

Part 3 MARINA DEL REY SPECIFIC PLAN

22.46.900 Title for citation.

The provisions of this Part 3 of Chapter 22.46 shall be known as, and may be cited as, the “Marina del Rey Specific Plan.” (Ord. 95-0042 § 1 (part), 1995.)

22.46.1000 Purpose.

A. This Specific Plan constitutes the primary implementation mechanism for the Marina del Rey Land Use Plan as first certified by the California Coastal Commission and last amended in _____. ~~December, 1986 and subsequently amended. As certified in 1995, the amended Land Use Plan includes only the existing Marina del Rey (Map 1 and Exhibit 1). Area A is that portion of the remaining unincorporated Coastal area outside the county-owned leaseholds of Marina del Rey. It has been segmented from the Marina del Rey segment by the California Coastal Commission, and requires separate action by the Commission before certification is granted. Area A is not part of this Specific Plan.~~

B. The objectives of the Specific Plan are fourfold:

- First, the plan documents various development, preservation and reconstruction strategies set forth in the certified Land Use Plan;
- Second, the plan establishes development standards and guidelines which are the regulatory basis for future development, preservation and reconstruction efforts in Marina del Rey;
- Third, the plan requires design concepts to guide reconstruction on individual parcels, to aid in the development of vacant land and to help preserve significant resources;
- Fourth, the plan establishes the governmental review process for new development proposals in Marina del Rey and describes the long-term implementation efforts necessary to accommodate future development.

C. The Specific Plan may be summarized as follows:

- Communitywide Plan and Design Standards. These standards consist of area-wide design guidelines. Urban design, land use, circulation, parking, access and infrastructure are discussed.
- Use Restrictions and Development Standards by Land Use Category. These sections contain the uses allowed and the development standards for each land use category in the Specific Plan. The use restrictions and development standards are comparable in form and purpose to the section of a zoning ordinance which defines uses allowed in a development zone, development standards, etc. The development potential for each development zone is stated.
- Site-Specific Development Guidelines. The guidelines detail the development potential, development considerations and required public improvements for each parcel, organized geographically by planning unit. On occasion, parcels are shown in more than one category, or several uses may be permitted on a particular parcel.

-- Coastal Improvement Fund. This section describes the basis and funding mechanism for the Coastal Improvement Fund.

~~— Transportation Improvement Program. This section establishes a mechanism for funding necessary transportation improvements and ensuring their timely completion.~~

(Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1010 Reserved.

(Ord. 95-0042 § 1 (part), 1995: Ord. 91-0004 § 1, 1991: Ord. 90-0158 § 1 (part), 1990.)

22.46.1020 Relationship to the Los Angeles County General Plan.

A. The Los Angeles County General Plan was adopted on November 25, 1980. It consists of those countywide chapters and elements mandated by the California Government Code, as well as a series of communitywide plans which set forth more detailed growth and development policies for specific unincorporated communities.

B. The Countywide General Plan establishes, in a broad perspective, future land use, development and conservation policies for the Marina del Rey area. The Plan further calls for the completion of the Marina Local Coastal Program (LCP), consisting of both a Land Use Plan and Local Implementation Program. The Marina LCP is integrated with the General Plan as a component of the Countywide Coastal Element.

C. The Marina del Rey Land Use Plan was approved by the Los Angeles County board of supervisors on September 13, 1984, and was subsequently certified by the California Coastal Commission on October 11, 1984. The Plan was recertified in December, 1986, after Areas B and C were annexed by the city of Los Angeles. An amendment to the Plan was approved by the Board of Supervisors on August 22, 1995 and November 7, 1995, and subsequently certified by the California Coastal Commission on February 8, 1996. It now serves as the community plan for the Marina del Rey area. This Plan constitutes a refinement of General Plan Policy and provides a basis for its implementation.

D. This Specific Plan is a key component of the Local Implementation Program for Marina del Rey. It is designed to implement the Marina del Rey Land Use Plan through the application of site-specific development standards and guidelines. The Specific Plan constitutes the most detailed interpretation of General Plan Policy. (Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1030 Relationship to the Los Angeles County Land Use Regulations.

A. Where provisions of this Specific Plan are in conflict with other provisions of this Title 22, this Specific Plan shall prevail. For matters on which this Specific Plan is silent, other applicable provisions of Title 22 shall control.

B. Notwithstanding the provisions of Section 22.46.030 of this Title 22, amendments to the County Code that affect sections cited in this Specific Plan shall not apply to this Specific Plan until certified as amendments to the LCP by the California Coastal Commission. Until such changes are certified, only the versions of the County Code previously certified by the Commission shall apply.

C. Regulation of development in Marina del Rey will be accomplished by zoning the entire Marina as Specific Plan (SP), shown on Map 1. Development in the SP Zone will be guided by the certified Land Use Plan, as implemented by the development zones, land use categories and parcel-specific development standards and guidelines in the Marina del Rey Specific Plan. One zoning document, the Specific Plan, will be referred to for all development potential in each development zone, land use regulations and development standards for each parcel in Marina del Rey.

D. Height and land use limitations found on pages 16 through 26 of the Specifications and Minimum Standards of Architectural Treatment and Construction (see Appendix C of this Specific Plan) shall not apply to new development approved under this LCP. Amendments to the Specifications and Minimum Standards of Architectural Treatment and Construction (hereafter known as the Manual of Architectural Standards) shall not apply to this Specific Plan until certified as an amendment to the LCP. Until such changes are certified, only the version of the Manual of Architectural Standards (October, 1989) in effect at the time of adoption of this Specific Plan, other than the above-identified height and land use limitations, shall apply. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1995.)

22.46.1040 **Urban design concept.**

The urban design concept for Marina del Rey embodies a three-dimensional option that will give the study area a strong, definitive physical image and identity. Key features of the urban design concept include:

- A modified “bowl concept” consisting of a skyline of taller buildings around the outer and northern edges of the Marina, with lower buildings on the moles. The concept will enhance the image of the Marina and will ensure adequate sunlight and wind circulation over the water basin;
- A framework of “community identity elements” to provide a sense of place and establish the character of the area. Such identity elements serve to orient Marina visitors and provide a logical, coherent, unified network of movement, land use and activity;
- Design guidelines to coordinate the visual character of the Marina through the application of Marina-wide guidelines pertaining to landscaping, hardscape and street furniture, signs, quality site design and architectural treatment.
- View corridors to maintain and enhance public views of the harbor are a priority of this plan. Enhancing the ability of the public to experience and view the Marina waters shall be implemented by requiring view corridors in the design of all new or renovated development. Increased view corridors are called for when basic height standards are exceeded. This goal shall be achieved by placing conditions on permits for new development to enhance public viewing, to allow for greater public access, and to create view corridors to and along the waterfront.

(Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1(part), 1990.)

22.46.1050 **Community identity elements.**

A. The identity and image of an area is established by many elements, including buildings, landscaping, signs and in the case of the Marina, by its water-related activities. Except for its marine-oriented activities, the Marina does not have a strong image or identity. Some of the physical elements in the Marina area such as fences, gates and signs inadvertently discourage public use and access. The prospect of reconstruction on certain moles, however, brings the potential for establishing a more unified visual environment and identity in Marina del Rey.

B. Key community identity elements include:

-- **Marina Gateways and Entrances.** These important entry points into the existing Marina from Lincoln, Culver Boulevard and Washington Street are where most people get their first orientation to the area. A combination of landscaping, signs and lighting orients motorists, bicycle riders and pedestrians to the Marina and specific destinations within it;

-- **The Parkway Edge.** This is a heavily landscaped strip around the edge of the Marina to the north jetty of the Main Channel which creates a strong identity for the Marina;

-- **The Loop Road.** Most allowable new high-rise and midrise development will be along Admiralty Way and Via Marina. This loop road has its own landscaped character, with signs, lighting, the pedestrian promenade and bicycle trail;

-- **Mole Roads and Intersections.** Mole roads and intersections have special identity features, including signs identifying visitor-serving facilities or other attractions on each mole;

-- **Pedestrian Walkways and Bicycle Trails.** The walkways and bicycle trails are a primary means for access to activities in the Marina. Design of these elements with safety and compatibility in mind is of utmost importance in facilitating public use and enjoyment of the Marina. All walkways must be accessible to the physically impaired. Outdoor eating patios are encouraged along the bicycle and pedestrian trails;

-- **View Areas.** A view area shall be defined as a point for observation of boats, docks, Marina waters and regional surroundings. Facilities may include benches and telescopes. Other park-like facilities are not standard in view areas;

-- **View Corridors.** A view corridor is an area located between the water and the first public road open to the sky and allowing uninterrupted views of the harbor from the road to the waterside, at ground level. The corridor may be combined with fire roads and public accessways.

(Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1060 **Communitywide design guidelines.**

Communitywide design guidelines concern several areas. These areas include landscaping, signs, site planning, and architectural treatment. These guidelines are considered to be mandatory when the word "shall" is used and are permissive when the word "may" is used. Developments shall be

analyzed for conformance with this Specific Plan and with the identity and accessibility of the Marina as a public boating and recreational facility through the coastal development permit process. The analysis shall address, at a minimum, public access, height, circulation, massing, visual impact, views and view corridors, compatibility of uses in a mixed use project, and the visibility and convenience of public spaces as they pertain to the policies of this LCP. During the coastal development permit process, the regional planning commission or hearing officer shall require modifications to development proposals where necessary to achieve consistency with the LCP.

A. Landscaping. Landscaping shall include trees and shrubbery, with adequate ground cover to protect the soil. Landscaped borders used to shield obtrusive uses shall have a minimum width of eight feet and shall consist of vegetation of sufficient density to hide the use. Landscaping along site perimeters shall have a minimum width of eight feet and shall allow visual access into the lot, except where the landscaping is being used to screen an obtrusive use. These standards shall be implemented in a manner consistent with all other provisions of the certified LCP to encourage unique site design. Layout, components, and quantity of landscaping for development in the existing Marina shall be subject to approval by the design control board.

B. Lot Coverage. Lot coverage by buildings, shall be limited as otherwise restricted in the Specific Plan, and shall not exceed 90 percent of the net lot area; a minimum of 10 percent of the net lot area shall be landscaped.

C. Parking.

1. Parking standards in Marina del Rey shall be as set forth in Part 11, Chapter 22.52 and Appendix 3 of this Title 22.

2. Applicants for office and commercial development are required to consult with the department of beaches and harbors to determine how to locate and manage multiuse parking facilities. The director must find that the multiuse facilities are consistent with the LCP, and that all uses will receive adequate parking. The intent of multiuse, otherwise known as dual or shared use, parking is to provide additional parking for shoreline access and recreational uses during peak visitation periods which coincide with nonpeak office/commercial working hours. All calculations for shared parking demand shall provide spaces for public access parking in the off peak hours. Procedures for multiuse parking, deviation from the aforementioned parking requirements, including provisions for off-site parking, or any other parking variance shall be as set forth in Part 7 of Chapter 22.56 of this Title 22.

~~3. Development on the land side of parcels on which the water side has been identified for additional slips under the "funnel concept" shall be evaluated with respect to the parking needs of the future slips. Land side development shall not preclude provision of parking for the future slips called out in this Specific Plan. Projects which include the development of parking garages or increased lot coverage shall provide the spaces for the slips as part of the development project.~~

D. Signs.

1. Signs shall be as detailed as possible without becoming unreadable. The design control board specifically regulates signs in the existing Marina through the application of standards set forth in the Board's Revised Permanent Sign Controls and Regulations, a section of the Manual for Architectural Standards, certified in 1990 as Appendix C.

2. Signs shall also be regulated by the provisions of Part 10 of Chapter 22.52 of this Title 22 and the design control board's Revised Permanent Sign Controls and Regulations of September 16, 1971 (Appendix C). In the event of a conflict between the design control board's requirements and Title 22, the most restrictive standard shall prevail. Each land use category set out in this Specific Plan shall be subject to the sign standards for a comparable zone designated in Section 22.12.010 of this Title 22. Comparable zones shall be assigned according to the following chart, except that off-premises or outdoor advertising signs shall be prohibited:

Land Use Category Chapter 22.52, Part 10 Zones

Residential III R-3

Residential IV R-4

Residential V R-4

Senior Accommodations

Hotel C-3

Visitor-Serving/Convenience Commercial C-3

Marine Commercial C-M

Boat Storage C-M

Office C-3

Parking P-R

Public Facilities C-1

Open Space O-S

Water O-S

E. Site Planning and Architectural Design. Site planning and architectural design include such elements as structural height, bulk, spacing, on-site open space, facade design, materials, and colors.

1. Site Planning. Planes of the exterior building walls should vary in depth and/or direction to avoid bulk and monotony, and should relate closely to the pedestrian promenade. Building placement and design shall avoid long, continuous blocking of water views.

2. View Corridor Requirements. Parcels located between the water and the first public road shall provide a view corridor allowing uninterrupted views of the harbor from the road to the waterside, at ground level. The design, location and feasibility of view corridors shall be determined by the director and shall be based on the distance from the first public road to the bulkhead, the parcel's land use category, configuration and the intensity of development allowed by the Specific Plan.

a. Where a view corridor is physically feasible, the optimum width of such a view corridor shall be a minimum of 20 percent of the water frontage of the site.

b. Where the director finds an alternate method for providing a view corridor, the director may apply credit toward the view corridor percentage standards.

c. Where the director finds that a view corridor cannot be physically located anywhere on the parcel to provide a view of the harbor from the road, the director may waive the requirement.

3. View Corridor Standards. View corridors shall be maintained so as to provide an unobstructed view of the bulkhead edge, masts and horizon for pedestrians and passing motorists.

Unobstructed views are defined as views with no inhibition of visual access to the water. Parking lots may be depressed below grade such that views are possible over parked vehicles; the Director shall determine whether a parking lot designed as such warrants credit toward the view corridor requirement. A depression of two feet below grade shall be the minimum considered for view corridor credit through a parking lot. Additionally, landscaping shall be placed and maintained so as not to obstruct water views. Where the director finds that such combination is appropriate, view corridors shall be combined with vertical accessways.

4. Architectural Design. Among other important objectives, good architectural design is essential in maintaining compatibility among adjacent land uses and preserving important public amenities such as view corridors and scenic vistas. Balconies, terraces, and patios are encouraged. Outdoor dining facilities which do not interfere with public accessways are also encouraged to take advantage of water views and scenic vistas throughout Marina del Rey in those areas where restaurants are allowed by this Specific Plan; such facilities shall comply with the public view and public access provisions of this Specific Plan and the provisions of subsection G of Section 22.28.070.

5. Building Height Standards. Unique site design with respect to height and setbacks is encouraged on all parcels in Marina del Rey. Heights shall be limited according to the following standards: the development standards of each land use category and the Site-Specific Development Guidelines. Where the land use category height standards found in Section 22.46.1690 differ from the site-specific standards found in Sections 22.46.1790 through 22.46.1940, such site-specific standards noted in the applicable portion of Sections 22.46.1200 through 22.46.1690 shall control. Maximum heights may be reduced during the coastal development permit process to preserve public recreation, solar access to the beaches, parks and boat basins and wind for sailing or as otherwise required in all other policies of the certified Land Use Plan and this Specific Plan. In certain categories, the maximum height permitted is dependent on the size of the view corridor provided. Building heights in the Marina shall be restricted according to the following seven categories:

a. Category 1: one story, 25 feet maximum;

b. Category 2: 45 feet maximum;

c. Category 3: 45 feet maximum when a 20 percent view corridor is provided ranging to 75 feet maximum when a 40 percent view corridor is provided. Height above 45 feet shall be permitted at the ratio of 1.5 feet in height for every one percent view corridor exceeding the 20 percent;

d. Category 4: 140 feet maximum;

e. Category 5: 140 feet maximum when a 20 percent view corridor is provided ranging to 225 feet maximum when a 40 percent view corridor is provided. Height above 140 feet shall be permitted at the ratio of 4.25 feet in height for every one percent view corridor exceeding the 20 percent standard;

f. Category 6: 225 feet maximum;

g. Category 7: other site-specific maximums;

6. Communitywide design guidelines shall be followed by the regional planning commission and hearing officer during the coastal development permit process. The design control board shall continue to review architectural designs and site plans, and may make recommendations to the regional planning commission and hearing officer for development projects in the existing Marina pursuant to Section 22.46.1110.

F. Fire Safety Standards. The following standards shall apply to all new development and renovation or expansion of existing development, where applicable.

1. Sprinklers. All new development shall be required to provide fire sprinklers consistent with the specifications of the fire department. Further, remodeling or expansion projects involving 50 percent or more of the existing floor area of said project shall be subject to review by the fire department for sprinkler requirements.

2. Multistory Buildings. Where a new building exceeds three stories or 35 feet in height, the following site design standards shall apply:

a. Emergency access (or clear zones) on the lateral sides of all multistory buildings shall be required to be a width of 28 feet, subject to fire department determination. A lesser width may be approved where the Fire Department finds such width provides sufficient emergency access; a greater width may be approved where the fire department finds such width to be necessary for the provision of adequate emergency access. This emergency access requirement may concurrently apply to 20-foot-wide pedestrian promenades consistent with subsection (F)(2)(b) of this section. Where a building is not more than 10 feet from the edge of a road, the roadway may serve as the required access area for that side of the building. Clear zones provided on the sides of buildings may count toward any linear view corridor requirements for buildings located between the first public road and the sea; and

b. The pedestrian promenade and fire department access road may be used for dual functions provided that the fire department maintains unimpeded access on no less than 20 feet of all pedestrian promenades at all times. These promenades shall be no less than 28 feet wide to allow benches, trash containers, shade structures and other pedestrian amenities on the seawardmost eight feet of the promenade. The remainder of the promenade shall conform to fire access road requirements and shall be a minimum of 20 feet wide clear to the sky, with no benches, planters or fixed objects. As an alternate configuration, the director, in conjunction with the fire department, may approve a 20-foot-wide clear pedestrian/fire access road with a series of 10-foot-wide improved viewpoints no less than 150 feet apart. These viewpoints shall be located adjacent to the bulkhead line. In either configuration, turn radii shall be approved by the fire department.

G. Residential Mitigation requirements.

1. New residential development shall provide compensatory recreational facilities to offset local residential uses of existing Marina park and recreational facilities. Where feasible, such facilities, as identified in subsection (G)(3) of this section, shall be provided on-site as a means of meeting this requirement. Alternatively, where an applicant demonstrates that it is not feasible to locate all, or only a portion of recreational facilities on-site, then the applicant shall contribute, on a fair and equitable basis, to a coastal improvement fund. Senior congregate care housing is exempt from this requirement.

2. Residential Mitigation Standard. The public park land area requirement shall be based upon providing three acres of public park land for every 1,000 new residents, or portion thereof.

Alternatively, a mitigation fee may satisfy the requirement. The fee shall be based upon the estimated cost of improving an equivalent amount of public park land on a public parcel within the Marina. An applicant may choose to meet the requirement by providing a combination of land area and fee.

3. Mitigation Credit. On-site land area credits toward this requirement shall be given for the following facilities: clearly defined and exclusively reserved internal land area devoted to private recreation of the residents, public park land, that portion of the pedestrian promenade or view corridor not designated as a fire access road, and viewing parks at the end of the mole roads, or adjacent to the main channel. (Ord. 2009-0004 § 1, 2009; Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1070 Variance procedures.

Variances from the development standards contained in this Specific Plan may be applied for pursuant to the provisions of Part 2 of Chapter 22.56. In addition to the burden of proof contained in Section 22.56.290 of said Part 2, the applicant shall also prove:

A. That the variance is consistent with the Local Coastal Program including the land use category of the Specific Plan and the public access and recreation policies of the Coastal Act; and

B. That there would be no adverse impact on the environment. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1080 Land Use Plan.

The type, intensity and distribution of existing and future land uses within Marina del Rey are shown on the Specific Plan Land Use Map (see Exhibit 2 set out at the end of this Part 3). The land use categories delineated include:

- Residential III: Medium density, up to 35 dwelling units per net acre;
- Residential IV: Medium-high density, up to 45 dwelling units per net acre;
- Residential V: High-density, up to 75 dwelling units per net acre;
- Hotel: Hotels, motels and youth hostels to provide overnight accommodations and attendant services for visitors to the Marina and nearby beaches;
- Visitor-Serving/Convenience Commercial: Dining facilities, retail and personal services for visitors to the Marina and nearby beaches, as well as residents and employees of Marina del Rey;
- Offices: General offices, government offices, professional offices and financial institutions;
- Seniors Facilities:
 - a) Senior Accommodations: A specialized use for persons over age 62 who may or may not be retired.
 - b) Congregate Care

- | -- Marine Commercial: Coastal-related or coastal-dependent uses associated with operation, sales storage and repair of boats and marine support facilities including wet slips, boating schools, dry storage and launch facilities, boat repair yards, yacht brokerages and marine associated retail and office uses;
 - Boat Storage: Storage of boats in wet slips, dry storage, boat repair, ancillary retail uses;
 - Parking: Parking lots and structures open to the public, in most cases multiuse and fee-charging. Multiuse includes commercial and office parking lots made available during nonbusiness hours, and also landscaped park areas improved to be also usable for parking during those weekends when parking demand for the Marina is at its peak;
 - Public Facilities: Public infrastructural land uses other than roads, including libraries, harbor administration, public utilities, police and fire facilities;
 - Open Space: Recreational uses including open viewing areas, promenades, bikeways, beaches, parks, and water bodies for recreational use;
 - | -- Water: A category for recreational use, wet boat slips, dry stack storage facilities attached to a land side structure, launching, docking and fueling of boats, flood control and water quality, and light marine commercial;
 - Mixed Use Overlay Zone: An overlay category applied to selected parcels in addition to the site's primary land use category. Permits the combination of above land use categories on a parcel and mixing of uses within a structure;
 - | -- Waterfront Overlay Zone: An overlay category applied to ~~most~~ all waterfront parcels in addition to the site's primary land use category. Encourages coastal-oriented and coastal-dependent uses on the waterfront, permits the combination of Hotel, Visitor-Serving Convenience/Commercial/Retail, Marine Commercial and the site's primary land use, as well as mixing of uses within a structure.
- (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1090 Land use monitoring and phasing.

A. The monitoring program implements the development limitations and phasing policies as established by the certified Marina del Rey Land Use Plan. Cumulative development and peak hour trips will be monitored and totaled for each development zone as projects are approved.

| B. Development in the existing Marina is classified as Phase II[±] (see Table 1 set out at the end of this Part 3). All new development in the existing Marina will be subject to the buildout limitations of each development zone, phasing restrictions, land use category and the site-specific standards of this Specific Plan.

C. Development Limitations and Phasing. Specific monitoring criteria for development phasing are described as follows:

1. Development Monitoring. Additional development is limited to the buildout identified in Table 1 for each of the three Major Development Zones (MDZ), development zone. ~~Development shall not be approved that will exceed the capacity of the regional, local or development zone street system.~~ The total potential for additional units and amount of

commercial and residential development allocated under this LCP will generate a traffic impact within the Marina del Rey that can be mitigated within the Marina by which can be accommodated by the improvements listed in the Revised Set of Intersection Improvement Projects, traffic improvements plan which is part of the Local Implementation Program. Monitoring will be based on the type and density of development.

Except for Parcel 9 of Development Zone 2 (Tahiti Development Zone), all development in Zones 1 through ~~1-3~~ will involve redevelopment or remodeling of existing developed lots. A parcel may apply for development contained within the development zone where the parcel resides; the development applied for must be consistent with the land use category, overlay zone (if any) and site-specific standards of the parcel. Development will be monitored by development zone such that after a redevelopment project receives approval, the additional development granted as part of the approval over and above the level of existing development on the site, shall be deducted from the development available in the parcel's zone. The balance will be the development available for future redevelopment projects in the zone. A zero development balance in a zone indicates that additional development has been exhausted in that zone; future development in the zone at that time is limited to recycling of uses with no expansions or increased trip generation.

2. Residential Development. As residential development occurs, the total number of dwelling units shall be monitored and the net increase in any development zone shall not exceed the number of residential units allocated to that zone, less the number of units converted to a visitor-serving or coastal-oriented use, if any. Residential densities on mixed use parcels, where the floor area of the nonresidential use exceeds 10 percent of the total floor area, shall be figured using only the residential buildable area, not the buildable area for the entire parcel. The buildable area for the entire parcel may be used in residential density calculations where the floor area of the nonresidential use is 10 percent or less of the total floor area. The residential buildable area shall be determined by taking the parcel's buildable area, less the area devoted to all other land uses. Existing boat storage, public access, public parking and boating support uses in residentially zoned areas in the WOZ zone shall be preserved. With the exception of existing facilities located on Parcels 1, 54, 55 and 56, as part of the application, these uses may be relocated on the same parcel or to another parcel within the Marina, as long as the size, efficiency and capacity of the facility remains the same and such relocations occur prior to any dislocating development, and so long as the use is economically viable. If no commercial operator wishes to operate a use, there shall be no obligation on the County's part to take further action. The trips generated by such a use shall not be considered as additional development when calculating allowable new trips in the WOZ zone.

Subject to these limitations, residential projects in the Waterfront Overlay Zone may use land area devoted to visitor-serving, marine commercial and other coastal-oriented uses in calculating the residential buildable area. In mixed-use developments involving several uses on different floors in a building, the residential area shall be determined on an overall percentage basis. Density may be transferred from one parcel to another as long as the parcels are adjacent, in the same development zone, under the same ownership, designated with the same land use category and consistent with the buildout allocations of each applicable development zone.

3. Improvement Phasing Transportation Improvements. In recognition of the need for eExpanded transportation facilities should accompany additional generated by cumulative development in Marina del Rey and, approval of development projects in existing the Marina will be contingent

upon ~~developers' the fair-share-the full~~ payment of trip fees to fund the improvements ~~mitigation~~ of all significant daily and peak-hour adverse traffic impacts generated, ~~and financing and phasing agreements as specified in the Improvement Financing the Transportation Improvement Program (TIP) contained in Appendix G.~~ Said ~~agreements-trip fees~~ will be dependent upon the number of additional p.m. peak-hour trips generated by the project and the established cost per trip.

4. Applicants for ~~all-any~~ development ~~project shall produce a traffic study to evaluate the demonstrate that there will be sufficient traffic capacity in both the Marina del Rey internal system and the subregional highway system serving the Marina_ to accommodate the traffic generated by the planned development.~~ If the applicant cannot demonstrate that there is adequate traffic capacity to accommodate the traffic generated by the proposed additional development, the application shall be denied, as set forth below:

a. ~~The traffic study shall indicate the project's If the developer has demonstrated that there will be available traffic capacity within the internal Marina del Rey system, the developer may move forward with the project, but all significant adverse traffic impacts, if any, of development on the both internal Marina del Rey routes. The applicant shall-shall be mitigated by (1) payment aof a proportional fair share of necessary internal traffic improvements before a coastal development permit for the development is issued., and (2) construction of all necessary internal Marina del Rey improvements prior to occupancy of any approved structures. The Department of Public Works shall establish the payment per P.M. peak-hour trips for traffic impacts in the Marina.~~

b. ~~As part of the application for development, applicants shall also provide evidence of the The traffic study shall indicate the project's cumulative impacts, if any, of any proposed project on the major state highways and routes leading to the coast in the Marina area; and provide information regarding the capacity of such routes; and the cumulative total of new trips generated within the Marina that routinely use these Marina approach roads.-. Where any significant adverse cumulative traffic impacts on subregional traffic routes will occur, Tthe applicant shall-(1) pay a proportional fair share of necessary subregional traffic improvements. The Department of Public Works shall determine the payment per P.M. peak-hour trips for the subregional traffic improvements., and (2) provide information concerning the timing and capacity of planned traffic improvements which will accommodate local growth including that attributed to the development. However, if the trips generated by the development along with other previously approved development will exceed 50 percent of the total anticipated additional external trips to be generated by new or intensified Marina del Rey development, additional development that generates external trips cannot occur until a traffic improvement on the approach roads that will mitigate those trips has been approved and funded by the appropriate agencies.-.~~

5. Recycling of Parcels. Parcels in the existing Marina may recycle existing uses, where allowed by the Specific Plan, as long as there is no net increase in vehicle trips ~~generated by the parcel in the Development Zone.~~ For purposes of this section, "recycling" is defined as the renovation, demolition or removal of existing structures and the subsequent reconstruction, construction or replacement of new structures consistent with the other requirements of this section. Recycling of parcels which does not involve a net increase in vehicle trips is development, but is not dependent on the phasing program described in subsection 4 of this section. No change of use or Phase II development will be allowed under this scheme.

6. Conversion.

a. Waterfront Overlay Zone. Existing and allocated residential and office development in Development Zones with the Waterfront Overlay may be converted to visitor-serving, hotel, open space, marine commercial or other coastal-oriented development. Boat storage, public access, public parking and boating support uses, including boater parking, shall be preserved, but as part of an application, these uses may be relocated on the same parcel or to another parcel within the Marina, as long as the size, ability to carry out the purpose of the facility, water access and capacity of the facility remains the same. Subject to these limitations, existing and allocated visitor-serving, marine commercial and coastal-oriented development may also be converted to other visitor-serving, marine commercial and coastal-dependent uses. Conversion of development shall be consistent with subsection (C)(6)(c) of this section.

b. Mixed Use Overlay Zone. Existing and allocated residential and office development in Development Zones with the Mixed Use Overlay may be converted to visitor-serving, marine commercial or other coastal-oriented development. Conversion of allocated uses shall be limited to 10 percent of the residential units or office square footage allocated in the zone where the conversion occurs. Boat storage, public access, public parking and boating support uses shall be preserved, but as part of an application, these uses may be relocated on the same parcel or to another parcel within the Marina, as long as the size, ability to carry out the use and capacity of the facility remains the same. Subject to these limitations, existing visitor-serving, marine commercial and coastal-oriented development may also be converted to other visitor-serving, marine commercial and coastal uses. Conversion of development shall be consistent with subsection (C)(6)(c) of this section.

c. The conversion units shall be p.m. peak-hour trip generation such that the number of p.m. peak-hour trips generated by the added development of the recipient use does not exceed the p.m. peak-hour trip generation of the donor use. Conversion of allocated development shall be monitored such that the development converted is deducted from the zone balance for the donor use and added to the zone balance for the recipient use. Conversion of existing development shall be similarly monitored to ensure no increase in trip generation occurs as a result of the conversion. Conversion is limited to development within a respective Development Zone; conversion shall not be construed to allow transfer of development between Development Zones.

d. The site plans of converted or mixed uses shall be reviewed during the coastal development permit process to assure that the design will enhance compatibility of the uses with each other and with adjoining uses. The site plans shall show massing, public access and views, pedestrian and automobile traffic patterns, convenience of loading and trash hauling, and the separation of public and residential routes and entrances of the building as they relate to the project's consistency with the LCP. Design changes necessary to assure compliance with the access, visual quality, recreation, and other policies of this LCP shall be incorporated into the coastal development permit as conditions of development. (Ord. 2009-0004 § 2, 2009; Ord. 2001-0010 § 3, 2001; Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

* Phase I constitutes the existing level of development. Phase II represents the redevelopment of the Marina at greater densities; the numbers noted represent the additional residential units and other new development within each development zone.

~~The changes made to Table 1 by Ordinance 2001-0010 shall not take effect until Local Coastal Program Amendment Case No. 98-172 (4) has been certified by the California Coastal Commission pursuant to the provisions of the California Coastal Act of 1976, as amended to date.~~

22.46.1100 Circulation system.

A. The circulation system is the single most important infrastructure component in the Specific Plan Area. It is comprised of the following:

- Region-serving transportation facilities;
- Local roadway system (Exhibit 3--Regional Circulation System Map);
- Local and regional bikeway network;
- Pedestrian promenades and walkways;
- Local and regional public transit services.

B. Important components of the circulation system are the Transportation Systems Management (TSM) and Transportation Demand Management (TDM) programs which maximize system operating efficiency and thereby enhance access to and travel within the Marina area.

~~Transportation Systems Management and TDM are discussed in detail in the Transportation Improvement Program, found in Appendix G.~~

1. Roadway System. Special roadway sections are anticipated to accommodate bikeways, nonvehicular circulation components and landscaped areas.

2. Pedestrian and Bicycle System.

a. The pedestrian and bicycle system is an important component of the overall circulation system. The pedestrian promenade and bicycle path enhance shoreline access and implement a number of policies in the land use plan. The pedestrian promenade is illustrated on the Existing Shoreline Access Map (Map 2) (see Map 2, set out at the end of this Part 3).

b. Pedestrian system physical features include:

- Identification striping, markers and signs;
- Lighting;
- Smooth, continuous paving (handicap accessible);
- Directories, benches and drinking fountains.

c. Bicycle system features include:

- Connections to the Marvin Braude Bicycle Trail~~South Bay Regional Bikeway~~;
- Access around the entire Marina area, to all land uses, including visitor-serving facilities and beaches;
- Identification striping, markers and signs;
- Smooth, continuous paving;
- Directories, bike racks, benches, drinking fountains, storage lockers at all land uses;

-- Connections to other travel modes (bus stops, park and ride, transit stations, bus transportability).

d. The bicycle system should maximize access without compromising safety. Separate right-of-way, minimizing driveways that interfere with the route and compatible intersection design are ~~all necessary for ensuring a safe~~ desirable in a bicycle system.

C. Proposed Circulation Improvements.

The circulation system improvements in this LCP include the Revised Set of Intersection Improvement Projects on the internal roadway in the Marina, as described below:

These improvements are expected to provide sufficient capacity within Marina del Rey to accommodate future development in the Marina as envisioned by this Specific Plan.

1. The Revised Set of Intersection Improvement Projects within the Marina that would provide sufficient capacity for the Pipeline Projects, and for the Marina build-out, are as follow:

- Via Marina/Admiralty Way Intersection Alternatives

Alternative A - Provide a third westbound left-turn lane on Admiralty Way and a second southbound left-turn lane on Via Marina.

Alternative B - Realign this intersection to make Admiralty Way and the Via Marina Way segment south of Admiralty Way to become a continuous east-west roadway and realign Via Marina north of Admiralty Way to “T” intersect this roadway.

- Palawan Way/Admiralty Way Intersection

Provide a third through lane is to be provided in the westbound direction of Admiralty Way.

- Admiralty Way/Bali Way Intersection

Provide a second southbound left-turn lane on Admiralty Way.

- Admiralty Way/Mindanao Way Intersection

Provide a second southbound left-turn lane on Admiralty Way and an additional lane on the eastbound approach of Mindanao Way.

The interim and final striping configuration at the intersections will be determined by the Department of Public Works.

Improvements and final striping configuration at the intersections will be determined by the Department of Public Works.

Improvements to the Regional Transportation system are listed under Category 3 in Figure 11 of the Marina del Rey Land Use Plan. In addition, the Department of

Public Works may include other coastal access or public transportation improvements which mitigate significant adverse cumulative impacts of development on the regional transportation system.

~~1. The circulation system improvements contemplated in this LCP are divided into categories, dependent upon funding status, priority, and phasing; the improvement categories are detailed in the TIP. Improvement of Admiralty Way to include three lanes in the northbound/westbound direction and two lanes in the opposing direction (to result in five lanes total) constitutes a major circulation system improvement identified in the TIP. Additionally, improvements to other Marina intersections and the implementation of Automated Traffic Surveillance and Control (ATSAC) or related advanced signal synchronization technology will occur. These improvements are expected to provide sufficient capacity within Marina del Rey to accommodate future development as envisioned by this Specific Plan.~~

~~The Transportation Improvement Program discusses the transportation system improvements in great detail; it also includes language requiring agreements with the county for funding and construction of roadway improvements prior to approval of new development.~~

~~2. Implementation Expansion of the summer shuttle to of a year-round shuttle bus system and water taxi service would enhance public access to the Marina area and reduce impacts of residential, commercial and hotel development on access facilities, including impacts on both marina facilities and nearby beaches attributable to the growing Marina/Playa Vista population. When there is sufficient ridership demand to sustain it, a year-round The Marina del Rey Traffic Study (1991) suggested that a shuttle system would be most efficient and cost-effective if implemented in conjunction with a light rail transit system. A year-round shuttle system is not required for traffic mitigation but can be established in conjunction with developments in and around the Marina. As a condition of recycling or development of new residential, hotel or commercial development accommodating more than 75 cars, shuttle stops shall be incorporated into project designs. As part of any lease extension, lessees shall agree to pay their fair and reasonable share of implementing the shuttle system at such time a system is established in adjoining county areas, as long as such share is reasonably related to the impacts of their proposed development upon the nearby beach parking and recreational traffic system. Additionally, potential exists for construction of water taxi stops and ferry terminal sites at various sites on the Marina waterfront. A water taxi now operates during the summer months and makes stops at seven different locations in the Marina.~~

~~3. Los Angeles County spearheaded creation of a Venice/Marina/Playa Vista Transportation Committee to study and recommend additional circulation system improvements necessary to mitigate cumulative development in the subregion. The work of this committee is ongoing and may not see completion for a few years. The county reserves the right to require mitigation measures recommended by the committee as conditions of development. Potential cumulative improvements are also identified as Category 3 in the Transportation Improvement Program. No development shall be contingent on transportation improvements that must occur outside the county jurisdiction until such improvements have been adopted, cost estimates prepared and the routes chosen by the agencies which have jurisdiction over the route. Any required mitigation of~~

cumulative impacts may constitute contribution of a fair percentage share of traffic increases toward the total cost of completing the mitigation measure(s), based on the applicant's share of traffic increases in the subregional system. The county's ability to require such mitigation as a condition of development is contingent upon demonstration of a nexus between the proposed development's impact and the mitigation measure required, and that the required mitigation compensates for the impact warranting such mitigation. (Ord. 95-0042 § 1 (part), 1995; Ord. 91-0004 § 2, 1991; Ord. 90-0158 § 1 (part), 1990.)

22.46.1110 Review of new development.

All development in Marina del Rey shall require a coastal development permit, processed in accordance with Part 17 of Chapter 22.56 of this Title 22. At the public hearing conducted by the regional planning commission or hearing officer, any recommendations submitted by the design control board pursuant to subsection D shall be considered. Development shall be approved if a finding is made that the development conforms to the certified LCP, and for projects between the first public road and the sea, also conforms to the access and recreation policies of the California Coastal Act.

A. Development in Marina del Rey shall be assessed during the coastal development permit process to identify the development's impacts and needs associated with the public's right to recreational access to and along the waterfront, including how on-site open space and project features facilitate public uses. The conditions imposed by the county upon such developments shall reasonably relate to the impacts and needs of the affected development and related development. The conditions shall be those which are necessary to alleviate all significant adverse direct and cumulative impacts including those needs identified in the development assessment process. Therefore, the provisions in the Specific Plan relating to compulsory dedication of shoreline access shall be implemented on a case-by-case basis, and appropriate findings supported by substantial evidence shall be adopted by the local agency to support such conditions. The conditions shall substantially advance a legitimate state interest, without denying a lessee or owner economically viable use of the land.

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 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.

C. Lease Extension. In the county-owned Marina del Rey, when lease extensions and/or changes in lease provisions are granted, the leases shall incorporate and be consistent with all requirements of this Specific Plan, including, but not limited to public access, view corridors,

parking, impact fees, maintenance of view corridors and parks, protection of existing uses and design review.

D. Design Control Board. The design control board, appointed by the board of supervisors, shall review all new development proposals, including renovations, for consistency with the Specifications and Minimum Standards of Architectural Treatment and Construction, as amended on October 17, 1989; the Statement of Aims and Policies, dated February 17, 1987; and the Revised Permanent Sign Controls and Regulations, dated September 1971, found in Appendix C of the certified LIP.

1. The design control board shall conduct a conceptual review of all new development proposals, including renovations, concurrently with the coastal development permit process. The conceptual review shall analyze the architectural design (i.e., building and façade design) and site planning of the proposed development. Any recommendations, including a written report and/or marked plans, to illustrate its conclusions relating to the project's architectural design (i.e., building and façade design) and site planning shall be submitted by the design control board to the regional planning commission or hearing officer within 120 days of the filing of a coastal development permit application.

2. Following the regional planning commission's or hearing officer's action on coastal development permits, the design control board will have final review of architectural design (i.e., building and façade design, materials, colors), landscaping, and signs based on the site plan approved by the regional planning commission or hearing officer. (Ord. 2009-0004 § 3, 2009; 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. Explain 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. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1130 Access--Conditions.

Where development is allowed by the Specific Plan, and access is required by the Site-Specific Development Guidelines for the parcel or is found to be necessary to provide access to and along

the water, a condition requiring said access will be imposed with a coastal development permit if appropriate findings supporting the nature and extent of such access conditions have been made. Other open space or public access improvements required to ensure compliance with this Specific Plan shall also be made conditions of the project. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1140 Methods of securing access.

The condition requiring lateral or vertical access shall specify that such access be secured by either of the following:

A. The landowner shall execute and record a document, in a form and content acceptable to the Executive Director of the California Coastal Commission, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director an easement for lateral public access and passive recreation along the shoreline or for vertical access to the shoreline. The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property. Such document shall state the precise location and width of the easement. The document shall be recorded free of prior liens which the Executive Director determines may affect the interest being conveyed, and free of any other encumbrances which may affect said interest. The offer shall run with the land in favor of the people of the state of California, binding successors and assignees of the landowner, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

B. Lease Provisions. Lease provisions shall explicitly require provisions for access for the general public including promenades, view and open space areas, and access corridors consistent with the requirements of Chapter 3 of the Coastal Act and the certified LCP.

C. When no changed lease provision is required, an alternate method approved by the planning director, county counsel and the California Coastal Commission which would provide a similar guarantee of public access as afforded by the irrevocable offer described in subsection A of this section. Such method may be a binding agreement with the underlying leaseholder or property owner and shall be effective for the life of the use for which the access is required. In no event shall any party withhold its approval to feasible alternate methods. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1150 Shoreline accessways.

The following provisions pertain to shoreline accessways which are dedicated or otherwise guaranteed in conformance with the requirements of this Specific Plan and for which a public agency or private association, approved by the Executive Director, has accepted the responsibility for construction, maintenance and liability of said accessways:

A. Vertical access easements shall be combined with the fire department required vertical access and shall be at least 28 feet in width and shall run from the shoreline to the nearest roadway

available for public use. Lateral access easements shall extend as required for the individual parcel in this Specific Plan. No development shall reduce existing access, formal or informal.

B. Leaseholds developed with access easements shall provide, where feasible, for public recreation, public open space and improved public seating and viewing areas.

C. Access easements shall be posted with identification signs located at the junction of the vertical easement with the shoreline and the connecting roadway and along the inland extent of lateral easements. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1160 **Access restrictions.**

A. Public access may be restricted in certain locations around the Marina, such as in front of the Sheriff's station, U. S. Coast Guard and near boat yards, launch hoists and dry stack storage, in the interest of pedestrian safety. 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.

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.)

22.46.1170 **Infrastructure.**

Beyond the circulation system, other major infrastructure systems serving the Specific Plan Area include sewer, water, storm drains and utilities.

A. Sewer. The county of Los Angeles maintains a contractual agreement with the city of Los Angeles to provide sewer services for the Marina area. The purchase of flow rights includes the use of the sewers and pumping system as well as treatment at the Hyperion Plant near Imperial Highway. Maintenance of the sanitary sewers within the Marina is the responsibility of the department of public works, waterworks and sewer maintenance division. There is currently

sufficient sewage capacity to handle only a portion of the development permitted by this Specific Plan.

Appropriate phasing of new development may be necessary because of capacity limitations at the Hyperion Plant. Proof of adequate sewer and waste treatment capacity for new development will be required per the provisions of subsection (A)(14) of Section 22.46.1180.

B. Water. The Marina purchases its water from the Los Angeles County Waterworks District No. 29. Current water supplies may be adequate for existing and proposed developments in the existing Marina. As part of the application for development, the applicant shall provide evidence of compliance with all requirements of the department of public works, including payment of all required fees and participation in all districts required at the time the application is filed. The required improvements will be determined when applications for development or subdivision are submitted to the department of regional planning and reviewed by the department of public works and the fire department. The application for the coastal development permit shall include a method of funding and schedule of construction of any facilities required by the department of public works and/or the fire department to serve the proposed development.

Water service may alternatively be provided by connection to facilities operated and maintained by the city of Los Angeles, department of water and power. Proof of adequate water capacity for new development will be required in subsection (A)(14) of Section 22.46.1180.

C. Storm Drains.

1. The existing Marina is served by storm drains which deposit flows into the Marina basin. The drains are expected to be adequate to accommodate future development. To reduce the amount of pollutants entering the Marina from Ballona Creek, the department of public works will implement appropriate best management practices within the Ballona Creek watershed, as required by the county NPDES municipal stormwater permit.

2. Unless otherwise required by the Regional Water Quality Control Board and the County Flood Control District, the storm drain emptying into Basin H will be capped and diverted into Ballona Creek or another area of the Marina.

D. Solid Waste. Lessees in the existing Marina contract with five private companies for solid waste disposal. These companies use existing commercial landfills as available.

E. Utilities.

1. Electricity in the Marina area is provided by Southern California Edison. The present substation, located on Fiji Way, can accommodate moderate additional load. If development generates demand beyond capacity, a new substation will be required.

2. Natural gas for the Marina is supplied by the Gas Company. Supplies for existing and future development are expected to be adequate.

3. General Telephone and Electronics provides telephone service to the Marina. Central office lines are currently in place to serve the area, and they have sufficient capacity to serve future needs.

F. Fire Safety Services. A new fire station and support facilities may be required in conjunction with development anticipated in this LCP. The size and location of new fire facilities shall be determined after fire department study and evaluation for optimal response and service. As part of the application for development, the applicant shall provide evidence of compliance with all

design requirements of the fire department and evidence of participation in any special district established for fire protection. (Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1180 **Filing requirements.**

A. An application for new development shall contain the following information. In the case of an application for a coastal development permit, the information shall be in addition to the material required in Section 22.56.2310 relating to coastal development permits.

1. Protection and Enhancement of Shoreline Access and Views. New development located between the first public roadway and both the existing and proposed bulkheads shall protect existing public access and views to the Marina. New development shall provide accessways, promenades, view parks and view corridors consistent with Chapter 3 of the Coastal Act and all requirements of the certified LCP. Minimum requirements for the protection and enhancement of shoreline access and views are found in the Site-Specific Development Guidelines in this Specific Plan. Development applications shall include information, including changes in the provisions of the lease, if the underlying project requires any changes in lease provisions, adequate to demonstrate compliance with these access/view requirements.

2. A report prepared by a biologist ~~trained in the study of marine resources~~, according to the criteria of the LCP Land Use Plan, and approved by the department of regional planning, must be submitted. The report shall discuss the proposed development's impact on the biological productivity of the terrestrial and marine resources within and adjacent to Marina del Rey, and if Sensitive Biological Resources are affected, the report shall recite the precautionary measures to be taken for protection of resources, both during construction and in the long term. Mitigation measures must be proposed for any negative impacts. The following items must be considered when assessing impact:

-- Effects of any additional pollutants due to increased runoff caused by new development;

-- Potential changes in water temperature and biological productivity caused by outfalls, runoff or decrease in light entering the water due to shadowing (new buildings);

-- Effects of any new structures placed in the water.

-- Effects on Sensitive Biological Resources, if any.

-- Construction effects

3. All new development shall fully mitigate significant adverse wind impacts on marina boating. Accordingly, a detailed wind study must be submitted with all applications for development for structures over 45 feet in height. The report must discuss the effects of the proposed construction and/or building placement on wind patterns within the Marina, loss of surface winds used by birds and sailboats and general air circulation. The wind study must include the following components:

-- Analysis of available historical wind speed and direction data to establish a wind speed/direction relationship for the site;

- Performance and analysis of wind tunnel testing for the project using a model of proposed building(s) and surrounding structures. Wind tunnel testing shall be done for winds blowing from all predominant wind directions as established in analysis of historical data;
- Cumulative wind analysis, including evaluation of wind impacts attributable to existing structures and potential future development projects, including detailed data on the cumulative impacts of existing, proposed and expected development on winds in marina basin closest to the proposed development;
- Summary of findings identifying the project's wind impacts, if any;
- Summary of mitigation measures available to mitigate the project's adverse impacts on wind, including alternative massing, height and site design.

4. Avoidance and Mitigation of Geologic/Geotechnical Hazards. Applicants and their engineers are responsible for determining and following all current requirements and recommendations of the Los Angeles County department of public works, the California Division of Mines and Geology and the California Seismic Safety Board. New development shall utilize earthquake-resistant construction and engineering practices. All new development over three stories in height shall be designed to withstand a seismic event with a ground acceleration of no less than 0.5g. Accordingly, all development applications shall include a detailed geotechnical report completed by a certified engineering geologist and a registered civil engineer experienced in the field of soil mechanics, and approved by the department of public works. A copy of the report, and its approval, shall be submitted. The report must include, but not be limited to:

- A comprehensive geologic/soils analysis showing underlying geology, soil type and structure;
- Delineation and evaluation of areas prone to fault rupture, secondary effects of seismic shaking, such as lateral spreading, settlement, liquefaction, etc. and excessive ground motion, due to seismic wave amplification;
- Delineation of low-lying areas which may be inundated by tsunamis, floods or unusually high tides, sea level rise or damaged by excessive wave action;
- Recommendations for development in geologically stable areas, and restriction of development in unstable or unmitigated areas.

Note: Additional requirements may be imposed in areas determined to be under the jurisdiction of the State of California Seismic Safety Board or the Division of Mines and Geology.

5. Protection of Cultural Heritage Resources. Cultural resources located shall be identified and protected. All applications that include disturbance of native soils or vegetation, including but not limited to excavation, pile driving and grading shall include:

- a. Report by a qualified archaeologist. The archaeology report shall comply with the guidelines of the State Office of Historical Preservation. Mitigation measures suggested in the report, and approved by the department of regional planning, shall be undertaken. For the purpose of this report, a "qualified archaeologist" is a person who has been certified by the Society of Professional Archaeologists and who has a minimum of three years experience investigating and interpreting sites in Southern California. A copy of the report, signed by said qualified archaeologist, shall be submitted with the application. In accordance with the findings set forth in the archaeology report submitted with the development application, cultural resources shall be collected and maintained at the Los Angeles County Natural History Museum or other site

acceptable to the State Historic Preservation Officer. The department of regional planning shall be notified if any resource is discovered during any phase of development.

b. Notification of the Office of State Historic Preservation and the Native American Heritage Commission of the location of any proposed disturbance of native soils or vegetation. The notification shall include the proposed extent of the grading and dates on which the work is expected to take place.

c. Acknowledgement of receipt of Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Sections 5097.98 and 5097.99 of the Public Resources Code. The applicant shall place a note on the project plans summarizing the procedures that apply in the event of discovery of Native American remains or grave goods.

The county shall approve archaeological recovery programs as permit amendments. The standard of review is the archaeological recovery program's consistency with this Specific Plan and with other provisions of state law.

6. Avoidance and Mitigation of Flood Control Hazards and Control of Surface Runoff. Flood hazard and runoff management standards shall apply to all new development. To protect marine resources within the existing Marina, to manage runoff associated with proposed development, all development proposals shall assure that:

- The flood hazard due to new development is mitigated;
- Upstream and downstream property owners are not adversely affected;
- The drainage proposal complies with all county, state and federal statutes and ordinances;
- The drainage of roofs and parking lots conform to the best management practices contained in the County's nonpoint source NPDES permit, and the Santa Monica Bay Plan's requirements regarding new or marina development;
- Containment, safe storage and management of all paints, solvents and other toxic and potentially polluting substances used during construction, repair or maintenance of buildings or of boats and floats;
- Accessible pump out facilities, waste disposal, and rest rooms for all parks and anchorages.

The department of public works shall be consulted for full flood-control requirements.

7. Protection of the Gas Company Facilities. Land use decisions and permitted new development shall not interfere with the Gas Company's ability to continue operation of its storage facilities. Prior to any new development over a used or abandoned gas well the developer must submit proof of certification from the California Division of Oil and Gas showing that wells were abandoned according to current standards.

8. Applicants for any proposed office and commercial development shall consult with the county department of beaches and harbors to determine if multiuse parking facilities are appropriate. The applicant shall provide the department with the number of proposed spaces, the number available during weekends and holidays, and methods for control of the parking that would enhance public access to bulkheads, walkways and commercial attractions. The results of the consultation shall be submitted with the application.

~~9. Conformance with Phasing Plan. All new development must conform to the phasing requirements set forth in the certified local coastal program. Minimum phasing requirements are~~

found in Section 22.46.1090 of this Specific Plan. The developer must submit a report discussing how the development complies with the phasing schedule of the certified Local Coastal Program. Such report shall provide information on the number of peak hour vehicle trips generated, hotel rooms, dwelling units, parks and open space, etc. Where boat storage and marine commercial uses (launches, hoists, etc.) are not feasibly expressed in terms of square footage, the developer of such uses will be required to submit information which will indicate the amount of additional peak hour vehicle trips likely to be generated by the project. Phasing includes development buildout, mitigation measures, including internal traffic and recreation and circulation system improvements and all other infrastructural improvements.

109. Direct Traffic Mitigation Estimate. All developments shall pay fair-share fees to mitigate their all direct impacts at on the internal circulation system intersections within the Marina and for other internal and regional circulation improvements. before occupancy of the development. No development may commence without payment of a fair and proportionate share of the costs of the Revised Set of traffic Intersection Improvement Projects improvements listed in the traffic improvement program. and improvements to the regional transportation system. As part of the application, all applicants shall provide evidence that it will be feasible to complete all traffic improvements to mitigate the traffic impacts of the development before occupancy of the permitted development. The applicant shall also demonstrate that funding of the necessary traffic improvement has been guaranteed.

140. Mitigation of Cumulative Impacts on the Subregional Traffic System--Traffic Analysis and Mitigation Requirements. An applicant for development shall provide the following information regarding the project's anticipated traffic impacts on major highways leading into and around the Marina del Rey Specific Plan area:

a. Exemptions Based on Initial Trip Evaluation. The applicant shall submit an accurate and detailed project description with an initial estimate of the number of the daily trips that will be generated by the project to the Department of Public Works. Subject to the approval of the Department of Public Works, the applicant may, in lieu of preparing a traffic report, provide evidence of participation in a subregional impact mitigation program, such as the city of Los Angeles coastal corridor transportation fund, on a fair and equitable basis, taking into account the applicant's pay their fair-share contribution of trip fees for the Set of Intersection Improvement Projects within the Marina and for improvements to the regional transportation system. to the internal Marina street improvements. Notwithstanding such contribution, a traffic report shall be required of projects that generate over 500 trips per day unless other possible adverse impacts are identified that, in the opinion of the department of public works, require a report. Also, if a project generates 50 or more peak hour trips on a congestion management plan (CMP) intersection, or 150 peak hour trips on a CMP route, a separate analysis shall be prepared which addresses these impacts.

b. Traffic Impact Analysis Report Study. A detailed traffic impact analysis report study shall be submitted, based on the Department of Public Works' current Traffic Impact Analysis Report Guidelines, shall be submitted to the Department of Public Works at the time of the application for the coastal development permit which addresses the project's traffic impacts on various highway intersections that could experience significant impact as described in subsection (A)(11)(e) of this section. The study shall document: (1) the number of daily, weekend and a.m. and p.m. peak-hour trips which would be generated by the project, (2) the number and percentage of those trips originating and terminating outside the Marina del Rey Specific Plan

~~area, (23) the distribution of the trips upon departing the study area at the road system, (3, (4) how much a specific mitigation measure-transportation improvements would mitigate the impact of the project, reduce daily and peak hour trips, and (45) such additional information as the Department of Public Works may require to properly evaluate the project's proportionate traffic impacts on the study intersections. The study shall compare levels of service for existing, ambient growth and with and without construction of the project, and cumulative traffic impacts with other known developments.~~

c. Highway Intersections Required to be Studied. The study area shall include arterial highways, freeways and intersections generally within one-mile radius of the project site. These shall include, at a minimum, the Washington ~~Boulevard~~Street/Lincoln Boulevard intersections, and the Route 90/Lincoln Boulevard intersections.

d. Consultation. The applicant shall consult with the Department of Public Works on the preparation of the traffic study. The Department of Public Works will coordinate with the City of Los Angeles Department of Transportation (LADOT), and the California Department of Transportation (Caltrans), for their input and requirements regarding locations in their jurisdiction. The Department of Public Works shall determine the types of mitigation measures and traffic improvements most appropriate to the project.

e. Threshold. A determination of a significant impact shall be based on the Department of Public Works' current Traffic Impact Analysis Guidelines, which are as follows: At LOS C, a development project causing a V/C increase of 0.04 or more results in a significant impact. At LOS D, a V/C increase of 0.02 or more results in a significant impact, and at LOS E/F, a V/C increase of 0.01 or more results in a significant impact. Cumulative subregional traffic system mitigation measures are required if (1) an intersection is projected to operate at a mid-range level of service D (or volume to capacity (V/C) ratio of 0.85) as a result of the project's impacts, or (2) intersections within the project's area of influence are already operating at a level of service above 0.85, and the project will result in a projected increase of 0.01 above anticipated ambient conditions.

f. Recommendations on Mitigation Requirements. All lessees within the existing Marina, which propose new development pursuant to the LCP, shall pay their fair-share developer fees based on the number of trips they generate to pay for the Revised Set of Intersection Improvement Projects. In addition, lessees shall pay fair share developer fees, based on the number of trips they generate, to pay for transportation improvements to the regional transportation system. These mitigation measures are needed to address traffic demands by future development inside and outside the Marina. The Revised Set of Intersection Improvement Projects within the Marina and future improvements to the regional transportation system shall be implemented on a schedule determined by the Director of Public Works in coordination with other jurisdictions, as needed. The Los Angeles County Metropolitan Transportation Authority (Metro), as part of their new Congestion Management Plan (CMP), is expected to develop county-wide developer trip fees by 2012. The trip fees will be used to pay for and help mitigate the impact of developments on the regional transportation system. It is expected that the Marina regional transportation trip fees will become the CMP trip fees. The trip fees for the Revised Set of Intersection Improvements Projects will remain separate fees.

~~If the department of public works determines that mitigation is required, the department, with input from the city of Los Angeles department of transportation and Caltrans, shall determine the type of mitigation measures most appropriate to the specific project. The department shall~~

~~specifically determine how much an appropriate or projected mitigation measure would reduce the impacts of the project's daily and peak hour trips on the subregional transportation system, and shall submit a recommendation on a preferred mitigation measure or mitigation requirement. If a "fair share amount mitigation" is determined to be the appropriate mitigation measure, the department of public works shall determine the applicant's proportionate fair share of the project to which the mitigation will apply, and by consultation with the city of Los Angeles department of transportation, determine the construction schedule of the suggested improvement, and shall submit a recommendation on a preferred mitigation requirement.~~ The types of mitigation measures available to satisfy these requirements are listed in subsection (A)(11)(g) of this section.

g. Traffic mitigation measures:

-- The Revised Set of Intersection Improvement Projects;

-- Improvements to the Regional Transportation system;

— ~~Category 3 improvements listed in the transportation improvement program, found in Appendix G to this Specific Plan;~~

-- Reduction of traffic trips as may be accomplished through participation in Transportation System Management (TSM) Transportation Demand Management (TDM) programs, ~~cited in Appendix G to this Specific Plan;~~

-- Reduction of traffic trips as may be accomplished through reduction in project size;

-- Payment of an in lieu fee or "fair share" amount of a mitigation project where a fair share amount of the mitigation requirement has been determined, the project has been scheduled for construction and the cost and benefits of the project have been determined;

-- Other mitigation measure(s) mutually acceptable to the Department of Public Works, ~~the city department of transportation~~ LADOT and Caltrans.

h. Timely Submittal of Required Studies and Evaluations. The studies, analyses and evaluations required by this subsection 11 shall be completed before filing a coastal development permit application with the department of regional planning. If the applicant requests that the traffic study be evaluated during the environmental review process, the applicant's coastal development permit shall not be filed or accepted until such time as the traffic study has been completed to the satisfaction of the Department of Public Works.

112. Site Plans. All applications for development in the existing Marina shall include accurate, scaled site plans and elevations, showing gross square footage of existing and proposed development, parking, and parking requirements, as well as access and view corridors required by this certified LCP.

a. The design control board shall receive site plans for its review pursuant to the provisions of Section 22.46.1110.

b. Any applicant who is requesting a height incentive under the provisions of subsection (E)(5) of Section 22.46.1060, or whose proposed development includes demolition of existing structures or whose development is located on an existing parking lot or other open area shall provide clear and accurate site plans and elevations that identify the view corridor, show accurately all adjacent development, and show the width and location of the view corridor and

the length of the bulkhead frontage of the parcel.

| 132. Documentation shall be submitted which shows that the proposed new development will not detract from or interfere with the use of existing or planned boating facilities or support facilities. Information shall include, but not be limited to:

- Number of boat slips lost or gained due to development (if any);
- The impact of the development in terms of competition for boating facility space, parking, etc.;
- Number of dry boat storage slots displaced or provided;
- Design and methods to preserve the availability of boating services such as loading and parking areas serving the slips, preservation of convenient distance from loading areas to gangway, slip rest room access, routes to docks, and boat security;
- Effects on boat rentals, fishing docks, beach or other lower-cost water-dependent facilities;
- Provision of adequate land area and/or parking spaces to provide parking for future slips allocated to the leasehold in this Specific Plan.

| 134. Documentation shall be submitted which shows that sufficient water system, sewer system and waste treatment capacity exists or will exist prior to occupancy of any new development.

| 145. Fire Safety Plan.

a. Applicants for new structures shall submit documentation in the form of a fire safety plan which verifies that the proposed project satisfies fire department safety standards including, but not limited to, fire flow, sprinklers, emergency access and evacuation plans;

b. Applicants for new multistory buildings shall include in the fire safety plan how they are complying with the requirements of subsection F of Section 22.46.1060 and, for multistory buildings on mole roads, applicants shall designate in their plan a safe refuge area for their occupants on an adjacent boat dock area;

c. Applicants who choose to provide 10-foot by 10-foot square viewing nodes in place of an eight-foot-wide landscaped strip adjacent to the water way, shall provide evidence that they have provided nodes no less than 150 feet apart and that these nodes will not obstruct fire access.

| 165. Evidence of the protection of existing recreational uses, and of the incorporation of lower cost overnight uses into any hotel project.

a. Applicants for office, general commercial, or residential use shall provide evidence that existing boat storage, public access, public parking and boating support uses, including boat owner parking and parking required for any Marina expansion allowed in this LCP, in residentially and commercially designated areas have been preserved consistent with all provisions of the certified LCP. As part of any application to relocate these uses consistent with the certified LCP, the applicant shall provide a plan to relocate any such uses on the same parcel or to another parcel within the Marina, such that the intended use can continue to be carried out, the size and capacity of the accommodation remains the same, and necessary access to the water and boat slips is provided. The uses shall be replaced before commencement of the development project.

b. Applicants for a hotel use shall designate no less than 25 percent of the land area of the site proposed for new hotel development for a lower cost overnight facility and provide plans and

agree to construct the facility as part of the project. Such area may be reduced if a facility containing one-tenth of the number of beds as the hotel contains rooms can feasibly be provided is proposed on site. Such a facility may include a youth hostel, lower cost conference facility with overnight accommodations, or campground.

- i. Applicants for hotel or other overnight accommodations shall indicate on their site plan the land to be reserved for a lower cost overnight accommodation.
- ii. In lieu fee option--supporting material required. If the applicant believes that development of a lower cost facility on site is not feasible, and petitions in writing to pay a fee in lieu of providing an on-site provision for lower cost accommodation, the applicant shall provide evidence of the infeasibility of on-site provision of a lower cost facility and information regarding the applicant's calculation of the fair and reasonable share or the cost of acquisition and construction of a lower cost overnight facility.
- iii. Because of the fluctuating land market and cost of materials, the applicant's demonstration shall include evidence concerning the current cost of off-site provision of lower cost accommodations, and the manner in which the provisions of these off-site accommodations comply with the obligation to provide lower cost accommodations on-site in terms of affording access to the Marina and nearby beaches. The calculation shall include the prorated cost of necessary support, including parking, lobbies, sanitary facilities and food service areas.
- iv. The applicant shall contribute the one-tenth of the cost of one bed and appurtenant improvements in a lower cost accommodation for each market rate room provided. The amount of the fee shall be adjusted annually to reflect the consumer price index and current construction costs.
- v. Exemption. If the applicant demonstrates that a proposed hotel project of the same or lesser size on the same parcel paid said fee, or its equivalent, within 20 years of the date of application, the applicant shall be exempt from this obligation.

167. Materials relating to review by the design control board. The applicant must provide documentation that a complete application for the proposed development, consisting of schematic plans, drawings, fees, etc., as required by the Specifications and Minimum Standards of Architectural Treatment and Construction, has been submitted to the department of beaches and harbors for expeditious delivery to, and conceptual review by, the design control board.

B. Any applicant who demonstrates that the impacts of his or her project on winds, archaeological resources, marine resources, public works, or geologic safety is not significant may not be required to submit the material required in subsections (A)(2), (A)(3), (A)(4) or (A)(5) of this section, as part of the application. The applicant must demonstrate how the proposed development is insignificant with regard to subsections (A)(2), (A)(3), (A)(4) or (A)(5) of this section and/or how the nature of the development is unrelated to the requirement imposed, or how the requirement has been previously addressed in a system-wide or area-wide development plan review such as a subdivision. As part of such request, the applicant shall agree to provide supplemental information in a timely manner if additional information is necessary to review the impacts of the proposed development on coastal access and/or resources. (Ord. 2009-0004 § 4, 2009; Ord. 95-0058 § 2, 1995; Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1190 Conditions of approval.

A. The following conditions shall be imposed, where applicable, for development in Marina del Rey.

1. In accordance with the geologic information submitted with the application for development, development shall occur in geologically safe areas. Any structure affecting personal safety (e.g., gas lines) shall not transect geologically unstable areas.

2. In accordance with the archaeology report submitted with the application for development, resources found in the area planned for development shall be collected and maintained at the nature center planned at the wetland preserve (Area D), or at the Los Angeles County Natural History Museum or as otherwise required by State law.

a. The applicant shall notify the Office of State Historic Preservation and the Native American Heritage Commission of the location of the grading proposed, the proposed extent of the grading and the dates on which the work is expected to take place.

b. The applicant shall notify the State Historic Preservation Office, and the Department of Regional Planning if any resource is discovered during any phase of development, and the applicant shall submit a recovery program as an amendment to the permit.

c. In the event of discovery of Native American remains or of grave goods, Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Sections 5097.98 and 5097.99 of the Public Resources Code apply.

3. To fully mitigate traffic impacts, new developments ~~may~~ are ~~be~~ required to establish a functional ~~transportation systems management (TSM)/~~Transportation Demand Management (TDM) program, or to participate in an existing ~~TSM/TDM~~ program. Consolidation of numerous ~~TSM/TDM~~ programs is highly desirable. Viable ~~TSM/TDM~~ possibilities include, but shall not be limited to:

- Carpools;
- Ridesharing;
- Vanpools;
- Modified work schedules/flex time;
- Increase use of bicycles for transportation;
- Bicycle racks, lockers at places of employment;
- Preferential parking for ~~TSM/TDM~~ participants;
- Incentives for ~~TSM/TDM~~ participants;
- Disincentives.

~~The TSM/TDM program should follow the guidelines in the Transportation Improvement Program contained in Appendix G. If required, a~~An annual report on the effectiveness of the ~~TSM/TDM~~ program shall be submitted to the Department of Regional Planning.

4. ~~All development must conform to the phasing schedules in the certified LCP. The phasing schedules include requirements for the existing Marina, circulation and public recreation~~

improvements and infrastructure. No development shall occur if traffic capacity within the system will not be adequate to serve the development.

~~54. Mitigation of All Direct Traffic Impacts. All development in existing Marina del Rey shall participate in, and contribute his or her fair share to, funding of the mitigation measures described in the Transportation Improvement Program (TIP). All lessees within the existing Marina, which propose new development pursuant to the LCP, shall pay their fair-share developer fees based on the number of trips they generate to pay for the Revised Set of Intersection Improvement Projects. In addition, lessees shall pay fair share developer fees based on the number of trips they generate to pay for transportation improvements to the regional transportation system. These mitigation measures are needed to address traffic demands by future development inside and outside the Marina. The Revised Set of Intersection Improvement Projects and future improvements to the regional transportation system shall be implemented on a schedule determined by the Director of Public Works in coordination with other jurisdictions, as needed. The Los Angeles County Metropolitan Transportation Authority (Metro), as part of their new Congestion Management Plan (CMP), is expected to develop county wide developer trip fees by 2012. The trip fees will be used to pay for and help mitigate the impact of developments on the regional transportation system. It is expected that the Marina regional transportation trip fees will become the CMP trip fees. The trip fees for the Revised Set of Intersection Improvement Projects will remain separate fees. The Department of Public Works will establish and administer developer fees.~~

~~The fees shall be calculated for every development project based on the trip assessment fee set in the TIP and the number of additional p.m. peak-hour trips generated by the project. Additional trips are defined as the p.m. peak-hour trips attributable to buildout of the new development allocated in the Specific Plan. All developments shall pay fees prior to occupancy of the developments to mitigate all direct impacts within the Marina on the internal circulation system and pay fees for improvements to the regional transportation system before occupancy of the development. No development may commence without payment of a fair and proportionate share of the costs of traffic improvements listed in the traffic improvement program. Prior to issuance of a coastal development permit, the applicant shall pay all trip fees demonstrate that adequate funding is available so that all traffic improvements necessary to mitigate the impacts of the development on internal circulation will be completed before occupancy of the structure. Development shall not begin until the payment of developer fees adequate funding of the necessary internal circulation traffic improvement has been guaranteed.~~

~~56. All proposed mitigation measures including, but not limited to, providing public access, establishing view or wind corridors, preserving of sunlight on the beaches, parks and boat slip areas, and participating in the funding of park improvements or of traffic mitigation measures shall be made conditions of approval. The applicant shall modify the design of the development to the extent necessary to comply with such conditions.~~

~~76. All development shall participate in and contribute its fair share to, funding of the mitigation measures described in the Coastal Improvement Fund as specified in Section 22.46.1950 of this Specific Plan. The fees shall be calculated based on the improvement fund fee, and the number of additional residential units approved for the project.~~

| 87. Lower cost visitor-serving facilities shall be protected and, to the extent feasible, new lower cost visitor-serving uses shall be encouraged and provided within the existing marina.

a. At a minimum, every new hotel development shall reserve and develop no less than 25 percent of the site as a lower cost overnight accommodation. A lower cost overnight accommodation includes a dormitory type accommodation such as a lower cost conference facility, or youth hostel, a campground, or other use that by its design and nature can be operated at low or moderate cost and that is accessible for individuals of less than the median income.

b. If the applicant demonstrates that development of a lower cost accommodation on-site is not feasible, the applicant may instead contribute the cost of acquisition and construction of a lower cost overnight facility, including the prorated share of necessary support facilities including lounges, sanitary facilities and dining halls. The applicant shall contribute the one-tenth of the cost of one bed and the prorated share of appurtenant improvements of a lower cost accommodation for each market-rate room provided on the hotel site. The amount of the fee shall be adjusted annually to reflect the consumer price index and current construction costs.

i. Because of the fluctuating market and cost of materials, the applicant's demonstration shall include evidence of the infeasibility of on-site provision of a lower cost facility, the current cost of off-site provision of lower cost accommodations alternatives, the manner in which the provision of these off-site accommodations complies with the obligation to provide lower cost accommodations on-site in terms of affording access to the marina and nearby beaches.

ii. The amount of the fee shall be adjusted annually to reflect the consumer price index and current construction costs. If the applicant demonstrates that a hotel project proposed on the parcel paid said fee, or its equivalent, within 20 years of the date of application, the applicant shall be exempt from this obligation.

iii. Said fee shall be placed in separate restricted interest-bearing trust account by the county that is identified only for use in developing lower cost overnight accommodations open to the public in Marina del Rey. Possible sites include parcels OT and 94. All monies shall be expended within five years of collection to build, subsidize or otherwise facilitate construction of a lower cost overnight facility such as youth hostels, low-cost motel, campground, or affordable conference center with overnight accommodations in the marina, or within two miles of its boundaries. If at the end of five years the fees have not been expended, an LCP amendment shall be processed to determine options of using the funds for lower cost overnight accommodations.

| 89. New roads and infrastructure shall be designed and constructed in an environmentally sensitive manner, and shall follow the design and recreation policies of the certified LCP.

| 109. The requirements for storm drain design and construction stated in this Specific Plan shall be followed.

| 110. Developers shall pay their fair share for aAny additional mitigation measure necessary for the complete mitigation of significant adverse traffic impacts or of other significant adverse impacts caused by the development, including cumulative impacts. Said mitigation may include funding for subregional traffic improvements to be carried out in concert with other agencies.

| 112. Based upon information provided in the fire safety plan, the fire department may review all applications for multistory buildings and, at its discretion, may recommend an alternative height for the proposed multistory buildings based upon their review and supported by factual findings. Such recommendations shall be considered in determining conditions of approval for the project.

132. The applicant will be required to preserve coastal-dependent boating or boating support uses on-site. If the essential functions of the Marina will not be harmed by temporarily closing the use, the project may, instead of preserving the facility, replace the facility with a similar facility of the same size and capacity within the Marina. If approved, such replacement shall occur before development of the use which displaces it may commence. Boating support uses include, but are not limited to: boat launch ramps, boat hoists, mast-up boat storage, gasoline docks and pump-out stations, small boat rentals, boating schools, personal watercraft launch areas and, in anchorages, passenger and equipment loading zones, dinghy docks, and navigational information centers.

134. Residential and mixed use projects shall not reduce the amount of land area devoted to coastal-dependent boating uses in the development zone. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be located within the development zone at a location that affords equal operational efficiency for the use. Construction of the replacement use shall be phased so that said use is replaced before development of the use which displaces it.

145. All development shall contribute its fair and proportionate share of necessary mitigation of the development's impacts on the subregional transportation program as determined in subsection (A)(10) of Section 22.46.1180.

a. ~~Threshold. Mitigation measures are required if (1) an intersection is projected to operate at a mid-range level of service D (or volume to capacity (V/C) ratio of 0.85) as a result of the project's impacts, or (2) intersections within the project's area of influence are already operating at a level of service above 0.85, and the project will result in a projected increase of 0.01 above anticipated ambient conditions.~~ Thresholds. A determination of a significant impact shall be based on the Department of Public Works' Traffic Impact Analysis Report Guidelines as follows: At LOS C, a development project causing a V/C increase of 0.04 or more results in a significant impact. At LOS D, a V/C increase of 0.02 or more results in a significant impact, and at LOS E/F, a V/C increase of 0.01 or more results in a significant impact.

b. Recommendations on Mitigation Requirements. If the Department of Public Works determines that mitigation is required, the department, ~~with input from the city department of transportation and Caltrans,~~ shall determine the type of mitigation measures most appropriate to the specific project. For mitigation measures outside the Marina, the Department of Public Works will coordinate with the other jurisdictions. The department shall specifically determine how much an appropriate or projected mitigation measure would reduce the impacts of the project's ~~daily and peak-hour~~ trips on the subregional transportation system, and shall submit a recommendation on a preferred mitigation measure or mitigation requirement. If a "fair share amount contribution-mitigation" is determined to be ~~the appropriate mitigation measure~~, the department shall determine the applicant's proportionate fair share of the project to which the mitigation will apply, and the construction schedule of the suggested improvement, and shall submit a recommendation on a preferred mitigation requirement. The types of mitigation measures available to satisfy this requirement are listed in subsection (A)(15)(c) of this section.

c. Available traffic mitigation measures:

-- Revised Set of Revised Intersection Improvement Projects

-- Transportation Improvements to the Regional Transportation System

-- Reduction of traffic trips as may be accomplished through participation in Transportation Demand Management (TDM) programs.

~~—Category 3 improvements listed in the transportation improvement program, found in Appendix G of this Specific Plan;~~

~~—Reduction in traffic trips as may be accomplished through participation in transportation system management and transportation demand management programs cited in Appendix G of this Specific Plan;~~

-- Reduction of traffic trips as may be accomplished through reduction in project size;

-- Payment of an in lieu fee or "fair share" amount of a mitigation project where a fair share amount of the mitigation requirement has been determined, the project has been scheduled for construction and the cost and benefits of the project have been determined; and

-- Other mitigation measure(s) mutually acceptable to the Department of Public Works, ~~the city department of transportation~~ LADOT, and Caltrans.

d. Timely Submittal of Required Traffic Impact Analysis Studies and Evaluations. The studies, analysis and evaluations required by this subsection 15 shall be required to be completed before filing a coastal development permit application with the Department of Regional Planning. If the applicant requests that the traffic study be evaluated during the environmental review process, the applicant's coastal development permit shall not be filed or accepted until such time as the traffic study has been completed to the satisfaction of the Department of Public Works. ~~If the applicant requests a direct contribution to an existing subregional mitigation fund, information regarding that fund and the applicant's agreement to contribute a fair share mitigation fee to that fund shall be provided at the time a traffic study otherwise would have been required.~~

e. Mitigation. All development must pay fees to fully mitigate all significant ~~daily and~~ peak-hour adverse traffic impacts.

~~156. The design control board will have final review of the architectural design (i.e., building and façade design, materials, colors), landscaping and signs based on the site plan approved by the regional planning commission or hearing officer.~~

B. The conditions (Section 22.46.1190) shall run with the land and shall be binding on all lessees and sublessees of the parcel. (Ord. 2009-0004 § 5, 2009; Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1200 Land use category use restrictions and development standards--Purpose.

A. The following use restrictions and development standards shall apply to land use categories in this Specific Plan area. All land use categories are subject to the design guidelines and phasing requirements provided for in Sections 22.46.1060 and 22.46.1090 of this Specific Plan. Land use categories extend beyond the parcel boundary line to the centerline of the street(s) bordering the parcel. Development on a parcel must also conform to the Site-Specific Development Guidelines of this Specific Plan. As used in these Land Use Restrictions and in the site-specific guidelines, the word "shall" means a requirement is mandatory whereas the word "may" means the standards are encouraged but not imperative. Where site-specific guidelines found in Section 22.46.1790 or the conditions of development found in Section 22.46.1190 differ from the regulations of these

Land Use Restrictions and Development Standards, such site-specific standards and conditions of development shall supersede the land use category regulations listed below. If there is a conflict among these development standards, the more restrictive document shall control.

B. Legal descriptions for parcels according to land use category may be found in Appendix A. Modifications of development standards for land use categories in Marina del Rey shall comply with the variance procedures found in Part 2, Chapter 22.56 of Title 22 and any findings required by the project's coastal development permit. (Ord. 2009-0004 § 6, 2009; Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1210 Organization.

Each of the following land use categories contain restrictions and standards which shall apply on all parcels designated for that category. There are two types of land use categories: (1) primary land use category and (2) overlay land use category. All parcels have designated a primary land use category; selected parcels are assigned an overlay land use category as well. The standards and requirements for an overlay category shall be considered in conjunction with the requirements of the primary land use category. Land use categories are organized in the following fashion:

A. Intent. This is a statement of purpose of the category with regard to the development and resource protection policies that are to be carried out in the particular category.

B. Principal Permitted Uses. This is a listing of the uses which clearly implement the designated land uses and policies of the category. These uses require approval of a coastal development permit unless they are specifically exempted or categorically excluded. Each principal permitted uses section is divided into primary uses, which may stand alone, and uses allowed only in conjunction with a primary or conditionally permitted use. The principal permitted use is generally not appealable to the Coastal Commission unless it is located in one of the areas listed in Section 22.56.2450 where the Coastal Commission retains appeal jurisdiction. Secondary uses are uses which do not require a conditional use permit, but which are appealable to the Coastal Commission. Coastal development permits for uses which are appealable to the Coastal Commission shall have a public hearing in accordance with Section 22.56.2380.

C. Uses Subject to Additional Permits. This is a listing of uses which may implement the intent of the category but only under certain circumstances or conditions. These uses may require the approval of conditional use, temporary use or other permits in addition to a coastal development permit or other development approval. The uses in this section are appealable to the Coastal Commission. Coastal development permits for uses which are appealable to the Coastal Commission shall have a public hearing in accordance with Section 22.56.2380.

D. Development Standards. This is a listing of regulations that apply to development within a particular land use category. These regulations relate to height limits, setbacks, lot coverages and densities. The development standards, including height, identified for each land use category are the maximums permitted in the land use category; standards are further restricted, where stated, on a parcel-specific basis according to Sections 22.46.1790 through 22.46.1940. Compliance with these standards will be substantiated through the issuance of coastal development permits. Where a range of height standards are given, the height over the minimum may be approved only

if allowed on the site and under the conditions set forth in subsection E of Section 22.46.1060, and only if allowed on the site by Sections 22.46.1790 through 22.46.1940. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1220 **Residential III**--Intent.

Residential III is intended as a medium-density residential category permitting up to 35 dwelling units per net acre. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1230 Residential III--Permitted uses.

Property in the Residential III category may be used for:

A. The following principal permitted use:

-- Multiple-family structures no more than 35 units per net acre.

B. The following permitted uses:

-- Apartment houses;

-- Bicycle and pedestrian path rights-of-way;

-- Public parks and picnic areas;

-- Townhouses.

C. The following uses only when in conjunction with a primary use listed in subsection A, a permitted use listed in subsection B above, or with a use listed in Section 22.46.1240 below:

-- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;

-- Animals, domestic and wild, maintained or kept as pets for personal use as provided in Part 3 of Chapter 22.52;

-- Building materials, storage of, used in the construction of a building or building project, during the construction and 30 days thereafter, including the contractor's temporary office, provided that any lot or parcel of land so used shall be a part of the building project, or on property adjoining the construction site;

-- Grading projects, off-site transport, where not more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.1752 and 22.56.1753;

-- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1240 Residential III--Uses subject to additional permits.

Property in the Residential III category may be used for:

A. The following uses provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Access to property lawfully used for a purpose not permitted in Residential III, provided no other practical access to such property is available, and such access will not alter the character of the premises in respect to permitted uses in the Residential III category;

-- Visitor- and neighborhood-serving commercial development not exceeding 1,000 square feet, cumulative, for the site, provided:

1. That parking shall be provided for all uses in excess of 500 square feet,

2. That such uses shall be open to the public and accessible from public roads, view corridors and/or walkways,

3. That signage and hours of operation enhance compatibility with the residential development;

-- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;

-- Grading projects, on-site;

-- Oil or gas wells and observation facilities;

-- Parking for boating-related uses;

-- Parking lots, but excluding commercial parking lots where greater than 50 percent of the leasehold's income is from parking fees;

-- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith;

-- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;

-- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan;

-- Visitor-serving commercial uses listed in Sections 22.46.1390 and 22.46.1400 when allowed by the site-specific development guidelines of this Specific Plan.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Congregate care facilities;

-- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1250 Residential III--Development standards.

These standards shall apply for all uses in the Residential III category:

-- Building height is limited to a maximum of 75 feet;

-- Dwelling unit density shall not exceed 35 units per net acre;

- Front and rear yard setbacks shall be a minimum of 10 feet, in addition to the required highway and promenade setback;
- Side yard setbacks shall be a minimum of five feet;
- View corridors, public open space areas and/or accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;
- The County shall encourage alternative forms of transportation in new or remodeled residential projects by considering the use of Zip Cars, and other similar non-personal automobile strategies when evaluating requests for parking permits.

-- Residential and mixed use shall not reduce the amount of land area devoted to existing visitor-serving, boating, or marine commercial uses:

A. With the exception of facilities located on Parcels 1, 54, 56 and 55, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the marina, and water and/or anchorage access necessary to allow the use to operate is preserved, and so long as the use is economically viable. If no commercial operator wishes to operate a use, there shall be no obligation on the County's part to take further action.

B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence,

C. Visitor-serving uses shown on LUP Map 6⁵, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment,

D. Other existing recreation, visitor-serving and marine commercial facilities not shown on LUP Map 6 may be relocated in conjunction with development as long as the use is replaced within the marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1260 Residential IV--Intent.

Residential IV is intended as a medium-high density residential category permitting up to 45 dwelling units per net acre. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1270 Residential IV--Permitted uses.

Property in the residential IV category may be used for:

A. The following principal permitted use:

- Multiple-family structures no more than 45 dwelling units per net acre.

B. The following permitted uses:

- Apartment houses;
- Bicycle and pedestrian path rights-of-way;
- Public parks and picnic areas;
- Townhouses.

C. The following uses only when in conjunction with a primary use listed in subsection A, a permitted use listed in subsection B above, or with a use listed in Section 22.46.1280 below, subject to the same limitations and conditions provided in Section 22.46.1230:

- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;
- Animals, domestic and wild, maintained or kept as pets or for personal use as provided in Part 3 of Chapter 22.52;
- Building materials, storage of;
- Grading projects, off-site transport;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1280 Residential IV--Uses subject to additional permits.

Property in the Residential IV category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Residential IV category;
- Visitor- and neighborhood-serving commercial development not exceeding 1,000 square feet, cumulative, for the site, provided:
 1. That parking shall be provided for all uses in excess of 500 square feet,
 2. That such uses shall be open to the public and accessible from public roads, view corridors and or walkways,
 3. That signage and hours of operation enhance compatibility with the residential development;
- Congregate care facilities;
- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;
- Grading projects, on-site;
- Oil or gas wells and observation facilities;
- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith;

- Parking for boating-related uses;
- Parking lots, but excluding commercial parking lots;
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan;
- Visitor-serving commercial uses listed in Sections 22.46.1390 and 22.46.1400 when allowed by the Site-Specific Development Guidelines of this Specific Plan;
- Youth hostels.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56.
(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1290 Residential IV--Development standards.

These standards shall apply for all uses in the Residential IV category:

- Building height is limited to a maximum of 140 feet;
- Dwelling unit density shall not exceed 45 units per net acre;
- Front and rear yard setbacks shall be a minimum of 10 feet, in addition to the required highway and promenade setbacks;
- Side yard setbacks shall be a minimum of five feet;
- View corridors, public open space areas and/or accessways and emergency access corridors required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;
- The County shall encourage alternative forms of transportation in new or remodeled residential projects by considering the use of Zip Cars and other similar non-personal automobile strategies when evaluating requests for parking permits.

-- Residential and mixed use shall not reduce the amount of land area devoted to existing visitor-serving, boating, or marine commercial uses:

A. With the exception of facilities located on Parcels 1, 54, 56 and 55, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the marina, and water and/or anchorage access necessary to allow the use to operate is preserved,

B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence,

C. Visitor-serving uses shown on LUP Map 65, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment,

D. Other existing recreation, visitor-serving and marine commercial facilities not shown on LUP Map 6 may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1300 **Residential V**--Intent.

Residential V is intended as a high-density residential category permitting up to 75 dwelling units per net acre. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1310 Residential V--Permitted uses.

Property in the Residential V category may be used for:

A. The following principal permitted use:

-- Multiple-family dwellings no more than 75 dwelling units per net acre.

B. The following permitted uses:

-- Apartment houses;

-- Bicycle and pedestrian path rights-of-way;

-- Public parks and picnic areas;

-- Townhouses;

-- Youth hostels.

C. The following uses only when in conjunction with a primary use listed in subsection A above, a permitted use listed in subsection B above, or with a use listed in Section 22.46.1320 below, subject to the same limitations and conditions provided in Section 22.46.1230:

-- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;

-- Animals, domestic and wild, maintained or kept as pets for personal use as provided in Part 3 of Chapter 22.52;

-- Building materials, storage of;

-- Grading projects, off-site transport;

-- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1320 Residential V--Uses subject to additional permits.

Property in the Residential V category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Residential V category;
- Visitor- and neighborhood-serving commercial development not exceeding 1,000 square feet, cumulative, for the site, provided:

1. That parking shall be provided for all uses in excess of 500 square feet;
2. That such uses shall be open to the public and accessible from public roads, view corridors and/or walkways;
3. That signage and hours of operation enhance compatibility with the residential development.

-- Congregate care facilities;

-- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;

-- Grading projects, on-site;

-- Oil or gas wells and observation facilities;

-- Parking for boating-related uses;

-- Parking lots, but excluding commercial parking lots;

-- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith;

-- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;

-- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan;

-- Visitor-serving commercial uses listed in Sections 22.46.1390 and 22.46.1400 when allowed by the Site-Specific Development Guidelines of this Specific Plan.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in force and effect in conformity with the conditions of such permit for:

-- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1330 Residential V--Development standards.

These standards shall apply for all uses in the Residential V category:

-- Building height is limited to a maximum of 225 feet;

-- Dwelling unit density shall not exceed 75 units per net acre;

-- Front and rear yard setbacks shall be a minimum of 10 feet, in addition to the required highway and promenade setback;

- Side yard setbacks shall be a minimum of five feet;
- View corridors, public open space areas and/or accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;
- The County shall encourage alternative forms of transportation in new or remodeled residential projects by considering the use of Zip Cars and other similar non-personal automobile strategies when evaluating requests for parking permits.
- Residential and mixed use shall not reduce the amount of land area devoted to existing visitor-serving, boating, or marine commercial uses:
 - A. With the exception of facilities located on Parcels 1, 54, 56 and 55, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved;
 - B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;
 - C. Visitor-serving uses shown on LUP Map 65, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;
 - D. Other existing recreation, visitor-serving and marine commercial facilities not shown on LUP Map 6 may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1335- Senior Accommodations--Intent

Provide specialized housing for persons over age 62 who may or may not be retired.

22.46.1336- Senior Accommodations--Permitted Uses

A. The following principal use:

-- Senior Accommodations.

B. The following permitted uses:

Reserved

22.46.1337- Senior Accommodations--Uses subject to additional permits

--Congregate care facilities (no age restriction);

22.46.1338 Senior Accommodations--Development standards

These standards apply to all uses in the Senior Accommodations category:

-- Units shall contain no more than two bedrooms and shall not provide a kitchen;

- Communal dining facilities shall be available on-site;
- Mixed use services provided on-site for residents may include, but are not limited to, concierge, dry cleaners, laundry, hair and beauty salon, spa (excluding massage), recreation room, lounge, shuttle/limousine, travel, maid, linen, and other similar personal services;
- Units are not considered residential uses for purposes of allocating dwelling units, assessing affordable housing requirements, or assessing transient occupancy taxes or fees;
- Height limit of 75 feet from finished floor, not including rooftop appurtenances, is permitted;
- and

22.46.1340 **Hotel**--Intent.

Hotel is intended as an overnight accommodations/attendant services category. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1350 Hotel--Permitted uses.

Property in the Hotel category may be used for:

A. The following principal permitted use:

-- Hotel.

B. The following permitted uses:

-- Bicycle and pedestrian path rights-of-way;

-- Certified farmers' market (temporary);

-- Hotels;

-- Public parks and picnic areas;

-- Motels;

-- Youth hostels.

C. The following uses only when in conjunction with a primary use listed in subsection A above, a permitted use in subsection B above, or with a use listed in Section 22.46.1360 below, subject to the same limitations and conditions provided in Section 22.46.1230:

-- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;

-- Bars and cocktail lounges, excluding cabarets;

-- Building materials, storage of;

-- Commercial service concessions offering newspapers, notions, grocery, bookstores, gift shops, florist shops, clothing stores or similar facilities in hotels or motels, where allowed by the Site-Specific Development Guidelines of this Specific Plan, provided:

1. That such facilities are designed and operated for the convenience of the hotel and conference guests and visitors to the Marina and are no more extensive than is necessary to service such development, but in no event totaling more than 1,000 square feet cumulatively;
 2. That such uses shall be open to the public and accessible from public roads, plazas, view corridors, and/or walkways;
 3. That public entrances to such facilities are visible from public promenades, view corridors, plazas, and streets;
 4. That any such facilities that include more than 16 restaurant or fast food seats are considered when calculating the hotel's relationship to the phasing policies in Section 22.46.1090 and/or its parking requirements;
 5. That all signs, advertising or identifying such facilities, visible from the street or promenade outside the building shall be approved by the design control board;
 6. That any commercial ice cream, coffee or food service development more than 750 square feet be considered when calculating the hotel's parking and/or phasing requirements;
- Conference, banquet and meeting rooms;
 - Grading projects, off-site transport;
 - Limited use overnight accommodations (within new hotels/motels only)
 - Recreation services intended to serve hotel guests, including, but not limited to, pools, saunas, exercise rooms, tennis courts, etc.;
 - Restaurants and other eating establishments, where allowed by the site-specific development standards of this Specific Plan;
 - Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1360 Hotel--Uses subject to additional permits.

Property in the Hotel category may be used for:

A. The following uses provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Hotel category;
- Cabarets, provided that, as a condition of use, such use shall not be located within a 1,000-foot radius of any other adult business, and subject to the provisions of Section 22.56.190;
- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;
- Grading projects, on-site;
- Nightclubs;
- Oil or gas wells and observation facilities;

- Parking for boating-related uses;
- Parking lots and parking buildings;
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;
- Restaurants not operating in conjunction with a separate hotel or motel on the same parcel;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan;
- Visitor-serving commercial uses listed in Sections 22.46.1390 and 22.46.1400 when allowed by the Site-Specific Development Guidelines of this Specific Plan.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1370 Hotel--Development standards.

These standards shall apply for all uses in the Hotel category:

- Building height is limited to a maximum of 225 feet;
- Front, rear and side yard setbacks shall be a minimum of 10 feet, in addition to the required highway and promenade setback. View corridors, public open space areas and/or accessways or emergency access corridors required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;
- Hotels shall not reduce the amount of land area devoted to existing public parks, boating, or coastal-dependent marine commercial uses:
 - Hotels shall establish a shuttle program to and from Los Angeles International Airport for guests. Hotels shall also provide, on demand, transit passes for those employees requesting the use of public transportation.

A. With the exception of facilities located on Parcels 1, 54, 56 and 55, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved;

B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;

C. Visitor-serving uses shown on LUP Map 6⁵, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;

D. Other existing recreation, visitor-serving and marine commercial facilities not shown on LUP Map 6 may be relocated in conjunction with development as long as the use is replaced within

the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

E. Limited use overnight accommodations are permitted in new hotels (as opposed to refurbishment or remodeling) and may include but not be limited to timeshares, fractional ownerships, condohotels, vacation clubs, and other similar arrangements so long as such other forms of accommodation constitute less than 50% of the total rooms available on the site, and are subject to the requirements below. In addition, at no time may the total amount of limited use overnight accommodations exceed 25% of the total number of hotel rooms in Marina del Rey.

Requirements for limited use overnight accommodations:

- a. Hotel and timeshare units shall be located on the same floors
- b. The hotel owner/operator shall retain control through lease, easements or other legal means of all structural elements, recreational amenities, meeting space, restaurants, “back of house” and other non-guest unit facilities. The hotel operator must be the same entity for the management of both the traditional hotel guestrooms/units and the timeshare units.
- c. The hotel and timeshare resort shall have an on-site hotel operator to manage rental/booking of all guestroom/units (both traditional hotel and timeshare guestrooms/units). Whenever a timeshare unit is not occupied, that unit shall be available for hotel rental by the general public through the hotel reservation system on the same basis as a traditional hotel room.
- d. The hotel operator shall market and advertise all rooms to the general public. Timeshares users may also independently market and advertise their interval but all booking of reservations shall be made by and through the hotel operator.
- e. The hotel operator shall manage all guestrooms/units as part of the hotel inventory, which management shall include the booking of reservations, mandatory front desk check-in and check-out, maintenance, cleaning services and preparing units for use by guests/owners.
- f. All guestrooms/unit keys shall be electronic and created by the hotel operator upon each new occupancy to control the use of the hotel and timeshare units.
- g. Timeshare users shall not discourage rental of their interval or create disincentives meant to discourage rental of their interval.
- h. All timeshare units rented as hotel units shall be rented at a rate similar to that charged by the hotel operator for the traditional hotel rooms of a similar class or amenity level.
- i. The hotel operator shall maintain records of usage by timeshare users and renters and rates charged for all units, and shall be responsible for reporting Transient occupancy Taxes based on records of use for all units.
- j. Timeshare intervals shall be limited to sale in increments of one week, and stays by interval users shall be limited to no more than a total of four weeks annually. Timeshare users shall be required to participate in a major exchange program, such as RCI or Interval International.
- k. No fee simple interest shall be conveyed to a timeshare participant.
- l. Height limit of 225 feet, except on moles where the limit is 45 feet. Special height standards may apply to mole roads.

22.46.1380 **Visitor-Serving/Convenience Commercial**--Intent.

Visitor-Serving/Convenience Commercial is intended as a service-oriented category providing dining facilities, retail sales and personal services for visitors, residents and employees of Marina del Rey. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1390 Visitor-Serving/Convenience Commercial--Permitted uses.

Property in the Visitor-Serving/Convenience Commercial category may be used for:

A. The following principal permitted use:

-- Visitor-serving and convenience retail stores as further defined in subsection 1 below.

1. Visitor-serving uses:

-- Amusement rides and devices, including merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling and similar equipment operated at one particular location not longer than seven days in any six-month period,

-- Aquariums,

-- Arboretums and horticultural gardens,

-- Arcades,

-- Art galleries,

-- Automobile rental and leasing agencies,

-- Bait and tackle sales and rental,

-- Bakeries,

-- Bar and cocktail lounges, excluding cabarets,

-- Bicycle and motor scooter rentals,

-- Bicycle and pedestrian path rights-of-way,

-- Boat charters,

-- Boat rentals,

-- Certified farmers' market (temporary);

-- Comfort stations,

-- Gift shops,

-- Ice cream shops,

-- Museums,

-- Movable snack and souvenir carts,

-- Parking lots and parking buildings,

-- Parking for boating-related uses,

- Post office,
 - Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith,
 - Restaurants and other eating establishments, including food takeout. Existing restaurant seats may be recycled according to subsection C5 of Section 22.46.1090. New restaurant seats may be constructed only where stated in the Site-Specific Development Guidelines,
 - Skate sales and rentals,
 - Stations, bus, railroad and taxi,
 - Swimming pools,
 - Tourist information centers,
 - Youth hostels;
2. Convenience commercial uses:
- Antique shops,
 - Automobile service stations, including incidental repair, washing and rental of utility trailers subject to the provisions of subsection B of Section 22.28.090,
 - Bakery shops, including baking only when incidental to retail sales from the premises,
 - Banks, savings and loans, credit unions and finance companies,
 - Barbershops,
 - Beauty shops,
 - Bicycle shops,
 - Bookstores,
 - Ceramic shops, including manufacturing incidental to retail sales from the premises, provided the total volume of kiln space does not exceed eight cubic feet,
 - Child care centers,
 - Clothing stores,
 - Community centers,
 - Confectionery or candy stores, including making only when incidental to retail sales from the premises,
 - Delicatessens,
 - Dental clinics, including laboratories in conjunction therewith,
 - Dress shops,
 - Drugstores,
 - Dry cleaning establishments, excluding wholesale dry cleaning plants, provided that the building is so constructed and the equipment is so conducted that all noise, vibration, dust, odor and all other objectionable factors will be confined or reduced to the extent that no annoyance or injury will result to persons or property in the vicinity,
 - Florist shops,

- Health food stores,
- Hobby supply stores,
- Jewelry stores,
- Laundries, hand,
- Laundries, self-service,
- Leather goods stores,
- Liquor stores,
- Locksmith shops,
- Markets,
- Medical clinics, including laboratories in conjunction therewith,
- Music stores,
- Newsstands,
- Notion or novelty stores,
- Nurseries, including the growing of nursery stock,
- Pharmacies,
- Photographic equipment and supply stores,
- Photography studios,
- Public parks and picnic areas,
- Real estate offices,
- Retail stores,
- Shoe stores,
- Silver shops,
- Sporting goods stores,
- Stationery stores,
- Tailor shops,
- Tobacco shops,
- Toy stores,
- Yarn and yardage stores.

B. The following uses only when in conjunction with a primary use listed in subsection A above or with a use listed in Section 22.46.1400, subject to the same limitations and conditions provided in Section 22.46.1230:

- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;
- Building materials, storage of;
- Grading projects, off-site transport;

-- Live entertainment, accessory, in a legally established bar, cocktail lounge or restaurant having an occupant load of less than 200 people, where in full compliance with the conditions of Section 22.56.1754;

-- On-premises or directional signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan, and as approved by the design control board.

(Ord. 95-0058 § 3, 1995; Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1400 Visitor-Serving/Convenience Commercial--Uses subject to additional permits.

Property in the Visitor-Serving/Convenience Commercial category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Access to property lawfully used for a purpose not permitted in the Visitor-Serving/Convenience Commercial category;

-- Amusement rides and devices, including merry-go-rounds, ferris wheels, swings, toboggans, slides, rebound-tumbling and similar equipment for longer than seven days;

-- Cabarets, provided that, as a condition of use, such use shall not be located within a 1,000-foot radius of any other adult business, and subject to the provisions of Section 22.56.190;

-- Churches, temples or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith;

-- Colleges and universities, including appurtenant facilities, giving advanced academic instruction approved by the State Board of Education or recognized accrediting agency, but excluding trade or commercial schools;

-- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;

-- Grading projects, on-site;

-- Health clubs or centers;

-- Hospitals;

-- Live entertainment, accessory, in a legally established bar, cocktail lounge or restaurant having an occupant load of less than 200 people where the conditions of Section 22.56.1754 have not or cannot be met. This provision shall not be construed to authorize the modification of development standards required for establishment of such bar, cocktail lounge or restaurant, except as otherwise provided by Part 2 of Chapter 22.56;

-- Nightclubs;

-- Oil or gas wells and observation facilities;

-- Outdoor display, sales and storage;

-- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;

- Schools, through Grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the state of California, in which no pupil is physically restrained, but excluding trade schools;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan;
- Storage of personal and household items where allowed by the Site-Specific Development Guidelines of this Specific Plan;
- Theaters and other auditoriums.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1410 Visitor-Serving/Convenience Commercial--Development standards.

These standards shall apply for all uses in the Visitor-Serving/Convenience Commercial category:

- Building height is limited to a maximum of 45 feet;
- Front, rear and side yard setbacks shall be a minimum of 10 feet in addition to the required highway setback. View corridors, public open space areas and/or accessways or emergency accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;
- Visitor-Serving/Convenience Commercial uses shall not reduce the amount of land area devoted to existing visitor-serving, boating or coastal-dependent marine commercial uses, and visitor-serving uses may be integrated vertically with recreational boating uses where possible:

A. With the exception of facilities located on Parcels 1, 54, 55 and 56, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved. The County may combine additional recreational boating uses on Parcel 54, -55 and 56;

B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;

C. Visitor-serving uses shown on LUP Map ~~6~~5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;

D. Other existing recreation, visitor-serving and marine commercial facilities not shown on Map 6 of the LUP may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence.

E. With respect to Parcel 49, any redevelopment which increases the visitor-serving area shall include urban open space. The amount of urban open space shall be based on whether the launch ramp remains at Parcel 49, or is moved to another location in the harbor. Should the launch ramp remain, at minimum one acre of urban open space shall be provided. If the launch ramp is moved, a minimum of 2 acres of urban open space must be provided. The urban open space may consist of hardscape and landscape, and may be above ground level to maximize views. Any project proposed on Parcel 49 shall demonstrate how such urban open space is to be used by the public, and such urban open space shall not be displaced by commercial uses, such as outdoor dining.

F. With respect to the launch ramp on Parcel 49, if visitor-serving development is undertaken on that parcel, the launch facility must remain in operation or be transferred to another site. At no time may the launch ramp be closed down except in times of national emergency or to provide staging for a local emergency.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1420 **Marine Commercial**--Intent.

Marine Commercial is intended as a category which will allow coastal-related and coastal-dependent land and water uses, including storage and repair of boats. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1430 Marine Commercial--Permitted uses.

Property in the Marine Commercial category may be used for:

A. The following principal permitted use:

-- Boat launching and open storage.

B. The following permitted uses:

-- Bait and tackle sales and rental;

-- Bicycle and pedestrian path rights-of-way;

-- Boat and marine sales and service;

-- Boat launching;

-- Boat operation, rental, charter and moorage;

-- Boat repair, minor, including rigging, sanding and tuneups but excluding spray painting and major engine overhauls;

-- Certified farmers' market (temporary)

-- Dry boat storage within racks or structures less than 45 feet high;

-- Ferries, water taxis, harbor cruises, and other scenic boating;

-- Launch hoists;

- Marine gas sales and accessory retail;
- Moorage;
- Parking for boating-related uses;
- Public parks and fishing areas;
- Sales, rental and repair of marine supplies;
- Sale of food, beverages and sundries as a convenience to boaters;
- Schools for teaching boating, sailing and other marine-related activities;
- Transient boating visitor facilities, including docks, showers, restrooms and laundry, but excluding overnight accommodations;
- Wet slips.

C. The following uses only when in conjunction with a primary use listed in subsection A, a permitted use listed in subsection B above or with a use listed in Section 22.46.1440 below, subject to the same limitations and conditions provided in Section 22.46.1230:

- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;
- Building materials, storage of;
- Grading projects, off-site transport;
- Office uses related to on-site boating activities, including yacht brokerage, marine insurance, marine engineering and design services, provided that the area devoted to such use does not exceed 2,000 square feet, the business conducted in the building is marine or boating-related and accessory to the principal use on the parcel;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan and approved by the design control board.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1440 Marine Commercial--Uses subject to additional permits.

Property in the Marine Commercial category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Marine Commercial category;
- Boat repair, painting and limited manufacturing;
- Boathouses, rowing clubs and facilities associated with crew racing;
- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;

- Grading projects, on-site;
- Office uses related to boating activities, including yacht brokerage, marine insurance, admiralty law, marine accountancy, marine engineering and design services, provided that no more than 25 percent of the site is devoted to such uses;
- Oil and gas wells and observation facilities;
- Parking lots and parking buildings;
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan and approved by the design control board;
- Yacht clubs.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56.
(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1450 Marine Commercial--Development standards.

These standards shall apply for all uses in the Marine Commercial category:

- Building height is limited to a maximum of 45 feet, except that dry stack storage uses may be allowed a maximum of 75 feet when allowed by the Site-Specific Development Guidelines;
- Front, rear and side yard setbacks shall be a minimum of five feet, in addition to the required highway and promenade setbacks;
- View corridors, public open space areas and/or accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if the director finds that such design will enhance visual and physical access to the shoreline;
- Marine Commercial uses shall not reduce the amount of land area devoted to existing visitor-serving, boating or coastal-dependent marine commercial uses:

A. With the exception of facilities located on Parcels 1, 54, 55 and 56, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved, and so long as the use is economically viable. If no commercial operator wishes to operate a use, there shall be no obligation on the County's part to take further action;

B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;

C. Visitor-serving uses shown on Map 6-5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;

D. Other existing recreation, visitor-serving and marine commercial facilities not shown on Map 6 of the LUP may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence;

-- Parcels developed with yacht clubs shall reserve a minimum of 50 percent of the land area for boat storage uses.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1460 **Boat Storage**--Intent.

Boat Storage is intended as a category allowing storage and repair of boats. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1470 Boat Storage--Permitted uses.

Property in the Boat Storage category may be used for:

A. The following principal permitted use:

-- Boat launching and open or enclosed storage of boats.

B. The following permitted uses:

-- Bicycle and pedestrian path rights-of-way;

-- Boat repair, minor, including rigging, sanding and tuneups but excluding spray painting and major engine overhauls;

-- Certified farmers' market (temporary)

~~-- Dry boat storage;~~

-- Launch hoist;

-- Moorage;

-- Parking for boating-related uses;

-- Transient boating visitor facilities, including docks and showers;

-- Wet slips.

C. The following uses only when in conjunction with a primary use listed in subsection A above, a permitted use listed in subsection B above or with a use listed in Section 22.46.1480 below, subject to the same limitations and conditions provided in Section 22.46.1230:

-- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property not exceeding a total of 1,000 square feet or 10 percent of the area of the property, whichever is lesser;

- Bait and tackle sales and rental not exceeding 500 square feet or 10 percent of the area of the property, whichever is lesser;
- Building materials, storage of;
- Grading projects, off-site transport;
- Sale of food, beverages and sundries as a convenience to boaters, not exceeding 500 square feet or 10 percent of the area of the property, whichever is lesser;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan, and approved by the design control board.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1480 Boat Storage--Uses subject to additional permits.

Property in the Boat Storage category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Boat Storage category;
- Boathouses, rowing clubs, and facilities associated with crew racing;
- Dry stack storage buildings;
- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;
- Grading projects, on-site;
- Oil or gas wells and observation facilities;
- Parking lots and parking buildings;
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1490 Boat Storage--Development standards.

These standards shall apply for all uses in the Boat Storage category:

- Building height is limited to a maximum of 25 feet, except that dry stack storage uses may be allowed a maximum of 75 feet when allowed by Site-Specific Development Guidelines;

-- Front, rear and side yard setbacks shall be a minimum of five feet, in addition to the required highway setback;

-- View corridors, public open space areas and/or accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if the director finds that such design will enhance visual and physical access to the shoreline;

-- Boat Storage uses shall not reduce the amount of land area devoted to the existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and public access:

A. With the exception of facilities located on Parcels 1, 54, 55 and 56, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved;

B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;

C. Visitor-serving uses shown on Map ~~6-5~~ of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;

D. Other existing recreation, visitor-serving and marine commercial facilities not shown on Map 6 of the LUP may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1500 **Office**--Intent.

The Office category is intended to authorize a variety of generalized offices. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1510 Office--Permitted uses.

Property in the Office category may be used for:

A. The following principal permitted use:

-- Office buildings.

B. The following permitted uses:

-- Banks, savings and loans;

-- Bicycle and pedestrian path rights-of-way;

-- Certified farmers' market (temporary)

-- Offices, business or professional;

- Public parks and picnic areas;
- Youth hostels.

C. The following uses only when in conjunction with a primary use listed in subsection A above, a permitted use listed in subsection B above, or with a use listed in Section 22.46.1520 below, subject to the same limitations and conditions provided in Section 22.46.1230:

- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;
- Building materials, storage of;
- Grading projects, off-site transport;
- Public parks and picnic areas;
- Retail commercial, restaurant, personal and business services located on the ground floor only;
- On-site signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan and approved by the design control board.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1520 Office--Uses subject to additional permits.

Property in Office category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Office category;
- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;
- Grading projects, on-site;
- Oil or gas wells and observation facilities;
- Parking for boating-related uses;
- Parking lots and parking buildings;
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1530 Office--Development standards.

These standards shall apply for all uses in the Office category:

- Building height is limited to a maximum of 45 feet seaward of the loop roads and a maximum of 225 feet on all other parcels;
- Front, rear and side yard setbacks shall be a minimum of 10 feet in addition to the required highway, emergency access and promenade setback;
- View corridors, public open space areas and/or accessways required in this Specific Plan may be designed and integrated with the required front, side and rear yard setbacks or located elsewhere on the property if such design will enhance visual and physical access to the shoreline;
- Office project uses shall not reduce the amount of land area devoted to the existing visitor-serving, boating or marine commercial uses:
 - A. With the exception of facilities located on Parcels 1, 54, 55 and 56, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved;
 - B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;
 - C. Visitor-serving uses shown on Map 6-5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;
 - D. Other existing recreation, visitor-serving and marine commercial facilities not shown on Map 6 of the LUP may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1540 **Parking**--Intent.

Parking is intended as a category which will provide areas for public motor vehicle parking, particularly for visitors to Marina del Rey, as well as special events for the benefit of the public. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1550 Parking--Permitted uses.

Property in the Parking category may be used for:

- A. The following principal permitted use:
 - Surface public parking lots.
- B. The following primary uses:
 - Bicycle and pedestrian path rights-of-way;

| -- Certified farmers' markets and other similar events.

-- Information directories;

-- Parking lots and parking buildings up to 45 feet high;

-- Parking for boating-related uses;

| -- Public parks and picnic areas.

C. The following uses only when in conjunction with a primary use listed in subsection A, a permitted use listed in subsection B above, or with a use listed in Section 22.46.1560 below, subject to the same limitations and conditions provided in Section 22.46.1230:

-- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;

-- Building materials, storage of;

-- Grading projects, off-site transport;

-- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan and approved by the design control board;

-- Structures used for fee collection.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1560 Parking--Uses subject to additional permits.

Property in the Parking category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Access to property lawfully used for a purpose not permitted in the Parking category;

-- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;

-- Grading projects, on-site;

-- Oil or gas wells and observation facilities;

-- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;

-- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan and approved by the design control board;

| -- Youth hostels.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1570 Parking--Development standards.

These standards shall apply for all uses in the Parking category:

-- Heights shall be limited according to parcel specific standards in Section 22.46.1780, in the Site-Specific Development Guidelines of this Specific Plan, but at a maximum, no more than 45 feet in height on moles and seaward of loop roads, and no more than 90 feet in height north of Admiralty Way or adjacent to Lincoln Boulevard;

-- Standards shall be as set forth in Part 11, Chapter 22.52 of this Title 22;

-- Parking lots shall not reduce the amount of land area devoted to the existing visitor-serving, boating, or marine commercial uses:

A. With the exception of facilities located on Parcels 1, 54, 55 and 56, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the marina, and water and/or anchorage access necessary to allow the use to operate is preserved, and so long as the use is economically viable. If no commercial operator wishes to operate a use, there shall be no obligation on the County's part to take further action.;

B. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;

C. Visitor-serving uses shown on Map ~~6~~5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;

D. Other existing recreation, visitor-serving and marine commercial facilities not shown on Map 6 of the LUP may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1580 **Public Facilities**--Intent.

The Public Facilities category is intended to provide areas for public services and facilities other than public right-of-way, parking and open space. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1590 Public Facilities--Permitted uses.

Property in the Public Facilities category may be used for:

A. The following principal permitted use:

-- Publicly owned facilities.

B. The following permitted uses:

- Administrative and government offices;
- Certified farmers' market (temporary)
- Fire stations;
- Libraries;
- Police stations;
- Public utility facilities;
- Public parks and picnic areas;
- Rights-of-way for bicycle and pedestrian paths.

C. The following uses only when in conjunction with a primary use listed in subsection A above, a permitted use listed in subsection B above, or with a use listed in Section 22.46.1600 below, subject to the same limitations and conditions provided in Section 22.46.1230:

- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;
- Building materials, storage of;
- Grading projects, off-site transport;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1600 Public Facilities--Uses subject to additional permits.

Property in the Public Facilities category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Public Facilities category;
- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;
- Grading projects, on-site;
- Oil or gas wells and observation facilities;
- Parking for boating-related uses;
- Parking lots and parking buildings;
- Publicly owned uses necessary to the maintenance of the public health, convenience, or general welfare;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan;
- Visitor-serving commercial uses listed in Sections 22.46.1390 and 22.46.1400 when allowed by the Site-Specific Development Guidelines of this Specific Plan.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1610 Public Facilities--Development standards.

These standards shall apply for all uses in the Public Facilities category:

-- Building height is limited to a maximum of 45 feet except that theme towers may extend to a maximum of 140 feet unless otherwise restricted by the site-specific guidelines;

-- Front, rear and side yard setbacks shall be a minimum of 10 feet in addition to the required highway and promenade setback.

(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1620 **Open Space**--Intent.

| The Open Space category is intended to provide urban, passive and active recreational opportunities. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1630 Open Space--Permitted uses.

Property in the Open Space category may be used for:

A. The following principal permitted use:

| -- Public parks, public plazas and picnic areas.

B. The following permitted uses:

-- Bicycle and pedestrian path rights-of-way;

-- Campgrounds, on a lot or parcel of land having not less than one acre;

| -- Certified farmers' market (temporary)

| -- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith;

-- Public promenades;

-- Riding and hiking trails, excluding trails for motor vehicles;

-- View parks and view areas;

-- Visitor-serving concession operations, limited to no more than 500 square feet.

C. The following uses only when in conjunction with a primary use listed in subsection A above or with a use listed in Section 22.46.1640 below, subject to the same limitations and conditions provided in Section 22.46.1230:

- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;
- Building materials, storage of;
- Grading projects, off-site transport;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1640 Open Space--Uses subject to additional permits.

Property in the Open Space category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Open Space category;
- Grading projects, off-site transport, where more than 100,000 cubic yards of material are to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230;
- Grading projects, on-site;
- Oil or gas wells and observation facilities;
- Parking for boating-related uses;
- Parking lots, but excluding commercial parking lots;
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan;
- Youth hostels, where permitted by Site-Specific Development Guidelines.
- Special Events scheduled on a regular basis.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56. (Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1650 Open Space--Development standards.

These standards shall apply for all uses in the Open Space Category:

-- No structure over 25 feet in height shall be constructed.
(Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1660 **Water**--Intent.

Water is intended as a category for recreational use, docking and fueling of boats, flood control, and light marine commercial. (Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1670 Water--Permitted uses.

Property in the Water category may be used for:

A. The following principal permitted use:

-- Water-oriented recreational activities, including boating, fishing, rowing, sightseeing, wind surfing.

B. The following permitted uses:

-- Bicycle and pedestrian path rights-of-way;

-- Boat docks, piers;

-- Boating-related equipment storage;

-- Public view areas;

-- Dry stack storage facilities attached to a land side structure;

-- Schools for boating, sailing and other marine-related activities in which teaching is done on the water;

-- Wet slips.

C. The following uses only when in conjunction with a primary use listed in subsection A above, a permitted use listed in subsection B above, or with a use listed in Section 22.46.1680 below, subject to the same limitations and conditions provided in Section 22.46.1230:

-- Accessory buildings, structures and uses customarily used in conjunction with the primary building or use of the property;

-- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan.

(Ord. 95-0042 § 1 (part), 1995: Ord. 90-0158 § 1 (part), 1990.)

22.46.1680 Water--Uses subject to additional permits.

Property in the Water category may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Access to property lawfully used for a purpose not permitted in the Water category;
- Boat launching facilities;
- Boat fuel docks;
- Boat repair docks;
- Boathouses, rowing clubs and facilities associated with crew racing;
- Docking facilities for charter boats, sightseeing tours, party boats, etc.;
- Oil and gas wells and observation facilities;
- Publicly owned uses necessary to the maintenance of the public health, convenience or general welfare;
- Signs as provided in Part 10 of Chapter 22.52 and in Section 22.46.1060 of this Specific Plan.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

- Temporary uses as provided in Part 14 of Chapter 22.56.
(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1690 Water--Development standards.

These standards shall apply for all uses in the Water category:

- Building height is limited to a maximum of 15 feet; except that dry stack storage facilities, connected to a land side structure, shall be allowed at the heights permitted by the land use category on the land side of the parcel;
- Development of new boat slips must be accompanied by adequate parking and land-side facilities, including boater restrooms.
(Ord. 95-0042 § 1 (part), 1995; Ord. 90-0158 § 1 (part), 1990.)

22.46.1700 **Waterfront Overlay Zone**--Intent.

Waterfront Overlay is intended as an overlay land use category applied as a permitted use to residentially and commercially designated waterfront parcels in addition to the other permitted land use category of the site. The overlay is designed to encourage coastal-related and coastal-dependent land uses while increasing development flexibility. The Waterfront Overlay permits the combination of Hotel, Visitor-Serving Convenience Commercial, and Marine Commercial land uses with the primary land use category of a site; mixing of these uses within a structure is also permitted. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1710 Waterfront Overlay Zone--Permitted uses.

Property in the Waterfront Overlay Zone may be used for:

A. The following principal permitted use:

-- The use identified as the principal permitted use on the parcel, subject to the application as designated in the Site-Specific Development Guidelines for that parcel.

B. The following permitted uses: Hotel, Visitor-Serving Convenience Commercial, Boat Storage, or Marine Commercial, or any use identified as a permitted use on the parcel, subject to the application of permitted land use categories which are designated in the Site-Specific Development Guidelines for that parcel.

C. Any accessory use listed in subsection C of permitted uses for any of the primary land use categories which are designated in the Site-Specific Development Guidelines for that parcel, provided the use is developed in conjunction with an allowed principal permitted use or permitted use, or an accessory use to a use allowed by Section 22.46.1720 below for which a conditional use permit has been granted. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1720 Waterfront Overlay Zone--Uses subject to additional permits.

Property in the Waterfront Overlay Zone may be used for:

A. Any use listed as a principal permitted use, permitted use, or uses subject to additional permits in the Hotel, Visitor-Serving/Convenience Commercial and Marine Commercial land use categories, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1730 Waterfront Overlay Zone--Development standards.

A. Development standards in the Waterfront Overlay Zone shall be equivalent to the standards of the respective primary land use categories in this chapter. Development permitted by the Waterfront Overlay Zone must be consistent with the development standards of the primary land use category which permits the use. The Site-Specific Development Guidelines shall also apply and shall supersede the land use category standards when the standards differ.

B. A detailed plot plan shall be submitted which accurately shows the location and dimensions of all improvements including streets, walkways, water areas, buildings, parcel lines, landscaped areas, buildings, etc. Multistory buildings and areas of mixed uses shall be indicated. Where applicable, the plans shall indicate the boundary lines of the land use categories located on the subject property; the land area for each category shall be calculated and shown on the plan. A

tentative map shall be filed when required by Title 21 of this code. Information shall be submitted which indicates how the proposed development is consistent with the allocation of development in the Development Zone where the parcel resides, as specified in the Site-Specific Development Guidelines.

C. All development shall be carried out consistent with a plot plan submitted with the initial application on the property. The plot plan shall be consistent with the Specific Plan. The plot plan shall cover the entire parcel, and if there is phasing of the project, shall show phasing consistent with the provisions of the Specific Plan.

-- Approval of waterfront overlay zone projects shall be based on the findings that a proposed project will provide improved public shoreline access, public recreational use, public views and day use by the general public, without detracting from public recreation facilities, including boat slips;

-- Mixed Use projects permitted by the Waterfront Overlay Zone shall not reduce the amount of land area devoted to existing visitor-serving, boating or marine commercial uses:

1. With the exception of facilities located on Parcels 1, 54, 55 and 56, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved;

2. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;

3. Visitor-serving uses shown on Map ~~6~~5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;

4. Other existing recreation, visitor-serving and marine commercial facilities not shown on Map 6 of the LUP may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1740 **Mixed Use Overlay Zone**--Intent.

Mixed Use Overlay is intended as an overlay land use category applied to selected parcels in addition to the primary land use category of the site. The overlay is designed to encourage mixed use projects and increase overall development flexibility. The Mixed Use Overlay permits the combination of any land use category with the primary land use category of a site; mixing of uses within a structure is also permitted. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1750 **Mixed Use Overlay Zone**--Permitted Uses.

Property in the Mixed Use Overlay Zone may be used for:

A. The following principal permitted use:

-- The use identified as the principal permitted use on the parcel subject to the application as designated in the Site-Specific Development Guidelines for that parcel.

B. The following permitted uses:

-- Any use identified as a permitted use on the parcel, subject to the application permitted land use categories which are designated in the Site-Specific Development Guidelines for that parcel.

C. Any accessory use listed in subsection B of permitted uses for any of the primary land use categories which are designated in the Site-Specific Development Guidelines for that parcel, provided the use is developed in conjunction with an allowed principal permitted use or permitted use, or an accessory use to a use allowed by Section 22.46.1760 below for which a conditional use permit has been granted. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1760 Mixed Use Overlay Zone--Uses subject to additional permits.

Property in the Mixed Use Overlay Zone may be used for:

A. Any use listed as a principal permitted use, permitted use or uses subject to additional permits in any land use category, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56.

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

-- Temporary uses as provided in Part 14 of Chapter 22.56.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1770 Mixed Use Overlay Zone--Development standards.

A. Development standards in the Mixed Use Overlay Zone shall be equivalent to the standards of the respective primary land use categories in this chapter. Development permitted by the Mixed Use Overlay Zone must be consistent with the development standards of the primary land use category which permits the use. The Site-Specific Development Guidelines shall also apply and shall supersede the land use category standards when the standards differ.

B. A detailed plot plan shall be submitted which accurately shows the location and dimensions of all improvements including streets, walkways, water areas, buildings, parcel lines, landscaped areas, buildings, etc. Multistory buildings and areas of mixed uses shall be indicated. Where applicable, the plans shall indicate the boundary lines of the land use categories located on the subject property; the land area for each category shall be calculated and shown on the plan. A tentative map shall be filed when required by Title 21 of this code. Information shall be submitted which indicates how the proposed development is consistent with the allocation of development in the development zone where the parcel resides, as specified in the Site-Specific Development Guidelines.

C. All development shall be carried out consistent with a plot plan submitted with the initial application on the property. The plot plan shall be consistent with the Specific Plan. The plot

plan shall cover the entire parcel, and if there is phasing of the project, shall show phasing consistent with the provisions of the Specific Plan.

-- Mixed Use projects permitted by the Waterfront Overlay Zone shall not reduce the amount of land area devoted to existing visitor-serving, boating or marine commercial uses:

1. With the exception of facilities located on Parcels 1, 54, 55 and 56, which shall be preserved on site, boating facilities may be relocated in conjunction with development so long as the same or larger boating facility is replaced within the Marina, and water and/or anchorage access necessary to allow the use to operate is preserved;
2. Any project which relocates an existing coastal-dependent boating use, including but not limited to boat launching, boat storage, boater parking and access, shall be phased so that said use is replaced within the Marina before the development which displaces it may commence;
3. Visitor-serving uses shown on Map ~~6~~5 of the LUP, Existing/Proposed Visitor-Serving Facilities, shall be preserved or replaced on-site, as part of redevelopment;
4. Other existing recreation, visitor-serving and marine commercial facilities not shown on Map 6 of the LUP may be relocated in conjunction with development as long as the use is replaced within the Marina before the development which displaces it may commence. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1780 Site-Specific Development Guidelines--Purpose.

A. These guidelines set forth site-specific development standards and guidelines for parcels within the existing Marina. As used in these site-specific guidelines, the word "shall" means a requirement is mandatory whereas the word "may" means the standards are encouraged but not imperative. Development Zones are identified in Exhibit 4, Marina Development Zones (see Exhibit 4 at the end of this Part 3). Exhibits 5 through 19 illustrate the various parcels within each development zone (see Exhibits 5 through 19 set out at the end of this Part 3). Parcel numbers for the existing Marina are those used in lease parcel identification by Los Angeles County. Category boundaries for parcels containing more than one category may be found on the maps included in these site-specific guidelines.

B. Maximum buildouts and land uses are identified for each Development Zone. Certain existing or allocated development may be converted to other uses in the same development zone, consistent with subsection C5 of Section 22.46.1090 of this Specific Plan and the land use category(ies) of the affected parcel(s).

C. Each parcel has an identified primary land use category, required public improvements (if any) and special development considerations. With the exception of Parcel 9, which is under the control of the Los Angeles County department of beaches and harbors, all parcels in Marina del Rey are now developed, and their present use is indicated on pages 21 through 25 of Appendix C, Specifications and Minimum Standards of Architectural Treatment and Construction, of the certified LCP. The additional development potential of a parcel is dependent upon the land use category(ies) of the parcel and the development allocated to the zone in which the parcel resides. Development monitoring shall continuously track the amount of development available in every zone; after an expansion project is approved, the additional development granted as part of the

approval shall be deducted from the development available in a project's development zone. The balance will be the development available for future projects in the zone. Once the buildout allocated to a development zone is depleted to a zero development balance, future development in the zone is limited to recycling of uses with no expansions or increased trip generation. Existing uses shall be maintained on parcels residing in zones with a zero development balance, except for development consistent with the conversion provisions of subsection C5 of Section 22.46.1090.

D. Records. The Department of Regional Planning shall maintain a public record, open for public review and inspection, of (1) the amount of redevelopment granted in each development zone, (2) the amount of redevelopment remaining in each zone, and (3) the amount of redevelopment proposed in pending applications in each zone. Copies of this public log shall be forwarded semiannually to the department of beaches and harbors and the California Coastal Commission.

E. Definitions. Maintenance of a use means the existing or similar use, height, floor area or intensity and peak-hour trip generation of a parcel shall remain the same. Required public improvements are those improvements the parcel lessee will be required to make when new development or recycling of uses on the leasehold occurs. Special development considerations refer to special circumstances or conditions which shall be observed at the time of development.

F. All parcels are subject to the phasing requirements outlined in Section 22.46.1090 of this Specific Plan. In addition, all parcels must conform to the Use Restrictions and Development Standards and to these site-specific guidelines. As used in these land use restrictions and in the site-specific guidelines, the word "shall" means a requirement is mandatory whereas the word "may" means the standards are encouraged but not imperative. Where site-specific guidelines found in Sections 22.46.1790 through 22.46.1940, or the conditions of approval found in Section 22.46.1190 differ from the land use category regulations and development standards listed in Section 22.46.1200, above, such site-specific standards and conditions of development shall supersede the land use category regulations. If there is a conflict among these development standards, the more restrictive document shall control.

G. It is the intent of this Specific Plan to allow the development of public facility uses as needed to serve the visitors and residents of Marina del Rey. Such uses shall include, but are not limited to, parking, fire, sheriff, beach, library, park, public transportation and other emergency and nonemergency services required for the day-to-day operation of the Marina. (Ord. 2009-0004 § 7, 2009; Ord. 95-0042 § 1 (part), 1995; Ord. 91-0004 § 5, 1991; Ord. 90-0158 § 1 (part), 1990.)

22.46.1789 Development Zones and Associated Development Potential

DZ 1 (Exhibit XX)

Residential	1497 units
Hotel:	288 rooms
Retail:	53,000 square feet
Restaurant:	340 seats

Congregate Care: 15 units

DZ 2 (Exhibit XX)

Residential 292 units

Hotel: 217 rooms

Retail: 42,000 square feet

Restaurant: 410 seats

Seniors Accommodations: 114 units

DZ 3 (Exhibit XX)

Residential 255 units

Retail: 178,741 square feet

Restaurant: 573 seats

Office: 26,000 square feet

Dry Stack: 375 spaces

Library: 3,000 square feet

22.46.1790 Site-Specific Development Guidelines--By Development Zone Area.

The following site-specific guidelines shall apply to each respective parcel in Marina del Rey.
(Ord. 95-0042 § 1 (part), 1995; Ord. 91-0004 § 6, 1991; Ord. 90-0158 § 1 (part), 1990.)

22.46.1800 Bora Bora ~~Development Zone 1 Area~~ (Exhibit 5):

Parcels 1, 3, 112, 113, BR

Development allocation: ~~513 dwelling units~~

~~Conversion potential~~

--Parcel 1

Categories: Marine Commercial

Water

Waterfront Overlay

--Parcel 3

Categories: Parking

--Parcel 112

Categories: Residential V

Water

Waterfront Overlay

--Parcel 113

Categories: Residential V

Waterfront Overlay

--Parcel BR

Category: Open Space

Required public improvements:

-- Development shall provide waterfront public pedestrian access consistent with Section 22.46.1150 of this Specific Plan.

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan. New development or intensification on Parcels 112 and 113 shall require reservation of public open space and the construction of a public pedestrian promenade consistent with the 28-foot-wide standard.

-- Public vehicular access shall be maintained along Bora Bora Way. No fewer than 10 public parking spaces shall be provided in a landscaped parking area adjacent to the gas dock.

-- A small waterfront viewing park not less than 500 square feet in area shall be provided on Parcel 112 in conjunction with Phase II development.

-- A small waterfront viewing park not less than 500 square feet in area shall be provided on Parcel 113 on a platform over the bulkhead, in conjunction with Phase II development.

-- Park and picnic facilities, including a restroom shall be installed in Parcel 3 in conjunction with new development in the Bora Bora ~~development zone~~Area.

Special development considerations:

-- New building construction on Parcel 112 shall relate to Bora Bora Way and landscaping shall be enhanced.

-- Parcel 1, Parcel 3--Height category 1: building height not to exceed 25 feet.

-- Parcel 112, Parcel 113--Height category 6: building height not to exceed 225 feet.

(Ord. 2001-0010 § 1, 2001: Ord. 95-0042 § 1 (part), 1995.)

* Editor's note: The changes made to this section by Ordinance 2001-0010 shall not take effect until Local Coastal Program Amendment Case No. 98-172-(4) has been certified by the

~~California Coastal Commission pursuant to the provisions of the California Coastal Act of 1976, as amended to date.~~

~~22.46.1810 Tahiti Development Zone 2 Area (Exhibit 6).~~

Parcels 7, 8, 9, 111

~~Development allocation: 275 dwelling units~~

~~288 hotel rooms/motel units~~

~~76 boat slips~~

~~Conversion potential~~

--Parcel 7

Categories: Residential III

Water

Waterfront Overlay

--Parcel 8

Categories: Residential III

Water

Waterfront Overlay

--Parcel 9

Categories: Hotel

Water

Waterfront Overlay

--Parcel 111

Categories: Residential III (mole portion)

Residential V (nonmole western portion)

Water

Waterfront Overlay

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

Special development considerations:

-- Parcel 7--Height category 2: Building height not to exceed 45 feet.

-- Parcel 8, Parcel 111 (mole portion)--Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.

-- Parcel 9, Parcel 111 (western portion)--Height category 5: Building height not to exceed 140 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 225 feet.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1820 Marquesas ~~Development Zone 3 Area~~(~~Exhibit 7~~).

Parcels 10, 12, 13, ~~FF14, 15~~

~~Development allocation: 320 dwelling units~~

~~15 KSF retail~~

~~76 boat slips~~

~~Conversion potential~~

--Parcel 10

Categories: Residential III and V (density averaged over all of parcel)

~~(western portion)~~

~~Residential III (mole portion)~~

Water

Waterfront Overlay

--Parcel 12

Categories: Residential IV

Water

Waterfront Overlay

--Parcel 13

Categories: Residential III

Water

Waterfront Overlay

--Parcel 14

Categories: Residential V- (for the 1.38-acre “non-mole” portion of the parcel) and “Residential III- (for the 0.67-acre “mole” portion of the parcel)

Waterfront Overlay

~~--Parcel FF~~
Category: Open Space

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

Special development considerations:

-- Parcel 10 (nonmole portion)--Height category 5: Building height not to exceed 140 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 225 feet.

~~--Parcel FF--Height category 1: Building height not to exceed 25 feet.~~

-- Parcel 12 (mole terminus portion)--Height category 2: Building height not to exceed 45 feet.

-- Parcel 10 (mole portion), Parcel 12 (western portion on mole), Parcel 13 (mole portion), Parcel 14 (mole portion)--Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.

-- Parcel 14 – Height category 3

-- Parcel 15, --Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.

~~—On Parcel FF, development of uses other than public parking shall be conditioned to provide replacement public parking on site, or elsewhere in the marina on a one to two basis.~~

(Ord. 95-0042 § 1 (part), 1995.)

~~22.46.1830 Panay Development Zone 4 Area (Exhibit 8).~~

~~Parcels 15, 18, and 20, 21, 22, GR~~

Development allocation: 347 dwelling units

~~75 congregate care units~~

~~10 KSF retail~~

~~76 boat slips~~

Conversion potential

--Parcel 15

Categories: -Residential IV
Water
Waterfront Overlay

--Parcel 18

Categories: Residential III (mole terminus)
Residential IV (south side of mole road)
Water
Waterfront Overlay

--Parcel 20

Categories: Residential IV
Water
Waterfront Overlay

~~--Parcel 21~~

~~Categories: Marine Commercial~~

~~Water~~

~~Waterfront Overlay~~

~~--Parcel 22~~

~~Categories: Hotel~~

~~Waterfront Overlay~~

~~--Parcel GR~~

~~Category: Parking~~

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

Special development considerations:

-- Parcel 18 (mole terminus portion), Parcel 22, Parcel GR--Height category 2: Building height not to exceed 45 feet.

~~— Parcel 15, Parcel 18 (western portion along mole), Parcel 20, Parcel 21 Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.~~

~~— Development on Parcel 22 shall provide shadow studies indicating the proposed development will not shadow the public beach on Parcel H between the hours of 9:00 a.m. and 5:00 p.m. after April 15th and before September 15th.~~

-- Deck parking structures may be provided on Parcel GR, limited to 45 feet maximum, consistent with the view and site design standards and requirements of this Specific Plan, including the requirement that any development provide shadow studies indicating the proposed development will not shadow the public beach on Parcel H between the hours of 9:00 a.m. and 5:00 p.m. after April 15th and before September 15th.

(Ord. 2001-0010 § 2, 2001: Ord. 95-0042 § 1 (part), 1995.)

22.46.1910 Via Marina Area Development Zone 12 (Exhibit 16).

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

--Parcel 95

Categories: -Visitor-Serving/Convenience Commercial

-Mixed Use Overlay

--Parcel 100

Category: -Residential V

--Parcel 101

Category: -Residential V

--Parcel 102

Category: -Residential V

--Parcel 103

Category: -Residential V

--Parcel 104

Category: -Visitor Serving/Convenience Commercial

--Parcel DS

Category: -Open Space

--Parcel LLS

Category: -Public Facilities

--Parcel AL-1

Category: -Public Facilities

--Parcel K-6

Category: -Residential V

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

Special development considerations:

-- Parcel DS--Height category 1: Building height not to exceed 25 feet.

-- Parcels 104, AL-1, LLS--Height category 2: Building height not to exceed 45 feet.

-- Parcels 100, 101, 102, 103, 104, K-6--Height category 6: Building height not to exceed 225 feet.

-- Parcel 95--Height category 7: Building height with Visitor-Serving/Convenience Commercial not to exceed 45 feet; with the Mixed Use Overlay Zone option, building height not to exceed 140 feet.

-- Any development on Parcel 95 exceeding 45 feet in height shall include street level entrances on Washington Street, internal recreation and commercial facilities.

-- Any development on Parcel LLS shall include landscaping along Via Marina.

(Ord. 95-0042 § 1 (part), 1995.)

* Editor's note: The changes made to this section by Ordinance 2001-0010 shall not take effect until Local Coastal Program Amendment Case No. 98-172-(4) has been certified by the California Coastal Commission pursuant to the provisions of the California Coastal Act of 1976, as amended to date.

Development Zone No. 2

22.46.1840 Palawan/Beach Area Development Zone 5 (Exhibit 9).

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

Development allocation: 180 dwelling units

-200 hotel rooms/motel units

-42 KSF retail

-410 restaurant seats

-Conversion potential

-- Parcel 21

Categories: -Marine Commercial/Public Parking

Waterfront Overlay

--Parcel 22

Categories: -Hotel

Waterfront Overlay

--Parcel 27

Categories:___-Hotel

-_____Waterfront Overlay

--Parcel 28

Categories:___-Residential III

-Water

-Waterfront Overlay

--Parcel 30

Categories:___-Marine Commercial

-Water

-Waterfront Overlay

--Parcel 33

Categories:___-Visitor-Serving/Convenience Commercial

Residential V (Admiralty portion)

Residential V (mole road portion)

Public Parking

-Water

-Waterfront Overlay

--Parcel 91

Categories:___-Boat Storage

-Water

Waterfront Overlay

--Parcel 97

Categories:___-Visitor-Serving/Convenience Commercial

| -Mixed Use Overlay
 | --Parcel 140
 | Categories:___-Residential V
 | -Mixed Use Overlay
 | --Parcel 141
 | Category: Hotel
 | --Parcel 145
 | Category:___-Hotel
 | --Parcel IR
 | Category:___-Parking/Open Space
 | --Parcel H
 | Category:___-Open Space
 | --Parcel JS
 | Category:___-Open Space
 | --Parcel N
 | Category: Parking
 | -- Parcel GR
 | Category: Public Parking

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan. On Parcel 30, any expansion less than or equal to 10 percent of the floor area existing at the time of the certification of the LCP in 1990 shall require the construction of a public pedestrian promenade, consistent with the 28-foot wide standard, along 50 percent of the length of the bulkhead; any expansion greater than 10 percent of the floor area existing at the time of the certification of the LCP in 1990 shall require the construction of a public pedestrian promenade, consistent with the 28-foot wide standard, along 100 percent of the length of the bulkhead.

Special development considerations:

-- Development on Parcel 22 shall provide shadow studies indicating the proposed development will not shadow the public beach on Parcel H between the hours of 9:00 a.m. and 5:00 p.m. after April 15th and before September 15th.

-- Parcels 27, 28, 30, ~~33~~, 91, H, IR, JS and N--Height category 2: Building height not to exceed 45 feet.

--Parcel 33 – Height Category 2 (on mole portion) : Building height not to exceed 45 feet

- Height Category 3 (On Admiralty portion); Building height not to exceed 75 feet

-- Parcel 140--Height category 4: Building height not to exceed 140 feet.

-- Parcels 141, 145--Height category 6: Building height not to exceed 225 feet.

-- Parcel 97--Height category 7: Building height with Visitor-Serving/Convenience Commercial not to exceed 45 feet; with the Mixed Use Overlay Zone option, building height not to exceed 140 feet.

-- New development shall preserve water views and avoid walling in the public beach. Redevelopment of the public beach parcels shall provide new views to the water from Admiralty Way and Via Marina.

-- Parcels 97 and 140 may be developed together as a design unit. In lieu of view corridors, any development on these Parcels 97 and 140 that exceeds 45 feet in height shall provide articulation, landscaping and design details that (1) provide a gateway to the Marina, (2) step back heights adjacent to Washington Street to provide a softened edge next to Venice, and (3) provide street level commercial development adjacent to Washington Street.

-- Development shall provide significant landscaping at ground level, particularly at the intersections of Admiralty Way with Palawan Way and Via Marina, to provide a park-like entry character to this high-intensity public use area.

-- In no event shall the total area devoted to boat storage, including mast-up storage and dry-stack storage, be decreased within the Palawan/Beach development zone. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1850 Oxford Development Zone 6 (Exhibit 10).Area

Parcels 125, 128, 129,-147OT, P, Q, RR

~~Development allocation: Fire station expansion~~

~~Conversion potential~~

--Parcel 125

Categories:___Residential V (western portion)

-Hotel (eastern portion)

-Water

-Waterfront Overlay

--Parcel 128

Category:___Water

--Parcel 129

Categories:___Public Facilities

-Water

--Parcel ~~147~~~~OT~~

Category: ~~_____~~ ~~Parking~~ Senior Accommodations
Mixed Use Overlay

--Parcel P

Category: ~~_____~~ -Open Space

--Parcel Q

Category: ~~_____~~ -Open Space

--Parcel RR

Category: ~~_____~~ -Open Space

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

-- The regional bicycle trail shall be retained or reconstructed as part of any redevelopment affecting these parcels.

Special development considerations:

~~--- Parcel OT development of uses other than public parking shall be conditioned to provide replacement public parking on site or elsewhere in the Marina on a one to one basis such that there is no net reduction in public parking spaces. An area on the easterly property line of Parcel OT shall be reserved for future construction of a connector from Admiralty Way to Washington Street, if necessary. Height category 4: Building height not to exceed 140 feet.~~

-- Parcel 125 (western portion)--Height category 6: Building height not to exceed 225 feet.

-- Parcels 125 (easternmost 300 feet), 129, P, Q, RR--Height category 7: Building height not to exceed 40 feet.

-- Parcel 147 – Building Height not to exceed 75 feet on Admiralty and 85 feet on Washington Blvd.

(Ord. 95-0042 § 1 (part), 1995.)

Development Zone No. 3

22.46.1860 Admiralty Area ~~Development Zone 7 (Exhibit 11).~~

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

~~Development allocation: 200 hotel rooms~~

~~275 restaurant seats~~

~~32 KSF office~~

~~3 KSF library expansion~~

~~Conversion potential~~

--Parcel 40T

Category:____-Public Facilities

--Parcel 40W

Category:____Water

--Parcel 94

Category:____-Parking

--Parcel 130

Categories:____-Visitor-Serving/Convenience Commercial

-Waterfront Overlay

--Parcel 131

Categories:____-Visitor-Serving/Convenience Commercial

-Waterfront Overlay

--Parcel 132

Categories:____-Marine Commercial (mole portion)

-Hotel (Admiralty Way portion)

-Water

-Waterfront Overlay

--Parcel 133

Categories:____-Visitor-Serving/Convenience Commercial

-Waterfront Overlay

--Parcel 134

Categories:____-Office

-Waterfront Overlay

--Parcel SS

Category:____-Open Space

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

-- On Parcel 132, any redevelopment or expansion in excess of 10 percent of the floor area existing at the time of the certification of the LCP in 1990 shall require the construction of a

pedestrian promenade, consistent with the 28-foot-wide standard, along 50 percent of the length of the bulkhead; expansion in excess of 20 percent of the floor area existing at the time of the certification of the LCP in 1990 shall require the construction of a public pedestrian promenade, consistent with the 28-foot-wide standard, along 100 percent of the length of the bulkhead.

-- The regional bicycle trail shall be retained or reconstructed as part of any redevelopment affecting these parcels.

Special development considerations:

-- Parcels 40, 132 (mole portion)--Height category 2: Building height not to exceed 45 feet.

-- Parcel 134--Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.

-- Parcels 132 (nonmole, nonpanhandle portion), 133--Height category 4: Building height not to exceed 140 feet.

-- Parcels 130, 131, 132 (panhandle portion), SS--Height category 7: Building height not to exceed 40 feet.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1870 Bali ~~Area~~Development Zone 8 (Exhibit 12).

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

~~Development allocation: 382 hotel rooms~~

~~40 KSF conference center~~

~~75 KSF visitor serving commercial~~

~~3 KSF marine science~~

~~500 restaurant seats~~

~~Ferry terminal site~~

~~86 boat slips~~

~~Conversion potential~~

--Parcel 41

Categories:___-Marine Commercial

-Water

-Waterfront Overlay

--Parcel 42

Categories:___-Hotel

-Water

-Waterfront Overlay

--Parcel 43

Categories:___-Visitor-Serving/Convenience Commercial

-Water

-Waterfront Overlay

--Parcel 44

Categories:___-Marine Commercial (adjacent Admiralty Way)

-Boat Storage (southernmost portion adjacent to Admiralty Way)

-Visitor-Serving/Convenience Commercial (mole)

-Water

--Parcel 75

Categories:___-Hotel

-Mixed Use Overlay

--Parcel 76

Category:___-Office

--Parcel 150

Category:___-Office

--Parcel UR

Categories:___~~Marine Commercial~~Public Parking

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

-- The regional bicycle trail shall be retained or reconstructed as part of any redevelopment affecting these parcels.

Special development considerations:

-- Parcels 42, 43 (mole terminus portion)--Height category 2: Building height not to exceed 45 feet.

-- Parcels 41, 43 (mole road portion), 44, UR--Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.

-- Parcels 75, 76, 150--Height category 6: Building height not to exceed 225 feet.

-- On Parcel UR, development of uses other than public parking shall be conditioned to provide replacement public parking on-site or elsewhere in the Marina on a one-to-one basis such that there is no net reduction in public parking spaces. Turf block on-site can be considered for a portion of these spaces.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1880 Mindanao AreaDevelopment Zone 9 (Exhibit 13).

Parcels 47, 48, 49M, 49R, 49S, 50, 52, 53, 54, 77, 83, EE, GG

Development allocation: 14.5 KSF retail

~~26 KSF office~~

~~Conversion potential~~

--Parcel 47

Categories: ___ ~~Marine Commercial~~ Open Space

- _____ Water

Waterfront Overlay

--Parcel 48

Category: ___ -Water

--Parcel 49M

Categories: ___ Parking/Public Facilities

-Water

Waterfront Overlay

--Parcel 49R

Categories: ___ Boat Storage/Visitor-serving Commercial

-Water

Waterfront Overlay

--Parcel 49S

Categories: ___ Boat Storage

-Water

Waterfront Overlay

--Parcel 50

Category: ___ Visitor-Serving/Convenience Commercial

--Parcel 52

Categories: ___ Boat Storage ~~Public Facilities~~

-Water

Waterfront Overlay

--Parcel 53

Categories: ___ Marine Commercial

-Water

-Waterfront Overlay
--Parcel 54

Categories:___-Marine Commercial
-Water
-Waterfront Overlay

--Parcel 77

Categories:___~~Boat Storage~~Open Space/Public Facilities
-Water
Waterfront Overlay

--Parcel 83

Category: ~~Visitor Serving/Convenience Commercial~~

--Parcel EE

Categories:___-Open Space
-Water

--Parcel GG

Categories: Public Facilities
~~Water~~

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads.

-- On Parcels 52, GG, 53 and 54, said promenade shall only be constructed along the water if determined to be safe, ~~and shall connect the promenade to Fiji Way~~ Access to the waterfront shall be provided along the property line between Parcels 52 and 53. A view park shall be constructed in lieu of the promenade. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

-- In the event that a dry stack boat storage facility is not constructed on Parcel 52, no other use may be established on the parcel until such time as a new site for a dry stack facility is designated in Marina del Rey.

-- The regional bicycle trail shall be retained or reconstructed as part of any redevelopment affecting these parcels.

-- Redevelopment on Parcel 47 shall be conditioned to require pedestrian access from Mindanao Way to the pedestrian promenade.

Special development considerations:

-- Parcel EE--Height category 1: Building height not to exceed 25 feet.

-- Parcels 47, 49M, 49R, 49S, 50, 77 and 83--Height category 2: Building height not to exceed 45 feet.

--Parcels 49M, 49R, 49S and 77 may be developed as a unit, with blending of uses within the parcels and between the parcels. The launch ramp must be incorporated into any proposed project for these parcels or must be relocated prior to development of the parcels. Any proposal which add Visitor-Serving/Convenience Commercial uses to these parcels must also add urban open space as required by Section 22.46.1410.E.

-- Parcels 52, 53, and 54, ~~and GG~~--Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet, except that boat hoists may exceed this height.

-- In no event shall the total area devoted to boat storage, including mast-up storage and dry-stack storage, be decreased within the Mindanao ~~development zone~~Area.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1890 Fisherman's Village Area~~Development Zone 10 (Exhibit 14)~~.

Parcels 55, 56, 61, BB, W

Development allocation: ~~20 KSF retail~~

~~350 restaurant seats~~

~~Ferry terminal site~~

~~Conversion potential~~

--Parcel 55

Categories:___-Marine Commercial

-Water

-Waterfront Overlay

--Parcel 56

Categories:___-Visitor-Serving/Convenience Commercial

-Water

-Waterfront Overlay

--Parcel 61

Categories:___-Visitor-Serving/Convenience Commercial

-Water

-Waterfront Overlay

--Parcel BB

Category:___-Water

--Parcel W

Categories:___-Parking

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

-- Development adjacent to the new channel entrance for the Area A boat basin shall provide view areas of the main channel and new Marina basin.

Special development considerations:

-- Parcels 55, 61--Height category 2: Building height not to exceed 45 feet.

-- Parcels 56, W--Height category 3: Building height not to exceed 45 feet, unless an expanded view corridor is provided in accordance with Section 22.46.1060 in which case the height shall not exceed a maximum of 75 feet.

-- Parcels 56 and W may be developed as one unit, provided that public views are maintained and equivalent public parking is reserved and provided in addition to commercial parking.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1900 Harbor Gateway Area~~Development Zone 11 (Exhibit 15)~~.

Parcels 62, 64, 65

~~Development allocation: 255 dwelling units~~

~~34 boat slips~~

~~Conversion potential~~

--Parcel 62

Categories:___-Public Facilities

-Water

Open Space

--Parcel 64

Categories:___-Residential V

-Water

-Waterfront Overlay

--Parcel 65

Categories:___-Boat Storage

-Water

Required public improvements:

-- A continuous 28-foot-wide pedestrian promenade shall be provided and maintained along all bulkheads, except Parcel 62 for safety reasons where the accessway shall be routed inland of the Sheriff's station and boat hoists. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.

Special development considerations:

- Parcels 62, 65--Height category 2: Building height not to exceed 45 feet.
- Parcel 64--Height category 4: Building height not to exceed 140 feet.
- Docking facilities may be provided as needed on Parcel 62 for harbor patrol and Coast Guard uses.

(Ord. 95-0042 § 1 (part), 1995.)

~~22.46.1910 Via Marina Development Zone 12 (Exhibit 16):~~

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

~~Development allocation: 530 dwelling units~~

~~30 KSF retail~~

~~340 restaurant seats~~

~~Conversion potential~~

~~Parcel 95~~

~~Categories: Visitor Serving/Convenience Commercial~~

~~Mixed Use Overlay~~

~~Parcel 100~~

~~Category: Residential V~~

~~Parcel 101~~

~~Category: Residential V~~

~~Parcel 102~~

~~Category: Residential V~~

~~Parcel 103~~

~~Category: Residential V~~

~~Parcel 104~~

~~Category: Visitor Serving/Convenience Commercial~~

~~Parcel DS~~

~~Category: Open Space~~

~~Parcel LLS~~

~~Category: Public Facilities~~

~~Parcel AL-1~~

~~Category: Public Facilities~~

~~Parcel K-6~~

~~Category: Residential V~~

~~Required public improvements:~~

~~A continuous 28-foot wide pedestrian promenade shall be provided and maintained along all bulkheads. Seating and landscaping shall be provided along the bulkheads consistent with Section 22.46.1060 of this Specific Plan.~~

~~Special development considerations:~~

~~Parcel DS Height category 1: Building height not to exceed 25 feet.~~

~~Parcels 104, AL-1, LLS Height category 2: Building height not to exceed 45 feet.~~

~~Parcels 100, 101, 102, 103, K-6 Height category 6: Building height not to exceed 225 feet.~~

~~Parcel 95 Height category 7: Building height with Visitor Serving/Convenience Commercial not to exceed 45 feet; with the Mixed Use Overlay Zone option, building height not to exceed 140 feet.~~

~~Any development on Parcel 95 exceeding 45 feet in height shall include street level entrances on Washington Street, internal recreation and commercial facilities.~~

~~Any development on Parcel LLS shall include landscaping along Via Marina.~~

~~(Ord. 95-0042 § 1 (part), 1995.)~~

~~22.46.1920 North Shore AreaDevelopment Zone 13 (Exhibit 17).~~

Parcel XT

Development allocation: None

--Parcel XT

Category: ____-Open Space

(Ord. 95-0042 § 1 (part), 1995.)

~~22.46.1930 Fiji Way AreaDevelopment Zone 14 (Exhibit 18).~~

Parcels 51, 200

Development allocation: 2 KSF retail

--Parcel 51

Category: ~~____-Visitor-Serving/Convenience-Commercial-Open Space~~
--Parcel 200

Category: ~~____-Public facilities~~

Special development considerations:

-- Parcels 51, 200--Height category 2: Building height not to exceed 45 feet.
(Ord. 95-0042 § 1 (part), 1995.)

22.46.1940 Reserved.

(Ord. 95-0042 § 1 (part), 1995.)

22.46.1950 Coastal improvement fund.

A. A coastal improvement fund is established to finance construction of local park facilities in the Marina del Rey area. New park facilities will mitigate the impacts of new residential development on the regional recreational resources of the Marina and adjacent beaches. The fund will be generated by charging a fee per unit for new residential units in the existing Marina.

Each subsequent development application to construct new residential units in Marina del Rey shall contribute its calculated share to the coastal improvement fund to provide funds for construction of local park facilities in Marina del Rey. The coastal improvement fund may be used for projects identified in subsection C of this section.

B. Discussion. Additional residential development will place a burden on the regional recreational resources of the Marina and adjacent areas as new residents utilize these resources to fulfill local recreation needs. Creation and improvement of new park lands and public access areas to serve the new residential population will mitigate the adverse impacts of additional residential development on regional facilities. The coastal improvement fund will provide a mechanism to collect fees to be used for the development of new park and public access facilities in the existing Marina.

The Specific Plan allocates a total of 2,420 additional dwelling units for the existing Marina. The average occupancy for apartment dwelling units in the Marina del Rey area is 1.5 residents per unit, according to the 1990 Census. Based on these figures, residential development is expected to add 3,630 residents to the existing Marina.

The Los Angeles County General Plan establishes a local park standard of four acres per 1,000 population. Application of this standard against the increased population results in a local park need of 14.5 acres in the existing Marina. These acreages are attributed to the new development only and do not include acreages which are part of the local park space deficit for existing development.

Improvement of ~~Parcel FF as a 2-acre park and improvement of Parcel P as a 10.27-acre open space area with public access will create 120.7 acres of new local park open space and public~~

amenities in the existing Marina; Additionally, the County intends to add 7.1 acres to Chace Park, bring the total added acreage to 17.8 acres, resulting in a 1.8 acre deficit. Improvement of another 1.8 acre site would fulfill the local park need of new development. However, a more feasible alternative is the improvement of the 12.7 acres (Parcels FF and P) with amenities is equal in value to the cost of improving the entire 14.5 acres. This will mitigate local park needs attributable to new developmen and is preferable to development of another 1.8-acre site.

Improvement of land for local park space will cost \$100,000.00 per acre. This cost includes the improvements identified in subsection (C)(1) of this section. The cost of improvements, therefore, is calculated at the rate of \$100,000.00 per acre, yielding a total cost of \$1,450,000.00 for improvement of 14.5 acres in the existing Marina.

The coastal improvement fund fee is determined as follows: \$1,450,000.00 total funds needed spread over 2,420 residential units results in a cost of \$600.00 per dwelling unit.

C. Use of the Fund. The following uses of the coastal improvement fund will be allowed:

1. Park and public access facilities, including, but not limited to:

- Bicycle paths;
- Community buildings;
- Drinking fountains;
- Interpretive displays;
- Irrigation;
- Jogging paths;
- Landscaping;
- Parking lots;
- Pedestrian promenades;
- Picnic tables and benches;
- Playgrounds;
- Recreation centers;
- Recreational fields;
- Restroom facilities;
- Turf;
- View decks and areas;
- Walkways.

2. Acreage. Funds accumulated by payment of the coastal improvement fund fee from development in the existing Marina shall be used to construct any of the facilities identified in subsection (C)(1) of this section on 12.7 acres of local park land and public access area in the existing Marina identified in this Specific Plan respectively as Parcel FF and Parcel P.

D. Project Credit. Development projects may be credited from payment of the calculated coastal improvement fund fee at the rate of \$2.30 credit for every square foot of improved public open space provided on-site. Improvements qualifying for credit shall be only those identified in

section (C)(1) of this section. A contiguous 500 square feet shall be the minimum size open space area to receive credit under this project credit option.

E. Reimbursement. Fee payments made at the rate established herein shall be subject to partial reimbursement, on a pro rata basis, in the event that ultimate park improvement costs fall below those presently calculated. (Ord. 95-0042 § 1 (part), 1995.)

22.46.1960 Youth hostel fund.

A. A youth hostel fund will be established to encourage new low-cost overnight accommodations in the Marina del Rey area. The fund will be generated by charging a fee per unit for new hotel units in the existing Marina (Phase II).

Each subsequent development application to construct new hotel rooms in Marina del Rey shall participate in and contribute its fair calculated share to an appropriate financing program to provide funds for youth hostel construction in the Marina area. The youth hostel fund may be used for projects identified in subsection E of this section.

B. Discussion. Low-cost visitor-serving accommodations in Marina del Rey are highly outnumbered by high-cost hotels, condominiums, and apartments. The certified LUP determined that these high-cost accommodations can be mitigated by providing funds to be used for creation of new, lower-cost overnight accommodations in the Marina area. The youth hostel fund responds to the LUP's recreation and visitor-serving facilities policy to provide these accommodations.

Hotel development allowed by Phase I in the existing Marina has already provided approximately \$1,000,000.00 in funds for youth hostel accommodations, including contributions toward a youth hostel under construction in Santa Monica. However, the burden of mitigating high-cost accommodations should not be limited to Phase I development; Phase II hotels, therefore, are required to contribute to the youth hostel fund.

C. Assessment. Each developer who opts to contribute to a youth hostel fund, in lieu of provision of low and moderate-cost overnight accommodations on-site, shall contribute the prorated share of the acquisition and construction of a moderate-cost facility. Said contribution shall be at a rate of one-tenth of the current cost of acquisition and construction of one bed and one bed's share of appurtenant supporting facilities including bathrooms and kitchens) per every 10 market rate hotel rooms constructed.

D. Limitations. The fund shall be deposited in a separate interest-bearing account and shall be spent only for the purposes outlined in subsection E of this section. If after a period of five years, the monies have not been spent, the county shall return for an LCP amendment to determine alternative low and moderate cost accommodations.

E. Use of the Fund. The fund shall be expended only on lower-cost overnight accommodations in the Marina del Rey area such as:

- Youth hostels;
- Elder hostels;

- Lower-cost group conference accommodations;
 - Campgrounds.
- (Ord. 95-0042 § 1 (part), 1995.)

22.46.1970 Coastal improvement fund fee.

A. Purpose. The Los Angeles County coastal improvement fund and fee is hereby established to finance construction of local park facilities in existing Marina del Rey. The fund implements recreation and visitor-serving facilities policies set forth in the Marina del Rey Land Use Plan. Implementation of the fund will mitigate the impacts of new residential development on coastal access, visitor-serving and coastal-dependent uses.

B. Coastal Improvement Programs Specified. The Marina del Rey Specific Plan identifies specific facilities which may be financed through the coastal improvement fund to mitigate the impacts of residential development in the existing Marina. The facilities include:

1. Park and public access facilities, including, but not limited to:

- Bicycle paths;
- Community buildings;
- Drinking fountains;
- Interpretive displays;
- Irrigation;
- Jogging paths;
- Landscaping;
- Parking lots;
- Pedestrian promenades;
- Picnic tables and benches;
- Playgrounds;
- Recreation centers;
- Recreational fields;
- Restroom facilities;
- Turf;
- View decks and areas;
- Walkways.

2. Acreage. Funds accumulated by payment of the coastal improvement fund fee from development in the existing Marina shall be used to construct any of the facilities identified in subsection A of this section on 12.7 acres of local park land and public access area in the existing Marina identified in the Specific Plan respectively as Parcel FF and Parcel P.

C. Establishment of Fund. The coastal improvement fund shall be established based upon fees charged for the construction of new residential units anywhere in existing Marina del Rey. Said fees shall be required as a condition of approval for development in the areas specified above; fees shall be collected prior to the issuance of building permits.

D. Calculation of Fee. The coastal improvement fund fee shall be based on the calculation of the net increase in residential units. The fee in dollars shall be figured as follows:

Fee = Number of new residential units multiplied by 600.

E. Use of the Fund. The fees collected shall be deposited in a separate, interest-bearing account constituting the Los Angeles County coastal improvement fund. Other money which may accrue to the fund from sources other than the fee will similarly be deposited in the Los Angeles County coastal improvement fund. The fund will be administered jointly by the directors of the department of beaches and harbors and regional planning. The fund will be utilized exclusively for financing improvements listed in Section 2.

F. Project Credit. Development projects may be credited from payment of the calculated coastal improvement fund fee at the rate of \$2.30 credit for every square foot of improved public open space provided on-site. Improvements qualifying for credit shall be only those identified in subsection A of Section 2. A contiguous 500 square feet shall be the minimum size open space area to receive credit under this project credit option.

G. Reimbursement. Fee payments made at the rates established herein shall be subject to partial reimbursement, on a pro rata basis, in the event that ultimate park improvement costs fall below those presently calculated.