



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the

Board of Harbor Commissioners

**DATE: AUGUST 3, 2016**

**FROM: PLANNING AND STRATEGY**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ – ISSUANCE OF A LEVEL II  
APPEALABLE COASTAL DEVELOPMENT PERMIT (NO. 16-15) TO  
DEMOLISH A MARINA AT BERTHS 80-83 AND RELATED BUILDING  
AT 950 SAMPSON WAY**

**SUMMARY:**

Staff requests that the Board of Harbor Commissioners (Board) approve a Level II appealable Coastal Development Permit (CDP) No. 16-15 to the City of Los Angeles Harbor Department (Harbor Department) to demolish 92 marina slips at Berths 80-83 and a related building at 950 Sampson Way. Demolition would facilitate the construction of Ports O' Call Promenade and Town Square projects and the eventual redevelopment of the Ports O' Call site by San Pedro Public Market LLC. The Port of Los Angeles (Port) would still have sufficient capacity at its 16 other marinas to meet demand for recreational boating facilities. The estimated cost of the proposed project is approximately \$650,000 and the Harbor Department is responsible for the entire cost of the proposed project.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners:

1. Find that the proposed action is exempt from the requirements of the California Environmental Quality Act under Article II, Section 2(i), of the Los Angeles City California Environmental Quality Act Guidelines as determined by the Director of Environmental Management;
2. Hold a public hearing for the proposed Coastal Development Permit No. 16-15, a Level II appealable permit;
3. Find that the proposed project conforms with the Port of Los Angeles certified Port Master Plan;
4. Upon closure of the public hearing, resolve to approve the issuance of Coastal Development Permit No. 16-15, consistent with the project description listed on

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Application for Port Permit No. 160628-088, and direct the Director of Planning and Strategy to issue said permit; and

5. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background/Context – The Ports O’ Call marina is located at Berths 80-83 along the Main Channel and within the Ports O’ Call redevelopment site (Transmittal 1). The marina contains 92 slips ranging from 37 feet to 74 feet. The marina began operation concurrently with the original development of Ports O’ Call in the 1960’s. Since 1976, the Ports O’ Call Restaurant Corporation had a master lease over the marinas. This lease expired on December 31, 2014 and continued on month-to-month holdover until a termination agreement between the Ports O’ Call Restaurant Corporation and the Harbor Department was executed in January 2016 with a termination date of February 29, 2016. The Harbor Department began administering day-to-day operations of the marina on March 1, 2016.

Project Description – The Ports O’ Call Promenade and Town Square projects require the existing site to be cleared of an old building and floating docks in order to construct new facilities. The floating docks along Berths 80-83 in the existing marina are in a state of disrepair and are being vacated prior to their removal and demolition. Existing support piles will be assessed and those that are structurally deficient will be removed. The building at 950 Sampson Way provides utility service to the existing marina. It has undergone an environmental assessment for both lead and asbestos, and mitigation measures will be completed prior to demolition.

Should the Board approve the issuance of CDP No. 16-15, work is expected to begin in November 2016 and be completed in March 2017. The Harbor Department will pay the full \$650,000 estimated cost of the project, with \$500,000 allocated for the marina demolition and \$150,000 allocated for the building demolition.

Coastal Permit Requirements – The proposed project is a Level II appealable project in accordance with Section 6.4 of the Port Master Plan (PMP). Under Section 30715 of the Coastal Act, certain types of approvals by a port governing body may be appealable to the California Coastal Commission (Coastal Commission). Recreational boating facilities are one such type of development. A Level II permit is required for projects that: involve significant resources; cause major changes in land and/or water use and in the density or intensity of the use; have the potential of creating significant environmental impacts that can or cannot be mitigated; or are appealable. The proposed project needs a Level II CDP because it is an appealable project as outlined in Section 6.4.4 of the PMP (Transmittal 2).

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Procedurally, a Level II appealable CDP requires a public hearing that is publicized at least fifteen calendar days prior to the scheduled date of the hearing. A public notice for the proposed development was published on August 3, 2016 (Transmittal 3). If CDP No. 16-15 is approved by the Board, an appeal to the Coastal Commission may be filed within ten working days from when the Coastal Commission receives notice that the Board has approved the coastal development permit. Should an appeal be filed, the Coastal Commission shall hear the appeal unless it determines that no substantial issue exists as to conformity with the PMP.

The proposed project is consistent with the PMP and the Chapter 8 policies of the California Coastal Act (Coastal Act) of 1976, as amended. The project is located in Planning Area 1 of the PMP with a land use designation of Visitor-Serving Commercial. The proposed project would change the current marina use of the property to allow for the future construction of a promenade and town square in connection with the San Pedro Public Market redevelopment project, a Visitor-Serving Commercial use.

**RECREATIONAL BOATING ANALYSIS:**

Section 30234 of the Coastal Act and Policy 5.1 of the PMP state that recreational boating facilities shall be protected and shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. The Harbor Department assessed demand for recreational boating facilities and identified alternative marina spaces at the Port. Outside the Port, there are 13,648 slips within Los Angeles and Orange Counties. There are 3,721 boat slips inside the Port (excluding the marina at Berths 80-83). The vacancy rate outside of the Port was 3 percent (380 vacant slips as of July 2015). The vacancy rate in the Port is much higher, at nearly 17 percent (626 vacant slips).

At the time the Port took over operation of the marina at Berths 80-83 on March 1, 2016, 55 of its 92 slips were occupied. As of August 1, 2016, 51 boat owners had vacated, leaving only 4 slips occupied. The analysis of available recreational boating facility vacancies shows that there is an adequate supply of substitute slip space within the Port to satisfy Section 30234 of the Coastal Act and Policy 5.1 of the PMP.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of CDP No. 16-15 for the Harbor Department to demolish a marina at Berths 80-83 and a related building at 950 Sampson Way. The proposed action was assessed as part of the San Pedro Waterfront Project Final Environmental Impact Statement/Final Environmental Impact Report (EIS/EIR), which was certified by the Board on September 29, 2009, and the Addendum to the San Pedro Waterfront Project EIR that was considered by the Board on May 19, 2016.

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Therefore, as an activity for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of California Environmental Quality Act (CEQA), the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA in accordance with Article II, Section 2(i), of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

The CDP is a procedural requirement that facilitates the work to be completed as described herein and is expected to begin in November 2016 and be completed in March 2017. The Harbor Department will pay the full \$650,000 estimated cost of the demolition project (including lead and asbestos abatement). However, the Ports O' Call Restaurant Corporation is reimbursing the Harbor Department \$85,900 of the estimated \$150,000 cost to demolish the building portion. Funding detail in the amount of \$650,000 for the costs will be detailed in a separate action authorizing the demolition project.

**CITY ATTORNEY:**

The Office of the City Attorney has reviewed this Board Report and determined that it raises no legal issues at this time.

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TRANSMITTALS:

1. Site Location Map
2. CDP No. 16-15
3. Public Notice

FIS Approval: *MB* (initials)  
CA Approval: *MB* (initials)



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Director of Planning and Strategy

  
FOR MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:



EUGENE D. SEROKA  
Executive Director

Author: D. Jordan

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