

3.1.1 Introduction

This chapter addresses the potential land use impacts of the proposed project. Land use and planning issues refer to the compatibility of the physical land uses of the proposed project with adjacent or surrounding land uses and the project's consistency with plans and policies that have regulatory jurisdiction over the project. This chapter describes existing land uses that could be affected by the proposed project, and the compatibility of the project with land use plans, policies, and ordinances of the City of Los Angeles, including the Port.

3.1.2 Setting

3.1.2.1 Regional Setting

The Port is located within the southernmost portion of the City of Los Angeles and is bordered by the City of Long Beach and the communities of San Pedro and Wilmington. More specifically, the proposed project is located within the community of San Pedro, which is approximately 23 miles south of downtown Los Angeles and approximately 8 miles southwest of the City of Long Beach. The Port is bordered to the west and northwest by San Pedro, to the north by Wilmington, and to the east by the Port of Long Beach. Specific characteristics of these two adjacent communities are discussed below.

San Pedro

San Pedro is an urban community and had a population of 83,940 in 1999 (City of Los Angeles 2001a). San Pedro's development has been closely intertwined with the industrial and commercial nature of the Port. Because of these concurrent development trends, the project area is bordered by a variety of different land uses that include residential, commercial, industrial, and recreational. Adjoining the existing Cabrillo Marina Phase I to the west is Fort MacArthur, a facility that provides housing for U.S. Air Force personnel. North of Fort MacArthur, between Hamilton Avenue and 8th Street, uses primarily

consist of multiple-family residential units. Other multiple-family units are located between 3rd Street and the Vincent Thomas Bridge, with other pockets of residential uses near Front Street and the Vincent Thomas Bridge. Small concentrations of industrial uses are located north of 22nd Street and west of Crescent Avenue, and north of 1st Street along Harbor Boulevard. The area between 3rd and 8th Streets is devoted to regional commerce and light industrial. Other industrial uses and quasi-public uses or open space are designated for the area north of the Front Street on-ramp (City of Los Angeles 1999a).

Wilmington

The Wilmington community is located east of the proposed project development and had a population of 79,610 in 1999 (City of Los Angeles 2001a). Like San Pedro, development of Wilmington has been closely linked to that of the Port. Wilmington, however, has an industrial character, which has been influenced by its location adjacent to both the Ports of Los Angeles and Long Beach, nearby oil extraction and refining activities, and industrial centers. Wilmington's southeastern border is delineated by a large industrial park, with pockets of commercial development located between Anaheim Street and the Port. Existing residential land use patterns within Wilmington vary from low to medium density. Single-family neighborhoods are located mainly throughout the north, central, and western portions of Wilmington, between Fries Avenue and Wilmington Boulevard. Concentrations of multi-family residential uses are located near Anaheim Street, Lomita Boulevard, and Western and Normandie Avenues (City of Los Angeles 1999b). Additionally, there also are many industrial uses in the western portion of the community adjacent to the Port as well as other locations throughout the community, which sometimes encroach into residential areas.

3.1.2.2 Existing Site Characteristics

The approximately 86-acre proposed project is in the southwest portion of the Port. The project site is generally bordered by 22nd Street to the north, and West Channel and the existing Cabrillo Marina Phase I to the west. East Channel is to the east, and Port waters lie to the south. The site also includes about 6.4 acres of land northwest of 22nd and Miner Streets, just south of parcel 2C (future development), most of which is currently occupied by parking lots. Onsite land uses are consistent with those of an ocean marina setting. The site contains about 530 boat slips, wharf areas that include docks and berths for diving and fishing vessels, and other businesses related to boating services.

Existing infrastructure on and immediately adjacent to the project site consists of various roadways. Existing onsite roadways are Miner Street, Adams Drive, Outer Street, and portions of 22nd Street. These provide for interior site mobility and provide access to the Rio Doce Pasha Breakbulk Terminal, Berths 48–52, Berths 45–47, and the fire station, which are adjacent to (but not a part of) the proposed project. Onsite waterways include Watchorn Basin, which provides

direct access to the adjacent West Channel, Holiday Harbor/Fleitz Brothers Marina, and California Yacht Marina and their associated boat slips.

3.1.2.3 Surrounding Land Uses

The proposed project is largely surrounded by portions of the Los Angeles Harbor to the south and east, and residential land uses to the north and west. The existing Cabrillo Marina Phase I is located immediately west of the proposed project and Fort MacArthur is located further west, between Via Cabrillo Marina Drive and Pacific Avenue. Beyond Crescent Avenue to the north, the land use pattern is dominated by single-family residences with interspersed multi-family housing and small-scale industrial and commercial uses along Pacific Avenue. Additionally, small parks and open space areas are located throughout the residential areas and along Harbor Boulevard to the north. To the east of the proposed project, land use consists wholly of activities associated with the Port. All surrounding land uses are shown graphically in Figure 3.1-1, which provides an aerial view of the project location.

The Port area is on 7,500 acres (3,800 acres of water and 3,700 acres of land) and consists of large berths and associated loading and unloading equipment such as cranes and shipping vessels. Ancillary industrial uses such as oil production, scrap metal facilities, shipping yards, and smaller marinas are located in other portions of the Port. South of the proposed project is a portion of the Los Angeles Harbor controlled by the LAHD, and further to the south, beyond the Cabrillo Beach Fishing Pier and breakwater, lies the Pacific Ocean.

Specific attractions within the vicinity of the proposed project include the Cabrillo Marine Aquarium (Aquarium), Los Angeles Maritime Museum (Museum), and Ports O' Call Village (Village). The Aquarium is an educational, recreational, and research facility owned and operated by the Los Angeles Department of Recreation and Parks. The facility is located on the shore at Cabrillo Beach in San Pedro between Point Fermin and the Port, and is devoted to encouraging active public participation to promote knowledge and conservation of the marine life. The Museum is located in San Pedro and features southern California's nautical heritage, including comprehensive information on the development of San Pedro Bay since 1542. The Village, also in San Pedro, is located just south of the Museum. The Village was created in 1964, and features a New England community, Mexican village, and fisherman's village in an Old World setting. The Village contains restaurants, shops, and other tourist attractions, such as boat tours.

3.1.2.4 Regulatory Setting

Local, regional, and state agencies and regulations provide regulatory guidance for land use decisions. Various land use plans and policy documents, such as the *City of Los Angeles General Plan* (General Plan), the *San Pedro and Wilmington Community Plans*, the PMP, the *Southern California Association of Governments*

Regional Plan, the California Coastal Act of 1976, and the Tidelands Grant, set forth regulations and guidelines pertaining to the development. A brief description of the plans pertinent to the proposed project and a general overview of policies they contain are provided below.

City of Los Angeles General Plan

The General Plan is the fundamental policy document of the City of Los Angeles, as it defines the framework by which the City's physical and economic resources are to be managed and utilized over time. The General Plan Framework is a long-range, citywide, comprehensive growth strategy.

The General Plan contains a series of 35 community plans that are intended to promote an arrangement of land uses, streets, and services. The General Plan envisions that these various land uses will encourage and contribute to the economic, social, and physical health, safety, and welfare of the community, and provide convenience to the people who live and work there. Two community plans apply to areas adjacent to the proposed project: the *San Pedro Community Plan* and the *Wilmington Community Plan*. These community plans are intended to guide development to create a healthful and pleasant environment for area residents. A third plan contained in the General Plan is the *Port of Los Angeles Plan* (Port Plan), which provides precise determinations of the goals, objectives, policies, programs, land use, and planning decisions that pertain to the Port (City of Los Angeles 1982). These are discussed below, and the boundaries of each of these PAs are shown in Figure 3.1-2 .

San Pedro Community Plan

The *San Pedro Community Plan* area defines a location immediately adjacent to the proposed project area. The *San Pedro Community Plan* area is generally bounded on the north by Taper Avenue; on the east by John Gibson Boulevard, Harbor Boulevard, the West Channel of the Port, and Cabrillo Beach; on the south by the Pacific Ocean; and on the west by Los Angeles (the City of Rancho Palos Verdes).

The *San Pedro Community Plan* sets forth the following goals and objectives to maintain the community's individuality:

- preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible new housing opportunities; improving the function, design, and economic vitality of the commercial corridors and industrial areas;
- preserving and enhancing the positive characteristics of existing uses that provide the foundation for community identity (such as scale, height, bulk, setbacks and appearance);

- maximizing the development opportunities around the future transit system while minimizing any adverse impacts; and
- planning the remaining commercial and industrial development opportunity sites for needed job-producing uses that improve the economic and physical condition of the *San Pedro Community Plan* (City of Los Angeles 1999a) .

The land uses depicted in the *San Pedro Community Plan* nearest the proposed project consist of single- and multi-family residences and public facilities between Gaffey Street and Shoshonean Road, and commercial and multi-family residences just north and adjacent to Crescent Avenue. Existing commercial businesses are prevalent along Pacific Avenue. A discussion regarding specific goals and policies set forth in the community plan and as they pertain to this project are provided below.

Goal 6

To preserve the scenic and visual quality of coastal areas. The California Coastal Act of 1976 declared the California Coastal Zone a distinct and valuable resource of vital and enduring interest to all people and exists as a delicately balanced ecosystem.

- **Objective 6-2:** To protect, maintain and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources.
 - **Policy 6-2.1:** That the scenic and visual qualities of San Pedro be protected as a resource of community as well as of regional importance, with permitted development sited and designed to: protect the views to and along the ocean, harbor and scenic coastal areas; minimize the alteration of natural landform; be visually compatible with the character of the surrounding area; and prevent the blockage of existing views for designated public scenic view areas and Scenic Highways.
- **Objective 6-3:** To assure the orderly and balanced utilization and conservation of Coastal Zone resources, taking into account the social and economic needs of the people of the region.
 - **Policy 6-3.1:** That existing coastal-oriented recreational facilities be maintained, developed, and expanded (where needed) to provide local as well as regional access to, and enjoyment of, San Pedro's unique coastal resources.
- **Objective 6-4:** To maximize public access and recreational opportunities to and within the Coastal Zone consistent with sound resource conservation principles and the rights of private property owners.
 - **Policy 6-4.1:** That adequate public parking areas serving recreational facilities along the coast be freely available to the public to avoid spillover parking into residential areas.
- **Objective 6.5:** To assure priority for coastal development over other development of the coast.

- ❑ **Policy 6-5.1:** That existing coastal-oriented recreational facilities be maintained, developed, and expanded where needed to provide local as well as regional access to, and enjoyment of, San Pedro's unique coastal resources.
- ❑ **Policy 6-5.2:** Existing lower-cost visitor and recreational facilities shall be protected where feasible, and new ones encouraged, by allowing them as permitted uses in the appropriate land use categories. Developments providing public recreational opportunities are preferred uses.

Oceanfront land suitable for coastal recreational uses shall be protected for coastal-related recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated in property is already adequately provided for in the near vicinity.

The use of private lands suitable for commercial/recreational facilities designed to serve visitors and enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, and general commercial development, but not over coastal dependent industry.

Upland areas necessary to support coastal recreational uses shall be reserved for such uses where feasible.

- **Objective 6-6:** To preserve existing scenic views of the ocean and harbor as seen from designated Scenic Highways, scenic view sites, and existing residential structures.

Goal 19

To coordinate the development of the Port with surrounding communities, thereby improving the efficiency and operational capabilities of the Port and better serving the economic needs of Los Angeles and the region, while minimizing adverse environmental impacts to neighboring communities from Port-related activities.

- **Objective 19-1:** To recognize the Port as a regional resource and the predominant influence on the economic well being of the community, and to promote its continued development so as to meet the needs of the fishing industry, recreational users, and the handling of passengers and cargo, with special emphasis on the accommodation of increasingly larger ships.
 - ❑ **Policy 19-1.1:** That Cabrillo Beach and West Channel areas of the Port be devoted to public recreation, commercial sportfishing, and recreational boating facilities.
 - ❑ **Policy 19-1.2:** That the West Bank of the main Channel (southerly of the Vincent Thomas Bridge) and East Channel areas of the Port be devoted to commercial, restaurant, and tourist-oriented facilities, passenger terminals, facilities serving the sport and commercial fishing industries, and such general cargo and container handling facilities as would not create or add to significant traffic congestion problems on

Harbor Boulevard, which may result from the generation of additional railroad or industrial traffic.

- **Objective 19-2:** To coordinate the future development of the Port with the *San Pedro Community Plan*, the Beacon Street Redevelopment Project, and the development of the Central Business District of San Pedro.
 - **Policy 19-2.1:** The underutilized railroad lines in the West Channel/Cabrillo Beach and West Bank areas of the Port should be phased out upon relocation of the dry and liquid bulk transfer and storage facilities. Any rapid transit terminal serving the adjacent San Pedro Community should be located convenient to the Beacon Street Redevelopment areas and Ports O' Call Village, utilizing the railroad right-of-way adjacent to Harbor Boulevard.
 - **Policy 19-2.2:** Strengthen governmental interagency coordination in the planning implementation of Port projects for the purpose of facilitating greater efficiency in Port operations and better serving the interests of adjacent communities.
 - **Policy 19-2.3:** The Port should commit resources toward providing public amenities (commercial, recreational, and service-oriented) that will benefit the San Pedro community, consistent with the State Tidelands Grant, the California Coastal Act of 1976, and the City Charter.
- **Objective 19-3:** To seek the relocation of potentially hazardous or incompatible land uses away from the adjacent commercial and residential areas of San Pedro.
 - **Policy 19.3.1:** Facilities used for the storage, processing, or distribution of potentially hazardous petroleum or chemical compounds, located in the Cabrillo Beach, East and West Channels, or West Bank portions of the main Channel, should be phased out and relocated to Terminal Island or at its proposed southerly extension, with no further expansion of existing facilities or the development of new facilities permitted.

Wilmington Community Plan

The *Wilmington-Harbor City Community Plan*, adopted in 1999, sets forth goals to maintain the communities' individuality by:

- preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible new housing opportunities;
- improving the function, design, and economic vitality of the commercial corridors and industrial areas; and
- maximizing the development opportunities around the future transit system while minimizing any adverse impacts (City of Los Angeles 1999b) .

The *Wilmington-Harbor City District Plan* calls for commercial uses along major roadways such as Anaheim Street and Wilmington Boulevard. The majority of the interior land uses will consist of single-family and multiple-family residential units, with interspersed open space and public facility uses. Industrial uses are planned along significant portions of Harry Bridges Boulevard and Alameda Street adjacent to the Ports of Los Angeles and Long Beach. A discussion regarding specific goals and policies set forth in the community plan and as they pertain to this project are provided below.

Goal 18

To coordinate the development of the Port with surrounding communities, both to improve the efficiency and operational capabilities of the Port and to better serve the economic needs of Los Angeles and the region, while minimizing adverse environmental impacts to neighboring communities from Port-related activities.

- **Objective 18-1:** To coordinate the future development of the Port with all adopted City Plans, the Wilmington Industrial Park Redevelopment Project, and the Enterprise Zone.
 - **Policy 18-1.1:** Strengthen governmental interagency coordination in the planning and implementation of Port projects to facilitate greater efficiency in Port operations and to better serve the interest of adjacent communities.
- **Objective 18-2:** To continue to develop and operate the Port to provide economic, employment, and recreational benefits to neighboring communities.
 - **Policy 18-2.1:** The Port should continue to provide employment opportunities for workers residing in the Wilmington-Harbor City communities.
 - **Policy 18-2.2:** The Port should commit resources toward providing public amenities (commercial, recreational, and service-oriented) that will benefit the Wilmington community, consistent with the State Tidelands Grant, the California Coastal Act of 1976, and the City Charter.
 - **Policy 19-1.5:** Provide public access and viewing areas for the public enjoyment and education of the Coastal Zone environment, including access to, and viewing of, recreational and industrial activities in the Port consistent with public safety, efficient Port operation and the California Coastal Act of 1976.

Port of Los Angeles Plan

The Port Plan is an element of the General Plan, was adopted in 1982, and was written to be consistent with the PMP. The Port Plan is designed to provide a 20-year official guide to the continued development and operation of the Port. The Port Plan is intended to

- promote an arrangement of land and water uses, circulation, and services that will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Port.
- guide the development, betterment, and change of the Port to meet existing and anticipated needs and conditions;
- contribute to a healthful and safe environment;
- balance growth and stability;
- reflect economic potentialities and limitation;
- reflect land and water developments and other trends; and
- protect investment to the extent reasonable and foreseeable (City of Los Angeles 1982b) .

The Port Plan describes major land use categories that cover the unique nature of Port operations and development. Major land use categories consist of general cargo, liquid bulk, dry bulk, commercial fishing, recreational, industrial, institutional, commercial, and other uses. Present land use designations within the boundaries of the proposed project consist of general cargo, dry bulk, commercial fishing, recreation, industrial, commercial, and other uses.

The Port Plan sets forth objectives and policies that guide land use decisions within LAHD jurisdiction. Port objectives were prepared through joint efforts of the Harbor and Planning Departments, with input from other city departments where appropriate. Likewise, policies were put in place to provide a framework for allowable land uses within the Port. Because the Port serves a variety of land uses, not all objectives and policies are considered applicable to the proposed project. A discussion regarding project consistency with all pertinent regulations and guidelines is provided below.

Policies

1. Facilities for the commercial fishing industry shall be protected and, where feasible, upgraded, and they shall not be reduced or eliminated unless the demand for them no longer exists or adequate alternative space can be provided.
2. Marina-related facilities and recreational boating facility projects, to the extent feasible, shall be designed and located so as not to interfere with the harbor-related needs of the commercial fishing industry or of vessels engaged in waterborne commerce, transportation, or services.
3. The West Channel/Cabrillo Beach areas of the Port shall be oriented to public recreation, commercial sportfishing, and recreational boating facilities.
4. The West Bank of the Main Channel (southerly of the Vincent Thomas Bridge) and East Channel areas of the Port shall be devoted to commercial, restaurant, and tourist-oriented facilities, passenger terminals, facilities

serving the sport and commercial fishing industry, and non-hazardous general cargo and container facilities.

6. The highest priority for any water or land area use within the jurisdiction of the Port shall be for developments that are completely dependent on such harbor water areas and/or harbor land areas for their operation.
7. Decisions to undertake individual and specific development project within the harbor shall be based on considerations of alternative locations and designs in order to minimize adverse environmental impacts.
8. Adequate public access shall be provided in designing and constructing facilities in upland and waterfront areas for public recreation, including boating facilities and marinas.
9. Dredging or diking and fill projects may be accomplished solely for the purpose of expanding or creating new waterfront land for Port-related facilities. Dredging project may only be undertaken for deepening, widening, lengthening, or for the maintenance of ship channel approaches, ship channels, turning basins and berthing areas for navigation, for new or expanded facilities including commercial fishing, marinas, recreational boating facilities, or for waterfront land for Port-related facilities.
12. Adequate fire and hazard protection facilities and equipment that meet with the approval of the LAFD shall be provided in accordance with the Risk Management Plan.
14. Programs designed to improve or modify roadway circulation in the Port shall be developed, in part, to eliminate: hazardous situations caused by inadequately protected rail/highway crossing; dual use of streets (by rails in the pavement); service and other roads crisscrossing the tracks; and random use of land areas by both highway and rail movement.
16. Location, design, construction, and operation of all new or expanded development projects under the Port's jurisdiction shall be based on the latest safety standards appropriate to the intended facility.
18. Port development projects shall be consistent with the specific provisions of this Plan, the certified PMP, the California Coastal Act of 1976, and other applicable federal, state, county, and municipal laws and regulatory requirements.
19. The following long-range preferred water and land uses shall guide future Port development, as indicated by PA and referenced on the accompanying map.

PA 1 West Channel/Cabrillo Beach. Public recreation and recreational boating facilities and Port-related commercial uses.

PA 2 West Bank. Commercial, recreation, commercial fishing, and non-hazardous cargo operations and support activities.

Risk Management. Implementation of the Port Risk Management Plan, an element of the PMP.

Recreational Facilities. Development of a public recreational complex, including improvement of existing facilities, a new marina, youth facilities, public park, and camping facilities in the West Channel/Cabrillo Beach area.

Port of Los Angeles Master Plan

The PMP was certified in 1979, most recently revised in July of 2002, and was written to guide development within the Port. The PMP divided the Port's core PA into nine individual PAs. Each individual PA was then analyzed and finally integrated into the final PMP. Section VI of the PMP examines the existing conditions, short-term plans, long-range preferred uses, and anticipated projects for each of the nine PAs (Port of Los Angeles 2002). The majority of the proposed project is located within PA 1, and a smaller portion of the project is located in PA 2. Each of these is discussed below, and the land use plans for these areas are shown in Figure 3.1-3 and 3.1-4, respectively.

Planning Area 1: West Channel/Cabrillo Beach Recreational Complex

PA 1 is located in the extreme southwest portion of the Los Angeles Harbor, and is bounded by the main Port breakwater to the south, 22nd Street to the north, Miner Street to the east, and the Lower Bluff of Fort MacArthur to the west. This area includes the Inner Cabrillo Beach, the Lower Reservation of Fort MacArthur, and land and Port waters immediately adjacent to the West Channel and Watchorn Basin.

The 1980 PMP short-term vision designated this PA to be primarily used for marine-oriented recreation that included a public beach, a recreational park, a youth camping facility, and marina development. The LAHD's long-term vision for the project area was to continue focusing on public recreation and to add a West Channel/Cabrillo Beach Recreational Complex and Marina Way. Additionally, the PMP recommended that a roadway be constructed along the base of the bluff to service recreational areas in the vicinity of Cabrillo Beach and that pedestrian walkways be provided throughout the area. To date, the anticipated West Channel/Cabrillo Beach Recreational Complex and Marina Way have been partially constructed and are available to the public. These improvements also include the above-mentioned roadway and pedestrian walkways.

Planning Area 2: West Bank

PA 2 is located generally west of the Main Channel and south of Fourth Street. The westerly boundary of PA 2 runs south along Harbor Boulevard, from Fourth Street to Seventeenth Street. The boundary then curves along Miner Street to the tip of Watchorn Basin peninsula on its western side. The southern portion of PA

2 is devoted primarily to commercial shipping activities and the northern portion of the West Bank is devoted to commercial, recreation, and commercial fishing uses.

In 1980, the PMP provided a short-term plan for PA 2, which consisted of a mix of commercial, recreational, restaurant and tourist-oriented facilities, commercial fishing, general cargo, and dry and liquid bulk terminals. Development of this area was to maintain the planned land uses, expand commercial and recreational opportunities, and improve internal circulation. The long-term goal of the LAHD was to relocate hazardous and potentially incompatible cargo operations to Terminal Island. Development of PA 2 would then be oriented to primarily commercial and recreational activities, commercial fishing, and non-hazardous cargo and support activities. This long-range plan has resulted in the continued phasing-out of the dry bulk facility, deep-water oil terminal, petroleum storage, and petrochemical berth and storage tanks. The portion of PA 2 within the boundaries of the proposed project maintains many industrial uses and has not been improved with additional recreational, internal roadways, or tourist-oriented opportunities.

Additionally, the PMP sets forth regulations and guidelines for development projects within LAHD jurisdiction. Because the Port serves a variety of land uses, not all policies are considered applicable to the proposed project. A discussion regarding project consistency with all pertinent regulations and guidelines for both PA 1 and PA 2 is provided below.

General

3. The highest priority for any water or land area use within the jurisdiction of the Port shall be for developments which are completely dependent on such harbor water areas and/or harbor land areas for their operations.
5. Decisions to undertake individual and specific development projects shall be based on considerations of alternative locations and designs, where feasible and practical, in order to minimize any adverse environmental impacts.
8. When a facility project involving a change in either land or water use is proposed for those areas in the Port which are adjacent or contiguous to either residential, commercial, or industrial areas in the surrounding communities, and analysis of their location, design effect, and operation shall be made to insure the feasible compatibility of such a port facility with either the existing uses of such community areas or the uses which may be proposed for such community areas in the General Plan or the Local Coastal Program of the City of Los Angeles.

Dredging, Diking, and Filling

1. Dredging or diking and fill projects consistent with this PMP may be accomplished solely for the purpose of expanding or creating new waterfront land for Port-related facilities, and the proposed uses for land and water areas shall be stated in the PMP and amendments to it when such uses are specifically known.

Commercial Fishing and Recreational Facilities

2. Marina, marina-related facilities, and recreational boating facility projects, to the extent feasible, shall be designed and located so as not to interfere with the harbor land and water needs of the commercial fishing, or the needs of vessels engaged in waterborne commerce, transportation, or services in harbor waters or on harbor lands.
3. In designing and constructing facilities in upland and waterfront areas for public recreation, including boating facilities, and marinas, adequate public access shall be provided.
4. Facilities for public recreation, including boating facilities and marinas, when feasible and practicable, shall be distributed and located in available areas of the Harbor District to avoid overcrowding or overuse of individual areas.
5. Coastal areas and waters in the Harbor District suitable for water-oriented recreational activities shall be protected for such uses where they do not interfere with commercial hazardous operations of activities.

Zoning and General Plan Land Use Designations

As discussed above, the Port Plan is intended to promote an arrangement of land and water uses, circulation, and services that will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Port, within the larger framework of the City. The Port Plan defines the same PAs as those defined within the PMP. The General Plan land use category for PA 1 West Channel/Cabrillo is recreation, and the land use category for PA 2 West Bank is general/bulk cargo and commercial/industrial uses (non-hazardous).

Most of the Port is zoned [Q]M2 (Qualified Light Industrial) or [Q]M3 (Qualified Heavy Industrial) by the City of Los Angeles Zoning Ordinance. The zoning designation for the majority of the land within the Cabrillo Marina Phase I area was changed, by ordinance, from its original designation. These changes, reflected by a [Q], have brought Port zoning into consistency with the General Plan, as mandated by state law (Mathewson pers. comm.). The city council approved the General Plan/Consistency Program, which establishes permanent qualified conditions that prohibit incompatible land uses within the Port and adjoining communities. Zoning for the project site areas has been designated as [Q]M2, CM (Commercial Manufacturing), MR2 (Restricted Light Manufacturing), and M2 (Light Industrial) for the waterside uses. These zoning designations allow for the following types of uses:

- parks, consistent with the Tidelands Grants;
- maritime-related museums;
- community buildings;

- marinas and related uses, including offices, club houses, launching ramps, boat building and repair, dry boat storage, and sportfishing facilities;
- business or professional offices;
- restaurants;
- boat sales, rental, and service;
- retail and service uses, including boat supply, marine hardware, and those retail and service uses permitted in the C1.5 Zone;
- tourist attractions and exhibits, and incidental specialty commercial uses;
- warehouses;
- open and enclosed storage facilities;
- marine oil service stations;
- marine services, including diving and water taxi services;
- marine research facilities;
- public facilities, including fire stations, utility systems, and customs houses;
- container terminals;
- passenger terminals;
- break-bulk terminals; and
- neo-bulk: terminals handling such cargoes as automobiles, lumber, steel, and similar products. (City of Los Angeles 2001).

Southern California Association of Governments Comprehensive Regional Plan

SCAG is an organization of municipalities within the southern California region. SCAG functions as the Metropolitan Planning Organization for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. As the designated Metropolitan Planning Organization, the Association of Governments is mandated by the federal government to research and draw up plans for transportation, growth management, hazardous waste management, and air quality.

SCAG has adopted the RCPG to encourage cities (and counties) within the SCAG region to undertake consistent, region-wide planning policies. The RCPG contains core policies intended to provide local governments a base on which to “ensure consistency of their plans with applicable regional plans under CEQA” and ancillary policies addressing important issues facing the region, but which “do not contain actions or policies required of local government” (Stein pers. comm. in City of Glendale 2001). This plan, however, does not regulate the project and compliance with SCAG’s regional plan is voluntary. The following discussion is provided for informational purposes.

In January 1999, SCAG reviewed a copy of the 1998 Draft SEIR (LAHD 1998) for the purpose of evaluating consistency with regional land use policies. The following policies pertinent to land use were provided by SCAG in a comment letter (Sherwood pers. comm.).

- ❑ **Policy 3.01:** The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies, shall be used by SCAG in all phases of implementation and review.
- ❑ **Policy 3.03:** The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.
- ❑ **Policy 3.04:** Encourage local jurisdictions' efforts to achieve a balance between the types of jobs they seek to attract and housing prices.
- ❑ **Policy 3.05:** Encourage patterns of urban development and land use that reduce costs on infrastructure construction and make better use of existing facilities.
- ❑ **Policy 3.08:** Encourage subregions to define economic strategy to maintain their economic viability, including the development and use of marketing programs and other economic incentives that support the attainment of subregional goals and policies.
- ❑ **Policy 3.09:** Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and to seek new sources of funding for the development and the provision of services.
- ❑ **Policy 3.10:** Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.
- ❑ **Policy 3.11:** Support provisions and incentives created by local jurisdictions to encourage housing growth in job-rich subregions and job growth in housing subregions.
- ❑ **Policy 3.13:** Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible through infill and redevelopment.
- ❑ **Policy 3.16:** Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.
- ❑ **Policy 3.18:** Encourage planned development in locations least likely to cause adverse environmental impact.
- ❑ **Policy 3.21:** Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.
- ❑ **Policy 3.23:** Encourage mitigation measures that reduce noise in certain locations; preserve biological and ecological resources; reduce exposure to seismic hazards and minimize earthquake damage; and develop emergency response and recovery plans.

- ❑ **Policy 3.27:** Support local jurisdictions and other service providers in their efforts to develop sustainable communities and to provide, equally to all members of society, accessible and effective services such as public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.
- ❑ **Policy 4.02:** Transportation investments shall mitigate environmental impacts to an acceptable level.
- ❑ **Policy 4.04:** Transportation Control Measures shall be a priority.
- ❑ **Policy 5.07:** Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community-based shuttle services, provisions of demand-management-based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulations can be assessed.
- ❑ **Policy 5.11:** Through the environmental document review process, ensure that plans at all levels of government (regional, air basing, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts.

State Plans and Grants

State Tidelands Grant of 1911

The majority of the proposed project is located on formerly submerged lands known as tidelands. In 1911, the California Legislature granted all of the tidelands situated within the City of Los Angeles to the City, to be held in trust for the people of California. Under the Tidelands Grant, both the sale and use of the tidelands are restricted. From the time of its first adoption, the portions of the Tidelands Grant that pertain to the Port have been amended six times. The basic authority granted to the City of Los Angeles, however, has remained. The Grant dictates that the City cannot sell any part of the tidelands to any individual firm, corporation, or other entity. Only uses related to harbor commerce, navigation, fisheries, and maritime recreation are allowed on lands under the trust.

California Coastal Act of 1976

The California Coastal Act of 1976 established the California Coastal Commission and created a state and local government partnership to ensure that public concerns were addressed regarding coastal development. The California Coastal Act of 1976 was enacted to establish policies and guidelines that provide direction for the conservation and development of California's coastline. The following are the California Coastal Act of 1976's policies that guide specific regulations pertaining to coastal zone conservation and development decisions:

- providing for maximum public access to and recreational use of the coast, consistent with private rights and environmental protection;

- protecting marine and land resources—including wetlands, rare and endangered habitat areas, environmentally-sensitive areas, tide pools, and stream channels;
- maintaining productive coastal agricultural lands;
- directing new housing and other development to urbanized areas with adequate services rather than allowing a scattered, sprawling, wasteful pattern of subdivision;
- protecting the scenic beauty of the coastal landscape; and
- locating any needed coastal energy and industrial facilities where they will have the least adverse impact.

Specific California Coastal Act of 1976 Regulations

Sections that pertain to the proposed project and a complete comparison of project consistency with those applicable regulations are provided below.

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.

Section 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30234. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30255. Coastal-dependent development shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited on a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30701.

- (a) The ports of the State of California, including the Humboldt Bay Harbor, Recreation, and Conservation District, constitute one of the state's primary economic and coastal resources and are an essential element of the national maritime industry.
- (b) The location of the commercial port districts within the State of California, including the Humboldt Bay Harbor, Recreation, and Conservation District, are well established, and for many years such areas have been devoted to transportation and commercial, industrial, and manufacturing uses consistent with federal, state, and local regulations. Coastal Planning

requires no change in the number or location of the established commercial port districts. Existing ports, including the Humboldt Bay Harbor, Recreation, and Conservation District, shall be encouraged to modernize and construct necessary facilities within their boundaries in order to minimize or eliminate the necessity for future dredging and filling to create new ports in the new areas of the state.

Section 30703. The California commercial fishing industry is important to the State of California; therefore ports shall not eliminate or reduce existing commercial fishing harbor space, unless the demand for commercial fishing facilities no longer exists or adequate alternative space has been provided. Proposed recreational boating facilities within port areas shall, to the extent it is feasible to do so, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30705.

- (a) Water areas may be diked, filled, or dredged when consistent with a certified port master plan only for the following:
 - (2) New or expanded facilities on waterfront land for port-related facilities.
 - (3) New or expanded commercial fishing facilities or recreational boating facilities.

Section 30708. All port-related developments shall be located, designed and constructed so as to:

- (a) Minimize substantial adverse environmental impacts.
- (b) Minimize potential traffic conflicts between vessels.
- (d) Provide for other beneficial uses consistent with the public trust, including, but not limited to, recreation and wildlife habitat use, to the extent feasible.

3.1.3 Impacts and Mitigation

3.1.3.1 Methodology

The proposed project was qualitatively compared to existing and planned land uses in the surrounding area to determine whether it is compatible with surrounding land uses. Additionally, the project was evaluated for consistency with applicable plans that have jurisdiction within the project area.

3.1.3.2 Thresholds of Significance

According to the *Draft Los Angeles CEQA Thresholds Guide* (City of Los Angeles 1998), the determination of significance for land use and planning impacts shall be made on a case-by-case basis, considering the following factors:

- whether the proposal is inconsistent with the adopted land use/density designation in the community plan, redevelopment plan, or specific plan for the site;

- whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans;
- the extent of the area that would be impacted, the nature and degree of impacts, and the type of land uses within that area;
- the extent to which existing neighborhoods, communities, or land uses would be disrupted, divided or isolated and the duration of the disruptions; and
- the number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project.

Based on these factors, the following significance thresholds are used in this Recirculated Draft SEIR to determine whether a project would have a significant land-use impact.

LU-1: A project would normally have a significant land use impact if it is inconsistent with the General Plan land use designation or zoning for the site.

LU-2: A project would normally have a significant land use impact if it is not consistent with General Plan goals and policies, or the broader context of the General Plan and its elements.

LU-3: A project would normally have a significant land use impact if it would disrupt, divide, or isolate existing neighborhoods, communities, or land uses for a substantial duration.

LU-4: A project would normally have a significant land use impact if it would result in secondary impacts that contribute to a project's incompatibility with surrounding land uses.

3.1.3.3 Project Impacts

The proposed project would not result in any significant direct, indirect, or cumulative impacts related to land use. The analysis supporting this conclusion is described below.

Direct and Indirect Impacts

Impact LU-1: Project is Consistent with General Plan Land Use and Zoning Regulations

The proposed project would be consistent with the General Plan land use categories set forth for the project area. The majority of the project would lie within PA 1, which is designated as an area to be used for recreational purposes. The remaining portion of the project area, which lies within PA 2, would be consistent with the general/bulk cargo and commercial or industrial uses

designation. More specifically, within Area 1 the proposed project includes a new marina facility that would incorporate an increase in the number of boat slips, slips to accommodate sportfishing and diving activities, restaurants, retail, an approximately 1,000-vessel dry-stack boat storage facility, and pedestrian-oriented walkways. Within PA 2, the proposed project would include three structures and a paved lot that would operate as a boat mall and associated parking lot. Therefore, the proposed project would be consistent with the General Plan Land Use designations.

The proposed project would be consistent with the existing zoning of the project site. The majority of the project site lies within [Q]M2 and [Q]M3 zones. The City of Los Angeles Zoning Ordinance and Permanent Qualified Conditions for the Port state that uses such as parks (consistent with the Tidelands Grant), community buildings, and marina-related uses (including offices, club houses, launching ramps, boat building and repair, dry boat storage, and sportfishing facilities) are allowable uses within these zones. Additionally, the zoning allows for business or professional offices; restaurants; boat sales, rental and service; retail and service uses including boat supply, marina hardware, tourist attractions and exhibits; incidental specialty commercial uses; and commercial fishing uses. Therefore, the proposed project would be consistent with the existing zoning of the property site, and impacts would not occur.

Port of Los Angeles Master Plan

The PMP sets forth regulations and guidelines for development projects within LAHD jurisdiction. As indicated in Table A-4 of Appendix A, the proposed fill activities would require an amendment to the PMP. The PMP contains 9 PAs; the majority of the proposed project is located in PA 1, West Channel/Cabrillo Beach, and the remaining area is located in PA 2, West Bank. PA 1 planning is designated for public recreation and recreational boating facilities, and Port-related commercial uses. PA 2 is designated for commercial uses, recreation, commercial fishing, and non-hazardous cargo operations and industrial uses. The proposed land uses within PA 1 would consist of restaurants, boat slips, shopping opportunities, boat storage, and related facilities. The proposed land uses within PA 2 would consist of a boat mall and parking facilities. Therefore, land uses within each respective PA would be consistent with those prescribed by the PMP, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact LU-2: Project is Consistent with General Plan Goals and Policies, and the Broader Context of the General Plan and its Elements

An analysis of the project consistency with applicable plans is provided below for the respective jurisdictions.

City of Los Angeles General Plan and Community Plans

The proposed project would be consistent with the General Plan. The General Plan contains a series of community plans that are intended to promote an arrangement of land uses, streets, and services within individual communities such as San Pedro, Wilmington, and the Port. The San Pedro and Wilmington Community Plans set forth goals and policies that pertain to those two communities, while the Port Plan sets forth goals and policies that pertain to the Port. Although the San Pedro and Wilmington Community Plans are outside the boundaries of the proposed project, the project would be designed to be consistent with all applicable goals and policies contained in those plans. A policy consistency analysis with relevant local plans is provided in Appendix A (Tables A-1 through A-4). As shown in Appendix A, the proposed project was found to be consistent; therefore, impacts would be considered less than significant.

SCAG Regional Comprehensive Plan

The proposed project has been analyzed for consistency with SCAG policies, as detailed in Appendix A (Table A-5). The proposed project would be consistent with all applicable SCAG policies. No impacts would occur.

State Tidelands Grant

The proposed project would not conflict with the State Tidelands Grant. The proposed project does not entail the sale of any tidelands to any private entity; rather, the project site would be leased to private businesses but remain under the control of the LAHD. Additionally, the proposed project would consist of uses consistent with the Tidelands Grant such as recreation, commercial fishing, and harbor commerce. Therefore, the proposed project would be consistent with the State Tidelands Grant and no impacts would occur.

California Coastal Act of 1976

The California Coastal Act of 1976 sets forth policies and regulations that provide direction for development and conservation of California's coast. The proposed project has been analyzed against all applicable regulations contained in the California Coastal Act of 1976. As detailed in Appendix A (Table A-6), in all cases the proposed project has been found to be consistent with all these policies. Impacts, therefore, would be considered less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact LU-3: Project Would Not Divide, Disrupt, or Isolate an Established Community, Neighborhood, or Land Uses

The proposed project is literally located at the edge of the existing community, and it would not divide any established communities or land uses. The project is located within the Port, adjacent to the Cabrillo Marina Phase I, and other Port

operations. With the exception of liveaboards, residential land uses are located a sufficient distance as to not be disrupted or divided by the proposed project. The construction of the proposed project would be phased so as to not permanently relocate liveaboards. Existing boaters may be relocated temporarily within the Watchorn Basin either at the existing marina within the project site or at the Cabrillo Marina Phase I during construction of the new floating docks and other infrastructure improvements. Therefore, the proposed project would not divide an established community.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact LU-4: Project Would Not Result in Substantial Secondary Impacts Resulting in Land Use Incompatibility

The proposed project is compatible with surrounding land uses and activities, and would be considered a logical expansion of the surrounding recreational and commercial land uses within the West Channel (including Cabrillo Marina Phase I and Watchorn Basin). Other surrounding land uses consist of residential uses further to the northwest. Additionally, to the north and east are the remaining land-side portions of the Port and to the south is the Los Angeles Harbor and Pacific Ocean. Because the project would be located adjacent to an existing marina that consists of boat slips, restaurants, shopping, and tourist attractions, the project would blend into the existing fabric of the area.

The proposed project would provide area residents with additional boat storage, recreation, and business opportunities, and the intensity of use would be similar to that of the adjacent Cabrillo Marina Phase I. The quantity and density of shops, restaurants, and other businesses per unit area would be substantially the same as those in Cabrillo Marina Phase I. The project would be sufficiently separated from the Main Channel of the Los Angeles Harbor and commercial fishing activities by a portion of the East Channel, and by Berths 55 through 72. Additionally, the project would upgrade the existing marina by eliminating warehouse and cargo uses and replacing them with compatible recreation- and marina-oriented activities. Therefore, the proposed project would be consistent with surrounding land uses and impacts would not occur.

The proposed project would consist of improvements to roadways and other portions of the circulation element, such as the extension and improvement of Miner Street. The project also would include the provision of parking facilities that would provide access to the new marina area. The proposed project would not result in any significant impacts to the existing roadways or impede public access.

The proposed project would not consist of any uses that could be considered a nuisance. Nuisance activities largely consist of uses such as those that are

inherently noise-producing, cause large amounts of traffic volume, or result in visual impacts. The proposed project would be designed to minimize all potential nuisance impacts. Additionally, all onsite land uses would be consistent with a marina environment. Marinas are not generally associated with a great risk to public safety. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Cumulative Impacts

The proposed project is consistent with the general land use trends toward recreational and visitor-serving uses west of the Main Channel. The Cabrillo Beach Marine Aquarium expansion, Fisherman's Village & Day Cruises relocation, planned pedestrian promenade, and recently completed Red Car Line projects are evidence of the land use shift taking place in the southwest areas of the Port. Therefore, the project does not contribute to any cumulative land use policy conflicts or locational inconsistencies. Rather, the project is fully supportive of the land use plans that guide Port development adjacent to the San Pedro community, and is responsive to the community concerns that continue to define the direction of local land use planning. Therefore, the project would not make a considerable contribution to cumulative land use impacts.

3.1.3.4 Mitigation Monitoring Plan Summary

No significant impacts would occur; therefore, no mitigation is required.