

SAN PEDRO

Specific Plan

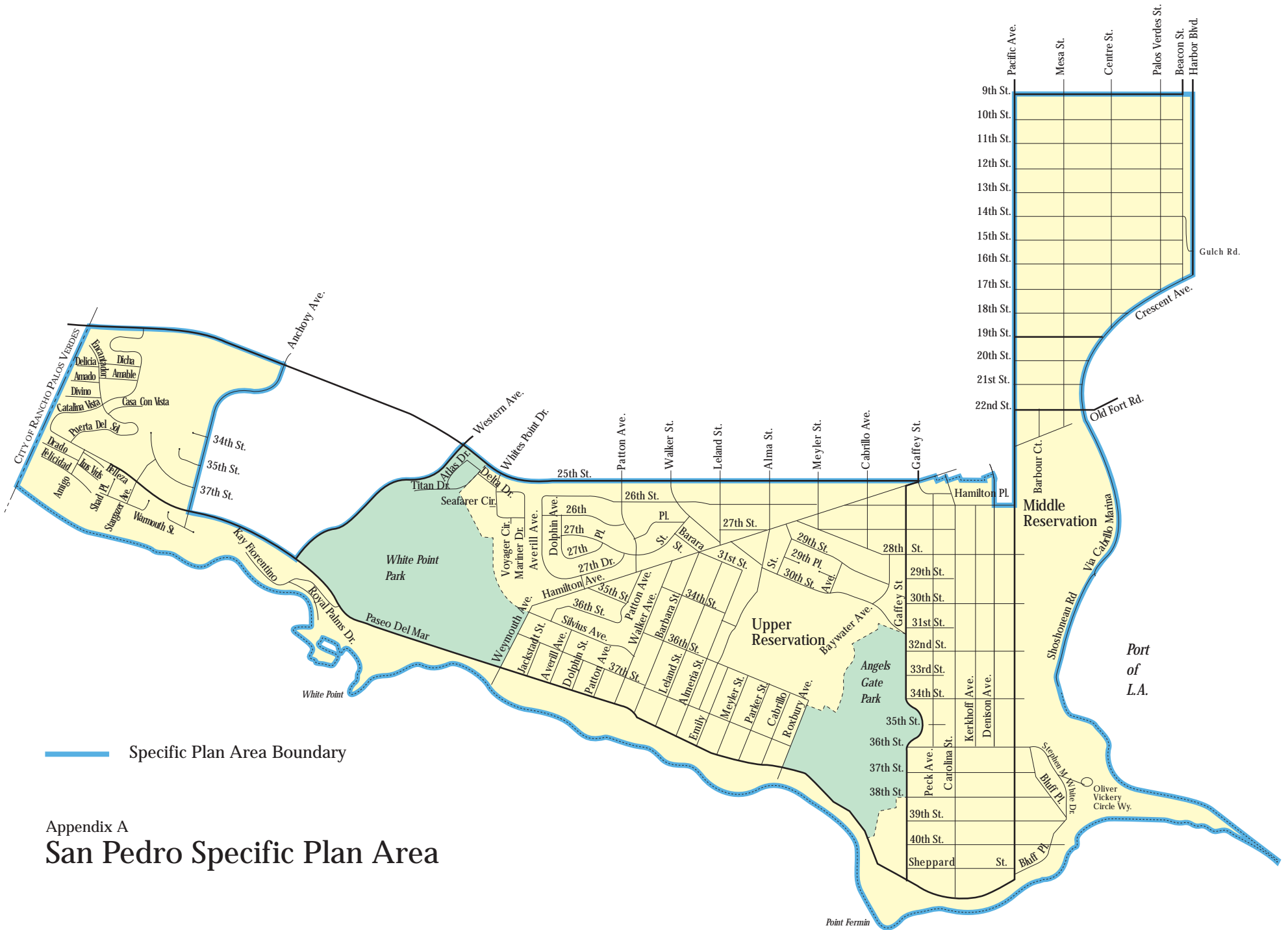
Ordinance No. 166,352
Effective November 30, 1990

Specific Plan Procedures
Amended by Ordinance No. 173,455

Specific Plan Procedures
Amended pursuant to L.A.M.C. Section 11.5.7

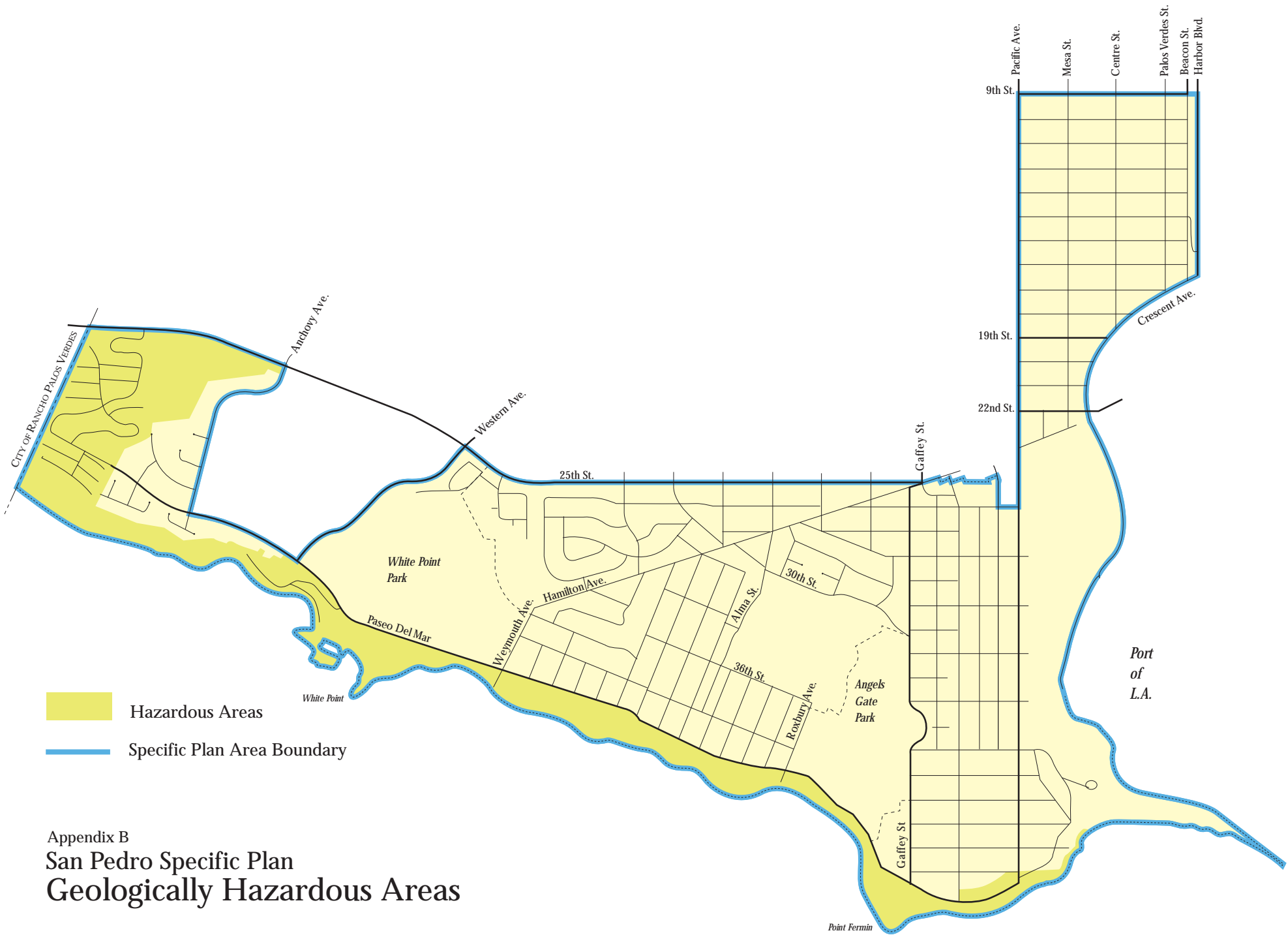
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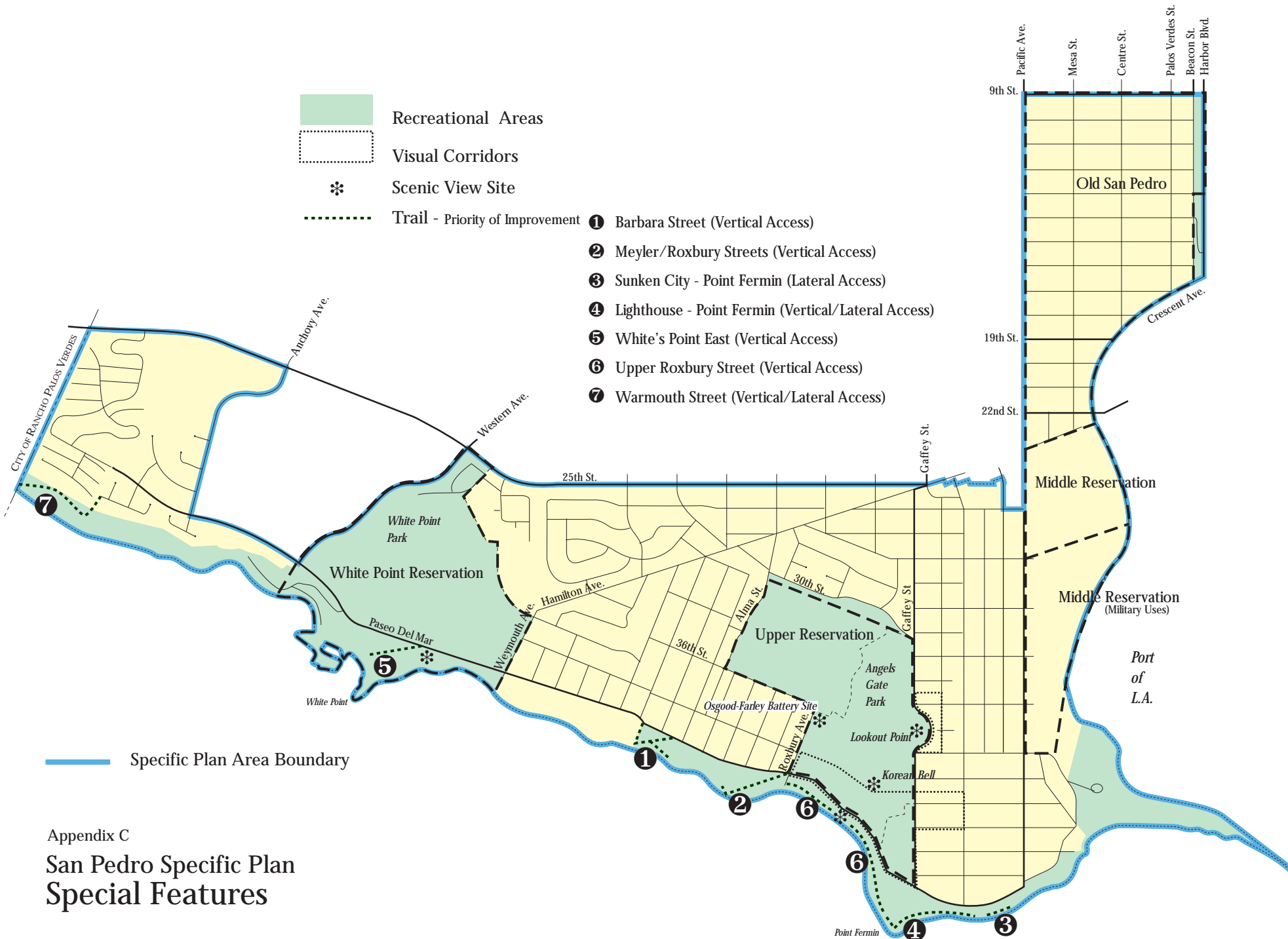
— Specific Plan Area Boundary

Appendix A San Pedro Specific Plan Area



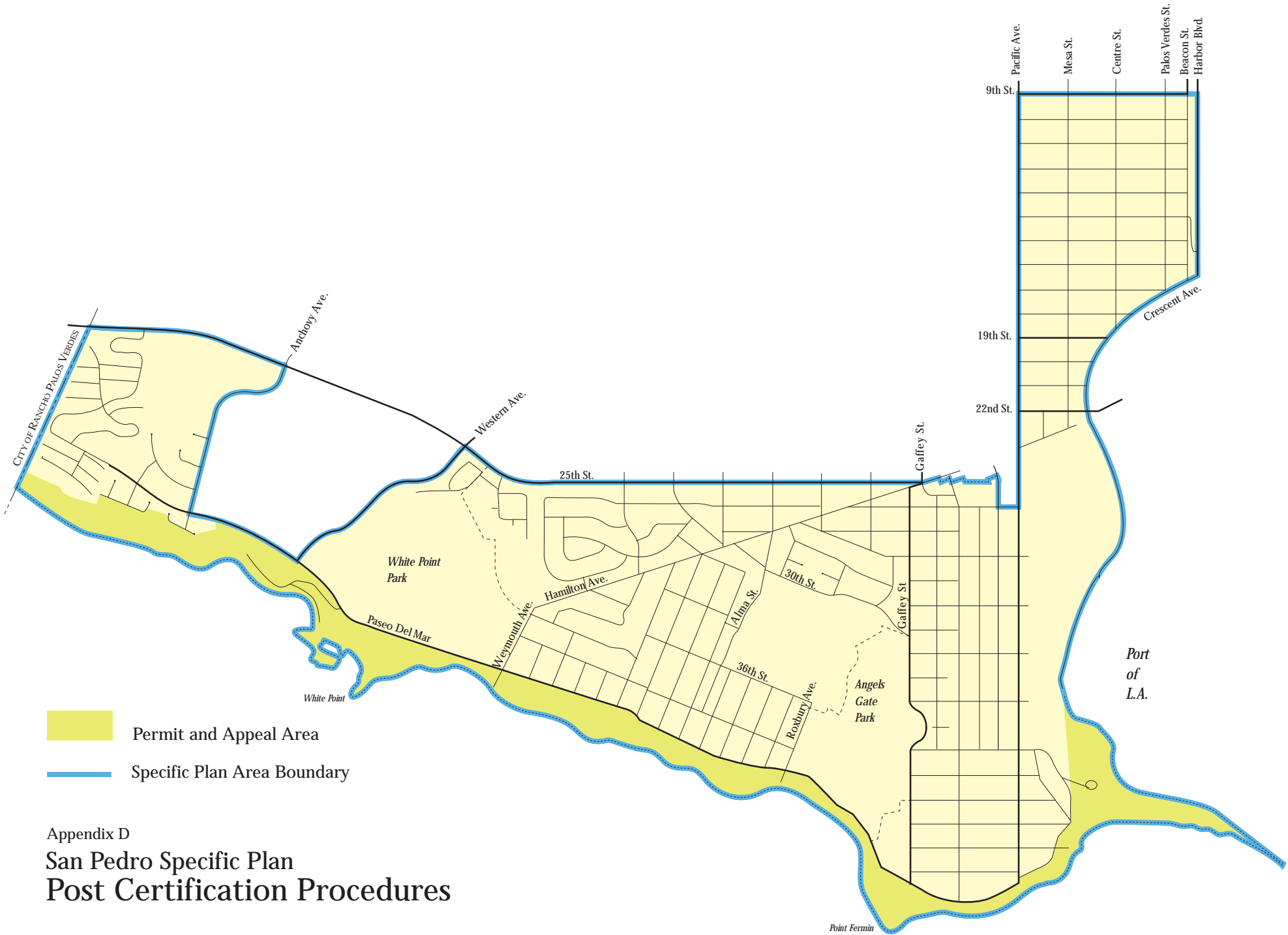
- Hazardous Areas
- Specific Plan Area Boundary

Appendix B
 San Pedro Specific Plan
 Geologically Hazardous Areas



— Specific Plan Area Boundary

Appendix C
 San Pedro Specific Plan
 Special Features



- Permit and Appeal Area
- Specific Plan Area Boundary

Appendix D
San Pedro Specific Plan
Post Certification Procedures

SAN PEDRO SPECIFIC PLAN

An ordinance establishing a Specific Plan for the San Pedro Coastal Zone.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1.

ESTABLISHMENT OF THE SAN PEDRO SPECIFIC PLAN

The City Council hereby establishes this San Pedro Specific Plan applicable to that area of the City of Los Angeles shown within the heavy black lines on the Specific Plan area map (Appendix A).

Section 2.

PURPOSES

- A. The following purposes shall apply in the San Pedro Specific Plan area:
1. The Coastal Act of 1976 declared that the California Coastal Zone is a distinct and valuable resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem. In order to protect, maintain and where feasible, enhance and restore the overall quality of this ecosystem, the Coastal Act requires that local government prepare a Local Coastal Program for those parts of the Coastal Zone within its jurisdiction.
 2. A Work Program was prepared for the San Pedro Local Coastal Program which identifies key issues of access, housing, hazards, new development, and visual resources.
 3. The Specific Plan is intended to promote a sense of community consistent with San Pedro's maritime heritage, while remaining consistent with the adopted General Plan, the San Pedro Community Plan, and the Coastal Act policies.
 4. The Specific Plan shall be the implementative ordinance of the Local Coastal Program for that portion of the San Pedro community within the Coastal Zone.
 5. The Specific Plan provides for the development of the area designated for community commercial uses along Pacific Avenue, with uses similar to those existing, including, but not limited to coastal dependent and recreational uses, such as sporting goods, marine supply and repair
 6. It is the purpose of the Specific Plan to provide procedures to facilitate the establishment of a Historic Preservation Overlay Zone (HPOZ) in the Old San Pedro area, which is located in the San Pedro Local Coastal Zone, and to integrate the HPOZ with

the various other provisions of this Specific Plan for the Local Coastal Zone.

7. It is the intent of the Specific Plan to preserve access to the beach and the recreation areas indicated on the Special Features map (Appendix C). Accessways shall be public right-of-ways, including, but not limited to bikeways, bikelanes, trails, paths and stairs.
8. Much of San Pedro is hilly, affording spectacular views of the ocean and surrounding landforms. Scenic and visual qualities of coastal areas must be considered and protected as a resource of public importance. A primary concern of the Specific Plan is to protect ocean and coastal views as seen from public areas such as highways, roads, beaches, parks, trails, accessways and other public preserves. It is intended that development be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural landforms, to be visually compatible with the character of surrounding areas, and to restore and enhance visual quality to the extent feasible.

Section 3.

RELATIONSHIP TO OTHER PROVISIONS OF THE MUNICIPAL CODE

- A. The regulations of this Specific Plan are in addition to the regulations set forth in Chapter 1 of the Municipal Code of the City of Los Angeles and do not convey any rights or privileges not otherwise granted under the provisions and procedures contained in said Chapter, except as specifically provided for herein.
- B. Prior to the issuance of a grading or building permit, the Department of Building and Safety shall determine that a project complies with the regulations of this Specific Plan.
- C. Whenever this Specific Plan contains provisions which differ from or conflict with provisions contained elsewhere in Chapter 1 of the Los Angeles Municipal Code, the Specific Plan shall prevail and shall supersede such other provisions. Procedures for the granting of exceptions to the requirements of this specific plan are set forth in Section 11.5.7 F of the Los Angeles Municipal Code.

Section 4.

DEFINITIONS

Any term used in this ordinance shall have the same meaning specified in Section 12.03 of the Los Angeles Municipal Code, except those terms hereafter defined:

Accessway: Right-of-ways to any tidal lands of a harbor, bay, inlet, estuary or other navigable water from a bluff top or the nearest public roadway to the shoreline.

Affordable Housing Unit: Any low or moderate income dwelling unit as defined in this Section.

Average Existing Natural Grade: The average elevation based on the highest and lowest points of the natural grade measured on the perimeter of the building

Federal Consistency Determination: A process to assure that all federally conducted or supported activities and development projects affecting the Coastal Zone are consistent to the maximum extent practicable with the California Coastal Zone Management Act, California Coastal Act of 1976 and the San Pedro Local Coastal Plan.

Lateral Access: Recorded dedications or easements, public roads, publicly owned properties or other similar means which provide physical access from one point on the public beach to another point on the beach.

Vertical Access: A recorded dedication or easement granting to the public the privilege and right to pass and repass over the dedicator's real property from a public road to the mean high tide line or public beach.

Visual Corridor: A panoramic, continuous, and varied view of the ocean along with its surrounding natural landforms.

Section 5.

LAND USE REGULATIONS

A. Geological Hazard Areas

1. The following requirements shall apply in the hazardous areas designated on the Geologically Hazardous Areas map (Appendix B): Prior to the issuance of any building permit, a report from a registered geologist and/or soils engineer, stating that the proposed development will neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding properties. No building permit shall be issued unless the Department of Building and Safety has approved a report.
2. No building permit shall be issued for any development until the owner executes and records a document with the Los Angeles County Recorder, approved as to form and content by the Los Angeles City Department of Building and Safety, setting forth in language understandable to the general public, any geologic hazards identified in a report referred to in Subdivision 1 of this Subsection and particularly identifying said report.
3. No building permit shall be issued until the Los Angeles City Engineer has approved assurance by the applicant that the proposed development will neither create nor contribute significantly to the endangerment of road stability or other public improvements. Such assurances may include, but shall not be limited to deed restrictions, bonds, revised plans or other conditions or documentation required by the City Engineer.

B. Residential Zone Regulations

1. Height

- a. No building or structure shall be erected or enlarged within the portion of the Specific Plan area designated for residential use which exceeds two stories or a height of 26 feet as measured from the average existing natural grade to the highest point of the roof or parapet wall of the building, whichever is higher. Notwithstanding any provision of the Municipal Code to the contrary, exceptions to the specified height limit shall include only the following:
 - 1) chimneys.
 - 2) solar panels.
 - 3) vents in conjunction with mechanical systems.
 - 4) plant materials.
 - 5) roof deck railings that do not exceed 36 inches and are of an open design.
 - 6) antennae.
- b. Lower level parking may be provided in a building without being counted as a story, provided that the ceiling is not more than 6 feet above average existing natural grade. Entrances, lobbies and utility rooms, but no habitable rooms, may be located on the garage level.
- c. A mezzanine level shall be counted as a story.
- d. Allowances for additional building height provided in the following sections of the Los Angeles Municipal Code shall not be permitted:
 - 1) Section 12.21.1 B 2, which otherwise may permit an additional height of 12 feet for structures erected on certain sloping lots.
 - 2) Section 12.21.1 B 3, which otherwise permits additional height for specified roof structures.

2. Parking

- a. All parking spaces required by other provisions of the Planning and Zoning Code shall be provided. Storage of materials and other use of required parking spaces which reduces the number or area of any required parking spaces is prohibited.

- b. Section 12.21 A 4(q) of the Los Angeles Municipal Code, which requires only one parking space on a nonconforming lot of 40 feet or less in width and not abutting an alley, shall not apply.

C. Commercial and Industrial Zone Regulations

1. Height

- a. No building or structure shall be erected, enlarged or maintained within the portion of the Specific Plan area designated for commercial use (by means of zoning classifications) which exceeds the total floor area, the number of stories, or the height limit in feet specified for Height District 1-VL on Pacific Avenue between 9th Street and 13th Street, or Height District 1-XL in all other areas, by Section 12.21.1 A of the Los Angeles Municipal Code, except as set forth in the following paragraphs. Section 12.21.1 A 7 shall not apply.
- b. Lower level parking may be provided in a building without being counted as a story, provided that the ceiling is not more than 6 feet above average existing natural grade. Entrances, lobbies, and utility rooms, but no habitable rooms, may be located on the garage level.
- c. A mezzanine level shall be counted as a story.
- d. No building or structure, except in the area specified in 1 a above in the Height District I-VL shall exceed a height of 26 feet as measured from the average existing natural grade measured on the perimeter of the building to the highest point of the roof or parapet wall of the building whichever is higher. Notwithstanding any provision of the Municipal Code to the contrary, exceptions to the specified height limits shall include only the following:
 - 1) chimneys.
 - 2) solar panels.
 - 3) vents in conjunction with mechanical systems.
 - 4) plant materials.
 - 5) roof deck railings that do not exceed 36 inches and are of an open design.
 - 6) antennae.
- e. Allowances for additional building height provided in the following sections of the Los Angeles Municipal Code shall not be permitted:

- 1) Section 12.21.1 B 2, which otherwise may permit an additional height of 12 feet for structures erected on certain sloping lots.
- 2) Section 12.21.1 B 3, which otherwise permits additional height for specified roof structures.

Section 6.

PROVISIONS FOR LOW AND MODERATE INCOME HOUSING

Special requirements for low and moderate income housing units in all coastal zones are mandated by Section 65590 of the California Government Code (Mello). Applicability of such requirements to all projects proposed within the San Pedro Specific Plan's boundaries shall be determined and dealt with by an appropriate procedure in any approval action.

Section 7.

HISTORIC PRESERVATION PROVISIONS

Notwithstanding any other Section of the Los Angeles Municipal Code, a Historic Preservation Overlay Zone (HPOZ) shall be considered for this Specific Plan. Within 180 days of the effective date of this ordinance, the Planning Department shall submit to the public for its input a proposed ordinance. This ordinance may consider, among other things, transfer of development rights.

Section 8.

POST-CERTIFICATION PERMIT PROCEDURES

- A. Within 90 days of the effective date of this ordinance, the City Planning Department shall prepare Coastal Development Permit and appeal procedures applicable to the following areas:
 1. **Coastal Zone.** For the purpose of this Section, the Coastal Zone shall be that area described by Section 1 of this ordinance.
 2. **Permit Area.** Coastal Development Permits shall be required for development projects within the geographical areas that are designated on the Post-Certification Procedures map (Appendix D) as follows:
 - a. First row of lots as shown on map.
 - b. Ocean.
 - c. Sandy beach.
 3. **Appealable Development.** Appeals may be filed with the California Coastal Commission pursuant to appeal procedures, which are to be prepared by the Planning Department, for development projects within the area defined on the Post-Certification Procedures map (Appendix D).

Section 9.

ACCESS

A. Regulations

1. The following trails which are designated on the Special Features map (Appendix C) shall be improved as funds become available:
 - a. Barbara Street (vertical access).
 - b. Meyler/Roxbury Streets (vertical access).
 - c. Sunken City - Point Fermin (lateral access).
 - d. Lighthouse-Point Fermin (vertical and lateral access).
 - e. White Point East (vertical access).
 - f. Upper Roxbury Street (vertical access).
 - g. Warmouth Street (vertical and lateral access).
2. Bicycle routes shall be provided by the Department of Transportation as shown on the Special Features map (Appendix C) and the Bicycle Plan Element of the General Plan.
3. The City agencies responsible for accepting and acquiring dedications of accessways and improving and maintaining accessways shall be guided, to the extent feasible, by the following criteria:
 - a. Trails following mild to moderate slopes shall be graded, but unsurfaced.
 - b. Where steps are required on steeper trails, they should be of rough wood materials.
 - c. Handrails should be provided where a trail or path is less than 6 feet wide and adjacent to bluffs and on steeper slopes.
 - d. Warning signs of a size and design appropriate to the aesthetic standards of the City agency responsible for developing accessway facilities shall be provided on potentially hazardous trails.
4. Accessways shall not be obstructed by any improvements and shall be kept clear and open for public access, except where public safety considerations require their closure.

Section 10.

VISUAL RESOURCES

A. Regulations

1. Lookout Point and its immediately surrounding (Appendix C) view area, as shown on the Special Features map, is designated a public viewsite. The visual corridor extending from this viewsite shown on said map shall be protected. New construction or remodeling within the immediate vicinity of the viewsite on the easterly side of Gaffey Street, as shown on said map, shall be limited to an absolute height of 24 feet, measured as set forth in Section 5 B 1(a). However, the Director of Planning may permit additional height to the maximum otherwise allowed in this ordinance if he finds that such height will not obstruct the view from the viewsite. Evidence may include, but is not limited to photographs taken from the viewsite with the proposed project superimposed upon it or a topographic map showing proposed elevations of the project.
2. The Korean Bell monument and the surrounding structure, and the Osgood-Farley Battery site, as shown on the Special Features map (Appendix C), are designated public viewsites. The visual corridors extending from these viewsites shall be protected. New construction or remodeling within the immediate vicinity of the viewsites, as shown on the Special Features map, shall be limited to a total height of 24 feet, measured as set forth in Sections 5B and 5C. However, the Director of Planning may permit additional height to the maximum otherwise allowed in this ordinance if he finds that such height will not obstruct the view from the viewsite. Evidence may include, but is not limited to photographs taken from the viewsite with the proposed project superimposed upon it or a topographic map showing proposed elevations of the project.
3. White Point Reservation is designated a public viewsite and all development therein shall provide for public viewing to and along the coast.
4. Turn-out and viewsite areas from Paseo del Mar, as shown on the Special Features map (Appendix C), shall provide unobstructed views of the ocean.
5. Utilities serving new structures shall be placed underground. Utilities for existing buildings converted to condominiums or stock cooperatives shall be placed underground. The Advisory Agency may as a condition of map approval waive any requirement for underground utilities if he finds that such would result in an unnecessary hardship inconsistent with the purposes of the Specific Plan or that there are special circumstances applicable to the subject property such as soil, shape, topography or other conditions that would make underground installations unreasonable or impractical.

Section 11.

FEDERAL CONSISTENCY DETERMINATIONS - FORT MAC ARTHUR RESERVATIONS

A. Scope

1. The Federal Coastal Zone Management Act and the California Coastal Act provide that any federal projects or activities, activities requiring a federal license or permit, or activities requiring any federal assistance to state or local governments be consistent to the maximum extent practicable with the California Coastal Zone Management Program. The San Pedro Local Coastal Program constitutes such management program for the San Pedro Coastal Zone, and specifies the standards, criteria, and findings that must be made in order to make a consistency determination for any of the federal activities listed above.
2. The California Coastal Commission's Federal Consistency Regulations specify procedures for determining consistency with the Coastal Zone Management Program. Those regulations require that said Commission conduct a public hearing within 45 days of receipt of a request for a consistency determination, with a 15-day extension permitted at the discretion of the Commission.
3. Three large sections or reservations of the Fort MacArthur military base are located within the San Pedro Coastal Zone: White Point and the Upper and Middle Reservations (see Special Features map - Appendix C). The Upper Reservation and White Point have been found surplus by the federal government. The two latter reservations have been deeded to the City for use as recreation areas, school sites and other public uses. The deeds, however, include a reversion clause which allows the federal government to repossess the reservations or parts of them for purposes of national defense.

B. Regulations for City Development

1. All City development and use of the Upper Reservation and White Point areas shall be in conformance with the Fort MacArthur Planning Program adopted by City Council in December, 1975. This provision does not preclude periodic use of reservation land for visitor-serving parking, if approved for such use by the Director of Planning.
2. Not less than 50 percent of any housing units constructed for military use on land that may be subsequently deeded to the City shall be first made available to low and moderate-income persons, as defined in Section 4 of this Specific Plan.

C. Regulations for Federal Project or Activities

1. The following regulations apply to the determination of consistency of proposed development within the Coastal Zone Management Program when a federal agency submits a request for a consistency determination to the California Coastal Commission

for federal projects or activities affecting the coastal zone:

- a. The Director of Planning shall request that the Executive Director of the Coastal Commission notify him by mail within three working days when a request for consistency determination is received. The Director of City Planning shall formally request, in writing, the 15-day extension from the California Coastal Commission. The Director shall determine whether adequate information has been supplied to make a consistency determination and, if not, the necessary additional information shall be requested.
- b. The City Planning Commission shall conduct a public hearing to determine consistency with the San Pedro Local Coastal Program. The Director shall submit a press release to a local newspaper giving notice of the pending City Planning Commission hearing at least ten days prior to the hearing. The City Planning Commission shall make its determination within 21 days after receipt of the request by the Director of Planning or within 42 days from the time the request is received by the California Coastal Commission, whichever occurs first.
- c. The determination of the City Planning Commission may be appealed by any aggrieved person. An appeal shall be heard by the City Council, which shall make a determination not more than ten days after the Commission action, or within 52 days from the time the request is received by the California Coastal Commission, whichever occurs first.
- d. Procedures for consistency determinations shall be the same as set forth in Section 12.20.2 of the Los Angeles Municipal Code, except that Subsections E, D, H, I, and L shall not apply.
- e. In making its determination, the City Planning Commission shall determine whether the project is consistent to the maximum extent practicable with the San Pedro Local Coastal Program. The standards and criteria for such determination shall be Chapter 3 of the California Coastal Act, Public Resources Code (PRC) Sections 30200 through 30264. (Said Sections of the PRC provide that certain findings must be made in order to determine that a project or activity is consistent. Said findings relate to absence of significant adverse effect, geologic stability, protection, preservation of natural landforms, coastal dependency, recreational facility protection, archaeological resource protection, public access provision, and compatibility with surrounding development.)
- f. If found feasible, mitigation measures shall be suggested by the City Planning Commission which, if incorporated into the project or activity, would allow the City Planning Commission to make a determination of consistency.

- g. The City Planning Commission's determination, or the City Council's determination upon appeal, shall be forwarded to the Coastal Commission. It is intended that such determination shall be made in a timely manner as provided in Section 10C so that it would be available to the Coastal Commission for its hearing no later than 60 days after receipt of the request.

D. Regulations for Activities Requiring a Federal License or Permit

1. For activities requiring a federal license, the Coastal Zone Management Act permits the Coastal Commission at least 90 days in which to make a consistency determination. In such cases, all regulations specified above in Section 10C shall apply with the following exceptions:
 - a. The Director of Planning shall request the Coastal Commission to submit the required information within seven working days.
 - b. Each hearing time deadline specified in Section 10C shall be extended by 30 days.

E. Regulations for Federal Assistance Programs

The Director of Planning shall request the Coastal Commission to notify him of all of its activities or functions in the San Pedro Local Coastal Program area that involve the use or potential use of land for federal activities, including but not limited to monitoring of federal projects or grant proposals, with adequate time for review and comment.

F. Federal Consistency Determinations - Other Areas

Any federal projects or activities requiring a federal license or permit or any federal assistance to state or local governments, which are within the San Pedro Local Coastal Program area or which may affect same, may be subject to a consistency determination review by the City Planning Commission and City Council. Such review shall be conducted at the option of the City Planning Commission and City Council. If such option is exercised, all applicable provisions of Sections 10C, D, and E of this ordinance shall apply.