

Communication from Public

Name: Citizens Preserving Venice

Date Submitted: 12/04/2023 07:41 PM

Council File No: 20-1074-S5

Comments for Public Posting: Citizens Preserving Venice (CPV) has reviewed the November 27, 2023 report back from the Planning Director pursuant to PLUM instruction regarding the Al Fresco Ordinance for Private Property, and has the following comments: We are grateful that you made it very clear that this ordinance does not change the need for a CDP in compliance with the Coastal Act if seeking to expand service floor area, and thus the Coastal Zone areas of the City are exempted from the proposed ordinance. We also very much appreciate the fact that the prohibition on background/ambient music for outdoor dining was maintained. However, we remain concerned about enforcement. As you noted in your report, there has been significant concern related to excessive noise from Al Fresco operators during the pandemic, much of it related to noise from playing music, in spite of the fact that it is not permitted in an outdoor dining area with a temporary Al Fresco authorization. Currently, LAPD does not enforce noise regulations, including unpermitted music in temporary Al Fresco outdoor dining areas. Outdoor dining rules against amplified music are routinely violated--as many have reported, even with the current prohibitions, many restaurants use outdoor speakers and amplified music, with impunity. That needs to change. In addition, given you intend to allow background music in an outdoor dining area through a discretionary conditional use permit, there will need to be enforcement. Thus, we remain very concerned that this ordinance lacks an effective enforcement strategy. The resources must be provided for enforcement of this program to ensure its success and protect residential areas from adverse impacts. We strongly suggest that you take the time now to assure the ordinance has adequate enforcement provisions, with consequences, so that ordinance is fair and outdoor dining does not cause adverse effects to the public health, safety, and welfare of neighbors and surrounding communities. We look forward to working with City Planning and the Coastal Commission Staff on the goal of preventing adverse effects on Coastal Access, a Coastal Resource to be protected under the Coastal Act.

Citizens Preserving Venice

December 4, 2023

VIA ELECTRONIC MAIL

Members of the Planning Land Use Management (PLUM) Committee
City of Los Angeles
200 North Spring Street
Los Angeles, CA 90012

OPPOSE: Al Fresco Dining Ordinance
CPC-2022-8179-CA, CEQA: ENV-2022-8180-CE,
Council File Nos. 20-1074-S4 and 20-1074-S5

Dear Members of the PLUM Committee,

Citizens Preserving Venice (CPV) has reviewed the November 27, 2023 report back from the Planning Director pursuant to PLUM instruction regarding the Al Fresco Ordinance for Private Property, and has the following comments:

We are grateful that you made it very clear that this ordinance does not change the need for a CDP in compliance with the Coastal Act if seeking to expand service floor area, and thus the Coastal Zone areas of the City are exempted from the proposed ordinance.

We also very much appreciate the fact that the prohibition on background/ambient music for outdoor dining was maintained.

However, we remain concerned about enforcement. As you noted in your report, there has been significant concern related to excessive noise from Al Fresco operators during the pandemic, much of it related to noise from playing music, in spite of the fact that it is not permitted in an outdoor dining area with a temporary Al Fresco authorization.

Currently, LAPD does not enforce noise regulations, including unpermitted music in temporary Al Fresco outdoor dining areas. Outdoor dining rules against amplified music are routinely violated--as many have reported, even with the current prohibitions, many restaurants use outdoor speakers and amplified music, with impunity. That needs to change. In addition, given you intend to allow background music in an outdoor dining area through a discretionary conditional use permit, there will need to be enforcement.

Thus, we remain very concerned that this ordinance lacks an effective enforcement strategy. The resources must be provided for enforcement of this program to ensure its success and protect residential areas from adverse impacts.

We strongly suggest that you take the time now to assure the ordinance has adequate enforcement provisions, with consequences, so that ordinance is fair and outdoor dining does not cause adverse effects to the public health, safety, and welfare of neighbors and surrounding communities.

We look forward to working with City Planning and the Coastal Commission Staff on the goal of preventing adverse effects on Coastal Access, a Coastal Resource to be protected under the Coastal Act.

Yours truly,

Robin Rudisill
On Behalf of Citizens Preserving Venice

CC:

Karen Bass, Mayor
Kevin Keller, Senior Advisor, Office of Los Angeles Mayor
Krista Kline, Director of Legislative Affairs, Office of Los Angeles Mayor
Hydee Feldstein-Soto, City Attorney
Kevin James, Special Assistant City Attorney
Traci Park, CD-11 Councilmember
Jeff Khau, CD-11 Planning Deputy
Steve Hudson, Coastal Commission District Director
Shannon Vaughn, Coastal Commission Program Manager
Dani Ziff, Coastal Commission District Supervisor
Vince Bertoni, Director of Planning
Hagu Solomon-Cary, Senior City Planner
Bonnie Kim, City Planner
Brian Averill, Venice Neighborhood Council President

Citizens Preserving Venice is a 501(c)3 organization with the goals of preserving the character and scale of Venice as a Special Coastal Community, including its history and its social, cultural, racial and economic diversity, and of stabilizing affordable housing in Venice.