

**CALIFORNIA COASTAL COMMISSION**

455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105-2219  
FAX (415) 904-5400  
TDD (415) 597-5885

**W19**

DATE: November 9, 2021  
TO: Coastal Commissioners  
FROM: John Ainsworth, Executive Director  
SUBJECT: **DRAFT MINUTES** of MEETING of October 13-15, 2021  
Virtual Meeting #10

---

**WEDNESDAY, OCTOBER 13, 2021**

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Padilla. **Present:** Chair Padilla, Vice Chair Brownsey, Aminzadeh, Escalante, Groom, Harmon, Hart, Mann(alternate), Uranga. Rice and Wilson arrived at 9:10 a.m. Bochco arrived at 11:15 a.m. **Non-voting present:** Dumlao, Ketchum.
2. **VIRTUAL MEETING PROCEDURES.**
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.
5. **Chair's Report.** None.
6. **CONSENT CALENDAR.**

**Motion & vote:** Brownsey moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. The roll call vote was 11 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Mann, Uranga, Wilson, Padilla) and none opposed. **Approved as recommended.**

- a. **University of California Santa Barbara Notice of Impending Development No. UCS-NOID-0003-21 (Associated Students Bike Shop).**
- b. **Application No. 5-21-0651 (Goodfader, Venice)**
- c. **Application No. 6-20-0277 (Ocean Ranch Estates, Solana Beach)**

7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved four items (14a,16b, 19a, 19b) to the expanded consent calendar and recommended approval.
  - a. **Motion & vote:** Wilson moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Hart. The roll call vote was 11 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Mann, Uranga, Wilson, Padilla) and none opposed.  
**Approved as recommended.**

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

8. **ADMINISTRATIVE CALENDAR.**
  - a. **Application No. 5-21-0183 (Ukleja, Long Beach)** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Padilla ruled that the Commission concurred.

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

9. **ADMINISTRATIVE CALENDAR.**
  - a. **Application No. 5-21-0230 (Forbes, Newport Beach)** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Padilla ruled that the Commission concurred.

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

10. **DEPUTY DIRECTOR'S REPORT FOR LOS ANGELES COUNTY.** 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.
11. **LOCAL COASTAL PROGRAMS (LCPs).**
  - a. **City of Long Beach LCP Amendment No. LCP-5-LOB-20-0058-3.**  
[POSTPONED]
12. **COASTAL PERMIT APPLICATIONS.**
  - a. **Application No. A-5-VEN-15-0003 (Liongate Global#1, LLC, Venice)**  
[POSTPONED]

- b. **Application No. 5-21-0022 (Lane, Hermosa Beach). [POSTPONED]**
- c. **Application No. 5-21-0244 (Streams, Playa del Rey)** Staff recommended approval with conditions.

**Motion & vote:** Padilla moved to approve pursuant to the staff recommendation, as modified to require that the side walls of the development shall be no more than eight feet tall, and recommended a yes vote, seconded by Groom. The roll call vote was 11 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Mann, Uranga, Wilson, Padilla) and 2 opposed. **Approved with conditions.**

- d. **Application No. 5-21-0467 (Reinis, Hermosa Beach) [POSTPONED]**

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

[Bochco arrived]

- 13. **DEPUTY DIRECTOR'S REPORT FOR ORANGE COUNTY.** 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.

- 14. **LOCAL COASTAL PROGRAMS (LCPs).**

- a. **City of Newport Beach LCP Amendment No. LCP-5-NPB-20-0060-2 Part A (Revision to Setback Map No. S-1A) and Part B (IP Clean-Up).** Moved by staff to the expanded consent calendar. **Approved.**
- b. **City of Newport Beach LCP Amendment No. LCP-5-NPB-20-0070-3.** Staff recommended that the Commission deny as submitted and approve if modified as suggested. [Aminzadeh out for vote]

**Motion & vote:** Brownsey moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Rice. The roll call vote was 9 in favor (Bochco, Brownsey, Groom, Harmon, Hart, Rice, Mann, Uranga, Padilla) and 2 opposed (Escalante, Wilson). **Denied as submitted.**

**Motion & vote:** Brownsey moved to certify the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Rice. The roll call vote was 9 in favor (Bochco, Brownsey, Groom, Harmon, Hart, Rice, Mann, Uranga, Padilla) and 2 opposed (Escalante, Wilson). **Approved with modifications.**

- c. **City of Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1 Part C (Newport Island Short Term Rentals)** Staff recommended that the Commission deny as submitted and approve if modified as suggested.

**Motion & vote:** Brownsey moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Wilson. The roll call vote was 10 in favor (Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Uranga, Wilson, Padilla) and one opposed (Mann). **Denied as submitted.**

**Motion & vote:** Brownsey moved to certify the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Bochco. The roll call vote was 10 in favor (Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Uranga, Wilson, Padilla) and one opposed (Mann). **Approved with modifications.**

15. **NEW APPEALS.**

- a. **Appeal No. A-5-DPT-21-0056 (Hanna, Dana Point) [WITHDRAWN]**

[Harmon out for vote]

- b. **Appeal No. A-5-NPB-21-0058 (2510 W. Coast Hwy LLC & 2530 W. Coast Hwy Eat LLC, Newport Beach)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

**Motion & vote:** Hart moved to determine that Appeal No. A-5-NPB-21-0058 raised no substantial issue on the grounds on which the appeal was filed, seconded by Groom. The roll call vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Rice, Mann, Uranga, Wilson, Padilla) and none opposed. **No substantial issue found.**

[Harmon returned]

- c. **Appeal No. A-5-LGB-21-0060 (Highgate Hotel, Laguna Beach)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

**Motion & vote:** Escalante moved to determine that Appeal No. A-5-LGB-21-0060 raised a substantial issue and recommended a yes vote, seconded by Aminzadeh. The roll call vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Mann, Uranga, Wilson, Padilla) and none opposed. **Substantial Issue found.**

16. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-21-0109 (CA State Parks-Orange Coast, Laguna Beach)**  
Staff recommended approval with conditions.

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

**Amending motion & vote:** Hart moved to require State Parks to return to the Commission with an amendment to the CDP to include installation of Electric Vehicle charging stations on the west side of the highway within one year and recommended a yes vote, seconded by Bochco. The roll call vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Mann, Uranga, Wilson, Padilla) and none opposed.  
**Passed.**

**Vote on main motion:** The roll call vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Mann, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions as amended.**

- b. **Application No. 5-21-0114 (Kobielsky, San Clemente)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Application No. 5-19-1296 (City of Newport Beach, Orange Co.)**  
[POSTPONED]

17. **FEDERAL CONSISTENCY.**

- a. **Consistency Certification No. CD-0008-21 (City of Newport Beach, Newport Beach)** [POSTPONED]

**SAN DIEGO 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. **LOCAL COASTAL PROGRAMS.**

- a. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0086-3 (Commercial Uses in Downtown District)** Moved by staff to the expanded consent calendar. **Approved as recommended.**

- b. **City of Encinitas LCP Amendment No. LCP-6-ENC-21-0058-2 (Cannabis Ordinance) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- c. **City of Del Mar LCP Amendment No. LCP-6-DMR-20-0044-2 (ADU Update).**  
**[WITHDRAWN]**

The Commission recessed for the day at 4:08 p.m. and went into closed session.

**THURSDAY, OCTOBER 14, 2021**  
**[MEETING POSTPONED]**

1. **CALL TO ORDER and ROLL CALL.**
2. **VIRTUAL MEETING PROCEDURES.**
3. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.
4. **Public Workshop on Hollister Ranch Coastal Access Program, Santa Barbara County. [POSTPONED]**

## FRIDAY, OCTOBER 15, 2021

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:00 a.m. by Chair Padilla. Present: Chair Padilla, Vice Chair Brownsey, Escalante, Groom, Hart, Rice, Mann(alternate), Wilson arrived at 9:10 a.m. Uranga arrived at 10:30 a.m. Absent: Aminzadeh, Bochco, Harmon. Non-voting present: Ketchum.
2. **VIRTUAL MEETING PROCEDURES.**
3. **AGENDA CHANGES.**
4. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

### REPORT OF CLOSED SESSION.

The Commission received litigation information and advice and took action on a matter of potential litigation and the following case:

*Dunes Development LLC v. CCC*

The Commission received litigation information and advice on a matter of potential litigation and the following cases:

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

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

*Friends of Oceano Dunes, Inc. v. California Department of Parks and Recreation, et al.*

*EcoLogic Partners, Inc., et al. v. CCC*

### STATEWIDE

- 4.1. **EXECUTIVE DIRECTOR'S REPORT.**
  - a. **Executive Director's Report.** Information only.
  - b. **Commission Correspondence.** None.
  - c. **Legislative Report.**
- 4.3. **COMMISSIONERS' REPORTS.** None.
- 4.4. **COMMISSION SUB-COMMITTEE REPORTS.** None
- 4.5. **CONSERVANCY REPORT.** None.



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

4.7. **SANTA MONICA BAY RESTORATION REPORT.** None.

4.8. **DEPUTY ATTORNEY GENERAL'S REPORT.** None.

5. **CONSENT CALENDAR.** None.

[Wilson arrived]

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved eight items [8a, 9a, 11a, 12a, 17a, 20a, 20c, 20d] to the expanded consent calendar and recommended approval with conditions.

**Motion & vote:** Hart moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. The roll call vote was 8 in favor (Brownsey, Escalante, Groom, Hart, Rice, Mann, Wilson, Padilla) and none opposed. **Approved as recommended.**

## **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 Padilla ruled that the Commission concurred.

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

a. **City of Santa Barbara LCP Amendment No. LCP-4-SBC-21-0052-1 (Accessory Dwelling Units). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

9. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 4-21-0379 (Santa Barbara County Flood Control District, Goleta)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

## **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 Padilla ruled that the Commission concurred.

- a. **SONGS Mitigation Monitoring Program.** Staff recommended approval.  
[Escalante, Mann out for vote]

**Motion & vote:** Groom moved to approve the SONGS work program and budget and contingency funds as recommended by staff and recommended a yes vote, seconded by Hart. The roll call vote was 7 in favor (Brownsey, Groom, Hart, Rice, Uranga, Wilson, Padilla) and none opposed. **Approved.**

#### 11. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-20-0564 (San Diego Gas and Electric, San Diego)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

#### 12. **FEDERAL CONSISTENCY.**

- a. **CC-0003-21 (Ocean Rainforest, Inc., Santa Barbara Co.)** Moved by staff to the expanded consent calendar. **Concurred.**
- b. **CD-0007-21 (U.S. Department of the Navy, San Diego)** **[POSTPONED]**

### **NORTH COAST DISTRICT**

13. **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.

#### 14. **NEW APPEALS.**

[Escalante returned]

- a. **Appeal No. A-1-EUR-21-0055 (City of Eureka, Humboldt Co.)**. Staff recommended that the Commission determine that the appeal raised no substantial issue.

**Motion & vote:** Wilson moved to determine that Appeal No. A-1-EUR-21-0055 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Rice. The roll call vote was 8 in favor (Brownsey, Escalante, Groom, Hart, Rice, Uranga, Wilson, Padilla) and none opposed. **No substantial issue found.**

### **ENFORCEMENT**

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

## NORTH CENTRAL COAST DISTRICT

16. **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, Vice Chair Brownsey ruled that the Commission concurred.
17. **LOCAL COASTAL PROGRAMS (LCPs).**
  - a. **City of Pacifica LCP Amendment No. LCP-2-PAC-20-0027-1 (ADUs). Certification Review.** Moved by staff to the expanded consent calendar. **Approved.**
  - b. **San Mateo County LCP Amendment No. LCP-2-SMC-20-0055-2 (Density Bonus). [POSTPONED]**
18. **NEW APPEALS.**
  - a. **Appeal No. A-2-MAR-21-0053 (North Marin Water District Well, Point Reyes Station)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

**Motion & vote:** Rice moved to determine that Appeal No. A-2-MAR-21-0053 raised no substantial on the grounds on which the appeal was filed and recommended a yes vote, seconded by Brownsey. The roll call vote was 8 in favor (Brownsey, Escalante, Groom, Hart, Rice, Uranga, Wilson, Padilla) and none opposed. **No substantial issue found.**

[Mann returned; Wilson departed]

- b. **Appeal No. A-2-PAC-20-0073 (San Pedro Valley LLC Mixed Use, Pacifica)** Staff recommended that the Commission determine that Appeal No. A-2-PAC-20-0073 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 opened the denovo hearing.

**Motion & vote:** Groom moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Brownsey. The roll call vote was 8 in favor (Brownsey, Escalante, Groom, Hart, Rice, Mann, Uranga, Padilla) and none opposed. **Approved with conditions.**

## CENTRAL COAST DISTRICT

19. **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.
20. **LOCAL COASTAL PROGRAMS (LCPs).**
  - a. **City of Santa Cruz LCP Amendment No. LCP-3-STC-20-0015-1-Part A (ADUs). Certification Review.** Moved by staff to the expanded consent calendar. **Approved.**
  - b. **City of Santa Cruz LCP Amendment No. LCP-3-STC-20-0017-1-Part C (Small Cell Wireless) [POSTPONED]**
  - c. **Santa Cruz County LCP Amendment No. LCP-3-SCO-20-0066-2 (Coastal Hazards) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
  - d. **Santa Cruz County LCP Amendment No. LCP-3-SCO-20-0067-2 (Safety Element) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
  - e. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-21-0024-1-Part-C (DeCicco Redesignation).** Staff recommended approval with modifications.

**Motion & vote:** Brownsey moved to grant the time extension for up to one year and recommended a yes vote, seconded by Uranga. The roll call vote was 4 in favor (Brownsey, Escalante, Mann, Uranga) and 4 opposed (Groom, Hart, Rice, Padilla). **Failed.**

**Motion & vote:** Hart moved to certify the Land Use Plan as submitted and recommended a no vote, seconded by Rice. The roll call vote was 8 opposed (Brownsey, Escalante, Groom, Hart, Rice, Mann, Uranga, Padilla) and none in favor. **Certification denied as submitted.**

**Motion & vote:** Hart moved to certify the Land Use Plan if modified as suggested and recommended a yes vote, seconded by Rice. The roll call vote was 6 in favor (Brownsey, Groom, Hart, Rice, Uranga, Padilla) and 2 opposed (Escalante, Mann). **Approved with modifications.**

- f. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-21-0027-1-Part F (Los Osos Vacation Rentals). [POSTPONED]**

21. **PUBLIC WORKS PLAN.**

- a. **Public Works Plan No. PWP-3-SLO-21-0004-1.** Staff recommended approval.

**Motion & vote:** Rice moved to certify Public Works Plan PWP-3-SLO-21- 0004-1 as submitted by the Upper Salinas-Las Tablas Resource Conservation District, and recommended a yes vote, seconded by Hart. The roll call vote was 7 in favor (Brownsey, Escalante, Groom, Hart, Rice, Mann, Padilla) and none opposed. **Approved as submitted.**

**Motion & vote:** Rice moved to approve the proposed Covell Ranch public works project contained in the Upper Salinas-Las Tablas RCD Forest Health and Fire Resilience Public Works Plan as submitted, and recommended a yes vote, seconded by Hart. The roll call vote was 7 in favor (Brownsey, Escalante, Groom, Hart, Rice, Mann, Padilla) and none opposed. **Approved as submitted.**

22. **NEW APPEALS.**

- a. **Appeal No. A-3-MCO-21-0057 (Skeen/Chang SFD Improvements, Carmel)**  
[POSTPONED]

The following items were trailed from earlier in the day's agenda:

4.1. **EXECUTIVE DIRECTOR'S REPORT.**

- d. **LCP Grant Program.** Staff recommended approval of the grant program.

**Motion & vote:** Rice moved to approve the grant program pursuant to the staff recommendation and recommended a yes vote, seconded by Brownsey. The roll call vote was 7 in favor (Brownsey, Escalante, Groom, Hart, Rice, Mann, Padilla) and none opposed. **Approved.**

- 4.2. **APPROVAL OF MINUTES.** The minutes of August 2021 and September 2021 were approved as written.

**Motion & vote:** Brownsey moved to approve the minutes as written and recommended a yes vote, seconded by Hart. The roll call vote was 7 in favor (Brownsey, Escalante, Groom, Hart, Rice, Mann, Padilla) and none opposed. **Approved.**

There being no old or new business, the meeting of the California Coastal Commission adjourned at 4:46 p.m.

Respectfully submitted,

John Ainsworth  
Executive Director

Approved as Submitted\_\_\_\_\_

Steve Padilla  
Chair