

**CALIFORNIA COASTAL COMMISSION**

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**W16**

DATE: March 26, 2014  
TO: Coastal Commissioners  
FROM: Charles Lester, Executive Director

SUBJECT: **DRAFT MINUTES of MEETING of SEPTEMBER 11-12, 2013**  
Eureka Public Marina Wharfinger Building  
#1 Marina Way  
Eureka, CA 95501

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**WEDNESDAY, SEPTEMBER 11, 2013**

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 Kinsey, Faustinos(alternate), Brennan, Groom, McClure, Mitchell, Vargas, Zimmer. Cox arrived at 9:35 a.m.
3. **AGENDA CHANGES**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed on various issues affecting the coast.

**SOUTH COAST DISTRICT (ORANGE COUNTY)**

5. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determinations. There being no objection, Chair Shallenberger ruled that the Commission concurred.
  - a. **Application No. 5-13-0546 (Umbral, LLC, Newport Beach)**
  - b. **Application No. 5-13-100 (Crean, Newport Beach)**
6. **CONSENT CALENDAR.** Staff recommended the Commission approve the consent calendar with conditions.

**Motion & vote:** Brennan 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.**

- a. **Application No. 5-13-067 (Beachamp, San Clemente)**
- b. **Application No. 5-13-071 (Cefalia, Newport Beach)**
- c. **Application No 5-13-088 (Whelan & Prescott, Newport Beach)**

## **SAN DIEGO DISTRICT**

### **7. CONSENT CALENDAR.**

- a. **Application No. 6-13-0542 (Golba Architecture, San Diego)** Staff recommended the Commission approve the consent calendar with conditions.

**Motion & vote:** Brennan 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.**

## **SOUTH COAST DISTRICT (LOS ANGELES COUNTY)**

- 8. **CONSENT CALENDAR.** Staff recommended the Commission approve the consent calendar with conditions.

**Motion & vote:** Brennan 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.**

- a. **Application No. 5-12-158 (City of Redondo Beach King Harbor Marina)**
- b. **Application No. 5-13-461 (City of Santa Monica & HDOS Enterprises)**

## **ENFORCEMENT**

- 9. **ENFORCEMENT REPORT.** Report by Chief of Enforcement on Statewide Enforcement Program.

- 10. **Consent Cease and Desist Order No. CCC-13-CD-08 (Signal Landmark, Bolsa Chica Mesa, Orange Co.)** Staff recommended the Commission issue the Cease & Desist order.

**Motion & vote:** Kinsey moved to issue the Cease and Desist order 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.**

- 11. **Consent Restoration Order No. CCC-13-RO-08 (Signal Landmark, Bolsa Chica Mesa, Orange Co.)** Staff recommended the Commission issue the Restoration order.

**Motion & vote:** Kinsey moved to issue the Restoration order 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.**

12. **Consent Cease and Desist Order No. CCC-13-CD-09 (Goodell Family Trust, Bolsa Chica Mesa, Orange Co.)** Staff recommended the Commission issue the Cease & Desist order.

**Motion & vote:** Kinsey moved to issue the Cease and Desist order 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.**

13. **Consent Restoration Order No. CCC-13-RO-09 (Goodell Family Trust, Bolsa Chica Mesa, Orange Co.)** Staff recommended the Commission issue the Restoration order.

**Motion & vote:** Kinsey moved to issue the Restoration order 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.**

### **SOUTH COAST DISTRICT (ORANGE COUNTY)**

14. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** 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.

15. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [16b] to the expanded consent calendar and recommended approval with conditions.

**Motion & vote:** Kinsey 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.**

[Cox arrived]

16. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-12-292 (Oglivie and Svrcek, Newport Beach)** Staff recommended approval with conditions in part and denial in part.

**Motion:** Brennan moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Kinsey.

**Amending motion & vote:** Brennan moved to delete Condition #1 and add a condition to to limit the authorization to the life of the home or the bulkhead, whichever fails first, and recommended a yes vote, seconded by Kinsey. The applicant shall submit revised plans indicating that the existing pool and spa on the site are not authorized by this CDP. Chair Shallenberger ruled that the roll call vote was unanimous in favor of the motion (Brennan, Groom, Kinsey, Cox, Faustinos, McClure, Mitchell, Vargas, Zimmer, Shallenberger). **Passed.**

**Amending motion & vote:** Brennan moved to require 2:1 mitigation on the 6.5 feet of encroachment and recommended a yes vote, seconded by Zimmer. Applicant modified project description to include \$20,000 in lieu mitigation fee payable to Marine Education Center of Upper Newport Bay. **[motion withdrawn]**

**Vote on main motion:** Chair Shallenberger ruled that the roll call vote was unanimous in favor of the motion as amended (Brennan, Groom, Kinsey, Cox, Faustinos, McClure, Mitchell, Vargas, Zimmer, Shallenberger). **Approved with conditions.**

- b. **Application No. 5-13-009 (Selich, Seal Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

## **SAN DIEGO COAST DISTRICT**

- 17. **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.

*[McClure, Groom & Vargas out of room during Item 18.]*

- 18. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [20a] 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 by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

- 19. **NEW APPEALS.** *[McClure, Groom & Vargas returned]*

- a. **Appeal No. A-6-NLC-13-0211 (Marina Gateway, National City)** Staff recommended that the Commission determine that the appeal raised substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Shallenberger ruled that the Commission found substantial issue and opened the hearing. Staff recommended denial of the de novo permit.

**Motion:** Brennan moved to approve the application and recommended a yes vote, seconded by McClure.

**Motion:** Brennan moved to continue the hearing for 90 days, seconded by Groom. **[motion withdrawn]**

Matter trailed until later in the day. Applicant modified project description to include Tourist Commercial/Public Recreational Program subject to Executive Director review and approval. Main motion modified to include Commission's standard conditions and special condition regarding Tourist Commercial/Public Recreational Program. Permit is limited to duration of 10 years.

**Main motion:** Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

**LUNCH RECESS.** The Commission recessed for lunch during Item **19a** at 12:30 p.m. and returned at 1:30 p.m. and resumed hearing Item **19a**.

b. **Appeal No. A-6-LJS-13-0226 (Romney, San Diego) [POSTPONED]**

20. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 6-13-0468 (California Department of Parks and Recreation, Encinitas)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

21. **REVISED FINDINGS.**

a. **Appeal No. A-6-PSD-13-005 (Sunroad Enterprises, San Diego)** Staff recommended the Commission adopt the findings.

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

**NORTH CENTRAL COAST DISTRICT**

22. **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.

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

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

- a. **City of Half Moon Bay LCP Amendment No. LCP-2-HMB-13-0207-2 (Parking Standards).** Staff recommended that the Commission concur with the Executive Director's determination that the request is de minimis. There being no objection, Chair Shallenberger ruled that the Commission concurred.

**CENTRAL COAST DISTRICT**

25. **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.

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

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

- a. **City of Pismo Beach LCP Amendment No. LCP-3-PSB-13-0201-1 (Reasonable Accommodations).** Staff recommended that the Commission concur with the Executive Director's determination that the request is de minimis. There being no objection, Chair Shallenberger ruled that the Commission concurred.
- b. **San Luis Obispo County LCP Amendment No. SLO-1-13 (Inclusionary Housing).** Staff recommended approval of the Land Use Plan amendment and Implementation Plan as submitted.

**Motion & vote:** Zimmer moved to certify the Land Use Plan as submitted and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. Approved as submitted.

**Motion & vote:** Zimmer moved to certify the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

28. **NEW APPEALS.**

- a. **Appeal No. A-3-SLO-13-14 (Conoco Phillips Company, San Luis Obispo Co.)** Staff recommended that the Commission determine that the appeal raised no substantial issue on the grounds on which the appeal was filed.

**Motion & vote:** Kinsey moved to determine that the appeal raised no substantial issue 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.**

29. **COASTAL PERMIT APPLICATIONS.**

**SOUTH COAST DISTRICT (LOS ANGELES COUNTY)**

30. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** 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.

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

32. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 5-11-085 (City of Long Beach Naples Island Seawall Repair.)**  
**[POSTPONED]**

**SOUTH CENTRAL COAST DISTRICT**

33. **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.

a. **City of Oxnard LCP Amendment No. OXN-MAJ-1-12. Certification Review.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

b. **Pepperdine University LRDP Amendment No. 1-11, Part A (Campus Life Project). Certification Review.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.

34. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved two items [37a, 37b] to the expanded consent calendar and recommended approval with conditions. [Shallenberger out of room]

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

35. **LOCAL COASTAL PROGRAMS (LCPs)** [*Shallenberger returned*]

- a. **City of San Buenaventura LCP Amendment No. SBV-MAJ-2-12. Time Extension.**  
Staff recommended approval.

**Motion & vote:** Brennan moved to grant the time extension 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.**

36. **LONG RANGE DEVELOPMENT PLAN.**

- a. **Pepperdine University LRDP Amendment No. 1-11, Part B (Night Lighting and Use of Marie Canyon Sports Field).** [POSTPONED]

37. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-12-020 (Hoff, Los Angeles Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- b. **Application No. 4-13-020 (Santa Monica Mountains Restoration Trust & Los Angeles County Parks Department, Los Angeles Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- c. **Application No. 4-13-0401 (Rydings, Los Angeles Co.)** Staff recommended approval with conditions.

**Motion & vote:** Brennan moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by McClure. The roll call vote was 8 in favor (Groom, Kinsey, McClure, Mitchell, Vargas, Cox, Faustinos, Brennan) and 2 opposed (Zimmer, Shallenberger). **Approved with conditions.**

## **STATEWIDE**

38. **APPROVAL OF MINUTES.** Minutes of April 10-12, 2013 were approved.

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



39. **COMMISSIONERS' REPORTS.** Information only.
40. **CONSERVANCY REPORT.** Information only.
41. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Information only.
42. **SANTA MONICA BAY RESTORATION REPORT.** Information only.
43. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.
  
44. **EXECUTIVE DIRECTOR'S REPORT** including reports and possible Commission action on legislation and water quality.

a. **Public Education Grant Program.** Staff recommended approval.

**Motion & vote:** Brennan 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.**

b. **Public Education Grant Program.** Staff recommended approval.

**Motion & vote:** Brennan 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.**

c. **Legislation.** Legislative report and possible Commission action.

d. **Interagency Agreement.** Staff recommended approval of the Interagency Agreement.

**Motion & vote:** Brennan 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.**

d. **Agreement.** Agreement between the **California Coastal Commission and Tridec Technologies, LLC.** Staff recommended approval of the agreement.

**Motion & vote:** Brennan 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.**

### **Report of Closed Session.**

*Allen v. Radosevich-* The Commission received litigation information and advice.

*City of Malibu v. CCC-* The Commission received litigation information.

*Fiery et al v. Dept. of Fish & Game-* The Commission received litigation information.

*Hagopian et al v. State of California-* The Commission received litigation information.

*Pacific Shores Property Owners Association et al v. Dept. of Fish & Game et al-* The Commission received litigation information and gave direction.

*Tolowa Nations et al v. Dept. of Fish & Game et al-* The Commission received litigation information and advice.

*VanNess v. Port San Luis Harbor District et al-* The Commission received litigation information.

The Commission recessed for the day at 4:45 p.m.

## THURSDAY, SEPTEMBER 12, 2013

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 Kinsey, Faustinos (alternate), Brennan, Duclos (alternate), Groom, McClure, Mitchell, Zimmer. Vargas arrived at 9:15a.m.; Absent: Cox.
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

### NORTH COAST DISTRICT

5. **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.
6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [9c] to the expanded consent calendar and recommended approval with conditions.

**Motion & vote:** Kinsey 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.**

7. **LOCAL COASTAL PROGRAMS (LCPs)**
  - a. **City of Trinidad LCP Amendment No. LCP-1-TRN-13-205-2 (Vacation Dwelling Units).** [POSTPONED]
8. **NEW APPEALS.**
  - a. **Appeal No. A-1-TRN-13-007 (Morgan, Trinidad)** [POSTPONED]
9. **COASTAL PERMIT APPLICATIONS.**
  - a. **Application No. 1-12-017 (California Department of Transportation, Mendocino Co.)** Staff recommended approval with conditions.

**Motion & vote:** Kinsey 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.**

- b. **Application No. 1-13-009 (Border Coast Regional Airport Authority, Del Norte Co.)** Staff recommended approval with conditions.

**Motion & vote:** McClure 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.**

- c. **Application No. 1-13-010 (Nylander, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- d. **Appeal No. A-1-MEN-10-015 (Bethel & Hupp, Mendocino Co.)** Staff recommended approval with conditions.

**Motion & vote:** McClure moved to approve 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. **Approved.**

### **Report of Closed Session.**

*Security National Guaranty v. State of California* – The Commission received litigation information and advice and gave direction.

## **ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY**

10. **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.
11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [12c] 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 by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Concurred.**

## 12. **FEDERAL CONSISTENCY.**

- a. **CC-016-13 (Caltrans, Eureka)** Staff recommended objection to the consistency certification.

**Motion:** McClure moved to concur that the project is consistent and recommended a yes vote, seconded by Zimmer.

**Amending motion & vote:** Vargas moved to add a condition requiring inclusion of a class 1 bicycle and pedestrian trail or lane in the project and recommended a yes vote, seconded by McClure. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

**Amending motion & vote:** Vargas moved to add condition to require Caltrans to develop and submit a plan to remove billboards and overhead infrastructure to the maximum extent feasible in the entire project corridor and recommended a yes vote, seconded by McClure. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

**Amending motion & vote:** Zimmer moved to add a condition to require Caltrans to complete a sea-level rise and vulnerability adaptation analysis for this corridor prior to submittal of a coastal development permit and recommended a yes vote, seconded by McClure. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

**Amending motion & vote:** McClure moved to add a condition to require Caltrans to submit a wetland plan in connection with its coastal development permit application in accordance with the specifications on the last page of the staff report and recommended a yes vote, seconded by Zimmer. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Passed.**

**Vote on main motion:** The roll call vote was 9 in favor (Faustinos, Brennan, Duclos, Groom, Kinsey, McClure, Mitchell, Vargas, Zimmer) and 1 opposed (Shallenberger). **Conditionally concurred.**

- b. **CD-0201-13 (Bureau of Land Management, Humboldt Co.)** Staff recommended concurrence.

**Motion & vote:** Kinsey moved to concur that the project is fully consistent and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Concurred.**

- c. **CD-0202-13 (Bureau of Land Management, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Concurred.**

There being no old or new business, the meeting of the California Coastal Commission adjourned at 6:30 p.m.

Respectfully submitted,

Charles Lester  
Executive Director

**CALIFORNIA COASTAL COMMISSION**

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**W16**

DATE: March 26, 2014  
TO: Coastal Commissioners  
FROM: Charles Lester, Executive Director  
SUBJECT: **DRAFT MINUTES of MEETING of NOVEMBER 13-15, 2013**  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660

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**WEDNESDAY, NOVEMBER 13, 2013**

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order by Chair Shallenberger at 8:00 a.m.
2. **ROLL CALL.** Present: Chair Shallenberger, Bochco, Cox, Groom, McClure, Mitchell, Vargas, Zimmer. Brennan and Kinsey arrived at 8:15 a.m. Garcia arrived at 8:45 a.m. Non-voting: Jones and Beland. Absent: None.
3. **AGENDA CHANGES**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

**NORTH COAST DISTRICT**

5. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions.
  - a. **Application No. 1-12-001 (Romney, Humboldt Co.)**

**Motion & vote:** Brennan moved to approve the consent calendar 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.**

## **SAN DIEGO COAST DISTRICT**

6. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.
  - a. **Application No. 6-13-0643 (AT&T, San Diego)**

## **NORTH CENTRAL COAST DISTRICT**

7. **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 the Commission concurred.

## **CENTRAL COAST DISTRICT**

8. **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.
9. **CONSENT CALENDAR (removed from Regular Calendar).** None.
10. **LOCAL COASTAL PROGRAMS (LCPs).**
  - a. **San Luis Obispo County LCP Amendment No. SLO-1-12 (Vacation Rentals).** Staff recommended approval as submitted.

**Motion & vote:** Cox moved to approve the Land Use Plan amendment as submitted and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved as submitted.**

### **11. NEW APPEALS.**

- a. **Appeal No. A-3-SLO-13-013 (Graham Vacation Rental, San Luis Obispo Co.)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

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



## **NORTH COAST DISTRICT**

12. **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 the Commission concurred.
13. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [15a] to the expanded consent calendar and recommended approval with conditions.

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

14. **NEW APPEALS.**
  - a. **Appeal No. A-1-MEN-13-0241 (California Department of Parks & Recreation (DPR), Mendocino Co.)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

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

15. **COASTAL PERMIT APPLICATIONS.**
  - a. **Application No. 1-12-029 (Crescent City Harbor District, Del Norte Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

## **ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY**

16. **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.
17. **CONSENT CALENDAR (removed from Regular Calendar).** None.

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

- a. **Santa Barbara County LCP Amendment No. LCP-4-STB-13-0215-2 (Public Utilities Natural Gas Storage).** Staff recommended approval as submitted.

**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.**

19. **NEW APPEALS.**

- a. **Appeal No. A-5-HNB-10-225 (Poseidon Water, Huntington Beach)** Staff recommended approval with conditions. Hearing combined with item 20a.

**Motion:** Bochco moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Zimmer.

**Motion & vote:** McClure moved to continue the matter and recommended a yes vote, seconded by Brennan (second by Brennan withdrawn), seconded by Cox. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Continued.**

20. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. E-06-007 (Poseidon Water, Huntington Beach)** Withdrawn by applicant.

**LUNCH RECESS.** The Commission recessed for lunch during item 19a at 12:15 p.m. and returned at 1:15 p.m.

**SAN DIEGO COAST DISTRICT**

21. **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.
22. **CONSENT CALENDAR (removed from Regular Calendar).** None.

23. **COASTAL PERMIT APPLICATIONS.**

[Garcia out of room]

- a. **Application No. 6-12-067 (22<sup>nd</sup> District Agricultural Association, San Diego)** Staff recommended approval with conditions.

**Motion:** Cox moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Vargas.

**Amending Motion & vote:** Cox moved to delete Special Condition 1 and Special Condition 11 and add a condition requiring 2 parking studies and recommended a yes vote, seconded by Vargas. The roll call vote was 5 in favor (Cox, Kinsey, McClure, Mitchell, Vargas) and 5 opposed (Bochco, Brennan, Groom, Zimmer, Shallenberger). **Failed.**

**Amending motion & vote:** Cox moved to delete Special Conditions 1 & 11, and add a condition requiring 2 parking studies and limiting the permit to a 10 year period and recommended a yes vote, seconded by Vargas. The roll call vote was 7 in favor (Brennan, Cox, Kinsey, McClure, Mitchell, Vargas, Bochco) and 3 opposed (Groom, Zimmer, Shallenberger). **Passed.**

**Vote on main motion:** The roll call vote was 7 in favor (Brennan, Cox, Kinsey, McClure, Mitchell, Vargas, Bochco) and 3 opposed (Groom, Zimmer, Shallenberger). **Approved with conditions.**

- b. **Application No. 6-13-010 (22<sup>nd</sup> District Agricultural Association, San Diego)** Staff recommended approval with conditions.

**Motion:** Cox moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan.

**Amending motion & vote:** Cox moved to revise Special Conditions #4 and #6 to make them consistent with the Commission's action on Application No. 6-12-067 and recommended a yes vote, seconded by McClure. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

Staff modified recommendation so that monitoring requirement of Special Condition #6 would apply only to major events.

**Vote on the main motion:** Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with conditions as amended.**

The Commission recessed for the day at 7:55 p.m.

## THURSDAY, NOVEMBER 14, 2013

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 8:00 a.m. by Chair Shallenberger.
2. **ROLL CALL.** Present: Chair Shallenberger, Vice Chair Kinsey, Bochco, Brennan, Cox, Garcia, Groom, Zimmer. McClure arrived at 8:15am, Mitchell arrived at 8:20am, Vargas arrived at 8:40am. Non-voting: Beland, Jones.
3. **AGENDA CHANGES**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

### ENFORCEMENT

5. **ENFORCEMENT REPORT.** Report by Chief of Enforcement, Lisa Haage on matters of enforcement.

### SAN DIEGO COAST DISTRICT

6. **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.
7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [13b] to the expanded consent calendar.

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

8. **LOCAL COASTAL PROGRAMS (LCPs)**
  - a. **City of Solana Beach LUP Amendment No. SOL-MAJ-1-13 (Coastal Bluff Development).** Staff recommended denial of the Land Use Plan as submitted and approval with modifications.

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

**Motion:** Zimmer moved to continue and recommended a yes vote, seconded by Bochco. [motion withdrawn]

[The Commission went into closed session.]

**REPORT OF CLOSED SESSION:** The Commission received litigation information and advice regarding *Beach & Bluff Conservancy v. CCC and Steinberg v. CCC*.

**Motion:** Zimmer moved to certify the Land Use Plan if modified as suggested pursuant to the staff recommendation and recommended a yes vote, seconded by Brennan.

**Motion & vote:** Zimmer moved to grant a one-year time extension and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Extension granted.**

**Motion & vote:** Zimmer moved to continue the matter and recommended a yes vote, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Continued.**

## **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).**
11. **FEDERAL CONSISTENCY.**
  - a. **CD-0203-13 (U.S. Army Corps of Engineers, San Diego Co.)** Staff recommended concurrence.

**Motion & vote:** Brennan moved to concur that the project is fully consistent and recommended a yes vote, seconded by Bochco. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Concurred.**

**LUNCH RECESS.** The Commission recessed for lunch at 12:00 p.m. and held closed session during the lunch recess. The Commission returned at 2:15 p.m.

## **REPORT OF CLOSED SESSION.**

*Norberg v. CCC* – The Commission received litigation information.

*Security National Guaranty, Inc. v. State of California* – The Commission received litigation information and advice and gave direction in regard to a settlement.

*Security National Guaranty, Inc. v. State of California* – The Commission received litigation information and advice and gave direction in regard to a settlement.

In a matter of pending litigation, the Commission gave direction to file an action.

## **SAN DIEGO COAST DISTRICT**

### **12. COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-13-0025 (Koman, Mariani, & Upp, Solana Beach)** Staff recommended approval with conditions.

**Motion & vote:** Cox 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.**

### **13. PERMIT AMENDMENTS.**

- a. **Application No. 6-02-084-A3 (Ocean Ventures, LLC, Solana Beach)** Staff recommended approval with conditions.

**Motion & vote:** Cox 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.**

- b. **Application No. 6-07-083-A1 (UCSD, San Diego)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

## **ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY**

### **14. REVISED FINDINGS.**

- a. **CC-016-13 (Caltrans, Eureka)** Staff recommended that the Commission adopt the revised findings.

**Motion & vote:** McClure moved to adopt the findings and recommended a yes vote, seconded by Kinsey. Commissioners on prevailing side present and eligible to vote: Brennan, Groom, McClure, Mitchell, Vargas, Zimmer, Vice Chair Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**

## SAN DIEGO COAST DISTRICT

### 15. LOCAL COASTAL PROGRAMS (LCPs) [*Vargas out of room*]

- a. **City of Oceanside LCP Amendment No. OCN-MAJ-1-12 (Density Bonus Provisions)**. Staff recommended denial of the Implementation Plan as submitted and approval with modifications.

**Motion & vote:** Cox 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. **Certification denied.**

**Motion & vote:** Cox moved to certify the Implementation Plan if modified as suggested 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 modifications.**

- b. **City of Oceanside LCP Amendment No. OCN-MAJ-2-12A (Downtown Sign Ordinance) & 2-12B (Citywide Sign Ordinance)**. Staff recommended denial of the Implementation Plan as submitted and approval with modifications.

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

**Motion & vote:** Kinsey moved to certify the Implementation Plan if modified as suggested pursuant to the staff recommendation and recommended a yes vote, seconded by Cox. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with modifications.**

- c. **City of San Diego LCP Amendment No. SAN-MAJ-5-12 (Outdoor Lighting Regulations)**. Staff recommended approval as submitted.

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

- d. **City of San Diego LCP Amendment No. SAN-MAJ-1-13A (Affordable Housing Parking Regulations)**. Staff recommended approval as submitted.

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

- e. **City of San Diego LCP Amendment No. SAN-MAJ-1-13B (Outdated Policy Documents).** Staff recommended approval as submitted.

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

- e. **City of San Diego LCP Amendment No. SAN-MAJ-2-13B (Microbreweries).**  
**[POSTPONED]**

*[Vargas returned; Garcia departed for the day]*

## **SOUTH CENTRAL COAST DISTRICT**

- 16. **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.
  - a. **City of San Buenaventura LCP Amendment No. SBV-MAJ-1-12 (Ventura Harbor Boatel/Hotel) Certification Review.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.
  - b. **County of Santa Barbara LCP Amendment No. MAJ-3-11-A (General Package Ordinance Amendment). Certification Review.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.
  - c. **County of Santa Barbara LCP Amendment No. MAJ-3-11-B (Commercial Telecommunications Facilities Ordinance Amendment).** Certification Review. Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Shallenberger ruled that the Commission concurred.
- 17. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 2 items [20a, 21a] to the expanded consent calendar and recommended approval with conditions.

**Motion & vote:** Brennan moved to approve the consent calendar 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. **Approved with conditions.**



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

- a. **County of Santa Barbara LCP Amendment No. MAJ-1-12-A (Mobile Home Park Closure Regulations)**. Staff recommended denial as submitted and approval with modifications.

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

**Motion & vote:** Brennan moved to certify the Implementation Plan if modified as suggested 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. **Approved with modifications.**

- b. **County of Santa Barbara Minor LCP Amendment No. 4-STB-13-0212-1-Part B (Cottage Food Operations)**. Staff recommended that the Commission concur with the Executive Director's determination that the amendment is minor. There being no objection, Chair Shallenberger ruled that the Commission concurred.

- c. **County of Santa Barbara LCP Amendment No. 4-STB-13-0211-1-Part A (Time Extension)**. Staff recommended approval of the time extension.

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

19. **NEW APPEALS.**

- a. **Appeal No. A-4-MAL-12-006 (25360 Malibu Road LLC, Malibu)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

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

- b. **Appeal No. A-4-STB-13-0244 (Claus Properties, LLC, Santa Barbara Co.)**  
[WITHDRAWN]

20. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-13-0675 (Los Angeles County Department of Beaches and Harbors, Malibu)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

21. **PERMIT AMENDMENTS. .**

- a. **Application No. 4-06-135-A3 (Goodfriend, Los Angeles Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

The meeting of the California Coastal Commission recessed for the day at 5:45 p.m.

## FRIDAY, NOVEMBER 15, 2013

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order by Chair Shallenberger at 8:00 a.m.
2. **ROLL CALL.** Present: Chair Shallenberger, Bochco, Brennan, Cox, Groom, McClure, Kram (alternate), Zimmer. Non-voting: Beland, Jones. Vice Chair Kinsey and Vargas arrived at 8:10a.m.; Garcia arrived at 8:20a.m.
3. **AGENDA CHANGES**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

### STATEWIDE

5. **APPROVAL OF MINUTES.** The minutes of **July 10-11, 2013** were approved as written.  
**Motion & vote:** Brennan moved to approve the minutes as written and recommended a yes vote, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved.**
6. **COMMISSIONERS' REPORTS.** Information only.
7. **CONSERVANCY REPORT.** Information only.
8. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
9. **SANTA MONICA BAY RESTORATION REPORT.** None.
10. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.
11. **EXECUTIVE DIRECTOR'S REPORT.**
  - a. **Strategic Plan Subcommittee Reports.** Staff recommended that the Commission concur with the Executive Director's recommendation to implement the "dashboard" approach.  
**Motion:** Vargas moved to have a strategic plan update on the agenda every three months, seconded by Kram. [**Withdrawn**]

**Motion & vote:** Groom moved to concur with the staff recommendation, including the dashboard approach, and recommended a yes vote seconded by Bochco. Chair Shallenberger ruled that vote was unanimous on favor of the motion. **Approved.**

b. **Legislation.** Legislative report and possible Commission action. **No action taken.**

## **SOUTH COAST DISTRICT (LOS ANGELES COUNTY)**

12. **ADMINISTRATIVE CALENDAR.** Staff recommended concurrence with the Executive Director's determinations. There being no objection, Chair Shallenberger ruled that the Commission concurred.

- a. **Application No. 5-13-354 (Hooper, Long Beach)**
- b. **Application No. 5-13-0519 (Zeppy's Pizzeria LLC & Delin, Hermosa Beach)**

13. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar. There being no objection, Chair Shallenberger ruled that the Commission unanimously approved the consent calendar. **Approved with conditions.**

- a. **Application No. 5-13-033 (City of Los Angeles Public Parking)**
- b. **Application No. 5-13-034 (City of Los Angeles Public Parking)**
- c. **Application No 5-13-0529 (Freeman, Playa del Rey)**

## **SOUTH COAST DISTRICT (ORANGE COUNTY)**

14. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determinations. There being no objection, Chair Shallenberger ruled that the Commission concurred.

- a. **Application No. 5-13-406 (Fluter, Newport Beach)**
- b. **Application No. 5-13-0624 (Dumke, Huntington Beach)**
- c. **Application No. 5-13-0625 (Cook, San Clemente)**

15. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions.

**Motion & vote:** Brennan 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. 5-08-142 (Orange County Flood Control District, Huntington Beach)**

- b. **Application No. 5-13-0234 (Thomas, Newport Beach)**
- c. **Application No. 5-13-370 (Venogopal, Newport Beach)**
- d. **Application No 5-13-0417 (City of Newport Beach (Sunset View Park), Newport Beach)**
- e. **Application No. 5-13-0450 (Hamann, Newport Beach)**
- f. **Application No. 5-13-0528 (Whitmore, San Clemente)**
- g. **Application No. 5-13-0553 (De La Pena, Newport Beach)**
- h. **Application No. 5-13-0679 (1420 W. Ocean Front Surf LP, Newport Beach)**

## **SOUTH COAST DISTRICT (LOS ANGELES COUNTY)**

16. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** 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.
17. **CONSENT CALENDAR (removed from Regular Calendar).** None.
18. **NEW APPEALS.**
- a. **Appeal No. A-5-LOB-13-0246 (Studio One Eleven, Long Beach)** Staff recommended that the Commission determine that the appeal raised no substantial issue issue.

**Motion & vote:** Zimmer moved to determine that the appeal raised no substantial issue on the grounds on which the appeal was filed and recommended a no vote, seconded by Vargas. The roll call vote was 5 in favor (Brennan, Cox, McClure, Kram, Shallenberger) and 6 opposed (Bohco, Garcia, Groom, Kinsey, Vargas, Zimmer). **Substantial issue found. Continued.**

- b. **Appeal No. A-5-LOB-13-0247 (City of Long Beach Public Restroom)** Staff recommended that 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 on which the appeal was filed and recommended a yes vote, seconded by Kinsey. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **No Substantial Issue found.**

## **SOUTH COAST DISTRICT (ORANGE COUNTY)**

19. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** 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.

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

21. **LOCAL COASTAL PROGRAMS (LCPs)** [Vargas out of room]

- a. **City of Huntington Beach LCP Amendment No. HNB-MAJ-1-12 (Ridge) (Time Extension).** Staff recommended approval of the time extension.

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

[Vargas returned]

- b. **City of Laguna Beach LCP Amendment MAJ 1-12 (Artists Live Work Units & Second Residential Units).** Staff recommended denial as submitted and approval with modifications.

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

**Motion & vote:** Zimmer moved to certify the Implementation Plan if it is modified as suggested by staff and recommended a yes vote, seconded by Brennan. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved with modifications.**

- c. **City of Newport Beach LUP Amendment No. NPB-MAJ-2-12 (Presta-SCAPIII-Fenton Land Use Changes).** Staff recommended approval as submitted.

**Motion & vote:** Brennan moved to certify the Land Use Plan as submitted and recommended a yes vote, seconded by Cox. Chair Shallenberger ruled that the vote was unanimous in favor of the motion. **Approved as submitted.**

**LUNCH RECESS.** The Commission recessed for lunch at 12:45 and returned at 1:30 p.m.

[Kram and Beland departed at 12:45p.m.]

22. **NEW APPEALS.**

- a. **Appeal No. A-5-HNB-12-298 (Russo & Steele Automobile Auctions, Huntington Beach)** [Withdrawn]

23. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-13-003 (Bay City Partners, City of Seal Beach, & Marina Beach House, Seal Beach)** Staff recommended denial.

**Motion:** Zimmer moved to continue the matter and recommended a yes vote, seconded by Bochco. [**Withdrawn by applicant**]

*[Shallenberger departed at 3:00p.m.]*

After the public comment period, there being no old or new business, the Commission adjourned the meeting of the California Coastal Commission at 3:30p.m.

Respectfully submitted,

Charles Lester  
Executive Director

