



PACIFIC PALISADES COMMUNITY COUNCIL

April 23, 2021

Hon. Eric Garcetti, Mayor, City of Los Angeles

Hon. Nury Martinez, President, Los Angeles City Council

Hon. Mark Ridley-Thomas, Chair, City Council Homelessness & Poverty Committee (HPC)

Hon. Kevin de León, Hon. Joe Buscaino, Hon. Monica Rodriguez and Hon. Nithya Raman, Members, HPC

Hon. Mike Bonin, Councilmember, CD 11

Via email to each official and submission to the Council File public comment portal

Re: Council File #21-0350 – OPPOSE in part (use of beaches, beach parking lots and parks for homeless housing)

Dear Mayor Garcetti, Council President Martinez, HPC Chair Ridley-Thomas, HPC Members de León, Buscaino, Rodriguez and Raman, and Councilmember Bonin:

Pacific Palisades Community Council (PPCC) has been the most broad-based organization and voice of the Palisades community since 1973. Pacific Palisades is home to iconic Will Rogers State Beach (WRSB), a beloved recreational resource visited annually by millions of individuals and families from throughout the region and beyond. The Palisades community treasures WRSB; for many years, community volunteers – including members of the Pacific Palisades Task Force on Homelessness – have devoted time and resources to its preservation and protection, for the benefit of *all* who visit and lawfully use this beautiful public space: Palisadians, non-Palisadians, the housed and the unhoused, alike.

PPCC strongly opposes any proposal – including the proposal in Councilmember Bonin’s motion in CF 21-0350 (Motion) for a “study” – to use beaches, beach parking lots and/or parks for homeless housing.

In his April 20, 2021 Preliminary Injunction ruling in *Alliance for Human Rights v. City of Los Angeles, et al.* (the *Alliance* case), U.S. District Judge David O. Carter emphasized the importance of our beaches, parks and other public spaces to the quality of life for all citizens. In the order regarding identification of land potentially available to house the homeless – the first of his specific “Action” orders – Judge Carter stated:

“The homeless have been left no other place to turn to but our beaches, parks, libraries, and sidewalks, and ***it is pivotal that they no longer rely on spaces that enhance quality of life for all citizens.***” [Preliminary Injunction ruling, p. 107; emphasis added.]

Judge Carter also decried the loss of beaches and parks due to the current appalling conditions:

“Los Angeles has lost its parks, beaches, schools, sidewalks, and highway systems due to the inaction of City and County officials who have left our homeless citizens with no other place to turn.” [Preliminary Injunction ruling, p. 105]

We agree with Judge Carter. It is clear that housing and services for the homeless in Los Angeles are urgently needed. In efforts to accomplish this goal, **it is also pivotal that further loss of our parks and beaches is prevented and that availability and accessibility to these important public spaces is maintained for all citizens.**

Councilmember Bonin's Motion seeks the *opposite* of what Judge Carter wants to accomplish. By removing portions of public parks in CD 11 and by turning the heavily-used beach parking lots at WRSB and Dockweiler Beach – *state-owned* beaches – into sites to shelter the homeless, these public spaces critical to quality of life would be rendered inaccessible to citizens of Los Angeles and the wider region.

PPCC has now held two well-attended public meetings on this subject – on April 8 and April 22, 2021. As explained in our letter to City officials of April 19, 2021, PPCC Board members and meeting attendees on April 8 were overwhelmingly opposed to the use of beach parking lots and parks for homeless housing (see 4/19 Letter: <http://pacpalicc.org/wp-content/uploads/2021/04/Letter-re-CF-21-0350-Sheltering-Plan.pdf>). The same opinion was expressed at our April 22 meeting. At that time, after full discussion and additional extensive public input, the **PPCC Board voted unanimously to adopt the attached PPCC Position Statement** regarding CF 21-0350 (see attachment on p. 2 and following).

PPCC accordingly urges that the WRSB and Dockweiler Beach parking lots, as well as Mar Vista Park and Westchester Park, unless approved by clear public consensus, be removed as locations proposed for homeless housing in connection with CF 21-0350.

We also reiterate our request that the state beach parking lots be removed as locations proposed for homeless housing in connection with ongoing settlement negotiations and/or as part of the Sheltering Plan for CD 11 proposed by the City in the *Alliance* case.

Thank you for your consideration and attention to this serious matter which *affects all Angelenos and countless visitors to our beaches and parks*.

Sincerely,

David Card, Chair	David Kaplan, Vice-Chair
Richard Cohen, Treasurer	Chris Spitz, Secretary
Pacific Palisades Community Council	

cc (via email):

Hon. Ben Allen, California State Senator, SD 26
Hon. Richard Bloom, California State Assemblymember, AD 54
Hon. Sheila Kuehl, Los Angeles County Supervisor, CSD 3
Hon. Janice Hahn, Los Angeles County Supervisor, CSD 4
Hon. Mike Feuer, Los Angeles City Attorney
Scott Marcus, Sr. Assistant Los Angeles City Attorney

Attachment

PPCC Position Statement re CF 21-0350 (oppose use of beaches and parks for homeless housing)

In reference to Council File 21-0350, Pacific Palisades Community Council (PPCC) strongly opposes the use of public beaches, parks and any open space dedicated for public recreational use in the City and/or County of Los Angeles, as well as facilities attendant to such spaces, to shelter or house homeless individuals (*i.e.*, for “tiny homes” or “safe camping”), as proposed in the motion by Councilmember Bonin (Motion), including without limitation at the following locations specified in the Motion:

- the County operated parking lot at Will Rogers State Beach, 17000-CA 1 in Pacific Palisades;
- the County operated parking lot #3 at Dockweiler Beach, 11999 Vista del Mar in Playa del Rey;
- any portion of Westchester Park and/or Mar Vista Park, unless otherwise approved by clear public consensus.

The Pacific Palisades community has overwhelmingly expressed the opinion that our beaches and parks are a **shared public trust** that must be protected and preserved and that the uses proposed in the Motion would violate that trust.¹ The beach is in essence **the backyard of the entire City of Los Angeles**. It is an iconic and precious recreational resource regularly enjoyed by hundreds of thousands of individuals and families from the entire region and beyond. Indeed, **the beach is to Los Angeles what Central Park is to New York**. It would be unthinkable to place homeless housing in Central Park; it should be unthinkable to do so at the beach in Los Angeles.

We also stress the outstanding, effective leadership and efforts of the **Pacific Palisades Task Force on Homelessness (PPTFH)** in working with community volunteers, LAPD officers and outreach workers from The People Concern over the past five years to address the destructive consequences of homelessness, focusing primarily on the area of Will Rogers State Beach and nearby bluffs and canyon areas. PPTFH has publicly stated that the Motion in CF 21-0350 is not an effective solution and expressed its willingness to work with all interested parties to implement viable, effective solutions. *We urge all officials interested in crafting long-lasting solutions to consider seriously the perspective and expertise of this highly-respected volunteer organization.*

The Los Angeles City Council should reject the proposed use of our beaches and parks for homeless housing for many compelling reasons, including without limitation the following:

1. Coastal Act/Public Access:

- a) Will Rogers State Beach and Dockweiler Beach are important **California public resources** protected by the California Coastal Act (Public Resources Code § 30000, *et seq.*). Countless people, including families and children from *throughout the region*, regularly visit these beaches and use the adjacent parking lots (operated by LA County Beaches & Harbors) in order to access the beach. The use of these beach parking lots as proposed in the Motion will require the permission of multiple State and County authorities, including the California Coastal Commission and County Beaches & Harbors.
- b) PRC §§ 30210 and 30211 provide for **maximum public access** to the coast. “Protecting public access to the coast for all and recreational opportunities is a core mandate of the Coastal Act” (*See Coastal Commission website: <https://www.coastal.ca.gov/enforcement/> Securing Coastal Access*). Consistent with

¹ Opposition to the use of beaches and parks for homeless housing is not limited to Pacific Palisades; **constituents throughout Los Angeles have publicly opposed this use**, including in *hundreds of individual comments* submitted in CF 21-0350, in statements at PPCC’s April 8, 2021 public board meeting (with almost 480 attendees) and in public positions recently taken by “non-coastal” councils, including Mar Vista Community Council (vote on April 13 to oppose CF 21-0350) and Brentwood Community Council (vote on April 14 to oppose unless amended).

this mandate, the Coastal Commission has a record of requiring and protecting parking that is adjacent to beaches. Our beaches and adjacent parking lots are crowded to capacity during weekends and on hot days, in particular since pandemic restrictions have been lifted; public access to the beach would therefore be severely restricted should portions of these lots be removed from use for public parking.

- c) Given these conditions, it is unlikely that the Coastal Commission would permit the use of the parking lots for the proposed purposes. In fact, according to public news reports, in late December 2020 Coastal Commission staff advised the Redondo Beach City Attorney that the Commission would be unlikely to approve a proposal for homeless housing near the waterfront in that City because the site was in an active coastal recreation area and raised **issues related to public access**. *See also Sec. 5(c) below.*
- d) The County relies on **revenues from beach parking fees** in order to maintain the parking lots as well as life guard facilities and overall beach maintenance. Revenues would be reduced substantially should the parking lots be used instead to shelter the homeless, resulting in reduced capacity to maintain the beach and existing facilities and even potential closure of beaches to the public.

2. Homeless Safety/Accessibility:

- a) Homeless individuals require **access to transit to fulfill basic needs** (groceries, medical appointments, mental health or addiction treatments and the like). Will Rogers State Beach in particular is isolated, is not within easy walking distance of grocery stores or other amenities, and is without access to transit options.
- b) Depending on the location of the proposed sites within the Will Rogers State Beach parking lot, there is a real risk of homeless persons **dangerously jaywalking across 6 lanes of traffic on PCH** in order to access either the Vons store (a two mile walk from the County Lifeguard headquarters in the Temescal Canyon parking lot) or the liquor store (across from the Santa Monica Canyon parking lot). Individuals jaywalking across PCH in the Pacific Palisades area have been killed in the past, including as recently as February 2021. The risk of death by jaywalking across PCH is much higher with drug and alcohol addiction and mental illness.
- c) **Sanitary facilities** at Will Rogers State Beach are virtually non-existent. There is no assurance that basic cleanliness/hygiene needs will be met with proper facilities that will actually be maintained on a regular basis. Constituents rightly express concerns about resulting conditions and impacts on beachgoers and the environment as well as the homeless.

3. Beachgoer/Park Users, Residents and Regional Safety:

- a) The single greatest concern for Palisades constituents is the **risk of fires** from homeless activities. We are all aware of public reports of scores of encampment fires in recent months, leading in some cases to major fires at neighboring buildings. Pacific Palisades has experienced substantial wildfires in our bluffs, canyon and mountain areas. Homeless activities have been the cause of several serious brush fires. We believe that sanctioning camping on the beaches will only lead to more homeless people moving to our nearby brush & canyon areas with the attendant risk of fires. **Putting residents at risk of these extremely hazardous conditions is completely unacceptable.**
- a) The Will Rogers State Beach parking lot is an important resource for **emergency response during major wildfires**. It is used by the Los Angeles Fire Department and other agencies for wildfire command,

equipment and personnel staging, and evacuation during major emergency events. During the devastating Woolsey Fire, equipment was staged and residents of Malibu were evacuated to this State Beach parking lot. Experts tell us that major wildfires are likely to continue to take place with even greater intensity and frequency, and that the wildfire season is now year-round. Removing even a portion of this parking lot from use for these important emergency response purposes would put the lives and safety of thousands of residents of the wider wildfire-prone region (including Pacific Palisades, Topanga Canyon and Malibu) at risk.

- b) As noted above, families and children *from throughout the region* visit our public beaches; our parks are also primarily used by families and children. During the summer, many children are enrolled in summer camps in parks and on the state beaches. Constituents have expressed deep concern over **safety and adverse impacts on children**, given their experience with mentally ill and addicted homeless individuals who often act erratically and/or in a threatening or even obscene manner.
- c) Constituents' fears are exacerbated by recent **homicides** involving homeless individuals in Brentwood (where a homeless person was killed after being run over by a car in a homeless encampment) and in Beverly Grove (where a resident was reportedly stabbed to death in his own yard by a homeless person).
- d) Constituents are also well aware of the unacceptable encampment conditions in **Venice beach**, in **Brentwood** and in **Echo Park**, which they understandably do not want repeated in our beach or park areas. In fact, PPTFH was formed several years ago to address the problem of tent encampments then mushrooming on Will Rogers State Beach and nearby areas. We do not want to see the good **work of PPTFH** – and the community's generosity in funding that work with substantial donations – undermined with the return of encampments (albeit officially-sanctioned) on or near our beaches.

4. Lack of Support/Enforcement:

- a) Currently, Pacific Palisades is assigned two LAPD officers as our "**beach detail**" who work with PPTFH volunteers and outreach workers in addressing issues with the homeless who occupy our beach and bluff areas. We are extremely grateful for their dedicated service which has protected us time and again from fires and other criminal activities.
- b) Unfortunately, with the **major cuts in police funding** we have not received any assurances that our beach detail – who are already overwhelmed with their duties -- will be retained in the future.
- c) Given experience, we can reasonably expect that resources necessary for **enforcement will not be available** should encampments or other homeless housing be placed in our beach parking lots.
- d) We do not trust that necessary **mental health, medical and addiction services** will actually be provided or available to homeless individuals encamped or housed on Will Rogers State Beach.
- e) We also do not trust that "**temporary**" **will actually mean temporary**. In our experience, when facilities are proposed and installed as "temporary," they remain in place for years and the nomenclature is meaningless.

5. No Emergency/Alternative Sites:

- a) There is **no immediate emergency** that might otherwise justify the use of protected, dedicated public

spaces such as our beaches and parks for this purpose.

- b) Constituents have noted that there are many **other properties more suitable** for housing the homeless, such as empty warehouses or other large commercial buildings, large lots adjacent to shopping centers or in industrial or commercial areas that are not near residences and would not adversely impact the public.
- c) We have been unable to find any homeless housing situated **on or near the beach anywhere in California**. In two “beach” cities cited as examples by Councilmember Bonin at the public PPCC meeting on April 8, 2021, “tiny home” communities have been built in *commercial or industrial areas far inland from the actual coast* (in Redondo Beach, near railroad tracks, a cemetery and a Target store; in Santa Cruz, near a Costco). In fact, according to reporting, waterfront locations in Redondo Beach were replaced with the current inland site in response to public protest and the indication by Coastal Commission staff that Coastal approval would be unlikely; a proposed location at a public park was also withdrawn after public outcry.
- d) Recent reporting about a potential settlement of the federal lawsuit over homelessness does not reference any requirement that **all individual communities within Council Districts** would somehow be forced to contribute sites for homeless housing, regardless of infeasibility, unavailability or possible harm to the general public. Such a requirement would be patently arbitrary and unreasonable. Moreover, we have learned that the settlement “term sheet” (obtained by the LA Times) indicates that *the City would only be required to contribute “City-owned” land*. **The State beach and County-operated parking lots would therefore not fall within the scope of potential court-mandated sites.**

We further urge the Mayor of Los Angeles and the Los Angeles City Council to initiate immediate measures to facilitate **full transparency and accountability** to the public with regard to the City’s provision of housing, services and care to the homeless, including without limitation 1) a report on all activities undertaken and funds allocated by the City for the care and housing of homeless individuals in the last five years, with sufficient opportunity for public review and comment; 2) a study and report on best practices utilized by other jurisdictions nationwide for the care and housing of homeless individuals, with sufficient opportunity for public review and comment; and 3) implementation of all such successful best practices in the City of Los Angeles, as approved by clear public consensus, without further delay.

PPCC takes no position on other proposed uses and locations specific in the Motion, except that we note that a full review by the Coastal Commission and compliance with the Coastal Act is required for all proposed uses located within the Coastal Zone.