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April 28, 2000

RECEIVED
 South Coast Region

MAY - 5 2000

CALIFORNIA
COASTAL COMMISSION

Coastal Commission
 South Coast District
 200 Oceangate
 Long Beach, CA 90802

Re: Queensway Bay Employee Parking Lot

Gentlemen:

I have reviewed the terms of the California Coastal Commission Permit No. S-98-156-A3 which refers to the captioned matter. I particularly refer to Special Condition #35.

There is no specific State Tidelands Grant that speaks to whether or not parking is consistent with the restrictions upon the City's use of Tidelands. As I have stated in several past opinions, the City is confident that the Queensway Bay uses are consistent with various grants by the State to the City. These include Statutes 1911, Chapter 675; Statutes 1925, Chapter 102; Statutes 1935, Chapter 158; and Statutes 1959, Chapter 1560. It has always been our position, concurred in the past by the Commission, that parking in support of permitted uses is in turn a permitted use.

In the past, the Commission has never taken issue with the fact that if you bring visitors to the tidelands, that it is necessary to provide suitable parking. The fact that this subject lot is for employees does not detract from that from the same conclusion in the instant case. If there were no provision for employee parking, then employees, who generally arrive earlier in the day than visitors, would displace visitors at the parking structures that are being provided.

I trust that the forgoing is satisfactory to your needs.

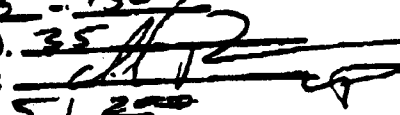
Very truly yours,

ROBERT E. SHANNON, City Attorney

By 
 James N. McCabe, Deputy

JNM:pw

CALIFORNIA COASTAL COMMISSION
SOUTH COAST DISTRICT
SPECIAL CONDITION
COMPLIANCE DOCUMENT

CDP NO. S- 98 - 156
 CONDITION NO. 35
 ACCEPTED BY: 
 DATE: 5/5/2000