

CALIFORNIA COASTAL COMMISSION

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

W13**RECORD PACKET COPY**

TO: ALL COMMISSIONERS

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: MINUTES of MEETING of JULY 14-16, 2004
The Westin South Coast Plaza
686 Anton Blvd.
Costa Mesa

Wednesday, July 14, 2004 pages 1 to 7

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Wednesday, July 14, 2004, at 10:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Caldwell, Iseman, Kram, Kruer, (Alternate) Orr, Neely, Potter and (Alternate) Albert. Absent: Chrisman, Peters, McPeak and Westly.

SOUTH CENTRAL COAST DISTRICT**3. CONSENT CALENDAR.**

a. **Application No. 4-04-3 (Smit, Los Angeles Co.)** Staff recommended approval with special conditions.

Colin Smit, the applicant, submitted a request to speak in favor of the project. John Hamilton, representing the applicant, submitted a request to speak in favor of the project.

Motion & Vote: Potter moved staff recommendation, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

NORTH COAST DISTRICT

4. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 1-04-37 (Shearin, Mendocino Co.)** Staff recommended approval with special conditions.

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

SOUTH CENTRAL COAST DISTRICT

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Damm reported on matters not requiring public hearings, and on comments from the public. Courtney Schmidt, representing Sprint PCS, submitted a request to speak in favor of a project.

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 8c to the Calendar, and recommended approval with special conditions.

Motion & Vote: Burke moved staff recommendation, seconded by Potter, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

7. LOCAL COASTAL PROGRAMS (LCPs).

a. **Carpinteria LCP Amendment No. 1-02 B (Creeks Preservation Program).** Staff recommended approval with suggested modifications.

Paul Kermoyan, representing the City of Carpinteria, submitted a request to speak in favor of the project.

Motion & Vote to Reject Implementation: Potter moved to reject the implementation amendment as submitted, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on Implementation with Modifications: Potter moved approval of the implementation with suggested modifications, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

b. **UCSB LRDP Amendment No. 3-03 & Notice of Impending Development No. 1-04 (Alumni House).** Staff recommended approval of the Long Range Development Plan Amendment as submitted, and approval of the Impending Development with special conditions.

Tye Simpson, representing UC Santa Barbara, submitted a request to speak in favor of the staff recommendation.

Motion & Vote on LRDP: Potter moved staff recommendation, seconded by Iseman, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on Development: Potter moved staff recommendation, seconded by Iseman, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

c. **Oxnard LCP Amendment No. 1-04 (Casas de La Playa) Time Extension.** Staff recommended approval.

Motion & Vote: Burke moved staff recommendation, seconded by Iseman, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

d. **Oxnard LCP Amendment No. 2-04 (Wireless Communications) Time Extension.** Staff recommended approval.

Motion & Vote: Burke moved staff recommendation, seconded by Iseman, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

8. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 4-03-101 (Blowers Trust, Los Angeles Co.) Postponed.**

b. **Application No. 4-03-103 (Azoulay, Los Angeles Co.) Postponed.**

c. **Application No. 4-03-117 (Teherani, Los Angeles Co.) Moved to expanded Consent Calendar. Approved.**

9. **PERMIT AMENDMENTS.**

a. **Permit No. 5-82-192-A2 (Perenchio, Malibu)** Staff recommended approval with special conditions.

Rick Zbur, representing the applicant, submitted a request to speak in favor of the project. Sherman Stacey, representing the applicant, submitted a request to speak in favor of the project. Marcia Hanscom, representing Wetlands Action Network, submitted a request to speak in favor of the project. Chad Nelsen, representing Surfrider Foundation, submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak in favor of the staff recommendation.

Motion & Vote: Burke moved staff recommendation, seconded by Potter, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

b. **Permit No. 4-02-43-A (Munro, Los Angeles Co.)** **Withdrawn.**

NORTH COAST DISTRICT

10. **DEPUTY DIRECTOR'S REPORT.** District Manager Merrill reported on matters not requiring public hearings, and on comments from the public.

a. **Del Norte Co. LCP Amendment No. DNC-MAJ-2-04 (Redland Company)**
Certification Review. Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Reilly ruled that the Commission concurred with the Executive Director. **Approved.**

11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 13.5a to the Calendar, and recommended approval with special conditions.

Motion & Vote: Neely moved staff recommendation, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

12. **NEW APPEALS.**

a. **Appeal No. A-1-04-23 (Pauli, Mendocino Co.)** **Postponed.**

b. **Appeal No. A-1-04-30 (Bangs, Mendocino Co.) Postponed.**

c. **Appeal No. A-1-04-34 (Karabensh, Mendocino Co.) Withdrawn.**

13. **COASTAL PERMIT APPLICATIONS.**

a. **Appeal No. A-1-02-152 (Redland Company, Del Norte Co.) Postponed.**

b. **Appeal No. A-1-03-62 (Mello, Mendocino Co.)** Staff recommended approval with special conditions as modified orally.

Julia Mello submitted a request to speak in favor of the project. Dr. Frank Mello submitted a request to speak in favor of the project. Mark Massara, representing Sierra Club, submitted a request to speak in opposition to the staff recommendation.

Motion & Vote: Neely moved staff recommendation, seconded by Potter, and the roll call vote was 9 in favor and 1 opposed (Caldwell). **Passed.**

c. **Application No. 1-04-27 (Eureka 5th & V Streets)** Staff recommended approval with special conditions as modified in an addendum.

Brent Siemer (City Engineer), representing City of Eureka, submitted a request to speak in favor of the project.

Motion & Vote: Neely moved staff recommendation, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

13.5 **PERMIT AMENDMENT.**

a. **Permit No. 1-99-63-A (Fish & Game, Humboldt Co.)** Moved to expanded Consent Calendar. **Approved.**

STATEWIDE

14. **FEDERAL CONSISTENCY REPORT.** Deputy Director Damm reported on Negative Determinations issued by the federal consistency staff.

15. **FEDERAL CONSISTENCY.**

a. **CD-33-04 (National Park Service, Humboldt Co.) Postponed.**

ENFORCEMENT

16. **ENFORCEMENT REPORT.** None.

STATEWIDE

17. **APPROVAL OF MINUTES.** The minutes of June 2004 were approved.

18. **COMMISSIONERS' REPORTS.**

a. There being no objection Burke was selected to serve on the **Santa Monica Bay Restoration Commission.**

b. Selection of **Representative to Santa Monica Mountains Conservancy** and possible Alternate was **continued** to a future meeting.

19. **CONSERVANCY REPORT.** Informational only.

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

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

22. **EXECUTIVE DIRECTOR'S REPORT.** None.

PUBLIC STATEMENTS. Jan Vandersloot showed pictures of grading in wetlands and on scenic hillside during construction of the Bayview Landing project. Marcia Hanscom, representing Wetlands Action Network, spoke about lack of resources to enforce permit conditions, particularly at the Bayview Landing project. F.K. (Joe) Holtzman presented information about violations at the Torrey Pines gliderport going back 10 years. Lee Willoughby, representing Tidepool Coalition, said serious dune destruction was taking place in the Asilomar area next to the State Park, and raised concerns about transfer of the lighthouse reservation to the City of Pacific Grove. Patricia Colin Smith said the City of Pacific Grove planned to develop the Pt. Pinos Lighthouse property without regard to environmental laws, and described other violations. Alan Beek, representing Friends of the Newport Coast, spoke in favor of a future state park at El Moro Cove.

RECESS. The Commission recessed for the day at 12:30 p.m.

Thursday, July 15, 2004 - pages 8 to 16

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Thursday, July 15, 2004, at 9:00 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Vice Chairman Burke, Commissioners Caldwell, Scarborough, Iseman, Kram, Kruer, (Alternate) Orr, Neely, Peters, Potter and (Alternate) Albert. Absent: McPeak and Westly.

SOUTH COAST DISTRICT

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See items a through c on pages 8 & addendum of the Meeting Notice. Staff recommended approval with special conditions.

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

4. **CONSENT CALENDAR.** See items a through g on pages 8-9 of the Meeting Notice. Staff recommended approval with special conditions.

(c) Julie Oakes, representing the applicant, submitted a request to speak in favor of the project.

Motion & Vote: Peters moved staff recommendation, seconded by Kram, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

CENTRAL COAST DISTRICT

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lester reported on matters not requiring public hearings, and on comments from the public.

a. **Sand City LCP Amendment No. 1-03 (East Side Re-Designation) Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection Chairman Reilly ruled that the Commission concurred with the Executive Director. **Approved.**

b. **San Luis Obispo Co. LCP Amendment No. SLO-MAJ-1-03 (Phase 1 Periodic Review Implementation) Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection Chairman Reilly ruled that the Commission concurred with the Executive Director. **Approved.**

6. **CONSENT CALENDAR (removed from Regular Calendar)** None.

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

a. **Santa Cruz Co. LCP Amendment No. SCO-MAJ-1-03 (Part 2) (AS combining district).** Withdrawn.

b. **Pismo Beach LCP Amendment PSB-MAJ-1-04 Part 2.** Staff recommended approval with suggested modifications as modified orally.

Judith Lautner, representing the City of Pismo Beach, submitted a request to speak in favor of the staff recommendation.

Motion & Vote on Plan as Submitted: Peters moved approval of the Land Use Plan Amendment as submitted, seconded by Potter, and Chairman Reilly ruled that the vote was unanimous in opposition to the motion. **Failed.**

Motion & Vote on Plan with Modifications: Peters moved approval of the Land Use Plan Amendment with suggested modifications, seconded by Potter, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

c. **San Luis Obispo Co. LCP Amendment No. SLO-MAJ-1-04 Part 1 (Flood Hazard) Time Extension.** Staff recommended approval.

Motion & Vote: Potter moved staff recommendation, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

d. **San Luis Obispo Co. LCP Amendment No. SLO-MAJ-1-04 Part 2 (Ag. Preserves Map) Time Extension.** Staff recommended approval.

Motion & Vote: Orr moved staff recommendation, seconded by Potter, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

8. **NEW APPEAL.**

a. **Appeal No. A-3-03-117 (Brown & Townsend, San Luis Obispo Co.) Postponed.**

9. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 3-02-24 (Ocean Harbor House, Monterey) Postponed.**

b. **Application No. 3-04-9 (Beardsley, Monterey)** Staff recommended approval with special conditions.

Gregory Beardsley, the applicant, submitted a request to speak in favor of the project. Cara Vallier, representing the applicant, submitted a request to speak in favor of the project.

Motion: Potter moved staff recommendation, seconded by Kruer.

Amending Motion & Vote: Potter moved to allow 5 condominiums, seconded by Neely, and the roll call vote was 8 in favor and 3 opposed (Caldwell, Albert & Reilly). **Passed.**

Vote on Main Motion: Chairman Reilly ruled that the roll call vote, on the main motion, as amended above, was unanimous. **Passed**

NORTH CENTRAL COAST DISTRICT

10. **DEPUTY DIRECTOR'S REPORT.** None.

11. **CONSENT CALENDAR (removed from Regular Calendar).** None.

12. **PERMIT AMENDMENT.**
 - a. **Permit No. 2-01-26-A (Pacifica, Vlazakis & Cottrel)** Postponed.

ENERGY, OCEAN RESOURCES and WATER QUALITY

13. **ENERGY, OCEAN RESOURCES and WATER QUALITY REPORT.** None.

14. **NEW APPEAL.**
 - a. **Appeal No. A-3-04-35 (Diablo Canyon spent fuels storage, San Luis Obispo Co.)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Reilly ruled that the Commission **found substantial issue.** Chairman Reilly opened the hearing on the merits of the project **and continued** it to a future meeting.

15. **SONGS STATUS.** A written status report was mailed to the Commission.

SOUTH COAST DISTRICT

16. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lee reported on matters not requiring public hearings, and on comments from the public.

a. **Application No. 5-04-249-EDD (Makaron Atlanta, Huntington Beach)** Staff recommended that the approval was appealable.

Howard Zelefski, representing the City of Huntington, submitted a request to speak in favor of the project. Steve Kaufman & John Flynn, both representing Makar Properties, submitted requests to speak in favor of the project. Shirley Dettloff submitted a request to speak in favor of the project. Paul S. Cross submitted a request to speak in favor of the project. Tom Livengood submitted a request to speak in opposition to the staff recommendation. Jan Vandersloot submitted a request to speak in opposition to the project. Mary Jo Baretich, representing Cabrillo Mobile Home Park, submitted a request to speak in opposition to the project. Larry Porter submitted a request to speak in opposition to the project. Mike Churchin & Gaye Churchin, both representing Pacific City Action Coalition, submitted requests to speak in favor of the staff recommendation. Mark Bixby submitted a request to speak in favor of the staff recommendation.

Motion & Vote on Executive Director Dispute: Peters moved to overturn the Executive Director's determination and find that the project was not appealable, seconded by Orr, and the roll call vote was 7 in favor and 3 opposed (Caldwell, Orr & Albert). **Passed.**

17. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved item 19d to the Calendar, and recommended approval with special conditions.

Tim McNamara, architect, submitted a request to speak in favor of the staff recommendation. J. Jordan submitted a request to speak in opposition to the project.

Motion & Vote: Orr moved staff recommendation, seconded by Neely, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

17.5 LOCAL COASTAL PROGRAM (LCP).

a. **Manhattan Beach LCP Amendment No. MNB-MIN-1-04 (Definitions - Basements) Time Extension.** Staff recommended approval.

Motion & Vote: Orr moved staff recommendation, seconded by Iseman, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

18. NEW APPEALS.

a. **Appeal No. A-5-04-222 (Long Beach)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Reilly ruled that the Commission **found substantial issue**. Chairman Reilly opened the hearing on the merits of the project **and continued** it to a future meeting.

b. **Appeal No. A-5-04-226 (Anile, Long Beach)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Reilly ruled that the Commission found substantial issue. Staff recommended approval with special conditions.

Motion & Vote: Peters moved staff recommendation, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

c. **Appeal No. A-5-03-465 (Y.M.C.A & Santa Monica Mts Conservancy, Los Angeles)** Staff recommended that the appeal raised substantial issue. There being no objection, Chairman Reilly ruled that the Commission **found substantial issue**. Chairman Reilly opened the hearing on the merits of the project **and continued** it to a future meeting.

PUBLIC STATEMENTS. Thea Geller, representing Villa Medici Homeowners Assn., raised questions about design and noise from project to be heard as 19c below. Elmer F. Smith, representing We Vote, said the wetlands at Beach Blvd & Pacific Coast Highway and extending to Newland Street were drying up on purpose. John McGregor, representing We Vote, requested help getting the City of Huntington Beach to clean the culvert. Mary Jo Baretich, representing Cabrillo Mobile Home Park, said settlement proposed between Mills Land & Water and Caltrans might not allow them to preserve the wetlands and affordable housing. Jeff Ackley, Representing Cabrillo Mobile Home Park, spoke in favor of affordable housing in the coastal zone, and opposed destruction of wetlands by eager developers. Barry Johnson, representing Cabrillo "wet-land" Village, asked what they could do to save the wetlands. Marcia Hanscom,

representing Wetlands Action Network, thanked Commissioner Albert for speaking up for wildlife & wetlands. Larry Porter said the new toll road into Trestles at San Onofre Creek was not to alleviate traffic, but to open the watershed to development.

LUNCH RECESS. The Commission recessed for lunch at 12:00 p.m. and returned at 2:00 p.m. after closed session. Burke and Scarborough did not return after the break.

REPORT of CLOSED SESSION. In closed session the Commission took action on Western States Petroleum Association v. CCC, Peter Douglas; In the Matter of Notice of Impending Development No. T-04, Boating Instruction & Safety Center, Channel Islands Harbor; Big Creek Lumber Co., et al. v. County of Santa Cruz, CCC, et al.; and discussed one other case for information only.

19. COASTAL PERMIT APPLICATIONS.

a. **Appeal No. A-5-03-536 (Laguna Beach corporate yard, Orange Co.)**
Postponed.

Kram left during the following item.

b. **Appeal No. A-5-04-4 (Laguna Beach corporate yard & festival parking, Orange Co.)** Staff recommended approval with special conditions.

Mayor Cheryl Kinsman, Mayor Pro Tem Elizabeth Pearson, John Pietig and City Manager Ken Frank, all representing City of Laguna Beach, submitted requests to speak in favor of the project. Thirty four other speakers submitted requests to speak in favor of the project: Gary Beverage, representing North Laguna Community Assoc.; Nancy Beverage, representing NLCA Arts Alliance; William E. Callahan, Jr., MD; Arthur W. Casebeer, representing North Laguna Comm. Assoc.; Bobbi Cox; Verlaine Crawford, Executive Director Chamber of Commerce; Ken Delino, representing Laguna Beach Chamber of Commerce; Bob Dietrich, representing Laguna Beach Chamber of Commerce & Festival of Arts; Linda Dietrich; Monica Hellman, representing No. Laguna Community Association; Gail A. Henson; Julita Jones; Pat Kollenda, representing Laguna Bch. Arts Alliance; Martha Lydick, representing Laguna Beach Taxpayers Assoc.; Anne Morris; Dr. Dennis Myers, representing Chamber of Commerce/Laguna Beach Parking Traffic Circulation Committee; William J. Odum; Mark Orgill; Edward A. Petersen, member of Parking Traffic & Circulation; Siân Poeschl; Lance Polster; Mike Powell, representing Laguna Beach Municipal Employee Association; Carol Reynolds; Frank Ricchiazzi, representing Laguna Beach Taxpayers; Kent Russell; Thomas E. Slattery; Richard Stein, representing Laguna Playhouse; Les Thomas, representing Music in the Park, Inc.; Pat Thomas, representing North Laguna Community Assoc.; Marilyn Thomas; Gregory Vail; Alexander J. Wentzel, representing

Rescuing Unwanted Furry Friends; Dora Wexell; and Dennis White. Sixteen speakers submitted requests to speak in opposition to the project: Wayne Baglin, Laguna Beach Councilmember; Jean Baum; Jane Egly, representing Laguna Greenbelt, Inc.; Paul Egly, Judge Retired, a founder of Laguna Greenbelt, Inc.; Gene Felder, representing Top of the World Neighborhood Ass.; Johanna Felder, representing Village Laguna; Edward Fry; Tom Girvin; Janette Heartwood; Rick Lawrence; Marni Magda; Barbara Metzger; Steve Miller; Douglas C. Reilly; John Selecky, representing Village Laguna; and Carolyn Wood, representing Laguna Canyon Conservancy. Ten speakers submitted requests to speak in opposition to the staff recommendation: Bette Anderson, representing Village Laguna; Guy Chezrony, representing Laguna Canyon Conservancy; Ann Christoph; Penny Elia; Arnold Hano; Bonnie Hano; Christopher Koontz, representing Laguna Canyon Conservancy; Celia Kutcher; Kimberly Stuart; and Phyllis Sweeney.

Motion & Vote to Continue: Iseman moved to continue the hearing, seconded by Albert, and the roll call vote was 7 in favor and 2 opposed (Caldwell & Kruer). **Passed.**

Kruer and Potter left before the following item. Peters left during the item.

c. **Application No. 5-04-80 (Los Angeles Del Rey Lagoon Park)** Staff recommended approval with special condition.

Paul Davis, representing L.A. Dept. of Rec. & Parks, submitted a request to speak in favor of the staff recommendation. Jeff Lulla, representing Laguna Del Mar HOA, submitted a request to speak in favor of the staff recommendation. Marcia Hanscom, representing Wetlands Action Network, Friends of Los Angeles Lagoon, submitted a request to speak in opposition to the staff recommendation. Thea Geller, representing Villa Medici Homeowners Assn, submitted a request to speak.

Motion & Vote to Continue: Orr moved to continue the hearing, seconded by Albert, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

d. **Application No. 5-04-150 (Binder, Los Angeles)** Moved to expanded Consent Calendar. **Approved.**

e. **Application No. 5-04-164 (Colombatto, San Clemente)** Staff recommended approval with special conditions.

James L. Glover submitted a request to speak in opposition to the staff recommendation. Daniel Stewart submitted a request to speak in opposition to the staff recommendation.

Motion & Vote: Orr moved staff recommendation, seconded by Neely, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

20. **PERMIT AMENDMENTS.**

a. **Permit No. A-5-04-38-A2 (Bishton, Los Angeles)** Postponed.

b. **Permit No. 5-84-236-A2 (Hermosa Beach preferential parking)** Postponed.

21. **FINDINGS.**

a. **Application No. 5-03-233 (Orange Co. Sanitation District, Newport Beach)** Postponed.

RECESS. The Commission recessed for the day at 5:10 p.m.

Friday, July 16, 2004 pages 17 to 19

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order on Friday, July 16, 2004, at 9:05 a.m. by Chairman Reilly.
2. **ROLL CALL.** Present: Chairman Reilly, Commissioners Caldwell, Iseman, Kruer, (Alternate) Orr, Neely, Peters, Potter and (Alternate) Albert. Absent: Burke, Chrisman, Kram, McPeak & Westly.

SAN DIEGO COAST DISTRICT

3. ADMINISTRATIVE PERMIT APPLICATION.

a. **Application No. 6-04-30 (Lama Cove, San Diego Co.)** Staff recommended approval with special conditions.

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

4. CONSENT CALENDAR.

a. **Application No. 6-04-33 (Cavanaugh, Solana Beach)** Staff recommended approval with special conditions.

Motion & Vote: Orr moved staff recommendation, seconded by Neely, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

5. **DEPUTY DIRECTOR'S REPORT.** Deputy Director Lee reported on matters not requiring public hearings, and on comments from the public.

a. **San Diego LCP Amendment No. 2-98B (North Bay) Certification Review.** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chairman Reilly ruled that the Commission concurred with the Executive Director. **Approved.**

6. **CONSENT CALENDAR (removed from Regular Calendar).** None.

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

a. **Carlsbad LCP Amendment No. 5-03A (Various code changes).** Staff recommended approval with suggested modification.

Motion & Vote to Reject Implementation: Peters moved to reject the implementation amendment as submitted, seconded by Orr, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

Motion & Vote on Implementation with Modifications: Peters moved approval of the implementation with suggested modifications, seconded by Kruer, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

8. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-03-84 (Winkler, Solana Beach) Postponed.**

b. **Application No. 6-04-35 (Oceanside bridge seismic retrofit)** Staff recommended approval with special conditions.

Robert Reinen, representing the City of Oceanside, submitted a request to speak.

Motion & Vote: Peters moved staff recommendation, seconded by Kruer, and Chairman Reilly ruled that the vote was unanimous. **Passed.**

c. **Application No. 6-04-38 (Jocis, San Diego) Postponed.**

9. **FINDINGS.**

a. **Application No. 6-03-6 (SeaWorld, San Diego) Postponed.**

b. **Application No. 6-03-7 (San Diego Co. park) Postponed.**

PUBLIC STATEMENT. Mark Bixby said he measured the distance from the fence to the sand at 275 feet, and the Commission should reconsider the appealability of the Pacific City project.

ADJOURNMENT. There being no old or new business, the meeting adjourned at 9:20 a.m.

Respectfully Submitted,

PETER M. DOUGLAS
Executive Director

pmg

