

CALIFORNIA COASTAL COMMISSION

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

Th14b

Filed: 12/7/2012
180th Day: 6/5/2013
Staff: Charles Posner - LB
Staff Report: 1/17/2013
Hearing Date: February 7, 2013
Commission Action:



STAFF REPORT: REGULAR CALENDAR

Application Number: 5-12-176

Applicant: City of Los Angeles

Agent: Paul Davis, Environmental Specialist, Department of Recreation & Parks

Project Location: 1500-1600 Ocean Front Walk (on the beach), Venice, City of Los Angeles.

Project Description: Install a zip line attraction in the Venice Beach Recreation area (seaward of the boardwalk, between Horizon Avenue and 17th Avenue) for a three-month pilot program for spring/summer 2013. The 750-foot long zip lines (up to 4 multiple lines) would run above the park between a fifty-foot high launch tower and a thirty-foot high landing tower. Rides would cost approximately \$20.

Local Approval: City of Los Angeles Local Coastal Development Permit Case No. 12-03, 8/10/2012.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The proposed project is situated on the public beach between the mean high tide line of the Pacific Ocean and the first public road inland of the ocean. Therefore, it is within the coastal zone area of the City of Los Angeles which has been designated in the City's permit program as the "Dual Permit Jurisdiction" area. Pursuant to Section 30601 of the Coastal Act and Section 13307 of the California Code of Regulations, any development located in the Dual Permit Jurisdiction that receives a local coastal development permit from the City must also obtain a permit from the Coastal Commission. The City of Los Angeles Board of Public Works, on August 10, 2012, approved Local Coastal Development Permit No. 12-03 for the proposed development.

Staff is recommending **APPROVAL** of the coastal development permit with special conditions that require the permittee to: a) remove the approved development at the end of the three-month pilot term, prior to October 1, 2013, b) modify the tower design (remove dressings) to protect public views to the shoreline, and c) assume the risks of the development. The applicant agrees with the recommendation. **See Page Three for the Motion to approve the permit application.**

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....	3
II. STANDARD CONDITIONS.....	3
III. SPECIAL CONDITIONS.....	4
IV. FINDINGS AND DECLARATIONS.....	6
A. PROJECT DESCRIPTION.....	6
B. PUBLIC ACCESS AND RECREATION.....	7
C. VISUAL RESOURCES.....	8
D. HAZARDS.....	9
E. LOCAL COASTAL PROGRAM.....	10
F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).....	11
APPENDIX A - Substantive File Documents.....	12

EXHIBITS

- Exhibit 1 – Map: Venice, CA
- Exhibit 2 – Site Plan: Zip Line at Venice Beach Recreation Area
- Exhibit 3 – Drawing: Zip Line Launch Tower Design
- Exhibit 4 – Rendering: Zip Line Launch Tower at Venice Beach
- Exhibit 5 – Letter of Support: Venice Neighborhood Council
- Exhibit 6 – Rendering: Zip Line Rides at Sunset



I. MOTION AND RESOLUTION

Motion: *"I move that the Commission **approve** Coastal Development Permit 5-12-176 pursuant to the staff recommendation."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Approved Development – Removal of Development.** Coastal Development Permit 5-12-176 approves the installation of a zip line attraction in the Venice Beach Recreation area (seaward of the boardwalk, between Horizon Avenue and 17th Avenue) for a three-month pilot program for the spring/summer of 2013. The development (the launch and landing towers) shall be removed from the Venice Beach Recreation area upon completion of the approved three-month pilot program and prior to October 1, 2013. The applicant shall obtain an approved Local Coastal Development Permit from the City of Los Angeles prior to applying to the Commission to approve the operation of the zip line attraction beyond the initial three-month pilot program approved by Coastal Development Permit 5-12-176.
2. **Permit Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for the permit, subject to the special conditions of this permit. Any proposed change or deviation from the approved plans shall be submitted to the Executive Director to determine whether a permit amendment is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a permit amendment unless the Executive Director determines that no permit amendment is required.
3. **View Protection.** Prior to the issuance of the coastal development permit, the applicant shall submit revised project plans to the Executive Director for review and approval. The revised plans shall conform to, and clearly demonstrate compliance with, the following requirement:

The visual impact of the launch and landing towers shall be reduced by minimizing the amount of solid materials that could obstruct views through the park toward the shoreline. To this end, no dresses, fabric, artwork, advertising or other material shall be attached to the tower guywires, except for small flags for safety purposes.

The permittee shall undertake the development in accordance with the final plans approved by the Executive Director pursuant to this condition. Any proposed changes to the approved plans shall be reported to the Executive Director in order to determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. **Assumption of Risk, Waiver of Liability and Indemnity Agreement.** By acceptance of this permit, the permittee, on behalf of a) itself; b) its successors and assigns and c) any other holder of the possessory interest in the development authorized by this permit, acknowledges and agrees: i) that the site may be subject to hazards from waves, storm waves, flooding and erosion; ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; iii) to unconditionally

waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards; and v) to agree to include a provision in any subsequent sublease or assignment of the development authorized by this permit requiring the sublessee or assignee to submit a written agreement to the Commission, for the review and approval of the Executive Director, incorporating all of the foregoing restrictions identified in i through v.

- 5. Liability for Costs and Attorneys Fees.** By acceptance of this coastal development permit, the applicant agrees to reimburse the Coastal Commission in full for all Coastal Commission costs and attorneys fees -- including (1) those charged by the Office of the Attorney General, and (2) any court costs and attorneys fees that the Coastal Commission may be required by a court to pay -- that the Coastal Commission incurs in connection with the defense of any action brought by a party other than the applicant against the Coastal Commission, its officers, employees, agents, successors and assigns challenging the approval or issuance of this permit. The Coastal Commission retains complete authority to conduct and direct the defense of any such action against the Coastal Commission.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The City of Los Angeles Department of Recreation and Parks requests Commission approval to allow the installation of a zip line attraction (by a concessionaire) in the Venice Beach Recreation area for a three-month pilot program for the spring/summer of 2013 (June, July and August). The 750-foot long zip lines (up to 4 multiple lines) would be elevated forty-to-twenty feet above the ground between two metal towers: a fifty-foot high take-off tower and a thirty-foot high landing tower (See Exhibits).



Venice Beach Recreation Area, City of Los Angeles, California.

The proposed zip line attraction is situated about four hundred feet inland of the mean high tide line, and 25-to-50 feet seaward of the boardwalk (Ocean Front Walk) in the Venice Beach Recreation Area, between Horizon Avenue and 17th Avenue (Exhibit #2). The zip line will fly over Windward Plaza.

Venice Beach Recreation Area, the site of the proposed project, is a landscaped public park situated on the seaward side of Ocean Front Walk. Ticket sales would be on-site point-of-purchase only with no advance ticket sales. A ride would cost approximately \$20. After paying for a ticket, each rider would be given a bracelet with a designated ride time to prevent long lines. The proposed zip line would also be used for live performances and aerial acrobatics classes for kids aged 10 and up. The proposed hours of operation are 11am until dark. A staff of twelve will be on-site to manage and operate the attraction. Two security guards will be posted at each tower at all times, including nighttime with security lighting.

The applicant states that the towers will not be used for advertisements, although the towers may be decorated by local artists. The zip line and the towers will be removed after the three-month pilot period. If the ride is successfully operated and deemed popular, the City may decide to apply for the necessary approvals to re-install and operate the attraction on a long-term basis.

B. PUBLIC ACCESS AND RECREATION

The public access and recreation policies of the Coastal Act require that maximum access and recreational opportunities shall be provided and that development shall not interfere with such access.

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere 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.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

The proposed zip line attraction will occupy part of a landscaped public park for three months. The two proposed towers are situated about four hundred feet inland of the shoreline, and they will not displace any sandy beach area or need any new shoreline protection. No grading or excavation is proposed, no trees will be removed, and the proposed project will not result in any permanent changes to the park. The base of each tower is 16' x 16', so each tower will displace less than three hundred square feet of the four-acre (approx.) park. Therefore, only a minimal amount of grassy park area will be impacted.

The proposed project will not displace any existing parking spaces, and it does not provide any new parking spaces. No public parking is currently available within the Venice Beach Recreation Area. Visitor parking is provided on the public streets, in private parking lots, and in the nearby public beach parking lots. The applicant does not expect the proposed project to generate any significant new parking demands that would adversely affect public access. The applicant states that the number of zip line riders (estimated to be about four hundred riders per day) will be a small fraction of the total number of daily visitors who are already at the beach. The applicant assumes that the zip line riders will be part of the normal beach-going population (which in Venice includes basketball players, paddle tennis players, skate park users, weight lifters, buskers and tourists) and not new visitors driving to Venice for the sole purpose of riding the proposed attraction. The applicant also states that the zip line staff will not drive themselves to the attraction. Rather, the employees will be shuttled to work in a van, and some (six) employees will be provided nearby housing from which they will walk or ride bicycles to work. In any case, any impact to public access would be temporary and limited to the three months of the pilot program and, therefore, will not result in a significant adverse impact on public access.

Special Condition One requires the permittee to remove the approved development at the end of the three-month pilot term (prior to October 1, 2013). The proposed project will not block access to the beach or along the shoreline as it occupies only a small portion of the landscaped open space area situated between the sandy beach and the boardwalk. Therefore, the Commission finds that, as conditioned, the proposed development will not have any significant adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with the public access and recreation policies of the Coastal Act.

C. VISUAL RESOURCES

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...

Section 30251 of the Coastal Act requires that the scenic and visual resources of coastal areas be considered and protected as a resource of public importance. In addition, public views to and along the ocean and scenic coastal areas shall be protected.

The proposed project involves the installation of 750-foot long zip lines between a fifty-foot high launch tower and a thirty-foot high landing tower (Exhibits #2&3). The proposed project does not include any product advertising. The proposed project is in a developed recreation area with numerous palms, a skate park, basketball and handball courts, restroom facilities, and a pair of six-foot high graffiti art walls. There is also a 62-foot high tripod structure, created by artist Mark Di Suvero using several steel beams welded together, located in Windward Plaza a few feet seaward of the proposed zip line [Coastal Development Permit 5-96-176-A2 (City of Los Angeles)]. The City of Los Angeles Venice Recreation Center office, a police substation and a children's playground exist in the immediate vicinity of the

project. On April 11, 2012, the Commission approved Coastal Development Permit 5-11-256 (City of Los Angeles) for the installation of five 25-foot high light poles in the park near the graffiti walls.

The two proposed towers are shorter than the steel tripod and many of the palms, so the height of the structures will be compatible with the existing character of the park for the three months that they are in place. Each sixteen-foot wide metal tower may partially obstruct views to the shoreline from the boardwalk, but the impact of the view obstruction can be substantially minimized if fabric dresses are not attached to the guywires that are necessary to secure the structures. Based on the graphic depiction of the view of the launch tower looking northwest (Exhibit #4), the proposed “dressing” of the towers is not the least damaging alternative because the dresses will significantly block the views to the coast versus towers with no dresses.

Therefore, in order to protect views to and along the ocean as required by Section 30251 of the Coastal Act, Special Condition Three requires the applicant to submit revised plans for the proposed development. The revised plans shall reduce the visual impact of the towers by minimizing the amount of solid materials that could obstruct views through the park toward the shoreline. To this end, no dresses, fabric, artwork, advertising or other material shall be attached to the tower guywires, except for small flags for safety purposes. Special Condition one requires that the approved development be removed from the park at the end of the three-month pilot term. Only if it is modified as required would the proposed project protect public views and be consistent with Section 30251 of the Coastal Act.

As conditioned, the proposed project will not result in any significant change to visual resources and is visually compatible with the character of Windward Plaza and the surrounding Venice Beach Recreation Area. Therefore, as conditioned, the proposed project will not significantly impact visual resources or block views of the shoreline and is consistent with Section 30251 of the Coastal Act.

D. HAZARDS

The Coastal Act states that new development must minimize risks to life and property and not create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.

Section 30253 of the Coastal Act states, in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The proposed project will not create or contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The project does not involve any landform alteration.

No development in the ocean or near the shoreline can be guaranteed to be safe from hazard. All development located in or near the ocean have the potential for damage caused by wave energy, floods, seismic events, storms and erosion. The proposed project is located on the beach about four hundred feet inland of the Pacific Ocean and is susceptible to natural hazards. The Commission routinely imposes conditions for assumption of risk in areas at high risk from hazards. Special Condition Four ensures that the permittee understands and assumes the potential hazards associated with the development.

E. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.*

The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. The certified LUP sets forth the following policy for the public beach area where the proposed project is located.

POLICY GROUP 3 Recreation & Visitor-Serving Facilities

A. Recreational Opportunities

- *Policy III. A. 1. General. New recreational opportunities should be provided, and existing recreational areas, shown on Exhibits 19a through 21b, shall be protected, maintained and enhanced for a variety of recreational opportunities for both residents and visitors, including passive recreational and educational activities, as well as active recreational uses.*
 - a. Recreation and visitor-serving facilities shall be encouraged, provided they retain the existing character and housing opportunities of the area, and provided there is sufficient infrastructure capacity to service such facilities.*
 - b. Acquisition, expansion and improvement of parks and facilities throughout the Venice Coastal Zone shall be encouraged and accelerated, subject to the availability of funds.*

- c. Where feasible and compatible with the surrounding neighborhood, recreational uses shall be located in conjunction with other new public facilities, such as public parking lots.*
- d. Recreation facilities shall be refurbished and constructed to maximize recreational opportunities.*
- e. Beach Hours: Public access and recreational opportunities on the sandy beach shall be protected and encouraged. Any limitations to public access, including changes to the hours of operation, shall be subject to a coastal development permit.*

The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP is advisory in nature and may provide guidance. As conditioned, the proposed development is consistent with the policies of the certified Venice LUP and Chapter 3 of the Coastal Act. As a result of the proposed project's consistency with the Coastal Act, approval of this project will not prejudice the City of Los Angeles' ability to prepare an LCP that is consistent with Chapter 3 of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires Commission approval of coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Los Angeles is the lead agency for the purposes of CEQA review. On June 21, 2012, the City of Los Angeles issued a CEQA Categorical Exemption for the Venice Zip Line Attraction (Class 4 - Category 6 Temporary Events). Furthermore, the proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, in the form of special conditions, require the applicant to: a) remove the approved development at the end of the three-month pilot term, prior to October 1, 2013, b) modify the tower design (remove dressings) to protect public views to the shoreline, and c) assume the risks of the development.

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and complies with the applicable requirements of the Coastal Act to conform to CEQA.

Appendix A - Substantive File Documents

1. City of Los Angeles certified Land Use Plan for Venice, 6/14/2001.
 2. City of Los Angeles Local Coastal Development Permit No. 12-03.
 3. Amended Coastal Development Permit 5-96-176 (City of Los Angeles – Ocean Front Walk Refurbishment).
 4. Coastal Development Permit Amendment 5-00-484-A1/A-5-VEN-01-008-A1 (City of Los Angeles – Venice Beach Skate Park).
 5. Coastal Development Permit 5-11-256 (City of Los Angeles – Beach Security Lights).
-

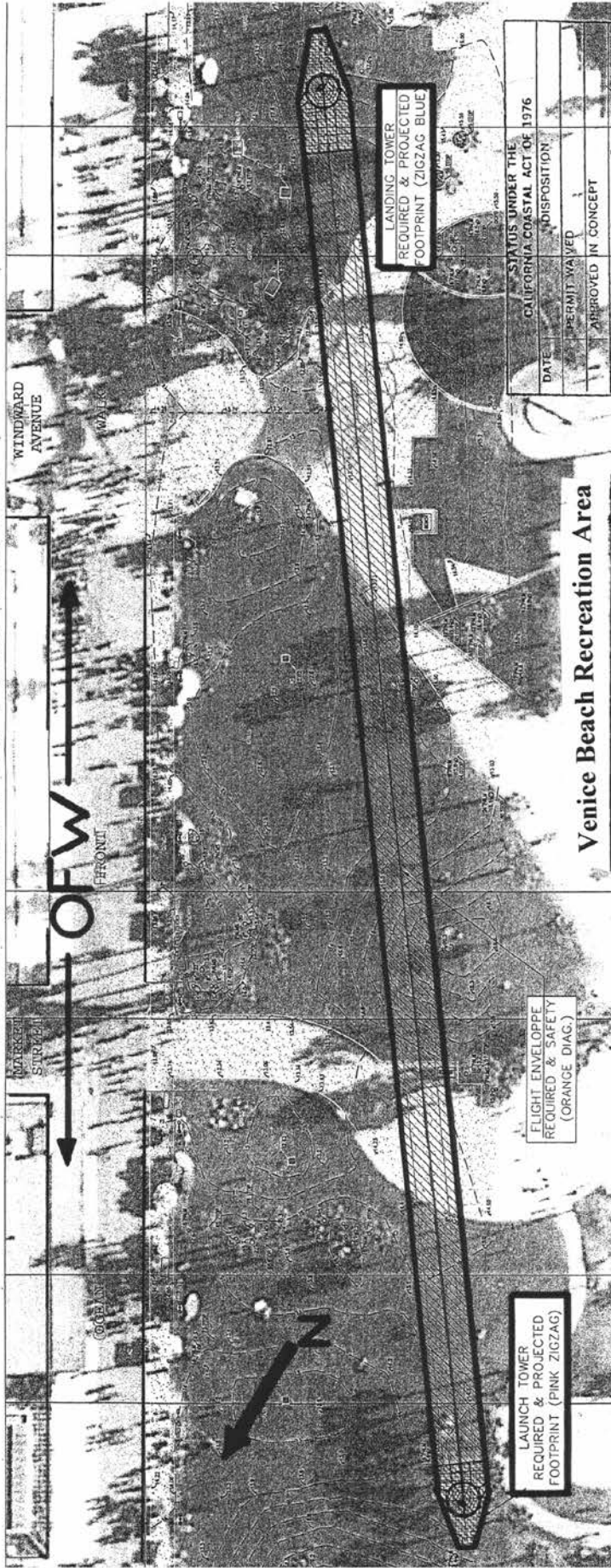
[illegible]

5-12-176

EXHIBIT # 1

PAGE 1 OF 1

VENICE BEACH ZIPLINE



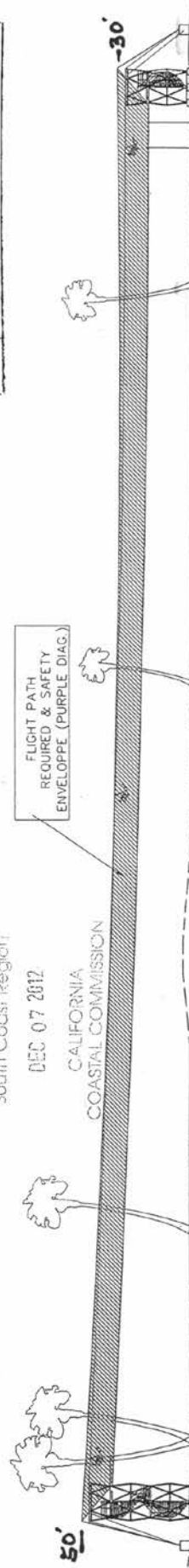
Venice Beach Recreation Area

RECEIVED
South Coast Region

DEC 07 2012

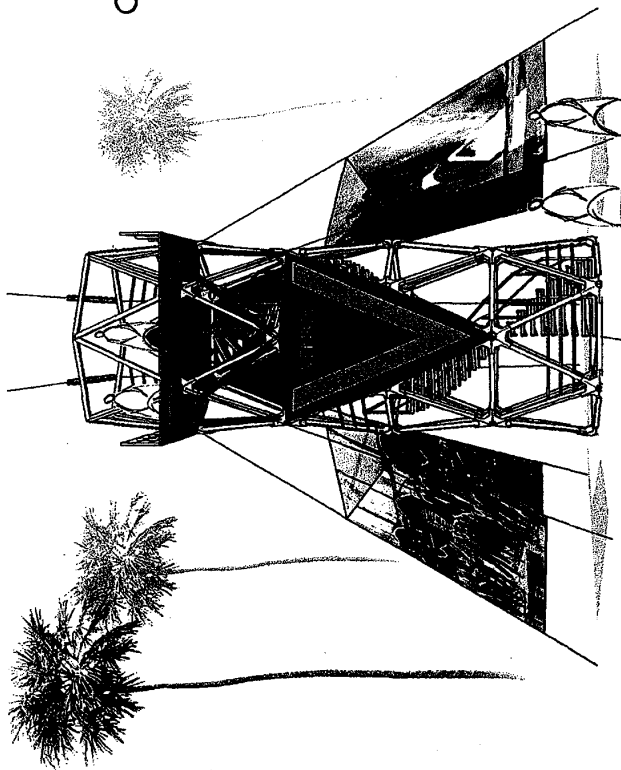
CALIFORNIA
COASTAL COMMISSION

STATUS UNDER THE CALIFORNIA COASTAL ACT OF 1976	
DATE	DISPOSITION
8/13/12	PERMIT WAIVED
	APPROVED IN CONCEPT
	APPROVED
REF. NO. CDA 12-03	
COASTAL COMM. NO.	

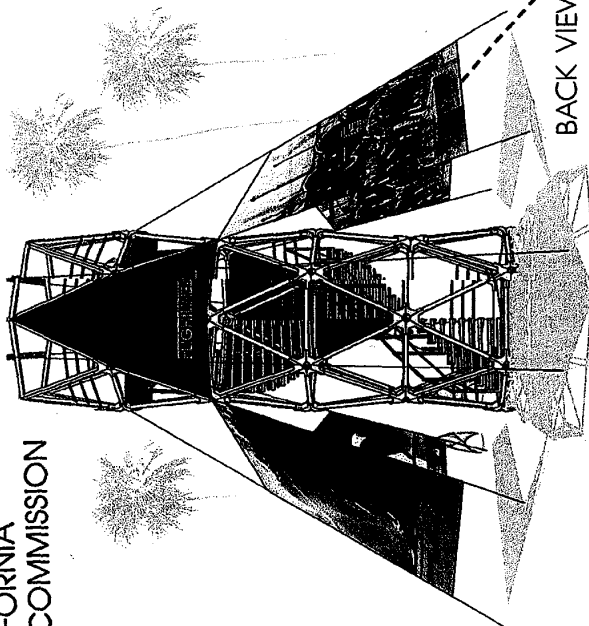


JUN 21 2012

CALIFORNIA
COASTAL COMMISSION

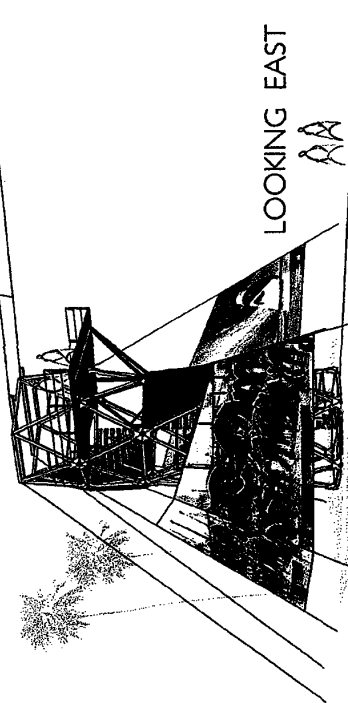


FRONT VIEW

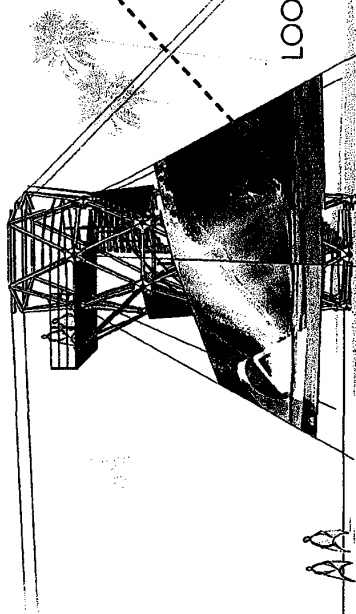


BACK VIEW

SURF / SKATE BRAND
ADVERTISEMENT
OPPORTUNITY



LOOKING EAST



LOOKING WEST

**APPROVED
IN CONCEPT**

FLIGHTLINEZ
A DIVISION OF GREENHEART

VENICE BEACH | Greenheart Zipline | SPRING 2012 | LAUNCH TOWER DESIGN

© 2012 Greenheart / Flightlinez. All Rights Reserved

Launch Tower

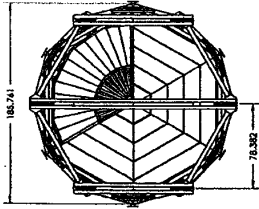
COASTAL COMMISSION

5-12-176

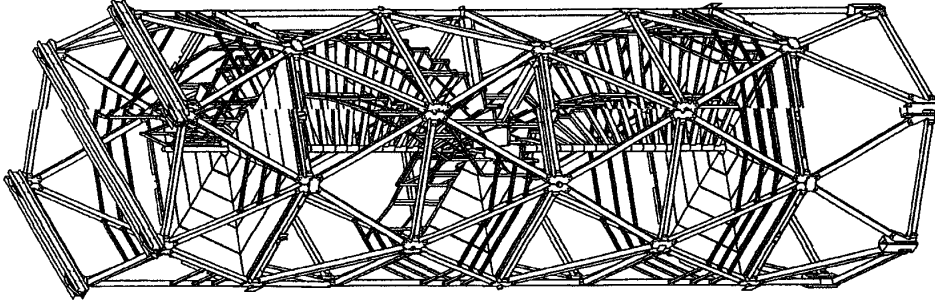
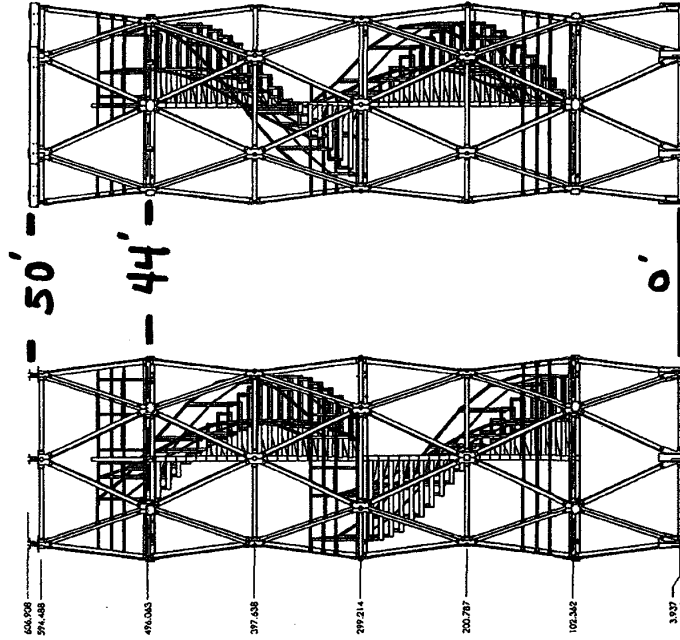
EXHIBIT # 3

PAGE 1 OF 2

CALIFORNIA COASTAL COMMISSION



NOTES:
- Tower is octagonal in plan
- Tower is 12 segments high
- Tower is 12 segments wide
- Tower is 12 segments deep



**APPROVED
IN CONCEPT**

DATE: 05/11/12
BY: D. BURNHAM-TW
SCALE: 1/4" = 1'-0"
SHEET: 01

VENICE BEACH | Greenheart Zipline | SPRING 2012 | TOWER ENGINEERING - STRUCTURAL DRAWINGS

FLIGHTLIN
A DIVISION OF GREENHEART

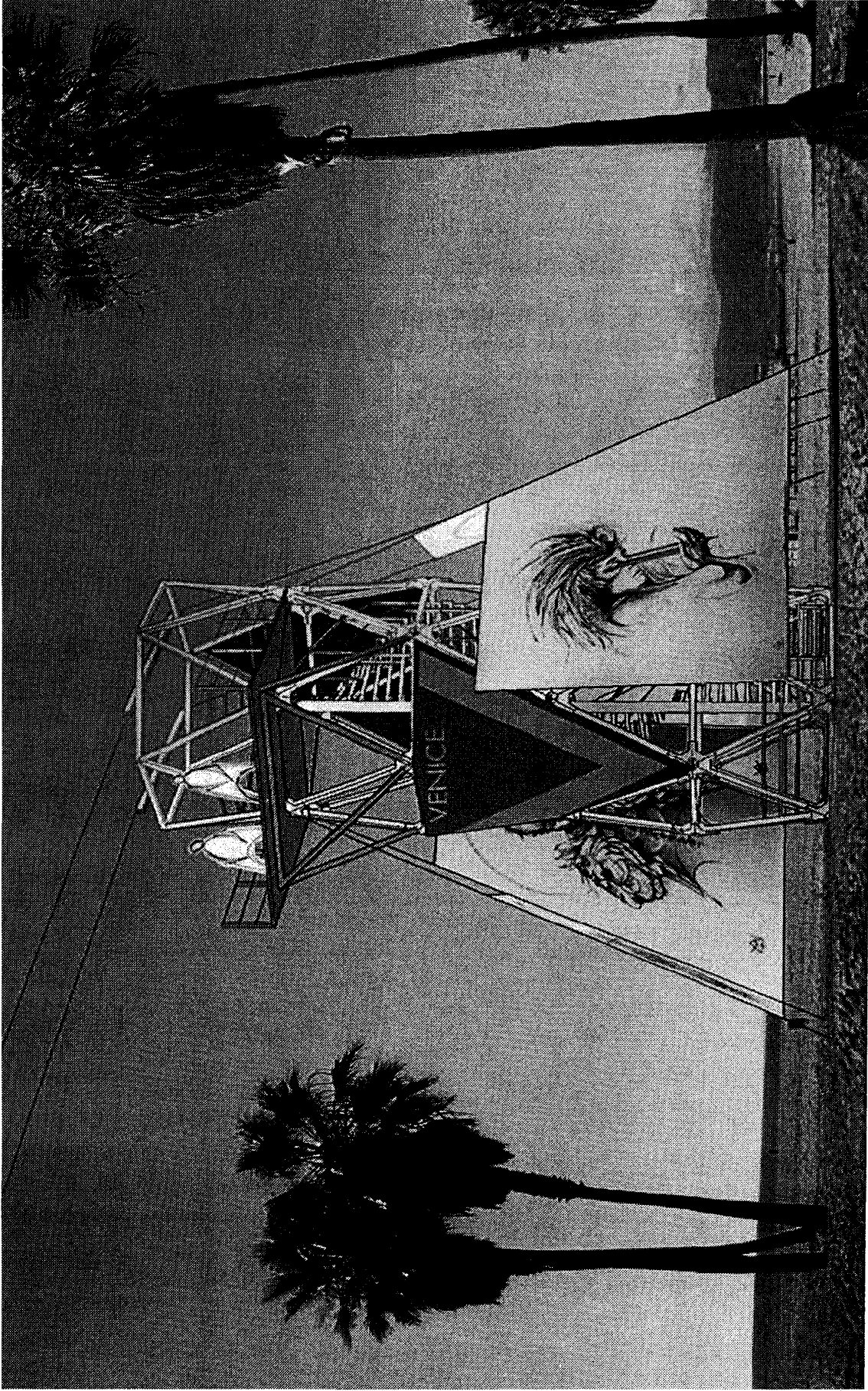
COASTAL COMMISSION

5-12-176

EXHIBIT # 3

PAGE 2 OF 2

© 2012 Greenheart / Flightline 2. All Rights Reserved



LAUNCH TOWER PERSPECTIVE - LOOKING NW

COASTAL COMMISSION

5-12-176

EXHIBIT # 4

PAGE 1 OF 1



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: info@VeniceNC.org Phone: 310-421-8627



June 30, 2012

Councilman Bill Rosendahl
City Hall
Los Angeles, CA 90012
Councilman.Rosendahl@lacity.org

Board of Public Works Commission
Catalina.Hernandez@lacity.org

Dear Councilman Rosendahl:

On June 19, 2012, The Venice Neighborhood Council voted 8-6-3 to support a temporary 3 month installation Of a Zip Line on Venice Beach.

MOTION: Whereas, the Venice Neighborhood Council (the VNC) welcomes the recent decision to place on hold plans to negotiate a contract for the installation of the "Great Observation Wheel" on Venice beach; and

Whereas, the VNC recognizes the need for the City of Los Angeles Department of Recreation and Parks to generate additional revenues to adequately maintain the Venice Beach Park; and

Whereas, the proposed Greenheart/Flightlinez zipline attraction is perceived to be compatible with the historical values and vision of Venice Beach, due to the cultural live performances and experimental educational programs that will be a part of this attraction;

Therefore, be it resolved, the Venice Neighborhood Council (the VNC) recommends the installation of the Greenheart/Flightlinez (the Operator) zipline attraction with the following conditions:

- 1. The permit issued to allow the attraction be for a trial period of not more than three months in 2012 and that at the end of the trial period, the attraction shall be dismantled;*
- 2. At the end of the trial period, any permanent installation shall be subject to environmental review by the City of Los Angeles and the California Coastal Commission and to input from the VNC and the community regarding the impact on the community, including without limitation, the noise impact, parking, visual Venice Neighborhood Council blight, whether appropriate security and safety considerations have been met, how the company has handled crowd control, and revenue earned;*
- 3. Night-time lighting, except for special performances, shall be confined to the minimum required for proper security;*
- 4. Night-time security shall be provided by a minimum of two people at all times;*
- 5. The Operator offers the live artistic performances and juggling, aerial aerobatic, and hooping and other classes and workshops for children contemplated in*

It's YOUR Venice - get involved!

COASTAL COMMISSION

5-12-176

EXHIBIT # 5

PAGE 1 OF 2



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: info@VeniceNC.org Phone: 310-421-8627



addition to the open public attraction and that financial packages are available for at risk minors that make it feasible for them to participate in the classes and workshops;

6. At least 2/3rds of gross revenue paid to the City by the Operator shall be spent by the Department of Recreation and Parks for maintenance of and enhanced services at Venice Beach in addition to previously budgeted items, such that no funds currently budgeted by the Department of Recreation and Parks for such maintenance and services shall be replaced by this revenue and that a separate account be established to track both the revenue generated by the City from the zipline attraction and the expenses paid from that revenue to better assure enhanced spending to improve maintenance and other services in the Venice Beach community;

7. The VNC (and through the VNC, the community of Venice) shall have "meaningful consultation" rights with the Department of Recreation and Parks regarding the maintenance and services specified in condition 6 above;

8. The Operator shall reduce the parking impact of the attraction by offering incentives to encourage non-vehicular and public transportation customers;

9. The Operator offer incentives, including discounts and other incentives to assure access by Venice residents and families;

10. No "for profit" or commercial signage shall be allowed on any part of the attraction;

11. The Operator, with the assistance of the VNC Arts Committee, shall invite local artists to dress the towers;

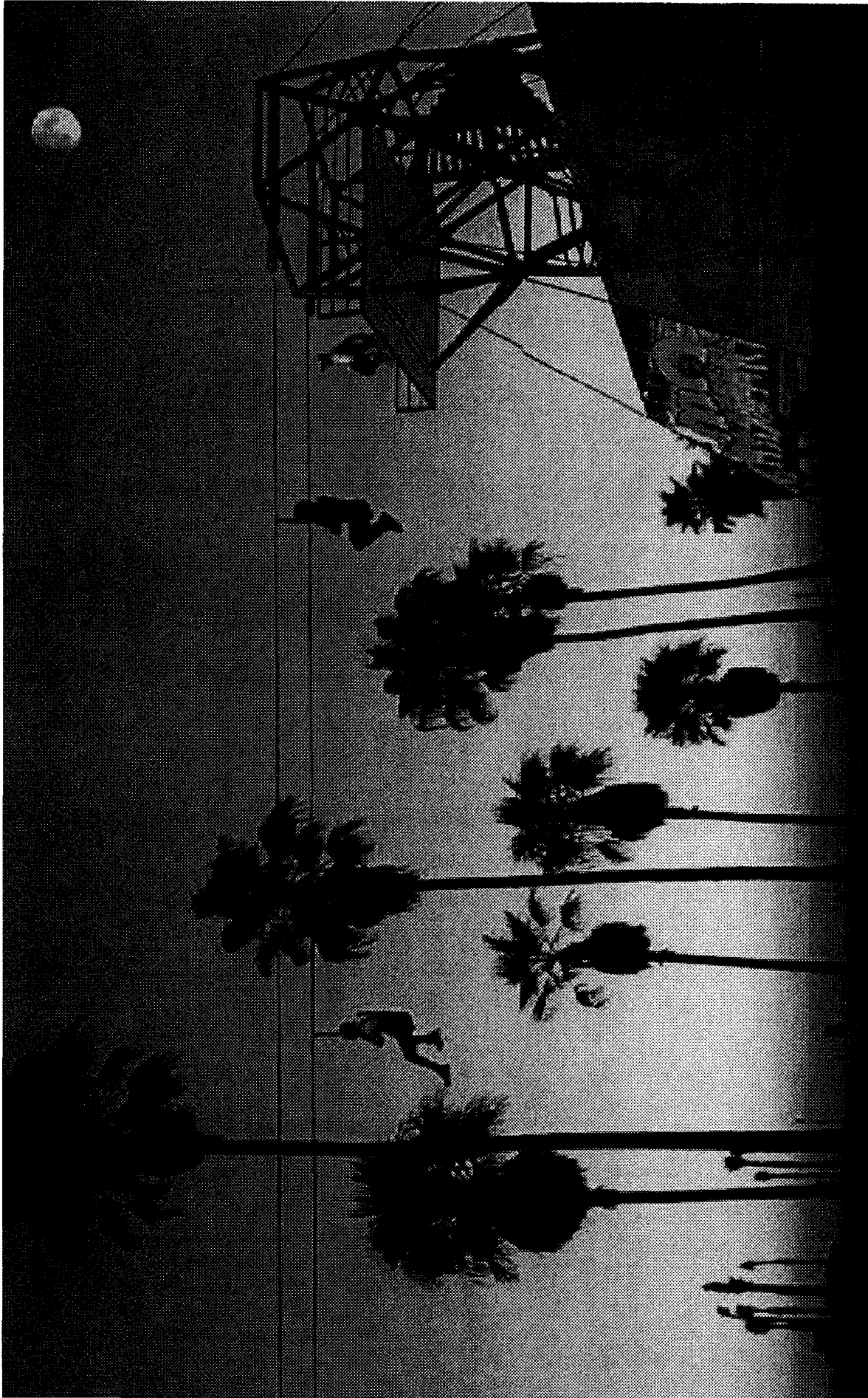
12. The zipline attraction does not displace regularly scheduled events;

13. The Operator hosts once a month benefits for Venice based nonprofits and nonprofit organizations that serve the Venice community;

14. The Operator, the Department of Recreation and Parks, LA City Council District 11, the VNC and community members shall meet monthly to review attraction operations and Venice Beach maintenance and services as mentioned in condition 6 above; and take corrective action should any of the above conditions not be met and/or other problems arise;

15. The "Great Observation Wheel" proposal for installation at Venice Beach shall be permanently rejected in favor of a location elsewhere in the City where it might generate community support.

Linda Lucks
President



ZIPLINE RIDES AT SUNSET

COASTAL COMMISSION

5-12-176

EXHIBIT # 6

PAGE 1 OF 1