

CALIFORNIA COASTAL COMMISSION

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**W17**

DATE: July 31, 2021

TO: Coastal Commission and Interested Persons

FROM: John Ainsworth, Executive Director

SUBJECT: **DRAFT MINUTES** of MEETING of July 7-8, 2021
(Virtual Hearing #7)

WEDNESDAY, July 7, 2021

1. **CALL TO ORDER and ROLL CALL.** The meeting of the California Coastal Commission was called to order at 9:02 a.m. by Chair Padilla. Present: Aminzadeh, Bochco, Vice Chair Brownsey, Escalante, Groom, Harmon, Hart, Mann, Uranga, Chair Padilla. Non-voting present: Kounalakis. (Absent: Gold, Ketchum, Rice & Wilson.)
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.

(Rice and Gold returned to room.)

5. **Chair's Report.** None.

STATEWIDE

6. **EXECUTIVE DIRECTOR'S REPORT.**
 - a. **Executive Director's Report.** – Informational only.

b. **Commission Correspondence.**

Motion & vote: Brownsey moved to approve the Commission correspondence and recommended a yes vote, seconded by Uranga. The vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Mann, Rice, Uranga, Chair Padilla), zero opposed. **Approved.**

c. **Legislative Report.** - Informational only.

CONSENT CALENDAR - SOUTH COAST DISTRICT (ORANGE COUNTY)

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

a. **Application No. 5-21-0008 (IRD, LP, Hermosa Beach). Postponed.**

Motion & vote: Bochco moved to approve the consent calendar pursuant to the staff recommendations and recommended a yes vote, seconded by Uranga. The vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Mann, Rice, Uranga, Chair Padilla), zero opposed. **Approved.**

b. **Application No. 5-20-0667 (Buchbinder, Huntington Beach)**

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 7 items [W17a-d, W20a, W21a, & W22a] to the expanded consent calendar and recommended approval. [Note: W17a (LCP-5-NPB-21-0036-1-Part A); W17b (LCP-5-NPB-21-0036-1 Part B), W17c (LCP 5-NPB-21-0036 Part C Time Extension), W17d (LCP-NPB-21-0036-1 Part D Time Extension), W20a (LCP-6-SAN-20-0053-1), W21a (NCC-NOID-0002-21), and W22a (LCP-6-SAN-19-012-2).]

Motion & vote: Groom moved to approve the consent calendar pursuant to the staff recommendations and recommended a yes vote, seconded by Bochco. The vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Mann, Rice, Uranga, Chair Padilla), zero opposed. **Approved.**

SOUTH COAST DISTRICT (Los ANGELES COUNTY)

ADMINISTRATIVE CALENDAR

9. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Chair Padilla ruled that the Commission **concurred.**

a. **Application No. 5-19-0979 (Clark and Loeb, Pacific Palisades)**

SOUTH 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. There being no objection, Chair Padilla ruled that the Commission **concurred**.

(Ketchum returned to room.)

11. LOCAL COASTAL PROGRAMS (LCPs).

- a. **County of Los Angeles LCP Amendment No. LCP-4-MMT-19-0166-1 (Resource Dependent Uses).**

Motion I & vote: Hart moved to certify the LUP Amendment as submitted and recommended a yes vote, seconded by Bochco. The vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Mann, Rice, Uranga, Chair Padilla), zero opposed. **Certified LUP Amendment as submitted.**

Motion II & vote: Hart moved to deny the IP Amendment as submitted and recommended a yes vote, seconded by Bochco. The vote was 11 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Mann, Rice, Uranga, Chair Padilla), zero opposed. **Deny IP Amendment as submitted.**

Motion III & vote: Hart moved to certify the IP Amendment with suggested modification and recommended a yes vote, seconded by .Bochco The vote was 10 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Uranga, Chair Padilla), one opposed (Mann). **Approved IP Amendment with suggested modification.**

[The Commission recessed for lunch at 12:46 and returned at 1:30pm.]

12. NEW APPEALS.

- a. **Appeal No. A-4-MAL-21-0034 (Cuthbert Surf LLC, Malibu)**

Motion & vote: Brownsey moved to find no substantial issue pursuant to the staff recommendation and recommended a yes vote, seconded by Escalante. The vote was 10 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Mann, Rice, Uranga, Chair Padilla), zero opposed. **No Substantial Issue found.**

(Bochco out rest of the day.)

- b. **Appeal No. A-4-MAL-20-0046 (Price, Malibu)**

Motion & vote: Brownsey moved to find no substantial issue pursuant to the staff recommendation and recommended a yes vote, seconded by Harmon. The vote was 10 in favor (Aminzadeh, Brownsey, Escalante, Groom, Harmon, Hart, Mann, Rice, Uranga, Chair Padilla), zero opposed. **No Substantial Issue found.**

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

13. **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**.
14. **NEW APPEALS.**
 - a. **Appeal No. A-5-VEN-21-0036 (Goldstein, Venice, Los Angeles) - Postponed**
15. **COASTAL PERMIT APPLICATIONS.**
 - a. **Appeal No. A-5-LOB-20-0006 (Panattoni Development Co., Inc., Long Beach) - Postponed.**

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 Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1. Part A..** Moved by staff to the expanded consent calendar. **Concur.**
 - b. **City of Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1. Part B..** Moved by staff to the expanded consent calendar. **Concur.**
 - c. **City of Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1. Part C. Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - d. **City of Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1. Part D. Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
18. **NEW APPEALS.**
 - a. **Appeal No. A-5-HNB-21-0031 (Signal Landmark, Huntington Beach)** Staff recommended that the Commission determine the appeal 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**.

SAN DIEGO 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 San Diego LCP Amendment No. LCP-6-SAN-20-0053-1 (Morena Corridor Specific Plan).** Moved by staff to the expanded consent calendar. **Concur.**
21. **PUBLIC WORKS PLAN.**
 - a. **Notice of Impending Development No. NCC-NOID-0002-21 (Coastal Rail Trail, Encinita).** Moved by staff to the expanded consent calendar. **Certified NOID as conditioned.**
22. **REVISED FINDINGS.**
 - a. **City of San Diego LCP Amendment No. LCP-6-SAN-19-0142-2 (Land Use Plan Findings) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
 - b. **6-19-1291 (DeSimone, Schragger & Oene, Solana Beach)**

Motion and vote: Brownsey moved to approve the revised findings pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. Commissioners on the prevailing side are: Vice Chair Brownsey, Groom, Mann, Uranga & Wilson. The vote was 4 in favor (Brownsey, Groom, Mann & Uranga), zero opposed. **Revised Findings adopted. [Note: Wilson was not present.]**

STATEWIDE

23. **APPROVAL OF MINUTES.** No Report.
24. **COMMISSIONERS' REPORTS.** No Report.
25. **COMMISSION SUB-COMMITTEE REPORTS.** No Report.
26. **CONSERVANCY REPORT.** No Report.
27. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** No Report.
28. **SANTA MONICA BAY RESTORATION REPORT.** No Report.
29. **DEPUTY ATTORNEY GENERAL'S REPORT.** No Report.

The Commission recessed for the day at 2:27p.m. and went into Closed Session

THURSDAY, July 8, 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: Aminzadeh, Bochco, Vice Chair Brownsey, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Chair Padilla. Non-voting present: Dumlao and Ketchum. (Absent: Escalante & Gold.)

Report of Closed Session.

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

*EcoLogic Partners, Inc., et al. v. CCC, et al.,
Friends of Oceano Dunes, Inc. v. CCC, et al.
Friends of Oceano Dunes, Inc. v. CCC, et al. (California Department of Parks and Recreation, et al., RPIs),
Linovitz, et al. v. CCC,
Wall v. CCC,
Hurst v. CCC,*

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

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

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.

(Bochco & Escalante out of the room.)

5. **CONSENT CALENDAR.** Staff recommended that the Commission approve the consent calendar with conditions. - None

6. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 7 items [Th9a, 10a, 13a, 15a, 18a, 18c & 20b] to the expanded consent calendar and recommended approval. [Note: Th9a (LCP-1-EUR-20-009-1, Part B); Th10a (1-20-0712); Th13a (CD-0005-1); Th15a (LCP-2-SMC-21-0001-1); Th18a (LCP-3-SLO-21-0025-1, Part D); Th18c (LCP-3-SLO-20-071-3); & Th20b (3-20-0431).]

Motion & vote: Wilson moved to approve the consent calendar pursuant to the staff recommendations and recommended a yes vote, seconded by Uranga. The vote was 10 in favor (Aminzadeh, Brownsey, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Chair Padilla), zero opposed. **Approved.**

7. **ENFORCEMENT.** No Report.

NORTH 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 Eureka LCP Amendment No. LCP-1-EUR-20-0009-1. Part B (CS-Zone Height Limits).** Moved by staff to the expanded consent calendar. **Concur.**

10. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No1-20-0712 (City of Arcata, Humboldt Co.).** Moved by staff to the expanded consent calendar. Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY

11. **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.**

12. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 9-20-0458 (Ocean Fathoms, Santa Barbara Co.).** **Postponed.**

13. **FEDERAL CONSISTENCY.**

- a. **Consistency Determination CD-0005-21 (Department of Air Force, Santa Barbara Co.).** Moved by staff to the expanded consent calendar. **Concurred.**

NORTH 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. **San Mateo County LCP Amendment No. LCP-2-SMC-21-0001-1 (Accessory Dwelling Units).** Moved by staff to the expanded consent calendar. **Certified LUP Amendment as submitted, deny IP Amendment as submitted, approved IP Amendment with suggested modifications.**

[Items 16a and 19a shared a single combined presentation.]

(Bochco, Escalante & Gold returned to room.)

16. PUBLIC WORKS PLAN.

- a. **San Mateo County PWP No. PWP-2-VTP-21-0002-2. [Note: combined hearing with Th19a.]**

Motion I & vote: Groom moved to certify the PWP as submitted and recommended a yes vote, seconded by Bochco. The vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Chair Padilla), zero opposed. **Certified Public Works Plan as submitted.**

Motion II & vote: Groom moved to approve the Camp Butano public works project and recommended a yes vote, seconded by Bochco. The vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Chair Padilla), zero opposed. **Approved.**

CENTRAL COAST DISTRICT

17. **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**.

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

- a. **San Luis Obispo County LUP Amendment No. LCP-3-SLO-21-0025-1-Part D (Density Bonus).** Moved by staff to the expanded consent calendar. **Deny IP Amendment as submitted, approved IP Amendment with suggested modifications.**
- b. **City of Pismo Beach LCP Amendment No. LCP-3-PSB-21-0037-1 (ADUs).** Postponed.
- c. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-20-0071-3 (Sign Ordinance). Certification Review.** Moved by staff to the expanded consent calendar. **Concurred.**

19. **PUBLIC WORKS PLAN.**

- a. **Santa Cruz County PWP No. PWP-3-VTP-21-0003-1 [Note: combined hearing with Th16a.]**

Motion & vote: Groom moved to certify the PWP as submitted and recommended a yes vote, seconded by Bochco. The vote was 12 in favor (Aminzadeh, Bochco, Brownsey, Escalante, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Uranga, Wilson, Chair Padilla), zero opposed. **Certified Public Works Plan as submitted.**

20. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-3-SNC-14-0001 (King Ventures Resort, Sand City).** Postponed.
- b. **Application No. 3-20-0431 (Capitola Wharf, Capitola).** Moved by staff to the expanded consent calendar. **Approved with conditions.**

There being no old or new business, the meeting of the California Coastal Commission adjourned at 12:21 pm.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as Submitted _____

Steve Padilla
Chair