

CALIFORNIA COASTAL COMMISSION

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**W19**

DATE: January 13, 2020
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT** MINUTES of MEETING of December 9-11, 2020 and December 17, 2020
Virtual Meeting #8

WEDNESDAY, DECEMBER 9, 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, Vice Chair Brownsey, Aminzadeh, Bochco, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson. **Absent:** Howell. **Non-voting present:** Gold, Ketchum, Warmerdam.
3. **VIRTUAL MEETING PROCEDURES.**
4. **AGENDA CHANGES.** Staff reported changes to the day's agenda.
5. **GENERAL PUBLIC COMMENT.** Members of the public addressed the Commission on various issues affecting the coast.

STATEWIDE

6. **Chair's Report.** None.
7. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Executive Director's Report.** Information only.
 - b. **Commission Correspondence.** None.
 - c. **Public Education Program Annual Update.** Information only. No action taken.
8. **CONSENT CALENDAR.** None.

CONSENT CALENDAR (removed from Regular Calendar)

9. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved 10 items to the expanded consent calendar [12b, 12c, 12d, 12e, 14c, 14d, 16a, 16b, 16c, 18a] and recommended that the Commission approve the consent calendar with conditions.

[Hart, Turnbull-Sanders out]

Motion & vote: Rice moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. The roll call vote was 9 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Rice, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

SOUTH COAST DISTRICT (ORANGE COUNTY)

10. ADMINISTRATIVE CALENDAR.

- a. **Application No. 5-19-1017 (Capistrano Shores Inc., San Clemente).** Staff recommended concurrence with the Executive Director's determination. There being no objection, Chair Padilla ruled that the Commission concurred.

11. **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.

12. LOCAL COASTAL PROGRAMS. (LCPs).

- a. **City of Newport Beach LCP Amendments No. LCP-5-NPB-19-0151-2 (Transfer of Development Rights). [WITHDRAWN]**
- b. **City of Newport Beach LCP Amendment No. 1-20 (LCP-5-NPB-20-0025-1; Lido Isle Hedge Heights and ADUs) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- c. **City of Newport Beach LCP Amendment No. LCP-5-NPB-20-0060-2(Part A-Setback Map S-1A) and Part B (Residential Zoning District Minimum Lot Size, Overlay Zoning District, and Public Notice Distribution). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- d. **City of Laguna Beach LCP Amendment No. LCP-5-LGB-20-0051-3. Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- e. **City of Laguna Beach LCP Amendment No. LCP-5-LGB-20-0052-2. Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

13. **NEW APPEALS.**

- a. **Appeal No. A-5-LGB-20-0055 (Donahue, Laguna Beach)** Staff recommended that the Commission determine that Appeal No. A-5-LGB-20-0055 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. **Substantial issue found. Continued.**
- b. **Appeal No. A-5-LGB-20-0057 (NS Laguna Management, LLC, Laguna Beach)** [WITHDRAWN]

14. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-5-LGB-18-0071 (Hale, Laguna Beach)** Staff recommended approval with conditions.

Motion & vote: Wilson moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. The roll call vote was 9 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Rice, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

[Hart returned]

- b. **Application No. 5-19-0345 (Orange County Parks, Dana Point)** Staff recommended approval with conditions and incorporated requirements that the County report to Commission staff within 6 months with proposed benchmarks for progress on the Master Plan, and the approval was limited to one year.

Motion & vote: Brownsey moved to approve pursuant to the staff recommendation as amended and seconded by Groom. The roll call vote was 8 in favor (Bochco, Brownsey, Groom, Hart, Rice, Uranga, Wilson, Padilla) and 2 opposed (Aminzadeh, Escalante). **Approved with conditions as amended.**

- c. **Application No. 5-19-1177 (Cyprus, Newport Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- d. **Application No. 5-19-1243 (Scalini, Seal Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- e. **Application No. 5-20-0060 (Pickle, San Clemente)** [POSTPONED]

[Turnbull-Sanders returned]

- f. **Application No. 5-20-0429 (Laguna Beach Dept. of Public Works)** Staff recommended approval with conditions.

Motion & vote: Brownsey moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Hart. The roll call vote was 10 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

SAN DIEGO 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. **LOCAL COASTAL PROGRAMS. (LCPs).**
 - a. **County of Oceanside LCP Amendment No. LCP-6-OCN-19-0146-3 (Transit Overlay District) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - b. **City of Oceanside LCP Amendment No. LCP-6-OCN-19-0147-3 (Coast Highway Corridor Incentive District). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - c. **City of Carlsbad LCP Amendment No. LCP-6-CAR-20-0033-1 (Inclusionary Housing & Density Bonus Update).** Moved by staff to the expanded consent calendar. **Approved as submitted.**
- 17. **NEW APPEALS.**
 - a. **Appeal No. A-6-COR-19-0027 (Arendsee, Coronado) [POSTPONED]**
- 18. **COASTAL PERMIT APPLICATIONS.** Staff recommended approval with conditions.
 - a. **Application No. 6-18-0032 (North Torrey Pines Pedestrian Ramps, San Diego)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

STATEWIDE

- 19. **APPROVAL OF MINUTES.** The minutes of November 4-6, 2020 meeting were approved as written.

Motion & vote: Groom moved to approve the minutes as written and recommended a yes vote, seconded by Rice. The roll call vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved.**

20.**COMMISSIONERS' REPORTS.** None.

21.**COMMISSION SUB-COMMITTEE REPORTS.** None.

22.**CONSERVANCY REPORT.** Information only.

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

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

25.**DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

The Commission recessed for the day at 4:35 p.m. and went into Closed Session.

THURSDAY, DECEMBER 10, 2020

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, Bochco, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson. Non-voting present: Ketchum, Warmerdam.

Report of Closed Session

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

Spotlight on Coastal Corruption v. Kinsey, et al.
11 Lagunita LLC et al. v. CCC
AMJT Capital LLC, et al. v. CCC
Rudisill v. CCC (Lighthouse Brooks, LLC, et al., RPIs)

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

McCarthy v. CCC
Stanger v. CCC (Paz, et al., RPIs)

2. **VIRTUAL MEETING PROCEDURES.**
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. **CONSENT CALENDAR.** None.

CONSENT CALENDAR (removed from Regular Calendar)

6. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved 2 items [9a, 9b] 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 Brownsey. The roll call vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders Uranga, Wilson, Padilla) and none opposed.

Approved with conditions.

ENFORCEMENT.

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

SOUTH CENTRAL 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 Santa Barbara LCP Amendment No. LCP-4-STB-19-0157-1 (2019 General Package).** Moved by staff to the expanded consent calendar. **Approved with modifications.**
 - b. **City of Oxnard LCP Amendment No. LCP-4-OXN-20-0008-1 (Short Term Rentals).** Moved by staff to the expanded consent calendar. **Approved.**

SOUTH COAST DISTRICT (Los Angeles County)

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 Padilla ruled that the Commission concurred.
11. **LOCAL COASTAL PROGRAMS. (LCPs).**
 - a. **City of Long Beach LCP Amendment No. LCP-5-LOB-20-0014-1 (Belmont Beach and Aquatic Center) [POSTPONED]**
12. **NEW APPEALS.**
 - a. **Appeal No. A-5-VEN-20-0060 (Venice Community Housing Corporation, Venice)** Staff recommended that the Commission determine that the appeal raised no substantial issue.
Motion & vote: Escalante moved to determine that Appeal No. A-5-VEN-20-0060 raised no substantial issue and recommended a yes vote, seconded by Turnbull-Sanders. The roll call vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **No substantial issue found.**
 - b. **Appeal No. A-5-LOB-17-0034 (City of Long Beach Belmont Beach and Aquatic Center, Long Beach) [POSTPONED]**
 - c. **Appeal No. A-5-LOB-20-0007 (City of Long Beach Belmont Beach and Aquatic Center, Long Beach) [POSTPONED]**
13. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 5-18-0788 (City of Long Beach Belmont Beach and Aquatic Center, Long Beach.) [POSTPONED]**

b. **Application No. 5-20-0017 (City of Long Beach Marketplace Marsh)**
[POSTPONED]

[Turnbull-Sanders departed]

c. **Application No. 5-20-0031 (City of Torrance Citywide Short-Term Rental).**

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

Amending motion & vote: Rice moved to remove the restriction on the number of hosted short-term rentals within the residential zone, seconded by Brownsey. The roll call vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved.**

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

d. **Application No. 5-20-0310 (WPBA Trust, Santa Monica)** Staff recommended approval with conditions.

Motion & vote: Brownsey moved to approve pursuant to the staff recommendation and recommended yes vote, seconded Hart. The roll call vote was 9 in favor (Aminzadeh, Bochco, Brownsey, Groom, Hart, Howell, Rice, Uranga, Padilla) and 2 opposed (Escalante, Wilson). **Approved with conditions.**

e. **Application No. 5-20-0530 (Stabler & English, Hermosa Beach)** Staff recommended approval with conditions.

Motion & vote: Brownsey moved approve pursuant to the staff recommendation and recommended yes vote, seconded by Groom. The roll call vote was 11 eleven in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

The Commission recessed for the day at 1:35 p.m.

FRIDAY, DECEMBER 11, 2020

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, Hart, Howell, Rice, Uranga, Wilson. Absent: Bochco, Turnbull-Sanders. Non-voting present: Ketchum, Warmerdam.
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. **CONSENT CALENDAR.** None.

CONSENT CALENDAR (removed from Regular Calendar)

6. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved 4 items [8a, 11a, 11b, 11c] 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 Howell. The roll call vote was 9 in favor (Aminzadeh, Brownsey, Escalante, Groom, Hart, Howell, Rice, Uranga, Padilla) and none opposed. **Approved with conditions.**

Item 8a was approved in a separate vote.

Motion & vote: Howell moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Brownsey. The roll call vote was 11 in favor (Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Aminzadeh, Padilla) and none opposed. **Approved with conditions.**

NORTH 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.
 - a. **Progress Report on Caltrans Eureka-Arcata Hwy 101 Corridor Sea Level Rise (SLR) Adaptation Plan. [POSTPONED]**

8. COASTAL PERMIT APPLICATIONS.

- a. **Application No. 1-20-0360 (Yates, Humboldt)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

NORTH CENTRAL COAST DISTRICT

9. **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.

CENTRAL COAST DISTRICT

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. Three Commissioners objected to the Executive Director's determination that the proposed amendment to CDP A-3-SLO-03-040-A4 (Baywood Inn Improvements) was immaterial. It will be heard as a material amendment at a future meeting, there being no objection to the remaining items in the Deputy Director's Report, Chair Padilla ruled that the Commission concurred in those remaining items.

11. LOCAL COASTAL PROGRAMS. (LCPs).

- a. **City of Pismo Beach LCP Amendment No. LCP-3-PSB-20-0037-1 (Residential Very High Density Overlay and 855 4th Street Rezoning). Certification Review.** Moved by staff to the expanded consent calendar. **Concurred.**
- b. **Santa Cruz County LCP Amendment No. LCP-3-SCO-20-0062-2 (Cannabis Regulations).** Moved by staff to the expanded consent calendar. **Concurred.**
- c. **Santa Cruz County LCP Amendment No. LCP-3-SCO-20-0065-2 (Permanent Room Housing Rezoning).** Moved by staff to the expanded consent calendar. **Concurred.**

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.

11. FEDERAL CONSISTENCY.

- a. **CD-0007-19 (Corp of Engineers, Los Angeles Co.)** Staff recommended concurrence.

Motion & vote: Uranga moved to concur with the consistency determination that the project is fully consistent with the enforceable policies of the California Coastal Management Program and recommended a yes vote, seconded by Howell. The roll call vote was 9 in favor (Aminzadeh, Brownsey, Escalante, Groom, Hart, Howell, Rice, Uranga, Padilla) and none opposed. **Concurred.**

- b. **CD-0003-20 (U.S. Navy, Southern California)** Staff recommended concurrence. [Escalante recused]

Motion & vote: Brownsey moved to concur with the consistency determination that the project is fully consistent with the enforceable policies of the California Coastal Management Program and recommended a yes vote, seconded by Groom. The roll call vote was 8 in favor (Aminzadeh, Brownsey, Groom, Hart, Howell, Rice, Uranga, Padilla) and none opposed. **Concurred.**

[Aminzadeh departed prior to the vote]

- c. **CD-0005-20 (Bureau of Land Management, Santa Cruz Co.)** Staff recommended concurrence.

Motion & vote: Groom moved to conditionally concur with the consistency determination CD-0005-20 on the grounds that, if modified as described in the Commission's conditional concurrence, and if proposed hunting is moved to Phase 2 of the management plan, the project would be fully consistent with the enforceable policies of the California Coastal Management Program and recommended a yes vote, seconded by Brownsey. The roll call vote was 8 in favor (Brownsey, Escalante, Groom, Hart, Howell, Rice, Uranga, Padilla) and none opposed. **Conditional Concurrence.**

The Commission adjourned at 4.25 p.m.

THURSDAY, DECEMBER 17, 2020

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, Bochco, Escalante, Groom, Hart, Howell, Rice, Uranga, Wilson. Absent: Turnbull-Sanders. Non-voting present: Gold, Ketchum, Warmerdam.
2. **VIRTUAL MEETING PROCEDURES.**
3. **California Coastal Commission and Local Government Workshop.** Discussion only. No action taken.

There being no old or new business, the meeting of the California Coastal Commission adjourned at 12:40 p.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as
Submitted_____

Steve Padilla
Chair