

CALIFORNIA COASTAL COMMISSION

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**W21**

DATE: June 24, 2020
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of March 11-13, 2020
Hilton Scotts Valley
6001 La Madrona Drive
Santa Cruz, CA 95060

WEDNESDAY, MARCH 11, 2020

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Padilla.
2. **ROLL CALL.** Present: Chair Padilla, Aminzadeh, Bochco, Luce(alt), Groom, Hart, Howell, Rice, Mann(alt), Uranga, Wilson. Absent: Brownsey. Non-voting present: Ketchum, Wong-Hernandez.
3. **AGENDA CHANGES.** Staff reported changes to the day's agenda.
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.
5. **Chair's Report.** None.

STATEWIDE

6. **Informational Briefing on Marine Mammal Research.** No action taken.
7. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Executive Director's Report.** Information only.
 - b. **Commission Correspondence.** None.
 - c. **Legislative Report.** Information only.
 - d. **California Coastal Commission Public Review Draft Five-Year Strategic Plan (2020-2025).** Discussion only. No action taken.
 - e. **Informational Report on 1982 Hollister Ranch Public Access Program.**
 - f. **Interagency Agreement.** [POSTPONED]

NORTH COAST DISTRICT

8. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Padilla ruled that the Commission concurred.
9. **LOCAL COASTAL PROGRAMS. (LCPs).**
 - a. **County of Humboldt LCP Amendment Application No. LCP-1-HUM-16-0075-2 Part A (Cannabis-Personal Use Cultivation) Certification Review.** Moved by staff to the expanded consent calendar. **Concurred.**
 - b. **County of Humboldt LCP Amendment Application No. LCP-1-HUM-16-0075-2 Part B (Cannabis Dispensaries) Certification Review.** Moved by staff to the expanded consent calendar. **Concurred.**
10. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 3 items [9a, 9b, 11a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Wilson moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Uranga. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved.**
11. **PERMIT AMENDMENTS.**
 - a. **Permit No. 1-15-0205-A2 (Rock & Dwelley, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

12. **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 Padilla ruled that the Commission concurred.
13. **CONSENT CALENDAR (removed from Regular Calendar).** None.
14. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 9-19-1250 (City of Santa Barbara Desalination Facility Improvements) [POSTPONED]**

NORTH CENTRAL COAST DISTRICT

15. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Padilla ruled that the Commission concurred.
16. **CONSENT CALENDAR (removed from Regular Calendar)** . None.
17. **COASTAL PERMIT APPLICATIONS.**

[Howell out of room]

- a. **Application No. 2-19-0586 (Pacifica State Beach Parking Fee Program, Pacifica)** Staff recommended approval with conditions and incorporated into its recommendation expanded eligibility criteria for low income passes and streamlining the procurement process for such passes.

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

Amending motion & vote: Hart moved to reduce the parking fee to five dollars (\$5) and recommended a yes vote, seconded by Wilson. The roll call vote was 5 in favor (Aminzadeh, Luce, Hart, Mann, Wilson) and 5 opposed (Bochco, Groom, Rice, Uranga, Padilla). **Failed**

Vote on main motion: The roll call vote was 10 in favor (Bochco, Luce, Groom, Hart, Rice, Mann, Uranga Wilson, Aminzadeh, Padilla) and none opposed.

Approved with conditions.

- b. **Application No. 2-17-0438 (AMJT Capital and BCPUD, Bolinas, Marin Co.)**
[POSTPONED]

CENTRAL COAST DISTRICT

18. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Padilla ruled that the Commission concurred.
19. **CONSENT CALENDAR (removed from Regular Calendar)** . Staff moved 3 items [20a, 20b, 22a] 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 Wilson. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved.**

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

- a. **Santa Cruz County LCP Amendment No. 3-SCO-19-0148-2-Part A (Permanent Room Housing). Certification Review.** Moved by staff to the expanded consent calendar. **Concurred.**

- b. **City of Pismo Beach LCP Amendment No. LCP-3-PSB-19-0152-2 (Personal Services)** Moved by staff to the expanded consent calendar . **Approved as submitted.**

[Howell returned]

- c. **City of Pacific Grove LCP Certification No. LCP-PGR-18-0093-1 (LUP Update and IP Certification. Certification Review.** Staff recommended concurrence with the Executive Director's determination that action by the City of Pacific Grove accepting the Commission's certification with suggested modifications is legally adequate. There being no objection, Chair Padilla ruled that the Commission concurred.

21. **POST LCP JURISDICTION MAP.**

- a. **City of Pacific Grove Post LCP Certification Permit and Appeal Jurisdiction Map.** Staff recommended approval.

Motion & vote: Hart moved to approve the Post LCP Certification Permit and Appeal Jurisdiction Map and recommended a yes vote, seconded by Wilson. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved.**

22. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-18-1230 (Port San Luis Repair and Maintenance, Avila Beach, San Luis Obispo Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

[Aminzadeh out of room]

- b. **Application No. 3-20-0014 (Soquel Creek Water District Pure Water Project, Santa Cruz, Capitola and Santa Cruz Co.)** Staff recommended approval with conditions.

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

- c. **Application No. 3-20-0088 (City of Santa Cruz Beach Management Plan, Santa Cruz)** Staff recommended approval with conditions.

Motion & vote: Hart moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. The roll call vote was 7 in favor (Luce,Groom, Hart, Rice, Aminzadeh, Bochco, Padilla) and 4 opposed (Howell, Mann, Uranga, Wilson). Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved with conditions.**

[Aminzadeh returned]

23. PERMIT AMENDMENTS.

- a. **Permit No. 140-32-A1 (Bell, Los Osos, San Luis Obispo Co.)** Staff recommended approval with conditions.

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

Amending motion and vote: Howell moved to approve Permit No. 140-32-A1 without the modifications recommended by staff and recommended a yes vote, seconded by Bochco. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Passed.**

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

- b. **Permit No 3-82-199-A8 (Carmel Area Wastewater District Wastewater Treatment Plant Upgrades, Carmel, Monterey Co.)** Staff recommended approval with conditions.

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

STATEWIDE

22. **APPROVAL OF MINUTES.** None.
23. **COMMISSIONERS' REPORTS.** Information only.
24. **CONSERVANCY REPORT.** Information only.
25. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
26. **SANTA MONICA BAY RESTORATION REPORT.** None.
27. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

The Commission recessed for the day at 6:45p.m.

THURSDAY, MARCH 12, 2020

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Padilla
2. **ROLL CALL.** Present: Chair Padilla, Aminzadeh, Bochco, Luce(alt), Groom, Howell, Rice, Mann, Uranga, Wilson. Absent: Brownsey, Hart. Non-voting present: Ketchum, Wong-Hernandez.
3. **AGENDA CHANGES.** Staff reported changes to the day's agenda.
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

ENFORCEMENT

5. **ENFORCEMENT REPORT.** None.

SOUTH COAST DISTRICT (Orange County)

6. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Padilla ruled that the Commission concurred.
 - a. **Application No. 5-18-1059 (Ramelot, Huntington Beach)**
 - b. **Application No. 5-19-0133 (Patterson Custom Homes, Newport Beach)**
 - c. **Application No. 5-19-0923 (Bradley B. LLC, Huntington Beach)**
7. **CONSENT CALENDAR.**
 - a. **Application No. 5-19-0366 (Smallwood and Pennington, Seal Beach)**

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

SOUTH COAST DISTRICT (Orange County)

8. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Padilla ruled that the Commission concurred.
9. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [12c] to the expanded consent calendar and recommended approval with conditions.

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

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

- a. **County of Laguna Beach LCP Amendment No. 4-19 (LCP-5-LGB-20-0004-3) [POSTPONED].**

11. **NEW APPEALS.**

- a. **Appeal No. A-5-LGB-18-0056 (Miura, Laguna Beach) [POSTPONED]**
- b. **Appeal No. A-5-LGB-20-0001, City of Laguna Beach Parking Program) [POSTPONED]**
- c. **Appeal No. A-5-LGB-20-0002 (Schiffman Living Trust, Laguna Beach)** Staff recommended that the Commission determine that Appeal No. A-5-LGB-20-0002 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Padilla ruled that the Commission **found substantial issue** and **continued** the denovo hearing.
- d. **Appeal No. A-5-LGB-20-0003 (Dekovner, Laguna Beach)** Staff recommended that the Commission determine that Appeal No. A-5-LGB-20-0003 raised substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Padilla ruled that the Commission **found substantial issue** and **continued** the denovo hearing.
- e. **Appeal No. A-5-LGB-20-0005 (Table Rock Association, Laguna Beach)** Staff recommended that the Commission determine that Appeal No. A-5-LGB-20-0005 raised substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Padilla ruled that the Commission **found substantial issue** and **continued** the denovo hearing.

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-17-0465 (City of Newport Beach Western Snowy Plover Habitat Plan for East Balboa Beaches, Newport Beach) [WITHDRAWN]**
- b. **Application No. 5-19-0196 (Savage, San Clemente)** Staff recommended approval in part and denial in part.

Motion & vote: Groom moved to approve in part and deny in part pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. Chair Padilla ruled that the vote was unanimous in favor of the motion. **Approved in part and denied in part.**

- c. **Application No. 5-19-0689 (Wong, Newport Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- d. **Application No. 5-19-0907 (Palmo Investments, Newport Beach) [POSTPONED]**

- e. **Application No. 5-19-0997 (Hometown America, LLC, Laguna Beach)** Staff recommended approval with conditions.

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

13. PERMIT AMENDMENTS.

SAN DIEGO COAST DISTRICT

- 14. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Padilla ruled that the Commission concurred.
- 15. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved 6 items [16a, 16b, 16c, 16d, 16e, 16f] to the expanded consent calendar and recommended approval with conditions.

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

16. LOCAL COASTAL PROGRAMS (LCPs).

- a. **City of Encinitas LCP Amendment No. LCP-6-ENC-19-0160-3 (Specialized Housing, Reasonable Accommodations, Single Room Occupancy).** Moved by staff to the expanded consent calendar. **Approved as submitted.**
- b. **City of San Diego LCP Amendment No. LCP-6-SAN-19-0141-2 (Civic San Diego Dissolution)** Moved by staff to the expanded consent calendar. **Approved with suggested modifications.**
- c. **City of San Diego LCP Amendment No. LCP-6-SAN-19-0142-2 (Fiesta Island) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- d. **City of San Diego LCP Amendment No LCP-6-SAN-19-0161-3 (Mission Valley Rezone) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- e. **City of San Diego LCP Amendment No. LCP-6-SAN-19-0163-3 (Mixed Use Zones)** Moved by staff to the expanded consent calendar. **Approved as submitted.**
- f. **City of San Diego LCP Amendment No. LCP-6-SAN-19-0165-3 (Balboa Avenue Station Specific Plan) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

The Commission recessed the meeting at 11:15 a.m. and went into closed session.

Report of Closed Session.

The Commission received litigation information and advice on the following cases:

Aqualegacy Development LLC v. CCC, et al.
Citizens for South Bay Coastal Access v. CCC
Dunes Development, LLC v. CCC
Friends, Artists, & Neighbors of Elkhorn Slough, et al. v. CCC, et al.
Friends of Oceano Dunes, Inc. v. CCC
Pappas, et al. v. State Coastal Conservancy, et al. (Rancho Cuarta, RPI) ,
Rudisill v. CCC (Pied a Terre)
Spotlight on Coastal Corruption v. CCC, et al. ,
Spotlight on Coastal Corruption v. Kinsey, et al. ,
Stanger v. CCC

The Commission received litigation information and advice and provided direction on the following cases:

Friends of Oceano Dunes, Inc. v. CCC
McCarthy, et al. v. CCC

[Commissioner Howell recused himself from the discussion of Spotlight on Coastal Corruption v. CCC, et al. and Spotlight on Coastal Corruption v. Kinsey, et al.]

FRIDAY, MARCH 13, 2020

1. **CALL TO ORDER.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Commissioner Bochco.
2. **ROLL CALL.** Present: Bochco (acting Chair), Aminzadeh, Luce(alt), Groom, Rice, Mann(alt), Uranga, Wilson. Absent: Chair Padilla, Vice Chair Brownsey, Hart, Howell. Non-voting: Ketchum, Wong-Hernandez.
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 Bochco ruled that the Commission concurred.
 - a. **Application No. 5-19-1323 (Stein, Venice, Los Angeles)**
6. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar.
 - a. **Application No. 5-19-0096 (Doyle, Los Angeles) [POSTPONED]**
 - b. **Application No. 5-19-1012 (MdR Beach Rental LLC, Venice, Los Angeles) [POSTPONED]**

SOUTH CENTRAL COAST DISTRICT

7. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Bochco ruled that the Commission concurred.

[Mann out of room]

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

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

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

- a. **City of Malibu Minor LCP Amendment No. LCP-4-MAL-19-0162-2 (Public Improvements on Public Sandy Beach).** Moved by staff to the expanded consent calendar. **Concurred.**
- b. **County of Santa Barbara LCP Amendment No. LCP-4-STB-19-0157-1 (2019 General Package) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- c. **City of Oxnard LCP Amendment No. LCP-4-oxn-20-0008-1 (Short Term Rentals) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

SOUTH COAST DISTRICT (Los Angeles County)

[Mann returned; Aminzadeh out of room]

- 10. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, and on comments from the public relating to the Deputy Director's report. There being no objection, Chair Bochco ruled that the Commission concurred.
- 11. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 5 items [12a, 12b, 14a, 14b, 14c] to the expanded consent calendar and recommended approval with conditions.

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

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

- a. **City of Long Beach LCP Amendment No. 2-19 (LCP-5-LOB-19-0167-2 Time Extension).** Moved by staff to the expanded consent calendar. **Approved.**
- b. **City of Long Beach LCP Amendment No. 3-19 (LCP-5-LOB-19-0168-3 Time Extension).** Moved by staff to the expanded consent calendar. **Approved**

13. **NEW APPEALS.**

- a. **Appeal No. A-5-LOB-20-0006 (Panattoni Development Company, Inc., Long Beach)** Staff recommended that the Commission determine that Appeal No. A-5-LOB-20-0006 raised a substantial issue on the grounds on which the appeal was filed. There being no objection, Chair Bochco ruled that the Commission **found substantial issue** and **continued** the denovo hearing.

14. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-14-1756- A2 (Ghandour, Santa Monica)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 5-18-1153 (Katnik, Torrance)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Application No. 5-19-0378 (Eckenhansen, Long Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- d. **Application No. 5-19-0854 (Eaton, Venice, Los Angeles)** **[POSTPONED]**
- e. **Application No. 5-19-0955 (Lesman, Hermosa Beach)** **[POSTPONED]**

There being no old or new business, the meeting of the California Coastal Commission adjourned at 10:15a.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as
Submitted _____

Steve Padilla
Chair