

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



June 8, 2009

**Th9b-h****ADDENDUM**

**To:** Commissioners and Interested Parties

**From:** John Ainsworth, Deputy Director  
Gary Timm, Coastal Program Manager  
Charles Posner, Staff Analyst

**Re:** **Permits/Appeals for the Venice Overnight Parking Districts, Application Nos. 5-08-313, 5-08-314, A-5-VEN-08-340, A-5-VEN-08-341, A-5-VEN-08-342, A-5-VEN-08-343 & A-5-VEN-08-344 (City of Los Angeles).**

- I. Clarification of Special Condition Four of Application Nos. 5-08-313/A-5-VEN-08-343 (OPD 523) & 5-08-314/A-5-VEN-08-342 (OPD 522) and Special Condition Two of Application Nos. A-5-VEN-08-340 (OPD 520), A-5-VEN-08-341 (OPD 521) & A-5-VEN-08-344 (OPD 526).**

Special Conditions Two and Four limit the term of each coastal development permit to five years, with the possibility of additional time being granted through the permit amendment process. The condition is being modified in order to clarify that a parking study must be conducted and submitted with any future permit amendment request. The data from the parking study will be used to determine whether the conditional approval of the overnight permit parking program has adversely affected the public's ability to access the shoreline. The additional language being added by this addendum is underlined.

**4. Time Limit on Overnight Permit Parking Program**

The Commission's approval for the Overnight Permit Parking Program shall expire five years after the date of the Commission's approval, unless the Commission approves a permit amendment to extend the time limit. If the permittee submits a permit amendment request (one application for each Overnight Parking District) before expiration of the time limit, the Executive Director may authorize the program to continue as authorized by this coastal development permit until the Commission can act on the future amendment request. If the Commission does not approve a permit amendment granting an extension of this time limit, the Overnight Permit Parking Program shall be discontinued, and all signs that prohibit parking without a permit shall be removed from the public streets.

The application for a permit amendment shall include a parking study which documents the availability of public parking (i.e., vacant parking stalls), or lack thereof, between the hours of 5 a.m. and 6 a.m. within Overnight Parking District Nos. 522 and 523. The parking study area shall include Public Parking Lot Nos. 740, 761 and 731, and all on-street street parking stalls (metered and un-metered) within 500 feet of Ocean Front Walk. The parking stall counts include, at a minimum, three non-

consecutive summer weekend days between, but not including, Memorial Day and Labor Day.

## **II. Correspondence**

Staff has received over 600 letters and emails from the public voicing support or opposition to the proposed overnight permit parking system. The attached correspondence is representative of the other correspondence and is added to the staff report as an exhibit. The other letters and emails will be available for public viewing at the June 11, 2009 public hearing on the matter.

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**Th - 9b, 9c,  
9d, 9e, 9f**

Commissioners  
California Coastal Commission  
200 Oceangate, #1000  
Long Beach, CA 90802

**CALIFORNIA  
COASTAL COMMISSION**

Re: A-5-VEN-08-340 (CDP 08-07 - OPD 520 - Oxford Triangle Area)  
A-5-VEN-08-341 (CDP 08-08 - OPD 521 - Presidents Row Area)  
A-5-VEN-08-342 (CDP 08-09 - OPD 522 - 5-08-314 - West Venice Area)  
A-5-VEN-08-343 (CDP 08-10 - OPD 523 - 5-08-313 - East Venice Area)  
A-5-VEN-08-344 (CDP 08-11 - OPD 526 - Villa Marina Area)

Dear Commissioners:

On Thursday, June 11, 2009, I will appear before you on behalf of the Venice Stakeholders Association ("VSA") in connection with the public hearings on 5 related appeals and coastal development permits for the creation of 5 overnight parking districts (OPD's) in the Venice area of the City of Los Angeles. On February 4, 2009, the Commission found substantial issue on each of the appeals. These 5 appeals all deal with the creation of Overnight Parking Districts (OPD's) where residents on each residential block can petition the City to limit parking between the hours of 2:00 am and 6:00 am on their block. Residents could obtain permits for parking but otherwise, street parking between these hours would not be permitted. **The Staff has recommended that you approve each of the permits subject to Special Conditions** which differ in minor respects between the non-oceanfront OPD's and the oceanfront OPD's.

**VSA supports each of the Staff Recommendations and urges the Commission to adopt the Staff Recommendations.** VSA is a residents organization dedicated to civic improvement. The VSA supports slow growth and the protection of the Venice Specific Plan, better traffic circulation, an increase in parking, beautification projects and more open space, and the protection of Santa Monica Bay.

There are two separate staff reports for the 5 appeals and two original permits described above. The first scheduled items are the non-oceanfront OPD's: **Item 9b** (A-

5-VEN-08-340 (CDP 08-07 - OPD 520 - Oxford Triangle Area)), **Item 9c** A-5-VEN-08-341 (CDP 08-08 - OPD 521 - Presidents Row Area)), and **Item 9f** (A-5-VEN-08-344 (CDP 08-11 - OPD 526 - Villa Marina Area)). The second scheduled items are the oceanfront OPD's: **Item 9c** (A-5-VEN-08-342 (CDP 08-09 - OPD 522 - 5-08-314 - West Venice Area)) and **Item 9d** (A-5-VEN-08-343 (CDP 08-10 - OPD 523 - 5-08-313 - East Venice Area)). All 5 items may be consolidated for a single public hearing.

1. **The Coastal Act Issue of Public Access by Providing Adequate Available Public Parking Distributed through an Area Has Been Addressed by the City and the Coastal Commission Staff.**

The Staff Reports have identified the principal Coastal Act issue which is raised by these City promoted OPD's as whether or not there will be adverse impact upon public access to the beach by limiting public parking. The Staff has correctly analyzed that although there may be some impacts, through the design of the OPD program and the Staff's Special Conditions, the City has adequately addressed those public access impacts. The OPD's only limit public use of street parking between the hours of 2:00 am and 6:00 am. On the oceanfront OPD's (OPD 522 and 523) the Coastal Staff found fault with that time period and propose a Special Condition to change the hours to 2:00 am to 5:00 am. The City agrees and VSA does not object to that change.

The City has also agreed to open additional public parking lots on the oceanfront on a 24 hour bases to assure availability for the very few persons who visit the beach between 2:00 am and 5:00 am. The original proposal identified two parking lots (Lots 740 and 761) with a total of 65 spaces. The City has now added Lot 731 with 177 spaces. Metered parking lots and metered street parking which is available without charge until 8 am, provide 180 additional spaces within two blocks of the beach and distributed throughout the area. This makes a total of 422 available parking spaces near the beach between 2:00 am and 5:00 am. The evidence is clear that this would be sufficient to serve the public who might wish to go to the beach during those hours.

Finally objections to the boundaries of the oceanfront district ending at Speedway Alley (leaving residents on Ocean Front Walk out of participation) has been remedied by the City's change of the boundary to include Ocean Front Walk residences. (Exhibit 2 to Items 9b, 9c and 9f and Exhibit 4 to Items 9d and 9e, copies attached, illustrate these various changes.) With appropriate safeguards as recited

above and a review of the operation of the OPD program in five years, your Coastal Commission Staff and the City are in agreement that the permits should be approved.

2. **The Changes to the OPD Program will not Satisfy All Interested Parties.**

Although the Staff Recommendations fully address all of the issues under the jurisdiction of the Coastal Commission through in implementation of policies of Chapter 3 of the Coastal Act, it is unlikely that the changes that have been made by the City or required by Special Conditions will satisfy all interested parties. There are local political issues which many will invite the Commission to become a participant. The Commission has no jurisdiction over these local issues and should refrain from seeking to substitute its judgment for that of the City on matters which are not covered by the Coastal Act.

The numerous appeals which are attached to the Staff Report on Item 9d and 9e were all written before the changes which I have outlined in Section 1 above. Therefore the Commission should consider that certain complaints have been dealt with. I am sure that the Commissioners will receive numerous additional written communications repeating many of the same criticisms. I will deal with the principal ones here.

A. **There is adequate public parking at the beach available between 2:00 am and 5:00 am.**

The City agreed to reduce the no parking hours from 6:00 am to 5:00 am and added an additional 177 car parking lot to be opened on a 24 hour basis in a new location which distributes available parking in another southerly location. The parking lots with 242 spaces and the metered parking with 180 spaces provide adequate public parking for the early morning hours.

B. **The residents between Speedway and Ocean Front Walk will be included.**

It was an oversight that the boundaries for OPD's 522 and 523 ended at Speedway Alley, leaving residents between Speedway Alley and Ocean Front Walk

without the opportunity to obtain permits for overnight parking. That has been changed with the City now including those properties within the boundaries.

C. **The Venice Community voted to support the OPD permits.**

Many of the complaints are that an alleged minority of Venice residents have pushed the establishment of OPD's and that the community does not want it. However, on February 21, 2009, a vote was taken and a record turnout for the vote occurred. By a vote of 868 in favor and 634 opposed, the Venice Community voted to support the establishment of the OPD's. I have attached the web version of the February 23, 2009 Los Angeles Times article on the vote. In addition, in our representative democracy, the City Councilman for the area, Bill Rosendahl, has been highly supportive of the OPD's. By democratic standards, the OPD's have passed the test of popular support and it is the minority which wishes to block them.

D. **The OPD's which do not affect public beach parking properly have more limited conditions.**

Three of the approved OPD 's are not located along the shoreline but a quite substantial distance away from it. These are the OPD's which are the subject of Appeals Nos. A-5-VEN-08-340, -341 and -344 (Items 9b, 9c & 9f). The map attached hereto identifies the boundaries of OPD 520, 521 and 526. The closest any of these OPD's come to the shoreline is ½ mile and some portions are more than 1 ½ miles from the shoreline. The Staff Report properly distinguishes in the application of Coastal Act policies between these two areas.

E. **Boundary limitations between OPD's can be resolved administratively by the City as it administers the program.**

Some people have complained that because boundaries for OPD's often run in the middle of streets, they would be foreclosed from parking on the other side of the street, even with a permit. This question is not a Coastal Act issue but a question for the administration of the program. The City can administratively make minor changes in the program administration to deal with these kinds of issues.

E. **The question of people residing in vehicles parked on public streets is not a Coastal Act issue.**

Perhaps the most emotional issue which will be brought to the Commission is the question that the OPD's would prevent people from living in RV's and cars parked on the public streets. The Commission should not take the bait that this is a Coastal Act issue. If the Coastal Act required local governments to allow unlimited public parking of vehicles used as residences in the Coastal Zone, it would have been included in every LCP which the Commission has certified. To my knowledge, it is included in no LCP. The Coastal Act does not require it nor limit the authority of a local government to deal with it as a local issue. The Commission should not use this occasion to venture into new territory which would occupy its resources on issues outside its jurisdiction.

It is not disputed that RV parking on a semipermanent basis has become a significant issue in Venice. The normal community facilities for sanitation and trash collection are not available and instances of raw sewage and trash deposited on public street are common year round. A person in an RV or vehicle taking up semi-permanent parking displaces the daily beachgoer every bit as much as any other impediment to public access. When it reaches the proportions found in Venice, dozens of otherwise available spaces for the daily public have been usurped by persons who capture more of the public amenities than they are equitably entitled to.

There are additional issues. Not only RV dwellers supplant beachgoers, many commercial operations (such as auto repair and rental) use the public streets overnight to store vehicles rather than providing adequate space within their own facilities. This commercial burden is unfair and should be accommodated by the business without taking the public parking.

C. **Conclusion.**

The local government is the proper place for the questions of allocations of public resources that do not affect Coastal Act policies. The Coastal Commission's charge is to implement the Coastal Act. Sometimes the Coastal Act does not have provisions to deal with every societal problem, even when members of the public seek the Coastal Commission's intervention to do so. Like the Commission, local governments themselves have limitations on their ability to perform every function to

Commissioners  
California Coastal Commission  
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everyone's liking. In this case, I think that the local government has the proper sense of the community needs and wishes to implement appropriate public policies to deal with local issues.

The City has determined that the Venice OPD's are a proper control of the time, place and manner of use of its public facilities. Since you can properly find that as amended and conditioned, the proposed permits meet Chapter 3 policies, you should **vote YES to approve each of the permits as recommended by your Staff.**

Sincerely,

A handwritten signature in black ink, appearing to read "Sherman L. Stacey". The signature is fluid and cursive, with the first name "Sherman" being more prominent.

SHERMAN L. STACEY

SLS/sh

cc: All Commissioners and Alternates  
Coastal Commission Office Long Beach  
Councilman Bill Rosendahl  
Mr. Stewart Oscars  
Mr. Mark Ryavec





OPERATIONAL INFORMATION	EXISTING CONDITIONS BETWEEN 2 AND 6 AM	PROPOSED CHANGES SHOWN IN ITALIC & BOLD
<b>Parking Lot #740 - 301 S Main Street</b>		
No. of Parking Spaces	41	41
Revenue Collection Method	None	<i>Pay Station</i>
Fee Structure	Free	<i>Hourly rate</i>
Parking Allowed 2 - 6 AM?	Yes	Yes
Nighttime Hrs of Operation	8 PM - 7 AM summer weekends and holidays. 6 PM - 9 AM all other times	<b>24/7</b>
Time Limit	None, but vehicles must leave before attendant arrives at 9 AM on summer weekends and holidays	<i>4 hours, but vehicles must leave before attendant arrives at 9 AM on summer weekends and holidays.</i>
<b>Parking Lot #761 - 1608 S Pacific Avenue</b>		
No. of Parking Spaces	14	14
Revenue Collection Method	None	<i>Pay Station</i>
Fee Structure	Free	<i>Hourly rate</i>
Parking Allowed 2 - 6 AM?	Yes	Yes
Nighttime Hrs of Operation	6 PM - 8 AM every day	<b>24/7</b>
Time Limit	None	<i>4 hours (14 spaces)</i>
<b>Parking Lot #731 - 208 N Venice Boulevard</b>		
No. of Parking Spaces	None	<b>177</b>
Revenue Collection Method	Contractor permit sales	<i>Pay Station</i>
Fee Structure	Monthly rate	<i>Monthly &amp; hourly rates</i>
Parking Allowed 2 - 6 AM?	Only by monthly permit valid 6 PM - 9 AM	<i>Yes, both monthly permits &amp; hourly parkers</i>
Nighttime Hrs of Operation	Parking prohibited 11PM - 5AM, except by permit	<b>24/7</b>
Time Limit	None, monthly permittees leaving after 9AM must pay daily rate	<i>4 hours until 5 AM next morning. Nighttime vehicles leaving after 9 AM must pay daily rate</i>

### Public Parking

LEGEND	
—	OPD Boundary
▣	Expansion to OPD 523
▤	Expansion to OPD 522
○	City Parking Lot

EXHIBIT # **2**  
PAGE **1** OF **1**



# Venice votes to restrict overnight RV parking



Ricardo DeAratanha, Los Angeles Times

The overnight parking of vehicles like these, along 7th Street, has divided Venice residents.

The measure, which some residents have sought for more than a decade, needs Coastal Commission backing.

By Martha Groves  
9:39 PM PST, February 23, 2009

A plan to restrict overnight parking won the strong support of Venice residents in a nonbinding election over the weekend. The plan still needs approval from the California Coastal Commission, which is expected to take it up in June.

Fed up with homeless people who live in cars and battered recreational vehicles parked along residential streets, many Venetians have for more than a decade urged the city of Los Angeles to create overnight parking districts that would limit parking in their neighborhoods.

On Saturday, more than 1,500 people -- a record turnout for a Venice Neighborhood Council election -- cast ballots on two competing nonbinding initiatives. The first, Initiative A, called on the neighborhood council to rescind its prior approval of overnight parking districts. That measure, backed by advocates seeking to protect the rights of those living in the RVs, failed 868 to 634.

The second, Initiative B, affirmed that Venice residents have the right to establish such districts. That measure passed 891 to 608.

The vote results were released Sunday on the neighborhood council's website.

The Los Angeles City Council has approved the parking restrictions, which had the strong support of local Councilman Bill Rosendahl, but the matter is far from over.

A few residents have appealed to the California Coastal Commission, which has jurisdiction over the areas of Venice closest to the beach. The commission indicated that it wants to take a closer look at overnight parking districts and their implications.

Because the commission is charged with maintaining the public's access to the coast, it wants to be sure there is enough early morning parking to accommodate fishermen, joggers, surfers and others.

"The first petitions for [parking districts] were signed in the community 12 years ago, and it's clear one can't wait to find a solution to where to put these RV dwellers," said Mark Ryavec, co-chairman of the neighborhood council's Homelessness and Vehicular Occupation Ad Hoc Committee.

That panel has been scouring the region for sites where groups of RVs can park.

"It's a difficult challenge," he added. "I'm encouraged by the vote and am cautiously optimistic that eventually the community will be able to improve their quality of life."

martha.groves@latimes.com

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## FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project, LPC, etc.:

Venice OPDs Thurs 9b-9f

Date and time of receipt of communication:

6/4/09

Location of communication:

Lido Lk, Calif.

Type of communication (letter, facsimile, etc.):

telephone call

Person(s) initiating communication:

Sherman Stacey

Detailed substantive description of content of communication:

(Attach a copy of the complete text of any written material received.)

He said he is in agreement with the  
staff recommendations. The City believes  
the 440 spaces available near the shoreline  
from 2:00am to 5:00am is adequate.  
The motor homes and campers create problems  
in the Venice community with the residents,  
and their availability of parking for public  
access. He further believes if Motor Homes  
was a good idea the CCC would mandate  
this in other LPCs. Chad Kue

Date

6/4/09

Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

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Sent via facsimile to 562-590-5084

June 8<sup>th</sup>, 2009

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 Long Beach, CA 90803-4316

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 South Coast Region

JUN - 8 2009

CALIFORNIA  
 COASTAL COMMISSION

Re: Venice Overnight Parking Districts: CDP 08-07, OPD 520; CDP 08-08, OPD 521; CDP 08-09, OPD 522; CDP 08-10, OPD 523; CDP 08-11, OPD 526

Dear Commissioners:

With this letter, Public Counsel Law Center and the American Civil Liberties Union of Southern California hereby submit to the California Coastal Commission their opposition to the creation of Overnight Parking Districts in Venice (CDP 08-07, OPD 520; CDP 08-08, OPD 521; CDP 08-09, OPD 522; CDP 08-10, OPD 523; and, CDP 08-11, OPD 526).

## I. Venice Must Consider the Effects of the Proposed OPDs on Its Homeless Population

According to the 2007 Los Angeles County Homeless Count, on any given night there are an estimated 73,702 homeless people throughout Los Angeles County.<sup>1</sup> Over the course of the entire year, an estimated 141,737 will experience homelessness at some point.<sup>2</sup> By these numbers, Los Angeles County has the largest homeless population in the country; larger than New York City, San Francisco, and Chicago combined.<sup>3</sup> Of that population, approximately 83% are unsheltered, which includes those individuals sleeping in vehicles, and every night an estimated 7,988 children will sleep in locations unsuitable for human habitation.<sup>4</sup> According to St. Joseph's Center, 962

<sup>1</sup> 2007 Greater Los Angeles Homeless Count, Executive Summary, Los Angeles Homeless Services Authority (LAHSA).

<sup>2</sup> *Id.*

<sup>3</sup> National Alliance to End Homelessness, *Research Reports on Homelessness: Homelessness Counts*, January 2007.

<sup>4</sup> 2007 Greater Los Angeles Homeless Count, Executive Summary, Los Angeles Homeless Services Authority (LAHSA).

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homeless people were counted in Venice alone, making its ratio of homeless to housed residents 1 in 32, the highest in Los Angeles County.<sup>5</sup> In the midst of a national foreclosure crisis, these numbers are only rising. Approximately 4 in 10 Los Angeles County residents are poor or near poor; that is, earning less than 200% above the federal poverty line.<sup>6</sup> For those individuals, many of whom live paycheck to paycheck, there is the constant threat of homelessness.

Venice offers a refuge for the homeless population, with its abundance of homeless services, public facilities, and coastal access. According to LAHSA survey, 1 in 3 homeless people report having been a victim of a crime and 1 in 5 report having unmet medical needs.<sup>7</sup> Venice provides a safe alternative where homeless people can access services, including medical treatment, shelter and transitional housing, mental health and substance abuse treatment, nutritious meals, and general services such as transportation, mail, laundry, and showers. The proximity to the beach offers public facilities, including toilets and showers, but also better air quality and beautiful backdrop for a population often forced to sleep on the streets.

Given the high number of homeless people living in Venice, we feel there is an obligation to consider the best interests of this population and respond compassionately. Venice has a long and great history of providing for its homeless population, many of whom are elderly. However, the implementation of Overnight Parking Districts would do a great disservice to this vulnerable population. The OPDs would function to displace an already unstable group of people, forcing them to disperse into outlying areas, away from their services and sanctuary.

## II. The Proposed OPDs Deprive the Public of Access to the Beach

The California Coast Act protects against interference "with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation."<sup>8</sup>

The proposed Overnight Parking Districts interferes with the general public's ability to access the beach and other coastal recreation areas in violation of State law. The five proposed OPDs eliminate virtually all street parking between the hours of 2AM and 6AM in Venice; thus, preventing nonresidents from driving to the beach and parking between the hours of

<sup>5</sup> Vince Echavaria, "Venice: St. Joseph Center Seeks To Identify Most Vulnerable," *The Argonaut*, March 27, 2009.

<sup>6</sup> United Way. *Research and Policy Brief: Homelessness in Los Angeles County*, by Joseph Martinez and Bill Pitkin.

<sup>7</sup> United Way. *Research and Policy Brief: Homelessness in Los Angeles County*, by Joseph Martinez and Bill Pitkin.

<sup>8</sup> California Coastal Act, Section 30211.

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2AM and 6AM. The three proposed beach lots do not provide an adequate alternative to overnight parking because of both capacity and time restrictions. While the proposed OPDs restrict overnight parking in virtually all of the streets in the coastal zone, Lot No. 731, Lot No. 740, and Lot No. 761 only provide a combined total of 232 stalls. There is no evidence on the record that 232 stalls meet the needs of nonresidents seeking late night or early morning beach access. Moreover, the proposed beach lots would enforce a four-hour time limit. This imposes an additional and formerly nonexistent restriction on the amount of time one can spend at the beach during these hours and the additional inconvenience of having to move one's car should one exceed the four-hour limit. Finally, the proposed beach lots are metered, requiring late night and early morning beach goers to pay for parking that was formerly free. This added expense will likely deter beach goers and disproportionately burden the indigent for whom the beach may be one of the few recreational areas they can enjoy free of cost.

Access to the ocean and the superior air quality of the coastal zone can be vital to the physical and emotional well-being of the homeless population. For the 962 homeless people living in Venice, 232 stalls do not provide adequate access to the beach. Not only are the homeless population unlikely to be able to afford parking fees, but they will be unable to afford the additional expense of gas incurred when moving their vehicles from the streets to surrounding lots in the late night and early morning hours. In effect, the proposed OPDs will displace many homeless people in Venice, dispersing the homeless population into outlying areas, and depriving them of access to the coastal zone and its many natural and social services.

## III. The Proposed OPDs Do Not Mitigate Against Overcrowding or Overuse

The California Coast Act provides, "Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area."<sup>9</sup>

There is no evidence on the record that the proposed Overnight Parking Districts have evaluated and subsequently mitigated against the threat of overcrowding and overuse. As discussed above, the OPDs eliminate virtually all street parking in the Coastal Zone between the hours of 2AM and 6AM, displacing late night and early morning beach goers and, potentially, 962 homeless people. The lack of available parking will likely result in a deluge of vehicles in the outlying areas and on the public streets during the restricted hours, as the affected persons search for alternative solutions.

<sup>9</sup> California Coastal Act, Section 30212.5.



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## IV. The Proposed OPDs Have Not Received Appropriate Environmental Analysis

According to a Staff Report dated May 21<sup>st</sup>, 2009, the City of Los Angeles determined that the proposed Overnight Parking Districts are exempt from California Environmental Quality Act (CEQA) under the General Exemption set forth in Article II, Section I of the 2002 Los Angeles City CEQA Guidelines. The General Exemption provides, "Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not covered by CEQA and these Guidelines do not apply."<sup>10</sup> To invoke this exemption, the City of Los Angeles has the burden of showing that there is no possibility of significant environmental effects from the proposed OPDs.<sup>11</sup> CEQA also requires assessment of environmental effects if a project "will cause substantial adverse effects on human beings, either directly or indirectly."<sup>12</sup> However, there is no evidence on the record demonstrating what environmental analysis, if any, the City of Los Angeles performed to determine with certainty that there is no possibility of a significant impact on the environment or on human beings.

Common experience indicates that the proposed Overnight Parking Districts will, in fact, have a significant impact on the environment and on human beings. The proposed OPDs will function to displace previously stationery vehicles. All nonresidents in this coastal zone will necessarily have to move their cars between the hours of 2AM and 6PM. They will be forced to drive around to look for parking and, should the designated beach lots be full or the nonresident unable to afford the parking fee, they may be forced to drive some distance. The OPDs will effectively uproot an entire population, requiring them to drive their cars more often and further distances. The increase in late night and early morning traffic will inevitably and detrimentally impact the environment.

If the Commission finds that the City of Los Angeles adequately demonstrated minimal environmental impact, the Commission should also consider whether it has an independent duty to perform environmental analysis. The stated goals of the California Coastal Act include protecting the "overall quality of the coastal zone environment and its natural and artificial resources."<sup>13</sup> In keeping with legislative intent, the Commission should consider what, if any, environmental analysis was done by the City of Los Angeles to justify the General Exemption from CEQA and whether the

<sup>10</sup> City of Los Angeles, Environmental Quality Act Guidelines, Section II, Section I, 2002.

<sup>11</sup> Davidson Homes v. City of San Jose, 62 Cal. Rptr. 2d 612, 618 (1997).

<sup>12</sup> CEQA Guidelines § 15065.

<sup>13</sup> California Coastal Act, Section 30001.5.

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Commission has an independent duty to analyze the impact that the proposed OPDs will necessarily have on the coastal zone environment.

## V. Failure to Comply with Notice Requirements and Lack of Procedural Clarity

According to a Staff Report dated May 21\*, 2009, the western boundaries of OPD No. 522 and OPD No. 523 have been extended from Speedway to Ocean Front Walk. This revision significantly expands the restricted districts, constituting a substantial amendment to the underlying proposal, such that public notice may be required. There is no evidence on the record demonstrating that the public has received notice of or an opportunity to participate in the development of this significant expansion. Furthermore, the expansion of the OPD No. 522 and OPD No. 523 may require additional environmental analysis as discussed above.

In general, the process for implementing Overnight Parking Districts has proven to be very complex. The process involves multiple city agencies, different sources of authority, and various channels for review. This process as it is currently being implemented is so convoluted such that it may violate the due process rights of those adversely affected by the outcome.

## VI. Conclusion

Taking into consideration the significant issues raised and the legal obligations of the Coastal Commission, we respectfully request that the Commission refrain from taking any action approving the Overnight Parking Districts in Venice (CDP 08-07, OPD 520; CDP 08-08, OPD 521; CDP 08-09, OPD 522; CDP 08-10, OPD 523; and, CDP 08-11, OPD 526).

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Daniels".

David Daniels  
Directing Attorney  
Homelessness Prevention Law Project  
Public Counsel Law Center

American Civil Liberties Union of Southern California



**TO: ccposner@coastal.ca.gov Chair Neely, Members of the California Coastal Commission**

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**FR: Linda Lucks,**

JUN 05 2009

**DA: 6/5/2009**

CALIFORNIA  
COASTAL COMMISSION

**RE: APPEAL NUMBERS: A-5-VEN-08-340 (CDP 08-07, OPD 520 - Oxford Triangle Area)**

**A-5-VEN-08-341 (CDP 08-08, OPD 521 - Presidents Row Area)**

**A-5-VEN-08-342 (CDP 08-09, OPD 522 - West Venice Area)**

**A-5-VEN-08-343 (CDP 08-10, OPD 523 - East Venice Area)**

**A-5-VEN-08-344 (CDP 08-11, OPD 526 - Villa Marina Area)**

Honorable Chair Neely and Commissioners:

I never anticipated that I would need to be before your body as an appellant to a proposal by the City of Los Angeles to privatize the streets in and around my home. I strongly believe that the historical character of North Beach Venice will be harmed, if not destroyed if you mistakenly allow the implementation of Overnight parking districts. The very term "districts" is antithetical to Venice norms. Venice consists of neighborhoods, not Balkanized districts which separate us. I'm assured by certain City officials that there was no legal requirement to divide the Venice Coastal Zone up into five districts. Five nonsensical districts points out the dysfunction and lack of clarity surrounding this half baked scheme and a good reason why you should send it back to the City to be fully cooked.

As a 39 year resident of Venice, with a continuous history of participation in the public life of my community, and with a demonstrated commitment to the diverse population and historical character of Venice, I have earned the right to speak for my community. Included here is some background so that you can judge for yourselves if I have standing to speak for my community. For purposes of Identification only, I currently serve as the elected Vice President of the Neighborhood Council, President of the City of Los Angeles Board of Neighborhood Commissioners, appointed by Mayor Villaraigosa, and as Presiding Officer of the Health Professions Education Foundation, a state agency awarding scholarships and loan repayments to students in all the medical professions, I was appointed by the Senate Rules Committee. I am a former President of the LA County Beach Commission, appointed by Supervisors Edelman and Yaroslavsky, former member of the State Medical Board, Dental Board and Board of Psychology, and I am a founder of the Venice Garden and Home Tour which benefits the Neighborhood Youth Association's Las Doradas Children's Center in Venice.

Venice is world famous for its funky beauty, tolerance of diversity, inviting and welcoming atmosphere, and its artistic merit. If you support the un necessary and un democratic

action before you today you may be responsible for forever changing the face of Venice, for negating the qualities which make it a place that is beloved by residents and visitors alike, and relegating it to the homogeneous, appearance of most other beach towns. One size does not and never has fit all in Venice.

Why am I so opposed? Why would supporting overnight parking permits be so harmful?

- As a resident/homeowner of a beach walk street, I and all residents of Venice Walk Streets and Ocean Front Walk areas are disenfranchised from even voting because our addresses do not face streets with auto traffic. No one from the beach area was included in the Overnight parking Committee negotiations.
- We are being told by the Councilman that he will "take care of us" and not to worry our little heads. Sorry, but paternalism doesn't fly with me. OPD is a "one-size-fits-all" technical proposal to address a variety of issues which are specific - sometimes uniquely so - to individual areas, and most of which this scheme won't successfully address.
- OPD doesn't just trash the homeless, which in the mind of many is really just a red herring to privatize Venice; it trashes democratic responsiveness to community issues, with our without the ersatz Venice Neighborhood Council, on which I serve, and it does it by applying the pressure of desperation - which is unnecessary and distasteful.
- No "promises" are in writing and the City admits it has no coherent plan yet in place. It gives all the power to the Councilman with no guarantees to the community, because there is already historically insufficient parking adjacent to the Beach, although not in the other areas East of the beach.
- Alan Willis of the City Department of Transportation is quoted in an email to a constituent on May 4, 2009 as saying, and I quote, *"Right now, the 'rules' for how OPD signs get installed in the Venice OPDs are whatever Councilmember Rosendahl wants them to be. DOT is in the process of drafting a set of rules that would apply to all OPDs throughout the City, but we're nowhere close to being done with that task. So, if I understand you correctly, what the council committee appears to be telling you is true because whatever the councilman approves will be the rules for Venice until such time as our citywide rules are presented to the full Council (and even then he can ask that whatever special rules he approved for Venice be incorporated into the citywide rules). I understand your concerns and hope this answers your question."*

- If other areas choose Permit parking, people from adjacent streets who do not pay for permits will certainly gravitate here, further upsetting the social and socioeconomic ecology we so love.
- Abbot Kinney Boulevard is known for it's restaurants and bars. Now, patrons who should not drive home, will be forced to drive home drunk rather than risk fines or towing at 2 a.m. Restaurant workers will also be penalized as many do not leave work until after 2 a.m.
- Most egregiously, the City let it be known on May 4, 2009, that as part of this scheme plans to **remove 55 free overnight parking spaces permanently from use by residents without a Coastal Development Permit. The spaces (lots at Main/Rose, Windward/Pacific)** are to be replaced with 4 hour metered parking 24/7, further restricting the most restricted parking area in the City in an effort to convince **you** that public access will be available. Aren't residents the public?
- However, there is a gross procedural error in that no public vetting with the Venice Community took place. This may be construed as a "taking" as the 55 spaces are used by residents who will be further restricted and disenfranchised. We are not talking about RV's. There are none near the beach. Further, a Coastal Development Permit would be required of any other developer removing 55 resident service parking from the Beach Impact Zone.
- Residents who live in the old, sometimes historic, always interesting buildings that give the area great character usually **have no on site parking**, the result is that the thousands of people who live here **MUST** park on the streets at night and already play the musical car shuffle. Adding a requirement that we pay for difficult to find parking may be a way to add to the general Los Angeles coffers, but it is not the way to represent the people of Venice.
- Women living near the beach in buildings with no on site parking in particular will be the victims of having to park many blocks from their residences if you approve this scheme.
- Make no mistake, this effort has nothing to do with stopping overnight parking of RV's. The City can, if and when it chooses, "no over height vehicle" parking signs now and RV's would be forced to move from the few streets they have been herded onto already with such signage.

I urge you, as the protectors of the Coast, to see that Venice residents deserve protection from those who wish to exploit the scarce resource of night-time parking for their own profit.

\*This proposal is not needed to stop overnight parking of RV;s; \*This proposal harms residents who live in the old buildings in the beach zone by taking away their night time parking;

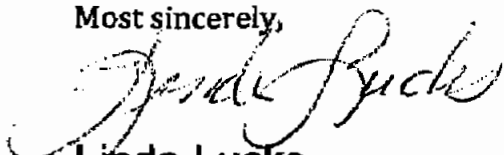
\*This proposal privatizes the streets in one of the highest visitor serving beaches in the world;

\*The proposal has the real and present threat of destroying old neighborhoods as people could be forced to change the character of the Venice Beach neighborhoods by trying to add parking to existing buildings.

I know you do not want your legacy to include responsibility for forever upsetting a unique and rich cultural heritage by sanitizing and socio-economically cleansing my community. Only Venice is Venice and sanitizing it will be a great loss.

Please uphold the appeals and deny the implementation of overnight parking permits in Venice. Do the right thing and send this dysfunctional and poorly thought out plan back to the City of Los Angeles until it is workable, and ask the City to seek legal permits for the illegal signage all over Venice.

Most sincerely,



Linda Lucks

30 Wave Crest Avenue

Venice, CA 90291

**Chuck Posner**

---

**From:** jd@johnanthonydavis.com  
**Sent:** Monday, June 08, 2009 1:48 PM  
**To:** Gary Timm  
**Cc:** Peter Douglas; Teresa Henry; Chuck Posner  
**Subject:** MEETING REQUEST

**RECEIVED**  
South Coast Region  
JUN - 8 2009  
CALIFORNIA  
COASTAL COMMISSION

Gary Timm  
California Coastal Commission  
cc  
Executive Director Douglas

Dear Mr. Douglas, please transmit this letter to the full California Coastal Commission.

Dear Mr. Timm,

Last week on Thursday, and Friday and again on Monday Morning, today, I requested a meeting with you per the message on the CCC Long Beach answering system. You did not return my calls. I spoke with you today, and you indicated that you had met with proponents and opponents of the preferred parking in Venice on the Commissions Thursday agenda.

You stated you would not meet with me. You stated it would not be helpful as your reason.

I feel this is discrimination in that you met with others and refused to meet with me after a request was formally made four days ago with repeated calls.

I will be at the office at 10am sharp tomorrow on Tuesday. Will you meet with me for 15 minutes to answer the following questions about the Staff Report recommending approval. If you will meet with me please provide the answers to the following questions in writing.

Or, if you wish you may answer the questions via email which would establish the Staff's response to the following questions in writing.

#### QUESTION ONE

Article 2.5 of Chapter 4 of the Coastal Act requires Staff to conduct themselves under due process and with fairness.

Both the Coastal Act and CEQA require findings to be made that prove under the evidence standards that CEQA has been conducted.

6/8/2009

The Staff Report states only narrative that the City has exepcted the project from CEQA.

Can you provide evidince to support the Staff Report assertion under PRC 15382 SUBSTANTIAL EVIDENCE, that the City completed its obligations under CEQA?

If not, please explain why the Staff Report makes such assertion without evidence.

#### QUESTION TWO

##### **CEQA GUIDELINES 15050 LEAD AGENCY CONCEPT**

**(a) Where a project is to be carried out or approved by more than one public agency, one public agency shall be responsible for preparing an EIR or Negative Declearation for the project. This agency shall be called the Lead Agency.**

The Project is to be carried out or approved by more than one public agency, the City of Los Angeles and the California Coastal Commission.

Has an EIR or Negative Declaration been prepared by the approiате Lead Agency for the project and if so has the statute of limitations for challenge expired?

Why does the Staff assert that the City of Los Angeles is still the Lead Agency?



#### QUESTION THREE

##### **CEQA GUIDELINES 15052(a) SHIFT IN LEAD AGENCY DESIGNATION**

**Where a Responsible Agency is called on to grant an approval for a project subject to CEQA for which another public agency was the appropriate Lead Agency, the Responsible Agency shall assume the role of the Lead Agency when any of the following conditions occur:**

**1. The Lead Agency did not prepare any environmental documents for the project and the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.**

THE COASTAL COMMISSION IS NOW LEAD AGENCY because the City of Los Angeles as the former Lead Agency did not prepare an Environmental Document as required by CEQA GUIDLINE 15050 and the statute of limitations has expired for a challenge to its actions in regard to this Project even if it had.

Why has Staff failed to recommend in the staff report that the Commission conduct an EIR or Neg Dec pursuant to the requirements of **CEQA GUIDELINES 15050 LEAD AGENCY CONCEPT?**

#### QUESTION FOUR

Staff Charles Posner and the Deputy Director are both aware the City passed an ordinance that closes the beach (and parking lots in question) at night which would preclude

implimentation of Staffs Recomendation to allow parking at night in those lots.

Why did the Staff supress this vital evidence from the Coastal Commission in the Staff Report?

This would prejudice the permit in favor of the City outside due process and fairness dictated by Chapter Four Article 2.5 of the Coastal Act.

#### QUESTION FIVE

The County has no legal authority to manage the parking lots in Venice because the Joint Powers agreement between the City and County has expired.

The Staff Report fails to report that people wishing to park in those lots would not only be prohibited from parking there at night by City Ordinance but by County Ordinacne as well.

Why does the Commission Staff Report recommend that beach users that wish to park in the City lots pay money to park that will be illegally be taken by the County with no legal authorization to do so?

This Staff recomendation seems to recommend that people wishing to park at night allow themselves to be extorted by the County in violation of Article 2.5 Chapter Four of the Coastal Act?

#### QUESTION SIX

What Substantial Evidence pursuant to CEQA does can the Coastal Commision have before it that would support CEQA findings udner section 15091?

If no evidence is before the Commission how can such a finding be made.

#### QUESTION FIVE

Brown v Board of Education, U.S. Supreme Court found that SEPRATE SERVICES ARE NOT EQUAL  
BECAUSE OF THE INFERENCE THAT ONE PERSON IS INFERIOR TO ANOTHER.

The Supermecy Clause of the U.S. Constitution requires the State to adhear to the Constitution and  
Chapter 4 Article 2.5 of the Coast also restated the requirment to follow due process.

ALL PERSONS NOT RESIDENTS WILL BE DISCRIMINATED AGAINST BECAUSE THE  
RECOMMENDED USE  
OF THE PARKING LOTS DEFIES BROWN V BOARD OF EDUCATION AND THE US.  
CONSTITUTION AND BILL  
OF RIGHTS.

Why is the Commission recommending Seperate but Equal parking for people who pay the same taxes to provide the public street parking that the Staff Report recommends be limited to a certain class of person but not others?

Sincerely,  
John Davis  
PO 10152 MDR CA 90295



**RECEIVED**  
South Coast Region

JUN 08 2009

CALIFORNIA  
COASTAL COMMISSION

**David Thall**  
312 5<sup>th</sup> Avenue  
Venice, California 90291  
[retticac@gmail.com](mailto:retticac@gmail.com) / 805-440-8909

June 8, 2009

Ms. Bonnie Neely  
Chair, California Coastal Commission  
Board of Supervisors  
825 Fifth Street, Room 111  
Eureka, CA 95501

Mr. Peter Douglas  
Executive Director  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219

FAX: 562-590-5084

Re: Coastal Development Permits for Overnight Parking District Overlay Zones  
A-5-VEN-08-340 (CDP 08-07, OPD 520 - Oxford Triangle Area)  
A-5-VEN-08-341 (CDP 08-08, OPD 521 - Presidents Row Area)  
A-5-VEN-08-342 (CDP 08-09, OPD 522 - West Venice Area)  
A-5-VEN-08-343 (CDP 08-10, OPD 523 - East Venice Area)  
A-5-VEN-08-344 (CDP 08-11, OPD 526 - Villa Marina Area)

Dear Ms. Neely and Mr. Douglas,

I am writing to support the staff recommendation for approval of the Coastal Development Permits for the above applications to allow Venice residents to establish overnight parking restrictions on their blocks, as provided by Los Angeles City ordinance.

I am a resident of Venice; my home is five blocks from the beach.

During the course of my residency here I have experienced the following incidents:

1. No parking for several hundred feet due to recreational vehicles and other non-resident vehicles lining the perimeter of the large vacant lot on Rose Ave. (former site of the Pioneer Bakery) running from 5<sup>th</sup> Avenue to Rennie Ave. Many of these vehicles have handicap placards and have therefore been exempt from the 1 hour parking restriction on Rose Ave. Average count on any given day is 12.
2. A jar of urine left on my curb and another jar of urine poured out onto the street by the occupant of a large recreational vehicle which had parked overnight in front of my house.

3. Trash, beer and soda cans and beer bottles frequently left by individuals partying very late into the night (i.e., after 2 AM) while parked in front or on the side of my house (the building is next to the vacant Intracorp-owned lot).
4. People associated with the Rvs camping out on the sidewalk and sleeping for consecutive nights while 'visiting' owners of RVs, also sleeping in their vehicles.
5. Travelers, sleeping overnight in vehicles parked on the streets adjacent to my house, using the vacant lot adjacent to the property as a bathroom facility.
6. The tenants of my condo rental unit being unable to find parking in the evening near their unit, in part because the parking has been taken by tourist rental cars, commercial vehicles, travelers, and other non-resident vehicles.

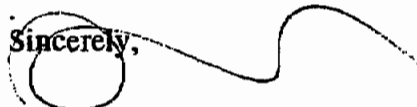
The Los Angeles Police Department has advised residents that they do not have the numbers of officers that would be required to address these behaviors or to prevent them and has recommended the use of overnight parking restrictions where residents find they would be helpful in curtailing nuisance behavior and reserving street parking for residents at night. Observing this reality, I signed my first petition to establish overnight parking restrictions on my block over two years ago and our block association has 100% support for OPDs.

As an instructor with Sustainable Works in Santa Monica, I appreciate the coastal access questions which might be raised by such restrictions. However, the City of Los Angeles has more than adequately identified and/or provided anew hundreds of public parking spaces which will be available to the handful of joggers, surfers, fishers and pedestrians who frequent the beach in the early morning hours.

Fundamentally, the overnight restrictions will have a salutatory effect on both coastal access and the health of the Santa Monica Bay. Non-resident vehicles that park for days - and even weeks - at a time monopolize parking spaces near the beach, depriving visitors and residents of access to the beach. By forcing these vehicles to move at night, the overnight restrictions will increase beach access for the public and residents by opening more street parking spaces during the day. Also, those lodging in their vehicles have a demonstrable history of leaking and/or dumping sewage and trash into the gutters and storm drains, creating health hazards (bacteria and pathogens) at the dumping points, which then adds to non-point pollution as it flows to the ocean. These vehicles should be in proper campgrounds or a transitional vehicle-to-housing program with sanitary sewage disposal. (This latter proposal was developed by the Venice Neighborhood Council's Ad Hoc Committee on Homelessness and Vehicular Occupation, of which I was an alternate member.)

In light of the fact that Commission staff has determined that coastal access is adequately provided for by the City's proposals, I urge the Commission to adopt the staff recommendations and approve the permits for the Venice Overnight Parking District Overlay Zones

Sincerely,



David Thall

cc: Charles Posner, California Coastal Commission

**Chuck Posner**

**From:** Brent Canon [brentcanon@hotmail.com]  
**Sent:** Thursday, June 04, 2009 4:14 PM  
**To:** Chuck Posner  
**Subject:** overnight parking issue

RECEIVED  
South Coast Region

JUN 08 2009

To the CA Coastal Commission,

I am writing to you on behalf of the overnight parking issue.  
I live at 2400 Pacific Ave. in Venice and have been a resident here for seven years.  
In all the years I have lived here, I have never had a problem parking on my street or in the surrounding areas.  
I have never had a problem with any other of the other cars or RV's.

I am writing to voice my opinion that overnight parking permits are completely unnecessary here.  
In today's society I have enough bills to pay for from school loans, to credit card bills, to utilities, to rent, to cell phone and car payments. I most certainly do not want to have to pay yet another bill for overnight parking permits.

This is not Santa Monica or New York City. This is Venice.  
Please leave it be and respect everyones right to park in these streets free of charge.  
Thank you.

Sincerely,

Mr. Brent Canon  
Middle School Teacher

---

Lauren found her dream laptop. Find the PC that's right for you.

## Chuck Posner

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**From:** Tom Fuller [Tom.Fuller@vcaantech.com]  
**Sent:** Thursday, June 04, 2009 5:25 PM  
**To:** Chuck Posner  
**Subject:** In SUPPORT of Venice OPD



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June 3, 2009

California Coastal Commission  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4416  
FAX: 562-590-5084  
Email: cposner@coastal.ca.gov

Regarding: Support the Approval of the Coastal Development Permits for the Venice OPD

I urge you to approve the OPD in Venice.

Implementation of the OPD in Venice will increased coastal access to the beach, improve water quality and make our streets and neighborhoods cleaner and safer.

OPD's have been implemented in all other areas of the city. We Venice residents deserve equal protection under the law.

I imagine that you are getting many letters opposing the OPD. Don't be fooled! The opposition, mostly made up of people living in campers on our streets, is well organized and aggressive. Please bear in mind that in February 2009, in a Venice-wide referendum sponsored by the Venice Neighborhood Council, the stakeholders of Venice voted overwhelmingly in favor of their right to implement Overnight Parking Districts in Venice.

Please support us.

Thank you,

/s/ Tomas Fuller

Tomas Fuller  
200&202 3rd Avenue  
Venice, CA 90291

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JUN 11 2009  
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6/3/09

**RECEIVED**  
South Coast Region  
JUN 5 - 2009

CALIFORNIA  
COASTAL COMMISSION

HEARING ITEMS # Thq6 - Thqh

IN FAVOR OF OPD FOR VENICE

DIANA & RICHARD SPURLIN  
1023 VAN BUREN AVE  
VENICE, CA 90291

TO: THE CALIFORNIA COASTAL COMMISSION:

WE SUPPORT THE APPROVAL OF  
THE COASTAL DEVELOPMENT PERMITS  
FOR THE VENICE OVERNIGHT PARKING  
DISTRICT

ON VAN BUREN AVE - OPD 521 - WE NOT  
ONLY HAVE TO CONTEND WITH R.V.'S BUT  
ALSO MOTEL GUESTS - EVEN THOUGH  
PARKING LOTS ARE PROVIDED FOR THEM.  
(SEE PICTURES).

SINCERELY,

*Diana H Spurlin*

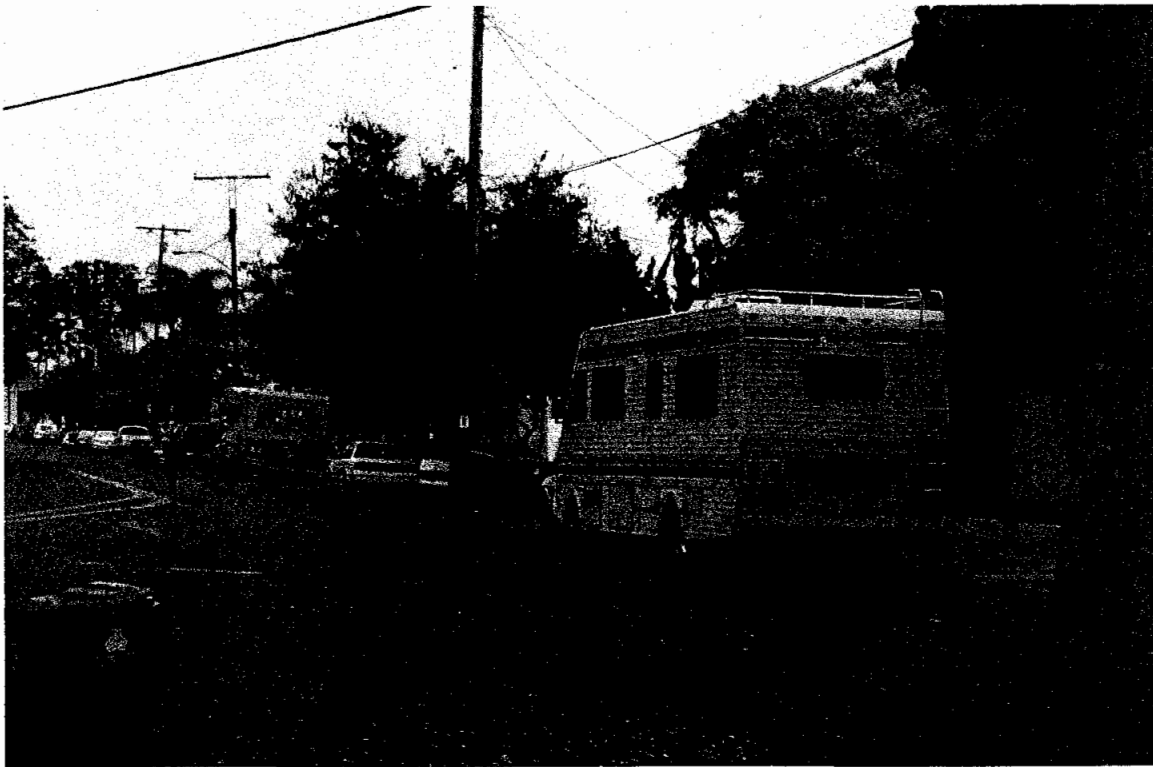
1023 VAN BUREN AVE  
VENICE 90291  
(310) 821-6444

PHOTOS TAKEN  
WEEK OF 5/31 - 6/4

JOLLY ROGER  
MOTOR  
PARKING  
PERMIT



VAN BUREN AVE



CNR. VAN BUREN & HARRISON AVES

**Chuck Posner**

JUN - 8 2009

**From:** Timo Trevisani [timotrevisani@hotmail.com]

**Sent:** Thursday, June 04, 2009 8:24 PM

**To:** Chuck Posner

CALIFORNIA  
COASTAL COMMISSION

**Subject:** Support Approval of the Coastal Development Permits for the Venice Overnight Parking Districts

In February, the residents of Venice voted overwhelmingly in favor of their right to implement Overnight Parking Districts in Venice. Since the Police is unable to enforce existing laws that prohibit overnight sleeping in vehicles on public streets, we feel that this measure is a step in the right direction to allow everybody to enjoy a clean and safe beach as well as access to the beach parks.

My wife and I were among those supporting this right of implementation for the following reasons:

- 1) **Increased Coastal Access to the Beach:** illegally parked vehicles monopolize parking spaces near the beach depriving visitors and residents of access to the beach. OPDs will increase beach access to the public and residents by opening more street parking spaces.
- 2) **Coastal Health:** illegal campers dump sewage and trash into the gutters creating health hazards (bacteria and pathogens) at the dumping points along with runoff contamination into the ocean. In addition I have personally witnessed campers idling their gasoline powered generators for hours on end, in the middle of the night and on public streets.
- 3) **Coastal Safety:** permit parking for residents will allow them to park near their homes thus eliminating long walks late at night.
- 4) **Coastal Fairness/Equality:** The ordinance governing OPDs is a Los Angeles citywide ordinance implemented in all other areas of the city. There is no justification to deny the residents of Venice equal protection under the law.

Commissioners, we ask you to please approve the Coastal Development Permits for Venice Overnight Parking Districts.

Thank you,

Timo Trevisani and Lucy Pham

301 Windward Ave

---

Hotmail® has ever-growing storage! Don't worry about storage limits. [Check it out.](#)

6/8/2009

Nancy Cunningham  
753 Marco Place  
Venice, Ca. 90291  
(310) 821-0975

**RECEIVED**  
South Coast Region

JUN 4 - 2009

May 30, 2009

CALIFORNIA  
COASTAL COMMISSION

California Coastal Commission  
200 Oceangate, #1000  
Long Beach, Cal. 90802

RE: Venice OPD

Dear Commissioners:

I understand this issue is one that has raised strong feelings, even passions, on both sides. My home is on a walk street but I do not use the public streets for parking. I personally have no dog in this fight.

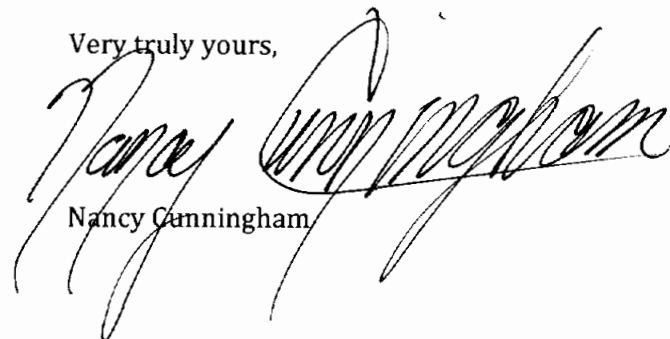
I have, however, walked the streets of Venice for twelve plus years, two times a day, rain or shine with my dog(s). I meet people and talk with them. Often they are tourists.

One lady I met on Venice Boulevard in front of Beyond Baroque had a small camper with New York license plates and a small dog. In our conversation, she mentioned that she was forty plus years old and had decided to take a year off from work and get to know this country. She lived in the camper with her dog traveling from place to place. She mentioned that she would not be able to travel for such a long time and so far were it not for her camper.

Venice Beach likes to promote itself as a tourist destination. The presence of signs limiting overnight parking effectively close out travelers/tourists, often the young from all over the United States and other countries, who use campers as the most economical means of transportation for them. Have none of the people who promote the OPDs ever bummed around when they were young? It makes me ashamed when I think of the extraordinary courtesies extended to me when I traveled alone through other countries.

The public who should have access to the beach is not limited to those tourists with money for hotels. If California wants the tourist dollar, we should welcome visitors regardless of their mode of travel.

Very truly yours,



Nancy Cunningham



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South Coast Region

JUN 05 2009

CALIFORNIA  
COASTAL COMMISSION

Applic.#5-08-313 (OPD 523) &  
5-08-314 (OPD522)

Item# Th9d-g

Jeremiah H.B. Kean  
Favors Permits for Venice Overnight  
Parking

June 5, 2009

California Coastal Commission  
FAX: (562) 590-5084

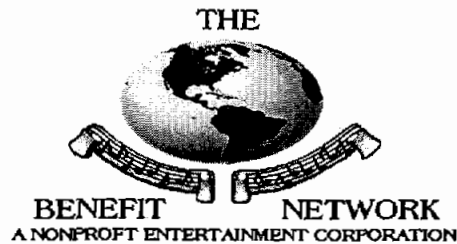
Dear Coastal Commission Members<

Please insure approval of the above Coastal Development Permits for Venice Overnight Parking. The legal residents of Venice voted in favor of this action this year for a number of important reasons. They reasonably want to be able to park near their homes, now made difficult by illegally parked vehicles. These illegally parked vehicles also create a pollution hazard, dumping their waste and garbage directly into Venice gutters, which goes directly into the ocean. And these illegally parked vehicles make it difficult for visitors from outside the Venice area to have access to the public beach.

Venice residents care about their town and need help to make it the safe and welcoming place it should be.

Thank you for your efforts,  
JHB Kean,

One Spinnaker Street, #16  
Venice, CA 90292



**RECEIVED**  
South Coast Region

JUN 4 - 2009

CALIFORNIA  
COASTAL COMMISSION

*AGENDA ITEM: 9  
OPPOSED.*

Bonnie Neely, Chair  
Board of Supervisors  
825 Fifth Street, Room 111  
Eureka, CA 95501  
(707) 476-2394

May 11, 2009

Re: Venice Overnight Parking Districts 520, 521, 522, 523 and 526

Dear Commissioner Neely,

I urge you not to approve restrictive overnight parking permit districts (OPDs) in the community of Venice and adjacent areas. The coastal area of Venice serves as a source of access and enjoyment to residents of much of Los Angeles, surrounding cities and out-of-state visitors. Their access should not be restricted.

Additionally, the proposed OPDs would cause substantial hardship to the citizens of Venice, their visitors, family and friends, in the following ways:

1. Anyone living west of Speedway cannot get a permit
2. People on walk streets do not get a vote on their blocks
3. The amount of permits residents are able to obtain is limited
4. There is no exemption for the handicapped
5. Permit fees will increase substantially, as they have in other parts of L.A.
6. Permits will create more parking problems, not less
7. OPD discriminates against the poor by targeting those forced to live in their vehicles
8. Permit hours are from 2am to 6am, when there is no parking problem
9. Residents' visitors' parking will be highly restricted
10. There are other solutions to the existing problems that have not been considered

Thank you for your consideration.

Sincerely,

*Barbara Peck*  
Barbara Peck

514 Westminster Avenue  
Venice, CA 90291

Cc: California Coastal Commission Staff  
200 OceanGate, 10<sup>th</sup> Floor  
Long Beach, California 90802

TO: THESE 5, AND THE 15 YOU REQUESTED

Friday June 5, 2009 IN FAVOUR OF THE ESTABLISHMENT OF OPD IN VENICE

① ATTENTION: CHUCK POSNER

TO: ② Bonnie Neely, ③ Peter Douglas, ④ Bill Burke ⑤ Jack Ainsworth  
The California Coastal Commission  
FAX 562 590 5084

FROM: Nikoletta Skarlatos  
320 4<sup>th</sup> AVENUE VENICE CA 90291

RECEIVED  
Southwest Region

JUN 9 2009

CALIFORNIA  
COASTAL COMMISSION

AGENDA/APPLICATION NUMBER PER THE CCC: A-5-VEN-08-340

9B, 9C, 9H

THESE WERE THE APPLICATION AND AGENDA REQUESTS AS APPROVED  
BY THE CCC.

NAME: NIKOLETTA SKARLATOS

POSITION: YES, I SUPPORT THE APPROVAL OF THE COASTAL  
DEVELOPMENT PERMITS FOR THE VENICE OPD'S.

REASONS:

1). PROTECTION OF OUR OCEANS FROM CONTAMINATION AND DISEASE:

You have already received both photo and written documentation regarding the constant dumping of raw sewage that is: Human fecal matter, and human urine. Additionally, there is constant dumping of needles, and garbage dumped directly outside into the storm drains and thus directly into our Ocean from people who have been living in their RV's for years now on 4<sup>th</sup> Avenue.

THIS IS A DIRECT THREAT TO OUR OCEAN AND THE POPULATION:  
CONTAMINATION AND DISEASE CITED.

2). INCREASED COASTAL ACCESS TO THE BEACH.

Illegally parked vehicles, which move one inch every 72 hours so as not to be cited, have prevented hundreds of beach goers from enjoying public access to the beach.

3). PARKING FOR ACTUAL RESIDENTS

Currently, we can never find parking on our street. My elderly parents have been forced to walk up to two blocks at any given time to reach my home. There is no parking for actual residents.

4). SAFETY

What was once a beach community has become a parking lot for RV owners. Long walks to one's home as a result of no parking for residents has precipitated: verbal and physical abuse and attacks, vandalism committed upon our properties, drug dealing, and the constant threat of rape or murder as a result.

5). FAIRNESS/EQUALITY:

The ordinance governing OPD is a Los Angeles citywide ordinance, which has been implemented in all other areas of the city. Venice residents deserve equal protection under the law.

FINALLY:

Having attended the hearing in Orange County in February, We noticed the very fine and well stocked established beach RV parking lots replete with dumping facilities and toilet facilities. These exist directly outside your door, and you must be very familiar with how they were established as they fall under the jurisdiction of the CCC. Perhaps you can move forward to seek similar state of the art facilities for other communities, which fall under your jurisdiction.

Thank You,

A handwritten signature in black ink, appearing to read 'Nikoletta Skarlatos', written over a horizontal line.

Nikoletta Skarlatos

June 5, 2009

Ms. Bonnie Neely  
Chair, California Coastal Commission  
Board of Supervisors  
825 Fifth Street, Room 111  
Eureka, CA 95501

Mr. Peter Douglas  
Executive Director  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219  
**FAX: 562-590-5084**

**RECEIVED**  
South Coast Region

JUN - 8 2009

CALIFORNIA  
COASTAL COMMISSION

Re: Coastal Development Permits for Overnight Parking District Overlay Zones  
A-5-VEN-08-340 (CDP 08-07, OPD 520 - Oxford Triangle Area)

A-5-VEN-08-341 (CDP 08-08, OPD 521 - Presidents Row Area)

A-5-VEN-08-342 (CDP 08-09, OPD 522 - West Venice Area)

A-5-VEN-08-343 (CDP 08-10, OPD 523 - East Venice Area)

A-5-VEN-08-344 (CDP 08-11, OPD 526 -- Villa Marina Area)

Dear Ms. Neely and Mr. Douglas,

I am writing to support the staff recommendation for approval of the Coastal Development Permits for the above applications to allow Venice residents to establish overnight parking restrictions on their blocks, as provided by Los Angeles City ordinance.

These permits will not only protect the residents of these blocks, they will aid the police (who also favor them) and, in the long run, will benefit the homeless as well. I urge you to grant the permits as quickly as possible.

Thank you.

Yours,

Henry Bean  
617 6<sup>th</sup> Avenue Apt  
Venice, CA. 90291

Bonnie Neely, Chair  
Board of Supervisors  
825 Fifth Street, Room 111  
Eureka, CA 95501  
(707) 476-2394

&

California Coastal Commission Staff  
200 Occangate, 10<sup>th</sup> Floor  
Long Beach, California 90802  
45 Fremont St., Suite 2000  
San Francisco, CA 94105

Dear Commissioner Neely, Commissioners, and Coastal Commission Staff,

I urge you to deny the City of Los Angeles Coastal Development Permit Application to establish Overnight Parking Districts (OPDs) in Venice, because this permit parking system will deny residents and visitors access to the coastal zone.

These Overnight Permit Parking Districts will soon restrict parking in virtually all of the Coastal Zone in the Venice area. They will create a hardship to the low-income, the disabled, the elderly, and the homeless residents of this coastal area. These specifically are OPD 520, 521, 522, 523 and 526, which cover most of the Coastal Zone in Venice.

I understand that Councilman Rosendahl has submitted that only those blocks with 66% support will get the OPDs, but no objective organization will manage this. The council office is in favor of the OPDs and previous percentages quoted for blocks in favor of OPDs have been proven wrong. By law, no petition is even required.


By creating a permit parking system that disabled people are non-exempt from and that is enforced only for the hours between 2AM to 6AM nightly – it effectively removes homeless people living in vehicles from the area. In fact, that is the intent of this law. This is inhumane, because Venice provides life sustaining services second only to Skid Row. The Venice Family Clinic, which is in the Venice Coastal Zone on Rose Ave is one of the largest free clinics in the country and 16% of the regular patients of the Venice Family Clinic are homeless people who live in the area!

The Venice Clinic is but one of the many life essential services being provided in Venice to low income and homeless people. These are the people who these OPDs will disproportionately affect. There are also families living in Venice that have been here for generations and who have large families that simply cannot afford these permits.

Also, I understand that there has been some parking spaces provided to off-set the loss of parking resulting in the permit parking, but the city certainly can not afford to hire greeters that can give maps and directions to those who happen to visit this world famous destination at night and need to find those few free designated parking places. OPDs will interfere with the public's right of access to the sea and prevent people from enjoying walking, fishing, surfing and simply star gazing and solitude. (Govt. Code 30211).

There are other creative solutions that preserve human rights and do not privatize our beach adjacent streets and criminalize those who are facing hard times.

Very truly yours,

  
Margarita Barrera

6777 Santa Clara Apt. 15  
Venice, CA 90291

Cc Steve Blank, Steve Kram, Mary Shallenberger, Ross, Mirkarimi, Larry Clark, Dave Potter, Khatchik Achadjian, Ben Hueso, Dr. William Burke, Patrick Kruer, Sara Wan

**RECEIVED**

JUN 04 2009

**FORM FOR DISCLOSURE  
OF EX PARTE  
COMMUNICATION**CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**Date and time of communication:** Monday, June 1, 2009, 11:00 am

**Location of communication:** Monterey Office

**Person(s) initiating communication:** Margie Kay & Sarah Corbin (ORCA)

**Person(s) receiving communication:** Dave Potter

**Name or description of project:** New Appeal: Fried/Laguna Beach (Th 23a)

**Description of content of communication:**

ORCA's support mirrors local Sierra Club.  
Support for Planning Commission's original condition  
to allow kayak business to operate in Planning  
Zone 2, the sandy beach area in front of  
the Montage Resort & Spa.

6/2/09  
**Date**

Dave Potter  
**Signature of Commissioner**

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven (7) or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven (7) days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven (7) days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.