

DRAFT

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



W5a

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

RECORD PACKET COPY

SUBJECT: **MINUTES OF MEETING OF APRIL 7 to 10, 1992**
at the Board of Supervisors' Chambers, Civic Center
San Rafael

Tuesday, April 7, 1992 - pages 1 to 6

1. **CALL TO ORDER.** Chairman Gwyn called the meeting of the California Coastal Commission to order on Tuesday, April 7, 1992, at 10:00 a.m.
2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman MacElvaine, Commissioners Giacomini, Glickfeld, (Alternate) Malcolm, (Alternate) Doo, Neely, Rick, Wright and Yokoyama. Moulton-Patterson arrived at 10:45 a.m. Absent: Cervantes, Hall, Sanders and Shafroth.

NORTH COAST AREA

3. **NORTH COAST DISTRICT DIRECTOR'S REPORT.** Deputy Director Crandall reported on matters not requiring public hearings, and on comments from the public.
 - a. **Eureka LCP Amendment No. 1-92 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. **Sonoma Co. LCP Amendment No. 1-92 (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**

DRAFT

4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through d on pages 3 and addendum 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 e on pages 3 and 4 of the agenda. Staff recommended approval with special conditions.

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

6. **NEW APPEAL.**

- a. **Appeal No. A-1-91-261 (PG&E, Sonoma Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Gwyn ruled that the Commission **found substantial issue.** Staff recommended approval with special condition.

J. Peter Baumgartner, representing applicant, said the ordinance allows major distribution lines above ground; parts of the proposed line will be underground to protect views. Louis Wileman, representing Bodega Harbor Association, opposed overhead power poles & lines because of visual damage.

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

7. **LOCAL COASTAL PROGRAMS (LCPs).**

- a. **Mendocino Co. Plan Amendment No. 2-91 (Barnett).** Staff recommended denial.

Raymond Hall, representing County, reduced proposed rural village area to 3 acres with 9 homes maximum, just outside Elk to concentrate development, with remainder in open space. Roff Barnett agreed with revised proposal, and said permanent housing has declined due to conversion to visitor-serving uses. Douglas R. Blaine said residents support project. Richard S. Mitchell, representing Mitchell Ranch, said residential would not be compatible with cattle ranch. Norman de Vall said housing is needed in Elk to reduce traffic impacts.

DRAFT

Motion & Vote on Plan Amendment as Submitted: Neely moved approval of land use plan amendment as submitted, seconded by Wright and the roll call vote was 0 in favor and 11 opposed. **Failed.**

Motion & Vote on Plan Amendment with Modifications: Neely moved approval of land use plan with suggested modifications presented by County, seconded by Wright, and the roll call vote was 9 in favor and 2 opposed (Giacomini & Yokoyama). **Passed.**

-
- b. **Mendocino (Mendocino Co.) Plan Amendment No. 1-92.** Staff recommended approval with suggested modifications as modified orally.

Gary Berrigan, representing County, agreed with recommendation with two exceptions. Bud Kamb, representing Mendocino Coast Reservations, agreed with recommendation except restriction on vacation home rentals. B. Noah Tilghman, representing California Dept. of Parks & Recreation, presented concerns about parking plan for large RVs on public land and timing of implementation. Maggie O'Rorke, member of CAC, urged regulation of overnight units to protect community character. County Supervisor Norman de Vall said he campaigned often on the issue of overnight rentals and won. Herb Lobell presented letters supporting recommendation on VHRs. Ina Karish objected to restriction on VHRs, which provide access to families with children.

Motion & Vote on Plan Amendment as Submitted: Neely moved approval of land use plan amendment as submitted, seconded by Wright, and the roll call vote was 1 in favor (Malcolm) and 10 opposed. **Failed.**

Motion & Vote on Plan Amendment with Modifications: Neely moved approval of land use plan with suggested modifications, seconded by Wright, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

-
- c. **Mendocino (Mendocino Co.) LCP Implementation.** Staff recommended approval with suggested modifications orally. The hearing was combined with item b. above.

Motion & Vote to Reject Implementation as Submitted: Neely moved to reject LCP implementation as submitted, seconded by Giacomini, and Chairman Gwyn substituted the previous roll call vote (11 - 0). **Passed.**

DRAFT

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

LUNCH RECESS. The Commission recessed for lunch at 12:45 p.m. and reconvened at 2:20 p.m. after the closed session.

CLOSED SESSION. In closed session the Commission took action on CCC v. Stout et al., CCC v. Nelson & Lewis, and contract for representation in IBLA Bolinas Sandspit decision, and discussed another matter for information only.

d. **Humboldt Co. LCP Amendment No. 1-92.** Staff recommended approval.

Marty McClelland, representing Humboldt Community Services Dist., was available for questions.

Motion & Vote on Plan Amendment: Neely moved approval of the Land Use Plan Amendment as submitted, seconded by Wright, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

Motion & Vote to Reject Implementation: Neely moved to reject the implementation Amendment as submitted, seconded by Wright, and the roll call vote was 0 in favor and 9 opposed. The motion failed so the amendment was **approved.**

8. **VOTING on APPLICATION.**

a. **Application No. 1-91-142 (Parks & Recreation, Mendocino Co.)** Staff recommended approval with special condition as modified orally.

David Boyd, representing applicant, said the site needed restoration and time to heal before the General Plan and wilderness designation could proceed. Julie Verran, representing Sierra Club, supported recommendation, summarized letters and described history of logging. Mary Angle-Franzini, representing Save-the-Redwoods League, supported project as restoration of Sinkyone Wilderness. Hawk Rosales, representing Intertribal Sinkyone Wilderness Council, suggested additional conditions on Dark Gulch project. Nancy Hornon, representing GGNRA, supported restoration with protection of archaeological resources. Mendocino County Supervisor Norman L. de Vall urged adoption of exhibit 7A. John Cimolino, representing City of Fort Bragg, opposed project and asked for complete EIR to address cumulative impacts. Fred "Coyote" Downey,

DRAFT

representing Wilaki Nation, said resources should be inventoried and urged caution to protect wilderness. Richard Gienger, representing Ad-Hoc Committee for Sinkyone W. Coast, said priority for restoration should be based on harm & potential harm to resources and recommended conditions. Gordon McBride, consulting biologist, urged denial because of inadequate environmental information. Don Nelson said only time & nature can restore logged area and raised access issues. Nancy Barth said the Parks general plan should be done before any more than emergency work is approved.

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

9. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 1-92-13 (Burchett & Frazier, Humboldt Co.)** Staff recommended approval with special conditions.

Joe Frazier, applicant, agreed with conditions. Brad Pearson, representing Concerned Citizens of 6th Avenue, said the trail should be protected, project is out of scale with neighborhood and could have adverse impacts on groundwater.

Motion & Vote: Neely moved staff recommendation, seconded by Wright, and the roll call vote was 9 in favor, 0 opposed and 1 abstention (Moulton-Patterson). **Passed.**

- b. **Application No. 1-92-31 (Humboldt C.S.D., Humboldt Co.)** Staff recommended approval with conditions.

Motion & Vote: There being no speakers, Neely moved staff recommendation, seconded by Wright, and the roll call vote was 9 in favor and 0 opposed. **Passed.**

- c. **Application No. 1-92-45 (Mendocino Fire Dist., Mendocino Co.)** Staff recommended approval with conditions.

Dennis Heyden & Bud Kamb, both representing the applicant, agreed with recommendation. R. Hardy & Bonnie Hasenbeck, both representing Hills Ranch Home Owners Association, said the fire hydrant should get water from the untreated water tank because demand by occupants for the treated water is near capacity.

DRAFT

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

10. NEW APPEAL.

- a. **Appeal No. A-4-92-4 (Cole, Ventura Co.)** Staff recommended that the appeal raised substantial issue. Four Commissioners voted to hear testimony on substantial issue.

Steven D. Perlman, representing appellants, said issue is precedent for moving homes closer to seawall and future larger revetment. James Prosser, representing applicants, said issues were considered at the County level.

Motion & Vote on No Substantial Issue: Wright moved to find no substantial issue was raised by the appeal, seconded by MacElvaine, and the roll call vote was 6 in favor (MacElvaine, Malcolm, Doo, Neely, Rick, Wright) and 5 opposed (Giacomini, Glickfeld, Moulton-Patterson, Yokoyama, Gwyn). **Passed.**

RECESS. The Commission recessed for the day at 4:35 p.m.

DRAFT

Wednesday, April 7, 1992 – pages 7 to 15

1. **CALL TO ORDER.** Vice Chairman MacElvaine called the meeting of the California Coastal Commission to order on Wednesday, April 8, 1992, at 9:00 a.m.
2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman MacElvaine, Commissioners Cervantes, Giacomini, Glickfeld, Malcolm, Moulton-Patterson, (Alternate) Doo, Neely, Rick, Shafroth, Wright and Yokoyama. Malcolm left at 5:15 p.m. Absent: Hall and Sanders.

CLOSED SESSION. In closed session the Commission discussed one item for information only.

STATEWIDE

3. **APPROVAL OF MINUTES.** Neely moved approval, seconded by MacElvaine and unanimously approved.
4. **COMMISSIONERS' REPORTS.** Informational only.
5. **CONSERVANCY REPORT.** Informational written report.
6. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Informational only.
7. **DEPUTY ATTORNEY GENERAL'S REPORT.** Informational only.
8. **CONDUCT of COMMISSION MEETINGS.** Informational only.

Stephanie Dall supported survey of the public to solicit ideas that will improve efficiency and public perception. Ann Notthof, representing NRDC, supported the effort to improve public participation.

9. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **LCP Strategy.** Trailed until Thursday. Informational only.
 - b. **Contracts.** Trailed until the end of the day. Staff recommended approval.

DRAFT

Motion & Vote: Glickfeld moved staff recommendation, seconded by Moulton-Patterson, and Chairman Gwyn substituted the previous roll call vote on item 24b. (11 - 0). **Passed.**

- c. **Status report on the Commission's Ethnic Diversity initiative.** Trailed until the end of the day. Staff recommended approval.

Motion & Vote: Glickfeld moved staff recommendation, seconded by MacElvaine, and Chairman Gwyn substituted the previous roll call vote (item 24b) below. (11 - 0). **Passed.**

- d. **Legislation.** Staff recommended opposition to SB 1677.

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

- 10. **PERMIT FILING REGULATIONS. Postponed.**
-

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

- 12. **FEDERAL CONSISTENCY DETERMINATION.**

- a. **CD-13-92 (Navy Bachelor Quarters & Fleet Facility, San Diego)** Staff recommended approval.

Motion & Vote: There being no speakers, MacElvaine moved staff recommendation, seconded by Doo, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

ENERGY and OCEAN RESOURCES

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

DRAFT

14. LOCAL COASTAL PROGRAM (LCP).

- a. **Santa Barbara Co. LCP Amendment No. 3-91. Postponed.**

15. COASTAL PERMIT APPLICATION.

- a. **Application No. E-92-1 (Chevron, El Segundo)** Staff recommended approval with conditions.

Motion & Vote: There being no speakers, Neely moved staff recommendation, seconded by Glickfeld, and the roll call vote was 9 in favor and 0 opposed.
Passed.

16. FEDERAL CONSISTENCY CERTIFICATION.

- a. **CC-9-92 (Fish & Game, Bolsa Chica artificial reef, Orange Co.)** Staff recommended approval.

Motion & Vote: There being no speakers, Moulton-Patterson moved staff recommendation, seconded by Wright, and the roll call vote was 10 in favor, 0 opposed and 1 abstention (Yokoyama). **Passed.**

STATEWIDE

- 16.5 **FEE WAIVER for 5-91-463-A2 (Maguire Thomas - Playa Vista, Los Angeles & Los Angeles Co.) Withdrawn.**

17. PERMIT AMENDMENT.

- a. **Permit No. 5-91-463-A2 (Maquire Thomas Partner-Playa Vista, Los Angeles)** Trained until later in day. Staff recommended approval with special conditions as modified orally.

Ruth Galanter, Councilwoman, representing the City of Los Angeles, spoke in support of staff's amended staff recommendation. Ruth Lansford, representing Friends of Ballona Wetlands, spoke in favor of the staff recommendation. Ralph Appy, representing Los Angeles Harbor Dept., spoke in

DRAFT

favor of the project. John T. McAlister, representing the applicant, spoke in favor of the project.

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

18. **CONDITION COMPLIANCE for Permit No. 5-91-463 (Maquire Thomas Partners-Playa Vista, Los Angeles)** Trailed until later in day. Staff recommended approval with special conditions as modified orally including the applicant's change in attachment D.

Ruth Galanter, Councilwomen, representing the City of Los Angeles, spoke in support of staff's amended staff recommendation. Ruth Lansford, representing Friends of Ballona Wetlands, spoke in favor of the staff recommendation. Ralph Appy, representing Los Angeles Harbor Dept., spoke in favor of the project. John T. McAlister, representing the applicant, spoke in favor of the project.

Motion & Vote: Glickfeld moved the applicant's submittal does comply with the terms of the permit, seconded by Wright, and the roll call vote was 0 in favor and 10 opposed. **Failed.**

Motion & Vote: Glickfeld moved staff recommendation and applicant's submittal in attachment D, seconded by Wright, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

CENTRAL COAST AREA

19. **CENTRAL COAST DISTRICT DIRECTOR'S REPORT.** Deputy Director Crandall reported on matters not requiring public hearings, and on comments from the public.

a. **Santa Cruz LCP Amendment No. 1-92 (Minor).** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**

b. **Morro Bay LCP Amendment No. 2-91 (Measure H) Certification Review.** City requested postponement.

DRAFT

Judy Davidoff, representing Williams Bros., submitted a speaker's slip in favor of Commission certification only if required. Jerry Mullen submitted a speaker's slip in opposition to the staff recommendation. Mayor Rose Marie Sheetz, representing City of Morro Bay, submitted a speaker's slip. Judy Skousen, City Attorney, representing City of Morro Bay, submitted a speaker's slip requesting a continuance.

Postponed. There being no objection, Chairman Gwyn ruled the item postponed.

-
- c. **Morro Bay LCP Amendment No. 3-91-A Certification Review.** Staff recommended concurrence with the Executive Director. There being no objection, Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**
-

PUBLIC STATEMENT. Judy Skousen, City Attorney for Morro Bay, provided information on desalination plant. M. Tearchik, representing Citizens for Appropriate Planning & Land Use, submitted a speaker's slip.

LUNCH RECESS. The Commission recessed for lunch at 11:50 p.m. and reconvened at 2:45 p.m. after closed session.

CLOSED SESSION. In closed session the Commission took action on CCC v. Buckley and CCC v. Tahmassebi, and discussed two other matters for information only.

20. LOCAL COASTAL PROGRAMS (LCPs).

- a. **Neary's Lagoon (Santa Cruz) LCP Resubmittal.** Staff recommended approval.

Motion & Vote on Plan as Submitted: Yokoyama moved approval of Land Use Plan amendment as submitted, seconded by Cervantes, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Motion & Vote to Reject Implementation as Submitted: Yokoyama moved to reject implementation amendment as submitted, seconded by Cervantes, and the roll call vote was 0 in favor and 11 opposed. The motion failed so the amendment was **approved.**

DRAFT

- b. **Santa Cruz LCP Amendment No. 1-92** Staff recommended approval.

Steve Wolfman, representing City of Santa Cruz, was available to answer questions.

Motion & Vote on Plan as Submitted: Yokoyama moved approval of Land Use Plan amendment as submitted, seconded by Cervantes, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

Motion & Vote to Reject Implementation as Submitted: Yokoyama moved to reject implementation amendment as submitted, seconded by Cervantes, and the roll call vote was 0 in favor and 11 opposed. The motion failed so the amendment was **approved.**

- 21. **CONDITION COMPLIANCE on Permit No. A-3-86-155. Postponed.**

22. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-4-91-44 (Cloisters, Morro Bay)** Staff recommended denial.

Rose Marie Sheetz, Mayor, representing the City of Morro Bay, spoke in favor of the project. William Walter, representing the applicant, spoke in favor of the project. Victor Montgomery, representing the applicant, spoke in favor of the project. Ned Rogoway, the appellant, spoke. Sandi Lucas submitted a speaker's slip in opposition to the project and deferred her speaking time to Ned Rogoway. Warren M. Dorn, Susan Mullen, and Lucas Leroy all spoke in opposition to the project.

Motion & Vote to Continue: Glickfeld moved to continue, seconded by Doo, and the hand vote was 10 in favor and 2 opposed. **Continued.**

- b. **Application No. 3-92-6 (Monterey Marina dredging)** Staff recommended approval with special conditions.

Tom Reeves, representing the applicant, submitted a speaker's slip.

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

DRAFT

- c. **Application No. 3-92-15 (Santa Cruz/San Lorenzo Lagoon water level)**
Staff recommended approval with special conditions.

Joe Hall, representing the City of Santa Cruz, urged approval of the staff report and stated that the project was funded by the Coastal Conservancy.

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

- d. **Application No. 4-92-1 (Morro Bay desalination)** Staff recommended approval with special conditions as modified orally.

Rose Marie Sheetz, Mayor, representing City of Morro Bay, spoke in favor of the project. Judy Skousen, City Attorney, representing the City of Morro Bay, objected to water management plan and use of sewer. Susan Mullen submitted a speaker's slip in favor of the project. William Boucher, representing the City of Morro Bay, spoke in favor of the project. Roger Lyon, representing Cayucos Sanitary District, spoke in support of the staff recommendation. Aaron Setran, representing EPA, was available to speak.

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

23. FINDINGS.

- a. **Application No. 3-91-24 (Kenedy, Pacific Grove)** Staff recommended approval of the findings.

Motion & Vote: Wright moved staff recommendation, seconded by Neely, and the hand vote was 5 in favor and 0 opposed. **Passed.**

- b. **Application No. A-3-91-66 (Rice, San Mateo Co.)** Staff recommended approval of the findings.

Michael McCracken, representing the applicant, spoke about his concerns of the revisions. Karen Quraishi, Coastside Infront/Toddler Center, submitted a speaker slip that stated she had concerns about the project.

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

DRAFT

- d. **Application No. 3-92-3 (Rice, Half Moon Bay)** Staff recommended approval of the findings.

Alan Phillips, representing Grace Tung, submitted a speaker's slip opposed to the project.

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

- d. **Morro Bay LCP Amendment No. 2-91 (Measure H).** Staff recommended approval with special conditions.

Judy Davidoff, representing Williams Bros., urged the Commission to vote on the findings. Susan Mullen recommended a continuance.

Motion & Vote to Continue: MacElvaine moved continuance, seconded by Doo, and the hand vote was 9 in favor and 0 opposed. **Continued.**

24. NEW APPEALS.

- a. **Appeal No. A-3-91-78 (Forde, San Mateo Co.)** 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.

Michael N. Forde, the applicant, requested a continuance. Larry Siders, representing San Mateo County Planning Dept., submitted a speakers slip in favor of the project. Lennie Roberts, representing Committee for Green Foothills, the appellant, requested the continuance not be heard at the May or June meeting.

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

- b. **Appeal No. A-3-91-89 (Rocky Pt. Restaurant, Monterey Co.)** 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.

DRAFT

MacKenzie Patterson, representing the applicant, spoke in favor of the staff's recommendation, except for the sentence in condition #1 which does not authorize an increase in square footage of the existing structure or use of any portion of the building for a dance floor. Bruce Jones, representing the applicant, spoke in favor of the project.

Motion: Cervantes moved staff recommendation, seconded by Giacomini.

Amending Motion & Vote: Cervantes moved to amend the last paragraph in condition #1, seconded by Giacomini, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

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

RECESS. The Commission recessed for the day at 6:40 p.m.

DRAFT

Thursday, April 9, 1992 – pages 16 to 22

1. **CALL TO ORDER.** Chairman Gwyn called the meeting of the California Coastal Commission to order on Thursday, April 9, 1992, at 9:00 a.m.
2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman MacElvaine, Commissioners Cervantes, Giacomini, Glickfeld, Malcolm, Moulton-Patterson, (Alternate) Doo, Neely, Rick, Wright and Yokoyama. Absent: Hall, Sanders and Shafroth.

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through k on pages 10 and addendum. Staff recommended approval with special conditions.

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

4. **CONSENT CALENDAR.** See items a through c on page 11 of the agenda. Staff recommended approval with a special condition.

(4c) Vince Abe, representing the City of Long Beach, submitted a speaker's slip to answer questions only.

Motion & Vote: Giacomini moved staff recommendation, seconded by Glickfeld, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

SOUTH CENTRAL COAST AREA

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

PUBLIC STATEMENT. Norman Haynie spoke about specific T.D.C. issues.

- a. **Santa Barbara LCP Amendment No. 1-92 (Minor).** Staff recommended concurrence with the Executive Director. There being no objection,

DRAFT

Chairman Gwyn ruled that the Commission concurred with the Executive Director. **Approved.**

6. LOCAL COASTAL PROGRAM (LCP).

- a. **Santa Barbara Co. LCP Amendment No. 1-92.** Staff recommended approval as submitted.

Dianne Meester, representing Santa Barbara County, spoke in favor of the staff recommendation.

Motion & Vote to Reject Implementation as Submitted: MacElvaine moved to reject implementation amendment as submitted, seconded by Doo, and the roll call vote was 0 in favor and 9 opposed. The motion failed so the amendment was **approved.**

- b. **San Buenaventura LCP Amendment No. 1-92 (Vista del Mar bluffs).**
Postponed.
-

7. NEW APPEAL.

- a. **Appeal No. A-4-92-4 (Cole, Ventura Co.)** Staff recommended that the appeal raised substantial issue. Four Commissioners voted to hear testimony on substantial issue. See Tuesday, page 6.

8. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 5-91-497 (Hehr, Los Angeles Co.)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Giacomini moved staff recommendation, seconded by MacElvaine, and the roll call vote was 10 in favor and 0 opposed. **Passed.**

- b. **Application No. 5-91-574 (Berhend, Los Angeles Co.)** Staff recommended approval with special conditions as revised in addendum.

DRAFT

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

- c. **Application No. 5-91-767 (Davis & Argyropolylos, Malibu)** Staff recommended approval with a special condition.

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

- d. **Application No. 5-91-822 (Coghlan, Los Angeles Co.)** **Postponed.**
-

- e. **Application No. 5-91-829 (Johnson, Los Angeles Co.)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Giacomini moved staff recommendation, seconded by MacElvaine, and roll call vote was 10 in favor, 0 opposed, and 1 abstention (Cervantes). **Passed.**

- f. **Application No. 5-91-836 (Allen, Malibu)** **Postponed.**

Robert Haggstrom and John Carey both submitted speaker's slips opposed to the project.

- g. **Application No. 5-91-859 (Suszka, Los Angeles Co.)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Giacomini moved staff recommendation, seconded by MacElvaine, and the roll call vote was 11 in favor and 0 opposed. **Passed.**

- h. **Application No. 4-92-57 (Yamada, Los Angeles Co.)** **Postponed.**
-

- i. **Application No. 4-92-58 (Blanchard, Malibu)** Staff recommended approval with special condition.

DRAFT

James Harnish, representing the applicant submitted a speaker's slip in favor of the project.

Motion & Vote: There being no speakers, MacElvaine moved staff recommendation, seconded by Giacomini, and Chairman Gwyn substituted the previous roll call vote (11 - 0). **Passed.**

j. **Application No. 4-92-60 (Amerigas Propane, Los Angeles Co.) Waived.**

k. **Application No. 4-92-63 (Netter, Malibu)** Staff recommended approval with special conditions as revised in addendum.

Don Schmitz, representing the applicant, spoke in favor of the project.

Motion & Vote: MacElvaine moved staff recommendation, seconded by Giacomini, and Chairman Gwyn substituted the previous roll call vote (11 - 0). **Passed.**

l. **Application NO. 4-92-65 (Edelson, Los Angeles Co.)** Staff recommended approval with special conditions as revised in addendum and orally.

Marc Annotti, representing the applicant, spoke. Michael W. Edelson the applicant submitted a speaker's slip.

Motion & Vote: Glickfeld moved staff recommendation, seconded by Doo, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

m. **Application No. 4-92-55 (Wells, Los Angeles Co.)** Staff recommended approval with special condition.

Motion & Vote: MacElvaine moved staff recommendation, seconded by Neely, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

9. PERMIT AMENDMENTS.

a. **Permit No. 5-89-1063-A2 (Silver & Young, Malibu)** Staff recommended approval.

DRAFT

Motion & Vote: There being no speakers, MacElvaine moved staff recommendation, seconded by Giacomini, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

- b. **Permit No. 5-90-1103-A (Betz, Los Angeles Co.)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, MacElvaine moved staff recommendation, seconded by Giacomini, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

- c. **Application No. 4-92-3-A (Jekel, Pismo Beach)** **Postponed.**

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. **LOCAL COASTAL PROGRAMS (LCPs).**

- a. **Huntington Beach LCP Amendment No. 2-90 (P.C.H.).** **Postponed.**

- b. **Newport Beach Plan Amendment No. 1-92 (Corp. Plaza West).**
Withdrawn.

Robert H. Burnham, representing the City of Newport Beach, requested to withdraw the request and related development agreement. Tom Redwood, representing the Irvine Company, concurred with Mr. Burnham.

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-91-454 (Pannebaker, Bank, and Anderson, San Clemente)** Staff recommended denial as revised in addendum.

Lee Riley, representing the applicant, spoke in favor of the project.

Motion & Vote: MacElvaine moved approval of the project with an assumption risk condition, seconded by Rick, and the roll call vote was 8 in favor and 2 (Giacomini, Glickfeld) opposed. **Passed.**

DRAFT

- b. **Application No. 5-91-550 (S. Coast Water, San Clemente & Dana Pt.)**
Staff recommended approval with special conditions.

Michael P. Dunbar, representing the applicant, spoke in favor of the staff recommendation.

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

13. PERMIT AMENDMENT.

- a. **Permit No. 5-90-227-A (McGhee, South Laguna)** Staff recommended approval.

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

14. FINDINGS.

- a. **Application No. 5-91-375 (Manhattan Beach parking)** Staff recommended approval of the findings.

Motion & Vote: MacElvaine moved staff recommendation, seconded by Moulton-Patterson, and the hand vote was 9 in favor and 0 opposed. **Passed.**

- b. **Application No. 5-91-831 (Collins, Newport Beach)** Staff recommended approval of findings.

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

DRAFT

PUBLIC STATEMENTS. Don Schmitz, representing The Land and Water Co., spoke regarding Santa Monica Mountains certified land use plan policy costs. Norm Haynie spoke about staff error analyzing the lot criteria for TDC's, request for the project findings for a Sherman Stacey project that was heard over a year ago, and also praised the Commission's conduct. M. Tetarchik, representing CAPLU, spoke in favor of the initiative process and against the Commission's vote regarding the Half Moon Bay control growth initiative passed by the voters.

RECESS. The Commission recessed for the day at 12:10 p.m.

DRAFT

Friday, April 10, 1992 – pages 23 to 28

1. **CALL TO ORDER.** Chairman Gwyn called the meeting of the California Coastal Commission to order on Friday, April 10, 1992, at 9:00 a.m.
 2. **ROLL CALL.** Present: Chairman Gwyn, Vice Chairman MacElvaine, Commissioners Cervantes, Giacomini, (Alternate) Diaz, Malcolm, Moulton-Patterson, (Alternate) Doo, Neely, Rick, Wright and Yokoyama. Absent: Hall, Sanders and Shafroth.
-

SAN DIEGO COAST AREA

2. **SOUTH COAST DISTRICT DIRECTOR'S REPORT.** District Director Damm reported on matters not requiring public hearings, and on comments from the public.
 - a. **San Diego LCP Amendment No. 2-91 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.**
 - c. **Oceanside LCP Amendment No. 1-91 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.**

Stephanie Dall, representing D-H/Oceanside, submitted a speaker's slip, in favor of the staff recommendation and was available for questions.

4. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through h on pages 14 and 15 of the agenda. Staff recommended approval with special conditions.

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

DRAFT

5. **CONSENT CALENDAR.** See items a through c on page 15 of the agenda. Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Giacomini moved staff recommendation, seconded by MacElvaine, and the roll call vote was 12 in favor and 0 opposed. **Passed.**

6. **LOCAL COASTAL PROGRAM (LCP).**

- a. **Imperial Beach LCP Amendment No. 1-92. Withdrawn.**

7. **NEW APPEALS.**

- a. **Appeal No. A-6-92-6 (Martin, Imperial Beach)** Staff recommended approval with special conditions.

Jim Hirschberg, representing the applicant, supported the project and agreed with conditions.

Motion & Vote: MacElvaine moved staff recommendation, seconded by Yokoyama, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

- b. **Appeal No. A-6-92-25 (Thomas, San Diego) Postponed.**
-

8. **FEDERAL CONSISTENCY CERTIFICATION.**

- a. **CC-5-92 (Caltrans Route 78 Freeway Connector, Oceanside)** Staff recommended approval.

Motion & Vote: There being no speakers, Malcolm moved staff recommendation, seconded by MacElvaine, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

9. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-91-301 (de Jong, Carlsbad)** Staff recommended approval with special conditions.

DRAFT

Ted Marioncelli, representing the applicant, spoke in favor of the staff recommendation and stated that Conrad Pawelski and Peter Fuhrman, both representing the applicant were also in favor of the staff recommendation.

Motion & Vote: Wright moved staff recommendation, seconded by Cervantes, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

b. **Application No. 6-92-9 (22nd Dist. Ag. Assn., Del Mar) Postponed.**

c. **Application No. 6-92-33 (Coffee, Encinitas) Postponed.**

d. **Application No. 6-92-43 (Toohey, Encinitas)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, MacElvaine moved staff recommendation, seconded by Rick, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

e. **Application No. 6-92-49 (U.S. Community Savings, Carlsbad)** Staff recommended approval with special conditions as modified orally.

Motion & Vote: There being no speakers, Wright moved staff recommendation, seconded by Neely, and Rick having left the room Chairman Gwyn substituted the previous roll call vote for the remaining Commissioners (11 - 0). **Passed.**

10. PERMIT AMENDMENTS.

a. **Application No. 6-84-525-A (22nd Dist. Ag. Assn., Del Mar) Postponed.**

b. **Application No. 6-87-198-A (Von Packard, Carlsbad)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Wright moved staff recommendation, seconded by Cervantes, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

DRAFT

- c. **Application No. 6-88-8-A (22nd Dist. Ag. Assn., Del Mar)** Staff recommended approval with special conditions as revised in addendum and orally.

Trish Butler, representing the applicant, spoke in favor of the project and requested a 3-year limit for the report.

Motion: Malcolm moved staff recommendation, seconded by Cervantes.

Amending Motion & Vote: Malcolm moved to require a 2 year limit for the report, seconded by Cervantes, and the roll call vote was 9 in favor and 3 opposed (MacElvaine, Rick, Gwyn). **Passed.**

Vote on Main Motion as Amended: The roll call vote on the main motion as amended above was 12 in favor and 0 opposed. **Passed.**

- d. **Application No. 6-88-577-A (Batter Kay, Del Mar)** Staff recommended approval with special conditions.

Motion & Vote: There being no speakers, Wright moved staff recommendation, seconded by Moulton-Patterson, and Chairman Gwyn substituted the previous roll call vote (12 - 0). **Passed.**

11. FINDINGS.

- a. **Application No. 6-91-267 (Adams et al., Encinitas)** **Postponed.**
-

- b. **Application No. A-6-91-299 (Farrelly, Imperial Beach)** Staff recommended approval of the findings as modified in addendum and orally.

Norbert Dall, representing the applicant, spoke about problems regarding the staff report and stated that he had not received the addendum.

Motion & Vote: MacElvaine moved staff recommendation, deleting the sentence on page 7 of the report, seconded by Wright, and the hand vote was 9 in favor and 0 opposed. **Passed.**

DRAFT

- c. **Application No. 6-91-318 (Aviara, Carlsbad)** Staff recommended approval of the findings.

Motion & Vote: There being no speakers, Wright moved staff recommendation, seconded by Doo, and the hand vote was 10 in favor and 0 opposed. **Passed.**

- c. **Oceanside LCP Amendment No. 1-91. Postponed.**

Stephanie Dall, representing the applicant, submitted a speaker's slip in favor of the continuance.

DRAFT

ADJOURNMENT. There being no old or new business, the meeting adjourned at 10:20 a.m.

Respectfully Submitted,

PETER M. DOUGLAS

Executive Director

dr