

CALIFORNIA COASTAL COMMISSION

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

**W17**

DATE: March 3, 2021
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of January 13-14, 2021
Virtual Meeting #1

WEDNESDAY, January 13, 2020

1. **CALL TO ORDER & 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, O'Malley(alternate), Bochco, Escalante, Groom, Hart, Howell, Turnbull-Sanders, Uranga, Wilson. Rice arrived at 1:10pm.

Non-voting present: Gold, Ketchum, Kounalakis.

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. **Chair's Report.**

STATEWIDE

6. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Executive Director's Report.** Information only.
 - b. **Commission Correspondence.** None.
 - c. **Legislative Report.** (trailed and heard after Item 6d)
 - d. **DRAFT 309 Enhancement Grants Assessment & Strategy for 2021-2025.** Information only. No action taken.

CONSENT CALENDAR

7. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions. Items **7b & 7c** were postponed. [Padilla out]

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

- a. **Application No. 5-20-0323 (Pigneri, Sunset Beach)**
- b. **Application No. 6-19-1162 (Toor, San Diego) [POSTPONED]**
- c. **Application No. 6-20-0418 (Binns, San Diego) [POSTPONED]**
- d. **Application No. 6-20-0435 (Santa Fe Christian Schools, Solana Beach)**
- e. **Application No. 6-20-0506 (Messenger, San Diego)**

CONSENT CALENDAR (removed from Regular Calendar)

8. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved 7 items [10a, 10b, 10c, 16a, 16c, 21a, 27a] and recommended that the Commission approve the consent calendar with conditions.

Motion & vote: Wilson moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. The roll call vote was 9 in favor (O'Malley, Bochco, Escalante, Groom, Hart, Howell, Turnbull-Sanders, Wilson, Brownsey) and none opposed. **Approved with conditions.**

[Padilla returned]

NORTH 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.
 - a. **Progress Report on Caltrans Eureka-Arcata Hwy 101 Corridor Sea Level Rise (SLR) Adaptation Plan.** Information only. No action taken.

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

- a. **City of Point Arena LCP Amendment No. LCP-1-PTA-20-0040-1 (Farm Stays and Ag Exclusive Use Changes). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- b. **City of Eureka LCP Amendment No. LCP-1-EUR-20-0009-1, Part C (Crowley Site Redesignation).** Moved by staff to the expanded consent calendar. **Concurred.**
- c. **City of Eureka LCP Amendment No. LCP-1-EUR-17-0049-2 (Emergency Shelters).** Moved by staff to the expanded consent calendar. **Concurred.**

[Rice arrived]

11. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-20-04229 (Caltrans, Del Norte County)** Staff recommended approval with conditions.

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

NORTH CENTRAL COAST DISTRICT

12. **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.

13. **LOCAL COASTAL PROGRAM (LCPs).**

- a. **San Mateo County LCP Amendment No. LCP-2-SMC-20-0056-3 (Agricultural Land Division Requirements).** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Padilla ruled that the Commission concurred.

ENFORCEMENT

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

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. **None.**

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

- a. **Santa Cruz County LCP Amendment No. LCP-3-SCO-20-0063-2 (Temporary Uses, et al)** Moved by staff to the expanded consent calendar. **Approved with modifications.**
- b. **Santa Cruz County LCP Amendment No. LCP-3-SCO-20-0064-2 (Vacation Rentals)** Staff recommended denial as submitted and certification if modified as suggested by staff.

Motion & vote: Brownsey moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Hart. The roll call vote was 12 in favor (O'Malley, Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Certification denied as submitted.**

Motion: Brownsey moved to certify the Implementation Plan if modified as suggested and recommended a yes vote, seconded by Hart.

Amending motion & vote: Wilson moved to cap the number of short term vacation rentals at 262, with an addition 42 units allowed only as hosted rentals and recommended a yes vote, seconded by Escalante. The roll call vote was 5 in favor (O'Malley, Escalante, Rice, Turnbull-Sanders, Wilson) and 7 opposed (Bochco, Brownsey, Groom, Hart, Howell, Uranga, Padilla). **Failed.**

Vote on main motion: The roll call vote was 10 in favor (O'Malley, Bochco, Brownsey, Groom, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Padilla) and 2 opposed (Escalante, Wilson). **Approved with modifications.**

- c. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-20-0071-3 (Sign Ordinance)** Moved by staff to the expanded consent calendar. **Approved with modifications.**

[Turnbull-Sanders out]

17. **NEW APPEALS.**

- a. **A-3-SLO-20-0072 (Central Coast Blue Test Wells, Oceano)** Staff recommended that the Commission determine no substantial issue.

Motion & vote: Howell moved to determine that Appeal No. A-3-SLO-20-0072 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Groom. The roll call vote was 11 in favor (O'Malley, Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Uranga, Wilson, Padilla) and none opposed. **No substantial issue found.**

[Bochco & Howell out]

18. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 3-20-0520 (Port San Luis Harbor District Paid Parking Program, Port San Luis)** Staff recommended approval with conditions.

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

SOUTH CENTRAL COAST DISTRICT

[Bochco returned]

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 PROGRAM (LCPs).**

- a. **City of Carpinteria LCP Amendment No. LCP-4-CPN-20-0050-1 (Condominium/Cooperative Conversion Ordinance)** Staff recommended denial as submitted and certification if modified as suggested.

Motion & vote: Hart moved to reject the Implementation Plan as submitted and recommended a yes vote, seconded by Rice. The roll call vote was 10 in favor (O'Malley, Bochco, Brownsey, Escalante, Groom, Hart, Rice, Uranga, Wilson, Padilla) and none opposed. **Certification denied as submitted.**

Motion & vote: Hart moved to certify the Implementation Plan if modified as suggested by staff, seconded by Rice. The roll call vote was 10 in favor (O'Malley, Bochco, Brownsey, Escalante, Groom, Hart, Rice, Uranga, Wilson, Padilla) and none opposed. **Certified with modifications.**

21. **LONG RANGE DEVELOPMENT PLAN.**

- a. **Pepperdine University LRDP Amendment No. LRDP Amendment No. LRDP-4-PEP-20-0002-1 (Enhanced Parking and Storage Project). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

[Howell returned]

22. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-19-0339 (Carpinteria Sanitary District, City of Carpinteria)** 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 11 in favor (O'Malley, Bochco, Brownsey, Escalante, Groom, Hart, Howell, Rice, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

SOUTH COAST DISTRICT (Los Angeles County)

23. **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.

[Turnbull-Sanders returned]

24. COASTAL PERMIT APPLICATIONS.

- a. **Application 5-20-0017 (City of Long Beach Marketplace Marsh, Long Beach)**
Staff recommended approval with conditions.

Motion & vote: Uranga moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Brownsey. The roll call vote was 9 in favor (Bochco, Brownsey, Groom, Hart, Howell, Rice, Uranga, Wilson, Padilla) and 3 opposed (O'Malley, Escalante, Turnbull-Sanders). **Approved with conditions.**

SOUTH COAST DISTRICT (Orange County)

25. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being objection, Chair Padilla ruled that the Commission concurred.

- a. **Application No. 5-20-04-37 (Simpson Holdings Garden Grove, LLC, Newport Beach)**
b. **Application No. 5-20-0543 (Del Villar, Huntington Beach)**

26. **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.

27. LOCAL COASTAL PROGRAM (LCPs).

- a. **City of Laguna Beach LCP Amendment No. LCP-5-LGB-19-0074-1.** Moved by staff to the expanded consent calendar. **Concurred.**

28. NEW APPEALS.

- a. **Appeal No. A-5-NPB-20-0068 (Guidero, Newport Beach) [POSTPONED]**

SAN DIEGO COAST DISTRICT

29. **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.

30. **COASTAL PERMIT APPLICATIONS.**

[O'Malley recused] [Groom departed]

a. **Application No. 6-20-0433 (Mission Bay Dr. Channel maintenance, San Diego)** 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 9 in favor (Bochco, Brownsey, Hart, Howell, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and one opposed (Escalante). **Approved with conditions.**

STATEWIDE (Trailed to Thursday's agenda)

31. **APPROVAL OF MINUTES.**

32. **COMMISSIONERS' REPORTS.**

33. **CONSERVANCY REPORT.**

34. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.**

35. **SANTA MONICA BAY RESTORATION REPORT.**

36. **DEPUTY ATTORNEY GENERAL'S REPORT.**

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

THURSDAY, JANUARY 14, 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, O'Malley(alternate), Bochco, Groom, Hart, Howell, Rice, Uranga, Wilson. Absent: Escalante, Turnbull-Sanders. Non-voting present: Gold, Ketchum.
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.

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

5. **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.
6. **FEDERAL CONSISTENCY.**
 - a. **CC-0004-18 (SANDAG, San Diego Co.)** Staff recommended objection.
Motion & vote: Wilson moved to concur with consistency determination CD-0007-20 that the project is fully consistent with the enforceable policies of the California Coastal Management Program and recommended a no vote, seconded by Bochco. The roll call vote was none in favor and 10 opposed (O'Malley, Bochco, Brownsey, Groom, Hart, Howell, Rice, Uranga, Wilson, Padilla). **Objection.**
 - b. **CD-0006-20 (National Park Service, Marin County) [POSTPONED]**

Report of Closed Session

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

Harp v. CCC

11 Lagunita LLC v. CCC

Spotlight on Coastal Corruption v. Kinsey, et al.

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

Schrager v. CCC
Spotlight on Coastal Corruption v. CCC
Charters v. City of Long Beach

STATEWIDE (Trailed from Wednesday's agenda)

- 31. **APPROVAL OF MINUTES.** None.
- 32. **COMMISSIONERS' REPORTS.** Information only.
- 33. **CONSERVANCY REPORT.** Information only.
- 34. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** None.
- 35. **SANTA MONICA BAY RESTORATION REPORT.** None.
- 36. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

There being no old or new business, the meeting of the California Coastal Commission adjourned at 12:30 p.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as
Submitted _____

Steve Padilla
Chair