

CALIFORNIA COASTAL COMMISSION

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**W18**

DATE: August 1, 2016
TO: Coastal Commissioners
FROM: Jack Ainsworth, Acting Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of **June 8-9, 2016**
Santa Barbara Board of Supervisors Chambers
105 E. Anapamu Street
Santa Barbara, CA 93101

WEDNESDAY, JUNE 8, 2016

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m.
2. **ROLL CALL.** Present: Chair Kinsey, Vice Chair Bochco, Cox, Groom, Howell, Luevano, Mitchell, Shallenberger, Turnbull-Sanders, Uranga, Vargas. Absent: McClure. Non-voting present: Beland
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.
5. **CHAIR'S REPORT.** Information only.

STATEWIDE

6. **ACTING EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Executive Director's Report.** Information only.
 - b. **Legislative Report.**

AB2616 (Burke)

Motion & vote: Cox moved to change the Commission's position on AB2616 (Burke) to neutral and recommended a yes vote, seconded by Groom. The roll call vote was 4 in favor (Cox, Groom, Howell, Shallenberger) and 7 opposed (Bochco, Luevano, Mitchell, Turnbull-Sanders, Uranga, Vargas, Kinsey). **Failed.**

Motion & vote: Mitchell moved to continue to support the bill, but with suggestion that it be amended to allow locally elected officials to be appointed to the Commission as representatives of communities with environmental justice concerns notwithstanding the incompatible offices doctrine, and recommended a yes vote, seconded by Bochco. The roll call vote was 6 in favor (Bochco, Mitchell, Turnbull-Sanders, Uranga, Vargas, Kinsey) and 5 opposed (Cox, Groom, Howell, Luevano, Shallenberger). **Passed.**

By consensus, the Commission directed the acting executive director to draft a letter for the Chair's signature expressing the Commission's concerns regarding budget trailer bill provisions that would establish streamlined approval for housing projects that include specified percentage of affordable housing.

c. **Property Information Service Contract.** Staff recommended approval of the contract.

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

d. **Filing Fees Increase.** Information only.

e. **2017 Schedule of Meeting Dates and Locations.** Staff recommended approval of the 2017 schedule. Commissioner Howell requested changing the July meeting to the North coast area and the September meeting to the South Central coast area and the Commission concurred.

Motion & vote: Cox moved to approve the 2017 meeting schedule as amended and recommended a yes vote, seconded by Howell. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved.**

f. **LCP Grants Status Update.** Information only.

SOUTH COAST DISTRICT (ORANGE COUNTY)

7. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Kinsey ruled that the Commission concurred.

- a. **Application No. 5-15-1523 (Davis, Newport Beach)**
- b. **Application No. 5-16-0098 (Pence, Newport Beach)**
- c. **Application No. 5-16-0109 (Grosslight, Newport Beach)**
- d. **Application No. 5-16-0123 (Hodson, Seal Beach)**
- e. **Application No. 5-16-0140 (Mullahey, Newport Beach)**
- f. **Application No. 5-16-0250 (City of Seal Beach Playground Equipment)**

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

- a. **Application No. 5-15-2106 (Svrcek and Ogilvie, Newport Beach)**
- b. **Application No. 5-16-0186 (Barge, Newport Beach)**
- c. **Application No. 5-16-0189 (Barge, Newport Beach)**

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

NORTH COAST DISTRICT

9. **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. **None.**

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

10.5. LOCAL COASTAL PROGRAM (LCPS).

- a. **City of Eureka LCP Amendment No. LCP-1-EUR-16-0018-1 (Wireless Telecommunications Ordinance). Time Extension.** Staff recommended approval of the time extension.

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

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY

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

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

13. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 9-16-0033 (Coast Seafoods, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

14. **REVISED FINDINGS.**

- a. **CD-0003-16 (National Park Service, San Francisco).** Staff recommended that the Commission adopt the revised findings.

Motion & vote: Groom moved to adopt the revised findings pursuant to the staff recommendation and recommended a yes vote, seconded by Turnbull-Sanders. The vote of the prevailing side [Cox, Groom, Luevano, Turnbull-Sanders, Uranga, Kinsey] was unanimous in favor of the motion and none opposed. **Approved.**

SOUTH COAST DISTRICT (ORANGE COUNTY)

- 15. **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 Kinsey ruled that the Commission concurred.

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

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

- a. **City of Newport Beach LCP Amendment No. LCP-5-NPB-14-0820-2 (Back Bay Landing).** Staff recommended that the Commission concur with the Executive Director's determination that the amendment is legally adequate. There being no objection, Chair Kinsey ruled that the Commission concurred.

17. **PERMIT AMENDMENTS.**

- a. **Application No. 5-15-1670-A1 (South Orange County Wastewater Authority)** Staff recommended approval with conditions.

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

SAN DIEGO COAST DISTRICT

18. **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 Kinsey ruled that the Commission concurred.
19. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [20a] to the expanded consent calendar and recommended approval with conditions.

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

20. NOTICE OF IMPENDING DEVELOPMENT.

- a. **North Coast Corridor Notice of Impending Development No. NCC-NOID-0002-16 (Bicycle/Pedestrian Improvements at Interstate 5 Interchanges).** Moved by staff to the expanded consent calendar. **Approved with conditions.**

21. PORT MASTER PLAN.

- a. **San Diego Unified Port District PMP Amendment No. PMP-6-PSD-16-0001-1 (Shelter Island Boat Launch Improvements).** Staff recommended approval as submitted.

Motion & vote: Cox moved to approve the Port Master Plan amendment as submitted pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **Approved as submitted.**

22. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 6-14-0559 (Sonnie, Encinitas)** Staff recommended approval with conditions.

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

- b. **Application No. 6-15-1717 (Barr, 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. The roll call vote was 7 in favor (Cox, Groom, Shallenberger, Turnbull-Sanders, Uranga, Vargas, Kinsey) and 4 opposed (Bochco, Howell, Luevano, Mitchell). **Approved with conditions.**

- c. **Application No. 6-15-2123 (City of Del Mar Paid Parking Program, Del Mar)**
[POSTPONED]

23. **REVISED FINDINGS.**

- a. **Application No. 6-16-0024 (California State Parks Fence, Coronado)** Staff recommended the Commission adopt the revised findings.

Motion & vote: Groom moved to adopt the revised findings pursuant to the staff recommendation and recommended yes vote, seconded by Cox. The vote of the prevailing side was 10 in favor (Bochco, Cox, Groom, Howell, Luevano, Mitchell, Turnbull-Sanders, Uranga, Vargas, Kinsey) and none opposed. **Approved.**

NORTH CENTRAL COAST DISTRICT

- 24. **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 Kinsey ruled that the Commission concurred.
- 25. **CONSENT CALENDAR (removed from Regular Calendar).** None.

CENTRAL COAST DISTRICT

- 26. **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 Kinsey ruled that the Commission concurred.
- 27. **CONSENT CALENDAR (removed from Regular Calendar).**

STATEWIDE

- 28. **APPROVAL OF MINUTES.** The minutes of October 6-9, 2015 were approved as written.

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

- 29. **COMMISSIONERS' REPORTS.** Information only.
- 30. **CONSERVANCY REPORT.** Information only.
- 31. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Information only.
- 32. **SANTA MONICA BAY RESTORATION REPORT.** Information only.
- 33. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

CLOSED SESSION. The Commission received litigation information and advice and gave direction regarding *Friends of Children's Pool v. City of San Diego et al* and *Hansen v. CCC et al. (Silver Shoals Investors LLC, RPI)*. It received litigation information and advice regarding *Kohn v. CCC (County of Marin, RPI)* and *Surfrider Foundation et al. v. CCC (County of Santa Barbara et al., RPI)*.

The Commission recessed for the day at 3:00 p.m.

THURSDAY, JUNE 9, 2016

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order by Chair Kinsey at 9:00 a.m.
2. **ROLL CALL.** Present: Chair Kinsey, Vice Chair Bochco, Cox, Groom, Howell, McClure, Mitchell, Shallenberger, Turnbull-Sanders, Uranga, Vargas. Absent: Luevano. Non-voting present: Beland
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

5. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Kinsey ruled that the Commission concurred.
 - a. **Application No. 5-16-0288 (McCullagh and Shoup, Venice, Los Angeles)**
 - b. **Application No. 5-16-0377 (Dogan, Venice, Los Angeles)**
6. **CONSENT CALENDAR.** Staff recommended approval with conditions.

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

 - a. **Application No. 5-16-0210 (Novus Ordo Seclorum, LLC & Temple Mishkon Temphilo, Santa Monica)**

ENFORCEMENT

7. **ENFORCEMENT REPORT.** None.

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

8. **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 Kinsey ruled that the Commission concurred.

9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 2 items [12b, 12d] to the expanded consent calendar and recommended approval with conditions.

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

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

- a. **City of Manhattan Beach LCP Amendment No. 1-16 (LCP-5-MNB-16-0022-1) (Minor Exceptions and Maximum Lot areas Residential Regulations).** Staff recommended that the Commission concur that the amendment is minor. There being no objection, Chair Kinsey ruled that the Commission concurred.

11. **NEW APPEALS.**

- a. **Appeal No. A-5-MDR-16-0018 (Pacific Marina Ventures, LLC, Marina Del Rey)**
Staff recommended that the Commission determine that the appeal raised no substantial issue on the grounds on which the appeal was filed.

Motion & vote: Bochco moved to determine that **Appeal No. A-5-MDR-16-0018** raised no substantial issue on grounds on which the appeal was filed and recommended a yes vote, seconded by Shallenberger. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **No substantial issue found.**

- b. **Appeal No. A-5-VEN-16-0056 (Staff, Venice, Los Angeles)** Staff recommended that the Commission determine that the appeal raised no substantial issue on the grounds on which the appeal was filed.

Motion & vote: Bochco moved to determine that **Appeal No. A-5-VEN-16-0056** raised no substantial issue on grounds on which the appeal was filed and recommended a yes vote, seconded by Vargas. Chair Kinsey ruled that the vote was unanimous in favor of the motion. **No substantial issue found.**

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-13-0535 (MCL Marina Corporation, Redondo Beach)**
[WITHDRAWN]
- b. **Application No. 5-15-1426 (Mariner's Bay LLC and Los Angeles County Dept. of Beaches and Harbors, Marina del Rey)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- c. **Application No. 5-15-2074 (Revello LLC, Pacific Palisades)** Staff recommended approval with special conditions.

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

- d. **Application No. 5-16-0246 (World Series of Beach Volleyball, LLC and City of Long Beach, Long Beach)** Moved by staff to the expanded consent calendar.
Approved with conditions.

12.5 REVISED FINDINGS.

- a. **Application No. A-5-VEN-15-0026 (422 Grand Boulevard LLC, Venice, Los Angeles)** Staff recommended that the Commission adopt the revised findings.

Motion & vote: Turnbull-Sanders moved to adopt the revised findings pursuant to the staff recommendation and recommended a yes vote, seconded by Howell. The vote of the prevailing side was 8 in favor (Cox, Groom, Howell, McClure, Mitchell, Turnbull-Sanders, Uranga, Kinsey) and none opposed. **Approved.**

- b. **Application No. A-5-VEN-15-0027 (416 Grand Boulevard LLC, Venice, Los Angeles)** Staff recommended that the Commission adopt the revised findings.

Motion & vote: Turnbull-Sanders moved to adopt the revised findings pursuant to the staff recommendation and recommended a yes vote, seconded by Howell. The vote of the prevailing side was 8 in favor (Cox, Groom, Howell, McClure, Mitchell, Turnbull-Sanders, Uranga, Kinsey) and none opposed. **Approved.**

SOUTH CENTRAL 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 Kinsey ruled that the Commission concurred.
- 14. **CONSENT CALENDAR (removed from Regular Calendar).** None.
- 15. **LOCAL COASTAL PROGRAM.**
 - a. **County of Santa Barbara LCP Amendment No. LCP- 4-STB-14-0836-2-Part C (Summerland Community Plan Update).** Staff recommended that the Commission concur with the Executive Director's determination that the amendment is legally adequate. There being no objection, Chair Kinsey ruled that the Commission concurred.

- b. **County of Santa Barbara LCP Amendment No. LCP-4-STB-15-0045-2 (Eastern Goleta Valley Community Plan). Time Extension.** Staff recommended approval of the time extension.

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

16. **PUBLIC WORKS PLAN.**

- a. **Channel Islands Harbor Public Works Plan Amendment No. PWP-4-CIH-16-0004-1. Time Extension.** Staff recommended approval of the time extension.

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

17. **NEW APPEAL.**

- a. **Appeal No. A-4-MAL-16-0049 (Santa Monica College, Malibu)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Bochco moved to determine that **Appeal No. A-4-MAL-16-0049** raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Shallenberger. The roll call vote was 10 in favor (Bochco, Cox, Groom, Howell, McClure, Mitchell, Shallenberger, Turnbull-Sanders, Uranga, Vargas) and one opposed (Kinsey). **No substantial issue found.**

There being no old or new business the meeting of the California Coastal Commission adjourned at 12:28 p.m.

Respectfully submitted,

John Ainsworth
Acting Executive Director