



CALIFORNIA
COASTAL
COMMISSION



CALIFORNIA COASTAL COMMISSION

June 2009 Agenda

Marina del Rey Hotel
13534 Bali Way
Marina del Rey, CA 90292
(310) 301-1000

[Phone number will only be available during the meeting]



Wednesday, June 10, 2009, 9:00 a.m.

Thursday, June 11, 2009, 8:00 a.m.

Friday, June 12, 2009, 8:00 a.m.

Visit the Commission's web: www.coastal.ca.gov for the latest updates.

9:00 A.M.

WEDNESDAY, JUNE 10, 2009

1. CALL TO ORDER.

2. ROLL CALL.

CENTRAL COAST DISTRICT

3. DEPUTY DIRECTOR'S REPORT. Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Santa Cruz office at (831) 427-4863.

4. CONSENT CALENDAR. See **AGENDA CATEGORIES.**

5. LOCAL COASTAL PROGRAMS (LCPs). See **AGENDA CATEGORIES.**

a. **Santa Cruz County SCO-MAJ-2-06 Part 2 (Neighborhood Compatibility). Certification Review.** Concurrence with Executive Director's determination that the action by Santa Cruz County, accepting certification of SCO-MAJ-2-06 Part 2 with modifications (modifying several residential development mass and bulk related standards), is legally adequate. (SC-SC)

b. **Santa Cruz County LCP Amendment No. SCO-MAJ-1-09 Part 1 (Seacliff Beach Hotel).** Public hearing and action on request by Santa Cruz County to amend the Seacliff Village Plan to allow construction of 3-story, 12-room hotel (with restaurant, spa, and associated improvements) at the corner of Broadway and North Avenue in the Seacliff Village area of south Santa Cruz County. (SC-SC)

c. **San Luis Obispo County LCP Amendment No. SLO-MAJ-2-07 Part 2 (Framework for Planning).** Public hearing and action on request by San Luis Obispo County to modify LCP Framework for Planning language associated with references to the County's Parks and Recreation Element. (JB-SC)

6. **NEW APPEALS.** See **AGENDA CATEGORIES.**

a. **Appeal No. A-3-SLO-08-018 (State Parks ODSVRA, San Luis Obispo Co.)** Appeal by Christie Camphorst, Kelly Devaney, and Nell Langford of San Luis Obispo County decision granting permit with conditions to the California Dept. of Parks and Recreation for replacement of 1 existing restroom building and install 5 new restroom buildings within the Oceano Dunes State Vehicular Recreation Area (ODSVRA) in the Oceano area of San Luis Obispo County. (JB-SC)

b. **Appeal No. A-3-SCO-09-019 (Robert Wayne Lloyd Trustees, Santa Cruz Co.)** Appeal by Marshal Compton and Mary Ida of Santa Cruz County decision granting permit with conditions to Robert Wayne Lloyd Trustees et al., for construction of second story addition to existing 2-story single family home, located at 63 Geoffroy Drive above Black's Point portion of Twin Lakes State Beach in the Live Oak beach area, Santa Cruz County. (SC-SC)

c. **Appeal No. A-3-SLO-09-022 (Adams & Boland, San Luis Obispo Co.)** Appeal by Al Brill and Richard Perry of San Luis Obispo County decision granting permit with conditions to the Scott Adams and Kathryn Boland for construction of 88,127 sq.ft. mini storage facility, 1,900 sq.ft. self-serve car wash, and 1,200 sq.ft. caretakers unit, at 750 Willow Road, San Luis Obispo County. (JB-SC)

7. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 3-05-019 (San Simeon Community Services District, San Luis Obispo Co.)** Application of the San Simeon Community Services District for an after-the-fact permit to recognize rip-rap originally placed in 1983 along the bluff and bank below the District's wastewater treatment plant, at 9245 Balboa Avenue, San Simeon, San Luis Obispo County. (JB-SC) **[WITHDRAWN]**

b. **Application No. 3-08-025 (Virg's, Harbor Hut, and Great American Fish Co., Morro Bay)** Application of George Leage, Jim Leage, and Darby Neil to expand and redevelop 3 existing commercial facilities (Virg's, Harbor Hut, and Great American Fish Co.) and related docks, including new commercial boating finger slips, at 22 lease sites along the Morro Bay Embarcadero, 1185 thru 1215 Embarcadero Road, Morro Bay, San Luis Obispo County. (MW-SC)

8. **PERMIT AMENDMENTS.** See **AGENDA CATEGORIES.** An Amendment below may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed like other Consent Calendar items (See above) except that if that item is subsequently removed from the Consent Calendar by a vote of 3 or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner material amendments are processed.

a. **Permit No. A-3-CAP-99-023-A1 (Swan and Green Valley Corp., Santa Cruz Co.)** Request by Richard and Nancy Swan and the Green Valley Corp. to amend permit to eliminate existing condition prohibiting future shoreline armoring and construct 115-ft. section of contoured concrete seawall fronting Green Valley Corporation property and adjacent to existing seawall on adjacent property (on the Swan property) on the beach and bluffs fronting 4840 and 4850 Cliff Drive in Capitola, Santa Cruz County. (SC-SC) **[POSTPONED]**

NORTH CENTRAL COAST DISTRICT

9. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's San Francisco office at (415) 904-5260.

10. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

11. **LOCAL COASTAL PROGRAMS (LCPs).** See **AGENDA CATEGORIES.**

a. **County of San Mateo LCP Amendment No. SMC-MAJ-1-4-A (Midcoast Design Standards). Time Extension.**

Public hearing and action on extension of time limit to act on request by County of San Mateo to amend the LUP and IP to establish new Midcoast design standards for single-family and duplex Development in the urban Midcoast (El Granada, Miramar, Moss Beach and Montara), San Mateo County. (RP-SF)

12. **NEW APPEALS.** See **AGENDA CATEGORIES.**

a. **Appeal No. A-2-MAR-09-10 (Crosby, Marin Co.)** Appeal by Dr. Edward J. Hyman, Dr. Deborah A. McDonald, and Richard and Brenda Kohn of Marin County decision granting permit with conditions to Timothy Crosby for construction of a 1,589 sq.ft. addition to an existing 2,058 sq.ft. single-family home on a 1.03 ac. lot, located at 9 Ahab Drive, Muir Beach, Marin County. (DM-SF) **[POSTPONED]**

13. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Appeal No. A-2-SMC-07-26 (Christoffers & Jang, San Mateo Co.)** Appeal by Committee for Green Foothills of decision of County of San Mateo granting permit with conditions to Debra Sue Christoffers & Jon Jang for demolition of single-family home and construction of 5,936 sq.ft. single-family home with attached 2-car garage, new 960 sq.ft. stable, and removal of 6 living and 2 dead trees, at 10721 Cabrillo Highway, Pescadero, San Mateo County. (TT-SF)

SOUTH CENTRAL COAST DISTRICT

14. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Ventura office at (805) 585-1800.

15. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

16. **LOCAL COASTAL PROGRAMS (LCPs)** See **AGENDA CATEGORIES.**

a. **City of Malibu LCP Amendment No. MAL-MAJ-3-07.** Public hearing and action on request by City of Malibu to amend its LCP to add or modify land use plan policies and development standards for and related to a Malibu Parks Public Access Enhancement Overlay. (PV-V)

b. **City of Malibu LCP Amendment No. MAL-MAJ-1-08 (Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority).** LCP amendment "override" to add or modify land use policies and development standards for and related to a Malibu Parks Public Access Enhancement Plan Overlay. (PV-V)

c. **City of Santa Barbara LCP Amendment No. MAJ-3-08 (Coast Village Road - Olive Mill Road Rezone).** Public hearing and action on City of Santa Barbara request to amend its LCP Implementation Plan by amending the Zoning Ordinance and map to change the zoning of one lot from Two-Family Residential and Coastal Overlay Zone (R-2/S-D-3) to General Commerce and Coastal Overlay Zone (C-1/S-D-3) located at 1298 Coast Village Road, City of Santa Barbara, Santa Barbara County. (JJ-V)

d. **City of Malibu LCP Amendment No. MAJ-1-09. Time Extension.** Public hearing and action to extend the time limit for action for one year on City of Malibu's request to amend its certified LCP to allow for the utilization of off-site view corridors and public benefits in lieu of required on-site view corridors, City of Malibu, Los Angeles County. (DC-V)

e. **City of Malibu LCP Amendment No. MAJ-2-09. Time Extension.** Public hearing and action to extend the time limit for action for one year on City of Malibu's request to amend its LCP to: (1) re-zone a property known as 21200 Pacific Coast Highway from Commercial Visitor-Serving (CV-1) to Multi-Family Beachfront (MFBF), (2) add water wells to the list of development that may be processed as an administrative coastal development permit, and (3) omit LUP Policy 2.78 and change related LIP provisions regarding the "Crummer Trust" parcel to reflect changed circumstances, City of Malibu, Los Angeles County. (DC-V)

17. PUBLIC WORKS.

a. **Ventura County Channel Islands Harbor Public Works Plan Notice of Impending Development No. 1-09.** Public hearing and action on notice of impending development by Channel Islands Harbor Department for a 5-year programmatic tree trimming and removal plan for the Channel Islands Harbor, Oxnard, Ventura County. (AT-V)

18. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 4-07-067 (Lunch Properties LLLP, Los Angeles Co.)** Application of Lunch Properties LLLP to construct 2-story, 10,332 sq.ft. single-family home, 2,353 sq.ft. basement, 708 sq.ft. attached garage, wine cellar, swimming pool, spa, driveway, septic system, and 1,900 cu.yds. grading (1,750 cu.yds. cut; 150 cu.yds. fill) on approximately 20-ac. parcel. The project includes 2,450-ft. long, 20-ft. wide access road to connect Sweetwater Mesa Road north to subject property, involving 11,300 cu.yds. grading (6,600 cu.yds. cut; 4,700 cu.yds. fill), retaining walls, drainage improvements and turnarounds, north of Sweetwater Mesa Road in Santa Monica Mountains, Los Angeles County. (DC-V) **[POSTPONED]**

b. **Application No. 4-07-068 (Vera Properties LLLP, Los Angeles Co.)** Application of Vera Properties LLLP to construct 2-story, 10,631 sq.ft., single-family home, 1,235 sq.ft. detached garage, swimming pool, septic system, 292-ft. long driveway, retaining walls, and 7,000 cu.yds. grading (6,800 cu.yds. cut; 200 cu.yds. fill) on approximately 20-ac. parcel. Project includes approximately 7,800-ft. extension of 8-in. diameter water line down to subject property from municipal water main beneath Costa Del Sol Way, 10-ft. wide maintenance road along portion of water main alignment, retaining walls, and approximately 1,145 cu.yds. grading (1,135 cu.yds. cut; 10 cu.yds. fill), north of Sweetwater Mesa Road in the Santa Monica Mountains, Los Angeles County. (DC-V) **[POSTPONED]**

c. **Application No. 4-07-146 (Mulryan Properties LLLP, Los Angeles Co.)** Application of Mulryan Properties LLLP to construct 2-story, 7,317 sq.ft. single-family home, 1,496 sq.ft. garage, swimming pool, septic system, access driveway, and 6,675 cu.yds. grading (5,325 cu.yds. cut; 1,350 cu.yds. fill) on approximately 40-ac. parcel north of Sweetwater Mesa Road in Santa Monica Mountains, Los Angeles County. (DC-V) **[POSTPONED]**

d. **Application No. 4-07-147 (Morleigh Properties LLLP, Los Angeles Co.)** Application of Morleigh Properties LLLP to construct 3-story, 8,269 sq.ft. single-family home, 753 sq.ft. garage, swimming pool, septic system, access driveway, and 19,200 cu.yds. grading (15,100 cu.yds. cut; 4,100 cu.yds. fill) on approximately 40-ac. parcel north of Sweetwater Mesa Road in Santa Monica Mountains, Los Angeles County. (DC-V) **[POSTPONED]**

e. **Application No. 4-07-148 (Mulryan Properties LLLP and Morleigh Properties LLLP, Los Angeles Co.)** Application of Mulryan Properties LLLP and Morleigh Properties LLLP for lot line adjustment between 2 vacant 40-ac. parcels to site future residential development proposed in permits 4-07-146 and 4-07-147, north of Sweetwater Mesa Road in Santa Monica Mountains, Los Angeles County. (DC-V) **[POSTPONED]**

f. **Application No. 4-08-043 (Ronan Properties LLLP, Los Angeles Co.)** Application of Ronan Properties LLLP to construct 2-story, 10,749 sq.ft. single-family home, 2,090 sq.ft. garage, septic system, driveway, and 17,550 cu.yds. grading (11,000 cu.yds. cut; 6,550 cu.yds. fill) on approximately 27-ac. parcel north of Sweetwater Mesa Road in Santa Monica Mountains, Los Angeles County. (DC-V) **[POSTPONED]**

g. **Application No. 4-09-017 (Abercrombie Ranch Lot 10 Partners, LLC, Los Angeles Co.)** Application of Abercrombie Ranch Lot 10 Partners, LLC to construct 2-story, 30-ft. 3-in. high, 7,593 sq.ft. single family home, attached 700 sq. ft. 3 car garage, 789 sq.ft. covered patio, 716 sq.ft. second floor deck, 1-story, 15.5-ft. high, 316 sq.ft. guest house with attached 518 sq.ft. 2-car garage, driveway, pool, spa, 324 sq.ft. open cabana, septic system, 36 cu.yds. cut grading and 36 cu.yds. fill grading, 17,000 cu.yds. remedial grading, and fence/gate on development pad, at 2037 Delphine Lane, Santa Monica Mountains, Los Angeles County. (JJ-V)

h. **Application No. 4-08-006 (Santa Barbara County, Goleta Beach)** Application of Santa Barbara County to construct 500-ft. long, 20-ft. wide, permeable pile sand retention system as addition to existing Goleta Beach Pier consisting of 250–330 timber piles (18” to 20” in diameter) and timber decking, seasonal installation of approximately 1,200-ft. long, 3-5 ft. high winter sand berm; removal of approximately 1,500 linear ft. of existing rock rip rap upcoast of Goleta Pier; and implementation of beach nourishment program involving initial offshore dredging of approximately 500,000 cu.yds. of sand and placement of dredged material on beach upcoast of pier for beach nourishment with additional periodic offshore dredging/beach nourishment on as-needed basis not exceeding 100,000 cu.yds. of material per year, at 5986 Sandspit Road, Goleta Beach County Park, Santa Barbara County. (SMH–V) **[POSTPONED]**

STATEWIDE

CLOSED SESSION. At a convenient time during the meeting, the Commission (CCC) will have a closed session to discuss items of pending litigation, including:

Access for All v. California Department of Transportation (Govt. Code § 11126(e)(2)(C))
City of Oxnard et al. v. CCC (Southern California Edison, RPI) (Govt. Code § 11126(e)(2)(A))
City Stone & Tile, Inc. v. RMS Group et al. (Govt. Code § 11126(e)(2)(A))
Coastal Law Enforcement Action Network v. CCC (Malibu Valley Farms, RPI) (Govt. Code § 11126(e)(2)(A))
Hines v. County of Sonoma, CCC (Star, RPI) (Govt. Code § 11126(e)(2)(A))
Marsh v. CCC (Govt. Code § 11126(e)(2)(A))
McAllister v. CCC (Laube et al., RPI) (Govt. Code § 11126(e)(2)(A))
Norris et al. v. CCC et al. (Govt. Code § 11126(e)(2)(A))
Revell v. CCC (Access for All, RPI) (Govt. Code § 11126(e)(2)(A))
Sheppard v. Big Sur Land Trust, CCC (Govt. Code § 11126(e)(2)(A))
Sierra Club v. California Department of Parks & Recreation et al. (County of San Luis Obispo, CCC, RPIs) (Govt. Code § 11126(e)(2)(A))
Monterey County LCP Amendment No. 1-07 (Govt. Code section 11126(e)(2)(B))

The Commission is authorized to discuss these matters in a closed session pursuant to Government Code Sections 11126(e)(2)(A) and (2)(C). In addition, the Commission may consider matters which fall under Government Code Section 11126(e)(2)(B) or (2)(C). The Commission may also consider personnel matters which fall under Government Code Section 11126(a).

19. **APPROVAL OF MINUTES.**

20. **COMMISSIONERS' REPORTS.**

21. **CONSERVANCY REPORT.**

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

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

24. **EXECUTIVE DIRECTOR'S REPORT** including report on legislation and water quality.

a. **Public Education Marketing Contract.** Commission authorization to enter into a contract with a marketing firm, to be named verbally at the Commission meeting, for up to \$90,000, to market the Whale Tail License Plate. (CP/SF)

8:00 a.m.

THURSDAY, JUNE 11, 2009

1. **CALL TO ORDER.**

2. **ROLL CALL.**

SOUTH COAST DISTRICT (Los Angeles County)

3. **ADMINISTRATIVE PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.**

4. **CONSENT CALENDAR.** See **AGENDA CATEGORIES.**

a. **Application No. 5-09-75 (Forsyth, Venice)** Application of Charles Forsyth to demolish 1-story, single-family home and construct 3-level, 30-ft. high (with 40-ft. high roof access structure), 3,763 sq.ft., single-family home with attached 2-car garage on canal-fronting lot, at 2808 Strong's Drive, Venice, Los Angeles, Los Angeles County. (CP-LB)

SOUTH COAST DISTRICT (Orange County)

5. **ADMINISTRATIVE PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.**

a. **Application No. 5-08-316 (Winget III Family Trust, Huntington Beach)** Application of Clifford Winget III Family Trust to demolish boat dock float and construct new "U" shaped boat dock float with 8-ft. x 9-ft. landing at base of gangway (existing gangway to remain and be re-used), new and existing dock to extend 60 ft. from bulkhead to U.S. Pierhead line, remove 2 14-in. diameter piles, re-use 1 existing 14-in. diameter concrete pile, and include 2 new 14-in. diameter concrete piles, at 16732 Coral Cay Lane, Huntington Beach, Orange County. (MV-LB)

b. **Application No. 5-09-52 (City of Newport Beach, Newport Beach)** Application of City of Newport Beach to expand public dock and add new float sections below both sides of existing pier and gangway, at Fernando St. Public Dock adjacent to 311 Edgewater Ave., Newport Beach, Orange County. (LR-LB)

c. **Application No. 5-09-53 (City of Newport Beach, Newport Beach)** Application of City of Newport Beach to expand public dock, at 19th Street Public Dock, 233 19th Street, Newport Beach, Orange County. (LR-LB)

d. **Application No. 5-09-54 (City of Newport Beach, Newport Beach)** Application of City of Newport Beach to expand public dock, at 15th Street Public Dock, 215 15th Street, Newport Beach, Orange County. (LR-LB)

e. **Application No. 5-09-060 (Younessi, Huntington Beach)** Application of Michael Younessi to add 18-ft. area of concrete deck cantilevered 5 feet beyond bulkhead between 2 existing areas of concrete deck cantilevered 5 feet beyond bulkhead for total deck length of 92 feet (existing cantilevered deck segments are 36 feet and 38 feet in length). Also proposed is a 5-ft. tall, tempered glass railing with etched design in glass along perimeter of the deck, at 4022 Morningstar Drive, Huntington Beach, Orange County. (MV-LB)

SAN DIEGO DISTRICT

6. CONSENT CALENDAR. See AGENDA CATEGORIES.

a. **Application No. 6-08-113 (Hyatt Regency, San Diego)** Application of Hyatt Regency Mission Bay Spa and Marina to install floating dock system for rental of personal water craft to hotel guests and general public, at 1441 Quivira Road, Mission Bay Park, San Diego, San Diego County. (EL-SD)

b. **Application No. 6-09-6 (Harrison, San Diego)** Application of Eddie Harrison to demolish 1,836 sq.ft. 2-story residential duplex and construct 3-story, 2,965 sq.ft. home on 2,720 sq.ft. oceanfront lot, at 2933 Ocean Front Walk, Mission Beach, San Diego, San Diego County. (LRO-SD)

c. **Application No. 6-09-17 (BioFuels Energy, LLC & San Diego Metro Wastewater Dept., San Diego)** Application of BioFuels Energy, LLC & City of San Diego Metropolitan Wastewater Dept. to install portable office and equipment to capture and purify residual biogas from the SDWW treatment plant, at 1902 D Gatchell Road, Peninsula, San Diego, San Diego County. (LRO-SD)

SOUTH COAST DISTRICT (Los Angeles County)

7. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Long Beach office at (562) 590-5071.

8. CONSENT CALENDAR (removed from Regular Calendar). See AGENDA CATEGORIES.

9. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 5-09-40 (Ocean Avenue Management LLC, Santa Monica)** Application of Ocean Avenue Management LLC to demolish 2 separate motels, Pacific Sands Motel (57 rooms) and Santa Monica Beach Travelodge (30 rooms) and construct single 89,900 sq.ft., 164 room, 45-ft. high, moderately priced Travelodge hotel, with 4,670 sq.ft. of retail space, and total of 294 parking spaces in 4-level subterranean parking garage, at 1515-1525 Ocean Avenue, Santa Monica, Los Angeles County. (AP-LB)

[Items 9b, 9c and 9h below share a single, combined staff report.]

b. **Appeal No. A-5-VEN-08-340 (City of Los Angeles, Dept. of Transportation, Los Angeles)** Appeal by Peggy Lee Kennedy et al., and Executive Director, Peter Douglas from decision of City of Los Angeles granting permit to City of Los Angeles, Dept. of Transportation to establish Overnight Parking District No. 520 (in the Oxford Triangle area) with parking restriction between 2 a.m. to 6 a.m., exempting vehicles with District No. 520 permits, on public streets throughout the Venice area, City of Los Angeles, Los Angeles County. (CP-LB)

c. **Appeal No. A-5-VEN-08-341 (City of Los Angeles, Dept. of Transportation, Los Angeles)** Appeal by Peggy Lee Kennedy et al., and Executive Director, Peter Douglas from decision of City of Los Angeles granting permit to City of Los Angeles, Dept. of Transportation to establish Overnight Parking District No. 521 (in the Presidents Row area) with parking restriction between 2 a.m. to 6 a.m., exempting vehicles with District No. 521 permits, on public streets throughout the Venice area, City of Los Angeles, Los Angeles County. (CP-LB)

[Items 9d through 9g below share a single, combined staff report.]

d. **Application No. 5-08-314 (City of Los Angeles, Venice)** Application of City of Los Angeles to establish Overnight Parking District No. 522 with parking restriction between 2 a.m. to 6 a.m., exempting vehicles with District No. 522 permits, in the west Venice area, Venice, Los Angeles County. (CP-LB)

e. **Appeal No. A-5-VEN-08-342 (City of Los Angeles, Dept. of Transportation, Los Angeles)** Appeal by Peggy Lee Kennedy et al., and Executive Director, Peter Douglas from decision of City of Los Angeles granting permit to City of Los Angeles, Dept. of Transportation to establish Overnight Parking District No. 522 (in the West Venice area) with parking restriction between 2 a.m. to 6 a.m., exempting vehicles with District No. 522 permits, on public streets throughout the Venice area, City of Los Angeles, Los Angeles County. (CP-LB)

f. **Application No. 5-08-313 (City of Los Angeles, Dept. of Transportation, Venice)** Application of City of Los Angeles, Dep. of Transportation to Establish Overnight Parking District No. 523 with parking restriction between 2 a.m. to 6 a.m., exempting vehicles with District No. 523 permits, City of Los Angeles, Los Angeles County. (CP-LB)

g. **Appeal No. A-5-VEN-08-343 (City of Los Angeles, Dept. of Transportation, Los Angeles)** Appeal by Peggy Lee Kennedy et al and Executive Director, Peter Douglas from decision of City of Los Angeles granting permit to City of Los Angeles, Dept. of Transportation to establish Overnight Parking District No. 523 (in the East Venice area) with parking restriction between 2 a.m. to 6 a.m., exempting vehicles with District No. 523 permits, on public streets throughout the Venice area, City of Los Angeles, Los Angeles County. (CP-LB)

h. **Appeal No. A-5-VEN-08-344 (City of Los Angeles, Dept. of Transportation, Los Angeles)** Appeal by Peggy Lee Kennedy et al and Executive Director, Peter Douglas from decision of City of Los Angeles granting permit to City of Los Angeles, Dept. of Transportation to establish Overnight Parking District No. 526 (in the Villa Marina area) with parking restriction between 2 a.m. to 6 a.m., exempting vehicles with District No. 526 permits, on public streets throughout the Venice area, City of Los Angeles, Los Angeles County. (CP-LB)

10. **PERMIT AMENDMENTS.** See **AGENDA CATEGORIES.** An Amendment below may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed like other Consent Calendar items (See above) except that if that item is subsequently removed from the Consent Calendar by a vote of 3 or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner material amendments are processed.

a. **Permit No. 5-98-71-A (Axe Restaurant, Los Angeles)** Request by Axe Restaurant to establish a 600 sq.ft. patio dining area as part of the existing restaurant with 690 sq.ft. of dining area, and provide off-site parking with valet service, at 1009 Abbot Kinney Blvd., Venice, Los Angeles, Los Angeles County. (CP-LB)

b. **Permit No. 5-01-261-A2 (Los Angeles Co. Dept. of Beaches & Harbors, Los Angeles)** Request by Los Angeles County Dept. of Beaches & Harbors to remove unpermitted chainlink fence and construct 42-in. high, 1.5-in. diameter anodized aluminum railing fence, extending 800 feet along seaward edge of the public parking lot; extend sidewalk construction 240 feet north to connect with Castellammare pedestrian overpass (Lot No. 5); construct second parking lot exit in northern part of lot to alleviate traffic congestion out of parking lot (Lot No. 3), Will Rogers State Beach (Lot No. 5) Pacific Palisades, Los Angeles County. (AP-LB)

SAN DIEGO DISTRICT

11. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's San Diego office at (619) 767-2370.

a. **City of Carlsbad De Minimis LCP Amendment No. 2-09 (Planned Development Regulations).** Concurrence with Executive Director's determination that minor changes to the Planned Development Regulations to allow the elimination of building setbacks along drive-aisle for small, higher density projects and to clarify that protective barriers for upper level balconies/decks may extend above the height limit are de minimis. (TR-SD)

12. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

13. **LOCAL COASTAL PROGRAMS (LCPs)** See **AGENDA CATEGORIES.**

a. **City of Oceanside LCP Amendment No. 01-08 (Telecommunication Facilities).** Public hearing and action on request of City of Oceanside to amend its LCP Implementation Plan to revise certain zoning ordinances in the Downtown "D" District (Article 12, Article 4a) to accommodate the installation of telecommunication facilities in the Redevelopment Project Area. (TR-SD)

b. **City of Carlsbad LCP Amendment No. 3-07A (Village Area Master Plan).** Public hearing and action on request by City of Carlsbad to amend its Village Area Master Plan and Design Manual (LUP) to clarify/update development standards and implementing policies (IP) in the Village Area Redevelopment segment of the certified LCP. (LRO-SD)

c. **City of San Diego LCP Amendment No. 3-08A (6th Update of the Land Development Code).** Public hearing and action on City of San Diego request to amend its LCP Implementation Plan to change verbiage, clarify intent, remove duplication and correct minor errors in multiple sections of the certified Land Development Code. (EL-SD)

14. **NEW APPEALS.** See **AGENDA CATEGORIES.**

a. **Appeal No. A-6-OCN-07-18 (Sprint, Oceanside)** Appeal by Pamela Myers from decision of City of Oceanside granting permit with conditions to Sprint PCS for placement of telecommunication facility on existing residential building, at 999 North Pacific Street, Oceanside, San Diego County. (TR-SD) **[POSTPONED]**

b. **Appeal No. A-6-ENC-09-25 (Taylor, Encinitas)** Appeal by Commissioners Krue & Wan from decision of City of Encinitas granting permit with conditions to Rick Taylor to demolish and reconstruct 526 sq.ft. garage and construct 250 sq.ft. addition and 176 sq.ft. deck above new garage on 6,046 sq.ft. blufftop lot, at 252 Neptune Avenue, Encinitas, San Diego County. (GDC-SD)

15. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. 6-08-122 (Winkler, Solana Beach)** Application of David J. Winkler to remove riprap at base of seawall, repair/maintain seawall, extend height of seawall 4-ft., extend length of seawall 62-ft. and reinforce bluff using geogrid structure, on public beach and bluff below 521 Pacific Avenue, Solana Beach, San Diego County. (GDC-SD)

b. **Application No. 6-09-08 (UCSD Student Housing, San Diego)** Application of the University of California at San Diego to construct North Campus Housing Phase II project to accommodate 800 bed spaces in 145 apartment units consisting of four 5-story buildings, one 13-story, 130-ft. high building, and two, 1- and 2-story non-residential buildings totaling 250,950 sq.ft. on 5.4 ac. site at North UCSD Campus, La Jolla, San Diego, San Diego County. (LRO-SD)

c. **Application No. 6-09-18 (Sikura, Solana Beach)** Application of John Sikura to improve/remodel 2,426 sq.ft., 2-story, single-family home with detached 544 sq.ft., 2-car garage on 8,344 sq.ft. blufftop lot, at 509 Pacific Avenue, Solana Beach, San Diego County. (LJM-SD)

d. **Application No. 6-09-24 (Caccavo, Solana Beach)** Application of James & Kimberly Caccavo to improve/remodel 3,096 sq.ft., 2-story home with attached 829 sq.ft. 3-car garage on 13,865 sq.ft. blufftop lot, at 417 Pacific Avenue, Solana Beach, San Diego County. (LJM-SD)

16. **REVISED FINDINGS.** See **AGENDA CATEGORIES.**

a. **Application No. 6-08-62 (Blackburn, Solana Beach)** Ron Blackburn denied permit to demolish existing garage and construct 342 sq.ft. below grade garage and 369 sq.ft. first floor addition to existing single-story 1,414 sq.ft. home on 3,750 sq.ft. lot, at 205 Pacific Avenue, Solana Beach, San Diego County. (GDC-SD)

17. **RECONSIDERATION.** See **AGENDA CATEGORIES.**

a. **Application No. 6-08-62-R (Blackburn, Solana Beach)** Reconsideration of Commission action to deny permit for Ron Blackburn to demolish existing garage and construct 342 sq.ft. below grade garage and 369 sq.ft. first floor addition to existing single-story 1,414 sq.ft. home on 3,750 sq.ft. lot, at 205 Pacific Avenue, Solana Beach, San Diego County. (GDC-SD)

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

18. **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. For specific information contact the Commission's Energy, Ocean Resources, and Federal Consistency Division office at (415) 904-5240.

19. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

20. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Application No. E-09-004 (Orange County Municipal Water District)** Application by Orange County Municipal Water District to continue testing feasibility of existing slant well for potential use in future desalination facility, drill 2 bore holes to identify subsurface hydro-geological features, and install small desalination test facility, within Doheny State Beach in Dana Point, Orange County. (TL-SF)

b. **Application No. E-09-005 (Pacific Gas & Electric Co., Humboldt Co.)** Application by Pacific Gas & Electric Co. to widen and construct roads, construct equipment laydown/storage/parking areas, install buildings and equipment, and conduct other similar modifications to prepare site for decommissioning the Humboldt Bay Power Plant, adjacent to Humboldt Bay, Humboldt County. (TL-SF)

SOUTH COAST DISTRICT (Orange County)

21. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Long Beach office at (562) 590-5071.

a. **City of Laguna Beach LCP Amendment No. LGB-MAJ-1-08B (Parking).** Concurrence with the Executive Director's Determination that the action by the City of Laguna Beach, accepting certification of LGB-MAJ-1-08B with modifications (for changes to Chapter 25.52 Parking Requirements), is legally adequate, Orange County. (MV-LB)

b. **City of Laguna Beach LCP Amendment No. LGB-DM-1-09 (De Minimis).** Concurrence with Executive Director's determination that proposed modifications to City of Laguna Beach certified LCP to amend the Implementation Plan portion of certified LCP to regulate interior signs that are positioned primarily for the purpose of being read or visible from the exterior of the building, is de minimis, Laguna Beach, Orange County. (MV-LB).

22. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

22.5. LOCAL COASTAL PROGRAMS (LCPs) See AGENDA CATEGORIES.

a. City of Dana Point LCP Amendment No. DPT-MAJ-1-08 (Dana Point Harbor Revitalization Plan (LUP Only)).

Public hearing and action on request by City of Dana Point to amend the Local Coastal Program Land Use Plan to incorporate the proposed Dana Point Harbor Revitalization Plan (replacing sections of the Dana Point Specific Plan relevant to the Dana Point Harbor (1986 LCP), that would establish new land use designations and boundaries throughout harbor; expand allowable development by approximately 153,000 sq.ft. (all uses) including commercial development (+7,300 sq.ft. retail/+50,000 sq.ft. restaurant), enlarged hotel (136 rooms to 220 rooms) plus conference facilities, new marine retail (9,100 sq.ft.), among other expanded uses; change parking requirements; reduce space allocated for surface boat storage; and change height limit to allow for 65-ft. tall dry stack storage building for 400 boats and up to 60-ft. tall commercial buildings, in Dana Point Harbor, Orange County. (FSY-LB)

23. NEW APPEALS. See AGENDA CATEGORIES.

a. Appeal No. A-5-LGB-09-77 (Fried, Laguna Beach) Appeal by Commissioners Clark & Wan, and South Laguna Civic Association decision by City of Laguna Beach granting permit to Billy Fried to provide kayak staging/rentals/lessons/tours operation on public beach adjacent to Montage Resort/Spa, at 30801 Coast Highway, Laguna Beach, Orange County. (LR-LB)

24. COASTAL PERMIT APPLICATIONS. See AGENDA CATEGORIES. Attention: Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. Application No. 5-09-66 (DEKK Associates, LP, San Clemente) Application of DEKK Associates, LP to remodel exterior/interior and reuse of existing vacant 3,951 sq.ft. commercial building into 3,284 sq.ft. restaurant with 667 sq.ft. enclosed patio totaling 70 interior seats and 38 patio dining seats. No additional parking will be provided. Minimal landscaping and no grading is proposed on 8,000 sq.ft. commercial site located in downtown area, at 213 Avenida Del Mar, San Clemente, Orange County. (LR-LB)

b. Application No. 5-09-55 (Bay Island Club, Newport Beach) Application of Bay Island Club to 1) reinforce, in part, and replace, in part, the entire 1,200 linear ft. long bulkhead system surrounding a private island developed with 24 single family homes; 2) demolish gated pedestrian bridge linking island to mainland and construct new gated, pedestrian bridge in different alignment; and 3) construct 'sand retention wall' offshore of small private beach on western side of island, at 1-26 Bay Island, Newport Beach, Orange County. (KFS-LB)

ENFORCEMENT

25. ENFORCEMENT REPORT. Report by Chief of Enforcement on Statewide Enforcement Program. (LAH-SF)

26. Commission Cease & Desist Order No. CCC-09-CD-01 (Ackerberg, Malibu, Los Angeles Co.) Public hearing and Commission action on proposed Cease and Desist Order directing Lisette Ackerberg, trustee of the Ackerberg Trust and owner of property to: 1) cease from engaging in further unpermitted development activities, including maintaining existing unpermitted development; 2) remove unpermitted development consisting of rock rip-rap, a wall, concrete slab and generator, fence, railing, planter, and landscaping from the areas covered by the lateral and vertical public access easements on the property; and 3) comply with conditions of existing permits and vertical and lateral public access easements, which provide for unobstructed public access over the areas of the property covered by those easements, located at 22500 and 22466 Pacific Coast Highway, Malibu, Los Angeles County. (ANM-SF) **[POSTPONED]**

27. Notice of Violation No. CCC-09-NOV-01 (Ackerberg, Malibu, Los Angeles Co.) Public hearing and Commission action identifying unpermitted development by Lisette Ackerberg, trustee of the Ackerberg Trust and property owner, on property located at 22500 and 22466 Pacific Coast Highway, Malibu, Los Angeles County. (ANM-SF) **[POSTPONED]**

8:00 a.m.

FRIDAY, JUNE 12, 2009

1. CALL TO ORDER.

2. ROLL CALL.

NORTH COAST DISTRICT

2.5. **DEPUTY DIRECTOR'S REPORT.** Report by Deputy Director on permit waivers, emergency permits, immaterial amendments & extensions, LCP matters not requiring public hearings, and on comments from the public. For specific information contact the Commission's Eureka office at (707) 445-7833.

3. **CONSENT CALENDAR (removed from Regular Calendar).** See **AGENDA CATEGORIES.**

4. **LOCAL COASTAL PROGRAMS (LCPs)** See **AGENDA CATEGORIES.**

a. **City of Crescent City LCP Amendment No. CRC-MAJ-1-09 (Coasta Norte).** Public hearing and action on request by City of Crescent City to amend its certified Local Coastal Program to: (1) amend text of the Multiple Family (MF) land-use designation to provide for compatible visitor-serving commercial uses that do not detract from the intended primary residential nature of the MF category; (2) amend development standards of the Coastal Zone Residential Professional zoning district (CZ-RP) to decrease lot-area-per-dwelling-unit standard from 1,500 sq.ft. to 1,250 sq.ft.; (3) redesignate the land use designation of 1.24 ac. parcel from Medical Related (MR) and Residential (R) to Multi-family (MF); and (4) reclassify zoning designation over a 7,200 sq.ft. portion of parcel from Coastal Zone Two-Family zoning district (CZ-R2) to Coastal Zone Residential Professional zoning district (CZ-RP), situated at 200 A Street, Crescent City, Del Norte County. (JB-E)

5. **COASTAL PERMIT APPLICATIONS.** See **AGENDA CATEGORIES.** **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See **AGENDA CATEGORIES**) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. **Appeal No. A-1-MEN-07-28 (Jackson-Grube Family, Inc., Mendocino Co.)** Appeal by (1) Molly Warner & Britt Bailey, (2) Commissioners Kruer & Wan, (3) Mendocino Group Sierra Club, Friends of The Ten Mile, (4) Margery S. Cahn Trust & Whiting Family Revocable Trust from decision of County of Mendocino granting permit with conditions to Jackson-Grube Family, Inc. for building a 7-unit inn in 2 phases. Phase I consists of (1) demolition, reconstruction, and expansion of the former Orca Inn into 2,961 sq.ft., 25-ft. high 3-bedroom guest suite unit and northward extension of building containing enclosable 831 sq.ft. outdoor activity area, 255 sq.ft. caterer's kitchen, 693 sq.ft. conference room, 1,089 sq.ft. guest suite unit and 833 sq.ft. guest suite unit, (2) 1,276 sq.ft., 2-story manager's unit, (3) 1,269 sq.ft. equipment barn, 648 sq.ft. maintenance shop, and (4) 240 sq.ft. generator/pump shed. Phase II consists of (1) 2 guest suite units within detached bunkhouse of 531 sq.ft. and 757 sq.ft., (2) 2 separate guest suite cottages of 835 sq.ft. and 915 sq.ft., respectively, and (3) 778 sq.ft. spa, including wells, septic system, roads and underground utilities, at 31502 North Highway 1, (4 miles south of Westport), Mendocino County. (RSM-E) **[POSTPONED]**

b. **Application No. 1-09-20 (City of Arcata)** Application of City of Arcata to enhance wetland habitat along margin of Humboldt Bay by: (1) reconfiguring 1,634 ft. of channelized reach of Fickle Hill Creek resulting in 1,934-ft. long meandering channel; (2) installing 9 to 15 small log/boulder cover in the reconfigured channel; (3) installing wooden bridge across reconfigured channel; and (4) planting total of 2.5 ac. of native riparian vegetation along length of reconfigured channel, at lands between Highway 101 and Old Arcata Road, Arcata, Humboldt County. (MBK-E)

6. PERMIT AMENDMENTS. See **AGENDA CATEGORIES.** An Amendment below may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed like other Consent Calendar items (See above) except that if that item is subsequently removed from the Consent Calendar by a vote of 3 or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner material amendments are processed.

a. **Permit No. 1-03-4-A3 (Reclamation District 768, Humboldt Co.)** Request by Reclamation District 768 to modify permit granted for periodic levee maintenance to allow for installation of sheetpile wall along 300(+/-) linear ft. of eroded and damaged levee, along northern shoreline of Arcata Bay and eastern bank of Mad River Slough, just north of Highway 255 bridge, Arcata, Humboldt County. (MBK-E)

ENERGY, OCEAN RESOURCES and FEDERAL CONSISTENCY

7. LOCAL COASTAL PROGRAMS (LCPs) See **AGENDA CATEGORIES.**

a. **Port Master Plan Amendment No. 24 Port of Los Angeles.** Public hearing and action on request by Port of Los Angeles Master Plan Amendment No. 24 to provide new disposal sites to accommodate the remaining dredge material generated by the approved Main Channel Deepening Project (PMPA No. 21), including additional dredging: 400,000 cu.yds. at the East Turning Basin; 170,000 cu.yds. at the Southwest Slip; and 500,000 cu.yds. for Main Channel entrance widening. Disposal sites include: 5 ac. at Berths 134-135 in the Northwest Slip; 8 ac. at Berths 243-245 (former Southwest Marine Shipyard) for contaminated sediment; 50 ac. at the Cabrillo Shallow Water Habitat site; and LA-2 ocean disposal site in the Port of Los Angeles. The land uses for the fill site at the Northwest Slip (Berths 134-135) will include "General Cargo" and "Other" (rail yard, roadways, utilities, etc.) and the Southwest Marine Shipyard fill will be designated as "Other". (AP-LB)

8. FEDERAL CONSISTENCY. See **AGENDA CATEGORIES.**

a. **CD-046-08 (Corps of Engineers, Los Angeles Co.)** Consistency determination by U.S. Army Corps of Engineers for additional sites and capacity for dredged material disposal for the previously-approved Channel Deepening Project in the Port of Los Angeles. The Corps proposes to place approximately 3 million cu.yds. of dredged material at the Northwest Slip, Berths 243-245, and Cabrillo Shallow Water Habitat in the Port of Los Angeles, and at the LA-2 ocean disposal site, Los Angeles County. (LJS-SF)

Future Meetings: The next meetings of the Coastal Commission July 8-10, 2009 in San Luis Obispo and August 12-14, 2009 in San Francisco.

See **future agenda items** (these are items submitted to the Coastal Commission and *could* be scheduled on future meeting agendas).

Future Agenda Items

Updated March 25, 2009

The items listed below may be coming before the Commission during the next few months. Publication of this list is provided for the purpose of facilitating public participation in the Commission's activities and is not required by law. The list's inclusion in this Meeting Notice also does not constitute, nor substitute for any of the notice requirements contained in the Coastal Act and Commission regulations. Also, please be aware that the details of a submittal may change as staff review proceeds, and that not all submittals of potential significance may appear on the listing below.

Energy, Ocean Resources & Federal Consistency Unit

- **Poseidon Huntington Beach** desalination project
- **Caltrans High Speed Rail**, LOSSAN Mass Transit. High Speed Train throughout California (south of Sacramento to the San Francisco Bay Area, the Central Valley, and southern California) with one component, which may be separate or combined with it, is LOSSAN, Passenger Rail Improvements, Los Angeles to San Diego (LOSSAN) Rail Corridor
- **National Oceanic and Atmospheric Administration/National Marine Fisheries Service, Consistency Determination**, Construction of Southwest Fisheries Science Center, La Jolla
- **City of San Diego, Consistency Certification**, Secondary treatment waiver, EPA NPDES Permit Reissuance: City of San Diego Point Loma Ocean Outfall Discharge
- **City of Goleta, Consistency Certification**, Secondary treatment waiver, EPA NPDES Permit Reissuance: City of Goleta (pending facility upgrade to full secondary)

North Coast District

- **Del Norte County LCP Amendment No. 2-03**. Comprehensive update of the certified Local Coastal Program

Central Coast District

- **Monterey Bay Shores Resort** CDP application (on remand from court decision) for a 360,000 sq.ft. mixed-use residential and visitor serving development including 160 hotel rooms, 180 condominium units (92 residential, 46 visitor-serving residential, and 42 visitor-serving units), restaurant, conference center, spa, 3 swimming pools, surface and underground parking (for 841 vehicles), public and private access trails, dune/habitat restoration, and related infrastructure including water, sewer, stormwater systems, and various energy reduction technologies (solar, wind, geothermal, etc.) requiring some 695,000 cu.yds. of grading (and 418,000 cu.yds. of sand disposal) in the sand dunes seaward of Highway One in the City of Sand City.

South Central Coast District

- **Appeal No. A-4-VNT-08-057 and A-4-VNT-08-100 (Silver Strand Beach Lifeguard Tower, Ventura County)**. Appeal of the construction of a lifeguard tower and public restroom building to replace a previous lifeguard tower/restroom building in approximately the same location.
- **City of Ventura LCP Amendment 1-07 (Sondermann-Ring)** Modification to land use and zoning for mixed-use development proposed on approximately 26.92 acres of vacant land and water in the Ventura Harbor area.
- **City of Ventura LCP Amendment 2-08 (Downtown Specific Plan)** Replacement of the 1993 Downtown Specific Plan policies with the 2007 Downtown Specific Plan land use policies and implementation measures.

FUTURE AGENDA ITEMS continued

South Central Coast District (cont'd)

- **County of Santa Barbara LCP Amendment 4-07-B (Montecito Land Use and Development Code).** Establishment of a separate Zoning Code for Montecito replacing applicable Article II Zoning Code provisions with the Montecito Land Use and Development Code.
- **County of Santa Barbara LCP Amendment 4-07-A (County Land Use and Development Code).** Replacement of the existing certified Article II Zoning Code with the revised and reformatted Santa Barbara County Land Use and Development Code.

South Coast District

- **Shea Homes (Parkside Estates)** future coastal development permit application for up to 170 residential lots, roads and park; construction of up to 170 single family homes, related infrastructure, public active park and/or open space area, new storm drain, new pump facility at the Slater/Wintersburg storm water pump station, improvements to the flood control channel, replace sewer pump, and new sewer force-main, occurring within a vacant 50 acre area in Huntington Beach, Orange County.
- **City of Laguna Beach Local Coastal Program Amendment No. 3-08** - Request by the City of Laguna Beach to amend its certified Land Use Plan and Implementation Plan to make four unrelated changes to the certified LCP: 1) proposal to land use designate and pre-zone the 8.52 acre site at 1900 Laguna Canyon Road (known as ACT V) to Public/Institutional land use designation and Institutional pre-zone; 2) zone change at 1435 North Coast Highway from R-1 Residential Low Density to C-N Commercial Neighborhood; 3) amend Land Use Element Policy 12-F regarding existing 500 square foot size limit for buildings located in Public Recreation and Parks land use designation; and, 4) changes to the Implementation Plan effecting how building heights are measured and clarifying parking garage regulations in certain zones, in the City of Laguna Beach, Orange County.
- **City of Redondo Beach Local Coastal Program Amendment No. 2-08** – Request by the City of Redondo Beach to amend the City's local coastal program to certify the remaining uncertified area (Area 2) of the Redondo Beach Coastal Zone. Area 2 consists of the power generating plant area located west of Catalina Ave, and the harbor and pier areas of the City. The City also requests the elimination of the current geographic segmentation of the Coastal Zone in conjunction with these amendments.

Agenda Categories

Below are described the standard categories of agenda items.

ADMINISTRATIVE PERMIT APPLICATIONS. If a person objects to issuance of an administrative permit or permit conditions, that person is allowed 3 minutes to request removal of the application from the administrative calendar. If four or more Commissioners vote to remove an item from this calendar, the approval is revoked, and the application will be scheduled for action at a later meeting.

COASTAL PERMIT APPLICATIONS. The Commission may vote at the conclusion of the public hearing, or it may continue the matter to a subsequent meeting. Time limits are determined by the Chair but generally are 15 minutes combined total time per side. The applicant may reserve some time for rebuttal after the opponents speak.

CONSENT CALENDAR. Three minutes will be allowed to each side to address the Commission on whether to remove an application from this calendar. It takes 3 or more Commissioners to remove an item from the consent calendar, in which case it will be scheduled for further hearing & action at a later meeting.

ENFORCEMENT ACTIONS. Public hearing and action on proposed Cease and Desist Orders, Restoration Orders, and recordation of Notices of Violation.

FEDERAL CONSISTENCY. See time limits under COASTAL PERMIT APPLICATIONS above.

LOCAL COASTAL PROGRAMS (LCPs). LCPs consisting of a land use plan and implementation plan are prepared by local governments and provide the standards for issuing coastal permits after approval by the Commission. Copies of LCP reports are available on request from the Commission office. Oral testimony may be limited to 5 minutes or less for each speaker, depending on the number wishing to be heard. Copies of all correspondence will be provided to the Commission.

NEW APPEALS. (Note: This agenda item requires an initial determination of whether the appeal raises a “substantial issue” and may **not** include a *de novo* public hearing on the merits of the project.)

When staff recommends “substantial issue,” a public hearing on the question will only be held if 3 or more Commissioners ask for it. If three Commissioners do not request a hearing on “substantial issue” the matter automatically proceeds to *de novo* public hearing either at this or a later Commission meeting. If staff recommends “no substantial issue,” public testimony will be taken only on the question whether the appeal raises a “substantial issue.” Generally and at the discretion of the Chair, testimony is limited to 3 minutes total per side.

If the Commission finds “substantial issue” and there is no staff recommendation on the merits of the project, the *de novo* hearing will be scheduled for a subsequent meeting.

PERMIT AMENDMENTS or EXTENSIONS. Public hearing and action on requests to amend or extend permits previously issued by the Commission.

RECONSIDERATIONS. Public hearing and action to reconsider previous actions.

REVISED FINDINGS. Public hearing and vote to approve revised findings for a previous Commission action. The only issue is whether the findings adequately reflect the Commission action. The hearing is not to reargue the merits of the prior action.

VOTING on APPLICATIONS. Hearing and action on coastal development permits continued from a previous meeting. The time limits are 5 minutes combined total time per side, and the applicant may reserve time for rebuttal.

Meeting Rules and Procedures

SPEAKER SIGN-UP & TIME LIMITS. If you wish to speak, please fill out a "Request to Speak" form and give it to a staff person. Forms are available near the door to the meeting room. Time limits are indicated on the back of speaker sign-up forms, and under 'agenda categories' later in this summary. Generally, the Chairman will determine time limits for each speaker. Time limits for permit items are **combined total time** for all speakers in favor of or in opposition to the project.

SUGGESTIONS FOR SUBMISSION OF WRITTEN MATERIALS. Written materials should be submitted to Commission staff no later than three working days before the hearing. In the upper right hand corner of the first page of your submittal please identify the agenda item number & your name. Please summarize your position in two or three pages. You may attach any exhibits you feel are necessary. **Please Note:** You are discouraged from submitting written materials to the Commission on the day of the hearing, unless they are visual aids. It is difficult for Commissioners to carefully consider late submittals.

LOCATION of MEETINGS. The Commission meets once a month in different locations of the State in order to facilitate public participation. Staff attempts, whenever possible, to schedule matters for hearings that will be relatively close to the location of a proposed development. However, legal deadlines for action may require that the hearing on an item take place in a different area than the proposed project.

NO FAXs will be accepted at the meeting site. You may be able to make prior arrangements with staff or a Commissioner to send a fax, but you will be responsible for paying the hotel or meeting site for its receipt.

CAMPAIGN CONTRIBUTIONS. Government Code Section 84308 requires Commissioners to disqualify themselves from voting on any matter if they have received a campaign contribution of more than \$250 from an interested party. If you intend to speak on any hearing item, please indicate on your speaker slip and/or in your testimony, if you have made campaign contributions of more than \$250 to any Commissioner within the last year, and if so, to which Commissioners you contributed.

CONTACTS with COMMISSIONERS. Written materials sent to Commissioners must also be sent to staff. All non-procedural communications must become part of the record. For a summary of these requirements, please call the receptionist at (415) 904-5200.

PUBLIC STATEMENTS ABOUT ITEMS NOT ON THIS AGENDA. Before lunch each day there will be time for public statements about Commission work other than items that are pending before the Commission. Persons wishing to speak should fill out a sign-up slip, and limit presentations to 3 minutes. You may always submit written comments to the Commission office, and copies will be distributed to Commissioners.

WHEN WILL MY AGENDA ITEM BE HEARD? It is not possible to predict how quickly the Commission will complete agenda items or how many will be postponed to a later date. The Commission begins each session at the time listed on the Meeting Notice and considers each item in the sequence listed, except in extraordinary circumstances. The Commission may consider an item even though interested persons are not present.

STAFF RECOMMENDATIONS. A written staff report is available for most items on this agenda. At the end of the agenda description the author's initials and a code indicating his/her headquarters office are identified (E=Eureka SF=San Francisco SC=Santa Cruz V=Ventura LB=Long Beach SD=San Diego). Staff reports are usually distributed 10 days before the meeting. If you are interested in any item on this Meeting Notice contact the nearest Commission office to get a copy of the staff report. It may also be on the Commission's web site.

VISUAL PRESENTATIONS/MATERIALS. Powerpoint presentations must be accompanied by a USB flash drive, flash memory card, or compact disk. A slide projector & laptop will be available from our audio-visual technician, and they can assist you in its use. All materials exhibited to the Commission during the hearing (slides, maps, etc) are part of the public record and must be kept by the Commission for 60 days after final Commission action on the matter. Your materials will be returned upon written request.

PUBLIC & ADMINISTRATIVE RECORDS. Some public records for agenda items are available for inspection at the meeting, and are available in the Commission office. Please call to make an appointment to see any file you are interested in. If you need a verbatim transcript of the proceedings, a court reporter is present at the hearing. If you decide to challenge a final decision of the Commission in court, please request preparation of the administrative record by letter to the Administrative Records Section at the Commission office in San Francisco, and indicate in your letter a description of the agenda item and date(s) of Commission action. Such a record must include a transcript of the proceedings at the hearing and you must contact the court reporter to order the transcript for the record.

CLOSED SESSION. At any time during the meeting the Commission may meet to consider possible and pending litigation in a session closed to the public pursuant to the attorney-client privilege and statutory exemption to the Open Meeting Act (Government Code Section 11126e).

ACCESS TO HEARINGS. The hearings are wheelchair accessible. If accommodation for other disabilities is required, please call (415) 904-5200.

MORE INFORMATION. For more information about this agenda, contact one of the following staff members:

(Del Norte, Humboldt & Mendocino Counties) Bob Merrill (707) 445-7833;
(Sonoma, Marin, San Francisco & San Mateo Counties) Ruby Pap (415) 904-5260,
(Santa Cruz, Monterey & San Luis Obispo Counties) Dan Carl (831) 427-4863,
(Santa Barbara & Ventura Counties, Malibu & Santa Monica Mountains) Steve Hudson (805) 585-1800,
(Los Angeles & Orange Counties) Teresa Henry (562) 590-5071,
(San Diego County) Sherilyn Sarb (619) 767-2370,
(Energy) Alison Dettmer (415) 904-5240,
(Federal Consistency) Mark Delaplaine (415) 904-5280,
(Statewide) Vanessa Miller (415) 904-5200.

A Telecommunication Device for the Deaf (TDD) is available at (415) 904-5200.

The Coastal Commission is not equipped to receive comments on any official business by electronic mail. Any information relating to official business should be sent to the appropriate Commission office using U.S. Mail or courier service.