

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
FAX (415) 904-5400
TDD (415) 597-5885

**W21**

DATE: June 9, 2021
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of May 12-14, 2021
Virtual Meeting #5

WEDNESDAY, MAY 12, 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 Vice Chair Brownsey. **Present:** Vice Chair Brownsey, Aminzadeh, Bochco, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Wilson. Uranga arrived at 9:10 a.m. **Absent:** Padilla. **Non-voting present:** Dumlao, Gold, 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.

STATEWIDE

6. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Executive Director's Report.** Information only.
 - b. **Commission Correspondence.** None.
 - c. **Legislative Report.** Staff recommended support of the following bills:

(Escalante recused)

AB233 (Ward) Staff recommended support.

Motion & vote: Wilson moved to support AB233 and recommended a yes vote, seconded by Rice. The roll call vote was 8 in favor (Aminzadeh, Bochco, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed.

Approved.

SB69 (McGuire). Staff recommended support.

(Hart recused)

Motion & vote: Wilson moved to support SB69 and recommended a yes vote, seconded by Aminzadeh. The roll call vote was 7 in favor (Aminzadeh, Bochco, Groom, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Support approved.**

SB796 (Bradford). Staff recommended support.

Motion & vote: Groom moved to support SB69 and recommended a yes vote, seconded by Aminzadeh. The roll call vote was 8 in favor (Aminzadeh, Bochco, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **Support approved.**

d. **California Coastal Trail.** Information only.

7. **CONSENT CALENDAR.**

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 12 items (10a, 10b, 12b, 12e, 14a-14g,16a) to the expanded consent calendar and recommended approval.

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

SOUTH COAST DISTRICT (ORANGE COUNTY)

9. **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, Vice Chair Brownsey ruled that the Commission concurred.

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

a. **City of Laguna Beach LCP Amendment No. LCP-5-LGB-19-0139-1 (Parking).** Moved by staff to the expanded consent calendar. **Concurred.**

- b. **City of Newport Beach LCP Amendment No. LCP-5-NPB-19-0016-1 (Balboa Village Parking Management Overlay District).** Moved by staff to the expanded consent calendar. **Concurred.**

11. **NEW APPEALS.**

- a. **Appeal No. A-5-HNB-21-0022 (Haanh Holdings, LLC, Huntington Beach)** Staff recommended that the Commission determine the appeal raised no substantial issue.

Motion & vote: Uranga moved to determine that Appeal No. 5-HNB-21-0022 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Bochco. The roll call vote was 10 in favor (Aminzadeh, Bochco, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Brownsey) and none opposed. **No substantial issue found.**

- b. **Appeal No. A-5-LGB-21-0023 (Honarkar, Laguna Beach)** Staff recommended that the Commission determine that Appeal No. A-5-LGB-21-0023 raised a substantial issue on the grounds on which the appeal was filed. There being no objection Vice Chair Brownsey ruled that the Commission found substantial issue and continued the denovo hearing. **Substantial Issue found. Continued.**

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-20-9957 (YG III LLC, San Clemente)** Staff recommended approval with conditions.

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

- b. **Application No. 5-20-0428 (City of Newport Beach, Newport Beach).** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- c. **Application No. 5-20-0432 (Russell Family Trust, San Clemente)** Staff recommended approval with conditions.

Motion & vote: Groom moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Wilson. The roll call vote was 7 in favor (Bochco, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Brownsey) and 2 opposed (Aminzadeh, Wilson). **Approved with conditions.**

- d. **Application No. 5-20-0525 (Zheng & Xuan, Sunset Beach)** Staff recommended approval with conditions.

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

- e. **Application No. 5-20-0542 (Alan and Kim Gibson, Seal Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

SAN DIEGO 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, Vice Chair Brownsey ruled that the Commission concurred.
- 14. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0086-3 (Downtown Commercial Uses) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - b. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0087-3 (Time Extensions) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - c. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0088-3 (Climate Action Ordinances) 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).** Moved by staff to the expanded consent calendar. **Approved as submitted.**
 - e. **City of San Diego LCP Amendment No. LCP-6-SAN-21-0031-1(2020 Code Update) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - f. **City of San Diego LCP Amendment No. LCP-6-SAN-21-0032-1 (Kearny Mesa CPU Implementation) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

- g. **City of San Diego LCP Amendment No. LCP-6-SAN-21-0033-1 (Complete Communities, Housing Solutions, and Mobility Choices) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

15. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-6-SAN-20-0029 (San Diego Municipal Waterways Maintenance Plan, San Diego)** Staff recommended approval with conditions.

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

- b. **Application No. 6-20-0356 (San Diego Municipal Waterways Maintenance Plan, San Diego)** Staff recommended approval with conditions.

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

- c. **Application No. 6-20-0053 (Northeast MB, LLC, San Diego).** [WITHDRAWN BY APPLICANT]

16. **PERMIT AMENDMENTS.**

- a. **Permit No. 6-20-0231-A1 (Caltrans Cable Fencing, Camp Pendleton)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

17. **REVISED FINDINGS.**

- a. **Application No. 6-19-1291 (DeSimone, Schragger, & Oene, Solana Beach)** [POSTPONED]

STATEWIDE

18. **APPROVAL OF MINUTES.** None.

19. **COMMISSIONERS' REPORTS.** None.

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

21. **CONSERVANCY REPORT.** None.

22. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Information only.

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

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

The Commission recessed for the day at 4:50 p.m.

THURSDAY, MAY 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, Brownsey, Escalante, Groom, Hart, Rice, Uranga, Wilson. Turnbull-Sanders arrived at 9:10 a.m. Absent: Bochco. Non-voting present: Dumlao, Gold, 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 about two matters of potential litigation and the following cases:

EcoLogic Partners, Inc., et al., v. CCC, et al.,
Friends of Oceano Dunes, Inc. v. CCC, et al.
Stanger v. CCC (2416 Frey LLC, RPI)
Stanger v. CCC (Paz et al., RPIs)

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

Sanson v. CCC

5. **CONSENT CALENDAR.**
 - a. **Application No. 5-20-0652 (Triwest Development, Hermosa Beach)** Staff recommended the Commission approve the consent calendar with conditions.

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

CONSENT CALENDAR

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 4 items [9a, 13a, 14a, 14g] 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 Wilson. The roll call vote was 10 in favor (Aminzadeh, Brownsey, Escalante, Groom, Hart, 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 PROGRAM (LCPs).**
 - a. **County of Santa Barbara LCP Amendment No. LCP-4-STB-20-0049-2 (Agricultural Employee Dwelling Ordinance Update).** Moved by staff to the expanded consent calendar. **Approved as submitted.**
 - b. **City of Malibu LCP Amendment No LCP-4-MAL-19-0164-3 (Pesticide Prohibition)** Staff recommended denial as submitted and approval with modifications.

(Escalante recused)

Motion & vote: Wilson moved to certify the Land Use Plan as submitted and recommended a no vote, seconded Hart. The roll call vote was none in favor and 9 opposed (Aminzadeh, Brownsey, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla). **Denied as submitted.**

Motion & vote: Wilson moved to certify the Land Use Plan if modified as suggested and recommended a yes vote, seconded by Hart. The roll call vote was 9 in favor (Aminzadeh, Brownsey, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved with modifications.**

10. **NEW APPEAL.**

- a. **Appeal No. A-4-SBC-21-0021 (City of Santa Barbara Public Works Department, Santa Barbara) [POSTPONED]**

11. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 4-20-0616 (Caltrans, Ventura Co.)** 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 10 in favor (Aminzadeh, Brownsey, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

- 12. **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.

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

- a. **City of Redondo Beach LCP Amendment No. LCP-5-RDB-20-0017-1 (Accessory Dwelling Units) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

14. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 5-18-1259 (Los Angeles County Public Works, Long Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 5-19-1212 (Santa Monica Beach Club, Santa Monica)** Staff recommended approval with conditions.

Motion & vote: Brownsey moved to approve pursuant to the staff recommendation as modified to include that the public access plan required by Special Condition 2 ensures that public access signage is welcoming better delineates the publicly available beach area and recommended a yes vote, seconded by Uranga. The roll call vote was 10 in favor (Aminzadeh, Brownsey, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

- c. **Application No. A-5-LOB-20-0006 (Panattoni Development Company, Inc., Long Beach) [POSTPONED]**
- d. **Application No. 5-20-0248 (City of Santa Monica, Santa Monica)** Staff recommended approval with conditions.

(Escalante was not present for vote)

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

- e. **Application No. 5-20-0485 (Lopez, Hermosa Beach)** Staff recommended denial.

Motion & vote: Hart moved to approve pursuant to the applicant and recommended a no vote, seconded by Rice. The roll call vote was none in favor and 10 opposed (Aminzadeh, Brownsey, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla). **Denied.**

- f. **Application No. 5-21-0047 (Bel Air Bay Club, Pacific Palisades)**

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

- g. **Application No. 5-19-0977 (Davies Launch Ramp, Long Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

The Commission recessed for the day at 4:30 p.m.

FRIDAY, MAY 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, Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson. Non-voting: Gold, 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. **CONSENT CALENDAR.**
6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 8 items [8a, 9a, 11a, 11b, 12a, 17a, 17d, 17e] to the expanded consent calendar and recommended approval with conditions.

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

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.
8. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. City of Point Arena LCP Amendment No. LCP-1-PTA-20-0040-1 (Agricultural Designation Changes). Moved by staff to the expanded consent calendar. **Approved with modifications.**
9. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 1-19-0462 (McKinleyville Community Services District, Humboldt Co.)** 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.
11. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 9-20-0457 (Southern California Edison, Santa Barbara Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
 - b. **Application No. 1-21-0195 (California Dept. of Fish and Game, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
12. **FEDERAL CONSISTENCY.**
 - a. **CD-0003-21 (National Oceanic and Atmospheric Administration, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Concurred.**

NORTH CENTRAL 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. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. **City of Pacifica LCP Amendment No. LCP-2-PAC-20-0027-1 (Accessory Dwelling Units). Time Extension.** Staff recommended approval.

Motion & vote: Groom moved to grant the time extension pursuant to the staff recommendation and recommended a yes vote, seconded by Bochco. The roll call vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved.**
15. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 2-20-0319 (Mirada Bridge, Miramar)** Staff recommended approval with conditions.

Motion & vote: Groom moved to approve pursuant to the staff recommendation 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 with conditions.**

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, Chair Padilla ruled that the Commission concurred.
17. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. **City of Santa Cruz LCP Amendment No. LCP-3-STC-20-0015-1- Part A (Accessory Dwelling Units).** Moved by staff to the expanded consent calendar. **Approved with suggested modifications.**
 - b. **City of Santa Cruz LCP Amendment No. LCP-3-STC-20-0017-1-Part C (Small Cell Wireless).** [POSTPONED]
 - c. **City of Santa Cruz LCP Amendment No. LCP-3-STC-20-0040-2-Part C (Zoning Code Cleanup).** [POSTPONED]
 - d. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-21-0023-1-Part B (Cannabis Ordinance Update).** Moved by staff to the expanded consent calendar. **Concurred.**
 - e. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-21-0026-1-Part E (Code Enforcement Proceedings)** Moved by staff to the expanded consent calendar. **Concurred.**
18. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. A-3-SLO-21-0019 (Bean Storage Facility, Los Osos)** [WITHDRAWN]

The Commission recessed and went into closed session.

Report of Closed Session.

The Commission received litigation information and advice and took action on one matter of potential litigation.

There being no old or new business, the meeting of the California Coastal Commission adjourned at 2:05 p.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as Submitted _____

Stephen Padilla
Chair