

CALIFORNIA COASTAL COMMISSION

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TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES OF MEETING OF JULY 12 to 15, 1994
at the Waterfront Hilton Beach Resort
21100 Pacific Coast Highway
in Huntington Beach

RECORD PACKET COPY

Tuesday, July 12, 1994 - pages 1 to 5

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Tuesday, July 12, 1994, at 10:05 a.m. by Chairman Gwyn.

2. **ROLL CALL.** Present: Chairman Gwyn, Commissioners Doo, Flemming, Giacomini, (Alternate) Stevens, Holanda, Moulton-Patterson, Rick, Sanders and Wright. Absent: Brennan, Burroughs, Calcagno, Karas and Williams. Cervantes arrived at 11:55 a.m..

3. **APPROVAL of MINUTES.** None.

4. **COMMISSIONERS' REPORTS.** None.

5. **CONSERVANCY REPORT.** A written report for information only.

6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.

7. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.

8. **EXECUTIVE DIRECTOR'S REPORT.** Informational only.

a. **Adopt-A-Beach airfare Grant.** Staff recommended approval.

Motion & Vote: Giacomini moved staff recommendation, seconded by Wright, and the hand vote was 8 in favor and 0 opposed. **Passed.**

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- b. **Adopt-A-Beach staffing Grant.** Staff recommended approval.

Motion & Vote: Giacomini moved staff recommendation, seconded by Moulton-Patterson, and Chairman Gwyn substituted the previous hand vote (8-0). **Passed.**

- c. **Orange Co. Housing Program.** Informational only. Amos Sanderson, representing Civic Center Barrio Housing Corporation, presented a status report.

- d. **BCDC Pass-Through Funds.** Staff recommended approval.

Motion & Vote: Flemming moved staff recommendation, seconded by Doo, and the hand vote was 8 in favor and 0 opposed. **Passed.**

- e. **Minor Port Master Plan Amendment.** Staff recommended concurrence with the Executive Director's determination.

Greg Smith, representing Friends of San Pedro Bay, commented on mitigation.

Motion & Vote: Wright moved staff recommendation, seconded by Doo, and the hand vote was 8 in favor and 0 opposed. **Passed.**

- f. **Legislation.** Information only.

9. **PROPOSED GUIDANCE Re: BEACH CLOSURES.** Staff recommended approval.

Ken Jones, representing State Dept. of Parks & Rec., spoke in opposition to the staff recommendation. Christopher Gross, representing Sierra Club, spoke in favor of the staff recommendation.

Motion & Vote: Giacomini moved staff recommendation, seconded by Doo, and the roll call vote was 8 in favor, 0 opposed and 1 abstention (Cervantes). **Passed.**

10. **PERMIT EXTENSION.**

- a. **Permit No. 5-91-463-E (Maguire Thomas Partners -- Playa Vista, Los Angeles)** Staff recommended approval.

Nelson Rising, representing Maguire Thomas Partners, spoke in favor of the project. Roger Gorke, representing Heal the Bay, spoke in favor of the project. Cathy Green, representing Amigos de Bolsa Chica, spoke in favor of the project. Rex Frankel, representing Save Ballona Wetlands, spoke in opposition to the project. Kathy Knight spoke in opposition to the project. Israel Feuer, representing Rim Fay, spoke in opposition to the project. Irving Lyon spoke in opposition to the project. William Firschein, AIA, spoke in opposition to the project. Ruth Galanter, representing City of Los Angeles, spoke in favor of the project. Ruth Lansford, representing Friends of Ballona Wetlands, spoke in favor of the project. Clement Shute spoke in favor of the project. Melanie Ingalls, representing National Audubon Society, spoke in favor of the project.

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Approved: There being no objection Chairman Gwyn ruled that the permit was extended.

LUNCH RECESS. The Commission recessed for lunch at 12:45 and reconvened at 2:35 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on Half Moon Bay v. Donovan, CCC v. Ricciardone, and Araki & Cody v. CCC.

NORTH COAST AREA

11. **NORTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Scholl reported on matters not requiring public hearings, and on comments from the public.

a. **Humboldt Co. LCP Amendment No. 1-93.** Staff recommended concurrence with the Executive Director's determination. There being no objection Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**

12. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a & b on page 4 & addendum to the agenda. Staff recommended approval with special condition.

Approved: There being no objection Chairman Gwyn ruled that these administrative permits be issued by the Executive Director.

13. **CONSENT CALENDAR.** See items a through e on page 4 of the agenda. Item a was postponed. Staff recommended approval with special conditions.

Motion & Vote: Flemming moved staff recommendation on the remainder of the Calendar, seconded by Stevens, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

14. LOCAL COASTAL PROGRAM (LCP).

a. **Half Moon Bay Plan Amendment No. 1-94.**

1) **(South Wavecrest)** Staff recommended approval.

Motion & Vote on Plan as Submitted: Flemming moved approval of the Land Use Plan amendment as submitted, seconded by Moulton-Patterson, and Chairman Gwyn substituted the previous roll call vote (9-0). **Passed.**

2) **(Auld)** City requested postponement.

Motion & Vote to Extend Time Limit: Doo moved to continue part 2 and extend the time limit for action, seconded by Flemming, and Chairman Gwyn substituted the previous roll call vote (9-0). **Passed.**

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15. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 1-93-38 (Burdick, Mendocino Co.) Postponed.**

Sanders left before the following items.

- b. **Appeal No. A-1-93-70 (Mendocino Co. Solid Waste Division)** Staff recommended approval with special conditions as modified in addendum and orally.

Liz Henry spoke representing Mendocino County. Paul Caylor, representing Mendocino County, spoke in favor of the staff recommendation. Misha Schwarz, representing Mendocino County, spoke in favor of the project. Michael Scannell, representing Mendocino County, spoke. Dave Evans, representing Water Quality Control Board, spoke in favor of the project. Lee Lette, representing 409 Residents Assoc., spoke in opposition to the project. Raymond Hall, representing Mendocino County, submitted a request to speak on behalf of the County.

Motion & Vote: Giacomini moved staff recommendation, seconded by Flemming, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

- c. **Application No. 1-94-45 (Mendocino Co. Solid Waste Division)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item b above.

Motion & Vote: Giacomini moved staff recommendation, seconded by Wright, and Chairman Gwyn substituted the previous roll call vote (8-0). **Passed.**

- d. **Application No. 1-94-46 (Mendocino Co. Solid Waste Division)** Staff recommended approval with special conditions as modified in addendum and orally.

The hearing was combined with item b above.

Motion & Vote: Giacomini moved staff recommendation, seconded by Wright, and Chairman Gwyn substituted the previous roll call vote (8-0). **Passed.**

- e. **Application No. 1-94-41 (San Mateo Co. slope repair, Half Moon Bay)** Staff recommended approval with special conditions.

Motion & Vote: Wright moved staff recommendation, seconded by Giacomini, and Chairman Gwyn substituted the previous roll call vote (8-0). **Passed.**

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16. **PERMIT AMENDMENT.**

a. **Permit No. A-1-MAR-87-235-A (Seadrift, Marin Co.)** Trailed to Wednesday morning. Staff recommended approval.

Motion & Vote: Wright moved staff recommendation, seconded by Doo, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

RECESS. The Commission recessed for the day at 3:55 p.m..

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Wednesday, July 13, 1994 - pages 6 to 12

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, July 13, 1994, at 9:05 a.m. by Chairman Gwyn.

2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman Calcagno, Commissioners Brennan, Doo, Flemming, (Alternate) Stevens, Karas, Rick and Wright. Absent: Burroughs, Giacomini Holanda and Sanders. Cervantes and Moulton-Patterson arrived at 9:20 a.m., and (Alternate) Malcolm arrived at 9:35 a.m..

SOUTH COAST AREA

3. LOCAL COASTAL PROGRAMS (LCPs).

a. **Dana Point LCP Amendment 1-94 (Land Use Plan).** Postponed.

b. **Dana Point LCP Amendment 1-94 (Implementation).** Postponed.

c. **Laguna Beach LCP Amendment No. 1-93 (Diamond/Crestview).** Staff recommended approval with suggested modifications.

Ken Frank, representing City of Laguna Beach, spoke in favor of the staff recommendation. Joe Gughemetti, representing 14 landowners, spoke in opposition to the staff recommendation. Robert R. Mosier, representing Laguna Beach Taxpayers Assoc., Inc., spoke in opposition to the staff recommendation. John Strahl spoke in opposition to the staff recommendation. Jack Greenly spoke in opposition to the project.

Motion & Vote to Reject Implementation as Submitted: Wright moved to reject the implementation amendment as submitted, seconded by Karas, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Motion on Implementation with Modifications: Wright moved approval of the implementation amendment with suggested modifications, seconded by Malcolm.

Amending Motion & Vote on driveway exemption: Wright moved to exempt driveways from square footage if the access is directly to the best building site, seconded by Malcolm, and the roll call vote was 10 in favor and 1 opposed (Cervantes). **Passed.**

Amending Motion & Vote on small lots: Rick moved to vary heights & setbacks up to 50% on lots under 6,000 sq.ft., seconded by Malcolm, and **Withdrawn.**

Vote on Main Motion: The roll call vote on the main motion, as amended above, was 11 in favor and 0 opposed. **Passed.**

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4. NEW APPEAL.

a. **Appeal No. A-5-94-121 (Laguna Beach road improvements)** Staff recommended that the appeal raised no substantial issue.

Joe Gughemetti, representing 14 landowners, spoke in opposition to the project. Mayor Ann Cristoph of Laguna Beach spoke in favor of the project.

Motion & Vote: Malcolm moved staff recommendation, seconded by Flemming, and the roll call vote was 7 in favor (Cervantes, Doo, Stevens, Karas, Moulton-Patterson, Rick & Wright), 3 opposed (Calcagno, Flemming & Malcolm), and 1 abstention (Gwyn). **Passed.**

ENERGY and OCEAN RESOURCES

5. **ENERGY & OCEAN RESOURCES REPORT.** Division Manager Hansch reported on matters not requiring public hearings, and status of offshore oil & gas exploration & development.

a. **Point Arguello Tanker Permit Amendment.** Staff recommended concurrence with the decision not to file the amendment.

Dick Harris, representing Pt. Arguello Producers, spoke in favor of the project. Scott Bryant, representing EOTT Energy Operating Ltd. Partnership, spoke in favor of the project. Terry Stringer, representing Huntway Refining Co., spoke in favor of the project. Penny Newberry, representing Ultramar Inc., spoke in favor of the project. Ernest J. Houtz, representing Powerine Oil Co., spoke in favor of the project. Alan Seltzer, representing County of Santa Barbara, spoke in opposition to the amendment. Robert Sollen, representing Santa Barbara Environmental Coalition, spoke in favor of the staff recommendation. Sara Wan, representing LCP, spoke in opposition to the project. Brent Foster spoke in opposition to the project. Diane Conn spoke in opposition to the project.

Motion & Vote: Stevens moved to direct staff to file the amendment, seconded by Karas, and the roll call vote was 0 in favor and 9 opposed. **Failed.**

LUNCH RECESS. The Commission recessed for lunch at 12:35 and reconvened at 2:20 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on CCC v. Starz and discussed one other matter for information only.

b. **Section 309 Federal Grant Funds.** Staff recommended approval.

Motion & Vote: Malcolm moved staff recommendation, seconded by Karas, and the hand vote was 10 in favor and 0 opposed. **Passed.**

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6. COASTAL PERMIT APPLICATIONS.

a. **Application No. E-94-5 (Dana Point Fisheries rearing-pen)** Staff recommended approval with special conditions.

Jim Paulk, Director, United Anglers of Calif., submitted a request to speak in favor of the project. Eugene A. Corona, representing Dana Point Fisheries Enhanc., submitted a request to speak in favor of the project. Robert J. DeNault, representing Dana Point Fisheries Enhancement Program, submitted a request to speak in favor of the project.

Motion & Vote: Wright moved staff recommendation, seconded by Doo, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

b. **Application No. E-94-7 (SCE, San Clemente)** **Postponed.**

CENTRAL COAST AREA

7. **CENTRAL COAST DISTRICT DIRECTOR'S REPORT.** District Director Grove reported on matters not requiring public hearings, and on comments from the public.

a. **Santa Cruz Co. LCP Amendment No. 1-94-A Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**

8. CONSENT CALENDAR.

a. **Application No. 3-94-27 (Edwards, Santa Cruz)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Wright moved staff recommendation, seconded by Doo, and Chairman Gwyn substituted the previous roll call vote (10-0). **Passed.**

9. LOCAL COASTAL PROGRAMS (LCPs).

a. **Laguna Grande (Monterey) Plan.** **Postponed.**

b. **San Luis Obispo Co. LCP Amendment No. 3-93 (San Luis Bay Plan).** Staff recommended approval.

Motion & Vote on Plan as Submitted: There being no speakers, Wright moved approval of the Land Use Plan amendment as submitted, seconded by Calcagno, and Chairman Gwyn substituted the previous roll call vote (10-0). **Passed.**

Motion & Vote to Reject Implementation as Submitted: Wright moved to reject the implementation amendment as submitted, seconded by Calcagno, and the roll call vote was 0 in favor and 10 opposed. The motion failed so the amendment was **approved.**

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- c. **Pismo Beach LCP Amendment No. 1-94.** Staff recommended approval.

Motion & Vote to Reject Implementation as Submitted: Wright moved to reject the implementation amendment as submitted, seconded by Malcolm, and Chairman Gwyn substituted the previous roll call vote (0-10). The motion failed so the amendment was approved.

SOUTH CENTRAL COAST AREA

10. **CENTRAL COAST DISTRICT DIRECTOR'S REPORT.** District Director Grove reported on matters not requiring public hearings, and on comments from the public.

a. **Santa Barbara LCP Amendment No. 2-93 Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**

b. **San Buenaventura LCP Amendment No. 2-94 (Minor).** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**

11. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through g on page 8 of the agenda and addendum. Staff recommended approval with special conditions.

(a) Robin Stone, representing the applicant, submitted a request to speak in favor of the project.

Approved: There being no objection Chairman Gwyn ruled that these administrative permits be issued by the Executive Director.

Moulton-Patterson arrived during the following item.

12. **CONSENT CALENDAR.** See items a through f on page 8 of the agenda. Staff added 5 items (15b-d, 15f & 16a) to the Calendar, and recommended approval with special conditions.

(12b) Barry Robles, representing the applicant, submitted a request to speak in favor of the project. (12c) Dennis Haggerty spoke in opposition to the project.

12e) **Application No. 4-94-85 (Vana, Malibu)** Joseph Vana requested that assumption of risk condition be deleted. There being 3 votes to remove it, this item was **set for hearing** at a later meeting

(15f) Arthur Zoloth supported stringline recommendation and said the septic could fail. Helen Zoloth, representing La Costa Homeowners Assn., spoke in opposition to the project.

Motion & Vote: Malcolm moved staff recommendation, seconded by Wright, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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13. LOCAL COASTAL PROGRAMS (LCPs).

- a. **Santa Barbara Co. LCP Amendment No. 3-93-B (housing).** Postponed.

- b. **Santa Barbara LCP Amendment No. 1-94-A (Hazardous Wastes) and -B (Harbor Master Plan).** Staff recommended approval of part A.

Motion & Vote to Reject Part A of Implementation as Submitted: Wright moved to reject Part A of the implementation amendment as submitted, seconded by Doo, and the roll call vote was 0 in favor and 10 opposed. The motion failed so the amendment was **approved**.

Motion & Vote to Extend Time Limit on Part B: Wright moved to extend the time limit for action on Part B of the amendment, seconded by Doo, and the hand vote was 10 in favor and 0 opposed. **Passed.**

- c. **Carpinteria LCP Amendment No. 1-93 (various).** Staff recommended approval.

Motion & Vote to Reject Implementation as Submitted: There being no speakers, Wright moved to reject the implementation amendment as submitted, seconded by Calcagno, and the roll call vote was 0 in favor and 10 opposed. The motion failed so the amendment was **approved**.

14. NEW APPEALS.

- a. **Appeal No. A-4-94-87 (San Buenaventura reveitment)** Staff recommended that the appeal raised substantial issue. There being no objection Chairman Gwyn ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended continuance.

Steve Chase, representing City of Ventura, spoke in favor of the project. Michael A. Paluszak, representing State of Calif. 31st Dist. Ag. Assn., spoke. Lawrence Manson, representing Surfrider Foundation, spoke in favor of removal of the revetment.

Chairman Gwyn **continued** the hearing to a future meeting.

- b. **Appeal No. A-4-94-88 (Santa Barbara Co. tree removal)** **Withdrawn.**

- c. **Appeal No. A-4-94-97 (Dirado, Santa Barbara Co.)** Staff recommended continuance. There being no objection, Chairman Gwyn opened the hearing and **continued** it to a future meeting.

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15. COASTAL PERMIT APPLICATIONS.

a. **Application No. 4-93-101 (Winding Way Homeowners, Malibu)** Staff recommended approval with special conditions as modified orally.

Don Smitz suggested changes to condition. Linda Palmer, representing Santa Monica Mts. Trails Council, spoke. Kay Ferguson, representing Winding Way de Butts Terrace Property Owners, submitted a request to speak in favor of the project. Vicki Weston, representing Winding Way Prop Owners, submitted a request to speak in favor of the project.

Motion & Vote: Wright moved staff recommendation, seconded by Doo, and the roll call vote was 8 in favor, 0 opposed and 1 abstention (Stevens). **Passed.**

b. **Application No. 4-93-171 (Barrera, Malibu)** Moved to expanded Consent Calendar. **Approved.**

c. **Application No. 4-94-76 (Antinoro, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

d. **Application No. 4-94-77 (Wali, Los Angeles Co.)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 4-94-47 (L.A. Co. pay parking)** Staff recommended approval with special conditions as modified orally.

Joe Sanders, representing Malibu Surfing Assoc., spoke in opposition to the project. Debi Tappis, representing Surfrider Foundation, Malibu Chapter, spoke in opposition to the project. Mario Quiros spoke in opposition to the project. Phil Patton, representing L.A. Co. Beaches & Harbors, spoke in favor of the project.

Motion & Vote: Malcolm moved staff recommendation, seconded by Cervantes, and the roll call vote was 9 in favor, 1 opposed (Stevens), and 1 abstention (Gwyn). **Passed.**

f. **Application No. 4-94-6 (Bourman, Malibu)** Moved to expanded Consent Calendar. **Approved.**

g. **Application No. 4-94-78 (Brown, Los Angeles Co.)** Staff recommended approval with special condition as modified in addendum.

Lee Brown spoke in favor of the project.

Motion & Vote: Rick moved staff recommendation, seconded by Moulton-Patterson, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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16. PERMIT AMENDMENT.

a. **Permit No. 4-93-158-A (Gethard, Malibu)** Moved to expanded Consent Calendar. **Approved.**

17. RECONSIDERATION.

a. **Appeal No. A-4-STB-93-154-R (ARCO Dos Pueblos Golf Courses)** Staff recommended denial.

Nancy Lucast and Steven H. Kaufmann, both representing ARCO, spoke in favor of the project. John Patton, representing County of Santa Barbara, spoke in favor of the project. Mark A. Massara, representing Sierra Club, spoke in opposition to the project. Diane Conn, representing Surfriders, spoke in favor of denial. Gloria Smith, representing Environmental Defense Center, spoke in opposition to the project. Brent Foster spoke in opposition to the project. Nathan Post, representing Surfrider, spoke in opposition to the project. Bob Keats, representing Surfrider Foundation, spoke in opposition to the project. Michelle Kramer, representing Surfrider Foundation National, spoke in opposition to the project. Erik Krammer, representing Surfrider Foundation, spoke in opposition to the project. Sara Wan, representing LCP, spoke in opposition to the project. Marie Dornan, representing Citizens for Goleta Valley, spoke in opposition to the project. Wanda Michalenko, representing Sierra Club - Santa Barbara Group, spoke in opposition to the project. Keith Zandona, representing Save Our Coast, spoke in opposition to the project. Megan Montgomery spoke in opposition to the project. Kevin Mallen, representing Surfrider Foundation/Santa Barbara Chapter, spoke in opposition to the project. Lawrence Manson, representing Surfrider Foundation, spoke in opposition to the project. Four other speakers representing ARCO, submitted requests to speak in favor of the project: Ken Marshall, Orrin Sage, David C. Fainer Jr., and R. W. Hollis, Jr..

Motion & Vote: Malcolm moved approval of reconsideration, seconded by Flemming, and the roll call vote was 7 in favor (Calcagno, Cervantes, Doo, Flemming, Malcolm, Wright & Gwyn) and 2 opposed (Stevens & Moulton-Patterson). **Passed.**

RECESS. The Commission recessed for the day at 6:15 p.m..

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Thursday, July 14, 1994 - pages 13 to 19

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, July 14, 1994, at 9:05 a.m. by Chairman Gwyn.

2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman Calcagno, Commissioners Cervantes, Doo, Flemming, (Alternate) Stevens, Karas, Rick, (Alternate) Malcolm and Wright. Absent: Brennan, Burroughs, Giacomini, Holanda, and Sanders. Moulton-Patterson arrived at 9:35 a.m..

SAN DIEGO COAST AREA

3. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings, and on comments from the public.

4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through d on page 11 of the agenda. Staff recommended approval with special conditions.

Approved: There being no objection Chairman Gwyn ruled that these administrative permits be issued by the Executive Director.

5. **CONSENT CALENDAR.** See items a through d on pages 11-12 of the agenda. Staff added five items to the Calendar (7d-e, 7i & 8a-b), and recommended approval with special conditions.

(7i) Joseph Botkin submitted a request to speak in favor of the project. (8a) Ray Traynor, representing Caltrans, submitted a request to speak. (8b) David S. Solomon, representing San Diego County, submitted a request to speak in favor of the project.

Motion & Vote: Wright moved staff recommendation, seconded by Calcagno, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

6. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carlsbad LCP Amendment No. 1-94(B) (Aviara Phase III).** Postponed.

b. **San Diego LCP Amendment No. 2-94 (portion) (K-Mart and ordinance streamlining).** Staff recommended approval with suggested modifications.

Robert Korch and Nick Osler, both representing City of San Diego, spoke in favor of the staff recommendation. Nancy Lucast, representing Baldwin Co., spoke in favor of the staff

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recommendation. Paul Wilkinson, representing Linscott, Law & Greenspan, Engrs, spoke in favor of the staff recommendation. Deborah Johnson, representing City of San Diego, submitted a request to speak in favor of the staff recommendation. Frank Rice, representing Baldwin (Carmel Valley Partners), submitted a request to speak. John P. Keating, representing Linscott, Law & Greenspan, submitted a request to answer questions. Joanne H. Pearson, representing La Jolla Town Council, spoke in opposition to the project. Dave Odell, representing SEA (Save Everyone's Access), spoke in favor of the staff recommendation. Opal Trueblood, representing Compact & Torrey Pines Community Planning Board, submitted a request to speak in opposition to the staff recommendation. Al Strohleim submitted a request to speak in opposition to the staff recommendation. Alan Manee, representing Carmel Valley Rd., spoke in opposition to the staff recommendation. Alfredo Buenavista submitted a request to speak in opposition to the staff recommendation. David Hooper, representing Del Mar Terrace Conservancy, submitted a request to speak in opposition to the staff recommendation. John Hartley spoke in opposition to the staff recommendation. Lisa Ross, representing Carmel Valley Coalition, spoke in opposition to the staff recommendation. Sy Forman, representing Coral Cove Homeowner's Assoc., spoke in opposition to the staff recommendation. Jan Fuchs, representing Carmel Valley Community Board, spoke in opposition to the staff recommendation. John Dean, past chairman of Carmel Valley Planning Board, spoke in opposition to the staff recommendation. Gloria Brewster spoke in opposition to the staff recommendation. Gloria Dunne, representing La Jolla Coalition of Community Groups, submitted a request to speak in opposition to the project. Norma Sullivan, representing San Diego Audubon Soc., spoke in opposition to the staff recommendation. Dennis F. Tuffin submitted requests to speak in opposition to streamlining zoning. Twenty four speakers submitted requests to speak in favor of K Mart: Marlene Abraschinsky, Irene Barnes, Mark Baziak, Mary Duffy, Patrick Dufner, Philip Farr, Jim Flocke, Nicholas Gabriel Jr., Wilma Garcia, Connie Hattery, Jill Herdt, John Hickman, Dan Mann, Annette K. Martinez, Roger Martinez, Sandra Myricks, Helen Quintana, Terina Schwanz, Troy Springer, Greg Stanley, Fred Strirk, Michael L. Theisen, John Thurman, and Sherilyn Thurman.

Motion & Vote on Plan as Submitted: Malcolm moved approval of the Land Use Plan amendment as submitted, seconded by Wright, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

Motion & Vote to Reject Part of Implementation as Submitted: Malcolm moved to reject part of the implementation amendment as submitted (for Carmel Valley), seconded by Karas, and the roll call vote was 0 in favor and 10 opposed. The motion failed so part of the amendment was **approved.**

Motion & Vote to Reject Part of Implementation as Submitted: Malcolm moved to reject part of the implementation amendment as submitted (La Jolla Planned District and Hillside Review), seconded by Karas, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Motion & Vote on Implementation with Modifications: Malcolm moved approval of the implementation amendment with suggested modifications, seconded by Karas, and Chairman Gwyn substituted the previous roll call vote (11-0). **Passed.**

c. **San Diego LCP Amendment No. 3-94 (Future Urbanizing Area, Pacific Beach LUP, Monarch Pointe and Tentative Map Ordinance).** Staff recommended approval of the Land Use Plan with suggested modifications, denial of part of the implementation, and approval of part of the implementation.

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Kerry Varga, representing City of San Diego, spoke in opposition to the staff recommendation. Al Strohlein spoke in opposition to the staff recommendation. Opal Trueblood, representing CAC San Dieguito River Valley, spoke in favor of the staff recommendation. Dennis F. Tuffin submitted a request to speak in opposition to future urbanizing phase shift. Karen Ruggels, representing landowner, spoke in favor of the staff recommendation. Jim Magot, Chair of P.B. Planning Comm., spoke in favor of the staff recommendation.

Motion & Vote to Continue Part of Amendment: Malcolm moved to extend time limit and continue Future Urbanizing Area part of amendment, seconded by Flemming, and the hand vote was 11 in favor and 0 opposed. **Continued.**

Motion & Vote on Part of Plan as Submitted: Malcolm moved approval of the Pacific Beach Land Use Plan amendment as submitted, seconded by Flemming, and the roll call vote was 0 in favor and 11 opposed. **Failed.**

Motion & Vote on Plan with Modifications: Malcolm moved approval of the Land Use Plan amendment with suggested modifications, seconded by Wright, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Motion & Vote to Reject Part of Implementation as Submitted: Malcolm moved to reject part of the implementation amendment as submitted (Mira Mesa zone, Pacific Beach R-1500, Garnet Avenue/Bond Street sites, and tentative parcel map), seconded by Doo, and the roll call vote was 0 in favor and 11 opposed. The motion failed so part of the amendment was **approved.**

Motion & Vote to Reject Part of Implementation as Submitted: Malcolm moved to reject part of the implementation amendment as submitted (Pacific Beach RV & C1 zones), seconded by Doo, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

7. COASTAL PERMIT APPLICATIONS.

a. **Application No. 6-92-158 (Johnson & Andrews, Encinitas)** Staff recommended approval with special conditions as modified orally.

Otis Andrews and Ray Johnson spoke in favor of the project.

Motion: Malcolm moved staff recommendation, seconded by Wright.

Amending Motion & Vote: Malcolm moved to delete condition #1, seconded by Flemming, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Vote on Main Motion: Chairman Gwyn substituted the previous roll call vote (11-0) for approval of the main motion as amended above. **Passed.**

b. **Application No. 6-93-165 (San Diego Mission Bay shoreline protection)** Staff recommended approval with special conditions.

John Leppert, representing City of San Diego, spoke in favor of the project. Curtis Edwards, Nick Kanetis and Tom Cartier, all representing City of San Diego, submitted requests to speak in favor of the project.

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Motion: Rick moved staff recommendation, seconded by Wright.

Amending Motion & Vote: Rick moved to substitute the City's modified request, seconded by Flemming, and the roll call vote was 9 in favor and 1 opposed (Gwyn). **Passed.**

Vote on Main Motion: The roll call vote on the main motion, as amended above, was 10 in favor and 0 opposed. **Passed.**

c. **Application No. 6-94-25 (Avlara, Carlsbad) Postponed.**

d. **Application No. 6-94-30 (Mok & Tam, Solana Beach) Moved to expanded Consent Calendar. Approved.**

e. **Application No. 6-94-33 (Paskin, Solana Beach) Moved to expanded Consent Calendar. Approved.**

f. **Application No. 6-94-52 (Bramalea, Carlsbad) Postponed.**

g. **Application No. 6-94-57 (Poinsettia Hill & Spires, Carlsbad) Postponed.**

h. **Application No. 6-94-80 (Grivas & Jenson, Solana Beach) Postponed.**

i. **Application No. 6-94-96 (Merziotis, San Diego) Moved to expanded Consent Calendar. Approved.**

8. PERMIT AMENDMENTS.

a. **Permit No. 6-92-16-A (CalTrans, San Diego & Del Mar) Moved to expanded Consent Calendar. Approved.**

b. **Permit No. 6-93-155-A (San Diego Co. La Bajada bridge) Moved to expanded Consent Calendar. Approved.**

9. PERMIT EXTENSION.

a. **Permit No. 6-92-76-E (Blue Sea Lodge, San Diego) Withdrawn.**

PUBLIC STATEMENTS. Al Strohle in requested motions to be in the affirmative. Larry Goodhue requested that the Consent Calendar be heard earlier in the day.

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LUNCH RECESS. The Commission recessed for lunch at 12:30 and reconvened at 2:25 p.m. after closed session.

REPORT of CLOSED SESSION. In closed session the Commission took action on CCC v. Gordon; CCC v. Prospect Point Partnership; and Ojavan Investors, Inc. et al. v. CCC.

SOUTH COAST AREA

10. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings, and on comments from the public.

11. **CONSENT CALENDAR.** Staff moved three items to the Calendar (13a, d & e), and recommended approval with special conditions.

(13a) Larry Goodhue submitted a request to speak in favor of the project. Dennis Eschen, representing City of Long Beach, submitted a request to speak in favor of the project. (13d) Dennis Eschen, representing City of Long Beach, submitted a request to speak in favor of the project.

Motion & Vote: Wright moved staff recommendation, seconded by Calcagno, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

12. NEW APPEALS.

a. **Appeal No. A-5-94-128 (Palos Verdes Land, Rancho Palos Verdes)** **Postponed.**

Cervantes arrived during the following item.

b. **Appeal No. A-5-94-117 (Orange Co.-Bolsa Chica Regional Park)** Staff recommended that the appeal raised substantial issue. There being no objection Chairman Gwyn ruled that the Commission **found substantial issue**, and opened the hearing on the merits of the project. Staff recommended approval with special conditions.

Bob Fisher, representing County of Orange, spoke in favor of the project. Adrienne Morrison, Executive Director of Amigosde Bolsa Chica, spoke in favor of the project. Bruce Monroe, representing Sierra Club P.B.C.T.F., spoke in opposition to the project. Connie Boardman, representing Bolsa Chica Land Trust, spoke in opposition to the project. Marcia Hanscom spoke in opposition to the project. Michelle Kremer, representing Surfrider Foundation, spoke in opposition to the project. Mark Massara, representing Sierra Club, spoke in opposition to the project. Julie Osugi, representing City of Huntington Beach - Planning, submitted a request to answer questions.

Motion & Vote: Moulton-Patterson moved staff recommendation, seconded by Flemming, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

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c. **Appeal No. A-5-94-135 (Huntington Beach Pier Plaza improvements)** Staff recommended continuance. Ron Hagan, representing City, spoke in favor of the staff recommendation. There being no objection, Chairman Gwyn opened the hearing on substantial issue and **continued** it to a future meeting.

13. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-93-182 (Long Beach intertidal habitat)** Moved to expanded Consent Calendar. **Approved.**

b. **Application No. 5-94-62 (Huntington Beach park)** Staff recommended approval with special conditions.

Melanie Fallon, Dir. Comm. Dev. of City of Huntington Beach, spoke in favor of the project. Ron Hagan, representing City of Huntington Beach, spoke. John Walt spoke in opposition to the project. Cindy O'Dell spoke in opposition to the project. Robert Connor spoke in opposition to the project. Tim Wetzel spoke in opposition to the project. Dana Wetzel submitted a request to speak in opposition to the project. Dean DeGruccio submitted a request to speak in opposition to the project.

Motion: Moulton-Patterson moved staff recommendation, seconded by Wright.

Amending Motion & Vote: Moulton-Patterson moved to require that revised plans delete the parking lot, seconded by Doo, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

Vote on Main Motion: Chairman Gwyn substituted the previous roll call vote (10-0) for approval of the main motion as amended above. **Passed.**

c. **Application No. 5-94-102 (Long Beach sand transport)** **Postponed.** Dennis Eschen, representing City of Long Beach, submitted a request to speak in favor of the project.

d. **Application No. 5-94-103 (Long Beach beach nourishment)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 5-94-68 (Baettig, Santa Monica)** Moved to expanded Consent Calendar. **Approved.**

14. PERMIT AMENDMENTS.

a. **Permit No. 5-89-59-A (Blanchard, Los Angeles)** **Postponed.**

b. **Permit No. 5-90-789-A (Blanchard, Los Angeles)** **Postponed.**

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Cervantes left before the following item.

- c. **Permit No. 5-92-292-A2 (Cramer, Los Angeles)** Staff recommended denial.

Robert Cramer spoke in favor of the project. Christopher Calott, Architect, spoke in favor of the project.

Motion & Vote: Wright moved to approve the amendment without the railing, seconded by Doo, and the roll call vote was 8 in favor and 1 opposed (Gwyn). **Passed.**

- d. **Permit No. 5-93-244-A (Schorr, Los Angeles)** **Postponed.**

15. FINDINGS.

- a. **Newport Beach LCP Amendment No. 1-93-B (Hoag Hospital) Findings. Postponed.**
- b. **Application No. 5-93-253 (Hoag Hospital, Newport Beach) Postponed.**
- c. **Development Agreement No. D5-93-2 (Newport Beach & Hoag Hospital) Postponed.**

- 16. **RESTORATION ORDER No. 5-92-292-RO (Cramer, Los Angeles) Withdrawn.**

RECESS. The Commission recessed for the day at 4:05 p.m..

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Friday, July 15, 1994 - pages 20 to 23

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, July 15, 1994, at 9:00 a.m. by Acting Chairman Cervantes.

2. **ROLL CALL.** Present: Commissioners Cervantes, Doo, Flemming, (Alternate) Stevens, Karas, Moulton-Patterson, Rick and Wright. Absent: Commissioners Brennan, Burroughs, Calcagno, Giacomini, Gwyn, Holanda, Sanders and Williams.

STATEWIDE

3. **FEDERAL CONSISTENCY REPORT.** Deputy Director Crandall reported on Negative Determinations issued by the federal consistency staff, and status of major non-energy federal consistency matters.

4. **FEDERAL CONSISTENCY:**

a. **CD-26-94 (Coast Guard, San Diego)** Staff recommended approval.

Roy Clark, representing U.S. Coast Guard, submitted a request to speak.

Motion & Vote: Wright moved staff recommendation, seconded by Flemming, and the roll call vote was 7 in favor and 0 opposed. **Passed.**

b. **CC-42-94 (Western Commercial Space Center, Vandenberg Air Force Base)**
Postponed.

c. **CD-47-94 (Coast Guard, Sonoma Co.)** Staff recommended approval as modified in addendum.

David G. Sox and Lt. Jim Heinz, representing U.S. Coast Guard, submitted a request to speak in favor of the project. Commander Ted Roberge, representing U.S. Coast Guard, spoke in favor of the project.

Motion & Vote: Flemming moved staff recommendation, seconded by Wright, and the roll call vote was 8 in favor and 0 opposed. **Passed.**

d. **CD-51-94 (Navy, San Diego)** Staff recommended approval.

Motion & Vote: Flemming moved staff recommendation, seconded by Wright, and Acting Chairman Cervantes substituted the previous roll call vote (8-0). **Passed.**

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- e. **CD-52-94 (Army Corps, Oxnard & Port Hueneme)** Staff recommended approval.

Russ Kaiser, representing CoE, submitted a request to speak in favor of the project.

Motion & Vote: Stevens moved staff recommendation, seconded by Wright, and Acting Chairman Cervantes substituted the previous roll call vote (8-0). **Passed.**

- f. **CD-53-94 (Army Corps, Oceanside)** Staff recommended approval.

Motion & Vote: Stevens moved staff recommendation, seconded by Wright, and Acting Chairman Cervantes substituted the previous roll call vote (8-0). **Passed.**

- g. **CD-54-94 (Army Corps, Ventura Co.)** Staff recommended approval.

Motion & Vote: Wright moved staff recommendation, seconded by Flemming, and Acting Chairman Cervantes substituted the previous roll call vote (8-0). **Passed.**

SOUTH COAST AREA

5. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings, and on comments from the public.

6. **ADMINISTRATIVE PERMIT APPLICATION.**

- a. **Application No. 5-94-56 (Koll Group, Orange Co.)** Staff recommended approval with special condition.

Approved: There being no objection Acting Chairman Cervantes ruled that this administrative permit be issued by the Executive Director.

7. **CONSENT CALENDAR.**

- a. **Application No. 5-94-131 (Santa Monica road widening)** Staff added item 9b to the Calendar, and recommended approval with special conditions.

(7a) Bill Buol, representing City, submitted a request to speak in favor of the project. John Gilchrist representing City, spoke in favor of the project.

Motion & Vote: Wright moved staff recommendation, seconded by Stevens, and Acting Chairman Cervantes substituted the previous roll call vote (8-0). **Passed.**

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8. LOCAL COASTAL PROGRAM (LCP).

a. **Newport Beach Plan Amendment No. 1-93-A (interpretive center).** Staff recommended approval.

Bob Fisher, representing County of Orange, submitted a request to speak in favor of a modified staff recommendation. John Douglas, representing City of Newport Beach, spoke in favor of the staff recommendation. Amy Litton, representing Upper Newport Bay Naturalists, submitted a request to speak in favor of the project. Bill Anderson, representing dog walkers, submitted a request to speak in opposition to the project. Marilee Terrell submitted a request to speak in opposition to the project.

Motion & Vote on Plan as Submitted: Karas moved approval of the Land Use Plan amendment as submitted, seconded by Rick, and the roll call vote was 7 in favor and 1 opposed (Stevens). **Passed.**

9. COASTAL PERMIT APPLICATIONS.

a. **Application No. 5-93-382 (Orange Co. park improvements)** Staff recommended approval with special conditions as modified orally.

Bob Fisher, representing County of Orange, spoke in favor of the project. John Douglas, representing City of Newport Beach, submitted a request to speak in favor of the project. Amy Litton, representing Upper Newport Bay Naturalists, spoke in favor of the project. Jim Cokas spoke in favor of the project. Nat Lamm, representing Orange Co. Dept. of Education, spoke in favor of the project. M. Stephen Coontz spoke in opposition to the project. Carla Brockman spoke in opposition to the project. Louise Hostetler spoke in opposition to the project. Amy Morrison spoke in opposition to the project. Bill Anderson, representing dog walkers, spoke in opposition to the project. Elizabeth Connolly spoke in opposition to the project. Paul Roach spoke about the project. Lisa & Andy & Leah Cohen spoke in opposition to the project. Patrick Henry, representing OCTC, spoke in opposition to the project. Irene Dunlap spoke in opposition to the project. Frances A. Gioia spoke in opposition to the project. Robyn Prining spoke in opposition to the project. Chris Dialynas spoke in opposition to the project. Jessica Greene spoke in opposition to the project. Laurie Sage spoke in opposition to the project. Marilee Terrell spoke in opposition to the project. John Stephenson spoke in opposition to the project. Jane Clayton spoke concerning the project. Jeanne Rodriguez submitted a request to speak in opposition to the project. Denyse Sullivan submitted a request to speak in opposition to the project. Maret Kunze submitted a request to speak in opposition to the project. Bernadette Kaufmann submitted a request to speak in opposition to the project. Donna Trenary Leonard submitted a request to speak concerning the project.

Motion & Vote: Wright moved staff recommendation, seconded by Doo, and Acting Chairman Cervantes substituted the previous roll call vote (7-1). **Passed.**

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b. **Application No. 5-94-111 (de Marquette & San Clemente)** Moved to expanded Consent Calendar. **Approved.**

ADJOURNMENT. There being no old or new business, the meeting adjourned at 11:10 a.m..

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

