

Department of Public Works

Bureau of Engineering
Report No. 4

November 17, 2008
CD No. 11

CONSIDERATION OF APPEALS TO THE CITY ENGINEER'S APPROVAL OF COASTAL DEVELOPMENT PERMIT (CDP) 08-10 FOR THE EAST VENICE OVERNIGHT PARKING DISTRICT (OPD) No. 523

RECOMMENDATION

Deny the appeals of the approval of a local CDP for the East Venice OPD No. 523.

TRANSMITTALS

1. CDP Application.
2. Notice of Decision on Local CDP.
3. Local CDP.
4. Appeals.
5. Staff Report in Support of Consideration of Appeals.

DISCUSSION

Background

The City Council, with assistance and support of the Venice Neighborhood Council, created OPD No. 523 in late 2006 in response to community concerns about the constant presence of illegally parked vehicles on city streets throughout Venice. As the OPD is located within the coastal zone and constitutes development under the Coastal Act, a CDP is required prior to implementation. Portions of OPD No. 523 are within the dual jurisdiction zone and, therefore, a CDP from the California Coastal Commission is also required. Los Angeles Department of Transportation filed an application for a local CDP with the City Engineer (Transmittal No. 1). In accordance with the requirements set forth in the Los Angeles Municipal Code, a CDP was approved, with a condition, on August 26, 2008 (Transmittal Nos. 2 and 3). Ninety-nine appeals have been filed against the City Engineer's decision to approve the CDP for OPD No. 523 (Transmittal No. 4).

Analysis of Appeals

In summary, the 99 appeals received regarding OPD No. 523 were based on the contention that the project would restrict coastal access, the OPD and CDP processes violated due process and laws, the facts are misrepresented, and/or the project is discriminatory.

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The authority of the City Engineer is restricted to the review of a project in light of that project's consistency with the Coastal Act. The merits of the project and any social issues associated with it are not within the purview of the CDP process. The OPD would restrict parking between 2:00 a.m. and 6:00 a.m., when there is far less demand for parking to access the coast than during the official beach operating hours. However, a condition of approval for this CDP is the requirement that the operating hours of Parking Lot 740, located near the intersection of Main Street and Rose Avenue in OPD No. 523, be extended to cover the affected period, thereby providing public parking for those who wish to access the coast prior to the 6:00 a.m. end of the parking restrictions. In processing the CDP application and issuing the CDP, staff followed all applicable laws, both state and local.

A detailed discussion of the OPDs, CDP process, and appeals is in the attached Staff Report in Support of Consideration of Appeals of CDP for East Venice OPD No. 523 (Transmittal No. 5).

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 appeals.

(AJK MEK)

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Respectfully submitted,

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