Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.

CITY OF OXNARD CALIFORNIA

AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY

Council Chambers, 305 West Third Street
November 7, 2019
Special Meeting - 6:00 PM

A. ROLL CALL, POSTING OF AGENDA
THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council

B. OPENING CEREMONIES (6:00 PM)
Pledge of allegiance to the flag of the United States.

C. PUBLIC HEARINGS

1. Community Development Department

SUBJECT: Planning and Zoning Permit No. 18-410-01 (Coastal Plan Amendment) for Fisherman's Wharf. Property located at the southwest corner of Channel Islands Boulevard and Victoria Avenue (APNs: 206-0-280-35 and 206-0-280-49). Filed by Designated Agent Tom Tellefsen, Channel Islands Harbor Properties LLC, 270 N. Canon Drive Penthouse, Beverly Hills, CA 90210, on behalf of the County of Ventura, the property owner (the "Applicant"). (60/90/30)

RECOMMENDATION: That the City Council:

1. Receive a report regarding the Coastal Plan Amendment for Fisherman's Wharf;
2. Open a public hearing;
3. Determine the Coastal Plan Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(4) (Project Rejected or Disapproved by a Public Agency) of Title 14 of the California Code of Regulations and Public Resource Code Section Section 21080.5 (local government exempt from the requirement of preparing an environmental analysis in connection with its Local Coastal Program); and
4. Adopt a resolution denying Planning and Zoning Permit No. 18-410-01 (Coastal Plan Amendment), subject to certain findings (Attachment A).

Legislative Body: City Council

Contact: Jeffrey Lambert, (805) 385-7882

D. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item time estimates: (Staff Presentation / Council Discussion / Public Comment)

CITY OF OXNARD CALIFORNIA

CITY COUNCIL AGENDA REPORT

PUBLIC HEARINGS
AGENDA ITEM NO. C.1.

DATE: November 7, 2019

TO: City Council

FROM: Jeffrey Lambert, Community Development Director, (805) 385-7882, jeffrey.lambert@oxnard.org

SUBJECT: Planning and Zoning Permit No. 18-410-01 (Coastal Plan Amendment) for Fisherman's Wharf. Property located at the southwest corner of Channel Islands Boulevard and Victoria Avenue (APNs: 206-0-280-35 and 206-0-280-49). Filed by Designated Agent Tom Tellefsen, Channel Islands Harbor Properties LLC, 270 N. Canon Drive Penthouse, Beverly Hills, CA 90210, on behalf of the County of Ventura, the property owner (the "Applicant"). (60/90/30)

RECOMMENDATION

That the City Council:
1. Receive a report regarding the Coastal Plan Amendment for Fisherman's Wharf;
2. Open a public hearing;
3. Determine the Coastal Plan Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(4) (Project Rejected or Disapproved by a Public Agency) of Title 14 of the California Code of Regulations and Public Resource Code Section Section 21080.5 (local government exempt from the requirement of preparing an environmental analysis in connection with its Local Coastal Program); and
4. Adopt a resolution denying Planning and Zoning Permit No. 18-410-01 (Coastal Plan Amendment), subject to certain findings (Attachment A).

BACKGROUND

The proposed Project amends the City's Local Coastal Program (LCP) for a project-specific LCP Amendment. If adopted by the City Council and subsequently certified by the Coastal Commission, the LCP Amendment would allow the development of a mixed use project at Fisherman's Wharf at Channel Islands Harbor that would include 400 market rate residential rental units; 36,000 square feet of commercial, retail development; 1,100 linear feet of waterfront walkways; relocation of the Urchin Dock; and improvements to an existing park located at the southwest corner of Channel Islands Boulevard and Victoria Avenue (APNs: 206-0-280-35 and 206-0-280-49) (Attachment B).

On June 14, 2016, the County Board of Supervisors (BOS) approved the Seventh Amendment to the County's Public Works Plan (PWP) to allow the establishment of policies that would permit a mixed use project at the Fisherman's Wharf area of the Channel Islands Harbor, combining residential and retail/commercial uses, as well as increasing the permitted height from 25 feet to 55 feet. The Seventh Amendment as approved by the BOS is inconsistent with the City of Oxnard (City) Local Coastal Program (LCP). On August 17, 2016, and without filing for an Amendment to the City's LCP, the County of Ventura (County) sought California Coastal Commission (Coastal Commission) approval for its Public Works Plan Seventh Amendment. Pursuant to a letter dated August 24, 2016, Coastal Commission staff found the County's PWP Amendment incomplete for a range of reasons, including that the County had not filed for an LCP Amendment with the City. The County made subsequent submittals to the Coastal Commission regarding the County's PWP amendment, with Coastal Commission staff sending multiple incomplete letters to the County indicating that the County's PWP Amendment application was incomplete for a range of reasons, including that the County had not filed for an LCP

Amendment with the City.

On March 28, 2017, the County filed for a dispute resolution with the Coastal Commission seeking to overturn the determination by the Executive Director of the Coastal Commission that the County application for the PWP Amendment was incomplete. Specifically, the County stated: "The County respectfully requests that the Commission deem its PWP Amendment application complete and direct staff to process the application hearing". On October 12, 2017, the California Coastal Commission held a hearing to consider the County's dispute resolution request and the Coastal Commission denied the County's request to bypass the City of Oxnard.

On January 25, 2018, the County – on behalf of developer Channel Islands Harbor Properties LLC-- filed a Coastal Plan Amendment application to the City for a project specific LCP amendment. An incomplete letter dated February 13, 2018 was sent by the City to the Developer and the County indicating that the application for the LCP amendment was incomplete based upon a variety of reasons. After the Applicant received the incomplete letter, subsequent communications between the City and the County (acting on behalf of the Developer) further clarified the scope of documentation that was needed for the application to be deemed complete. On February 25, 2019, the County – acting on behalf of the Developer – submitted additional information to the City. Pursuant to a letter dated March 21, 2019, the City deemed the application for the LCP Amendment to be complete, while requesting specific additional information in order to facilitate the processing of the application. Pursuant to a letter dated April 12, 2019, the County – acting on behalf of the Developer – provided responses to the requests for additional information.

A Community Workshop for the Project was conducted on April 22, 2019. Approximately 237 members of the public attended the meeting to learn about the project, most of whom were nearby residents of the Project site. Some of the concerns the Applicant responded to regarding the Fisherman's Wharf Replacement project were related to traffic; parking deficiencies; Urban Village designation not being consistent with the City's LCP and Coastal Act; loss of public views and a reduction in the size of the existing park.

On August 22, 2019, the Planning Commission held a public hearing on the Project (Attachment C). Mark Sandoval, Channel Island Harbor Director presented on behalf of the County and Developer. A total of 61 individuals provided public comment with 43 speaking against the Project and 18 speaking in favor of the Project. Additionally, staff forwarded nearly 900 public comments addressing the Project to the Planning Commission prior to the public hearing. At the end of the public hearing, the Planning Commission voted 5-1, with one commissioner absent, to recommend that the City Council deny a request to amend the City of Oxnard's certified LCP (Attachment D).

A City Council public hearing for the project was scheduled for October 7, 2019, but on September 26, 2019, the County's Harbor Department requested the item be postponed to allow time for the applicant team to complete third party studies and generate additional information to enhance the City's review and consideration of the LCP Amendment. On September 26, City staff posted a notice of cancellation which took the project off calendar and announced the item would be rescheduled for a later date. Shortly thereafter, the applicant informed the City that no additional items would be provided and requested the project be rescheduled for the City Council's review. However, on October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services that did not use the City's parking standards in its analysis, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses (Attachment E).The item was rescheduled for a City Council Special Meeting on November 7, 2019.

ANALYSIS

Proposed Project

The proposed Project amends the City's LCP for a project specific LCP Amendment that is seeking the following modifications to the LCP:

1. Amend the City's Land Use Plan (LUP) to incorporate a newly created land use designation of "Urban Village".

2. Based on the newly created Urban Village land use designation, LUP Policy 23 is proposed to be amended to allow for a residential land use component at a density of 40 units per acre.
3. Additionally, LUP Policy 35 would be amended to allow for the maximum height allowed to not exceed two stories or 25 feet in height, whichever is greater; and, at the corner of Victoria and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet in height with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances.

If adopted and subsequently certified by the Coastal Commission, the LCP Amendment would allow the development of a mixed use project at Fisherman's Wharf at Channel Islands Harbor (referenced as the Fisherman's Wharf Replacement Project) that would include 400 market rate residential rental units; 36,000 square feet of commercial, retail development; 1,100 linear feet of waterfront walkways; relocation of the Urchin Dock; improve an existing park on an 11-acre site. The 11-acre site is currently improved with retail uses; an existing restaurant; two vacant restaurants; a theatre/museum; Urchin Dock; a park; and associated off-street parking. The existing improvements on the Project site are consistent with the Visitor-serving Commercial land use designation associated with the Channel Islands Harbor as identified in the City's certified LCP.

LCP Amendment Analysis

The request before the City is to amend the certified Local Coastal Plan. Therefore, the framework for the City's analysis is whether or not this LCP Amendment request is otherwise consistent with the balance of the LCP policies. The following analysis will show that given the narrow LCP Amendment being requested, there remain areas of inconsistency with the LCP that warrant a denial to this request. The request is a project specific LCP Amendment; what this means is the proposed LCP Amendment is designed to accommodate a known development project. Although the project itself is not the subject of this request, the results of an approval of this LCP Amendment would be to allow this project to move forward to permits and construction without any further action by the City. The project is inconsistent with a number of policies contained within the Coastal Land Use Plan, as follows: The proposed LCP Amendment is found to be inconsistent with Policies Nos. 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74 contained within the City's certified Coastal LUP based upon the reasons outlined below:

A. The Project is inconsistent with LUP Policy 16.

Policy 16: "As existing commercially development harbor parcels recycle in terms of structures or uses, priority shall be given to commercial fishing support and recreational boating support facilities and services. As existing commercially development Commercial Visitor-serving parcels recycle or are redeveloped priority shall be given to Commercial Visitor-serving uses. Development in the harbor shall be limited so that no more than 30 percent of the harbor's land area is Visitor-serving commercial uses not directly related to boating."

The proposed Project conflicts with Policy 16 because the Project does not place a priority to existing recreational boating support facilities and Commercial Visitor-serving uses. The LCP Amendment would allow for a residential component that would require parking facilities, apartment amenities largely exclusive to tenants, and approximately 9,000 square feet of restaurant space to be built at grade which would cover approximately 6 acres (273,023 square feet) of the 11-acre (479,160 square feet) project site. Based on the Fisherman's Wharf Replacement project description and information provided to the City for the LCP Amendment, there are no policies or improvements that facilitate priority given to recreational boating support facilities and services at the project site.

The Project requires the relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the new Urchin Dock size compared to the existing location would diminish boating support facilities and services which conflicts with Policy 16.

If the LCP Amendment was to be approved, the majority of the existing structures would be removed within the proposed apartment/parking footprint in favor of 9,000 square feet of space exclusive to restaurant uses. The Project site currently includes a park and waterfront walkways. The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identified improvements to existing buildings, park and waterfront walkways. However, without a base figure study to compare the existing conditions to proposed improvements, staff is unable to make a conclusion if the proposed LCP Amendment will be consistent with Policy 16, which requires that priority be placed to existing recreational boating support facilities and Commercial Visitor-serving uses.

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at an existing parking lot currently serving Fisherman's Wharf, inclusive of recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which would require additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. The chart below compares the City's parking requirement to the County's parking requirements for this project:

County and City Off-Street Parking Comparison

Land Use	**Size**	**Parking Provided Per County Code**	**City Off-Street Parking Required**
Residential			
1-Bed	135 Units	189	135
2-Bed	225 Units	383	450
3-Bed	30 Units	69	60
Visitor	390 Units	98	210
Retail Sq. Ft. (Square Feet)	13,105 Sq. Ft.	52	44
Office	3,338 Sq. Ft.	11	13
Restaurant	9,179 Sq. Ft.	63	98
	6,000 Sq. Ft.	41	80
	2,210 Sq. Ft.	25	29
	2,340 Sq. Ft.	26	31
Park	1-acre	5	Determined through a Parking Study
Total		**963***	**1,150**

*Oxnard City Code SEC. 16-622. Schedule of vehicle off-street parking Requirements:
(E) (1) An applicant may propose to provide tandem parking spaces for a proposed use, but tandem parking spaces, whether or not in garages, and whether for residents, visitors or customers of the proposed use, shall not be counted toward satisfaction of the parking requirement for the proposed use.
(2) The amount, configuration, design and location of proposed tandem parking shall be subject to the approval of the director.

According to the Applicant, the project is designed to provide 131 surface parking spaces and 865 garage parking spaces. However, the Applicant has indicated that the parking has been designed based on the County of Ventura's parking code requirements. Additionally, the Applicant has indicated that garage parking has been designed to incorporate tandem

parking which the Oxnard City Code does not allow to be counted towards the required parking and parking stalls have been designed to meet County Code parking stall design standards and not the Oxnard City Code design specifications. The Oxnard City Code requires that the apartment complex provide 865 parking spaces designed to conform to the Oxnard City Code's parking stall specifications. The Applicant has stated that the commercial/retail distribution of the buildings has not been determined. As such, City staff is unable to determine the required parking for the commercial/retail portion of the project. Based on the square footage distribution of the commercial/retail buildings provided by the Applicant, 238 parking spaces would be required if the commercial/retail buildings were exclusively leased to restaurant uses and 88 parking spaces would be required if the commercial/retail buildings were exclusively leased to retail uses. Based on the amount of parking provided by the Applicant, the use of tandem parking and parking stall design, and uncertainty of commercial/restaurant square footage distribution to calculate the commercial/retail portion of the project, staff is unable to determine the project's off-street parking requirement.

The Applicant has indicated that pursuant to Oxnard City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use. The Applicant, however, has not filed the required application to obtain administrative relief from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services, but still did not file the application for administrative relief from the City's parking standards. The Parking Study does not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements and it did not address the off-street parking availability for existing boating recreational uses. The Parking Study also used Ventura County standards for parking instead of Oxnard parking standards. Based upon the deficiencies in the Parking Study, staff is unable to determine if the proposed parking configuration and amount will be sufficient and adequate to serve the recreational boating support facilities and services and Commercial Visitor-serving uses. Therefore, the Project is inconsistent with Policy 16.

B. The Project is inconsistent with LUP Policy 18.

Policy 18: "Existing facilities serving commercial fishing, sport fishing and recreational boating shall be maintained and expanded where appropriate."

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires to relocate the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services which conflicts with Policy 16.

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public, is proposed at an existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project.

Similar to the description above, the Applicant has indicated that pursuant to Oxnard City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use. The Applicant, however, has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the

State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services which does not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements and it did not address the off-street parking availability for existing boating recreational uses. The Parking Study also improperly used the County's parking standards instead of the City's parking standards. As such, staff is unable to determine if the proposed parking configuration and amount will be sufficient and adequate to serve the recreational boating support facilities and services and Commercial Visitor-serving uses. Therefore, the Project is inconsistent with Policy 18.

C. The Project is inconsistent with LUP Policy 21.

Policy 21: "Maximum access, which shall be conspicuously supported and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners and natural resources areas from overuse."

The general public has direct access to existing waterfront walkways, park, Urchin Dock, and Harbor through an existing parking lot located within the Project site. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public, is proposed at the existing parking lot. By designing the apartment complex and parking on over six acres of the Project site, maximum access to existing recreational opportunities is constrained. Additionally, the required off-street parking was based on the County's parking requirements, which is deficient compared to the City's parking requirements, thus causing a shortage of parking availability that further constrains access to the existing and proposed recreational opportunities. Again, the Applicant has not submitted an application for administrative relief from the City's parking provisions pursuant to Oxnard City Code Section 16-651 in order to obtain relief from the City's parking requirement. The Parking Study submitted by the Applicant on October 17, 2019 does not City's requirements for a parking study, including using the parking standards for the County -- not the City -- in its analysis.

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways and a new park. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm is maximum access to recreational opportunities offered by the Project are consistent with Policy 21.

An existing park is located near the existing parking lot which currently allows for maximum access to the park itself. Staff has calculated the park to be in a size range between 1.33 to 1.56 acres. The Project identifies a new one-acre park with amenities that are not currently offered at the existing park. However, the size of the park seems to have been reduced by a third to as much as half an acre in size. By reducing the size of the park and reducing off-street parking availability, the proposed LCP Amendment will be inconsistent with Policy 21.

D. The Project is inconsistent with LUP Policy 26.

Policy 26: "To ensure that lower cost recreational and visitor-serving harbor facilities are available to all income groups, picnic tables, public restrooms, pedestrian and bicycle access ways, pedestrian furniture, bicycle storage racks, small boat sailing, renting and berthing areas shall be provided. In addition, the harbor public park areas, which provide a lower cost recreational activity, shall be preserved for general public recreational use."

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex is proposed at the existing parking lot currently serving Fisherman's Wharf. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors.

Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's which provides fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park which is not consistent with Policy 26.

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires to relocate the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location conflicts with Policy 26.

E. The Project is inconsistent with LUP Policy 27.

Policy 27: "Commercial fishing, sport fishing, and recreational boating facilities and areas shall be designed and situated so as not to interfere with each other or existing residential uses. Adequate parking ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats shall be protected and provided in any new marina development. Parking required to serve recreational boating, sport fishing, or commercial fishing shall not be eliminated or reduced by new development."

The Applicant has not submitted a parking study that demonstrates that the Project is consistent with the required ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats which shall be protected and provided in any new marina development. Based on the lack of information, staff is unable to determine if the Project is consistent with Policy 27.

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public, is proposed at an existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project.

Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. In addition, until October 17, 2019, the Applicant had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study was deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. As such, staff is unable to determine if the proposed parking configuration and amount will be sufficient and adequate to serve the recreational boating support facilities and services and Commercial Visitor-serving uses. Consequently, , the Project would be in conflict with Policy 27 because it would eliminate or reduce parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed.

F. The Project is inconsistent with LUP Policy 28.

Policy 28: "Monitoring of existing and proposed harbor land and water uses must be continued between the County and City to ensure that no significant adverse accumulative impacts on adjacent coastal neighborhoods, resources or access occur."

Based on the lack of studies submitted by the Applicant, staff is unable to determine that the Project will not have a significant adverse accumulative impact on adjacent coastal neighborhoods, resources or access. The Project requires to relocate the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the new Urchin Dock size compared to the existing location would diminish boating support facilities and services. As such, this would be in conflict with Policy 28.

The Project has been designed to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study was deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. As such, the Project would be in conflict with Policy 27 because it would eliminate or reduced parking required to serve existing resources. Therefore, by eliminating and reducing parking for the Project, the Project is also not consistent with Policy 28.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex is proposed at the existing parking lot currently serving Fisherman's Wharf. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's which provides fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park which is not consistent with Policy 28.

G. The Project is inconsistent with LUP Policy 30.

Policy 30: "Provide adequate public parking facilities in all new or modified harbor developments consistent with the City Land Use Plan and Zoning Ordinance."

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public, is proposed at an existing parking lot currently serving Fisherman's Wharf inclusive recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. The Applicant has indicated that pursuant to Oxnard City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. As stated above, until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns

raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Additionally, the Parking Study did not demonstrate that the Project is consistent with Policy 27, which requires a ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats which shall be protected and provided in any new marina development. Based on the lack of information, staff is unable to determine if the Project is consistent with Policy 27. Therefore, by eliminating and reducing parking for the Project, the Project is also not consistent with Policy 30.

Based on the aforementioned, staff is unable to determine if the Project is consistent with Policy 30.

H. The Project is inconsistent with LUP Policy 31.

Policy 31: "Provide harbor shoreline pedestrian access by incorporating shoreline pedestrian walkways into all new shoreline development, including the expansion of existing uses. Where existing buildings are found to interfere with lateral shoreline access, walkways shall be located as adjacent to the water as possible. All walkways are to be linked with adjacent walkways to ensure uninterrupted pedestrian movement."

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways that according to the Applicant are between 15 to 20 feet wide along the frontage of the residential portion of the project and wider along the commercial portion of the project. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm if the Project has incorporated and expanded shoreline pedestrian walkways and ensure uninterrupted pedestrian movement. Additionally, due to a lack of project information, staff is unable to determine if the proposed walkways would provide adequate and functional public spaces where the general public will feel invited and comfortable. As such, the Project is not consistent with Policy 31.

I. The Project is inconsistent with LUP Policy 32.

Policy 32: "Provide a harbor bikeway system that incorporates access as part of the street system and, where feasible, along the shoreline."

The Project site is currently improved with partial bike lanes on Channel Islands Boulevard and Victoria Avenue. Based on the City's Bicycle and Pedestrian Facilities Master Plan, the Project is required to dedicate 5 to 8 feet to the City to continue the partial bike lanes consistent with the California Coastal trail. The Applicant has not submitted plans to the City which demonstrate that the Project is consistent with the City's Bicycle and Pedestrian Facilities Master Plan. As such, staff is unable to determine if the Project is consistent with Policy 32.

J. The Project is inconsistent with LUP Policy 33.

Policy 33: "Minimize conflicts between pedestrians, bicyclists and autos by separating pedestrian and bicycle lanes and providing bike paths in conjunction with the street system."

As indicated in the narrative included in Policy 32 above, the Applicant has not submitted plans that indicate that the Project is designed to meet the requirements identified within the City's Bicycle and Pedestrian Facilities Master Plan. As such, staff is unable to determine if the Project is consistent with Policy 33.

K. The Project is inconsistent with LUP Policy 73.

Policy 73: "Adequate public parking shall be provided in all new development with dedicated public access areas, and shall be in addition to the parking required for the new development, unless adequate facilities are provided nearby. All facilities shall be located and designed to avoid impacts surrounding residential uses."

Similar to the discussion above, the Project has been designed to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses.. Consequently, the Project would be in conflict with Policy 27 because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed, and by eliminating and reducing parking for the Project, the Project is not consistent with Policy 73.

L. The Project is inconsistent with LUP Policy 74.

Policy 74: "Bicycle routes shall be required in new developments wherever appropriate."

The Project site is currently improved with partial bike lanes on Channel Islands Boulevard and Victoria Avenue. Based on the City's Bicycle and Pedestrian Facilities Master Plan, the Project is required to dedicate 5 to 8 feet to the City to continue the partial bike lanes consistent with the California Coastal trail. The Applicant has not submitted plans to the City which demonstrate that the Project is consistent with the City's Bicycle and Pedestrian Facilities Master Plan. As such, staff is unable to determine if the Project is consistent with Policy 74.

M. The Project does not maintain or enhance the coastal resources as identified and protected in the originally certified Coastal Land Use Program.

This Project has not demonstrated that the proposed LCP Amendment would maintain or enhance the coastal resources as identified and protected in the originally certified Coastal Land Use Plan. As outlined in finding No. 1, the proposed LCP Amendment is found to be inconsistent with Policies Nos. 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74 contained within the City's certified Coastal LUP.

The LCP Amendment proposes to amend the City's LCP to incorporate a newly created land use designation of "Urban Village". Based on the newly created Urban Village land use designation, LUP Policy 23 is proposed to be amended to allow for a residential land use component at a density of 40 units per acre. Additionally, LUP Policy 35 would be amended to allow for the maximum height allowed to not exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet in height with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the majority of the footprint of the apartment complex in an existing parking lot currently serving Fisherman's Wharf, the recreational boating facilities and services, and park and Harbor visitors. As stated through out this report, the Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements, which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking

requirement is excessive for the project. On October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements and not the City's parking requirements. As designed, the Project is constraining parking opportunities and direct access to the park.

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm if the Project has incorporated and expanded shoreline pedestrian walkways and ensures uninterrupted pedestrian movement.

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips; the uncertainty of the size of the new Urchin Dock compared to the existing location; and all of the information contained above contribute to the Project not maintaining or enhancing the coastal resources as identified and protected in the originally certified coastal land use plan.

Based on the information provided above, this Project does not meet this finding.

N. The Project has not demonstrated that it would have adequate parking; improvement and/or enhancement of existing infrastructure which includes waterfront walkways and parks; and expansion or enhancement of recreational boating facilities and services.

The proposed LCP Amendment is designed to accommodate a residential land use component at a density of 40 units per acre. Additionally, LUP Policy 35 would be amended to allow for the maximum height allowed to not exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet in height with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances. However, based on the information provided to staff, the Project is found to be inconsistent with Policies Nos. 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74 contained within the City's certified Coastal LUP.

Based on the lack of studies that would demonstrate adequate parking; improvement and/or enhancement of existing infrastructure which includes waterfront walkways and parks; and expansion or enhancement of recreational boating facilities and services, staff is unable to determine if the Project meets this finding.

Additionally, the Project has not included plans that would demonstrate that the Project complies with the City's Bicycle and Pedestrian Facilities Master Plan, which requires the Project to dedicate 5 to 8 feet to the City to continue the existing partial bike lanes along Channel Islands Boulevard and Victoria Avenue consistent with the California Coastal Trail.

As stated throughout this report, the Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73

Based on the information provided above, this Project does not meet this finding.

O. The Project has failed to demonstrate that it would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed LCP Amendment would compromise public access and coastal resources that would be detrimental to the public interest, health, convenience or welfare. The Project requires relocation of the existing Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's parking requirements, thus resulting in fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the footprint of an apartment complex at an existing parking lot that currently serves Fisherman's Wharf, recreational boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements, which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that

should be required for the use; however, theApplicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73.

Information provided to the City pertaining to the LCP Amendment identifies the development of 1,100 linear feet of waterfront walkways in the Fisherman's Wharf Replacement project. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm if maximum access to recreational opportunities is offered by the Project.

As such, based on the aforementioned information, this Project does not meet this finding.

P. The Project has failed to demonstrate that it would maintain or enhance the provisions for public access within the Coastal Zone.

The proposed LCP Amendment would amend the LUP Policy Nos. 23 and 35 to accommodate 36,000 square feet of commercial, retail development and a maximum of 400 market rate residential rental units. As designed and based on the information provided to the City, the Project presents challenges that do not maintain or enhance the provisions for public access within the Coastal Zone.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's parking requirements, thus resulting in fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park.

The proposed LCP Amendment would compromise public access and coastal resources that would be detrimental to the public interest, health, convenience or welfare. The Project requires the relocation of the existing Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the footprint of an apartment complex at an existing parking lot currently serving Fisherman's Wharf, boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code

Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019 the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73.

Based on the information provided above, this Project does not meet this finding.

COMMUNICATIONS RECEIVED

Staff has received an extensive amount of public communications related to this project. Communications and related materials received since the Planning Commission's public hearing on August 22, 2019, are available via hyperlinks embedded in Attachment F.

ENVIRONMENTAL IMPACT

The recommended denial of Planning and Zoning Permit No. 18-410-01 (Coastal Plan Amendment) is exempt from the California Environmental Quality Act (CEQA) pursuant to:

1. Section 15061(b)(4) (Project Rejected or Disapproved by a Public Agency) of Title 14 of the California Code of Regulations.
2. Public Resources Code Section 21080.5, which exempts local government from the requirement of preparing an environmental analysis in connection with its Local Coastal Program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process.

STRATEGIC PRIORITIES

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals and objectives:

Goal 5. Ensure orderly development and long-range conservation and management of our natural resources and coastal assets.

Objective 5b. Protect ocean and waterways.

FINANCIAL IMPACT

There are no financial impacts associated with the subject Coastal Plan Amendment.

COMMITTEE OUTCOME

This is a Public Hearing and was heard by the Planning Commission, therefore this item did not originate in Committee. The Planning Commission voted 5-1-1 (Commissioner Fuhring absent).

Prepared by: Isidro Figueroa, Principal Planner

ATTACHMENTS

1. Attachment A: City Council Resolution, Coastal Plan Amendment (PZ No. 18-410-01)
2. Attachment B: Maps (Vicinity, Aerial, General Plan, and Zoning)
3. Attachment C: Planning Commission Staff Report Packet 08-22-2019
4. Attachment D: Planning Commission Resolution 08-22-2019
5. Attachment E: Parking Study for the Fisherman's Wharf Mixed-Use Project, Prepared by Stantec (10/17/19)
6. Attachment F: Links- Correspondence Co. of Ventura Presentation Harbor Beach Cmty Alliance docs
7. Local Coastal Plan Amendment PZ. 18-410-01 PPT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD DENYING PLANNING AND ZONING PERMIT NO. 18-410-01, AN APPLICATION FOR A LOCAL COASTAL PLAN AMENDMENT THAT – IF APPROVED BY THE CITY COUNCIL AND SUBSEQUENTLY APPROVED BY THE CALIFORNIA COASTAL COMMISSION ALONG WITH A RELATED PUBLIC WORKS PLAN AMENDMENT PROPOSED BY THE COUNTY OF VENTURA – WOULD ALLOW THE DEVELOPMENT OF A SPECIFIC MIXED USE PROJECT AT FISHERMAN'S WHARF IN THE CHANNEL ISLANDS HARBOR THAT WOULD INCLUDE 400 MARKET RATE RESIDENTIAL RENTAL UNITS AND 36,000 SQUARE FEET OF COMMERCIAL/RETAIL DEVELOPMENT, ON AN 11-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF CHANNEL ISLANDS BOULEVARD AND VICTORIA AVENUE (FISHERMAN'S WHARF REPLACEMENT PROJECT). FILED BY DESIGNATED AGENT TOM TELLEFSEN, CHANNEL ISLANDS HARBOR PROPERTIES LLC, 270 N. CANON DRIVE PENTHOUSE, BEVERLY HILLS, CA 90210, ON BEHALF OF THE PROPERTY OWNER (THE "APPLICANT").

Whereas, in 1986, the California Coastal Commission certified a Public Works Plan for the Channel Islands Harbor; and

Whereas the Public Works Plan, as originally approved by the California Coastal Commission and as currently constituted, does not allow residential uses in the Fisherman's Wharf area of the Channel Islands Harbor; and

Whereas, in 1986, the California Coastal Commission certified a Local Coastal Plan for the City of Oxnard's Coastal Zone (the LCP) which includes the Channel Islands Harbor; and

Whereas, the LCP, as originally approved by the California Coastal Commission and as currently constituted, does not allow residential uses in the Fisherman's Wharf area of the Channel Islands Harbor; and

Whereas, on October 11, 2011, the City Council approved the 2030 General Plan for the City of Oxnard; and

Whereas, pursuant to the 2030 General Plan, there is an Urban Village mixed use overlay zone in six specific areas of the City of Oxnard, including Fisherman's Wharf; however, as specified by the 2030 General Plan, the Urban Village overlay zone does not become effective in any of these six areas unless and until a Specific Plan has been approved for that specific area; and

Whereas, as of the date of this Resolution, the Urban Village overlay zone is not effective in any area of the City of Oxnard, including Fisherman's Wharf, because a Specific Plan has not been approved for any of the Urban Village overlay zone areas referenced in the 2030 General Plan; and

Whereas, on or about June 14, 2016, the Board of Supervisors approved the Seventh Amendment to the Public Works Plan for Fisherman's Wharf to allow the establishment of policies that would permit a mixed use project at the Fisherman's Wharf area of the Channel Islands Harbor, combining residential and retail/commercial uses, as well as increasing the permitted height from 25 feet to 55 feet; and

Whereas, on August 17, 2016 and without filing for an Amendment to the LCP, the County sought Coastal Commission approval for Public Works Plan Amendment No. 7; and

Whereas, pursuant to a letter dated August 24, 2016, Coastal Commission staff found the County's Public Works Plan Amendment incomplete for a range of reasons, including that the County had not filed for an LCP Amendment with the City; and

Whereas, although the County made subsequent submittals to the California Coastal Commission regarding the Public Works Plan amendment, Coastal Commission staff sent multiple incomplete letters to the County indicating that the Public Works Plan Amendment application was incomplete for a range of reasons, including that the County had not filed for an LCP Amendment; and

Whereas, on March 28, 2017, the County filed for a dispute resolution with the California Coastal Commission seeking to overturn the determination by the Executive Director of the California Coastal Commission that the application for the Public Works Plan amendment was incomplete; and

Whereas, on October 12, 2017, the California Coastal Commission held a hearing to consider the County's dispute resolution request; and

Whereas, on October 12, 2017, the California Coastal Commission denied the County's dispute resolution request; and

Whereas, on January 25, 2018, the County – on behalf of developer Channel Islands Harbor Properties LLC-- filed an application for a project specific LCP Amendment that sought the specific modifications to the LCP described below; and

Whereas, as proposed, the project-specific amendments would amend the City's LCP to incorporate a proposed use designation of "Urban Village"; amend LUP Policy 23 to allow for a residential land use component at a density of 40 units per acre; amend LUP Policy 35 to allow for a maximum height not to exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances, all of which would allow the development of a mixed use project at Fisherman's Wharf with up to 400 market rate residential rental units and 36,000 square feet of commercial, retail development at an 11-acre site (collectively hereafter the "LCP Amendment" or the "Project"); and

Whereas, the application submitted for the LCP Amendment included a letter from an attorney for Channel Islands Harbor Properties LLC dated January 23, 2018, indicating that the City could not impose the Specific Plan requirement as part of the LCP Amendment process because the 2030 General Plan that included the Urban Village overlay zone had not been certified by the California Coastal Commission; and

Whereas, on February 13, 2018, the City sent a letter to the Developer and the County indicating that the application for the LCP Amendment was incomplete based upon six separate and distinct reasons; and

Whereas, subsequent communications between the City and the County, which was acting on behalf of the Developer, further clarified the scope of documentation that was needed for the application to be deemed complete; and

Whereas on February 25, 2019, the County – acting on behalf of the Developer – submitted additional information to the City; and

Whereas, pursuant to a letter dated March 21, 2019, the City deemed the application for the LCP Amendment to be complete, while requesting specific additional information in order to facilitate the processing of the application; and

Whereas, pursuant to a letter dated April 12, 2019, the County – acting on behalf of the Developer – provided responses to the requests for additional information; and

Whereas, on April 22, 2019, the City held a Community Workshop at the Performing Arts Center to obtain community input regarding the Project; and

Whereas, at the Community Workshop, the City heard testimony from interested parties regarding the Project; and

Whereas, on August 22, 2019, the Planning Commission held a duly noticed public hearing regarding the Project and voted 5-1, with one commissioner absent, to recommend that the City Council deny a request to amend the City of Oxnard's certified LCP; and

Whereas, a City Council public hearing for the project was scheduled for October 7, 2019, but on September 26, 2019, the County's Harbor Department requested the item be postponed to allow time for the applicant team to complete third party studies and generate additional information to enhance the City's review and consideration of the LCP Amendment. On September 26, City staff posted a notice of cancellation which took the project off calendar and announced the item would be rescheduled for a later date. Shortly thereafter, the applicant informed the City that no additional items would be provided and requested the project be rescheduled for the City Council's review. However, on October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services that did not use the City's parking standards in its analysis, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the

off-street parking availability for existing boating recreational uses. The item was rescheduled for a City Council Special Meeting on November 7, 2019; and

Whereas on November 7, 2019, the City Council held a duly noticed public hearing and received public testimony to consider the Project; and

Whereas, at said City Council hearing, the City Council considered all of the evidence in the record, including the testimony provided by those who wished to speak at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OXNARD AS FOLLOWS:

Section 1. The City Council hereby incorporates the above recitals into the operative provisions of this Resolution by this reference.

Section 2. Based on the entire record before the City Council and all written and oral evidence presented, including the City Council Staff Report and all attachments thereto, the City Council hereby makes the following findings:

A. The Project is inconsistent with LUP Policy 16.

Policy 16: "As existing commercially development harbor parcels recycle in terms of structures or uses, priority shall be given to commercial fishing support and recreational boating support facilities and services. As existing commercially development Commercial Visitor-serving parcels recycle or are redeveloped priority shall be given to Commercial Visitor-serving uses. Development in the harbor shall be limited so that no more than 30 percent of the harbor's land area is Visitor-serving commercial uses not directly related to boating."

The proposed Project conflicts with Policy 16 because the Project does not place a priority to existing recreational boating support facilities and Commercial Visitor-serving uses. The LCP Amendment would allow for a residential component that would require parking facilities, apartment amenities exclusive to tenants, and approximately 9,000 square feet of restaurant space to be built at grade which would cover approximately 6 acres (273,023 square feet) of the 11-acre (479,160 square feet) project site. Based on the Fisherman's Wharf Replacement project description and information provided to the City for the LCP Amendment, there are no policies or improvements that facilitate priority being given to recreational boating support facilities and services at the project site.

The Project requires the relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the new Urchin Dock size compared to the existing location would diminish boating support facilities and services which conflicts with Policy 16.

If the LCP Amendment was to be approved, the majority of the structures would be removed within the proposed apartment/parking footprint in favor of 9,000 square feet of space exclusive to restaurant uses. The Project site currently includes a park and waterfront walkways. The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identified improvements to existing buildings, park and waterfront walkways. However, without a base figure study to compare the existing conditions to proposed improvements, City Council is unable to make a conclusion if the proposed LCP Amendment will be consistent with Policy 16, which requires that priority be given to existing recreational boating support facilities and Commercial Visitor-serving uses.

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at an existing parking lot currently serving Fisherman's Wharf, inclusive of recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which most likely would require additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. According to the Applicant, the project is designed to provide 131 surface parking spaces and 865 garage parking spaces. However, the Applicant has indicated that the parking has been designed based on the County of Ventura's parking code requirements. Additionally, the Applicant has indicated that garage parking has been designed to incorporate tandem parking which the Oxnard City Code does not allow to be counted towards the required parking and parking stalls have been designed to meet County Code parking stall design standards and not the Oxnard City Code design specifications. The Oxnard City Code requires that the apartment complex provide 865 parking spaces designed to conform to the Oxnard City Code's parking stall specifications. The Applicant has stated that the commercial/retail distribution of the buildings has not been determined. As such, the City Council is unable to determine the required parking for the commercial/retail portion of the project. Based on the square footage distribution of the commercial/retail buildings provided by the Applicant, 238 parking spaces would be required if the commercial/retail buildings were exclusively leased to restaurant uses and 88 parking spaces would be required if the commercial/retail buildings were exclusively leased to retail uses. Based on the amount of parking provided by the Applicant, the use of tandem parking and parking stall design, and uncertainty of commercial/restaurant square footage distribution to calculate the commercial/retail portion of the project, the City Council is unable to determine the project's off-street parking requirement.

The Applicant has indicated that pursuant to Oxnard City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use. The Applicant, however, has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services, but still did not file the application for administrative relief from the City's parking standards. The Parking

Study does not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements and it did not address the off-street parking availability for existing boating recreational uses. The Parking Study also used Ventura County standards for parking instead of Oxnard parking standards. Based upon the deficiencies in the parking study, the City Council is unable to determine if the proposed parking configuration and amount will be sufficient and adequate to serve the recreational boating support facilities and services and Commercial Visitor-serving uses. Therefore, the Project is inconsistent with Policy 16.

B. The Project is inconsistent with LUP Policy 18.

Policy 18: "Existing facilities serving commercial fishing, sport fishing and recreational boating shall be maintained and expanded where appropriate."

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services which conflicts with Policy 18.

The Applicant has indicated that pursuant to Oxnard City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use. The Applicant, however, has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services which does not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements and it did not address the off-street parking availability for existing boating recreational uses. The Parking Study also improperly used the County's parking standards instead of the City's parking standards. As such, City Council is unable to determine if the proposed parking configuration and amount will be sufficient and adequate to serve the recreational boating support facilities and services and Commercial Visitor-serving uses. Therefore, the Project is inconsistent with Policy 18.

C. The Project is inconsistent with LUP Policy 21.

Policy 21: "Maximum access, which shall be conspicuously supported and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners and natural resources areas from overuse."

The general public has direct access to existing waterfront walkways, park, Urchin Dock, and Harbor through an existing parking lot located within the Project site. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at the existing parking lot. By designing the apartment complex and parking on over six acres of the Project site, maximum access to existing recreational opportunities is constrained. Additionally, the required off-street parking was based on the County's parking requirements, which is deficient compared to the City's parking requirements, thus causing a shortage of parking availability that further constrains access to the existing and proposed recreational opportunities. The Applicant has not submitted an application for administrative relief from the City's parking provisions pursuant to Oxnard City Code Section 16-651 in order to obtain relief from the City's parking requirement. The Parking Study submitted by the Applicant on October 17, 2019 does not meet the City's requirements for a parking study, including using the parking standards for the County -- not the City -- in its analysis.

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways and a new park. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure to compare the existing waterfront walkways to the proposed waterfront walkway improvements, City Council is unable to confirm if the access to recreational opportunities offered by the Project are consistent with Policy 21.

An existing park is located near the existing parking lot which currently allows for maximum access to the park itself. Staff has calculated the park to be in a size range between 1.33 to 1.56 acres. The Project identifies a new one-acre park with amenities that are not currently offered at the existing park. However, the size of the park seems to have been reduced by a third to half an acre in size. By reducing the size of the park and reducing off-street parking availability, the proposed LCP Amendment will be inconsistent with Policy 21.

D. The Project is inconsistent with LUP Policy 26.

Policy 26: "To ensure that lower cost recreational and visitor-serving harbor facilities are available to all income groups, picnic tables, public restrooms, pedestrian and bicycle access ways, pedestrian furniture, bicycle storage racks, small boat sailing, renting and berthing areas shall be provided. In addition, the harbor public park areas, which provide a lower cost recreational activity, shall be preserved for general public recreational use."

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor

visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements, which provides fewer parking spaces than the City's requirements. As designed, the Project is constraining parking opportunities and direct access to the park which is not consistent with Policy 26.

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location conflicts with Policy 26.

E. The Project is inconsistent with LUP Policy 27.

Policy 27: "Commercial fishing, sport fishing, and recreational boating facilities and areas shall be designed and situated so as not to interfere with each other or existing residential uses. Adequate parking ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats shall be protected and provided in any new marina development. Parking required to serve recreational boating, sport fishing, or commercial fishing shall not be eliminated or reduced by new development."

The Applicant has not submitted a parking study to demonstrate that the Project is consistent with the required ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats which shall be protected and provided in any new marina development. Based on the lack of information, the City Council is unable to determine if the Project is consistent with Policy 27.

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at an existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project.

Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. In addition, until October 17, 2019, the Applicant had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's

parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study was deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. As such, City Council is unable to determine if the proposed parking configuration and amount will be sufficient and adequate to serve the recreational boating support facilities and services and Commercial Visitor-serving uses. Consequently, the Project would be in conflict with Policy 27 because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed.

F. The Project is inconsistent with LUP Policy 28.

Policy 28: "Monitoring of existing and proposed harbor land and water uses must be continued between the County and City to ensure that no significant adverse accumulative impacts on adjacent coastal neighborhoods, resources or access occur."

Based on the lack of studies submitted by the Applicant, City Council is unable to determine that the Project will not have a significant adverse accumulative impact on adjacent coastal neighborhoods, resources or access. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the new Urchin Dock size compared to the existing location would diminish boating support facilities and services. As such, this would be in conflict with Policy 28.

The Project has been designed to meet the County's parking requirements instead of the City's off-street parking requirements that requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study was deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. As such, the Project would be in conflict with Policy 27 because it would eliminate or reduced parking required to serve existing resources. Therefore, by eliminating and reducing parking for the Project, the Project is also not consistent with Policy 28.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements which provides fewer parking spaces than the City's parking requirements. As designed, the Project is constraining parking opportunities and direct access to the park which is not consistent with Policy 28.

G. The Project is inconsistent with LUP Policy 30.

Policy 30: "Provide adequate public parking facilities in all new or modified harbor developments consistent with the City Land Use Plan and Zoning Ordinance."

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at an existing parking lot currently serving Fisherman's Wharf inclusive recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. The Applicant has indicated that pursuant to Oxnard City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses.

Additionally, the Parking Study did not demonstrate that the Project is consistent with Policy 27, which requires a ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats which shall be protected and provided in any new marina development. Based on the lack of information, City Council is unable to determine if the Project is consistent with Policy 27. Therefore, by eliminating and reducing parking for the Project, the Project is also not consistent with Policy 30.

Based on the aforementioned, City Council is unable to determine if the Project is consistent with Policy 30.

H. The Project is inconsistent with LUP Policy 31.

Policy 31: "Provide harbor shoreline pedestrian access by incorporating shoreline pedestrian walkways into all new shoreline development, including the expansion of existing uses. Where existing buildings are found to interfere with lateral shoreline access, walkways shall be located as adjacent to the water as possible. All walkways are to be linked with adjacent walkways to ensure uninterrupted pedestrian movement."

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways that according to the Applicant are between 15 to 20 feet wide along the frontage of the residential portion of the project and wider along the commercial portion of the project. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, the City Council is unable to confirm if the Project has incorporated and expanded shoreline pedestrian walkways and ensure uninterrupted pedestrian movement. Additionally, due to a lack of project information, City Council is unable to determine if the proposed walkways would provide adequate and functional public spaces where the general public will feel invited and comfortable. As such, the Project is not consistent with Policy 31.

I. The Project is inconsistent with LUP Policy 32.

Policy 32: "Provide a harbor bikeway system that incorporates access as part of the street system and, where feasible, along the shoreline."

The Project site is currently improved with partial bike lanes on Channel Island Boulevard and Victoria Avenue. Based on the City's Bicycle and Pedestrian Facilities Master Plan, the Project is required to dedicate 5 to 8 feet to the City to continue the partial bike lanes consistent with the California Coastal trail. The Applicant has not submitted plans to the City which demonstrate that the Project is consistent with the City's Bicycle and Pedestrian Facilities Master Plan. As such, City Council is unable to determine if the Project is consistent with Policy 32.

J. The Project is inconsistent with LUP Policy 33.

Policy 33: "Minimize conflicts between pedestrians, bicyclists and autos by separating pedestrian and bicycle lanes and providing bike paths in conjunction with the street system."

As indicated in the narrative included in Policy 32 above, the Applicant has not submitted plans that indicate that the Project is designed to meet the requirements identified within the City's Bicycle and Pedestrian Facilities Master Plan. As such, City Council is unable to determine if the Project is consistent with Policy 33.

K. The Project is inconsistent with LUP Policy 73.

Policy 73: "Adequate public parking shall be provided in all new development with dedicated public access areas, and shall be in addition to the parking required for the new development, unless adequate facilities are provided nearby. All facilities shall be located and designed to avoid impacts surrounding residential uses."

The Project has been designed to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with Policy 27 because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed, and by eliminating and reducing parking for the Project, the Project is not consistent with Policy 73.

L. The Project is inconsistent with LUP Policy 74.

Policy 74: "Bicycle routes shall be required in new developments wherever appropriate."

The Project site is currently improved with partial bike lanes on Channel Island Boulevard and Victoria Avenue. Based on the City's Bicycle and Pedestrian Facilities Master Plan, the Project is required to dedicate 5 to 8 feet to the City to continue the partial bike lanes consistent with the California Coastal trail. The Applicant has not submitted plans to the City which demonstrate that the Project is consistent with the City's Bicycle and Pedestrian Facilities Master Plan. As such, City Council is unable to determine if the Project is consistent with Policy 74.

Based on the information provided, this Project is not consistent with Policy 74.

M. The Project does not maintain or enhance the coastal resources as identified and protected in the originally certified Coastal Land Use Program.

This Project has not demonstrated that the proposed LCP Amendment would maintain or enhance the coastal resources as identified and protected in the originally certified coastal land use plan. As outlined in finding No. 1, the proposed LCP Amendment is found to be inconsistent

with Policies Nos. 16, 18, 21, 26, 27, 28, 30, 31, 32, 33, 73 and 74 contained within the City's certified Coastal LUP.

The LCP Amendment proposes to amend the City's LCP to incorporate a newly created land use designation of "Urban Village". Based on the newly created Urban Village land use designation, LUP Policy 23 is proposed to be amended to allow for a residential land use component at a density of 40 units per acre. Additionally, LUP Policy 35 would be amended to allow for the maximum height allowed to not exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet in height with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the majority of the footprint of the apartment complex in an existing parking lot currently serving Fisherman's Wharf, the recreational boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements, which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements and not the City's parking requirements. As designed, the Project is constraining parking opportunities and direct access to the park.

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, City Council is unable to confirm if the Project has incorporated and expanded shoreline pedestrian walkways and ensures uninterrupted pedestrian movement.

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips; the uncertainty of the size of the new Urchin Dock compared to the existing location; and all of the information contained above contribute to the Project not maintaining or enhancing the coastal resources as identified and protected in the originally certified coastal land use plan.

N. <u>The Project has not demonstrated that it would have adequate parking; improvement and/or enhancement of existing infrastructure which includes waterfront walkways and parks; and expansion or enhancement of recreational boating facilities and services</u>.

The proposed LCP Amendment is designed to accommodate a residential land use component at a density of 40 units per acre. Additionally, LUP Policy 35 would be amended to allow for the maximum height allowed to not exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet in height with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances. However, based on the information provided to City Council, the Project is found to be inconsistent with Policies Nos. 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74 contained within the City's certified Coastal LUP.

Based on the lack of studies that would demonstrate adequate parking consistent with the City's requirements; improvement and/or enhancement of existing infrastructure which includes waterfront walkways and parks; and expansion or enhancement of recreational boating facilities and services, City Council is unable to determine if the Project meets this finding.

Additionally, the Project has not included plans that would demonstrate that the Project complies with the City's Bicycle and Pedestrian Facilities Master Plan, which requires the Project to dedicate 5 to 8 feet to the City to continue the existing partial bike lanes along Channel Islands Boulevard and Victoria Avenue consistent with the California Coastal Trail.

The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73.

O. The Project has failed to demonstrate that it would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed LCP Amendment would compromise public access and coastal resources that would be detrimental to the public interest, health, convenience or welfare. The Project requires relocation of the existing Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's parking requirements, thus resulting in fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the footprint of an apartment complex at an existing parking lot that currently serves Fisherman's Wharf, recreational boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements, which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73.

Information provided to the City pertaining to the LCP Amendment identifies the development of 1,100 linear feet of waterfront walkways in the Fisherman's Wharf Replacement project. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, City Council is unable to confirm if maximum access to recreational opportunities is offered by the Project.

P. <u>The Project has failed to demonstrate that it would maintain or enhance the provisions for public access within the coastal zone</u>.

The proposed LCP Amendment would amend the LUP Policy Nos. 23 and 35 to accommodate 36,000 square feet of commercial, retail development and a maximum of 400 market rate residential rental units. As designed and based on the information provided to the City, the Project presents challenges that do not maintain or enhance the provisions for public access within the coastal zone.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants and parking exclusive to tenants and open to the general public, is proposed at the existing parking lot currently serving

Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's parking requirements, thus resulting in fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park.

The proposed LCP Amendment would compromise public access and coastal resources that would be detrimental to the public interest, health, convenience or welfare. The Project requires the relocation of the existing Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the footprint of an apartment complex at an existing parking lot currently serving Fisherman's Wharf, boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to Oxnard City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use; however, the Applicant has not filed the required application to obtain administrative from the City's parking provisions. Until October 17, 2019, the Applicant also had not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. On October 17, 2019, the Applicant provided a Parking Study prepared by Stantec Consulting Services. The Parking Study is deficient because it used Ventura County standards for parking instead of Oxnard parking standards, did not address the concerns raised earlier by City staff as it did not show a comparison with the City's off-street requirements, and did not address the off-street parking availability for existing boating recreational uses. Consequently, the Project would be in conflict with the LCP because it would eliminate or reduced parking required to serve recreational boating, sport fishing, or commercial fishing, which is not allowed and by eliminating and reducing parking for the Project, the Project is not consistent with Policies 16, 18, 21, 27, 28, 30 and 73.

Section 3. The City Council hereby denies PZ 18-410-01 (Coastal Plan amendment). The City Council's denial is based upon the specific findings included in this Resolution, with each of these findings providing a separate and distinct basis for the City Council denying PZ-18-410-01.

Section 4. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to: 1. Section 15061(b)(4) (Project Rejected or Disapproved by a Public Agency) of Title 14 of the California Code of Regulations; and 2. Public Resources Code Section 21080.5, which exempts local government from the requirement of preparing an environmental analysis in connection with its Local Coastal Program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process.

Section 5. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Oxnard on this 7th day of November, 2019.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the City Council of the City of Oxnard at a meeting held on the 7th day of November, 2019, and carried by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Tim Flynn, Mayor

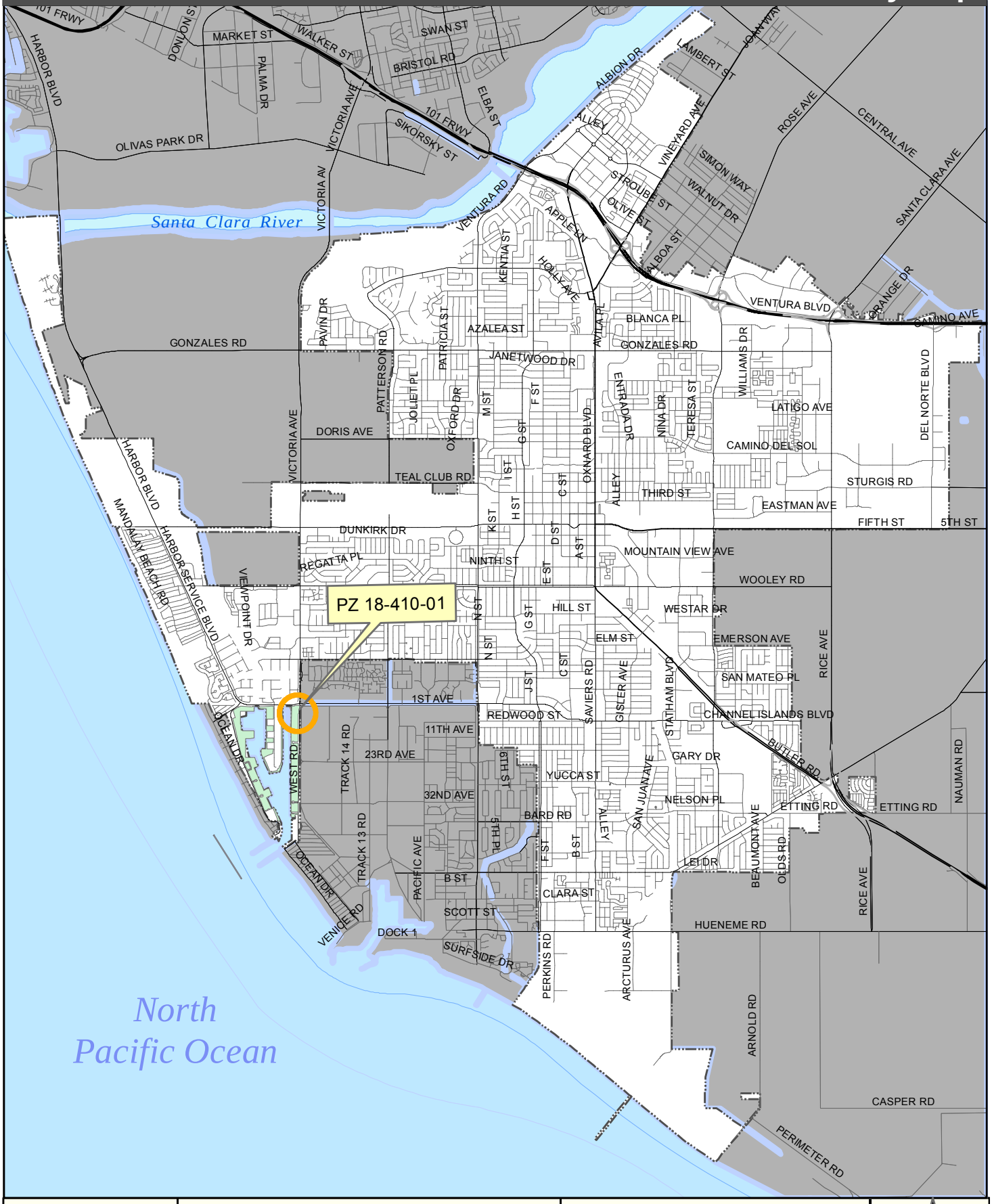
ATTEST:

_____
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_____
Stephen M. Fischer, City Attorney

Vicinity Map



Oxnard Planning
April 12, 2019

PZ 18-410-01
Location: LCP Fisherman's Warf
APN: 206028049, 206028035

Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

Aerial Map

OXNARD
CALIFORNIA

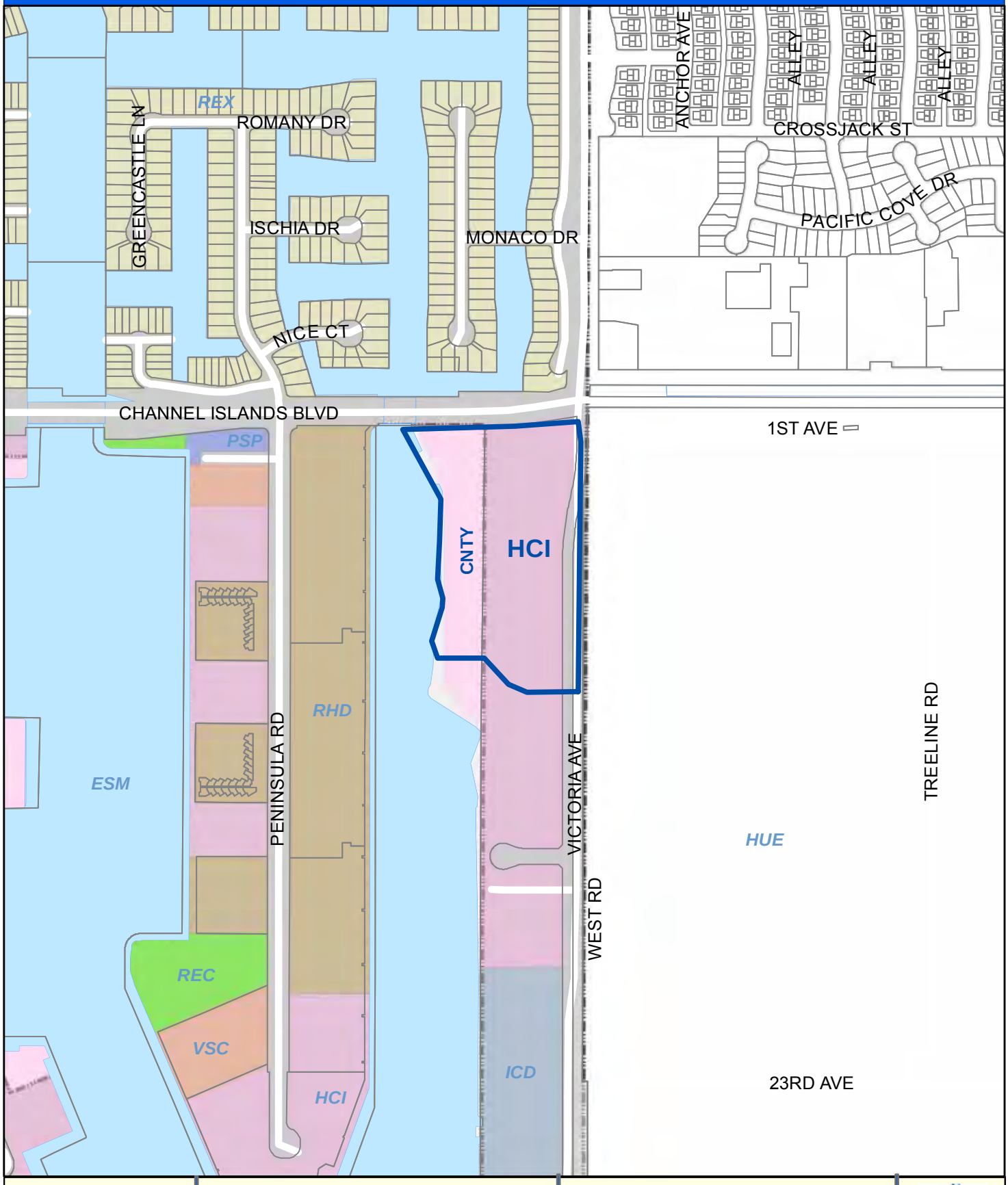
Oxnard Planning
April 12, 2019

PZ 18-410-01
Location: LCP Fisherman's Warf
APN: 206028049, 206028035

0 50 100 200 300 400 Feet

Aerial Map

2030 General Plan Land Use Map



OXNARD

Oxnard Planning

April 12, 2019

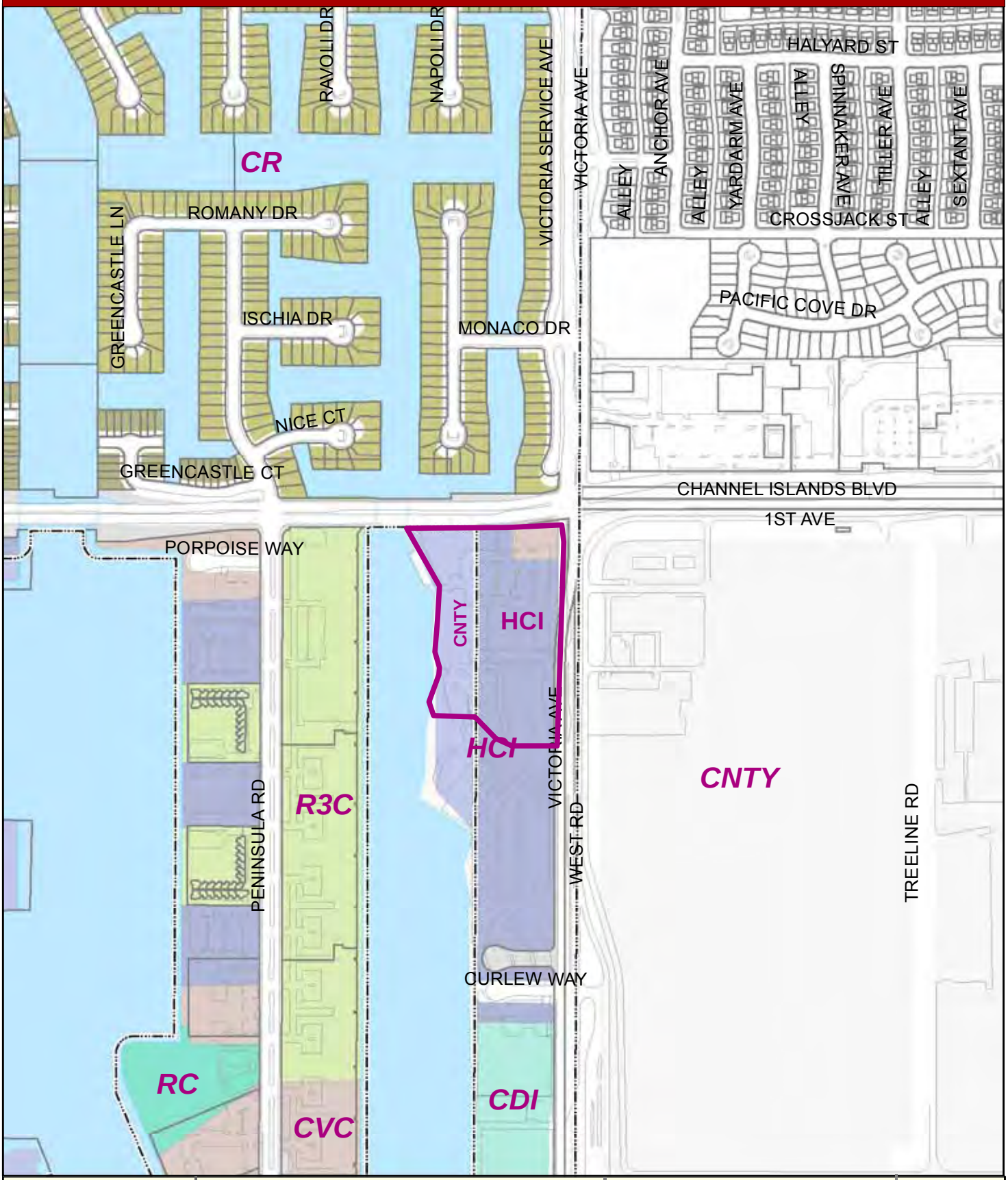
PZ 18-410-01
Location: LCP Fisherman's Warf
APN: 206028049, 206028035

0 150 300 600 Feet

2030 General Plan Land Use Map

1:6,000

Zoning/Specific Plan Map



OXNARD

Oxnard Planning

April 12, 2019

PZ 18-410-01
Location: LCP Fisherman's Warf
APN: 206028049, 206028035

0 100 200 400 600 800 Feet

Zoning/Specific Plan Map

1:6,000

Hearing Documents
for August 22, 2019
Planning Commission Meeting

Please refer to the following link to review the hearing documents:
https://drive.google.com/open?id=1f6HDD3AaLEy4sj4tQ8Jk76oAZ2C1cJZf

RESOLUTION NO. 2019-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL DENY PLANNING AND ZONING PERMIT NO. 18-410-01, AN APPLICATION FOR A LOCAL COASTAL PLAN AMENDMENT THAT – IF APPROVED BY THE CITY COUNCIL AND SUBSEQUENTLY APPROVED BY THE CALIFORNIA COASTAL COMMISSION ALONG WITH A RELATED PUBLIC WORKS PLAN AMENDMENT PROPOSED BY THE COUNTY OF VENTURA – WOULD ALLOW THE DEVELOPMENT OF A SPECIFIC MIXED USE PROJECT AT FISHERMAN'S WHARF IN THE CHANNEL ISLANDS HARBOR THAT WOULD INCLUDE 400 MARKET RATE RESIDENTIAL RENTAL UNITS AND 36,000 SQUARE FEET OF COMMERCIAL/RETAIL DEVELOPMENT, ON AN 11-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF CHANNEL ISLANDS BOULEVARD AND VICTORIA AVENUE (FISHERMAN'S WHARF REPLACEMENT PROJECT). FILED BY DESIGNATED AGENT TOM TELLEFSEN, CHANNEL ISLANDS HARBOR PROPERTIES LLC, 270 N. CANON DRIVE PENTHOUSE, BEVERLY HILLS, CA 90210, ON BEHALF OF THE PROPERTY OWNER (THE "APPLICANT").

Whereas, in 1986, the California Coastal Commission certified a Public Works Plan for the Channel Islands Harbor; and

Whereas the Public Works Plan, as originally approved by the California Coastal Commission and as currently constituted, does not allow residential uses in the Fisherman's Wharf area of the Channel Islands Harbor; and

Whereas, in 1986 the California Coastal Commission certified a Local Coastal Plan for the City of Onxard's Coastal Zone (the LCP) which includes the Channel Islands Harbor; and

Whereas, the LCP, as originally approved by the California Coastal Commission and as currently constituted, does not allow residential uses in the Fisherman's Wharf area of the Channel Islands Harbor; and

Whereas, on October 11, 2011, the City Council approved the 2030 General Plan for the City of Oxnard; and

Whereas, pursuant to the 2030 General Plan, there is an Urban Village mixed use overlay zone in six specific areas of the City of Oxnard, including Fisherman's Wharf; however, as specified by the 2030 General Plan, the Urban Village overlay zone does not become effective in any of these six areas unless and until a Specific Plan has been approved for that specific area; and

Whereas, as of the date of this Resolution, the Urban Village overlay zone is not effective in any area of the City of Oxnard, including Fisherman's Wharf, because a Specific Plan has not been approved for any of the Urban Village overlay zone areas referenced in the 2030 General Plan; and

Whereas, on or about June 14, 2016, the Board of Supervisors approved the Seventh Amendment to the Public Works Plan for Fisherman's Wharf to allow the establishment of policies that would permit a mixed use project at the Fisherman's Wharf area of the Channel Islands Harbor, combining residential and retail/commercial uses, as well as increasing the permitted height from 25 feet to 55 feet; and

Whereas, on August 17, 2016, and without filing for an amendment to the LCP, the County sought Coastal Commission approval for Public Works Plan Amendment No. 7; and

Whereas, pursuant to a letter dated August 24, 2016, Coastal Commission staff found the County's Public Works Plan Amendment incomplete for a range of reasons, including that the County had not filed for an LCP amendment with the City; and

Whereas, although the County made subsequent submittals to the California Coastal Commission regarding the Public Works Plan amendment, Coastal Commission staff sent multiple incomplete letters to the County indicating that the Public Works Plan amendment application was incomplete for a range of reasons, including that the County had not filed for an LCP amendment; and

Whereas, on March 28, 2017, the County filed for a dispute resolution with the California Coastal Commission seeking to overturn the determination by the Director of the California Coastal Commission that the application for the Public Works Plan amendment was incomplete; and

Whereas, on October 12, 2017, the California Coastal Commission held a hearing to consider the County's dispute resolution request; and

Whereas, on October 12, 2017, the California Coastal Commission denied the County's dispute request; and

Whereas, on January 25, 2018, the County – on behalf of developer Channel Islands Harbor Properties LLC-- filed an application for a project specific LCP amendment that sought the specific amendments to the LCP described below; and

Whereas, as proposed, the project-specific amendments would amend the City's LCP to incorporate a proposed use designation of "Urban Village"; amend LUP Policy 23 to allow for a residential land use component at a density of 40 units per acre; amend LUP Policy 35 to allow for a maximum height not to exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances, all of which would allow the development of a mixed use project at Fisherman's Wharf with up to 400 market rate residential rental units and 36,000 square feet of commercial, retail development at an 11-acre site (collectively hereafter the "LCP Amendment" or the "Project"); and

Whereas, the application submitted for the LCP Amendment included a letter from an attorney for Channel Islands Harbor Properties LLC dated January 23, 2018, indicating that the City could not impose the Specific Plan requirement as part of the LCP Amendment process because the 2030 General Plan that included the Urban Village overlay zone had not been approved/certified by the California Coastal Commission; and

Whereas, on February 13, 2018, the City sent a letter to the Developer and the County indicating that the application for the LCP Amendment was incomplete based upon six separate and distinct reasons; and

Whereas, subsequent communications between the City and the County, which was acting on behalf of the Developer, further clarified the scope of documentation that was needed for the application to be deemed complete; and

Whereas on February 25, 2019, the County – acting on behalf of the Developer – submitted additional information to the City; and

Whereas, pursuant to a letter dated March 21, 2019, the City deemed the application for the LCP Amendment to be complete, while requesting specific additional information in order to facilitate the processing of the application; and

Whereas, pursuant to a letter dated April 12, 2019, the County – acting on behalf of the Developer – provided responses to the requests for additional information; and

Whereas, on April 22, 2019, the City held a Community Workshop at the Performing Arts Center to obtain community input regarding the Project; and

Whereas, at the Community Workshop, the City heard testimony from interested parties regarding the Project; and

Whereas on August 22, 2019, the Planning Commission held a duly noticed public hearing regarding the Project; and

Whereas, at said Planning Commission hearing, the Planning Commission considered all of the evidence in the record, including the testimony provided by those who wished to speak at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD AS FOLLOWS:

Section 1. The Planning Commission hereby incorporates the above recitals into the operative provisions of this Resolution by this reference.

Section 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission hereby makes the following findings:

A. The Project is inconsistent with LUP Policy 16.

Policy 16: "*As existing commercially development harbor parcels recycle in terms of structures or uses, priority shall be given to commercial fishing support and recreational boating support facilities and services. As existing commercially development Commercial Visitor-serving parcels recycle or are redeveloped priority shall be given to Commercial Visitor-serving uses. Development in the harbor shall be limited so that no more than 30 percent of the harbor's land area is Visitor-serving commercial uses not directly related to boating.*"

The Project as proposed conflicts with Policy 16 because the Project does not place a priority to existing recreational boating support facilities and Commercial Visitor-serving uses. The LCP Amendment would allow for a residential component that would require parking facilities, apartment amenities exclusive to tenants, and approximately 9,000 square feet of restaurant space to be built at grade which would cover approximately 6 acres (273,023 square feet) of the 11-acre (479,160 square feet) project site. Based on the Fisherman's Wharf Replacement project description and information provided to the City for the LCP Amendment, there are no policies or improvements that facilitate priority being given to recreational boating support facilities and services at the project site.

The Project requires the relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin

Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the new Urchin Dock size compared to the existing location would diminish boating support facilities and services which conflicts with Policy 16.

If the LCP Amendment was to be approved, the majority of the structures would be removed within the proposed apartment/parking footprint in favor of 9,000 square feet of space exclusive to restaurant uses. The Project site currently includes a park and waterfront walkways. The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identified improvements to existing buildings, park and waterfront walkways. However, without a base figure study to compare the existing conditions to proposed improvements, staff is unable to make a conclusion if the proposed LCP Amendment will be consistent with Policy 16, which requires that priority be given to existing recreational boating support facilities and Commercial Visitor-serving uses.

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at an existing parking lot currently serving Fisherman's Wharf, inclusive of recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which might require additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. According to the Applicant, the project is designed to provide 131 surface parking spaces and 865 garage parking spaces. However, the Applicant has indicated that the parking has been designed based on the County of Ventura's parking code requirements. Additionally, the Applicant has indicated that garage parking has been designed to incorporate tandem parking which the City Code does not allow to be counted towards the required parking and parking stalls have been designed to meet County Code parking stall design standards and not the City Code design specifications. The City Code requires that the apartment complex provide 865 parking spaces designed to conform to the City Code's parking stall specifications. The Applicant has stated that the commercial/retail distribution of the buildings has not been determined. As such, City staff is unable to determine the required parking for the commercial/retail portion of the project. Based on the square footage distribution of the commercial/retail buildings provided by the Applicant, 238 parking spaces would be required if the commercial/retail buildings were exclusively leased to restaurant uses and 88 parking spaces would be required if the commercial/retail buildings were exclusively leased to retail uses. Based on the amount of parking provided by the Applicant, the use of tandem parking and parking stall design, and uncertainty of commercial/restaurant square footage distribution to calculate the commercial/retail portion of the project, staff is unable to determine the project's off-street parking requirement.

B. <u>The Project is inconsistent with LUP Policy 18.</u>

Policy 18: "*Existing facilities serving commercial fishing, sport fishing and recreational boating shall be maintained and expanded where appropriate.*"

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not

identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services which conflicts with Policy 18.

The proposed building footprint of the apartment complex is proposed at an existing parking lot that currently serves Fisherman's Wharf, the recreational boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. The Applicant has indicated that pursuant to City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use. The Applicant has not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the City's parking requirement is excessive for the project. As such, staff is unable to determine if the proposed parking configuration and amount will be sufficient and adequate to serve the recreational boating support facilities and services and Commercial Visitor-serving uses. Therefore, the Project is inconsistent with Policy 18.

C. The Project is inconsistent with LUP Policy 21.

Policy 21: "*Maximum access, which shall be conspicuously supported and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners and natural resources areas from overuse.*"

The general public has direct access to existing waterfront walkways, park, Urchin Dock, and Harbor through an existing parking lot located within the Project site. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot. By designing the apartment complex and parking on over six acres of the Project site, maximum access to existing recreational opportunities is constrained. Additionally, the required off-street parking was based on the County's parking requirements, which is deficient compared to the City's parking requirements causing a shortage of parking availability further constraining access to the existing and proposed recreational opportunities.

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways and a new park. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm if the access to recreational opportunities offered by the Project are consistent with Policy 21.

An existing park is located near the existing parking lot which currently allows for maximum access to the park itself. Staff has calculated the park to be in a size range between 1.33 to 1.56 acres. The Project identifies a new one-acre park with amenities that are not currently offered at the existing park. However, the size of the park seems to have been reduced by a third to half an acre in size. By reducing the size of the park and reducing off-street parking availability, the proposed LCP Amendment will be inconsistent with Policy 21.

D. The Project is inconsistent with LUP Policy 26.

Policy 26: "*To ensure that lower cost recreational and visitor-serving harbor facilities are available to all income groups, picnic tables, public rest rooms, pedestrian and bicycle access ways, pedestrian furniture, bicycle storage racks, small boat sailing, renting and berthing areas shall be provided. In addition, the harbor public park areas, which provide a lower cost recreational activity, shall be preserved for general public recreational use.*"

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements, which provides fewer parking spaces than the City's requirements. As designed, the Project is constraining parking opportunities and direct access to the park which is not consistent with Policy 26.

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location conflicts with Policy 26.

E. The Project is inconsistent with LUP Policy 27.

Policy 27: "*Commercial fishing, sport fishing, and recreational boating facilities and areas shall be designed and situated so as not to interfere with each other or existing residential uses. Adequate parking ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats shall be protected and provided in any new marina development. Parking required to serve recreational boating, sport fishing, or commercial fishing shall not be eliminated or reduced by new development.*"

The Applicant has not submitted a parking study to demonstrate that the Project is consistent with the required ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats which shall be protected and provided in any new marina development. Based on the lack of information, staff is unable to determine if the Project is consistent with Policy 27.

The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at an existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's

Wharf Replacement project. Pursuant to City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use. Consequently, unless the Applicant demonstrates through a parking study that the parking requirement is excessive for the Project, the Project is in conflict with Policy 27 because it eliminates or reduces parking required to serve recreational boating, sport fishing, or commercial fishing which is not allowed.

F. The Project is inconsistent with LUP Policy 28.

Policy 28: "*Monitoring of existing and proposed harbor land and water uses must be continued between the County and City to ensure that no significant adverse accumulative impacts on adjacent coastal neighborhoods, resources or access occur.*"

Based on the lack of studies submitted by the Applicant, staff is unable to determine that the Project will not have a significant adverse accumulative impact on adjacent coastal neighborhoods, resources or access. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the new Urchin Dock size compared to the existing location would diminish boating support facilities and services. As such, this would be in conflict with Policy 28.

The Project has been designed to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project. The Applicant has not submitted a parking study demonstrating that the parking requirement is excessive; however, unless the Applicant demonstrates through a parking study that the parking requirement is excessive for the Project, the Project is in conflict with Policy 27 because it eliminates or reduces parking required to serve existing resources. Therefore, by eliminating and reducing parking for the Project, the Project is not consistent with Policy 28.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements which provides fewer parking spaces than the City's parking requirements. As designed, the Project is constraining parking opportunities and direct access to the park which is not consistent with Policy 28.

G. The Project is inconsistent with LUP Policy 30.

Policy 30: "*Provide adequate public parking facilities in all new or modified harbor developments consistent with the City land Use Plan and Zoning Ordinance.*"

The proposed building footprint of the apartment complex is proposed at an existing parking lot currently serving Fisherman's Wharf, the recreational boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. The Applicant has indicated that pursuant to City Code Section 16-651, administrative relief from parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the use. The Applicant has not submitted a parking study prepared by a professional traffic engineer registered by the State to demonstrate that the parking requirement is excessive for the project.

Additionally, the Applicant has not submitted a parking study to demonstrate that the Project is consistent with Policy 30, which requires a ratio of 0.6 parking spaces per slip for recreational boats and two spaces per slip for commercial fishing boats which shall be protected and provided in any new marina development. Based on the lack of information, staff is unable to determine if the Project is consistent with Policy 30.

Based on the aforementioned, staff is unable to determine if the Project is consistent with Policy 30.

H. The Project is inconsistent with LUP Policy 31.

Policy 31: "*Provide harbor shoreline pedestrian access by incorporating shoreline pedestrian walkways into all new shoreline development, including the expansion of existing uses. Where existing buildings are found to interfere with lateral shoreline access, walkways shall be located as adjacent to the water as possible. All walkways are to be linked with adjacent walkways to ensure uninterrupted pedestrian movement.*"

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways that according to the Applicant are between 15 to 20 feet wide along the frontage of the residential portion of the project and wider along the commercial portion of the project. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm if the Project has incorporated and expanded shoreline pedestrian walkways and ensure uninterrupted pedestrian movement. Additionally, due to a lack of project information, staff is unable to determine if the proposed walkways would provide adequate and functional public spaces where the general public will feel invited and comfortable. As such, the Project is not consistent with Policy 31.

I. The Project is inconsistent with LUP Policy 32.

Policy 32: "*Provide a harbor bikeway system that incorporates access as part of the street system and, where feasible, along the shoreline.*"

The Project site is currently improved with partial bike lanes on Channel Island Boulevard and Victoria Avenue. Based on the City's Bicycle and Pedestrian Facilities Master Plan, the Project is required to dedicate 5 to 8 feet to the City to continue the partial bike lanes consistent with the California Coastal trail. The Applicant has not submitted plans to the City which demonstrate that the Project is consistent with the City's Bicycle and Pedestrian Facilities Master Plan. As such, staff is unable to determine if the Project is consistent with Policy 32.

J. The Project is inconsistent with LUP Policy 33.

Policy 33: "*Minimize conflicts between pedestrians, bicyclists and autos by separating pedestrian and bicycle lanes and providing bike paths in conjunction with the street system.*"

As indicated in the narrative included in Policy 32 above, the Applicant has not submitted plans that indicate that the Project is designed to meet the requirements identified within the City's Bicycle and Pedestrian Facilities Master Plan. As such, staff is unable to determine if the Project is consistent with Policy 33.

K. The Project is inconsistent with LUP Policy 73.

Policy 73: "*Adequate public parking shall be provided in all new development with dedicated public access areas, and shall be in addition to the parking required for the new development, unless adequate facilities are provided nearby. All facilities shall be located and designed to avoid impacts surrounding residential uses.*"

The Project has been designed to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project. The Applicant has not submitted a parking study demonstrating that the parking requirement is excessive; however, unless the Applicant demonstrates through a parking study that the parking requirement is excessive for the Project, the Project is in conflict with Policy 73 because it would eliminate or reduced parking required to serve existing resources. Therefore, by eliminating and reducing parking for the Project, the Project is not consistent with Policy 73.

L. The Project is inconsistent with LUP Policy 74.

Policy 74: "*Bicycle routes shall be required in new developments wherever appropriate.*"

The Project site is currently improved with partial bike lanes on Channel Island Boulevard and Victoria Avenue. Based on the City's Bicycle and Pedestrian Facilities Master Plan, the Project is required to dedicate 5 to 8 feet to the City to continue the partial bike lanes consistent with the California Coastal trail. The Applicant has not submitted plans to the City which demonstrate that the Project is consistent

with the City's Bicycle and Pedestrian Facilities Master Plan. As such, staff is unable to determine if the Project is consistent with Policy 74.

Based on the information provided, this Project is not consistent with Policy 74.

M. The Project does not maintain or enhance the coastal resources as identified and protected in the originally certified coastal land use plan.

Based on the information provided to staff, this Project has not demonstrated that the proposed LCP Amendment would maintain or enhance the coastal resources as identified and protected in the originally certified coastal land use plan. As outlined in finding No. 1, the proposed LCP Amendment is found to be inconsistent with Policies Nos. 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74 contained within the City's certified Coastal LUP.

The LCP Amendment proposes to amend the City's LCP to incorporate a newly created land use designation of "Urban Village". Based on the newly created Urban Village land use designation, LUP Policy 23 is proposed to be amended to allow for a residential land use component at a density of 40 units per acre. Additionally, LUP Policy 35 would be amended to allow for the maximum height allowed to not exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet in height with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the footprint of an apartment complex in an existing parking lot currently serving Fisherman's Wharf, the recreational boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements, which requires additional parking spaces based upon the density and uses in the proposed development. Pursuant to City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project. The Applicant has not submitted a parking study demonstrating that the parking requirement is excessive; however, if the Applicant would to demonstrate through a parking study that the parking requirement is excessive, the Project would eliminate or reduced parking required to serve existing resources as it is prohibited to do so based on LUP Policy 27.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements and not the City's parking requirements. As designed, the Project is constraining parking opportunities and direct access to the park.

The Fisherman's Wharf Replacement Project and information provided to the City pertaining to the LCP Amendment identify the development of 1,100 linear feet of waterfront walkways. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the

absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm if the Project has incorporated and expanded shoreline pedestrian walkways and ensures uninterrupted pedestrian movement.

The Project site is currently improved with the Urchin Dock and off-street parking serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The Project requires relocation of the Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips; the uncertainty of the size of the new Urchin Dock compared to the existing location; and all of the information contained above contribute to the Project not maintaining or enhancing the coastal resources as identified and protected in the originally certified coastal land use plan.

N. The Project has not demonstrated that it would have adequate parking; improvement and/or enhancement of existing infrastructure which includes waterfront walkways and parks; and expansion or enhancement of recreational boating facilities and services.

The proposed LCP Amendment is designed to accommodate a residential land use component at a density of 40 units per acre. Additionally, LUP Policy 35 would be amended to allow for the maximum height allowed to not exceed two stories or twenty-five feet in height, whichever is greater; and, at the corner of Victoria Avenue and Channel Islands Boulevard the height would be allowed at a maximum of 55 feet in height with an additional 10 feet in height allowed for the purposes of screening rooftop appurtenances. However, based on the information provided to staff, the Project is found to be inconsistent with Policies Nos. 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74 contained within the City's certified Coastal LUP.

Based on the lack of studies that would demonstrate adequate parking; improvement and/or enhancement of existing infrastructure which includes waterfront walkways and parks; and expansion or enhancement of recreational boating facilities and services, staff is unable to determine if the Project meets this finding.

Additionally, the Project has not included plans that would demonstrate that the Project complies with the City's Bicycle and Pedestrian Facilities Master Plan, which requires the Project to dedicate 5 to 8 feet to the City to continue the existing partial bike lanes along Channel Islands Boulevard and Victoria Avenue consistent with the California Coastal Trail.

The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements which requires additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project. The Applicant has not submitted a parking study demonstrating that the parking requirement is excessive; however, unless the Applicant demonstrates through a parking study that the parking requirement is excessive, the Project would eliminate or reduced parking required to serve existing resources as it is prohibited to do so based on LUP Policy 27.

O. The Project has failed to demonstrate that it would not be detrimental to the public interest, health, safety, convenience or welfare.

The proposed LCP Amendment would compromise public access and coastal resources that would be detrimental to the public interest, health, convenience or welfare. The Project requires relocation of the existing Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's parking requirements, thus resulting in fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the footprint of an apartment complex at an existing parking lot that currently serves Fisherman's Wharf, recreational boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements. The City's requirements mandate additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project. The Applicant has not submitted a parking study demonstrating that the parking requirement is excessive; however, unless the Applicant demonstrates through a parking study that the parking requirement is excessive, the Project would eliminate or reduce parking required to serve existing resources as it is prohibited to do so based on LUP Policy 27.

Information provided to the City pertaining to the LCP Amendment identifies the development of 1,100 linear feet of waterfront walkways in the Fisherman's Wharf Replacement project. Currently, Fisherman's Wharf contains waterfront walkways but the Applicant has not submitted information pertaining to what is the current size and configuration of the existing waterfront walkways. In the absence of a base figure study to compare the existing waterfront walkways to the proposed waterfront walkway improvements, staff is unable to confirm if maximum access to recreational opportunities is offered by the Project.

P. The Project has failed to demonstrate that it would maintain or enhance the provisions for public access within the coastal zone.

The proposed LCP Amendment would amend the LUP Policy Nos. 23 and 35 to accommodate 36,000 square feet of commercial, retail development and a maximum of 400 market rate residential rental units. As designed and based on the information provided to the City, the Project presents challenges that do not maintain or enhance the provisions for public access within the coastal zone.

Information provided by the Applicant identifies the creation of a new one-acre park in a location currently improved with a park with a size range between 1.33 and 1.56 acres. The park improvements offer amenities currently not offered by the existing park; however, the size of the park has been reduced by a third to half an acre. The proposed building footprint of the apartment complex, inclusive of amenities exclusive to tenants, and parking exclusive to tenants and open to the general public is proposed at the existing parking lot currently serving Fisherman's Wharf inclusive of recreational boating facilities and services, park and Harbor visitors. The building footprint of the apartment complex will impede direct access to the park currently enjoyed by visitors. Additionally, the required off-street parking has been designed to meet the County's parking requirements instead of the City's parking requirements, thus resulting in fewer parking spaces. As designed, the Project is constraining parking opportunities and direct access to the park.

The proposed LCP Amendment would compromise public access and coastal resources that would be detrimental to the public interest, health, convenience or welfare. The Project requires the relocation of the existing Urchin Dock from its existing location to a new location further south at an existing boat slip. The Project details do not indicate the dimensions of the existing Urchin Dock and whether the new location is the same or greater in area compared to the existing Urchin Dock. Additionally, the replacement location would remove existing boat slips from the current Harbor inventory in favor of the Urchin Dock; however, replacement of the removed boat slips was not identified. The loss of the boat slips and the uncertainty of the size of the new Urchin Dock compared to the existing location would diminish boating support facilities and services.

The proposed LCP Amendment is designed to allow the Fisherman's Wharf Replacement Project that would include building the footprint of an apartment complex at an existing parking lot currently serving Fisherman's Wharf, boating facilities and services, and park and Harbor visitors. The Applicant has designed the Fisherman's Wharf Replacement project to meet the County's parking requirements instead of the City's off-street parking requirements. The City's regulations require additional parking spaces compared to the amount of off-street parking proposed by the Fisherman's Wharf Replacement project. Pursuant to City Code Section 16-651, administrative relief from the City's parking provisions is allowed based on a parking study demonstrating that the parking requirement is excessive and showing the amount of parking that should be required for the Project. The Applicant has not submitted a parking study demonstrating that the parking requirement is excessive; however, unless the Applicant demonstrates through a parking study that the parking requirement is excessive, the Project would eliminate or reduced parking required to serve existing resources as it is prohibited to do so based on LUP Policy 27.

Section 4. The Planning Commission hereby recommends that the City Council deny PZ 18-410-01 (Coastal Plan amendment). The Planning Commission's recommendation of denial is based upon the specific findings included in this Resolution, with each of these findings providing a separate and distinct basis for the Planning Commission's recommendation that the City Council deny PZ-18-410-01.

Section 5. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 22nd day of August, 2019.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 22nd day of August, 2019, and carried by the following vote:

AYES: Commissioner(s): Chua; Dozier; Frank; Meyer; Sanchez

NOES: Commissioner(s): Chavez

ABSENT: Commissioner(s): Fuhring

ABSTAIN: Commissioner(s):

Deidre Frank, Chair

ATTEST:

Jeffrey Lambert, AICP, Secretary

CHANNEL ISLANDS HARBOR
Ventura County Harbor Department

Mark Sandoval
Director

3900 Pelican Way • Oxnard, CA 93035-4367 • (805) 973-5950 • Fax (805) 382-3015

October 17, 2019

Jeffrey Lambert
Community Development Director
City of Oxnard
214 South C Street
Oxnard, CA 93030

SUBJECT: PARKING AND TRAFFIC STUDIES FOR FISHERMAN'S WHARF

Dear Mr. Lambert:

I am writing regarding the up-coming City Council Hearing for the County's application for an amendment to the City of Oxnard Local Coastal Plan.

One of the key issues discussed at the Planning Commission hearing was the lack of a professional parking study relative to the proposed project, a key issue in your staff report, and an issue which led to a recommendation of denial by the Planning Commission. We have since commissioned a traffic professional, Stantec Consulting Services Inc., who has completed a Parking Study. I have attached a copy of that final report.

As you can see, their conclusion is that the parking included in the project design is more than sufficient to handle the parking demands, per the standards in the Institute of Transportation Engineers *Parking Generation Manual* (2019), even at peak hours, and there is even a larger parking space surplus when shared parking dynamics are considered.

In addition, I have attached a Memo from Stantec, who as you know also performed two Traffic Studies for the project, both in 2016. The 9th Edition of the Institute of Traffic Engineers (ITE) *Trip Generation Manual* was utilized for these studies. In this Memo, Stantec indicates that they applied the trip rates from the 10th Edition of the ITE *Trip Generation Manual* (2017) and found that using the new trip rates, the trips indicated in the original studies could be reduced by nearly 30%. You may recall that the initial studies indicated there was no significant traffic impact by the proposed project, and the new industry rates demonstrate there will be less impact than originally predicted.

Please feel free to contact me at 805 973-5950 if you have any questions.

Sincerely,

Mark Sandoval

Mark Sandoval, Director

:MS

Attachments: Stantec Parking Study Report
Stantec Traffic Update Memo

Stantec Consulting Services Inc.
111 E. Victoria Street, Santa Barbara CA 93101

October 17, 2019
File: 2064132900

Mr. Mark Sandoval
Channel Islands Harbor Director
Harbor Department, County of Ventura
3900 Pelican Way
Oxnard, CA 93035

Subject: **Parking Study for the Fisherman's Wharf Mixed-Use Project, Channel Islands Harbor, CA**

Dear Mr. Sandoval,

Stantec has prepared the following Parking Study for the proposed Fisherman's Wharf Mixed-Use Project. The study outlines the parking requirement for the project and determines if the proposed parking supply would be sufficient to accommodate future parking demands.

PROJECT DESCRIPTION

The project site is located on the southwest corner of Channel Islands Boulevard and Victoria Avenue in the Channel Islands Harbor. The project proposes to redevelop the existing commercial site to provide a 390-unit apartment complex, 36,172 square foot of commercial space and a public park. The proposed parking supply is a total 974 spaces. Table 1 shows the project statistics.

Table 1
Project Statistics

Project Component	Size
Apartments	390 apartments
Retail Space	13,105 SF
Office Space	3,338 SF
Restaurants	19,729 SF[1]
Public Park	1 acre

SF = gross square feet.
[1] Restaurant space includes 17,389 SF gross floor area and 2,340 SF outdoor area.

PARKING REQUIREMENT BY MUNICIPAL CODE

The project site is located in the Ventura County Channel Islands Harbor. Parking requirements were calculated pursuant Article 8108-4.7 contained in the Ventura County Municipal Code. The parking requirement for the site are summarized below.

Table 2
County of Ventura Parking Requirements

Land Use	Size	Parking Requirements	Parking Required
Multifamily Residential			
1-bed	135 units	1.4 spaces/unit	189 spaces
2-bed	225 units	1.7 spaces/unit	383 spaces
3-bed	30 units	2.3 spaces/unit	69 spaces
Visitor	390 units	0.25 space/unit	98 spaces
Retail	13,105 SF	1 space/250 SF	52 spaces
Office	3,338 SF	1 space/300 SF	11 spaces
Restaurant <5,000 SF	4,550 SF	1 space/90 SF	51 spaces
Restaurant >5,000 SF	15,179 SF	1 space/145 SF	105 spaces
Park	1 acre	5 spaces	5 spaces
Total			**963 Spaces**

Table 2 indicates that the project parking requirement would be 963 parking spaces. The proposed parking supply of 974 spaces would be sufficient to accommodate the parking requirement based on County Code.

It is noted that the County's parking requirements assume an overlap of each land uses' peak demand. In reality, peak demands for each land use occur at different times during the day, resulting in overall lower parking demand on the mixed-use site. This shared parking concept is discussed below.

Shared Parking Demand Analysis

Shared Parking means that parking spaces are shared by more than one user, which allows parking spaces to be used more efficiently. Shared Parking takes advantage of the fact that most parking spaces are only used part time by a particular land use, with utilization patterns that follow predictable daily and weekly cycles. Shared parking demands for the project were developed applying hourly occupancy factors contained in the Urban Land Institute (ULI) *Shared Parking*[1] manual for the proposed commercial and residential uses. Tables showing the ULI shared parking

[1] Shared Parking, 2nd Edition, Urban Land Institute, 2016.

calculations are attached for reference. The shared peak parking demand generated based on County Code are shown in Table 3.

Table 3
Shared Parking Analysis

Land Use	Size	Weekday Peak Parking Demand (7pm)	Weekend Peak Parking Demand (8pm)
Multifamily Residential			
Resident	390 Units	620 spaces	627 spaces
Visitor		98 spaces	98 spaces
Retail	13,105 SF	50 spaces	34 spaces
Office	3,338 SF	1 space	0 spaces
Restaurant	19,729 SF	156 spaces	156 spaces
Park	1 acre	5 spaces	5 spaces
Total		**930 spaces**	**920 spaces**

As shown, peak parking demands would occur at 7pm during weekdays, with a peak demand of 930 spaces. The proposed parking supply of 974 spaces accommodates the peak parking requirement.

PARKING GENERATION ANALYSIS

The project's parking demands were also assessed based on peak parking rates contained in the Institute of Transportation Engineers (ITE) *Parking Generation Manual*[2]. The ITE Parking Generation Manual provides rates that are widely used in the transportation engineering industry to calculate peak parking demands. Table 4 shows the peak parking demand calculated for each proposed using ITE rates for the weekday and weekend.

As shown, the peak demand based on ITE peak parking rates would be 731 spaces during weekdays and 816 spaces during weekends. However, pursuant to the shared parking concept discussed previously, peak demands for each land use do not all occur simultaneously. For instance, peak parking for the retail component on Saturdays occurs from 11am to 5pm, whereas peak parking for the restaurants on Saturdays occurs from 7pm to 8pm. When the shared parking hourly adjustments previously discussed are applied to the combined peak parking demand

[2] Parking Generation, 5th Edition, Institute of Transportation Engineers, 2019.

shown in Table 4, the shared peak parking would be a total of 705 spaces during weekdays and 787 spaces during weekends. This is summarized in Table 5.

Table 4
ITE Parking Generation Rates and Peak Parking Demand

Land Use	Size	Weekday		Weekend	
		Parking Rate	Parking Demand	Parking Rate	Parking Demand
Multifamily Residential[1]	390 units	1.31 spaces/unit	511 spaces	1.22 spaces/unit	476 spaces
Retail[2]	13,105 SF	1.95 spaces/KSF	26 spaces	2.91 spaces/KSF	38 spaces
Office[3]	3,338 SF	2.56 spaces/KSF	9 spaces	0.30 spaces/KSF	1 space
Quality Restaurant[4]	17,389 SF	10.52 spaces/KSF	183 spaces	17.00 spaces/KSF	296 spaces
Park	1 acre	2.03 spaces/Ac	2 spaces	5.08 spaces/Ac	5 spaces
Total			**731 Spaces**		**816 Spaces**

KSF = 1,000 square feet.
[1] ITE Land Use 221: Multifamily Housing (Mid-Rise).
[2] ITE Land Use 820: Shopping Center.
[3] ITE Land Use 712: Small Office Building.
[4] ITE Land Use 931: Quality Restaurant. Peak demand rates apply to gross floor area (GFA). Restaurant space is 17,389 SF GFA + 2,340 SF outdoor area.
[5] ITE Land Use 411: Public Park.

Table 5
Peak Parking Demand – Shared Parking Analysis

Land Use	Size	Weekday Peak Parking Demand (8pm)	Weekend Peak Parking Demand (8pm)
Multifamily Residential	390 units	501 spaces	466 spaces
Shopping Center	13,105 SF	20 spaces	25 spaces
Office	3,338 SF	1 space	0 space
Quality Restaurant	17,389 SF	183 spaces	296 spaces
Park	1 acre	2 spaces	5 spaces
Total		**707 Spaces**	**792 Spaces**

KSF = 1,000 square feet

The proposed parking supply of 974 spaces is more than adequate to accommodate the peak parking demand of 707 spaces on weekdays and 792 spaces on weekends. It should also be acknowledged that the mixed-use nature of the development is expected to further reduce overall parking demands. The interaction between the various land uses (i.e. residents walking to and from retail and/or restaurants) would "capture" traffic that would otherwise occur if each

land use were a "stand-alone" building. The traffic and circulation study prepared for the project site showed that internal trip capture rate (or traffic demand reduction) of 7% in the morning and 19% in the afternoon, which is expected to translate to a similar reduction in parking demand.

VALET PARKING PROGRAM

The applicant proposes to implement a valet program for the restaurant component during peak periods (i.e. Summer weekends). The valet program would allow for an increased parking capacity in the public parking area of the parking garage during peak demand periods. A typical valet program would direct drivers or utilize attendants to park on one side of a drive-aisle (stack or double-park). An attendant would move the vehicle only as necessary to allow exit by another vehicle, or to move it to a regular space if one becomes available. The valet program is expected to add a minimum of 40 parking spaces in the public parking area.

CONCLUSIONS

The analysis contained in this Parking Study indicated that the proposed parking supply for the Fisherman's Wharf is sufficient to accommodate the parking requirement per Ventura County Municipal Code. In addition, a peak parking demand analysis completed using standard industry peak demand rates found that the proposed parking supply also satisfies the expected peak parking demands during weekdays and weekends. It was noted that the mixed-use nature of the site provides for internal trip capture, which is expected to translate in further reduction in parking demand.

This concludes our Parking Study for the Fisherman's Wharf Mixed-Use Project, Channel Islands Harbor.

Sincerely,

STANTEC CONSULTING SERVICES INC.

Dennis Lammers, PTP
Senior Transportation Planner

Derek Rapp
Transportation Department Manager (QA/QC)
T.E. 2026

Attachments: Shared Parking Calculation Worksheets

WEEKDAY PARKING DEMAND CALCULATIONS - COUNTY CODE

	Land Use	*Size*	*Rate*	*Peak Demand*
	Office (kSF)	3.338	3.33	11
	Retail (kSF)	13.105	4.00	52
	Restaurant (kSF)	19.729	7.90	156
	Cinema (seats)	0	0.25	0
	Residential - Resident	390	1.64	640
	Residential - Visitor	390	0.25	98
/	Guest Room (rooms)	0	1.00	0
Hotel /	Rest/Lounge (kSF)	0	10.00	0
\	Conference Rm (seats)	0	0.50	0
\	Convention Area (kSF)	0	30.00	0

	Office	Retail	Restaurant	Cinema	Res. Resident	Res. Visitor	Hotel				Total
Hour of Day					(non-CBD)		Guest Room	Rest./Lounge	Conference Rm.	Convention Area	
6:00 a.m.	0	0	0	0	640	0	0	0	0	0	640
7:00 a.m.	3	3	3	0	576	10	0	0	0	0	594
8:00 a.m.	8	8	8	0	544	20	0	0	0	0	587
9:00 a.m.	11	18	16	0	512	20	0	0	0	0	576
10:00 a.m.	11	34	23	0	480	20	0	0	0	0	568
11:00 a.m.	11	45	62	0	448	20	0	0	0	0	585
12:00 noon	10	50	117	0	416	20	0	0	0	0	612
1:00 p.m.	10	52	117	0	448	20	0	0	0	0	647
2:00 p.m.	11	50	101	0	448	20	0	0	0	0	629
3:00 p.m.	11	47	62	0	448	20	0	0	0	0	588
4:00 p.m.	10	47	78	0	480	20	0	0	0	0	634
5:00 p.m.	6	50	117	0	544	39	0	0	0	0	755
6:00 p.m.	3	50	148	0	576	59	0	0	0	0	835
7:00 p.m.	1	50	156	0	620	98	0	0	0	0	925
8:00 p.m.	1	42	156	0	627	98	0	0	0	0	923
9:00 p.m.	0	26	156	0	633	98	0	0	0	0	913
10:00 p.m.	0	16	148	0	640	98	0	0	0	0	901
11:00 p.m.	0	5	117	0	640	78	0	0	0	0	840
12:00 midnight	0	0	39	0	640	49	0	0	0	0	727

Source: ULI *Shared Parking*, 2nd Edition, 2016

WEEKEND PARKING DEMAND CALCULATIONS - COUNTY CODE

	Land Use	Size	Rate	Peak Demand
	Office (kSF)	3.34	3.33	11
	Retail (kSF)	13.11	4.00	52
	Restaurant (kSF)	19.73	7.90	156
	Cinema (seats)	0.00	0.25	0
	Residential - Resident	390.00	1.64	640
	Residential - Visitor	390.00	0.25	98
/	Guest Room (rooms)	0.00	1.00	0
Hotel /	Rest/Lounge (kSF)	0.00	10.00	0
\	Conference Rm (seats)	0.00	0.50	0
\	Convention Area (kSF)	0	30	0

Hour of Day	Office	Retail	Restaurant	Cinema	Res. Resident (non-CBD)	Res. Visitor	Hotel Guest Room	Rest./Lounge	onference Ri	Convention Area	Total
6:00 a.m.	0	0	0	0	640	0	0	0	0	0	640
7:00 a.m.	2	3	0	0	576	10	0	0	0	0	590
8:00 a.m.	7	5	0	0	544	20	0	0	0	0	575
9:00 a.m.	9	16	0	0	512	20	0	0	0	0	556
10:00 a.m.	10	26	0	0	480	20	0	0	0	0	535
11:00 a.m.	11	34	23	0	448	20	0	0	0	0	536
12:00 noon	10	42	78	0	416	20	0	0	0	0	565
1:00 p.m.	9	47	86	0	448	20	0	0	0	0	609
2:00 p.m.	7	52	70	0	448	20	0	0	0	0	596
3:00 p.m.	4	52	70	0	448	20	0	0	0	0	594
4:00 p.m.	2	50	70	0	480	20	0	0	0	0	621
5:00 p.m.	1	47	94	0	544	39	0	0	0	0	724
6:00 p.m.	1	42	140	0	576	59	0	0	0	0	817
7:00 p.m.	0	39	148	0	620	98	0	0	0	0	905
8:00 p.m.	0	34	156	0	627	98	0	0	0	0	914
9:00 p.m.	0	26	140	0	633	98	0	0	0	0	897
10:00 p.m.	0	18	140	0	640	98	0	0	0	0	896
11:00 p.m.	0	8	140	0	640	78	0	0	0	0	866
12:00 midnight	0	0	78	0	640	49	0	0	0	0	766

Source: ULI Shared Parking, 2nd Edition, 2016

WEEKDAY PARKING DEMAND CALCULATIONS - ITE PARKING GENERATION RATES

	Land Use	*Size*	*Rate*	*Peak Demand*
	Office (kSF)	3.34	2.56	9
	Retail (kSF)	13.11	1.95	26
	Restaurant (kSF)	17.39	10.52	183
	Cinema (seats)	0	0.25	0
	Residential - Resident	390	1.31	511
	Residential - Visitor	390	0.00	0
/	Guest Room (rooms)	0	1.00	0
Hotel /	Rest/Lounge (kSF)	0	10.00	0
\	Conference Rm (seats)	0	0.50	0
\	Convention Area (kSF)	0	30.00	0

	Office	Retail	Restaurant	Cinema	Res. Resident	Res. Visitor	Hotel				Total
Hour of Day					(non-CBD)		Guest Room	Rest./Lounge	Conference Rm.	Convention Area	
6:00 a.m.	0	0	0	0	511	0	0	0	0	0	511
7:00 a.m.	3	1	4	0	460	0	0	0	0	0	467
8:00 a.m.	6	4	9	0	434	0	0	0	0	0	454
9:00 a.m.	8	9	18	0	409	0	0	0	0	0	444
10:00 a.m.	9	17	27	0	383	0	0	0	0	0	436
11:00 a.m.	9	22	73	0	358	0	0	0	0	0	461
12:00 noon	8	24	137	0	332	0	0	0	0	0	501
1:00 p.m.	8	26	137	0	358	0	0	0	0	0	528
2:00 p.m.	9	24	119	0	358	0	0	0	0	0	509
3:00 p.m.	9	23	73	0	358	0	0	0	0	0	462
4:00 p.m.	8	23	91	0	383	0	0	0	0	0	505
5:00 p.m.	4	24	137	0	434	0	0	0	0	0	600
6:00 p.m.	2	24	174	0	460	0	0	0	0	0	660
7:00 p.m.	1	24	183	0	496	0	0	0	0	0	704
8:00 p.m.	1	20	183	0	501	0	0	0	0	0	705
9:00 p.m.	0	13	183	0	506	0	0	0	0	0	702
10:00 p.m.	0	8	174	0	511	0	0	0	0	0	692
11:00 p.m.	0	3	137	0	511	0	0	0	0	0	651
12:00 midnight	0	0	46	0	511	0	0	0	0	0	557

Source: **ULI Shared Parking, 2nd Edition, 2016**
ITE Parking Generation Manual, 5th Edition, 2019

WEEKEND PARKING DEMAND CALCULATIONS - ITE PARKING GENERATION RATES

	Land Use	*Size*	*Rate*	*Peak Demand*
	Office (kSF)	3.34	0.30	1
	Retail (kSF)	13.11	2.91	38
	Restaurant (kSF)	17.39	17.00	296
	Cinema (seats)	0	0.25	0
	Residential - Resident	390	1.22	476
	Residential - Visitor	390	0.00	0
/	Guest Room (rooms)	0	1.00	0
Hotel /	Rest/Lounge (kSF)	0.00	10.00	0
\	Conference Rm (seats)	0	0.50	0
\	Convention Area (kSF)	0	30	0

Hour of Day	Office	Retail	Restaurant	Cinema	Res. Resident (non-CBD)	Res. Visitor	Hotel Guest Room	Rest./Lounge	onference Ri	Convention Area	Total
6:00 a.m.	0	0	0	0	476	0	0	0	0	0	476
7:00 a.m.	0	2	0	0	428	0	0	0	0	0	430
8:00 a.m.	1	4	0	0	404	0	0	0	0	0	409
9:00 a.m.	1	11	0	0	381	0	0	0	0	0	393
10:00 a.m.	1	19	0	0	357	0	0	0	0	0	377
11:00 a.m.	1	25	44	0	333	0	0	0	0	0	403
12:00 noon	1	31	148	0	309	0	0	0	0	0	488
1:00 p.m.	1	34	163	0	333	0	0	0	0	0	531
2:00 p.m.	1	38	133	0	333	0	0	0	0	0	505
3:00 p.m.	0	38	133	0	333	0	0	0	0	0	505
4:00 p.m.	0	36	133	0	357	0	0	0	0	0	526
5:00 p.m.	0	34	177	0	404	0	0	0	0	0	616
6:00 p.m.	0	31	266	0	428	0	0	0	0	0	725
7:00 p.m.	0	29	281	0	462	0	0	0	0	0	771
8:00 p.m.	0	25	296	0	466	0	0	0	0	0	787
9:00 p.m.	0	19	266	0	471	0	0	0	0	0	756
10:00 p.m.	0	13	266	0	476	0	0	0	0	0	755
11:00 p.m.	0	6	266	0	476	0	0	0	0	0	748
12:00 midnight	0	0	148	0	476	0	0	0	0	0	624

Source: **ULI Shared Parking, 2nd Edition, 2016**
ITE Parking Generation Manual, 5th Edition, 2019

Stantec

Memo

To:	Mark Sandoval Harbor Department, County of Ventura	From:	Dennis Lammers Santa Barbara Office
File:	2064132900	Date:	October 17, 2019

Reference: Fisherman's Wharf Mixed-Use Project -Trip Generation Comparison

Project trip generation estimates were developed for the Traffic and Circulation Study (2016) based on trip generation rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition, 2012. ITE has since published the Trip Generation Manual, 10th Edition, 2017. When trip generation estimates are recalculated using the most recent rates in the 10th Edition, the Fisherman's Wharf is projected to generate 405 less average daily trips, 52 less AM peak hour trips and 51 less PM peak hour trips. Therefore, a 28% reduction in AM trip additions and 29% reduction in PM trip additions at study area intersections would be expected.

Table 1 provides a comparison between the trip generation contained in the Traffic and Circulation Studyand the trip generation using rates from the ITE Trip Generation, 10th Edition. Table 2 provides the complete trip generation calculations per ITE Trip Generation, 10th Edition.

Table 1
Project Trip Generation Comparison

Project Land Use	SF/DU	Land Use Code	Trips						
				AM			PM		
			ADT	In	Out	Total	In	Out	Total
Traffic and Circulation Study (2016)									
Net Project Trip Addition[1]			2,356	34	150	184	119	52	171
Updated Trip Generation (2019)									
Net Project Trip Addition			1,951	37	95	132	76	44	120
Difference			***-405***	***3***	***-55***	***-52***	***-43***	***-8***	***-51***

[1] Traffic and Circulation Study, Page 11, Table 5 – Project Trip Generation.

Reference: **Fisherman's Wharf Mixed-Use Project -Trip Generation Comparison**

Table 2
Project Trip Generation – ITE Trip Generation Manual 10th Edition Rates

Existing	SF/DU	Land Use Code	Trips						
				AM			PM		
			ADT	In	Out	Total	In	Out	Total
Shopping Center	31,158	820	2,721	54	34	88	110	119	229
Seafood Dock	5,000	N/A	20	2	2	4	2	2	4
Pass-by			*272*	*5*	*3*	*8*	*37*	*40*	*77*
Total Existing Primary Trips			***2,449***	***51***	***33***	***84***	***75***	***81***	***156***
Project									
Shopping Center	36,172	820	3,011	63	39	102	123	133	256
Multifamily Housing[3]	390	221	2,122	37	103	140	105	67	172
Public Park	0.5	N/A	3	0	0	0	0	0	0
Subtotal[2]			*5,136*	*100*	*142*	*242*	*228*	*200*	*428*
Internal Capture Trips[1]			*462*	*8*	*9*	*17*	*41*	*40*	*81*
Total External Trips			*4,674*	*92*	*133*	*225*	*187*	*160*	*347*
Pass-by Trips[2]			*274*	*4*	*5*	*9*	*36*	*35*	*71*
Total Project Primary Trips			***4,400***	***88***	***128***	***216***	***151***	***125***	***276***
Net Project Trip Addition			**1,951**	**37**	**95**	**132**	**76**	**44**	**120**

[1] Internal capture based on criteria contained in the ITE Trip Generation Handbook. A total of 9% of the daily trips, 7% of the AM peak hour trips and 19% of the PM peak hour trips are expected to be internal trips.

[2] Pass-by rates derived from the ITE Trip Generation Handbook. A 10% ADT, a 10% AM peak hour and a 34% PM peak hour pass-by rate was applied to the external trips generated by the commercial retail.

[3] ITE Land Use - Apartments is removed from Trip Generation Manual and replaced by Land Use - Multifamily Housing. Land Use #221 – Multifamily Housing (Mid-Rise) applies to residential project component.

Oxnard City Council Special Meeting
November 7, 2019

Planning and Zoning Permit No. 18-410-01

Links to Attachments

Written Communications from public:
https://drive.google.com/open?id=1cFEBMC9DrPhvE1xI11Gag8i6wt6iSBbY

County of Ventura presentation:
https://drive.google.com/file/d/1XKFoR5sxe59MA_u5GbQijn5Rc_NJOlnN/view?usp=sharing

Harbor & Beach Community Alliance documents and presentation:
https://drive.google.com/open?id=1jicdRIQ2ppBMRc_7R47zJY0Qoq8gRT0a

California YIMBY – Ventura County presentation:
Available by Tuesday, Oct. 29, 2019

Local Coastal Plan Amendment
PZ NO. 18-410-01
Fisherman's Wharf

Jeffrey Lambert, AICP, Community Development Director
Isidro Figueroa, Principal Planner

City Council Special Meeting
November 7, 2019

CITY OF OXNARD CALIFORNIA

1

Aerial/Land Use

Coastal Zoning:
Harbor- Channel Island

2030 General Plan Land Use-
Harbor Channel Island

2

Request

- **Amend certified Local Coastal Program (LCP) to:**
  - Incorporate newly created land use: " Urban Village"
  - Change Land Use Plan (LUP) Policies: 23 & 35
    - ➢ **LUP Policy 23**
      - To allow for residential use within Fisherman's Wharf 11-acre site at 40 units/acre-
      - Residential is currently not allowed on the site
    - ➢ **LUP Policy 35**
      - Increase maximum height to not exceed two stories or 25 feet (ft) whichever is greater
      - Corner of Victoria/Channel Islands allow for 55 ft/ additional 10 ft for screening purposes

3

History

- LUP adopted 1982
- Coastal Zoning Ordinance adopted 1986
- City's LCP certified 1986
- Public Works Plan (PWP) adopted 1986
  - Serves as the regulatory mechanism "mini LCP" for the Channel Island Harbor
  - Administered by County of Ventura Harbor Department (County)
- PWP- Channel Island Harbor (Harbor)
  - PWP must be consistent with the City's certified LCP
  - Any amendment to PWP must be consistent with the City' LCP
  - PWP amended 6 times
  - Board of Supervisors (BOS) approved 7th amendment on June 14, 2016

4

Background

- BOS approved 7th amendment inconsistent with City's LCP
- August 17, 2016 County sought California Coastal Commission (CCC) approval of 7th amendment
- August 24, 2017 CCC found PWP 7th Amendment incomplete
  - LCP amendment not filed with City
- March 28, 2017 County filed for dispute resolution with the Coastal Commission seeking to overturn the CCC Director's decision that the PWP 7th amendment was incomplete
- October 12, 2017 Coastal Commission denied County's request
- June 25, 2018 County submitted LCP amendment application to the City on behalf of Channel Island Harbor Properties, LLC

5

Community Workshop

- April 12, 2019, the Applicant mailed notices of the Community Workshop meeting to approximately 3,348 property owners
  - Hollywood By The Sea; Channel Islands and Silver Strand neighborhoods
- April 22, 2019 Community Workshop was held
- Concerns the Applicant responded to regarding the Fisherman's Wharf Replacement project were:
  - Urban Village land use designation not consistent with LCP and Coastal Act
  - Traffic conditions (worsen)
  - Parking deficiencies (not designed to meet City off-street requirements)
  - Loss of public access and views
  - Reduction in size and accessibility of existing park

6

Planning Commission

- August 22, 2019 Planning Commission held public hearing on LCP Amendment.
- A total of 61 individuals provided public comment at the hearing
  - 43 spoke against
  - 18 spoke in favor
- Staff forwarded nearly 900 public comments to the Planning Commission prior to the public hearing.
- Planning Commission voted 5-1 (one commissioner absent) to recommend denial of LCP Amendment to City Council.

7

Fisherman's Wharf Replacement Project

The project specific LCP Amendment would allow development of 11-acre Fisherman's Wharf site for the following:

- 400 market rate residential rental units
- 36,000 square feet of commercial, retail
- 1,100 linear feet of waterfront walkways
- "New" park
- Relocation of the Urchin Dock
- 131 surface parking spaces
- 865 garage parking spaces

8

Project Specific LCP Amendment

- The request is a project specific LCP amendment:
  - This means that the proposed LCP amendment is designed to accommodate a known development project
- The results of an adoption of this LCP amendment would be to allow this project to move forward to permits and construction without any further action by the City
- LCP Amendment is inconsistent with Coastal LUP Policies Nos.: 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74

9

City Authority

If LCP Amendment is adopted by City and certified by CCC:

- PWP 7th Amendment must be certified by CCC

- City will not have authority to review and render a decision on the Fisherman's Wharf Replacement Project
- Applicant would be required to obtain a Coastal Development Permit from CCC to authorize the Fisherman's Wharf Replacement Project
- City would be notified of the Coastal Development Permit (CDP)
  - City can only comment on the project
  - City would have no role in the review and subsequent decision of the CDP for the Fisherman's Wharf Replacement Project

10

LCP Analysis

LUP Policies Nos. 16; 18; 21; 26; 27; 28; 30; 31; 32; 33; 73; and 74 provide protection measures that primarily serve to:

1. Maintain or enhance the coastal resources as identified and protected in the originally certified coastal land use plan;
2. Contain adequate parking; improvement and/or enhancement of existing infrastructure;
3. Not be detrimental to the public interest, health, safety, convenience or welfare; and
4. Maintain or enhance the provisions for public access within the coastal zone.

11

1. Maintain or enhance the coastal resources

- Size of the existing park has been reduced.
- Apartment footprint impedes direct access to the park and the recreation and visitor serving uses.
- Parking designed to meet County parking requirements which creates parking shortage constraining maximum access.
- No baseline study to determine if the 1,100 linear feet of waterfront walkways is adequate.
- Urchin dock to be relocated to existing boat slip location
  - No dimensions of existing dock and proposed dock provided
  - Replacement location would remove existing boat slips from the current Harbor inventory with no proposed replacement area for boat slips

12

2. Adequate parking; improvement/ enhancement of existing infrastructure

- Building footprint and associated parking proposed on existing parking lot currently serving Fisherman's Wharf site- inclusive of recreational boating facilities and services.
- No study to determine compliance with LUP Policy 27- 0.6 parking spaces/slip.
- No parking study has been submitted to City to determine if parking requirements is excessive.
- Parking reduction would eliminate or reduce parking currently serving existing coastal resources that requires a specific amount of parking as prescribed within LUP Policy 27.
- Applicant has not submitted plans to demonstrate consistency with the City's Bicycle and Pedestrian Facilities Master Plan.

13

3. Not be detrimental to public interest, health, safety, welfare

- Project layout constraints maximum public access to recreational opportunities currently enjoyed by general public.
- Parking deficiency causes shortage of parking further constraining maximum public access.
- Project provides 1,110 linear feet of waterfront walkways with no base figure study provided to the City to compare existing conditions.
- Size of improved park has been reduced. No base figure study provided to the City.

14

4. Maintain or enhance the provisions for public access

- Parking designed to meet the County -- not City -- requirements.
- Parking study could determine excessive parking requirement, but would eliminate or reduced parking for existing resources.
- Park size has been reduced.
- Parking deficiency also conflicts with LUP Policy 27
- Building design constraints maximum access to park and waterfront walkways currently enjoyed by general public.
- Staff unable to determine if the proposed walkways provide adequate and functional public spaces

15

Environmental Determination- CEQA

- Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental analysis in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process.

16

Recommendation

- Based on the proposed LCP Amendment's inconsistencies with the aforementioned LUP Policies, staff recommends that the City Council adopt the City Council Resolution denying Planning and Zoning Permit No. 18-410-01

17

CITY OF OXNARD CALIFORNIA

18