

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Item M7g

Filed: 7/20/2001
 49th Day: 9/7/2001
 180th Day: N/A
 Staff: CP-LB
 Staff Report: 7/24/2001
 Hearing Date: August 6, 2001
 Commission Action:



STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE

RECORD PACKET COPY

LOCAL GOVERNMENT: City of Los Angeles

LOCAL DECISION: Approval without Conditions

APPEAL NUMBER: A-5-VEN-01-280

APPLICANT: City of Los Angeles Department of Public Works

AGENT: Raul Rojas, Deputy City Engineer

PROJECT LOCATION: Segment of Grand Canal situated between Washington Boulevard and Ballona Lagoon, Venice, City of Los Angeles, Los Angeles County.

PROJECT DESCRIPTION: Appeal of City of Los Angeles approval of a local coastal development permit for the rehabilitation of the last remaining segment of the Ballona Lagoon/Grand Canal/Venice Canals waterway.

APPELLANTS: Coastal Commission Executive Director Peter Douglas
 Coalition to Save the Marina, Attn: John Davis

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission **open and continue** the public hearing to determine whether a substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to Section 30621 of the Coastal Act, a hearing on a coastal development permit appeal shall be set no later than 49 days after the date on which the appeal is filed with the Commission. Two appeals of the above-described decision were filed on July 20, 2001. The 49th day after July 20, 2001 falls on September 7, 2001.

In accordance with Section 13112 of the California Code of Regulations, staff requested on July 23, 2001 that the City of Los Angeles forward all relevant documents and materials regarding the subject permit to the Commission's South Coast District office in Long Beach. The documents and materials relating to the City's approval of the project are necessary to

analyze the project's consistency with the Coastal Act and the certified Local Coastal Program (LCP) in relation to the grounds of the appeal. (a)

In order to be ready for the Commission's August 6-10, 2001 meeting, the staff report and recommendation for the appeal would have to be completed by July 25, 2001. As of July 24, 2001, the City's documents and materials relating to the local approval have not been received in the Commission's Long Beach office. Therefore, it is not possible to thoroughly analyze the appealed project and City approval in time to prepare a staff recommendation in time for the Commission's August 6-10, 2001 meeting.

Pursuant to Section 13112 of the California Code of Regulations, the staff recommends that the Commission open and continue the Substantial Issue Hearing at its August 6-10, 2001 meeting.

Section 13112 of the California Code of Regulations (Effect of Appeal) states:

(a) Upon receipt in the Commission office of a timely appeal by a qualified appellant, the executive director of the Commission shall notify the permit applicant and the affected local government that the operation and effect of the development permit has been stayed pending Commission action on the appeal by the Commission as required by Public Resources Code Section 30623. Upon receipt of a Notice of Appeal the local government shall refrain from issuing a development permit for the proposed development and shall, within five (5) working days, deliver to the executive director all relevant documents and materials used by the local government in its consideration of the coastal development permit application. If the Commission fails to receive the documents and materials, the Commission shall set the matter for hearing and the hearing shall be left open until all relevant materials are received.

As required by the above stated regulation, the Substantial Issue Hearing will be reopened at a subsequent Commission hearing after staff fully analyzes the local approval of the appealed project.

End/cp