

Transmittal Checklist

Hearing Date

2/16/2010

Agenda Item Number

11

Project Number: R2009-01989-(4)
Case(s): CDP No. 200900003
Contact Person: Maral M. Tashjian

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Written Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Reviewed By:





Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT NUMBER R2009-01989-(4)
Coastal Development Permit No. 200900003

PUBLIC HEARING DATE
2/16/2009

AGENDA ITEM
11

HO CONSENT DATE

CONTINUE TO

APPLICANT

13900 Tahiti Harbor Ltd.

OWNER

Los Angeles County

REPRESENTATIVE

Armbruster, Goldsmith & Delvac LLP
(Aaron Clark)

PROJECT DESCRIPTION

The proposed project consists of the installation of nine (9) security access gates at the gangway entrances of the existing Tahiti Marina private anchorage.

REQUIRED ENTITLEMENTS

The applicant is requesting a Coastal Development Permit to authorize the installation of nine (9) dock gates.

LOCATION/ADDRESS

13900 Tahiti Way, Marina del Rey

SITE DESCRIPTION

The site plan depicts an 11.2 acre parcel with a landside area of approximately 5.0 acres and a waterside area of 6.2 acres. The parcel is developed with an existing 237,500 square foot, three-story, 149 unit apartment building (Tahiti Marina Apartments) on the landside portion, and a private boat anchorage on the waterside portion of the parcel. The boat anchorage consists of 214 existing boat slips, nine (9) existing end-tie spaces, and nine (9) gangway entrances along the north, east, and south side of the landside portion. The gates are parabolic shaped and consist of a 2-1/4" thick steel pipe frame attached to the existing guard rail, with quarter-inch thick, variable width, vertical steel plates. The gates are approximately 7'-8" tall at the highest point, 1'11" at the widest point, and extend 13'-1 1/2" to either side of the four-foot wide gangway entrances.

ACCESS

Tahiti Way

ZONED DISTRICT

Playa del Rey

ASSESSORS PARCEL NUMBER

4224-002-900 (Lease Parcel No. 7)

COMMUNITY

Marina del Rey

PARCEL SIZE

Land: 218,423 Sq. Ft. (5.0 Acre)

Water: 266,550 Sq. Ft. (6.2 Acre)

COMMUNITY STANDARDS DISTRICT

N/A

EXISTING LAND USE

EXISTING ZONING

Project Site

Apartments (Tahiti Marina), Private Anchorage

SP (Specific Plan) / R III (Residential III – 35 du/ac),
W (Water)

North

Basin B, Apartments (Esprit, Villa Del Mar), Private Anchorage

SP (Specific Plan) / R IV (Residential IV – 45 du/ac)
and RIII, W

East

Main Channel

SP (Specific Plan) / W

South

Basin A, Apartments (Waters Edge), Private Anchorage, Fuel Station

SP (Specific Plan) / W, R V (Residential V – 75 du/ac), MC (Marine Commercial)

West

Apartments (Bay Club, The Tides Marina Harbor), Private Anchorage

SP (Specific Plan) / R III, W

GENERAL PLAN/COMMUNITY PLAN

Marina del Rey Local Coastal Plan

LAND USE DESIGNATION

Residential III (Medium Density)

MAXIMUM DENSITY

35 dwelling units per net acre

ENVIRONMENTAL DETERMINATION

Class 1 Categorical Exemption - Minor Alteration to Existing Facilities

RPC LAST MEETING ACTION SUMMARY

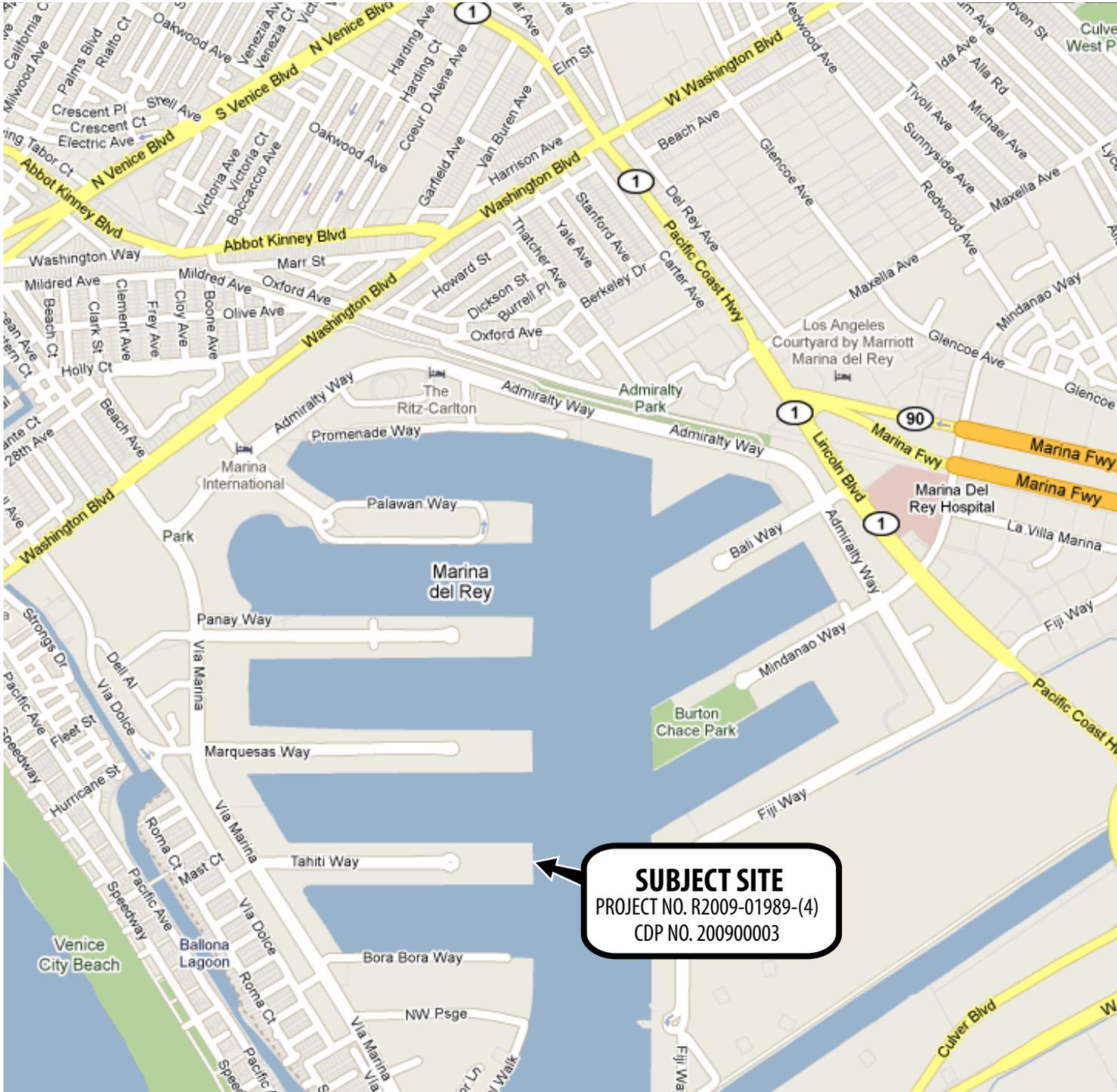
LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON:		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

*(O) = Opponents (F) = In Favor

VICINITY MAP



Map courtesy of Google (2009 map data)

STAFF ANALYSIS

PROJECT NUMBER R2009-01989-(4)

COASTAL DEVELOPMENT PERMIT NUMBER 200900003

PROJECT DESCRIPTION

The applicant, 13900 Tahiti Harbor Ltd, is requesting a Coastal Development Permit to authorize the installation of nine (9) security access dock gates (Dock Gates) at the gangway entrances of an existing private boat anchorage located adjacent to the Tahiti Marina apartment complex.

ENTITLEMENT REQUESTED

The applicant has requested a Coastal Development Permit to authorize the installation of nine (9) Dock Gates at an existing boat anchorage in the SP (Specific Plan) zone in the Marina del Rey Local Coastal Program area, in the Playa del Rey Zoned District.

LOCATION

The subject property is located at 13900 Tahiti Way at the terminus of Tahiti Way, in the unincorporated community of Marina del Rey. The subject property is identified by Assessor Parcel Number 4224-002-900 and Marina Lease Parcel Number 7. Access to the subject property is via Tahiti Way which provides access to Via Marina, an improved Secondary Highway. The boat anchorage is located between Basins A and B on the waterside of parcel 7. The subject property is also accessible by boat via the Marina del Rey main channel.

SITE PLAN DESCRIPTION

The site plan depicts an 11.2 acre parcel with a landside area of approximately 5.0 acres and a waterside area of 6.2 acres. The parcel is developed with an existing 237,500 square foot, three-story, 149 unit apartment building (Tahiti Marina Apartments) on the landside portion, and a private boat anchorage on the waterside portion of the parcel. The boat anchorage consists of 214 existing boat slips, nine (9) existing end-tie spaces, and nine (9) gangway entrances along the north, east, and south side of the landside portion. Four (4) of the proposed gates are located along the north side (Gates B900, B700, B500, and B300), two (2) are located along the east side (Gates B100 and A200), and three (3) are located along the south side (Gates A400, A600, and A800). The gates are parabolic shaped and consist of a 2-¼" thick steel pipe frame attached to the existing guard rail, with quarter-inch thick, variable width, vertical steel plates. The gates are approximately 7'-8" tall at the highest point, 1'11" at the widest point, and extend 13'-1½" to either side of the four-foot wide gangway entrances.

Project Services Availabilities

The subject property is within an urbanized area with available public services.

EXISTING ZONING

Subject Property

Zoning on the subject property is SP (Specific Plan) with land use categories RIII (Residential III) and W (Water).

Surrounding Properties

Surrounding zoning consists of:

North: SP / RIV (Residential IV), RIII, and W

South: SP / W, RV (Residential V), and MC (Marine Commercial)

East: SP / W

West: SP / RIII and W

EXISTING LAND USES

Subject Property

The subject property is developed with a 149 unit apartment complex in one building with 465 parking spaces and a private boat anchorage.

Surrounding Properties

Surrounding land uses consist of:

North: Basin B, Apartments, Private Boat Anchorage

South: Basin A, Apartments, Private Boat Anchorage, Fuel Station

East: Main Channel

West: Apartments, Private Boat Anchorage

PREVIOUS CASES/ZONING HISTORY

- **Plot Plan No. 46700** to authorize a sailing club business was approved on April 10, 2000.
- **Plot Plan No. 47921** to authorize the repair and replacement of a portion of the existing dock was approved on March 7, 2002.

MARINA DEL REY LOCAL COASTAL PROGRAM (LCP)

Land Use Designation

The subject property is located within the "Residential III" and "Water" land use categories of the Marina del Rey Land Use Plan (LUP). The "Residential III" land use designation is intended for medium density multi-family residential development at a maximum of 35 dwelling units per acre. The "Water" category is intended for recreational uses, boat slips, docking and fueling of boats, flood control and light marine commercial. The waterside portion of the property is currently developed with a boat anchorage, which is a permitted use in this land use category. The proposed Dock Gates are a common security feature ancillary to this use and are therefore consistent with the allowed uses of the underlying land use category.

The following policies of the LUP are applicable to the proposed project:

Shoreline Access (Marina del Rey Land Use Plan, Chapter 1)

- **Public Access to Shoreline a Priority.** Maximum public access to and along the shoreline within the LCP area shall be a priority goal of this Plan, balanced with the need for public safety, and protection of private property rights and sensitive habitat resources. This goal shall be achieved through the coordination and enhancement of the following component of a public access system: pedestrian access, public transit, water transit, parking, bikeways,

circulation network, public views and directional signs and promotional information. (*Policy 1, page 1-7*)

The LUP defines shoreline within the LCP study area as “the Marina entrance channel, the Ballona Creek flood control channel, and 9.2 miles of jetties and bulkheads facing the Marina harbor... 8.75 miles (or 78 percent) of the 11.25 miles of shoreline in the LCP study area is open to public access.” (pg. 1-2 to 1-3)

The proposed project does not limit public access to or along the bulkheads facing the harbor within the subject property. The proposed Dock Gates will only limit public access to the boat anchorage on the waterside portion of the property in order to enhance security and protect the private property rights of current and future anchorage tenants. The LUP acknowledges that due to public safety concerns, certain areas along the shoreline are not suited for public access, including boat yards and private launching facilities. Therefore, limiting public access to the private anchorage is not inconsistent with this policy.

- Existing public access to the shoreline or water front shall be protected and maintained. All developments shall be required to provide public shoreline access consistent with policy 1. (*Policy 2, page 1-7*)

The project will not adversely impact or affect the public’s existing access to or along the shoreline or waterfront located within the subject property. The Dock Gates will only reinforce access restrictions to non-public areas in the private anchorage which are not considered public shoreline or waterfront areas.

Recreational Boating (Marina del Rey Land Use Plan, Chapter 3)

- **Recreational Boating a Top Priority.** Recreational boating shall be emphasized as a priority use throughout the planning and operation of the Marina. To help achieve this goal, the Plan shall strive to ensure that adequate support facilities and services are provided including but not limited to, the following: boat slips, fueling stations, boat repair yards, boat dry storage yards, launch ramps, boat charters, day-use rentals, equipment rentals and on-going maintenance of the marina harbor and entrance channel, bulkhead repair, pollution control, safety and rescue operations, and sufficient parking for boaters. Emphasis shall be given to providing water access for the small boat owner through provisions of public ramp facilities. (*Policy 1, page 3-4*)

The waterside portion of the subject property is currently developed with a private boat anchorage consisting of 214 slips and nine (9) end-tie spaces. The proposed project supports the priority of recreational boating in the marina. Dock Gates can be considered a “support facility and service” which can potentially improve the quality of recreational boating experiences in the marina.

Cultural Heritage Resources (Marina del Rey Land Use Plan, Chapter 7)

- **Proposed projects shall be reviewed for potential cultural resource impacts through the County environmental review process.** Appropriate environmental documentation and reasonable mitigation measures shall be required as determined by the Department of Regional Planning and the State Historic Preservation Office. These mitigation measures shall be incorporated into any development approved pursuant to the certified local coastal program. (*Policy 1, page 7-3*)

The subject project does not propose any grading, and will therefore not disturb any cultural resources that may exist below grade.

Land Use Plan (Marina del Rey Land Use Plan, Chapter 8)

- **Preservation of the Small Craft Harbor facility a Priority.** The primary purpose of the Land Use Plan shall be to maintain Marina del Rey as a Small Craft harbor for recreational purposes. A secondary purpose shall be to promote and provide visitor-serving facilities. (*Policy 1, page 8-7*)

The proposed project supports the priority of preserving Marina del Rey as a small craft harbor facility. Dock gates are a desirable accessory feature for private anchorages, and can improve the recreational experience that the small craft harbor offers.

- **Maintenance of the physical and economic viability of the marina is a priority.** Lessees shall be encouraged to replace structures and facilities which are physically or economically obsolete. (*Policy 2, page 8-8*)

The proposed project will improve the economic viability of the marina by empowering the Tahiti Marina anchorage with services and facilities that are comparable to other competing anchorages within the marina and throughout Southern California.

- **Design Control Board.** The Design Control Board, appointed by the Board of Supervisors, shall review all new development proposals, including renovations, for consistency with the Manual for Specifications and Minimum Standards of Architectural Treatment and Construction and the certified LCP, including the identity and accessibility of the Marina as a public boating and recreational facility, and shall recommend such modifications to the design as they deem appropriate.

Such review shall be completed prior to any application for development being submitted to the Department of Regional Planning for case processing. (*Policy 6, page 8-8*)

The project received conceptual design approval from the Marina del Rey Design Control Board on November 19, 2009. The Design Control Board recommendation is attached (Attachment A).

Coastal Visual Resources (Marina del Rey Land Use Plan, Chapter 9)

- **Views of the Harbor a Priority.** Maintaining and enhancing views of the Marina shall be a priority goal of this Plan. Enhancing the ability of the public to experience and view the Marina waters shall be a prime consideration in the design of all new, modified or expanded development. This goal shall be achieved by placing conditions on permits for new development to enhance public viewing, to allow for greater public access, and to create new view corridors of the waterfront. (*Policy 1, pg. 9-4*)

The proposed gates are a maximum of 7'8" tall and 13'-1½" wide. The nautical theme design of the gates allow the public to view the waterfront through variable width vertical bars, which affords a less obstructed view of the harbor than more common solid mesh gates found throughout the marina.

Compliance with Applicable Zoning Codes

Pursuant to Section 22.46.1250 of the County Code, establishments in the "Residential III" Land Use Category are subject to the following development standards:

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

The proposed landside structure will not exceed 7'8", which is in compliance with the 75' maximum height limit of the "Residential III" Land Use Category. The proposed structure will not alter the existing density, setbacks, view corridors, or area devoted to existing visitor-serving, boating, or marine commercial uses.

Applicant's Burden of Proof Responses

The applicant is required to substantiate all facts identified by Section 22.56.2320 of the Los Angeles County Code. The Coastal Development Permit Burden of Proof with the applicant's responses are attached (**Attachment B**). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined this project to be Categorical Exempt

(Class 1 Exemption, Minor Alteration to Existing Facilities) under the California Environmental Quality Act (CEQA) and the. The proposed project is consistent with item (m), "Security fencing and gates," of the Class 1 exemption in the Los Angeles County environmental guidelines.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

No comments have been received from County departments at this time.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

Pursuant to the provisions of Section 22.60.174 of the County Code, the Notice of Public Hearing was advertised in The Argonaut on January 14, 2010. A total of 644 public hearing notices regarding the subject application were mailed out to the owners of properties located within a 500-foot radius of the subject property on January 11, 2010. This number also includes notices sent to the local community groups and residents on the Playa del Rey Zoned District courtesy list.

Case information materials including the Notice of Public Hearing, Factual Sheet, and Site Plans were forwarded to the Lloyd Taber Marina del Rey County Library at 4533 Admiralty Way on January 11, 2010. The same materials were also posted on the Department of Regional Planning's website.

Pursuant to Section 22.60.175 of the County Code, the applicant shall post the public hearing notice on the property no less than 30 days prior to the public hearing date. Staff received the Certificate of Posting stating that the Notice of Public Hearing was posted on January 15, 2010, along with photos of the posting provided by the applicant's agent.

PUBLIC COMMENTS

Staff received one telephone call, from a local resident, in support of the applicant's request.

STAFF EVALUATION

Issues

The existing gangway entrances are currently not equipped with gates. The "private property" signs currently affixed to the railings adjacent to the gangway entrances are not an effective means of preventing unauthorized persons from accessing the anchorage. Boats moored in the anchorage are vulnerable to vandalism and theft, which can result in a poor recreational boating experience, and possibly motivate current or potential anchorage tenants to relocate or choose a more secure location. While the proposed gates would limit the public from accessing the private anchorage, they would not limit the public's access to the shoreline, or view of the water frontage.

Pursuant to Section 22.46.1680 of the County Code, dock gates are permissible in the "Residential III" land use category of the Marina del Rey Specific Plan, provided that a Coastal Development Permit has first been obtained. The installation of Dock Gates is incidental to the operation of the private anchorage. Dock Gates are a desirable accessory feature for private anchorages because they promote security and protection of private property, and a better small

craft harbor recreational experience. The proposed Dock Gates could also ensure the financial stability of the anchorage establishment by allowing it to compete with similar establishments nearby that also provide this security feature.

If approved, staff recommends no expiration for the requested Coastal Development Permit. Staff also recommends that the project be inspected twice, once prior to construction, and once after construction, for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved as recommended by staff, the following fees will apply unless modified by the Hearing Officer:

Zoning Enforcement:

Inspection fee of \$300.00 to cover the cost of two (2) recommended zoning enforcement inspections.

STAFF RECOMMENDATION

Approval

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2009-01989-(4), Coastal Development Permit Number 200900003, subject to the attached conditions.

Prepared by Maral Tashjian, Regional Planning Assistant II
Reviewed by Samuel Dea, Supervising Regional Planner, Special Projects

Attachments:

Draft Conditions of Approval
Design Control Board Recommendation
Applicant's Burden of Proof statement
Land Use Map
Site Plan, Site Photographs and Renderings
Aerial Photograph

SD:MMT:mmt

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant, 13900 Tahiti Harbor Ltd, is requesting a Coastal Development Permit to authorize the installation of nine (9) security access dock gates at the gangway entrances of an existing private boat anchorage located adjacent to the Tahiti Marina apartment complex.

PROCEEDINGS BEFORE THE HEARING OFFICER:

February 16, 2010 Public Hearing

To be inserted to reflect hearing proceedings.

Findings

1. The subject property is located at 13900 Tahiti Way at the terminus of Tahiti Way, in the unincorporated community of Marina del Rey and the Playa del Rey Zoned District. The subject property is identified by Assessor Parcel Number 4224-002-900 and Marina Lease Parcel Number 7. Access to the subject property is via Tahiti Way which provides access to Via Marina, an improved Secondary Highway. The boat anchorage is located between Basins A and B on the waterside of parcel 7. The subject property is also accessible by boat via the Marina del Rey main channel.
2. Zoning on the site is SP (Specific Plan). The land use designation of the property in the Marina del Rey Specific Plan is RIII (Residential III) and W (Water). Zoning of the surrounding properties is SP, with the following land use designations:

North: RIV (Residential IV), RIII, and W
South: W, RV (Residential V), and MC (Marine Commercial)
East: W
West: RIII and W
3. The subject property is developed with a 149 unit apartment complex and private boat anchorage. Surrounding development consists of:

North: Basin B, Apartments (Esprit, Villa Del Mar), Private Boat Anchorage
South: Basin A, Apartments (Waters Edge), Private Boat Anchorage, Fuel Station
East: Main Channel
West: Apartments (Bay Club, The Tides Marina Harbor), Private Boat Anchorage
4. The site plan depicts an 11.2 acre parcel with a landside area of approximately 5.0 acres and a waterside area of 6.2 acres. The parcel is developed with an existing 237,500 square foot, three-story, 149 unit apartment building (Tahiti Marina Apartments) on the landside portion, and a private boat anchorage on the waterside portion of the parcel. The boat anchorage consists of 214 existing boat slips, nine (9) existing end-tie spaces, and nine (9) gangway entrances along the north, east, and south side of the landside portion. Four (4) of the proposed gates

are located along the north side (Gates B900, B700, B500, and B300), two (2) are located along the east side (Gates B100 and A200), and three (3) are located along the south side (Gates A400, A600, and A800). The gates are parabolic shaped and consist of a 2-¼" thick steel pipe frame attached to the existing guard rail, with quarter-inch thick, variable width, vertical steel plates. The gates are approximately 7'-8" tall at the highest point, 1'11" at the widest point, and extend 13'-1½" to either side of the four-foot wide gangway entrances.

5. The subject property is located within the "Residential III" and "Water" land use categories of the Marina del Rey Land Use Plan (LUP). The "Residential III" land use designation is intended for medium density multi-family residential development at a maximum of 35 dwelling units per acre. The "Water" category is intended for recreational uses, boat slips, docking and fueling of boats, flood control and light marine commercial. The waterside portion of the property is currently developed with a boat anchorage, which is a permitted use in this land use category. The proposed Dock Gates are a common security feature ancillary to this use and are therefore consistent with the allowed uses of the underlying land use category. The applicant's proposal complies with the following applicable Land Use Plan policies:

Chapter 1 - Shoreline Access (Policy 1)

The project does not limit public access to or along the bulkheads facing the harbor within the subject property. The proposed Dock Gates will only limit public access to the boat anchorage on the waterside portion of the property in order to enhance security and protect the private property rights of current and future anchorage tenants. The LUP acknowledges that due to public safety concerns, certain areas along the shoreline are not suited for public access, including boat yards and private launching facilities. Therefore, limiting public access to the private anchorage is not inconsistent with this policy.

Chapter 1 - Shoreline Access (Policy 2)

The project will not adversely impact or affect the public's existing access to or along the shoreline or waterfront located within the subject property. The Dock Gates will only reinforce access restrictions to non-public areas in the private anchorage which are not considered public shoreline or waterfront areas.

Chapter 3 - Recreational Boating (Policy 1)

The waterside portion of the subject property is currently developed with a private boat anchorage consisting of 214 slips and nine (9) end-tie spaces. The proposed project supports the priority of recreational boating in the marina. Dock Gates can be considered a "support facility and service" which could improve the quality of recreational boating experiences in the marina.

Chapter 7 - Cultural Heritage Resources (Policy 1)

The subject project does not propose any grading, and will therefore not disturb any cultural resources that may exist below grade.

Chapter 8 - Land Use Plan (Policy 1)

The proposed project supports the priority of preserving Marina del Rey as a small craft harbor facility. Dock Gates are a desirable accessory feature for private anchorages, and can improve the recreational experience that the small craft harbor offers.

Chapter 8 - Land Use Plan (Policy 2)

The proposed project will improve the economic viability of the marina by empowering the Tahiti Marina anchorage with services and facilities that are comparable to other competing anchorages within the marina and throughout Southern California.

Chapter 8 - Land Use Plan (Policy 6)

The project received conceptual design approval Marina del Rey Design Control Board on November 19, 2009.

Chapter 9 - Coastal Visual Resources (Policy 1)

The proposed gates are a maximum of 7'8" tall and 13'-1½" wide. The nautical theme design of the gates allow the public to view the waterfront through variable width vertical bars, which affords a less obstructed view of the harbor than more common solid mesh gates found throughout the marina.

6. The proposed project is in compliance with applicable zoning codes. The proposed landside structure will not exceed 7'8", which is in compliance with the 75' maximum height limit of the "Residential III" Land Use Category. The proposed structure will not alter the existing density, setbacks, view corridors, or area devoted to existing visitor-serving, boating, or marine commercial uses.
7. The applicant has provided the required Burden of Proof to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code.
8. Pursuant to provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
9. The Design Control Board (DCB) conceptually approved the applicant's intent to build the new storage locker on November 19, 2009.
10. The proposed project is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

11. The project is located within the California Coastal Commission appealable area and is required to be reviewed by the Hearing Officer or Regional Planning Commission.
12. A Categorical Exemption (Class 1 - Minor Alteration to Existing Facilities), pursuant to the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA), is appropriate for this project.
13. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FORGOING, THE HEARING OFFICER CONCLUDES:

WITH RESPECT TO THE COASTAL DEVELOPMENT PERMIT:

- A. The proposed development is in conformity with the certified local coastal program.
- B. That the proposed development is located between the nearest public road and the sea or shoreline of a body of water located within the coastal zone, and is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Coastal Development Permit as set forth in Section 22.56.2410 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in section 15303 of the State CEQA Guidelines and Class 1 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
2. In view of the findings of facts presented above, Coastal Development Permit Number 200900003 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions, Affidavit

c: Each Commissioner, Zoning Enforcement, Building and Safety

This grant is a Coastal Development Permit for the installation of nine (9) security access dock gates at the gangway entrances of an existing private boat anchorage located adjacent to the Tahiti Marina apartment complex (Parcel 7), as depicted on the approved Exhibit "A", subject to all of the following conditions of approval:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten (10) days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

5. This grant shall expire unless used within two (2) years from the date of final approval by the county. A one (1) year time extension may be requested in writing and with payment of the applicable fee.
6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$300.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for **two (2)** inspections, one before construction, and one after construction is complete. Inspections shall be unannounced.
8. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).
9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
10. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
11. The subject property shall be maintained in substantial conformance with the plans marked Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit four (4) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
12. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of Los Angeles County to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department. Limited access devices shall be installed to the satisfaction of said Department.

13. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
14. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
15. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
16. Within sixty (60) days of the Department of Beaches & Harbors' Design Control Board's ("DCB") final design approval, permittee shall submit to the Director for review and approval three (3) copies of a revised Exhibit "A", similar to that presented at the public hearing. This Revised Exhibit "A" submittal shall contain a full set of the approved site plan and elevations.

The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
17. Limited access devices shall be installed to the satisfaction of the Fire Department of Los Angeles County.
18. The applicant shall provide temporary fencing or barriers for construction and storage areas to prevent any debris or materials from falling into the water during construction. Photographs demonstrating compliance with this condition shall be made available to enforcement staff upon request.
19. Gates shall be painted the same color as the adjoining bulkhead railings.



To enrich lives through effective and caring service



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

**DESIGN CONTROL BOARD REVIEW
DCB #09-019**

PARCEL NAME: Tahiti Marina

PARCEL NUMBER: 7

REQUEST: Consideration of new dock gates

ACTION: Approved, per the submitted plans on file with the Department

CONDITIONS: Applicant shall obtain a Coastal Development Permit from the Department of Regional Planning

MEETING DATE: November 19, 2009

ATTACHMENT A



To enrich lives through effective and caring service



Santos H. Kreimann
Director

Kerry Silverstrom
Chief Deputy

**MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD**

November 19, 2009 2:00 p.m.

**Department of Beaches and Harbors
Burton Chace Park
Community Building – 13650 Mindanao Way
Marina del Rey, CA 90292**

Members Present: Peter Phinney, A.I.A., Chair, Fourth District
Tony Wong, P.E., Fifth District
David Abelar, Second District

Members Absent: Helena Lin Jubany, First District
Simon Pastucha, Vice-Chair, Third District

Department Staff Present: Gary Jones, Deputy Director
Charlotte Miyamoto, Chief, Planning Division
Ismael Lopez, Planner
Teresa Young, Secretary
Dusty Crane, Chief, Community and Marketing Services Division

County Staff Present: Tom Faughnan, Principal Deputy County Counsel
Michael Tripp, Department of Regional Planning

Guests Testifying: Scott Struna, Images Furniture Warehouse
Jill Peterson, Images Furniture Warehouse
Issac Hakim, Tahiti Marina Property Manager
Michele Sace, Tahiti Marina Architect
Eli Tanko, Tahiti Marina Resident Manager
Samuel Kim, SQLA, Incorporated
David Thompson, Tahiti Marina Resident
Danny Kopels, Tahiti Marina Resident
Howard Minkin, Tahiti Marina Resident
John Terry, Tahiti Marina Resident
Greg Larsen, Tahiti Marina Resident
Gregory Konblett, Tahiti Marina Resident
Luis Russo, Tahiti Marina Resident

1. **Call to Order, Action on absences and Pledge of Allegiance**

Mr. Phinney called the meeting to order at 2:01 p.m. and Mr. Wong led the Pledge of Allegiance

Mr. Wong (Abelar) moved to excuse Ms. Jubany from the meeting {Unanimous consent}

2. **Approval of the DCB minutes**

Mr. Wong (Abelar) moved to approve October 22, 2009 minutes {Unanimous consent}

3. **Design Control Board Reviews**

A. **Parcel 95 - Marina West Center - DCB #09-017**

Approval of the record of the DCB October 22, 2009 action approving temporary signage for Images Furniture Warehouse, a new tenant

Mr. Wong (Abelar) moved to approve DCB Review #09-017 as submitted {Unanimous consent}

B. **Parcel 50 - Waterside Marina del Rey - DCB #09-018**

Approval of the record of the DCB October 22, 2009 action approving signage for Affordable Portables, a new tenant

Mr. Wong (Abelar) moved to continue Review DCB#09-018 as the condition of approval for submittal of a complete Variance application to Regional Planning had not been met {Unanimous consent}

Board Review Process – Board Comments (made out of Agenda order)

Mr. Phinney noted that the Board Review and approval process discussed during the October meeting would not take effect during this meeting and asked to continue the matter and agendaize it for the December meeting when more DCB members might be present

4. **Consent Agenda**

None

5. **Old Business**

A. **Parcel 95 - Waterside Marina del Rey - DCB #09-017-B (Taken out of Agenda order)**

Further consideration of signage for Images Furniture Warehouse, a new tenant

Mr. Lopez gave the project overview

Public Comments

None

Board Comments

Mr. Phinney clarified that the proposed signs will not be illuminated

**Mr. Abelar (Wong) moved to approve as submitted Option D for DCB #09-017-B
{Unanimous consent}**

6. New Business (Taken out of Agenda order)

A. Parcel 7 - Tahiti Marina - DCB #09-019

Consideration of new dock gates

Mr. Lopez gave the project overview

Mr. Hakim added that the gates were proposed mainly due to complaints received from their boating community about unauthorized access and thefts

Public Comments

Mr. Russo, Tahiti Marina live-aboard, noted he would like to have security gates as e had had boating equipment stolen from his boat

Mr. Konblett stated his boat was recently burglarized and boats near his slip had recently been burglarized and vandalized

Ms. Janko, property manager at Tahiti Marina, said she receives many complaints about the lack of slip gates and would like to have this project approved

Mr. Thompson, a live-aboard tenant, has witnessed the entry of unauthorized individuals who have no purpose on the dockside and risk their own safety as they access without permission

Mr. Kopels, Tahiti Marina tenant and licensed captain and active boater, was concerned for the safety of the public and slip tenants during holiday events because of the lack of dock gates

Mr. Larsen stated that he had had his boating equipment vandalized in the past and has had to call the Sheriff on various occasions

Mr. Terry, slip tenant across the Fuel Dock, witnessed many individuals accessing the docks to view large boats passing by on a regular basis, but especially during holiday events

Mr. Darden said he would like the entry gates designed to deter crawl access

Mr. Minkin noted that the proposed gates would add safety and deter vandalism

Board Comments

Mr. Phinney asked Mr. Hakim about a clarification he wanted to make

Mr. Hakim noted that the proposed steel cables will not be painted in black and noted that access will be granted with key cards

Mr. Phinney asked for the number of informational signs at each entry point be reduced and integrated into the gate design as much as possible

Mr. Phinney suggested Applicant look to add a barrier to the gate handle from the landside and consider the size of the gate to deter people from climbing over the gate

Mr. Abelar asked about the distance between posts and about the sign package

Mr. Hakim noted that they will work on a full sign program for the proposed site renovation of Parcel 7, Tahiti Marina

Wong (Abelar) moved to approve the submittal DCB #09-019 with the condition that they submit to Regional Planning for a Coastal permit {Unanimous consent}

B. 2010 DCB Meeting Schedule

Consideration of 2010 DCB Meeting Schedule

Public Comments

None

Board Comments

Mr. Phinney stated he had schedule conflicts due to his new teaching schedule from January through June 2010 starting at 4 p.m. until 7 p.m. on Thursdays. He suggested changes to meeting dates to start at noon or to change meeting days to Wednesdays, based on the availability of staff, Board members and Chace Park Community Room openings

Mr. Abelar (Wong) moved to continue the DCB Calendar for 2010 until the December 17, 2009 meeting with staff recommendations about meeting room availability for Wednesday meeting times at Chace Park {Unanimous consent}

7. Staff Reports

The Temporary Permit and Ongoing Activities staff reports were received and filed

Ms. Miyamoto reported on Marina del Rey and Beach events

Mr. Phinney asked for information about the sponsors for the Boat Parade and commented on a possible coordination between Marina and neighboring beach community events. He suggested coordinating the Boat Parade with the Hermosa Beach Sand Snowman contest to allow the winner of the contest to participate in the Boat Parade

Ms. Crane stated that the Holiday Boat Parade was handled by the Holiday Boat Committee, a private organization. She provided details about the Boat Parade process and noted that she could provide outreach to coordinate with the Hermosa Beach Sand Snowman committee

8. Public Comments

None

Adjournment

Mr. Phinney stated he would like to adjourn the meeting in the memory of Doug Ring, a longtime developer in Marina del Rey, whose presence was certainly felt and was instrumental in the shaping of the Marina. He added that his absence would be heart-felt throughout the community

**Mr. Phinney (Wong) moved to adjourn the Design Control Board meeting at 3:05 p.m.
{Unanimous consent}**

Respectfully Submitted,

Teresa Young

Secretary for the Design Control Board

Attachment A

Marina del Rey Parcel 7: Tahiti Marina Anchorage Burden of Proof Statements for Coastal Development Permit 13900 Tahiti Harbor Ltd (Applicant)

This exhibit has been prepared pursuant to Section 22.56.2410 of the Los Angeles County Code (LACC), which outlines the requisite findings for approval of a coastal development permit. Each required finding is listed below in bolded italicized font; the applicant's description of how the proposed development project satisfies each finding follows in normal font.

The applicant shall substantiate to the satisfaction of the Planning Commission the following facts:

1. That the proposed development is in conformity with the certified local coastal program.

As set forth below, the applicant's proposal to install nine (9) security access gates on land at the entrances to the gangways of the existing Tahiti Marina anchorage is entirely consistent with the regulations and policies of the certified Local Coastal Program for Marina del Rey ("certified LCP"). Installation of the subject gangway entry gates is necessary in order for the applicant to provide its boat slip tenants adequate security at the Tahiti Marina anchorage, which is a private anchorage facility. As shown in the photographs submitted with this application, there is currently no controlled access to the private marina's gangways, meaning any person can access the boats moored within the anchorage at will from land. This unrestricted access has resulted in personal property being stolen from the boats within the anchorage as well as vandalism. These crimes have resulted in some of the applicant's boat slip tenants choosing to leave Tahiti Marina in favor of relocating their boats to one of the other various Marina del Rey marinas or other Southern California-area marinas which provide secured gangway access to their marina tenants. This lack of security at the Tahiti Marina anchorage has also made it difficult for the applicant to lease available boat slips to prospective boat owners. This application shares strong support from the existing Tahiti Marina slip tenants.

Marina del Rey Specific Plan Consistency Analysis:

The Marina del Rey Specific Plan (MDR SP) outlines development standards and regulations for each specific parcel and each of the land use categories designated in the certified LCP. An analysis regarding the proposed project's conformity to the few pertinent MDR SP standards and regulations follows:

- **Fire Safety:** Fire Department emergency access to all of the anchorage gangways will be maintained at all times through the applicant's installation of a "Knox Box" locking system at each of the dock gates, which will be accessible to the LACO Fire Department staff. Firefighting access is also provided to the anchorage via the water, through the LACO Fire Department's use of the firefighting-equipped boats it maintains at the nearby MDR Fire Station.

Attachment A

Marina del Rey Parcel 7: Tahiti Marina Anchorage

Burden of Proof Statements for Coastal Development Permit

13900 Tahiti Harbor Ltd (Applicant)

- The proposed dock gates are consistent with the subject parcel's applicable "Residential III-WOZ" and "Water" land use designations because the proposed gates are a customary security feature accessory to the primary boat anchorage, which is identified in the certified LCP as the principal permitted use for the parcel's "Water" land use designation.
- The proposed dock gates will not reduce the amount of land area devoted to existing visitor-serving, boating or marine commercial uses, but will substantially improve security to the Tahiti Marina anchorage.

Marina del Rey Land Use Plan Policy Consistency Analysis:

The project is compliant with the following applicable policies of the MDR Land Use Plan:

Shoreline Access ("SA"): LUP Chapter 1

Policies of this element of the Marina del Rey Land Use Plan ("LUP") establish requirements for new development to follow which would preserve or enhance public access to the shoreline and awareness of shoreline access points.

- (SA Policy 1) (*Public Access to Shoreline a Priority*). The proposed dock gates will not adversely impact or otherwise affect the public's access to the *shoreline*. As shown on the exhibits submitted with this application, the gates have been tastefully designed with a nautical theme affording the public clear visual access through the gates to the water; as such, the gates will not adversely impact the public's visual access to the water. Since its construction in the 1960's, the Tahiti Marina anchorage has been continually operated as a private anchorage, with slips that are leased by the applicant to boat owners. As a private facility, the general public enjoys no right to unrestricted access to this anchorage, just as the general public enjoys no right to unrestricted access to the interiors of private apartments located in Marina del Rey. The subject dock gates are needed as a security feature to limit theft from and vandalism to the boats moored at the Tahiti Marina anchorage, as well as to provide boat tenants a modicum of personal security as they reside or recreate on their boats when anchored at the marina.
- (SA Policy 2) Public access to the *waterfront* is a key priority of the LCP. As described above, the subject dock gates will in no way adversely impact or otherwise affect the public's access to the parcel's waterfront.

Attachment A

Marina del Rey Parcel 7: Tahiti Marina Anchorage Burden of Proof Statements for Coastal Development Permit 13900 Tahiti Harbor Ltd (Applicant)

Recreational Boating (“RB”): LUP Chapter 3

- (RB Policy 1) (*Recreational boating is a top priority of the LCP*). The proposed dock gates will vastly improve security at the Tahiti Marina anchorage, which, in turn, will serve to protect recreational boating in Marina del Rey by dissuading existing anchorage tenants from potentially relocating their boats to other, more secure Southern California anchorages. Improved security at the Tahiti Marina anchorage will generally result in a more enjoyable recreational boating atmosphere and experience at the anchorage, in conformance with this Policy.

Marine Resources (“MR”): LUP Chapter 4

- (MR Policy 2) (*Reduce contaminated run-off into Marina waters*). Installation of the proposed dock gates will have no appreciable affect on contaminated run-off into the Marina waters.

Land Use Plan (“LUP”): LUP Chapter 8

- (LUP Policy 1) (*Preservation of the small craft harbor as a recreational facility shall be a priority*). The proposed dock gates will in no way adversely impact the small craft harbor as a recreational facility. To the contrary, the improved security afforded by the dock gates will act to enhance boater recreation within the small craft harbor by making the boating experience safer and more enjoyable for Tahiti Marina slip tenants.
- (LUP Policy 2) (*Maintenance of the physical and economic viability of the marina is a priority*). The proposed dock gates will enhance the economic viability of the Marina, in conformance with the policy, by dissuading existing Tahiti Marina anchorage tenants from relocating their boats to other Southern California marinas and by making the Tahiti Marina anchorage a safer place to moor one’s boat.
- (LUP Policy 6) (*Design Control Board*). The applicant has filed an application with LACO Department of Beaches & Harbors for review of the project by the Department’s Design Control Board (DCB), in conformity with MDR SP requirements.
- (LUP Policy 8) (*Land Use Consistency*). As noted, the proposed dock gates are consistent with the subject parcel’s applicable “Residential III-WOZ” and “Water” land use designations because the proposed gates are a customary security feature accessory to the primary boat anchorage, which is identified

Attachment A

Marina del Rey Parcel 7: Tahiti Marina Anchorage Burden of Proof Statements for Coastal Development Permit 13900 Tahiti Harbor Ltd (Applicant)

in the certified LCP as the principal permitted use for the parcel's "Water" land use designation

Coastal Visual Resources ("CVR"): LUP Chapter 9

- (CVR Policy 1) (*Views of the Harbor a Priority*). As noted, the proposed dock gates have been tastefully designed with a nautical theme affording the public clear visual access through the gates to the water; as such, the gates will not adversely impact the public's visual access to the water.
- (CVR Policy 4) (*Design Control Board Review*). As noted, the applicant has filed an application with LACO Department of Beaches & Harbors for review of the project by the Department's Design Control Board (DCB), in conformity with MDR SP requirements.
- (CVR Policy 6) (*View protection*). As described above, the project maintains views of the water from pedestrian access ways (i.e., the waterfront promenade), consistent with security and safety considerations.

Public Works ("PW"): LUP Chapter 12

Fire and Emergency Services

- (PW Policy 11) Consistent with this policy, the applicant's gate plans will be subject to review and approval by the County Fire Department for fire emergency access requirements prior to installation of the dock gates. As noted, Fire Department emergency access to all of the anchorage gangways will be maintained at all times through the applicant's installation of a "Knox Box" locking system at each of the dock gates, which will be accessible to the LACO Fire Department staff. Firefighting access is also provided to the anchorage via the water, through the LACO Fire Department's use of the firefighting-equipped boats it maintains at the nearby MDR Fire Station.

Attachment A

**Marina del Rey Parcel 7: Tahiti Marina Anchorage
Burden of Proof Statements for Coastal Development Permit
13900 Tahiti Harbor Ltd (Applicant)**

2. *That any development, located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code:*

(Applicable Coastal Act Sections below)

COASTAL ACT PUBLIC ACCESS POLICIES

CA Coastal Act (“CCA”) Section 30210:

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

The proposed project fully complies with CCA Section 30210, as set forth in detail in Applicant’s responses above addressing project consistency with the Policies contained in LUP Chapters 1, 3 & 9 (“Shoreline Access,” “Recreational Boating,” and “Coastal Visual Resources”).

CCA Section 30211:

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

As detailed in Applicant’s responses above addressing project consistency with the Shoreline Access, Recreational Boating and Coastal Visual Resources policies of the LUP (LUP Chapters 1, 3 and 9), the proposed project does not unjustly interfere with the public’s right of access to the Marina waters. As noted, since its construction in the 1960’s, the Tahiti Marina anchorage has been continually operated as a private anchorage, with slips that are leased by the applicant to boat owners. As a privately operated facility, the general public enjoys no right to unrestricted access to this anchorage, just as the general public enjoys no right to unrestricted access to the interiors of private apartments located in Marina del Rey. The subject dock gates are needed as a security feature to limit theft from and vandalism to the boats moored at the Tahiti Marina anchorage, as well as to provide boat tenants a modicum of personal security as they reside or recreate on their boats when anchored at the marina. Access-restricted dock gates are an integral security features at the vast majority of private boat anchorages

Attachment A

**Marina del Rey Parcel 7: Tahiti Marina Anchorage
Burden of Proof Statements for Coastal Development Permit
13900 Tahiti Harbor Ltd (Applicant)**

throughout California.

COASTAL ACT RECREATION POLICIES

CCA Section 30220:

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

The proposed project complies with this CCA section because the increased security that will be provided by the dock gates will serve to improve the recreational boating experience of Tahiti Marina’s boat tenants, as outlined above.



PROPOSED ENTRANCE GATE TO THE EXISTING DOCK AREA

SHEET INDEX:

- A.0.01 Perspective View
- A.1.01 Site Plan
- A.1.02 Photo Survey
- A.2.01 Plan
- A.2.02 Plan, Elevation & Section
- A.3.01 Renderings



A.0.01

Perspective view

TAHITI MARINA

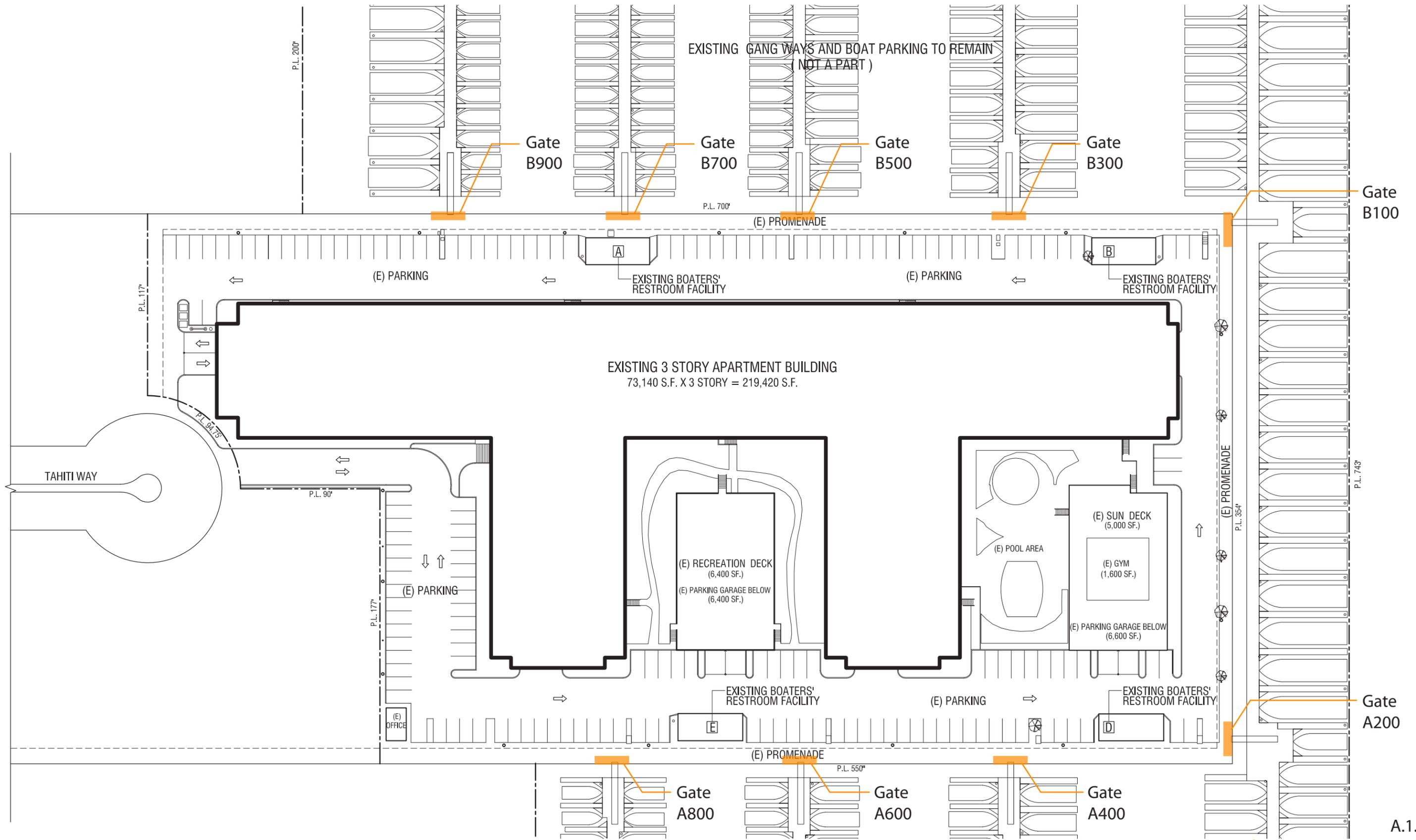
13900 Tahiti Way, Marina Del Ray, CA

Landscape Architect: SQLA

Designer: Building Inc.

Applicant/Leaseholder: 13900 Tahiti Harbor Ltd.

Architect: Grace Partnership Inc.



A.1.01

Site Plan with location of Gates to the Docks



Gate A800



Gate A600



Gate A400



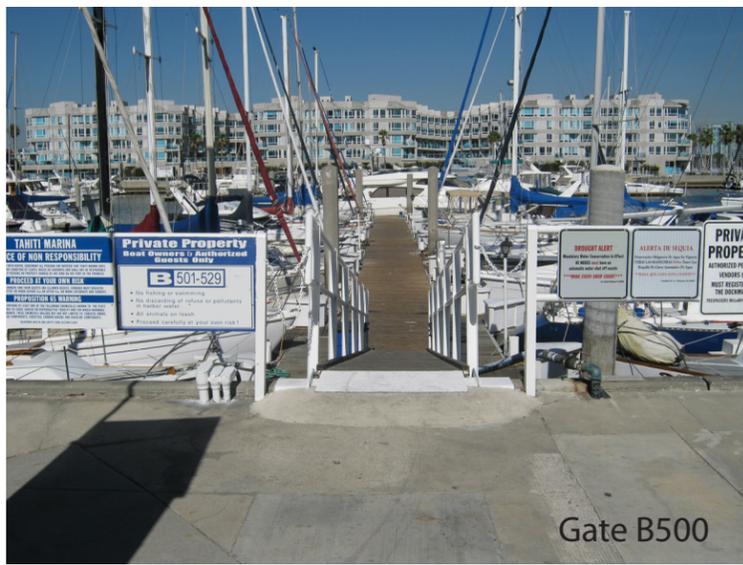
Gate A200



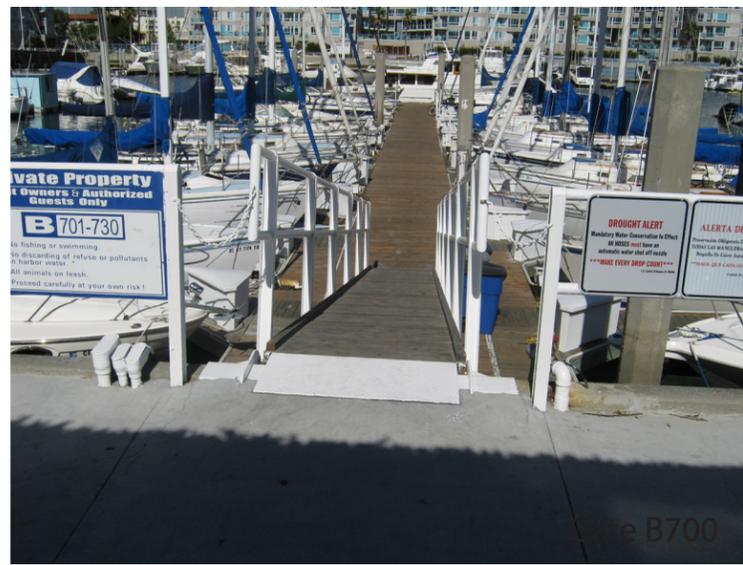
Gate B100



Gate B300



Gate B500

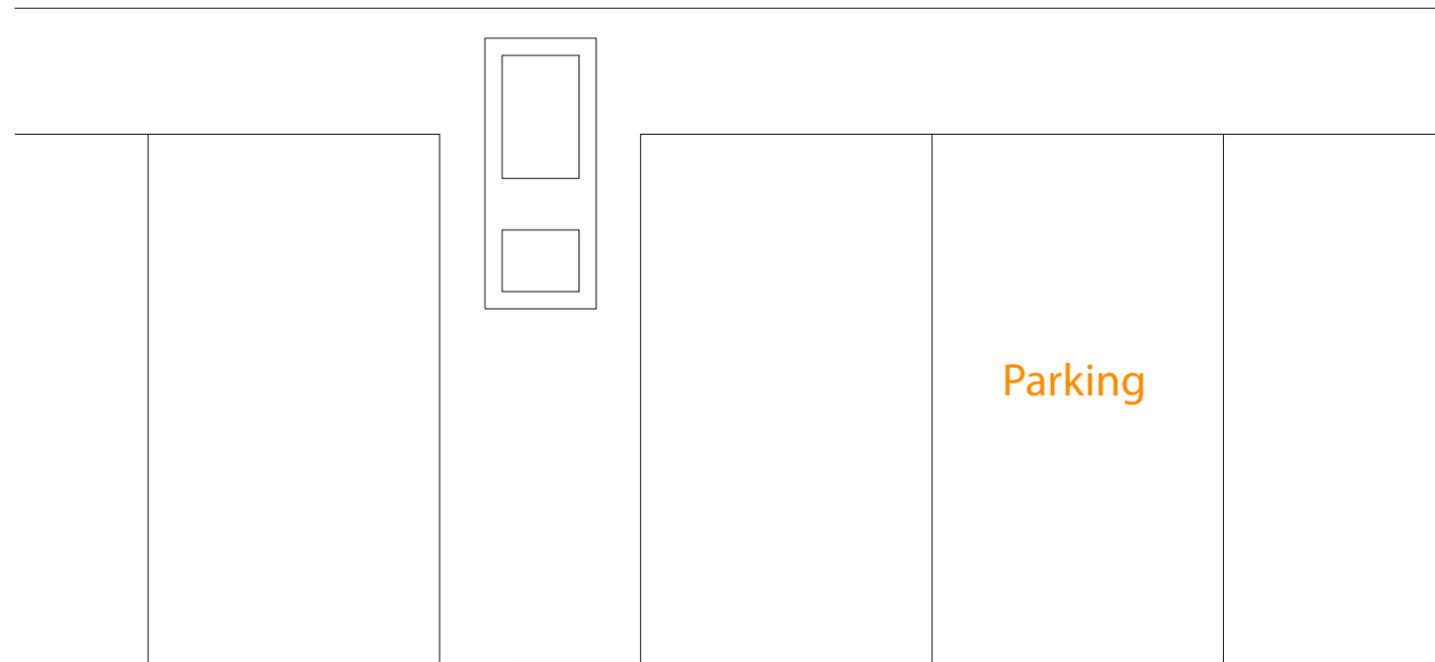
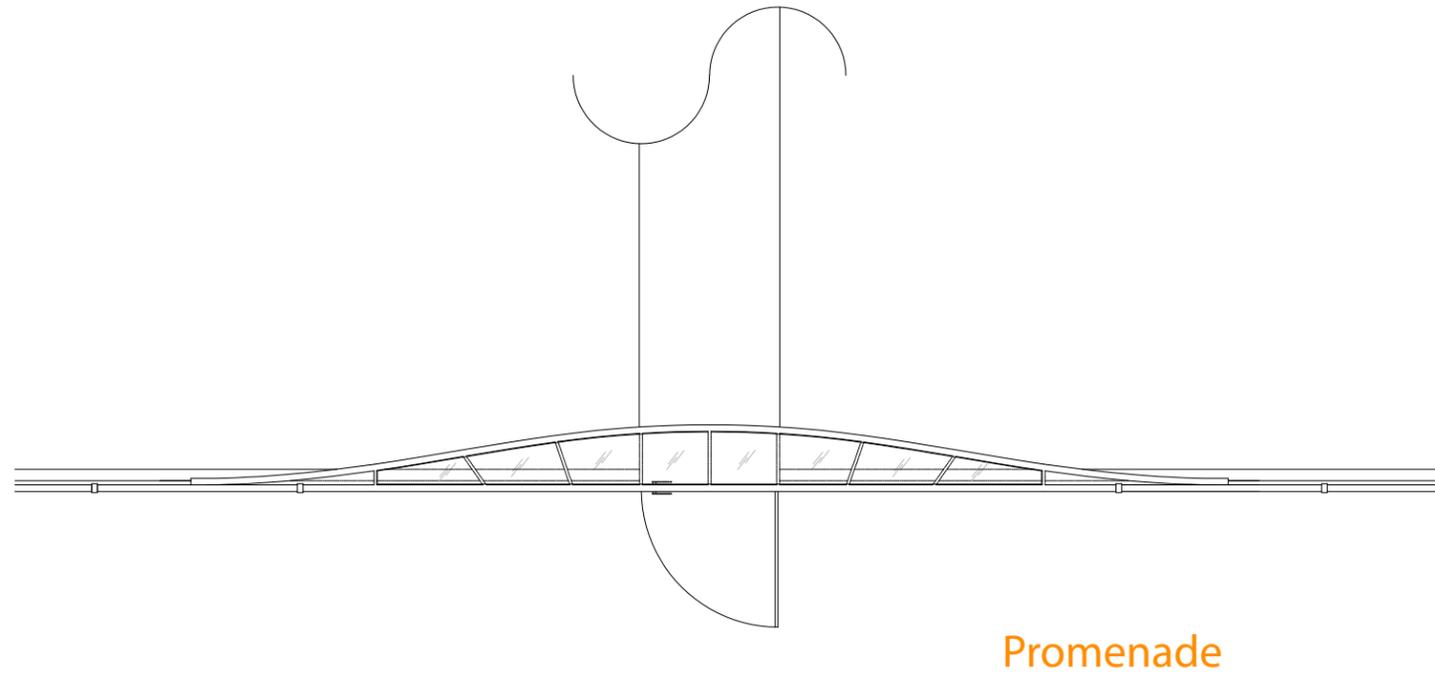


Gate B700

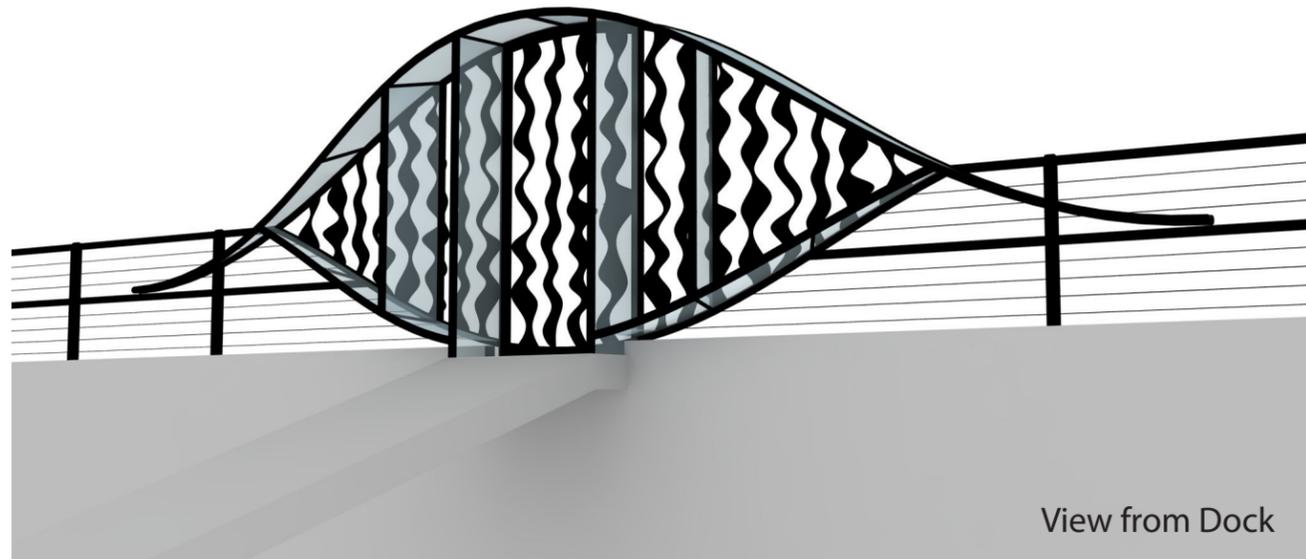


Gate B900

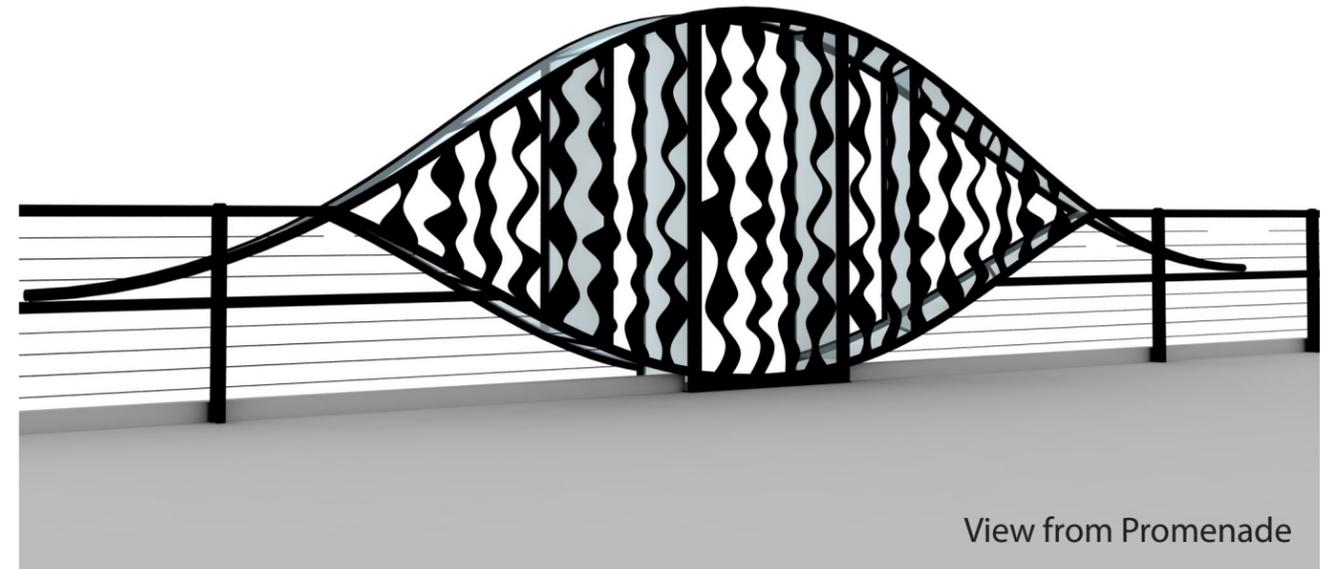
A.1.02
Photo Survey



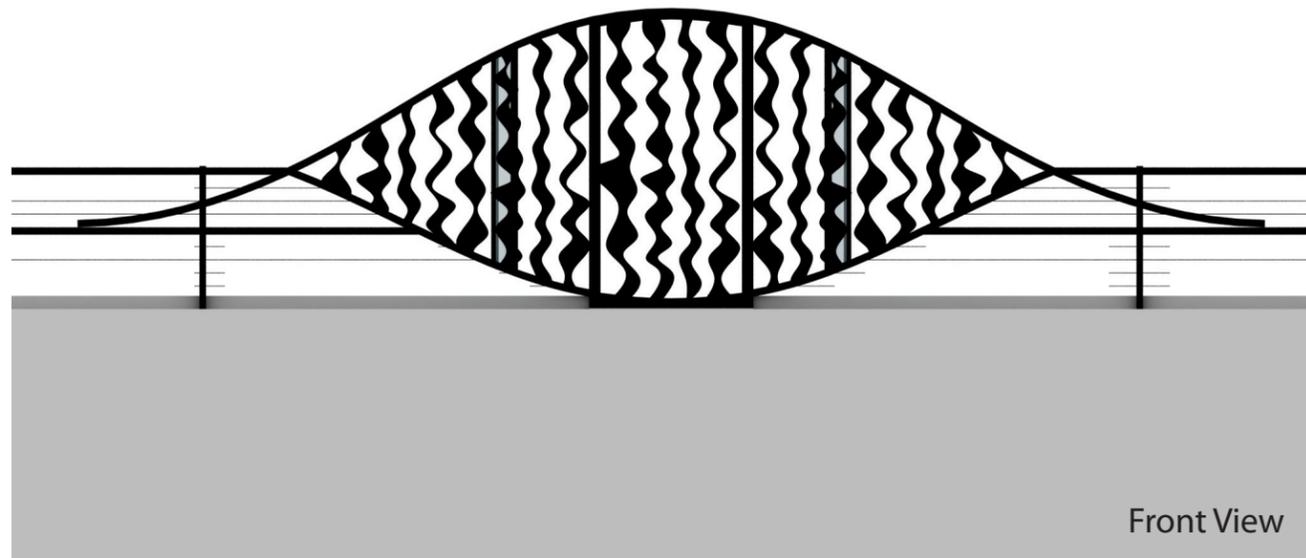
A.2.01
Scale: 1' = 3/16" Plan



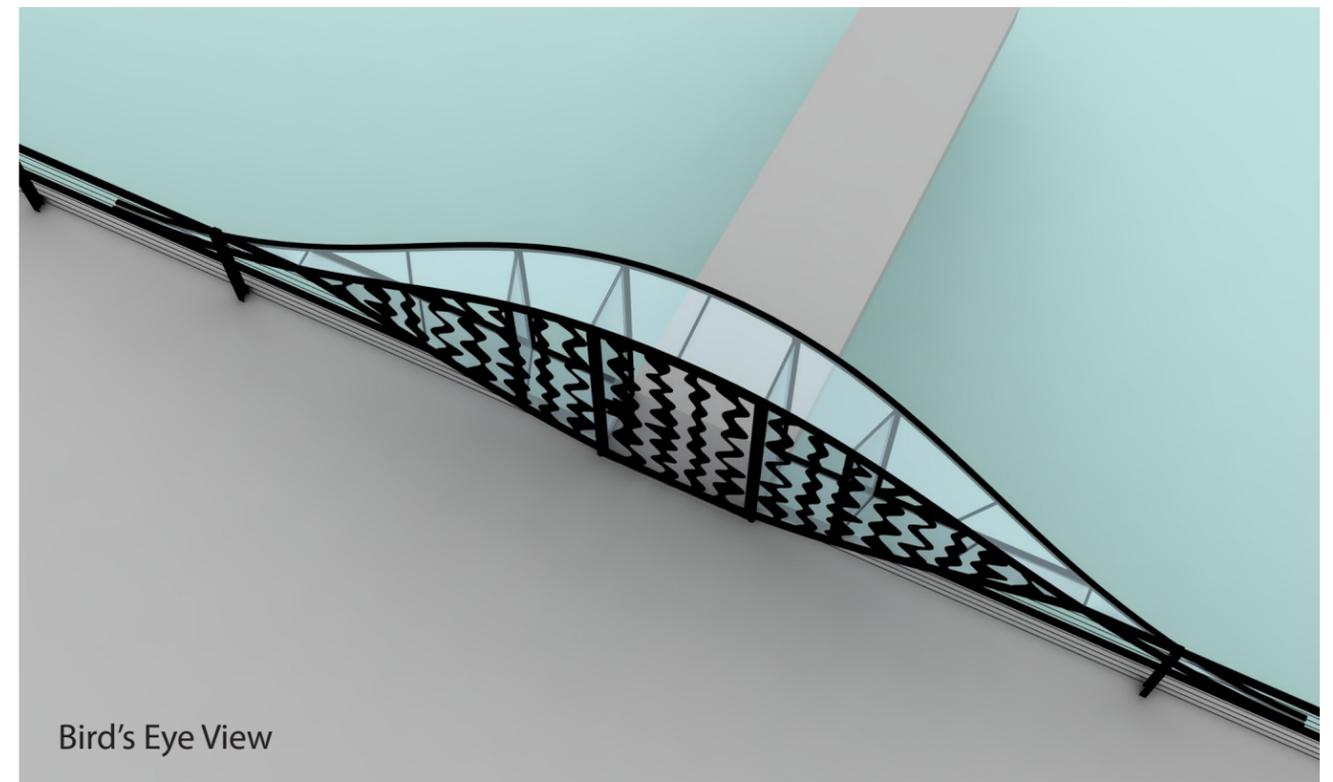
View from Dock



View from Promenade



Front View



Bird's Eye View

A.3.01

Renderings

TAHITI MARINA

13900 Tahiti Way, Marina Del Ray, CA

Landscape Architect: SQLA

Designer: Building Inc.

Applicant/Leaseholder: 13900 Tahiti Harbor Ltd.

Architect: Grace Partnership Inc.



Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway
- Master Plan of Highways
 - Expressway - (e)
 - Expressway - (p)
 - Ltd. Secondary Highway - (e)
 - Ltd. Secondary Highway - (p)
 - Parway - (e)
 - Parway - (p)
 - Major Highway - (e)
 - Major Highway - (p)
 - Secondary Highway - (e)
 - Secondary Highway - (p)
 - (e)-Existing (p)-Proposed
- Railroad or Rapid Transit
 - Railroad
 - Rapid Transit
 - Underground Rapid Transit
- Significant Ridgelines
 - Castaic CSD Primary
 - Castaic CSD Secondary
 - SMMNA Significant
- Census Tract (2000)
- Assessor Map Book (AMB) Bdy
- Zoning Index Map Grid
- Zoning Map Grid
- USGS Quad Sheet Grid
- The Thomas Guide Grid
- TB Internal Page Grid
- Very High Fire Hazard Severity Zone
- Community Standards District (CSD)
- CSD Area Specific Boundary
- ESHA (Coast Only)
- Significant Ecological Area (SEA)
- Section Line
- Township and Range
- National Forest
- Equestrian District (EOD)
- Transit Oriented District (TOD)
- Setback District
- Zoned District (ZD)
- Supervisorial District Boundary
- Safety Related Stations (From TB)
 - Fire Station
 - Highway Patrol
 - Police Station
 - Ranger Station
 - Sheriff Station
- Zoning (Boundary)
- Zoning
 - Zone A-1
 - Zone A-2
 - Zone B-1
 - Zone B-2
 - Zone C-1
 - Zone C-2
 - Zone C-3
 - Zone C-H
 - Zone C-M
 - Zone CPD
 - Zone C-R
 - Zone D-2
 - Zone I1
 - Zone M-1
 - Zone M-1.5
 - Zone M-2
 - Zone M-3
 - Zone MPD
 - Zone MXD
 - Zone O-S
 - Zone P-R
 - Zone R-1
 - Zone R-2
 - Zone R-3 (JU)
 - Zone R-4 (JU)
 - Zone R-A
 - Zone RPD
 - Zone R-R
 - Zone SR-D
 - Zone W
- Landuse Policy (Not in Comm / Area Plan)
 - 1 - Low Density Residential (1 to 6 du/ac)
 - 2 - Low/Medium Density Residential (6 to 12 du/ac)
 - 3 - Medium Density Residential (12 to 22 du/ac)
 - 4 - High Density Residential (22 or more du/ac)
 - C - Major Commercial
 - I - Major Industrial
 - O - Open Space
 - P - Public and Semi-Public Facilities
 - RC - Rural Communities
 - R - Non-Urban
 - TC - Transportation Corridor
- Inland Waterbody
 - Perennial
 - Intermittent
 - Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.

