; 6) public access; 7) biological resources and environmentally sensitive habitat areas; 8) cultural resources; 9) hazards; and 10) procedures. The recommended revisions are summarized below.

## LCP CERTIFICATION HISTORY

The Marina del Rey segment of the Los Angeles County Local Coastal Program (LCP) is surrounded by Los Angeles City communities of Venice, Del Rey and Playa del Rey, including wetlands of Ballona Lagoon. The Marina is approximately 800 acres in size.

All but three major parcels in the Marina were built out before passage of Proposition 20.[1] Before certification of the LCP, the Commission approved a number of large high rise hotel projects adjacent to the Marina—Permit 49-79 (Interstate Marina), Permit 207-79 (Marina Plaza)—and the Commission reviewed impacts from development on traffic and visual resources, and preclusion of alternative land uses oriented to a wide economic spectrum of public use.

Coastal planning for the County area that included Marina del Rey was initially undertaken in the early 1980s. The County 's Land Use Plan (LUP) for Marina del Rey at that time consisted of a larger area of lands including Playa Vista and Ballona wetlands and adjacent areas. The County's Land Use Plan for the Marina del Rey/Ballona segment, addressing major issues of wetlands protection and the location and intensity of development, was effectively certified on October 11, 1984. The 1984 LUP designated lands for a "bowl" concept--low rise residential and commercial development adjacent to the water, several hotel sites, and some higher intensity residential and commercial uses away from the water. Development allowed in the LUP was also based on future road improvements.

Roughly two years later, the City of Los Angeles annexed a major portion of the County area, consisting of the Summa Corporation properties outside the coastal zone and much

[1] California Coastal Commission, County of Los Angeles Work Program for the Marina del Rey/Ballona Wetland Land Use Plan, staff report, June 10. 1980, pp.2

of the Ballona wetlands. On December 9, 1986, the Commission effectively certified a resubmitted LUP that excluded the City's Ballona (Playa Vista) area (Areas B & C), but retained an undeveloped area adjacent to the wetlands referred to as Area A. No land use changes were made and the LUP still included a requirement that no further residential or commercial development could occur until a new road, the Marina Bypass, was extended from the end of Route 90 to Washington Blvd.

A lawsuit challenged the LUP for Area A, along with Areas B and C within the City of Los Angeles. Following settlement of this legal action, on September 12, 1990, the Commission approved the segmentation of the County LUP area into two segments—the 804 acre Marina del Rey segment and the Playa Vista Area A segment consisting of the 112 acre portion of the Ballona wetlands that remained in the County's jurisdiction. The Commission also reviewed the Implementation Plan (zoning) and effectively certified the LCP for the Marina del Rey segment -- with the exception of Area A which remains uncertified--and transferred coastal permit authority to the County on December 13, 1990.

On February 8, 1996, through LCP Amendment No. 1-94, the Commission reaffirmed the segmentation of the 141-acre Playa Vista Area A and effectively certified a comprehensive revised and updated LCP for the area of the publicly owned, and existing developed, 804-acre Marina.

The revised LCP was intended to encourage the recycling of the older development in the Marina with newer development at higher intensities and densities. The LCP as revised through the certification of the 1994 amendment allows redevelopment at a higher intensity with a significant increase in height and density. These increased heights were certified in exchange for the establishment of 20% "view corridors" across all parcels that are located adjacent to the water. As an incentive to widen view corridors, the LCP allows greater heights to developers who proposed wider view corridors. The revised LCP also adopted an alternative traffic mitigation system that did not require the development of the Marina Bypass. The alternative traffic mitigation established internal development limits (based on evening peak-hour trip caps) allocated to the entire Marina, and then to each of the mole roads (Development Zones). It established a total cap of 2,812 evening peak-hour trips for the Marina and required contributions by developers to mitigate the impacts of their development to traffic improvements inside the Marina and to the subregional transportation system outside the Marina proper. The total number of units authorized under the base zoning of the LCP exceeded the number of units that the traffic system could accommodate or that the traffic limits would allow, even with mitigation. The LCP explicitly included this first-come, first-served strategy to encourage re-development of the Marina. Therefore, the revised LCP does not guarantee that zoning of a certain density, on any given parcel, would allow development at that density. In certifying the revised LCP, the Commission approved greater heights as long as view corridors were provided, and required wide, publicly accessible walkways along the bulkhead of the entire Marina.

After the LCP was updated in 1996, the County subsequently developed an Asset Management Strategy (AMS) for the Marina which established priorities for lease extensions and redevelopment. The AMS, while in many ways consistent with the LCP,

was developed to encourage re-investment and guide lease renewals and was not certified as part of the LCP. However, the AMS advocates several major projects that would require LCP amendments.

Since the update of the LCP in 1996, only two LCP amendments have been submitted. LCP Amendment No. 1-95 was subsequently withdrawn. LCP Amendment 1-01 was certified on January 7, 2002. This LCP Amendment changed the land use designation for Parcel 20 from Marina Commercial to Residential IV "Medium High Density Residential."

Because the County comprehensively revised the certified LCP in 1996, the Periodic Review focused mainly on County LCP implementation since that time.

**Background Summary of Periodic Review**

Section 30519.5 of the Coastal Act requires the Commission to conduct a Periodic Review of a government's Local Coastal Program at least once every five years. The basic purpose of the review is to determine whether the LCP is being effectively implemented in conformity with policies of the Coastal Act. Section 30519.5 states:

> *(a) The commission shall, from time to time, but at least once every five years after certification, review every certified Local Coastal Program to determine whether such program is being effectively implemented in conformity with the policies of this division. If the commission determines that a certified Local Coastal Program is not being carried out in conformity with any policy of this division it shall submit to the affected local government recommendations of corrective actions that should be taken. Such recommendations may include recommended amendments to the affected local government's Local Coastal Program.*
>
> *(b) Recommendations submitted pursuant to this section shall be reviewed by the affected local government and, if the recommended action is not taken, the local government shall, within one year of such submission, forward to the commission a report setting forth its reasons for not taking the recommended action. The commission shall review such report and, where appropriate, report to the Legislature and recommend legislative action necessary to assure effective implementation of the relevant policy or policies of this division.*

In addition, under provisions of Section 30501 of the Coastal Act, the Commission may recommend specific uses of more than local importance for consideration by any local government for inclusion in its Local Coastal Program. Thus, the Coastal Act requires that the Commission assure that the ongoing implementation of a certified Local Coastal Program is effectively meeting the statewide policy goals of the Coastal Act.

<u>Purpose and Objectives of a Periodic LCP Review</u>

Monitoring, reviewing and updating a certified LCP is a critical component of effective coastal management. When the Commission reviews a project on appeal, the standard of review is consistency with the certified LCP and in some cases Coastal Act access

policies. It is therefore very important that certified LCPs are continually monitored for effectiveness and periodically reviewed and updated in order for the LCP to continue to function as an effective standard for sound coastal resource management decision-making.

Although there is an explicit statutory basis for a Periodic Review, such a review is also a natural step in the ongoing partnership between the Coastal Commission and local governments in coastal resource management. This partnership does not end with the certification of an LCP. Rather, the challenging task of implementing, monitoring, enforcing and updating a coastal program only begins at that point. A Periodic Review of an LCP provides a valuable opportunity to enhance the coastal management program at the local level in a number of ways. It enables the Commission, in cooperation with the local government, local residents and others, to assess the community's progress in carrying out its coastal plan. It also provides a chance to update relevant coastal resource information, especially concerning cumulative effects and emerging issues that perhaps were not fully known or appreciated when the LCP was originally prepared. Finally, it provides a means to work with the local government to identify changes that may make the LCP work better, consistent with the requirements of the Coastal Act.

A Periodic Review reflects experience gained in the implementation of the LCP through planning and regulation at the local level. But it also can reflect the outcome of other implementation actions such as new acquisitions and development of new accessways, execution of mitigation and restoration programs, and conduct of educational programs, all of which bring to reality the programs and recommendations of the LCP. Program enhancements recommended through a Periodic Review can include suggested amendments to plan designations, policies or zoning standards or procedures, but may also include intergovernmental coordination measures or actions by other state or local agencies to improve implementation of the certified LCP.

The Marina del Rey LCP was not among the first priorities adopted by the Commission in 1998 for undertaking Periodic Reviews; this Periodic Review was initiated as a result of a settlement of litigation in *Coalition to Save the Marina, Inc. v. Coastal Commission* (LA Superior Court Case No. NS008613 (2001).

**Periodic Review Recommendations**

Pursuant to Section 30519.5 of the Coastal Act, the Commission has conducted a Periodic Review of the Marina del Rey Local Coastal Program and has identified instances where LCP implementation is not effectively carrying out Coastal Act policies. Major issues addressed in the periodic review include affordable boating and slip mix, water quality Best Management Practices, transportation demand and management, future development, public access and recreation, location and siting of development, overnight visitor accommodations, and biological resources.

*NOTE: A link to the Commission's adopted findings to support its January 9, 2008 approval of the Marina del Rey LCP Periodic Review is provided on the Meeting Agenda posted on the Commission's website (www.ca.coastal.gov) for this item (Th11a).*

Major recommendations included:

Recreational Boating

- LCP policy revisions to specify that in order to adequately assess boater impacts, boating data should be no more than 5 years old.

- Policy revisions to include provisions to expand affordable boating opportunities through a variety of measures including reservation of slips for rental or membership clubs; creation of youth boating programs that provide low cost boating opportunities for youths; new storage facilities; day use rentals; and increased opportunities to launch and use kayaks and other smaller craft.

- Policy revisions to ensure no loss in total boat slips and slips 35 feet and under.

Marine Resources/Water Quality

- LCP policy revisions to reflect requirements and ensure integration of the existing NPDES, SUSMP and TMDL requirements and to clarify application of BMPs.

- Policy revisions to include monitoring of all implemented BMPs.

New Development/Circulation

- LCP policy revisions concerning traffic models to concur that a new model is not needed to justify the current peak hour trip cap, but that a revised model should accompany any proposed changes in the cap.

- Policy revisions to require that the standard for models and methodology used in studies required in carrying out Section 22.46.1180.A.11.b which provides filing requirements for cdps explicitly reflect the County's requirement that studies be based on and consistent with the most recent studies of major projects in the area, including models prepared for the Airport LAX expansion and Playa Vista Phase II traffic models.

- Revisions to development circulation policies suggesting that the County amend sections 22.46.1100.C (2) and 22.46.1190.A.3 and A.5 (Shuttle Buses) to ensure an ongoing assessment to support shuttle buses as part of all retail, residential and hotel development, as a Category 1 transportation improvement.

- Revisions to development policies recommending that the County undertake a comprehensive LCP update of anticipated future development that includes all

pending project driven amendments, fulfillment of Asset Management strategies and other facilities identified through a community planning process.

- Revisions to development policies recommending that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use to a private use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public-serving and park uses, along with public parking demand, in the Marina.

- Policy revisions to clarify the implementation process for design review of development to ensure adequate implementation of public access and visual resource provisions of the LUP. The LCP requires design review by the Design Control Board as part of both the Development and the Public Access policy sections. Notwithstanding this LUP language, the LIP does not clearly identify which County agency should act on the report that the Design Control Board prepares. Currently, the Design Control Board is responsible for reviewing the site plan of the development. County staff indicates that this language restricts the scope of the Design Control Board's review to signage and colors, and that the LUP and LIP should be amended to limit the Design Control Board's review. Comments from the County Asset Management Strategy report, from the Marina del Rey Convention and Visitors Bureau, and the Coalition to Save the Marina indicate that the location and siting of development has reduced the accessibility and attractiveness of the Marina del Rey for recreation.

- Revisions to development policies to provide that if, in an amendment to its LCP, the County reassigns the review of site plans from the Design Control Board to the Department of Regional Planning, it should make it clear that the Department of Regional Planning is responsible for reviewing these design elements for consistency with the certified LCP and with the public access policies of the Coastal Act and to review "onsite open space and project features that facilitate public uses" for consistency with the LCP access and recreation policies.

- Policy revisions to update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost.

<u>Recreation and Visitor-Serving Facilities</u>

- LCP revisions to Recreation and Visitor-Serving policies to prohibit development of condominium hotels, timeshares or other forms of fractional interest ownership on publicly owned land designated for visitor or public uses.
- Policy revisions to require that the Coastal Access fee be adjusted on an annual basis to reflect the Consumer Price Index (CPI) to account for rising costs related to construction of park facilities.

- Policy revisions to locate public parking lots with the goal of improving accessibility and protecting public views, and strengthening measures to improve public access along the waterfront including signage and redesign and relocation of the public bike path. The waterfront promenade and bike path will likely be a significant segment of the California Coastal Trail.

  Biological Resources and Environmentally Sensitive Habitat Areas

- Revisions to Biological Resources policies to acknowledge that trees currently or historically used as roosting or nesting habitats by herons, egrets or other significant avian species constitutes ESHA as defined by Section 30107.5 of the Coastal Act, and policy revisions to require a marina-wide assessment of the trees that may provide habitat for birds protected by Fish and Game code and the Migratory Bird treaty Act. The recommendations also expand areas where site-specific resource assessments should be undertaken as part of the LCP Amendment or development review process.

- Revisions to Biological Resources and ESHA policies to add and strengthen measures to assess and protect the heron rookery from tree pruning and other maintenance activities and development activities.

**Highlights in County LCP Implementation**

The Periodic Review also shows that the County of Los Angeles Department of Regional Planning and the Department of Beaches and Harbors has taken significant steps to achieve Coastal Act objectives and to respond to changing conditions through the implementation of the LCP and other regional resource management efforts. While all of the County planning and regional coordination efforts in coastal management cannot be listed, some of the major accomplishments since certification of the LCP include:

- Expansion of Public Shoreline Access, including implementation of components of a waterfront promenade, requirements for additional park lands in redevelopment, and implementation of a water shuttle and summer shuttle bus system that links the Playa Vista development to and through Marina del Rey and portions of Venice. The summer shuttle operates Friday through Sunday and serves the entire Marina area with a number of convenient shuttle stops.

- Implementation of a Public Access Signage Program.

- The W.A.T.E.R. Youth Program, that brings youths, including disadvantaged youths, to the Marina and surrounding beaches for sailing and other water oriented activities.

- Implementation of a Water Taxi Service and Participation in a Summer Beach Shuttle Serving the Marina.

- Improvement of Recreational Facilities**,** including improvements to three deteriorating fishing and view platforms along the north jetty were completed, requirements for Americans with Disability Act (ADA) compliant restroom and other facilities.

- Implementation of Water Quality Improvements, including participation in regional efforts to address water quality, developing a project to increase water circulation in Basin D, treatment devices within the public launch facility, requirements for additional boating pumpout facilities in redevelopment of marinas and participation in the Clean Boating Network.

- Participation in the regional update of the County Hazard Response Plan.

Pursuant to Section 30519.5 of the Coastal Act, results of the Periodic Review analysis are recommendations to the County for corrective actions and improved resource protection measures that should be taken in order to ensure continued implementation of the LCP in conformity with the policies of the Coastal Act. These recommendations do not mean that the entire LCP lacks conformity with the Coastal Act. On the contrary, in many policy areas, the LCP remains effective in carrying out the goals and objectives of the Coastal Act. As noted, some recommendations address problems in implementation and some reflect the need to address changed conditions or new information and build on the existing policies rather than recommend entirely new directions. These recommendations do not directly amend the certified LCP. The recommendations suggest actions that could be carried out through such means as: policy and ordinance changes in future amendments to the LCP; changes in how the County implements the LCP in issuing coastal permits; or through other implementing actions such as new studies, educational efforts or County programs.

Regarding the recommended actions suggested to the County, the Commission recognizes the limited resources available for planning and management activities. For example, the local assistance planning grant program to support local government coastal management activities was eliminated from the Commission's budget several years ago. Nevertheless, as noted in this Periodic Review analysis, keeping the LCP current and up to date is central to assuring long-term protection, management and restoration of coastal resources as envisioned by the goals of the Coastal Act.

The Commission also realizes that sound coastal resource management is not only the County's responsibility. This Periodic Review analysis has found instances where the County is addressing impacts in the Marina that are a result of activities elsewhere in the region, such as in the areas of transportation and water quality. The Periodic Review found that the County is taking commendable steps to help address these regional issues. Changes to the County's LCP alone may not fully address the concerns raised but rather new or strengthened intergovernmental initiatives may be needed.

While recommendations suggest specific changes to the currently certified versions of the LCP, some flexibility in final wording, format, and location in the LCP is anticipated,

especially should the County choose to pursue a comprehensive update of the LCP to address the recommendations. Because there may be different implementing mechanisms, or the County might legitimately respond with additional information to explain the perceived gaps, the recommendations generally use the term "should". However, if recommendations are incorporated into the LCP through LCP amendments, revised LCP policy and ordinances may require use of "shall" in policy revisions.

**County Response to Periodic Review Recommendations**

The recommended corrective actions contained in the Periodic Review were transmitted to the County of Los Angeles on April 29, 2009. Coastal Act section 30519.5(b) requires that Los Angeles County respond to the recommendations contained in the Periodic Review within one year of this transmittal, either by taking action to implement the recommendations, or by forwarding the Commission a report setting forth its reasons for not taking the recommended action. The Los Angeles County Board of Supervisors adopted its response to the Periodic Review on April 6, 2010 and on April 13, 2010, the County submitted a report to the Commission on its plan to address the Periodic Review recommendations. The County's report was developed with input from the public, County departments and advisory bodies. A full description of the public participation process is contained in the County's report which is attached to this report.

The report submitted by the County indicates that it is in agreement with approximately 80 percent of the Periodic Review Recommendations and that the County is in the process of implementing many of the recommendations that do not require amendments to the LCP currently. The County also indicates that it is not in agreement with other recommendations and supports some recommendations with modifications or changes. The completion and submittal of the report is the first step in a "Roadmap for Marina del Rey" that the County formally submitted to the Commission on September 14, 2009. The County's report includes a summary of responses or overview of the County's position on each Commission identified issue area as well as detailed responses to each of the Commission's recommendations. The report also includes a discussion of the process undertaken by the County to gather input on the Periodic Review recommendations from the public (community meetings to receive input from individuals, working groups, and community groups) and other County agencies. Additionally, the report also includes a summary of actions that the County intends to take to implement Periodic Review recommendations ("pipeline" projects LCP amendment and "visioning process" for future LCP amendments).

A map and text amendment to the LCP to address Phase II Marina Redevelopment projects or "pipeline" projects and other key recommendations is the second step in the "Roadmap" and has been submitted and scheduled for public hearing as LCPA 1-11. The "pipeline" projects are those that were already in the regulatory process at the County. The LCPA also addresses, either via submittal and/or suggested modifications, several other major issues identified in the Periodic Review including:

- Recreational boating (slip size, mix, and location, including dry storage)

- Marine resources protection including water quality
- Biological resources (wetlands, roosting and nesting colonial waterbirds)
- Recreation and visitor-serving facilities
- New development and redevelopment
- public access (pedestrian and bicycle paths, public parking)
- Traffic circulation
- Coastal hazards (sea level rise)

A *Master Waterside CDP Application* for Marina del Rey Harbor has also been submitted as a partial response to the Periodic Review (CDP Application No. 5-11-131) that proposes the demolition and reconstruction of six private marinas and one public marina, plus demolition and construction of new public docks, dry boat storage facilities, pump-out facilities, and water bus stops. Both the LCPA and the CDP application are scheduled for the November, 2011 Commission hearing along with this Periodic Review Response report.

The third step in the "Roadmap" is a proposed "visioning process" that will be initiated following action by the Commission on LCPA 1-11. The "visioning process" is intended to result in future amendments to the LCP addressing Periodic Review recommendations.

As established by Coastal Act section 30519.5(b), the Commission "shall review such report and, where appropriate, report to the Legislature and recommend legislative action necessary to assure effective implementation of the relevant policy or policies of [the Coastal Act]"

Los Angeles County
Department of Regional Planning

*Planning for the Challenges Ahead*

Jon Sanabria
Acting Director of Planning

September 14, 2009

Peter M. Douglas, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

Dear Mr. Douglas:

**MARINA DEL REY ROADMAP FOR LOCAL COASTAL PROGRAM AMENDMENT**

In response to the "Road Map" approach you identified to your Commission on June 11, 2009 with respect to Marina del Rey Local Coastal Program (LCP) amendments required for six redevelopment projects, Supervisor Knabe, in whose Supervisorial District Marina del Rey is located, introduced the attached motion to the Los Angeles County Board of Supervisors this past Tuesday, September 1, 2009, to secure the Board's endorsement of this approach. The Board unanimously approved the motion instructing the Department of Regional Planning to proceed with the Road Map as follows:

- Prepare and submit the County's response to the Coastal Commission's Marina LCP Periodic Review findings and recommendations by April 2010;

- Process the pending Local Coastal Program amendments (Pipeline Projects) as a single aggregate map and text amendment with respect to all Phase II Marina redevelopment projects requiring an LCP amendment, together with a cumulative impact analysis of all of the development currently proposed in Marina del Rey. This compound plan amendment should be presented to the Regional Planning Commission and to the Board of Supervisors by February 2011, and shortly thereafter the California Coastal Commission; and,

- Develop of comprehensive long term vision, within five years, for future redevelopment of Marina del Rey, which will focus on the redevelopment of leaseholds terminating in the next 15 to 20 years.

As proposed, Marina redevelopment projects requiring an LCP amendment will be batched together in one compound amendment, which will revise the Marina LCP's maps and text to conform each individual parcel's land use designation to the particular project contemplated for that parcel. This amendment will go to your Commission with a cumulative impact analysis of all Phase II Marina redevelopment projects. Although such an assessment is included in the environmental documentation for each project, the proposed single cumulative impact analysis will allow you and your staff, as well as your Commissioners, to evaluate impacts at a very early stage in the entitlement process.



320 West Temple Street • Los Angeles, CA 90012 • 213-974-6411 • Fax: 213-626-0434 • TDD: 213-617-2292

I am pleased to report that the County has already completed many of the studies necessary for development of the cumulative impact analysis. Drafts of the following studies have been already available for several months on the Department of beaches and Harbors' website and discussed in several public meetings:

1. Marina del Rey Slip Pricing and Vacancy Study;
2. Marina del Rey Slip Sizing Study; and
3. Right Sizing Parking Study for the Public Parking Lots in Marina del Rey.

A major study of sensitive biological resources in Marina del Rey, with provisions for their enhancement and necessary mitigation, and the design for rehabilitating and enhancing the Oxford Retention Basin are also underway.

We appreciate that the Commission, in concurring in this approach, recognizes that the County has been negotiating Phase II redevelopment projects in Marina del Rey for several years and that the project LCP amendments, where required, generally do not represent a wholesale change in land use entitlements or total development potential allocated in the LCP.

We look forward to working hand-in-hand with you and your staff towards the accomplishment of each prong of this roadmap. I already greatly appreciate the extent to which you and your staff have made yourselves available to me in furtherance of our mutual goals.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Jon Sanabria
Acting Director of Planning

JS:jc

Attachment

c: Supervisor Knabe
Julie Moore
Lari Sheehan
Santos Kreimann
Tom Faughnan
Steve Napolitano

**COASTAL COMMISSION**

EXHIBIT # 1
PAGE 2 OF 4

STATEMENT OF PROCEEDINGS FOR THE

REGULAR MEETING OF THE BOARD OF SUPERVISORS

OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B

OF THE KENNETH HAHN HALL OF ADMINISTRATION

500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

Tuesday, September 1, 2009

9:30 AM

2. Recommendation as submitted by Supervisor Knabe: Direct the Acting Director of Planning to prepare a response to the proposed Periodic Review of the Marina del Rey Local Coastal Program, in consultation with the Acting County Counsel, the Directors of Beaches and Harbors, and Public Works, and any other County department with responsibilities in Marina del Rey, and return to the Board with the recommended response no later than February 2010; also direct the Acting Director of Planning to:

   Prepare the map and text amendment to the Marina del Rey Local Coastal Program and the cumulative impact assessment, in consultation with the Chief Executive Officer, the Acting County Counsel, Directors of Public Works and Beaches and Harbors, returning to the Board once the Regional Planning Commission has acted upon the proposed amendment; and

   Begin the visioning process for future redevelopment of Marina del Rey, involving the public and in consultation with the Board and the Department of Beaches and Harbors, to be completed within five years. (09-2028)

**Jon Sanabria, Acting Director of Planning, and Santos H. Kreimann, Director of Beaches and Harbors, responded to questions posed by the Board.**

**David Barish, Aaron Clark, David DeLange, Hans Etter, Eric J. Fort, Dan H. Gottlieb, Richard Hyatt, Derek Jones, Nancy Vernon Marino, Jon S. Nahhas, John Rizzo, Lynne Shapiro, Rachel L. Torres, and Roger Van Wert addressed the Board.**

**After discussion, on motion of Supervisor Ridley-Thomas, seconded by Supervisor Knabe, this item was approved.**

**Ayes:** 5 - Supervisor Molina, Supervisor Ridley-Thomas, Supervisor Yaroslavsky, Supervisor Antonovich and Supervisor Knabe

***Attachments:***
Motion by Supervisor Knabe
Report
Video 1
Audio 1
Video 2
Audio 2

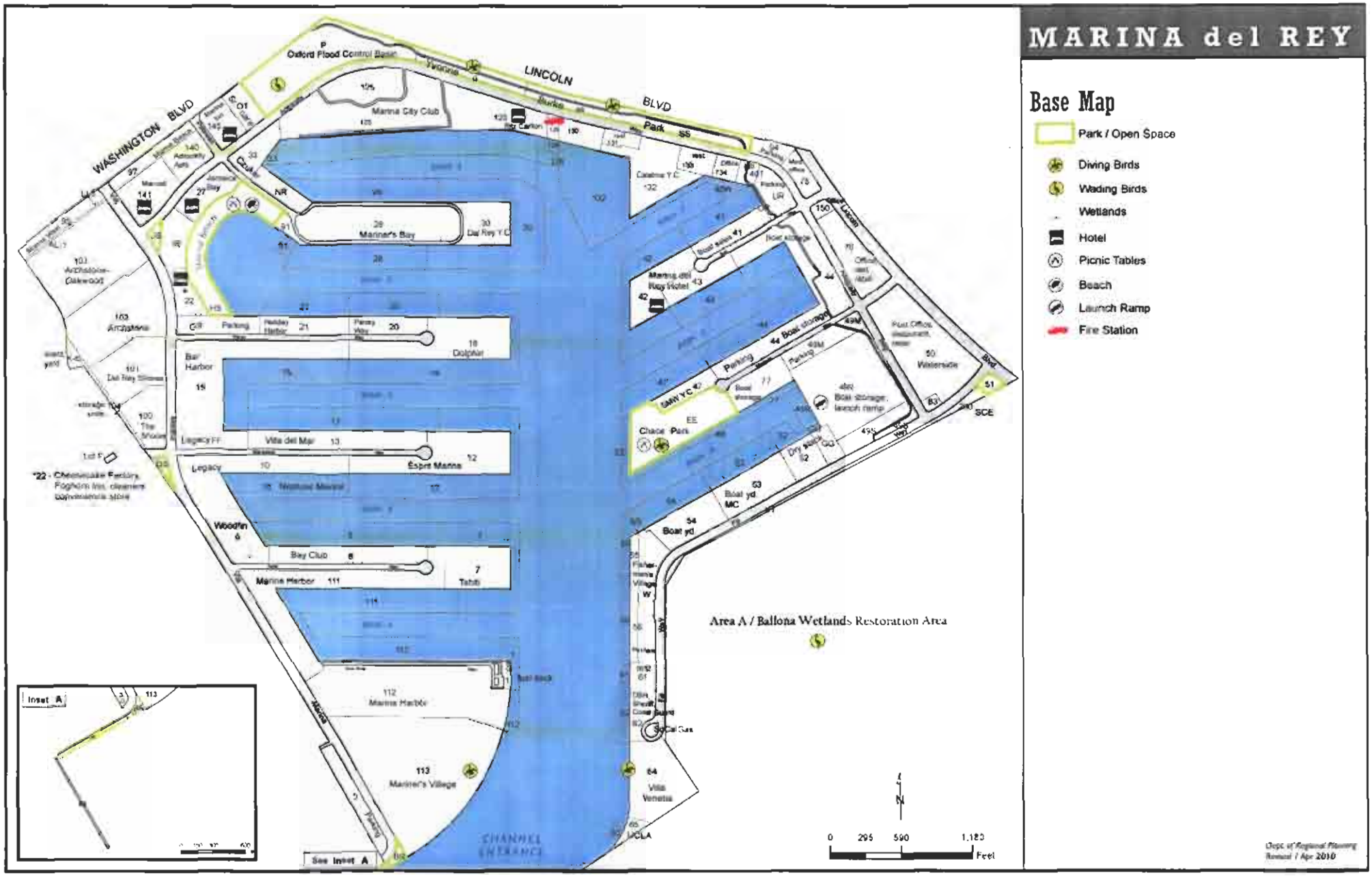
The foregoing is a fair statement of the proceedings of the regular meeting held September 1, 2009, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Sachi A. Hamai, Executive Officer

Executive Officer-Clerk
of the Board of Supervisors

By _____

Sachi A. Hamai
Executive Officer


MARINA del REY
Base Map
Park / Open Space
Diving Birds
Wading Birds
Wetlands
Hotel
Picnic Tables
Beach
Launch Ramp
Fire Station
LINCOLN BLVD
WASHINGTON BLVD
Oxford Flood Control Basin
Marina City Club
Mariner's Bay
Bar Harbor
Dolphin
Vista del Mar
Esprit Marina
Legacy
Woodfin
Bay Club
Marina Harbor
Tahiti
Boat storage
Parking
Boat yd
Area A / Ballona Wetlands Restoration Area
Inset A
See Inset A
Mariner's Village
Villa Venetia
CHANNEL ENTRANCE
0 295 590 1,180 Feet
Dept. of Regional Planning
Revised 1 Apr 2010

Los Angeles County
Department of Regional Planning

*Planning for the Challenges Ahead*

Richard J. Bruckner
Director

April 12, 2010

Ms. Bonnie Neely, Chair
California Coastal Commission
45 Fremont Street Suite 2000
San Francisco CA 94105-2219

**SUBJECT: REPORT TO THE CALIFORNIA COASTAL COMMISSION ON THE MARINA DEL REY LOCAL COASTAL PROGRAM PERIODIC REVIEW**

Dear Ms. Neely,

On April 30, 2009, Coastal Commission staff submitted to the County of Los Angeles your Periodic Review of the Marina del Rey Local Coastal Program (LCP). On April 6, 2010, the Los Angeles County Board of Supervisors approved the response to the Periodic Review and instructed our Department to forward that response to your Commission. Forwarding this report within one year of submittal of the Periodic Review satisfies the County's obligations under Coastal Act Section 30519.5.

The County's response to the Periodic Review was developed with assistance from the public, County departments, and County advisory bodies. Members of the public were invited to help the County evaluate the recommendations, to provide suggestions for modifications to the recommendations, and to comment on any other issues or areas of concern regarding Marina del Rey. A full description of the public participation process, including the several community meetings that were held and the many opportunities to provide input, is contained in the Report, and public correspondence is contained in the Appendices.

The County is in agreement with approximately 80 percent of the Periodic Review recommendations and I am pleased to report that many of the recommendations, particularly those related to improving water quality in the Marina and with preparing a comprehensive LCP update of anticipated future development, are being implemented now. Others, such as those related to incorporating green building provisions and rectifying the inconsistency between duties of the Regional Planning Commission and the Design Control Board, have already been acted upon by our Board of Supervisors and – in the case of the Design Control Board – your Commission.

The preparation and forwarding of the Periodic Review Report and Appendices completes the first step in the Roadmap for Marina del Rey endorsed by your Commission. County staff is preparing the map and text amendment, which is the second step in the Roadmap. Step three, the visioning process, will commence once the map and text amendment is certified by your Commission. Amendments to the Marina del Rey LCP addressing those Periodic Review recommendations supported by the County will be developed in conjunction with the visioning process.

County and Commission staff have developed a productive and collaborative working relationship during the Periodic Review process. We look forward to addressing your Commission soon on the Periodic Review Report and Appendices, and to continuing that collaborative relationship as we complete the Roadmap.

Please feel free to contact Gina Natoli at 213-974-6422 if you have any questions. Ms. Natoli is available Monday through Thursday from 7:30 a.m. to 5:00 p.m.

Sincerely,

RICHARD J. BRUCKNER
Director

RJB:JS:GMN

# Report to the California Coastal Commission on the Marina del Rey Local Coastal Program Periodic Review

County of Los Angeles

April 6, 2010

# Table of Contents

## INTRODUCTION

The California Coastal Commission began work on a periodic review of the Marina del Rey Local Coastal Program (LCP) in 2003. A periodic review is an evaluation as to whether an LCP is being implemented in conformity with the Coastal Act. Your Commission concluded that the Marina del Rey LCP is not being implemented in conformity with the Coastal Act and, through the Marina del Rey LCP Periodic Review, your Commission provided 68 recommendations for changes to the LCP. Under the Coastal Act, the County must either take the recommended actions or report within one year as to why we have not.

The County of Los Angeles received the Marina del Rey LCP Periodic Review on April 30, 2009. This report contains the County's response to the Periodic Review. The County has not taken comprehensive action on all of the Periodic Review's recommendations, but has acted on or already implements several of the recommendations. This report is filed within one year of transmittal of the Periodic Review to the County and therefore satisfies Section 30519.5 of the California Coastal Act.

The County's response is the result of work undertaken over nearly a year and a half by County staff, Marina residents and business people, boaters, recreational users, and other interested parties. The Appendices to this report contain copies of the public input received through an extensive outreach effort; the outreach effort is described in more detail in the Input Process section of this report.

This report is the first step in the "Roadmap" for Marina del Rey endorsed in 2009 by your Commission and the Los Angeles County Board of Supervisors. The Roadmap, which is a process for addressing pending project-driven LCP amendments as well as future amendments to the LCP, consists of the following three steps:

**PERIODIC REVIEW RESPONSE**

Provide a response to the Coastal Commission's Periodic Review of the Marina del Rey Local Coastal Program, in consultation with the public, County Counsel, the Departments of Beaches and Harbors, Public Works, and any other County department with responsibilities in Marina del Rey.

**COMPOUND AMENDMENTS**

Prepare the map and text amendment to the Marina del Rey LCP and the cumulative impact assessment, in consultation with the Chief Executive Officer, County Counsel, the Departments of Beaches and Harbors and Public Works, and the public, to address the amendments necessary for the "pipeline projects".

**VISIONING**

Begin the visioning process for future redevelopment of Marina del Rey, involving the public and in consultation with the Board of Supervisors, the Department of Beaches and Harbors, and any other County department with responsibilities in Marina del Rey.

The report is organized as follows:

- **Summary of Responses** – An overview of the County's position in each topic area.
- **Input Process** – A discussion of the process undertaken to gather input on the Periodic Review recommendations from the public and County entities.
- **County Responses** – Detailed responses to each of the Coastal Commission's recommendations.
- **Future Actions** – Actions the County intends to take to implement relevant recommendations.
- **Appendices** – Sign-up sheets for the community working groups; the complete comments of the working groups and other community groups as submitted to the Department of Regional Planning; a PowerPoint presentation prepared by the working groups and presented to the public at a community meeting; comments on the draft responses; the County's recently-adopted Green Ordinances, and; information on the WaterBus and Beach Shuttle.

## SUMMARY OF RESPONSES

The County supports, in whole or with modification, approximately 80 percent of the Coastal Commission's (Commission) recommendations. (See Table 2, Page 9.) The County's response to recommendations in the nine topic areas contained in the Periodic Review is summarized in this section.

Recreational Boating

The County is committed to providing a mix of small, medium and large boat slips in the Marina. The specific mix and provision of boater facilities will be based, however, on the marina-wide Slip Pricing and Vacancy Study and Slip Sizing Study recently completed for the County's pending compound amendments (i.e., the Roadmap "pipeline" projects), rather than on isolated studies conducted for individual marina redevelopment projects.

Preventing the loss of total boat slips in the Marina is not possible, given State and Federal access requirements under the Americans with Disabilities Act, Department of Boating and Waterways marina design standards, and the fact that the County is no longer willing to fully apply the Funnel Concept in the Main Channel. In order for Marina del Rey to remain relevant as a marina, the County must also respond to market conditions which in recent years have tended to longer and wider boats requiring larger slips. The County intends to mitigate wet slip losses for smaller boats through the construction of dry stack storage facilities, such as is proposed for Parcel 52.

Marine Resources/Water Quality

The County has long ensured through the development review process that applicable Marina projects comply with the Los Angeles County Municipal National Pollutant Discharge Elimination System (NPDES) Stormwater Permit, Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, adopted Total Maximum Daily Load (TMDL) levels, and LCP standards and requirements. Marina developers have been required for several years to demonstrate that

their projects include effective design components and best management practices (BMPs) that improve water quality in the Marina. These components include, but are not limited to, preventing the discharge of pollutants into receiving waters, reducing post-development peak runoff rates, and installing bioretention filters in Marina parking lots. In addition, beginning in January 2009 all Marina projects have been required to comply with the County's Green Building, Drought-Tolerant Landscaping and Low-Impact Development (LID) Ordinances. These Ordinances ensure the highest level of sustainable development and are included in Appendix F for your reference. The County intends to revise the LCP to make clear that projects will be reviewed for conformity with these requirements.

While the County agrees that eelgrass should be protected and *Caulerpa taxifolia* removed during marina redevelopment activities, all in-water activities are more appropriately regulated by the Coastal Commission, which has jurisdiction over development in the water.

Performance standards have not been adopted for implemented Best Management Practices (BMPs). The County favors establishing a maintenance protocol for newly-constructed BMPs, implemented by the developer, with a self-certification program supported by spot inspections.

New Development/Circulation

The traffic caps for Marina del Rey instituted in the 1996 LCP amendments are closely monitored and development proposals are required to comply with trip levels within their development zone. Full buildout of the Marina at either current LCP levels or at levels that might be achieved through addition of the Roadmap "pipeline" projects will not cause traffic to reach the levels estimated in the 1994 DKS study.

The County takes seriously issues of circulation within Marina del Rey. The County takes actions to improve circulation as redevelopment occurs (e.g., onsite parking), and other actions are taken as funding and scheduling permit (e.g., lane improvements, signalization and some sidewalk widening). Much of the traffic utilizing Marina roadways originates and terminates in areas outside the County's control.

The County will continue to implement the WaterBus and Beach Shuttle, which cater primarily to residents and visitors. There is no data to indicate demand would make an internal Marina commuter shuttle system successful, and the County cannot reasonably collect the ongoing fees necessary to maintain such a system.

Recreation and Visitor Facilities

The County supports recommendations to locate public parking near recreational facilities, and for improving public access to the waterfront with an expanded uniform signage plan linking Marina recreational facilities.

The County agrees that modifications to implementation of the Coastal Improvement Fund are necessary, including removing the exemption for office uses from paying into the Fund.

The County recognizes that the prime asset of Marina del Rey is the water, and works in every development project to maintain views of the water.

A 1:1 replacement ratio for displaced parks or lower-cost recreational facilities, and for public parking as evaluated by the Right-Sizing Parking Study, are the appropriate standards to provide continued public access to coastal resources.

Public Access

The County intends to continue to ensure maximum public access by implementing such provisions where feasible in all projects, pursuant to lease extensions and not retroactively. In projects where public access may be restricted due to safety concerns, the County will identify alternative access locations or amenities. Development plans currently submitted to the County must identify all public improvements, and this requirement can be made part of the LCP's filing requirements.

The County supports increasing public awareness of the California Coastal Trail in its current alignment along the existing bike trail and promenade.

The call for a comprehensive parking management plan is addressed by the Right-Sizing Parking Study, which evaluated current use and future demand at the Marina's public parking lots. Policies addressing design guidelines will be considered for a future LCP update.

Biological Resources and Environmentally Sensitive Habitat Areas

The County agrees that sensitive coastal resources need to be protected from impacts by development. While existing LCP policies and the California Environmental Quality Act review process conducted by the County provide adequate safeguards, the County will ensure that identified resources such as the wetlands portion of Parcel 9, and those at Oxford Flood Control Basin (Parcel P) which do not interfere with the Basin's paramount function as a flood control facility, continue to be protected, and that development impacts are minimized to Ballona Wetlands Ecological Reserve and to Marina tree stands utilized as nesting and roosting habitat.

The Commission found in 1996 that, with the removal of Area A, Marina del Rey did not contain any ESHA. The County does not believe that any resources within the LCP study area rise to the level of ESHA, and does not intend to reintroduce ESHA policies into the Marina del Rey LCP. (See page 29 for a full explanation of the County's position on ESHA in Marina del Rey.)

Cultural Resources, Hazards and Procedures

The County supports all recommendations within these topic areas – and in fact implements several of them now – and will add revisions addressing these concerns to the LCP in a future update.

## INPUT PROCESS

The County conducted an extensive outreach campaign via the Internet, community meetings, telephone and e-mail to inform the public and appropriate County agencies about the Periodic Review response process, and to gather as wide a range of input as possible. Both the County's Departments of Beaches & Harbors and Regional Planning placed information about the Periodic Review and the community outreach effort on their websites. Groups such as We ARE Marina del Rey and the Venice Neighborhood Council assisted us in this effort by placing

information about the Periodic Review and our community meetings on their websites, and by discussing the matter at their meetings. The Neighborhood Council of Westchester-Playa del Rey also assisted by inviting the County to speak at a Neighborhood Council meeting along with We ARE Marina del Rey representatives, which provided the County another opportunity to disseminate information to the public and to gather comments.

Public: Community Meetings and Working Groups

The County began its community outreach efforts in the fall of 2008 in anticipation of receiving the formal transmittal of the Periodic Review. (See Table 1 for a full timeline.) On August 21, 2008 the County held its first community meeting about the Periodic Review response. Over 9,420 postcards were mailed to Marina residents, liveaboards and interested parties inviting them to attend a Periodic Review orientation meeting held at the Marina del Rey Hotel. The objective of the meeting was for members of the public to develop an understanding of the Periodic Review and how the community could work with the County to help us prepare our response. Approximately 160 people attended the two-hour meeting. The meeting included a question-and-answer period, which occupied nearly half the meeting, during which a County representative answered varied questions from attendees about development in the Marina, the County's position on the Periodic Review draft recommendations, and the pending response process.

**Table 1. Input Timeline**

| DATE | ACTION |
|---|---|
| Aug. 21, 2008 | In anticipation of receiving the final Periodic Review from the Coastal Commission, held a community meeting in Marina del Rey to discuss how the community could be involved in helping the County develop its response to the Periodic Review. |
| Oct. 29, 2008 | Held a community meeting in Marina del Rey to help organize the groups working on comments to the draft Periodic Review recommendations, and to distribute Coastal Commission's draft Periodic Review recommendations. |
| Oct. 29, 2008 – May 14, 2009 | Met monthly with Working Groups to provide logistical and technical assistance. |
| April 30, 2009 | Received formal Periodic Review transmittal from Coastal Commission. |
| May 15, 2009 | Held a community meeting in Marina del Rey where the Working Groups presented their comments on the recommendations, and on other issues of concern to them regarding the Marina, through a PowerPoint presentation. |
| May 2009 – January 2010 | Discussed draft recommendations with other County departments with responsibilities in Marina del Rey and drafted responses to each recommendation. |
| Feb. 8, 2010 | Released the draft responses to the public for comment. |
| Feb. 10, 2010 | Met with the Small Craft Harbor Commission to obtain their input on the draft Periodic Review responses and obtain further public input. |
| Feb. 17, 2010 | Met with the Small Craft Harbors Design Control Board to obtain their input on the draft Periodic Review responses and obtain further public input. |
| Feb. 24, 2010 | Met with the Regional Planning Commission to obtain their input on the draft Periodic Review responses and obtain further public input. |
| April 6, 2010 | Report discussed at public meeting of the Board of Supervisors. |

Attendees were encouraged at the August 21st meeting to sign up for a "working group" which would comment on each of the recommendations contained in one of the nine general topic

areas within the Periodic Review. Alternately, working groups could also be formed by any existing group or by individuals wanting to form a new group. Individuals were also encouraged to provide their comments directly to the County, if that approach was more comfortable for them. The purpose of the working groups was to ensure that the County received comments in each topic area, but groups and individuals were free to comment on any portion of the Periodic Review or other issues of concern in Marina del Rey.

The second community meeting was held on October 29, 2008 at the Marina del Rey Hotel. This was a meeting to help the working groups organize and understand their task and the five-and-a-half-month timeline for completing their comments, and to further explain the County's role in their groups. The County mailed approximately 14,100 postcards to announce this event. The mailing included the 9,420 addresses utilized for the August mailing, plus 4,677 addresses of boat owners who keep their boats in Marina del Rey. While the County provided organizational guidance and reference materials to aid the groups in developing their comments, the County did not assign participants to groups or run group meetings; participant-volunteers organized themselves and their meetings, and determined the group's comments. The County did ask to attend at least one meeting a month of each working group in order to provide administrative support and ensure they were on track to meet the timeline. These meetings were on the whole well run, focused, and extremely productive, which is a testament to the commitment of the group participants and the cooperative atmosphere they worked to maintain.

Public: Periodic Review Recommendations

One outcome of the working group process was a series of reports submitted to the County by each working group. The complete reports, as well as all other comments submitted to the County, are included in Appendix B. The culmination of their efforts was a community meeting during which the working groups made a PowerPoint presentation summarizing their comments about the Periodic Review recommendations and other issues of concern with Marina del Rey.

Approximately 14,100postcards were mailed out to Marina residents, liveaboards, interested parties and Marina del Rey boat owners inviting them to attend the May 13, 2009 meeting at the Marina del Rey Hotel and view the working groups' presentations. The County provided a slide format for the PowerPoint presentations, but the content came directly from the working groups. (See Appendix C.)

In many instances the working groups agreed with your Commission's recommendations, and in some instances suggested going beyond those recommendations. As the County has a difference of opinion with several of the Periodic Review recommendations, this means the County also has differences with several of the comments made by the working groups.

The County already implements several of the Periodic Review recommendations supported by the working groups, particularly in the area of water quality where the County applies both SUSMP and LID Ordinance requirements. In addition, the County and the working groups agree on many aspects of the same recommendations. Areas of general agreement include, but are not limited to:

- Recommendation 3 – Deleting the Funnel Concept
- Recommendation 4 – Providing more short-term day use docks at or near visitor-serving facilities
- Recommendation 17 – Enhancing non-automotive transportation

- Recommendation 18 – Improving pedestrian access to make Marina del Rey more "people-friendly"
- Recommendation 24 – Adjusting the in-lieu fee for lower-cost visitor accommodations
- Recommendation 29 – Encouraging leaseholds that are not redeveloping to upgrade and improve public access, through consideration and good-faith efforts
- Recommendation 38 – Utilizing existing walkways for the California Coastal Trail
- Recommendation 42 – Requiring development applications to include project plans that show all public access improvements
- Recommendation 63 – Revising noticing and consultation measures to protect traditional tribal cultural places, features and objects
- Recommendation 66 – maintaining a publicly-accessible, descriptive log of projects exempted from coastal development permit requirements

Many of the working groups' comments included suggested modifications to your Commission's recommendations or mentioned other issues of concern that the County will evaluate for possible inclusion in a future LCP update. Though not a complete list, here are some of the suggestions the County will evaluate:

- Recommendation 12.H – Implementing avian-proof lids on trash cans (already done at most County beaches) and compostable dog waste disposal systems to control trash and pollution
- Recommendation 14 – Installing a high pressure/steam cleaning system at the boat launch to prevent the spread of invasive aquatic species
- Recommendation 21 – Developing additional incentives to make it more attractive for developers to provide free or lower-cost public uses
- Recommendation 24 – Determining the best way to revise the in-lieu fee for lower-cost overnight visitor accommodations
- General – Implementing a vendor performance evaluation and rating system
- General – Creating a "Sense of Place" and community centered around the waterfront
- General – Improving integration of public walkways and bike paths, and paths connecting parking

Public: Draft Periodic Review Responses

The County's draft responses to the Periodic Review recommendations were released for public review and input on February 8, 2010. The County received written input on the draft responses from four individuals, all working group participants. (See Appendix D.) Three of the four individuals felt the County had not included their comments in the draft responses, and most provided expanded explanations to their positions. One individual disagreed with the County's position on Recommendation 23, concerning private fractional ownership of hotel/motel rooms on publicly owned land.

The County's responses address the concerns raised by the four individuals. In some instances we simply have a difference of opinion, such as with Recommendation 23. In other instances, the suggestions made by the working groups for changes to the LCP are more appropriately addressed in the separate visioning and LCP update process that will take place in the near future. The County responded separately to each of the four individuals who provided input on the draft responses.

County Agencies and Advisory Bodies

The County Departments of Beaches & Harbors, Parks and Recreation, Public Works and Regional Planning reviewed the Periodic Review recommendations and provided comments. In addition, draft responses to the recommendations were submitted to the following advisory bodies in order to obtain further input on the draft responses: Small Craft Harbor Commission, Design Control Board, and Regional Planning Commission. These bodies reviewed the draft responses at public meetings where the public was invited to speak.

The Small Craft Harbor Commission, which did not provide input on all draft responses, agrees with the County's position on virtually every recommendation. The exception is that one Commissioner is opposed to including condominium or timeshare ownership in any Marina development. (See Appendix E.) Five members of the public spoke at the meeting.

The Design Control Board (DCB) commented on two general areas of the recommendations: storm water control and best management practices (BMPs), and.environmentally sensitive habitat areas (ESHA). One Board member stated that the County has Green Building, Drought Tolerant Landscaping and Low Impact Development Ordinances in place, and requires conformance to stormwater runoff BMPs in development applications, so the issues raised in Recommendation 8 are being addressed by the County. Another Board member stated that he understands that the smaller natural areas in Marina del Rey do not rise to the level of ESHA, but believes a balance must be found between retaining the public recreation potential of the Marina and protecting wildlife. (See Appendix E.) Seven members of the public spoke at the meeting.

The Regional Planning Commission (RPC) did not provide written comments. Comments made by individual Commissioners to County staff during the February 24th RPC meeting, where the draft responses were discussed, include:

- Look at Recommendations 58 and 59 with respect to the impact sea level rise will have on diked or filled property
- Include global warming as a hazard to be addressed under Recommendation 65
- Consider including a time frame for use of in-lieu fees

Global warming and sea level rise are adequately addressed in the County's existing comments, but agrees that evaluating the inclusion of a time frame for the use of in-lieu fees is warranted. The County has revised our response to Recommendation 24 to incorporate this suggestion. Five members of the public spoke at the meeting.

**Table 2. County Position on Recommendations**

| Topic Area | Recommendation | County Position |
|---|---|---|
| Recreational Boating | 1 | Support with modification |
| | 2 | Support with modification |
| | 3 | Support |
| | 4 | Support |
| | 4A | Oppose |
| Marine Resources/ Water Quality | 5 | Support with modification |
| | 6 | Support with modification |
| | 7 | Support with modification |
| | 8 | Support |
| | 9 | Support with modification |
| | 10 | Support with modification |
| | 11 | Support with modification |
| | 12 | Support with modification |
| | 13 | Support |
| | 14 | Support with modification |
| New Development/ Circulation | 15 | Support with modification |
| | 16 | Oppose |
| | 17 | Support with modification |
| | 18 | Support |
| | 18A | Support |
| | 19 | Support |
| | 20 | Support with modification |
| | 21 | Support with modification |
| | 22 | Support with modification |
| | 23 | Support with modification |
| | 24 | Support with modification |
| | 25 | Support with modification |
| | 26 | Support |
| Recreation and Visitor Facilities | 27 | Support with modification |
| | 28 | Oppose |
| | 29 | Support |
| | 30 | Support with modification |
| | 31 | Support |
| | 32 | Support |
| | 33 | Support |
| | 34 | Support |
| | 35 | Support with modification |
| Public Access | 36 | Support with modification |
| | 37 | Support |
| | 38 | Support with modification |
| | 39 | Support |
| | 40 | Support with modification |
| | 41 | Oppose |
| | 42 | Support |
| Biological Resources and Environmentally Sensitive Habitat Areas | 43 | Support with modification |
| | 44 | DELETED |
| | 45 | Oppose unless modified |
| | 46 | Support with modification |
| | 47 | Oppose |
| | 48 | Support with modification |
| | 49 | Oppose |
| | 50 | Support |
| | 51 | Oppose |
| | 52 | Oppose |
| | 53 | Oppose |
| | 54 | Support with modification |
| | 55 | Support with modification |
| | 56 | Support with modification |
| | 57 | Support with modification |
| | 58 | Support with modification |
| | 59 | Support with modification |
| | 60 | Oppose |
| | 61 | Oppose |
| | 62 | Oppose |
| Cultural Resources | 63 | Support |
| | 64 | Support |
| Hazards | 65 | Support |
| Procedures | 66 | Support |
| | 67 | Support with modification |

**Totals:** Support = 21
Support with Modification = 34
Oppose = 12
Oppose unless Modified = 1
Deleted = 1

## COUNTY RESPONSES TO RECOMMENDATIONS

This section contains detailed comments for each California Coastal Commission (CCC) recommendation.

**Recreational Boating**

1) CCC Recommendation: The County should require an updated comprehensive boater use, slip size, and slip distribution study which is no more than five years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Harbor as a whole.

   County Position: Support with modification.

   Comment: The County has completed two studies, the Marina del Rey Slip Sizing Study and Marina del Rey Slip Pricing and Vacancy Study. Both studies considered public comment and were endorsed by the Small Craft Harbor Commission at its July 2009 meeting after discussions on the matter at three previous meetings in March, April and May 2009. The finalized reports will serve as the Marina-wide guideline for future dock redevelopment projects.

2) CCC Recommendation: Through the development review process and through improvements to existing facilities, continue to provide a mix of small, medium and large boat slips which is based on updated information from the comprehensive study discussed in recommendation 1 above.

   County Position: Support with modification.

   Comment: The County supports utilizing the Marina del Rey Slip Sizing Study, which recommends that Marina del Rey as a whole should maintain a slip mix for small, medium and large boat slips as follows: 50 percent of all slips should be for smaller boats 35 feet and under; 39 percent for the medium sizes, and 11 percent for the larger sizes. The Study does not recommend creating additional boat berth slips under 30 feet in length. The average slip length for Marina del Rey as a whole should not exceed 40 feet. Additionally, the Study provides a separate guideline for the redevelopment of individual marinas which allows for deviation from the aforementioned percentages as long as each marina's average slip size does not exceed 44 feet in length, unless there is justification.

3) CCC Recommendation: Section A3, Recreational Boating, Policy and Action e2, regarding the "Funnel Concept" for boat slip expansion, should be deleted as a policy and action from the Land Use Plan. The County should investigate other alternatives to increase recreational boating within the Marina, assure lower cost boating opportunities and adopt policies requiring implementation of such other alternatives as are found to be appropriate. Other alternatives that should be considered, but are not limited to:
   - creating additional slips along the main channel, end ties, or other areas, where feasible;
   - maintaining a mix of boat slip lengths throughout the Marina;
   - increasing day-use rentals;
   - encouraging boating membership programs;
     requiring marinas that reduce the number or proportion of slips to provide public access to affordable lower cost boating opportunities for the general public through such mechanisms as: contributing fees to develop new boating programs for youths, including disadvantaged youths, development of new lower cost boating facilities for all members of the general public; and encouraging boating membership programs; or similar mechanisms; continue to monitor

existing launch ramp facilities, estimate projected increases in demand and develop measures to increase capacity where needed;

- providing additional boat storage facilities, including areas for small non-motorized personal watercraft (i.e. kayaks, canoes and dinghies).

County Position: Support.

Comment: The County is committed to maintaining a proper mix of boat slip length that is responsive to the demands from small, medium and large boats. The proposed Chace Park peninsula dock replacement project will provide increased opportunities for small boat storage and day-use rentals. This proposed project also provides additional boat storage facilities, for motorized and non-motorized personal watercraft such as rowing shells, kayaks, canoes, small sailboats and dinghies.

The Department of Beaches and Harbors (DBH) requires proponents of dock replacement projects to provide opportunities for low cost boating accommodations whenever possible. For example, marinas that reduce the number of slips are required to provide public access to affordable low cost boating by contributing fees to develop or expand existing boating programs for youths, including disadvantaged youths. Wherever practical, boating membership programs or other similar mechanisms will be encouraged. DBH continues to monitor the existing launch ramp facilities to ensure their continued availability to the public and is seeking funding to improve and lengthen their useful life. Additionally, the creation of an additional dock on the north side of the existing launch ramp docks for the public to tie up for staging/rigging as well as for short term visits to nearby landside visitor-serving facilities is being studied. This additional dock, if approved, will further enhance the capacity and functionality of the existing launch ramp by providing additional dock space for boats to be prepared without blocking the launch/retrieval areas of the launch ramps themselves.

4) CCC Recommendation: Through the development review process and through improvements to existing facilities, provide short-term day use docks at or in close proximity to visitor-serving facilities, such as parks, Fishermen's Village, and restaurants.

County Position: Support.

Comment: The proposed Chace Park peninsula dock replacement project will increase the short term, day-use berthing capacity for transient use. There will also be a 140-foot side tie dedicated for four-hour use and an additional 142-foot side tie that can be used for short-term purposes should there be demand for it. Marina-wide, DBH has secured arrangements with the various anchorages to provide a network of docks for water taxi landings that provide convenient access to visitor-serving facilities in the Marina, including parks and Marina Beach.

4A) CCC Recommendation: No reduction in total boat slips and no reduction in slips 35 feet or less in length.

County Position: Oppose.

Comment: The competing goals of maintaining boat slips and complying with current building standards, Americans with Disabilities Act access requirements, and State design guidelines, cannot be easily rectified. These standards and requirements make it impossible not to lose any slips in the redevelopment process. The purchase of Area A by

the State for an ecological reserve and policy decisions such as the abandonment of the Funnel Concept further reduce the County's ability to add wet slips. Additionally, it is not practical to continue developing small wet slips that have historically suffered the highest vacancy rates and for which options exist for dry storage, while there is a shortage of larger boat slips which do not have viable alternative storage options. However, the County will endeavor to create more dry-stack storage along with other options to help offset the loss of wet slips due to the various factors affecting the redevelopment projects, and will endeavor to ensure a sufficient supply of boat slips in the 35-foot-or-less category by following the guidelines set forth in the Marina del Rey Slip Sizing Study.

**Marine Resources / Water Quality**

5) CCC Recommendation: Development shall maintain, enhance and where feasible restore marine resources, including wetlands, submerged aquatic vegetation, or other important aquatic habitat areas as designated by local, state, or federal governments, consistent with Coastal Act Sections 30230 through 30233.

   County Position: Support with modification.

   Comment: As the Coastal Commission retains permit issuing authority over all development in the Main Channel and Bains, submerged aquatic vegetation and aquatic habitat in these areas are more appropriately regulated by the Coastal Commission.

6) CCC Recommendation: The LCP should be amended to require that all development that involves disturbance to shallow water marine substrate provide a pre-construction survey to determine the presence of eelgrass (*Zostera marina*) taken during the active growth period. If eelgrass is present within the project site, the project shall be redesigned to avoid impacts to eelgrass. If nearby eelgrass is impacted it shall be mitigated in conformance with "Southern California Eelgrass Mitigation Policy" Revision 8 adopted by the National Marine Fisheries Service.

   County Position: Support with modification.

   Comment: As the Coastal Commission retains permit issuing authority over all development in the Main Channel and Basins, this issue is more appropriately regulated by the Coastal Commission.

7) CCC Recommendation: The LCP should be amended to require that all development that involves disturbance to marine water substrate within the marina and other shallow waters (up to approx. 250 ft. depth) shall provide a survey for the presence of *Caulerpa taxifolia* (*C. taxifolia*) consistent with the survey protocol required by the Southern California Caulerpa Action Team, SCCAT. If *C. taxifolia* is found within or in close proximity to the project site, it shall be eradicated prior to the commencement of the project.

   County Position: Support with modification.

   Comment: As the Coastal Commission retains permit issuing authority over all development in the Main Channel and Basins, disturbance to marine water substrate is an issue more appropriately regulated by the Coastal Commission.

8) CCC Recommendation: The LCP should be amended to update the policies, procedures and requirements associated with reducing polluted runoff and water quality impacts

resulting from development. The update should revise policies and ordinances to ensure that Sections 30230, 30231, 30232, and 30240 of the Coastal Act, related provisions of the LCP, the County's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, adopted Total Maximum Daily Loads (TMDLs), State Nonpoint Source Control Plan, and Contaminated Sediment Task Force recommendations are integrated.

County Position: Support.

Comment: The County's Low Impact Development Ordinance addresses some of these concerns. Others will be addressed in a future LCP amendment.

9) CCC Recommendation: The LCP should be updated consistent with the following principles and criteria, and to carry out the following provisions where applicable:

All development must address water quality by incorporating Best Management Practices into the development that are designed to control the volume, velocity and pollutant load of stormwater and dry weather runoff from the site during the construction phase and in the post-development condition. All new development and redevelopment projects shall integrate Low Impact Development principles designed to capture, treat and infiltrate runoff. Specific types of BMPs to be included in all development projects include site design and source control measures. In addition, treatment control BMPs shall be incorporated into all development and redevelopment types categorized as "Priority Development," under the Regional Water Quality Control Board-issued Los Angeles County Municipal NPDES Stormwater Permit and related Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, and where otherwise necessary to protect water quality in accordance with LCP marine resource and water quality related policies and provisions. The specific information necessary for an individual project will vary depending upon site characteristics and the kind of development being proposed.

County Position: Support with modification.

Comment: The County's Low Impact Development Ordinance, effective January 2009, requires the use of BMPs to manage stormwater and dry weather runoff. However, due to Marina del Rey's geology, utilizing BMPs that are designed for infiltration must be carefully sited, and used only when technically feasible and safe to do so. When infiltration of all excess volume is not technically feasible, on-site storage, reuse, or other water-conservation uses of the excess volume should be utilized. Also, the County's SUSMP has no project type that is categorized as "Priority Development".

10) CCC Recommendation: LCP policies should be revised to assure that at the time of application, development proposals will be reviewed for conformance with the requirements contained in the Los Angeles County Municipal NPDES Stormwater permit and SUSMP requirements, any adopted TMDLs, applicable provisions of the Santa Monica Bay Restoration Plan, State Nonpoint Source Control Plan, Contaminated Sediment Task Force recommendations, and applicable standards and requirements contained in the Marina Del Rey LCP.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation; however, the issues brought forth in this recommendation are already addressed in the County's comments to Recommendations 8 and 9.

11) CCC Recommendation: LCP policies should be revised to ensure that as part of the development review process:

A. All developments that require a Coastal Development Permit (CDP) are required to document site design and/or source control BMPs within drainage, landscaping or other site plans, and include sufficient detail for a determination that those are the appropriate BMPs for the project, are located in the appropriate areas of the project and have adequate mechanisms in place to assure that the BMPs are effective for the life of the project.

   Development or reconstruction of impervious surfaces, where a CDP is required, shall include source control or treatment control BMPs, such as permeable pavement, bioinfiltration or drainage to landscaping to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Development or reconstruction of landscaping, where a CDP is required, shall use site design, source control and treatment control BMPs, such as "smart" irrigation systems and bioinfiltration to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Plans that include infiltration BMPs should be reviewed by a geotechnical engineer if site stability issues are a concern.

B. All developments that require a CDP and are categorized as "Priority Development" pursuant to the County SUSMP shall incorporate site design, source control, and treatment control BMPs, which are designed to eliminate dry weather runoff except those exempt under the Los Angeles County Municipal Stormwater permit and to treat runoff from the 85th percentile storm event. Such features and BMPs shall be documented in a Water Quality Management Plan (WQMP) or equivalent technical plan designed by a licensed water quality professional or civil engineer. The plan shall be sufficiently detailed for evaluation purposes, and shall include all necessary supporting calculations, descriptive text as well as graphics depicting amount, location of BMPs, as well as design and maintenance details associated with the BMPs or suite of BMPs.

C. All BMPs implemented should be monitored to ensure that the performance achieved is at least the 75th percentile for BMP performance on the United States Environmental Protection Agency (EPA) and American Society of Civil Engineers (ASCE) National BMP database.

County Position: Support with modification.

Comment: Sub-item A has been implemented via the County's Low Impact Development Ordinance, Chapter 12.84 of the County Code, effective January 2009. The Ordinance includes various BMPs intended to distribute stormwater and urban runoff across development sites to help reduce adverse water quality impacts and help replenish groundwater supplies. Strategies include structural devices, engineered systems, vegetated natural designs, and education to replenish groundwater supplies, improve the quality of surface water runoff, stabilize natural stream characteristics, preserve natural site characteristics, and minimize downstream impacts.

The County supports the intent of sub-item B; however the County's SUSMP has no project type that is categorized as a "Priority Development".

Sub-item C may be problematic in that it imposes an extra burden on the County and property owners to ensure a certain degree of BMP performance. The effort required to demonstrate BMP efficiency would involve conducting water quality sampling at both the inlet and outlet of a BMP. BMPs selected at the time of permit application should be

reviewed for the adequacy of design and would be expected to have minimum pollutant removal efficiencies for their type, size and design. An alternative to this recommendation would be to establish a maintenance protocol for newly constructed BMPs with a self-certification program supported by spot inspections. The 75th percentile performance seems to be a random suggestion. To date, the State Water Resources Control Board has only studied the idea of numeric limits for discharges of storm water, particularly as tied to BMP performance. Since there is nothing based in regulation to require a specific level of BMP performance, the County cannot support this recommendation.

12) CCC Recommendation: The LCP should be revised to ensure that development projects will be designed in accordance with the following principles and guidelines. All projects should be designed to:
   A. Prohibit the discharge of pollutants that may result in receiving water impairment or exceedance of State water quality standards. Projects should be designed to reduce post-development peak runoff rates and average volumes over pre-development levels or to maintain such rates and volumes at similar levels to pre-development conditions, through such measures as infiltration, evapotranspiration, and storage/reuse.
   B. Maintain natural drainage courses and hydrologic patterns.
   C. Preserve and where possible, create or restore areas that provide important water quality benefits.
   D. Reduce the amount of directly connected impervious area, and total area of impervious surface from traditional approaches; consider and implement alternatives to impervious material for hardscaping plans, such as porous pavement, crushed gravel, and/or concrete grid designs.
   E. Minimize irrigation and the use of fertilizers and other landscaping chemicals. Water conservation measures, such as smart irrigation systems, shall be required, and water recycling and reuse should be encouraged.
   F. Where site constraints allow, incorporate on-site retention and infiltration measures to slow and reduce the amount of runoff discharged from the site.
   G. Properly design outdoor material storage areas (including the use of roof or awning covers) to minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids and other pollutants from entering the stormwater conveyance system.
   H. Incorporate roof or awning covers over trash storage areas and implement other trash-control devices, such as full capture BMPs, to prevent off-site transport of trash and related pollutants from entering the storm water conveyance system. Where appropriate, include cigarette butt receptacles to reduce this common source of beach and ocean pollution.
   I. Design streets and circulation systems to reduce pollutants associated with vehicles and traffic resulting from development.
   J. Incorporate those BMPs that are the most effective at mitigating pollutants of concern associated with the development type or use.
   K. Include requirements consistent with other recommendations contained herein, to inspect, maintain and repair as necessary the BMPs associated with the project to ensure proper and effective functioning for the life of the development. All approved Coastal Development Permit applications which involve the use of BMPs shall include such requirements.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation, as many of the items brought forth are already addressed in the County's Low Impact Development, Drought-tolerant Landscaping and Green Building Ordinances. However, any measures that incorporate infiltration of stormwater and dry weather runoff must be consistent with safety standards and should be reviewed by a geotechnical engineer if site stability issues are a concern.

13) CCC Recommendation: The LCP should be revised to incorporate updated guidelines for marina development/redevelopment projects, containing a list of BMPs, management measures and standards appropriate for marina development, to aid the County in its review and permitting of marina development projects. In doing so, the County should utilize resources containing the most updated information and recommendations concerning environmentally sound marina development and operation practices, including but not limited to, the California Clean Marina Toolkit (California Coastal Commission, 2004), a publication of the California Coastal Commission's Boating Clean and Green Campaign.

County Position: Support.

Comment: No comment.

14) CCC Recommendation: The LCP should be revised to require that in the development or redevelopment of individual marinas or launch facilities, Best Management Practices (BMPs) for marinas and recreational boating activities shall be implemented to reduce, to the maximum extent practical, the release of pollutants to surface waters. Any coastal development application for reconstruction, modification or redevelopment of marina or launch facilities shall include a Marina Water Quality Management Plan (MWQMP) that includes BMPs to control water quality impacts at each marina or launch. The MWQMP shall include the following components, as applicable, and shall be reviewed for conformance with the set of guidelines for marina related development/use to be developed by the County pursuant to Recommendation No. 13, and the following criteria, as applicable:

A. Measures to control stormwater and dry-weather runoff from development during the construction phase and in the post-development condition, consistent with all applicable provisions outlined in Recommendations 5 through 14 of this report [Marine Resources/Water Quality section], and consistent with State and Regional Water Quality Control Board NPDES requirements.
B. A MWQMP component that includes provisions to adequately control impacts from boating sewage, vessel cleaning and maintenance, oil and fuel discharges, fish cleaning and trash generation/disposal. Vessel sewage disposal shall be controlled by: 1) installing a fixed point dockside pumpout facility; or 2) installing slip side pumpouts; or 3) for smaller marina operators, evidence of a cooperative agreement with an adjacent marina to provide joint waste management facilities or services. The MWQMP shall also provide that adequate restrooms and portable toilet dump stations for marinas with slips for smaller boats are installed. In addition, adequate trash, recycling and cigarette butt receptacles shall be placed in convenient locations around the Marina, and should be covered and frequently serviced. The operations and maintenance component shall provide measures for marina operators to regularly inspect and maintain facilities.
C. A component for implementing boater education measures, including signage.

D. A component for protection against the spillage of crude oil, gas, petroleum products or hazardous substances in relation to any development or transportation of such materials.
E. A monitoring and assessment component to evaluate the effectiveness of the MWQMP.
F. 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 Pile wrap) and reinforced plastic for pilings (e.g. high density polyethylene (HDPE) pile armor), shall conform to the following requirements:
    i. The material used shall be durable and a minimum of one-tenth of an inch thick.
    ii. All joints shall be sealed to prevent leakage.
    iii. 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.
    iv. The plastic sleeves shall extend a minimum of 18 inches below the mudline.
    v. 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.
    vi. The lessee shall be made responsible for removal of failed docks or materials.
    vii. 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.

County Position: Support with modification.

Comment: The County agrees with the intent of this Recommendation and makes every effort to reduce the release of pollutants into Marina waters, but does not agree with requiring a monitoring and assessment component to evaluate the effectiveness of a MWQMP. In addition, development in the Main Channel and Basins is the responsibility of the Coastal Commission to regulate and monitor.

**New Development / Circulation**

15) CCC Recommendation: (A) Although redevelopment of the 1994 DKS transportation model is not recommended as part of this review, any changes to the cap system (that is based on the DKS study), if proposed, should be based on a revised model or equivalent comprehensive traffic analysis. (B) Amend LIP section 22.46.1180.A.11.b to reflect the County's current traffic study guidelines and its requirement that studies be based on and consistent with the most recent studies of major projects in the area, including models prepared for the Airport LAX expansion and Playa Vista Phase II traffic models.

County Position: Support with modification.

Comment: The County is not proposing to exceed the total p.m. peak hour trip cap on traffic; therefore, the only issue is reallocation of that trip cap throughout the Marina. This is best accomplished through a detailed traffic study, rather than a model, regardless of whether adjustments are proposed in the "cap system", so long as the total cap is not exceeded. The County retained a traffic consultant to conduct a comprehensive traffic study of all Marina developments and roadway improvements that require plan amendments. The traffic study utilized information from recent pertinent traffic models, including those prepared for the Airport LAX expansion and Playa Vista Phase II, as well as models prepared by cities and local agencies. The study included the impact of all surrounding development projects and infrastructure projects that affect the transportation system. The County will evaluate revised traffic study guidelines for possible inclusion in a future LCP amendment.

16) CCC Recommendation: The County should consider options for funding a bus/shuttle system. Such funding could be used to support a regional bus/shuttle system operated by a regional or local government transit agency that serves Marina del Rey. The County should amend sections 22.46.1100.C. 2 and 22.46.1190.A.3 and A.5 to require an ongoing assessment to support shuttle buses as part of all retail, residential and hotel development, as a Category 1 improvement. If funding is required as part of a lease extension, the amount contributed should be acknowledged in the issuance of the coastal development permit. Consider additional assessments for all projects.

County Position: Oppose.

Comment: The County supports funding alternative transportation programs and developing strategies to reduce trips to the greatest extent feasible, and a shuttle currently operates on summer weekends. The County supports the expansion of the shuttle system in Marina del Rey, with the goal to ultimately provide year-round service, provided there is sufficient demand for the service and the funding is available.

However, the County and the Metropolitan Transit Authority (MTA) agree that, at this time, the Marina del Rey shuttle service primarily serves recreational, shopping and other non-commuter trips, and that shuttle service will not reduce commuter peak-hour demands, which is required for a Federal grant called the Jobs Access and Reverse Commute, administered by MTA. Nor has the County determined that a shuttle system will effectively mitigate the traffic impacts caused by new development along internal roadways within Marina del Rey. The County expects a shuttle system will be more effective if implemented in conjunction with a light rail transit system.

The LCP's Category 1 improvements are funded by one-time developer fees. Since the primary expenses of a shuttle system are operating and maintenance costs, Category 1 fees could not fund an ongoing shuttle system. Category 1 fees are $1,592 per peak-hour trip, yielding a total of $4,378,000 for the buildout of the LCP. Based on a conservative estimate of $500,000 per year to operate a shuttle system, the Category 1 fees could not fund a shuttle system for an extended period of time. Therefore, funding a shuttle using these developer fees is not sustainable for its ongoing operation costs.

Rather than focusing on a shuttle/bus system for commuter purposes, there should be greater support of the WaterBus and other visitor-serving transportation options. Commuter shuttle services are not within the scope of the County to support without the existence of a regional transportation solution.

17) CCC Recommendation: The County should amend LCP Ordinances Sections 22.46.110.B, 22.46.1060, and 22.46.1190A.3, 5, 9 and 15 to require improvements or proportional contributions that would enhance non-automotive transportation from all development: pedestrian and alternative traffic modes; widened sidewalks; jitney stops; stops for water taxi; and dinghy tie-ups as part of site plan review.

County Position: Support with modification.

Comment: The County encourages a range of options for improving non-automotive transportation inside and near the Marina where feasible, and is working on several transit projects to enhance non-automotive transportation, including a new County Master Bikeway Plan. The options include improving pedestrian access by widening sidewalks where possible, improving the Marvin Braude Bike Trail through the Marina, extending the Playa Vista shuttle to establish shuttle service in the Marina to the extent justified, maintaining bus service into the Marina, providing water taxi service and stops, and adding pedestrian crossings where feasible (for instance, crossings of Admiralty Way at Mindanao Way and at the library were added). The County is also actively participating on the Lincoln Corridor Task Force to plan a dedicated traffic lane along Lincoln Boulevard for bicycles and buses for the short term and light-rail transit for the long term. Development projects are currently required to increase public access by way of bicycle path and pedestrian promenade to the maximum extent possible considering the size of the parcel. DBH is also preparing dock plans for the Chace Park peninsula that include dinghy tie-ups. Additionally, developments are being required to include dinghy tie-ups, as appropriate. However, the Category 1 fee assessment does not currently include these types of non-automotive improvements. The County will revise the County Code to require that non-automotive transportation features be included as part of a site plan.

18) CCC Recommendation: The County should amend LCP Ordinance Sections 22.46.1050, 22.46.1100.B.2 and Appendix G to include the improvement of pedestrian access across and along thoroughfares as part of roadway design.

County Position: Support.

Comment: The County Department of Public Works (DPW) has instituted new requirements that all new development, where feasible, widen sidewalks along their frontage to provide eight-foot sidewalks on the public roads and five-foot sidewalks on the mole roads.

The County will amend Appendix G to reflect the status of various Category 1 improvements, which have been proposed by DPW to mitigate the internal traffic impacts of development within Marina Del Rey. Development-specific traffic studies have determined various lane configurations, which are intended to provide improved traffic signal operations and overall circulation while still achieving the same level of service expected from the original Category 1 improvements. In addition, the County has identified various Category 1 improvements which are either infeasible due to right-of-way constraints or have already been implemented and should be removed from the list.

18A) CCC Recommendation: In preparation for amending its LCP the County should undertake a comprehensive LCP update of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies and other facilities identified through a community planning process.

County Position: Support.

Comment: The County has begun the process of preparing a compound LCP Amendment (LCPA) that will place pending LCPAs into a single amendment supported by a cumulative impact assessment of all LCPAs as well as all reasonably foreseeable projects.

19) CCC Recommendation: Revise the LCP to require that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use to a private use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public serving and park uses in the Marina.

County Position: Support.

Comment: A Draft Right-Sizing Parking Study based on the pending project-driven LCP amendments has been prepared to determine demand for public parking within Marina del Rey boundaries, resulting in the right-sizing of public parking spaces for specific activity areas. All parking calculations in the LCP will be reconciled to the Right-Sizing Parking Study in the batched map and text amendment. Projects impacting parks are also being included in the batched map and text amendment.

20) CCC Recommendation: The County should amend its LCP to include development standards that would incorporate the design elements in the Asset Management Strategy (similar to many of the LCP policies concerning public access and site design). For example:

- Maintain the visibility of public spaces;
- Integrate the building with open space and access areas; and, identify the County agency best qualified to undertake this review

County Position: Support with modification.

Comment: The County supports including policy statements in the LCP that guide development design with respect to maintaining the visibility of public spaces and integrating the building with open space and access areas. The County does not support placing specific architectural elements standards into the LCP.

21) CCC Recommendation: The County should revise the LCP in order to include incentives to provide priority to free or lower cost public uses on waterfront parcels designated for residential use but developed with mixed uses, including visitor serving commercial and public facility uses.

County Position: Support with modification.

Comment: This is not an issue in the Marina. Only two residentially-designated waterfront parcels contain mixed uses (Parcels 15 and 18), and both uses are visitor-serving. The County agrees with providing incentives for free or lower-cost public uses on waterfront parcels that contain residential uses and that can accommodate mixed-use development. In fact, there are existing requirements to provide view corridors and promenade access when leases for residential developments are renewed. In addition, Beaches & Harbors uses its best efforts during the lease negotiation process to involve lessees in other public improvements, such as Marina Beach enhancements. The County does not intend, however, to adopt a policy of eliminating residential uses in favor of free or lower-cost public uses.

22) CCC Recommendation: The County should amend the LCP to strengthen development standards to preserve existing public and lower cost recreation facilities including free facilities; assure that these facilities and public rights to them are maintained.

County Position: Support with modification.

Comment: The County agrees with what seems to be the general intent of this Recommendation. This Recommendation cannot be supported in its current form, however, because it is too vague. To the extent the Recommendation is aimed at preserving and/or enhancing park space, the County has identified areas it wishes to expand or add for open public use, such as Chace Park and Oxford Basin.

23) CCC Recommendation: The County should amend LCP Definitions to define "hotel" and should evaluate opportunities to protect the availability of, and encourage additional, short-term overnight accommodations in the Marina. To protect and maximize public access, LUP and LIP definitions and development standards should exclude private fractional ownership of hotel/motel rooms on publicly owned land designated for visitor or public uses. And for areas not designated for visitor use, in any hotel, motel or similar project that includes timeshare or fractional or condominium ownership components, the County shall address, among other factors, peak use demands in the summer, availability of units to the general public and operational provisions to require hotel/motel management of a facility. LCP Standards should ensure that such projects maximize public access in operation of the hotel/motel, including restrictions on the percentage of units privately [individually] owned and length of stay.

County Position: Support with modification.

Comment: The County does not believe the inclusion of fractional or timeshare ownership concepts are inconsistent with the Coastal Act or current LCP so long as operational parameters ensure the facility treats hotel and timeshare/fractional visitors in the same manner.

24) CCC Recommendation: In-Lieu Fees for Lower Cost Overnight Visitor Accommodations. The County should update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost. The in-lieu fee would be required as a condition of approval of a coastal development permit in order to provide significant funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Los Angeles County. The fee would be based on the per bed "mid-range" land acquisition and construction costs to build a lower cost overnight visitor accommodation in the coastal zone of Los Angeles County for 25% of the total number of proposed overnight visitor accommodations in the new development. The fee (i.e. $30,000 in 2007) shall be adjusted annually to account for inflation according to increases in the Consumer Price Index – U.S. City Average.

The required in-lieu fees should be deposited into an interest-bearing account, to be established and managed by one of the following entities approved by the Executive Director of the Coastal Commission: Los Angeles County, Hostelling International, California Coastal Conservancy, California Department of Parks and Recreation or a similar entity. The purpose of the account should be to establish lower cost overnight visitor accommodations, such as new hostel beds, tent campsites, cabins or campground units, at appropriate locations within the coastal area Los Angeles County. The entire fee and accrued interest would be used for the above-stated purpose, in consultation with the

Executive Director, within ten years of the fee being deposited into the account. Any portion of the fee that remains after ten years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities in a Southern California coastal zone jurisdiction or other organization acceptable to the Executive Director. Required mitigation shall be in the form of in-lieu fees as specified herein or may include completion of a specific project that is roughly equivalent in cost to the amount of the in-lieu fee and makes a substantial contribution to the availability of lower cost overnight visitor accommodations in Los Angeles County.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation, and aims to provide lower cost overnight visitor accommodations, including campsites and hostel accommodations near Marina del Rey; however, the proposed in-lieu fee cannot be supported. While adjusting the in-lieu fee annually to account for inflation is reasonable, the amount proposed in the Recommendation is not. In addition, the County could not agree to release to the State or non-profit entities the in-lieu fees collected as mitigation for Marina projects. The County will evaluate implementing a time frame for use of the collected in-lieu fees, which could be included in a future LCP amendment.

25) CCC Recommendation: The County should amend Section 22.46.1180 12(a), which specifies the contents of the revised final plans which are submitted to the Design Control Board to include all elements subject to the Design Control Board's review and all design elements listed in the Asset Management Strategy:

> *… The design control board, as a condition of its approval, may require the applicant to return with final plans for approval of signage, landscaping, color site plans,* onsite open space and project features that facilitate public uses, including parking and nonautomotive transportation including tram stops *and other details.*

If the County amends the LCP to assign site plan review to the regional planning commission, the amended language should provide authority to the regional planning commission to evaluate site plan designs for consistency with the LCP, including how well "onsite open space and project features that facilitate public uses" will provide public access.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation; however, the newly approved amendment covering the role of the Design Control Board, effective in 2009, addresses Coastal Commission's concerns and should not be further modified.

26) CCC Recommendation: The County should promote "green building" design and construction practices that reduce the negative environmental impacts of buildings and improves occupant health and well-being consistent with State or Nationally recognized programs, such as the Leadership in Energy and Environmental Design (LEED) system.

County Position: Support.

Comment: All new development is required to meet the Countywide Green Building Ordinance, effective January 2009, which includes both State and nationally recognized programs, including LEED.

**Recreation and Visitor Facilities**

27) CCC Recommendation: The County should revise the LCP to design locate public parking in areas that provide easy access to the recreation and visitor-serving facilities located throughout the Marina (see also suggested Recommendations 39 and 40). The County should revise the LCP to prohibit relocation of public parking lots to the periphery of the marina unless 1) equivalent public parking is also reserved in priority locations as part of development projects and 2) an effective internal transportation system, such as a shuttle bus system or other equivalent transportation system has been fully funded for long-term operation (25+ years) and available for use.

County Position: Support with modification.

Comment: The County agrees that having a shuttle program in concert with well-situated parking is desirable. The County has instituted two new transportation programs – the Beach Shuttle (land) and the WaterBus (water). The Beach Shuttle, which functions half-hourly from Memorial Day to Labor Day and serves Playa Vista, Marina del Rey and Venice Beach, will expand as needed and to the extent funding is available. The County cannot support the shuttle system for residents, which has been demonstrated to lack demand. With this response, the County is including information on the above-described transportation programs. Parking demand and locations, however, will be determined by the Right-Sizing Parking Study.

28) CCC Recommendation: Because the LCP ordinance Section 22.46.170 requires the replacement of any public parking, public park or boating facility before it is relocated, consider a 2:1 replacement ratio for displaced parks or lower cost facilities, unless the park or lower cost facility is to be replaced on the waterfront.

County Position: Oppose.

Comment: As a result of the Right-Sizing Parking Study, the County now has a long-term understanding of the projected parking needs in Marina del Rey up to the year 2030. The Right-Sizing Parking Study determined the ultimate parking needs and locations in Marina del Rey. The Study shows that replacement parking should be based on need and not a pre-determined ratio.

A 1:1 replacement ratio for displaced parks or lower-cost recreational facilities means that the same acreage of park should replace any relocated park. The loss of low- or no-cost visitor facilities is not a critical issue in the Marina, but any potential loss calls for careful consideration.

29) CCC Recommendation: The County should encourage individual leaseholds that are not being redeveloped to upgrade and improve, on or off-site, public access along the waterfront consistent with LCP requirements for new development in order to provide a uniform and contiguous pathway throughout the marina.

County Position: Support.

Comment: The County agrees to this recommendation to the extent that "encourage" means good-faith efforts as opposed to regulation. The County cannot interfere with current leasehold rights and can only solicit the cooperation of lessees who are not subject to lease extensions. Further, this provision currently exists in the LCP.

30) CCC Recommendation: The County should update the LCP to include a uniform signage plan for the marina that is developed to link all recreational facilities (i.e., trails, bikepaths, parks, and viewing areas) throughout the marina. Such signage should be located along the main thoroughfares and at, or along, the recreational sites.

County Position: Support with modification.

Comment: The County intends to expand its uniform signage plan for the marina to include links to all recreational facilities (i.e. trails, bike paths, parks and viewing areas) throughout the marina following approval of all Phase II developments. Such signage should be located along the main thoroughfares and at, or along, the recreational sites. However, all signage along the public roads must comply with specific public safety guidelines.

31) CCC Recommendation: Policy A.2.e.5, that addresses mitigation for non-coastal priority or non-marine related uses through the contribution to a Coastal Improvement Fund, should be modified as follows:

*i. 2.e.5. Any new proposal for construction of facilities in the existing Marina that is a non-coastal priority or non-marine related use shall require offsetting mitigation. Mitigation shall be accomplished by contribution to a Coastal Improvement Fund. This 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.*

County Position: Support.

Comment: The County agrees that office uses should not be exempt from this contribution requirement.

32) CCC Recommendation: The Coastal Improvement Fund implementing ordinance, Section 22.46.1950 and 22.46.1970, should be similarly modified to ensure that all non-visitor-serving uses and non-marine related uses are required to contribute to the Coastal Improvement Fund, and the fee should be adjusted annually based on the consumer price index to reflect increased construction costs for local park facilities.

County Position: Support.

Comment: The County agrees that non-visitor serving uses and non-marine related uses should contribute to the Coastal Improvement Fund.

33) CCC Recommendation: Although the LCP requires parking areas be attractively designed with a buffer of landscaping, berms or other screening materials, buffering should be designed and maintained as to not impact the public's view of the water from public streets, trails, or bike paths (Policy A.2.e.7).

County Position: Support.

Comment: The County agrees with this recommendation and the LCP currently requires parking areas be attractively designed with a buffer of landscaping, berms or other screening materials, and should be designed to the extent possible and maintained as to not impact the public's view of the water from public streets, trails, or bike paths. However, it should be noted that providing attractive landscaping to buffer the view of parking lots, while concurrently providing view corridors or views over public parking lots, are sometimes difficult to achieve.

34) CCC Recommendation: Through the development review process and through improvements to existing facilities, the bikepath should be developed and located along the waterfront wherever feasible and when it can be designed to minimize conflicts with safe pedestrian access.

County Position: Support.

Comment: Although the County supports this Recommendation, it is a challenge to accommodate both the promenade, which also must be along the waterfront, and the bike trail within the Marina's narrow parcels. At times, there is insufficient depth to accomplish this and still produce a visitor-serving project. There are plans to widen and install bicycle lanes along Fiji Way by early 2011. The County works to ensure maximum safety for pedestrians and cyclists in Marina del Rey.

35) CCC Recommendation: The LCP should be revised to maximize public views of the coastal waters in the development of recreational facilities.

County Position: Support with modification.

Comment: This County supports the intent of this Recommendation; however, it is a bit unclear. Recreational facilities in Marina del Rey are primarily parks and beaches. With the exception of Yvonne B. Burke Park and Oxford Basin, these facilities are all on the water. The public's views are made available from trails, but support buildings (such as restrooms and maintenance buildings) and landscaping can obstruct views for a short time. It is not known what is intended by this Recommendation beyond what is already accomplished in the Marina. This wording can be added to the LCP if it is revised to make clear that service facilities, landscaping, and safety considerations that require public accessways to be away from the water are excluded from this requirement, and that the place from which the views are going to be preserved is clearly stated (e.g., from the promenade looking toward the water).

## Public Access

36) CCC Recommendation: In order to assure maximum access the LCP requirements for provision of public access should be implemented even in minor projects that impact public access. The LUP and Section 22.46.1110 should be modified to ensure adequate consideration of access in all development projects, such as adding to 22.46.1110(B):

*B. In Marina del Rey, all land is owned by the County of Los Angeles and all leaseholders hold leases subject to an obligation to provide for active public use, and maximum public enjoyment of the public recreational land. Private rights have been granted by contracts, which in some cases limit public use of the parcels. Existing public accessways are identified in Existing Shoreline Access Map (Map 2) of this Specific Plan (see Map 2 at the end of Part 3 of this chapter), and it is the policy of the County that all development preserve existing access to the Marina, to its bulkhead walkways and to its waters. Where development will increase the numbers of residents or guests* (including users of any commercial development) *on the parcel, this Specific Plan identifies additional bulkhead access and identifies that a public access corridor or other public accommodations in that location would benefit the public, said additional access, including vertical access, shall be guaranteed by the leaseholder of that parcel pursuant to subsection A of this section.* Where development does not increase the numbers of residents or guests on the parcel but

extends the life of existing development that has unmitigated public access impacts, public access enhancements shall be required.

County Position: Support with modification.

Comment: In order to assure maximum access, the LCP requirements for provisions of public access should be implemented where feasible only in projects pursuant to lease extensions, whether or not the numbers of residents or guests on the parcel increase.

37) CCC Recommendation: In order to assure maximum access, the LCP requirements for provisions of public access should assure that where public access and public safety conflicts are raised by proposed new development, alternative siting and design of the development shall be considered in order to provide shoreline access without creating a safety conflict. And, where a proposed project would restrict shoreline access, and where no feasible alternatives exist to provide shoreline access in conjunction with the project, if the project is to be approved, alternative access enhancements are required, such as provision of signage, benches, or viewpoints. (Section 22.46.1160 Access Restrictions and 22.46.1120 Findings).

***22.46.1160 Access Restrictions.*** *A. Public access may be restricted in certain locations around the Marina, such as in front of the sheriffs station and near launch hoists, in the interest of pedestrian safety,* provided there are no feasible alternatives for siting, designing or managing development to provide safe pedestrian shoreline access. *Necessary restrictions and management may consist of, but are not limited to, the following:*

*-- Construction of fences, guard rails or other barriers to prevent the public from entering areas where hazardous activity is occurring;*

*-- Limiting public access to certain hours of the day or days of the week when hazardous activities are not in operation;*

*-- Posting of warning signs which notify the public of potential safety hazards;*

*-- Relocation of the public access to ensure pedestrian safety.*

*B. Any restrictions deemed necessary by the authority supervising a site determined to be hazardous shall be reviewed for incorporation into the conditions of a coastal development permit for new development in these areas.* In addition, in cases where public access is restricted by or in connection with development, the developer shall provide alternative public enhancements elsewhere in the development zone such as provision of alternative access, interpretive enhancements, benches, or viewpoints as mitigation for the access impacts of the development.

*C. Where access standards of a different width or location are necessary to avoid demolition of existing structures, to set access ways back from existing development, or to avoid hoists and staging areas, the applicant may provide access ways of a different width or location that are sensitive to the development if such access provides continuous connection to other bulkhead access ways, as well as maximum public benefit. In no event shall access provided be less than ten feet in width. (Ord. 95-0058 § 1. 1995: Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)*

***22.46.1120 Access -- Findings.***

*In order to make the appropriate findings to impose vertical or lateral access requirements, the County shall:*

*A. Base all findings on factual evidence obtained at the public hearing, submitted by the applicant or interested parties, or discovered during the staff's investigation;*

*B. Evaluate the individual and cumulative impacts of the proposed development on*

*public access and recreation opportunities;*
*C. Identify the access-related problems associated with the development;*
*D. Cite the specific Coastal Act provisions that are impacted by the development;*
*E*. Evaluate feasibility of alternatives and *[e]xplain and how the proposed conditions would solve the access problem created by the development and are related in the nature and extent to the impacts of the development on the public's right to access the Marina.*

County Position: Support.

Comment: The County agrees with the objective of this recommendation. The County can adjust the LCP to exclude boatyards, launch facilities and yacht clubs with launch facilities from the shoreline promenade requirement so long as a lateral trail and parkette are established at the site. In order to be clear, the County shall identify those areas on a map that will be excluded from the promenade requirement and show generally where the access will be.

38) CCC Recommendation: The LCP should be updated to incorporate new policies and standards in the Access Component designed to identify and implement the California Coastal Trail (CCT). The LCP should include revisions consistent with the following:

a. Identify and define the CCT as a continuous trail system traversing the length of the state's coastline and designed and sited to include a continuous lateral trail and connecting with contiguous trail links in adjacent jurisdictions.

b. Provide that the trail be designed and implemented to achieve the following objectives:
- Provide a continuous walking and hiking trail as close to the ocean as possible;
- Provide maximum access for a variety of non-motorized uses
- Maximize connections to existing and proposed local trail systems;
- Maximize ocean views and scenic coastal vistas; and,
- Provide an educational experience where feasible through interpretive facilities.

c. Provide that the trail be sited and designed to be located along the shoreline where physically and aesthetically feasible.

d. Provide that the trail be designed and located to: 1) avoid any significant disruption of habitat values in, or significantly degrade, environmentally sensitive habitat areas to the maximum extent feasible, and, 2) incorporate existing waterfront paths and support facilities of shoreline parks and beaches to the maximum extent feasible.

e. The LCP Access Component should be amended to incorporate any plans and designs for locating and implementing the CCT within the Marina, including mapped alignment with linkages and parking staging areas.

f. The LUP Policy 13 on Directional Signs should be revised to integrate future signage in Spanish and in English related to the California Coastal Trail, when available, with Marina visitor signage programs:

*13. Public awareness of shoreline access ways and public areas* including the California Coastal Trail, *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* including the California Coastal Trail*:*

*b) Identifying 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. (LUP 1996 p.1-8)*

County Position: Support with modification.

Comment: The County supports the Coastal Trail to the extent its current alignment is already accommodated by the existing bike trail and promenade, each of which will be improved to the extent feasible as redevelopment of the Marina occurs. The language of the directional signs should be consistent with other directional signage, as addressed in comments to Recommendation 30.

39) CCC Recommendation: The County should incorporate into the LCP Access Component a Comprehensive Parking Management Plan that:

- Evaluates the overall parking resources needed to support not only planned development uses but also the planned public access promenade, open space parks, viewpoints, public boating and recreation areas. Such a comprehensive plan should provide for siting and designing new parking to support future public facilities and maximize access to those facilities.
- Monitors buildout of redevelopment projects for adequacy of parking and if necessary updates existing parking standards and parking replacement requirements.
- Ensures public parking adjacent to waterfront lots for beach and boating use is protected and maximized where feasible;
- Considers shared management of parking to provide additional parking for the public;
- Expands opportunities for peripheral parking with possible shuttle system for visitors to commercial and recreational areas; and,
- Ensures that new development is phased so that adequate parking and/or shuttle system from peripheral parking is in place before new development is approved.

County Position: Support.

Comment: The Right-Sizing Parking Study has been prepared and is completely responsive to this Recommendation. The results of the Study will be placed in the batched map and text amendment.

40) CCC Recommendation: Revise filing requirements to require that new development include a parking plan showing 1) all existing parking onsite for all designated uses; 2) all parking spaces for proposed development; 3) parking alternatives for proposed development that maximizes potential demand for boater and promenade/park use parking on site; and 4) its share of the public parking needed for Marina-wide general recreation facilities (such as the Promenade and public parks). The parking plan should ensure that development does not reserve all parking on the site for only marina residents, customers, or guests.

County Position: Support with modification.

Comment: The County can accommodate this recommendation to the extent it conforms to existing filing requirements pursuant to both the LCP and the County Planning and Zoning Code. The County cannot support the recommendation to the extent it accommodates public use parking at residential leaseholds, which the County believes is neither

necessary nor effective. Public parking is either already available or being pursued at convenient and meaningful access points to the promenade and recreation facilities.

The filing requirements should be revised to require that new development include a parking plan showing: 1) All existing parking on-site for all designated uses; 2) All parking spaces for proposed development; and, 3) Parking alternatives for proposed redevelopment that maximizes potential demand for boater parking on-site.

41) CCC Recommendation: Any applicable revisions to the Specifications and Minimum Standards of Architectural Treatment and Construction (1989) that have been adopted since update of the LCP or are adopted in the future should be submitted for review as a proposed amendment to the LCP Appendix C.

County Position: Oppose.

Comment: The visual features, or "look", of structures, are more appropriately addressed in a stand-alone document. Visual features would always be subject to public discussion by the Design Control Board and community comment.

42) CCC Recommendation: Sections 22.46.1060 Community Design Guidelines and 22.46.1180(A)(1) Filing Requirements should be modified to provide that development applications shall include project plans that show all proposed public access improvements, including lateral and vertical access and turnout areas for future shuttle and/or transit stops where appropriate.

County Position: Support.

Comment: This is already done in all plans but can be made a part of the filing requirements.

**Biological Resources and Environmentally Sensitive Habitat Areas**

The Coastal Commission recommends:

"Revise the LCP to include a new Section 5-1 to incorporate policies and implementing standards to ensure assessment, identification and designation of sensitive resources and ESHA as part of project review. The policies and standards should address the following…" (Page 36, Periodic Review)

**County Position on Environmentally Sensitive Habitat Areas:** The County does not support the reintroduction of ESHA policies into the Marina del Rey Local Coastal Program (LCP) for all of the following reasons:

- All of the resources in the LCP area were known at the time the California Coastal Commission (CCC) eliminated the ESHA section from the LCP in 1996 as documented in the Commission's own findings in 1996. The fact that the herons have moved around is in the nature of their behavior. Herons were present at the time the Commission made its determinations in 1996, as were the Ballona wetlands. Though the ESHA section was eliminated, policies for wetlands and attention to the Oxford Basin are in the LCP and the 1996 findings.
- The County knows of no reason to designate any of the resources in Marina del Rey as ESHA and appreciates the notation by staff that even occupied trees in a marina have not been so considered. A common misconception of resources in an ESHA determination

context stems from the impression that nothing can be done to protect or mitigate for the resource unless it is designated ESHA. The Conservation and Management Plan being prepared for inclusion in the batched amendments provides sufficient protection of these resources under the Coastal Act.

- The County has no objection to recognizing that impacts to sensitive resources need to be evaluated in the County's CEQA process, and aggressive CEQA-level mitigation is routinely applied. This approach could generate a considerable amount of funding and mitigation for both the Marina and adjacent resources.
- The Oxford Flood Control Basin (Parcel P), which must maintain its paramount function as a flood control facility, is adequately addressed in the LCP. Moreover, the County has agreed to adopt wetland characterizations not only for Parcel P, but also for a portion of Parcel 9. With respect to the small portion of Parcel 9 containing a wetland, the County has already conducted an extensive study of this area. Even though not required by the LCP, the County caused the proposed development project on the parcel to be redesigned to avoid the wetland. The County has also worked for many years with the CCC and other regulatory agencies on protecting this resource.
- The County continues to work with surrounding agencies toward mutual goals on resource protection. An additional overlay of policy is not necessary in the Marina to address the salutary objectives of environmental protection under CEQA or the Coastal Act.

For all of these reasons, the County strongly disagrees that the LCP lacks adequate safeguards, particularly when combined with the County's CEQA and consultation process.

43) CCC Recommendation: As the LUP already contains a definition of ESHA, add a definition of Wetland consistent with Section 30121 of the Coastal Act and Section 13577(b) of Title 14 of the California Code of Regulations. Any areas that meet the definition of Wetland shall be protected consistent with the policies of the LCP and Coastal Act.

County Position: Support with modification.

Comment: The County concurs with this recommendation to the extent that it applies only to the non-flood control portion of Parcel P and a portion of Parcel 9, the only undeveloped property in the Marina and where a wetland has been identified on a small part.

44) DELETED.

45) CCC Recommendation: Assess the resources on a site and determine the presence of any Environmentally Sensitive Habitat Areas based on the best available information, including current field observation, biological reports, and additional resources from the Department of Fish and Game and the U.S. Fish and Wildlife Service. At a minimum areas identified in Exhibit 13 should be assessed. Modify the LUP Filing requirements (Section 5-1 and LIP section 2246.1180) to require, as part of application requirements, that on sites that potentially contain sensitive habitat, for example, trees that support nesting and roosting herons and egrets, protected bird species or wetlands or upland resource areas, new development:

**a.** shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, or potential impact on biological diversity or productivity of adjacent Environmentally Sensitive Habitat Areas, a detailed biological study shall be required through the development review process.

Such assessment should include site-specific biological assessments of whether a habitat area provides an ecologically valuable habitat for sensitive species, including bird species that nest, forage and roost in the marina area and the adjacent Ballona wetlands and the proposed development's impact on the biological productivity of any biological resource within and adjacent to the site. The biological study should also include mitigation measures for any negative impacts to the habitat.

**b.** Where the required initial site inventory indicates the presence or potential for wetland species or indicators, the County shall, in addition to the submittal of a detailed biological study of the site, require delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils, a preponderance of hydrophytic vegetation, or evidence of wetland hydrology will be considered presumptive evidence of wetland conditions. The delineation report will include at a minimum a (1) a map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points, and (2) a description of the surface indicators used for delineating the wetland polygons. Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by the consultant doing the delineation.

County Position: Oppose unless modified.

Comment: The County supports the sub-item a. recommendation to require a biological inventory as part of application requirements and to require mitigation measures for impacts to sensitive biological resources. The County does not support sub-item b., as the County does not recognize that there are wetland areas in Marina del Rey other than those that have been identified on the non-flood control portion of Parcel P and a portion of Parcel 9.

46) CCC Recommendation: Accessways located within or adjacent to ESHAs shall be sited to minimize impacts to ESHAs to the maximum extent feasible. Measures, including but not limited to, signage and fencing should be implemented as necessary to protect ESHAs.

County Position: Support with modification.

Comment: The County does not recognize any ESHAs in Marina del Rey. The County does recognize, however, that there may be restored habitat areas in the flood control portion of Parcel P, in the wetlands portion of Parcel 9, and that accessways adjacent to these restored resources should be sited to minimize impacts.

47) CCC Recommendation: Protection of ESHAs and public access shall take priority over other development standards. Accordingly, where there is any conflict between general development standards and ESHAs and/or public access protection, the LCP should make clear that the allowable use(s) of the area and the development regulations applicable in the area are governed by the ESHAs and public access standards.

County Position: Oppose.

Comment: The County does not recognize ESHAs in Marina del Rey. Protection of public access is addressed in the County's comments to the New Development/Circulation section recommendations. While the County supports the concept that public access has priority over general development standards should conflicts arise, issues such as public

safety and the operation of marine commercial facilities must also be taken into consideration.

48) CCC Recommendation: Degraded coastal resources or habitat areas shall not be further degraded, and if feasible, restored. If new development removes or adversely impacts native vegetation, measures to restore any disturbed or degraded habitat on the property shall be included as mitigation.

County Position: Support with modification.

Comment: The County supports this Recommendation to the extent that native vegetation planted in conjunction with new development and indicated on a landscaping plan included with the project's application, is not subject to restoration or mitigation requirements if removed in the future.

49) CCC Recommendation: New development should be sited and designed to avoid adverse impacts to ESHAs. If there is no feasible alternative that can avoid adverse impacts through implementation of siting and design alternatives adverse impacts should be fully mitigated.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey.

50) CCC Recommendation: Development in the Marina should be sited and designed to minimize impacts to sensitive species or habitat values of areas adjacent to the Marina including Area A, and the Ballona wetlands, or areas which may be designated as State Ecological Reserves, to the maximum extent feasible. The siting and design of structures in the Marina should take into account areas planned for future habitat restoration. Development should consider measures to minimize spillover impacts on adjacent resources and habitat areas including, but not limited to, impacts to resources from sources such as night lighting, building height, run-off and noise.

County Position: Support.

Comment: The County supports the intent of this recommendation and believes that with the CEQA process and working in coordination with the Department of Fish and Game, in addition to current Green Building and Standard Urban Stormwater Mitigation Plan requirements, the issue of how projects are sited and designed in relation to sensitive species or areas is addressed. However, this issue shall be addressed more clearly in a future LCP amendment.

51) CCC Recommendation: Mitigation measures for impacts to wetlands or other ESHAs that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five years following completion. Specific mitigation objectives and performance standards shall be designed to measure the success of the restoration and/or enhancement. Mid-course corrections shall be implemented if necessary. Monitoring reports shall be provided to the County annually and at the conclusion of the five-year monitoring period that document the success or failure of the mitigation. If performance standards are not met by the end of five years, the monitoring period shall be extended until the standards are met. However, if

after ten years, performance standards have still not been met, the applicant shall submit an amendment proposing alternative mitigation measures.

County Position: Oppose.

Comment: As there are no ESHAs in Marina del Rey and the wetlands designation applies only to the non-flood control portion of Parcel P and a small portion of Parcel 9, the County will provide guidelines for habitat enhancement on these parcels separate from the LCP.

52) CCC Recommendation: Update the LCP to incorporate an Environmentally Sensitive Habitat (ESHA) component through an LCP Amendment. The County should undertake a biological assessment of tree stands within Marina del Rey to determine which stand of trees provide important nesting and roosting habitat for birds protected by the Fish and Game Code, the Migratory Bird Treaty Act and all species of concern. Tree stands identified as nesting and roosting habitat for these bird species shall be designated as ESHA. The LCP amendment should incorporate policies and standards to ensure long term protection of the marina heron and egret rookeries consistent with the following:
**A.** The assessment should consider the Marina area resources in relation to the wetlands in Area A and Ballona. It should look at availability of habitat throughout the wetlands and the Marina to support protected bird species and identify any Marina habitat that may be needed to provide habitat for protected species. It should identify any active or historic nesting and roosting areas.
**B.** Measures should be developed to protect the active or historic nesting and roosting areas by appropriate means, which may include, but are not limited to, restrictions on timing of construction, restrictions on tree trimming or tree removal, setbacks, fencing, signage, and seasonal access restrictions.
**C.** Policies and standards for mitigation may incorporate the County Policy No. 23 "Tree Pruning in Marina Del Rey and on County Beaches in Accordance with Native Bird Breeding Cycles", dated12/5/06, if modified to ensure the long-term protection of the heron rookery and the modified Policy is adopted into the LCP through an LCP amendment. Any tree pruning policy should include at a minimum, protection for all species of concern and include specifications and standards for approval of pruning during breeding season and removal of dead palm fronds with attached nests and other activities. The County may develop and approve a programmatic coastal development permit for the tree pruning program. However, the removal of any tree determined to be ESHA shall require a separate coastal development permit and shall only be allowed if necessary to protect public health and safety and shall require 1:1 mitigation with specimen sized trees. Tree removal shall only be done during the non-nesting season.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County is committed to protecting tree stands that provide important nesting and roosting habitat for birds. Practices for protecting such trees will be included and referenced in the LCP update.

53) CCC Recommendation: The use of insecticides, herbicides, rodenticides or any toxic chemical substance within and adjacent to ESHAs should only be used as part of an integrated pest management program and to the maximum extent possible, avoid the use of these substances except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey.

54) CCC Recommendation: The use of insecticides, herbicides, rodenticides or other toxic substances by County employees and contractors in construction and maintenance of County facilities should be implemented through an integrated pest management plan which minimizes the use of these substances.

County Position: Support with modification.

Comment: The County agrees with minimizing the use of these and other toxic substances. The most effective means of minimizing use will be evaluated for possible inclusion in a future LCP amendment.

55) CCC Recommendation: LUP Landscaping requirements (LUP p.9-7 #12, LIP Appendices pp. C-14 #G and LIP pp.5 22.46.1060) should be modified to ensure that vegetation removal, vegetation thinning, or planting of non-native or invasive vegetation is not permitted in any area designated as wetlands or ESHAs. Landscaping plans should preclude use of plant species listed as "noxious weed" by the State of California or listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council or as may be identified from time to time by the State of California. Habitat restoration and invasive plant eradication may be permitted if designed to protect and enhance habitat values.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey. However, the County supports the Recommendation in that the use of "noxious weeds" and invasive species for habitat restoration should be prohibited in the non-flood control portion of Parcel P and a portion of Parcel 9, as well as within landscape plans for new development.

56) CCC Recommendation: Development adjacent to wetlands or ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Buffer areas shall be determined based on specific site characteristics and resource values, and shall be of sufficient width to protect the biological functions of the resources they are designed to protect. While wetland buffer widths of 100 feet are preferred, if site constraints preclude such buffer width and no siting and design alternatives are feasible to allow for such a buffer, a lesser buffer width may be allowed.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County is supportive of minimizing development impacts to habitat values or sensitive species within the non-flood control area of Oxford Basin and the wetland portion of Parcel 9, to the maximum extent feasible.

57) CCC Recommendation: Any area mapped as wetland or ESHAs or otherwise identified as a biological resource area shall not be deprived of protection, as required by the policies and provisions of the LCP, on the basis that the habitat has been illegally removed, filled, degraded, or that species of concern have been illegally eliminated.

County Position: Support with modification.

Comment: The County does not recognize ESHA in Marina del Rey; however, the County supports the Recommendation as it applies to the non-flood control portion of Parcel P and a portion of Parcel 9.

58) CCC Recommendation: The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes may be permitted in accordance with all policies of the LCP, 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 uses specified in Section 30233 of the Coastal Act.

County Position: Support with modification.

Comment: The County supports this Recommendation as it applies to the wetlands designated on the non-flood control portion of Parcel P and a portion of Parcel 9.

59) CCC Recommendation: Where any dike or fill development is permitted in wetlands in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of a similar type. Adverse impacts will be mitigated at a ratio of 3:1 for seasonal wetlands or freshwater marsh, and at a ratio of 4:1 for saltmarsh. The County shall coordinate with the California Department of Fish and Game, U.S. Army Corps of Engineers, U. S. Fish and Wildlife Service, and other resource management agencies, as applicable, in review of development applications.

County Position: Support with modification.

Comment: The requirements of the various agencies should be harmonized on a case-by-case basis with respect to wetlands on the non-flood control portion of Parcel P and a portion of Parcel 9 and not predetermined in an LCP.

60) CCC Recommendation: Habitat enhancement and restoration of the Oxford basin should be identified as a goal in a future LCP amendment. Although the Oxford Basin is a flood control basin it has restoration potential as a transitional upland/wetland area for wading birds. To the extent feasible, the Oxford Basin area should be restored to provide habitat for wading birds and for passive public recreation while maintaining its function as a flood control facility. A restoration/enhancement plan should be prepared for the area and designed to improve the water quality of runoff entering the basin and should include specific measures to filter and infiltrate runoff. The plan should include an interpretive signage program and any public trails through the area should be sited and designed to minimize disturbance to nesting birds. Any dredging of the basin for routine maintenance or habitat enhancement purposes shall comply with the Water Quality Policies of the LCP, Regional Water Quality Control Board requirements, California Department of Fish and Game Regulations, and Army Corps and US Fish and Wildlife Regulations.

County Position: Oppose.

Comment: The Department of Public Works has already begun planning an Oxford Basin improvement project, the Oxford Retention Basin Flood Protection Multiuse Enhancement Project, which includes water quality and habitat enhancement concepts, as well as aesthetic enhancement and passive recreation features. A broader description of habitat enhancement, rather than one limited to wading birds, is more appropriate. Large bird populations may have a negative impact on water quality within the Basin despite all

efforts otherwise to address such an impact through Basin redesign. Identification of pollutants coming from natural sources, and particularly birds, will not likely relieve the Flood Control District and/or the County from associated water quality regulatory compliance. From a technical perspective, infiltrating runoff in the Basin is not feasible due to the high level of ground water.

61) CCC Recommendation: As part of a LCP comprehensive update, the County shall incorporate findings of Commission ecologist, Dr. Jonna Engel, (memorandum, entitled, "Status of nonnative tree stands serving as multi-species heronries in Marina del Rey", dated December 10, 2007) of the ESHA status of the tree stands in the marina, and designate such sites as ESHA. For additional areas a site-specific biological assessment should be undertaken by a qualified biologist of the plant and animal species present on a project site to determine the presence of any additional ESHA, as defined in the LUP, based on the best available information, including current field observation, biological reports, and additional resources from the Department of Fish and Game and the U.S. Fish and Wildlife Service. Development within and adjacent to subsequently identified ESHA shall be consistent with the ESHA Resources Protection policy below.

County Position: Oppose.

Comment: The County does not support the recommendation for ESHA.

62) CCC Recommendation: Environmentally Sensitive Habitat Areas (ESHA) designated within the Marina, as determined through a site specific biological assessment of a project site, these shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

County Position: Oppose.

Comment: The County does not recognize ESHA in Marina del Rey.

**Cultural Resources**

63) CCC Recommendation: The LCP Policies B.7-1-6 and Ordinances 22.46.1180(5) and 22.46.1190(2) should be updated to revise noticing, consultation and measures to protect traditional tribal cultural places, features, and objects consistent with the Government Code and Office of Planning and Research Guidelines pursuant to SB 18.

County Position: Support.

Comment: The County will address this provision in a future LCP amendment.

64) CCC Recommendation: Modify LUP Policy B.7-4 that, if any resource is discovered during any phase of development construction that involves earth moving operations including grading, excavation and site preparation, a professional archaeologist and appropriate Native American consultant(s) 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.

County Position: Support.

Comment: The County will address this provision in a future LCP amendment.

**Hazards**

65) CCC Recommendation: The LCP ordinances for required geotechnical analysis and conditions of approval should be updated to update names of applicable agencies and to ensure that projects for coastal development permits implement any new requirements of state or locally adopted Hazard Mitigation Plans related to tsunami and runup hazards and should require new development be constructed to resist lateral movement due to the effect of water loading from the maximum expected event, to the greatest extent feasible.

County Position: Support.

Comment: The County is preparing a revision to Los Angeles County Zoning Code, Title 22, Section 22.46.1180 that accommodates both the seismic acceleration correction and tsunami hazard requirements.

**Procedures**

66) CCC Recommendation: The determination that a development is exempt from coastal development permit requirements under Section 22.56.2290 of the County code should be accompanied by a written project description and an indication of the reasons that the work is exempt. Such log concerning exemptions shall be kept on file and available for public inspection at the Department of Regional Planning, or if feasible, available electronically.

County Position: Support.

Comment: The County will address this provision in a future LCP amendment.

67) CCC Recommendation: Land Use Plan Policy C.8 -10 that addresses affordable housing should be modified to include language that encourages the protection of existing and provision of new affordable housing within the coastal zone of Marina del Rey.

County Position: Support with modification.

Comment: The County has adopted an Affordable Housing Policy for Marina del Rey under which all new residential development in Marina del Rey complies with the Mello Act by preserving existing affordable housing supplies (replacements units) and creating new affordable housing units (inclusionary units). The number of replacement units required is based on the results of an income survey that sets the replacement units on a like-for-like basis as determined by the income level of existing tenants whose income level triggers the replacement requirement. The number of inclusionary units is calculated as 15 percent of the net new incremental units to be constructed as part of the project with one-third reserved for very low-, one-third reserved for low-, and one-third reserved for moderate-income persons and families.

## FUTURE ACTIONS

The County is taking a two-step approach to revising the Marina del Rey LCP to respond to this Periodic Review. These steps follow the Roadmap for Marina del Rey as approved by your Commission and the County in 2009. Some revisions, such as changes to the review procedure followed by the Design Control Board, have already been made. Some revisions to

the LCP will be made in conjunction with the compound map and text amendments the County is preparing for the pipeline projects. We expect to submit the compound amendments to Coastal Commission by early 2011. The remaining revisions will be made after the County conducts a visioning process for Marina del Rey – the third step in the Roadmap. We expect to complete the visioning process by the end of 2014.

# Appendices for the Report to the California Coastal Commission on the Marina del Rey Local Coastal Program Periodic Review

County of Los Angeles

April 6, 2010

# Table of Contents

**Appendices**

# APPENDIX A

# WORKING GROUP SIGN-UP SHEETS

Report to the
California Coastal Commission on the
Marina del Rey Local Coastal Program
Periodic Review

## BIOLOGICAL RESOURCES AND ENVIRONMENTALLY SENSITIVE HABITATS WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Burdick | Heather | Santa Monica Bay Keepers | 310.305.9645 ex.3 | hburdick@smbaykeeper.com | N/A |
| DeLange | David | Coalition to Save the Marina | N/A | dr.delange@verizon.net | N/A |
| Hanscom | Marcia | Sierra Club | 310.821.9045 | wetlandact@earthlink.net | N/A |
| Hardy | Virginia | Down with Lottery! | 310.821.2560 | N/A | 139328 Tahiti Way #115 Marina del Rey, CA 90292 |
| Moore | Beverly | Marina del Rey Convention and Visitor's Bureau | 310.306.9900 | bmoore@visitmarina.com | 4701 Admirality Way Marina del Rey, CA 90292 |
| Sherrard | Susan | Resident | 310.498.8390 | slstw@aol.com | N/A |
| Simas | John | Community activist | 310.617.1199 | simas_john@yahoo.com | N/A |
| Van de Hoek | Robert | Ballona Institute | 310.877.2435 | robertvandehoek@yahoo.com | N/A |
| Vitela-Hayashi | Deana | AquaBioEnvironmental | 310.418.1754 | deana@aquabio.us | N/A |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |
| Zak | Peter | Lyon Capitol Ventures | 949.838.1244 | peterzak@lyon1.com | 4901 Birch St. Newport Beach, CA 92660 |

## COALITION TO SAVE THE MARINA WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Hardy | Virginia | Resident | 310.821.2560 | N/A | 13928 Tahiti Way #115 Marina del Rey, CA 90292 |
| Miller | Richard T. | Coalition to Save the Marina | 818.895.8234 | rtm155@aol.com | N/A |
| Parham | Mary Ann | Resident | 310.823.7437 | N/A | 13955 Tahiti Way #358 Marina del Rey, CA 90292 |
| Patman | Barbara | Resident | 310.577.2000 | barb@patmans.net | 5415 Via Donte Marina del Rey, CA 90292 |
| Steffey | Darrell | Resident | 310.706.1835 | steffeydj@yahoo.com | N/A |

## CULTURAL RESOURCES / HAZARDS / PROCEDURES WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Fisher | Barry | LARC/UMRA | 310.557.1077 | bfisher557@aol.com | N/A |
| Hardy | Virginia | Resident/On the Flood Basin | 310.821.2560 | N/A | 139328 Tahiti Way #115 Marina del Rey, CA 90292 |
| Le | Thuy | Resident | 310.591.4384 | thuycamle@yahoo.com | N/A |
| Parham | Mary Ann | Resident | 310.823.7437 | N/A | 13955 Tahiti Way #358 Marina del Rey, CA 90292 |
| Riley | Tim | Marina Lessees | 818.891.0495 | timriley7@roadrunner.com | P.O. Box 4805 Van Nuys, CA 91412 |
| Vickers | Sherman | N/A | 310.822.4933 | sherman@designintegrated.com | N/A |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |

## CULTURAL RESOURCES / HAZARDS / PROCEDURES WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Fisher | Barry | LARC/UMRA | 310.557.1077 | bfisher557@aol.com | N/A |
| Hardy | Virginia | Resident/On the Flood Basin | 310.821.2560 | N/A | 139328 Tahiti Way #115 Marina del Rey, CA 90292 |
| Le | Thuy | Resident | 310.591.4384 | thuycamle@yahoo.com | N/A |
| Parham | Mary Ann | Resident | 310.823.7437 | N/A | 13955 Tahiti Way #358 Marina del Rey, CA 90292 |
| Riley | Tim | Marina Lessees | 818.891.0495 | timriley7@roadrunner.com | P.O. Box 4805 Van Nuys, CA 91412 |
| Vickers | Sherman | N/A | 310.822.4933 | sherman@designintegrated.com | N/A |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |

## MARINE RESOURCES AND WATER QUALITY WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Abramson | Mark | Santa Monica Baykeeper | 310.305.9645 ex.4 | mabramson@smbaykeeper.org | N/A |
| Fisher | Fred | Boatowner | 818.522.7800 | fred@oasissailingcharters.com | N/A |
| Janko | Eli | Property Manager, Tahiti Marina | 310.717.9299 | eli@tahitimarina.com | N/A |
| Vickers | Sherman | Design Integrated | 310.822.4933 | sherman@designintegrated.com | N/A |
| Vitela-Hayashi | Deana | AquaBio Environmental Tech, Inc. | 310.418.1754 | deana@aquabio.us | N/A |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |

## MARINE RESOURCES AND WATER QUALITY WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Abramson | Mark | Santa Monica Baykeeper | 310.305.9645 ex.4 | mabramson@smbaykeeper.org | N/A |
| Fisher | Fred | Boatowner | 818.522.7800 | fred@oasissailingcharters.com | N/A |
| Janko | Eli | Property Manager, Tahiti Marina | 310.717.9299 | eli@tahitimarina.com | N/A |
| Vickers | Sherman | Design Integrated | 310.822.4933 | sherman@designintegrated.com | N/A |
| Vitela-Hayashi | Deana | AquaBio Environmental Tech, Inc. | 310.418.1754 | deana@aquabio.us | N/A |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |

## MARINA DEL REY COMMUNITY BOATING COUNCIL WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Cho | Steven | MDR Outrigger Canoe Club | 310.989.2312 | steven@choarchitecture.com | N/A |
| Eckelberry | Riggs | LA Rowing | 310.721.9441 | president@larowing.com | N/A |
| Elizer | Eran | Space Park Sailing Club | 310.964.3918 | erane@excite.com | N/A |
| Filar | Jim | Space Park Sailing Club | 310.813.0141 | jim.filar@ngc.com | N/A |
| Fisher | Barry | LARC/UMRA | 310.557.1077 | bfisher557@aol.com | N/A |
| Langbecker | Kim | LARC | 310.663.4139 | KimLangbecker@sbcglobal.net | N/A |
| Lumian | Dave | SM Windjammers/Fairwind Y Club | 310.612.0148 | dlumian@aol.com | N/A |
| Rivera | DeAnna M. | UCLA | 520.331.8461 | deannamrivera@gmail.com | N/A |
| Steffey | Darrell | Resident | 310.706.1835 | steffeydj@yahoo.com | N/A |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |

## MARINA DEL REY CONVENTION AND VISITORS BUREAU WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Moore | Beverly | Marina del Rey Convention and Visitors Bureau | 310.306.9900 ex.1 | bmoore@visitmarina.com | 4701 Admirality Way Marina del Rey, CA 90292 |

## NEW DEVELOPMENT / TRANSPORTATION AND CIRCULATION WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Bell | Gary | | | gbellva@gmail.com | |
| Brasch | Gilda | Resident/business owner | 310.291.1195 | gildabrasch@aol.com | P.O. Box 652 Pacific Palisades, CA 90272 |
| Burnett | Cheryl | N/A | 310.822.7471 | caburnett@gmail.com | N/A |
| Cho | Steven | MDR Outrigger Canoe Club | 310.989.2312 | steven@choarchitecture.com | N/A |
| Clark | Aaron | Armbruster & goldsmith | 310.209.8800 | aaron@ag-landuse.com | 19024 Wilshire Blvd., Ste 2100 Los Angeles, CA 90024 |
| Fisher | Barry | | | bfisher557@aol.com | |
| Green | Gary | | | garygreen@ca.rr.com | |
| Hicks | Charles | Resident | 310.822.8340 | N/A | 4316 Marina City Drive #CTN523 Marina del Rey, CA 90292 |
| Kape | John | N/A | 310.454.5101 | JohnKape@yahoo.com | N/A |
| King | Chris | | | christopher.king@emak.com | |
| Kot | Matt | N/A | 310.901.5145 | matthewkot@sbcglobal.net | N/A |
| Kuss | Marci | Resident | 310.936.2461 | marci2000@yahoo.com | N/A |
| Le | Thuy | Resident | 310.591.4384 | thuycamle@yahoo.com | N/A |
| Levine | David (Lead Person) | MdR Lessees Assn. | 310.823.5384 | drsnmdr@yahoo.com | N/A |
| Lumian | Dave | | | Dlumian@aol.com | |
| Meyers | Marti | Resident | 323.314.3429 | martimarina@aol.com | N/A |
| Miller | Richard T. | Coalition to Save the Marina | 818.895.8234 | rtm155@aol.com | 4250 Via Dolce #222 Marina del Rey, CA 90292 |
| Parham | Mary Ann | Resident | 310.823.7437 | N/A | 13955 Tahiti Way #358 Marina del Rey, CA 90292 |
| Richman | Lindsey | | | lindseyrichman@earthlink.com | |
| Rizzo | John | Marina Tenants Assoc. | 310.581.1928 | nutriwarehouse@yahoo.com | N/A |
| Rosenfeld | Mike | MSC II HOA | 310.301.9500 | miker@microscom.com | N/A |
| Rothman | Tibby | Press | 310.823.4675 | tibbyrothman@verizon.net | N/A |
| Sherrard | Susan | Resident | 310.498.8399 | slstw@aol.com | N/A |
| Simas | John | Boater | 310.617.1199 | simas_john@yahoo.com | N/A |
| Simons | Daniel | Legacy Partners | 310.613.3398 | NA | N/A |
| Sklar | Barbara | Resident | 310.308.4643 | odysseyyacht@yahoo.com | N/A |
| Steffey | Darrell | Resident | 310.706.1835 | steffeydj@yahoo.com | N/A |
| Summers | Michelle | Yacht Club, Resident | 310.628.9036 | cmichellesummers@aol.com | N/A |
| Versace | Vivienne | Resident | 310.301.6617 | vivfv@aol.com | N/A |
| Vrebalouich | Dr. Thomas | Resident | 310.827.2020 | drtomvreb@aol.com | 4265 Marina City Drive #PH12 Marina del Rey, CA 90292 |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |
| Zimmerman | Helene | N/A | 310.823.2140 | hbzimmerman@yahoo.com | N/A |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

## NON-GROUP PARTICIPANTS

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Campbell | Craig | N/A | 310.574.4443 | craig@the-boatyard.com | N/A |
| Gutierrez | Edgar | N/A | N/A | egutierrez@leeandrewsgroup.com | N/A |
| Hoffman | Michael | N/A | N/A | mikeslsetc@mac.com | N/A |
| Holmes | Harlan | N/A | 310.474.1659 | smwyco6@gmail.com | N/A |
| Patman | Barbara | N/A | 310.577.2000 | barb@patmans.net | N/A |
| Pierson | Jacquelin | N/A | 323.353.9036 | heyhaole@ca.rr.com | N/A |

## RECREATION AND VISITOR FACILITIES / PUBLIC ACCESS WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Baker | David | N/A | 310.822.3377 | dbakerlaw@aol.com | N/A |
| Adriance | Frederick | CVB | 310.301.1000 | fadriance@pacificahotels.com | 13534 Bali Way Marina del Rey, CA 90292 |
| Cho | Steven | MDR Outrigger Canoe Club | 310.989.2312 | steven@choarchitecture.com | N/A |
| Eckelberry | Riggs | LA Rowing | 310.721.9441 | president@larowing.com | N/A |
| Falkenstein | Mia (Lead Person) | Hornblower Cruises and Events | 310.301.6000 | mfalkenstein@hornblower.com | 13755 Fiji Way Marina del Rey, CA 90292 |
| Falkenstein | Bradley | Hornblower Cruises and Events | 949.574.4324 | bfalkenstein@hornblower.com | 13755 Fiji Way Marina del Rey, CA 90292 |
| Fisher | Barry | LARC/UMRA | 310.557.1077 | bfisher557@aol.com | N/A |
| Ginzburg | Daniel | Fantasea Yachts | 310.827.2220 | daniel@fantaseayachts.com | 4215 Admiralty Way Marina del Rey, CA 90292 |
| Hoye | Steve | Access for All | 310.455.4224 | sierrasteve@earthlink.net | N/A |
| Illes | Jack | The Hardagi Group | 619.540.3286 | jack@thehardagigroup.com | 12671 High Bluff Drive #300 San Diego, CA 92130 |
| Lorton | Kevin | Hornblower Cruises and Events | 949.646.0155 | klorton@hornblower.com | 13755 Fiji Way Marina del Rey, CA 90292 |
| McEachern | Sean | Legacy Partners | 949.930.7706 | smceachern@legacypartners.com | N/A |
| Medawar | Paul | Marina del Rey Hotel | 310.301.1000 | pmedawar@marinadelreyhotel.com | 13534 Bali Way Marina del Rey, CA 90292 |
| Michaels | Charles | LAACO | 213.622.1254 | charles.michaels@laaco.net | 431 W. 7th St. Los Angeles, CA 90014 |
| Moore | Beverly | Marina del Rey Convention and Visitor's Bureau | 310.306.9900 ext.1 | bmoore@visitmarina.com | 4701 Admirality Way Marina del Rey, CA 90292 |
| Parham | Mary Ann | Resident | 310.823.7437 | N/A | 13955 Tahiti Way #358 Marina del Rey, CA 90292 |
| Sklar | Barbara | Resident | 310.308.4643 | odysseyyacht@yahoo.com | N/A |
| Steffey | Darrell | Resident | 310.706.1835 | steffeydj@yahoo.com | N/A |
| Wildermuth | Paula | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |

# RECREATIONAL BOATING WORKING GROUP

| Last | First | Agency | Phone Number | Email Address | Mailing Address |
|---|---|---|---|---|---|
| Baker | David | N/A | 310.822.3377 | dbakerlaw@aol.com | N/A |
| Borinski | Stan | Los Angeles Rowing Club (LARC) | 310.666.9661 | stanb@netpr.com | P.O. Box 606 Manhattan Beach, CA 90267 |
| Carter | Jennifer (Co-Lead Person) | Consultant - Boat Central LLP | 310.991.3489 | jennifer@vanwertinc.net | N/A |
| Cho | Steven | MDR Outrigger Canoe Club | 310.989.2312 | steven@choarchitecture.com | N/A |
| Dolor | Jun | Dockmaster | 310.823.4593 | pier44info@verizon.net | N/A |
| Felus | Leon | MdR Outrigger | 310.821.2725 | leon-felus@verizon.net | N/A |
| Fisher | Barry | LARC/UMRA | 310.557.1077 | bfisher557@aol.com | N/A |
| Fisher | Fred | Slip holder/boatowner | 310.522.7800 | fred@oasissailingcharters.com | N/A |
| Freediman | Steve | Resident | 310.827.1189 | stevefreee@gmail.com | N/A |
| King | Christopher | Marina del Rey Outrigger | 310.855.2560 | christopher.joel.king@gmail.com | N/A |
| Klein | Donald | Coalition to Save the Marina | 310.305.7207 | N/A | P.O. Box 10851 Marina del Rey, CA 90295 |
| Langbecker | Kim | LARC | 310.663.4139 | kimlangbecker@sbcglobal.net | N/A |
| Miller | Wayne | | 818.679.1956 | mdrwellness@gmail.com | N/A |
| Nahhas | Jon | LA Mariner | 310.306.5682 | jnahhas@gmail.com | N/A |
| O'Brien | Timothy | Legacy Partners | 949.930.7700 | tobrien@legacypartners.com | N/A |
| Patman | Peter | Resident/boatowner | 310.577.2100 | peterpatman@hotmail.com | N/A |
| Richman | Lindsey | MdR Outrigger | 310.490.3068 | lindseyrichman@earthlink.net | N/A |
| Rivera | DeAnna M. | UCLA | 520.331.8461 | deannamrivera@gmail.com | N/A |
| Rothman | Tibby | Press | 310.823.4675 | tibbyrothman@venicepaper.net | N/A |
| Sanchez | Carlos | Yachtman | 310.612.9265 | sanchezshots.com | P.O. Box 12851 Marina del Rey, CA 90295 |
| Schem | Greg | Hanson Real Estate Group | 310.822.4878 | greg@highlandinvestco.com | N/A |
| Schwarz | Bill | Slip holder/boatowner | 310.456.7962 | vvs@earthlink.net | N/A |
| Selden | Mike | Pacific Ocean Management | 310.822.6866 | mselden@pom-mdr.com | N/A |
| Sklar | Barbara | Resident | 310.308.4643 | odysseyyacht@yahoo.com | N/A |
| Steffey | Darrell | Resident | 310.706.1835 | steffeydj@yahoo.com | N/A |
| Van Wert | Roger | Consultant | 310.850.5675 | roger@vanwertinc.net | N/A |
| Vernon-Marino | Nancy | Resident | | nancyvmarino@aol.com | N/A |
| Wildermuth | Paula (Co-Lead Person) | LARC | 310.600.6966 | paulawildermuth@aol.com | N/A |
| Younis | Patricia | The Bridge Group | 805.815.4600 | py@the-bridge-group.com | N/A |

# APPENDIX B

# WORKING GROUP AND OTHER PUBLIC COMMENTS ON RECOMMENDATIONS

Report to the
California Coastal Commission on the
Marina del Rey Local Coastal Program
Periodic Review

# WORKING GROUP AND OTHER PUBLIC COMMENTS ON RECOMMENDATIONS

The following Working Groups participated in the County's Periodic Review response process. All groups submitted comments, and those comments are included in this Appendix in their entirety and in their original format.

- Marine Resources/Water quality
- Recreational boating 1
- Recreational Boating 2
- New Development/Circulation
- New Development/Circulation Addendum
- Recreation and Visitor Facilities/Public Access
- Cultural Resources/Hazards/Procedures

The following group also submitted comments:

- We ARE Marina del Rey

9/24/08 Page 23 reads:

Marine Resources/Water Quality

**5. Development shall maintain, enhance and where feasible restore marine resources, including wetlands, submerged aquatic vegetation, or other important aquatic habitat areas as designated by local, state, or federal governments, consistent with Coastal**
**Act Sections 30230 through 30233.**

Add: Utilize local stakeholder knowledge and expertise to help identify and protect areas of special biological significance.

**6. The LCP should be amended to require that <u>all</u> development that involves disturbance to shallow water marine substrate provide a pre-construction survey to determine the presence of eelgrass (Zostera marina) taken during the active growth period. If eelgrass is present within the project site, the project shall be redesigned to avoid impacts to eelgrass. If nearby eelgrass is impacted it shall be mitigated in conformance with "Southern California Eelgrass Mitigation Policy" Revision 8 adopted by the National Marine Fisheries Service.**

Add: Courses of action: Design new development to 1) avoid all disturbance of shallow water marine substrate or 2) Redevelopment projects should be designed in a way to regain or restore as much disturbed eelgrass habitat as is feasible.

7**. The LCP should be amended to require that all development that involves disturbance to marine water substrate within the marina and other shallow waters (up to approx. 250 ft. depth) shall provide a survey for the presence of Caulerpa taxifolia (C. taxifolia) consistent with the survey protocol required by the Southern California Caulerpa Action Team, SCCAT. If C. taxifolia is found within or in close proximity to the project site, it shall be eradicated prior to the commencement of the project.**

7. The LCP should be amended to require that all development that involves disturbance to marine water substrate within the marina and other shallow waters (up to approx. 250 ft. depth) shall provide a survey for the presence of Caulerpa taxifolia (C. taxifolia) and other aquatic invasive species consistent with the survey protocol required by the Southern California Caulerpa Action Team, SCCAT. If C. taxifolia or other aquatic invasive species are found within or in close proximity to the project site, it shall be eradicated for a <u>minimum period</u> of one year prior to the commencement of the project.

ADD: all new development and substantial redevelopment that involves disturbance to marine water substrate within the marina and other shallow waters should be required to develop a HACCPP (hazard analysis critical control point plan) approved by Santa

Monica Bay Restoration Commission staff or other appropriate County staff person qualified to prevent the spread of invasive species.

**8. The LCP should be amended to update the policies, procedures and requirements associated with reducing polluted runoff and water quality impacts resulting from development. The update should revise policies and ordinances to ensure that Sections 30230, 30231, 30232, and 30240 of the Coastal Act, related provisions of the LCP, the County's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, adopted Total Maximum Daily Loads (TMDLs), State Nonpoint Source Control Plan, and Contaminated Sediment Task Force recommendations are integrated.**

8. The LCP should be amended to update the policies, procedures and requirements associated with reducing polluted runoff and water quality impacts resulting from existing and new development. The update should revise policies and ordinances to ensure that Sections 30230, 30231, 30232, and 30240 of the Coastal Act, related provisions of the LCP, the County's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and, adopted Total Maximum Daily Loads (TMDLs), State Nonpoint Source Control Plan, and Contaminated Sediment Task Force recommendations are integrated.

ADD: Add low impact development and incorporate LID policies and technologies from County of Los Angeles Low Impact Development Standards Manual September 2008 to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual. Replace (SUSMPS) above with LID policies and technologies to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event using the LA County runoff TOC (time of concentration) calculator and hydrology manual. County of Los Angeles Low Impact Development Standards Manual September 2008.

**9. The LCP should be updated consistent with the following principles and criteria, and to carry out the following provisions where applicable:**

**All development must address water quality by incorporating Best Management Practices into the development that are designed to control the volume, velocity and pollutant load of stormwater and dry weather runoff from the site during the construction phase and in the post-development condition. All new development and redevelopment projects shall integrate Low Impact Development principles designed to capture, treat and infiltrate runoff. Specific types of BMPs to be included in all development projects include site design and source control measures. In addition, treatment control BMPs shall be incorporated into all development and redevelopment types categorized as "Priority Development," under the Regional Water Quality Control Board-issued Los Angeles County**

**Municipal NPDES Stormwater Permit and related Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, and where otherwise necessary to protect water quality in accordance with LCP marine resource and water quality related policies and provisions. The specific information necessary for an individual project will vary depending upon site characteristics and the kind of development being proposed.**

9. The LCP should be updated consistent with the following principles and criteria, and to carry out the following provisions where applicable:

All development must address water quality by incorporating Best Management Practices into the development that are designed to control the volume, velocity and pollutant load of stormwater and dry weather runoff from the site during the construction phase and in the post-development condition. All new development and redevelopment projects shall integrate Low Impact Development principles designed to capture, treat and infiltrate runoff. Specific types of BMPs to be included in all development projects include site design and source control measures. In addition, treatment control BMPs shall be incorporated into all development and redevelopment projects and where otherwise necessary to protect water quality in accordance with LCP marine resource and water quality related policies and provisions. The specific information necessary for an individual project will vary depending upon site characteristics and the kind of development being proposed.

ADD: Low impact development and incorporate LID policies and technologies from County of Los Angeles Low Impact Development Standards Manual September 2008. to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual. Replace (SUSMPS) above with LID policies and technologies to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual. County of Los Angeles Low Impact Development Standards Manual September 2008.

**10. LCP policies should be revised to assure that at the time of application, development proposals will be reviewed for conformance with the requirements contained in the Los Angeles County Municipal NPDES Stormwater permit and SUSMP requirements, any adopted TMDLs, applicable provisions of the Santa Monica Bay Restoration Plan, State Nonpoint Source Control Plan, Contaminated Sediment Task Force recommendations, and applicable standards and requirements contained in the Marina Del Rey LCP.**

10. LCP policies should be revised to assure that at the time of application, development proposals will be reviewed for conformance with the requirements contained in the Los Angeles County Municipal NPDES Stormwater permit and, and LID

standards. (see below) any adopted TMDLs, applicable provisions of the Santa Monica Bay Restoration Plan, State Nonpoint Source Control Plan, Contaminated Sediment Task Force recommendations, and applicable standards and requirements contained in the Marina Del Rey LCP.

ADD: Low impact development and incorporate LID policies and technologies from County of Los Angeles Low Impact Development Standards Manual September 2008. To address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual. Replace (SUSMPS) above with LID policies and technologies to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual. County of Los Angeles Low Impact Development Standards Manual September 2008.

**11. LCP policies should be revised to ensure that as part of the development review process:**

**A. All developments that require a Coastal Development Permit (CDP) are required to document site design and/or source control BMPs within drainage, landscaping or other site plans, and include sufficient detail for a determination that those are the appropriate BMPs for the project, are located in the appropriate areas of the project and have adequate mechanisms in place to assure that the BMPs are effective for the life of the project.**

**Development or reconstruction of impervious surfaces, where a CDP is required, shall include source control or treatment control BMPs, such as permeable pavement, bioinfiltration or drainage to landscaping to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Development or reconstruction of landscaping, where a CDP is required, shall use site design, source control and treatment control BMPs, such as "smart" irrigation systems and bioinfiltration to eliminate or minimize to the extent feasible dry weather flow to storm drains or bay. Plans that include infiltration BMPs should be reviewed by a geotechnical engineer if site stability issues are a concern.**

**B. All developments that require a CDP and are categorized as "Priority Development" pursuant to the County SUSMP shall incorporate site design, source control, and treatment control BMPs, which are designed to eliminate dry weather runoff except those exempt under the Los Angeles County Municipal Stormwater permit and to treat runoff from the 85th percentile storm event. Such features and BMPs shall be documented in a Water Quality Management Plan (WQMP) or equivalent technical plan designed by a licensed water quality professional or civil engineer. The plan shall be**

**sufficiently detailed for evaluation purposes, and shall include all necessary supporting calculations, descriptive text as well as graphics depicting amount, location of BMPs, as well as design and maintenance details associated with the BMPs or suite of BMPs.**

**C. All BMPs implemented should be monitored to ensure that the performance achieved is at least the 75 percentile for BMP performance on the United States Environmental Protection Agency (EPA) and American Society of Civil Engineers (ASCE) National BMP database.**

11. LCP policies should be revised to ensure that as part of the development review process:

A. All developments that require a Coastal Development Permit (CDP) are required to use LID technologies, document site design and/or source control BMPs within drainage, landscaping or other site plans, and include sufficient detail for a determination that those are the appropriate BMPs for the project, are located in the appropriate areas of the project and have adequate mechanisms in place to assure that the BMPs are effective for the life of the project. BMPs utilizing LID technology to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual. Development or reconstruction of impervious surfaces, where a CDP is required, utilizing LID technology to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual including source control or treatment control BMPs, such as permeable pavement, bioinfiltration or drainage to landscaping to eliminate dry weather flow and runoff events up to a five year design storm event to storm drains or the bay.

Development or reconstruction of landscaping, where a CDP is required, utilizing LID technology to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual including site design, source control and treatment control BMPs, such as “smart” irrigation systems and bioinfiltration to eliminate runoff events up to a five year design storm event flow to storm drains or the bay. Plans that include infiltration BMPs should be reviewed by a geotechnical engineer if site stability issues are a concern.

B. All developments that require a CDP must utilize LID technology to address existing and future runoff from development, and be required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual and will incorporate site design, source control, and treatment control BMPs, which are designed to eliminate dry weather runoff and runoff events up to a five year design storm event. Such features and BMPs shall

be documented in a Water Quality Management Plan (WQMP) or equivalent technical plan designed by a licensed water quality professional or civil engineer. The plan shall be sufficiently detailed for evaluation purposes, and shall include all necessary supporting calculations, descriptive text as well as graphics depicting amount, location of BMPs, as well as design and maintenance details associated with the BMPs or suite of BMPs required to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual.

C. All BMPs implemented should be monitored to ensure that the performance achieved is at least the 75 percentile for BMP performance on the United States Environmental Protection Agency (EPA) and American Society of Civil Engineers (ASCE) National BMP database over the life of the project.

**12. The LCP should be revised to ensure that development projects will be designed in accordance with the following principles and guidelines. All projects should be designed to:**

**A. Prohibit the discharge of pollutants that may result in receiving water impairment or exceedance of state water quality standards. Projects should be designed to reduce post-development peak runoff rates and average volumes over pre-development levels or to maintain such rates and volumes at similar levels to pre-development conditions, through such measures as infiltration, evapotranspiration, and storage/reuse,.**

**B. Maintain natural drainage courses and hydrologic patterns.**

**C. Preserve and where possible, create or restore areas that provide important water quality benefits.**

**D. Reduce the amount of directly connected impervious area, and total area of impervious surface from traditional approaches; consider and implement alternatives to impervious material for hardscaping plans, such as porous pavement, crushed gravel, and/or concrete grid designs.**

**E. Minimize irrigation and the use of fertilizers and other landscaping chemicals. Water conservation measures, such as smart irrigation systems, shall be required, and water recycling and reuse should be encouraged.**

**F. Where site constraints allow, incorporate on-site retention and infiltration measures to slow and reduce the amount of runoff discharged from the site.**

**G. Properly design outdoor material storage areas (including the use of roof or awning covers) to minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids and other pollutants from entering the stormwater conveyance system.**

**H. Incorporate roof or awning covers over trash storage areas and implement other trash-control devices, such as full capture BMPs1, to prevent off-site transport of trash and related pollutants from entering the stormwater conveyance system. Where appropriate, include cigarette butt receptacles to reduce this common source of beach and ocean pollution.**

**I. Design streets and circulation systems to reduce pollutants associated with vehicles and traffic resulting from development.**

**J. Incorporate those BMPs that are the most effective at mitigating pollutants of concern associated with the development type or use.**

**K. Include requirements consistent with other recommendations contained herein, to inspect, maintain and repair as necessary the BMPs associated with the project to ensure proper and effective functioning for the life of the development. All approved Coastal Development Permit applications which involve the use of BMPs shall include such requirements.**

**L. For development that requires major mitigation to protect aquatic resources from stormwater and/or nonpoint source pollution, and that will involve the use of experimental features or practices to achieve such requirements, include measures for monitoring and reporting the success of the mitigation in protecting or enhancing the aquatic resources.**

12. The LCP should be revised to ensure that development projects will be designed in accordance with the following principles and guidelines. All projects should be designed to:

A. Prohibit the discharge of pollutants that may cause or contribute and/or result in receiving water impairment or exceedance of water quality standards. Projects shall be designed to reduce post-development peak runoff rates and average volumes over pre-development levels by using LID technologies to capture, treat and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual.

B. Protect and Maintain natural drainage courses and hydrologic patterns, riparian buffer zones defined as 100 feet from outside edge of historic riparian canopy

C. Preserve and where possible, create or restore areas that provide important water quality benefits, and require areas to be set aside to enhance water quality by implementing LID technologies in areas known to cause or contribute to degraded water quality.

D. Use LID technologies to reduce the amount of directly connected impervious area, and total area of impervious surface from traditional approaches and also capture, treat

and infiltrate a five year design storm event calculated using the LA County runoff TOC (time of concentration) calculator and hydrology manual LID designs must consider and implement alternatives to impervious material for landscaping plans, such as porous pavement, crushed gravel, and/or concrete grid designs.

E. Minimize irrigation and the use of fertilizers and other landscaping chemicals. Water conservation measures, such as smart irrigation systems, encourage LID technology such as rain gardens, and minimize irrigation demand by requiring automatic rain shutoff valves, water recycling and reuse (including grey water recycling)

F. Incorporate on-site retention and infiltration measures , utilizing LID technology to capture, treat and infiltrate a five year design storm event using the LA County runoff TOC (time of concentration) calculator and hydrology manual to reduce the amount and velocity of runoff discharged from the site.

G. Require properly designed outdoor material storage areas (including the use of roof or awning covers) to minimize the opportunity for toxic compounds, oil and grease, heavy metals, nutrients, suspended solids and other pollutants from entering the stormwater conveyance system.

H. Incorporate roof or awning covers over trash storage areas and implement other trash-control devices, such as full capture BMPs1, avian proof lids, to prevent off-site transport of trash and related pollutants from entering the stormwater conveyance system. Where appropriate, include cigarette butt receptacles to reduce this common source of beach and ocean pollution. Implement compostable dog disposal systems.

*ADD: where appropriate needs to be specified. Is it per population? How do we get a number? Use local stakeholders knowledge and expertise to help specify proper locations for cigarette butt receptacles and compostable dog disposal systems.*

I. Design streets and circulation systems to reduce pollutants associated with vehicles and traffic resulting from development through efficient flows of traffic and integrating LID technologies such as impervious pavement and rain garden median strips.

J. Incorporate those BMPs that are the most effective at mitigating pollutants of concern associated with the development type or use.

K. Include requirements consistent with other recommendations contained herein, to inspect, maintain and repair as necessary the BMPs associated with the project to ensure proper and effective functioning for the life of the development. All approved Coastal Development Permit applications which involve the use of BMPs shall include such requirements.

**13.The LCP should be revised to incorporate updated guidelines for marina development/redevelopment projects, containing a list of BMPs, management measures and standards appropriate for marina development, to aid the County in its review and permitting of marina development projects. In doing so, the County should utilize resources containing the most updated information and recommendations concerning environmentally sound marina development and operation practices, including but not limited to, the California Clean Marina Toolkit (California Coastal Commission, 2004), a publication of the California Coastal Commission's Boating Clean and Green Campaign.**

13. No changes recommended.

**14.The LCP should be revised to require that in the development or redevelopment of individual marinas or launch facilities, Best Management Practices (BMPs) for marinas and recreational boating activities shall be implemented to reduce, to the maximum extent practical, the release of pollutants to surface waters. Any coastal development application for reconstruction, modification or redevelopment of marina or launch facilities shall include a Marina Water Quality Management Plan (MWQMP) that includes BMPs to control water quality impacts at each marina or launch. The MWQMP shall include the following components, as applicable, and shall be reviewed for conformance with the set of guidelines for marina related development/use to be developed by the County pursuant to recommendation No. 13, and the following criteria, as applicable:**

**A. Measures to control stormwater and dry-weather runoff from development during the construction phase and in the post-development condition, consistent with all applicable provisions outlined in Recommendations 5- through 14 of this report [Marine Resources/Water Quality section], and consistent with State and Regional Water Quality Control Board NPDES requirements.**

**B. A MWQMP component that includes provisions to adequately control impacts from boating sewage, vessel cleaning and maintenance, oil and fuel discharges, fish cleaning and trash generation/disposal. Vessel sewage disposal shall be controlled by: 1) installing a fixed point dockside pumpout facility; or 2) installing slipside pumpouts; or 3) for smaller marina operators, evidence of a cooperative agreement with an adjacent marina to provide joint waste management facilities or services. The MWQMP shall also provide that adequate restrooms and portable toilet dump stations for marinas with slips for smaller boats are installed. In addition, adequate trash, recycling and cigarette butt receptacles shall be placed in convenient locations around the Marina, and should be covered and frequently serviced. The operations and maintenance component shall provide measures for marina operators to regularly inspect and maintain facilities.**

**C. A component for implementing boater education measures, including signage.**

**D. A component for protection against the spillage of crude oil, gas, petroleum products or hazardous substances in relation to any development or transportation of such materials.**

**E. A monitoring and assessment component to evaluate the effectiveness of the MWQMP.**

**F. 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:**

**i. The material used shall be durable and a minimum of one-tenth of an inch thick.**
**ii. All joints shall be sealed to prevent leakage.**
**iii. 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.**
**iv. The plastic sleeves shall extend a minimum of 18 inches below the mudline.**
**v. 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.**
**vi. The lessee shall be made responsible for removal of failed docks or materials.**
**vii. 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.**

14.The LCP should be revised to require that in the development or redevelopment of individual marinas or launch facilities, Best Management Practices (BMPs) for marinas and recreational boating activities shall be implemented to reduce, to the maximum extent practical, the release of pollutants to surface waters. Any coastal development application for reconstruction, modification or redevelopment of marina or launch facilities shall include a Marina Water Quality Management Plan (MWQMP) that

includes BMPs to control water quality impacts at each marina or launch. The MWQMP shall include the following components, as applicable, and shall be reviewed for conformance with the set of guidelines for marina related development/use to be developed by the County pursuant to recommendation No. 13, and the following criteria, as applicable:

Notes: invasive species
Pier 44 public boat launch needs signage, inspection program, and steam cleaning of boats and trailers. Install a power wash car wash High pressure/steam cleaning system to prevent the spread of invasive species from other waterways. The system must be designed with a filtered/recirculated drain system to avoid runoff water with invasive species.

A. Measures to control stormwater and dry-weather runoff from development during the construction phase and in the post-development condition, consistent with all applicable provisions outlined in Recommendations 5 through 14 of this report [Marine Resources/Water Quality section], and consistent with State and Regional Water Quality Control Board NPDES requirements.

B. A MWQMP component that includes provisions to adequately control impacts from boating sewage, vessel cleaning and maintenance, oil and fuel discharges, fish cleaning and trash generation/disposal. Vessel sewage disposal shall be controlled by: 1) installing a fixed point dockside pumpout facility; or 2) installing slipside pumpouts; or 3) for smaller marina operators, evidence of a cooperative agreement with an adjacent marina to provide joint waste management facilities or services. The MWQMP shall also provide that adequate restrooms and portable toilet dump stations for marinas with slips for smaller boats are installed. In addition, adequate trash, recycling and cigarette butt receptacles shall be placed in convenient locations around the Marina, and should be covered and frequently serviced. The operations and maintenance component shall provide measures including educational pamphlets and signs for marina operators vendors, captains, maintenance persons to regularly inspect and maintain facilities. And to be aware of disposal practices, fines, and laws.

Require marina operators contract with a mobile head & bilge pumping and monitoring company to ensure proper disposal of head tank and bilge wastes. Require all boats deploy dye tabs and other preventative measures to ensure proper disposal and assist in the detection of spills and enforcement to protect public health.

Notes: Does not address solvent oil, gasses, greases, fuel etc. recommend addressing these issues in this section.

Notes: Prohibit the use of copper based paints and require green alternatives for resurfaced and new boats that enter the Marina. This information can be included with the lease agreement for new tenants. Boat yards can provide the tenant with a certificate stating the paint is copper free, paint brand… to ensure compliance.

C. A component for implementing boater education measures, including signage. There should be pamphlets in English and Spanish targeted at operators, captains, maintenance, and other personnel.
D. A component for protection against the spillage of crude oil, gas, petroleum products or hazardous substances in relation to any development or transportation of such materials.
Require each marina operator should have a trained staff person that can rapidly respond to reported spills. Marina operators, pump-out facility operators, should be required to carry large clean up pads to immediately respond to spills at each marina. A spill response hotline number should be included in the above referenced pamphlets and website. This should include reaching the individual Marina operator to respond to spills.

E. A monitoring and assessment component to evaluate the effectiveness of the MWQMP.

Notes on C,D,E: Require Marina operators to have new tenants at time of signing a lease, also sign papers agreeing with and understanding proper disposal of all items and consequences for mishandling hazardous materials. Tenants must be educated on appropriate techniques for the storage and disposal of hazardous waste, sewage, and fines associated with violating the policies and that they will be held financially negligent for violations.

Marina operators should hand educational and informational pamphlets to all users: These pamphlets should include and clearly denote disposal locations where to bring hazardous waste, fines for illegal dumping, invasive species concerns and precautions, and emergency contact phone numbers for reporting spills or for necessary services i.e. pump-out facilities. It is recommended that the County help create and finance these materials.

The County should utilize existing local facilities i.e. Sheriff stations, Harbor patrol, Fiji, fire dept., two sheriff areas, fire stations, beaches and harbor facilities to create nearby hazardous waste recycling drop-off locations with easy access for Marina users. The fuel dock takes dirty bilge pads and recyclable oil and gives out free bilge pads, recycle center off Fiji must be more frequently serviced. All county facilities should be a drop-off facility for hazardous waste. These locations included on pamphlet and website.

F. 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 prohibited 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 be prohibited. Non toxic recycled material

alternatives (concrete piers, treks,) shall be mandated for all new and redevelopment projects.

vi. The lessee shall be made responsible for removal of failed docks or materials.
vii. 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,

REPORT OF THE
**RECREATIONAL BOATING WORKING GROUP**

on the
**Marina del Rey LCP Periodic Review Response**

Submitted to:
THE DEPARTMENT OF REGIONAL PLANNING
COUNTY OF LOS ANGELES

MAY 2009

## I. PERIODIC REVIEW RECOMMENDATIONS SECTION

**Recommendation #1**

**The County should require an updated comprehensive boater use, slip size, and slip distribution study which is no more than five years old for each dock redevelopment project that affects slip size and distribution of slips, to assess current boater facility needs within the individual project and the Harbor as a whole.**

MAJORITY COMMENTS

It is the opinion of the Recreational Boating Working Group (**"RBWG"**) that in addition to the study discussed in Recommendation #1, an historical assessment should be completed which accounts for the loss of slips to date since the inception of the marina. The accounting should include but not be limited to a change in slip count when a double slip is used as a single and the amount of sea wall-adjacent berthing space eliminated as a result of policies related to sea wall protection.

It is also the opinion of the RBWG that Recommendation #1 should be expanded as described below:

The County shall require a comprehensive study of recreational boating in the Marina which shall include: an inventory of wet slips by size category, dry storage spaces, human-powered crafts (such as canoes, rowing shells, and kayaks) and boater parking; vacancy rates of slips and dry storage; a survey of boat size (length and beam) and boat type; and an evaluation of boat usage.

The County shall commission a 3rd party to create a study design to clearly establish study objectives and data collection protocols. The study design should be completed by the time of submittal of the County's response to the Coastal Commission Periodic Review. The County shall also commission a 3rd party to conduct a "baseline" comprehensive study using the study design guidelines. The baseline comprehensive study should be completed no later than one year after the completion of the study design.

Subsequent to the completion of the baseline comprehensive study, an update to the study shall be required at the time of application for any dock redevelopment project. The update shall include all dock redevelopment projects completed and proposed since the last study. If more than five years have elapsed since the last study, a new study shall be required.

The reasons for the Group's recommendation of the alternative above include:

- Availability of dry storage spaces, boater parking and counts of human-powered crafts are aspects of assessing current boater facility needs;
- Vacancy rate data would be a useful indicator of marina usage and availability of boating facilities;

- A survey of boat size would provide a picture of “slip efficiency” (boats larger than slips and vice versa);
- An evaluation of boat usage (live-aboard, times used per week/month/year, length of trip hours/days, etc.) would be a useful indicator of marina usage;
- A study design should be created to ensure that the baseline study, all subsequent studies and study updates are undertaken in a consistent manner
- The use of an independent 3rd party to create the study design and conduct the “baseline” study is important to the quality and transparency of the data collected and the study produced;
- Including a timeline would help ensure timely completion of the study design and baseline study; and
- Additional information/clarification was provided to indicate what would “trigger” an update.

MINORITY COMMENTS

A portion of group members thought the following also should be included in the comprehensive study: an analysis of economic, environmental and social impacts of marina redevelopment; an analysis of slip efficiency (size of boat compared to size of slip); a survey of commercial versus privately owned and operated boats; a survey of boater facilities; and information as to market conditions in nearby marinas.

INDIVIDUAL COMMENT - ANDY BESSETTE

The ONLY purpose of such a study is to glorify and lend credence to the county's pitiful planning, which is to fast-track the developers agendas. Any study hired done by the county will look EXACTLY like the same study hired done by the developers to whom the county is subordinate, and will be of no practical use except to deceive the public. The proof of this will be found within the most recent study, where Noble has proven that, for $70,000-$80,000, the county and developers have been able to buy EXACTLY the study they wanted--word-for-word, to order!

With today's economy, and government spending so aggregiously out of control, county taxpayers should not have to pay for information that the county mostly should know already, they having so recently approved of so many MDR renovations which included unconscionable reductions of boat slips, the loss of related boat-owner parking, and the loss of access for thousands of boat-owners. To charge taxpayers for a "study" now is in extremely poor taste.

Instead, our recommendation should be for the California Coastal Commission to seriously question the master plan, acknowledge publicly what a hash the county has made of the redevelopment planning so far, and to insist on an immediate halt in all redevelopment until their mistakes can be rectified, and competent and honest management can be found.

INDIVIDUAL COMMENT - JON NAHHAS

At least every 10 years The Comprehensive Boating Study should include all economic, social, and environmental impacts of recreational boating in Marina

del Rey. The Boating Study should be conducted using the square footage of the boat slips rather than the linear feet.

**Recommendation #2**

**Through the development review process and through improvements to existing facilities, continue to provide a mix of small, medium and large boat slips which is based on updated information from the comprehensive study discussed in recommendation 1 above.**

MAJORITY COMMENT
The RBWG offers the following alternative recommendation:

The County needs to address the growing population of Los Angeles County and the need for all recreational boating opportunities to equitably serve all economic sectors of the population. The County should provide for a mix of small, medium and large boat slips which places the highest priority on recreational boating needs over market trends and is based on updated information from the comprehensive study discussed in Recommendation 1 above.

INDIVIDUAL COMMENT - ANDY BESSETTE
As stated "...continue to provide a mix...based on information from the comprehensive study ..." wrongly implies that the county should keep doing a good job, which they certainly have failed miserably to do. Instead, #2 should severely berate the county for allowing greed and corruption to determine the existing slip mix, and should encourage them towards restoring the healthy mix of slips originally provided, increasing the numbers of all slip sizes.

**Recommendation #3**

**Section A3, Recreational Boating, Policy and Action e2, regarding the "Funnel Concept" for boat slip expansion, should be deleted as a policy and action from the Land Use Plan. The County should investigate other alternatives to increase recreational boating within the Marina, assure lower cost boating opportunities and adopt policies requiring implementation of such other alternatives as are found to be appropriate. Other alternatives that should be considered, but are not limited to:**

- **creating additional slips along the main channel, end ties, or other areas, where feasible;**
- **maintaining a mix of boat slip lengths throughout the Marina;**
- **increasing day-use rentals;**
- **encouraging boating membership programs; requiring marinas that reduce the number or proportion of slips to provide public access to affordable lower cost boating opportunities for the general public through such**

**mechanisms as: contributing fees to develop new boating programs for youths, including disadvantaged youths, development of new lower cost boating facilities for all members of the general public; and encouraging boating membership programs; or similar mechanisms;**

- **continue to monitor existing launch ramp facilities, estimate projected increases in demand and develop measures to increase capacity where needed;**
- **providing additional boat storage facilities, including areas for small non-motorized personal watercraft (i.e. kayaks, canoes and dinghies).**

MAJORITY COMMENTS

The RBWG agrees that the "Funnel Concept" as specifically described in the LUP on pages 3-4 and 3-5 and depicted in Map 6 of the LUP, should be deleted as a policy. In addition, the RBWG agrees with the suggested alternatives with the following exception:

Regarding the last bullet point, rowing shells should be added to the list of non-motorized personal watercraft and "canoes" should be clarified to be "outrigger" canoes as follows – "providing additional boat storage facilities, including areas for small non-motorized personal watercraft (i.e. kayaks, outrigger canoes, rowing shells and dinghies)."

Additionally, it should be noted that a significant portion of our Working Group is comprised of individuals representing the non-motorized personal watercraft community. This group raised concerns that expansion into the channel may encroach upon or compromise safety for non-motorized boaters. Accordingly, any proposal for expansion into the main channel should take into account the needs of this segment of the recreational boating community.

INDIVIDUAL COMMENT - ANDY BESSETTE

This recommendation showcases the disingenuousness and corruption of its' authors. Now that thousands of active boaters have lost their slips, and now that significant redevelopment has already taken place (insuring the loss of those slips), the suggestion for new opportunities to increase recreational boating is insulting. And, with such recent unsupportable and unprincipled slip-rent increases, who dares to ask for lower cost boating?

INDIVIDUAL COMMENT - JON NAHHAS

The County should create additional slips along the main channel for larger boats 36' and above, where the redevelopment has not already occurred.

**Recommendation #4**

**Through the development review process and through improvements to existing facilities, provide short-term day use docks at or in close proximity to visitor-serving facilities, such as parks, Fishermen's Village, and restaurants.**

MAJORITY COMMENT
The RBWG generally agrees with Recommendation #4, but thinks it could be improved and clarified by adding the following (*underlined and italicized*):

*The County shall enhance short-term docking opportunities throughout the Marina*, through the development review process and through improvements to existing facilities*. A comprehensive marina-wide review would identify opportunities to* provide short-term day use, *guest and dinghy* docks at or in close proximity to visitor-serving facilities, such as parks, *Mother's Beach (dinghies only)*, Fisherman's Village, and restaurants.

The reasons for the Group's recommendation of the alternative above include:

- Additional short-term docking facilities would provide for more boater use and recreational opportunities in the marina.
- All types of water craft, including dinghies, need to have access to visitor-serving facilities.
- The County should conduct a marina-wide assessment to identify opportunities, set priorities and provide design guidelines for short-term day use, guest and dinghy docks.

INDIVIDUAL COMMENT - JON NAHHAS
The County should provide access for recreational boaters in the protected recreational areas of the harbor, including but not limited to Burton Chase Park and Mother's Beach.

**Recommendation #4a**

**No reduction in total boat slips and no reduction in slips 35 feet or less in length.**

MAJORITY COMMENT
The majority of the RBWG voted against supporting Recommendation #4a.

MINORITY COMMENTS
A portion of the RBWG supported the following comment drafted by Roger Van Wert:

The policy should be revised because it cannot feasibly be implemented and would establish a slip mix that is inappropriate for Marina del Rey.

Rationale:
The redevelopment of several marinas has led to loss of approximately 448 slips, with a disproportionate amount of the loss among smaller slips, less than 26 feet *(Periodic Review, p53).* The reductions have resulted in questions as to the appropriate slip mix. Studies have brought to light information that underpins the efficacy of reducing the number of small slips to better align the slip mix with the needs of the current market *(Noble, 2009).* Specific factors supporting this conclusion include:

1. There are a minimum of 2,400 wet slips under 35 feet in the marina *(Noble, 2009, p10)*. Even if all the proposed marina redevelopment projects were approved and constructed, small boats would comprise 58% of the wet slips in the marina - more than adequate to meet the demand for wet slips.
2. The slip mix of marinas that have not yet redeveloped was determined 50 years ago when the Marina was first built. Redevelopment should respond to today's needs, rather than follow a half-century old pattern.
3. Today's marina design standards (DBAW) call for more water area per slip than the designs used a half century ago *(Noble, 2009, p28)*. Therefore, it is not possible to maintain the same number of slips in most redeveloped marinas since additional water area is not available. This fact alone is adequate justification to delete the proposed policy.
4. The demand for wet slips 35' and under in Marina del Rey is being met as evidenced by the vacancy rates for slips in this category. Vacancy rates for slips 35 feet and under are substantially higher than the rates of larger boats (36 ft. +) *(Noble, 2009, p23).* This higher vacancy rate indicates sufficient or excess supply of smaller slips.
5. There are proposals before the County to add several hundred dry-stack spaces in the near future which will serve boats 35 feet or less.
6. The shortage of available boat slips 40 feet or longer means this portion of the recreational boating community is not well served by the present slip mix. A slip mix which reflects today's demand would result in relatively equal vacancy rates by slip length.
7. Smaller boaters (generally 30 feet and under) have a number of available storage options (dry storage, personal property, commercial RV storage lots) not readily available to larger boats (generally 40 feet and above), which by and large must be stored in the water.
8. The vacancy rate for slips less than 26 feet is approximately four times that of larger slips, indicating an excess supply in this size category. Therefore, the minimum slip length for redeveloped marinas should be 30 feet except where necessary to address specific space limitations *(Noble, 2009, p34).*
9. An unachievable policy undermines all the policies of the LCP (If this policy cannot be addressed successfully, then it provides a basis to question the need to follow other policies as well).

Given these factors, a policy requiring no loss in the number of total slips and no reduction of slips 35' and under, does not make sense and is not supported by the facts. LCP policies related to slip mix should encourage a greater percentage of larger slips to address the existing shortage of larger slips, while insuring that an adequate number of small wet slips remain.

A portion of the RBWG supported Recommendation 4a as written.

A portion of the RBWG commented that the County should seek to restore lost boat slips.

INDIVIDUAL COMMENT - ANDY BESSETTE
This is so totally inadequate. No reduction of slips 35-feet and under? Now that thousands of boaters have already lost their slips? We must insist on the restoration of ALL lost slips before taking this seriously.

In summary, this work-group has been completely and totally managed by the overwhelming majority presence of the developers and their county subordinates, and by their hired consultants, the results of which they hope will disguise their corrupt dealings and transgressions against the boaters of this marina. The public has been lied to at every turn. The true monsters can be found among the county supervisors, regional planning, beaches and harbors, the developers and their hangers-on; they should be held accountable. They are responsible for cutting the heart out of the marina--the very most active group of boaters the marina was built for--the small boaters.

## II. OTHER ISSUES AND CONCERNS SECTION

MINORITY COMMENTS
A portion of the RBWG voted to support the following comments drafted by Jon Nahhas:

Recommendation LA Mariner 1: The County shall require centralized pump-out stations on all redeveloped docks at least every 3 slips and ensure that no cost would be passed on to the recreational boater.

Recommendation LA Mariner 2: The County of Los Angeles shall implement a "Cost Recovery Methodology" for assessing boat slip prices of non-commercial boating activity. The costs of the monthly rent on slips would be based on the cost to build the slip along with maintenance costs. All of the slip prices would be listed on a County website and completely transparent. The use of square footage to assess pricing.

Recommendation LA Mariner 3: The County shall begin a vendor performance evaluation and rating system to ensure that the quality of facilities and service is of the

upmost importance. This should include a comprehensive website and transparent process for the boating consumers to make an informed decision.

Recommendation LA Mariner 4: No blue tarps, torn sails, or sail covers visible unless in emergency situations not to exceed 48 hours. Bilge pumps cannot be exhumed more than once per day.

Recommendation LA Mariner 5: The County shall ensure that all recreational and commercial boaters be provided leases with landlord/tenant rights. This would provide lower recreational costs and help provide piece of mind in the recreational arena.

Recommendation LA Mariner 6: Absolutely no construction of health clubs, bathrooms, laundry-facilities or other non-essential buildings over the water. Our water space is an extremely valuable resource.

INDIVIDUAL COMMENTS - NANCY MARINO

1. **The County should analyze the cost recovery method for determining slip rates, rather than relying solely on "market rate" surveys of regional marinas, to determine a fair and reasonable cost to recreational users of Marina del Rey.**

   By using "market rate" pricing for recreational boat slips, the County is effectively promoting the gentrification of the Marina. Slip prices are rising at a much higher rate than is justified by the costs associated with marina maintenance and upkeep, forcing low- to moderate-income slip tenants out of their slips. Any raise in slip fees other than a CPI adjustment should be assessed to determine whether proposed additional maintenance and/or improvement costs justify such an increase.

2. **Revenues from recreational boating should be used first for the maintenance and enhancement of recreational boating facilities and opportunities. The County should place all funds from boating fees, including all slip rents, into a separate fund for use in maintaining and improving Marina del Rey.**

   While it is desirable for public recreational facilities to pay for themselves, recreational boaters should not be forced to subsidize other County programs (however meritorious). There is no mandate for recreational boaters should pay for County programs disproportionately to any other County resident.

3. **The County should analyze commercial use of slips and its impact on recreational boater demand, especially in the larger slip categories. For-profit use should be charged at a higher rate than recreational users.**

This could be done by charging a premium based on the slip fee, as is done with live aboard premiums, or a two-tier pricing scheme.

4. **Comprehensive LCP Revision.**

   After full public participation, the County should submit a comprehensive revision of the1996 certified LCP that: (1) reflects the County's current policy and planning for visitor-serving uses, public recreation, land use and development, and (2) addresses comprehensively the related issues of: environmental impacts, public access, traffic, public parking, balance of land uses and biological resources including environmentally sensitive habitat areas, so that the Commission can evaluate these policies and plans in a singular review for their consistency with the Coastal Act.

5. **Sea/Jetty to Land View Protection Policy.**

   The County should immediately analyze the implications for all developable parcels in Marina del Rey to determine the limitations and other parameters for development mandated by the View Disturbance Prohibition Policy 5 on page 5 of the LCP's Chapter 9. In the course of analyzing development on any specific Marina del Rey Parcel, the County shall include a finding, justified with specific reasons, that the proposed development is consistent with this Sea/Jetty to Land View Protection Policy.

6. **Strengthen View Protection for Mother's Beach: New Proposed Recommendation 35.1**

   The LCP should be revised to recognize and protect the intersection of Admiralty Way and Via Marina that frames Marina Beach, popularly known as Mother's Beach, which provides the key panoramic viewscape that establishes the identity of Marina del Rey as a small craft harbor and public recreation destination.

7. **Protection of Recreation at Mother's Beach: New Proposed Recommendation 35.2**

   The LCP should be revised to protect Marina Beach, including the existing picnic shelters and solar access, popularly known as Mother's Beach, as a premier day visitor attraction in the Marina and as primary location for low cost and free recreation in Marina del Rey in addition to Burton Chace Park.

8. **Comprehensive Amendment for Land Use Change: Amendment Replacing Recommendation 19**

   If at any time the County seeks to change the current land use designation of any parcels covered by the LCP, the County shall seek one comprehensive amendment to the LCP identifying all of the parcels in the same phase of development (for example, the current Phase II) that would be subject to change, so that all proposed

change(s) may be reviewed as an integrated plan and the balance of public uses required by the LCP and the Coastal Act may be maintained.

9. **Strengthen Parking Requirements: Amendment to Recommendation 39.**

   In bullet 3, delete "where feasible," so reads: "Ensures public parking adjacent to waterfront lots for beach and boating use is protected and maximized;"

10. **Independent Traffic Study.**

    The County should commission and complete within one year, at its expense, an independent comprehensive sub-regional traffic study for Marina del Rey and the surrounding area recommending new total trip caps related to any further development in MDR. The traffic policy recommendations of this study shall be immediately incorporated by amendment into the Marina del Rey LCP. Until such study is completed, no CDPs resulting in net traffic trip increases shall be issued in Marina del Rey. An example of the degree of independence recommended would be a study wherein the Coastal Conservancy, for example, selected and managed the entity doing the traffic study.

11. **Independent Boater Study: Amendment Replacing Recommendation 1**

    The County should commission and complete within one year, at its expense, and make available for public comment, a new independent comprehensive boater use, slip size, and slip distribution study of Marina del Rey as a whole to assess boater facility needs (the "Boating Study"). The Boating Study should include, but not be limited to, an analysis of (a) national trends, (b) trends in Marina del Rey over the past ten years and (c) the effects the current or pending redevelopment projects at Holiday Harbor, Dolphin and Panay Way, among others, have had on the vacancy rates of small and medium slips at such facilities. The County should commission, and make available for public comment, an independent update to the Boating Study once every five years. Independent shall mean not under the control or influence of Los Angeles County officials or other interested parties.

12. **Moratorium on Dock Redevelopment Projects: Amendment Replacing Recommendation 2**

    There should be a moratorium on the approval by the County of all applications for dock and boating facility redevelopment projects that affects slip size and distribution of slips, and on the development of any approved project that has not commenced construction that affects slip size and distribution of slips, until completion of the Boating Study referenced in Recommendation #1. All future dock and boating facility redevelopment projects shall continue to be reviewed as an integrated plan with the purpose of maintaining the balance of public uses required by the LCP and the Coastal Act based upon the required updated Boating Studies.

13. **Maintenance of Affordable Housing**

Los Angeles County shall actively encourage and ensure that all leaseholders constructing new or remodeled residential structures in Marina del Rey shall completely adhere to Government Code Section 65590, regarding affordable (low and moderate income) housing, in all phases of CDP application, construction and throughout the term of their leasehold. Furthermore, it is feasible that all newly constructed Marina del Rey structures replacing existing residential structures shall be built within the MDR LCP area.

14. **ESHA Designation: Amendment Replacing Recommendation 44 and 52**

Since the Commission and/or Commission Ecologist find the seven sites described in the analysis below to be ESHA, the County of Los Angeles should update their LCP to include this finding. (Therefore all Commission Staff references to "Sensitive Biological Resources" in Recommendations 45-51 should be replaced with "Environmentally Sensitive Habitat Area" and/or its grammatical derivatives.)

INDIVIDUAL COMMENT - JON NAHHAS

Los Angeles County shall meet or exceed the Department of Boating and Waterways ADA Guidelines by no more than a factor of 3.

## III. ATTENDENCE

**Meeting #1 - November 5, 2008**
Andy Bessette
Jennifer Carter
Jun Dolor
Leon Felus
Fred Fisher
Harlan Holmes
Wayne Miller
Jon Nahhas
Carlos Sanchez
Greg Schem
Mike Selden
Darrell Steffey
Roger Van Wert
Paula Wildermuth

**Meeting #2 - November 19, 2008**
Andy Bessette
Stan Borinski
Jennifer Carter
Steven Cho
Jun Dolor
Steve Freedman
Fred Fisher
Christopher King
Wayne Miller
Jon Nahhas
Mike Selden
Roger Van Wert
Paula Wildermuth
Patricia Younis

**Meeting #3 - December 3, 2008**
Andy Bessette
Stan Borinski
Jennifer Carter
Steven Cho
Jun Dolor
Fred Fisher
Steve Freedman
Chris King
Wayne Miller
Jon Nahhas
Tim O'Brien
Greg Schem
Roger Van Wert
Paula Wildermuth

**Meeting #4 - December 17, 2008**
Andy Bessette
Jennifer Carter
Jun Dolor
Fred Fisher
Steve Freedman
Wayne Miller
Jon Nahhas
Mike Selden
Roger Van Wert
Paula Wildermuth
Jeff Juarez (DRP)

**Meeting #5 - January 14, 2009**
Andy Bessette
Stan Borinski
Jennifer Carter
Steven Cho
Steve Freedman
Fred Fisher
Nancy Marino
Wayne Miller
Jon Nahhas
Tim O'Brien
Greg Schem
Mike Selden
Roger Van Wert
Paula Wildermuth
Gina Natoli (DRP)

**Meeting #6 - January 28, 2009**
Andy Bessette
Jennifer Carter
Jun Dolor
Nancy Marino
Wayne Miller
Jon Nahhas
Paula Wildermuth

**Meeting #7 - February 11, 2009**
Carla Andrus
Andy Bessette
Jennifer Carter
Steve Freedman
Nancy Marino
Wayne Miller
Jon Nahhas
Roger Van Wert
Paula Wildermuth

**Meeting #8 - February 25, 2009**
Andy Bessette
Jennifer Carter
Steve Freedman
Nancy Marino
Wayne Miller
Jon Nahhas
Roger Van Wert
Paula Wildermuth
Gina Natoli (DRP)

**Meeting #9 - March 11, 2009**
Andy Bessette
Stan Borinski (end)
Jennifer Carter
Steve Freedman
Wayne Miller
Roger Van Wert

**Meeting #10 - March 25, 2009**
Andy Bessette
Stan Borinski
Jennifer Carter
Fred Fisher
Steve Freedman (end)
Nancy Marino
Wayne Miller
Jon Nahhas
Roger Van Wert
Paula Wildermuth

## Recreational Boating Sub Group #2

## County Guidance on LCP Recommendations

1. It is our opinion that the county appropriately commissioned a comprehensive study of the physical and economic aspects of the boat slips in Marina del Rey and has now circulated two draft reports. The first which is more concerned with the physical characteristics of the existing marina as it relates to the overall market was produced by Noble and Associates ("Noble report"). The second which was more concerned with overall rent levels compared to the market was produced by Alan D. Kotin and Associates ("ADK&A report"). We believe these reports have adequately addressed the issues at hand with the exception of the items transmitted to the county by the Marina del Rey Lessees Association ("Lessees Association Letter") on April 21, 2009 (copy attached). We feel the major shortcomings of these reports which should be corrected include:
    a. Clarify and provide more guidance as to how individual lease holds will be permitted to achieve the recommended slip sizes upon redevelopment.
    b. Do not present highly speculative projects which are early on in the entitlement process as if they are done deals. Should these projects not go forward, the recommendations made in the reports would change substantially with respect to the reduction in the number of small slips.
    c. Make an effort to include the future redevelopment plans for the 1,420 slips at six marinas which have not yet applied for reconfiguration. The ultimate slip mix at these marinas will have a significant affect the final size distribution in Marina del Rey.
    d. Slip reconfiguration should be done in "substantial" compliance with DBAW guidelines giving the Director flexibility to achieve overall redevelopment goals without being handcuffed by hard and fast criteria.
    e. Dry storage on parcel 77 should be retained as it represents the best example of low cost dry storage available in the Marina, unless and until it can be relocated to another county owned parcel properly zoned for boat storage.
    f. Since dry stack storage is intended to satisfy the demand for an alternative and affordable option to wet slips, the economic study should include the projected rental rates required at the very unique structures being proposed. It is highly unlikely that the dry storage rents at conventional dry stack facilities will be comparable to the projects proposed in MDR.

2. Subject to the incorporation of the comments contained in the Lessees Association Letter, it is our opinion that the final recommendations made in the Noble report and ADK&A report should be utilized as guidance in determining the appropriate slip mix going forward. We strongly believe that the slip mix should address the needs of the current and future boating community and not mirror the status quo. In this regard, we feel there should be an equitable distribution of among all slip sizes without any over concentration in smaller slip sizes.

3. We agree that the funnel concept should be dropped as it would heavily impact alternative recreational uses for enhanced utilization of the marina by the general public. We believe there are many ways to increase recreational boating in MDR which should be investigated and implemented. These include:
    a. Adding additional slips as may be feasible, especially at parcel 64, parcel ___ where we believe there is an opportunity for increased transient slips for larger vessels.
    b. Adding dinghy docks at key destinations.
    c. Encouraging small vessel charter operations through ground rent credits to successful operators.
    d. Maintain a strong collection of yacht clubs open to the public.
    e. Upgrade launch ramp facility and clean off bird droppings from launch docks.
    f. Provide low cost docking facilities for youth organizations such as the Sea Scouts and W.A.T.E.R. program.

4. We agree that short-term day use docks should be required at all redevelopments, especially at commercial and retail parcels. Not only does this provide a good means for alternative transportation, it creates recreational opportunities within MDR. At present, there is little for a boater to do after leaving the dock or launch ramp other then go out the breakwater.

4a. We feel that it is neither practical nor in best interests of the boating public to make a blanket statement proposing not to reduce the total number of boat slips or not to eliminate those slips less than 35 feet in length. We believe that MDR should be redeveloped to meet the current and future needs of the boating community and not to mirror the current configuration which was designed to serve boats constructed in the 1960's. In addition, the adoption of DBAW guidelines for marina design and compliance with ADA standards will by definition reduce the absolute number of boat slips. We recommend that reconfiguration be based upon the information gleaned from the Noble and ADK&A reports subject to the comments and guidance provided in the Lessees Association Letter.

Marina del Rey
Lessees Association

C/o Mr. Timothy C. Riley, Executive Director
8537 Wakefield Avenue
Panorama City, CA 91402
Telephone: 818-891-0495; FAX: 818-891-1056

April 21, 2009

Mr. Santos Kreimann
Director
Department of Beaches and Harbors
13837 Fiji Way
Marina del Rey, CA 90292

Re: Marina del Rey Slip Sizing Study
Marina del Rey Slip Pricing and Vacancy Study

Dear Mr. Kreimann:

The Marina del Rey Lessees Association submits the following comments, questions and suggestions in the matter of the above-referenced studies commissioned by the County of Los Angeles Department of Beaches and Harbors.

Marina del Rey Slip Sizing Study:

1. Page 1: Bullet point # 4: The report states that "more boats in the 30 foot length and less category are moving to dry boat storage". While we concur that a greater number of smaller boats should be placed in dry stack storage, we do not find that the report provides sufficient data to reach this conclusion. The consultant should be asked to quantify the number of boats under 30 feet that are moving to dry stack storage. Since there have been very few new dry storage facilitates constructed within the market area, has the study included nationwide data outside of the market? If so, is this relevant to Marina del Rey?

2. Page 2: Table: We believe the Table requires more clarity. Does this Table mean that an individual marina should not have any slips under 30 feet when re-developed? But if the combined percentage is recommended to be 30% or less, how is this achieved? If the first marinas to be redeveloped drop all boat slips under 30 feet, then do the last marinas to be developed take the entire burden of providing the under 30 foot slips in order to maintain the 30% ratio? What does the Table mean by saying 30% of the

combined percentage for all MDR marinas is 30% for 30 feet and under? Does this include dry slips? What does it mean that the Table shows an apparently uneven redistribution of the percentages for the maximum case percentage for individual marinas? For instance, the 11% of slips 50 feet and over remains static, while all other categories 30 feet and above are adjusted upward.

3. The Table on page 2, along with the associated recommendations outlined in the Executive Summary, also fails to account for the fact that several anchorages, acting upon prior County policies, have already submitted proposals which minimize the potential for reconfiguration. The County has reserved the highest proportion of larger slips to those future projects which were not required to respond to prior invitations for Lease Extensions, and the County should reconsider the practical application of this policy.

4. Page 2: Since the Coastal Commission has recommended eliminating the Funnel Concept, and the recreational boating groups and environmental groups are opposed to it, then perhaps it should not be mentioned as a viable alternative.

5. Page 3: Bullet point #1: We should insert the word "substantially" before "meet the minimum requirements…" as the DBAW guidelines and the County's design criteria for Marina del Rey are actually just guidelines and not requirements. By providing some flexibility, major changes in configuration may not become necessary in order to comply. This may provide a very cost effective solution for maintaining existing slip counts. It only makes sense that guidelines maintain more flexibility then specific requirements.

6. Page 4: Where has Marina del Rey become a "role model" for other urban marinas throughout the world"? While we appreciate the uniqueness of Marina del Rey and its appeal to boaters, this type of presumptuous comment seems inappropriate for a factual report unless it is supported by a number of specific examples that could be cited.

7. Page 6: The proposed slip count relies on the proposed dry stack projects at parcel 53 and 44 actually being constructed. Should these not be constructed the slip count will be reduced to 4,871 rather than to 5,343, resulting in a 677 slip reduction that represents a 12.2% decrease. Since these proposed dry stack projects are far from even obtaining their basic entitlements and CEQA review, this study should not assume their completion is a fait accompli in its analysis of the base case. Most importantly, since the total slip count is the very basis of this report's fundamental conclusions, the validity and likelihood of these assumptions should be clearly set forth.

8. Page 7: It is important to note that <u>only</u> the currently proposed slip reconfigurations are included in this report. There are four marinas representing 894 slips which will have to be reconfigured in the next few years. In addition, there are two other marinas reconfigured in the 1980's which will be up for reconfiguration in the next decade, representing another 526 slips. Together, these marinas represent a total of 1,420 slips

or 27% of the marina which is not included in this study. The reconfiguration of these marinas will likely involve a similar reduction in boat slips and an increase in length as discussed in this report.

9. Page 25: Boat registration number change by size categories. Do these numbers of registrations for smaller boats include personal watercraft? If so, the personal watercraft registrations should be removed, because they skew the numbers in favor of smaller slips for vessels that do not require small boat slips.

10. Page 37: It is inconsistent with the recommendations of this study that the existing dry storage on parcel 77 should be eliminated. Given the lower costs associated with the existing storage facility on this parcel, it would appear that the sensible recommendation is to retain this existing use.

11. Page 37: The report identifies Parcel 52/GG to provide dry stack storage for 349 boats and Parcel 44 to provide the same for 234 boats. Together, these two proposed dry stack storage facilities would provide more than half of Marina del Rey's total dry slips. These two projects are speculative in nature as they face many hurdles in obtaining entitlements in a protracted discretionary process, to say nothing of potential financing challenges.

12. The report has not addressed supportive landside services on marine/commercial properties to facilitate the use of visitor-serving commercial operations such as FantaSea Yacht and Hornblower. We recommend that the report discussion on the future marina should focus on providing these necessary supportive landside facilities for operators, large and small, who have licensed businesses.

<u>Marina del Rey Slip Pricing and Vacancy Study</u>

1. Page 1: Under "Key Findings of the Noble Consultants Report," the word "proposed" should precede "dry storages for smaller boats" in the last sentence of the first paragraph. This is important given the speculative nature of the two proposed dry storage facilities, which (as stated above under Item 11) still face considerable economic and entitlement challenges.

2. Page 8: Boat yards and other marina operators do not maintain vacancy to accommodate customers or for the purpose of other collateral uses. Other than minimal staging areas for haul out, all slips are rented to slip tenants and/or leased to sub-tenants.

3. Page 9: The difference between the so called "independently priced marinas" and other marinas seems to be overblown. It is our experience that all marina slips compete with all other marina slips based upon their individual characteristics and amenities and not

based upon whether there is a related upland business. This distinction should be further studied for its validity.

As an interested party to the redevelopment of Marina del Rey to serve our boating community and to enhance our recreational facilities, the Marina del Rey Lessees Association appreciates the independent study efforts that will assist in rebuilding our marinas to modern standards. We believe that these reports substantiate, to a large degree, what other studies have previously found, namely that Marina del Rey is in line with the marketplace and that the trend is to larger wet slips.

We look forward to working with the County as these studies move forward during the public review process.

Sincerely,

David O. Levine
President

(letter transmitted by email)

**New Development Working Group**
**Final Report**
**April 30, 2009**

The New Development/Land Use Working Group met eight times to discuss the relevant issues and reached consensus on the following recommendations:

*Coastal Commission Recommendation 15: (A) Although redevelopment of the 1994 DKS transportation model is not recommended as part of this review, any changes to the cap system (that is based upon the DKS study), if proposed, should be based on a revised model or equivalent comprehensive traffic analysis. (B) Amend LIP section 22.46.1180.A.11.b to reflect the County's current traffic study guidelines and its requirement that studies be based on and consistent with the most recent studies of major projects in the area, including models prepared for the Airport LAX expansion and Playa Vista Phase II traffic models.*

The Working Group is concerned about increased traffic congestion in and around Marina del Rey. Consistent with its goal to maintain the quality of life and ambiance for Marina del Rey residents and visitors, this Working Group supports both of the Coastal Commission's recommendations that traffic studies prepared for Marina del Rey projects should be based upon and consistent with the most recent and comprehensive traffic models. This support is contingent upon community as well as agency review of the traffic analysis of both cumulative and project-specific impacts, including traffic counts generated by projects at full capacity. Also, traffic studies should address actual and future projected conditions in the Marina, including on weekends and during the summer, especially as it relates to the County parking lots and access to recreational uses.

Special care should be paid to ensure that the full regional impact of public and private projects within the City of Los Angeles is analyzed, including the Venice Sewer Force Main Project. Traffic mitigation should also account for emergency preparedness requirements specific to the residential and recreational character of the Marina del Rey community.

*Coastal Commission Recommendation 16: The County should consider options for funding a bus/shuttle system. Such funding could be used to support a regional bus/shuttle system operated by a regional or local government transit agency that serves Marina del Rey. The County should amend sections 22.46.1100.C.2 and 22.46.1190.A.3 and A.5 to require an ongoing assessment to support shuttle buses as part of all retail, residential, and hotel development, as a Category 1 improvement. If funding is required*

*as part of a lease extension, the amount contributed should be acknowledged in the issuance of the Coastal Development Permit. Consider additional assessments for all projects.*

The Working Group believes that more public transit should be made available between Marina del Rey and nearby residential and commercial areas (Santa Monica, El Segundo, Culver City) by regional or local government transit agencies which already serve the Marina and/or these adjacent communities, such as the Santa Monica "Big Blue Bus" line. The Working Group also notes its appreciation for the Playa Vista/Marina del Rey shuttle. The Working Group acknowledges that projects in Marina del Rey already pay a traffic mitigation fee, and urge that more consideration be given to the use of those fees for alternative transportation programs (including those mentioned in Coastal Commission recommendation #17) apart from road construction and/or signalization, for example.

*Coastal Commission Recommendation 17: The County should amend LCP ordinances Sections 22.46.110.B, 22.46.1060 and 22.46.1190A.3, 5, 9 and 15 to require improvements or proportional contributions that would enhance non-automotive transportation from all development: pedestrian and alternative traffic modes; widened sidewalks; jitney stops; stops for water taxi; and, dinghy tie-ups as part of site plan review.*

The Working Group supports the thrust of this recommendation. In particular, the Working Group notes that actual physical conditions for pedestrians and bicycle riders are unsatisfactory at many points in the Marina, and urges that higher priority be placed upon the completion of a continuous waterfront pedestrian promenade and a separate continuous bike path around Marina del Rey.

18. The County should amend LCP Ordinance Sections 22.46.1050, 22.46.1100.B.2 and Appendix G to include the improvement of pedestrian access across and along thoroughfares as part of roadway design.

The Group recommends that a concerted planning effort should be made to make Marina del Rey more "pedestrian-friendly." In particular, pedestrian access improvements should be focused on "destinations," in order to facilitate way-faring for pedestrians to the waterfront and other public amenities. For example,

crosswalks should be better marked. Pedestrian access (i.e. dimensions of sidewalks) should be enhanced—and not physically diminished—as part of all redevelopment plans.

The current pedestrian design situation often pits pedestrians against bikers and kayakers. Adherence to the 22.46.1100 circulation system requirements should be encouraged by the Departments of Beaches & Harbors and Regional Planning through the planning and permit process and then strictly implemented by the Los Angeles County Department of Public Works in order to realize a goal for a continuous and separated bike path throughout Marina del Rey. Personal watercraft users should have easy access from adjacent surface parking lots along or across roads to Mothers' Beach and to the Chace Park improvements to facilitate recreational boating.

*Coastal Commission Recommendation 18A: In preparation for amending its LCP the County should undertake a comprehensive study of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies, and other facilities identified through a community planning process.*

Future redevelopment of Marina del Rey should be inspired by a vision of balanced redevelopment of an integrated residential, visitor-serving, and recreation-oriented community which is articulated in one governing document that incorporates cumulative impact considerations of all pending and anticipated future projects.

The Working Group believes that the cumulative impacts of the proposed redevelopment of the Marina need further articulation and discussion. The County of Los Angeles has committed to a comprehensive study of the impacts of the proposed redevelopment projects, and, before adoption, there should be a thorough public vetting of the scope, assumptions, and redevelopment goals of this document.

Increased emphasis should be placed on individual projects consistent with the certified LCP, as it may be amended, including renovation of existing projects, as well as on public projects which enhance active and passive recreational opportunities at the Oxford flood basin, Mothers Beach, and Burton Chace Park.

Redevelopment projects which have proceeded in good faith through the regulatory process to date should have the opportunity to continue through the process to make the case for each individual project's consistency with the goals of the certified LCP and the Coastal Act. These projects need to be reviewed in light of the cumulative density, traffic, and other impacts of all proposed Marina and relevant City of Los Angeles projects.

*Coastal Commission Recommendation 19: Revise the LCP to require that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public serving and park uses in the Marina.*

The Working Group is concerned about the lack of available and proposed park space in the Marina, especially along the high-density residential Via Marina corridor. The Working Group supports Recommendation 19 and, in particular, emphasizes that the certified LCP specifically prohibits any change in designation of any parcels from public parks or public parking to private use without equal and complete replacement.

During the planning process for the parcels at issue in Recommendation 19, the County should analyze current and future anticipated parking requirements with the primary priority to ensure there are no impediments to low-cost access and usage of parks, beach, recreational boating, the public launch ramp, and other public amenities. The Working Group believes other alternative public park uses should also be considered. In particular, project-driven amendments for County Parking Lots on Parcels GR and IR should be considered collectively, since those surface parking lots are intended to provide low-cost access to, and usage of, Mothers Beach. Parcel NR should be retained to preserve the unique function it plays in facilitating low-cost recreational and personal-craft boating use.

20. The County should amend its LCP to include development standards that would incorporate the design elements in the Asset Management Strategy (similar to many of the LCP policies concerning public access and site design). For example:
    - Maintain the visibility of public spaces;
    - Integrate the building with open space and access areas; and,

    Identify the County agency best qualified to undertake this review

The Group believes that only those design elements in the Asset Management Strategy which are consistent with the LCP should be incorporated into the LCP. The intensification of development in Marina del Rey should not be sufficient justification for proposals to decrease the amount and/or the visibility of public spaces and amenities in the Marina. For example, the Working Group recommends that "view corridors" be studied as part of the comprehensive planning process for the Marina as a whole, in order to identify and protect valuable current views and to maintain the current ambiance of the Marina.

21. The County should revise the LCP in order to include incentives to provide priority to free or lower cost public uses on waterfront parcels designated for residential use but developed with mixed uses, including visitor serving commercial and public facility uses.

The Working Group believes access to free or lower cost public uses on waterfront parcels should be a critical priority for the County going forward. The County should incentivize developers to build mixed use projects in exchange for the provision of free or lower cost public uses, subject to density and height limitations consistent with the LCP. Such incentives, which may require a project-specific amendment to the certified LCP, should be vetted in a public hearing process before inclusion in any development agreement between the County and the developer.

22. The County should amend the LCP to strengthen development standards to preserve existing public and lower cost recreation facilities including free facilities; assure that these facilities and public rights to them are maintained.

As noted above, the Working Group believes access to free or lower cost public uses should be a critical priority for the County, especially for water-oriented recreational opportunities. In particular, lower cost public parking should be preserved to support public use of free or lower cost recreation at and surrounding the key public amenities, including at Mothers' Beach, with special protection for the existing proximate parking lot on Parcel NR as well as collective consideration for the parking lots on parcels IR and GR. In particular, it is vital to maintain practical appropriate access for the users of personal watercraft at both Mothers' Beach and Chace Park.

23. The County should amend LCP Definitions to define "hotel" and should evaluate opportunities to protect the availability of, and encourage additional, short-term overnight accommodations in the Marina. To protect and maximize public access, LUP and LIP definitions and development standards should exclude private fractional ownership of hotel/motel rooms on publicly owned land designated for visitor or public uses. And for areas not designated for visitor use, in any hotel, motel or similar project that includes timeshare or fractional or condominium ownership components, the County shall address, among other factors, peak use demands in the summer, availability of units to the general public and operational provisions to require hotel/motel management of a facility. LCP Standards should ensure that such projects maximize public access in operation of the hotel/motel, including restrictions on the percentage of units privately [individually] owned and length of stay.

Members of the Working Group expressed strongly-held differences of opinion with regards to the prospect of Time Share fractional ownership in Marina del Rey. The Working Group includes individuals who oppose it on philosophical grounds. Those who support time share development are of the opinion that time shares are visitor-serving and that provision for fractional ownership of certain proportion of units is essential to the financing of hotels. Others propose that a cooperative ownership structure similar to the structure utilized elsewhere in the United States, including in Hawaii, should be considered as an alternative to time share fractional ownership. Even though it should be noted that visitor-serving uses are a higher priority in the Coastal Act than residential uses, there is more support for time share development on "hotel-designated" parcels in commercial areas of the Marina rather than on parcels surrounded by residential uses.

24. In-Lieu Fees for Lower Cost Overnight Visitor Accommodations. The County should update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost. The in-lieu fee would be required as a condition of approval of a coastal development permit, in order to provide significant funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Los Angeles County. The fee would be based on the per bed "mid-range" land acquisition and construction costs to build a lower cost overnight visitor accommodation in the coastal zone of Los Angeles County for 25% of the total number of proposed overnight visitor accommodations in the new development. The fee (i.e. $30,000 in 2007) shall be adjusted annually to account for inflation according to increases in the Consumer Price Index – U.S. City Average.

    The required in-lieu fees should be deposited into an interest-bearing account, to be established and managed by one of the following entities approved by the Executive Director of the Coastal Commission: Los Angeles County, Hostelling International, California Coastal Conservancy, California Department of Parks and Recreation or a similar entity. The purpose of the account should be to establish lower cost overnight visitor accommodations, such as new hostel beds, tent campsites, cabins or campground units, at appropriate locations within the coastal area Los Angeles County. The entire fee and accrued interest would be used for the above-stated purpose, in consultation with the Executive Director, within ten years of the fee being deposited into the account. Any portion of the fee that remains after ten years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities in a Southern California coastal zone jurisdiction or other organization acceptable to the Executive Director. Required mitigation shall be in the form of in-lieu fees as specified herein or may include completion of a specific project that is roughly equivalent in cost to the amount of the in-lieu fee and makes a substantial contribution to the availability of lower cost overnight visitor accommodations in Los Angeles County.

The Working Group believes that the *in lieu* fee arrangement proposed by the Coastal Commission is too onerous. It notes that the current fee agreed to in 1996 is approximately 25% of the proposed fee, and that the County and the Coastal Commission did not object when the current fee was imposed upon the Jamaica Bay Inn project approved in 2008. The Working Group proposes that any future change in the calculation of the fee reflect consistentcy with the fees imposed by other County of Los Angeles beach cities on similar projects. The Working Group supports the concept of the provision of both campsites and hostel accommodations near by Marina del Rey.

**New Development Working Group**
**Addendum for Additional Opinions**
**May 5, 2009**

The New Development/Land Use Working Group did not reach consensus on a few Coastal Commission Recommendations. The remarks presented below are additional opinions from some of the Marina residents:

*Coastal Commission Recommendation 18A: In preparation for amending its LCP the County should undertake a comprehensive study of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies, and other facilities identified through a community planning process.*

We also support the "comprehensive study" and want to make particular note of the fact that successful modern "development" includes preserving, protecting, and highlighting unique and distinct environmental features present in a community.

"Green" is good for business, and healthy for civic Asset Management. We believe that there can be profitable results to *consciously developing* what remains of the Marina's precious and dwindling open space, including the wetlands.

With balanced planning and vision, the Marina can become an award winning "green" community -- something that can only benefit the County by increasing overall property values for homeowners, turning the Marina into more of a tourist destination, and making rental rates in the area highly competitive. This will result in increased County income from property taxes, revenue generated from successful area businesses, and lease income.

The local residents of Marina Del Rey suggest that this "comprehensive study" meticulously evaluate the cumulative, and long-range environmental impacts of all proposed redevelopment in the Marina for two reasons:

A) So as not to endanger nor adversely impact the delicate balance of wildlife and natural resources.
B) To seriously calculate the asset value of making the Marina a "green" community.

There are numerous financial and environmental arguments for preserving and fortifying the remaining open spaces in the Marina, particularly along the highly residential and water adjacent Via Marina corridor. We hope that in determining the overall future Asset Management strategy of the Marina community, the County will value open spaces with an eye toward preservation, and not just simply calculate straight lease income from commercially re-developing the few remaining parcels of public land. We believe the County can generate greater long-term revenue with a "green" approach, as this strategy has been proven in other communities to result in tangible financial assets for local governments. (For example, commercial development projects, like Espirit, with their low success at occupancy, have perhaps not benefited the overall financial health of the Marina/County as expected.)

In summary, the natural resources and wildlife that make the Marina unique are to be highly valued. By supporting the healthy balance of this Coastal region, and developing the Marina into a "green" jewel, the County will not only fortify Coastal preservation, but also generate more income. This can only be accomplished if the new development/planning *significantly* adopts a "green" strategy. The token nod to the environment in some of the proposed private lease projects will not result in this win/win outcome.

In advocating environmentally conscious Development, we hope that the County will look to award winning "green" communities – including Vancouver's Coal Harbor, and neighboring Santa Monica's beach-front redevelopment – for ideas and inspiration.

*Coastal Commission Recommendation 19: Revise the LCP to require that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public serving and park uses in the Marina.*

We request that Recommendation 19 be approached in a manner that takes into account that land parcels designated for public use, once commercially developed, will never be returned to the trust of the community they currently are designed to serve; and that any loss of square footage will forever alter the current, as well as

future, "public serving and park uses" available in the rapidly developing and densely populated Marina.

The current public parcels and parking lots (including those with “pending projects”) are undeniably a valuable, limited, and shrinking County resource -- and the community urges that they be maintained, designed, and allocated with a vision to serve and enhance the overall quality of life for the local Public and the Environment. The financial benefits of civic “green” preservation projects have been outlined above, but there are also recreational, education, and environmental values to be calculated.

It is strongly suggested that in Recommendation 19's analysis of the "total pattern of public serving and park uses in the Marina," that the County and Coastal Commission consider recreational opportunities available to residents of *all ages and interests*. It is to be noted that the bulk of current and proposed recreational opportunities along the Via Marina corridor are geared to bikers, walkers, and boat owners; while the Mothers Beach area is geared for toddlers. This leaves families with school-aged children, as well as elderly residents, in this most densely developed area of the Marina, with no public green recreational park, nor walking access to Burton Chace Park.

We therefore suggest that Parcel FF be considered as an ideal location to incorporate a recreational green park space into the Via Marina corridor for local residents, as well as visiting County residents. This area could become a community centerpiece with far reaching civic benefits for generations to come. (It is also to be noted that parcel FF is very crowded with the cars of County guests on July 4$^{th}$, Boat Parade days, and peak summer times when the lots adjacent to Mothers Beach are full. So a visitor car park space area should be retained in considering “green” re-development of FF).

We also suggest for wetlands Parcel 9U, that the County look beyond the pending projects for hotels/timeshares – and consider a recreational/educational model like Malibu’s Legacy Park (malibulegacy.org), where an empty field is being transformed into a cutting-edge environmental cleaning machine that reduces pollution impacts, and improves water quality.

In summary, we advocate that parcels and parking lots currently allocated for Public use, remain designated solely for Public use; and not be re-designated to private commercial projects. The Marina’s precious and open public areas can be redeveloped in ways that add priceless value to the entire Community, the County, and the Environment.

24. In-Lieu Fees for Lower Cost Overnight Visitor Accommodations. The County should update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost. The in-lieu fee would be required as a condition of approval of a coastal development permit, in order to provide significant funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Los Angeles County. The fee would be based on the per bed "mid-range" land acquisition and construction costs to build a lower cost overnight visitor accommodation in the coastal zone of Los Angeles County for 25% of the total number of proposed overnight visitor accommodations in the new development. The fee (i.e. $30,000 in 2007) shall be adjusted annually to account for inflation according to increases in the Consumer Price Index – U.S. City Average.

    The required in-lieu fees should be deposited into an interest-bearing account, to be established and managed by one of the following entities approved by the Executive Director of the Coastal Commission: Los Angeles County, Hostelling International, California Coastal Conservancy, California Department of Parks and Recreation or a similar entity. The purpose of the account should be to establish lower cost overnight visitor accommodations, such as new hostel beds, tent campsites, cabins or campground units, at appropriate locations within the coastal area Los Angeles County. The entire fee and accrued interest would be used for the above-stated purpose, in consultation with the Executive Director, within ten years of the fee being deposited into the account. Any portion of the fee that remains after ten years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities in a Southern California coastal zone jurisdiction or other organization acceptable to the Executive Director. Required mitigation shall be in the form of in-lieu fees as specified herein or may include completion of a specific project that is roughly equivalent in cost to the amount of the in-lieu fee and makes a substantial contribution to the availability of lower cost overnight visitor accommodations in Los Angeles County.

We do not believe that the *in lieu* fee arrangement proposed by the Coastal Commission is too "onerous", considering the immense value hotel developers ultimately receive in having permits granted. Such a fee plan will help tax-paying families of all incomes afford a way to experience the beauty of the California Coast.

Marina Del Rey Local Coastal Plan Update

**Recreation and Visitor Facilities/ Public Access Working Group**

## Marina Del Rey Vision Plan

**OUTLINE:**

Mission Statement

- Public Access
  - **Placemaking**
  - **Wayfinding**
  - **Public Facilities/Amenities**
  - **Guest Docks/ Watercraft Connectivity**
  - **New Destinations**

- Recreation and Visitor Facilities
  - **Facility Development Incentives**
  - **New Parking Operations**
  - **New Public Access Opportunities**

- Parking
  - **Improved Existing Facilities**
  - **Outsourced Parking Operations**
  - **Parking Master Plan**
  - **Enhanced Water-based Transportation**
  - **Shared Parking Management**
  - **Wayfinding**

- Comments to Coastal Commission Staff Recommendations

## Mission Statement:

Marina Del Rey was originally envisioned as a water-oriented regional asset for both local residents and visitors to the area. For the future, the many successful attributes of the marina, and its unique characteristics within the region, should be expanded in order to appeal to a broader public.

As redevelopment occurs on privately held parcels in the Marina, there is a corresponding need to upgrade the publicly held parcels, including public parks, beaches, and streetscape, in order to enable the community to be competitive, enhance the community's ability to generate public revenues, and to provide more public amenities.

This can be accomplished through enhanced water access, expanded public facilities for recreation, leisure, and public events and additional uniquely water-focused commercial amenities that appeal to both local residents and visitors to the area.

---

## Public Access:

Facilitating public coastal access is a guiding principle of the Coastal Commission that should underpin the recommendations. To that end, there should be multiple public access points where visitors can view or walk to the water, conveniently located near public parking facilities around the marina. New development should be planned so as to enhance the appeal of the Marina to a variety of user groups for both active and passive water-focused activities. Where non-compatible uses exist currently, creative approaches to redevelopment of these sites should be utilized to enhance public use of the scarce water frontage. As is common in other jurisdictions, development incentives for public benefits, and revenue recapture mechanisms to more directly fund new amenities for the public, as well as other creative financing approaches should be contemplated. These proven mechanisms can ensure that new revenue producing development does occur, providing much needed revenues to LA County, while at the same time providing the public benefits envisioned by the original planners of the Marina.

- Improved integration of public walkways, bike paths and paths
- Improved operation of visitor support services such as parking lots
- Integration of public access in all future developments including direct water use (slips & associated usage)

## Public Access: (continued)

1. **Public Facilities/Amenities:**

Expanded and relocated public facilities in close proximity to the water front areas such as boardwalks, bicycle paths, view corridors, public spaces, etc.

**2. Enhanced Water Access**

Water access should be enhanced with transient docks and convenient water taxi stops at various points around the marina. Increase water access for visitors through the increased availability of open water space and waterside space for visitor-serving purposes

**3. Waterfront Promenade:**

A walkway and/or bike path circumventing the marina is also desirable. The path of such a bike/walkway should be optimized to take into account the physical characteristics, improvements and limitations of each parcel and its dedicated use, as well as safety and security concerns.

**4. Zoning Incentives/Density Bonus:**

We endorse the concept of vertical density with required set backs to minimize building footprints close to the bulkhead, enhance open space and water views while maintaining the commercial viability of each lessee's use. We further endorse the bowl concept, with taller buildings located around the perimeter of the marina farther back from the water, and lower rise structures closer to the water.

5. **Placemaking:**

Consider Marina Del Rey as a unique place and unite the various components that make it a place unlike any other. Create a "Sense of Place" and community around the waterfront at its heart.

6. **Wayfinding:**

Improved directional signage both within and leading to the Marina should be clear and cohesive to create a uniform look and enhance convenience for visitors.

**7. Guest Docks/ Watercraft Connectivity:**

Increase the availability and access to a network of public docks for water taxi and pleasure cruise loading and unloading between points with the Marina.

## Public Access:

**8. Guest Docks/ Watercraft Connectivity:** (continued)

- Increased availability and access of transient docks to local charter operators and restaurant and hotel patrons for loading/unloading
- Improved public access support facilities in closer proximity to the water and visitor-serving areas
- Investment in water transportation to improve access to various points in the Marina; specifically encouragement and expansion of the water taxi and shuttle service
- Monetary incentives to residents and visitors to use water taxi as means of transportation within the marina
- Additional venues for access to rental watercraft and pleasure boats

**9. Public Ground Transportation**

Currently there is extremely limited public ground transportation inside the Marina. This affects the ability of residents, workers and visitors to circulate through the community. Consideration should be given to encourage the expansion and frequency of ground transportation in the community.

10. **New Destinations:**

Provide incentives for new public destinations within the marina that feature leisure-time activities, unique water-focused retail and short-term guest accommodations at a variety of price points. Encourage collaboration between these facilities to create focal points for both residents and visitors, and establish Marina Del Rey as an important destination within the Los Angeles region.

- Revitalization of Fisherman's Village to serve as a focal point for both residents and visitors
- Monetary incentives to lessees & end-use tenants to increase visitor-serving operators

**11. Existing Lease Extensions:**
Where new public access improvements are to be required of existing leaseholders, the County should provide new consideration adequate to compensate the leaseholder for the improvements and their impact on the leaseholder's use.

## Recreation and Visitor Facilities:

Marina Del Rey currently has a shortage of direct public access opportunities to the primary amenity of the area, its waterfront. Sizeable areas are devoted to large scale residential complexes that effectively privatize the adjacent waterfront. While a mix of uses, including private residences, is critical in a healthy community, the residential uses should strengthen the community through engaged stakeholders, not dominate the community agenda through narrow, self-serving interests. Marina Del Rey is a unique community by virtue of its creation through a broad mix of public funding sources, and that unique attribute must be reflected in its future planning. The broadest possible mix of attractions and amenities that capitalize on the unique waterside locations should be a cornerstone of the plan, and residents of the Marina must recognize their neighborhood as a publicly funded attraction and destination for both locals and visitors. As the major leases expire in the coming years, consideration should be given to how the public can benefit from the redevelopment of these sites through a combination of new development and public benefits.

Some possibilities that balance new development with recreation and visitor facilities might include:

1. **Waterfront Uses:**
   Coastal-dependant and water-complimentary uses should be located on parcels along the waterfront; other uses should move outside the "beltway" formed by Admiralty Way. Coastal-dependant uses are uses that require waterfront access in order to function, such as boat launching facilities, yacht clubs, and tour boat facilities. Water-complimentary uses are uses that by their nature do not require direct waterfront access to function, but which enhance public enjoyment of the waterfront, such as restaurants and hotels.

2. **Mixed-Use Development:**
   It is desirable to promote a mix of complimentary uses (e.g. boat launching, dining, and lodging) that enhance the recreational character of the marina and the user experience.

## Recreation and Visitor Facilities (continued):

**3. Water Linkages:**
There is currently no convenient method to travel between the various recreational and visitor facilities of the marina over the water. We endorse the principle of connectivity – establishing water links (i.e. water taxi service, transient docks) that connect the various waterfront amenities such as restaurants, hotels and dinner cruise facilities.

4. **Facility Development Incentives:**
Increased density can be achieved with the use of slender towers on smaller portions of the site- in exchange for public benefits such as water access, parks, public space, facilities, etc.

- Monetary incentives to lessees & end-use tenants to increase visitor-serving operators
- Improved public access support facilities in closer proximity to the water and visitor-serving areas
- Revitalization of Fisherman's Village to serve as a focal point for both residents and visitors

5. **New Parking Incentives:**
Incentivize new development to provide new locations for parking in closer proximity to high-use visitor and public facilities.

- Improved operation of visitor support services such as parking lots
- Improved integration of public walkways, bike paths and paths connecting parking

**6. Public Ground Transportation**
Currently there is extremely limited public ground transportation inside the Marina. This affects the ability of residents, workers and visitors to circulate through the community. Consideration should be given to encourage the expansion and frequency of ground transportation in the community.

7. **New Public Access Opportunities:**
Require the provision of public access to waterfront amenities and or public facilities in all future developments.

- Increased water access for visitors

## Recreation and Visitor Facilities (continued):

- Increased availability of water space/waterside space for visitor-serving purposes
- Increased availability and access of transient docks to commercial operators for loading/unloading
- Investment in water transportation to improve access to various points in the Marina
- Integration of public access in all future developments including direct water use (slips & associated usage)

## Parking:

In Southern California, access to parking is critical to the success of any public or private venture. In Marina del Rey there is a substantial amount of parking poorly situated for its intended use, as well as waterfront parking utilizing land better suited for public and/or private development. New development should be incentivized to provide new parking opportunities better suited to provide access and enhance the reputation of the Marina as an easy-to-use destination. Funding might be realized through the optimization through redevelopment of the existing lots, with new parking hidden in structures as part of the new development. A comprehensive parking plan needs to be developed for Marina Del Rey. Current parking facilities are not being managed to their potential; current pay systems are unreliable. Convenient, reliable short-term parking is required to maximize public access. We advocate exploring the creation of a local parking district managed for demand by a contractor with baseline funds going to the County ("rent") but with any increase in revenues going to the parking district to be used to benefit the marina.

Some specific ideas for new and enhanced parking operations in the Marina might include:

1. **Improved Operations:**

Make existing key parking locations more user-friendly to encourage short-term and longer-term visitation in public parking areas

- Improve operation of parking locations to allow for short-term and long-term visitation

## Parking (continued):

2. **Outsource Parking Operations:**
    - Improve maintenance standards of by outsourcing operation of parking lots.
    - Improve payment mechanisms and processes to be more user-friendly in public parking areas
    - Improve maintenance standards of parking lots, gates and all other parking-related equipment including more rigid routine maintenance

**3. Parking Master Plan:**

Incorporate lessee & tenant employee parking access into overall parking management plan

- Incorporate lessee & tenant employee parking access into overall parking management plan
- Improve location of parking in proximity to high-use visitor and public facilities
- Improved analysis of shared parking utilization, specifically in relationship to the proximity to visitor serving areas

**Shared Parking:** Fund an analysis of potential for shared parking utilization within the Marina and connected via transit

**Enhanced Water-based Transportation:** Incentivize water transportation for both residents and visitors

- Incentivize water transportation as an additional tool for a "park & ride" option to both residents and visitors

**Wayfinding:** Improve signage for all parking and public transportation including route/fare/service signage

- Improve directional signage throughout the marina
- Improve signage for all public transportation including route/fare/service signage

**Recreation and Visitor Facilities/ Public Access Working Group Recommendations RE:**
**Marina Del Rey Local Coastal Plan Periodic Review**
**Coastal Commission Staff Recommendations**
Dated 9/24/08 (Items 27 – 42)

27. There needs to be substantial public parking and it needs to be convenient in order to attract visitors. Issues such as affordability and ease of use must be addressed. Currently the parking ticket machines don't always function properly. Parking must also be convenient to water taxis and more water taxi pickup locations should be added to encourage on the water public access. What is the mechanism for fully funding an internal transportation system?

28. Need further explanation — clarification.

29. How would the County "encourage" upgrades of leaseholds not being redeveloped? There is a potential for coercion versus consideration. It is possible to provide contiguous public access without a one size fits all solution. The physical characteristics of each parcel should be considered so as not to negatively impact the safety and ambiance of existing uses.

30. Acceptable.

31. The concept is okay, but what would be the "contribution" mechanism/formula?

32. Would this be applicable to visitor use if non-marine? Marine use if non-visitor?

33. Would this apply to all parking areas, not just public? Landscaping can be attractive without being too high/dense to completely block water view.

34. Bike path would not conflict with pedestrian walkway. Priority should be given to pedestrians along the waterfront. Safety issue: where will bike path cross Admiralty Way?

35. How are "recreational facilities" defined? How will the inherent conflict between maximizing water views and the bulk/ mass of structures on parcels be addressed?

## Working Group Recommendations RE:
## Coastal Commission Staff Recommendations (continued)

36. Clarify does this apply only to existing residential properties or also to maritime/recreational uses? Seems to be geared towards apartments. Clarify what "vertical access" would connect to? Quantify to what extent public access enhancements will be required.

37. Approved, provided the alternative public enhancements are located in Marina Del Rey.

38. The Continuous Coastal Trail should be located along existing walkways, with added water linkages (e.g. water taxi) at each end of the marina.

39. Advocate a parking management study as a precursor to implementing a parking management program managed for short and long term demand with reliability and ease of use for both visitors and local stakeholders.

40. Request an offsite parking alternative provision is included. Public parking ratio must be calculated specifically to meet needs of the Marina Del Rey community.

41. Current and future revisions to the Specifications and Minimum Standards of Architectural Treatment and Construction (1989) should not be submitted for review but rather automatically adopted as an amendment to the LCP.

42. Approved.

Tim Riley
8537 Wakefield Avenue
Panorama City, CA 91402
Tel. (818) 891-0495

May 5, 2009

Ms. Gina Natoli
Supervising Regional Planner
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

Dear Ms. Natoli:

I volunteered for the task of submitting comments for the proposed Coastal Commission staff recommendations relative to the Cultural Resources, Hazards and Procedures portions of the Marina del Rey Periodic LCP Review. After initial hope that community members would participate in this effort, I was unable to retain or recruit any members for the Working Group.

**Cultural Resources**

Recommendation #63 proposes updating policies and ordinance sections to revise noticing, consultation and measures to protect tribal cultural places, features and objects consistent with the Government Code and the Office of Planning and Research Guidelines pursuant to SB 18.

In its report, Coastal Commission Staff indicates that the County has properly evaluated projects to protect cultural resources and that "since 1996 no significant archaeological concerns have been raised in development projects." As the Commission notes, the County has implemented the LCP in "a manner consistent with the Coastal Act archaeology policy."

The proposed staff recommendation is motivated by the adoption of SB 18, which imposes new requirements on local governments to notify and consult with California Native American Tribes in local land use planning decisions for the purpose of protecting traditional tribal cultural places, features, and objects.

As a matter of State law and compatible land use policy already found in the current LCP, it would appear appropriate to accept Recommendation #63.

Recommendation #64 proposes modifying LUP Policy B.7-4 (sic) that currently requires a professional archaeologist to monitor any earth-moving operations in the study area. (Note: It appears to me that Coastal Staff is referring to LUP Policy B.7-3, and perhaps this should be clarified).

The Coastal Staff recommendation points out that "although no concerns have been raised concerning potential impacts to archaeological resources, the Commission notes that concern for the cultural resources of Native American Tribes has increased and more scrutiny has been required whenever grading occurs."

For Recommendation #64, the Commission appears equally motivated by the adoption of SB 18 to ensure adequate review and protection of Native American Tribal resources.

**Hazards**

Recommendation #65 seeks to ensure that coastal projects should implement new requirements related to tsunami and runup hazards and that new development should be required to be "constructed to resist lateral movement due to the effect of water loading from the maximum expected event, to the greatest extent possible."

Coastal Staff acknowledges that the County has consistently required "submittal of required geotechnical reports and ensured incorporation of mitigation requirements" in conformity with the Coastal Act. However, Coastal Staff points out that the risks for tsunami events may not have been explicitly implemented. This recommendation appears motivated by the damage inflicted by the Indian Ocean tsunami. However, the staff report also indicates that "very destructive tsunamis, such as the recent Indian Ocean tsunami, are extreme events."

The current LCP specifically addressed hazard risks from tsunamis, including a policy that requires marina and harbor facilities to be "designed and constructed so as to reduce the potential impacts of tsunamis." The Coastal staff report cites an unnamed member of the public raising

questions about methane gas creating a hazardous situation for new development in the Marina. The Los Angeles County Department of Public Works has often addressed these concerns and found that they do not pose a risk to the community.

Given that the current LCP appropriately addresses all forms of geologic and seismic hazards as well as specifically requiring efforts to reduce the potential impacts of tsunamis, it seems unnecessary to adopt Recommendation #65.

**Procedures**

Recommendation #66 seeks a determination that a development exempted from the coastal development permit requirements should be accompanied by a written project description and an indication of the reasons the work is exempt. The Coastal Staff seeks to have a log concerning exemptions kept on file at the Department of Regional Planning and available for inspection.

Section 22.56.2290 of the County's zoning code lists the exempted projects, covering all coastal areas and not just Marina del Rey. A review of this code section indicates that the public may not easily understand what projects are exempted. Even the experienced developer may need clarification on the exemptions allowed by this code section. Maintaining a file on these exemptions that is open to public inspection should not pose any undue burden on the Department of Regional Planning.

Recommendation #67 seeks to modify Land Use Plan Policy C.8-10 that addresses affordable housing to include language that encourages the protection of existing and provision of new affordable housing within the coastal zone of Marina del Rey.

The existing LCP already advocates affordable housing in Marina del Rey, and the Board of Supervisors has adopted its own Affordable Housing Policy for the Marina. The LCP specifically notes that "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."

Among other things, the LCP encourages “private sector participation in the development of low and moderate-income housing,” supports the development of “housing affordable to lower-income households,” and supports the design and construction of “rental housing to meet the needs of lower income households, particularly large families, senior citizens, and people with disabilities.”

By all accounts, according to the existing LCP, state law and action by the Board of Supervisors, Recommendation #67 is currently being applied by the County to facilitate more affordable housing opportunities in Marina del Rey.

**Conclusion**

Thank you for providing me the opportunity to submit comments on the recommendations addressing Cultural Resources, Hazards and Procedures.

Sincerely,

(submitted by email)

Tim Riley

**We ARE Marina del Rey** P.O. Box 9096, Marina del Rey, CA 90295



October 30, 2008

Ms. Gina Natoli
Department of Regional Planning
320 West Temple Street, Room 1356
Los Angeles, CA 90012

Re: County response to Marina del Rey LCP Periodic Review

Dear Ms. Natoli:

In response to the Department of Regional Planning's request for public input into the County's response to the California Coastal Commission's Periodic Review ("Review"), We ARE Marina del Rey is already on record favoring a comprehensive, community-based planning approach. As co-authors of the key Review recommendation for a comprehensive amendment to the LCP, adopted by unanimous vote of the Commissioners and unequivocally reaffirmed earlier this month, **we believe that the County's response should be an immediate suspension of all development and redevelopment projects in the regulatory and proprietary pipelines until the comprehensive approach is fully implemented.**

We ARE Marina del Rey emphatically opposes the County's piecemeal approach to Marina planning issues, whether it concerns redevelopment projects or this Review response process. Regarding the former, please review the public record. As to the latter, we offer the following observations and discussion. We conclude with a challenge to the County to use this opportunity to make the Review a meaningful process that is not only responsive to community needs and concerns, but will begin to heal the disconnect the County has created with the public it purports to serve. We are all Marina del Rey, and by working together we can assure that the Marina community will continue to thrive while contributing significantly to the welfare of all County residents.

**No substantial value of proposed workshops to the community:**

We ARE Marina del Rey does not believe your proposal of public "workshops" offers any substantial value to the community in consideration of the investment of time and effort they will require from participants. Based on your statements at the initial public hearing on August 21, and the County's track record on Marina development issues including particularly this LCP Periodic Review, we believe that participants will find these workshops to be, ultimately, a waste of their resources. There are several reasons underlying this concern:

1. **Workshops not part of public record:** By your own acknowledgment at the August 21 DRP public hearing, these workshops will be off-the-record private meetings, and no public officials will participate. What this means is that the public will be giving input to itself, and the County will gather merely a distillation that lacks the fullness of their discussions and

supporting arguments. It contradicts your introductory statement of the very purpose of these workshops. *Full participation of the entire citizenry in the planning process is not accomplished by talking amongst ourselves, but rather through dialogue with the planners and decision-makers responsible for administration of the public trust*.

2. **Restricts opportunity for full public participation:** By dividing the community into separate committees, you create dilemmas and confusion for potential participants. What if someone has more than one area of interest, or multiple group associations? Does he need to sign up for several committees, and devote two or three times the amount of time? If she opts instead for a general committee of a specific group, will she miss opportunities for a more thorough or relevant discussion and report? What if their concerns do not fit neatly into any of your categories? And what happens if different committee recommendations conflict—do they cancel each other out, or will the County just pick the one it likes best? The discussion, as we said, requires a public dialogue among all stakeholders.

3. **Dubious status of workshop results:** The product of these workshops has, by your account, no defined weight or status, even within the narrowly restricted project parameters. You took great care at the August 21 hearing to deny prospective participants any assurance that the considerable work output of these proposed workshop committees would be included in the eventual County response to the Coastal Commission.

4. **Poor County record on consideration of public input:** The County's record on the Periodic Review from its January 2005 inception further erodes any confidence that your proposed workshops will receive appropriate consideration or weight in the County's response. Attachment 1 exposes the County's unfiltered attitude toward public involvement in the Review process. Based on long experience of those who have invested extensive time and personal resources on Marina del Rey development issues, including particularly this Review, the expectation is that the County will self-determine its final response to the Coastal Commission regardless of the outcome of these workshops, and any committee reports contrary to the County's position will be omitted, or restated, or dismissed as insignificant or unrepresentative.

5. **No impact of Workshops on other County actions:** By narrowly defining the scope and tasks of these proposed committees, you preclude any impact the community might hope to gain in the ongoing development process in Marina del Rey. It was abundantly clear at the August 21 hearing that the community desires and demands more of a participatory role, yet your responses to those queries were negative.

**The Challenge:**

Throughout the LCP Review process, the County has steadfastly declined to provide a proper context for either understanding or assessment of the County's development plans. We ARE Marina del Rey challenges the County to create a meaningful public planning process that respects the Marina del Rey community and honors both the letter and intent of our existing laws and policies. It can begin with this Review response process, as follows:

- First, declare all MdR development and redevelopment projects currently in the pipeline or under negotiation in abeyance until the LCP Review process is completed. This is the obvious way to deal with the unfair advantage that County/developer partnerships derive from the statutory one-year response period, during which they will continue to build

compelling financial pressures in favor of projects and project-driven amendments—which are a major issue of the Commissioners' recommendations. This suspension will have a dual benefit. First, it will motivate the County to complete its official response promptly (we heard the unofficial one on August 21). Second, it will allow the planners who currently work on regulatory and proprietary issues to participate in the response process, giving the public the forum it deserves and the planners the benefit of a better understanding of the community and regional needs and impacts that most concern those affected by redevelopment;

- Undertake, as priority, to immediately begin a program of public information meetings to educate the greater community about the comprehensive County plan for Marina redevelopment, in preparation for public participation in a comprehensive revision to the LCP. These meetings should include a discussion of House Document 389, the revenue bond's impact on landside development, the Coastal Act and our LCP, the AMS, future recreational needs of the region, and the conflict of interest between the mutual support/defense clause in contracts with lessees and the County's obligation to protect the public trust. Additional materials would include reconciled status report & map, with an accounting of used development credits for each zone and a list of parcels that have not yet been negotiated. Meetings should also include a table display of the model that is secluded behind glass on the wall of the Chase Community Room and largely obscured from public scrutiny. A fair and balanced presentation is crucial, and We ARE Marina del Rey, along with other community organizations, will gladly assist the County in presenting an alternative plan to provide that balance.

We ARE Marina del Rey urges all Marina stakeholders to voice their recommendations on the County's response to the Marina del Rey LCP Review. We do not believe the proposed community workshops are an effective means for them to do so, and ask the Departments of Regional Planning and Beaches & Harbors to work together on a viable alternative as described above. The future prosperity of our community is at stake.

Thank you for your consideration.

Together,
We ARE Marina del Rey,

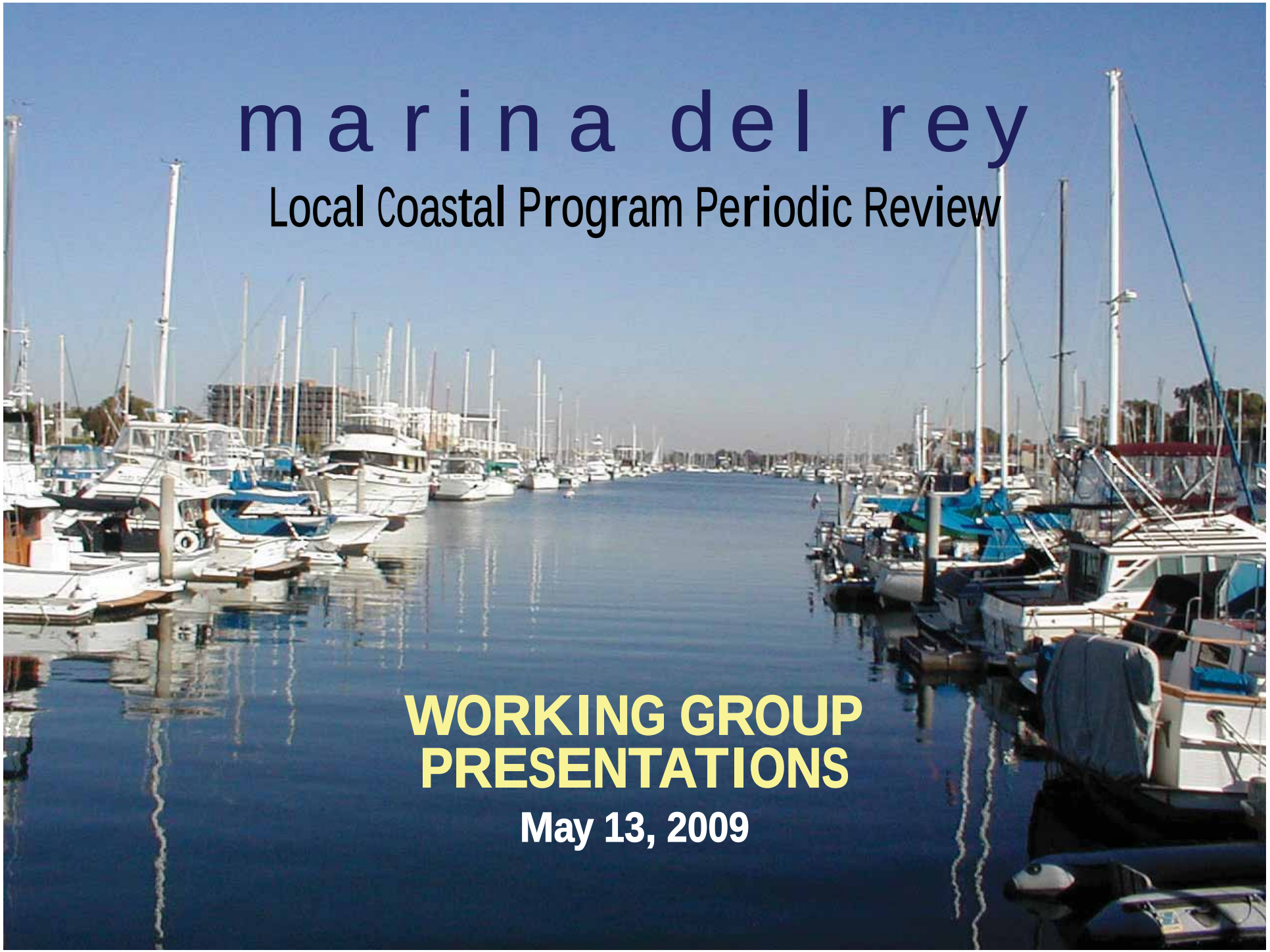
Nancy Vernon Marino
David Barish
Directors
info@weAREmdr.com
www.weAREmdr.com

Attachment 1: DBH letter to CCC staff

# APPENDIX C

# WORKING GROUPS
# POWERPOINT PRESENTATION

Report to the
California Coastal Commission on the
Marina del Rey Local Coastal Program
Periodic Review


marina del rey
Local Coastal Program Periodic Review
WORKING GROUP
PRESENTATIONS
May 13, 2009

# Marine Resources and Water Quality

Recommendations # 5-14

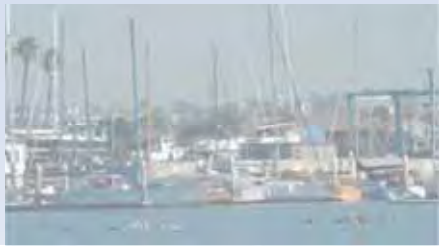
# *Marine Resources and Water Quality*

## *Recommendations We Agree With*

**Recommendation #12:** Revise LCP to ensure that development projects will be designed with the following principles and guidelines:

- **12.J.:** Incorporate BMPs that are the most effective at mitigating pollutants of concern
- **12.K.:** Require ongoing maintenance and inspection of BMPs to ensure effective functioning for the life of the development

**Recommendation #13:** Revise LCP to incorporate updated guidelines for marina development/redevelopment projects



# *Marine Resources and Water Quality*

## *Recommendations We Revised*

**Recommendation #5:** Restoration of aquatic habitat areas

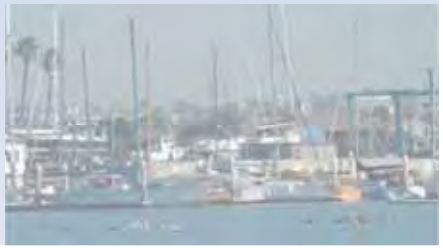
- Add: Utilization of local stake holder knowledge and expertise

**Recommendation #6:** Eelgrass

- Add: Project designs should avoid disturbance and mitigate for its restoration

**Recommendation #7**: Caulerpa Taxfolia Eradications

- Add: Eradication for at least one year prior to project development
- Develop a HACCPP (hazard analysis critical control point plan) to prevent spread of invasive species



# *Marine Resources and Water Quality*

## *Recommendations We Revised*

**Recommendation #8:** Polluted runoff water from development and impact of development on water quality

**Recommendation #9:** Development must address water quality by incorporating BMPs

**Recommendation #10:** Development and storm water runoff

**Recommendation #11:** Developments that require a CDP are required to document site design and use BMPs to determine landscaping, drainage, and eliminate dry water runoff

**Recommendations 8-11:**

- Incorporate LID (low impact development) policies and technologies from County of Los Angeles Low Impact Development Standards Manual September 2008 to address runoff
- New development projects should be required to capture, treat and infiltrate a five year design storm event

# *Marine Resources and Water Quality*

## *Recommendations We Revised*

**Recommendation #12:** Revise LCP to ensure that development projects will be designed with the following principles and guidelines:

**12.A.:** Prohibit discharge of pollutants

- Add: LID technologies

**12.B.:** Maintain drainage and hydrological patterns

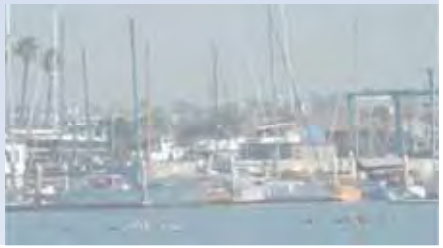
- Add: Riparian buffer zones defined as 100 feet from outside edge of historic riparian canopy

**12.C.:** Preserve and restore areas known to have water quality benefits

- Add: LID technologies

**12.D.:** Reduce impervious areas

- Add: LID technologies



# *Marine Resources and Water Quality*

## *Recommendations We Revised*

**Recommendation #12:** Revise LCP to ensure that development projects will be designed with the following principles and guidelines:

**12.E.:** Minimize irrigation and use of fertilizers

**12.F.:** Runoff water

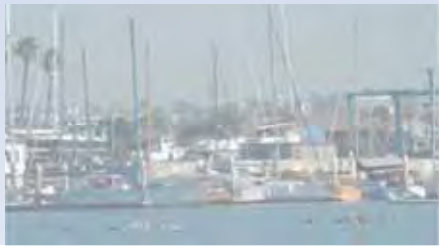
- Add: LID technologies, grey water recycling

**12.G. & 12.H.:** Storage areas for trash and toxic waste

- Add: Avian covers, use local stake holders knowledge and expertise to help specify proper locations for cigarette butt receptacles and compostable dog disposal systems

**12.I.:** Street drainage

- Add: LID technologies

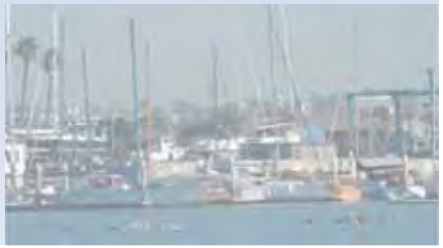


# *Marine Resources and Water Quality*

## *Recommendations We Revised*

**Recommendation #14: R**ecreational boating, launches, dock materials

- Overall added: Trash & recycling and hazmat disposal, pumpout facilities, boater, vendors, marina operator education, signage, environmentally friendly paint, spill pads
- More community effort to keep the marina clean



# Recreational Boating 1

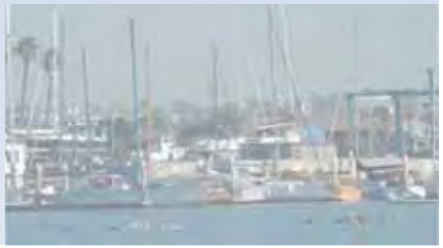
Recommendations # 1-4A

# *Recreational Boating 1*

## *Recommendations We Agree With*

**Recommendation #1:** County should require an updated comprehensive boater use, slip size, and slip distribution study

- Assess slip loss, dry storage spaces , human-powered crafts, boater parking and slip vacancy rates
- Study design and baseline study should be conducted by an independent 3rd party
- Update boater use study every five years or at the time a redevelopment project is proposed
- All subsequent boater use studies should follow the study design



# *Recreational Boating 1*

## *Recommendations We Agree With*

**Recommendation #2**: Continue to provide a mix of small, medium and large boat slips

- The slip mix should place the highest priority on recreational boating needs over market trends

**Recommendation #3**: Delete the "Funnel Concept" and institute alternatives to create additional slips and promote recreational boating

**Recommendation #4**: Provide short-term day use docks at or close to visitor-serving facilities

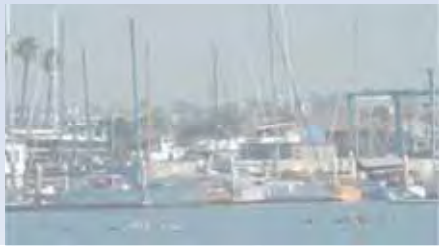
- Provide guest and dinghy docks in addition to short-term day use docks
- Conduct a marina-wide assessment to identify prime locations and opportunities for day use, guest and dinghy docks

# *Recreational Boating 1*

## *Recommendation – No Consensus Reached*

**Recommendation #4.A.**: No reduction in total boat slips and no reduction in slips 35' or less in length

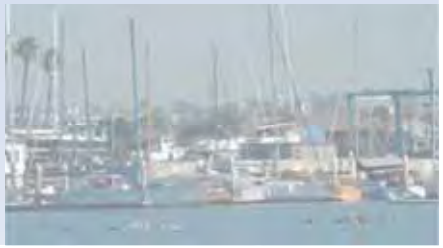
- Majority of group did not agree with this recommendation
- Some group members agreed with recommendation
- Concerns include: the feasibility of implementing such a policy, and a lack of data or evidence to support the policy



# Recreational Boating 1

## Other Issues and Concerns

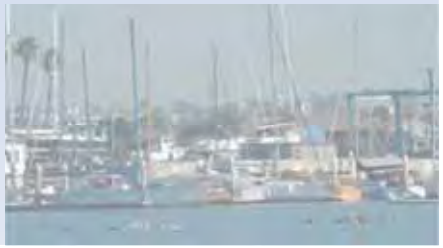
- The County should create additional slips along the main channel for boats 36' and above
- The County should provide recreational boaters with access to Burton Chace Park and Mother's Beach along with other protected recreational areas of the harbor



# Recreational Boating 1

## Other Issues and Concerns

- Revenue from boating should be kept in a separate fund and used for maintenance and enhancement of recreational boating facilities and opportunities
- The LCP should be revised to protect Mother's Beach/Marina Beach and its existing facilities
- The County should commission a new, independent, comprehensive boater use, slip size and slip distribution study to assess boater facility needs
- There should be a moratorium on dock and boating facility redevelopment until the new, independent, comprehensive boater use study is completed



# New Development
# &
# Transportation

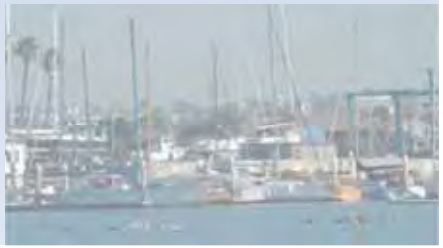
Recommendations # 15-26

# *New Development/Transportation*

## The Group

A cross-section of participants were involved in the process and final recommendations

- *Residents*
- *Recreational Boaters*
- *Developers*

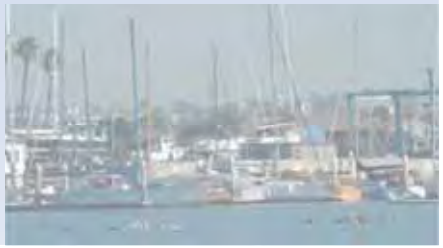


# Vision/Guiding Principles

Enhance both the quality of life of residents and visitors' Coastal experience

Encourage public usage and access of the Marina

Provide for balanced redevelopment in conformity with the goals and policies of the certified LCP and Coastal Act



# *New Development/Transportation*

**Recommendation #15:** Traffic Study

*Agree*

- Comprehensive Beaches and Harbors study should be completed using recent and comprehensive models

*Comments*

- Impact of surrounding projects (i.e. Costco, Playa Vista, Sewer Project etc.)
- Parking to support traffic counts
- Maintain quality of life
- Account for Emergency Needs

# *New Development/Transportation*


**Recommendation #16:** Bus/Shuttle Funding

*Agree*

- Recommendation is agreeable to group

*Comments*

- Appreciate the PDR/MDR shuttle
- Increased public transit routes (El Segundo, Santa Monica)
- Allocate MDR Traffic Mitigation Fee to fund alternative transport programs

# *New Development/Transportation*

**Recommendation #17:** Enhancement for Non-Automotive Transportation

*Agree*

- Concept is agreeable to group

*Comments*

- Continuous bike path
- Pedestrian Promenade
- Dinghy tie-ups, water taxis

# *New Development/Transportation*

**Recommendation #18:** Pedestrian Access

*Agree*

- Pedestrian friendly environment is supported

*Comments*

- Focus on destinations to encourage a pedestrian environment
- Develop crosswalk standard including better visual markings and lighting
- Access/parking for personal watercraft users at Mother's Beach and Chace
- Continuous bike path
- Enforcement of these measures by Dept of Public Works during plan check process

# *New Development/Transportation*

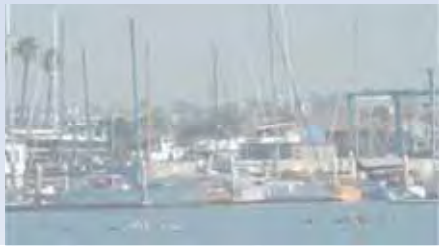
**Recommendation #18a:** LCP Amendment Requiring Study

*Agree*

- Support comprehensive study of all anticipated future development, with qualifications
- Support fulfillment of Asset Management Strategies

*Comments*

- Balanced redevelopment serving residents, visitors, recreation
- Public vetting of scope, assumptions, and redevelopment goals
- Emphasis on projects consistent with certified LCP
- Allow redevelopment projects already in the regulatory process to proceed, but review for cumulative impacts



# *New Development/Transportation*

**Recommendation #19:** Public Parks & Parking

*Agree*

- Recommendation supported, with qualifications

*Comments*

- Certified LCP prohibits change without equal and complete replacement
- Concern over lack of park space in Via Marina corridor
- No impediments to low-cost access and usage of parks, beach, rec. boating, and launch ramp
- Determine appropriate number of parking spaces, as per the Beaches and Harbors study
- Preserve existing parking at Parcel NR for low-cost recreational parking
- Consider any redevelopment of Parcels GR & IR collectively

# *New Development/Transportation*

**Recommendation #20:** Development Standards

*Agree*

- No decrease in visibility of public spaces and amenities in the Marina

*Don't Agree*

- Only incorporated design elements of Asset Management Strategy consistent with LCP
- Development alone does not justify waivers/amendments
- Redevelopment must be consistent w/ LCP & Coastal Act goals and policies

*Comments*

- Protection of view corridors

**BEFORE**

**AFTER**

# *New Development/Transportation*

**Recommendation #21:** Incentives for Public Uses

*Agree*

- Critical priority for the County

*Comments*

- Subject to density and height
- Public hearing before inclusion in any development agreement


# *New Development/Transportation*

**Recommendation #22:** Preservation of public and low cost recreation facilities

*Agree*

- Critical priority for the County

*Comments*

- Mother's Beach and Chace Park & surrounding parking

# *New Development/Transportation*

**Recommendation #23:** Hotels

*Group did not reach consensus*

*Comments*

- Some believe timeshares are visitor-serving and help ensure the financial viability of conventional coastal hotel projects
- Some propose considering a cooperative ownership structure
- Support for time share development on "hotel designated" parcels in commercial areas vs. parcels surrounded by residential building

**Recommendation #24:** In-Lieu Fees

*Agree*

- Campsite and hostels

*Don't Agree*

- Proposed 25% fee is onerous

*Comments*

- Consistency in fee calculation used by other beach communities

# Recreational Boating 2

Recommendations # 1-4A

# Recreational Boating 2

## Recommendations We Agree With

**Recommendation #1:**

- County should require an updated comprehensive marina study
- The county has conducted this study and has circulated draft
- Adopt the study to provide needed guidance subject to the comments and recommendations provided by the Lessees Association. These include:
  - Clarification on how lessees are to achieve recommended slip size distribution
  - Present risks associated with highly speculative dry stack projects
  - Include future redevelopment plans for all marinas, not just those with current redevelopment proposals
  - Reconfigure slips in “substantial” not absolute compliance with DBAW guidelines in order to preserve slips
  - Retain dry storage at parcel 77 unless and until replaced by similar low cost dry storage

# *Recreational Boating 2*

## *Recommendations We Agree With*

**Recommendation #2:** Continue to provide a mix of small, medium and large boat slips

- Follow conclusions in “Noble” and ADK&A report to determine appropriate slip mix, subject to Lessee Association comments
- Design marina needs for the current and future boating community and not mirror the existing configuration which was designed for boats built in the 1960’s

# *Recreational Boating 2*

## *Recommendations We Agree With*

**Recommendation #3:**

- The funnel concept should be dropped due to its negative impact on enhanced public access
- Encourage ways to increase recreational boating, including:
  - Adding new slips were feasible
  - Adding dinghy docks at key parcels
  - Increasing boat charter operations
  - Retain and encourage yacht clubs
  - Upgrade launch ramp
  - Provide low cost dry storage
  - Provide docks for youth service organizations

# Recreational Boating 2

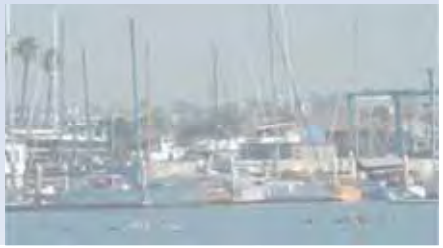
## Recommendations We Do Not Agree With

**Recommendation #4:**

- Short term day use docks should be encouraged at key parcels
- Concentration should be at commercial areas

**Recommendation #4A:**

- Bad idea to make blanket statement on the reduction of slips or sizes
- Follow Noble and ADK&A reports for guidance (subject to Lessee Association comments) on reconfiguration
- Marina needs to be built for the future not the past



# Marina Del Rey

## Local Coastal Program Periodic Review

RECREATION AND VISITOR FACILITIES / PUBLIC ACCESS WORKING GROUP

Recommendations # 27-38

Community Meeting Presentation

May 13, 2009

# MISSION STATEMENT

- Marina Del Rey was intended as **a water-oriented regional asset for both local residents and visitors.**
  - **Its unique characteristics should be expanded in order to appeal to a broader public.**
- Redevelopment on privately held parcels in the Marina should correspond with **upgraded publicly held parcels, including public parks, beaches, and streetscape.**
  - This will enhance the community's ability to generate tax revenues, and to provide more public amenities.
- **Enhanced water access.**
- **Expanded public facilities for recreation, leisure, and public events**
- **Uniquely water-focused commercial amenities** for **local residents and visitors** to the area.

# PUBLIC ACCESS OVERVIEW

**Facilitating public coastal access is a guiding principle of the Coastal Commission.**

# PUBLIC ACCESS OVERVIEW

There should be **multiple public access points** to the water, **conveniently located near public parking**.

# PUBLIC ACCESS OVERVIEW

New development should be planned so as to enhance the appeal of the Marina.

# PUBLIC ACCESS OVERVIEW

**Creative approaches to redevelopment** of non-conforming uses should **enhance public use of the scarce water frontage.**

# PUBLIC ACCESS OVERVIEW

Development incentives and revenue recapture mechanisms directly fund new amenities for the public.

# PUBLIC ACCESS OVERVIEW

New development can provide **needed revenues to LA County,** while **providing the public benefits envisioned by the original planners of the Marina**.

# PUBLIC ACCESS OBJECTIVES

- Improved integration of public walkways, bike paths and paths
- Improved operation of visitor support services  such as parking lots
- Integration of public access in all future developments including direct water use (slips & associated usage)

# PROPOSED INITIATIVES

**New Public Facilities/Amenities**

**Enhanced Water Access**

**Expanded Waterfront Promenade**

**Placemaking**

**Wayfinding**

# PROPOSED INITIATIVES

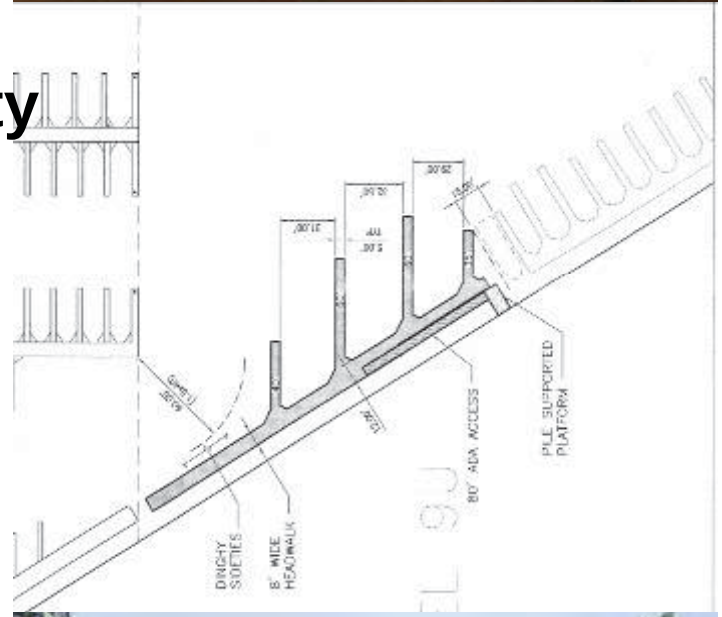
**Zoning Incentives/Density Bonuses**

**Guest Docks/ Watercraft Connectivity**

**Public Ground Transportation**

**New Destination Development**

**Existing Lease Extensions**

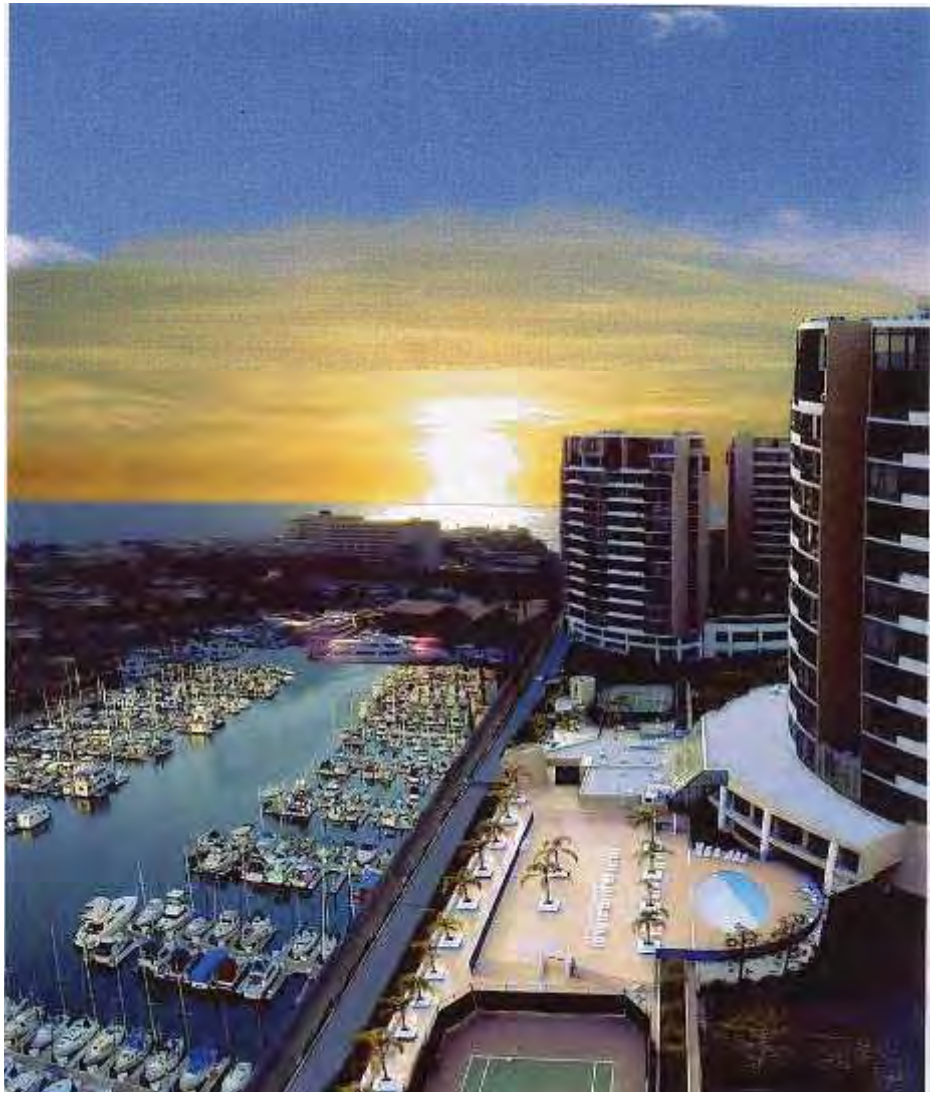



# RECREATION AND VISITOR FACILITIES

Marina Del Rey **currently has a shortage of direct public access** to the waterfront.

# RECREATION AND VISITOR FACILITIES

Large scale residential complexes effectively privatize the adjacent waterfront.



# RECREATION AND VISITOR FACILITIES

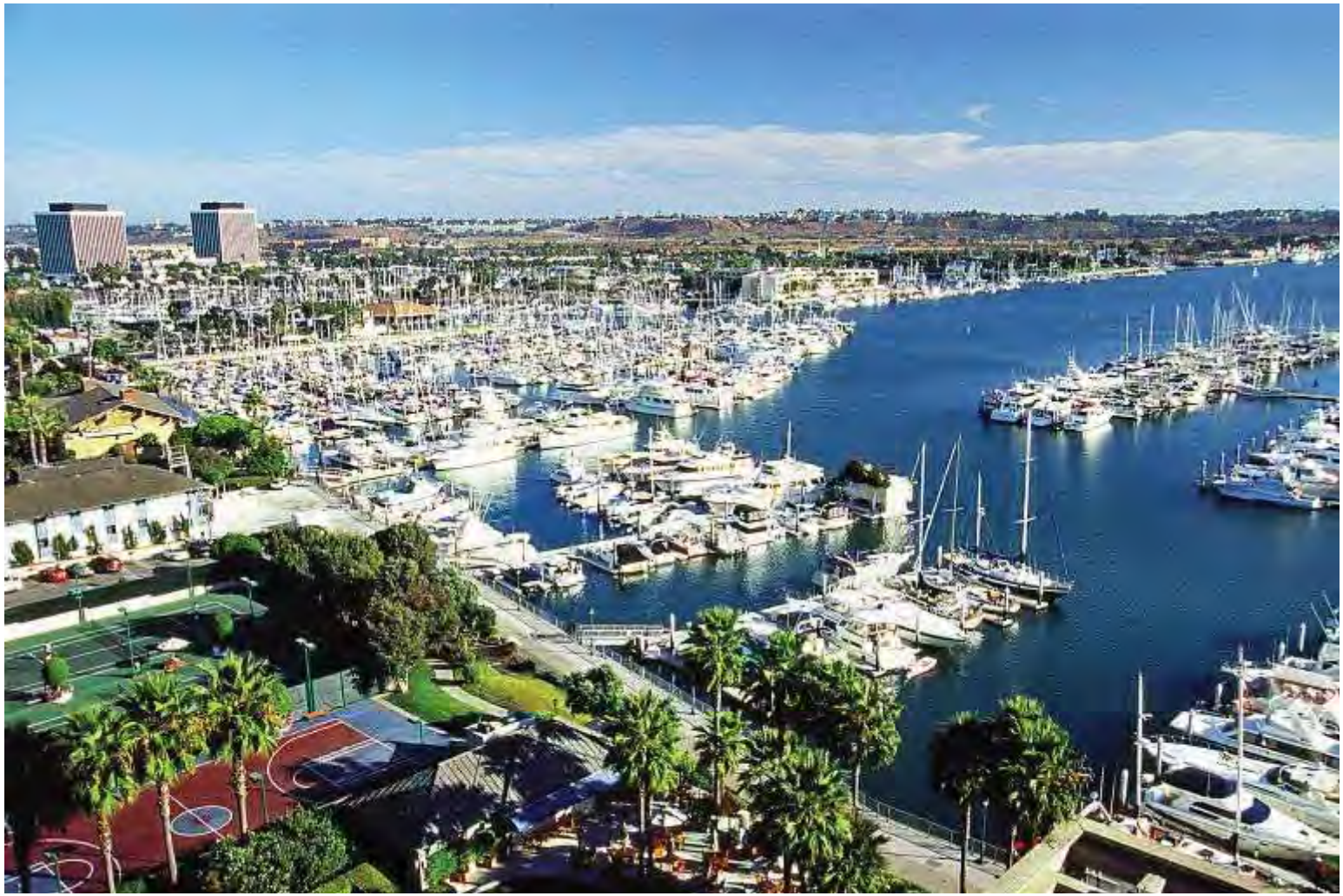
A mix of uses, including private residences, is critical in a healthy community.

# RECREATION AND VISITOR FACILITIES

Marina Del Rey was a created through a broad mix of public funding sources, **Residents must recognize their neighborhood as a publicly funded attraction and destination for both locals and visitors**.

# RECREATION AND VISITOR FACILITIES

**There should be a broad mix of attractions and amenities that capitalize on the unique waterside locations.**



# RECREATION AND VISITOR FACILITIES

As the major leases expire the public can benefit from redevelopment of these sites through a combination of **new development and public benefits.**

# RECREATION AND VISITOR FACILITIES OBJECTIVES

**Enhanced Waterfront Uses**

**Mixed-Use Development**

**Water Linkages**

**Facility Development Incentives**

**New Parking Incentives**

**Public Ground Transportation**

**New Public Access Opportunities**


# PARKING ISSUES

- **Access to parking is critical**
- **Current parking is poorly situated**
- **Waterfront parking** utilizes land better suited for public/private development.
- New development should be **incentivized to provide new parking opportunities**
- New funding might be realized through **redevelopment of the existing lots**
- **New parking should be hidden in structures** as part of new development.
- **A comprehensive parking plan** needs to be developed
- **Current parking facilities are not being managed to their potential**
- **Current pay systems are unreliable**.
- **Convenient, reliable short-term parking is required** to maximize public access.
- **Explore the creation of a local parking district**

# PARKING INITIATIVES

**Improved Operations**

**Outsourced Parking Operations**

**Parking Master Plan**

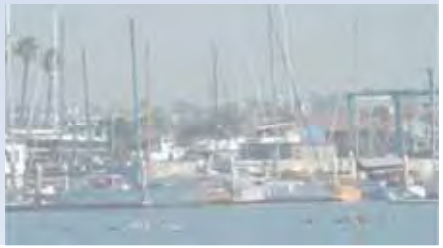
**Shared Parking**

**Enhanced Water-based Transportation**

# *More Information*

- DRP Website:
  http://planning.lacounty.gov/marina

- DRP Staff
  tel: 213-974-6422
  email: coastal@planning.lacounty.gov
  fax: 213-626-0434



# APPENDIX D

# PUBLIC COMMENTS ON DRAFT RESPONSES TO RECOMMENDATIONS

Report to the
California Coastal Commission on the
Marina del Rey Local Coastal Program
Periodic Review

## Natoli, Gina

**From:** Martimarina@aol.com
**Sent:** Thursday, February 25, 2010 11:33 AM
**To:** Natoli, Gina
**Cc:** slstw@aol.com; Martimarina@aol.com
**Subject:** Fwd: Final MdR LCP Periodic Review Recommendation from the County, Final Comm
**Attachments:** Fwd: Final MdR LCP Periodic Review Recommendation from the County, Final Comments Due Tomorrow

Hi Gina,

RE: 23)CCC

The above section is the only comment and input for what I see is remiss and brief in your latest recap proposed response recommendation. My issues and concerns are based on the County Position response - "Support with modification", and the Comment response - The County does not believe the inclusion of fractional or timeshare ownership concepts are inconsistent with the Coastal Act or current LCP so long as operational parameters ensure the facility treats hotel and timeshare/fractional visitor in the same manner.

Here are my concerns, and issues that were addressed in numerous meetings that I attended for the "community input", which is **NO TIMESHARE OR VACATION OWNERSHIP for Marina del Rey, CA.**

**The California Coastal Commission and the California State Lands Commission have long prohibited this type of use, timeshare or vacation ownership. These regulatory agencies have ruled that the development of timeshare on public tidelands (which include Marinas, Harbors, Ports and Piers) would be inconsistent with the Public Trust Doctrine that provides for the public's right to trust lands which are protected for the benefit of the of the statewide public.**

It would be inappropriate to allow the timeshare on the proposed site of parcel 9 for the **Woodfin Suites Timeshare Hotel, allowing a timeshare on this site would not protect and promote visitor accommodations, and do not serve a statewide public purpose.**

Understanding all the quasi-judicial processes and the myriad of other statutes, cases and actions that have made this a unique area of the law, **in the end the basic principal remains the same, publicly owned lands held in trust for water related public needs are just that = public needs, not owner needs.**

To sum it up, when you buy from a developer a timeshare or vacation ownership, you are an owner. As such, to repeat again your Comment = "The County does not believe the inclusion of factional or timeshare ownership concepts are inconsistent with the Coastal Act or current LCP **so long as operational parameters ensure the facility treats hotel and timeshare/fractional visitor in the same manner." Thus, this parcel is for the benefit of statewide public use, and not OWNER as in timeshare or vacation ownership.**

**There needs to be a firm stance by the County of Los Angeles, to support Public Trust Doctrine and not allow TIMESHARES OR VACATION OWNERSHIP property in Marina del Rey. Please do the right thing, and do not be mislead by developers and their legal interpretations, a hotel is available for public use, however a timeshare or vacation share is an owner.**

Thank you

Marti Meyers

## Natoli, Gina

**From:** slstw@aol.com
**Sent:** Friday, February 26, 2010 3:13 PM
**To:** Natoli, Gina
**Cc:** Coastal; slstw@aol.com
**Subject:** Re: Draft responses to Marina del Rey LCP Periodic Review
**Attachments:** MDRFinalReport.doc; MDR,Draft_Periodic_Review_responses(2).pdf

Hello Gina.

I hope that this e-mail finds you well.

Thank you for sending the County's report to the interested parties. I have been in touch with some of the Development Committee members and believe that you will be getting input to the report from them directly.

There several concerns that I have in reading the report and comparing it to the summary of our collective points of view of the Development Committee sent to you last April. I have attached the Development Committee's report for your convenience as well as your draft in reply to the Coastal Commission.

Overall, it appears that much of the committee's input to the pertinent issues was ignored. Please let me hit the high points for you:

1.) Re: point 15: This topic was of high priority to the group. The recommendation to support the Coastal Commission's recommendations concerning comprehensive traffic studies is supported. Although Charlotte from Beaches and Harbors discussed sharing with our committee the most recent comprehensive traffic report ( to include all projects approved and pending, publi projects like the Venice Sewer Force Main Project, the Oxford Basin project which is now in full swing and making a total mess of Washington Blvd. while limiting it to one way traffic on each side and no turns allowed, and the peaking of traffic during Holidays like July 4th and the summer months) being concluded last March, it was never received. After two visits in person, two e-mails and two phone calls to follow up on said report, we abandoned the mission. If there is a report that was completed, it would be very much appreciated if this were distributed to all concerned. I do not see any of these requests in the draft.

2.) Re: point 16: As stated in the report, the committee is very much in favor of supporting a local/regional shuttle program that might include Santa Monica, El Segundo and Culver City perhaps patterned after the Playa Vista/Marina del Rey shuttle. I do not see this is the draft.

3.) Re: point 18: The committee took the Coastal Recommendation a few steps further as this is also a high priority. The term "pedestrian-friendly" was used. Ways this could be exhibited in the Marina but it actually was meant to be "people-friendly" whether that is for pedestrians, boaters (including kayakers), bike riders et al. Build out the paths, walk-ways, parking neede to support the users, have it well signed and safe, so there are no more fatalities. The thought was to support the users in existing as well as pending development locations.

4.) Re: point 18A. This is great that the County will create a comprehensive document of pending and anticipated future projects. Thank you! We also requested that once the comprehensive document is completed, that here be a "thorough public vetting of the scope, assumptions and redevelopment goals of the document." Perhaps the County's reply to the Coastal Commission is not the document to include this kind of activity and there is another way to communicate something like this with those concerned? I would think that at the time of review, the projects at the Oxford flood basin, Mothers' Beach and Burton Chase Park would perhaps be isolated in a separate review because of their importance to the community?

5.) Re: point 19: The action plan from the County on this point only addresses the right-sized parking study. Is it possible to distribute the report that the County has completed to those concerned? The part missing in the report regards the County converting parking space to private development. As you know, "the certified LCP specifically prohibits any change in designation of any parcels from public parks or public parking to private use without equal and complete replacement." Please review the committee's recommendations on this key issue and note the comments on parcels GR, IR and NR.

6.) Re: point 22: Not included in the County recommendation is Mothers' Beach and the need to provide a new parking space for the kayakers and others' who frequent this very public space. Once again, the pending development plans take public space for private development with no equal offset. Having to cart one's kayak a long distance to get to the water as per the proposal is not user-friendly. I would be happy to walk you through this proposal here in the Marina if this would help.

7.) Re: point 23: The County's report states: " **The County does not believe the inclusion of fractional or timeshares**

**ownership concepts are inconsistent with the Coastal Act**." Before the County responds to this, please have someone on the staff pull up the documents from San Diego, Carlsbad, ...well, all up the coast, to become familiar with the Coastal Commission's point of view on timeshares and their findings and rulings on this topic, so the County point of view represented here is no longer an embarrassment. Please refer to documents T5a dated March 23, 2007, Th23a dated Dec. 21, 2007 and Th13b dated May 28, 2009 from the Coastal Commission. To quote: " The California State Lands Commission has reviewed the timeshare portion of the PMPA, and ruled that **the proposed development on timeshares on public tidelands would be inconsistent with the Public Trust Doctrine** and an inappropriate use of filled sovereign tide and submerged lands, because it would significantly impair the public's right to these trust lands which have been historically set aside for the benefit of the statewide public. The proposed timeshares would only be available to a small segment of the population who can afford the high cost of the initial purchase and who would then own personal rights to the rooms, thereby preventing other use of these public lands. Allowing timeshares on this site would not protect and promote visitor accommodations, and could set an adverse precedent regarding the preservation of public access and visitor-serving public accommodations in the Coastal Zone. The Coastal Commission's consistent and repeated rulings against timeshares should be enough ammo to move on and make better use of the space.

Thank you for your time and attention to these points. I would be happy to discuss this with you over the phone or in person if that works better for you. I look forward to your reply.

Have a ncie weekend.

Best regards,
Susan

-----Original Message-----
From: Natoli, Gina <gnatoli@planning.lacounty.gov>
To: Beverly Moore <bmoore@visitmarina.com>; David DeLange <dr.delange@verizon.net>; Deana Vitela-Hayashi <deana@aquabio.us>; Heather Burdick <hburdick@smbaykeeper.com>; John Simas <simas_john@yahoo.com>; Marcia Hanscom <wetlandact@earthlink.net>; Paula Wildermuth <paulawildermuth@aol.com>; Peter Zak <peterzak@lyon1.com>; Robert Van de Hoek <robertvandehoek@yahoo.com>; Susan Sherrard <slstw@aol.com>; Darrell Steffey <steffeydj@yahoo.com>; Mary Ann Parham <barb@patmans.net>; Richard T. Miller <rtm155@aol.com>; Barry Fisher <bfisher557@aol.com>; Sherman Vickers <sherman@designintegrated.com>; Thuy Le <thuycamle@yahoo.com>; Tim Riley <timriley7@roadrunner.com>; Dave Lumian <dlumian@aol.com>; DeAnna M. Rivera <deannamrivera@gmail.com>; Eran Elizer <erane@excite.com>; Jim Filar <jim.filar@ngc.com>; Kim Langbacker <KimLangbecker@sbcglobal.net>; Riggs Eckelberry <president@larowing.com>; Steven Cho <steven@choarchitecture.com>; Eli Janko <eli@tahitimarina.com>; Fred Fisher <fred@oasissailingcharters.com>; Mark Abramson <mabramson@smbaykeeper.org>; Aaron Clark <aaron@ag-landuse.com>; Barbara Sklar <odysseyyacht@yahoo.com>; Cheryl Burnett <caburnett@gmail.com>; David Levine <drsnmdr@yahoo.com>; Dr. Thomas Vrebalouich <drtomvreb@aol.com>; Gilda Brasch <gildabrasch@aol.com>; Helene Zimmerman <hbzimmerman@yahoo.com>; Isaac Hakim <isaac@tahitimarina.com>; John Kape <JohnKape@yahoo.com>; John Rizzo <nutriwarehouse@yahoo.com>; Marci Kuss <marci2000@yahoo.com>; Marti Meyers <martimarina@aol.com>; Matt Kot <matthewkot@sbcglobal.net>; Michelle Summers <cmichellesummers@aol.com>; Mike Rosenfold <miker@microscom.com>; Richard Schroder <schrosound@yahoo.com>; Tibby Rothman <tibbyrothman@verizon.net>; Vivienne Versace <vivfv@aol.com>; Craig Campbell <craig@the-boatyard.com>; Edgar Gutierrez <egutierrez@leeandrewsgroup.com>; Harlan Holmes <smwyco6@gmail.com>; Jacquelin Pierson <heyhaole@ca.rr.com>; Michael Hoffman <mikeslsetc@mac.com>; Bradley Falkenstein <bfalkenstein@hornblower.com>; Charles Michaels <charles.michaels@laaco.net>; Daniel Ginzburg <daniel@fantaseayachts.com>; Frederick Adriance <fadriance@pacificahotels.com>; Jack Illes <jack@thehardagigroup.com>; Kevin Lorton <klorton@hornblower.com>; Mia Falkenstein <mfalkenstein@hornblower.com>; Paul Medawar <pmedawar@marinadelreyhotel.com>; Sean McEachern <smceachern@legacypartners.com>; Steve Hoye <sierrasteve@earthlink.net>; Christopher King <christopher.joel.king@gmail.com>; Jennifer Carter <jennifer@vanwertinc.net>; Jon Nahhas <jnahhas@gmail.com>; Leon Felus <leon-felus@verizon.net>; Nancy Vernon-Marino <nancyvmarino@aol.com>; Peter Patman <peterpatman@hotmail.com>; Roger Van Wert <roger@vanwertinc.net>; Stan Borinski <stanb@netpr.com>; Steve Freediman <stevefreee@gmail.com>; Tibby Rothman <tibbyrothman@venicepaper.net>; Timothy O'Brien <tobrien@legacypartners.com>; Wayne Miller <mdrwellness@gmail.com>; Bill Schwarz <vvs@earthlink.net>; Greg Schem <greg@highlandinvestco.com>; Jun Dolor <pier44info@verizon.net>; Mike Selden <mselden@pom-mdr.com>; Patricia Younis <py@the-bridge-group.com>
Sent: Tue, Feb 9, 2010 6:23 am
Subject: Draft responses to Marina del Rey LCP Periodic Review

Dear Folks,

Good morning. The Department of Regional Planning has completed draft responses to the Coastal Commission's Periodic Review of the Marina del Rey LCP. These draft responses are based on input from you and several County departments. The draft responses are attached and have also been posted online at:

http://planning.lacounty.gov/marina

Now we are moving into the next phase of the input process. In February, Regional Planning will meet with the Small Craft Harbor Commission, Design Control Board and Regional Planning Commission to take their comments on the draft responses. We are confident these advisory bodies will have constructive suggestions for improving the County's response. Here is the schedule for our February discussion meetings with the advisory bodies:

- Small Craft Harbor Commission — Wed., Feb. 10, 9:30 a.m., Chace Park
- Design Control Board — Wed., Feb. 17, 6:30 p.m., Chace Park
- Regional Planning Commission — Wed., Feb. 24, 9:00 a.m., Downtown Los Angeles

We also ask you to review the draft responses and give us your input, either by attending one of the advisory body meetings or directly by mail, e-mail, telephone or fax at:

Mail: Dept. of Regional Planning
Community Studies II Section
320 West Temple Street 13th Floor
Los Angeles CA 90012-3223

E-mail: coastal@planning.lacounty.gov

Telephone: 213-974-6422

Fax: 213-626-0434

We are on track to submit our report to the Coastal Commission within the one-year deadline (29 April). As always, feel free to contact me if you have any questions. Thank you again for your help with the County's response to the Periodic Review and your continued interest in the Marina!

Gina M. Natoli, MURP, AICP
Supervising Regional Planner
Los Angeles County Dept. of Regional Planning
320 West Temple Street 13th Floor
Los Angeles CA 90012-3223

**TO:** GINA NATAOLI
SUPERVISING REGIONAL PLANNER
LOS ANGELES COUNTY DEPT. OF REGIONAL PLANNING

**VIA:** EMAIL: gnatoil@planning.lacounty.gov, coastal@planning.lacounty.gov
FAX: 213-626-0434

**FR:** CHRISTOPHER KING

**DATE:** FEBRUARY 26, 2010

**RE:** DEPT. OF REGIONAL PLANNNINGS DRAFT RESPONSE TO THE COASTAL COMMISSION'S PERIODIC REVIEW OF THE MARINA DEL REY LCP

**CC:** CALIFORNIA COASTAL COMMISSION
MARINA DEL REY COMMUNITY BOATING COUNCIL

---

Dear Gina:

As you are aware, over a period of several months, community working groups met to review, discuss and make recommendations to the County on the Coastal Commissions Periodic Review of the Marina Del Rey LCP. The working groups spent a considerable amount of time outside normal work hours to reach a consensus (for the most part) on each point. As a generalization, it appears our recommendations were largely not incorporated into the County's response; a bit disappointing considering the personal collective hours spent in these working groups by community members and recreational boaters that live in or use the Marina.

I particular, there are a few points I would specifically like to call out as follows:

18A- Study of Future Development
19- Change the Designation of Parcels from a Public Park or Parking Use
22- Preserve Existing Public and Lower Cost Recreation Facilities

Lastly, the Board of Supervisor decision to lump all proposed projects as "pipeline projects" to the California Coastal Commission is of particular concern. This is contrary to the spirit of our working group discussion- that only projects that have progressed in the regulatory process would be part of this group. Instead, there are a number of projects that have not even started the regulatory process in this group, and in my view seems a way to circumvent the normal process.

I've attached our working group recommendations again for the County's review and consideration.

Please let me know if you have any questions and/or comments at cking@marinaoutrigger.org.

Thanks and regards,

Christopher King
President, Marina Del Rey Outrigger Canoe Club
Member, Marina Del Rey Community Boating Council

**Coastal Commission Recommendation 15:** (A) Although redevelopment of the 1994 DKS transportation model is not recommended as part of this review, any changes to the cap system (that is based upon the DKS study), if proposed, should be based on a revised model or equivalent comprehensive traffic analysis. (B) Amend LIP section 22.46.1180.A.11.b to reflect the County's current traffic study guidelines and its requirement that studies be based on and consistent with the most recent studies of major projects in the area, including models prepared for the Airport LAX expansion and Playa Vista Phase II traffic models.

County Position: Support with modification. Comment: The County is not proposing to exceed the total p.m. peak hour trip cap on traffic; therefore, the only issue is reallocation of that trip cap throughout the Marina. This is best accomplished through a detailed traffic study, rather than a model, regardless of whether adjustments are proposed in the "cap system", so long as the total cap is not exceeded. The County retained a traffic consultant to conduct a comprehensive traffic study of all developments and roadway improvements that require plan amendments. The traffic study utilized information from recent pertinent traffic models, including those prepared for the Airport LAX expansion and Playa Vista Phase II, as well as. models prepared by cities and local agencies. The study included the impact of all surrounding development projects and infrastructure projects that affect the transportation system.

***Working Group Recommendation:*** *The Working Group is concerned about increased traffic congestion in and around Marina del Rey. Consistent with its goal to maintain the quality of life and ambiance for Marina del Rey residents and visitors, this Working Group supports both of the Coastal Commission's recommendations that traffic studies prepared for Marina del Rey projects should be based upon and consistent with the most recent and comprehensive traffic models. This support is contingent upon community as well as agency review of the traffic analysis of both cumulative and project-specific impacts, including traffic counts generated by projects at full capacity. Also, traffic studies should address actual and future projected conditions in the Marina, including on weekends and during the summer, especially as it relates to the County parking lots and access to recreational uses.*

*Special care should be paid to ensure that the full regional impact of public and private projects within the City of Los Angeles is analyzed, including the Venice Sewer Force Main Project. Traffic mitigation should also account for emergency preparedness requirements specific to the residential and recreational character of the Marina del Rey community.*

**Coastal Commission Recommendation 16:** The County should consider options for funding a bus/shuttle system. Such funding could be used to support a regional bus/shuttle system operated by a regional or local government transit agency that serves Marina del Rey. The County should amend sections 22.46.1100.C.2 and 22.46.1190.A.3 and A.5 to require an ongoing assessment to support shuttle buses as part of all retail, residential, and hotel development, as a Category 1 improvement. If funding is required as part of a lease extension, the amount contributed should be acknowledged in the issuance of the Coastal Development Permit. Consider additional assessments for all projects.

County Position: Oppose.
Comment: The County supports funding alternative transportation programs to the greatest extent possible, and a shuttle currently operates on summer weekends. The County supports the expansion of the shuttle system in Marina del Rey, with the goal to ultimately provide year-round service, provided there is sufficient demand for the service and the funding is available.

However, the County and the Metropolitan Transit Authority (MTA) agree that, at this time, the Marina del Rey shuttle service primarily serves recreational, shopping and other non-commuter trips, and that shuttle service will not reduce commuter peak-hour demands, which is required for a Federal grant called the Jobs Access and Reverse Commute, administered by MT A. Nor has the County determined that a shuttle system will effectively mitigate the traffic impacts caused by new development along internal roadways within Marina del Rey. The County expects a shuttle system will be more effective if implemented in conjunction with a light rail transit system.

The LCP's Category 1 improvements are funded by one-time developer fees. Since the primary expenses of a shuttle system are operating and maintenance costs, Category 1 fees could not fund an ongoing shuttle system. Category 1 fees are $1,592 per peak-hour trip, yielding a total of $4,378,000 for the buildout of the LCP. Based on a conservative estimate of $500,000 per year to operate a shuttle system, the Category 1 fees could not fund a shuttle system for an extended period of time. Therefore, funding a shuttle using these developer fees is not sustainable for its ongoing operation costs.

Rather than focusing on a shuttle/bus system for commuter purposes, there should be greater support of the WaterBus and. other visitor-serving transportation options. Commuter shuttle services are not within the scope of the County to support without the existence of a regional transportation solution.

***Working Group Recommendation:*** *The Working Group believes that more public transit should be made available between Marina del Rey and nearby residential and commercial areas (Santa Monica, El Segundo, Culver City) by regional or local government transit agencies which already serve the Marina and/or these adjacent communities, such as the Santa Monica "Big Blue Bus" line. The Working Group also notes its appreciation for the Playa Vista/Marina del Rey shuttle. The Working Group acknowledges that projects in Marina del Rey already pay a traffic mitigation fee, and urge that more consideration be given to the use of those fees for alternative transportation programs (including those mentioned in Coastal Commission recommendation #17) apart from road construction and/or signalization, for example.*

**Coastal Commission Recommendation 17:** The County should amend LCP ordinances Sections 22.46.110.B, 22.46.1060 and 22.46.1190A.3, 5, 9 and 15 to require improvements or proportional contributions that would enhance non-automotive transportation from all development: pedestrian and alternative traffic modes; widened sidewalks; jitney stops; stops for water taxi; and, dinghy tie-ups as part of site plan review.

County Position: Support with modification.

Comment: The County encourages a range of options for improving non-automotive transportation inside and near the Marina where feasible, and is working on several transit projects to enhance non-automotive· transportation. The options include improving pedestrian access by widening sidewalks where possible, improving the South Bay Bike Trail through the Marina, extending the Playa Vista shuttle to establish shuttle service in the Marina to the extent justified, maintaining bus service into the Marina, providing water taxi service and stops, and adding pedestrian crossings where feasible (for instance, crossings of Admiralty Way at Mindanao Way and at the library were added). The County is also actively participating on the Lincoln Corridor Task Force to plan a dedicated traffic lane along Lincoln Boulevard for bicycles and buses for the short term and light-rail transit for the long term. Development projects are currently required to increase public access by way of bicycle path and pedestrian promenade to the maximum extent possible considering the size of the parcel. DBH is also preparing dock plans for the Chace Park peninsula that include dinghy tie-ups. Additionally, developments are being required to include dinghy tie-ups, as appropriate. However, the Category 1 fee assessment does not currently include these types of improvements. The County will revise the County Code to require that these features be included as part of a site plan.

***Working Group Recommendation:*** *The Working Group supports the thrust of this recommendation. In particular, the Working Group notes that actual physical conditions for pedestrians and bicycle riders are unsatisfactory at many points in the Marina, and urges that higher priority be placed upon the completion of a continuous waterfront pedestrian promenade and a separate continuous bike path around Marina del Rey.*

**CCC Recommendation 18:** The County should amend LCP Ordinance Sections 22.46.1050, 22.46.1100.B.2 and Appendix G to include the improvement of pedestrian access across and along thoroughfares as part of roadway design.

County Position: Support.

Comment: The County Department of Public Works (DPW) has instituted new requirements that all new development, where feasible, widen sidewalks along their frontage to provide eight-foot sidewalks on the public roads and five-foot sidewalks on the mole roads. The County will amend Appendix G to reflect the status of various Category 1 improvements, which have been proposed by DPW to mitigate the internal traffic impacts of development within Marina Del Rey. Development-specific traffic studies have determined various lane configurations, which are intended to provide improved traffic signal operations and overall circulation while still achieving the same level of service expected from the original Category 1 improvements. In addition, the County has identified various Category 1 improvements which are either infeasible due to right-of-way constraints or have already been implemented and should be removed from the list.

***Working Group Recommendation:*** *The Group recommends that a concerted planning effort should be made to make Marina del Rey more "pedestrian-friendly." In particular, pedestrian access improvements should be focused on "destinations," in order to facilitate way-faring for pedestrians to the waterfront and other public amenities. For example, crosswalks should be better marked. Pedestrian access (i.e. dimensions of sidewalks) should be enhanced—and not physically diminished—as part of all redevelopment plans.*

*The current pedestrian design situation often pits pedestrians against bikers and kayakers. Adherence to the 22.46.1100 circulation system requirements should be encouraged by the Departments of Beaches & Harbors and Regional Planning through the planning and permit process and then strictly implemented by the Los Angeles County Department of Public Works in order to realize a goal for a continuous and separated bike path throughout Marina del Rey. Personal watercraft users should have easy access from adjacent surface parking lots along or across roads to Mothers' Beach and to the Chace Park improvements to facilitate recreational boating.*

**Coastal Commission Recommendation 18A:** *In preparation for amending its LCP the County should undertake a comprehensive study of anticipated future development that includes all pending project driven amendments, fulfillment of Asset Management strategies, and other facilities identified through a community planning process.*

County Position: Support.

Comment: The County will batch current LCP Amendments (LCPA) into a single amendment supported by a cumulative impact assessment of all LCPAs as well as all reasonably foreseeable projects.

***Working Group Recommendation:*** *Future redevelopment of Marina del Rey should be inspired by a vision of balanced redevelopment of an integrated residential, visitor-serving, and recreation-oriented community which is articulated in one governing document that incorporates cumulative impact considerations of all pending and anticipated future projects.*

*The Working Group believes that the cumulative impacts of the proposed redevelopment of the Marina need further articulation and discussion. The County of Los Angeles has committed to a comprehensive study of the impacts of the proposed redevelopment projects, and, before adoption, there should be a thorough public vetting of the scope, assumptions, and redevelopment goals of this document.*

*Increased emphasis should be placed on individual projects consistent with the certified LCP, as it may be amended, including renovation of existing projects, as well as on public projects which enhance active and passive recreational opportunities at the Oxford flood basin, Mothers Beach, and Burton Chace Park.*

*Redevelopment projects which have proceeded in good faith through the regulatory process to date should have the opportunity to continue through the process to make the case for each individual project's consistency with the goals of the certified LCP and the Coastal Act. These projects need to be reviewed in light of the cumulative density, traffic, and other impacts of all proposed Marina and relevant City of Los Angeles projects.*

**Coastal Commission Recommendation 19:** Revise the LCP to require that the County consider all pending project-driven amendments of the LCP that would change the designation of parcels from a public park or parking use at the same time. A project shall be considered pending if there is an approved term sheet allowing the applicant to apply for approval of the project. In considering such amendments, the County should analyze the total pattern of public serving and park uses in the Marina.

County Position: Support.

Comment: A Draft Right-Sizing Parking Study based on the pending project-driven LCP amendments has been prepared to determine demand for public parking within Marina del Rey boundaries, resulting in the right-sizing of. public parking spaces for specific activity areas. All parking calculations in the LCP will be reconciled to the Right-Sizing Parking Study in the batched map and text amendment.

***Working Group Recommendation:*** *The Working Group is concerned about the lack of available and proposed park space in the Marina, especially along the high-density residential Via Marina corridor. The Working Group supports Recommendation 19 and, in particular, emphasizes that the certified LCP specifically prohibits any change in designation of any parcels from public parks or public parking to private use without equal and complete replacement.*

*During the planning process for the parcels at issue in Recommendation 19, the County should analyze current and future anticipated parking requirements with the primary priority to ensure there are no impediments to low-cost access and usage of parks, beach, recreational boating, the public launch ramp, and other public amenities. The Working Group believes other alternative public park uses should also be considered. In particular, project-driven amendments for County Parking Lots on Parcels GR and IR should be considered collectively, since those surface parking lots are intended to provide low-cost access to, and usage of, Mothers Beach. Parcel NR should be retained to preserve the unique function it plays in facilitating low-cost recreational and personal-craft boating use.*

**CCC Recommendation 20:** The County should amend its LCP to include development standards that would incorporate the design elements in the Asset Management Strategy (similar to many of the LCP policies concerning public access and site design). For example:

- Maintain the visibility of public spaces;
- Integrate the building with open space and access areas; and, identify the County agency best qualified to undertake this review

County Position: Support with modification.

Comment: The County supports including policy statements in the LCP that guide development design with respect to maintaining the visibility of public spaces and integrating the building with open space and access areas. The County does not support placing specific development design standards into the LCP.

***Working Group Recommendation:*** *The Group believes that only those design elements in the Asset Management Strategy which are consistent with the LCP should be incorporated into the LCP. The intensification of development in Marina del Rey should not be sufficient justification for proposals to decrease the amount and/or the visibility of public spaces and amenities in the Marina. For example, the Working Group recommends that "view corridors" be studied as part of the comprehensive planning process for the Marina as a whole, in order to identify and protect valuable current views and to maintain the current ambiance of the Marina.*

**Coastal Commission Recommendation 21**: The County should revise the LCP in order to include incentives to provide priority to free or lower cost public uses on waterfront parcels designated for residential use but developed with mixed uses, including visitor serving commercial and public facility uses.

County Position: Support with modification.

Comment: This is not an issue in the Marina. Only two residentially-designated waterfront parcels contain mixed uses (Parcels 15 and 18), and both are visitor-serving. The County agrees with providing incentives for free or lower-cost public uses on waterfront parcels that contain residential uses and that can accommodate mixed-use development. In fact, there are existing requirements to provide view corridors and promenade access when leases for residential developments are renewed. In addition, Beaches & Harbors uses its best efforts during the lease negotiation process to involve lessees in other public improvements, such as Marina Beach enhancements. The County does not intend, however, to adopt a policy of eliminating residential uses in favor of free or lower-cost public uses.

***Working Group Recommendation:*** *The Working Group believes access to free or lower cost public uses on waterfront parcels should be a critical priority for the County going forward. The County should incentivize developers to build mixed use projects in exchange for the provision of free or lower cost public uses, subject to density and height limitations consistent with the LCP. Such incentives, which may require a project-specific amendment to the certified LCP, should be vetted in a public hearing process before inclusion in any development agreement between the County and the developer.*

**Coastal Commission Recommendation 22:** The County should amend the LCP to strengthen development standards to preserve existing public and lower cost recreation facilities including free facilities; assure that these facilities and public rights to them are maintained.

County Position: Support with modification.

Comment: This recommendation cannot be supported in its current form because it is too vague. To the extent the Recommendation is aimed at preserving and/or enhancing park space, the County has identified areas it wishes to expand or add for open public use, such as Chace Park and Oxford Basin.

***Working Group Recommendation:*** *As noted above, the Working Group believes access to free or lower cost public uses should be a critical priority for the County, especially for water-oriented recreational opportunities. In particular, lower cost public parking should be preserved to support public use of free or lower cost recreation at and surrounding the key public amenities, including at Mothers' Beach, with special protection for the existing proximate parking lot on Parcel NR as well as collective consideration for the parking lots on parcels IR and GR. In particular, it is vital to maintain practical appropriate access for the users of personal watercraft at both Mothers' Beach and Chace Park.*

**Coastal Commission Recommendation 23:** The County should amend LCP Definitions to define "hotel" and should evaluate opportunities to protect the availability of, and encourage additional, short-term overnight accommodations in the Marina. To protect and maximize public access, LUP and LIP definitions and development standards should exclude private fractional ownership of hotel/motel rooms on publicly owned land designated for visitor or public uses. And for areas not designated for visitor use, in any hotel, motel or similar project that includes timeshare or fractional or condominium ownership components, the County shall address, among other factors, peak use demands in the summer, availability of units to the general public and operational provisions to require hotel/motel management of a facility. LCP Standards should ensure that such projects maximize public access in operation of the hotel/motel, including restrictions on the percentage of units privately [individually] owned and length of stay.

County Position: Support with modification.

Comment: The County does not believe the inclusion of fractional or timeshare ownership concepts are inconsistent with the Coastal Act or current LCP so long as operational parameters ensure the facility treats hotel and timeshare/fractional visitors in the same manner.

***Working Group Recommendation:*** *Members of the Working Group expressed strongly-held differences of opinion with regards to the prospect of Time Share fractional ownership in Marina del Rey. The Working Group includes individuals who oppose it on philosophical grounds. Those who support time share development are of the opinion that time shares are visitor-serving and that provision for fractional ownership of certain proportion of units is essential to the financing of hotels. Others propose that a cooperative ownership structure similar to the structure utilized elsewhere in the United States, including in Hawaii, should be considered as an alternative to time share fractional ownership. Even though it should be noted that visitor-serving uses are a higher priority in the Coastal Act than residential uses, there is more support for time share development on "hotel-designated" parcels in commercial areas of the Marina rather than on parcels surrounded by residential uses.*

**Coastal Commission Recommendation 24:** In-Lieu Fees for Lower Cost Overnight Visitor Accommodations. The County should update the existing in-lieu mitigation fee LCP policy for new development of overnight visitor accommodations in the coastal zone that are not lower cost. The in-lieu fee would be required as a condition of approval of a coastal development permit in order to provide significant funding to support the establishment of lower cost overnight visitor accommodations within the coastal area of Los Angeles County. The fee would be based on the per bed "mid-range" land acquisition and construction costs to build a lower cost overnight visitor accommodation in the coastal zone of Los Angeles County for 25% of the total number of proposed overnight visitor accommodations in the new development. The fee (i.e. $30,000 in 2007) shall be adjusted annually to account for inflation according to increases in the Consumer Price Index -U.S. City Average. The required in-lieu fees should be deposited into an interest-bearing account, to be established and managed by one of the following entities approved by the Executive Director of the Coastal Commission: Los Angeles County, Hostelling International, California Coastal Conservancy, California Department of Parks and Recreation or a similar entity. The purpose of the account should be to establish lower cost overnight visitor accommodations, such as new hostel beds, tent campsites, cabins or campground units, at appropriate locations within the coastal area Los Angeles County. The entire fee and accrued interest would be used for the above-stated purpose, in consultation with the Executive Director, within ten years of the fee being deposited into the account. Any portion of the fee that remains after ten years shall be donated to one or more of the State Park units or non-profit entities providing lower cost visitor amenities in a Southern California coastal zone jurisdiction or other organization acceptable to the Executive Director. Required mitigation shall be in the form of in-lieu fees as specified herein or may include completion of a specific project that is roughly equivalent in cost to the amount of the in-lieu fee and makes a substantial contribution to the availability of lower cost overnight visitor accommodations in Los Angeles County.

County Position: Support with modification.

Comment: The County supports the intent of this recommendation, and aims to provide lower cost overnight visitor accommodations, including campsites and hostel accommodations near Marina del Rey; however, the proposed in-lieu fee scheme is too onerous. While adjusting the in-lieu fee annually to account for inflation is reasonable, the amount proposed in the Recommendation is not. In addition, the County could not agree to release to the State or non-profit entities the in-lieu fees collected as mitigation for Marina projects.

***Working Group Recommendation:*** *The Working Group believes that the in lieu fee arrangement proposed by the Coastal Commission is too onerous. It notes that the current fee agreed to in 1996 is approximately 25% of the proposed fee, and that the County and the Coastal Commission did not object when the current fee was imposed upon the Jamaica Bay Inn project approved in 2008. The Working Group proposes that any future change in the calculation of the fee reflect consistency with the fees imposed by other County of Los Angeles beach cities on similar projects. The Working Group supports the concept of the provision of both campsites and hostel accommodations near by Marina del Rey.*

## Natoli, Gina

**From:** gilda [gildabrasch@gmail.com] on behalf of gilda [gilda@vusi.tv]
**Sent:** Friday, February 26, 2010 7:06 PM
**To:** Natoli, Gina
**Subject:** Fwd: Final MdR LCP Periodic Review Recommendation from the County, Final Comments Due Tomorrow
**Attachments:** MDRFinalReport.doc; ATT343159.htm; MDR,Draft_Periodic_Review_responses(2).pdf; ATT343160.htm; Staff_Report_MDR_LCP_periodic_review_Adopted_(partial).pdf; ATT343161.htm

Dear Gina,

Please note that my contributions to the group, once again, are not included in here.

So #2 is not accurate. David Levine left out my recommendations, so therefore, once again, did not represent "our groups recommendations."

Please advise as to how you plan to include my pages, because my contribution applies as well to the last line - "It is very important that our recommendations are understood and represented"

Please call me.

Many Thanks!

gilda

310-291-1195

Begin forwarded message:

**From:** slstw@aol.com
**Date:** February 25, 2010 6:44:14 AM PST
**To:** steven@choarchitecture.com, aaron@ag-landuse.com, odysseyyacht@yahoo.com, steffeydj@yahoo.com, drtomvreb@aol.com, gilda@vusi.tv, hbzimmerman@yahoo.com, JohnKape@yahoo.com, simas_john@yahoo.com, marci2000@yahoo.com, Martimarina@aol.com, matthewkot@sbcglobal.net, cmichellesummers@aol.com, miker@microscom.com, paulawildermuth@aol.com, rtm155@aol.com, thuycamle@yahoo.com, tibbyrothman@verizon.net, vivfv@aol.com, caburnett@gmail.com, christopher.joel.king@gmail.com, christopher.king@logistixus.com, drsnmdr@yahoo.com, slstw@aol.com
**Subject: Fwd: Final MdR LCP Periodic Review Recommendation from the County, Final Comments Due Tomorrow**

Hi Everyone.

Attached please find 1.) the Final Marina del Rey LCP Periodic Review distributed last May, 2.) the final report submitted by David Levine representing our group's recommendations from the work that we did last year and 3.) the rough draft of the final recommendations from the County regarding the LCP.

I read in last week's Argonaut yesterday that ***our comments from the proposed County submission are due tomorrow.*** If you have not submitted your comments to Gina atgnatoli@planning.lacounty.gov, please try to do so. It is very important that our recommendations are understood and represented.

Thanks.

Best regards,
Susan

-----Original Message-----
From: Natoli, Gina <gnatoli@planning.lacounty.gov>
To: Beverly Moore <bmoore@visitmarina.com>; David DeLange <dr.delange@verizon.net>; Deana Vitela-Hayashi <deana@aquabio.us>; Heather Burdick <hburdick@smbaykeeper.com>; John Simas <simas_john@yahoo.com>; Marcia Hanscom <wetlandact@earthlink.net>; Paula Wildermuth <paulawildermuth@aol.com>; Peter Zak <peterzak@lyon1.com>; Robert Van de Hoek <robertvandehoek@yahoo.com>; Susan Sherrard <slstw@aol.com>; Darrell Steffey <steffeydj@yahoo.com>; Mary Ann Parham <barb@patmans.net>; Richard T. Miller <rtm155@aol.com>; Barry Fisher <bfisher557@aol.com>; Sherman Vickers <sherman@designintegrated.com>; Thuy Le <thuycamle@yahoo.com>; Tim Riley <timriley7@roadrunner.com>; Dave Lumian <dlumian@aol.com>; DeAnna M. Rivera <deannamrivera@gmail.com>; Eran Elizer <erane@excite.com>; Jim Filar <jim.filar@ngc.com>; Kim Langbacker <KimLangbecker@sbcglobal.net>; Riggs Eckelberry <president@larowing.com>; Steven Cho <steven@choarchitecture.com>; Eli Janko <eli@tahitimarina.com>; Fred Fisher <fred@oasissailingcharters.com>; Mark Abramson <mabramson@smbaykeeper.org>; Aaron Clark <aaron@ag-landuse.com>; Barbara Sklar <odysseyyacht@yahoo.com>; Cheryl Burnett <caburnett@gmail.com>; David Levine <drsnmdr@yahoo.com>; Dr. Thomas Vrebalouich <drtomvreb@aol.com>; Gilda Brasch <gildabrasch@aol.com>; Helene Zimmerman <hbzimmerman@yahoo.com>; Isaac Hakim <isaac@tahitimarina.com>; John Kape <JohnKape@yahoo.com>; John Rizzo <nutriwarehouse@yahoo.com>; Marci Kuss <marci2000@yahoo.com>; Marti Meyers <martimarina@aol.com>; Matt Kot <matthewkot@sbcglobal.net>; Michelle Summers <cmichellesummers@aol.com>; Mike Rosenfold <miker@microscom.com>; Richard Schroder <schrosound@yahoo.com>; Tibby Rothman <tibbyrothman@verizon.net>; Vivienne Versace <vivfv@aol.com>; Craig Campbell <craig@the-boatyard.com>; Edgar Gutierrez <egutierrez@leeandrewsgroup.com>; Harlan Holmes <smwyco6@gmail.com>; Jacquelin Pierson <heyhaole@ca.rr.com>; Michael Hoffman <mikeslsetc@mac.com>; Bradley Falkenstein <bfalkenstein@hornblower.com>; Charles Michaels <charles.michaels@laaco.net>; Daniel Ginzburg <daniel@fantaseayachts.com>; Frederick Adriance <fadriance@pacificahotels.com>; Jack Illes <jack@thehardagigroup.com>; Kevin Lorton <klorton@hornblower.com>; Mia Falkenstein <mfalkenstein@hornblower.com>; Paul Medawar <pmedawar@marinadelreyhotel.com>; Sean McEachern <smceachern@legacypartners.com>; Steve Hoye <sierrasteve@earthlink.net>; Christopher King <christopher.joel.king@gmail.com>; Jennifer Carter <jennifer@vanwertinc.net>; Jon Nahhas <jnahhas@gmail.com>; Leon Felus <leon-felus@verizon.net>; Nancy Vernon-Marino <nancyvmarino@aol.com>; Peter Patman <peterpatman@hotmail.com>; Roger Van Wert <roger@vanwertinc.net>; Stan Borinski <stanb@netpr.com>; Steve Freediman <stevefreee@gmail.com>; Tibby Rothman <tibbyrothman@venicepaper.net>; Timothy O'Brien <tobrien@legacypartners.com>; Wayne Miller <mdrwellness@gmail.com>; Bill Schwarz <vvs@earthlink.net>; Greg Schem <greg@highlandinvestco.com>; Jun Dolor <pier44info@verizon.net>; Mike Selden <mselden@pom-mdr.com>; Patricia Younis <py@the-bridge-group.com>
Sent: Tue, Feb 9, 2010 6:23 am
Subject: Draft responses to Marina del Rey LCP Periodic Review

Dear Folks,

Good morning. The Department of Regional Planning has completed draft responses to the Coastal Commission's Periodic Review of the Marina del Rey LCP. These draft responses are based on input from you and several County departments. The draft responses are attached and have also been posted online at:

http://planning.lacounty.gov/marina

Now we are moving into the next phase of the input process. In February, Regional Planning will meet with the Small Craft Harbor Commission, Design Control Board and Regional Planning Commission to take their comments on the draft responses. We are confident these advisory bodies will have constructive suggestions for improving the County's response. Here is the schedule for our February discussion meetings with the advisory bodies:

- Small Craft Harbor Commission — Wed., Feb. 10, 9:30 a.m., Chace Park
- Design Control Board — Wed., Feb. 17, 6:30 p.m., Chace Park
- Regional Planning Commission — Wed., Feb. 24, 9:00 a.m., Downtown Los Angeles

We also ask you to review the draft responses and give us your input, either by attending one of the advisory body meetings or directly by mail, e-mail, telephone or fax at:

Mail: Dept. of Regional Planning
Community Studies II Section
320 West Temple Street 13th Floor
Los Angeles CA 90012-3223

E-mail: coastal@planning.lacounty.gov

Telephone: 213-974-6422

Fax: 213-626-0434

We are on track to submit our report to the Coastal Commission within the one-year deadline (29 April). As always, feel free to contact me if you have any questions. Thank you again for your help with the County's response to the Periodic Review and your continued interest in the Marina!

Gina M. Natoli, MURP, AICP
Supervising Regional Planner
Los Angeles County Dept. of Regional Planning
320 West Temple Street 13th Floor
Los Angeles CA 90012-3223

-----Original Message-----
From: Natoli, Gina <gnatoli@planning.lacounty.gov>
To: Barry Fisher <bfisher557@aol.com>; Paula Wildermuth <paulawildermuth@aol.com>; Sherman Vickers <sherman@designintegrated.com>; Thuy Le <thuycamle@yahoo.com>; Tim Riley <timriley7@roadrunner.com>; Deana Vitela-Hayashi <deana@aquabio.us>; Eli Janko <eli@tahitimarina.com>; Fred Fisher <fred@oasissailingcharters.com>; Mark Abramson <mabramson@smbaykeeper.org>; Aaron Clark <aaron@ag-landuse.com>; Barbara Sklar <odysseyyacht@yahoo.com>; Cheryl Burnett <caburnett@gmail.com>; Darrell Steffey <steffeydj@yahoo.com>; David Levine <drsnmdr@yahoo.com>; Dr. Thomas Vrebalouich <drtomvreb@aol.com>; Gilda Brasch <gildabrasch@aol.com>; Helene Zimmerman <hbzimmerman@yahoo.com>; Isaac Hakim <isaac@tahitimarina.com>; John Kape <JohnKape@yahoo.com>; John Rizzo <nutriwarehouse@yahoo.com>; John Simas <simas_john@yahoo.com>; Marci Kuss <marci2000@yahoo.com>; Marti Meyers <martimarina@aol.com>; Matt Kot <matthewkot@sbcglobal.net>; Michelle Summers <cmichellesummers@aol.com>; Mike Rosenfold <miker@microscom.com>; Richard Schroder <schrosound@yahoo.com>; Richard T. Miller <rtm155@aol.com>; Steven Cho <steven@choarchitecture.com>; Susan Sherrard <slstw@aol.com>; Tibby Rothman <tibbyrothman@verizon.net>; Vivienne Versace <vivfv@aol.com>; Beverly Moore <bmoore@visitmarina.com>; Bradley Falkenstein <bfalkenstein@hornblower.com>; Charles Michaels <charles.michaels@laaco.net>; Daniel Ginzburg <daniel@fantaseayachts.com>; Frederick Adriance <fadriance@pacificahotels.com>; Jack Illes <jack@thehardagigroup.com>; Kevin Lorton <klorton@hornblower.com>; Mia Falkenstein <mfalkenstein@hornblower.com>; Paul Medawar <pmedawar@marinadelreyhotel.com>; Riggs Eckelberry <president@larowing.com>; Sean McEachern <smceachern@legacypartners.com>; Steve Hoye <sierrasteve@earthlink.net>; Christopher King <christopher.joel.king@gmail.com>; DeAnna M. Rivera <deannamrivera@gmail.com>; Jennifer Carter <jennifer@vanwertinc.net>; Jon Nahhas <jnahhas@gmail.com>; Kim Langbecker <kimlangbecker@sbcglobal.net>; Leon Felus <leon-felus@verizon.net>; Nancy Vernon-Marino <nancyvmarino@aol.com>; Peter Patman <peterpatman@hotmail.com>; Roger Van Wert <roger@vanwertinc.net>; Stan Borinski <stanb@netpr.com>; Steve Freediman <stevefreee@gmail.com>; Tibby Rothman <tibbyrothman@venicepaper.net>; Timothy O'Brien <tobrien@legacypartners.com>; Wayne Miller <mdrwellness@gmail.com>; Bill Schwarz <vvs@earthlink.net>; Greg Schem <greg@highlandinvestco.com>; Jun Dolor <pier44info@verizon.net>; Mike Selden <mselden@pom-mdr.com>; Patricia Younis <py@the-bridge-group.com>
Cc: Brizee, Melissa <mbrizee@planning.lacounty.gov>
Sent: Wed, May 6, 2009 8:19 am
Subject: Final Marina del Rey LCP Periodic Review

Dear Working Group participants,

Good morning. The County has received the Coastal Commission's Marina del Rey LCP Periodic Review final adopted revised findings. In other words, the final Periodic Review is in. I am sending you the portion of the 243-page document that discusses the final changes and contains the final recommendations.

I have compared these final recommendations with the version we've been working from, and I don't see any changes that should affect most of you.

For New Development, the Coastal Commission has clarified in Recommendation 18A that they want to see a comprehensive LCP "update" that incorporates anticipated future development requiring amendments and the Asset Management Strategy instead of a comprehensive "study". New Development, please decide for yourselves if this affects your comments for 18A. You may want to slightly revise the paragraph in your report that addresses the study (or not…), but for the most part I think your comments still apply.

If you would like to see the entire final Periodic Review, we have a link on our Marina del Rey LCP Periodic Review website to the document on the Coastal Commission's website. The final version is the April 23, 2009 document. Here's the link:

http://www.coastal.ca.gov/recap/mdr/mdr.html

Another reminder to please send me your slides or slide content for next week's presentation. We're now at four Regional Planning working days and counting, folks, which isn't a lot of time. If you're having trouble coming up with slide content, please call me and we can discuss the issue.

Thanks very much,

Gina M. Natoli, MURP, AICP
Supervising Regional Planner
Los Angeles County Dept. of Regional Planning
320 West Temple Street 13th Floor
Los Angeles CA 90012-3223
213/974-6422

# APPENDIX E

# COUNTY ADVISORY BODY COMMENTS ON DRAFT RESPONSES TO RECOMMENDATIONS

Report to the
California Coastal Commission on the
Marina del Rey Local Coastal Program
Periodic Review

TO: SANTOS KREIMANN

FROM: RUSS LESSER

RESPONSES TO CALIFORNIA COASTAL COMMISSION STAFF RECOMMENDATIONS

Below are my thoughts on each of the recommendations from the Coastal Commission Staff. However, a general comment is that many of the recommendations are too detailed to be in a LCP. I believe the LCP should be a broad overview of standards and goals, and not get into details of colors, shape, and talk about "cigarette butt receptacles being covered and frequently serviced." However, that is just my opinion and I could be wrong.

1) We just did a slip size study that was very complete. There is no need to perform another one at this time.

2) We are doing that already

3) Sounds good, always looking at ways to increase boating opportunities.

4) Good idea.....(4A) Impossible to do! When slips are redeveloped with current standards, including boat width, ADA standards, changes in demand for bigger boats, it is impossible to meet this requirement, unless we cease all redevelopment and rebuilding of new slips, and continue to repair and band aid existing slips that have reached the end of their economic life and need replacing.

5) 5-14 involve water quality. As I am not an expert in the water quality rules I will not comment on those items.

15) County answer seems appropriate

16) Options can always be considered, however what they propose is not economically feasible with developer funds, and the country has no money to do it.

17) A good idea and we are looking at ways to do that right now, especially with bike paths.

18) & 18A) and 19) sounds good

20) & 21) and 22) Agree with county

23) I am totally opposed to any development that includes condominium or timeshare ownership.

24) No comment.....seems too detailed to be in a LCP

25) & 26) I support these recommendations

27) Recommendation not well thought out, especially the part of a 25+year funding requirement of a shuttle

28) Makes no sense, especially based on the recent parking survey.

29) OK

30) Good idea, but again, it seems to me to be a little "detailed" for an LCP.

31) through 35) OK

36) through 40) County's position seems reasonable

41) I don't think "art juries" should be a part of a LCP.

42) OK

The rest of the recommendations discuss ESHA. I am not an expert on this, however for a layman, the county's position sure seems logical and rational.

I also noticed that nowhere in the recommendations does the Coastal Commission staff recommend changing the basic plan for the amount of future development that has already been approved in the past, or reducing the amount of "vehicle trips" that are permitted with new development.

There are some people who believe that all re-development should stop until a comprehensive plan is developed. The fact that ignores is that the Marina is not a blank slate that could be developed over from scratch. There are multiple leaseholds expiring at various times. There is also a great need to redevelop much of the Marina as it is getting tired, and many areas are approaching the end of their economic life.

To: Santos Kreimann

From: Dennis Alfieri

Date: Friday, February 26, 2010

Re: Response to California Coastal Commission recommendations for the Marina del Rey, LCP Periodic Review

#1.) I Concur with L.A. Co. Position.

#2.) I Concur with L.A. Co. Position.

#3.) I Concur with L.A. Co. Position.

#4. & #4A.) I Concur with L.A. Co. Position.

#5.) I Concur with L.A. Co. Position.

#6.) I Concur with L.A. Co. Position.

#7.) I Concur with L.A. Co. Position.

#8.) I Concur with L.A. Co. Position

#9.) I Concur with L.A. Co. Position.

#10.) I Concur with L.A. Co. Position.

#11.) I Concur with L.A. Co. Position.

#12.) I Concur with L.A. Co. Position.

#13.) I Concur with L.A. Co. Position.

#14.) I Concur with L.A. Co. Position.

#15.) I Concur with L.A. Co. Position.

#16.) Proposal Too Expensive, Financially Not Viable for Developers or L.A. County. I Concur with L.A. Co. Position.

#17.) I Concur with L.A. Co. Position.

#18. & #18A.) I Concur with L.A. Co. Position.

#19.) I Concur with L.A. Co. Position.

#20.) I Concur with L.A. Co. Position.

#21.) I Concur with L.A. Co. Position.

#22.) I Concur with L.A. Co. Position.

#23.) I am Not Opposed to Private Fractional Ownership of Residential Units on Publicly Owned Land, if it helps the financing objectives for a Proposed Project, as well as, benefits L.A. County.
I Concur with L.A. Co. Position.

#24.) This Proposal seems to make sense, however, too convoluted. Probably best to Remove from LCP at this time.
I Concur with L.A. Co. Position.

#25.) I Concur with L.A. Co. Position.

#26.) I Concur with L.A. Co. Position.

#27.) I Concur with L.A. Co. Position.

#28.) I Concur with L.A. Co. Position.

#29.) I Concur with L.A. Co. Position.

#30.) I Concur with L.A. Co. Position.

#31.) I Concur with L.A. Co. Position.

#32.) I Concur with L.A. Co. Position.

#33.) I Concur with L.A. Co. Position.

#34.) I Concur with L.A. Co. Position.

#35.) I Concur with L.A. Co. Position.

#36.) I Concur with L.A. Co. Position.

#37.) I Concur with L.A. Co. Position.

#38.) I Concur with L.A. Co. Position.

#39.) I Concur with L.A. Co. Position.

#40.) I Concur with L.A. Co. Position.

#41.) I Concur with L.A. Co. Position.

#42.) I Concur with L.A. Co. Position.

#43. - #62.) Environmentally Sensitive Habitat Areas (ESHA).
I Concur with L.A. Co. Position.

#63.) Cultural Resources.
I Concur with L.A. Co. Position.

#64.) I Concur with L.A. Co. Position.

#65.) Hazards.
I Concur with L.A. Co. Position.

#66.) Procedures.
I Concur with L.A. Co. Position.

#67.) I Concur with L.A. Co. Position.

# DCB Comments to LCP Periodic Review.

# February 17, 2010.

Item 6C. Response by County of Los Angeles to LCP Periodic Review by California Coastal Commission.

Board members present: Peter Phinney, Simon Pastucha and Helena Jubany (David Abelar and Tony Wong absent)

Following a presentation by Gina Natoli of the Regional Planning Department on the County's response to the Periodic Review, and a public comment period, the Board members provided their comments. Those comments are summarized as follows:

1. Chairman Phinney closed the public comment period and asked the Board for comments.

2. In response to her request, Ms. Jubany received clarification that in addition to comments given tonight, the DCB members may submit their comments in writing to the Regional Planning Department by the end of February. Ms. Jubany stated that there was a lot of information to consider and she would like to prepare a conscious response.

3. In response to Mr. Pastucha's request, Ms. Natoli provided a description of the overall public involvement process including the working group and public outreach efforts.

4. Mr. Pastucha commented on the Periodic Review comments pertaining to storm water and BMP practices. Marina del Rey, as a man-made entity, had for a long period of time diverted all of the storm water run-off directly to the ocean. Now the County has made changes to that practice to capture the water in some way and is pro-actively reducing the level of pollutants. Mr. Pastucha sees that with the LID, BMPs, landscape ordinances and work with ecosystem refinements, the County is starting to implement changes. So for Periodic Review item #8, Mr. Pastucha doesn't believe that the LCP needs to be amended on this point and recommends that the County simply state that the ordinances are in place; and that as part of the development application process, projects must address the County's standards and rules that are part of the development approval process. Conformance to BMPs, etc. is something the County already does.

5. Mr. Phinney also stated that he wants more time to submit a written response. He stated a compelling need as a representative of the county public to summarize what the public said during public comment this evening. He heard a profound lack of trust in the process that should not be dismissed. He has interviewed a lot of people in the Marina over the years and the public trust does not exist, and this has arisen for a specific set of reasons. Marina del Rey was established as a public benefit for all of the residents of Los Angeles County to provide access to the water for people who would not otherwise have access to the water. The Board of Supervisors was the trustees of this asset, and the public perception is that this relationship has changed over time resulting in a focus on fueling an economic engine. There has been a dilution of this asset's value to the people of the County to provide access to the water. There needs to be a check against what the development community's

objectives are doing to the natural resources. The County needs to recapture the focus on the recreational objectives.

6. Mr. Phinney understands that the smaller natural areas in Marina del Rey do not rise to the level of "ESHA." However, he wants us, as a society, to think about protecting wildlife and make that as high a priority as protecting economic resources. On the other hand, he believes that we must find ways of balancing the needs of nature; since any piece of property in the Marina may, if neglected, begin to re-establish as wetlands, this would in turn limit the potential for the Marina in terms of public recreation. There are big issues that need to be addressed through the Periodic Review. Mr. Phinney's comments relate to Periodic Review items # 43-64.

7. Mr. Phinney added the Asset Management Study is an unfortunate plan. Development of Marina del Rey is being driven by the development community and in ways that are not always the most appropriate to the Marina asset. The County needs to wait if less-than-ideal responses are received in response to RFPs.

## Natoli, Gina

**From:** Charlotte Miyamoto [CMiyamoto@bh.lacounty.gov]
**Sent:** Wednesday, March 03, 2010 4:36 PM
**To:** Natoli, Gina
**Subject:** FW: My Comments on the LCP

Gina, here are Helena's additional comments.

---

**From:** Helena Jubany [mailto:hjubany@NACARCHITECTURE.com]
**Sent:** Tuesday, March 02, 2010 1:25 PM
**To:** Charlotte Miyamoto
**Subject:** RE: My Comments on the LCP

Charlotte,

I am in Sacramento for the next two days and I left the report at home. Here are my comments by memory:

After the public hearing I wanted to go over the County responses to the LCP. One of the major concerns that I heard were dispute on the Boat slip surveys. The response from the County indicates that small slips have high vacancy which makes them not desirable. The public coments seam to disagree with the results from the County survey and my question based on the public distrust is if the County study was presented to the public in detail to promote dialogue.

Another concern was the environment and in my opinion the responses on the stormwater policies, the low impact policy, and the green building program would help reduce environmental impacted resulted by future developement.

My last comment is to how evident the public distrust the County outreach process. I would like to recomend that our community outreach process is evaluated to see if there are any opportunities to improve our process and hopefully improve puclic trust.

Thank you,

Helena

---

**From:** Charlotte Miyamoto [mailto:CMiyamoto@bh.lacounty.gov]
**Sent:** Tue 3/2/2010 7:00 AM
**To:** Helena Jubany
**Subject:** RE: My Comments on the LCP

Gina Natoli of Regional Planning requested to receive comments by the end of the month. Can you get us something today?

Thanks Helena.

---

**From:** Helena Jubany [mailto:hjubany@NACARCHITECTURE.com]
**Sent:** Monday, March 01, 2010 1:05 PM
**To:** Charlotte Miyamoto
**Subject:** My Comments on the LCP

HI Charlotte,

Last DCB I was suppose to come up with comments on the LCP recommendation but with by schedule I was not able to complete it.

Do you remember when was the deadline?

JUBANY NAC ARCHITECTURE
Helena L. Jubany, AIA, LEED AP, Managing Principal
www.nacarchitecture.com
P 323 859-3100 **(New)**
F 323 859-3110 **(New)**

# APPENDIX F

# GREEN BUILDING, LOW IMPACT DEVELOPMENT AND DROUGHT-TOLERANT LANDSCAPING ORDINANCES

Report to the
California Coastal Commission on the
Marina del Rey Local Coastal Program
Periodic Review

## ANALYSIS

This ordinance amends Title 12 - Environmental Protection, Title 21 - Subdivisions, and Title 22 - Planning and Zoning of the Los Angeles County Code to establish low impact development standards for developments constructed after January 1, 2009. The low impact development standards are intended to distribute stormwater and urban runoff across development sites to help reduce adverse water quality impacts and help replenish groundwater supplies. The ordinance creates low impact development standards which are to be reflected in development site plans and in separate low impact development plans.

RAYMOND G. FORTNER, JR.
County Counsel

By
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

LLH:sh

10/09/08 (requested)

11/12/08 (revised)

563934_2

**ORDINANCE NO. 2008-0063**

An ordinance amending Title 12 - Environmental Protection, Title 21 - Subdivisions, and Title 22 - Planning and Zoning of the Los Angeles County Code to establish low impact development standards for developments constructed after January 1, 2009.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Chapter 12.84 is hereby added to Title 12 to read as follows:

## CHAPTER 12.84

## LOW IMPACT DEVELOPMENT STANDARDS

**Sections:**



### 12.84.410 Purpose.

The purpose of this chapter is:

A. To require the use of low impact development ("LID") standards in developments. LID encourages site sustainability and smart growth in a manner that respects and preserves the characteristics of the County's watersheds, drainage paths, water supplies, and natural resources. LID builds on conventional design strategies by utilizing every softscape and hardscape surface in a development to perform a beneficial hydrologic function by retaining, detaining, storing, changing the timing of, or

filtering stormwater and urban runoff. LID encompasses the use of structural devices, engineered systems, vegetated natural designs, and education in order to distribute stormwater and urban runoff across a development site. LID reduces the impact from the development and provides the benefits of:

1. Replenishing groundwater supplies;
2. Improving the quality of surface water runoff;
3. Stabilizing natural stream characteristics;
4. Preserving natural site characteristics; and
5. Minimizing downstream impacts.

B. The provisions in this Chapter 12.84 shall be construed to augment any county, state, or federal ordinance, statute, regulation, or other requirement governing the same or related matter, and where a conflict exists between a provision in this Chapter 12.84 and such other ordinance, statute, regulation, or requirement, the stricter provision shall apply to the extent permitted by law.

**12.84.420 Definitions.**

The following definitions shall apply to this chapter:

A. "Beneficial Use" means the existing or potential use of receiving waters as designated by the Los Angeles or Lahontan Regional Water Quality Control Boards in their respective basin plans for the County.

B. "Best management practices (BMPs)" are the methods, measures, and/or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges, including stormwater.

C. "County" means the County of Los Angeles.

D. "Development" means activity requiring discretionary or non-discretionary land use or construction approval from the County that results in the creation, addition,

modification, or replacement of impervious surface area, which replacement is not part of routine maintenance activity. Development includes, but is not limited to, land subdivisions; the construction, installation, addition, or replacement of a building or structure; expansion of a building footprint; and land-disturbing activities related to structural or impervious surfaces. Development shall not include routine maintenance of original lines and grades and/or hydraulic capacity.

E. "Director" means the Director of Public Works.

F. "Drainage system" means a conveyance or system of conveyances, including paths, drives, roads, streets, alleys, catch basins, curbs, gutters, ditches, man-made channels, or storm drains designed or used to collect or convey urban runoff and stormwater.

G. "Excess Volume" means the additional volume of stormwater caused by development; excess volume is determined by calculating the difference in the volume of runoff under undeveloped and post-developed conditions, using the water quality design storm event.

H. "Hardscape" means any durable pervious or impervious surface material, including paving for pedestrians and vehicles.

I. "Hydromodification" means the alteration of a natural drainage system through a change in the system's flow characteristics.

J. "Low impact development ("LID")" means technologies and practices that are part of a sustainable stormwater management strategy that controls stormwater and urban runoff on site.

K. "Natural drainage system" means any unlined or unimproved (not engineered) creek, stream, river, or similar waterway.

L. "Pollutants of concern" means chemical, physical, or biological components of stormwater that impair the beneficial uses of receiving waters, including those defined in the federal Clean Water Act Section 502(6) (33 United States Code Section 1362(6)), and incorporated by reference into California Water Code Section 13373.

M. "Public Works" means the Los Angeles County Department of Public Works.

N. "Softscape" means the horticultural elements of a landscape, such as soil and plants.

O. "Stormwater" means runoff that occurs as the result of rainfall.

P. "Urban runoff" means dry weather surface flows emanating from urban development.

Q. "Water quality design storm event" means any of the volumetric or flow rate based design storm events for water quality BMPs identified in the National Pollutant Discharge Elimination System Municipal Stormwater Permit for the County of Los Angeles.

**12.84.430 Applicability.**

A. This chapter shall become effective on January 1, 2009, and shall apply to all development within the unincorporated areas of the County after that date except for the following:

1. Any development where a complete discretionary or non-discretionary permit application was filed with the Los Angeles County Department of Regional Planning, Public Works, or any County-controlled design control board, prior to January 1, 2009;

2. Any development involving emergency construction activities required to immediately protect public health and safety; or

3. Public road and flood control infrastructure developments, which shall be subject to Public Works' design standards that incorporate LID principles.

B. Unless excluded by subsection A above, any development that alters an existing impervious surface area shall comply with this Chapter 12.84 as follows:

1. Where the development results in an alteration of at least fifty (50) percent of the impervious surfaces of an existing developed site, the entire site shall be brought into compliance with the standards and requirements of this Chapter; and

2. Where the development results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site, only such incremental development shall meet the standards and requirements of this Chapter; and

3. Where a development results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site consisting of four (4) or fewer residential units, the development shall be exempt from this Chapter.

**12.84.440 Low Impact Development Standards.**

A. The LID standards of this Chapter are:

1. 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;

2. Prevent pollutants of concern from leaving the development site in stormwater as the result of storms, up to and including a water quality design storm event; and

3. Minimize hydromodification impacts to natural drainage systems.

B. The Director shall prepare, maintain, and update, as deemed necessary and appropriate, a manual ("LID Standards Manual"), which shall include urban and stormwater runoff quantity and quality control development principles and technologies for achieving the LID Standards described in subsection A of this Section. The LID Standards Manual shall also include technical feasibility and implementation parameters, as well as other rules, requirements and procedures as the Director deems necessary, for implementing the provisions of this Chapter 12.84.

C. To meet the standards described in subsection A of this Section, developments shall install and maintain minimum site design features as follows:

1. A development consisting of four (4) or fewer residential units shall implement at least two LID BMP alternatives listed in the LID Standards Manual, which alternatives include, but are not limited to, disconnecting impervious surfaces, using porous pavement, downspout routing, a dry well, landscaping and irrigation requirements, and a green roof.

2. A development consisting of five (5) or more residential units, or a nonresidential development, shall comply with the following requirements:

a. The excess volume from each lot upon which such development is occurring shall be infiltrated at the lot level, or in the alternative, the excess volume from the entire development site, including streets and public right-of-way, shall be infiltrated in sub-regional facilities. The tributary area of a sub-regional facility shall be limited to five (5) acres, but may be exceeded with approval of the

Director. When infiltration of all excess volume is not technically feasible, on-site storage, reuse, or other water conservation uses of the excess volume is required and shall be implemented as authorized by the Director in accordance with the requirements and provisions in the LID Standards Manual.

b. The runoff from the water quality design storm event associated with the developed site hydrology must be treated to the satisfaction of the Director before discharge.

**12.84.450 Site Plan/LID Plan Review.**

Compliance with the LID standards of this Chapter 12.84 shall be shown through a site plan review described in subsection A, below, and a LID plan review described in subsection B, below.

A. Site plan review.

1. The County Department of Regional Planning shall conduct a site plan review in accordance with Title 22 of the Los Angeles County Code to determine compliance with this Chapter 12.84. The site plan submitted for the development shall clearly depict any and all LID standards that will be incorporated into the development. Regional Planning shall approve compliance with these standards in concept only, subject to the setback and development standards in Title 22. Final approval of such compliance shall be made by Public Works in conjunction with its review and approval of the LID plan described in subsection B.

2. The same site plan shall be used to show compliance with this Chapter 12.84, the green building requirements of Part 20, Chapter 22.52, and the drought-tolerant landscaping requirements of Part 21, Chapter 22.52, to the extent these other requirements apply to the development.

3. In any case where a site plan for a development has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary approval under Title 22, or with an application for a subdivision under Title 21, the site plan procedure set forth in this Section 12.84.450 shall not apply and instead, the Exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Chapter 12.84.

B. LID plan review.

In addition to the site plan required by subsection A of this Section, the applicant shall also submit a LID plan to the Director for review and approval that provides a comprehensive, technical discussion of how the development will comply with this Chapter 12.84 and the LID Standards Manual. A deposit and fee to recover the costs associated with LID plan review shall be required. The time for obtaining LID plan approval shall be as follows:

1. For subdivisions, the LID plan shall be approved prior to the tentative map approval;

2. For any development requiring a conditional use permit ("CUP") or other entitlement required under Title 22 of the Los Angeles County Code, the LID plan shall be approved prior to the issuance of any such CUP or other entitlement; and

3. For all other development, the LID plan shall be approved prior to issuance of a grading permit for such development, and when no grading permit is required, prior to the issuance of a building permit for such development.

**12.84.460 Additional Requirements.**

Compliance with this Chapter 12.84 shall also require a development to satisfy the following:

A. All grading and/or site drainage plans for the development shall incorporate the features of the approved LID plan described in subsection B of Section 12.84.450.

B. The development's LID features shall be maintained and shall remain operable at all times and shall not be removed from the development unless and until such features have been replaced with other LID features in accordance with this Chapter 12.84. A covenant or agreement shall be recorded in the office of the Los Angeles County Registrar-Recorder/County Clerk indicating that the owner of the subject development is aware and agrees to the requirements in this subsection B. The covenant or agreement shall also include a diagram of the site indicating the location and type of each LID feature incorporated into the development. The time to record such covenant or agreement shall be as follows:

1. For any subdivision, prior to final map approval; and

2. For any other development, prior to issuance of a grading permit for the development, and when no grading permit is required, prior to the issuance of a building permit for the development.

**SECTION 2.** Section 21.24.420 of Title 21 of the Los Angeles County Code is hereby added to read as follows:

**21.24.420 Low Impact Development.**

All subdivisions shall comply with the low impact development requirements of Chapter 12.84 of Title 12 of the Los Angeles County Code, subject to the applicability provisions of said Chapter.

**SECTION 3.** Part 22 of Chapter 22.52 is hereby added to read as follows:

**Part 22**

**LOW IMPACT DEVELOPMENT**

**22.52.2310 Applicability.**

All development, as defined in Chapter 12.84 of Title 12 of the Los Angeles County Code, shall comply with the low impact development requirements of said Chapter, subject to the applicability provisions of said Chapter.

[LOWIMPACTDEVLHCC]

**SECTION 4.** This ordinance shall be published in The Metropolitan News a newspaper printed and published in the County of Los Angeles.

Yvonne B. Burke
Chair

ATTEST:

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of November 18, 2008 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

| | Ayes | | Noes |
|---|---|---|---|
| Supervisors | Zev Yaroslavsky | Supervisors | None |
| | Don Knabe | | |
| | Michael D. Antonovich | | |
| | Yvonne B. Burke | | |
| | | | |

Effective Date: December 18, 2008

Operative Date: January 1, 2009

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____ Deputy

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By Leela Kapur
Leela Kapur
Chief Deputy County Counsel

S:\Ordinances\County Counsel\2008\2008-0063

## ANALYSIS

This ordinance amends Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish drought-tolerant landscaping requirements for projects constructed after January 1, 2009. The drought-tolerant landscaping standards are intended to help conserve water resources by requiring landscaping that is appropriate to the region's climate, and to the nature of a project's use. The ordinance creates drought-tolerant landscaping standards which are to be reflected in a project's site plans.

RAYMOND G. FORTNER, JR.
County Counsel

BY
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

LLH:gl

10/09/08 (requested)

11/13/08 (revised)

**ORDINANCE NO. 2008-0064**

An ordinance amending Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish drought-tolerant landscaping requirements for projects constructed after January 1, 2009.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 21.24.430 of Title 21 is hereby added to read as follows:

**21.24.430 Drought-tolerant landscaping.**

All projects, as defined therein, including their common areas, shall comply with the drought-tolerant landscaping requirements of Part 21 of Chapter 22.52 of Title 22.

**SECTION 2.** Part 21 of Chapter 22.52 of Title 22 is hereby added to read as follows:

**Part 21**

**DROUGHT-TOLERANT LANDSCAPING**

**Sections:**

**22.52.2200 Purpose.**

A. The purpose of this Part 21 is to establish minimum standards for the design and installation of landscaping using drought-tolerant plants and native plants that require minimal use of water. These requirements will help conserve water resources by requiring landscaping that is appropriate to the region's climate and to the nature of a project's use.

B. The provisions of this Part 21 shall be construed to augment the regulations of any retail or wholesale water provider, and any county, state, or federal ordinance, statute, regulation, or other requirement governing the same or related matter, including a supplemental district, community standards district, or transit-oriented district established under this Title 22, and also including Chapter 71 of Title 26 of the Los Angeles County Code (Water Efficient Landscaping), and where a conflict exists between a provision in this Part 21 and such other ordinance, statute, regulation, or other requirement, the stricter provision shall apply to the extent permitted by law.

**22.52.2210 Definitions.**

For purposes of this Part 21, the following definitions shall apply:

A. "Department" shall mean the Los Angeles County Department of Regional Planning.

B. "Drought-tolerant plant" shall mean a native or non-native plant that requires minimal use of water, and that is appropriate to the region's climate and the nature of a project's use.

C. "Drought-tolerant plant list" shall mean a list of native and non-native plant species, approved by the Director and maintained by the Department, which list is organized by ecological zones for use in landscaped areas within all projects.

D. "Ecological zone" shall mean a geographic area where plants are indigenous or otherwise appropriate.

E. "Green building technical manual" is a manual prepared by the Department that includes the most recent third-party standards and rating systems accepted by the commission for inclusion in the manual, as required by Section 22.52.2130.E in Part 20 of Chapter 22.52, as well as other pertinent information, to assist applicants to comply with the requirements of this Part 21. The green building technical manual includes the drought-tolerant plant list.

F. "Hydrozone" shall mean a portion of a landscaped area that has plants with similar water and sun needs and that are served by an irrigation valve or set of valves operating on the same schedule.

G. "Landscaped area" shall mean any area planted with turf, shrubbery, flowers, or trees.

H. "Mature tree" shall mean any tree rooted on a lot or parcel of land, the trunk of which is at least six (6) inches in diameter, measured four and one-half feet above mean natural grade.

I. "Project" shall have the same meaning as set forth in Section 22.52.2110.P of Part 20 of Chapter 22.52, and shall include any construction

described in said Section that requires discretionary or non-discretionary land use approval from the County.

J. "Public recreational lawn" shall mean an area planted with turf or other mowed ground cover that is maintained for recreation or enjoyment by the public, including athletic fields that are available for use by the public or membership associations.

K. "Public Works" shall mean the Los Angeles County Department of Public Works.

L. "Registered historic site" shall mean a property listed on any federal, state, or county register related to historic designation or status, including, but not limited to, the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, and State Points of Historical Interest.

M. "Third-party standards and rating systems" are the three independent green building standards and rating systems, CGB, GPR, and LEED™, as those standards and rating systems are defined in Part 20 of Chapter 22.52, and as may be updated from time to time.

N. "Total landscaped area" is the cumulative landscaped area of a lot or parcel of land, or portion thereof as determined by the Director, but shall not include the area in which any tree required by Part 20 of Section 22.52 or any mature tree on the site is situated. For single-family residences, the total landscaped area shall be any area measured from the front property line to the front of the residence.

O. "Turf" shall mean grass maintained by mowing and watering.

**22.52.2220 Applicability.**

This Part 21 shall become effective on January 1, 2009, and shall apply to all projects within unincorporated areas of the County after that date except for the following:

A. Any project where a complete building permit application was filed with the County Department of Public Works prior to January 1, 2009.

B. Any project involving construction of single-family residences on lots created by a parcel map which created four or fewer residential lots, or any project involving a building permit for the construction of one single-family residence on a legal lot, in both cases where a complete building permit application was filed with Public Works prior to April 1, 2009.

C. Any project involving construction on a lot with an existing single-family residence not involving the complete replacement of that residence.

**22.52.2230 Drought-Tolerant Landscaping Requirements.**

All projects shall comply with the drought-tolerant landscaping requirements of this Section 22.52.2230.

A. The total landscaped area of a lot or parcel of land on which a project is situated shall satisfy the following:

1. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list;

2. A maximum of twenty-five (25) percent of such total landscaped area shall consist of turf, however, in no event shall turf be planted in strips that are less than five (5) feet wide, and in no event shall the total landscaped area contain more than five thousand (5,000) square feet of turf;

3. All turf in such total landscaped area shall be water-efficient. The green building technical manual shall contain a list of turf that meets this requirement; and

4. The plants in such total landscaped area shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun, and light), and maintenance requirements.

B. For single-family residences, in addition to the landscaping requirements of subsection A of this Section 22.52.2240, in calculating the maximum square footage of turf used, the turf in the residence's rear and side yards shall be included in the measurement of the turf used for the total landscaped area.

**22.52.2240 Site Plan Review.**

Compliance with the drought-tolerant landscaping requirements of this Part 21 shall be shown through a site plan review in accordance with this Title 22 and as further described in this Section.

A. The site plan for the project shall depict or list any drought-tolerant and non-drought-tolerant landscaping that will be incorporated into the project. In addition, the site plan shall outline the areas of the project to be landscaped with drought-tolerant plants and/or turf, and calculations shall be provided on the site plan showing the

percent of landscaped area devoted to each. Upon installation of the landscaping, plants other than as originally shown on the site plan may be installed without additional approval from the Department as long as the same relative percentage of drought-tolerant plants to turf as originally designed is maintained. The site plan shall also depict the location of the trees planted, as required by Section 22.52.2130.C.5 of Part 20 of Chapter 22.52.

B. The same site plan shall be used to show compliance with this Part 21, the green building requirements of Part 20, Chapter 22.52, and the low-impact development standards of Chapter 12.84, to the extent these other requirements apply to the project.

C. In any case where a site plan for a project has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary approval under Title 22, or with an application for a subdivision under Title 21, the site plan procedure set forth in this Section shall not apply and instead, the Exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Part 21. In addition, in any case where the project requires a discretionary land use approval from the County, full landscape plans for the project shall be submitted to the Department to show compliance with this Part 21, and those landscape plans shall be fully reviewed by the Department as part of such approval process.

**22.52.2250 Additional Requirements.**

Compliance with this Part 21 shall also require the following:

A. A covenant shall be recorded in the office of the Los Angeles County Registrar-Recorder/County Clerk indicating that the owner of the subject project is aware of the drought-tolerant landscaping requirements of this Part 21 and is also aware of how said requirements apply to the owner's project.

B Any and all planting restrictions placed on the project by the County Fire Department shall apply to the project, including, but not limited to the restrictions under said Department's fuel modification plan guidelines.

**22.52.2260 Exemptions.**

A. The following shall be exempt from the provisions of this Part 21:

1. Registered historical sites;

2. Public recreational lawns;

3. Any new and/or renovation project for a park; and

4. Any area of a project dedicated solely and permanently to edible plants, such as orchards and vegetable gardens.

B. The following may be exempt from the provisions of this Part 21:

1. Landscaping for a manufactured cut or fill slope equal to or exceeding a gradient of 3:1, when Public Works makes a determination that such exemption is necessary to comply with the requirements of the building code regulating engineered grading.

2. Landscaped areas required for low impact development ("LID"), as described in Chapter 12.84 of Title 12 of the Los Angeles County Code, water quality facilities such as vegetated swales, rain gardens, detention ponds or basins, areas of the project used to contain pollutants, or areas irrigated by reclaimed water, when Public Works makes a determination that such exemption is necessary for compliance with the LID standards established in Chapter 12.84.

**22.52.2270 Modification of Landscaping Requirements.**

A. The Director of the Department, without notice or a hearing, may grant a modification to the landscaping requirements of this Part 21 under the following circumstances:

1. When a project's topographic features, lot size, or other conditions make it unreasonable, impractical, or otherwise creates an unnecessary hardship to require compliance with these landscaping requirements; or

2. When the nature of a large scale or multi-lot project necessitates flexibility in the project design that impacts the landscaping for the project.

B. Any request for a modification to the landscaping requirements of this Part 21 that is not filed concurrently with an application for a permit, variance, or other discretionary entitlement under Title 22, or with an application for a subdivision under Title 21, shall be processed as a yard modification in accordance with Section 22.48.180.

C. Any decision by the Director on a modification request pursuant to this Section 22.52.2260 may be appealed to the commission; and any decision by the commission on such appeal may be appealed to the Board of Supervisors. All such appeals shall be governed by Part 5 of Chapter 22.60.

[DROUGHTTOLERANTLHCC]

**SECTION 3.** This ordinance shall be published in The Metropolitan News a newspaper printed and published in the County of Los Angeles.

Yvonne B Burke
Chair

ATTEST:

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of November 18, 2008 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

| | Ayes | | Noes |
|---|---|---|---|
| Supervisors | Zev Yaroslavsky | Supervisors | None |
| | Don Knabe | | |
| | Michael D. Antonovich | | |
| | Yvonne B. Burke | | |
| | | | |

Effective Date: December 18, 2008

Operative Date: January 1, 2009

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____ Deputy

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By _____
Leela Kapur
Chief Deputy County Counsel

S:\Ordinances\County Counsel\2008\2008-0064

## ANALYSIS

This ordinance amends Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish green building development standards for projects constructed after January 1, 2009. The standards relate to energy conservation, outdoor and indoor water conservation, resource conservation, and tree planting. Compliance shall be achieved through adherence to County green building standards, or standards created by recognized third-party green building organizations.

RAYMOND G. FORTNER, JR.
County Counsel

BY

LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

LLH:sh

10/09/08 (requested)

11/12/08 (revised)

**ORDINANCE NO. 2008-0065**

An ordinance amending Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish green building development standards for projects constructed after January 1, 2009.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 21.24.440 is hereby added to read as follows:

**21.24.440 Green Building.**

All projects, as defined therein, shall comply with the green building requirements of Part 20 of Chapter 22.52, subject to the applicability provisions of said Part 20.

**SECTION 2.** Part 20 of Chapter 22.52 is hereby added to read as follows:

**Part 20**

**GREEN BUILDING**

**Sections:**

**22.52.2100 Purpose.**

A. The purpose of this Part 20 is to establish green building development standards for new projects. Green building practices are intended to:

a. Conserve water;

b. Conserve energy;

c. Conserve natural resources;

d. Divert waste from landfills;

e. Minimize impacts to existing infrastructure; and

f. Promote a healthier environment.

B. The provisions of this Part 20 shall be construed to augment any county, state or federal ordinance, statute, regulation, or other requirement governing the same or related matter, including a supplemental district, community standards district, or transit-oriented district established under this Title 22, and where a conflict exists between a provision in this Part 20 and such other ordinance, statute, regulation, or requirement, the stricter provision shall apply to the extent permitted by law.

**22.52.2110 Definitions.**

For purposes of this Part 20, the following definitions shall apply:

A. "Agricultural accessory structure" shall mean a structure used to shelter animals or agricultural equipment, hay, feed, and/or other agricultural supplies. Examples include a barn, a greenhouse, a coop, a corral, and a pen.

B. "Build It Green™" is a non-profit organization whose mission is to promote healthy, energy and resource-efficient residential building practices in California.

C. "California energy efficiency standards" are the energy efficiency standards for residential and non-residential buildings established in Title 24, Part 6 (California Energy Code) of the California Code of Regulations, as these standards may be updated from time to time.

D. "County green building standards" are the minimum green building development requirements for all projects in the unincorporated areas of the County, as set forth in Sections 22.52.2130.C.1 through 22.52.2130.C.5.

E. "CGB" means California Green Builder, a green building rating system for residential construction developed by the California Building Industry Association.

F. "Department" shall mean the Los Angeles County Department of Regional Planning.

G. "Drought-tolerant plant list" shall mean a list of native and non-native plant species, approved by the Director and maintained by the Department, which list is organized by ecological zones for use in landscaped areas within all projects.

H. "First-time tenant improvement" is the initial improvement of the interior of a building or portion thereof, where the work requires a building, electrical, plumbing, and/or mechanical permit.

I. "GPR" means Green Point Rated™, a green building rating system for residential construction, developed and administered by Build It Green™.

J. "Green building technical manual" is a manual prepared by the Department that includes the most recent third-party standards and rating systems accepted by the commission for inclusion in the manual, as required by Section 22.52.2130.E, as well as other pertinent information, to assist applicants to comply with the requirements of this Part 20. The green building technical manual includes the drought-tolerant plant list.

K. "Landscaped area" shall mean the cumulative landscaped area of a lot or parcel of land, but shall not include the area in which any tree required by this Part 20 or any mature tree is situated. For single-family residences, the landscaped area shall be any area measured from the front property line to the front of the residence.

L. "LEED™" shall mean Leadership in Energy and Environmental Design Green Building Rating System™, an independent certification system of green building point categories and guidelines established by the United States Green Building Council as a means to verify the sustainable qualities of differing building types. LEED™ certification has four ratings from lowest to highest, respectively, in terms of sustainable qualities: certified, silver, gold, and platinum.

M. "LEED™ accredited professional" shall mean an accredited professional from the building industry with a demonstrated knowledge and understanding of green building practices and principles, as well as a familiarity with LEED™ requirements, resources, and processes, all as described by LEED™.

N. "Lodging house" shall mean any building or portion thereof containing five or fewer guest rooms designed, used, intended to be used, or hired out to guests for purposes of lodging.

O. "Mature tree" shall mean any tree rooted on a lot or parcel of land, the trunk of which is at least six inches in diameter, measured four and one-half feet above the mean natural grade.

P. "Project" shall mean the construction of any building, as defined in Title 22, or first-time tenant improvement, but shall exclude the remodel or addition to an existing building. If a site contains one or more separate buildings, each separate building shall comply with this Title 20.

Q. "Public Works" shall mean the Los Angeles County Department of Public Works.

R. "Registered historic site" shall mean a property listed on any federal, state, or county register related to historic designation or status, including, but not limited to, the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, and State Points of Historical Interest.

S. "Smart irrigation controller" is a watering device that uses sensors and weather information to automatically adjust watering times and frequency in response to weather changes.

T. "Third-party standards and rating systems" are the three independent green building standards and rating systems, CGB, GPR, and LEED™, as those standards and rating systems may be updated from time to time.

U. "United States Green Building Council (USGBC)" is a non-profit organization whose mission is to promote the development of buildings and structures that are environmentally responsible, profitable, and healthy places to live and work.

**22.52.2120 Applicability.**

A. This Part 20 shall become effective on January 1, 2009, and shall apply to all projects within the unincorporated areas of the County after that date except for the following:

1. Any project where a complete building permit application was filed with Public Works prior to January 1, 2009, except as provided in subsection 3;

2. Any project where a building permit was obtained prior to January 1, 2009, and expired prior to its use, where Public Works determines that the use of the building permit was delayed because of third-party litigation against the County related to the County's approval of the project. This exemption shall not apply if

Public Works determines that material changes to the scope of the building permit are required as a result of the litigation;

3. Any project involving construction of single-family residences on lots created by a parcel map which created four or fewer residential lots, or any project involving a building permit for the construction of one single-family residence on a legal lot, in both cases where a complete building permit application was filed with Public Works prior to April 1, 2009; and

4. Any project that is exempt from the provisions of this Part 20 pursuant to Section 22.52.2160.

B. Where a project involves a subdivision map with single-family lots and the map was approved after the effective date of this Part 20, the total number of single-family lots on the originally approved map shall be deemed to be the number of dwelling units in the project for purposes of determining the project's appropriate green building requirements under Table 22.52.2130-1.

**22.52.2130 General Provisions.**

A. Table 22.52.2130-1 summarizes the general green building requirements for a project, which requirements shall be based on the building permit application filing date for the project.

B. If a project falls within more than one project description in Table 22.52.2130-1, the project description with the more stringent green building requirements shall apply.

| TABLE 22.52.2130-1<br>GREEN BUILDING REQUIREMENTS FOR PROJECTS | | | |
|---|---|---|---|
| | **Project Description** | **Building Permit Application Filed on or after January 1, 2009, but before January 1, 2010** | **Building Permit Application Filed on or after January 1, 2010** |
| 1 | Residential projects with < 5 dwelling units | County Green Building Standards | County Green Building Standards |
| 2 | Residential projects with ≥ 5 dwelling units | County Green Building Standards | County Green Building Standards & (GPR or CGB or LEED Certified) |
| 3 | Hotels/motels, lodging houses, non-residential, and mixed-use buildings, with a gross floor area of < 10,000 square feet | County Green Building Standards | County Green Building Standards |
| 4 | Hotels/motels, lodging houses, non-residential, and mixed-use buildings, and first-time tenant improvements, with a gross floor area of ≥ 10,000 square feet and < 25,000 | County Green Building Standards | County Green Building Standards & LEED™ Certified |
| 5 | Hotels/motels, lodging houses, non-residential, and mixed-use buildings, and first-time tenant improvements, with a gross floor area of ≥ 25,000 square feet | County Green Building Standards | County Green Building Standards & LEED™ Silver |
| 6 | High-rise buildings > 75 feet in height | County Green Building Standards | County Green Building Standards & LEED™ Silver |

C. County Green Building Standards.

1. Energy Conservation. All projects shall be designed to consume at least fifteen (15) percent less energy than allowed under the 2005 Update to the California Energy Efficiency Standards, except that projects exempt from energy compliance under these 2005 standards shall also be exempt from this requirement.

Energy usage for purposes of this subsection shall be determined by the Time Dependent Valuation Method described in Title 24, Part 6 (California Energy Code) of the California Code of Regulations.

2. Outdoor Water Conservation.

a. A smart irrigation controller shall be installed for any area of a lot that is landscaped or designated for future landscaping.

b. All landscaped areas shall meet the drought-tolerant requirements set forth in Part 21 of Chapter 22.52.

3. Indoor Water Conservation.

All tank-type toilets installed in residential projects containing five or more dwelling units regardless of gross floor area, or in hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of at least 10,000 square feet shall be high-efficiency toilets (maximum 1.28 gallons/flush).

4. Resource Conservation.

a. A minimum of 50 percent of non-hazardous construction and demolition debris by weight from all residential projects containing less than five dwelling units regardless of gross floor area, or from hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of less than 10,000 square feet shall be recycled and/or salvaged for reuse.

b. A minimum of 65 percent of non-hazardous construction and demolition debris by weight from all residential projects containing at least five dwelling units regardless of gross floor area, or from hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of at least 10,000 square feet shall be recycled and/or salvaged for reuse.

c. Compliance with this subsection C.4 shall be governed by the methods and procedures set forth in Chapter 20.87 of the County Code.

5. Tree Planting.

a. For each lot containing a single-family residence, a minimum of two 15-gallon trees shall be planted and maintained, at least one of which shall be from the drought-tolerant plant list. The satisfaction of this requirement may be used to fulfill other tree-planting requirements of this Title 22.

b. For each lot containing a multi-family building, a minimum of one 15-gallon tree shall be planted and maintained for every 5,000 square feet of developed area, at least fifty (50) percent of which shall be from the drought-tolerant plant list. The satisfaction of this requirement may be used to fulfill other tree-planting requirements of this Title 22.

c. For each lot containing a hotel/motel, lodging houses, and non-residential buildings, a minimum of three 15-gallon trees shall be planted and maintained for every 10,000 square feet of developed area, at least sixty-five (65) percent of which shall be from the drought-tolerant plant list. The satisfaction of this requirement may be used to fulfill other tree-planting requirements of this Title 22.

d. Exceptions to tree-planting requirements.

i. If the lot size or other site condition makes the planting of the required trees pursuant to this subsection C.5 impractical in the opinion of the Director, the Director may approve the planting of the required trees off-site at twice the ratio than would otherwise be required by this subsection C.5. The procedures for planting trees off-site shall be set forth in the Green Building Technical Manual and proof that such trees have been planted off-site shall be submitted to the Department.

ii. Any existing mature tree on the involved lot shall count towards the tree planting requirements of this subsection C.5 regardless of whether such tree is listed on the drought-tolerant plant list. Such existing mature tree shall be shown on the site plan submitted to the Department.

D. Additional Green Building Requirements for Certain Projects After January 1, 2010. In addition to the green building requirements set forth in subsections C.1 through C.5, this subsection sets forth green building requirements for certain projects, described below, where the building permit application for such project is filed on or after January 1, 2010.

1. For a residential project containing five (5) or more dwelling units, the project shall achieve GPR, CGB, or LEED™ certification or, at the option of the applicant, shall achieve the equivalency of any such certification, as determined by Public Works.

2. For a hotel/motel, lodging house, non-residential or mixed-use building, or first-time tenant improvement, with a gross floor area of at least 10,000 square feet but less than 25,000 square feet, the project applicant shall retain a LEED™ accredited professional or other green building professional, approved by the Director and the Director of Public Works, to be part of the project design team. In addition, the project shall achieve the equivalency of LEED™ certification, either through USGBC certification or through an equivalency determination by Public Works. The building design submitted to Public Works shall show all of the building elements that will be used to achieve such certification or such equivalency determination.

3. For a hotel/motel, lodging house, non-residential or mixed-use building, or first-time tenant improvement project, with a gross floor area greater than 25,000 square feet or for a high-rise building greater than seventy-five (75) feet in

height, the project applicant shall retain a LEED™ accredited professional or other green building professional, approved by the Director and the Director of Public Works, to be part of the project design team. In addition, the project shall achieve the equivalency of a LEED™ silver certification, either through USGBC certification or through an equivalency determination by Public Works. The building design submitted to Public Works shall show all of the building elements that will be used to achieve such certification or such equivalency determination.

4. For purposes of this subsection D, the determination of whether a project achieves the equivalency of LEED™ certification shall be based on the project's use of a defined subset of menu options set forth in the green building technical manual.

E. Updates to the Green Building Technical Manual. The green building technical manual shall be updated with revised third-party standards and rating systems as provided in this subsection E.

1. The green building taskforce established by the Board of Supervisors shall annually review all updates to the third-party standards and rating systems, or more frequently as deemed necessary by the taskforce, to determine whether, in its opinion, the inclusion of such updates in the green building technical manual is appropriate. Any such determination by the green building taskforce shall be submitted to the commission in the form of a recommendation.

2. The commission shall hold a public hearing pursuant to Part 4 of Chapter 22.60 to consider any and all recommendations by the green building taskforce described in subsection E.1. No update to the third-party standards and rating systems may be included in the green building technical manual, or relied upon for compliance with this Part 20, until such update is approved for inclusion in the manual by the commission. Any decision by the commission regarding such inclusion shall be

appealable to the Board of Supervisors and, if appealed, shall not be included in the manual or relied upon for compliance with this Part 20 until final action by the Board of Supervisors on such appeal.

3. Any approved update to the green building technical manual pursuant to this subsection E shall be effective six months after the commission, or, where applicable, the Board of Supervisors, takes final action to approve such update, except that updates related to the California energy efficiency standards shall be effective in accordance with state law.

**22.52.2140 Site Plan Review.**

A. Compliance with the green building requirements of this Part 20 shall be shown through a site plan review under this Title 22, where the site plan required by Part 12 of Chapter 22.56 shall clearly depict or list any green building elements that will be incorporated into the project. In addition, all building plans and specifications required by Public Works for the project shall also clearly depict or list such green building elements. The Department shall approve compliance with these requirements in concept only. Final approval of such compliance shall be made by Public Works.

B. The same site plan shall be used to show compliance with this Part 20, the drought-tolerant landscaping requirements of Part 21, Chapter 22.52, and the low-impact development standards of Chapter 12.84, to the extent these other requirements apply to the project.

C. In any case where a site plan for a project has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary entitlement under Title 22, or with an application for a subdivision under Title 21, the site plan procedure set forth above in this section shall not apply and

instead, the exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Part 20.

**22.52.2150 Waiver or Modification of Requirements.**

The Director of Public Works may grant a waiver or modification to the requirements of this Part 20 for a project whenever said Director determines there are practical difficulties involved in carrying out the provisions of this Part 20, provided that said Director finds that a special individual reason makes the strict letter of this Part 20 impractical, that the waiver or modification is in conformity with the spirit and purpose of this Part 20, and that such modification does not lessen any fire-protection or other life-safety-related requirements or any degree of structural integrity. The details of any such action by the Director of Public Works granting a waiver or modification to the requirements of this Part 20 shall be memorialized in writing and maintained in the files of the Department and Public Works.

**22.52.2160 Exemptions.**

A. The following projects shall be exempt from the provisions of this Part 20:

1. Agricultural accessory structures;

2. Registered historic sites; and

3. First-time tenant improvements with a gross floor area of less than 10,000 square feet.

B. Areas of a project that include warehouse/distribution buildings, refrigerated warehouses, and industrial/manufacturing buildings shall be exempt from the energy conservation requirements in Section 22.52.2130.C.1 and the third-party standards and rating system requirements in Section 22.52.2130.D. Any office space, non-refrigerated, non-warehouse, and non-industrial/manufacturing areas of a building

that are physically separated from the exempted area of the building just described, as determined by the Director, shall comply with all of the requirements of this Part 20.

[GREENBLDGLHCC]

**SECTION** 3. This ordinance shall be published in The Metropolitan News a newspaper printed and published in the County of Los Angeles.

Yvonne B Burke
Chair

ATTEST:

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of November 18, 2008 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

| | Ayes | | Noes |
|---|---|---|---|
| Supervisors | Zev Yaroslavsky | Supervisors | None |
| | Don Knabe | | |
| | Michael D. Antonovich | | |
| | Yvonne B. Burke | | |
| | | | |

Effective Date: December 18, 2008

Operative Date: January 1, 2009

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____ Deputy

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By Leela Kapur
Leela Kapur
Chief Deputy County Counsel

S:\Ordinances\County Counsel\2008\2008-0065

# APPENDIX G

# WATERBUS AND BEACH SHUTTLE INFORMATION

Report to the
California Coastal Commission on the
Marina del Rey Local Coastal Program
Periodic Review

## MARINA DEL REY WATERBUS

The WaterBus is a water shuttle service offered by the Department of Beaches and Harbors that operates in the Marina. The buses are pontoon boats that seat up to 24 people. Tickets can be purchased from the dock attendants stationed at each WaterBus stop. The ticket price is $1.00 for passage one way or season passes are available for $30.00 per pass. Bikes and strollers are welcome on board. In 2009, the WaterBus operated from June 26th through September 7th on Fridays, weekends and holidays. The Marina del Rey WaterBus operates from seven stops in the Marina, with opportunities for shopping, dining and recreation. WaterBus stops are:

1) FISHERMAN'S VILLAGE – 13755 Fiji Way
   *Shopping, restaurants, free weekend daytime concerts*
2) BURTON CHACE PARK – 13650 Mindanao Way
   *Park, restaurant, free evening concerts*
3) WATERFRONT WALK - Fire Station #110 Dock – 4433 Admiralty Way
   *Hotels, restaurants*
4) MARINA "MOTHERS" BEACH – 4101 Admiralty Way
   *Sandy beach, picnics*
5) DOLPHIN MARINA – 13900 Panay Way, Dock Gate #C-200
   *Restaurants, residential area with anchorage*
6) ESPIRIT 1 – 13900 Marquesas Way, Dock Gate #B-602
   *Residential area with anchorage*
7) MARINA HARBOR – 14028 Tahiti Way, Dock Gate #A-2200
   *Residential area with anchorage*

## BEACH SHUTTLE

The Beach Shuttle is a service offered during the summer by the Department of Public Works that provides shuttle service to major points of interest such as Fisherman's Village, Waterside Shopping Center, Mother's Beach and, Venice Beach Pier. The Beach Shuttle also provides late evening service to the summer concerts in Marina Del Rey at Burton Chace Park, Concert Park in the Playa Vista and transportation to the Abbot Kinney Festival. All Beach Shuttles are wheelchair accessible and are equipped with bike racks. In 2009, the Beach Shuttle ran from May 22nd through September 7th on Fridays, weekends and holidays. The 2010 schedule will begin service on Friday, July 2nd through Monday, September 6th. The Beach Shuttle also connects riders to the Marina del Rey WaterBus. Major stops along the route are:

1) PLAY VISTA
   *Pacific Promenade, Playa Vista's Concert Park and Fountain Park*
2) FISHERMAN'S VILLAGE - towards Venice Beach Pier (WaterBus Stop)
   *Restaurants & retail shops*
3) ADMIRALTY WAY & FIJI WAY
   *Waterside Shopping Center*
4) ADMIRALTY WAY & BURKE PARK (WaterBus Stop)
   *Restaurants, Waterfront Walk, Library, Fire Station #110 and hotel*
5) ADMIRALTY WAY & PALAWAN WAY (WaterBus Stop)
   *Marina "Mother's" Beach, hotels and restaurants*
6) VIA MARINA & PANAY WAY (WaterBus Stop)
   *Restaurants and hotels*
7) WASHINGTON BLVD. & PACIFIC AVE.
   *Venice Beach Pier, restaurants and retail shops*
8) WASHINGTON BLVD. & VIA MARINA
   *Marina Beach Shopping Center, restaurants and hotels*
9) ADMIRALTY WAY & MINDANAO WAY (WaterBus Stop)
   *Marina del Rey Visitor's Center and Burton Chace Park*
10) FISHERMAN'S VILLAGE - towards Playa Vista (WaterBus Stop)
    *Restaurants & retail shops*
11) PLAYA VISTA
    *Pacific Promenade*

## MARINA DEL REY BEACH SHUTTLE AND WATERBUS STOPS AND ROUTE MAP