

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885

**W31**

DATE: March 27, 2012
TO: Coastal Commissioners
FROM: Charles Lester, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of APRIL 11-13, 2012
Ventura City Council Chambers
501 Poli Street
Ventura, CA 93001

WEDNESDAY, APRIL 11, 2012 pages 1 to 8

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Shallenberger.
2. **ROLL CALL.** Present: Chair Shallenberger, Vice Chair Stone, Bochco, Brennan, Parker(alternate), Mitchell, Sanchez, Zimmer. Non-voting: Norvell. Kinsey arrived at 9:10 a.m., Bloom arrived at 9:13 a.m., McClure arrived at 10:00 a.m. Blank arrived at 12:30 p.m.
3. **AGENDA CHANGES.**

STATEWIDE

4. **EXECUTIVE DIRECTOR'S REPORT.** Legislative report and possible Commission action on legislation.

Motion & vote: Mitchell moved to oppose the budget trailer bill that would eliminate LCP mandate and recommended a yes vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion.

Opposed.

5. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

SOUTH COAST DISTRICT (Los Angeles County)

6. **ADMINISTRATIVE CALENDAR.** Staff recommended the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled concurrence.
 - a. **Application No. 5-11-307 (City of Long Beach, Dept. of Parks, Recreation, And Marine)**

7. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar.

Motion & vote: Kinsey moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Sanchez. Chair Shallenberger ruled that the vote was unanimous in favor of the motion.

Approved with conditions.

- a. **Application No. 5-11-243 (South Bay III, LLC, Hermosa Beach)**
- b. **Application No. 5-11-295 (Bloomberg & Farrell, Los Angeles)**
- c. **Application No. 5-12-26 (City of Long Beach, Dept. of Parks, Recreation, & Marine)**

SAN DIEGO DISTRICT

8. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar.

Motion & vote: Sanchez moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion.

Approved with conditions.

- a. **Application No. 6-11-88 (San Diego Gas & Electric (SDG&E), San Diego)**

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

9. **ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY.** Report by the Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, negative determinations, matters not requiring public hearings, and status report on offshore oil & gas exploration & development. There being no objection, Chair Shallenberger ruled that the Commission concurred.

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

[McClure arrived during the hearing of 11a]

11. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. E-11-017 (Pacific Gas & Electric (PG&E) Company,** San Luis Obispo Co.) Staff recommended approval with conditions.

[Mitchell recused, McClure abstained]

Motion & vote: Zimmer moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

12. **FEDERAL CONSISTENCY.**

- a. **CD-004-12 (Corps of Engineers, Statewide)** Staff recommended the Commission concur that the project is consistent with the Coastal Management Program.

Motion & vote: Sanchez moved to concur that the project is consistent and recommended a no vote, seconded by Bochco. Chair Shallenberger ruled that the vote was unanimous in opposition to the motion. **Objection.**

NORTH COAST DISTRICT

13. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Shallenberger ruled that the Commission concurred.

14. **CONSENT CALENDAR (removed from Regular Calendar)**. Staff moved 5 items [**16a, 16b, 16c, 17b, 17c**] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Stone moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

15. **NEW APPEALS.**

- a. **Appeal No. A-1-HUM-12-5 (Humboldt Trap & Skeet Club, Humboldt Co.)** Staff recommended the Commission determine that the appeal raised no substantial issue.

Motion & vote: Sanchez moved to determine that the appeal raised **no substantial issue** on the grounds in which the appeal was filed and recommended a yes vote, seconded by Bloom. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No substantial issue found.**

- b. **Appeal No. A-1-HUM-12-6 (Smith, Humboldt Co.)** Staff recommended the Commission determine that the appeal raised no substantial issue.

Motion & vote: Brennan moved to determine that the appeal raised **no substantial issue** on the grounds in which the appeal was filed and recommended a yes vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No substantial issue found.**

- c. **Appeal No. A-1-HUM-12-8 (Cienfuegos, Humboldt Co.)** Staff recommended the Commission determine that the appeal raised no substantial issue.

Motion & vote: Brennan moved to determine that the appeal raised no substantial issue on the grounds in which the appeal was filed and recommended a yes vote, seconded by Bloom. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No substantial issue found.**

16. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-11-43 (Needham, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- b. **Application No. 1-11-46 (California Department of Transportation, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Application No. 1-12-04 (Crescent City Harbor District, Del Norte Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

17. **PERMIT AMENDMENTS.**

- a. **Permit No. 1-08-47-A (Crescent City Harbor District, Del Norte Co.)** [POSTPONED]
- b. **Permit No. 1-10-35-A (Crescent City Harbor District, Del Norte Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Permit No. 1-81-187-A2 (Jordan, Mendocino Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENFORCEMENT

18. **ENFORCEMENT REPORT.** Report by Chief of Enforcement on Statewide Enforcement Program. **None.**

STATEWIDE

19. **Coastal Program 40th Anniversary Report.** Staff presentation on accomplishments and implementation of the Commission's program in the South Central Coast Region, focusing on Malibu and the Santa Monica Mountains area. **Information only; no action taken.**

SOUTH COAST DISTRICT (Los Angeles County)

20. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** Report by Deputy Director Ainsworth on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Shallenberger ruled concurrence.
21. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [22b] and recommended approval with conditions.

Motion & vote: Sanchez moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

22. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-11-133 (Santa Catalina Island Company & City of Avalon)**
Staff recommended approval with conditions.

Motion & vote: Mitchell moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Sanchez. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- b. **Application No. 5-11-256 (City of Los Angeles Solar Power Light Poles)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

23. **PERMIT AMENDMENTS.**

- a. **Application No. 5-84-591-A2 (City of Santa Monica Playground Renovation)**
Staff recommended approval with conditions.

Motion & vote: Bloom moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions,**

SAN DIEGO COAST DISTRICT

24. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Sarb on permit waivers, emergency permits, immaterial amendments & extensions, CP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Shallenberger ruled concurrence.

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

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

- a. **City of Carlsbad LCP Amendment No. CAR-MAJ-1-11 (Non-Conforming Buildings and Uses).** [POSTPONED]

27. **NEW APPEALS.**

- a. **Appeal No. A-6-ENC-12-10 (City of Encinitas Moonlight Beach improvements)**
[WITHDRAWN]

LUNCH RECESS. The Commission recessed for lunch at 12:15 p.m. and returned at 1:30 p.m. [*McClure departed for the day at the lunch recess; Blank arrived during the lunch recess*]

REPORT OF CLOSED SESSION.

CCC v. Feduniak—The Commission approved a settlement agreement.

Laguna Terrace Park, LLC v. CCC—The Commission received litigation information and gave direction.

Laguna Terrace Park, LLC. et al. v. CCC et al.—The Commission received litigation information and gave direction.

Norberg v. CCC—The Commission vacated its prior action on the Norberg permit application, including all permit conditions, and agreed to a postponement of the permit hearing on remand.

Norris et al. v. CCC et al.—The Commission received litigation information.

Ross et al. v. CCC et al. (Malibu Bay Co., RPI)—The Commission received litigation information.

28. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-11-59 (22nd District Agricultural Association, San Diego)** Staff recommended approval with conditions.

Motion & vote: Sanchez moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- b. **Application No. 6-11-89 (UCSD, San Diego)** [POSTPONED]

STATEWIDE

29. **APPROVAL OF MINUTES.** The minutes of March 9-11, 2012 were approved.

Motion & vote: Stone moved to approve the minutes, seconded by Brennan and recommended a yes vote. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

30. **COMMISSIONERS' REPORTS.** Info only.

31. **CONSERVANCY REPORT.** Info only.
32. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
33. **DEPUTY ATTORNEY GENERAL'S REPORT.** Info only
34. **EXECUTIVE DIRECTOR'S REPORT** including reports and possible Commission action on legislation and water quality.

Legislative Report.

AB1776 (Fong) – Western Pacific Leatherback Turtle. Staff recommended support of the bill.

Motion & vote: Stone moved to support pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Support.**

AB2178 (Jones) – Flagpoles. Staff recommended opposition to the bill.

Motion & vote: Brennan moved to oppose pursuant to the staff recommendation and recommended a yes vote, seconded by Bloom. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Opposed.**

AB2211 (Jones) – Conflict Resolution. Staff recommended opposition to the bill.

Motion & vote: Bochco moved to oppose pursuant to the staff recommendation and recommended a yes vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Opposed.**

AB2595 (Hall) – Desalination. Staff recommended opposition to the bill.

Motion & vote: Stone moved to oppose pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Opposed.**

SB1066 (Lieu) – Climate change. Staff recommended support of the bill.

Motion & vote: Sanchez moved to support pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Support.**

The Commission recessed for the day at 2:25 p.m.

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Shallenberger.
2. **ROLL CALL.** Present: Chair Shallenberger, Vice Chair Stone, Blank, Bloom, Bochco, Brennan, Zimmer. Non-voting: Norvell. Sanchez arrived at 9:01 a.m.; Kinsey arrived at 9:02 a.m.; Mitchell arrived at 9:30 a.m.; Parker arrived at 9:33 a.m. Absent: McClure.
3. **AGENDA CHANGES**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

SOUTH COAST DISTRICT (Orange County)

5. **ADMINISTRATIVE CALENDAR.** Staff recommended the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled concurrence.
 - a. **Application No. 5-11-285 (Farmer, LTD, Sunset Beach)**
 - b. **Application No. 5-11-286 (Farmer, LTD, Sunset Beach)**
 - c. **Application No. 5-12-25 (Hagin, Huntington Beach)**
6. **CONSENT CALENDAR.** Staff recommended approval with conditions of the consent calendar.

Motion & vote: Stone moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion.

Approved with conditions.

- a. **Application No. 5-11-258 (Gondon, Newport Beach)**
- b. **Application No. 5-12-6 (Nielsen, Huntington Beach)**

- c. **Application No. 5-12-007 (Wirtz, Huntington Beach)**
- d. **Application No. 5-12-19 (Nichols, Huntington Beach)**

NORTH COAST DISTRICT

- 7. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 1-11-7 (Union Pacific Railroad, Eureka) [POSTPONED]**

NORTH CENTRAL COAST DISTRICT

- 8. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Carl on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Shallenberger ruled that the Commission concurred.

- 9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [10a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Stone moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- 10. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 2-10-032 (Kotula, Marin Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

CENTRAL COAST DISTRICT

- 11. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Carl on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Shallenberger ruled that the Commission concurred.

- a. **City of Carmel by-the-Sea LCP Amendment No. CML-MIN-1-12.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

12. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items [15a, 15c] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Brennan moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

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

- a. **City of Pismo Beach LCP Amendment No. PSB-1-10 Part 1 (Open Space Landscaping). Time Extension.** Staff recommended approval of the time extension.

Motion & vote: Zimmer moved to grant the time extension and recommended a yes vote, seconded by Sanchez. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

- b. **City of Pismo Beach LCP Amendment No. PSB-1-11 (Sign Regulations). Time Extension.** Staff recommended approval of the time extension.

Motion & vote: Zimmer moved to grant the time extension and recommended a yes vote, seconded by Sanchez. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

- c. **Monterey County LCP Amendment No. MCO-1-12 Part 1 (Del Monte Forest LCP update and Pebble Beach Company Concept Plan).** [POSTPONED]

- d. **Santa Cruz County LCP Amendment No. SCO-1-11 Part 1 (Site Standard Exceptions).** Staff recommended denial as submitted and approval if modified as suggested by staff.

Motion & vote: Stone moved to reject the Implementation plan as submitted and recommended a yes vote, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Denied as submitted.**

Motion & vote: Stone moved to certify the Implementation Plan if modified as suggested by staff, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Certified with modifications.**

14. **NEW APPEALS.**

- a. **Appeal No. A-3-SLO-11-064 (Lewis, San Luis Obispo Co.)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Sanchez moved to determine that the appeal raised no substantial issue on the grounds in which the appeal was filed and recommended no vote, seconded by Zimmer. The roll call vote was 8 in opposition [Blank, Bloom, Bochco, Kinsey, Sanchez, Stone, Zimmer, Shallenberger] and 3 in favor [Brennan, Parker, Mitchell]. **Substantial Issue found.**

15. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-10-023 (Santa Cruz Port District Dredging and Beach Nourishment Project)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 3-10-034 (Caltrans, Monterey Co.)** [POSTPONED]
- c. **Application No. 3-11-031 (Giovanni's Fish Market, Morro Bay)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- d. **Application No. 3-11-035 (Coast Dairies & Land Company, Davenport)** Staff recommended approval with conditions.

Motion & vote: Stone moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Blank. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

16. **CONDITION COMPLIANCE.**

- a. **A-3-MCO-98-083 (Highlands Inn Mitigation Fund Review, Monterey Co.)**

Motion & vote: Kinsey moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Stone. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

SOUTH CENTRAL COAST DISTRICT

17. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director Ainsworth on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Shallenberger ruled that the Commission concurred.

LUNCH RECESS. The Commission recessed for lunch at 12:30 p.m. and returned at 1:00 p.m.

FIELD TRIP. The Commission took a field trip to various sites in the City of Ventura and the Ventura Harbor area. The Commission returned at 3:00 p.m. and resumed the hearing.

18. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [item 21a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Stone move to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

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

- a. **City of San Buenaventura LCP Amendment No. SBV-MAJ-1-11.** Staff recommended denial as submitted and approval with suggested modifications.

Motion & vote: Kinsey moved to certify the Land Use Plan as submitted and recommended a no vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in opposition to the motion. **Denied as submitted.**

Motion: Brennan moved to certify the Land Use plan if modified as suggested by staff and recommended a yes vote, seconded by Kinsey.

Amending motion & vote: Kinsey moved to require a minimum 50 foot public access promenade and recommended a yes vote, seconded by Sanchez. The roll call vote was 6 in favor [Blank, Kinsey, Sanchez, Stone, Zimmer, Shallenberger] and 5 opposed [Bloom, Bochco, Brennan, Parker, Mitchell]. **Approved.**

Amending motion: Sanchez moved to maintain the view corridor. **Motion failed for lack of second.**

Vote on main motion: The roll call vote was 9 in favor [Blank, Bloom, Bochco, Brennan, Parker, Kinsey, Mitchell, Stone, Zimmer] and 2 opposed [Sanchez, Shallenberger]. **Certified with modifications as amended.**

Motion & vote: Brennan moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Mitchell. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Denied as submitted.**

Motion & vote: Brennan moved to certify the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Zimmer. The roll call vote was 9 in favor [Blank, Bloom, Bochco, Brennan, Parker, Kinsey, Mitchell, Stone, Zimmer] and 2 opposed [Sanchez, Shallenberger]. **Certified with modifications.**

- b. **County of Santa Barbara LCP Amendment No. MAJ-4-11 (Time Extension).** Staff recommended approval of the time extension.

Motion & vote: Zimmer moved to grant the time extension and recommended a yes vote, seconded by Stone. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

20. **NEW APPEALS.**

- a. **Appeal No. A-4-MAL-10-008 (Malibu Bay Company, Los Angeles Co.)** Staff recommended that the Commission determine that the appeal raises no substantial issue.

Motion & vote: Sanchez moved to determine that the appeals raised no substantial issue on the grounds in which the appeal was filed and recommended a yes vote, seconded by Parker. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No Substantial Issue found.**

- b. **Appeal No. A-4-STB-12-015 (Van Vliet, Santa Barbara Co.)** Staff recommended that the Commission determine that the appeal raises no substantial issue.

Motion & vote: Mitchell moved to determine that the appeals raised no substantial issue on the grounds in which the appeal was filed and recommended a yes vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No Substantial Issue found.**

21. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-11-043 (City of Santa Barbara Parks and Recreation Department)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

SOUTH COAST DISTRICT (Orange County)

22. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-11-302 (City of Newport Beach Sunset Ridge Park)**
[POSTPONED]

The Commission recessed for the day at 5:35 p.m.

FRIDAY, APRIL 13, 2012 pages 15-17

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 8:30 a.m. by Chair Shallenberger.
2. **ROLL CALL.** Present: Chair Shallenberger, Vice Chair Stone, Bloom, Bochco, Brennan, Parker(alternate), Mitchell, Zimmer. Non-voting: Norvell. Blank, Kinsey, Sanchez arrived at 8:33 a.m. Absent: McClure.
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

SOUTH COAST DISTRICT (Orange County)

5. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** Report by Deputy Director Sarb on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. There being no objection, Chair Shallenberger ruled that the Commission concurred.
6. **CONSENT CALENDAR (removed from Regular Calendar).** None.
7. **LOCAL COASTAL PROGRAMS (LCPs)**
 - a. **City of Laguna Beach LCP Amendment No. LGB-MAJ-1-11 (Flood, Major Remodel & Sustainability).** Staff recommended approval as submitted. [*Major remodel and flood ordinance was withdrawn by applicant and was not part of the Commission's action*]

Motion & vote: Brennan moved to reject the Implementation Plan as submitted and recommended a no vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in opposition to the motion. **Approved as submitted.**

- b. **City of Huntington Beach LCP Amendment No. HNB-MAJ-2-11 (Signs, Flooding, & Design Review). Time Extension.** Staff recommended approval of the time extension.

Motion & vote: Stone moved to grant the time extension and recommended a yes vote, seconded by Sanchez. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

8. **NEW APPEALS.**

[Kinsey out of room during this item]

- a. **Appeal No. A-5-LGB-12-67 (Ratner, Orange Co.)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Mitchell moved to determine that the appeal raised no substantial issue on the grounds in which the appeal was filed and recommended a yes vote, seconded by Brennan. The roll call vote was 7 in favor [Blank, Bloom, Bochco, Brennan, Parker, Mitchell, Zimmer] and 3 opposed [Sanchez, Stone, Shallenberger]. **No Substantial issue found.**

9. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-09-105 (Norberg Family Trust, Laguna Beach)** [POSTPONED]

- b. **Appeal No. A-5-DPT-05-306 (Safari, Dana Point)** Staff recommended approval with conditions.

Motion & vote: Bloom moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

10. **PERMIT AMENDMENTS.**

- a. **Permit No. 5-07-163-A (Hammond, Laguna Beach)** [WITHDRAWN]

- b. **Permit No. 5-82-291-A4 (S.H.C. Laguna Niguel, L.L.C., Dana Point)** Staff recommended approval with conditions.

Motion & vote: Stone moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

There being no old or new business, the meeting of the California Coastal Commission adjourned in the honor of Peter Douglas at 11:00 a.m.

Respectfully submitted,

Charles Lester
Executive Director