

Bureau of Engineering  
Report No. 4

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November 13, 2009  
CD No. 11

  
Secretary

**CONSIDERATION OF AN APPEAL TO THE CITY ENGINEER'S APPROVAL OF COASTAL DEVELOPMENT PERMIT (CDP) 09-02 FOR THE PREFERENTIAL PARKING DISTRICT (PPD) NO. 27 IN DEL REY LAGOON NEIGHBORHOOD**

**RECOMMENDATION**

Deny the appeal of the approval of a local CDP for PPD No. 27.

**TRANSMITTALS**

1. Appeal, dated October 17, 2009.
2. Final Staff Report in Support of the Local CDP, dated September 2, 2009.

**DISCUSSION**

***Background***

The proposed project would establish PPD No. 27 for the Del Rey Lagoon Neighborhood, pursuant to Los Angeles Municipal Code (L.A.M.C.) Section 80.58, consisting of the residential area bounded on the north by Ballona Creek, on the west by the Pacific Ocean, on the south by Convoy and Argonaut Streets (including residential properties on the south side of these roadways), on the east by Vista Del Mar (including residential properties on the east side of the street), and including both sides of 63<sup>rd</sup> Avenue between Vista Del Mar and the dead end east of Vista Del Mar (refer to the Location Map in the Final Staff Report for the general boundaries of the District). On September 10, 2008, the City Council adopted a resolution to establish PPD No. 27. The resolution included five parking restrictions with different operating hours. The five parking restrictions were approved for use in PPD No. 27 with the intent of allowing the California Coastal Commission an opportunity to condition granting of a Coastal Development permit on the deletion of specific parking restrictions found to be unacceptable to them based on evidence in the record.

As the PPD is located within the coastal zone and constitutes development under the Coastal Act, a CDP is required prior to implementation. The PPD No. 27 is within the dual jurisdiction zone and, therefore, a CDP from the California Coastal Commission is also required prior to implementation. Los Angeles Department of Transportation (LADOT) filed an application for a Local CDP with the City Engineer. In accordance with the requirements set forth in the L.A.M.C., a Local CDP was approved on August 26, 2008, with conditions. One appeal has been filed against the City Engineer's decision to approve the Local CDP for PPD No. 27 (Transmittal No. 1).

In summary, staff reviewed the Coastal Act and other relevant policies and determined that the proposed PPD No. 27 has the potential to impact public access to adjacent coastal resources. Based on recent experience with the California Coastal Commission associated

with proposed overnight parking districts in Venice, the following conditions were added to the Local CDP for PPD No. 27:

- a. Limit PPD No. 27 parking restrictions to between the hours of 10:00 PM and 5:00 AM.
- b. Exclude on-street parking along the west side of Pacific Avenue from approximately 400 feet south of 66th Street to the southern boundary of the District (just south of Convoy Street) from PPD No. 27 parking restrictions, and place 4-hour meters along the west side of this segment of Pacific Avenue. This would preserve at least 20 on-street spaces for general off-peak beach users.<sup>1</sup> Require meter fees on a 24-hour basis.
- c. Conduct monitoring of the newly established metered parking area along the west side of Pacific Avenue between 10:00 PM and 5:00 AM during the first summer beach season following implementation of the District, and if the metered parking becomes fully utilized during the peak summer period, convert one-half of the PPD No. 27 spaces at the perpendicular parking area along the east side of Pacific Avenue adjacent to Del Rey Lagoon Park (18 of 36 spaces) to 4-hour metered parking, on a 24-hour basis, for use by beach visitors.

### ***Analysis of Appeal***

The appellant is in favor of PPD No. 27, but against the Local CDP condition to establish 24-hour metered parking on Pacific Avenue. The basis for the appellant not wanting metered parking is that allowing 24-hour metered (public) parking would bring more crime and drugs in the area. The appellant also noted that if metered parking was a must then it should only be allowed until 10:00 PM and after 6:00 AM. In addition, the appellant felt that metered parking on Pacific Avenue is not fair to residents who live near the proposed metered parking.

In response to the appellant's first issue that the PPD should not include metered parking, as described in detail in the Final Staff Report (Transmittal No. 1), the condition to dedicate a portion of Pacific Avenue for metered parking would ensure that ample parking opportunities to access coastal resources would remain within the District during periods when the parking restrictions are in effect (which includes 10:00 PM to 5:00 AM). If spaces dedicated to public access are not a part of the District, PPD No. 27 would have an impact on public access to coastal resources, not comply with the Coastal Act, and the CDP would not be approved. As a consequence, the condition establishing metered parking remains. The metered parking would be on a 24-hour basis with a maximum of 4 hours. In order to maximize the effectiveness of the metered parking, LADOT requested that the metered parking be for a 24-hour period.

The appellant has concerns that the metered parking would bring more crime and drugs in the area. The authority of the City Engineer is restricted to the review of a project in light of that

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<sup>1</sup> The segment along the west side of Pacific Avenue from approximately 400 feet south of 66<sup>th</sup> Street to the District's southern boundary just south of Convoy Street is about 455 feet. Each on-street parking space is assumed to require 22.5 feet.

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project's consistency with the Coastal Act (such as maximizing public access and recreation to coastal resources). The merits of the project and any social issues associated with it are not within the purview of the CDP process; however, establishment of metered parking along Pacific Avenue is not expected to affect the enforcement of existing laws. The Coastal Act seeks to provide maximum access to coastal resources while balancing public safety needs and the need to protect coastal resources from overuse. The placement of meters along Pacific Avenue along with the establishment of the District's parking restriction between 10:00 PM and 5:00 AM represents a balance between providing maximum public access to the coast during off-peak hours with public safety needs and the need to protect on-street parking in the areas from overuse. The establishment of parking along the west side of Pacific Avenue would not change the Los Angeles County Department of Beaches and Harbors operating hours (7:00 AM. to 10:00 PM). In addition, no change would occur regarding the City of Los Angeles' authority over parks and enforcement over the beach area by agreement with the Los Angeles County Department of Beaches and Harbors. The beach operating and enforcement hours will continue to be used by City and County agencies to facilitate public safety (although beach closures are not officially recognized by the California Coastal Commission). Furthermore, metered parking includes LADOT parking enforcement activities, which would help in creating vehicle turnover that would help limit undesired activities associated with non-residents in the Del Rey Lagoon neighborhood (areas that do not include the beach).

The appellant's claim that the placement of metered parking on Pacific Avenue is not fair to residents who live near the proposed metered parking was raised frequently at the public hearing. Based on comments and concerns shared at the public hearing, the Local CDP as conditioned includes a revised metered parking area along the west side of Pacific Avenue. The location of the metered parking area has been shifted to the south approximately 200 feet to allow for a buffer between the metered parking area and the nearest residence along Pacific Avenue (Del Rey Sands at 6615 Pacific Avenue). This maintains the provision of access to coastal resources while minimizing potential late evening and early morning disturbances to adjacent residents.

In processing the CDP application and issuing the Local CDP, staff followed all applicable laws, both state and local. A detailed discussion of PPD No. 27 and the Coastal Act issues reviewed and addressed by staff during the CDP process is in the attached Final Staff Report (Transmittal No. 2).

### ***Conclusion***

In consideration of the foregoing, staff recommends that the Board find that the City Engineer did not err in his decision, and that the Board deny the appeal.

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( AJK MPB )

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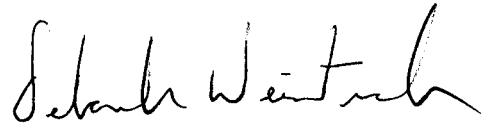
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gary Lee Moore". The signature is written in a cursive style with a large, prominent initial "G".

Gary Lee Moore, P.E.

City Engineer