

CALIFORNIA COASTAL COMMISSION

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**TH20**

DATE: June 9, 2022
TO: Coastal Commissioners
FROM: John Ainsworth, Executive Director
SUBJECT: **DRAFT MINUTES** of MEETING of November 17-19, 2021
Virtual Meeting #11

WEDNESDAY, NOVEMBER 17, 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, Luce(alternate), Groom, Hart, Rice, Turnbull-Sanders, Rivas(alternate), Wilson. Harmon arrived at 10:00 a.m. **Absent:** Padilla. **Non-voting present:** Gold, Ketchum, Kounalakis.
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.** None.
 - d. **Informational Briefing on Public Trust Tidelands and Sea Level Rise.** Information only.
 - e. **Draft Critical Infrastructure Sea Level Rise Planning Guide.** Staff recommended adoption. (Luce recused; Turnbull-Sanders out for vote)

Motion & vote: Bochco moved to adopt pursuant to the staff recommendation and recommended a yes vote, seconded by Hart. The roll call vote was 9 in favor (Aminzadeh, Bochco, Groom, Harmon, Hart, Rice, Rivas, Wilson, Brownsey) and none opposed. **Approved.**

7. **CONSENT CALENDAR.**

- a. **Application No. 5-20-0706 (Playa Redondo, LLC, Torrance)**
- b. **Application No. 5-21-0389 (Marcelli, Venice)**

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 11 in favor (Bochco, Luce, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Rivas, Wilson, Brownsey) and none opposed. **Approved with conditions.**

8. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 3 items (10a, 13a, 18a) to the expanded consent calendar and recommended approval.

- a. **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 11 in favor (Aminzadeh, Bochco, Luce, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Rivas, Wilson, Brownsey) and none opposed. **Approved as recommended.**

[Commission recessed for lunch]

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, Vice Chair Brownsey ruled that the Commission concurred.

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

- a. **San Mateo County LCP Amendment No. LCP-2-SMC-21-0001-1 (ADUs)**
Moved by staff to the expanded consent calendar. **Approved as recommended.**
- b. **City of Half Moon Bay LCP Amendment No. LCP-2-HMB-21-0068-1 (ADUs)**
[POSTPONED]

11. **PERMIT AMENDMENTS.**

- a. **Permit Amendment Application No. 2-15-1357-A1 (San Francisco Public Utilities Commission Armoring, Ocean Beach)**

Motion & vote: Rice 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, Bochco, Luce, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Rivas, Wilson, Brownsey) and none opposed. **Approved with conditions.**

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, Vice Chair Brownsey ruled that the Commission concurred.

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

- a. **San Luis Obispo County LCP Amendment No. LCP-3-SLO-21-0027-1-Part F (Los Osos Vacation Rentals).** Moved by staff to the expanded consent calendar. **Approved as recommended.**

14. **NEW APPEALS.**

- a. **Appeal No. A-3-SLO-21-0061 (Eublera Second Unit Los Osos, San Luis Obispo Co.)** Staff recommended that the Commission determine that Appeal No. A-3-SLO-21-0061 raised 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 portion of the hearing. **Substantial issue found. Continued.**
- b. **Appeal No. A-3-MCO-21-0064 (Isabella 2 SFD, Carmel Point) [POSTPONED].**
- c. **Appeal No. A-3-SLO-21-0065 (Bookout SFD, Cambria)** Staff recommended that the Commission determine that Appeal No. A-3-SLO-21-0065 raised 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 portion of the hearing. **Substantial issue found. Continued.**

- d. **Appeal No. A-3-SLO-21-0066 (Hadian SFD, Cambria)** Staff recommended that the Commission determine that Appeal No. A-3-SLO-21-0066 raised 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 portion of the hearing. **Substantial issue found. Continued.**

SOUTH COAST DISTRICT (LOS ANGELES COUNTY)

15. **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, Vice Chair Brownsey ruled that the Commission concurred.
16. **NEW APPEALS.**
 - a. **Appeal No. A-5-PPL-21-0037 (Michael Aminpour, Pacific Palisades).** [POSTPONED]
 - b. **Appeal No. A-5-VEN-21-0067 (Boyd & Guglielmino, Venice)** Staff recommended that the Commission determine that Appeal No. A-5-PPL-21-0067 raised 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 portion of the hearing. **Substantial issue found. Continued.**
 - c. **Appeal No. A-5-VEN-21-0063 (Sutter, Venice)** Staff recommended that the Commission determine that Appeal No. A-5-PPL-21-0063 raised 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 portion of the hearing. **Substantial issue found. Continued.**

[Luce out]

- d. **Appeal No. A-5-VEN-21-0036 (Goldstein, Venice)** Staff recommended that the Commission determine that Appeal No. A-5-PPL-21-0036 raised 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 opened the denovo portion of the hearing. Staff recommended approval with conditions.

Motion & vote: Hart moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Groom. The roll call vote was 8 in favor (Aminzadeh, Bochco, Groom, Harmon, Hart, Rice, Rivas, Brownsey) and 2 opposed (Turnbull-Sanders, Wilson). **Approved with conditions.**

17. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-5-VEN-15-0003 (Liongate Global#1, LLC, Venice)** Staff recommended approval with conditions.

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, Luce, Groom, Harmon, Hart, Rice, Turnbull-Sanders, Rivas, Wilson, Brownsey) and none opposed. **Approved with conditions.**

- b. **Application No. 5-21-0022 (Lane, Hermosa Beach)** Staff recommended approval with conditions.

Motion & vote: Hart moved to approve pursuant to the staff recommendation and recommended a yes vote, seconded by Rice. The roll call vote was 5 in favor (Brownsey, Groom, Harmon, Hart, Rice,) and 2 opposed (Wilson, Luce). **Approved with conditions.**

- c. **Application No. A-5-VEN-21-0052 (Zashin, Venice)** Staff recommended approval with conditions. Luce moved to approve pursuant to the staff recommendation, as modified at the hearing, and recommended a yes vote, seconded by Wilson. The roll call vote was 9 in favor (Aminzadeh, Brownsey, Luce, Groom, Harmon, Hart, Rice, Rivas, Wilson) and none opposed. **Approved with conditions.**

- d. **Application No. 5-21-0422 (Ledford, Hermosa Beach)** Staff recommended approval with conditions.

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

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

- a. **City of Redondo Beach LCP Amendment No. LCP-5-RDB-21-0061-1 (Vehicle Miles Traveled).** Moved by staff to the expanded consent calendar. **Approved.**

STATEWIDE

19. **APPROVAL OF MINUTES.** Minutes for October 13-14, 2021 were approved as written.

Motion & vote: Groom moved to approve and recommended a yes vote, seconded by Aminzadeh. The roll call vote was 8 in favor (Aminzadeh, Groom, Harmon, Hart, Rice, Rivas, Wilson, Brownsey) and none opposed. **Approved.**

20. **COMMISSIONERS' REPORTS.** None.
21. **COMMISSION SUB-COMMITTEE REPORTS.** None
22. **CONSERVANCY REPORT.** None.
23. **SANTA MONICA MOUNTAINS CONSERVANCY REPORT.** Information only.
24. **SANTA MONICA BAY RESTORATION REPORT.** None.
25. **DEPUTY ATTORNEY GENERAL'S REPORT.** Information only.

The Commission recessed for the day at 5:25 p.m.

THURSDAY, NOVEMBER 18, 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, Harmon, Hart, Rice, Mann(alternate), Rivas(alternate), Wilson. arrived at 4:45p.m. Absent: Padilla. Non-voting present: Lucchesi, 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. **Public Workshop on Hollister Ranch Coastal Access Program, Santa Barbara County.** No action taken. Information only.
- 5.5. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved 3 items (7a,7b, 8a, 10a, 11a, 15b) to the expanded consent calendar and recommended approval.

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

NORTH COAST DISTRICT

6. **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.
7. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. **City of Trinidad LCP Amendment No. LCP-1-TRN-21-0039-1 (Emergency Shelters).** Moved by staff to the expanded consent calendar. **Approved as recommended.**
 - b. **City of Point Arena LCP Amendment No. LCP-1-PTA-20-0040-1 (Farm Stays and Ag Exclusive Use Changes).** Moved by staff to the expanded consent calendar. **Approved as recommended.**

8. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 1-21-0356 (Brown, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY

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

10. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. 9-21-0083 (PG&E, Humboldt Co.)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

11. **PERMIT AMENDMENTS.**

- a. **Material Amendment No. E-00-008-A5/CC-110-00 (Coastwide)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

ENFORCEMENT

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

SOUTH 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, Vice Chair Brownsey ruled that the Commission concurred.

[Aminzadeh, Rice, Rivas out]

14. **NEW APPEAL.**

- a. **Appeal No. A-4-MAL-19-0202 (GKGD Heritage Trust, Malibu)** Staff recommended that the Commission determine that Appeal No. A-4-MAL-19-0202 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 opened the denovo portion of the hearing. 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 7 in favor (Bochco, Escalante, Groom, Harmon, Hart, Mann, Brownsey) and one opposed (Wilson). **Approved with conditions.**

15. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-4-MAL-19-0218 (Klein Family Partnership, Malibu)**
[POSTPONED]
- b. **Application No. 4-21-0227 (City of Santa Barbara Parks and Recreation Dept., Santa Barbara)** Moved by staff to the expanded consent calendar.
Approved with conditions.

The Commission recessed for the day at 6:05 p.m.

FRIDAY, NOVEMBER 19, 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, Harmon, Hart, Rice, Mann(alternate), Rivas, Wilson. Absent: Padilla. Non-voting present: 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. **ADMINISTRATIVE CALENDAR.** Staff recommended that the Commission concur with the Executive Director's determination. There being no objection, Vice Chair Brownsey ruled that the Commission concurred.
 - a. **Application No. 5-21-0322 (Thiel & Wooten, Newport Beach)**
 - b. **Application No. 5-21-0396 (Komberg, Seal Beach)**
 - c. **Application No. 5-21-0404 (Hsu, Huntington Beach)**
6. **CONSENT CALENDAR.** Staff recommended approval of the consent calendar.
 - a. **Application No. 6-21-0181 (City of San Diego North Cove Park Improvements, San Diego)**

Motion & vote: Groom 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, Escalante, Groom, Harmon, Hart, Rice, Mann, Rivas, Wilson, Brownsey) and none opposed. **Approved with conditions.**
7. **CONSENT CALENDAR (removed from Regular Calendar).** Staff moved one item [9a,13b,13c,13d,13g,15a] to the expanded consent calendar and recommended approval with conditions.

Motion & vote: Groom moved to approve the expanded 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, Escalante, Groom, Harmon, Hart, Rice, Mann, Rivas, Wilson, Brownsey) and none opposed. **Approved with conditions.**

SOUTH COAST DISTRICT (ORANGE COUNTY)

8. **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.
9. **LOCAL COASTAL PROGRAMS (LCPs).**
 - a. **City of Newport Beach LCP Amendment No. LCP-5-NPB-20-0025-1** Moved by staff to the expanded consent calendar. **Approved as recommended.**
10. **COASTAL PERMIT APPLICATIONS.**
 - a. **Application No. 5-18-0324 (California Seabreeze Community Association, Newport Beach) [POSTPONED]**
 - b. **Application No. A-5-LGB-19-0010 (Surf & Sand Resort, Laguna Beach).** Staff recommended approval with conditions. Staff incorporated the following conditions: 1) The applicant will install a sign stating: "stay off the bluff;" 2) The applicant will provide free bus passes; and 3) The applicant will submit, for Executive Director review and approval, a sea level rise plan within 5 years, including a resiliency plan for a hotel.

Motion & vote: Hart moved to approve as amended pursuant to the staff recommendation as modified at the hearing and recommended a yes vote, seconded by Bochco. The roll call vote was 6 in favor (Bochco, Harmon, Hart, Rice, Wilson, Brownsey) and 5 opposed (Aminzadeh, Escalante, Groom, Mann, Rivas). **Approved with conditions as amended.**

- c. **Application No. A-5-LGB-20-0003 (Dekovner, Laguna Beach)** Staff recommended approval with conditions. [Rice out]

Motion & vote: Aminzadeh 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, Harmon, Hart, Mann, Rivas, Wilson, Brownsey) and none opposed. **Approved with conditions.**

- d. **Application No. 5-20-0362 (Fakhoury-Sawabini Private Trust, San Clemente)** Staff recommended approval with conditions. [Rice returned; Bochco & Rivas out]

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

- e. **Application No. 5-21-0232 (Luckey, Newport Beach)** 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 9 in favor (Aminzadeh, Escalante, Groom, Harmon, Hart, Rice, Mann, Wilson, Brownsey) and none opposed. **Approved with conditions.**

11. **PERMIT AMENDMENTS.**

- a. **Permit No. 5-19-0218-A1 (Caltrans Cable Fencing, Camp Pendleton)** [POSTPONED].
- b. **Permit No. 5-19-0345-A1 (Orange County Parks, Capistrano Beach County Park)** Staff recommended approval with conditions. [Bochco returned]

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

SAN DIEGO 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, Vice Chair Brownsey ruled that the Commission concurred.

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

- a. **City of Oceanside LCP Amendment No. LCP-6-OCN-19-0147-3 (Coast Highway Corridor Incentive District).** [POSTPONED]
- b. **City of Carlsbad LCP Amendment No. LCP-6-CII-21-0040-1 (West Oaks) Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**
- c. **City of San Diego LCP Amendment No. LCP-6-SAN-19-0165-3 (Balboa Avenue Station Specific Plan) Adoption of Suggested Modifications Time Extension.** Moved by staff to the expanded consent calendar. **Approved.**

- d. **City of San Diego LCP Amendment No. LCP-6-SAN-20-0076-4 (Cannabis Outlets and Production Facilities).** Moved by staff to the expanded consent calendar. **Approved as submitted.**
- e. **City of San Diego LCP Amendment No. LCP-6-SAN-21-0005-5 (2019 Housing Legislation) [POSTPONED].**
- f. **City of San Diego LCP Amendment No. LCP-6-SAN-21-0006-5 (Movable Tiny Houses) [POSTPONED]**
- g. **City of San Diego LCP Amendment No. LCP-6-SAN-21-0032-1 (Kearny Mesa Community Plan Update Implementation)** Moved by staff to the expanded consent calendar. **Approved.**

14. **COASTAL PERMIT APPLICATIONS.**

- a. **Application No. A-6-LJS-20-0008 (Abbott, LaJolla) [POSTPONED]**
- b. **Application No. 6-21-0259 (Mastro's Ocean Club, Encinitas)** Staff recommended approval with conditions.

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, Bochco, Escalante, Groom, Harmon, Hart, Rice, Mann, Wilson, Brownsey) and none opposed. **Approved with conditions.**

16. **PERMIT AMENDMENTS.**

- a. **Permit No. 6-93-207-A2 (NCTD Conservation Easement Revision, Carlsbad)** Moved by staff to the expanded consent calendar. **Approved with conditions.**

The Commission recessed and went into closed session.

Report of Closed Session.

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

Dunes Development LLC v. CCC

EcoLogic Partners, Inc., et al. v. CCC

Friends of Oceano Dunes v. CCC, et al. (Case No. 21CV-0214)

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

Friends of Oceano Dunes v. CCC (Case Nos. 16 CV -0160, 17CV-0267, and 20CV-0100)

Friends, Artists, and Neighbors of Elkhorn Slough, et al. v. CCC

There being no old or new business, the meeting of the California Coastal Commission adjourned at 5:40 p.m.

Respectfully submitted,

John Ainsworth
Executive Director

Approved as Submitted_____

Donne Brownsey
Vice Chair