



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 1, 2011

California Yacht Club
4469 Admiralty Way
Marina del Rey, CA 90292
Attn: Michele Underwood

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**REGARDING: PROJECT NO. R2007-01009-(4)
COASTAL DEVELOPMENT PERMIT NO. 201100001
4469 ADMIRALTY WAY, MARINA DEL REY**

Dear Applicant:

Hearing Officer Pat Hachiya, by her action of November 1, 2011, **APPROVED** the above described project and entitlements. The attached documents contain the Hearing Officer's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or and other interested person may appeal the Hearing Officer's decision to the Regional Planning Commission at the office of the Commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the Commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at the 5:00 p.m. on November 15, 2011.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

Upon completion of the appeal period, **hand deliver** a notarized affidavit of acceptance form, a certified copy of the recorded findings and conditions of approval, and any other required fees or materials to the planner assigned to your case (see attached instructions for more information). Please **make an appointment** with the case planner to ensure that processing will be completed expeditiously. If the required documents and fees are not received within 60 days of this final letter's date, this permit will be transferred to Zoning Enforcement for further action.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Maral Tashjian of the Special Projects Section at (213) 974-1516 or e-mail at mtashjian@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director

Samuel Dea, Supervising Regional Planner
Special Projects Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)
c: DPW (Building and Safety), Zoning Enforcement, California Coastal Commission

SD:MT

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant, California Yacht Club, is requesting to authorize the continued use of an existing portable classroom with attached deck and access ramp for a youth sailing and rowing education program at an existing yacht club.

PROCEEDINGS BEFORE THE HEARING OFFICER:

November 1, 2011 Public Hearing

A duly noticed public hearing was held on November 1, 2011 before the Hearing Officer. The applicant's representative, Michele Underwood, was sworn in and testified in favor of the request, and confirmed that she had reviewed and concurred with the conditions of approval. There being no further testimony, the Hearing Officer closed the public hearing, expressed her intent to approve the subject project, subject to the conditions recommended by staff and agreed to by the applicant's representative.

Findings

1. The subject property is located at 4469 Admiralty Way, in the unincorporated community of Marina del Rey. The subject property is identified by Assessor Parcel Number 4224-007-903 and Marina Lease Parcel Number 132. Access to the subject property is via Admiralty Way, which is an improved public roadway.
2. Zoning on the site is SP (Specific Plan). The land use designation of the property in the Marina del Rey Specific Plan is MC (Marine Commercial). Zoning of the surrounding properties is SP, with the following land use designations:

North: Open Space (OS), City of Los Angeles
South: Water (W), MC, H, Visitor Serving Convenience Commercial (VS/CC)
East: VS/CC, Office (O), Public Facilities (PF), MC
West: W, VS/CC, PF
3. The subject property is developed with a yacht club and appurtenant uses including a parking lot, anchorage, recreation facilities, and dry storage. Surrounding development consists of:

North: Public Park, Condominiums, Apartments, Single-Family Residences, Child Care Center
South: Basin F, Parking Lot, Hotel
East: Restaurant, Office, Public Library, Parking Lot
West: Main Channel, Restaurant, Public Facilities
4. The site plan depicts a 16 acre lease parcel with approximately 6 acres on the landside portion of the parcel and 10 acres on the waterside portion of the parcel. The waterside portion of the parcel is developed with an existing private anchorage. The landside portion of the parcel is developed with an existing yacht club which consists of a clubhouse, paddle tennis courts, pool, dry storage area, storage lockers, office, and parking lot. The portable classroom which is 12'x60'

(720 square feet) and approximately 12' 8" in height, is used for the yacht club's youth sailing and rowing education program, and is located adjacent to the paddle tennis courts to the south east of the project site.

5. Coastal Development Permit No. 93128 which authorized the replacement of a 288 square-foot portable classroom with a 720 square-foot portable classroom was approved on December 14, 1994.
6. The subject property is within an urbanized area with available public services.
7. The project site is located within the "Marine Commercial" land use category of the Marina del Rey Land Use Plan (LUP). The "Marine Commercial" land use designation is intended for coastal-related or coastal-dependent uses associated with the operation, sales, storage and repair of boats and marine support facilities (e.g. yacht club facilities). The existing portable classroom which operates a sailing and rowing education program is ancillary to the yacht club facility, and is therefore consistent with the permitted uses of the underlying land use category.
8. The applicant's proposal complies with the following applicable Land Use Plan policies:
 - **Chapter 1: Shoreline Access, Policy 1**
The proposed project does not limit public access to or along the bulkheads facing the harbor within the subject property. The project which includes the continued use of a portable classroom at an existing yacht club, does not propose any new construction that would hinder access to the shoreline. The portable classroom does in fact encourage public access to the shoreline as it provides boating opportunities to the public for boating experiences in the small crafts harbor and beyond.
 - **Chapter 3: Recreational Boating, Policy 1**
The continued operation of the yacht club's portable classroom supports the priority of the Marina del Rey LCP to provide adequate recreational boating support facilities and services to the general public, as it is a venue that offers a sailing and rowing educational program to the public.
9. The proposed project is in compliance with applicable zoning codes. The existing portable classroom is approximately 12' 8", which is in compliance with the 45-foot maximum building height limit of the "Marine Commercial" Land Use Category. The existing structure will not alter the existing density, setbacks, view corridors, or area devoted to existing visitor-serving, boating, or marine commercial uses.
10. The applicant has provided the required Burden of Proof to substantiate all facts identified by Section 22.56.2320 of the Los Angeles County Code.

11. 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.
12. 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.
13. 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.
14. 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.
15. 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:

- 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 201100001 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions, Affidavit

c: Hearing Officer, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R2007-01009-(4)
COASTAL DEVELOPMENT PERMIT NO. 201100001**

PROJECT DESCRIPTION

The project is the continued use of an existing portable classroom with attached deck and access ramp for a youth sailing and rowing education program at an existing yacht club, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, 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 Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. 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 limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the portable classroom and satisfaction of Condition No. 2 shall be considered use of this grant.
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 ("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, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
10. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
11. All requirements of Title 22 of the County Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
12. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.
13. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

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 notification 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.
14. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **four (4) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
15. This grant permits the continued use of an existing portable classroom at an existing yacht club facility.