

11-1470  
ITEM 3 B & F cont'd  
CF 11-1479  
E. Pulst

Honorable Chairman + Members of the Committee:

Forgive the handwriting. I didn't have a typewriter here.

Important:

Instruct the City Attorney to insure that the right to park does not give the right to contravene the underlying zoning.

Zoning underlies streets, sidewalks, curbs, etc.

Most streets are by "easement" over the property and if you check the plain language of city easements they do not give the specific right to conduct commerce or residence on the easement. Most do not control to any depth in the ground except for the surface.

Some zones do not permit commerce from street vendors (the zoning includes to ctr of street. See lots of cases applied to City of LA on this point).

It is not necessary to tie "parking permit" to a "commerce permit in a prohibited zone".

Respectfully Submitted,  
L. H. McQuiston