

CALIFORNIA COASTAL COMMISSION

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**W17**

DATE: July 31, 2021
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of June 9-11, 2021
Virtual Meeting #6

WEDNESDAY, JUNE 9, 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, Bochco, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson. **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.** Information only.
 - d. **Filing Fees Increase.** Information only.

- e. **2022 Schedule of Meeting Dates and Locations.** Staff recommended approval of the 11-month schedule.

Motion & vote: Wilson moved to approve 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, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **Approved.**

- 7. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions.

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

- a. **Application No. 5-21-0044 (Wasson, Huntington Beach)**

- 8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 11 items (**11a, 13a, 13b, 15a, 15b, 15c, 17a, 19a, 19c, 19d, 20b**) to the expanded consent calendar and recommended approval.

- a. **Motion & vote:** Uranga moved to approve the consent calendar pursuant to the staff recommendation and recommended a yes vote, seconded by Brownsey. The roll call vote was 9 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Rice, Uranga, Padilla) and one opposed (Wilson). **Approved as recommended.**

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.

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. 9-21-0258 (City of Santa Barbara, Santa Barbara Co.)**
Moved by staff to the expanded consent calendar. **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 PROGRAMS (LCPs).**

- a. **City of Pacifica LCP Amendment No. LCP-2-PAC-20-0027-1 (Accessory Dwelling Units).** Moved by staff to the expanded consent calendar. **Approved as recommended.**
- b. **San Mateo County LCP Amendment No. LCP-2-SMC-21-0001-1 (Accessory Dwelling Units). Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

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

- a. **City of Santa Cruz LCP Amendment No. LCP-3-STC-20-0040-2-Part A (Parking Standards)** Moved by staff to the expanded consent calendar. **Approved as recommended.**
- b. **City of Santa Cruz LCP Amendment No. LCP-3-STC-20-0040-2-Part C (Zoning Code Cleanup).** Moved by staff to the expanded consent calendar. **Approved as recommended.**
- c. **City of Capitola LCP Amendment No. LCP-3-CAP-20-0082-2 (Land Use Map/IP Update). Certification Review.** Moved by staff to the expanded consent calendar. **Approved as recommended.**

SOUTH COAST DISTRICT (ORANGE COUNTY)

16. **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.

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

a. **City of Dana Point LCP Amendment No. LCP-5-DPT-20-0080-2 (General Cleanup and Floodplain Ordinance Updates) Time Extension.** Moved by staff to the expanded consent calendar. **Approved as recommended.**

18. **NEW APPEALS.**

a. **Appeal No. A-5-LGB-21-0029 (Radford Ventures, LLC, Laguna Beach)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Wilson moved to determine that Appeal No. A-5-LGB-21-0029 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, Brownsey, Escalante, Groom, Harmon, Rice, Uranga, Wilson, Padilla) and none opposed. **No substantial issue found.**

b. **Appeal No. A-5-HNB-21-0031 (Signal Landmark, Huntington Beach)**
[POSTPONED]

19. **COASTAL PERMIT APPLICATIONS.**

a. **Application No. 5-20-0476 (Tanner Family Trust, Solana Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

b. **Application No. 5-20-0493 (MC Investments, San Clemente)** Staff recommended approval with special 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 9 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Uranga, Padilla) and one opposed (Wilson). **Approved with conditions.**

c. **Application No. 5-20-0505 (Lindahl, San Clemente)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

- d. **Application No. 5-20-0630 (Vision Development, LLC, Sunset Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- e. **Application No. 5-20-0646 (Nerja Investments, Seal Beach)** Staff recommended approval with conditions.

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

20. **PERMIT AMENDMENTS.**

- a. **Permit No. 5-07-370-A2 (Orange County Parks, Newport Beach)** Staff recommended approval with conditions.

Motion: Hart moved to approve pursuant to the staff recommendation as modified to include a feasibility study on installing a lift and a parking study, with the results of both studies reported back to the Commission within 3 months and recommended a yes vote, seconded by Brownsey.

Amending Motion & vote: Brownsey moved to require 10 public parking spaces close to the beach, in addition to the 12 included in the application and recommended a yes vote, seconded by Groom. The roll call vote was 6 in favor (Aminzadeh, Brownsey, Escalante, Groom, Hart, Uranga) and 5 opposed (Bochco, Harmon, Rice, Wilson, Padilla). **Passed.**

Vote on main motion: The roll call vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions as amended.**

- b. **Permit No. 5-14-1604-A1 (Monarch Bay Club, Dana Point)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

STATEWIDE

The following items were trailed to Friday's agenda:

- 21. **APPROVAL OF MINUTES.**
- 22. **COMMISSIONERS' REPORTS.** None.
- 23. **COMMISSION SUB-COMMITTEE REPORTS.** None
- 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 4:30 p.m. and went into closed session.

THURSDAY, JUNE 10, 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, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Wilson. Absent: Turnbull-Sanders. 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.

Report of Closed Session.

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

Hurst v. CCC
Friends of Oceano Dunes v. CCC

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

Ballona Wetlands Land Trust v. Cal department of fish and wildlife, et al.
Stanger v. CCC (2416 Frey, RPI)
Stanger v. CCC (Paz, et al. RPIs)
Spotlight on Coastal Corruption v. Kinsey, et al.

5. **CONSENT CALENDAR.** None.

CONSENT CALENDAR – (removed from Regular Calendar)

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 6 items [9a, 9b, 9e, 10a, 11a, 12a] 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 Wilson. The roll call vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Uranga, Wilson, Padilla) and none opposed. **Approved with conditions.**

ENFORCEMENT

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

SAN DIEGO 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. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0085-2 (Cannabis Ordinance Revisions)** Moved by staff to the expanded consent calendar. **Approved with recommended.**
 - b. **City of Oceanside LCP Amendment No. LCP-6-OCN-20-0091-4 (Inclusionary Housing Ordinance Revisions)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
 - c. **City of Encinitas LCP Amendment No. LCP-6-ENC-21-0002-2 (ADU and JADU Update) [POSTPONED]**
 - d. **City of Del Mar LCP Amendment No. LCP-6-DMR-20-0005-1 (Sea Level Rise) [WITHDRAWN]**
 - e. **City of Del Mar LCP Amendment No. LCP-6-DMR-21-0035-1 (5th Cycle Housing Element) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - f. **City of San Diego LCP Amendment No. LCP-6-SAN-19-0142-2 (Fiesta Island) Staff** recommended approval with modifications.

Motion & vote: Bochco moved to certify the Land Use Plan as submitted and recommended a no vote, seconded by Groom. The roll call vote was none in favor and 11 opposed (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Uranga, Wilson, Padilla). **Certification denied as submitted.**

Motion: Bochco moved to certify the Land Use Plan if modified as suggested and recommended a yes vote, seconded by Wilson.

Amending motion & vote: Chair Padilla moved to amend the suggested modifications to adopt "Option B" for the southwestern area of Fiesta Island and retain "Option A" for the remainder of the island and recommended a yes vote.

The roll call vote was 6 in favor (Bochco, Harmon, Hart, Rice, Uranga, Padilla) and 5 opposed (Aminzadeh, Brownsey, Escalante, Groom, Wilson). **Passed.**

Amending motion & vote: Wilson moved to close the northwest portion of the road to cars and allow pedestrians only and to close the road entirely during the nesting season and recommended a yes vote, seconded by Escalante. The roll call vote was 8 in favor (Aminzadeh, Bochco, Escalante, Harmon, Hart, Rice, Wilson, Padilla) and 2 opposed (Brownsey, Groom). **Passed.**

Vote on main motion: The roll call vote was 7 in favor (Aminzadeh, Bochco, Harmon, Hart, Rice, Uranga, Padilla) and 4 opposed (Brownsey, Escalante, Groom, Wilson). **Approved with modifications as amended.**

10. **PUBLIC WORKS PLAN.**

- a. **Notice of Impending Development No. NCC-NOID-0003-21 (Caltrans Drainage Improvements, Encinitas)** Moved by staff to the expanded consent calendar. **Approved.**

11. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 6-20-0447 (SD County Regional Airport Authority Airside Improvements, San Diego Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**
- b. **Application No. 6-21-0278 (DeSimone, Schragger, Jokipii, and Oene, Solana Beach)** Staff recommended approval with special conditions.

Motion & vote: Brownsey 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, Harmon, Rice, Wilson, Padilla) and none opposed. **Approved with conditions.**

12. **PERMIT AMENDMENTS.**

- a. **Permit No. 6-13-022-A2 (Orange Avenue Real Estate Holdings, Imperial Beach)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

The Commission recessed for the day at 2:45 p.m.

FRIDAY, JUNE 11, 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, Rice, Turnbull-Sanders, Uranga, Wilson. Absent: Bochco. Non-voting present: Dumlao.
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.** Staff removed item 5c from the consent calendar and postponed Application No. 5-19-1195 (Marina Pacific Boat Slips) to a future hearing. Staff recommended approval with conditions on the remaining items on the consent calendar.

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

- a. **Application No. 5-20-0687 (347 29th Street HB, LLC, Hermosa Beach)**
- b. **Application No. 5-21-0078 (LA County Sheriff and Lifeguard Facilities, Marina del Rey)**
- c. **Application No. 5-19-1195 (Marina Pacifica Boat Slips, Long Beach) [This item was removed from calendar. POSTPONED]**

CONSENT CALENDAR – (removed from Regular Calendar)

6. **CONSENT CALENDAR (removed from Regular Calendar)** Staff moved one item [8a] 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 Brownsey. The roll call vote was 11 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, 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 PROGRAM (LCPs).**
 - a. **Ventura County LCP Amendment No. LCP-4-VNT-21-0016-1.** Moved by staff to the expanded consent calendar. **Approved as recommended.**
9. **NEW APPEALS.**
 - a. **Appeal No. A-4-SBC-21-0021 (City of Santa Barbara Public Works Dept., Santa Barbara)** Staff recommended that the Commission determine that the appeal raised no substantial issue.

Motion & vote: Harmon moved to determine that Appeal No. A-4-SBC-21-0021 raised no substantial issue on the grounds on which the appeal was filed and recommended a yes vote, seconded by Brownsey. The roll call vote was 11 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Padilla) and none opposed. **No substantial issue found.**

- b. **Appeal No. A-4-STB-21-0027 (Coleman, Santa Barbara Co.) [WITHDRAWN BY APPLICANT]**

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.

STATEWIDE The following items were trailed from Wednesday's agenda:

21. **APPROVAL OF MINUTES.** The minutes of April 2021 and May 2021 were approved.

Motion & vote: Rice moved to approve the minutes and recommended a yes vote, seconded by Brownsey. The roll call vote was 7 in favor (Brownsey, Groom, Hart, Rice, Turnbull-Sanders, Wilson, Padilla) and one abstention (Harmon). **Approved.**

- 22. **COMMISSIONERS' REPORTS.** None.
- 23. **COMMISSION SUB-COMMITTEE REPORTS.** None
- 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.

There being no old or new business, the meeting of the California Coastal Commission adjourned at 10:53 a.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as Submitted _____

Stephen Padilla
Chair