

## ANALYSIS

An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code, to revise and clarify the provisions of the Marina del Rey Specific Plan relating to the responsibilities of the Regional Planning Commission and the Small Craft Harbors Design Control Board.

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County Counsel

By



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LLH:sh

5/10/07 (requested)

02/02/09 (revised)

**ORDINANCE NO. 2009-0004**

An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code, to revise and clarify the provisions of the Marina del Rey Specific Plan relating to the responsibilities of the Regional Planning Commission and the Small Craft Harbors Design Control Board.

The Board of Supervisors of the County of Los Angeles hereby ordains as follows:

**SECTION 1.** Section 22.46.1060 is hereby amended to read as follows:

**22.46.1060 Communitywide design guidelines.**

Communitywide design guidelines concern several areas. These areas include landscaping, signs, site ~~design~~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. ~~Layout, components and quantity of landscaping for development in the existing Marina shall be subject to approval by the design control board.~~

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

1. ~~Site Design~~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.

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4. ~~Architectural Treatment~~Design. Among other important objectives, good ~~site~~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. ~~Specific design review within the existing Marina is the responsibility of the design control board's Statement of Aims and Policies, dated February 17, 1987 found in Appendix C of the Certified LIP.~~

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6. ~~Communitywide design guidelines are established and administered by the design control board of the department of beaches and harbors~~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.

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**SECTION 2.** Subsection C of Section 22.46.1090 is hereby amended to read as follows:

**22.46.1090 Land use monitoring and phasing.**

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

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6. Conversion.

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d. ~~The design control board shall review 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 ~~boards~~ site plans shall ~~consider~~ 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. ~~The design control board shall consider and adopt a written report and/or provide marked plans to illustrate its conclusions relating to the project's consistency with its guidelines and 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.

**SECTION 3.** Section 22.46.1110 is hereby amended to read as follows:

**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 ~~review~~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.

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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.

**SECTION 4.** Subsection A of Section 22.46.1180 is hereby amended to read as follows:

**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.

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12. ~~Site Plan Review Within the Existing Marinas.~~ 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. ~~These site plans and elevations shall be signed and approved by the design control board.~~

a. The design control board shall ~~review the development for conformance of the project with this Specific Plan and with the identity and accessibility of the marina as a public boating and recreational facility. The board's 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. The design~~

~~control board shall adopt a written report and/or exhibits describing their analysis and recommendations. The design control board, as a condition of its approval, may require the applicant to return with final plans for approval of signage, landscaping, color and other details.~~ receive site plans for its review pursuant to the provisions of Section 22.46.1110.

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17. 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.

**SECTION 5.** Subsection A of Section 22.46.1190 is hereby amended to read as follows:

**22.46.1190 Conditions of approval.**

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

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9. 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, ~~including landscaping standards required by the Design Control Board.~~

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16. 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.

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**SECTION 6.** Subsection A of Section 22.46.1200 is hereby amended to read as follows:

**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. ~~All development in the existing Marina is subject to~~

~~the review of the design control board of the department of beaches and harbors.~~ If there is a conflict among these development standards, the more restrictive document shall control.

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**SECTION 7.** Subsection F of Section 22.46.1780 is hereby amended to read as follows:

**22.46.1780 Site-Specific Development Guidelines--Purpose.**

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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. ~~Finally, development on all parcels in the existing Marina is subject to the review of the Design control board.~~ 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.

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SECTION 8. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Don Knabe  
Chairman

ATTEST:

Sachi A. Hamai  
Sachi A. Hamai  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that at its meeting of February 17, 2009 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes  
Supervisors Gloria Molina  
Mark Ridley-Thomas  
Zev Yaroslavsky  
Michael D. Antonovich  
Don Knabe

Noes  
Supervisors None

Effective Date: March 19, 2009

Operative Date: \_\_\_\_\_

Sachi A. Hamai  
Sachi A. Hamai  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI  
Executive Officer  
Clerk of the Board of Supervisors

By [Signature]  
Deputy



APPROVED AS TO FORM:  
RAYMOND G. FORTNER, JR.  
County Counsel

By Leela Kapur  
Leela Kapur  
Chief Deputy County Counsel