

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Item Tu 23b.

September 24, 1998

TO: Commissioners and Interested Parties

FROM: Charles Damm, Senior Deputy Director
Gary Timm, District Manager
James Johnson, Coastal Program Analyst

**RE: CITY OF PORT HUENEME LOCAL COASTAL PROGRAM MAJOR
AMENDMENT NO. 1-98: Land Use Plan, Zoning Ordinance, Land Use
Map, and Zoning Map (LCP Update)**

AMENDMENT SYNOPSIS

The City of Port Hueneme ("City") proposes to comprehensively update the certified Local Coastal Program which is divided into eleven (11) Subareas by amending: 1) the land use plan to revise the land uses on 21 key development sites located in the coastal zone, revise coastal dependent and related industrial land uses or policies in six Subareas, and revise or update numerous other sections including miscellaneous text clarifications, additions and deletions; 2) the zoning ordinance to carry out these revised land use designations, and 3) the land use plan and zoning maps accordingly. This proposed amendment, as submitted, does not include any changes to Hueneme Beach Park, Area A, nor propose any new environmentally sensitive habitat area (ESHA) or Resource Protective Policies. The certified LCP references the ESHA policy of the Coastal Act, as its only ESHA policy; the amendment proposes to add the specific language and Section number of Section 30240 of the Coastal Act into the Land Use Program.

STAFF NOTE

The City's Coastal Zone includes the eleven (11) Sub-areas, Areas A - K as depicted in Exhibit 4. A major reason for the proposed land use plan revision is because the City is approaching build-out with very few sites available for new development. This is the first major revision to the City's LCP since it was certified in 1984, and is intended to guide a modest level of development and growth through the year 2015. The issue of controversy at the City hearings was whether the beach, dune, and upland areas, supporting various wildlife located at the east end of Hueneme Beach Park, are considered environmentally sensitive habitats. The City's LCP Amendment 1-97, now withdrawn and not before the Commission, proposed to add a Resource Protection Zone and new ESHA policies addressing Hueneme Beach Park. The current LCP

Amendment 1-98, which is the subject of this report and now before the Commission, does not include a Resource Protection Zone nor any new ESHA policies.

This Amendment was originally scheduled for action at the Commission's June, 1998 meeting. In order to adequately address the issue of environmentally sensitive habitat areas with the City and interested parties, Staff requested an extension of time for Commission review. At the June 9, 1998 meeting, the Commission extended the time to act on this Amendment until March 20, 1999. This Amendment was then scheduled for the August 11, 1998 Commission meeting. On July 17, 1998, the City requested that the Amendment be postponed from the Commission's August meeting to allow time to consider the Staff's draft suggested modifications. As a result, the Amendment was continued to the Commission's October, 1998 meeting. Representatives of the City of Port Hueneme, United States Fish and Wildlife Service and Commission Staff have discussed the proposed Amendment and reached an informal agreement on the Suggested Modifications included in this report. This Amendment must be acted on by the Commission before March 6, 1999.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after a public hearing, deny the amendment to the Land Use Plan, Zoning Ordinance, and Land Use and Zoning Maps as submitted, and then approve the Amendment with suggested modifications. The modifications are necessary as the Land Use Plan Amendment, as submitted, is not consistent with Chapter 3 policies of the Coastal Act and the Zoning Ordinance and Maps, as submitted, are not adequate to carry out the Land Use Plan. The recommended Motions and Resolutions are provided on pages three (3) through five (5) of this report.

Staff recommends suggested modifications to the Land Use Plan to provide for Resource Protection Zone Overlay and Policies and suggested modifications to the Zoning Ordinance to delete portions of recreational project proposed in the Hueneme Beach Master Plan. Regarding the Land Use Plan and Map, the suggested modifications define and locate environmentally sensitive habitats, discuss planning issues, establish a Resource Conservation Zone Overlay and Resource Protection Zone Policies, identify specific habitat types, and revise the Coastal Zone Land Use Development Policy Matrix. Regarding the Zoning Ordinance, the suggested modifications modify the Hueneme Beach Master Plan to delete the proposed conceptual recreational uses and projects located within the recommended Resource Conservation Zone Overlay, require coastal developments located within the Commission's appeals jurisdiction to be appealable to the Commission, and add a definition of emergency to the list of definitions. These recommended suggested modifications are found on pages six (6) through eleven (11).

ADDITIONAL INFORMATION

For further information about this report or the amendment process, contact James Johnson at the Coastal Commission, 89 South California Street, Second Floor, Ventura, CA 93001, or 805-641-0142.

PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of the California Code of Regulations, the City resolution for submittal must indicate whether the Local Coastal Program Amendment will require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. If the Commission approves this amendment proposal, as submitted, the City of Port Hueneme must act to accept the Commission's action before the Amendment will be effective. Further, consistent with the requirements of Section 13544, the Executive Director's determination that the City's action is legally adequate, must also be fulfilled.

I. STAFF RECOMMENDATION

A. RESOLUTION I (Deny Certification of the Land Use Plan Amendment No. 1-98, as submitted)

Motion I.

"I move that the Commission certify the Land Use Plan Amendment No. 1-98 to the City of Port Hueneme LCP as submitted."

Staff recommends a **NO** vote on Motion I and the adoption of the following resolution of certification and related findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution I

The Commission hereby **Denies Certification** of the Land Use Plan Amendment No. 1-98 to the City of Port Hueneme Local Coastal Program as submitted and finds for the reasons discussed below that the Land Use Plan Amendment does not meet the requirements of and is not in conformity with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act, and that the certification of the amendment does not meet the requirements of Sections 21080.5(d)(2)(A) of the California Environmental Quality Act, as there are further feasible mitigation measures or feasible alternatives which could substantially lessen significant adverse effects to the environment.

B. RESOLUTION II (Approve certification of the LCP Land Use Plan Amendment No. 1-98, if modified as suggested)

Motion II

"I move that the Commission certify Land Use Plan Amendment No. 1-98 to the City of Port Hueneme LCP, if modified, as suggested."

Staff Recommendation

Staff recommends a **YES** vote on Motion II and adoption of the following resolution of certification and related findings. An Affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution II

The Commission hereby **certifies** the Land Use Plan Amendment No. 1-98 to the City of Port Hueneme LCP and finds for the reasons discussed below that the amendment, if modified as suggested, meets the requirements of and is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic goals specified in Section 30001.5 of the Coastal Act. The Land Use Plan amendment, if modified, is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625 of the Coastal Act, and approval of the amendment as modified will meet the requirements of Section 210080.5(d)(2)(A) of the California Environmental Quality Act, as there are no further feasible mitigation measures or feasible alternatives which would substantially lessen significant adverse effects on the environment. The Commission further finds that if the local government adopts and transmits its revisions to the amendment to the Land Use Plan in conformity with the suggested modifications, then the Executive Director shall so notify the Commission.

C. RESOLUTION III (Deny certification of the LCP Implementation Plan Amendment No. 1-98, as submitted)

Motion III

"I move that the Commission **Reject** the Implementation Plan Amendment No. 1-98 to the City of Port Hueneme LCP as submitted."

Staff Recommendation

Staff recommends a **YES** vote, on Motion III and the adoption of the following resolution to reject certification and related findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution III

The Commission hereby Rejects Amendment No. 1-98 to the Implementation Plan of the City of Port Hueneme LCP as submitted on the grounds that the amendment to the Local Coastal Program Zoning Ordinance does not conform to and is not adequate to carry out the provisions of the LCP Land Use Plan as certified. There are feasible alternatives or mitigation measures available which would substantially lessen any significant effects which the approval of the Implementation Plan amendment as submitted will have on the environment.

D. RESOLUTION IV (Approve certification of LCP Implementation Plan Amendment No. 1-98, if modified as suggested.)

Motion IV

"I move that the Commission Certify the Implementation Plan Amendment No. 1-98 to the City of Port Hueneme LCP, if modified in conformity with the suggested modifications set forth in this staff report."

Staff Recommendation

Staff recommends a YES vote, on Motion IV which would result in the adoption of the following resolution of certification and related findings. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

Resolution IV

The Commission hereby Certifies Amendment No. 1-98 to the Implementation Plan of the City of Port Hueneme LCP, if modified, on the grounds that the amendment to the Local Coastal Program Zoning Ordinance conforms to and is adequate to carry out the provisions of the LCP Land Use Plan as certified. As modified, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant effects which the approval of the Implementation Plan amendment will have on the environment.

II. A. SUGGESTED MODIFICATIONS FOR LAND USE PLAN

(Staff Note: Modifications adding new language are underlined; no strike outs of existing language are proposed.)

1. MODIFICATION 1

Add to Local Coastal Land Use Plan, Area A, Hueneme Beach Park, Exhibit 8, page 40.

ENVIRONMENTALLY SENSITIVE HABITAT AREA

1. Definition and Location

Many undeveloped areas of the coastal zone provide habitat for many species of animals and plants; the intent of the Coastal Act is to preserve and protect significant habitat resources. Pursuant to section 30107.5 of the Public Resources Code, an Environmentally Sensitive Habitat (ESHA) is defined as:

... any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Habitats found in the City of Port Hueneme at the east end of Hueneme Beach Park include dune plant communities and rare and endangered species such as the least tern and snowy plover (as identified by the California Department of Fish and Game and United States Department of the Interior, Fish and Wildlife Service).

Environmentally Sensitive Habitats are vulnerable to disturbances or destruction from human activities. Unrestricted access, recreational uses, and development pose the greatest threat to such habitats.

2. Planning Issues

Since the City of Port Hueneme's Local Coastal Program was certified by the Coastal Commission in 1984, certain protected species (including least terns and snowy plovers) have been observed or reported to be found at the east end of Hueneme Beach Park. Hueneme Beach Park, including the east end of the Park where these habitats and species have been observed, has been improved for public recreational purposes consistent with Coastal Development Permit No. 179-33 and the 1972 Boundary Agreement between the City, State Lands Commission, and various parties. In addition to the fishing pier, shoreline

projects include completion of the main plaza of Hueneme Beach Park from Ventura Road to the easterly end of Oceanview Drive and construction of various thematic improvements at the southerly terminus of Ventura Road and a mini-park plaza at the southeast corner of Surfside Drive and Oceanview Drive. Potential impacts from these recreational uses include trampling or alteration of vegetative cover and disturbance of wildlife. These problems are primarily due to limited public awareness of habitat value and potential damage from these activities. Some potential impacts could be mitigated by proper management and maintenance of park areas and some control over types and locations of recreational activities. This area may also have potential for habitat restoration.

3. Resource Conservation Zone Overlay

The Land Use Plan includes a Resource Conservation Zone Overlay over the east portion of Hueneme Beach Park depicted geographically on Exhibit 17. The following provides a programmatic policy to help protect this area prior to any future development. The Resource Conservation Zone Overlay depicted on the Land Use Map may need modification in the future as a result of the habitat study discussed below.

4. Resource Protection Zone Policies

a. Future Development Projects

Prior to issuance of a coastal development permit by the City within the Resource Conservation Zone Overlay area, the proposed coastal development shall be found in conformity with applicable habitat protection policies of the Land Use Plan. In order to determine project conformity, the City shall cause completion of a habitat study of the Resource Conservation Zone Overlay by a qualified biologist or resource ecologist. The study shall encompass, at a minimum, the area located between Parking Lot B and the "J" Street Canal and the Resource Conservation Zone Overlay, prior to the filing of any application for a coastal development permit, except for Special Use Permits. The qualified biologist or resource ecologist shall be selected by the Port Hueneme City Manager in consultation with United States Department of Interior Fish and Wildlife Service, the Coastal Commission Executive Director, and California Department of Fish and Game. The scope of work, methodology, period of time to be studied, and results of the study shall be submitted for review and comment by the participating parties listed above. Thereafter, the final recommendations of the habitat study shall be submitted by the City as an LCP amendment to the Coastal Commission for certification and incorporation into the City's Local Coastal Program prior to the issuance of the coastal development permit.

Habitat Protection Study

The study shall determine East Hueneme Beach Park's significance relative to Coastal Act definitions and resource protection policies concerning Environmentally Sensitive Habitat Areas (ESHA) and buffer areas, and potential for habitat restoration. The habitat study shall make recommendations necessary to protect any ESHA from significant adverse impacts. Such recommendations shall include but not be limited to: (1) the specific location of any ESHA, as defined by Public Resources Code Section 30107.5, that shall be protected; (2) buffer areas to protect identified ESHA; and (3) the following limitations appropriate for activities within identified ESHA and ESHA buffer areas: (a) restrictions and possible seasonal closures related to public access and recreation; (b) appropriate signage and fencing; (c) appropriate public viewing areas and interpretive displays; (d) specification of the intensity and location of such uses; and, (e) delineation of areas and identification of conceptual proposals for potential habitat restoration, enhancement, and their funding sources.

Once the habitat study is completed, subsequent applicants for coastal development permits in the Resource Conservation Zone Overlay area may be required to update the habitat study consistent with the parameters listed above.

b. Temporary Development or Special Use Permit Projects

All temporary development projects or Special Use Permits issued for coastal development within Hueneme Beach Park (Coastal Zone Subarea A) shall be conditioned to identify potential sensitive resources within the Resource Conservation Zone Overlay and downcoast Ormond Beach areas and to prohibit participants and the public from traversing or otherwise disturbing dune areas within the Resource Conservation Zone Overlay. Applicable habitat protection policies resulting from the habitat study recommendations described in Section 4(a), above, shall be incorporated as conditions of approval for temporary development projects or Special Use Permits within Hueneme Beach Park. Special Uses or temporary developments within Hueneme Beach Park shall be focused west of Parking Lot C. Parking Lot C may be used for uses subordinate and ancillary to the special uses or temporary development activity, limited overnight recreational vehicle use, and other parking events.

c. Resource Conservation Zone Signage

The City, after consultation with the United States Department of Interior Fish and Wildlife Service and/or California Department of Fish and Game, shall post

appropriate signs along the existing pedestrian walkways located between Parking Lot B and Surfside III adjacent to the Resource Conservation Zone to inform the public as to the sensitivity of the area. Said signage shall not prohibit public access to or along the beach strand.

5. Specific Habitat Types

Habitats found at the beach and policies protecting these habitats are listed below. These policies are in addition to existing State and Federal regulations which protect species of plants and animals and their habitats.

a. Sand Dunes

Dunes are distinct and sensitive ecosystems that contain certain rare, endangered, protected, or unusual plant and animal species. Dune land forms serve an important function in protecting inland areas from storm damage and erosion. This highly specialized habitat is extremely unstable due to the interaction among surf, wind, and sand conditions. Sparse, highly adapted vegetation provides the only stabilization for sand movement. The small number of undisturbed dune areas in Southern California make many of the dune species uncommon, rare, or endangered. The principal threats to dune habitats are land uses or recreational activities which result in removal of the vegetation which stabilizes the sand. Public access, recreation, and off-road vehicle use may contribute to degradation of the dune resources unless adequately controlled.

i. Sand Dune Protection Policy

Due to State-wide significance, Southern foredune and backdune habitats within the Resource Conservation Zone Overlay shall be preserved and protected. Disturbance or destruction of any Southern foredune or backdune vegetation shall be prohibited. The cleaning of debris within Southern foredune and backdunes may be done by hand, but not with the use of mechanized equipment. Cleaning of debris in said dune areas should not occur between April 1 through August 30 unless accomplished in consultation with either the U.S. Department of Interior Fish and Wildlife Service or California Department of Fish and Game. All non-authorized motor and non-motorized vehicles shall be banned within the Resource Conservation Zone Overlay's coastal strand and dune areas.

ii. Sand Dune Land Use Policy

Proposed scientific and educational uses, and limited, well defined public access routes shall be allowed within the Resource Conservation Zone Overlay sand

dunes with appropriate mitigation. The City shall allow access to the dune areas consistent with the regulations of the United States Department of Interior Fish and Wildlife Service and/or California Department of Fish and Game between April 1 through August 30 to protect critical plant life habitat or rare and endangered wildlife that occupies the habitat during nesting and breeding seasons.

b. "J" Street Canal

The west bank of the "J" Street Canal may have eroded and encroached into Hueneme Beach Park. All diking, dredging, and filling activities that may occur along the western bank of the "J" Street Canal in the City of Port Hueneme shall conform to the provisions of Sections 30233 and 30607.1 of the Coastal Act to address the marine environment, riparian habitat, and adjacent wetlands. In addition, a buffer strip, a minimum of one-hundred feet (100') in width shall be maintained from the "J" Street Canal wherein no permanent structures shall be permitted except structures of minor nature, such as, fences, interpretive signs or viewing platforms, and existing unpaved access roads.

B. SUGGESTED MODIFICATION FOR LAND USE PLAN MAP

MODIFICATION 2

Revise Land Use Plan Map

The City shall establish a Resource Conservation Zone Overlay on the Land Use Plan Map as identified on Exhibit 17

C. SUGGESTED MODIFICATION FOR POLICY MATRIX

MODIFICATION 3

Add to Local Coastal Land Use Plan, Area A, Hueneme Beach Park, Exhibit 8, page 39.2.

The City shall revise Table 1, Coastal Zone Land Use Development Policy Matrix by adding an indicating circle for Area A Hueneme Beach in the Coastal Zone Policy category for Environmentally Sensitive Habitat Areas.

D. SUGGESTED MODIFICATIONS TO ZONING ORDINANCE

MODIFICATION 4

Revise Hueneme Beach Master Plan, Zoning Ordinance

The City shall revise Hueneme Beach Master Plan to delete proposed conceptual recreational projects and uses within the Resource Conservation Zone Overlay.

MODIFICATION 5

Revise Certified Zoning Ordinance page 298.

The City shall revise Section 10356(B)(1) of the City's Zoning Ordinance, Coastal Development to read:

1. Appealable Developments. Coastal developments constituting any of the following:

a. Projects, consisting of those defined in Sections 10355(A)(1), (2), (3), 10356(B)(5)(a) and 10356(B)(5)(e), involving property located in an area within which the Coastal Commission retains appeal jurisdiction as set forth on the Post Certification Permit and Appeal Jurisdiction Map referenced in Section 10356(A); or

MODIFICATION 6

Add to Certified Zoning Ordinance page 238.

The City shall add a definition of "Emergency" to Part B definitions, Section 10020 et al of the City's Zoning Ordinance.

Emergency

An "Emergency" means a sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

III. RECOMMENDED FINDINGS

A. STANDARD OF REVIEW AND PUBLIC PARTICIPATION

The following findings support the Commission's denial of the LCP Amendment as submitted and approval with suggested modifications. The standard of review for the proposed amendment to the certified Land Use Plan (LUP), pursuant to Section 30512(c) of the Coastal Act, is that the proposed amendment is in conformance with the Chapter 3 policies of the Coastal Act and will have no significant effect on the

environment. The standard of review for the proposed amendment to the Implementation Plan, pursuant to Section 30513 and 30514 of the Coastal Act, is that the proposed amendment is in conformance with, and adequate to carry out, the provisions of the LUP portion of the certified City of Port Hueneme Local Coastal Program.

Coastal Act Section 30503 requires public input in preparing, approving, certifying and amending any Local Coastal Program. On August 6, 1997, the City held a public hearing and adopted similar changes to the City's certified LCP submitted as Amendment No. 1-97 that were substantially similar in substance to this LCP Amendment No. 1-98. The section of LCP Amendment No. 1-97 that proposed to include a Resource Protection Area was eliminated in LCP Amendment No. 1-98 (Exhibit 18). Notice of LCP Amendment No. 1-97 was duly given consistent with Section 13515 of the Commission's Regulations. LCP Amendment No. 1-97 was withdrawn by the City on February 18, 1998. The City Council of Port Hueneme held a hearing on March 4, 1998 and adopted the proposed changes to the City's certified LCP submitted as Amendment No. 1-98 on March 6, 1998. The City also established a General Plan Advisory Committee to assist the City in preparing this amendment. As a result of the combined 1997 and 1998 hearings on the Amendments, the local hearings were duly noticed to the public consistent with Sections 13551 and 13552 of the California Code of Regulations which require that notice of availability of the draft LCP amendment be made available six (6) weeks prior to final local action. Notice of the subject amendment has been distributed to all known interested parties.

The Commission hereby finds and declares as follows:

B. Amendment Background and Description

1. Background and Location

The City of Port Hueneme ("City") is located at the southwest corner of Ventura County between the Pacific Ocean and is surrounded by the City of Oxnard. The Port of Hueneme, the United States Naval Construction Battalion Center (NCBC), and the Oxnard Harbor District are within the municipal boundaries of the City. The Oxnard Harbor District has a certified Port Master Plan and is located along the eastern side of Hueneme harbor. The Port of Hueneme, located in the vicinity of the Hueneme Harbor, and the NCBC located to the north of the harbor are federal Navy lands. The majority of the City of Port Hueneme is located to the east of the harbor area and a smaller area is located to the north of the NCBC. The City's ocean front includes Hueneme Beach Park and Pier. Hueneme Beach Park is located between the Oxnard Harbor District and the entrance to the Port of Hueneme, on the west, to the 'J' Street Canal and the City of Oxnard, on the east. The City of Oxnard surrounds the City of Port Hueneme; the 'J' Street Canal has historically been entirely located within the City of Oxnard. (Exhibits 1 - 4 and 17) The coastal zone boundary bisects the City diagonally nearly in half along a

general line leading northwest to southeast. For purposes of the Commission's review, only the portion of the City located within the coastal zone will be considered in this report. (Exhibit 3)

The City of Port Hueneme Local Coastal Program (LCP) has been fully certified since July 24, 1984 and the City assumed coastal permit authority on November 29, 1984. The certified LCP addressed applicable Coastal Policies and a mix of land uses located within eleven (11) Subareas. The permitted land uses include: Recreation, Residential, Parks/Open Space, Commercial and Visitor Serving, Coastal Related and Coastal Dependent Industrial, and Public Facilities. The City LCP does not address the federal land at the NCBC. Although the LCP addresses the port area of the Port of Hueneme, Oxnard Harbor District, the City does not have coastal permit authority over Oxnard Harbor District lands. A separate Commission certified Port Master Plan is administered by the Oxnard Harbor District.

The City of Port Hueneme is nearly a fully built-out city of about four and one-half square miles; it is a predominantly residential community of about 22,254 residents. Only about five percent of developable land, vacant or partially vacant, remains in the City, except for the land within the military base and the Oxnard Harbor District. The Naval Construction Battalion Center base comprises more than half of the land within the City's municipal boundaries.

2. Amendment Description Summary

The City of Port Hueneme submitted Local Coastal Program ("LCP") Amendment No. 1-98 in part on March 6, 1998 and March 12, 1998. The submittal was deemed complete and filed on March 20, 1998.

Prior to the submittal of this amendment, the City of Port Hueneme had submitted LCP Amendment No. 1-97 on August 12, 1997. The submittal was deemed complete and filed on August 25, 1997. Amendment No. 1-98, as the City's proposed Local Coastal Program Update, is similar to the former Amendment No. 1-97. The City, however, withdrew Amendment No. 1-97 on February 23, 1998 from further Commission consideration after Staff discussions regarding recommended suggested modifications.

The above Amendment No. 1-98, now before the Commission, incorporates most of the Staff's suggested modifications recommended for LCP Amendment No. 1-97. However, certain controversial aspects of LCP Amendment No. 1-97 are not directly included in proposed LCP Amendment No. 1-98 now before the Commission. These controversial provisions of LCP Amendment No. 1-97 related to the then proposed environmentally sensitive habitat area (ESHA) policies and the Resource Protection designated area at the east end of Hueneme Beach Park

The City has updated their Local Coastal Program, which is the subject of this amendment, as part of the City's General Plan Update (in process since 1992). The intent of the General Plan and Local Coastal Program Updates are to establish development policies for the City over the next twenty years or to the year 2015. The LCP Update includes incremental changes to land use designations from the Commission certified LCP, establishes limits for commercial development, a comprehensive update of Plan goals and policies, and revises or updates numerous other sections including miscellaneous text clarifications. The Commission's review focuses on only that portion of the City's General Plan Update within the coastal zone, known as the Local Coastal Program. (Exhibits 3 - 4)

The City's objective for this LCP Amendment, as noted in the Final Environmental Impact Report, is to update the 1984 Coastal Commission certified LCP with regard to information and language in a manner comprehensive enough to achieve identified goals and objectives "to protect, maintain, and where feasible, enhance and restore" the coastal zone.

To meet these goals, this LCP amendment includes policies targeting future growth for vacant or underdeveloped parcels, by focusing on visitor serving and retail development, promoting tourism and a creative use of the beach and harbor, providing housing for family ownership and for seniors, and improving accessibility from the regional freeway and highway system.

The City's LCP divides the Coastal Zone into eleven (11) Subareas known as: Area A - Area K. (Exhibit 4) The Amendment focuses on 21 of 23 key development sites, located within the coastal zone; only a few sites are vacant while many sites could be redeveloped. The two sites located outside the coastal zone (sites 7 and 18) are not subject to this Amendment (Exhibits 4 and 5). The development potential anticipated to occur under the Local Coastal Program will result in a modest level of development and growth in the City over the next 20 years. The City expects that future growth will be of a manageable level that can be supported by the existing and anticipated infrastructure. Citywide approximately 317 housing units, 326,000 sq. ft. of commercial facilities, 419,000 sq. ft. of light industrial and 566,000 sq. ft. of port-related facilities may be added to existing development on 23 key development sites. (It's important to note that 21 of these total 23 development sites are located in the coastal zone.) By comparison, the existing General Plan allows approximately 126 housing units, 419,000 sq. ft. of commercial facilities, and 419,000 sq. ft. of industrial facilities. These changes represent annual growth rates as follows: 0.2% for residential, 1.8% for commercial, and more than double for light industrial/port related land uses. As a result of this Amendment, the number of potential residential units is increased, the square footage of potential commercial facilities is decreased, while the potential port related/industrial square footage is substantially increased.

The specific changes to the LCP include the following items. For ease of reference, the updated LCP has been divided into three Sections. Section I contains a new table of contents, new figures, new tables, and revised language to reflect current conditions, history, relationships, and processes. Section II contains the updated Land Use Program which adds numerous Chapter 3 policies of the Coastal Act to those now in the existing LCP; it also adds specific language of certain Coastal Act policies currently listed by policy group in the certified Local Coastal Program. The second part of Section II includes a discussion of each Subarea relative to existing land use and General Plan Land Use as noted in Exhibit 8, pages 22 to 36. The third part of Section II includes the important Local Coastal Land Use Plan as noted in Exhibit 8, pages 37 to 54. The updated Section II also includes a discussion of relevant Coastal Act policies, updates the discussion on existing conditions within ten of the City's existing eleven (11) coastal Subareas (the City proposes no update to Area A Hueneme Beach Park), includes the potential for future development, provides specific land use development policies for some of the coastal Subareas; and amends the land use map to reflect the updated Land Use Plan.

Revisions to the City's Land Use Map (Exhibit 6) are designed to conform the land use designations of both the LCP and General Plan. Changes to the LCP text and Land Use Map include creating Low, Medium, and High Density Residential, Mixed Use, and Industry land use designations. Further changes include eliminating Coastal Related Industry and Coastal Dependent Industry land uses designations or policy categories. Port Related and Industrial Uses are proposed to replace the Coastal Related Industry and Coastal Dependent Industry designations as discussed below.

The City submitted on May 14, 1998, an addendum to the Land Use Plan. The addendum was the result of Staff discussions to clarify and delete certain minor portions of the LCP amendment submitted as Amendment No. 1-98. The LCP Land Use Plan, Exhibit 8, should be reviewed with this addendum letter to accurately reflect the City's LCP Amendment submittal for Commission action. This LCP amendment addendum letter is included as Exhibit 14.

3. Consistency with Coastal Act - Land Use Plan Amendment

The proposed amendment to the certified City of Port Hueneme Land Use Plan raises a number of issues regarding environmentally sensitive habitat areas, public service capacity, priority land uses including visitor serving commercial, coastal access and recreation, and coastal dependent and coastal related land uses. The proposed amendment proposes no substantive changes to Area A, Hueneme Beach Park. However, the LUP policy groups addressing environmentally sensitive habitat areas (ESHA) and diking, dredging, and filling and shoreline structures are proposed to be changed. The relevant coastal issues are discussed below as findings for Resolutions I and II.

The standard of review for an amendment to a certified Land Use Plan is that the amendment meets the requirements of, and is in conformity with the policies of Chapter 3 of the Coastal Act, to the extent necessary to achieve the basic goals specified in Section 30625(c) of the Coastal Act.

a. Environmentally Sensitive Habitat Areas

PRC Section 30107.5 states:

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The Coastal Act also includes policies providing protection for environmentally sensitive habitat areas. Two standards are included which address development both in and adjacent to these areas. Section 30240 of the Coastal Act states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (emphasis added)

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. (emphasis added)

The Commission generally considers wetlands, estuaries, streams, riparian habitats, lakes and portions of open coastal waters to be environmentally sensitive habitat areas because of the especially valuable role these areas play in maintaining natural ecological functions. These areas are easily degraded by human disturbance and much of the wetland and estuary habitat, as example, (over 90 percent) has been lost throughout coastal California. The Commission has developed general criteria for reviewing

development adjacent to environmentally sensitive habitat areas. The key standard, as required by PRC Section 30240(a), being the extent to which the proposed development maintains the functional capacity of such areas.

Maintaining the functional capacity of an environmentally sensitive habitat area is important. Functional capacity means the ability of a system to be self-sustaining and to maintain natural species diversity (i.e., species composition, richness, and relative abundance). The type of any future development, the particulars of its design, location in relation to the habitat area, and other relevant factors all affect the determination of the functional capacity.

In order to establish that the functional capacity is being maintained, the Commission has applied certain criteria, particularly to wetland habitats, which serve as indicators of healthy self-sustaining systems. Specifically, any future projects must be found to: (1) not alter presently occurring plant and animal populations in the ecosystem in a manner that would impair the long-term stability of the ecosystem (i.e., the natural species diversity, abundance and composition are essentially unchanged as a result of the project); (2) that the project does not harm a species or habitat that is rare or endangered; (3) that the project does not harm a species or habitat that is essential to the natural biological functioning of a particular sensitive habitat; and (4) that the project does not significantly reduce consumptive (e.g., fishing, aquaculture, and hunting) or non-consumptive (e.g., water quality and research opportunity) values of the ecosystem.

1. Background

The Commission has previously determined that a portion of the Hueneme Beach Park at the eastern end is ESHA during the review of LCP Amendment No. 1-94 in 1994; however, this amendment was not accepted by the City nor certified into their LCP. The Commission acted twice on this amendment, first in September 1994 and on a resubmitted amendment in November 1994. The Commission's first action in September 1994 to deny and then approve with suggested modifications was never adopted by the City. The Commission's second action in November 1994 to deny and approve with suggested modifications was adopted by the City and certified into the LCP. However, in January 1995 a newly elected Council majority asked the Commission to rescind the certification pursuant to a settlement of litigation. As a result, the Commission did not certify the City's LCP to include the formerly proposed RV Resort land use, a mitigation program, nor designate ESHA at the east end of Hueneme Beach Park. Therefore, the existing certified Local Coastal Program does not designate ESHA or provide for any special protection for habitats located at the east end of Hueneme Beach Park. In fact, a conceptual plan for various recreational developments are included in the zoning ordinance, which carries out the Park / Open Space land use designation. This Hueneme Beach Park Master Plan was certified by the Commission in 1984 as part of the original certification of the LCP (Exhibit 27).

2. City Proposed LCP Amendment Change

The certified LCP includes the Coastal Act policy for Environmentally Sensitive Habitat Areas by reference in Section II: Land Use Program. The LCP (page 11, Exhibit 8) identifies a number of Coastal Policies by title including ESHA. The discussion in this section states that the LCP for the City of Port Hueneme must conform to the policies of the California Coastal Act, which are organized into 14 groups as shown. The LCP goes on to state that of these 14 policy groups, ESHA, among others "are not relevant to the City of Port Hueneme (page 12, Exhibit 8). In effect, the City's LCP confirmed that there was no ESHA within the City in 1984, when the Commission certified the LCP.

The City now proposes to amend the LCP to add the specific policy language of the Coastal Act Section 30240 in a section titled: Environmentally Sensitive Habitat Areas. In addition, the City proposes to delete the discussion language stating that ESHA as a policy group is not relevant to the City of Port Hueneme. In effect, the City's amendment is now confirming that the ESHA policy is relevant to the City, rather than stating that this policy is not relevant to the City.

In addition, the policy group in this Land Use Section addressing diking, dredging, and filling and shoreline structures is proposed to be changed. The City proposes to separate this policy into two policy groups. Diking, dredging, and filling is proposed to be separated from shoreline structures (page 11, Exhibit 8). Shoreline structures is then proposed to be joined with flood control as a policy group. However, the sections which summarize applicable Coastal Act policies concerning these groups are listed slightly differently (pages 13 - 20). Flood control is listed within the policy group titled as Water and Marine Resources. Coastal Act Section 30236 addresses flood control and is joined in this section with Coastal Act Sections 30230 and 30231 which address marine resources and the biological productivity and quality of coastal waters. As a policy group, diking, dredging, filling and shoreline structures are joined together with the language of Coastal Act Section 30233. Shoreline structure, as a policy group, is also described within the language of Coastal Act Section 30235. This policy group does not include flood control with shoreline structures proposed as a policy group.

Although there appears to be some confusion regarding the policy group titles, it is important to recognize that the City is proposing to add specific policy language to further describe how these policy groups will be carried out in the Land Use Plan. Specific policy language is added that addresses: Water and Marine Resources (Coastal Act Sections 30230, 30231, and 30236); Diking Dredging, Filling and Shoreline Structures (Coastal Act Sections 30233); Commercial Fishing and Recreation Boating (Coastal Act Sections 30224, 30234, and 30255); Shoreline Structure (Coastal Act Section 30235); Environmentally Sensitive Habitat Areas (Coastal Act Section 30240); Agriculture (Coastal Act Section 30241); Soil Resources (Coastal Act Section 30243); Archaeological or Paleontological Resources (Coastal Act Section 30244); Locating and Planning New Development (Coastal Act Sections 30250, 30252, and 30253); Coastal

Visual Resources and Special Communities (Coastal Act Sections 30251 and 30253); Hazard Areas (Coastal Act Section 30253); Public Works (Coastal Act Section 30254); Industrial Development and Energy Facilities (Coastal Act Sections 30255 and 30260; and Housing (California Government Code Article 10.7, Section 65590).

The City proposes no substantive changes to land uses or discussion within the section addressing Area A: Hueneme Beach Park, the area within the City where ESHA may be located. The only changes proposed regarding this area include relocating the title of Area A, clarifying the size of the Park, and deleting a portion of footnote number 2. (Exhibit 8, page 23).

For informational purposes only, it is important to point out that the City's LCP Amendment number 1-97, now withdrawn and not before the Commission, proposed to add a Resource Protection Zone and new ESHA policies addressing Hueneme Beach Park, in Area A. Exhibit 18 identifies this previous amendment proposal for information purposes only.

3. Hueneme Beach Park and Ormond Beach Site Characteristics

The eastern and undeveloped portion of Hueneme Beach Park consists of coastal strand (beach), foredunes, backdunes, ruderal land (fill land), and the "J" Street Canal (Exhibit 17). In the broader geographic context, this area is located within the western extension of the Ormond Beach wetland system, while the terminus of the "J" Street Canal forms a small estuary. The Ormond Beach system extends from the eastern portion of Hueneme Beach Park to the Ormond Beach electricity generating power plant. The Ormond system includes both wet habitats, such as fresh and saltwater marshes and mudflats, and support habitats, such as dunes, swales, upland transitional habitats, and sandy beaches. An illustration of the historic extent of the Ormond system is included in Exhibit 19. The system has been altered significantly over time by direct filling of open water habitats, alteration of fresh water inputs, and by agricultural, residential and industrial development, and increased human uses and recreation resulting in a significant loss of primary wetland and upland transitional habitats. Exhibit 20 was based on a study for the South Central Regional Coastal Commission (Vogl, 1980) which, based on earlier work by Jim Schuler of the Department of Fish and Game, delineated habitat types and classifications of salt marsh vegetation. Portions of the subject site were considered environmentally sensitive habitat together with the adjacent estuary sand dunes and beach.

Today, the estuary system is formed by freshwater inputs from the Bubbling Springs Creek, "J" Street Canal, and Oxnard Drain, as well as from subsurface and marine sources. The estuary extends laterally along the beach from the eastern end of Hueneme Beach east to the Ormond Beach electric generating station. The estuary formation is ambulatory, depending on a number of factors including, freshwater input volumes, beach profile and sand bar formation, and flood control maintenance practices.

During certain times of the year the western extension of the estuary is located immediately south of the Parking Lot C and used by a variety of bird species for foraging, feeding, and roosting as discussed below. This western estuary formation is documented in aerial photographs taken on July 19, 1994, and a Staff site visit on February 27, 1998.

4. Habitat Types

The Ormond Beach system, including areas immediately adjacent to and within the subject site as described above, supports significant populations of plants and wildlife including resident and migratory birds, obligate (restricted) wetland and estuarine species, and coastal dune and strand species. For example, arctic, sub-arctic, and Great Plains birds, such as the Willets, Godwits, Whimbrels, Curlews, Phalaropes, Ring-necked Gulls, Common Terns and Forster's Terns make an annual migratory stop-over to the area. Southern species such as the Brown Pelican, Hermann's Gull, Caspian Tern, and Elegant Tern, American Avocet, and the Black Necked Stilt are also known to frequent the system in significant numbers, as well as numerous species of resident shorebirds such as sandpipers, plovers, and terns, gulls and coots.

The eastern and undeveloped portion of Hueneme Beach Park includes the west bank of the "J" Street Canal and possibly a portion of a wetland. The City of Port Hueneme boundary with the City of Oxnard is generally located along the west bank of the Canal. However, due to bank erosion, it appears that a portion of the Canal is now located within the City of Port Hueneme. This issue will be further addressed in Suggested Modification 1 when the habitat study within the Resource Conservation Zone is completed pursuant to Policies 4.a., Resource Protection Policies, Future Development Projects, and 5.b., Specific Habitat Types.

Upland transitional habitats adjacent to wetland include natural types such as dunes, human-made types such as berms, a roadway, fill land, dredge spoils, and landscaped areas. The eastern portion of the Park also includes upland transitional habitat known as "ruderal" (i.e., disturbed, non-native habitat), and is located immediately west of the "J" Street Canal as well as north of the foredune and backdune areas.

The majority of natural transitional habitats adjacent to wetlands in southern California have been highly disturbed due to the encroachment of various forms of development. Nevertheless, these habitats, even when disturbed and dominated by ruderal plant species, provide an important function in the maintenance of species diversity and richness in wetland and dune systems such as the eastern area of Hueneme Beach Park.

During the Commission's review of a previous City LCP Amendment No. 1-94, for a proposed Recreational Vehicle Resort, the U.S. Fish and Wildlife Service, provided a detailed review stating in a letter dated August 23, 1994 that:

The service believes that Ormond Beach, inclusive of the RV Resort and considered alone or together with Mugu lagoon, comprises a valuable and sensitive habitat complex... Although the ecological function of Ormond Beach has been affected by a number of past and current influences, this area remains one of the few coastal ecosystems that still supports a variety of interrelated habitat types, including surrounding uplands.

Like many other Southern California wetland systems, agricultural, residential, commercial and industrial development have encroached into and eliminated much of the upland transitional habitat associated with the Ormond system. The diversity and richness of the species found in the Ormond Beach system is promoted by the availability of this habitat type. Species rely on a variety of different habitats, including upland transitional habitats adjacent to wetlands, in order to maintain their natural ecologic functions. Thus, the presence in the undeveloped area of eastern Hueneme Beach Park of an upland transitional habitat and a number of different sensitive species, as noted below, denotes a significant use of that habitat.

5. Sensitive Wildlife Species

A number of Federally and/or State listed endangered or threatened species are known to occur throughout the Ormond Beach wetlands system including; the Tidewater Goby (Federally endangered), the California Brown Pelican (Federally and State endangered), American Peregrine Falcon (Federally and State endangered), Light Footed Clapper Rail (Federally and State endangered), California Least Tern (Federally and State endangered), the Belding's Savannah Sparrow (State endangered), the Western Snowy Plover (Federally threatened), and Saltmarsh Birds Beak (Federally and State endangered plant).

Several studies on southern California wetland systems include descriptions and analysis on value of upland transitional habitats. For example, Ferren in Carpinteria Salt Marsh: Environment, History, and Botanical Resources of a Southern California Estuary notes that these habitats, after disturbance, go through a series of vegetation successions in which each phase provides different habitat functions. The function of these disturbed habitats to wetland systems vary to include different relationships including buffering sensitive habitats from adjacent development and providing forage, nesting, resting, and refuge habitat. Upland transitional habitats also play an important role in the maintenance of hydrologic and erosional processes on adjacent wetland habitats. The Baird report (December 1993) notes Belding's Savanna Sparrows foraging within the Baccharis (coyote bush) dominated backdune area.

The Least Tern (*Sterna albifrons brownii*), the smallest North American member of the Tern family, arrives each spring to the west coast of California and Baja California to establish breeding colonies and raise young. (California Least Tern Census and Nestling

Survey, Atwood, Erickson, Kelley, and Unit, 1978) The Least Tern was once widespread and common in coastal habitats, but has declined due to loss of nesting habitat, loss of feeding areas, and introduction of non-native predators such as the house cat, norway rat, and native species such as the common crow and ground squirrel. (Proposed Determination of Critical Habitat for the California Least Tern, U.S. Department of the Interior, 1979)

The Ormond Beach area, inclusive of the estuary located adjacent to the eastern portion of Hueneme Beach Park, has been designated as critical habitat for the Least Tern by the U.S. Fish and Wildlife Service. Several nesting sites are found in the area. According to the California Department of Fish and Game and Kathy Keane, Least Tern Biologist during the review of former LCP Amendment Number 1-94, Ormond Beach was once the prime nesting site for the Least Tern in the Oxnard-Point Mugu area. Human disturbance and nest degradation has caused the Least Terns to move their major nesting area to Point Mugu, where the site is subject to washover during high tides. Washover during 1990 caused the Least Terns to return to Ormond beach. With a fence around the nest site, forty-two pairs were able to produce approximately sixty fledglings during the nest season.

More recent information on Least Tern breeding and fledgling success in the Ormond Beach/Port Hueneme area is being generated by the Department of Fish and Game and was to be available in late 1994. Preliminary estimates at that time suggested that there had been a significant increase in the use of the area by Terns over successive years. This increase, it is assumed, may be in response to several factors as indicated above as well as the suspension of maintenance (i.e., dredging and estuary draining) activities previously undertaken by the Ventura County Flood Control District. Staff was unable to obtain any updated information from the California Department of Fish and Game (CDFG) during the review of this amendment (and the previous amendment LCP Amendment No. 1-97, now withdrawn).

The proximity of the nesting area to the developed portions of Hueneme Beach Park make it susceptible to damage from humans, especially off-road vehicles and foot traffic. Least Terns, as well as Snowy Plover chicks, migrate to and huddle on darkened dune crests at twilight where their small size and cryptic coloration make them particularly prone to trampling by foot and vehicle tires.

Least Terns have been commonly seen using both the "J" Street Canal and Bubbling Springs Canal for foraging and for roosting in the Bubbling Springs area, as identified in the City Supplemental Environmental Impact Report (SEIR) for the former RV Resort (Exhibit 21). The birds are commonly observed and photographed foraging and performing mating rituals in and above the "J" Street Canal as confirmed by CDFG biologists and prior Commission staff site visits. Reports indicate that foraging takes place during the spring and fall migrations, with groups of Terns catching small fish in the Bubbling Springs Channel and "J" Street canal and other locations near the boundary of

Port Hueneme and Ormond Beach. According to Mark A. Holmgren, Curator, UCSB Vertebrate Museum, in a letter dated 13 July 1992 to Commission staff, daily foraging in the "J" Street Canal "...is tightly linked to both early season pair bonding between adults and parental care of offspring following nesting." (Exhibit 22).

The presence of roosting as well as nesting sites is considered by the Department of Fish and Game and the U.S. Fish and Wildlife Service to be crucial for the species. Least Terns have been observed night roosting in the Bubbling Springs area, and the undeveloped eastern portion of Hueneme Beach Park. (Observation of Morgan Boucke, DFG, reported to staff in 1994.) Night roosting has also been observed during a site visit with Mark Holmgren by the United States Fish and Wildlife Service. Al Sanders, a local naturalist, has provided video and photographic images confirming reports that, commencing in late June 1994, Least Terns start appearing outside of the cordoned off nesting area in the City of Oxnard, often extending into the City of Port Hueneme along the beach strand and sand dune area. The same post-nesting season pattern appeared in 1991. Pre-nesting roosting has been observed and documented between 1992 and 1994 in the City of Port Hueneme. Sanders notes that:

During migratory periods (early spring and late summer) groups of Least Terns gather on or immediately adjacent to the site (i.e., coastal strand) in what is known as a 'staging'. Staging occurs prior to dispersal to breeding sites or southward migration. ... The largest number of roosting terns appeared on May 20 and 21 when a large group in excess of 150 least terns roosted approximately 50 to 100 yards within the City of Port Hueneme.

The Western Snowy Plover (Charadrius alexandrinus nivosus) was listed by the U.S. Fish and Wildlife Service as threatened in March 1993. The Snowy Plover was once an abundant breeder on beaches south of Point Conception. They are found on the beach east of the project site and seaward of the wetland that commences at the mouth of the "J" Street Canal. Plovers are known to nest in the foredune habitat at the eastern portion of Hueneme Beach Park (Baird, 1993) and throughout the dune areas within the Ormond Beach area, as identified in the City's SEIR for the former RV Resort (Exhibit 23).

The Snowy Plover is smaller and paler than other plovers. It nests on a shell lined scrape on the beach. Plovers nest in the open so that avian and mammalian predators can be detected. The eggs are speckled and resemble the surrounding terrain. The chicks are precocial, walking within a few hours and feeding themselves within a day or so of hatch, but are small (about 6 grams) and cryptically colored (Lynne Stenzel and Gary Page, Point Reyes Bird Observatory, July 16, 1992 letter). When an adult perceives danger, it signals the chicks to crouch or run. The chicks are difficult to avoid because of their small size and camouflaged coloring. Often chicks crouch in vehicle tracks or footprints, making them vulnerable to being stepped on or driven over. For these reasons, the birds, nests, eggs, and chicks are difficult to see and subject to destruction.

The Horned Lark (Eremophila alpestris actia) is a State Species of Special Concern. Two pair were present on the site between early June and 7 July 1992 (Holmgren, loc.cit.) and numerous individuals have been documented foraging in the disturbed upland transitional habitat within the proposed project footprint (Sanders video 1994). Holmgren, (personal communication 1994) and Lehman (1994) report that this species is very uncommon in coastal areas south of Point Conception due to loss of habitat resulting from development encroachment. Horned Larks today are found in agricultural areas, dirt fields, short grasslands and sand dunes. Reports indicate that the species has declined severely and today it is very uncommon to find coastal populations in excess of 15 individuals (Lehman 1994).

While the species is commonly found in disturbed habitats, it is unknown what particular microhabitat requirements are necessary to attract and support populations of the birds (Holmgren, personal communication, 1994). The use by the Horned Lark of the upland habitat within the ruderal land should be considered significant as suitable habitat for the species has become increasingly rare.

The Burrowing Owl (Speotyto cunicularia) frequents extensive dry or sparse grassland and agricultural areas. Ground Squirrel burrows are used for roosting and nesting (Lehman 1994). The species was once common throughout coastal California but today, due to the loss of grassland habitat, excessive rodent control, and the heavy use of pesticides, Burrowing Owls are nearly extinct (Holmgren, personal communication 1994). The species has, however, been photographed on the site (Marilyn R. Chavez) and the photos, one with the Surfside III condominium in the background, are included in the FEIR prepared for the former RV Resort project.

Belding's Savannah Sparrow (Passerculus sandwichensis belding) is a State listed endangered species. The bird has been observed on and near the subject site. (Baird 1993) The Ormond Beach vicinity has been found to hold 5 to 7 pair (Holmgren 1992). Belding Savannah Sparrows are found in saltmarsh and nest exclusively in salicornia (pickleweed) vegetation. The birds frequently forage in upland areas near their nesting sites, as identified in the City's SEIR for the former RV Resort (Exhibit 24).

Lehman (1994) notes that this species has declined significantly this past century due to habitat loss. For example, at the Carpinteria marsh, approximately 30 miles north of Port Hueneme, 100 pairs were known in 1973. By 1977 only 34 pairs were known in the same area. The species, dependent on forage cover available in upland transitional habitats such as found on the subject site will be impacted if the amendment, as proposed, is allowed to proceed.

The United States Department of Interior Fish and Wildlife Service (USFWS) has reviewed the subject site as part of the former RV Resort (LCP Amendment No. 1-94) in 1994. In a letter dated August 23, 1994, USFWS stated that:

The proposed RV Resort site (ruderal land and parking lot C), the adjacent beach and dunes, and the J Street canal are all part of a larger system that includes the beaches, dunes, wetlands, and surrounding uplands of Ormond Beach and Mugu Lagoon. The Service believes that Ormond Beach, inclusive of the RV Resort site and considered alone or together with Mugu lagoon, comprises a valuable and sensitive habitat complex.

Nearly all of the coastal habitats along the Pacific Coast, and particularly in southern California, represented in the Ormond Beach system have either been directly eliminated by development and other land uses, or have been degraded by a variety of factors such as fragmentation, increased human disturbance, altered hydrology, diminished water quality, and invasions of non-native species. Although the ecological function of Ormond Beach has been affected by a number of past and current influences, this area remains one of the few coastal ecosystems that still supports a variety of interrelated habitat types, including surrounding uplands. Using imperiled species as an indicator of the value and sensitivity of this system, it is instructive to note that at least five species that are federally listed as threatened or endangered occur in the Ormond Beach area. Three of these species occur immediately adjacent to, or use the habitats within, the RV Resort project site.

USFWS further elaborates to conclude that a comprehensive multi-species conservation plan for the Ormond Beach area is needed:

Assessing the ecological significance, function, and sensitivity of any small piece of this larger system, in absence of consideration of the whole system, is difficult and likely to be of limited biological validity. Similarly, identifying solutions to apparent conflicts between development and resource protection can be much more difficult, and the solutions are likely to be less satisfactory to all interests, when only small pieces of a larger system are considered.

The Service believes that the identification of appropriate buffers, minimization of adverse impacts to biological resources, identification of meaningful mitigation measures, and development of appropriate management strategies would be best accomplished through development of a comprehensive multi-species conservation plan for the Ormond Beach area. This kind of coordinated planning holds the most promise for reconciling the needs of listed species and other sensitive biological resources with potential conflicts such as development, flood control, mosquito abatement, and recreational access.

As part of the review of the previously withdrawn LCP Amendment No. 1-97, USFWS responded in a letter dated February 2, 1998 to a number of questions raised by Staff. The USFWS confirmed the general boundaries of the three habitat types, foredunes,

backdunes, and ruderal land, identified general areas meeting ESHA criteria, and potential restoration areas. USFWS stated that:

The foredunes and backdunes and the coastal strand meet the criteria for designation as environmentally sensitive areas because these habitat types have been reduced to a fraction of their former abundance throughout California and throughout Ventura County, in particular. Because of the nature of the existing uses in this area and the distance of parking and housing from these two areas, these areas seem to have retained the components that such habitat types naturally display, such as wrack in the coastal strand and scattered native vegetation in the foredunes and backdunes. The landward edge of the coastal strand and the dunes could provide valuable nesting sites for the Western Snowy Plover (*Charadrius alexandrinus novosus*); the coastal stand certainly contains suitable foraging habitat. The rarity of undisturbed dunes and coastal strand habitats in California speaks to the fact that the ecological functions of these habitat types are easily disrupted by human activities and developments.

The ruderal lands, as noted by the definition of this habitat type, have already been disturbed by human activities. Ruderal lands are not rare in California or specifically valuable because of their special nature or role in an ecosystem. This particular site, however, continues to support a fair abundance of native species and, as evidenced by observations made during our site visit, provides suitable habitat for several native species of wildlife. Development within this area would certainly compromise the biological value of the dunes and coastal strand; consequently, the designation as an ESHA is appropriate. With this statement and the fact that the area supports numerous native species, the Service believes that restoration of the area as additional backdune habitat, possibly with dune swale wetlands, would be the most appropriate use of the area.

6. Re-Certified Final Environmental Impact Report for LCP Amendment No. 1-98

The City of Port Hueneme has re-certified a Final Environmental Impact Report for the adoption of the City's Revised Local Coastal Program Amendment No. 1-98. The FEIR describes the eastern portion of Hueneme Beach Park between the terminus of Oceanview Drive and the "J" Street canal as a combination of ruderal land, foredunes, and backdunes, and coastal strand. The FEIR identifies sensitive species and habitats within this subject area.

Several species of animals habitat the coastal strand, including the California legless lizard, California meadow mice, pocket gophers, and the cottontail and black-tailed hare. The coastal strand is also utilized by numerous bird species, especially gulls and certain shorebirds which spend long hours resting and/or feeding on sandy beaches. Typical bird species found on the strand include

pigeons, doves, blackbirds, starlings, certain sparrows, killdeer, horned larks, and gulls.

Two sensitive species (California least tern and Western snowy plover) and two sensitive vegetative habitats (southern foredunes and southern backdune scrub) are known or are expected to occur within Port Hueneme at the southeasterly end of Hueneme Beach Park (between the easterly terminus of Oceanview Drive and the "J" Street drainage canal). Southern foredunes and backdunes are recognized by the California Department of Fish and Game (CDFG) for their value as potential habitat for a variety of plant and wildlife. Southern foredunes are rated S1.1 by CDFG, the highest rating for preservation, while backdunes are rated slightly less at S1.2.

Ruderal land, on the other hand, is not rated by CDFG and is composed chiefly of barren soil and non-native weeds characteristic of historic ongoing disturbances. However, CDFG considers such land downcoast of Oceanview Drive as biologically sensitive primarily because of its value as a buffer for the diverse, rare, sensitive, and important biological values of the Ormond Beach ecosystem.

Therefore, the City's Final EIR identifies sensitive species and habitats and other species and vegetation within the eastern area of Hueneme Beach Park.

7. Impacts to Sensitive Species and Habitats

Although no direct impacts are expected as a result of this proposed amendment, indirect impacts are expected to be generated by the proposed amendment. However, direct impacts are expected as a result of constructing the development proposed in the Master Plan for Hueneme Beach Park which is included within the Implementation Plan within the existing LCP. Additional direct impacts are anticipated as a result of the existing Master Plan for the development of Hueneme Beach Park. Hueneme Beach Park is designated for Park/Open Space land use under the existing LCP. This Master Plan includes conceptual development for the undeveloped eastern portion of Hueneme Beach Park (Exhibit 27). These developments include a group picnic area, tot lot, open play area, restrooms, sand courts, sand stabilization area, and various paved walkways. If these conceptual developments are ever granted a coastal permit and constructed, they will create direct impacts on the habitats listed above. Therefore, this conceptual development, as potential development in the Master Plan will be eliminated as noted in Suggested Modification Number 4 which is further discussed below in the zoning ordinance.

The additional development anticipated to occur under the proposed Coastal Plan Amendment will infill and further intensify existing urban areas within the City. The potential development focuses on 21 key vacant or underutilized parcels located mostly in the southeastern portion of the City (Exhibit 5). Compared to the development

allowed by the City's Local Coastal Program/General Plan, the City's housing stock will be increased by about 191 units, the commercial facilities decreased by 93,000 square feet, and industrial and port related development will be substantially increased by 566,000 square feet. The FEIR states that development of these parcels are not expected to have a significant impact on plant or animal life habitat within Hueneme Beach Park or Ormond Beach in Oxnard. The development parcels are located inland and are separated from the beach by the existing residential development. The FEIR goes on to address indirect impacts to Hueneme Beach by stating:

However, new developments occurring within and adjacent to Hueneme Beach may increase human activity in the area and disturb sensitive biological resources. Through its Local Coastal Program, the City will establish resource protection policies with the objective of accommodating public access, recreation, and environmental protection.

Through its Local Coastal Program, the City will also postpone development of all ruderal land downcoast of Oceanview Drive pending further environmental study and Coastal Commission consultation.

Based on this information, the overall impact of the anticipated additional development on plant and animal life is not considered significant.

Unfortunately, LCP Amendment No. 1-98, submitted by the City does not include any proposed resource protection policies with the objective of accommodating public access, recreation, and environmental protection. Nor does the LCP Amendment propose to postpone development of all ruderal land downcoast of Oceanview Drive pending further environmental study and Coastal Commission consultation. In fact, the certified LCP includes development of this area under the Master Plan for Hueneme Beach Park, the specific components of this Plan are discussed below. As a result, without these policies or revisions to the certified LCP as described in the FEIR, significant impacts of additional development on plant and animal life is expected.

The FEIR also identified three mitigation measures to meet the goals of the proposed LCP Amendment which provides for the protection of the remaining native and non-native plant and animal species in the City. The following policies were developed in the FEIR to achieve this goal:

1. Establish resource protection policies in the Local Coastal Program to prevent significant impacts on sensitive plant and animal species that occur at the southeasterly end of Hueneme Beach Park.
2. Consider marine resources in coordination with state and federal agencies.
3. Maintain non-native plants utilized in landscaping throughout the City.

Unfortunately, the subject LCP Amendment, submitted by the City, does not include the mitigation measures establishing Resource Protection Policies nor policies requiring the consideration of marine resources in coordination with state and federal agencies as identified as mitigation in the FEIR.

Further, as a result of additional development provided in the LCP Amendment, the City's housing stock will be increased by about 191 units, the commercial facilities decreased by 93,000 square feet, and industrial and port related development will be substantially increased by 566,000 square feet. Once the additional development allowed by this Amendment is constructed, a number of additional people will occupy the City of Port Hueneme as either residents or on an employment basis. As an example, using a multiplier factor of 2.5 residents per residence, about 478 new residents will reside in the City of Port Hueneme. Indirect impacts will be created by this new development because these additional residents will be added to the City as a result of more housing units and additional employees generated by the industrial and port related development will increase public use of Hueneme Beach Park.

The beach and resources of Hueneme Beach Park are an attraction to residents and employees alike. Indirect and offsite impacts will take place when vehicles, humans or pets go into areas where the birds discussed above nest or roost. Nesting areas can be disturbed, causing abandonment, or destruction. Least Tern and Snowy Plover eggs resemble the surrounding terrain. Because of their small size and camouflage, Snowy Plovers are especially subject to death and harm induced by human disturbance. As an example, the Department of Fish Game identified impacts which may result in response to the former RV project. From available information they concluded in a letter dated August 12, 1994 that:

...the plover tends to tolerate significantly less disturbance than the least tern. As an example, monitors and researchers on Ormond Beach have found plovers will flush from the nest or abandon chicks when people approach at an average of 100 feet. The plovers become aware of potential disturbance from perhaps twice the distance. Once flushed, the birds may take greater than 10 minutes to return to the nest or chicks. The plover is not a colonial nester and has less defense against predators. (Exhibit 25)

Future development permitted by the proposed amendment will increase human disturbances to sensitive species, and further concentration of recreational uses, because access and recreational uses by the additional residents and employees will be increased within this environmentally sensitive habitat area. Therefore, indirect impacts will result from the general intensification of public use in an area beyond that which already takes place during the summer when Snowy Plovers, Belding's Savannah Sparrows and Least Terns are breeding. Thus, significant impacts on these resources may occur as a result of the intensification proposed by this LCP Amendment.

In summary, the impacts generated by the proposed amendment will intensify public use over that of the existing public use of the site. This represents an intensification of use which will adversely affect sensitive habitats and species known to occupy areas in and adjacent to the subject site. In addition, direct loss of forage, roosting, nesting, and cover habitat for a number of federal and state listed and sensitive species, as noted above, will result. Additionally important are the policies and mitigation measures proposed in the FEIR to mitigate potential significant impacts that are not proposed by the City in this submitted LCP Amendment. Therefore, the amendment as submitted can not be found consistent with Coastal Act Sections 30231 and 30240.

8. Resource Conservation Zone Overlay

Since the FEIR was prepared, USFWS has provided further information in an attempt to address resource protection issues at Hueneme Beach Park. Commission staff and USFWS staff had reviewed the City of Port Hueneme's Resource Protection Zone initially proposed in the LCP Amendment No. 1-97, (withdrawn by the City). The subject LCP Amendment No. 1-98 however, does not include a Resource Protection Zone nor any other ESHA-related policies addressing Hueneme Beach Park. In response to Staff's review of LCP Amendment No. 1-98, USFWS commented in a letter dated July 13, 1998 (Exhibit 16):

... we discussed the possibility of another type of overlay that would result in protection for the site from the development of public facilities, and would allow use of the beach directly below the eastern parking lot. We concluded that a Resource Conservation designation could meet the goals of all parties, provided the City would agree to incorporating this into its LCP amendment. The Service is willing to agree to this approach with the following conditions:

1. The Resource Conservation overlay would extend over a larger area than what was proposed for the ESHA designation, as shown on the enclosed figure. This enlarged size would provide some buffering from other uses, such as special events, which could be restricted to other areas.
2. The area formed by the Bubbling Springs Canal on the north, the J Street Canal on the east, the parking lot to the west and the ocean to the south would be used as a mitigation bank where habitat restoration could be implemented for impacts from other projects. This area would be suitable for coastal dune, foredune, and estuarine habitats that could support several endangered species.
3. The eastern parking lot should not be used for special events from April 1 through August 30 each year to minimize the effects of human intrusions into

the nesting habitat of the federally endangered California least tern, the federally threatened western snowy plover, and other sensitive species.

4. Signs should be posted along the perimeter of parking areas adjacent to the Resource Conservation area to inform the public as to the sensitivity of the area and the penalties for harming or harassing listed species per section 9 of the Endangered Species Act of 1973. These signs should prohibit entry into the area formed by the J Street Canal, the Bubbling Springs Canal, and the eastern parking lot from April 1 through August 30 to prevent disruption of nesting by listed birds.

5. Efforts should be made to prevent small all-terrain vehicles, sport utility vehicles, trucks, bicycles, and motorcycles from entering the beach. These measures should include barricades and signs, and some periodic enforcement.

Although the Resource Conservation designation does not provide the degree of protection that the Service would like to see with an ESHA, we believe that this is the best compromise between the City's goals and the need for protecting the sensitive coastal resources.

Consultation with responsible wildlife agencies has provided the Commission with information on how to address the environmentally sensitive habitats located within the City of Port Hueneme. The United States Department of Interior, Fish and Wildlife Service has provided numerous comments regarding the habitat and species that exist at the east end of Hueneme Beach Park. The Commission must find consistency with Coastal Act Sections 30231 and 30240, to do so it is necessary to evaluate the LCP Amendment's impact and the proposed mitigation's effectiveness in protecting all sensitive biological resources, including the protection of listed species.

To adequately address the impacts created by the proposed LCP Amendment, the Land Use Plan must be modified as identified in Suggested Modification Number 1 to adequately address Sections 30231 and 30240 of the Coastal Act. Suggested Modification Number 1 adds a discussion section titled Environmentally Sensitive Habitat Area, a Resource Conservation Zone Overlay, and Specific Resource Protection Zone Policies to the Land Use Plan. The discussion section defines and generally locates the area where environmentally sensitive habitats are found in Hueneme Beach Park, while the planning issues are also identified. A general area is designated as the Resource Conservation Zone Overlay, located at the eastern portion of Hueneme Beach Park, that encompasses the area of concern identified by USFWS during staff level discussions over the past year (Exhibit 17) and the Commission during the previous review of LCP Amendment No. 1-94. The designation of the Resource Conservation Zone Overlay on the land use plan map represents the best available information at this time, and may need modification in the future. Additionally, migration of species or discovery of new

habitats would result in the need to designate new or additional habitat areas or revise the habitat areas. As a result, the boundaries of the designation may be updated periodically to include new information.

Two policies are suggested as Modifications to address future development within and near the designated Resource Conservation Zone. The first addresses future development projects, the second addresses temporary development or special use permits. No coastal development permit for a future development can be issued by the City within or near the Resource Conservation Zone until the Commission has certified a LCP Amendment incorporating the final recommendations of the habitat study as discussed below. The only exceptions to this requirement are temporary developments or special use permits as discussed below.

To address future development projects located within or near the Resource Conservation Zone Overlay Area, a policy provides for a habitat study prior to the filing of an application for a coastal development permit. The policy requires that prior to the issuance of a coastal development permit, all projects requiring a regular coastal development permit proposed within the Resource Conservation Zone Overlay Area shall be found in conformity with the applicable habitat protection policies of the Land Use Plan. In order to determine project conformity, the City will cause the completion of a habitat study of the Resource Conservation Zone and surrounding area by a qualified biologist or resource ecologist, prior to the filing of any application for a coastal development permit, except for special use permits. The qualified biologist or resource ecologist shall be selected by the Port Hueneme City Manager in consultation with the Commission Executive Director, United States Department of Interior Fish and Wildlife Service, and California Department of Fish and Game. The scope of work, methodology, period of time to be studied, and results of the study shall be reviewed and commented upon by the participating parties listed above. Thereafter, the final recommendations of the habitat study shall be submitted by the City as an LCP Amendment to the Coastal Commission for certification and incorporation into the City's Local Coastal Program prior to the issuance of the coastal development permit.

The study will determine the Hueneme Beach Park's (vicinity of east end) significance relative to Coastal Act definitions and resource protection policies concerning Environmentally Sensitive Habitat Areas (ESHA) and buffer areas, and potential for habitat restoration. The habitat study will make recommendations necessary to protect any ESHA from significant adverse impacts. Such recommendations will include but not be limited to: (1) the specific location of any ESHA, as defined by Public Resources Code Section 30107.5, that shall be protected; (2) buffer areas to protect identified ESHA; and (3) the following limitations appropriate for activities within identified ESHA and ESHA buffer areas: (a) restrictions and possible seasonal closures related to public access and recreation; (b) appropriate signage and fencing; (c) appropriate public viewing areas and interpretive displays; (d) specification of the intensity and location of such uses; and, (e) delineation of areas and identification of conceptual proposals for

potential habitat restoration, enhancement, and their funding sources. Once the habitat study is completed, subsequent applicants for coastal development permits in the Resource Conservation Zone Overlay area may be required to update the habitat study consistent with the parameters listed above.

To address future temporary development or special use permits, a policy is suggested that requires that all temporary development projects or Special Use Permits issued within Hueneme Beach Park (Coastal Zone Subarea A) will be conditioned to identify potential sensitive resources within the Resource Conservation Zone Overlay and downcoast Ormond Beach areas and to prohibit participants and the public from traversing or otherwise disturbing dune areas within the Resource Conservation Zone Overlay. Applicable habitat protection policies resulting from the habitat study recommendations described in Section 4(a), above, shall be incorporated as conditions of approval for temporary development projects or Special Use Permits within Hueneme Beach Park. Special Uses or temporary developments within Hueneme Beach Park shall have the primary activities focused west of Parking Lot C in the vicinity of Parking Lot B, Oceanview Drive, the pier, or further to the west. Parking Lot C may also be used for uses subordinate and ancillary to the special uses or temporary development activity, limited overnight recreational vehicle use, and other parking events or storage uses. This limitation is intended to minimize the effects of human intrusions into the nesting habitat of the California Least Tern, the Western Snowy Plover, and other sensitive species.

To protect the Resource Conservation Zone and educate the public regarding its sensitivity, the City, after consultation with the United States Department of Interior Fish and Wildlife Service and/or California Department of Fish and Game, will post appropriate signs along the existing pedestrian walkways located between Parking Lot B and Surfside III adjacent to the Resource Conservation Zone to inform the public as to the sensitivity of the area. However, the signs will not prohibit public access to or along the beach strand.

To address specific habitat types found in or adjacent to the City a discussion and three policies are suggested to protect dunes and wetlands. These policies are in addition to existing State and Federal regulations which protect species of plants and animals and their habitats. To protect sand dunes, a discussion is proposed to be added addressing the sensitivity of sand dunes through Suggested Modification number 1. To adequately protect sand dunes two policies are suggested; one to protect dunes, the other, to identify land uses allowed within sand dunes.

The first policy, 5. a. i. Sand Dune Protection Policy, provides for the protection and preservation of foredunes and backdunes within the Resource Conservation Zone. This policy allows the City to clean debris within these sand dunes by hand year round with one exception. If the cleaning of the dunes is necessary between April 1 and August 30, consultation with the United States Department of Fish and Wildlife Service

(USFWS) or the California Department of Fish and Game is necessary to protect nesting species and their habitat. This policy also prohibits the use of mechanized equipment to clean sand dunes.

The second policy, 5. a. ii. Sand Dune Land Use Policy, provides for allowable land uses that may be permitted within sand dunes. These land uses include proposed scientific and educational uses, and limited well defined public access routes with appropriate mitigation. The policy also provides that the City shall allow access to the dune areas consistent with regulation by the USFWS and/or CDFG between April 1 and August 30 to protect habitat and wildlife during nesting and breeding seasons. Suggested Modification number 1 provides for this agency consultation and protection of these sand dunes.

To protect potential wetlands that may be located within the City limits, a discussion and policy is proposed to be added addressing the marine environment, riparian habitat, and wetlands through Suggested Modification number 1. This third policy, 5. b. "J" Street Canal, states that the west bank of the "J" Street Canal may have eroded and encroached into Hueneme Beach Park. Further, the policy states that all diking, dredging, and filling activities that may occur along the western bank of the "J" Street Canal in the City shall conform to the provisions of Sections 30233 and 30607.1 of the Coastal Act to address the marine environment, riparian habitat, and adjacent wetlands. In addition, a buffer strip, a minimum of 100 feet in width, will be maintained from the "J" Street Canal wherein no permanent structures will be permitted except structures of minor nature, such as, fences, interpretative signs or viewing platforms, and existing unpaved access roads.

Two additional Suggested Modifications are proposed for the Land Use Plan. Suggested Modification Number 2 establishes a Resource Conservation Zone Overlay on the eastern portion of Hueneme Beach Park, as identified on Exhibit 17. The Land Use Plan Map identifies Hueneme Beach Park as a Park/Open Space Land Use designation. The Resource Conservation Zone Overlay would be placed over a portion of the Park/Open Space Land Use Designation on the eastern portion of Hueneme Beach Park. The reasons for establishing this Overlay are noted above. This Overlay area addresses the habitat issues raised by USFWS.

Suggested Modification Number 3 revises Table 1, Coastal Zone Land Use Development Policy Matrix. Table 1 is a Coastal Zone Land Use Development Policy Matrix which identifies applicable General Plan goals and Local Coastal Program objectives together with applicable Coastal Zone policies for each geographic area within the City of Port Hueneme. The suggested modification proposed for this matrix is to add a circle for the geographic area, A. Hueneme Beach, under the Coastal Zone Policy category for Environmentally Sensitive Habitat Areas (Exhibit 8, page 39.2). Adding this circle would indicate that ESHA is a policy issue within this area.

Commission Staff met with the City of Port Hueneme representatives and the Staff of the United States Fish and Wildlife Service to discuss the above Suggested Modifications. The discussions resulted in the above Staff recommended Suggested Modifications which were informally agreed to by the City representatives and the USFWS Staff. Staff received a letter dated September 8, 1998 (Exhibit 26) from Diane K. Noda, Field Supervisor of the USFWS confirming their review of the draft Suggested Modifications. This letter states that:

The Service believes that this latest proposal adequately addresses our concerns for the east end of Hueneme Beach Park. While we would prefer to see the area set aside permanently as an Environmentally Sensitive Habitat Area, we understand the City's desire to maintain public access to the beach and to retain the ability to seek use of the land which is most beneficial to the City. The Service believes that the provision for a biological study prior to the issuance of any coastal development permit, deletion of proposed conceptual recreational project and uses within the Resource Conservation Overlay area, and the opportunity to review any proposals for the area will protect sensitive resources in dunes areas and at Ormond Beach to the east.

9. Conclusion

Therefore, these suggested modifications and policies will ensure that future development will not adversely impact sensitive coastal resources while providing for appropriate uses within and near the designated Resource Conservation Zone located within the eastern portion of Hueneme Beach Park. All of the issues discussed by USFWS in their July 13, 1998 letter (Exhibit 16), with the exception of one, and their September 8, 1998 letter (Exhibit 26) are addressed in Suggested Modifications Numbers 1, 2, and 4. The one issue not addressed fully at this time is the potential for the subject area to be used as a mitigation bank for habitat restoration. This issue will be discussed in the habitat study required by Suggested Modification Number 1 to be addressed at the time a future development is proposed in the vicinity of the eastern portion of Hueneme Beach Park. Thus, the Commission finds that the proposed Land Use Plan Amendment, if modified as suggested, is consistent with and adequate to carry out the provisions of PRC Sections 30231 and 30240 of the Coastal Act.

b. Coastal Land Uses and Public Services

Public Resources Code Section 30250 provides that:

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or

cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Public Resources Code Section 30254 provides that:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; ... Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

The Coastal Act requires that specific categories of development receive priority over other non-priority development, particularly if public services are limited. The higher priority developments include coastal dependent development, facilities serving commercial fishing and recreational boating, visitor serving commercial recreational facilities, lower cost visitor and recreational facilities, and agriculture. The Coastal Act also requires that new development may only be allowed if adequate public works and services such as water and wastewater treatment facilities are available to serve the proposed development.

The certified LCP relies on Coastal Act Policies 30250 and 30254 to ensure that infrastructure (water and wastewater treatment facilities) are adequate to serve new development in the Coastal Zone and that limited resources are available to service priority types of development identified in the Coastal Act. Lack of services or resources are grounds for project denial or reduction in project intensity or density.

1. Water Availability

The City of Port Hueneme is served by the Port Hueneme Water Agency (PHWA). On a city-wide basis, new development anticipated to occur in the proposed General Plan/Local Coastal Program update will result in a modest level of growth over the next 20 years, within the long term horizon to the year 2015. The existing General Plan and

most of the area within the coastal zone addressed in the certified LCP anticipated about 126 housing units, 419,000 sq. ft. of commercial facilities, and 419,000 sq. ft. of industrial facilities would be developed on identified development parcels. The LCP Update citywide revises this to allow additional development of about 317 housing units, 326,000 sq. ft. of commercial facilities, and 985,000 sq. ft. of light industrial and port-related facilities. The difference proposed for most of the area of this LCP Update is that residential development will be increased, commercial facilities will be reduced, and industrial facilities will be substantially increased. It's important to note that this level of growth is anticipated throughout the City within and beyond the coastal zone. Of the 23 vacant or under-developed parcels in the City, 21 are located within the coastal zone. This additional development anticipated under the update will increase demand for domestic water by about 416 acre feet per year (AFY), on a Citywide basis.

The City of Port Hueneme is served by the Port Hueneme Water Agency (PHWA) which obtains water supplies from two sources: local groundwater is received from the United Water Conservation District (UWCD), and state water is received from the Calleguas Municipal Water District (CMWD). The City adopted a Urban Water Management Plan (UWMP) in February, 1997. The UWMP summarizes the progress of implementing sixteen best management water conservation practices recommended by the California Urban Water Conservation Council, since the late 1980's. As a result of voluntary water conservation, the City's water supply consumption has decreased by about 15 %. The City continues to pursue a "zero net use" water conservation policy, such that any increase in consumption caused by new development is offset by a water conservation device retrofit in existing development.

According to Jim Passanisi, Water Division Superintendent for the PHWA, the City's water supply allocation and consumption for fiscal year (FY) 1996-1997 and projected to be in the year 2015 is listed below.

WATER SUPPLY ALLOCATION AND CONSUMPTION (AFY)

<u>Time Frame</u>	<u>Water Suppliers</u>		<u>Supply</u>	<u>Consumption</u>
	UWCD Groundwater	CMWD State Water	Total Supply	Total Consumption
FY 1996-1997	3,233	1,100	4,333	3,227
Year 2015	2,794	1,100	3,794	3,600

The City expects to have 3,794 AFY of water available in the year 2015 which is adequate to serve the potential consumption of 3,600 AFY if build out occurs according to the land uses allowed by the proposed update on a citywide basis. Given that the increase in the projected growth allowed in the LCP Update can be accommodated with

adequate water supplies and conservation, potential conflict or impacts on priority land uses, such as port-related or visitor serving development, are not expected. Therefore, the City has adequate water resources to serve all the development including priority types of land uses consistent with the Coastal Act, proposed in the LCP update, as submitted.

2. Wastewater Treatment

The City of Port Hueneme is served by the Oxnard Wastewater Treatment Facility which has a design capacity of 31.7 million gallons per day (MGD) average daily dry weather flow (ADDWF) with current use about 19.0 MGD. The City owns about 12 percent of this capacity at 3.7 MGD. The City's average daily use of this capacity in 1997 was 2.29 MGD. The estimated increase of wastewater projected in 2015, including the existing use is 2.4 MGD, far below the City's allocated capacity. The City's remaining available capacity will be 1.3 MGD as ADDWF in 2015 if the maximum allowable development is constructed. Given the increase in projected growth allowed in the LCP Update, wastewater treatment facilities serving the City of Port Hueneme are more than adequate to serve this future potential development.

The Commission finds that the proposed LCP amendment addressing public services, as submitted, is consistent with and adequate to carry out the requirements of Sections 30250 and 30254 of the Coastal Act.

c. Coastal Dependent and Coastal Related Land Uses

Public Resources Code Section 30250 states that:

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. ...
- (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Public Resources Code Section 30255 provides that:

Coastal-dependent developments shall have priority over other developments on or near the shoreline. ... When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Public Resources Code Section 30260 provides that:

Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

Public Resources Code Section 30101 of the Coastal Act defines "coastal-dependent development or use" as:

any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

The Coastal Act provides that coastal-dependent developments such as port related developments shall have priority over other developments on or near the shoreline. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth. Coastal-related developments, when appropriate, should be accommodated within reasonable proximity to the coastal-dependent uses they support. The municipal boundaries of the City of Port Hueneme include the Port of Hueneme, a portion of the Port is owned by the Oxnard Harbor District, while the remainder is owned by the United States Naval Construction Battalion Center (USNCBC). When the Commission certified the City's LCP in 1984, certain areas within the City were designated for coastal related land uses. The City now proposes to make various changes to six areas where such land uses may be allowed or such land use policies are discussed. The primary issues for the Commission to consider within these six areas are, whether or not coastal dependent land uses should have priority over, or when is it appropriate for coastal related uses to have priority over, other land uses adjacent to or near the Oxnard Harbor District.

First, in Area C Surfside Industrial (Exhibit 4), the "Coastal Related Industry" land use is proposed to be deleted, and "Industrial" and "Public Facilities" are proposed to be added as the designated land uses. (Exhibit 8, page 41)

Second, in Area E Ventura West, the City proposes to delete "Coastal Related Industry" as a land use and the potential to transition residential to Coastal Related Industry, while broadening the existing Residential land uses to include "Low Density Residential", "Medium Density Residential", "High Density Residential", and adding "Mixed Use" for certain blocks (Exhibit 8, page 43).

Third, in Area F Market Street, the City proposes to delete the Commercial and Visitor Serving land use and retain the Commercial land use category and revise two development policies to delete Coastal Dependent Industry as part of the titles (Exhibit 8, page 45).

Fourth, in Area G Sunkist Site, the City proposes to delete the Commercial and Visitor Serving land use designation and add the Visitor Commercial land use designation, and revise a development policy to delete Coastal Dependent Industry as part of the title, and add additional development standards to improve recreational opportunities (Exhibit 8, page 46).

And lastly, fifth and sixth, in Areas H & J Port of Hueneme/Oxnard Harbor District, the City proposes to delete two land uses, "Coastal Dependent Industry" and "Coastal Related Industry" and replace these land use designations with "Port" (Exhibit 8, page 48). The City provided some information to support these land use changes in the findings of City Resolution No. 3067 (Exhibit 10).

Each of these six proposed changes will be discussed below in the following five sections.

1. Area C, Surfside Industrial

The "Coastal Related Industry" land use is proposed to be deleted while "Industrial" and "Public Facilities" are proposed to be added as the designated land uses (Exhibit 4). In addition, the City proposes to revise the discussion to reference the Surfside Industrial area as an "area that continues to be appropriate for future industrial development including accommodating harbor-related growth." The City proposed language is intended to broaden the land uses to allow industrial development in addition to coastal related industrial development. However, the City proposes to retain the preference for development of coastal related uses in the remaining vacant lands. As noted in the City Resolution No. 3067, a new "Industry" land use and "Light Industry" zone classification is proposed to apply to this same area now designated "Coastal Related Industry". According to the City, the "Light Industry" classification allows the same uses with the same development and design standards as the existing "Coastal Related Industry" classification for Area C, Surfside Industrial Area, except that it broadens the list of permitted uses to include other selected light industrial uses.

City staff has stated that the basis for this change in the Surfside Industrial Area and all of the other areas identified above and discussed below, is that no coastal related developments have been proposed since the early 1980's in any of these areas. The City believes there are many reasons for this fact. One reason is the significant decline in local off-shore oil activity has eliminated the need for coastal dependent and related land expansion opportunities at or near the Harbor. A second reason is that a relatively small amount of land within the City is required to support current and projected cargo shipments through the Oxnard Harbor District. The City further believes that any changes in the level of cargo shipped through the District would not likely result in a major change in land needs beyond the District. A third reason is that if large acreage is ever needed for such development the City lacks sizable vacant land (only about 10 acres of vacant land exists in the Surfside Industrial area) for such future expansion. A fourth reason is the City's distant location from freeway access, and competition from neighboring cities has helped to preclude capture of coastal dependent and related activity in this area. Most importantly, the Oxnard Harbor District has acquired about 34 acres of prime industrial land in 1997 located between the Harbor District and the ocean at the entrance to the Harbor. The redevelopment of this land, formerly known as the Naval Civil Engineering Laboratory (NCEL), for coastal related and coastal dependent uses is a high priority for the District. This land now owned by the Harbor District is discussed below as Area J. The Commission certified Amendment No. 5 to the District's Port Master Plan in 1996 which provided for coastal related and coastal dependent land uses through a Port Related land use designation for Area J.

Existing land uses within the Surfside Industrial Area, consisting of a total 40 acres, includes industrial uses (auto salvage, general industry, mini-storage) and three public facilities (Veterans of Foreign Wars building, and City and School District storage yards). The Surfside Area continues to be appropriate for industrial development and coastal related uses, as this Area has rail (Ventura County Railroad) and road access to other areas of the County and to the Oxnard Harbor District. The rail line provides direct access to the Harbor District from this Area, clearly a unique attribute for this Area. As a result, this site has the potential for coastal related industrial uses that do not require a location adjacent to a harbor or ocean front site. Because this Area is not on or adjacent to the sea, a coastal dependent land use designation is not appropriate for the Surfside Area. Therefore the area is more appropriate for coastal related land uses.

Staff requested information on the future needs of the Oxnard Harbor District as they relate to the City's proposed land use change for Surfside Industrial Area C. William Buenger, Executive Director, of the Oxnard Harbor District responded in a letter dated December 15, 1997 (Exhibit 11) that the new land use designation will allow for port related uses in the future.

"Area C - The alteration in land use designation for this area is not objectionable since it is our understanding that the allowable land uses listed under the new

designation encompass all of the port-related uses which the Harbor District foresees for this area."

The Coastal Act requires that land must be provided for potential coastal related uses or developments when they are needed in the future. Since this site is the only industrial area within the City and has direct rail and road access to the Harbor District, the potential for developing coastal related land uses within reasonable proximity to the coastal-dependent uses they support, is appropriate. Therefore, the proposed Industrial land use designation to include Coastal Related Industry, as a preferred land use, will provide for adequate opportunity for coastal related land uses to be developed within this Area. The Commission finds that City's Land Use Plan for Area C Surfside Industrial, as submitted, is consistent with and adequate to carry out Coastal Act Sections 30250 and 30255.

2. Area E, Ventura West

The City proposes to delete the "Coastal Related Industry" land use designation, while broadening the existing Residential land uses to include "Low Density Residential", "Medium Density Residential", and "High Density Residential", while adding "Mixed Use". These proposed residential and mixed use land uses also allow for and encourage a transition to coastal related land uses to serve harbor related uses. The City proposes to retain policy language that allowed a transition of the "ABC" area (a four block area) from residential (and now mixed use with this amendment) to harbor related land use through private development action (rather than City redevelopment) gradually over time. (Exhibit 8, pages 43 - 45) The "ABC" area is bounded by San Pedro Street on the west, Pleasant Valley Road on the north, Ponomo Street on the east, and Clara Street on the south. The Land Use Plan proposes to revise this transitional zoning classification with specific performance criteria to provide for the simultaneous development and coexistence of residential and harbor-related uses. To resolve the issue of compatibility between residential and any future coastal related industrial land uses, adequate land use transition and buffer areas will be provided. Language noting that the "transition of this area shall be coordinated between the City and Oxnard Harbor District" is proposed to be retained. Although Area E is located between one thousand to three thousand feet from the Port loading docks, it is located immediately north-east of the Oxnard Harbor District Boundary. Area E is also an existing area developed primarily with residential and some commercial land uses. Therefore, because this Area is not on or adjacent to the sea, a coastal dependent land use designation is not appropriate for this area, however, a potential transition to coastal related land use is appropriate when needed to serve harbor related uses.

City staff has stated that the basis for this change is that no coastal related developments have been proposed since the early 1980's. In addition, they believe it is unlikely that a large number of residentially developed lots will be purchased for

conversion to coastal related industrial land uses, as a result of the economic infeasibility of doing so.

The City completed a draft Coastal Energy Impact Program (CEIP) Study jointly with the Oxnard Harbor District in 1979. This draft was incorporated into the certified LCP as Appendix F. The City proposes to delete this Study as an appendix but continue to reference it as a related document as noted in Exhibit 8, page 43. The purpose of this study was to formulate an implementation program for conversion of the "ABC" area to harbor related industrial uses. The CEIP Study was designed to find a means to accommodate the expanding needs of the offshore oil industry and resolve land use conflicts and inconsistencies between the City's LCP and the Oxnard Harbor District Port Master Plan. At that time with the projected increases in offshore oil activity (which has declined over the past decade with the price of oil), the City and District agreed on the desirability of a transition for this area to harbor related uses.

However, the City notes that financial feasibility of purchasing whole blocks of existing residential development to convert the land to coastal related industrial land use was highly questionable at that time as is now. Within the Port of Hueneme, the Navy leases land available for Oxnard Harbor uses at below market rates, with the proviso the leasee must vacate with 30 days notice. Further, the additional 34 acres of land transferred from the Navy to the Harbor District in 1997 (formerly the NCEL property) is being reviewed and planned for port related redevelopment by the Oxnard Harbor District at this time.

The City believes that this transition from residential to coastal related industry was not feasible in the past and is not expected to be feasible or realistic in the future due to other opportunities for expanding such uses within the Harbor District, Navy lands, and industrial areas to the east located within the City of Oxnard.

Staff requested information on the future needs of the Oxnard Harbor District as they relate to the City's proposed land use change for Ventura West, Area E. William Buenger, Executive Director, of the Oxnard Harbor District responded in a letter dated December 15, 1997 (Exhibit 11) that the Harbor District prefers that the "ABC" area carry the dual designation of port related and residential development.

"Area E - The Harbor District would prefer that the area west of Ponomia Street continue to carry the dual designation of port-related or residential development."

Staff requested further information supporting the future coastal/port related land use needs of the District that could be accommodated in this area. William Buenger, Executive Director of the Oxnard Harbor District responded in a letter dated January 8, 1997 (Exhibit 12) that:

"... the Oxnard Harbor District is aggressively seeking expansion of its maritime and overall trade related business in many areas. The most rapidly growing import and export commodities are automobiles and other rolling stock (heavy vehicles such as agricultural and construction equipment). This is one of the primary reasons we have been trying to negotiate an agreement with the Naval Construction Battalion Center (NCBC) for use of their Wharf 3. We already have a signed Agreement and Grant of Option for Sublease or Use of Wharf 3 and backland with Wallenius Lines North America, Inc. when this area becomes available.

Although the "boundaries" of the Oxnard Harbor District include all of the City of Port Hueneme, the City of Oxnard and some unincorporated areas of Ventura County as established by LAFCO in 1991, the primary property owned by the District is on the waterfront of Port Hueneme Harbor in the City of Port Hueneme. Other than expansion into property owned by the Federal Government (U.S. Navy), logically and geographically there are only two areas of privately owned property adjacent to or in the immediate vicinity of the District's property for practical Port expansion; (1) the Sunkist property - Area G, and (2) the ABC properties - Area E.

Area E (ABC property) is very well suited for expansion of the District's automobile terminal activities (the receiving, storage, and distribution of automobiles and rolling stock in transit). However, there is no specific development plan established at this time, but it is very important for the District to maintain this option."

Staff requested additional information supporting the City's proposed transitional land use and zoning with the proposed performance standards. The Oxnard Harbor District agreed that maintaining the dual harbor-related and residential zoning was satisfactory. William Buenger, Executive Director of the Oxnard Harbor District responded in a letter dated May 15, 1998 (Exhibit 13) that:

"In regard to the City of Port Hueneme's revised Local Coastal Program Amendment, the changes involving the "ABC" portion of the Ventura West neighborhood Land Use Revisions (Figure 4) and Zoning Revisions (Figure 5) maintaining the dual harbor-related and residential zoning (R-5) are satisfactory."

Because of the location proximate to the Harbor District and the growing need for coastal related land uses to support the Harbor, as noted by the Oxnard Harbor District, a land use designation allowing for coastal related land uses is needed. Considering the fact that this "ABC" area includes existing residential development, allowing for a transition to coastal related land use over the long term while allowing for residential land use for now, is appropriate. The transitional land use will accommodate and support, when needed and appropriate, the coastal related developments within proximity to the coastal dependent use, the harbor, wharf, warehouses, and lands of the Oxnard Harbor District.

The Commission finds that the transitional land use designations should continue to include the potential for coastal related land uses with performance standards providing for an appropriate buffer between existing residential and future coastal related land uses. The potential for a transition from residential to coastal related industry is needed to provide for the future harbor related expansion for the Oxnard Harbor District. To ensure compatibility between residential and any future coastal related land uses will be provided in the interim, an adequate land use transition or buffer area, such as sound walls, landscaped open space, park lands, or existing streets, will be required. The City proposes to retain language providing for coordination between the City and the Oxnard Harbor District to ensure a smooth transition toward compatible land uses. In addition, the City proposes to protect the existing residential land uses while providing for adequate buffer area within the streets; land proposed for conversion may be converted to coastal related uses on a full block by block basis for the four block area known as the "ABC" area.

Therefore, the Commission finds that City of Port Hueneme LCP Amendment, as submitted, is consistent with and adequate to carry out Coastal Act Sections 30250, 30255 and 30260.

3. Area F Market Street

The City proposes to revise two development policy titles to delete what appears to be the potential for Coastal Dependent Industry. In addition, the City proposes to specifically delete the Commercial Visitor Serving Land Use designation while maintaining the Commercial Land Use designation and adding Public Facilities, and Parks and Open Space as two new land use designations. (Exhibit 8, pages 45 and 46) The City's intent is to broaden types of commercial uses while continuing to allow the land uses allowed by Commercial Visitor Serving.

Within the development policies listing categories of uses, Coastal Dependent Industry as a policy title is proposed to be deleted. However, it is not clear why Coastal Dependent Industry was not listed as a land use within the list of allowable land uses on the left side of page 45, Exhibit 8, within the certified LCP. Discussions with City staff indicate that the Coastal Dependent Industry is not an allowable use in this area because the area is designated for commercial land uses. City staff believes that the Coastal Dependent Industry category was intended to identify a linkage from the commercial Market Street area to the coastal dependent industry uses at the Harbor. When the Land Use Plan was certified in 1983, this area was designated for commercial uses including harbor related/special uses through a concept known as the "Market Street Landing". This development concept was similar to "Ports of Call" in San Pedro with commercial uses located along a harbor waterway. It was proposed to develop a specialty retail boardwalk area around a shallow draft extension of the harbor waterway. In response to concerns expressed in the past by the Oxnard Harbor District, this proposal was designated for further study by a joint District/City Coastal Energy Impact

Program. Unfortunately, this study was not completed and the issue was never resolved or incorporated in the certified LCP. As a result, the City proposes to accommodate harbor related offices in this area, which was certified in the LCP and delete the proposal for the Market Street Landing and the policy title of Coastal Dependent Industry. Therefore, because of the above and the fact that this site is not on or adjacent to the sea, a coastal dependent land use designation is not appropriate for this area.

The City proposes to redefine this area to allow the Market Street corridor to emphasize "Shoreline Access/Coastal Visual; Commercial Fishing and Recreational Boating" as a policy category. Policy language proposed to be added addresses the development opportunity to increase access to the Port's industrial, commercial, fishing and sports fishing activities and the ocean's recreational and visitor serving amenities, in addition to increasing visual access to the Port. Revised language emphasizes the general commercial policy land use while retaining the specialty retail and harbor-related land uses of the area.

Staff requested information on the future needs of the Oxnard Harbor District as they relate to the City's proposed changes for the Market Street Area F. William Buenger, Executive Director, of the Oxnard Harbor District responded in a letter dated December 15, 1997 (Exhibit 11) that the allowable land uses listed under the new designation encompasses all of the port related uses in the future.

"Area F - The alteration in land use designation for this area is not objectionable since it is our understanding that the allowable land uses listed under the new designation encompass all of the port-related uses which the Harbor District foresees for this area."

Therefore, the City's proposal to increase access to the Port's industrial, commercial, fishing and sports fishing activities and the ocean's recreational and visitor serving amenities while providing for the general commercial policy land use with specialty retail and harbor-related nature of the area is adequate to meet the port related needs of the adjacent Harbor District.

Thus, the Commission finds that the LCP amendment Land Use Plan changes for the Market Street Area F, as submitted, are consistent with and adequate to carry out Sections 30250, 30255, and 30260 of the Coastal Act.

4. Area G Sunkist Site

The City proposes to revise the Commercial and Visitor Serving land use designation to Visitor Commercial, add a new land use designation for Parks and Open Space, revise a development policy title to delete Coastal Dependent Industry as part of the title, and add additional development policies addressing access and recreation (Exhibit 8, pages 46 - 48). Coastal Dependent Industry is not an allowed land use in this area according to the

certified LCP. Discussions with City staff indicate that this existing policy title was intended to emphasize a transition and compatibility policy for development on the Sunkist property with the adjoining Harbor District property to the north-west. This policy title is proposed to be removed for the purpose of providing internal consistency and clarity. The result of this revision provides for policy categories that address development issues to be considered during the development review process. As noted in the development policies on Exhibit 8, pages 47 and 48, development of the Sunkist Site will be approved as a comprehensive master plan for the entire property. The developable area south of the railroad tracks is limited to visitor serving and commercial recreational facilities, while development north of the tracks may include harbor related offices in addition to visitor serving and commercial recreation facilities.

The proposal to delete the Commercial and Visitor Serving land use designation and replace it with the Visitor Commercial land use designation is the City's intent to broaden the types of commercial uses while continuing to allow the land uses allowed by Commercial Visitor Serving. As noted above in the discussion in Area F, Market Street, this proposed land use designation change from Commercial and Visitor Serving to Visitor Commercial is the same.

Staff asked the Oxnard Harbor District if they had any concerns regarding this amendment. William Buenger, Executive Director, of the Oxnard Harbor District responded in a letter dated December 15, 1997 (Exhibit 11) that the word 'existing' as it relates to the existing railroad track through the Sunkist Site should be deleted since the railroad track through this site may be relocated southerly as part of the development of the adjoining District property to the west (Area J or the former NCEL property). Since the railroad tracks exist today on the Sunkist Site in a manner that divides the property into two area, the LCP must reflect this fact. In the future, if the railroad tracks are relocated at the request of the District or for other reasons, the City may submit a future LCP amendment to reflect such a change for consideration by the Commission.

The Commission has previously determined during the certification review of this Land Use Plan that a coastal dependent land use designation is not appropriate for this site. The appropriate land use for the Sunkist Site is Commercial Visitor Serving as the site is located along the coast near an existing developed area. The Commission finds that the City of Port Hueneme's proposed Land Use Plan amendments for the Sunkist Site, Area G, as submitted, are consistent with and adequate to carry out Sections 30250, 30255, and 30260 of the Coastal Act.

5. Areas H & J Port of Hueneme/Oxnard Harbor District

The City proposes to delete two land uses, "Coastal Dependent Industry" and "Coastal Related Industry" and replace these land use designations with a "Port" land use designation. This change in the LCP land use designation is to conform with the land use designation in the certified Port Master Plan for the Oxnard Harbor District as

certified by the Commission in 1996 (Port Master Plan Amendment No. 5). The Port land use designation reflects the existing and proposed use of the Port for both coastal related and coastal dependent purposes of the Oxnard Harbor District.

It is important to note that the Port of Hueneme, Oxnard Harbor District has coastal permit authority for development projects within the boundaries of the certified Port Master Plan. The City has authority to enforce its building and zoning ordinances within the Harbor District boundaries under their General Plan, if three conditions are met: 1) the ordinances do not conflict with the Coastal Act itself or with the provisions of the Port Master Plan; 2) the ordinances impose 'further' conditions, restrictions, or limitations on land or water use or any activity beyond those imposed by the Coastal Act or the Master Plan; and 3) the uses or activities affected might adversely affect coastal zone resources. As noted above, the Commission certified Amendment No. 5 to the District's Port Master Plan in 1996 provided for coastal related and coastal dependent land uses through a Port Related land use designation. The Commission finds that this site located on the ocean, near the wharf, and now part of the Oxnard Harbor District is an appropriate location for coastal dependent and coastal related land uses through the proposed Port designation. The City proposes to revise the land use designation to reflect the same designation in the Port Master Plan.

Therefore, the Commission finds that the Land Use Plan Amendment changes to Areas H & J, Port of Hueneme/Oxnard Harbor District, as submitted, are consistent with and adequate to carry out Sections 30250, 30255, and 30260 of the Coastal Act.

6. Conclusion

The Commission finds that the City of Port Hueneme LCP Amendment No. 1-98, as submitted, is consistent with and adequate to carry out Sections 30250, 30255, and 30260 of the Coastal Act.

d. Coastal Access, Recreation and Visitor Serving Development

Public Resource Code Section 30210 provides that:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Public Resource Code Section 30212 provides in part that:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or,

(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

Public Resources Code Section 30212.5 provides that:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Public Resources Code Section 30213 provides in part that:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Public Resources Code Section 30221 provides that:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Public Resources Code Section 30222 provides that:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

The Coastal Act requires that public access to the shoreline and along the coast be provided for all people consistent with the rights of private property owners, public safety, and military security needs. Further, the Coastal Act requires that lower cost visitor and recreational facilities be protected, encouraged, and where feasible provided and that public facilities be distributed throughout an area to mitigate against impacts.

Within Area A, Hueneme Beach Park, the City proposes no changes to the existing land use designation as Parks and Open Space. The suggested modifications addressing Hueneme Beach Park discussed above in Section III. B. 3. a., titled Environmentally Sensitive Habitats, provide for appropriate public access and recreation opportunities. Suggested Modification 1 limits the development of projects and uses that have the potential to adversely impacts sensitive coastal resources. Public access and recreation is allowed outside of these sensitive coastal resources and on the coastal strand (beach), along limited and well defined public access routes. Therefore, public access from the Oceanview Drive and Parking Lots B and C to the shoreline and along the coast will be provided consistent with the need to protect fragile coastal resources.

Within Area G, Sunkist Site, the City proposes to add a new land use designation, Parks and Open Space and rename the Commercial and Visitor Serving land use designation to Visitor Commercial. (Exhibit 8, pages 46 - 48) The Parks and Open Space land use designation will provide a land use designation to reflect existing development policies addressing shoreline access/coastal visual resources and recreation and visitor serving facilities. The City proposes within the Section discussing Area G, Sunkist Site, to add new policies addressing the last remaining vacant beachfront site with a master plan. These policies provide for a revised master plan with a new recreational component as noted on page 47 and two additional development policies. The first additional policy provides for the construction of a new public beach parking area on a one half acre easement located landward of Surfside Drive and southeasterly of the Sunkist site. The second policy provides for landscaping improvements, including sand stabilization, restrooms, parkway and urban design improvements for the west end of Hueneme Beach Park, and an urban connection to Market Street area. In addition, the City proposes to revise the title of the Commercial and Visitor Serving land use designation to Visitor Commercial consistent with the land use title in their General Plan.

Within Areas H and J, Port of Hueneme/Oxnard Harbor District, the City proposes reclassifying the harbor area owned by the Oxnard Harbor District with a Port land use designation and corresponding Port Related Industry zone classification and a Parks and Open Space land use designation consistent with the certified Port Master Plan and the provisions of the Hueneme Beach Master Plan. Although this area is outside the City's coastal permit jurisdiction, this land use designation is provided for consistency with the certified Port Master Plan for a coastal access and recreational strip of land along the coast from the west end of Hueneme Beach Park westerly to the Port's entrance channel. This strip of land is designated in the Port Master Plan as Buffer Zone/Seawall Maintenance/Navigation/Waterfront Access. This access and recreation strip is located on Area J, the former NCEL property, now part of the Oxnard Harbor District. The Oxnard Harbor District has coastal permit authority for development in this area pursuant to the certified Port Master Plan. The existing Hueneme Beach Master Plan provides for development of shoreline access upcoast from Hueneme Beach Park Pier Plaza to the harbor entry and lighthouse.

The City proposes in Area F, Market Street, to broaden the commercial land uses by deleting the Commercial and Visitor Serving land use designation and replacing it with a Commercial land use designation. The Commercial designation allows for general commercial uses such as restaurants and other retail businesses and specific visitor serving uses such as hotel and motels as a conditional use. Although the Market Street area has included the potential for Visitor Commercial uses over the past 15 years, none have been built as a result of the limited market demand. The oceanfront Sunkist site to the south has remained vacant since 1977 when a fire destroyed the former Sunkist warehouse. The City has completed market studies indicating that there is an inadequate market demand for visitor serving development, as a result the Sunkist Site has remained vacant for over twenty years. Retaining the Visitor Commercial designation for the Sunkist area will reserve private lands suitable for future visitor commercial and recreational development needs in the future. Because the vacant Sunkist site provides for adequate potential development of Visitor Commercial uses, such uses are not anticipated for the Market Street area, an existing developed area. However, the proposed Commercial land use designation will still allow for some visitor commercial uses, if needed in the future for the Market Street area.

Therefore, the Commission finds that the proposed Land Use Plan Amendment, as submitted, is consistent with and adequate to carry out Sections 30210, 30212, 30212.5, 30213, 30221 and 30222 of the Coastal Act.

B. Findings for Resolutions III and IV (Implementation Measures)

The standard of review of an amendment to the certified LCP Zoning Ordinance is whether the ordinance conforms with and is adequate to carry out the provisions of the certified LCP Land Use Plan (PRC Section 30513 (a)). The Coastal Act provides that the Commission may only reject the proposed zoning ordinance if a majority of the Commissioners present find that it does not conform with or is inadequate to carry out the provisions of the certified Land Use Plan.

1. Proposal

The Proposed Zoning Ordinance amendment includes updated implementation measures to carry out the revised Land Use Plan amendments. The most significant changes proposed include deleting the Coastal Related Industry and Coastal Dependent Industry zone classifications, while creating a Port Related Industry zone to replace it. Further, Light Industry and Mixed Use are two new zone classifications. Other less significant changes include the prohibition of billboards, addition of new design standards regulating second story residential additions for reasons of aesthetics and privacy of adjacent property, permitting government and utility facilities in residential zones, providing additional property maintenance standards, correcting misprints in the existing ordinance, providing for development standards in general commercial, commercial height limits and floor area ratios, enacting affordable housing provisions for

second dwelling units, density bonuses, and inclusionary housing, implementing appeal provisions for issuance of special use permits, and revising the zoning map to illustrate the changes in the zones (Exhibit 7).

The proposed deletion of the Coastal Related Industry and Coastal Dependent Industry zone classifications is intended to be replaced with a Port Related Industry zone consistent with the Port designation in the certified Amendment No. 5 to the Port Master Plan of the Oxnard Harbor District. The new Mixed Use zone applies to properties along Pleasant Valley Road along the north side of the area known as 'ABC' area within Ventura West, Area E. The Light Industry zone applies to Area C, Surfside Industrial, which was formerly zoned Coastal Related Industry.

2. Consistency with City LCP Land Use Plan

The majority of these zoning ordinance amendments are the result of amendments to the Land Use Plan, updates and various revisions to carry out the Land-Use Plan and ensure consistency with the Updated General Plan and Local Coastal Plan.

However, the City's current LCP includes a conceptual Master Plan for Hueneme Beach Park which allows for a tot lot/children's park, group picnic area, restrooms and other development to be developed through the implementation of the Hueneme Beach Park Master Plan (Exhibit 27). Any future development proposals, whether currently envisioned by the LCP or otherwise, need to be able to meet the resource protection and regulatory standards as applied to current environmental conditions. At the time the Hueneme Beach Park Master Plan was certified into the City's LCP, no environmentally sensitive habitats or resources were known to occur at the site. Therefore, the existing Master Plan development needs to be deleted to avoid any development that may have the potential to create impacts on the habitats identified above. Suggested Modification Number 4 requires such a revision to the Master Plan.

The current LCP and Zoning Ordinance allows the City to grant special use permits including temporary uses, such as special events, without requiring coastal development permits that are subject to appeal to the Coastal Commission. All other Coastal Permits approved by the City located within the area seaward of the first public road paralleling the coast are appealable to the Commission. Special Use Permits approved for development located near Hueneme Beach Park have the potential to adversely impact the sensitive coastal resources and habitats within the Park. In addition, Special Use Permits also allow for approval of emergency uses and improvements. However, the City Zoning Ordinance does not include a definition of Emergency. To bring the Implementation Plan or Zoning Ordinance into conformity with the Land Use Plan and ensure it is adequate to carry out the Land Use Plan, Suggested Modifications Numbers 5 and 6 are needed. Suggested Modification Number 5 provides that Special Use Permits, except for Emergency Coastal Permits, be appealable as Coastal Development Permits if located within the Commission's retained appeals jurisdiction. Suggested

Modification Number 6 provides for a definition of 'Emergency' in the Zoning Ordinance consistent with the Commission's definition found in the California Code of Regulations Section 13009.

As a result, the Commission finds that the proposed Implementation Measures/Zoning Ordinance amendment, if modified as suggested, is consistent with and adequate to carry out the provisions of the City of Port Hueneme certified Local Coastal Program Land Use Plan.

IV. LCP/CEQA

The proposed amendment is to the City of Port Hueneme's certified Local Coastal Program. The Commission originally certified the City's Local Program Land Use Plan and Zoning Ordinance in 1983 and 1984 respectively.

The City certified a Final Environmental Impact Report (FEIR) in August 1997 addressing the proposed General Plan/LCP Update as in compliance with the California Environmental Quality Act (CEQA). The City re-certified the FEIR on March 4, 1998 as part of this LCP Amendment No. 1-98. The FEIR reviewed alternative development scenarios. The FEIS found that the proposed General Plan/LCP update would have significant adverse impacts on air quality while the remaining impacts on water supply, plant and animal life, noise, traffic/circulation, public services, and schools were mitigatable to less than significant levels. Significant impacts on all these resources could be mitigated to levels below significance except for additional ozone precursor emissions that exceed the Ventura County Air Pollution Control District significance levels that may create regional ozone. The impact results from the change in land use and vehicle travel patterns as the property within the City builds out. This potential impact will be addressed by the City of Port Hueneme and the Ventura County Air Pollution Control District during the environmental and permit review for future projects. On March 4, 1998, the City adopted resolution number 3066, making findings of overriding considerations for this potential significant impact and approved the FEIR as consistent with CEQA.

The Coastal Commission's Local Coastal Program process has been designated as the functional equivalent of CEQA. CEQA requires the consideration of less environmentally damaging alternatives and the consideration of mitigation measures to lessen significant environmental effects to a level of insignificance. As discussed in the findings above, the proposed amendment as suggested to be modified would adequately address the coastal issues raised by the amendment, and would therefore have no significant adverse effects, with the exception noted above, and thus, is consistent with the California Environmental Quality Act.

The amendment, as suggested to be modified, is therefore consistent with the provisions of the California Environmental Quality Act and the California Coastal Act.

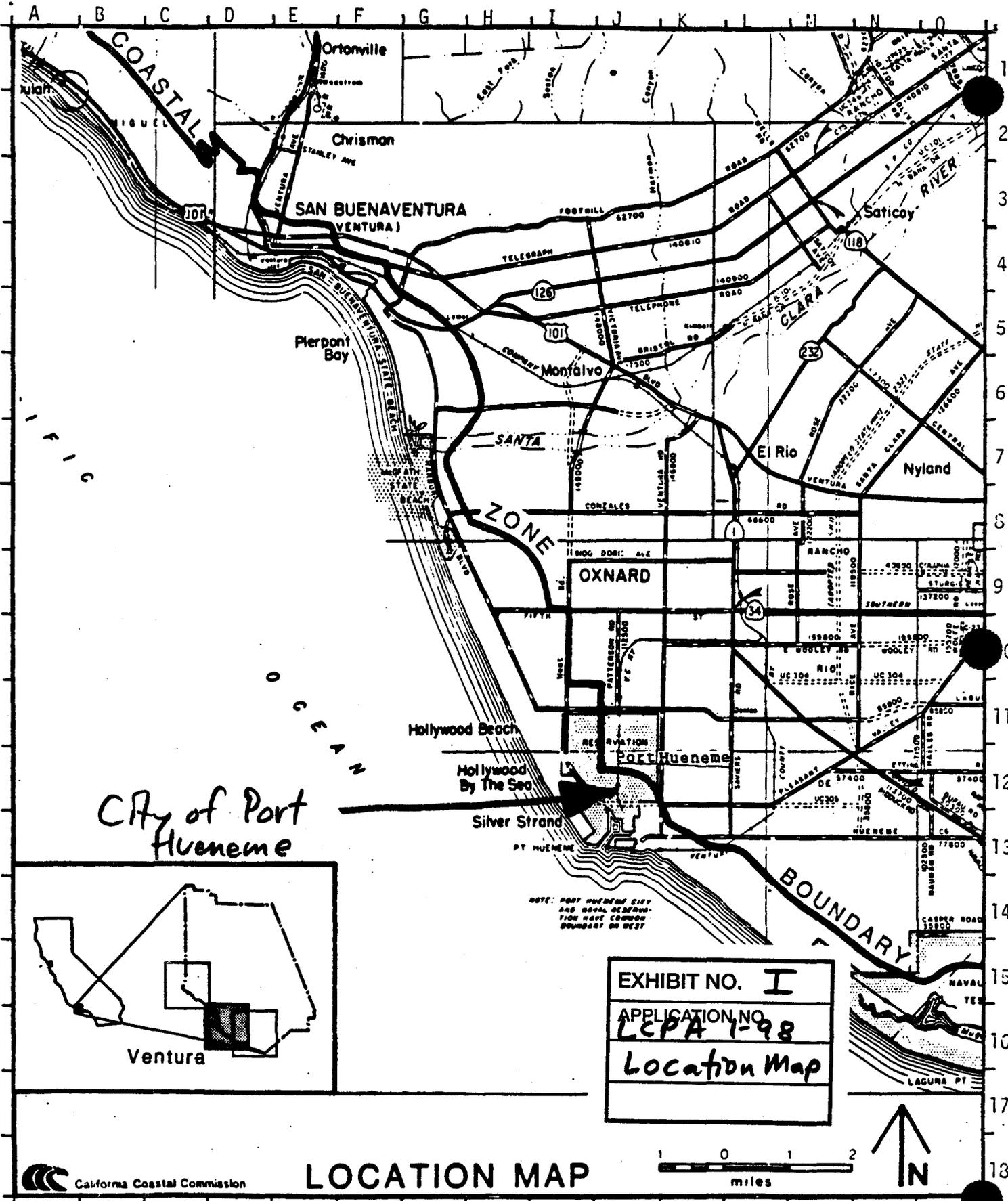
SUBSTANTIVE FILE DOCUMENTS

City of Port Hueneme Local Coastal Program; Re-certified Final Environmental Impact Report General Plan Update, City of Port Hueneme, dated March 4, 1998; City of Port Hueneme LCP Amendment No. 1-97 (Administrative Record, Amendment was withdrawn by City); Certified Port Master Plan as amended, Oxnard Harbor District, Port of Hueneme; City of Port Hueneme LCP Amendment No. 1-94, (Administrative Record for Recreational Vehicle Park land use, amendment was not fully certified); City of Port Hueneme LCP Amendment No. 1-96, as certified.

EXHIBITS

1. Coastal Zone Location Map
2. City of Port Hueneme Map
3. City of Port Hueneme Coastal Zone
4. Coastal Zone Subareas A - K
5. Key Development Sites
6. Proposed New Land Use Map
7. Proposed New Zoning Map
8. Proposed Changes to Local Coastal Program Land Use Plan
9. Proposed Changes to Zoning Ordinance
10. Resolution 3067 for Approving Amendments to Local Coastal Program Land Use, Zoning Ordinance and Land Use and Zoning Maps
11. Response letter from Oxnard Harbor District to CCC, dated December 15, 1997
12. Response letter from Oxnard Harbor District to CCC, dated January 8, 1998
13. Response letter from Oxnard Harbor District to CCC, dated May 15, 1998.
14. City Letter Addendum to Submitted LCP Amendment No. 1-98, dated May 14, 1998.
15. Response letter from United States Department of Interior Fish and Wildlife Service to CCC, dated February 2, 1998.
16. Response letter from United States Department of Interior Fish and Wildlife Service to CCC, dated July 13, 1998.
17. Resource Conservation Zone Overlay for Land Use Plan Map at Area A, Hueneme Beach Park.
18. City Proposed LCP Amendment number 1-97 changes to Hueneme Beach Park (for informational purposes only, this amendment was withdrawn by the City February 23, 1998.)
19. Historic Extent of Ormond Beach Wetland
20. Ormond Beach Wetland Vegetation Map
21. Least Tern Overlay, RV Resort SEIR, 1994
22. UCSB Museum Scientist Review, 1992
23. Snowy Plover Overlay, RV Resort SEIR, 1994
24. Savannah Sparrow Overlay, RV Resort, SEIR, 1994
25. Response letter from California Department of Fish and Game, LCP Amendment No. 1-94, RV Resort, dated August 12, 1994.

26. Response letter from United States Department of Interior Fish and Wildlife Service to CCC, dated September 8, 1998.
27. Master Plan Hueneme Beach Park, certified into City's LCP 1984.
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NOTE: PORT HUENEEME CITY AND NAVAL RESERVATION HAVE COMMON BOUNDARY ON WEST

EXHIBIT NO. I
 APPLICATION NO.
LCPA 1-98
 Location Map

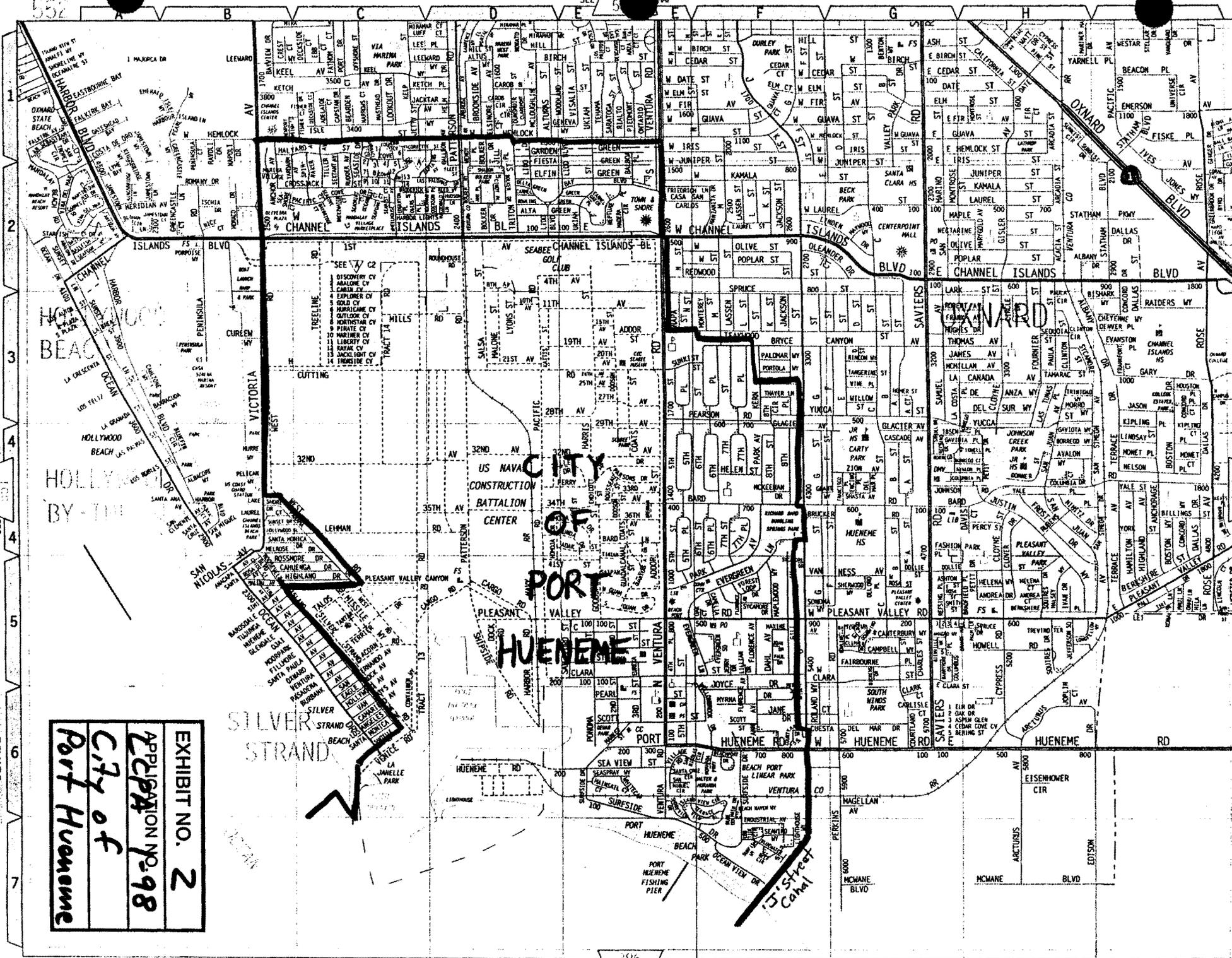


EXHIBIT NO. 2
 APPLICATION NO. 98
 City of Port Hueneme

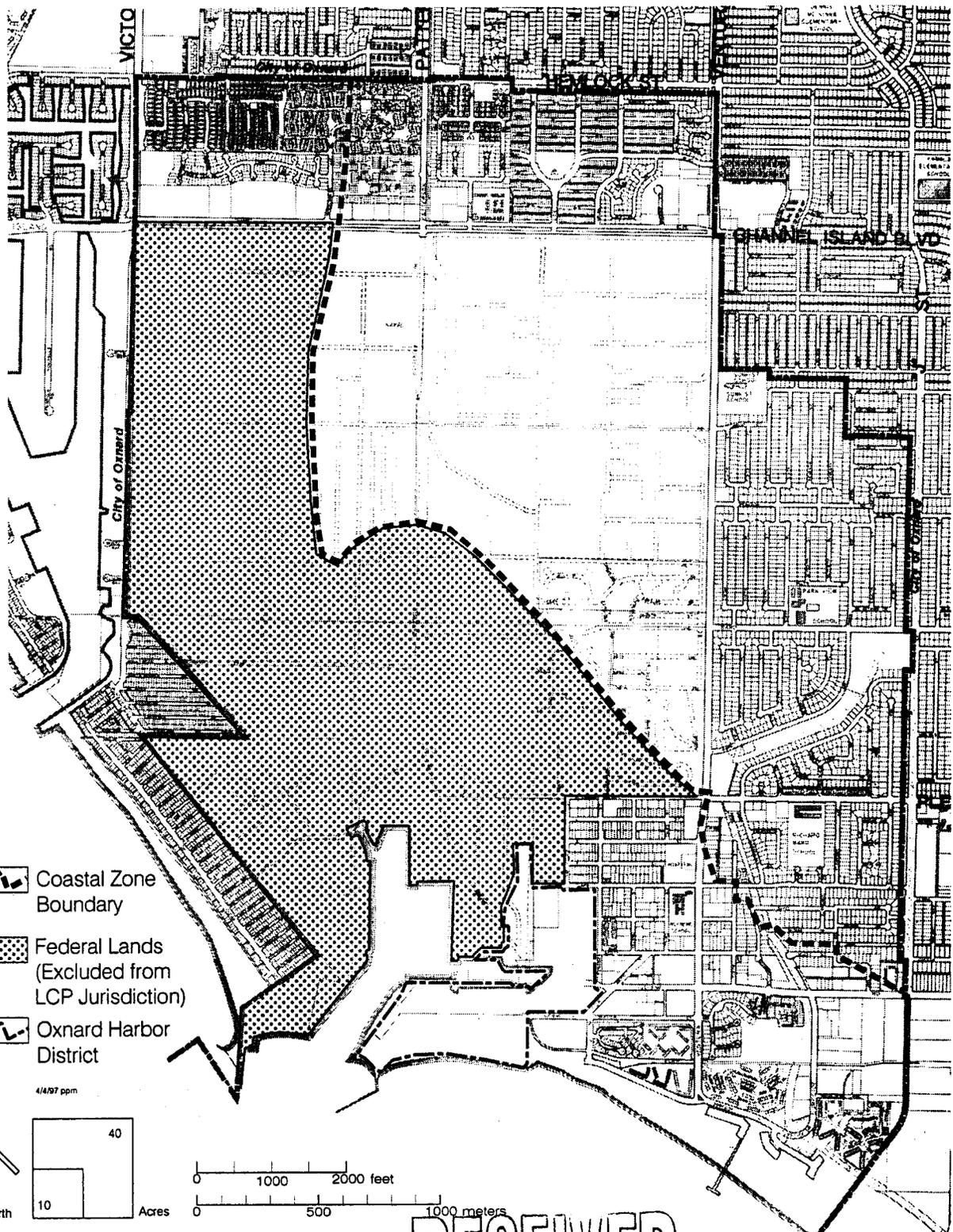
SILVER STRAND

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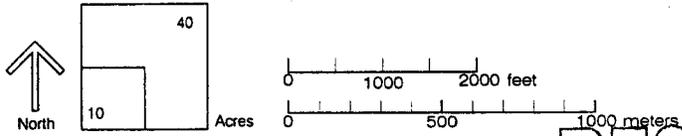
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-  Coastal Zone Boundary
-  Federal Lands (Excluded from LCP Jurisdiction)
-  Oxnard Harbor District

4/1/97 ppm



CBA COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



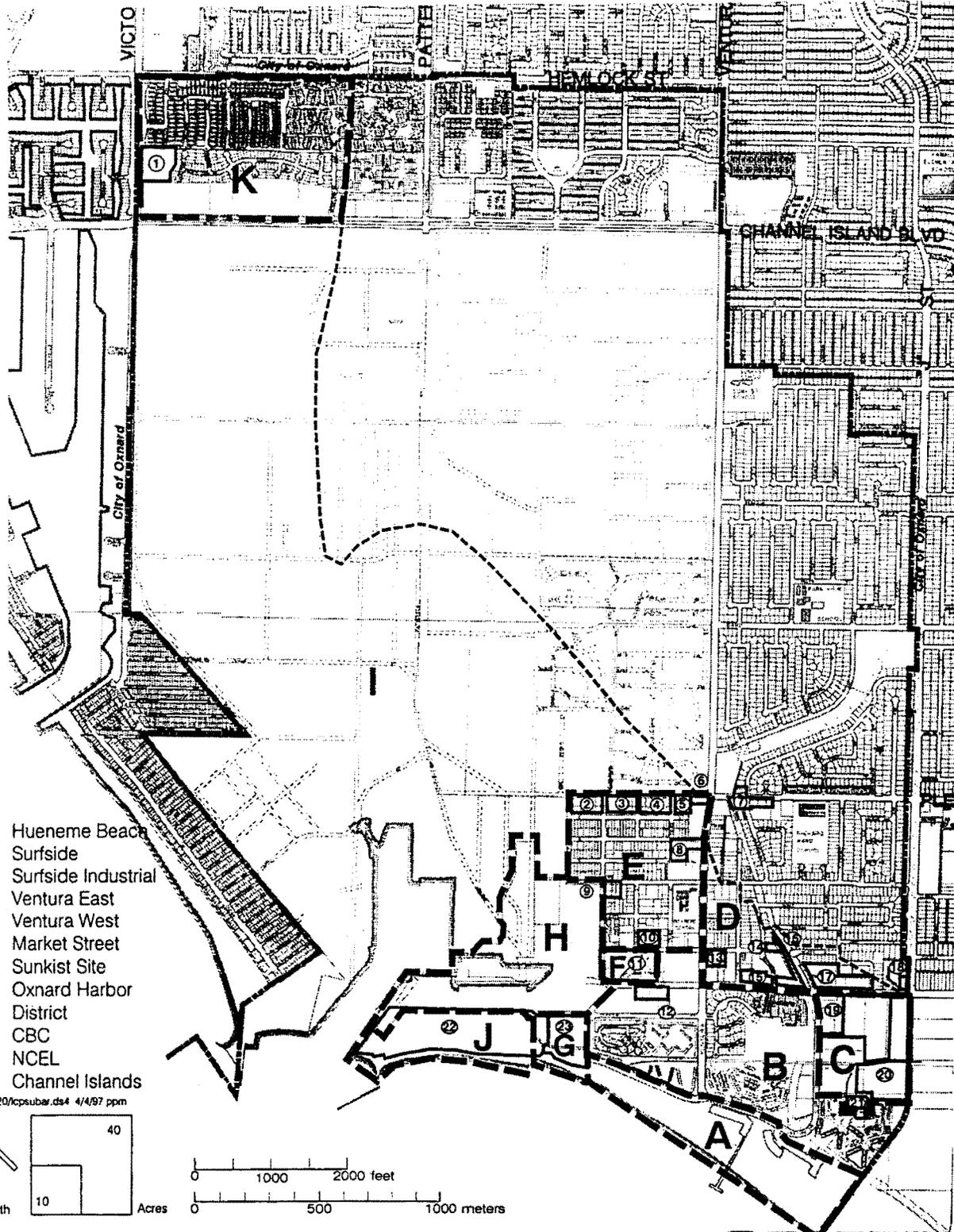
**CITY OF PORT HUENEME
LOCAL COASTAL PLAN**

RECEIVED

OCT - 8 1997

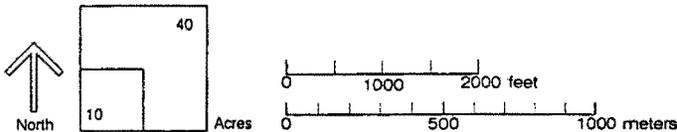
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT NO. 3
APPLICATION NO. LCPA 1-98
Coastal Zone



- A Hueneme Beach
- B Surfside
- C Surfside Industrial
- D Ventura East
- E Ventura West
- F Market Street
- G Sunkist Site
- H Oxnard Harbor District
- I CBC
- J NCEL
- K Channel Islands

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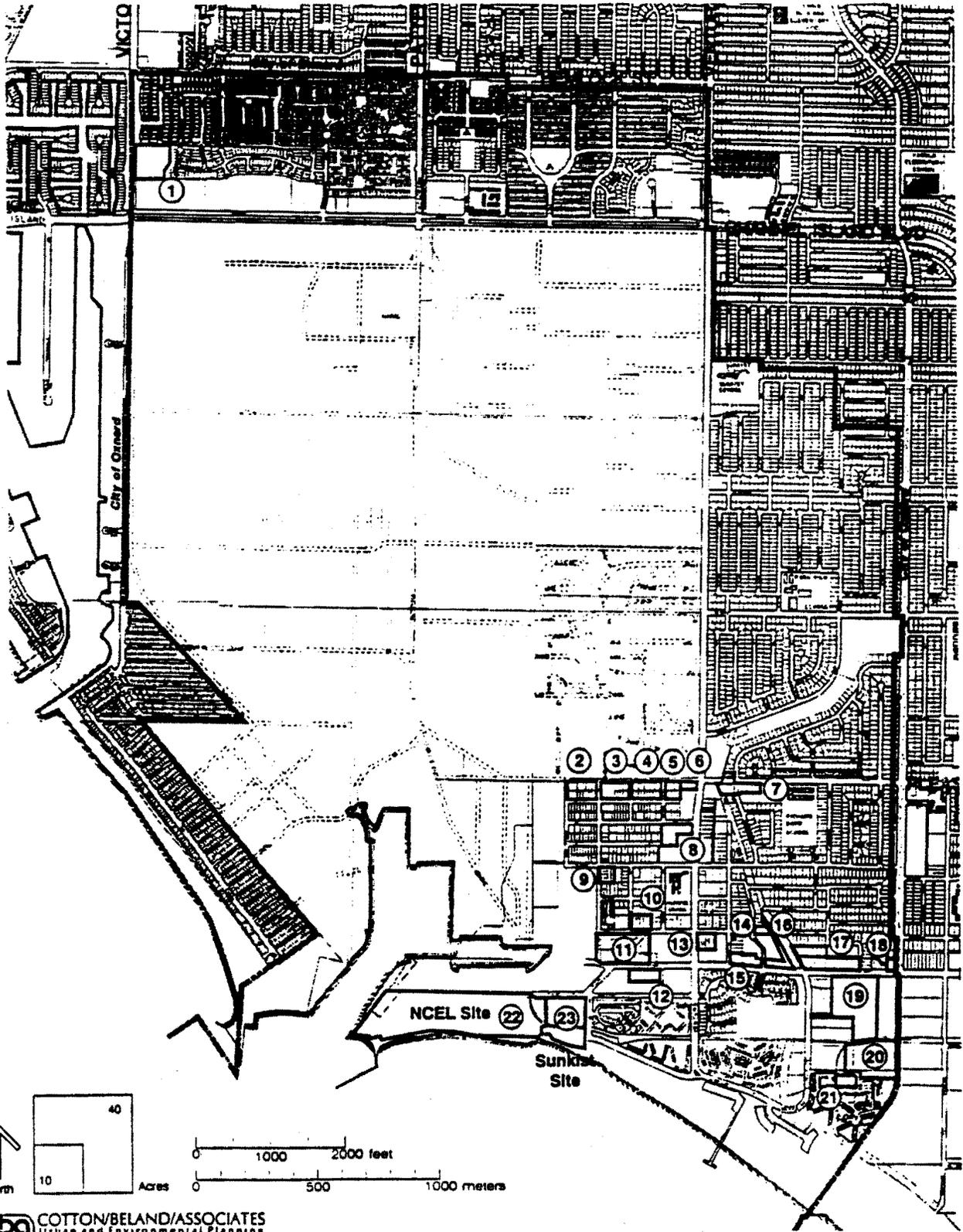
CBA COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



Coastal Zone Subareas and Key Dev

CITY OF PORT HUENEME
LOCAL COASTAL PLAN

EXHIBIT NO. 4
APPLICATION NO. LCFA 1-98
C.Z. Subareas & Devel Sites

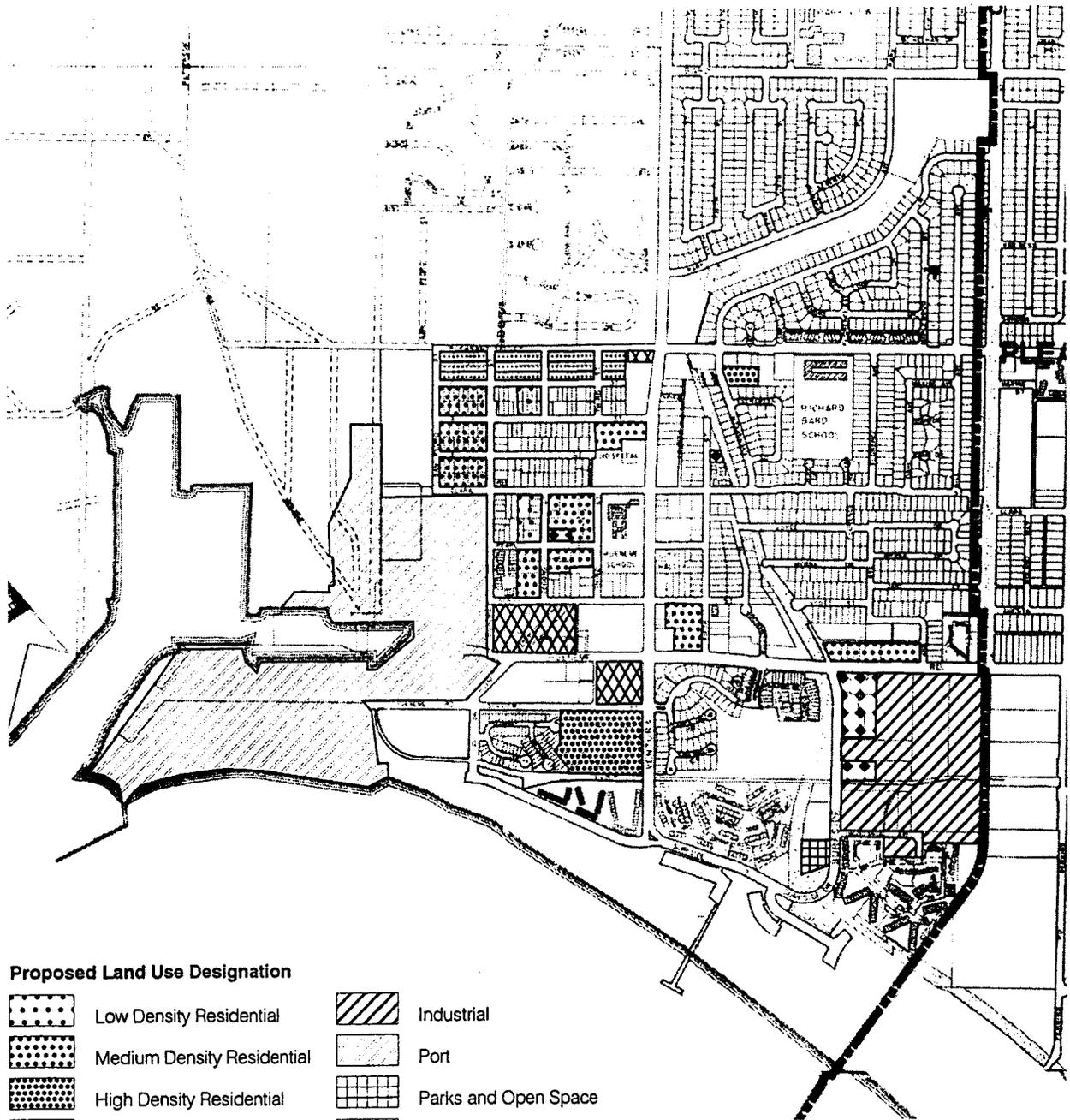


CBA COTTON/BELAND/ASSOCIATES
 Urban and Environmental Planning

Key Develo

CITY OF PORT HUENEME
 GENERAL PLAN

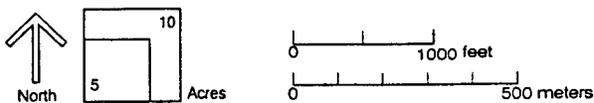
EXHIBIT NO. 5
APPLICATION NO. LCPA 1298
Key Devel Parcels



Proposed Land Use Designation

- | | | | |
|---|----------------------------|---|----------------------|
|  | Low Density Residential |  | Industrial |
|  | Medium Density Residential |  | Port |
|  | High Density Residential |  | Parks and Open Space |
|  | Mixed Use |  | Public Facility |
|  | Commercial | | |

4/18/97 ppm



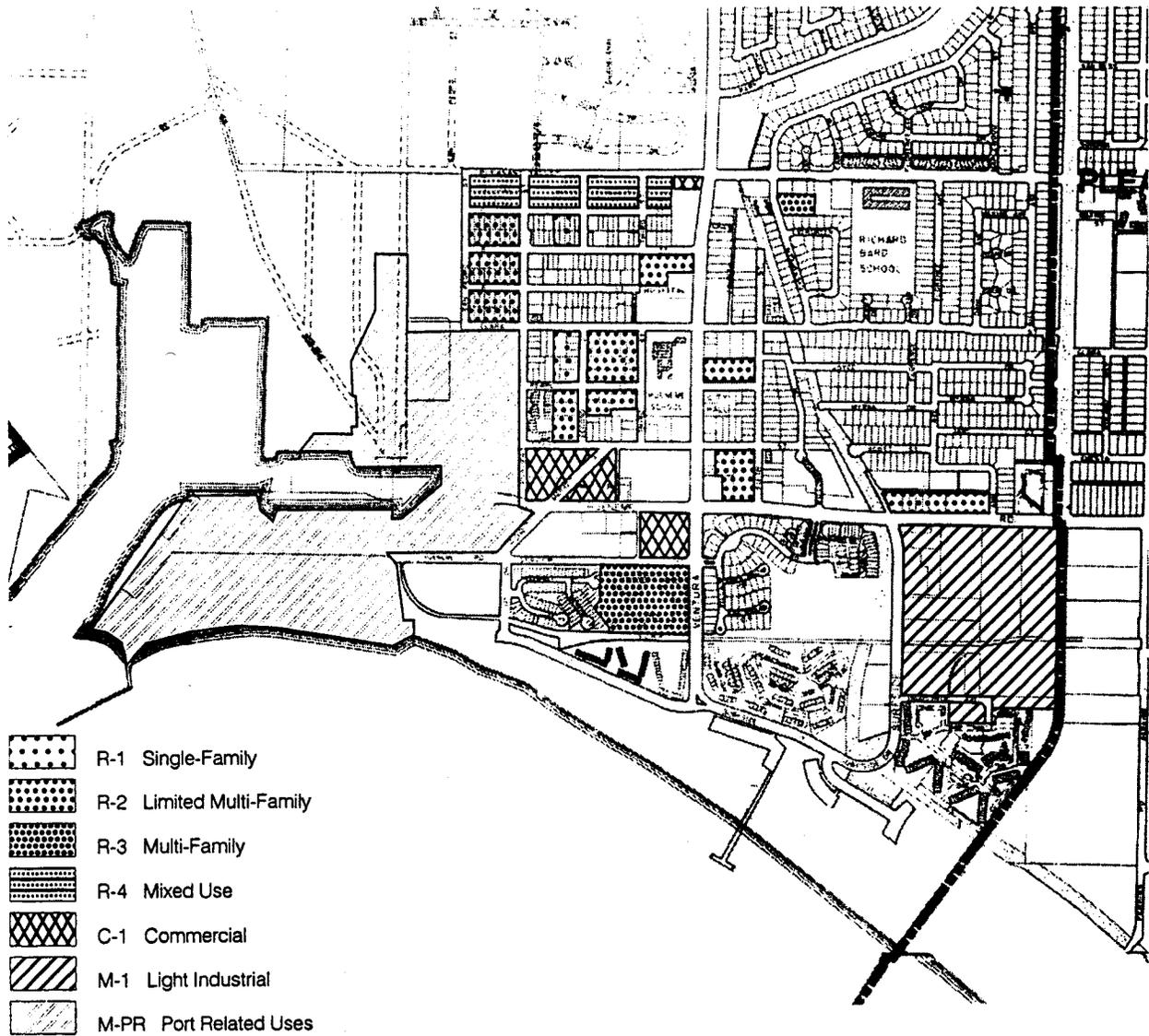
CBA COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



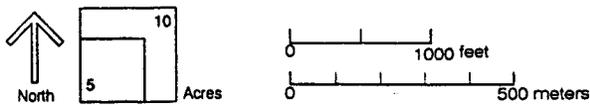
CITY OF PORT HUENEME
LOCAL COASTAL PLAN

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EXHIBIT NO. 6
APPLICATION NO. LCPA 1-98
Land Use Plan Revisions



4/19/97 ppm



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CITY OF PORT HUENEME
LOCAL COASTAL PLAN

EXHIBIT NO. 7
APPLICATION NO. LCPA 7-98
ZONING
REVISIONS

Local Coastal Program Amendment

"Redlined" Version - March 1998

Underlining denotes additions to certified LCP and
~~struckout~~ language denotes deletions.

RECEIVED

MAR 06 1998

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT NO. 8
APPLICATION NO. LCPA 1-98
LCP/Land
Use Plan Revisions

Pages 1-60

Legislative Declaration

~~“That the California coastal zone is a district and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.~~

~~That the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation.~~

~~That to promote the public safety, health, and welfare marine fisheries and other private property, wildlife marine fisheries and other ocean resources and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction.~~

California Coastal Act of 1976

CITY COUNCIL _____ Dorill B. Wright, Mayor
_____ Harold E. Wade, Mayor Pro tempore
_____ Dean Green
_____ Kenneth Hess
_____ Orvene Carpenter

PLANNING _____ Jeffrey Kosowitz, Chairman
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_____ Cleone M. Spencer Secretary
_____ Donald Jennings
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DIRECTOR OF PUBLIC WORKS _____ John J. Duffy

DIRECTOR OF COMMUNITY _____ James F. Rupp
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Section I

Introduction

SECTION I: INTRODUCTION
INTRODUCTION

What is the Local Coastal Program?

The Local Coastal Program (also called the LCP), mandated by the California Coastal Act of 1976, is a planning document prepared by cities and counties who have with shoreline areas within their boundaries in response to the California Coastal Act of 1976

The California Coastal Act is legislation intended to ensure that coastal areas of California are developed in a manner responsive to public objectives. The Act establishes these objectives as Coastal policies, and provides guidelines for municipal and county governments to reevaluate their existing coastal area planning and zoning concepts to determine consistency with the Act.

The California Coastal Act of 1976 declares that:

"to achieve maximum responsiveness to local conditions, accountability and public accessibility, it is necessary to rely heavily on local government and local land use planning procedures and enforcement"

in carrying out the state's coastal objectives and policies. To this end, the Act directs each local government lying wholly or partly within the coastal zone to prepare a Local Coastal Program (LCP) for its portion of the coastal zone.

An LCP consists of:

"a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources, other implementing actions which, when taken together, meet the requirements of, and implement the provisions and policies of the Coastal Act at the local level."

The land use plan, the heart of the LCP, is defined as:

"the relevant portions of a local government's general plan, or local coastal element, which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and where necessary, a listing of implementing actions."

What Does This Have to do
Port Hueneme?

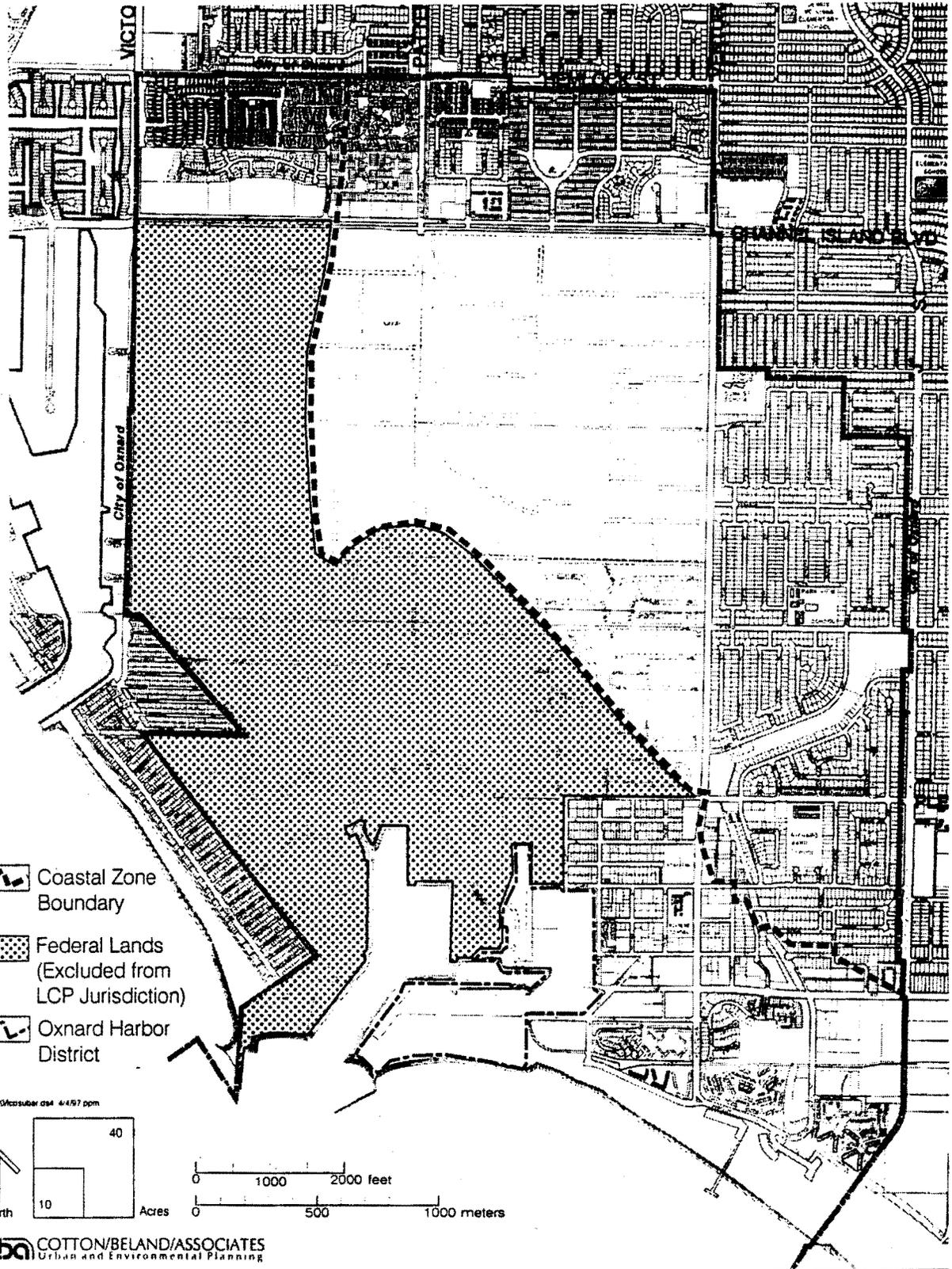
Much of the City of Port Hueneme is within the Coastal Zone, as shown in Figure 1. This document, the Local Coastal Program, prescribes the policies and procedures governing use and development of land within the Coastal Zone of Port Hueneme. For this Coastal area, the LCP becomes the primary planning document, and takes precedence over prior planning and zoning.

The City of Port Hueneme received certification of their first Local Coastal Program on July 25, 1984. The City's LCP is being revised to reflect the new goals and policies contained in the updated General Plan (1997).

How is was the LCP Developed?

Prior to certification of the City's 1984 LCP, Port Hueneme could not unilaterally approve development projects within the Coastal Zone. The Coastal Commission retains primary responsibility and jurisdiction over the issuance of development permits for projects until the end of the LCP certification process. Once the LCP has been certified, the ability to approve development projects within the coastal zone reverts to the local agency, subject to the finding that the project is consistent with the LCP. The City of Port Hueneme has been able to approve development projects within its Jurisdiction since certification of the City's LCP in 1984.

(Figure 1 City of Port Hueneme Coastal Zone)



**Figure 1
Coastal Zone**



The California Coastal Commission has published a Local Coastal Program Manual, describing in detail the steps to be completed for completion of the LCP. Each step of the process is reviewed by Coastal Commission staff to ensure that the local government is proceeding properly.

During the time that the LCP is being prepared the local government cannot unilaterally approve development projects within the Coastal Zone. Until the end of the LCP certification process, the Coastal Commission retains primary responsibility and jurisdiction over the issuance of development permits for projects which are consistent with Coastal Act policies. Once the LCP has been certified, the ability to approve development projects within the coastal zone reverts to the local agency subject to the finding that the project is consistent with the LCP.

Development of the LCP is undertaken with funding from the State Office of Planning and Research, not with local property tax money. Each city preparing a Local Coastal Program receives a budget allocation from the State for completion of its LCP. This is in keeping with State legislation which directs the State to reimburse each local agency for the full cost of any program mandated by State laws passed after January 1, 1973.

What is was the Process in Port Hueneme?

The City of Port Hueneme completed a General Plan review and update in April 1977. The Plan served as the foundation for the development of the City's first Local Coastal Program. One of the Plan's major policies was the "creative utilization and preservation of the City's natural assets, which include the beach and harbor orientation". Initially it was thought that preparation the City's Local Coastal Program would be greatly simplified by the fact that Port Hueneme completed a General Plan review and update in April 1977. That plan serves as the keystone of a comprehensive Community development Action Program, one of whose major policies is the "creative utilization and preservation of the City's natural assets, which include its beach and harbor orientation."

As a result, the General Plan recommendations were deemed to be fundamentally consistent with the letter--and more importantly with the spirit--of the Coastal Act of 1976. After a series of public meetings and hearings, Port Hueneme's first LCP was certified by the California Coastal Commission on July 25, 1984. Early on in the LCP's development, it was confirmed that Port Hueneme's General Plan had no direct conflict with Coastal policies, only a need to add greater detail concerning land uses, development policies and implementation action.

The Local Coastal Program is being revised in conjunction with the City's General Update, initiated in 1992. The revised General Plan considers coastal issues and contains a number of goals and policies to conserve the City's unique coastal resources. Similar to the 1977 General Plan, the updated version contains a goal promoting "Creative utilization and responsible conservation of the City's major natural asset -the beach and harbor environment." The revised Local Coastal Program reflects the City's continued commitment to conserve coastal resources.

The degree of compatibility of the existing General Plan with that of mandated Coastal Act policies is exemplified by the brevity of the Issue identification and Work Program phases of the LCP process which required less than 18 months to complete. In marked contrast, nearly four years have been consumed in the course of obtaining LCP certification from the Coastal Commission. As such, public participation in the LCP process is unprecedented by any prior planning effort undertaken in Port Hueneme

Prior to preparation of the City's initial LCP, a town hall meeting was conducted on March 1, 1979, to receive public testimony on two Working Papers which were published and circulated weeks in advance of the meeting. Two public hearings were subsequently held during June, 1979, at which time the draft LCP was considered for local certification. Shortly thereafter, the LCP was filed with the South-Central Coast Regional Commission

(SCCRC) which scheduled the matter for public hearing on December 15, 1979, and January 26, 1980. In spite of a majority vote in favor of the City's LCP, the Regional Coastal Commission ultimately rejected Port Hueneme's submittal. Consequently the City's LCP was re-drafted and subsequently reheard in joint session before the City Council and Planning Commission on September 10, 1980, and again before the City Council in public hearing on November 12, 1980.

Following Regional Commission approval in December of 1980, the LCP was submitted to the State for final certification. Although the land use plan was found to be in substantial compliance with the Coastal Act, the State Commission denied certification for the lack of adequate housing policies. Shortly thereafter, legislation was enacted which preempted the Coastal Commission with regard to this issue. Accordingly, the LCP was again re-drafted and reheard by the Planning Commission and City Council during the first six months of 1982. Following local adoption on July 14, 1982, the revised LCP was filed with the State Coastal Commission for reconsideration.

Although the Land Use Plan was effectively certified on February 9, 1983, further revision of the LCP was required to fully align development policies with implementing actions. As such, additional public hearings were conducted by the Planning Commission and City Council in April of the following year, at the conclusion of which the revised LCP was resubmitted to the State Coastal Commission. The entire LCP was ultimately certified on (date to be determined).

As required by law, notices advertising the availability of all pertinent LCP documents as well as public hearings conducted pursuant thereto have been distributed to all persons, special districts and public agencies known to be interested in the matter. Likewise, display advertisements have been published in newspapers of general circulation ten days in advance of all public hearings conducted on the LCP.

What is the Relationship Between the LCP, and the General Plan, and Other Planning Programs for the Coastal Area?

Put simply, the Local Coastal Program constitutes a refinement of the land use policies and implementing instruments of Port Hueneme's General Plan (GP) Community Development Action Program (CDAP) as they pertain to development of areas within the Coastal Zone. As the primary components of the General Plan, Port Hueneme's General Plan Update CDAP Port Hueneme's General Plan and Central Community Project Redevelopment Plan collectively serve as the foundation upon which the LCP Land Use Plan is based.

Secondary CDAP components which serve to implement the LCP include:

Ventura West Specific Area Plan
(Appendix A)

Neighborhood Preservation Program
(Appendix B)

Hueneme Beach Master Plan (Appendix C)

Neighborhood Strategy Area Urban Design Study (Appendix D)

What is the Relationship Between the LCP and the Oxnard Harbor District Master Plan for the Port of Hueneme?

The Coastal Act contains special provisions governing the ports of Port Hueneme, Long Beach and Los Angeles, and the San Diego Unified Port District. These ports must prepare, adopt, and have certified by the Coastal Commission a Port Master Plan. The Coastal Act provides that:

"for information purposes, each city, county, or city and county which has a port within its jurisdiction shall incorporate the certified port master plan into its local coastal program."

The Port Master Plan certified in May, 1979, and as amended, by the Coastal Commission covers only the area within the boundaries of the Port of Hueneme itself. This certified Master Plan was is hereby incorporated by reference for information purposes into the City of Port Hueneme Local Coastal Program in July 1984. The Final Master Plan document approved by the District Board of Commissioners; however, includes land use recommendations for areas outside of the existing boundaries of the Port. Although the City has no objection to the Plan as certified for the area within

the Port, land use designations for a number of areas outside the current Port boundaries are not consistent with adopted City plans and policies. By decision of the Attorney General, areas outside the current boundaries of the Port of Hueneme are covered by the City of Port Hueneme Local Coastal Program plans for these areas are to be certified as a part of this LCP.

Two means of resolving issues between the City and the Harbor District concerning land use planning for areas of mutual concern are being undertaken. The City and the Harbor District have executed a Cooperative Planning Agreement which provides for consultation and cooperation on planning for areas in and around the Port of Hueneme. The text of this agreement is included in Appendix E. The City and District have also jointly applied and received approval for a Coastal Energy Impact Program (CEIP) grant to examine means of resolving some of the more difficult land planning issues of immediate concern. The study which was subsequently produced is contained in Appendix F, pertinent findings of which are discussed in appropriate sections of the LCP Land Use Plan.

The City of Port Hueneme and the Oxnard Harbor District have entered into three additional agreements which affect future development in the Port. The Port Development Review Committee Agreement created in April 1979 and amended in 1982 requires the consultation and cooperation on planning for areas in and around the Port of Hueneme. In addition, the City and District entered into an agreement in 1987 which requires the City to consider amending the City's General Plan, Local Coastal Program, and Zoning Ordinance to impose a single zoning classification on property owned by the Oxnard Harbor District within the City. The agreement further specifies that the City will institute development policies and standards which streamline permit processing. In response to this agreement, the City has revised its General Plan to have only a "Port" land use designation for property owned by the Oxnard Harbor District. In addition, the Plan contains policies to streamline permit processing for District

properties. Lastly, the City and District entered into a Memorandum of Understanding in December of 1995, concerning acquisition and use of the former U.S. Naval Civil Engineering Laboratory which was closed and realigned in April 1996, under the third round of the U.S. Base Realignment and Closure Act of 1990.

SECTION II

Land Use Program

SECTION II: LAND USE PROGRAM

Coastal Policies

The Local Coastal Program for the City of Port Hueneme must conform to the policies of the California Coastal Act of 1976. These policies have been organized into 14 ~~16~~ groups, as shown in the left hand column below.

- . Shoreline Access
- . Recreation and Visitor-Serving Facilities
- ~~. Housing~~
- . Water-Oriented Recreation
- . Water and Marine Resources
- . Diking, Dredging, and Filling and ~~Shoreline Structures~~
- . Commercial Fishing and Recreational Boating
- . Shoreline Structures/Flood Control
- . Environmentally Sensitive Habitat Areas
- . Agriculture
- . Hazard Areas
- . ~~Forestry~~/Soils Resources
- . Archaeological/Paleontological Resources
- . Locating and Planning New Development
- . Coastal Visual Resources and Special Communities
- . Public Works
- . Industrial and Energy Development

Of these 14 policy groups, four (Environmentally Sensitive Habitat Areas, Hazard Areas, Forestry/Soils Resources, and Diking, Dredging, Filling and Shoreline Structures)¹ are not relevant to the City of Port Hueneme. Of the remaining 10, four are of lesser concern. These are:

- Housing
- Water and Marine Resources
- Locating and Planning New Development
- Coastal Visual Resources and Special Communities

The South Central Coast Regional Commission

has indicated that one policy group (Commercial Fishing and Recreational Boating) is the responsibility of the Oxnard Harbor District. This topic is addressed in the Master Plan for the Port of Hueneme. However, to the extent that support facilities for these fishing activities affect other policy groups with which the City is concerned (especially Shoreline Access and Recreation and Visitor Serving Facilities), this policy group is also covered by the City's LCP.

The remaining five policy groups are the primary focus of the City's LCP, as confirmed by the City's approved LCP Work Program. These groups are shown in the left hand column below:

- Shoreline Access
- Recreation and Visitor Serving Facilities
- Agriculture
- Public Works
- Industrial and Energy Development

¹ Sand pumping from the mouth of Port Hueneme Harbor is related to military requirements of the Naval Construction Battalion Center, and therefore exempt from the Coastal Act. Existing seawalls provide erosion protection. No new seawalls are proposed.

The following sections briefly summarize applicable Coastal Act policies concerning these five policy groups.† These descriptions are excerpted from the Local Coastal Program Manual published by the California Coastal Commission and the California Coastal Act (Public Resources Code, Division 20).

Shoreline Access

SHORELINE ACCESS

30210
30211

Coastal Act Sections 30210 and 30211: Maximum access and recreational opportunities shall be provided for all the people, consistent with public safety needs and the need to protect public rights, rights of private property owners and natural resource areas from over use. Development shall not interfere with the public's right of access to the sea.

Visitor-Serving and Recreation Facilities

RECREATION AND VISITOR-SERVING FACILITIES

30212.5
30213
30220

Coastal Act Sections 30212.5, 30213, and 30220: Wherever appropriate and feasible, public facilities, including parking, shall be distributed throughout an area to mitigate against the impacts of overuse of any single area. Lower-cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Developments providing public recreational opportunities are preferred. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Water-Oriented Recreation

30211

Coastal Act Section 30211: Oceanfront land suitable for recreational use shall be protected for recreational use and development, unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Coastal Act Section 30222: The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Water and Marine Resources

Coastal Act Section 30230: Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act Section 30231: The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Coastal Act Section 30236: Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to: (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Diking, Dredging, Filling and Shoreline Structures

Coast Act Section 30233: (a) the diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the function capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of South San Diego Bay, if otherwise in accordance with this division.

Commercial Fishing and Recreation Boating

Coastal Act Section 30224: Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Coastal Act Section 30234: Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demands for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Coastal Act Section 30255: Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland.

Shoreline Structure

Coastal Act Section 30235: Revetments, breakwaters, groins, harbor channels, seawalls, cliff-retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible.

Environmentally Sensitive Habitat Areas

Coastal Act Section 30240: (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Agriculture

Coastal Act Section 30241: The maximum amount of prime agricultural land shall be maintained in production, and conflicts between agricultural and urban land uses shall be minimized. Stable boundaries shall be established separating urban and rural areas. Conversion of agricultural lands shall be limited to areas where the viability of existing agricultural use is already severely limited by conflicts with urban uses, and where the conversion would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

Soil Resources

Coastal Act Section 30243: The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

Archaeological or Paleontological Resources

Coastal Act Section 30244: Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Locating and Planning New Development

Coastal Act Section 30250: (a) New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing development areas able to accommodate it, in other areas with adequate public services and where it will have significant adverse effects, either individually or cumulatively on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Coastal Act Section 30252: The location and amount of new development should maintain and enhance public access to the coast by: (1) facilitating the provision of extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Coastal Act Section 30253: New development shall: (1) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development, and (2) Minimize energy consumption and vehicle miles traveled.

Coastal Visual Resources and Special Communities

Coastal Act Section 30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic areas, such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government, and shall be subordinate to the character of its setting.

Coastal Act Section 30253: New development shall, where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Hazard Areas

Coastal Act Section 30253: New development shall: (1) minimize risks to life and property in areas of high geologic, flood, and fire hazard; and, (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Public Works

Coastal Act 30254: New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division of the Coastal Act. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state or nation, public recreation, commercial recreation and visitor-serving land uses shall not be precluded by other development.

Industrial Development and Energy Facilities

Coastal Act Sections 30255 and 30260: Coastal-dependent developments shall have priority over other developments on or near the shoreline. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division of the Coastal Act.

The Coastal Act defines "coastal-dependent development or use" as:

"any development or use which requires a site on, or adjacent to, the sea to be able to function at all."

Given this definition of "coastal-dependent," "coastal-dependent industry" is therefore industrial development which requires water adjacency.

Housing

Housing policies for coastal areas are now included in the California Government Code Article 10.7, Section 65590. As a result, this Local Coastal Program does not discuss coastal housing issues.

The following section analyzes existing conditions and potential development in the City's Coastal Zone. To facilitate this analysis, the City's Coastal Zone was divided into 11 sub-areas, which are shown in Figure 2.

The City of Port Hueneme is approaching build-out with very few sites available for new development. The updated General Plan concentrates on 23 key development sites that are vacant, underutilized or may convert to other uses. With regard to the Local Coastal Program, 21 of these key development sites are located within the coastal zone. The following sections identify the future development sites and define specific development policies for each coastal subarea.

AGRICULTURE

30241

The maximum amount of prime agricultural land shall be maintained in production, and conflicts between agricultural and urban land uses shall be minimized. Stable boundaries shall be established separating urban and

†

These descriptions are excerpted from the Local Coastal Program Manual published by the California Coastal Commission. (Numerical references in the left hand column above indicate relevant paragraphs of the Coastal Act.)

rural areas. Conversion of agricultural lands shall be limited to areas where the viability of existing agricultural use is already severely limited by conflicts with urban uses, and where the conversion would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

PUBLIC WORKS

30254

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division of the Coastal Act. Where existing or planned public works facilities can accommodate only a limited amount of new develop-

~~ment, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state or nation, public recreation, commercial recreation and visitor serving land uses shall not be precluded by other development.~~

**INDUSTRIAL DEVELOPMENT
AND ENERGY FACILITIES**

30255
30260

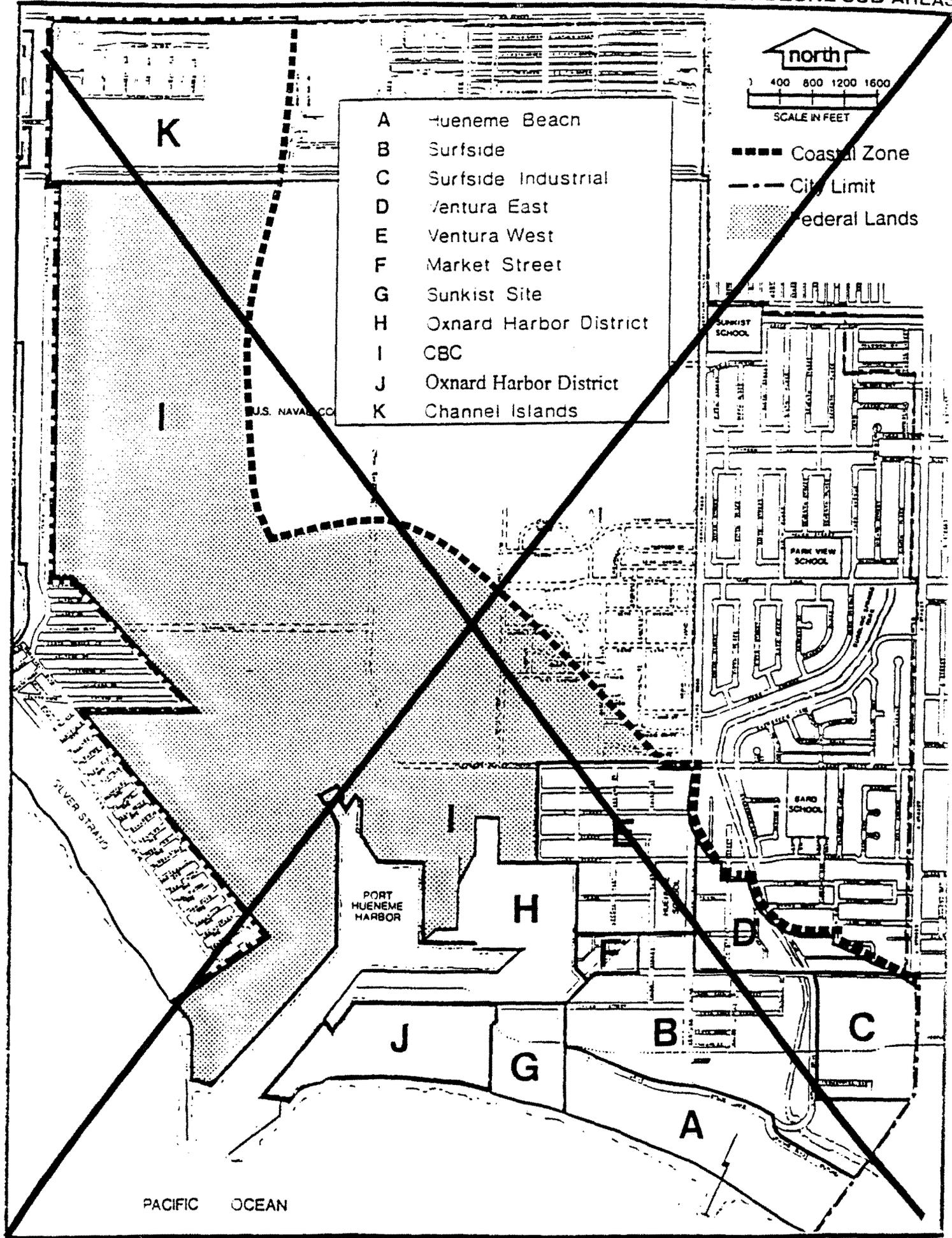
30101

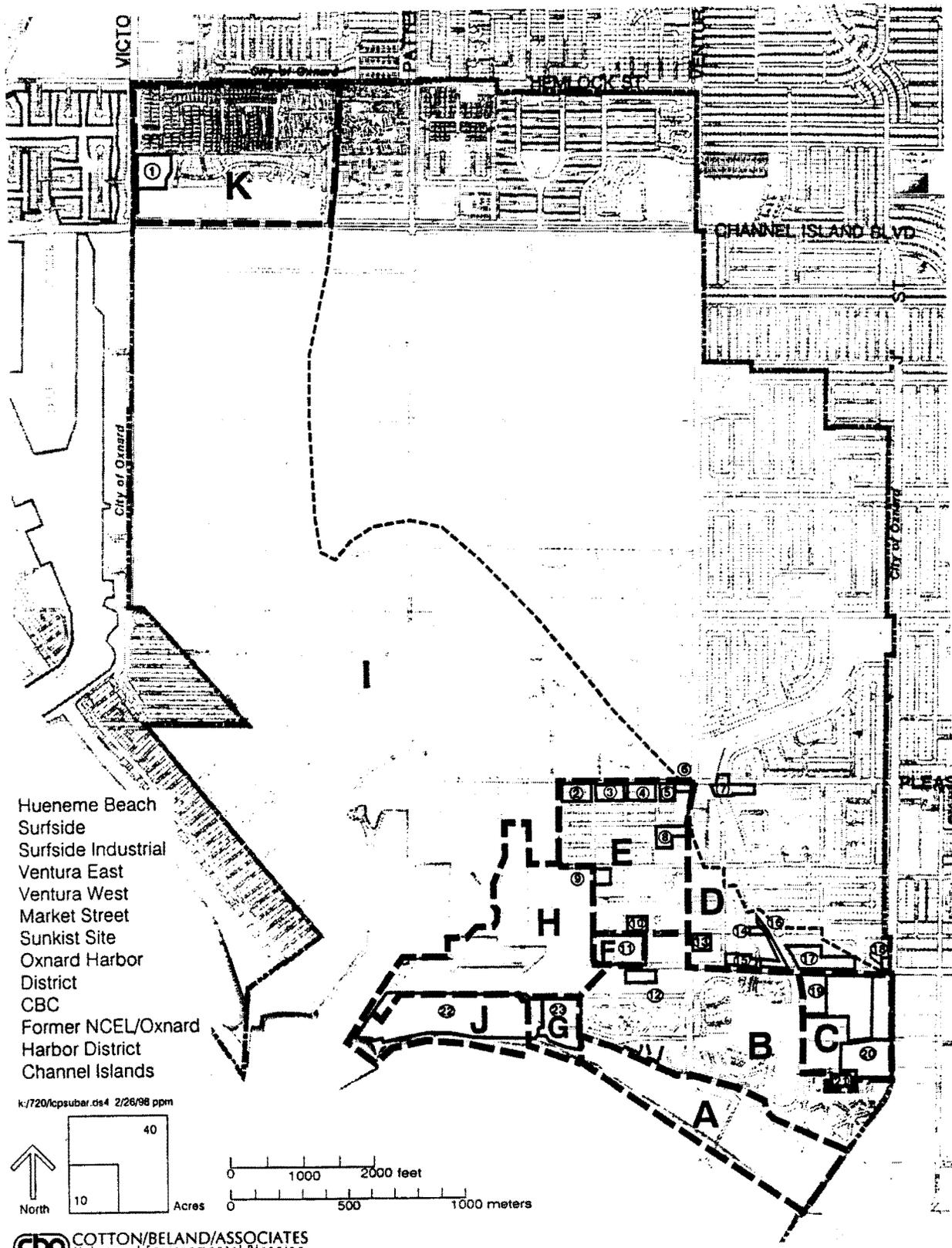
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~~"any development or use which requires a site on, or adjacent to, the sea to be able to function at all."~~

~~Given this definition of "coastal dependent", "coastal dependent industry" is therefore industrial development which requires water adjacency.~~

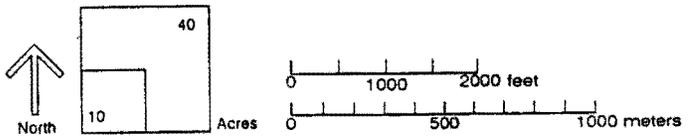
Figure 2
COASTAL ZONE SUB-AREAS





- A Hueneme Beach
- B Surfside
- C Surfside Industrial
- D Ventura East
- E Ventura West
- F Market Street
- G Sunkist Site
- H Oxnard Harbor District
- I CBC
- J Former NCEL/Oxnard Harbor District
- K Channel Islands

k:/720/lcpsubar.ds4 2/26/98 ppm



CBA COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



Figure 2
Coastal Zone Subareas and Key Development Sites

CITY OF PORT HUENEEME
LOCAL COASTAL PLAN

EXISTING CONDITIONS

In order to analyze potential uses for lands within the Coastal Zone, existing conditions in the City were examined, with a particular emphasis on changes occurring since preparation of the General Plan. To facilitate this analysis, the City's Coastal Zone was divided into 11 sub-areas, which are shown in Figure 2. These areas are briefly described in the sections which follow.

Area A: Hueneme Beach Park - 68 acres

~~AREA A: HUENEME BEACH PARK~~

68 Acres Approximately

Existing Land Use
. Recreation

General Plan Land Use:
. Parks and Open Space

Area A is entirely in public (City of Port Hueneme) ownership. There is no development except for beach-related structures (pier, concession stands, restrooms) and public parking lots. The beach is a recreational resource of regional important, attracting visitors from all parts of Ventura County as well as from neighboring Los Angeles.

A comprehensive Hueneme Beach Master Plan has been prepared, covering projected improvements to the facility over a five-to ten-year period. Recently completed improvements include the lowering of the main beach parking area (to increase water visibility from Surfside Drive), enhancement of the existing pier by development of a plaza area at its base (including concession area, thematic play area and additional pieces of children's play equipment), and the addition of facilities at the eastern edge of Hueneme Beach Park (including picnic areas, open turf play area, playground equipment and additional parking). In conjunction with these improvements, a mini park on the north side of Surfside Drive (in the area where the pedestrian overcrossing of the Ventura County Railway tracks is located) has been developed. 1

Key to these improvements to beach facilities is implementation of a sand replenishment program to prevent beach erosion caused by the jetty at the mouth of the Port. 2.

- 1 These improvements to Hueneme Beach Park have been approved by the South Central Coast Regional Commission under Development Permit 179-33.
- 2 This program is conducted by the Army Corp of Engineers, and is exempt from Coastal Commission review.

(deleted per addendum letter dated May 14, 1998)

The Beach Master Plan also includes improvements to be undertaken at a later date. These include development of a park and vista point at the entrance to the harbor, connected to the main portion of Hueneme Beach Park by an extension of Surfside Drive and by a meandering promenade.

These improvements require the consent of the Navy, (whose Civil Engineering Laboratory (NCEL) is located in the area) or the excessing of the NCEL.¹ Also included in future plans for Hueneme Beach is enhancement of the park's westerly end along Surfside Drive to compliment and interconnect the pier/plaza area.

Area B: Surfside - 90 acres

Surfside is the beachfront residential area. Major existing residential development in the area consists of recently built high- and medium-density condominiums (approximately 12-25 dwelling units per acre) and a City-owned 90-unit below market-rent garden apartment complex (Seaview Apartments).

The majority of commercial development in Area B is located along Hueneme Road. Commercial development consists primarily of neighborhood shopping areas and a hotel.

The area also contains the headquarters of the local VFW Chapter, Moranda Park, a community recreation facility, and Bubbling Springs Linear Park.

Recent Improvements to Moranda Park have greatly enhanced access to and from adjacent public and private developments. In addition, integration of the park with the surrounding area has been vastly improved by the realignment of the entrance from Port Hueneme Road and landscape/open space treatment of the southwest corner of Surfside Drive and Port Hueneme Road.

Bubbling Springs Linear Park was formerly a drainage channel. Improvements have been

AREA B: SURFSIDE

90 Acres

Existing Land Use:

- . ~~Residential~~
- . Vacant
- . Low Density
Residential

- . Medium Density
Residential
- . High Density
Residential
- . Park
- . Commercial

General Plan Land Use:

- . ~~Residential~~
- . Low Density
Residential
- . Medium Density
Residential
- . High Density
Residential
- . Commercial
- . Parks and Open Space
- . Public Facilities

¹ These improvements are not proposed for certification as a part of this LCP, and are only proposed if a change in status occurs at the NCEL.

undertaken to convert it into a recreational corridor, linking Richard Bard Bubbling Springs Park (outside the Coastal Zone) with Moranda Park and Hueneme Beach Park.¹ Improvements to Bubbling Springs Linear Park were approved by the South Coast Regional Commission under Development Permit 137-02. Key development site number 12 is located in the Surfside Area. Site 12 is planned for High Density Residential use, accommodating an estimated 38 dwelling units. Currently, this site is vacant.

~~So as to integrate the VFW property with that of improvements both to Bubbling Springs Linear Park and Moranda Park, a general upgrading of Post #3935 is proposed as part of the City's Neighborhood Strategy Area Urban Design Study (see Appendix "D").~~

~~In September, 1978, the City's Redevelopment Agency was granted a coastal development permit (179-33) for construction of a large development project, Surfside Village, within the Surfside area. This development will consist of 277 condominium units, 84 single-family residences, 45 townhouse units, a 5,000 square foot community center, and a neighborhood commercial center of 80,000 square feet.² The permit for development of Surfside Village was granted in tandem with a program for revitalization of the Ventura West (Area E) residential area. Construction of Surfside Village commenced in February of 1979.~~

Area C: Surfside Industrial - 40 acres

~~AREA C: SURFSIDE INDUSTRIAL~~

~~40 Acres~~

~~Existing Land Use:~~

- ~~. Industrial~~
- . Public Facilities
- ~~. Vacant~~

Area C contains industrial uses (auto salvage, general industrial, mini-storage) and public facilities. ~~a vacant parcel of approximately 12 acres.~~

General Plan land use and zoning designate the area for light industrial and public facilities use; ~~for example, light manufacturing and assembly, wholesaling and warehousing, utilities, and limited processing~~

~~1— Improvements to Bubbling Springs Linear Park were approved by the South Coast Regional Commission under Development Permit 137-02.~~

~~2— Indicated number of units and square footage of commercial area and community center are approximate. All development within Surfside Village must conform with the coastal development application and conditions of approval granted pursuant to Permit 179-33.~~

General Plan Land Use:

- Industrial
- Public Facilities
- Coastal-Related Industry

(blueprinting, carpet/rug cleaning, chemical or scientific laboratory). During the General Plan update process, a new General Plan category (Light Industrial) has been applied to this area. The Industrial designation permits businesses involved in laboratory, research, light manufacturing, distribution and services together with City and public utility facilities.

Key development sites 19-21 are located in the Surfside Industrial Area. Sites 19-21 are all planned for light industrial use. Site 19 is vacant and Site 20 is substantially vacant. Site 21 has existing light industry development.

Area D: Ventura East - 30 acres

AREA D: VENTURA EAST

30 Acres

Existing Land Use:

- Residential
- Low Density Residential
- Medium Density Residential
- Commercial
- Public Facilities
- Park
- Vacant

Area D consists primarily is predominately developed consisting principally of residential uses of various housing types and densities. Ventura East also contains the Port Hueneme Civic Center, an elementary school and a small number of commercial uses along Port Hueneme and Ventura Roads. The Bubbling Springs Linear Park passes through Area D.

General Plan Land Use:

- Residential
- Commercial
- Public Facilities
- Parks, and Open Space
- Low Density Residential
- Medium Density Residential
- High Density Residential

Based upon data obtained from a site and structural survey undertaken in October, 1978, nearly 20 percent of the total housing within Ventura East was found to be structurally deficient. These conditions are exacerbated by a high incidence of deferred property maintenance, over half of all residential parcels exhibiting one or more characteristics of visual blight. Within this context, Ventura East has been classified as a "declining" neighborhood wherein a comprehensive program of housing rehabilitation assistance, fair housing service, and code enforcement has been initiated under the City's federal funded Community Development Block Grant Program (see Appendix B - Neighborhood Preservation Program).

In support of revitalization efforts in both Ventura East and Ventura West (Areas D and E, respectively), the City has recently undertaken an Urban Design Study of selected

residential neighborhoods collectively known as the City's Neighborhood Strategy Area. Following a series of public meetings, a capital improvements program was adopted by the City Council governing the construction of miscellaneous recreational and street scene improvements over time as federal Community Development Block Grant funds are made available. (see Appendix D—Neighborhood Strategy Area Urban Design Study). Specific projects targeted within Ventura East and Ventura West include:

- Perimeter landscape improvements at Hueneme and Bard Elementary Schools (Completed August, 1982)

- Street scene improvements along Ventura Road at the intersection of Clara, Scott and Pearl Streets (Completed August, 1982)

- Curb, gutter and sidewalk improvements throughout Ventura West (Completed June, 1983)

- Exterior upgrading of the Willowbrook public housing project

- Street tree planting along selected interior residential right-of-ways

That portion of Ventura East which faces Port Hueneme Road also contains a number of commercial establishments which may be considered "recreation and visitor-serving facilities."

These establishments include two motels and several retail businesses, whose clientele at present consists more of local residents and business-related (Navy) visitors rather than visitors oriented toward the beach and Port. However, the proximity of this area to Hueneme Beach Park suggests that these establishments do cater to beach visitors, especially in summer. As a counterpart to the City's housing conservation effort, all commercial properties within Ventura East have been targeted for revitalization through the Community Development Block Grant Program.

Key development sites 13-17 are located in the Ventura East Area. Sites 14-17 are all planned for Medium Density Residential use, accommodating an estimated 133 dwelling units. Site

13 is planned for future commercial development. Currently, these sites contain a variety of uses. Sites 13 and 17 have existing residential and commercial development. Residential units are located on Site 14, residential and vacant land on site 15, and Site 16 contains a commercial use.

Area E: Ventura West - 77 acres

AREA E: VENTURA WEST

77 Acres

Existing Land Use:

- ~~Residential~~
- . Commercial
- . Public Facilities
- . Vacant Land
- . Low Density Residential
- . Medium Density Residential
- . High Density Residential

General Plan Land Use:

- ~~Residential~~
- . Commercial
- . Public Facilities
- . Low Density Residential
- . Medium Density Residential
- . High Density Residential
- . Mixed Use

Ventura West is primarily a residential area, with a mix of single-family (5,000 square foot 77 lot average) and multi-family units. Commercial development (motel, body shop, cocktail lounges, restaurants, junior market) is concentrated along Pleasant Valley Road at the north end of the area. Also located within Area E are an elementary school, fire station, residential care facility, hospital, pharmacy and medical offices. Area E also contains Mar Vista, a 60-unit assisted housing senior citizens residence. Another 90-unit senior citizens residence, Casa Pacifica, has recently been developed within Ventura West. ~~Ventura West is by far the most impacted of all neighborhoods in the City. The area is characterized by a mixture of incompatible and inefficient land uses, over 60 percent of the total residential dwellings being multiple-family developed on substandard sized lots. Existing single family homes are showing pronounced signs of disrepair due largely to their age, original quality of construction, financial limitations of current owners, and existing multi-family zoning. Overall, nearly 60 percent of the total housing within Ventura West is deemed to be substandard, 70 units of which are considered unsuitable for rehabilitation.~~

~~Within this context, Ventura West has been classified as a "deteriorated" neighborhood for which a Specific Area Plan has been prepared and adopted governing the scope of revitalization proposed therein. With the overall objective being the maintenance of this neighborhood as a source of low and moderate income housing, specific actions proposed as part of the Ventura West Specific Area Plan include:~~

- ~~. Redevelopment, housing rehabilitation, code enforcement and selective site clearance and acquisition to effectuate neighborhood revitalization.~~

- Downzoning commensurate with the predominance of single-family residences, proximity to major thoroughfares and dwelling units suitable for rehabilitation.

- Realignment of interior streets to reinforce "a sense of place" and neighborhood character.

- ~~Widening and improvement of Pleasant Valley Road and Ponoma Street to improve peripheral circulation and access to the Port of Hueneme and USNCBC.~~

By virtue of the dilapidated conditions prevalent within the "ABC" Street portion of Ventura West (four block area located westerly of Ponoma Street between Pleasant Valley Road and Clara Street) together with its proximity to the USNCBC and Port of Hueneme, the City has long maintained a "~~Harbor-Related~~" land use designation transitional zoning classification for this area which provides for the simultaneous development of residential and harbor-related uses for this area. As one of several tasks included within the scope of the joint Oxnard Harbor District/City Coastal Energy Impact Program Study, the "ABC" area was examined in detail relative to the potential of redeveloping the same for immediate industrial reuse. For a variety of reasons, it was concluded that such an endeavor, at least for the near term, would not be economically feasible; hence, its preclusion from the LCP and General Land Use Plan.

The Ventura West Area contains the largest number of key development sites within any coastal zone sub-area. Key development sites 2-4 are very similar with each accommodating existing residential and commercial development. Site 5, located adjacent to sites 2-4, contains only residential uses. The General Plan land use policy map designates sites 2-5 for mixed use development.

The four remaining development sites (6, 8, 9 and 10) contain various land uses. Currently, a motel and various commercial uses are located on site 6. The land use plan continues to support future commercial development on site 6. Site 8 is currently vacant and is planned for medium density residential development, thereby accommodating an additional 21 dwell-

ing units. Site 9 and 10 will continue to accommodate residential uses with an additional 16 dwelling units slated for these sites.

Area F: Market Street - 8 acres

AREA F: MARKET STREET

~~8 Acres~~

Existing Land Use:

- ~~. Commercial~~
- . Park
- . Public Facility
- . Vacant

General Plan Land Use:

- ~~. Harbor Related/Special~~
- . Parks and Open Space
- . Commercial
- ~~. Medium Density Residential~~
- . Public Facilities

Market Street is the remaining commercial nucleus of Port Hueneme's former downtown. Almost the entire Market Street area is within key development site 11. The area is zoned for general commercial use and contains a variety of small retail shops, the Hueneme Bank building (an historical landmark and home of the Chamber of Commerce and Port Hueneme Museum), and a few number of vacant parcels. Under the current General Plan, the area is designated for primarily commercial use. ~~"harbor-related/special" use under design concept known as "Market Street Landing. Fundamental to the Market Street Landing concept is the visual and physical linkage of this area to that of the Port of Hueneme. Toward this end, it had originally been proposed that a specialty retail boardwalk area be developed around a shallow draft extension of the commercial harbor. However, in response to concerns expressed by the Oxnard Harbor District relative to this concept, the interface of Market Street with that of the commercial harbor was designated for further study in conjunction with the joint OHD/City Coastal Energy Impact Program. Unfortunately, this portion of the CEIP study was not completed; hence, resolution of the issue was never achieved. What findings were made alluded to the need and desire to accommodate harbor-related offices in areas proximate to the Port of Hueneme, Market Street included. The General Plan update supports the development of visitor serving commercial and harbor-related offices in areas proximate to the Port of Hueneme, Market Street included.~~

Area G: Sunkist Site - 11 acres

AREA G: SUNKIST SITE

~~11 Acres, approximately~~

Existing Land Use:

- ~~. Temporary Storage~~
- . Vacant

General Plan Land Use:

The Sunkist Site is so named because of an old citrus packing plant, which occupied the site until it was destroyed by fire in 1977. The site is a designated County historical landmark since it was the location of the original Port Hueneme Wharf. (The warehouse itself was not related to the historical designation.) The site is divided by a strip of

~~Harbor-Related~~
Parks/Open Space
Visitor Commercial

land paralleling Port Hueneme Road occupied by railroad tracts serving the Ventura County Railroad (VCCR). The railroad was formerly used to bring citrus from farms in the surrounding area to the packing plant for eventual export. Use of the VCCR for this purpose has declined greatly. ~~(citrus is now brought to the Port primarily by truck). A significant portion of the freight now consists of products related to offshore drilling activities (e.g., pipe, tubing, bulk mud and cement). Lumber is also carried.~~

The Sunkist Site represents key development site 23. Of the approximately 11.4 acres contained in the site, 6.6 acres lie north of the railway; and approximately 4.18 acres are to the south. A total of 10.5 of the 11.4 acres lies north of an existing seawall; the size of that portion below the wall fluctuates with the sand pumping cycle from Channel Islands Harbor. The City's General Plan designates the ~~north-ernmost portion of the site~~ as suitable for Visitor Commercial ~~harbor-related~~ (but unspecified) use, with the southern area, in the vicinity of the seawall, designated for Parks and Open Space use. It has been the City's intention to tie future development of the Sunkist site to the Market Street Landing ~~concept area~~. Although the beach area below the seawall is privately held as part of the Sunkist parcel, public access is easily and frequently obtained by climbing the riprap and/or by walking across the beach from Hueneme Beach Park to the east. The Beach Master Plan meandering promenade passes through the lower portion of the Sunkist site.

~~AREAS H & J: PORT OF HUENEME/
OXNARD HARBOR DISTRICT~~

~~110 Acres~~

Existing Land Use:
Harbor Related

General Plan Land Use:
Port
~~Harbor Related~~

Areas H & J: Port of Hueneme/Oxnard Harbor
District - 110 acres

Areas H & J comprise the commercial/industrial port area of Port Hueneme, under the jurisdiction of the Oxnard Harbor District. The Port is a facility of statewide significance, being the only deep water harbor between Los Angeles and San Francisco.

Area J represents key development site 22 and is the former site of the U.S. Naval Civil Engineering Laboratory (NCEL). The NCEL was selected for closure under the third round of the

7
3

Defense Base Realignment and Closure Act of 1993. In accordance with base closure statutes and Department of Defense policy, a community reuse plan was prepared for the former NCEL site to guide Department of Defense decisions as to whom and for what purpose the NCEL would be used following closure of the installation.

The NCEL Community Reuse Plan was prepared in a collaborative fashion with a broad-based 26 member Advisory Task Force comprised of various public/private regulatory and resource agencies; community and neighborhood representatives; civilian tenants of the NCEL; adjoining property owners; homeless service providers; and the input and direction of the U.S. Navy, Oxnard Harbor District and City of Port Hueneme through an Executive Committee. This year-long planning effort evaluated disposal and reuse of the NCEL relative to regional considerations and property characteristics; environmental opportunities and constraints; utility and infrastructure needs; market support and financial considerations; implementation strategies; homeless strategies; and site planning considerations. The planning process included over eight public meetings and several public hearings on the Plan and related environmental documents.

In short, the Plan recommends a broad range of coastal oriented uses for the ~~33~~ 34-acre site; that is, traditional terminal operations and cargo storage; public access and visitor serving commercial; education tied to a maritime/marine biology curriculum; and aquaculture/marine fisheries. The underlying ~~tenant tenet~~ of the Reuse Plan is that the NCEL be conveyed at no cost and be held in single public ownership. The basic land use pattern as recommended under the NCEL Community Reuse Plan is as follows:

. The northern strip of NCEL land encompassing some five to six acres should be devoted exclusively to port-related uses.

. The central portion of the site should be available for a broad spectrum of port and coastal-oriented uses.

. The southerly strip of land, encompassing the shoreline revetment and approximately 50 feet at back of the revetment should be reserved for public

access consistent with the Hueneme Beach Master Plan.

On August 2, 1995, the City Council and Surplus Property Authority of the City of Port Hueneme approved the final NCEL Community Reuse Plan dated July 1995. On December 21, 1995, the City, the Surplus Property Authority and Oxnard Harbor District reached agreement on operations, management and ownership. This Memorandum of Understanding (MOU) agreement cleared the way for a public benefit conveyance from the federal government to the Oxnard Harbor District for port-related purposes.

As part of the NCEL conveyance, the Navy has agreed to adjust its boundaries such that the "sandspit" area fronting the Coast Guard Lighthouse at the foot of the east harbor jetty will be conveyed by either fee or license for incorporation into the public access and recreation strip of land along the shoreline revetment. The Oxnard Harbor District has a certified Port Master Plan for the area within its jurisdiction. In addition to the MOU, the City and the District have entered into two additional agreements to guide future development within the Port of Hueneme. The Port Development Review Committee Agreement will provide an organized means of exchanging information about proposed developments in and near the harbor. The City and District entered another agreement in 1987 which requires the City to consider amending the City's General Plan, Local Coastal Program, and Zoning Ordinance to impose a single zoning classification on the property owned by the Oxnard Harbor District. In addition, the agreement specifies the City will institute development policies and standards to streamline permit processing for District projects. In conformance with this agreement, the LCP and General Plan have one land use designation for District properties. In addition, the Zoning Ordinance will be amended to be consistent. (See the Implementation Section of this LCP). concluded a Cooperative Planning Agreement, which will provide an organized means of exchanging information about proposed developments in and near the harbor.

The District does contain one important recreation and visitor-serving facility whose future is of concern to the City. Hueneme

**AREA I: NAVAL CONSTRUCTION
BATTALION CENTER (CBC)**

815 Acres

AREA K: CHANNEL ISLANDS

160 Acres

Existing Land Use:

- . Commercial
- ~~Industrial~~
- ~~Agricultural~~
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Vacant

General Plan Land Use:

- . Commercial
- ~~Residential~~
- ~~Parks/Open Space~~
- Low Density Residential
- Medium Density Residential
- High Density Residential

Sportfishing is a commercial enterprise with five boats available either for individuals on scheduled departures or for charter by fishing parties.

**Area J: Naval Construction Battalion Center
(CBC) - 815 acres**

The CBC controls the remainder of the harbor area. Federal facilities such as the CBC are exempt from the LCP except that the City may provide for interim zoning for Federal lands which is applicable immediately upon divestiture.

Area K: Channel Islands - 160 acres

~~This area has been rapidly developing as a medium density, middle income, multi-family residential area. Units in Area K are generally ten years old or less. New Area K has developed primarily with residential units. Both single-family and multi-family units are located in Area K. Commercial development (office, neighborhood commercial, specialty retail) is located along Channel Islands Boulevard.~~

~~That portion of Channel Islands not yet developed residentially or commercially is still in agricultural use. The agricultural area consists of approximately 50 acres in a single ownership. The land is devoted to growing of cabbage and other truck crops.~~

~~This remaining agricultural area is surrounded on all sides by urbanized uses, the urban limit line having moved past this area approximately five years ago. The area under cultivation was formerly much larger, encompassing most of what is now the residential and commercial areas. (Portions of farmland have been progressively sold off for commercial and residential sites.) The ensuing encroachment of commercial and residential development on the remaining agricultural portion of Area K has resulted in continuing problems for the property owner. Pilferage of crops, damage and vandalism of equipment have increased in frequency in the last few years. Because the agricultural area is entirely surrounded, opportunities for buffering the farmland to reduce these problems are not readily~~

~~available without removing a significant portion of the land from production. The General Plan calls for the building out of medium density residential development (8-15 units per acre) and creation of a community park to serve the area. The General Plan medium density residential designation was believed to be consistent with the density of existing development in the area. However, further analysis has shown that currently developed multi-family units are slightly above 15 units per acre in density.~~

Key development site 1 is located in the Channel Islands area. The site encompasses approximately 4.5 acres and is currently vacant. The site is planned for future commercial development. The General Plan calls for the continued development of commercial uses along Channel Islands Boulevard and the preservation of low, medium and high density dwelling units.

AREAWIDE

Hazardous Wastes

Coastal Land
Use Program

Areawide Hazardous Wastes

The City of Port Hueneme has problems and opportunities involving the generation, Local storage, transfer and disposal of hazardous wastes and materials as does any urban area. There are also special sources of hazardous wastes and materials associated with the CB Center, Port of Hueneme, railroad, and oil storage and transportation. A County and City Hazardous Waste Plan, under guidance of the State Department of Health Services, has been prepared as authorized by passage of Assembly Bill 2948 (Tanner 1986). The Plan serves as the primary planning document to:

- . analyze hazardous waste generation
- . determine facility capacities and needs
- . reduce waste generation and hazard
- . manage small hazardous waste volumes
- . determine the need for additional facilities
- . identify locations for expansion and new facilities
- . set goals, objectives and policies through the year 2000

schedule City and County implementation.

As provided under the State Health and Safety Code (Section 25135.7), the City of Port Hueneme has chosen to incorporate by reference the County Plan into the City's Zoning Ordinance. The County Plan intends to develop further provisions to specifically allow hazardous waste and materials handling facilities in certain zones within the coastal zone as necessary in the future. Any subsequent changes in the County Plan will require an amendment to the Land Use Plan of this Local Coastal Program. The City will participate in hazardous waste control through participation in intergovernmental efforts such as joint powers agreements.

LOCAL COASTAL LAND USE PLAN

The planning process for the updated General Plan development of the 1977 General Plan for the City of Port Hueneme Goals and Objectives devoted a great deal of attention to development of consensus among citizens, staff and the consultant team on a set of goals and objectives to guide the future development of the City. Because the General Plan was and is seen as the "blueprint" planning document for development of Port Hueneme, the establishment of obtainable goals specifically related to conditions in Port Hueneme, rather than generalized goals which might be considered objectives for any city, was considered essential. These goals as stated in the General Plan remain valid, and are the basis upon which the City's Local Coastal Program has been developed.

- GP-1 Continued development of a healthy diversity of land uses which will create and sustain assure a strong, viable and self-sustaining economic base for the City.
- GP-2 Creative utilization and responsible conservation preservation of the City's major natural assets, which include its -the beach and harbor environment, orientation.
- GP-3 Development and maintenance of a housing stock with a broader range of choice for residents of the City. Enhancement of the self-image of the City of Port Hueneme among its citizens and through-out the region.
- GP-4 Improvement of accessibility to the City from the regional freeway and highway system. Development of a larger housing stock with a broader range of choice for residents of the City.
- GP-5 "Fair Share" Payment for use of City services and facilities. Improvements of accessibility to the City from adjacent areas via implementation of planned arterial connections.
- GP-6 Protect the City's interest by continued participation with adjacent and regional jurisdictions to address common issues, including air quality, transportation, water quality and supply and solid waste disposal. Increased efforts to cooperate with adjacent jurisdiction to ensure highest and best use of land within the jurisdiction and sphere of influence of the City of Port Hueneme.
- GP-7. Create an aesthetically pleasing and efficiently organized City.

To these fundamental General Plan goals, the Local Coastal Program adds the following objectives as shown below: ~~in the left hand column below:~~

- LCP-1 To maximize public opportunities for coastal access and recreation in a manner which protects natural resource areas from overuse, maintains public safety needs and respects the rights of private property owners.
- LCP-2 To protect, encourage and, where feasible, provide for increased recreational opportunities, including low and moderate cost facilities, within and adjacent to beach and harbor areas through both public and private development.
- LCP-3 To accommodate expansion of the Port of Hueneme in a manner which is compatible with the policies and land use designations of ~~this~~ the LCP.
- ~~4. To protect, encourage and, where feasible, provide expanded housing opportunities for persons of low and moderate income.~~

This is the most important section of the Local Coastal Program, because it establishes policies consistent with the Coastal Act to serve as guidelines for future development and redevelopment of the City's Coastal Zone. Table I shows is a master cross-reference, showing the relationship of City General Plan goals and City-wide LCP objectives (presented above) to each geographic sub-area in the Coastal Zone. Table I also indicates the ~~relevance of each of the 10~~ Coastal Act policy groups of concern to the ~~City to individual~~ geographic sub-areas within Port Hueneme.

~~The following sections define specific development policies for each Coastal subarea, as well as land uses consistent with such policies.~~

CITY OF PORT HUENEME COASTAL ZONE CSD-AREA	RELATED GOALS & OBJECTIVES		COASTAL ZONE POLICY GROUP									
	General Plan Goals	Local Coastal Program Objectives	Shoreline Access	Coastal Dependent Industry	Recreation and Visitor-Serving Facilities	Public Works	Agriculture	Coastal Visual Resources	Commercial Fishing/ Recreational Boating	Beaching & Beach Development	Housing	Water & Marine Resources
A: Hueneme Beach	2,3	2	☒		☒	☒		☒				○
B: Surfside	1,2, 3,4	1,2	○		○	○		○		○	○	○
C: Surfside Industrial	1,6	3		☒								
D: Ventura East	3,4	1,4	□		□						☒	○
E: Ventura West	3,4, 5,6	3,4		☒		☒					☒	
F: Market Street	1,2, 3,6	1,2, 3	☒	☒	☒			☒	☒			
G: Sunkist Site	1,2, 3,6	1,2, 3	☒	☒	☒			☒	☒			
H: Port of Hueneme	1,2, 5,6	1,2, 3	☒	☒	☒			☒	☒			
I: CBC *												
J: NCEL												
K: Channel Islands	1,3, 4	2,4			□		☒			☒	□	

*Naval facilities and all Federal lands are exempted from LCP jurisdiction.

- ☒ MAJOR COASTAL ACT POLICY GROUP
- ☒ PRIMARY LCP ISSUE
- SECONDARY LCP ISSUE
- COVERED IN EXISTING GENERAL PLAN OR PRIOR COASTAL DEVELOPMENT PERMIT

Related Goals
and Objectives

Coastal Zone Policies

	General Plan Goals	Local Coastal Program Objectives	Shoreline Access	Visitor Serving and Recreation Facilities	Water Oriented Recreation	Water and Marine Resources	Commercial Fishing and Recreational Boating	Shoreline Structures and Flood Control	Environmentally Sensitive Habitat Areas	Locating and Planning New Development	Coastal Visual Resources and Special Communities	Hazard Areas	Industrial and Energy Development	Coastal Dependent Industry	Public Works	Agriculture
A. Hueneme Beach	GP-2	LCP-1 LCP-2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>				<input type="checkbox"/>		<input type="radio"/>					
B. Surfside	GP-1 GP-3	LCP-1 LCP-2				<input type="radio"/>					<input type="radio"/>					
C. Surfside Industrial	GP-1	LCP-3											<input type="radio"/>			
D. Ventura East	GP-3 GP-4	LCP-1	<input type="radio"/>	<input type="radio"/>		<input type="radio"/>										
E. Ventura West	GP-3															
F. Market Street	GP-1	LCP-1 LCP-2 LCP-3	<input type="radio"/>	<input type="radio"/>			<input type="radio"/>				<input type="radio"/>					
G. Sunkist Site	GP-1	LCP-1 LCP-2	<input type="radio"/>	<input type="radio"/>				<input type="radio"/>								
H. Port of Hueneme	GP-6	LCP-3	<input type="radio"/>	<input type="radio"/>			<input type="radio"/>			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		
I. CBC (1)	GP-5 GP-6	LCP-3														
J. Port of Hueneme	GP-6	LCP-2 LCP-3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>			<input type="radio"/>		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	<input type="radio"/>		
K. Channel Islands	GP-3			<input type="radio"/>						<input type="radio"/>						
L. Areawide	GP-2 GP-6	LCP-3				<input type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

(1) Naval facilities and all federal lands are exempt from LCP jurisdiction.

 COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



The following sections define specific development policies for each Coastal subarea, as well as land uses consistent with such policies.

Area A: Hueneme Beach Park

AREA A: HUENEME BEACH PARK

LCP Land Use:
. Parks/Open Space*

Related Documents:
. Beach Master Plan
. Development Permit 179-33

Development Policies

The Hueneme Beach Master Plan is the product of a two-year planning effort which began in conjunction with redevelopment of the south-central portion of the City's Central Community Project. As adopted by the City Council in April, 1978, the Beach Master Plan establishes long-term priorities and design guidelines with respect to the programming capital improvements over an unspecified time frame. Accordingly, the Hueneme Beach Master Plan is hereby incorporated by reference into this LCP and shall heretofore serve as the City's formal policy framework within which all future actions in Area A must be consistent.

Within this context, the following specific development policies shall apply:

Shoreline Access/Recreation and Visitor-Serving Facilities/Public Works

- . Improvements to Hueneme Beach Park shall provide for the continued maintenance and public use of the beach and access to the ocean, which development shall be consistent with the Hueneme Beach Master Plan.

Shoreline Access

- . Public nonvehicular access to Hueneme Beach Park shall be protected, maintained and, where feasible, expanded.

Coastal Visual Resources

- . Because the viewshed at Hueneme Beach Park is an important public resource, improvements to the park shall not interfere with public enjoyment of views of the beach and ocean.

* Asterisk indicates no change from existing General Plan.

Area B: Surfside

~~AREA B: SURFSIDE~~

Development Policies

LCP Land Use:

- ~~Residential~~
- . Commercial
- . Parks/ and Open Spaces
- . Public Facilities
- Low Density Residential
- Medium Density Residential
- High Density Residential

~~Implicit in the design of Surfside Village, together with the conditions of Coastal Commission approval, is compliance with applicable Coastal Act policies. Inasmuch as Coastal Permit 179-33 governs the undeveloped portions of Area B, land use policies applicable to the Surfside area shall be those set forth in the permit application and conditions of approval. With the exception of key development site 12 proposed for High Density Residential use, the Surfside area is almost entirely built out with existing development determined to be consistent with California Coastal Act policies.~~

Related Documents

- ~~Development Permit 179-33~~
- ~~Development Permit 137-02~~
- . Central Community Redevelopment Project
- Hueneme Redevelopment Plan

Area C: Surfside Industrial

~~AREA C: SURFSIDE INDUSTRIAL~~

Development Policies

LCP Land Use

- ~~Coastal Related Industry~~
- Industrial
- Public Facilities

Due to its existing industrial character, low utilization, and direct road and rail access to the Port of Hueneme, the Surfside Industrial area has been identified as an area that continues to be appropriate for future industrial development including potential location for accommodating harbor-related growth. This finding is reiterated in the ~~Coastal Energy Impact Project Program Study which was jointly commissioned by the City and Oxnard Harbor District.~~ Inasmuch as Area C lacks immediate water adjacency, coastal-dependent uses would be precluded from locating therein. Furthermore, pre-existing development within the Surfside Industrial area may not, in all cases, be conducive for subsequent conversion to harbor-related use. Hence, such development should not be precluded from continuing or being replaced by other than harbor-related uses. Therefore, coastal related land uses are encouraged to locate in this area due to road and rail access to Port Hueneme along with other industrial uses. Within this context, therefore, the following specific development policies shall apply:

Related Documents:

- Central Community Redevelopment Project

Coastal-Dependent Industry/Coastal Related Industry

Due to the lack of immediate water adjacency, coastal-dependent uses shall be precluded from development within the Surfside Industrial area.

Preference shall be given to development of coastal-related uses in remaining vacant land areas, ~~which development shall not preclude pre-existing uses from continuing or being replaced by uses other than coastal-related.~~

Area D: Ventura East

AREA D: VENTURA EAST

Development Policies

LCP Land Use:

- .Commercial
- .Medium Density Residential
- .Low Density Residential
- .Parks and Open Space
- .Public Facilities

Conditions prevalent within Ventura East pre-suppose a threefold development strategy: (1) neighborhood stabilization via code enforcement and property maintenance incentives; (2) housing conservation via rehabilitation assistance and affirmative action with respect to fair housing practices; and (3) urban design improvements via commercial property rehabilitation and cosmetic street scene treatment. Within this framework, the following specific development policies shall apply:

Related Documents:

- . Development Permit 137-02
- . Central Community Redevelopment Project
- ~~.NSA Urban Design Study~~
- .Neighborhood Preservation Program

Shoreline Access

New development in Ventura East shall not adversely affect the public nonvehicular beach access provided by Bubbling Springs Linear Park, and if possible, shall enhance it.

Recreation and Visitor-Serving Facilities

Due to the lack of immediate water adjacency and/or proximity to water oriented activities, development of new recreational and visitor-serving facilities within Ventura East shall not be encouraged. New development, however, shall be prohibited from adversely affecting pre-existing recreational and visitor-serving uses, provided that such uses are not allowed to deteriorate into sub-standard or dangerous condition.

Housing

- ~~Low and moderate income housing opportunities within Ventura East shall, where feasible, be protected, maintained, and provided for in furtherance of neighborhood revitalization.~~

Water and Marine Resources

- The biological productivity of the Bubbling Springs Waterway and any adjoining habitat shall be protected, maintained and, where feasible, enhanced.

Area E: Ventura West

AREA E: VENTURA WEST

Development Policies

LCP Land Use:

- Low Density Residential
- Medium Density Residential
- Commercial
- Public Facilities
- ~~Coastal-Related Industry~~
- High Density Residential
- Mixed Use

Related Documents:

- Ventura West Specific Area Plan
- Development Permit 179-33
- Central Community Redevelopment Project
- ~~Cooperative Planning Agreement~~
- 1979 Coastal Energy Impact Program
- Neighborhood Preservation Program
- ~~NSA Urban Design Study~~
- Port Development Review Committee Agreement

The Ventura West Specific Area Plan ~~was adopted in February, 1978, product of an intensive six-month planning study conducted subsequent to adoption of amended General and Redevelopment Plans in April, 1977. As adopted by the City Council in February, 1978,~~ The Specific Area Plan delineates a three-fold revitalization strategy: (1) redevelopment via selective site acquisition and clearance to facilitate elimination of dilapidated conditions, provision of sites for development of low and moderate income housing, and promotion of long-term economic development objectives; (2) neighborhood stabilization via code enforcement and urban design improvements to facilitate elimination of blight and blighting

influences, and stimulation of private reinvestment; and (3) housing conservation via rehabilitation assistance and property maintenance incentives to facilitate eradication of substandard housing conditions, provision of expanded housing opportunities for persons of low and moderate income, and institution of community pride and neighborhood cohesion.

Collectively, these action plans and programs ~~have shall served~~ as the overriding development strategy for Area E. Within this context, the Ventura West Specific Area Plan is hereby incorporated by reference into this LCP and shall heretofore serve as the City's formal policy frame work within which all future actions in Area E must be consistent.

As to the "ABC" area of Ventura West, a mixed use and medium density residential land use designation is proposed with a transition encouraged to coastal related industry as needed to serve harbor related uses. ~~the immediate conversion of residential to harbor-related use through redevelopment has been ruled out as a viable near-term option~~ However, in keeping with the City's long-term desire to accomplish the same, it is proposed that such transition be encouraged through private development action gradually over time. In this respect, a two-fold development strategy is suggested: (1) designation of the "ABC" area as "Coastal-Related Industry" for purposes of long-term LCP land use; and (2) establishment of a "transitional" zoning classification which provides for the simultaneous development and coexistence of residential and harbor-related uses under specific performance criteria is suggested. Compatibility between residential and any future coastal related industrial land uses will be provided with adequate land use transition or buffer areas such as sound walls, landscaped open space, park lands, and existing streets.

Within this context, the following specific development policies shall apply:

Housing

Development within Ventura West shall should be consistent with that of the Ventura West Specific Area Plan and shall, where feasible, protect, maintain and provide expanded housing opportunities for persons of low and moderate income in furtherance of neighborhood revitalization.

(Revised per addendum letter dated May 14, 1998)

Related Coastal-Dependent Industry

The transition of uses within the "ABC" portion of Ventura West from that of residential and commercial to coastal-related shall be accommodated through permissive zoning to the extent that such are mutually compatible. The transition of this area shall be coordinated between the City and Oxnard Harbor District. To protect existing residential land uses while providing for adequate buffer area within the streets, land proposed for

conversion may be converted to coastal related industrial uses on a full block-by-block basis for the "ABC" area.

Due to the lack of immediate water adjacency, coastal-dependent uses shall be precluded from development within the "ABC" area of Ventura West.

~~The improvement and widening of Pleasant Valley Road and Ponoma Streets shall be an integral part of the transition of the "ABC" area of Ventura West to coastal-related use. Upon completion, these thoroughfares shall supplement Port Hueneme Road as the principal access for truck traffic to and from the Port of Hueneme.~~

Area F: Market Street

AREA F: MARKET STREET

Development Policies

LCP Land Use:

- .Commercial and Visitor-Serving
- .Public Facilities
- .Parks and Open Space

Related Documents:

- .Coastal Energy Impact Program
- .Cooperative Planning Agreement
- .Port Development Committee Review Agreement
- .Central Community Redevelopment Project

Resolution of the Market Street ~~Landing concept~~ area in relation to Coastal Act policies and concerns regarding Port access and utility presupposes a three-fold development strategy for Area F: (1) redefining the Market Street commercial corridor so as to include Area G within the "Landing" urban design concept; (2) restricting uses within the Market Street corridor in relation to their proximity to the Pacific Ocean and Port of Hueneme; and (3) emphasizing visual linkage to the Port of Hueneme as a primary design consideration with direct access being secondary thereto. Within this context, the following specific development policies shall apply:

Shoreline Access/Coastal Visual Resources; Coastal Dependent Industry/Commercial Fishing and Recreational Boating

~~Due to the Market Street area location near the Port of Hueneme, the City where feasible, will increase access to the Port's industrial, commercial, fishing and sports fishing activities and the ocean's recreational and visitor-serving amenities. In addition, if possible new development will increase visual access to the Port. Due to their juxtaposition relative to the~~

~~Pacific Ocean and Port of Hueneme, Areas F and G shall collectively comprise the Market Street Landing corridor within which development shall preserve, enhance and, where feasible, increase visual and physical access to the Port's industrial, commercial fishing and sportfishing activities and the ocean's recreational and visitor-serving amenities.~~

By virtue of its proximity to the Port of Hueneme and distance from the Pacific Ocean, the Market Street area shall serve as an interface between uses of a general commercial, speciality retail and harbor-related nature. In this respect, future development within Area F may include the full range of uses as listed in the underlying zone classification for the Market Street Landing corridor, which development shall not preclude pre-existing uses from continuing or being replaced by other than special commercial.

~~Coastal-Dependent Industry/Recreation and Visitor-Serving Facilities~~

Development within the Market Street area shall be coordinated between the City and Oxnard Harbor District which development shall not be designed so as to interfere with the Port's coastal-dependent and coastal-related functions.

Area G: Sunkist Site

Development Policies

The Sunkist Site, as a large parcel with ocean and frontage under single ownership, represents a coastal resource requiring careful planning.

~~So as to ensure fulfillment of the visual and physical access objectives inherent in the~~

Market Street Landing concept (see Area F: Program Market Street), ~~d~~ Development of the Sunkist Site should be undertaken comprehensively

AREA G: SUNKIST SITE

LCP Land Use:
~~Commercial and
Visitor-Serving
Parks and Open Space
Visitor Commercial~~

Related Documents:
~~Coastal Energy Impact
Program
Cooperative Planning
Agreement~~

Port Development Review Committee Agreement
Hueneme Beach Master Plan
Central Community
Redevelopment Project

in accordance with an approved master plan. As to the nature of allowable uses, the prominence of Area G relative to its proximity to both the Pacific Ocean and Port of Hueneme presupposes a more limited range of ~~special-commercial~~ uses than that which applies to the Market Street area. Specifically, Section 30222 of the Coastal Act provides that "visitor-serving commercial and recreational facilities designed to enhance public opportunities for coastal recreation" have priority over all other uses except agriculture and coastal-dependent uses. So as to accommodate recommendations of the Oxnard Harbor District and CEIP Study concerning the development of coastal-related uses on the Sunkist Site (i.e., warehouses, open storage, etc.), it is proposed that a limited range of such uses (i.e., harbor-related offices) be allowed consistent with the general intensity and character of recreational and visitor-serving development as the predominate land use.

Within this context, the following specific development policies shall apply:

Shoreline Access/Coastal Visual Resources

Development of the Sunkist Site shall be consistent with the urban design principals of the Market Street Landing concept, which development, by virtue of the parcel's ocean frontage, shall preserve, enhance and, where feasible, increase visual and physical access, both vertical and lateral, to and along the beach consistent with the Hueneme Beach Master Plan.

Recreation and Visitor-Serving Facilities/
Coastal-Dependent Industry

No development on any portion of the Sunkist Site shall be approved in the absence of a comprehensive master plan for the entire parcel. This plan will include a recreational component, which plan and corresponding development shall be subject to the following standards:

(i) The developable portion of Area G located southerly of the existing Ventura County Railroad tracks shall be limited to visitor-serving and commercial-recreational facilities as listed in the underlying zone classification ~~for the Market Street Landing corridor.~~

(ii) The developable portion of Area G located northerly of the existing Ventura County Railroad tracks may include harbor-related office uses in addition to visitor-serving and commercial-recreational facilities as listed in the underlying zone classification ~~for the Market Street Landing corridor.~~

(iii) Development on the northerly portion of the Sunkist Site shall be coordinated between the City and Oxnard Harbor District which development shall not be designed so as to interfere with the Port's coastal dependent and coastal-related functions.

(iv) (v) Construction of public parking on the Gion Easement (a one-half acre parcel landward of Surfside Drive, southeasterly of the Sunkist Site).

(v) (vi) Landscaping improvements, including sand stabilization, restrooms, parkway and urban design improvements, for the west end of Hueneme Beach Park, and urban design connection to the Market Street area.

Areas H & J: Port of Hueneme/Oxnard Harbor District

AREAS H & J: PORT OF HUENEME/ Development Policies
OXNARD HARBOR DISTRICT

Closure of the NCEL in April 1996, presented both opportunities and problems. To address these issues, the NCEL Community Reuse Plan Port Hueneme was adopted by the City Council in August 1995, and endorsed by the Board of Harbor Commissioners in December 1995. Within this context, land use recommendations set forth in the Reuse Plan may serve as a guiding development strategy for Area J and is hereby incorporated by reference into this LCP as ~~appendix H.~~

A change in land use set forth in the Reuse Plan recommendations involves shoreline access. Improvements originally proposed, if a change occurs at the NCEL, is illustrated in the 1979 Hueneme Beach Master Plan. This original plan depicts a single phase extension of Surfside Drive at back of revetment to a large (five to six-acre) park near the harbor entry encompassing a large parking lot, turnaround, and thematic structures. However, the Reuse Plan suggests a different approach whereby needed repair of the revetment is to be coordinated with improvements to shoreline access. In this way, rather than merely extending Surfside Drive, the NCEL Reuse Plan combines a narrow roadway at back of revetment separated from a new bike and pedestrian pathway atop or alongside the revetment to increase visibility and access to the ocean. Determination of the need for roadway access would be made as land uses are finalized and specific developments are designed, as well as as the nature and timing of development of the adjacent Sunkist Site.

In addition, while the Beach Master Plan depicts a large park at the terminus of the shoreline access, it is not recommended in the Reuse Plan because: (1) it is not considered necessary to meet recreational needs; (2) it would conflict with existing structures and activities to remain on-site; and, (3) it would be difficult to fund (both in terms of improvements and ongoing maintenance). It is recommended therefore, that a more modest shoreline access turnaround and vista occur at the existing lighthouse and "sandspit" at the base of the east harbor jetty providing views of the harbor entrance with limited parking if vehicular access is installed. Public access to the approximate to the 1/2 acre "sandspit" area at the base of the east harbor jetty is dependent upon successful property line adjustment from Navy ownership/use concurrent with conveyance of the NCEL.

Specific uses as to land, water and wharf areas within the confines of Areas H and J are governed by a Port Master Plan which, as authored and administered through the Oxnard Harbor District, has been prepared and certified independent of this LCP. In accordance with California Coastal Act Section 30711, the certified Port Master Plan, as amended is hereby incorporated by reference to serve as site-specific development policy for purposes of this LCP. While the Oxnard Harbor District is the agency principally responsible for over-

LCP Land Use:

~~Coastal Dependent Industry~~

Parks and Open Space

~~Coastal Related Industry~~

Port

Related Documents:

~~Port Master Plan~~

~~Cooperative Planning Agreement~~

~~Coastal Energy Impact~~

Program
Memorandum of Understanding
Naval Civil Engineering Laboratory

Port Development Review
Committee Agreement
Harbor Redevelopment Plan

seeing implementation of the Port Master Plan, the City of Port Hueneme, under its vested "police powers", through its Zoning Ordinance retains local discretionary permit authority within Areas H and J. The Port of Hueneme, Oxnard Harbor District, amended Port Master Plan No. 5 addresses the former NCEL property. The Plan was approved by the Coastal Commission in September 1996, and given final certification on September 13, 1996. This Port Master Plan, as amended, is incorporated by reference in this LCP as Appendix I and shall serve as the overriding development strategy for Areas H & J.

~~Toward this end and consistent with Coastal Act policies and definitions, a two-tiered zoning classification is proposed under which coastal dependent uses are clearly distinguished from that of coastal related. In so doing, areas proximate to wharf and dock facilities would be exclusively reserved for uses requiring immediate water adjacency; harbor related uses of a nondependent nature being accommodating in outlying areas. Under this arrangement, development within Area H would dovetail with CEIP recommendations relative to "...relocating non harbor dependent activities onto other sites, while reallocating Port land to strictly harbor dependent activities..." for the purpose of accommodating harbor growth.~~

As to implementation, Development within Areas H and J shall be coordinated between the City and Oxnard Harbor District. Within this framework, those policy groups identified in Table I concerning the Port of Hueneme (Shoreline Access, Coastal-Dependent Industry, Recreation and Visitor-Serving Facilities, Coastal Visual Resources and Commercial Fishing/Recreational Boating, Locating and Planning New Development, Hazard Areas, and Industrial and Energy Development) shall serve as guidance for specific development proposals to be evaluated by the City for Area H. In addition to these Policy groups, land use recommendations found in the NCEL Community Reuse Plan shall serve as guidance for specific development proposals to be evaluated by the City for Area J.

The Port Master Plan, as amended, shall serve as the overriding development strategy for Areas H and J.

The Port of Hueneme, Oxnard Harbor District, has coastal development permit authority for development projects within the boundaries of the certified Port Master Plan.

The City has the authority to enforce its building and zoning ordinances within the Port District boundaries if three conditions are met: (1) the ordinances do not conflict with the Coastal Act itself or with the provisions of the Port Master Plan; (2) the ordinances impose "further conditions, restrictions, or limitations on land and water use or any activity beyond those imposed by said Act or Master Plan; and, (3) the uses or activities affected might adversely affect coastal zone resources.

Area I: Naval Construction Battalion Center (CBC)

The CBC controls the remainder of the harbor area. Federal facilities such as the CBC are exempt from the LCP.

Area K: Channel Islands

Development Policies

~~By virtue of the area's juxtaposition with respect to surrounding urbanized uses, the continued viability of agricultural activities within Area K is severely In this respect, conversion of such land to commercial and residential use would provide for the logical completion of existing development within the Channel Islands area. Under these conditions, the transition from agricultural to urban use is deemed consistent with Section 30241 of the Coastal Act. Within this context, the following specific development policies shall apply:~~

Area K (Channel Islands) has developed into a residential area with low and high density uses. In addition, commercial uses have located along Channel Islands Boulevard. The General Plan calls for the continued preservation of these areas as residential neighborhoods and continued development of commercial uses along Channel Islands Boulevard.

Agriculture

~~Conversion of agricultural land within the Channel Islands area shall be facilitated so as to provide for~~

AREA K: CHANNEL ISLANDS

LCP Land Use:

- ~~Local, Neighborhood and General Commercial~~
- Medium Density Residential (8-15 du/acre)
- Low Density Residential
- High-Density Residential

~~the logical completion and interconnection of established residential neighborhoods and pre-existing commercial uses.~~

Locating New Development

. Development within Area K shall be consistent with that of the use designations and performance standards applicable to the underlying zone classification of land upon which such development is proposed. No ~~residential or commercial~~ development on any portion of undeveloped land within Area K shall be approved in the absence of a comprehensive master plan for all of the property designated for such use.

Recreation and Visitor-Serving Facilities

. By virtue of its proximity to the Channel Island Marina and the extent of existing and planned recreational and visitor-serving facilities the commercial development within Area K shall not be limited exclusively to such facilities and uses.

Housing

~~. Opportunities for low and moderate income housing within the Channel Islands area shall, where feasible, be provided consistent with the provisions of State Law.~~

Areawide Hazardous Wastes

Hazardous Wastes

The City will guide the siting of hazardous waste and hazardous materials handling facilities through use of the County siting criteria. Siting criteria shall ~~serve as guidelines for identifying potential sites and provide a basis for alternative analysis in the CEQA process. Designation of land use and zoning categories and standards for such sites shall require amendment of the Local Coastal Program Land Use Plan and Implementation Plan (Coastal Zoning Ord-~~

AREAWIDE

Related Documents:

- . Ventura County Hazardous Waste Management Plan

*

~~nance). Siting criteria are not intended to serve as policies for the purpose of either issuing Coastal development Permits or preparing Local Coastal Program Amendments, but are a distinct set of additional guiding language. As such they shall regulate generation, handling and disposal through performance standards and permitting procedure for facility location, intensity, density, type and design. Appropriate mitigations to hazards and other adverse impacts identified through the environmental review and permit process shall be incorporated into conditions of approval.~~

The City intends to regulate significant generation and handling of hazardous waste and materials as part of discretionary review during the permit process of the underlying development or activity, or as part of any necessary Local Coastal Program Amendment. The City intends to regulate siting and design of hazardous waste and handling facilities through development review during the permit process: (e.g. transfer and storage; treatment; recycling; solidification or stabilization; incineration; and repositories for treated residues). Facilities involving hazardous wastes and/or materials will be inspected, monitored, and subject to enforcement. Existing ordinance provisions relative to Oil and Gas Extraction and Substandard Buildings apply to hazardous wastes and will continue to be utilized. Additional standards and procedures should be developed for incineration, oil recovery, contaminated soils, oil disposal sites, oil spill cleanup and disposal. Additional fees should be charged as necessary to cover the costs of regulating hazardous wastes.

Criteria for facility siting include: public access; flood plains; beach erosion and runoff; agricultural lands, seismic safety; proximity to emergency services; protection of immobile populations; sewer capacity; proximity to water wells; groundwater monitoring; air quality; location of wetlands; sensitive habitats; endangered species; cultural and aesthetic resources; consistency with the LCP; and other criteria developed through the planning and environmental review process. The following shall be considered relative to wetlands: pol-

lution source and wetland sharing the same aquifer; sea water intrusion into existing or abandoned wells; and pollution upstream as well as adjacent to wetlands.

Implementation

This Section of the Local Coastal Program describes how the LCP will be implemented effectuated. Specifically, LCP-Implementation of the LCP for the City of Port Hueneme will consist of three basic components:

. Amendment of the City's General Plan and Central Community Project Redevelopment Plan

. Revision of the City's Zoning Text and Map

. Implementation of the following programs, comprised of the Neighborhood Preservation Program, Neighborhood Strategy Area Urban Design Study and Cooperative Efforts with the Oxnard Harbor District Port Development Review Committee Agreement; 1987 Settlement Agreement; and 1995 NCEL Memorandum of Understanding between the Oxnard Harbor District and City of Port Hueneme.

Revised per addendum letter dated May 14, 199

COMMUNITY DEVELOPMENT ACTION PLAN AMENDMENTS

Community Development Action Plan Amendments

So as to incorporate applicable provisions of the LCP Land Use Plan, amendment of both the text and map of the City's General Plan and Central Community Project Redevelopment Plan will be necessary. Toward this end, public hearings on the General Plan have been conducted and indefinitely continued until such time that the LCP is certified by the Coastal Commission. Immediately following such certification, public hearings will be re-opened and formal amendment shall be made. Due to onerous public notice requirements, public hearings on the Central Community Project Redevelopment Plan will not be conducted until after both the General Plan and Zoning Ordinance have been amended. The City of Port Hueneme General Plan has undergone a comprehensive update. The land use policy changes contained in the updated General Plan are being incor-

porated into the Local Coastal Program. Because both of these documents are being created simultaneously, they have been designed to be consistent.

ZONING REVISIONS

Zoning Revisions

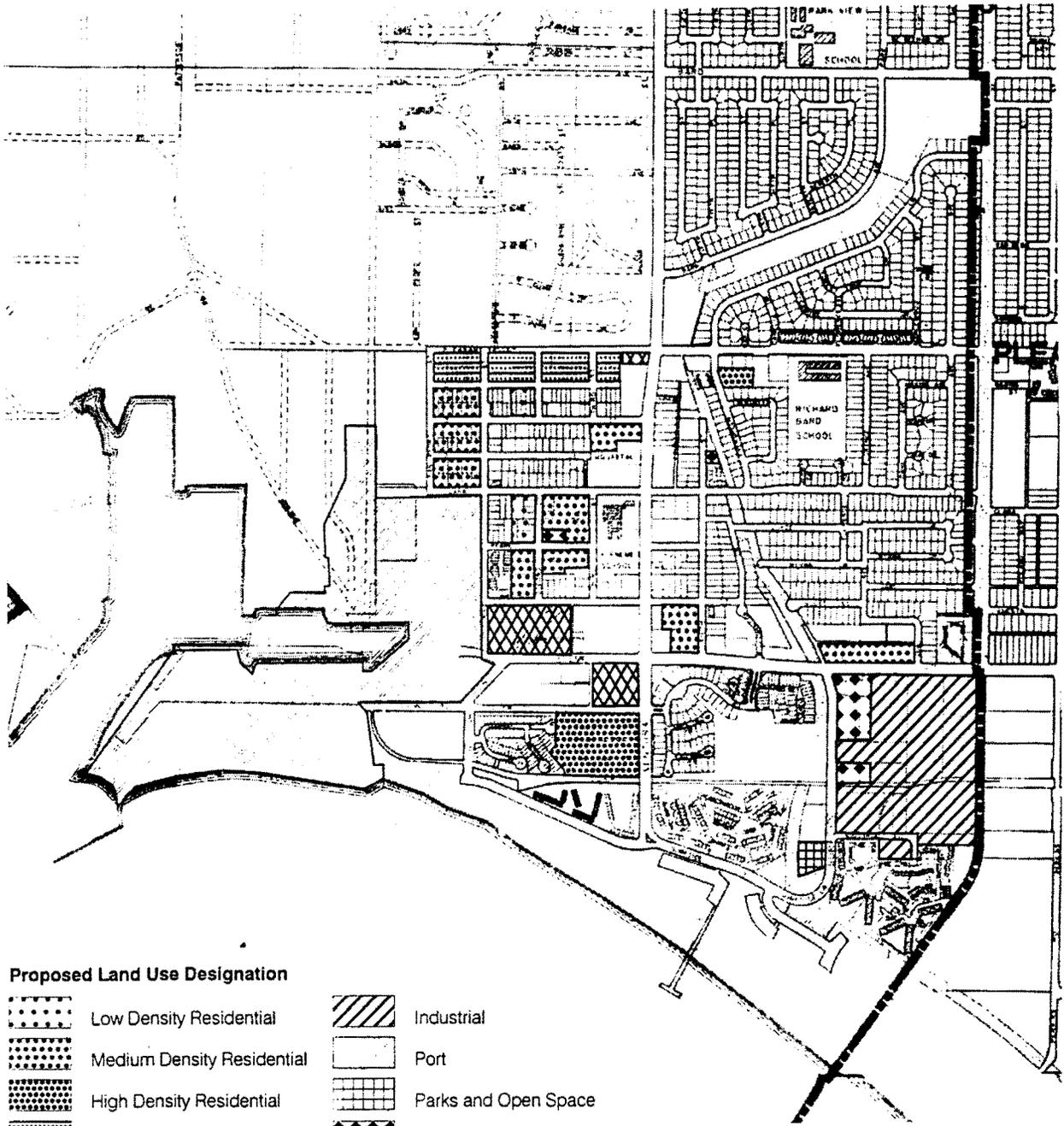
Regulations contained in a zoning ordinance are required by law to be consistent with the policies established in the general plan. This requirement for zoning consistency applies to counties, general law cities, and charter cities with a population of more than two million. As a charter City, Port Hueneme will ensure that its zoning is consistent with the General Plan. In addition, the General Plan and Zoning Ordinance must be consistent with the Local Coastal Program.

Revisions to the City's Land Use Map, as shown in Figure 3 are designed to bring land use into conformity with land use designations of the General Plan and Local Coastal Program. Revisions to the City's Zoning Map, as shown in Figure 4, are designed to bring zoning into conformity with land use designations of the General Plan and Local Coastal Program. Modifications to the Zoning ordinance include:

- Creation of the following categories: Port Related Industry, Mixed Use, and Light Industry.
- Elimination of Coastal Related Industry and Coastal Dependent Industry.

The City of Port Hueneme currently applies two separate zoning designations (Coastal Related Industry and Coastal dependent Industry) to land at the Port. In accordance with the 1987 Settlement Agreement between the City and Oxnard Harbor District, the City will need to amend the Zoning Ordinance to include a single zoning designation (Port Related Industry) for this area.

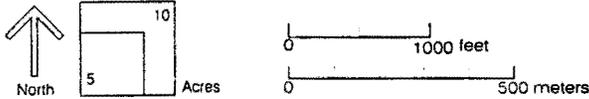
Two additional new categories were created: Mixed Use and Light Industry. The



Proposed Land Use Designation

- | | | | |
|--|----------------------------|--|----------------------|
| | Low Density Residential | | Industrial |
| | Medium Density Residential | | Port |
| | High Density Residential | | Parks and Open Space |
| | Mixed Use | | Public Facility |
| | Commercial | | |

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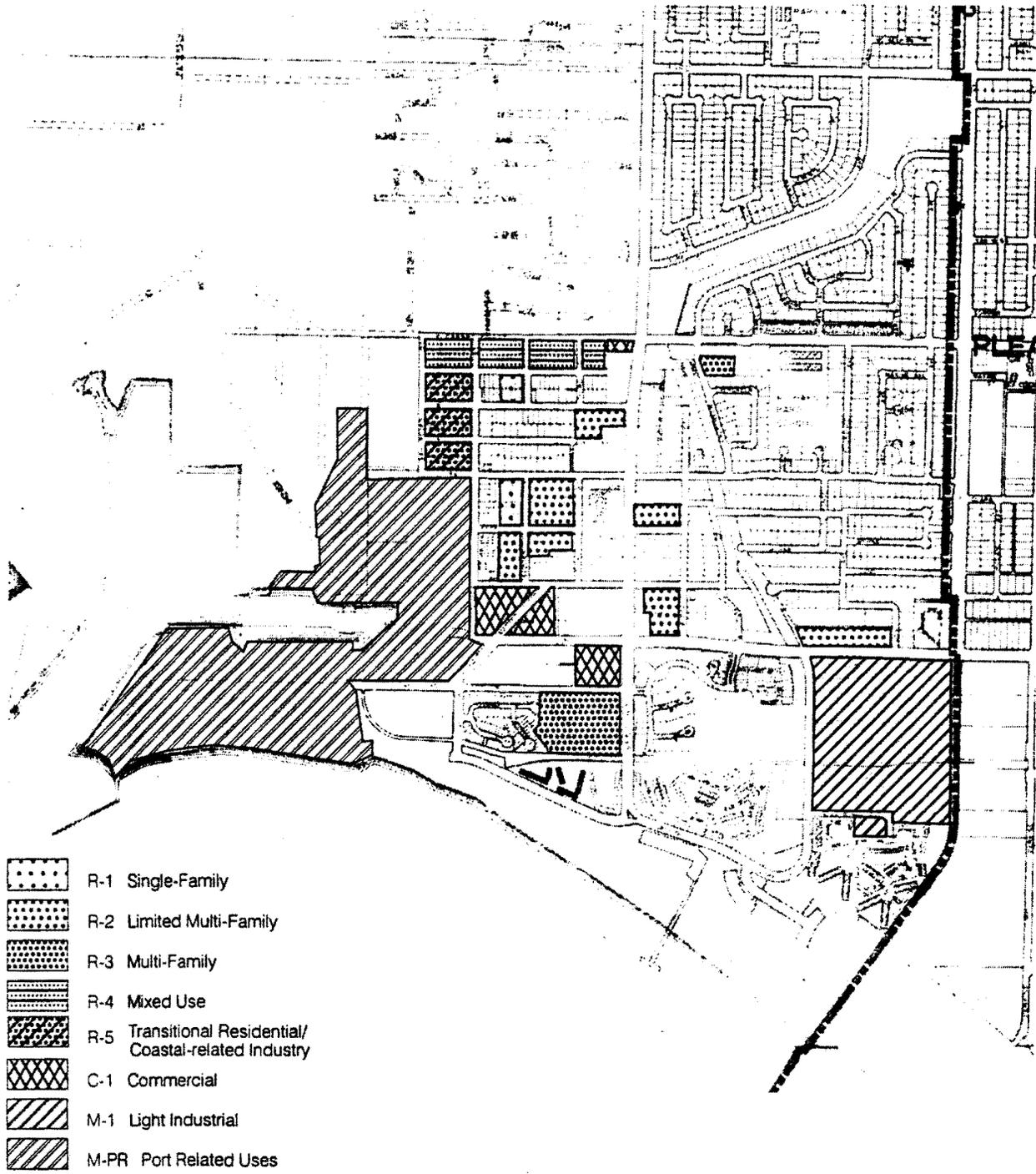


CBA COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning

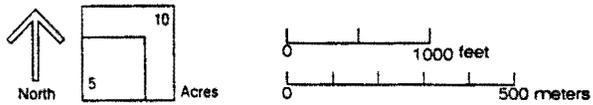


CITY OF PORT HUENEME
LOCAL COASTAL PLAN

Figure 3
Land Use Revisions



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cba COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



CITY OF PORT HUENEME
LOCAL COASTAL PLAN

Figure 4
Zoning Revisions

R-4 Mixed Use Designation applies to the properties aligning Pleasant Valley Road (The old R-4 Transitional Residential/Coastal Related Industry zone has been retained and reclassified to R-5). The Light Industry designation applies to the same area formally zoned Coastal Related Industry located at the southeast intersection of Port Hueneme Road and Surfside Drive.

Revisions to the City's Zoning

Map, as shown, in the map included in the back of this document; are designed to bring zoning within the Coastal Zone into conformity with land use designations of the LCP. Major changes to the City's existing Zoning Map necessary to accomplish the foregoing include the institution of four five new zoning classifications as listed in the left hand column below:

C-S (Special Commercial)

R-4 (Transitional Residential/
Coastal Related Industry)

M-CD (Coastal Dependent Industry)

M-CR (Coastal Related Industry)

DR (Development Reserve)

The C-S (Special Commercial) Zone applies to the Market Street Landing corridor consisting of Areas F and G (Market Street and Sunkist Site, respectively) and a small portion of Area B (Surfside). The R-4 (Transitional Residential/Coastal-Related Industry) Zone applies to the "ABC" Street portion of Area E (Ventura West). The M-CD (Coastal Dependent Industry) Zone applies only to that land which is adjacent to wharf and dock areas within Area H (Port of Hueneme/Oxnard Harbor District). The M-CR (Coastal-Related Industry) Zone applies to the remainder of Area H and to the entirety of Area C (Surfside Industrial). The DR (Development Reserve) Zone applies to all land currently owned by the Federal Government and becomes immediately effective upon divestiture

In order to fully accomplish the objectives of LCP, the City's Zoning Text, in its entirety, has been revised and reorga-

nized. Major changes relating to implementation of the LCP include the following:

- Revision of the PD (Planned Development) Zone overlay so as to include all property within the Coastal Zone under a comprehensive development review procedure.

- Revision of the general provisions so as to require that all General Plan and Zoning Ordinance amendments and boundary changes which affect any land or use within the Coastal Zone receive prior approval of the Coastal Commission as amendment to the City's LCP.

- Revision of the development review procedures so as to incorporate post-certification regulations pertaining to appealable coastal developments and coastal access dedication requirements for projects between the first public road and the ocean.

Implementing Programs

IMPLEMENTING PROGRAMS

Three "implementing programs" will continue to be executed by the City of Port Hueneme. These Programs include the Neighborhood Preservation Program; Port Development Review Committee Agreement; and the 1987 Settlement Agreement and 1995 NCEL Memorandum of Understanding between the City and Oxnard Harbor District.

The Neighborhood Preservation program is an on-going program to preserve and maintain the City's housing stock. The Program includes the following four components: housing rehabilitation program, code enforcement, commercial revitalization, and selective acquisition. Based on the age and condition of the housing stock, the City has delineated a Neighborhood Strategy Area (NSA) in which rehabilitation and code enforcement efforts are focused.

The City of Port Hueneme and Oxnard Harbor District have entered into three agreements which affect future planning efforts in the coastal zone. The Port Development Review Committee Agreement amended in 1982

will serve as the mechanism through which development of the Port of Hueneme and surrounding areas is to be coordinate between the City and District. The other cooperative planning efforts between the City and District are the 1987 Settlement Agreement, as amended, and the 1995 NCEL Memorandum of Understanding, as amended. In compliance with the 1987 Settlement agreement, the City has created one General Plan and Zoning category for property owned by the Oxnard Harbor District (See the above discussion about "Zoning Revisions"). The Neighborhood Preservation Program and capital improvements components of the Neighborhood Strategy Area Urban Design Study (Appendix B and D, respectively) collectively serve to implement the neighborhood stabilization and housing conservation strategies applicable to Ventura East and Ventura West. These particular implementation programs are capital intensive in nature and constitute the cornerstone of the City's federally funded Community Development Block Grant Program.

The Cooperative Planning Agreement (Appendix E) serves as the mechanism through which development of the Port of Hueneme, Sunkist Site, Market Street, and "ABC" portion of Ventura West is to be coordinated between the City and Oxnard Harbor District. Other cooperative efforts between the City and Oxnard Harbor District include the joint application for Coastal Energy Impact Program (CEIP) grant funds for the purpose of examining issues of mutual concern in greater detail. The study which was subsequently produced during the course of LCP preparation is contained in Appendix F. Pertinent findings of this study served to delineate land use policy for specific portions of the Coastal Zone.

The Ventura County Hazardous Waste Management Plan delineates the basic criteria to be employed, in addition to LCP policies, in the siting and design of facilities associated with generation, handling and disposal of hazardous wastes and materials. Specifically, Tables 11A, 11-B, 11-C, 4A and 4B, and Figures 4-1 and 4-2 of the County Plan are incorporated by reference herein (Appendix K).

Zoning Ordinance

"Redlined" Version - March 1998

NOTE: WORDS AND PHRASES WHICH ARE UNDERLINED ARE TO BE ADDED TO THE MUNICIPAL CODE; LANGUAGE THAT IS STRUCKOUT (~~STRIKEOUT~~) IS TO BE DELETED. CAPITALIZED TEXT DESCRIBES PURPOSE OF PROPOSED CHANGES.

RECEIVED

MAR 06 1998

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT NO. 9
APPLICATION NO. <u>CCPA 198</u>
<u>Zoning</u>
<u>Ordinance</u>

Pages 1-42

NOTE: The Port Hueneme Zoning Ordinance, in its entirety, constitutes the Implementing Component of the Local Coastal Program. Due to length, the entire Zoning Ordinance has NOT been reprinted. Rather, the pages which follow are limited exclusively to changes resulting from the General Plan Update/LCP Amendment. Except as shown herein, the current adopted and certified Zoning Ordinance will remain in full force and effect.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME AMENDING ARTICLE X (ZONING) AND ARTICLE III (PUBLIC HEALTH AND SAFETY) OF THE MUNICIPAL CODE OF THE CITY OF PORT HUENEME REGARDING MISCELLANEOUS REVISIONS TO MAINTAIN CONSISTENCY WITH THE 1997 GENERAL PLAN UPDATE AND TO IMPLEMENT VARIOUS LAND USE AND HOUSING POLICIES RELATED THERETO

SECTION I: The purpose of the amendments set forth in this Section I is to establish regulations pursuant to General Plan policy and to achieve consistency between zoning and land use Policies of the 1997 General Plan Update.

NOTE: WORDS AND PHRASES WHICH ARE UNDERLINED ARE TO BE ADDED TO THE MUNICIPAL CODE; LANGUAGE THAT IS STRUCKOUT (~~STRUCKOUT~~) IS TO BE DELETED. CAPITALIZED TEXT DESCRIBES PURPOSE OF PROPOSED CHANGES.

The City Council of the City of Port Hueneme does hereby ordain that Article X (Zoning Regulations) and Article III (Public Health and Safety) of the Municipal Code of the City of Port Hueneme is hereby amended as follows:

1. Revise Section 10303(B) by adding new subpart No. 21 definition to read as follows:

"21. Advertising Structure (Billboard). A permanent off-site structure of any kind or character for which a building permit has been issued to erect and maintain said structure for outdoor advertising purposes, upon which any poster, bill, printing, painting, or other advertisement of any kind whatsoever, may be placed, including statuary. "Advertising Structure" does not include:

(a) Directional, warning or information structures required or authorized by law, federal, state, or local authority.

(b) A structure erected near a city boundary or within a city, which contains the names of such city and the names of, or any information regarding, civic, fraternal or religious organizations located therein.

(c) Subdivision directional signs as provided for in this subsection."

PURPOSE OF CHANGE: TO PROVIDE DEFINITION OF ADVERTISING BILLBOARD FOR REGULATION BY CITY CONSISTENT WITH GENERAL PLAN POLICY; THAT IS, TO DEVELOP SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND TO CREATE AN AESTHETICALLY PLEASING URBAN ENVIRONMENT.

2. Revise Section 10303(D)(3) to read as follows:

"3. Temporary Off-Site Signs. Temporary off-site freestanding signs, structure or structures are subject to the following conditions and may only be authorized by issuance of a Special Use Permit pursuant to Section 10355 for a period not to exceed six (6) months unless otherwise provided in this Article."

PURPOSE OF CHANGE: TO ACHIEVE INTERNAL CONSISTENCY WITH SPECIAL USE PERMIT REGULATIONS FOUND ELSEWHERE IN THE CITY'S MUNICIPAL CODE WHICH SPECIFICALLY ALLOW TEMPORARY ADVERTISING SIGNS FOR A PERIOD NOT TO EXCEED SIX (6) MONTHS. THIS REVISIONS IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO CREATE AN AESTHETICALLY PLEASING URBAN ENVIRONMENT.

3 . Revise Section 10303(D) by adding a new subpart No. 5 to read as follows:

"5. No permanent Advertising Structure (Billboard) shall be placed or maintained on property located within the City."

PURPOSE OF CHANGE: TO PROHIBIT BILLBOARD ADVERTISING IN CONFORMANCE WITH THE GENERAL PLAN GOAL OF CREATING AN AESTHETICALLY PLEASING URBAN ENVIRONMENT.

4. Revise Section 10402 by adding a new subpart I to read:

"I. Government and public utility facilities."

PURPOSE OF CHANGE: TO ALLOW GOVERNMENT AND UTILITY FACILITIES IN R-1 RESIDENTIAL ZONES CONSISTENT WITH GENERAL PLAN LAND USE POLICY.

5. Revise Section 10422 by adding a new subpart I to read:

"I. Government and public utility facilities."

PURPOSE OF CHANGE: TO ALLOW GOVERNMENT AND UTILITY FACILITIES IN R-2 RESIDENTIAL ZONES CONSISTENT WITH GENERAL PLAN LAND USE POLICY.

6. Revise Section 10442 by adding a new subpart J to read:

"J. Government and public utility facilities."

PURPOSE OF CHANGE: TO ALLOW GOVERNMENT AND UTILITY FACILITIES IN R-3 RESIDENTIAL ZONES CONSISTENT WITH GENERAL PLAN LAND USE POLICY.

7. Revise Section 10403(I)(4) to read as follows:

"4. Building additions, garages, and carports as permitted and required, shall be constructed so as to match the exterior composition of the principal dwelling with regard to architectural theme/design, roof pitch, colors, textures, and materials or the entire structure remodeled in a single style."

PURPOSE OF CHANGE: TO ENSURE THAT RESIDENTIAL ALTERATIONS AND ADDITIONS IN AN R-1 ZONE ARE CONSISTENT AND HARMONIOUS WITH THE PRIMARY RESIDENTIAL STRUCTURE. THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO DEVELOP SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES, FOR ALTERATIONS AND ADDITIONS TO RESIDENTIAL STRUCTURES.

8. Revise Section 10403(I) by adding a new subpart No. 5 to read as follows:

"5. A minimum of seventy-five percent (75%) of the length of the exterior wall of the second story on a new dwelling or an addition to an existing dwelling shall be set back a minimum of two times the required side yard setback and one-half times the required front yard setback not including uncovered decks or balconies. Openings on a second story exterior wall located on a side yard setback shall use translucent glazing or celestial windows to allow illumination while protecting privacy on adjacent property."

PURPOSE OF CHANGE: TO HELP ENSURE THAT NEW, NONDISCRETIONARY SINGLE FAMILY STRUCTURES AND ADDITIONS AND ALTERATIONS IN AN R-1 ZONE ENHANCE THE APPEARANCE OF THE NEIGHBORHOOD AND RESULT IN QUALITY DESIGN AND COMPATIBILITY WITH ADJACENT LAND USES BY PROVIDING PRIVACY AND FRONT AND SIDE YARD OFFSETS ON SECOND STORIES. THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN

POLICY TO DEVELOP SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

9. Revise Section 10423 by adding a new subpart I to read as follows:

“I. Additions. Building additions, garages, and carports as permitted and required, shall be constructed so as to match the exterior composition of the principal dwelling with regard to architectural theme/design, roof pitch, colors, textures, and materials or the entire structure remodeled in a single style.”

PURPOSE OF CHANGE: TO ENSURE THAT RESIDENTIAL ALTERATIONS AND ADDITIONS IN AN R-2 ZONE ARE CONSISTENT AND HARMONIOUS WITH THE PRIMARY RESIDENTIAL STRUCTURE. THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY WHICH CITES DEVELOPMENT OF SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

10. Revise Section 10423 by adding a new subpart J to read as follows:

“J. Second Story. A minimum of seventy-five percent (75%) of the length of the exterior wall of the second story on a new dwelling or an addition to an existing dwelling shall be set back a minimum of two times the required side-yard setback and one and one-half times the front yard setback not including uncovered decks or balconies. Openings on a second story exterior wall located on a side yard set back shall use translucent glazing or celestial windows to allow illumination while protecting privacy.”

PURPOSE OF CHANGE: TO HELP ENSURE THAT NEW, NONDISCRETIONARY DWELLING STRUCTURES AND ADDITIONS AND ALTERATIONS IN AN R-2 ZONE ENHANCE THE APPEARANCE OF THE NEIGHBORHOOD AND RESULT IN QUALITY DESIGN AND COMPATIBILITY WITH ADJACENT LAND USES BY PROVIDING PRIVACY AND FRONT AND SIDE YARD OFFSETS ON SECOND STORIES. THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO DEVELOP SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

11. Revise Section 10443 by adding a new subpart I to read as follows:

“I. Building additions, garages, and carports as permitted and required, shall be constructed so as to match the exterior composition of the principal dwelling with regard to architectural theme/design, roof pitch, colors, textures, and materials or the entire structure remodeled in a single style.”

PURPOSE OF CHANGE: TO ENSURE THAT RESIDENTIAL ALTERATIONS AND ADDITIONS IN AN R-3 ZONE ARE CONSISTENT AND HARMONIOUS WITH THE PRIMARY RESIDENTIAL STRUCTURE. THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY WHICH CITES THE DEVELOPMENT OF SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

12. Revise Section 10443 by adding a new subpart J to read as follows:

"J. Second Story. A minimum of seventy-five percent (75%) of the length of the exterior wall of the second story on a new dwelling or an addition to an existing dwelling shall be set back a minimum of two times the required side yard setback and one and one-half the front yard setback not including uncovered decks or balconies. Openings on a second story exterior wall located on a side yard setback shall use translucent glazing or celestial windows to allow illumination while protecting privacy."

PURPOSE OF CHANGE: TO HELP ENSURE THAT NEW, NONDISCRETIONARY DWELLING STRUCTURES AND ADDITIONS AND ALTERATIONS IN AN R-3 ZONE ENHANCE THE APPEARANCE OF THE NEIGHBORHOOD AND RESULT IN QUALITY DESIGN AND COMPATIBILITY WITH ADJACENT LAND USES BY PROVIDING PRIVACY AND FRONT AND SIDE YARD OFFSETS ON SECOND STORIES. THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO DEVELOP SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

13. Revise Section 10203(D) to read as follows:

"D. Porch Covers and Awnings. Porch covers and awnings which are unenclosed on three or more sides except for necessary supporting columns and reasonable architectural features and which do not extend above the eave lines of the principle structure from which they are attached, may be erected within required side and rear yards up to a distance of not less than three (3) feet from any property line. Covered patios which are enclosed on three or more sides and attached to the principle structure shall be considered to be a part of that structure for the purpose of computing setback requirements. Unenclosed porch covers and awnings may occupy not more than twenty-five percent (25%) of the required or existing rear yard area."

PURPOSE OF CHANGE: TO BROADEN THE 25% REAR YARD COVERAGE LIMITATION TO ENCOMPASS UNENCLOSED PATIO COVERS. AT PRESENT, USE REGULATIONS FOUND ELSEWHERE IN THE CITY'S MUNICIPAL PROVIDE 25% COVERAGE LIMITATIONS FOR ACCESSORY

BUILDINGS ONLY. THIS PROVISION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO DEVELOP SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES, FOR ALTERATIONS AND ADDITIONS TO RESIDENTIAL STRUCTURES.

14. Revise Section 10203(F) and add Section 10203(F)(1) to read as follows:

"F. Landscaping. Trees, shrubs, flowers or other such landscaping may be permitted in any required front, side or rear yard. Fixed concrete, asphalt or similar monolithic hardscape shall not cover more than fifty percent (50%) of the required front yard area. In all other respects, every required front, side or rear yard shall be open and unobstructed from the ground to the sky unless otherwise provided in this article.

1. Non-conforming Provisions. All required yard areas which are non-conforming with the provisions of 10203(F) shall be subject to the provisions of Section 10202(E)."

PURPOSE OF CHANGE: TO ACHIEVE INTERNAL CONSISTENCY WITH PROPERTY MAINTENANCE STANDARDS FOUND ELSEWHERE IN THE CITY'S MUNICIPAL CODE AND TO BROADEN THE PROHIBITIONS AGAINST HARD SURFACE COVERAGE OF FRONT YARD AREAS TO ENCOMPASS ALL TYPES OF FLATWORK INCLUDING WALKWAYS, PORCHES, LANDINGS AND DRIVEWAYS. THIS PROVISION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO IMPLEMENT THE CITY'S LANDSCAPE DESIGN GUIDELINES.

15. Revise Section 10302(B) to read as follows:

"B. Landscaping Required. Any Development or Administrative Permit approved by the City may be conditioned to require permanent landscaping. All open off-street automobile parking areas that contain more than four (4) parking spaces"

PURPOSE OF CHANGE: TO MAKE EXPLICIT THAT DISCRETIONARY PROJECTS MAY BE REQUIRED TO INSTALL LANDSCAPING. THIS PROVISION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO IMPLEMENT THE CITY'S LANDSCAPE DESIGN GUIDELINES.

16. Revise Section 10303(E)(2)(c) to read:

"c. The display surface of all signs shall be kept neatly painted and/or posted. Signs pertaining to enterprises or occupants that are no longer using the premises to which the signs relate shall be removed from the premises by the property owner within sixty (60) days after the associated enterprise or occupant

has vacated the premises. Temporary advertising signs, such as political, leasing, or construction signs, for which a Special Use Permit is issued pursuant to Section ~~10355-10355~~ shall be removed...”

PURPOSE OF CHANGE: TO CORRECT NUMBER MISPRINT IN EXISTING ORDINANCE

17. Revise Section 10355(C) to read:

“C. City Approval. ‘...If, however, the applicant is accepted, a decision by the Director of Community Development or his designated representative shall be made as to whether or not the project qualifies as a special use under the provisions of Section 10355(A) and if allowable, under what conditions the permit shall be granted. The Director of Community Development or his designee shall make public notice indicating the nature and location of the special use and send the public notice by regular mail to property owners which abut the exterior boundaries of the application area for any proposed project qualifying as Temporary Use and Improvement pursuant to Municipal Code Section 10355(A)(2). If no action is taken within thirty (30) days of the date of filing, the project shall be deemed to be approved. Action taken by the Director of Community Development or his designated representative with regard to an application for a Special Use Permit, shall be deemed final unless an appeal is received in writing by the Department of Community Development within five (5) calendar days of the date which notice is mailed to abutting property owners to the City Council in which case the Appeals shall be processed under the provisions of Section 10353(E) shall apply.”

PURPOSE OF CHANGE: THIS REVISION SERVES TO IMPLEMENT AN APPEAL PROCESS FOR SPECIAL USE PERMIT APPLICATIONS INVOLVING TEMPORARY USES AND IMPROVEMENTS OTHER THAN SIGNS, SALES FACILITIES AND EMERGENCY USES AND IMPROVEMENTS BY PROVIDING PRIOR NOTICE OF THE ACTION TO ABUTTING PROPERTY OWNERS. THIS PROVISION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO CREATE AN EFFICIENTLY ORGANIZED CITY.

18. Revise Section 10352(A) to read as follows:

“A. General. Projects, other than those which are explicitly exempt under the provisions of Section ~~10583(A)~~ 10584(A), requiring the issuance of Development Permits or which are otherwise subject to the development review procedures prescribed in this Section include the following:”

PURPOSE OF CHANGE: THIS REVISION SERVES TO CORRECT AN INCORRECT CODE SECTION REFERENCE TO SECTION 10583(A).

((SECTION 10583(A) IS A "RESERVED" SECTION NUMBER. SECTION 10584(A) IS THE CORRECT SECTION NUMBER WHICH LISTS THE CLASSES OF DEVELOPMENT THAT ARE EXEMPT)).

19. Revise Section 10353(A) by adding new subparts No. 3 and No. 4 to read as follows:

"3. Secondary Housing Units:

4. Beverage Control Act "Type 41" liquor license or similar license which allows the sales, service, and consumption of beer or wine on premises in conjunction with a primary restaurant use."

PURPOSE OF CHANGE: THIS REVISION ALLOWS ADMINISTRATIVE PROCESSING OF RESTAURANT BEER & WINE LICENSING AND "GRANNY" OR SECOND UNIT HOUSING REGULATED ELSEWHERE IN THE MUNICIPAL CODE. THIS PROVISION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY TO REMOVE GOVERNMENTAL CONSTRAINTS ON SECONDARY HOUSING UNITS AND TO ENCOURAGE NEIGHBORHOOD-SERVING STORES THAT CURRENTLY SERVE THE CITY.

20. Revise Section 10482(B) to read:

"B. Establishments for the sale of alcoholic beverages for consumption on the premises except Beverage Control Act Type 41 licenses which may be permitted by issuance of an Administrative Permit pursuant to Section 10353."

PURPOSE OF CHANGE: THIS REVISION ALLOWS ADMINISTRATIVE PROCESSING OF RESTAURANT BEER & WINE LICENSING PURSUANT TO GENERAL PLAN POLICY TO ENCOURAGE NEIGHBORHOOD-SERVING STORES THAT CURRENTLY SERVE THE CITY.

21. Revise Section 10352(A)(1)(a) to read:

"a. Projects which involve any property, irrespective of size, with an underlying zone classification of C-S, P-R, ~~M-CR~~, M-1, and ~~M-PR~~ ~~M-CD~~; and"

PURPOSE OF CHANGE: THIS REVISION ENSURES THAT PROJECTS LOCATED WITHIN THE NEW PORT RELATED INDUSTRY AND LIGHT INDUSTRIAL ZONES REQUIRE THE ISSUANCE OF A DEVELOPMENT PERMIT. IN DOING SO, THIS REVISION DELETES REFERENCE TO THE COASTAL RELATED INDUSTRY ZONE (M-CR) AND COASTAL DEPENDENT INDUSTRY ZONE (M-CD) WHICH ARE REPLACED WITH THE LIGHT INDUSTRIAL ZONE (M-1) AND PORT RELATED INDUSTRY ZONE (M-PR), RESPECTIVELY. THIS PROVISION IS EXERCISED

PURSUANT TO ENSURE ZONING ORDINANCE CONFORMITY WITH THE GENERAL PLAN.

22. Revise Section 10503 to read:

“10503 Development Standards.

Minimum development standards applicable to the C-S zone shall be the same standards as apply to the C-1 (General Commercial) Zone as prescribed in Section 10483; provided, however, that these standards may be superseded under a Planned Development Zone designation pursuant to Section 10582 of this Article, provided, further, that underlying development standards for the C-S Zone shall have a maximum building height of 35 feet and a maximum floor area ratio of 0.50:1.”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES C-S ZONE CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION.

23. Revise Section 10483(A) to read as follows:

“A. Height. No building hereinafter erected or structurally altered shall exceed a height of ~~six (6) stories or seventy-five (75) feet~~ thirty-five (35) feet.”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES C-1 ZONE CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION.

24. Revise Section 10483 by adding a new subpart H to read:

“H. Floor Area Ratio. There shall be a maximum floor area ratio of 0.55:1.”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES C-1 ZONE CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION.

25. Revise Section 10483(A) to read:

“A. Height. No building hereinafter erected or structurally altered shall exceed a height of ~~six (6) stories or seventy-five (75) feet~~ three (3) stories or thirty-five (35) feet.”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES C-1 ZONE CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION.

26. Revise Section 10523 to add a new subpart D to read:

"D. Floor Area Ratio. There shall be a maximum floor area ratio of 0.50:1."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES P-R ZONE CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION.

27. Revise Section 3428(j) to read as follows:

"(j) "Industrial property" means a parcel of real property which is zoned ~~"M-CR" (Coastal Related Industry)~~ "M-1" (Light Industrial), ~~"M-CD" (Coastal Dependent Industry)~~ "M-PR" (Port Related Industry), or is otherwise used for industrial purposes regardless of the underlying Zoning Regulations."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES DEFINITION CONSISTENCY WITH THE NEW GENERAL PLAN LAND USE AND ZONING DESIGNATIONS.

28. Revise section 3428(r) to read as follows:

"(r) "Residential property" means a parcel of real property which is zoned "R-1" (One Family Residential), "R-2" (Limited Multifamily Residential), "R-3" (Multiple Family Residential), "R-4" ~~(Transitional Residential Coastal Related Industry)~~ (Mixed Use Residential), "R-5" (Transitional Residential Coastal-Related Industry) or is otherwise used for residential purposes regardless of the underlying Zoning Regulations."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES DEFINITION CONSISTENCY WITH THE NEW GENERAL PLAN LAND USE AND ZONING DESIGNATIONS.

29. Revise Section 10300 to read:

"10300 Purpose.

The purpose of this Chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating the design, materials, construction, location and maintenance of off-street parking, landscaping, exterior lighting and signs."

PURPOSE OF CHANGE: THIS REVISION INCLUDES LIGHTING AS A DEVELOPMENT STANDARD TO BE REGULATED PURSUANT TO GENERAL PLAN POLICY WHICH CITES THE DEVELOPMENT OF SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

30. Add new Section 10304 to read:

"10304 Exterior Lighting.

General. Exterior lighting, where provided, shall be accomplished in such a manner as not to illuminate adjacent properties or streets."

PURPOSE OF CHANGE: THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY WHICH CITES THE DEVELOPMENT OF SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

31. Revise Section 10301(C)(3)(a) to read:

"a. Surface. All Parking areas shall be surfaced with a minimum of two (2) inches of asphaltic concrete over four (4) inches of base, or four (4) inches of portland cement concrete. Site grading and drainage shall be subject to the approval of the Department of Public Works. All designated driving areas and each off-street parking space required by this Section shall be striped in accordance with specifications of the Department of Public Works, which at all times shall be maintained in a readily visible state."

PURPOSE OF CHANGE: THIS REGULATION IS EXERCISED PURSUANT TO GENERAL PLAN POLICY WHICH CITES THE DEVELOPMENT OF SPECIFIC ZONING REGULATIONS TO ENSURE QUALITY DESIGN, AND COMPATIBILITY WITH ADJACENT LAND USES.

32. Revise Section 10227(B) by adding new subpart 10 to read:

"10. Noise. Unless otherwise provided for, no person shall operate or cause to be operated any source of sound at any location in the City, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the noise level limits set forth by the Noise Control Ordinance as adopted and amended."

PURPOSE OF CHANGE: TO ACHIEVE INTERNAL CONSISTENCY BETWEEN THE CITY'S NOISE CONTROL ORDINANCE AND USE AND MAINTENANCE STANDARDS. THIS PROVISION IS EXERCISED PURSUANT TO GENERAL PLAN NOISE ELEMENT POLICY TO ENFORCE THE CITY'S NOISE STANDARDS.

33. Revise Section 10227(B)(1) to read:

CONSISTENCY WITH THE GENERAL PLANS NEW LAND USE CATEGORIES.

37. Revise Section 10352(F)(1)(b) to read:

“Mailing a notice to the owner of the subject real property or the owner’s duly authorized agent, mailing a notice to the project applicant, and Mmailing a notice to all persons listed...”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH CURRENT LAW RELATIVE TO PROCEDURAL NOTICE REQUIREMENTS.

38. Revise Section 10028 to read:

“10028 Antenna

“Antenna” means any exterior satellite dish receiving or transmitting antenna three (3) feet larger than one meter in diameter ~~or larger or diagonal measurement~~, dish or spherical antenna three (3) feet larger than one meter in diameter ~~or diagonal measurement or larger~~, or any system of booms, poles, rods, masts, wires or reflecting discs or any configuration with appurtenant equipment whose purpose is to receive or broadcast communication or other signals.”

PURPOSE OF CHANGE: TO CHANGE DEFINITION OF SATELLITE DISH ANTENNAS FROM THREE FEET TO ONE METER OR LARGER IN DIAMETER THEREBY LIMITING LOCAL REGULATION CONSISTENT WITH FEDERAL PREEMPTION UNDER SECTION 207 OF THE TELECOMMUNICATIONS ACT OF 1996.

39. Revise Section 10226(C)(4) to read:

“4. Storage of packing boxes, broken or discarded furniture, vehicle parts, household equipment items, appliances, yard or building debris, ~~or~~ garbage cans ~~or any other similar item on a driveway or~~ in front yards, unscreened side yards or any other yard areas not otherwise required by this Article which are visible from any public right-of-way; provided, however, that refuse awaiting collection by the City in compliance with this Article shall be exempt from this standard;”

PURPOSE OF CHANGE: EXERCISED PURSUANT TO A GENERAL PLAN GOAL TO CREATE AN AESTHETICALLY PLEASING CITY. THIS REVISION BROADENS PROPERTY MAINTENANCE STANDARDS TO PROHIBIT ADDITIONAL STORAGE ITEMS COMMONLY FOUND TO BE STORED ON REAL PROPERTY VISIBLE FROM PUBLIC VIEW.

40. Revise Article X, Chapter 4 "Zoning Classifications", Part D to read:

~~"Part D. R-4: Transitional Residential/Coastal-Related Industry Zone~~
Mixed Use Residential Zone

10460 Purpose.
10461 Permitted Uses.
10462 Conditional Uses.
10463 Development Standards.
10464 Design Standards.
10465 Performance Standards.
10466 Pre-existing Nonconforming Uses."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH THE NEW GENERAL PLAN LAND USE AND ZONING DESIGNATIONS.

40a. Renumber Sections 10460, 10461, 10462 and 10463 to Sections 10470, 10471, 10472 and 10473, respectively; and, revise Article X, Chapter 4 "Zoning Classifications", to add a "Part D-1" to read:

"Part D-1. R-5: Transitional Residential/Coastal-Related Industry Zone

10470 Purpose.
10471 Permitted Uses.
10472 Conditional Uses.
10473 Development Standards."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH COASTAL STAFF'S SUGGESTED MODIFICATION TO RETAIN THE EXISTING TRANSITIONAL RESIDENTIAL/COASTAL-RELATED INDUSTRY GENERAL PLAN LAND USE AND ZONING DESIGNATION.

40b. Provide Part heading preceding new Section 10470 to read:

"Part D-1. R-5: Transitional Residential/
Coastal-Related Industry Zone"

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH COASTAL STAFF'S SUGGESTED MODIFICATION TO RETAIN THE EXISTING TRANSITIONAL RESIDENTIAL/COASTAL-RELATED INDUSTRY GENERAL PLAN LAND USE AND ZONING DESIGNATION.

40c. Revise last sentence in renumbered Section 10470 to read:

“The regulations specified in this Chapter shall apply to all property designated ~~R-4~~ R-5 (Transitional Residential/Coastal-Related Industry Zone) unless otherwise provided in this Article.”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH COASTAL STAFF’S SUGGESTED MODIFICATION TO RETAIN THE EXISTING TRANSITIONAL RESIDENTIAL/COASTAL-RELATED INDUSTRY GENERAL PLAN LAND USE AND ZONING DESIGNATION.

40d. Revise first sentence in renumbered Section 10462 to read:

“The following uses may be permitted in the ~~R-4~~ R-5 Zone subject to the issuance of a Development Permit pursuant to...”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH COASTAL STAFF’S SUGGESTED MODIFICATION TO RETAIN THE EXISTING TRANSITIONAL RESIDENTIAL/COASTAL-RELATED INDUSTRY GENERAL PLAN LAND USE AND ZONING DESIGNATION.

40e. Revise the first sentence in renumbered Section 10473 subpart B to read:

“ In addition to the Land Use Provisions and Development Standards specified in Chapter 2 and 3 of this Article, all property designated ~~R-4~~ R-5 shall be subject to the following....”

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH COASTAL STAFF’S SUGGESTED MODIFICATION TO RETAIN THE EXISTING TRANSITIONAL RESIDENTIAL/COASTAL-RELATED INDUSTRY GENERAL PLAN LAND USE AND ZONING DESIGNATION.

40f. Revise renumbered Section 10473 subpart B to read:

“B. Conditional Uses. All conditional uses approved pursuant to this Chapter shall comply with the development and performance standards which apply to uses within a ~~M-CR (Coastal Related Industry Zone)~~ M-PR (Port Related Industry Zone) as specified in Sections ~~10543- 10563~~ and 10564 of this Article; provided, however, that the building height limitations, yard requirements and lot area standards applicable to the R-2 (Limited Multifamily Zone) shall supersede those standards specified in Section ~~10543-10564~~ of this Article; provided, further,

that land proposed for conversion to permitted industrial/storage uses be permitted only on a full block by block basis."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES CONSISTENCY WITH LCP POLICY TO PROVIDE SPECIFIC PERFORMANCE CRITERIA FOR SIMULTANEOUS DEVELOPMENT AND COEXISTENCE OF RESIDENTIAL AND HARBOR RELATED USES PURSUANT TO COASTAL STAFF'S SUGGESTED MODIFICATION TO RETAIN THE EXISTING TRANSITIONAL RESIDENTIAL/COASTAL-RELATED INDUSTRY GENERAL PLAN LAND USE AND ZONING DESIGNATION.

41. Revise Article X, Chapter 4 "Zoning Classifications", Part H to read:

~~"Part H. M-CR: Coastal Related Industry Zone~~
M-1: Light Industrial Zone

- 10540 Purpose.
- 10541 Permitted Uses.
- 10542 Conditional Uses.
- 10543 Development Standards.
- 10544 Design Standards.
- 10545 Pre-existing Nonconforming Uses."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH THE NEW GENERAL PLAN LAND USE AND ZONING DESIGNATIONS.

42. Revise Article X, Chapter 4 "Zoning Classifications", Part I to read:

~~"Part I. M-CD: Coastal Dependent Industry Zone~~
M-PR: Port Related Industry Zone

- 10560 Purpose.
- 10561 Permitted Uses.
- 10562 Conditional Uses.
- 10563 ~~Development~~ Performance Standards.
- 10564 ~~Development and~~ Design Standards.
- 10565 Pre-existing Nonconforming Uses.
- 10566 Pre-existing Nonconforming Uses."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES ZONING CONSISTENCY WITH THE NEW GENERAL PLAN LAND USE AND ZONING DESIGNATIONS.

43. Article X (Zoning Regulations) of the Municipal Code of the City of Port Hueneme is hereby amended by eliminating Chapter 4, Part D. R-4: Transitional Residential/Coastal Related Industry Zone and replacing it with a new Chapter 4, Part D. R-4: Mixed Use Residential Zone, to read as follows:

“Part D. R-4: Mixed Use Residential Zone.

10460 Purpose.

The purpose of the R-4 Mixed Use Residential Zone is to encourage retail commercial and office activities in conjunction with residential uses in order to create convenience and an active street life environment, enhance personal safety by ensuring the presence of people on the streets at different times, and promote the vitality of businesses in the City. Attention must be given to the design of mixed-use projects to ensure that the potential noise, traffic and safety impacts of commercial activities will not adversely affect the quality of life for residents of a project.

10461 Permitted Uses.

No building or land shall be used and no building shall be hereinafter erected or structurally altered in the R-4 Zone except for one or more of the following uses:

- A. One family dwellings
- B. Two family dwellings.
- C. Condominiums, apartments or townhouses;
- D. Community Care Facilities as defined in Section 1502 of the State Health and Safety Code which include-but are not limited: residential facility, adult day care facility, day treatment facility, foster family home, small family home social rehabilitation facility, community treatment facility- residential care facility for the elderly, child day care center, and small family day care home; provided, however, that the aforementioned uses serve six (6) or fewer than persons.

10462 Conditional Uses.

The following uses may be permitted in the R-4 Zone subject to the issuance of a Development Permit pursuant to Section 10352; provided, however, that the applicant shows that the use or uses proposed will not be injurious or detrimental to the public health, safety or welfare or to property in the vicinity or zone in which the use or uses will be situated including a finding that any proposed residential uses will not be exposed to offensive noise, especially from traffic or late-night activity or obnoxious odors generated on-site or in the immediate vicinity; provided, further, that the Development Permit may be issued if

potentially injurious or detrimental effects can be mitigated by the imposition of conditions requisite to issuance of said Permit:

A. Uses permitted by Sections 10481 and 10482 (General Commercial Zone) and Section 10501 (Special Commercial Zone) within any building below any story thereof wholly or partly occupied by residential activities, when conducted in a building containing residential activities.

B. The following residential uses within a building containing commercial uses when located above the first floor and only if the entire first floor is used for nonresidential purposes:

1. One or more dwelling units.

2. A residential care facility which serves six or fewer persons.

C. Office or commercial activities conducted within any building on the same story or above any story thereof occupied wholly or partly by residential activities.

D. Parking lots and buildings used by residents and guests of a permitted use.

10463 Development Standards.

In addition to the Land Use Provisions and Development Standards specified in Chapters 2 and 3 of this Article, all property designated R-4 shall be subject to the following development Standards:

A. Permitted Uses. All permitted residential uses of this Chapter shall comply with the development standards which apply to uses within an R-3 (Multiple Family Zone) as specified in Section 10443 of this Article; provided, however, that these residential standards may be superseded under a Planned Development Zone designation pursuant to Section 10582 of this Article.

B. Conditional Uses. All conditional uses approved pursuant to this Chapter shall comply with the following development standards:

1. Maximum floor area ratio. No building hereinafter erected or structurally altered in the R-4 Mixed Use Residential Zone shall exceed a floor area ratio of 0.5 if the building's square footage is devoted to commercial activities.

2. Maximum building height. No building hereinafter erected or structurally altered shall exceed a height of 45 feet, or 60 feet if at least 1/3 of the building's square footage is devoted to residential activities

3. Maximum site coverage. No building hereinafter erected or structurally altered within an R-4 Mixed Use Residential Zone shall exceed a maximum site coverage of ninety percent (90%).

4. Density. There shall be not more than one (1) dwelling unit for each seventeen hundred forty-two (1,742) square feet of lot area. If the aggregate number of dwellings allowed pursuant to this density results in a fraction of a unit, the closest whole number of dwelling units above or below one-half (1/2) shall be used.

5. Lot Area. No building hereafter erected or structurally altered shall be located on a lot of less than six-thousand (6,000) square feet.

6. Lot Width. Each lot shall have a width of not less than sixty (60) feet.

7. Lot Depth. Each lot shall have a depth of not less than one-hundred (100) feet.

8. Front Yard. No front yard shall be required except as necessary to conform with off-street parking and landscape standards pursuant to Chapter 3, Part A of this Article.

9. Rear and Side Yards. There shall be a side and rear yard of not less than five (5) feet for each lot which abuts upon the side of a lot in any R-1, R-2 or R-3 Zone. Where the rear of a reversed corner lot abuts upon the rear of a lot in any R-1, R-2 or R-3 Zone, the side yard on the street side of the reversed corner lot shall be not less than fifty percent (50%) of the front yard required on the lots in the rear of such corner lot. In all other cases, a side yard for an R-4 property shall not be required.

10464 Design Standards.

All conditional uses approved pursuant to this Chapter shall incorporate and provide the following design standards:

A. Non residential and residential uses-located on the same floor shall not have common entrance hallways or entrance balconies.

B. The residential units shall have a separate and secured entrance and exit that is directly accessible to the parking.

C. Common walls, floors and ceilings between residential and nonresidential uses shall be constructed so that vibration is minimized and residential unit interior noise levels do not exceed 50 decibels.

D. Parking spaces for nonresidential and residential uses shall be specifically designated by posting, pavement marking and/or physical separation.

E. The floors devoted to residential units shall provide an exterior appearance and character which denotes it as housing and is visibly different from the commercial floors through the use of patios, balconies, changes in fenestration, and appropriate levels of detail, while maintaining a cohesive quality.

F. The residential units shall provide and maintain a refuse storage container separate from that used by the commercial uses. Said container shall be clearly marked for residential use only and use by commercial businesses is prohibited.

G. All outdoor lighting associated with commercial uses shall be shielded and directed away from surrounding residential uses. Such lighting shall not blink, flash, oscillate or be of unusually high intensity of brightness.

10465 Performance Standards.

No conditionally permitted use listed in Section 10462 shall involve any kind of manufacture, processing or treatment of products other than that which is clearly germane to the use listed and is incidental to the retail business conducted

on-the premises and provided that no more than five (5) persons are employed in the manufacture, processing, or treatment of products; provided, further, that no conditionally permitted use shall be allowed which involves any operation which is objectionable due to noise, odor, dust, smoke, vibration, or other similar causes.

10466 Pre-existing Nonconforming Uses.

Uses within the R-4 (Mixed Use Residential) Zone existing as of the effective date of this Chapter which are nonconforming to the Permitted Uses listed in Section 10461, may be continued or changed to a comparable nonconforming use provided that there is no increase or enlargement of the area, space, or volume occupied or devoted to such nonconforming uses nor any increase in the intensity of such uses and provided, further, that such uses were, on the effective date of this Chapter, in conformance with the underlying zone classification in effect immediately prior thereto provided, further, that nonresidential uses existing as of the effective date of this Chapter shall not be changed to residential uses without a Conditional Use Permit having first been issued pursuant to Section 10462."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES R-4 ZONE
CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION.

44. Article X (Zoning Regulations) of the Municipal Code of the City of Port Hueneme is hereby amended by eliminating Chapter 4, Part I. M-CD: Coastal-Dependent Industry Zone and replacing it with a new Chapter 4, Part I. M-PR: Port Related Industry Zone, to read as follows:

~~ARTICLE X ZONING REGULATIONS
CHAPTER 4 ZONING CLASSIFICATIONS~~

~~PART I M-CD: COASTAL-DEPENDENT INDUSTRY ZONE~~

~~10560 PURPOSE.~~

~~—The purpose of this Chapter is to provide and regulate a zone or industrial uses requiring direct water adjacency which meet the definition of "coastal-dependent development or use" provided in Section 30101 of the California Public Resources Code. The regulations specified in this Chapter shall apply to all property designated M-CD (Coastal-Dependent Industry) Zone unless otherwise provided in this Article.~~

~~10561 PERMITTED USES.~~

~~—No building or land shall be used and no building shall be hereafter erected or structurally altered except for one or more of the following uses:~~

~~_____ A. Ship On and Off Loading. Structures and equipment related to loading and unloading of vessels calling at the Port of Hueneme, including those related to ship maintenance and repair.~~

~~_____ B. Short Term Storage/Warehousing. Interim storage of products actively in transit through the Port of Hueneme.~~

~~10562 CONDITIONAL USES.~~

~~_____ Uses other than those listed in Section 10561 which have been approved as part of the Port Master Plan certified by the Coastal Commission may be permitted in the M-CD Zone subject to the issuance of a Development Permit pursuant to Section 10352; provided, however, that the applicant shows that the use or uses proposed will not be injurious or detrimental to the public health, safety, or welfare or to property in the vicinity or zone in which the use or uses will be situated; provided, further, that the Development Permit may be issued if potentially injurious or detrimental effects can be mitigated by the imposition of conditions requisite to issuance of said Permit.~~

~~10563 DEVELOPMENT STANDARDS.~~

~~_____ Development standards within the M-CD Zone shall be those which apply in the M-CR Zone.~~

~~10564 DESIGN STANDARDS.~~

~~_____ Design standards within the M-CD Zone shall be those which apply to the M-CR Zone.~~

"Part I. M-PR: Port Related Industry Zone.

10560 Purpose.

The purpose of this Chapter is to provide and regulate a single zoning classification for property contiguous to the Port of Hueneme which is governed by a certified Port Master Plan approved by the California-Coastal Commission. The regulations specified in this Chapter shall apply to all property designated M-PR (Port Related Industry) Zone unless otherwise provided in this Article.

10561 Permitted Uses.

No building or land shall be used and no building shall be hereafter erected or structurally altered except for one or more of the following uses:

_____ A. Coastal-related or coastal-dependent development as defined in the California Coastal Act of 1976, as amended, or as otherwise approved as part of the Port Master Plan for the Port of Hueneme certified by the California Coastal Commission.

_____ B. Seawall and waterfront access facilities together with recreation and visitor serving facilities, so long as said facilities are consistent with and further

the intent of the Hueneme Beach Master Plan as set forth in the Land Use Plan of the Local Coastal Program; provided, further, that said facilities shall be the only uses permitted in the M-PR Zone on the ocean revetment itself and, together with port-related access, the only uses permitted in the M-PR Zone on a strip of land fifty feet (50') in width abutting north along the length of the ocean revetment.

10562 Conditional Uses.

A. Categorical Exclusions. The following uses may be permitted in the M-PR Zone to the extent that they are fully-consistent with the performance standards specified in section 10563 and so long as the use or uses proposed do not involve any intensification or physical alteration of land or improvements as to constitute a major modification as defined in Section 10352(H)(2); provided, further, that such uses shall be exempt from the Development Review requirements of Chapter 3:

1. Receiving, storage and distribution of petroleum and bulk fuel products;
2. Receiving, storage, distribution, transportation and movement of general cargo including, but not limited to, automobiles;
3. Ingress and egress to sport fishing and commercial fishing shallow draft berths;
4. Internal traffic circulation, including the central gate at the intersection of Ponom Street and Hueneme Road;
5. Off-street parking;
6. Storage of equipment and related activities by persons holding cargo handling permits;
7. Storage of equipment and other personal property such as forklifts, stevedoring gear, bins, truck modules, truck chassis, containers and similar items used in loading, unloading transportation and movement of cargo for supplying the offshore oil industry; and
8. Fabrication, assemblage and manufacturing of oil modules and/or platforms, provided, however, that such activities shall be limited to Mondays through Saturdays, excepting holidays, between the hours of 8:00 a.m. to 6:00 p.m., except in case of emergency.
9. Any permitted use specified in section 10561 so long as the use or uses proposed do not involve any physical alteration of land or structure other than improvements which are clearly incidental or accessory to the proposed use or uses including, but not limited to, furnishings, equipment and signs.

B. Administrative Permits. Permitted uses and categorical exclusions which are not otherwise exempt from the Development Review requirements of Chapter 3 by operation of Section 10562 (A) may be permitted in the M-PR Zone subject to the issuance of an Administrative Permit pursuant to Section 10353; provided, however, such Permit may only be issued so long as the use or uses proposed do not involve any intensification or physical alteration of land or as to exceed the following thresholds:

1. An increase of more than 10,000 square feet of building area or 20,000 square-feet of land area.

2. An increase of more than ten percent (10%) in cargo throughput or surface traffic.

3. Creation of any significant environmental effect as defined in Title 14, Division 6, Chapter 3 of the California Code of Regulations.

C. Development Permits. Uses other than those governed by Sections 10562(A) and-10562(B) may be permitted in the M-PR Zone subject to the issuance of a Development Permit pursuant to Section 10352; provided, however, that the applicant shows that the use or uses proposed will not be injurious or detrimental to the public health, safety or welfare or to property in the vicinity or zone in which the use or uses will be situated; provided, further, the Development Permit may be issued if potentially injurious or detrimental effects can be mitigated by the imposition of conditions requisite to issuance of said permit.

10563 Performance Standards.

A. General. In addition to the Use Regulations and Maintenance Standards specified in Chapter 2, Parts A and B of this Article, all property designated M-PR shall be subject to the performance set forth in this Section.

B. Petroleum Products. No new facility or expansion of any existing facility involving the receiving or distribution of petroleum bulk fuel products, whether they be temporary or permanent, shall be allowed except or unless a Development Permit is otherwise granted pursuant to Section 10562(C).

C. Hazardous Materials. The storage and transportation of fissionable or radioactive materials, and storage and transportation of explosive materials as defined by the Secretary of Commerce of the United States of America effective April 9, 1941 and identified as Classes "A", "B" and "C" shall be strictly prohibited.

D. Exterior Storage. No equipment or material of any kind, including, but not limited to offshore modules and/or platforms as permitted pursuant to Section 10562 shall exceed the height of any perimeter masonry screen wall unless set back from the interior boundary of said wall a distance equal to twice the height of any such equipment, vehicle, cargo or material.

E. Fabrication and Manufacturing. Except as provided in Section 10562(A)(8), no fabrication or manufacturing activities of any kind shall be allowed except or unless such activities are wholly contained within a fully enclosed building and a Development Permit is granted therefore pursuant to Section 10562(C).

F. Vehicular and Pedestrian Access. Except as otherwise provided by Development Permit, all ingress and egress to the Port of Hueneme shall be strictly limited to the central gate at the intersection of Hueneme Road and Ponomo Street.

G. Off-street Parking. Off-street parking shall be provided in compliance with Section 10301; in the absence of standards for specific uses, one parking space shall be required for each employee, both part and full time, casual and

permanent, plus an amount reasonably required to accommodate customers and visitors, inclusive of parking required for staging and cargo handling operations.

H. Miscellaneous. Exterior lighting, where provided, shall be accomplished in such a manner as not to illuminate adjacent properties or streets; all designated parking and driveways shall be surfaced with asphalt or concrete and suitably striped so as to clearly indicate intended use of same; all site improvements and landscaping shall be maintained in a continuous state of good condition and repair, free of all trash and rubbish.

I. Governmental Laws. All buildings, uses and improvements on property designated M-PR shall comply with the certified Port Master Plan and applicable provisions of the Code including, without limitation, Noise Control (Article III, Chapter 5), Building Regulations (Article VIII), Land Use Revisions (Article X, Chapter 2), and Development Provisions (Article X, Chapter 3).

10564 Development and Design Standards.

Development and Design standards within the M-PR Zone shall be those which apply to the M-1 Zone.

10565 Pre-existing Nonconforming Uses.

Uses within the M-PR (Port Related Industry) Zone existing as of the effective date of this Chapter which are nonconforming to the Permitted Uses listed in Section 10561, may be continued or changed to a comparable nonconforming use provided that there is no increase or enlargement of the area, space or volume occupied or devoted to such nonconforming uses nor any increase in the intensity of such uses and provided, further, that such uses were, on the effective date of this Chapter, in conformance with the underlying zone classification in effect immediately prior thereto."

10566 Pre-existing Nonconforming Buildings.

Except as otherwise allowed as part of an approved Development Permit issued under Chapter 3 of this Article, no building or other structure situated within the M-PR (Port-Related Industry) Zone located seaward of the westerly prolongation of Port Hueneme Road may be reconstructed, structurally altered, added to or enlarged, nor shall any such building or structure be used or improved by any person, corporation or governmental entity, other than the government of the United States of America for the purpose of maintaining and operating the U.S. Coast Guard Lighthouse or Foghorn, without an Administrative Permit having first been issued therefore by the City pursuant to Section 10353 of this Article.

A. Standards of Review. In addition to those procedures found in Section 10353, an Administrative Permit under this Section shall not be issued unless it meets the following requirements:

1. No building shall be reconstructed, altered, used, designed or intended to be used for any purpose other than a pre-existing nonconforming use or use permitted in the M-PR zone.

2. No building shall be reconstructed, altered, used, designed or intended to be used for any purpose until the Development Review Committee, in consultation with the Port Hueneme Building Official and Fire Department, determines and makes findings pursuant to Section 10353(D) that the building or structure will be safe for its intended use and occupancy using the codes in effect at the time of original construction. If it cannot be determined what codes were in effect at the time of original construction, the Port Hueneme Building Official shall determine which codes are the appropriate ones to be used to evaluate the building or structure for the purposes hereof. To assist the Development Review Committee in making said determination and findings, the applicant shall allow the Building Official and Fire Department to inspect or cause to be inspected, the building or structure for compliance with code in accordance with the provisions of this Section.

3. Any project approval or modification and approval pursuant to 10353(D) of this Section involving remedial work to ensure that the building or structure will not be hazardous to life safety, fire safety, health or sanitation based upon its intended use and occupancy, shall be completed or satisfactorily assured prior to a certificate of occupancy being issued."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES M-PR ZONE CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION AND MAINTAINS REGULATORY PROVISIONS TO ENSURE THAT MINIMUM HEALTH AND SAFETY IMPROVEMENTS EXIST OR WILL BE MADE TO PRE-EXISTING NONCONFORMING BUILDINGS AT THE FORMER NAVAL CIVIL ENGINEERING LABORATORY SITUATED WITHIN THE M-PR ZONE PRIOR TO THEIR CIVILIAN REUSE.

45. Article X (Zoning Regulations) of the Municipal Code of the City of Port Hueneme is hereby amended by eliminating Chapter 4, Part H. M-CR: Coastal-related Industry Zone and replacing it with a new Chapter 4, Part H. M-1: Light Industrial Zone, to read as follows:

~~ARTICLE X—ZONING REGULATIONS
CHAPTER 4—ZONING CLASSIFICATIONS~~

~~PART H—M-CR: COASTAL-RELATED INDUSTRY ZONE~~

~~10540—PURPOSE.~~

~~———— The purpose of this Chapter is to provide and regulate a zone for coastal-related industrial uses other than those requiring direct water adjacency. The regulations specified in this Chapter shall apply to all property designated M-CR (Coastal Related Industry) Zone unless otherwise provided in this Article.~~

~~10541 PERMITTED USES.~~

~~———— No building or land shall be used and no building shall be hereafter erected or structurally altered except for one or more of the following uses:~~

~~———— A. Harbor Related Manufacturing/Processing. The manufacturing, assembling, or processing of products in transit to or from the Port of Hueneme.~~

~~———— B. Harbor Related Storage/Warehousing. The storage and warehousing of products in transit to or from the Port of Hueneme.~~

~~———— C. Industrial/Office. Administrative offices directly related to the operation of permitted industrial uses, excluding offices not engaged in operating industrial uses located on the property.~~

~~———— D. Marine Science/Research. Laboratory, research, and other facilities related to analysis and evaluation of the ocean, marine life, and man's relation to it.~~

~~10542 CONDITIONAL USES.~~

~~———— The following uses may be permitted in the M-CR Zone subject to the issuance of a Development Permit pursuant to Section 10352; provided, however, that the applicant shows that the use or uses proposed will not be injurious or detrimental to the public health, safety or welfare or to property in the vicinity or zone in which the use or uses will be situated; provided, further, that the Development Permit may be issued if potentially injurious or detrimental effects can be mitigated by the imposition of conditions requisite to issuance of said Permit:~~

~~———— A. Fish processing;~~

~~———— B. Auto transport preparations;~~

~~———— C. Storage or warehousing of automobiles, lumber, offshore oil, exploration equipment, boats and other marine vessels in dry dock, and open storage of any product, where such storage constitutes more than fifty (50) percent of the total site area;~~

~~———— D. Energy and public works facilities including marshaling areas, maintenance yards and public utilities; and~~

~~———— E. Uses other than those listed herein which have been approved as part of the Port Master Plan certified by the Coastal Commission.~~

~~10543 DEVELOPMENT STANDARDS.~~

~~———— In addition to the Land Use Provisions and Development Standards specified in Chapters 2 and 3 of this Article, all property designated M-CR shall be subject to the following development standards; provided, however, that these standards may be superseded under a Planned Development Zone designation pursuant to Section 10582 of this Article:~~

~~_____ A. Lot Area.~~

- ~~_____ 1. Each lot shall have a minimum of fifteen thousand (15,000) square feet.~~
- ~~_____ 2. The maximum building site coverage shall be fifty (50) percent of the net area of the site.~~

~~_____ B. Setbacks.~~

- ~~_____ 1. Street Setbacks. Setbacks from streets shall be a minimum of twenty (20) feet from the ultimate right-of-way.~~
- ~~_____ 2. Side Setbacks. The side setbacks for all uses shall be a minimum of ten (10) feet except that the side setback for interior lots may be zero (0) feet provided the main building structure on same lot line of the abutting parcel is setback at zero (0) feet, and both parcels are developed at the same time.~~
- ~~_____ 3. Residential Adjacency. No structure shall be located closer to an adjacent residentially zoned parcel than at a distance equal to twice the height of the structure.~~
- ~~_____ 4. Architectural Feature Setback Exceptions.~~
 - ~~_____ a. Roof overhangs may project six (6) feet into a twenty (20) foot or greater setback and three (3) feet into any setback less than twenty (20) feet.~~
 - ~~_____ b. Steps and open and unenclosed staircases may project into the setback area.~~
 - ~~_____ c. No building hereafter erected or structurally altered shall exceed a height of thirty five (35) feet or two (2) stories.~~

~~10544 DESIGN STANDARDS.~~

~~_____ In addition to the Land Use Provisions and Development Standards specified in Chapters 2 and 3 of this Article, all property designated M-CR shall be subject to the following design standards; provided, however, that these standards may be superseded under a Planned Development Zone designation pursuant to Section 10582 of this Article:~~

~~_____ A. Perimeter Screening.~~

- ~~_____ 1. When a lot abuts a residential zone, a six (6) foot solid masonry wall and/or some other screening approved by the City shall be erected on the zone boundary.~~
- ~~_____ 2. A solid wall and/or some other screening approved by the City may be required along the perimeter of all areas which by reason of the condition of the property or physical hazards are considered by the Planning Commission to be dangerous to the public health or safety.~~
- ~~_____ 3. A solid wall shall be erected surrounding any area devoted to open storage.~~
- ~~_____ 4. Walls or fences of sheet or corrugated iron, steel, aluminum, asbestos, or security chain link fencing are specifically prohibited except as security chain link fencing may be permitted when combined with redwood battens or a similar aesthetic treatment.~~
- ~~_____ 5. Perimeter screening shall not be required if deemed unnecessary by the Development Review Committee, based upon its approval of submitted~~

development and landscaping plans which establish to its satisfaction that attractive development will occur in keeping with the intended residential/recreational nature of the community.

~~B. Required Landscaping.~~

~~1. General.~~

~~a. All improved building sites shall have a minimum landscape coverage of five (5) percent. Landscaping shall consist of an effective combination of sculpturing, street trees, ground cover, and shrubbery.~~

~~b. Dry landscape materials may be used inside in rear setback areas only. All unpaved, non-work areas (excluding vacant lots) shall be landscaped.~~

~~c. An automatic underground sprinkler system for landscaped areas shall be provided.~~

~~d. No usage or storage is permitted within the required landscaped areas.~~

~~2. Boundary Areas. Perimeter landscaping shall be required for all lots fronting a public right of way. The landscaping shall be placed along the entire length of these property lines and shall be of sufficient width to accommodate the number of trees required. One (1) tree per fifteen (15) linear feet of lot frontage on a public right of way, which may be clustered or grouped, shall be planted in the boundary area in addition to required ground cover and shrub material.~~

~~3. Driveway and Parking Areas.~~

~~a. Driveway and parking areas shall be separated from adjacent landscaping by a wall or curb at least four (4) inches high, but no more than two and one-half (2-1/2) feet high.~~

~~b. Parking areas shall be screened so as to minimize the effect from all adjacent access streets and other properties. Plant materials used for screening shall consist of bermed, linear, or grouped masses of shrubs and/or trees of a sufficient size and height to meet this requirement.~~

~~c. One (1) tree per each five (5) parking stalls, which may be clustered or grouped, shall be installed Within the parking area. Boundary planting will not be counted toward this requirement. Trees shall be placed so as to give relief to the monotony of the rows of parked vehicles.~~

~~4. Undeveloped Areas. Undeveloped areas will be maintained in a weed-free condition.~~

~~5. Landscaping Maintenance.~~

~~a. Prior to the installation of the landscaping within the public right of way, the developer shall provide for the continuing maintenance by an agreement with the City.~~

~~b. Lawn and ground cover are to be trimmed or mowed regularly. All planting areas are to be kept free of weeds or debris.~~

~~c. All planting areas are to be kept in a healthy growing condition. Fertilization, cultivation, and tree pruning shall be a part of regular maintenance.~~

~~d. On a continuing basis, all dead and/or missing plants shall be replaced.~~

~~_____ e. Irrigation systems shall be kept in good working condition. Adjustment, replacement, repairs, and cleaning shall be a part of regular maintenance.~~

~~_____ f. Stakes, guides, and ties on trees shall be checked regularly for correct functioning. Ties are to be adjusted to avoid creating abrasions or girdling on trunks or branches.~~

~~_____ C. Access. Vehicular access to lots fronting on a primary or secondary thoroughfare shall be such that there shall be a paved turning area on the lot or a device to permit motor vehicles to head into the street. Such turning device or area shall be in accordance with the standards prescribed by the Director of Public Works.~~

~~_____ D. Storage and Refuse Collection Areas.~~

~~_____ 1. All outdoor storage areas and refuse collection areas shall be screened so that the materials stored within these areas shall not be visible to access streets, freeways, and adjacent properties.~~

~~_____ 2. Outdoor storage shall include all company owned and operated motor vehicles, except for passenger vehicles.~~

~~_____ 3. Storage or refuse collection areas shall not be permitted within setback areas.~~

~~_____ E. Loading Areas. Street side loading, on other than special landscaped streets, will be allowed providing the loading is set back a minimum of seventy (70) feet from the street right of way line. Said loading areas shall be screened from view of adjacent streets.~~

~~_____ F. Telephone and Electrical Service Facilities. All "on-site" telephone and electrical lines twelve (12) KV or less will be placed underground. Transformer or terminal equipment will be screened from view of adjacent streets and properties.~~

~~_____ G. Other. So as to provide local access for the users and prevent congestion and other hazards related to the use of the land permitted in this zone, the following improvements are deemed necessary, and these must be guaranteed by a bond or amount of money satisfactory to the City filed before any building or use permit may be issued. The Council may waive these requirements where their application is impractical.~~

~~_____ 1. Streets shall have been improved to the standards approved by the 88 Council.~~

~~_____ 2. Sidewalks shall have been installed.~~

~~_____ 3. Alleys shall have been paved.~~

~~10545 PRE-EXISTING NONCONFORMING USES. Uses within the M-CR (Coastal Related Industry) Zone existing as of the effective date of this Chapter which are nonconforming to the Permitted Uses listed in Section 10541, may be continued or changed to a comparable nonconforming use provided that there is no increase or enlargement of the area, space, or volume occupied or devoted to such nonconforming uses nor any increase in the intensity of such uses and provided,~~

~~further, that such uses were, on the effective date of this Chapter, in conformance with the underlying zone classification in effect immediately prior thereto.~~

"Part H. M-1: Light Industrial Zone.

10540 Purpose.

The purpose of this Chapter is to provide and regulate a zone for coastal-related industrial uses other than those requiring direct water adjacency together with selected commercial/industrial uses. The regulations specified in this Chapter shall apply to all property designated M-1 (Light Industrial) Zone unless otherwise provided in this Article.

10541 Permitted Uses.

No building or land shall be used and no building shall be hereafter erected or structurally altered except for one or more of the following uses:

- A. Harbor-Related Manufacturing/Processing. The manufacturing, assembling, or processing of products in transit to or from the Port of Hueneme.
- B. Harbor-Related Storage/Warehousing. The storage and warehousing of products in transit to or from the Port of Hueneme.
- C. Industrial/Office. Administrative offices directly related to the operation of permitted industrial uses, excluding offices not engaged in operating industrial uses located on the property.
- D. Marine Science/Research. Laboratory and other facilities related to analysis and evaluation of the ocean, marine life, and man's relation to it.
- E. Miscellaneous. In addition, the following specified uses are allowed:
 - 1. Appliance manufacturing;
 - 2. Audio/visual products manufacturing;
 - 3. Beverage or brewery production;
 - 4. Bicycle manufacture;
 - 5. Distribution plant;
 - 6. Electronics manufacturing;
 - 7. Food processing;
 - 8. Foundry manufacture;
 - 9. Home improvement center;
 - 10. Laboratories, research;
 - 11. Lodge or fraternal hall;
 - 12. Marine supply store;
 - 13. Motion picture studio;
 - 14. Newspaper printing & distribution;
 - 15. Optical products manufacture;
 - 16. Orthopedic manufacture;
 - 17. Parcel delivery terminal;
 - 18. Plastics manufacture;
 - 19. Radio/television broadcasting studio;

20. Recording studio;
21. Refrigeration Plants;
22. Rubber products manufacture (except tires);
23. Scientific instruments manufacturing;
24. Testing laboratories;
25. Tools manufacturing;
26. Transfer, moving and storage;
27. Uses of structures which are incidental or accessory to any of the uses permitted in the zone.

10542 Conditional Uses.

The following uses may be permitted in the M-1 Zone subject to the issuance of a Development Permit pursuant to Section 10352; provided, however, that the applicant shows that the use or uses proposed will not be injurious or detrimental to the public health, safety or welfare or to property in the vicinity or zone in which the use or uses will be situated; provided, further, that the Development Permit may be issued if potentially injurious or detrimental effects can be mitigated by the imposition of conditions requisite to issuance of said Permit:

- A. Fish processing;
- B. Auto transport preparations;
- C. Storage or warehousing of automobiles, lumber, offshore oil, exploration equipment, boats and other marine vessels in dry dock, and open storage of any product, where such storage constitutes more than fifty (50) percent of the total site area;
- D. Energy, Government-and public works facilities including marshaling areas, maintenance yards and public utilities;
- E. Uses other than those listed herein which have been approved as part of the Port Hueneme Master Plan certified by the Coastal Commission, as amended;
- F. Laboratory, research and manufacturing uses not otherwise specified above; and
- G. Emergency housing shelters.

10543 Development Standards.

In addition to the Land Use Provisions and Development Standards specified in Chapters 2 and 3 of this Article, all property designated M-1 shall be subject to the following development standards; provided, however, that these standards may be superseded under a Planned Development Zone designation pursuant to Section 10582 of this Article:

- A. Lot Area.
 1. Each lot shall have a minimum of fifteen-thousand (15,000) square feet.
 2. The maximum building site coverage shall be seventy five (75) percent of the net area of the site (FAR 0.75:1).
- B. Setbacks.
 1. Street Setbacks. Setbacks from streets shall be a minimum of twenty (20) feet from the ultimate-right-of-way.

2. Side Setbacks. The side setbacks for all uses shall be a minimum of ten (10) feet except that the side setback for interior lots may be zero (0) feet provided the main building structure on same lot line of the abutting parcel is setback at zero (0) feet, and both parcels are developed at the same time.

3. Residential Adjacency. No structure shall be located closer to an adjacent residentially zoned parcel than at a distance equal to twice the height of the structure.

4. Architectural Feature Setback Exceptions.

a. Roof overhangs may project six (6) feet into a twenty (20) foot or greater setback and three (3) feet into any setback less than twenty (20) feet.

b. Steps and open and unenclosed staircases may project into the setback area.

c. No building hereafter erected or structurally altered shall exceed a height of, thirty-five (35) feet or two (2) stories.

10544 Design Standards.

In addition to the Land Use Provisions and Development Standards specified in Chapters 2 and 3 of this Article, all property designated M-1 shall be subject to the following design standards; provided, however, that these standards may be superseded under a Planned Development Zone designation pursuant to Section 10582 of this Article:

A. Perimeter Screening.

1. When a lot abuts a residential zone, a six (6) foot solid masonry wall and/or some other screening approved by the City, shall be erected on the zone boundary.

2. A solid wall and/or some other screening approved by the City may be required along the perimeter of all areas which by reason of the condition of the property or physical hazards are considered by the Development Review Committee/City Council to be dangerous to the public health or safety.

3. A solid wall shall be erected surrounding any area devoted to open storage.

4. Walls or fences of sheet or corrugated iron, steel, aluminum, asbestos, or security chain-link fencing are specifically prohibited except as security chain-link fencing may be permitted when combined with redwood battens or a similar aesthetic treatment.

5. Perimeter screening shall not be required if deemed unnecessary by the Development Review Committee/City Council, based upon its approval of submitted development and landscaping plans which establish to its satisfaction that attractive development will occur in keeping with the intended residential/recreational nature of the community.

B. Required Landscaping.

1. General.

a. All improved building sites shall have a minimum landscape coverage of five (5) percent. Landscaping shall consist of an effective combination of sculpturing, street trees, ground cover, and shrubbery.

b. Dry landscape materials may be used inside in rear setback areas only. All unpaved, non-work areas (excluding vacant lots) shall be landscaped.

c. An automatic underground sprinkler system for landscaped areas shall be provided.

d. No usage or storage is permitted within the required landscaped areas.

2. Boundary Areas. Perimeter landscaping shall be required for all lots fronting a public right-of-way. The landscaping shall be placed along the entire length of these property lines and shall be of sufficient width to accommodate the number of trees required. One (1) tree per fifteen (15) linear feet of lot frontage on a public right-of-way, which may be clustered or grouped, shall be planted in the boundary area in addition to required ground cover and shrub material.

3. Driveway and Parking Areas.

a. Driveway and parking areas shall be separated from adjacent landscaping by a wall or curb at least four (4) inches high but no more than two and one-half (2-1/2) feet high.

b. Parking areas shall be screened so as to minimize the effect from all adjacent access streets and other properties. Plant materials used for screening shall consist of bermed, linear, or grouped masses of shrubs and/or trees of a sufficient size and height to meet this requirement.

c. One (1) tree per each five (5) parking stalls, which may be clustered or grouped, shall be installed within the parking area. Boundary planting will not be counted toward this requirement. Trees shall be placed so as to give relief to the monotony of the rows of parked vehicles.

4. Undeveloped Areas. Undeveloped areas will be maintained in a weed-free condition.

5. Landscaping Maintenance.

a. Lawn and ground cover are to be trimmed or mowed regularly. All planting areas are to be kept free of weeds or debris.

b. All planting areas are to be kept in a healthy growing condition. Fertilization, cultivation, and tree pruning shall be a part of regular maintenance.

c. On a continuing basis, all dead and/or missing plants shall be replaced.

d. Irrigation systems shall be kept in good working condition. Adjustment, replacement, repairs, and cleaning shall be a part of regular maintenance.

e. Stakes, guides, and ties on trees shall be checked regularly for correct functioning. Ties are to be adjusted to avoid creating abrasions or girdling on trunks or branches.

C. Access. Vehicular access to lots fronting on a primary or secondary thoroughfare shall be such that there shall be a paved turning area on the lot or a device to permit motor vehicles to head into the street. Such turning device or area shall be in accordance with the standards described by the Development Review Committee.

D. Storage and Refuse Collection Areas.

1. All outdoor storage areas and refuse collection areas shall be screened so that the materials stored within these areas shall not be visible to access streets, freeways, and adjacent properties.

2. Outdoor storage shall include all company owned and operated motor vehicles, except for passenger vehicles.

3. Storage or refuse collection areas shall not be permitted within setback areas.

E. Loading Areas. Street side loading, on other than special landscaped streets, will be allowed providing the loading is set back a minimum of seventy (70) feet from the street right-of-way line. Said loading areas shall be screened from view of adjacent streets.

F. Telephone and Electrical Service Facilities. All "on-site" telephone and electrical lines twelve (12) KV or less will be placed underground. Transformer or terminal equipment will be screened from view of adjacent streets and properties.

G. Other. So as to provide local access for the users and prevent congestion and other hazards related to the use of land permitted in the M-1 Zone, the following improvements are deemed necessary, and these must be guaranteed by a bond or amount of money satisfactory to the City filed before any building or use permit may be issued. The Development Review Committee/City Council may waive these requirements where their application is impractical.

1. Streets shall have been improved to the standards approved by the Development Review Committee/City Council.

2. Sidewalks shall have been installed.

3. Alleys shall have been paved.

H. Exterior Lighting. All outdoor lighting shall be shielded and directed away from surrounding residential properties. Such lighting shall not blink, flash, oscillate or be of unusually high intensity of brightness.

10545 Pre-Existing Nonconforming Uses.

Uses within the M-1 (Light Industrial) Zone existing as of the effective date of this Chapter which are nonconforming to the Permitted Uses listed in Section 10541, may be continued or changed to a comparable nonconforming use provided that there is no increase or enlargement of the area, space, or volume occupied or devoted to such nonconforming uses nor any increase in the intensity of such uses and provided, further, that such uses were, on the effective date of this Chapter, in conformance with the underlying zone classification in effect immediately prior thereto."

PURPOSE OF CHANGE: THIS REVISION ACHIEVES M-1 ZONE CONSISTENCY WITH THE GENERAL PLAN LAND USE DESIGNATION AND HOUSING ELEMENT POLICY TO ALLOW EMERGENCY SHELTERS IN INDUSTRIAL ZONES BY CUP.

SECTION II: The purpose of the amendments set forth in this Section II is to promote the improvement and expansion of affordable housing in compliance with State law and to implement Housing Element policies set forth in the updated General Plan.

Authority for these provisions are contained in Sections 65852.2, 65915 and 65590 of the California Government Code. In the event of any inconsistency between the provisions of this Section II and the California Government Code, the Government Code shall prevail.

Article X (Zoning Regulations) of the Municipal Code of the City of Port Hueneme is hereby amended to add a new Chapter 6 - Affordable Housing, to read as follows:

“ Chapter 6

AFFORDABLE HOUSING

Sections:

- 10700 Purpose.
- 10701 Definitions.
- 10702 Second Dwelling Units.
- 10703 Density Bonus.
- 10704 Inclusionary Housing.

10700 Purpose.

The purpose of this Chapter is to promote the maintenance, improvement and expansion of housing affordable to persons of low and moderate income in furtherance of State law and Housing Element policies of the Port Hueneme General Plan.

10701 Definitions.

For the purpose of this Chapter, the following terms shall be defined as follows:

A. "Density Bonus" means an increase of up to twenty-five percent (25%) in the number of residential units permitted over the otherwise maximum allowable density established for the R-1, R-2, R-3 and R-4 zone districts.

B. "Developer" means the project applicant for a Development or Coastal Development, as such terms are defined elsewhere in this Section.

C. "Development" and "Coastal Development" shall have the meaning assigned to these terms in Section 10356(B) (5), in Article X of this Code.

D. "Feasible" shall have the meaning assigned to this term in Section 65590(g)(3) of the California Government Code; that is, capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, environmental and technical factors.

E. "Primary Housing Unit" means the main residential structure containing one (1) dwelling unit located on a single-family lot.

F. "Qualifying Household," for the purpose of Section 10703, means persons and families whose total income qualifies as being very low income or lower income, and senior citizens, as defined in Section 51.2 of the California Civil Code. "Qualifying Household," for the purpose of Section 10704, means persons and families whose total income qualifies as being low or moderate income as defined in Section 50093 of the California Health and Safety Code.

G. "Secondary Housing Unit" means a second attached dwelling unit which provides complete, independent living facilities for up to two (2) persons on a lot zoned R-1 Single Family, and shall include permanent provisions for living encompassing sleeping quarters, a bathroom, and a kitchen constructed within or added onto an existing primary residence. A second unit is subordinate to and smaller than the primary residence.

H. "Very Low Income," "lower income," and "low or moderate income" shall have the meanings assigned to these terms in Sections 50105, 50079.5 and 50093, respectively, of the California Health and Safety Code, as these sections now exist or may hereafter be amended or restated.

10702 Second Dwelling Units.

A. Applicability. Secondary Housing Units shall be permitted on all property with an underlying zone classification of R-1 Single Family subject to issuance of an Administrative Permit pursuant to Section 10353(A).

B. Standards. Only one Secondary Housing Unit shall be allowed on a single legal lot of record, provided, further, that an Administrative Permit for such shall only be granted if all of the following conditions are met:

1. The lot on which the primary housing unit and proposed Secondary Housing Unit are located must be located in an R-1 zone on a lot containing six thousand (6,000) square feet. Only one Secondary Housing Unit shall be permitted on any one lot.

2. A legal, conforming primary housing unit shall exist on the lot where the Secondary Housing Unit is proposed. Establishment of a Secondary Housing Unit shall not add to, increase, or create a nonconforming use or structure. Any building code violations existing in the Primary dwelling unit shall be corrected prior to the occupancy of the Secondary Housing Unit.

3. The Secondary Housing Unit shall be attached to the primary housing unit by sharing a common wall, floor or ceiling or be created within the primary dwelling unit. The Secondary Housing Unit cannot be attached to the Primary housing unit by a breeze-way porch. No detached Secondary Housing Units shall be permitted.

4. The Secondary Housing Unit shall contain no more than six hundred forty (640) square feet of gross floor area, excluding carports or garages and must be constructed upon a permanent foundation.

5. The Secondary Housing Unit shall conform to the height, setback, lot coverage, and other development standards applicable to construction of primary dwelling units in the R-1 zone.

6. The architectural treatment and exterior composition of the Secondary Housing Unit must be of the same materials, colors, and architectural styling of the primary housing unit to which it is attached, or the entire structure remodeled in a single style. In addition, the Secondary Housing Unit shall conform to the R-1 requirements of Section 10403(I) of this Chapter.

7. If the Secondary Housing Unit has a separate entrance from the primary housing unit, the entrance of the Secondary Housing Unit cannot face the front property line or must otherwise be oriented so as to be clearly subordinate to the primary entrance of the primary housing unit.

8. One (1) covered or uncovered off-street parking space, in addition to any required for the primary housing unit, shall be provided. The parking space shall meet the access, paving, and other applicable requirements contained in Section 10301 of Chapter 3. Where off-street parking for the primary housing unit does not meet the requirements of Chapter 3, the provisions of Section 10301(D) (3) (a) (3) shall not apply and all required off-street parking for the primary housing unit shall be provided.

9. Either the primary housing unit or the Secondary Housing Unit shall be occupied by the property owner. This ownership may be certified annually by the City.

10. No more than two (2) persons shall occupy the Secondary Housing Unit. The City may require a deed restriction or affidavit to ensure that this requirement is met as a condition of the Administrative Permit.

11. The Secondary Housing Unit shall not be sold separately from the primary housing unit.

12. The Secondary Housing Unit shall conform to all other building, housing and zoning requirements stipulated in the Municipal Code.

13. The Secondary Housing Unit must have adequate public utility facilities to serve it, including, but not limited to, sewer, water and streets, as certified by the Public Works Director.

14. The property owner shall file with the County Recorder upon approval by the City Attorney as to form and content, a deed restriction covenant containing a reference to the deed under which the property was acquired by the present owner and stating that:

a. The Secondary Housing Unit shall not be sold from the primary dwelling unit.

b. The Secondary Housing Unit is restricted to the approved site.

c. The Administrative Permit for the Secondary Housing Unit shall be in effect so long as either the primary housing unit or the Secondary Housing Unit is occupied by the owner of the lot on which the Secondary Housing Unit is located, except for bonafide temporary absences. The Use Permit shall remain valid if disability or infirmity require the institutionalization of the owner.

d. The Administrative Permit, and any conditions imposed by said permit, shall lapse upon removal of the Secondary Housing Unit.

e. There shall be no more than two (2) inhabitants in any Secondary Housing Unit.

f. The above declarations are binding upon any successors in ownership of the property.

15. It shall be unlawful for any person to occupy any property which fails to comply with the Provisions of this Section. In addition to all other remedies such noncompliance may result in the revocation of the Administrative Permit.

10703 Density Bonus.

A. Applicability. The Density Bonus provisions of this Section 10703 shall apply to all development involving the construction or conversion of five (5) or more residential dwellings. All such Projects shall be subject to Development Review requirements of Chapter 3.

B. Standards. A Density Bonus shall only apply to property with a Planned Development overlay and then, only for those projects described in Section 10703(A) for which a Density Bonus is requested by the Developer. A Density Bonus may only be granted in conjunction with a Development or Administrative Permit and shall only be granted if all of the following conditions are met:

1. At least twenty Percent (20%) of the housing units in the development shall be provided for lower income households, or ten percent (10%) of the total housing units for very low income households, or fifty percent (50%) of the total housing units for senior citizens, as defined in Section 51.2 of the California Civil Code.

2. The housing costs of units made available to Qualifying Households must not exceed the limits of affordability established pursuant to Section 50052.5 of the California Health and Safety Code. Determinations of affordability for housing made available for sale or rent to Qualifying Households shall be governed by the regulations set forth in Title 25, Section 6910 et. seq., of the California Code of Regulations.

3. Housing units made available to Qualifying Households must remain available to such households, at affordable rates, for a minimum of thirty (30) years, or such longer period of time specified in loan agreements or subsidy programs associated with the development project. Deed restrictions, in form and content acceptable to the City to ensure unit affordability, must be recorded on the property prior to project commencement to assure compliance with the affordability requirements of this Section.

4. The Developer shall verify income data for each qualifying household for the purpose of establishing eligibility and affordable housing costs. The criteria and methods used in verifying income shall conform to the standards prescribed for the Section 8 Existing Housing Payments Program and administered by the Port Hueneme Housing Authority. In determining eligibility, the income schedule (then in effect) adopted pursuant to Title 25, Section 6932 of the California Code of Regulations, shall be used at the time each unit is initially occupied by a Qualifying Household.

5. Housing units which are made available to Qualifying Households shall be constructed so as to resemble and be compatible with all other units in the same development and shall be dispersed throughout the project.

C. Incentives. All Developers qualifying for a Density Bonus under this Section 10703 shall be entitled to at least one of the following incentives, provided, further, that the exact type and number of incentives so granted shall be determined at the City's sole discretion in conjunction with issuance of a Development or Administrative Permit:

1. Relaxation or other modification of zoning standards regulating such items as setbacks height limitations, distances between buildings, required parking, parking development standards, projections into yards, and the like. No separate variance application will be required for any modification of standards. However, the approved plans and application shall identify the zoning standards modifications which have been incorporated into the project.

2. Modification of architectural regulations ordinarily applied to a residential development project.

3. Shared Participation in public improvements, environmental documentation and impact mitigation, and similar costs associated with project development.

4. Regulatory concessions resulting in identifiable cost reductions including, but not limited to, fee waivers, expedited permit processing, and reduction of off-site improvements.

5. Additional density bonus which is greater than twenty-five percent (25%) over the otherwise maximum allowable residential density.

6. The assignment of Section 8 housing assistance payments, as available, to the applicants for the targeted housing units.

7. Other regulatory incentives or concessions proposed by the Developer or the City which result in identifiable project cost reductions.

D. Project Review Procedures. All project applications for which a Density Bonus is being requested shall be subject to the issuance of a Development or Administrative pursuant to Chapter 3 of this Article; provided, further, that the following additional project review procedures shall be imposed.

1. A pre-application shall be made by the project applicant pursuant to Section 10352(B) of this Article. The purpose of the meeting will be to review any preliminary development plans prepared by the Developer and to discuss the additional project incentives sought by the Developer.

2. In the event the Developer requests a waiver or modification of zoning standards pursuant to Section 10703(i) of this Chapter, the Developer shall be required to show that the waiver or modification is necessary to make the housing units economically feasible.

3. No special application for Density Bonus shall be required. However, in the project record, the Planning Agency shall note that a Density Bonus has been granted, and the approved plans and application shall identify concessions granted and any special conditions imposed on the project to ensure unit affordability.

10704 Inclusionary Housing.

A. Applicability. The Inclusionary Housing provisions of this Section 10704 shall apply to all Coastal Development involving the construction or conversion of ten (10) or more residential dwellings. All such projects shall be subject to the Development Review requirements of Chapter 3.

B. Standards. At a minimum twenty-five (25%) of all newly constructed or converted housing to which this Section 10704 applies shall be made exclusively available to persons and families whose total income, all members inclusive, qualifies as being low or moderate income. The provision of such housing to qualifying Households shall be governed by the requirements of Section 10703 (B)(2) through 10703 (B) (5).

C. In-Lieu Fees. In-lieu of the requirements of Section 10704 (A), the Developer may pay a fee to defray the costs associated with housing assistance programs administered by the City, the various provision of which, in aggregate, will result in the purchase, maintenance, rehabilitation or construction of equivalent number of housing units for Qualifying Households which would otherwise be required. The amount of such fee shall be established-by Resolution of the City Council.

D. Project Feasibility. All or part of the requirements of this Section 10704 may be waived, at the City's sole discretion, in the event that the application of such requirements render a project infeasible. The burden of proving feasibility shall rest with the Developer and the determination shall be rendered by the City in conjunction with issuance of a Development or Administrative Permit for the project, as the case may be."

SECTION III: In all other respects, Article X (Zoning Regulations) of the Municipal Code of the City of Port Hueneme shall remain in full force and effect as adopted and amended.

SECTION IV: This Ordinance shall be effective when both of the following have transpired:

1. Approval by the California Coastal Commission.
2. Thirty (30) days after its adoption.

PASSED and ADOPTED this _____ day of _____ 1998.

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. 3067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME
APPROVING A REVISED LOCAL COASTAL PROGRAM AMENDMENT
AND AUTHORIZING TRANSMITTAL OF SAME TO THE COASTAL
COMMISSION OF THE STATE OF CALIFORNIA

RECEIVED

MAR 06 1998

ARTICLE I -- RECITAL

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

A. Recitals

1. WHEREAS, pursuant to California Public Resources Code Section 30000 et seq. the Local Coastal Program of the City of Port Hueneme, as amended, was approved and originally certified by the California Coastal Commission at its regular meeting of July 25, 1984; and

2. WHEREAS, on August 6, 1997, the City Council of the City of Port Hueneme adopted Resolution No. 3036, certifying a Final Environmental Impact Report (FEIR), and Resolution No. 3037, approving a comprehensive update of the City's General Plan and Amendment to its Local Coastal Program ("LCP") and Zoning Ordinance text together with Boundary Changes which would reclassify and redesignate portions of the City's Zoning Map and General Plan Land Use Map to maintain consistency with the General Plan Update ("Project"); and

3. WHEREAS, on August 11, 1997, City staff submitted said LCP Amendment and Zoning Ordinance text together with Boundary Changes to the Coastal Commission for review and Coastal Act certification; and

4. WHEREAS, based upon draft suggested modifications offered by Coastal staff, the City Council withdrew its LCP Amendment, and directed City staff to prepare a revised LCP Amendment, Zoning Ordinance, and Zoning Map for public hearing consideration ("Revised Project") consistent with most of said suggested modifications; and

5. WHEREAS, adoption of the Project represents a discretionary action subject to the environmental review requirements of the California Environmental Quality Act (CEQA) (Pubic Resources Code Section 21000 et seq.); and

6. WHEREAS, the City of Port Hueneme has caused to be prepared a Final Environmental Impact Report in accordance with the California Environmental Quality Act (CEQA) to analyze the potential significant environmental effects of the Project and Revised Project which Report is hereby incorporated by reference herein.

EXHIBIT NO. 10
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Pages 1-12

7. WHEREAS, through its consultant, Cotton/Beland Associates, Inc., the City has prepared a Mitigation Monitoring and Reporting Program as required by CEQA to insure implementation of mitigation measures identified in the Final Environmental Impact Report; and

8. WHEREAS, it is the City Council's independent judgment, as Lead Agency, that the Final Environmental Impact Report meets the requirements of CEQA and has reviewed, considered the content, and recertified the Final Environmental Impact Report pursuant to CEQA Guidelines Section 15153; and

9. WHEREAS, the City Council has conducted a public hearing as required by law to consider the Revised Project and has considered the Final Environmental Impact Report and Mitigation Monitoring and Reporting Program prior to taking any action related thereto.

ARTICLE II -- DECLARATIONS

A. Record

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Port Hueneme does hereby make the following findings of fact:

1. Prior to rendering a decision on any aspect of the Revised Project, the City Council duly considered the following:

a. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted on March 4, 1998.

b. All oral, written and visual materials presented by City staff in conjunction with that certain public hearing conducted on March 4, 1998.

c. The following informational documents which, by this reference, are incorporated herein:

i. That certain written report submitted by the Department of Community Development of the City of Port Hueneme dated February 26, 1998, (hereinafter referred to as "Staff Report").

ii. The Final Environmental Impact Report, dated July 1997, prepared by Cotton/Beland Associates, Inc.

iii. The Mitigation Monitoring and Reporting Program prepared by Cotton/Beland Associates, Inc., attached to City Council Resolution No. 3036 as Exhibit "B".

iv. The Revised Project consisting of the revised LCP amendment with component Zoning Ordinance and Map changes accompanying the Staff Report.

B. Public Review

1. On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements pertaining to LCP and Zoning Ordinance Amendments and issuance of Land Use and Zoning Boundary Changes prescribed in Title 7, Division 1, of the Government Code of the State of California, Division 20 of the Public Resources Code, and Article X of the Port Hueneme Municipal Code, have been lawfully satisfied.

a. Written notice of the availability of public review draft documents pertaining to the proposed Project was mailed to all governmental agencies and persons known to be interested in General Plan and Local Coastal Program matters. In addition, copies of the review draft documents were made available for copying and public perusal at the Port Hueneme Civic Center, the Ray D. Prueter Library, and the South Central Coast Area Office of the California Coastal Commission. Both notice and documents were mailed on April 25, 1997, a minimum of six (6) weeks prior to the City Council's final action on the proposed Project.

b. Written notice of public hearing to consider the Project before the City Council of the City of Port Hueneme conducted on August 6, 1997, was mailed to all governmental agencies and persons who were known to be interested in the General Plan and Local Coastal program matters and persons who have filed written request for such notice, which notice was mailed on or before July 25, 1997, not later than ten (10) calendar days prior to the date of said hearing.

c. Written notice of public hearing before the City Council conducted on August 6, 1997, was published as a display advertisement of at least 1/8 page of a newspaper of general circulation on Friday, July 25, 1997, pursuant to Section 65091 of the California Government Code wherein the number of owners to whom notice would otherwise be mailed was greater than 1,000.

d. Written notice of public hearing before the City Council conducted on March 4, 1998, relative to considering the Revised Project was mailed to all interested persons and agencies on February 20, 1998, and notice of same was published as a legal advertisement in a local newspaper of general circulation on February 21, 1998, over ten days in advance of said hearing.

2. As prescribed in Article II and Article III, of this Resolution, the proposed Project is consistent with and furthers the objectives and policies of the City's General Plan, Zoning Ordinance, and Local Coastal Program.

C. Environmental Impact Findings

1. On the basis of evidence presented in Article II, Paragraph C of City Council Resolution No. 3036, and with the incorporation of all mitigation prescribed in the Statement of Facts of said Paragraph C, changes or alterations will be required in, or incorporated into, the proposed Revised Project which mitigate or avoid the significant environmental effects thereof as identified in the Final Environmental Impact Report.

2. On the basis of evidence presented in Article II, Paragraph D of City Council Resolution No. 3036, some of the changes or alterations are within the responsibility of other public agencies and are not the responsibility of the City of Port Hueneme. Such changes either have been adopted by such agencies or can and should be adopted by such agencies.

3. On the basis of evidence presented in Article II, Paragraph E of City-Council Resolution No. 3036, specific economic, social or other considerations make infeasible mitigation measures or project alternatives identified in the Final Environmental Impact Report.

4. On the basis of evidence presented in Article II, Paragraph E of City Council Resolution No. 3036, the benefits of approving the land use and implementing regulations of the proposed Revised Project outweigh the unavoidable adverse effects.

D. LCP Amendment Findings

The Revised Project represents the first comprehensive update of the City's General Plan since 1977, and the first comprehensive update of the City's Local Coastal Program (LCP) since it was approved and originally certified by the California Coastal Commission on July 25, 1984. Because both of these updates have been created simultaneously, they have been designed to be consistent. The Update also includes amendments to the City's land use policy map, zoning text, and zoning map to ensure consistency with the policies of the new General Plan and LCP.

In summary, both the updated General Plan and LCP are more a refinement of existing policy than they are a statement of new direction. Although the update deals comprehensively with development in the City, it proposes incremental changes from the previous General Plan, rather than major changes in direction or patterns of development. Land use policy is largely confined to 23 key development sites that were identified as "candidates" on the basis of physical blight, obsolescence, dysfunction and availability. The time horizon of the new plan is the year 2015. Within this time frame, the City's inventory of residential dwellings is expected to increase by 317 units representing build-out of the community.

The Objective of the updated LCP is to make the previous LCP adopted in 1984 consistent with the California Coastal Act, current with regard to information and

language, and comprehensive enough to achieve identified attainable goals and objectives, "to protect, maintain, and where feasible, enhance and restore" the coastal zone.

Following are evaluations of significant Revised Project relationships to and effect on other sections of the previously certified LCP:

1. For ease of reference, the updated LCP has been divided into three Sections. Section I contains a new table of contents, new figures, new tables, and revised language to reflect current conditions, history, relationships, and processes. Section II contains the updated Land Use Program encompassing discussion on relevant Coastal Act policies; updated discussion on existing conditions within each of the City's existing 11 coastal subareas including the potential for future development; specific land use development policies for each of the coastal subareas; and, zoning/land use map amendments for the updated LCP. Lastly, Section III contains the proposed zoning ordinance text amendments to implement and maintain conformity with land use designations and policy of the General Plan and LCP update.

2. Revisions to the City's Land Use Map and Zoning Map are shown in Figure 4 and Figure 5 of the LCP, and are designed to bring zoning into conformity with land use designations of the General Plan and LCP update. Modification to the General Plan text, Land Use Map, Zoning Ordinance and Zoning Map include: (1) Creation of the *Port Related Uses*, *Mixed Use*, and *Light Industry* zoning classifications with corresponding *Port*, *Mixed Use Residential*, and *Industrial* land use designations; (2) Elimination of the *Coastal Related Industry* and *Coastal Dependent Industry* land use designations and zoning classifications. In general, *Port Related Uses* and *Light Industry* are meant to replace the *Coastal Related Industry* and *Coastal Dependent Industry* zoning classifications. In general, all other zoning and land use changes shown in Figures 4 and 5 of the LCP reflect how the coastal zone has developed over the past 13 years with respect to existing land use and densities.

3. Section III of the LCP contains the updated implementation measures (Zoning Ordinance amendments) for the Revised Project. Among the most significant changes is prohibition of billboards; addition of new design standards regulating second story residential additions for reasons of aesthetics and privacy of adjacent property; permitting governmental and utility facilities in residential zones; providing additional property maintenance standards; correcting misprints in the existing Ordinance; implementing appeal provisions for issuance of Special Use Permits; and enacting affordable housing provisions encompassing second dwelling units, density bonuses, and inclusionary housing.

E. Coastal Act Findings

The California Coastal Act is intended to protect natural and scenic resources; promote the public safety, health, and welfare; and protect public and private property, wildlife,

marine fisheries, other ocean resources, and the natural environment. California Coastal Commission Regulations establish the standards by which proposed land developments or other activities are evaluated to ensure consistency with the Act. Following are evaluations of the Revised Project with respect to policies of Chapter 3 of the Coastal Act relevant to the City of Port Hueneme. On the basis of evidence presented below, the Revised Project is deemed fully consistent with and furthers the objectives of the California Coastal Act of 1976:

1. Shoreline Access

1.a. Statement of Fact: The public's right of access to the ocean has been acquired through use and by legislative authorization. This right is to be protected under the California Coastal Act. The California Public Resources Code provides that development of coastal resources or activities affecting them are not to interfere with the public's right of access (Section 30211), and that lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible provided (Section 30213). In this regard, a comprehensive Hueneme Beach Master Plan was prepared and adopted by the City and South Central Coast Area Office of the Coastal Commission in 1978-79 pursuant to Coastal Development Permit No. 179-33. Among other things, this Master Plan depicts a scheme of lower cost visitor and recreational facilities primarily encompassing lateral access to and along the City's length of beachfront. In addition, non-vehicular vertical access (i.e., pedestrian & bicycle) to the beach park from inland residential neighborhoods in the central portion of the community is provided by the Bubbling Springs Recreational Corridor approved by the South Central Coast Area Office of the Coastal Commission pursuant to Coastal Development Permit No. 137-02.

1.b. Consistency Statement: The Revised Project does not materially change current access policy for property located between the sea and the first public road paralleling the sea. The Bubbling Springs Recreational Corridor and Hueneme Beach Master Plan remain unchanged as a result of the Revised Project protecting and promoting the public's right of access and lower cost visitor and recreational facilities to the sea. The Revised Project contains goals and policies in the General Plan and LCP among which is to preserve and maintain Hueneme Beach Park and implement proposed development of upcoast shoreline access from the Hueneme Beach Park Pier Plaza to the harbor entry/lighthouse.

2. Recreation

2.a. Statement of Fact: Recreational use of coastal resources is to be protected. The California Public Resources Code provides that coastal areas suited for water-oriented recreational activities are to be protected for such uses (Section 30220). These activities may include boating, surfing and swimming. In addition, oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquacultural facilities located on those sites shall be given priority, except over other coastal dependent development or uses (Section 30222.5).

2.b. Consistency Statement: The Revised Project enhances recreation policy. Specifically, the Revised Project adds a new LCP implementation policy wherein the last remaining vacant beachfront site, the Sunkist Site, shall be developed with a master plan including a recreational component and adds the two following development polices: (1) Construction of new public beach parking on the adjacent 1/2 acre Gion Easement; and (2) providing landscape improvements including public restrooms and parkway and urban design improvements for the adjacent west end of Hueneme Beach Park and Market Street areas. In addition, the Revised Project reclassifies the harbor area owned by the Oxnard Harbor District with a *Port* land use designation and corresponding *Port Related Industry* zone classification which will maintain implementing regulatory provisions consistent with Hueneme Beach Master Plan as set forth in the Land Use Plan of the LCP. Specifically, the *Port Related Industry* zone provides that seawall and waterfront access facilities together with recreation and visitor serving facilities shall be the only uses permitted in the *Port Related Industry* zone on the ocean revetment itself and, together with port-related access, the only uses permitted in the *Port Related Industry* zone on a strip of land fifty feet (50') in width abutting north along the length of the ocean revetment (public access and recreation is designated on the oceanside of the revetment with a *Park Reserve* zone classification and corresponding *Parks and Open Space* land use designation).

With regard to coastal dependent aquaculture, new implementing regulatory provisions for the *Port Related Industry* zone allow coastal-related and coastal dependent development as defined in the Coastal Act, as amended, which includes marine fisheries and aquacultural facilities as permitted uses (e.g., Hueneme Aquacultural Center).

3. Marine Environment

3.a. Statement of Fact: Marine resources are to be maintained, enhanced, and where feasible, restored. The Coastal Commission Regulations provide that the biological productivity of coastal waters must be protected to ensure that healthy populations of all species of marine organisms are maintained for long-term commercial, recreational, scientific, and educational purposes (Sections 30230 & 30231).

3.b. Consistency Statement: The Pacific Ocean is the most notable and important natural resource for the City of Port Hueneme. Development anticipated to occur under the Revised Project will basically in-fill existing urban areas separated from coastal waters by existing development with the exception of the vacant Sunkist Site wherein no land use or zone change is proposed under the Revised Project. The Revised Project does not involve the marine environment nor coastal estuaries and according to the Final Environmental Impact Report, the Revised Project is not expected to have any significant impacts on plant or animal life (FEIR Section 3.4).

With regard to surface water flow, the City is a co-permittee under the Ventura Countywide Stormwater Quality Management Program (National Pollutant Discharge

Elimination System [NPDES] Permit No. CA S063339). According to the Final Environmental Impact Report prepared for the Project (FEIR Section 3.3), all new Revised Project development is required to effectively prohibit the entry of pollutants into stormwater runoff (ocean) and shall be subject to compliance with other state and federal regulations implementing the Clean Water Act, including NPDES permit requirements administered by the Regional Water Quality Control Board. With regard to minimizing depletion of groundwater supplies, the proposed Revised Project contains policies in the General Plan to preserve existing water resources.

4. Land Resources

4.a. Statement of Fact: The regulations provide that development in areas adjacent to parks and recreation areas shall be protected against any significant disruption and that uses of adjacent areas be limited to prevent degradation to recreational areas (Section 30240b).

4.b. Consistency Statement: Port Hueneme is almost completely urbanized and developed. Aside from land within the navy base and commercial port, only 5% of developable vacant or partially vacant lands remains in the City. Given the community's built-out nature, the coastal strand remains Port Hueneme's primary recreational resource. With regard to buffering existing parks and recreation areas from significant degradation, compatible residential uses have been developed over the past 20 years adjacent to the City's coastal parks and recreation areas. For the future lighthouse promenade portion of the Hueneme Beach Park Master Plan, the proposed Project would classify the adjacent Oxnard Harbor District property with a *Port Related Industry* zone classification maintaining implementing regulatory provisions that provide a minimum fifty foot (50') wide strip of land along the back length of the revetment for public access and recreational uses. This strip of land would clearly define and set apart the beach and revetment from port-related uses to the north while serving to buffer the effects of possible ocean wave overtopping and storm surge run-up at the revetment.

5. Development

5.a. Statement of Fact: The location and amount of new development should maintain and enhance public access to the coast (Section 30252) and coastal-dependent developments shall have priority over other developments on or near the shoreline (Section 30255).

5.b. Consistency Statement: Development anticipated to occur under the Revised Project will in-fill existing urban areas that enjoy adequate commercial and public recreation, circulation, transit, and parking facilities so that recreational needs of new residents are not expected to overload coastal access.

A new *Mixed Use* zoning classification and corresponding *Mixed Use Residential* land use designation is proposed. The *Mixed Use Residential* classification/designation applies

to property aligning Pleasant Valley Road located west of Ventura Road where public transit exists. The *Mixed Use Residential* classification allows low, medium and high density residential by right and mixed used residential by conditional use permit, thereby allowing commercial and office uses in conjunction with residential development in order to create convenience, potential visitor-serving commercial facilities, and reducing vehicle miles traveled.

With regard to coastal-dependent development, the Revised Project will maintain and enhance the Hueneme Beach Master Plan which provides for coastal-dependent recreation development along the length of the City's shoreline. In addition, the Revised Project will provide a single *Port* designation and *Port Related Uses* zone classification for the industrial harbor area owned by the Oxnard Harbor District to maintain priority for coastal-dependent development near the shoreline and harbor.

6. Industrial Development

6.a. Statement of Fact: The Coastal Commission Regulations provide that coastal-dependent industrial facilities are to be encouraged to locate or expand within existing sites (Section 30260).

6.b. Consistency Statement: The City of Port Hueneme currently applies two separate zoning classifications and land use designations (*Coastal Related Industry* and *Coastal Dependent Industry*) to land owned and administered at the Port by the Oxnard Harbor District. In accordance with the 1987 Settlement Agreement between the City and Oxnard Harbor District, the City is amending its General Plan text, Land Use Map, Zoning Ordinance and Zoning Map to impose a single zoning classification (*Port Related Uses*) and corresponding land use designation (*Port*) for the harbor to provide development polices and standards that streamline permit processing for coastal-dependent projects and to help accommodate expansion and encourage new coastal-dependent industry consistent with the Harbor District's certified Port Master Plan. The new *Port Related Uses* zone classification merely reflects the existing and proposed use of the Port for both coastal related and coastal dependent purposes by the Oxnard Harbor District while retaining public access and recreation along the shoreline consistent with the Hueneme Beach Master Plan and certified Port Master Plan.

A new *Light Industry* zone classification and corresponding *Industry* land use designation is proposed. The *Light Industry* classification and corresponding *Industry* designation applies to the same area formally zoned/designated *Coastal Related Industry* located at the southeast intersection of Port Hueneme Road and Surfside Drive.

The *Light Industry* zoning classification allows the same uses and has the same development and design standards as the previous *Coastal Related Industry* zoning except that it broadens the list of permitted uses to include other selected light industrial uses and emergency housing shelters. The basis for this change is that no new permanent coastal related use has been made within this 40 acre area in over 15 years. This can be

attributable to the fact that a relatively small amount of land is required to support current and projected cargo shipments through the Port of Hueneme. This suggests that any changes in the level of cargo shipped through the Port would most likely not result in a major change in land requirements outside of the port area. In addition, local off-shore oil activity has declined significantly eliminating the projected need for coastal-dependent land expansion opportunities. The area's lack of sizable vacant land (+/-10 acres), its distant location from the harbor and freeway access, and economic competition from neighboring cities has helped to preclude capture of coastal-dependent related activity in this area (see discussion in General Plan Economic Element). Moreover, +34 acres of prime coastal dependent industrial land was recently made available in the City's coastal zone at the former U.S. Naval Civil Engineering Laboratory (NCEL) adjacent to the harbor which further frustrates the Surfside area's competitiveness for coastal dependent industry.

Given the above considerations, continuing to land bank the Surfside Industrial area exclusively for coastal related industry is not considered viable nor obtainable.

7. Coastal Resources Summary

7.a. Statement of Fact: The Final Environmental Impact Report prepared for the Revised Project concludes that, the impact of the proposed Revised Project will be less than significant. The existing vacant and underutilized parcels will be developed with residential, commercial, industrial, and mixed uses in a manner compatible with the surrounding uses.

ARTICLE III -- PROJECT APPROVAL

A. LCP & Zoning Amendments & Boundary Changes

1. BE IT FURTHER RESOLVED that the City Council of the City of Port Hueneme does hereby reaffirms its approval of Boundary Change Application No. PHBC-750 encompassing revisions of the General Plan Land Use Map and Zoning Map and further reaffirms its approval of the 2015 General Plan for the City of Port Hueneme consisting of the Land Use, Circulation/Infrastructure, Housing, Conservation/Open Space/Environmental Resources, Noise, Public Safety/Facilities, and Economic Development Elements; and hereby approves and recommends Coastal Commission approval of text and Land Use and Zoning Map changes as illustrated in the Revised Project's Local Coastal Program and Zoning Ordinance amendments consisting of those exact revisions as set forth in the Staff Report attachments; and

2. BE IT FURTHER RESOLVED that pursuant to Public Resources Code Section 30510, the City Council of the City of Port Hueneme hereby reiterates its intent to implement the Local Coastal Program and amendments thereto in a manner fully consistent with the California Coastal Act; and

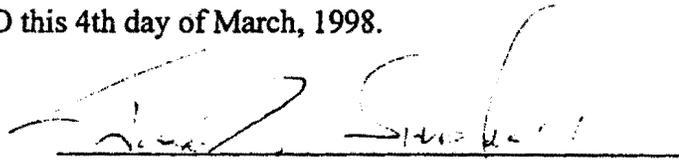
3. BE IT FURTHER RESOLVED that the City Council of the City of Port Hueneme hereby adopts and declares that approval granted herein is subject to and contingent upon: (i) incorporation of all environmental mitigation measures prescribed in the Statement of Facts set forth in Article II, Paragraph C of City Council Resolution No. 3036; and (ii) implementation of the Mitigation Monitoring and Reporting Program as set forth in City Council Resolution No. 3036, Exhibit "B", attached thereto.

4. BE IT FURTHER RESOLVED that the approvals granted herein shall not become effective until the corresponding LCP and Zoning Ordinance Amendments and Land Use and Zoning Map boundary changes have been certified by the California Coastal Commission and accepted by resolution of City Council consistent with California Code of Regulations Section 13544(a) and until thirty (30) days after adoption of the necessary Ordinance(s) by the City Council.

5. BE IT FURTHER RESOLVED that the Local Coastal Program and General Plan in effect prior to this date are hereby rescinded upon the effective date of approvals granted herein.

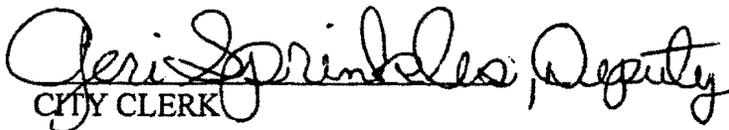
6. BE IT FINALLY RESOLVED that the Director of Housing and Community Development of the City of Port Hueneme is hereby authorized to file the Revised LCP and Zoning Ordinance Amendments and Land Use and Zoning Map boundary changes with the Coastal Commission of the State of California and to provide such additional information as may be required pursuant thereto.

PASSED AND ADOPTED this 4th day of March, 1998.



MAYOR

ATTEST:


CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS:
CITY OF PORT HUENEME)

I, KAREN B. JACKSON, duly appointed and qualified City Clerk of the City of Port Hueneme, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 3067 passed and adopted by the City Council of the City of Port Hueneme at the Regular Meeting of the City Council of the City of Port Hueneme on the 4th day of March, 1998 by the following roll call vote:

AYES: Councilmembers Turner, Young, Volante, Rosenbluth,
NOES: None
ABSENT: None
ABSTAINING: Mayor Sharkey (excused from the dais)


KAREN B. JACKSON, City Clerk of
Port Hueneme and ex-officio Clerk of
the Council

DATED: March 5, 1998



December 15, 1997

RECEIVED

DEC 18 1997

Mr. James Johnson
Coastal Program Analyst
California Coastal Commission
South Central Coast Area
89 South California Street, Suite 200
Ventura, CA 93001

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

RE: City of Port Hueneme Local Coastal Program Amendment No. 1-97
(General Plan Update, LCP "Redline" Version - April, 1997)

Dear Mr. Johnson:

In regard to your letter to the Oxnard Harbor District dated December 1, 1997, the following comments are offered concerning the City of Port Hueneme's LCP Amendment:

1. Area C - The alteration in land use designation for this area is not objectionable since it is our understanding that the allowable land uses listed under the new designation encompass all of the port-related uses which the Harbor District foresees for this area.
2. Area E - The Harbor District would prefer that the area west of Ponoma Street continue to carry the dual designation of port-related or residential development.
3. Area F - The alteration in land use designation for this area is not objectionable since it is our understanding that the allowable land uses listed under the new designation encompass all of the port-related uses which the Harbor District foresees for this area.
4. Area G - The Oxnard Harbor District recommends that the word "existing" be deleted from paragraphs 2 and 3 on page 52 since the existing railroad track through this site may be relocated southerly as part of the development of the former NCEL property. Accordingly, the acreage numbers northerly and southerly of the existing track may change and should be deleted from the last paragraph on page 33. Also paragraph 1 on page 34, as amended, conflicts with paragraph 4 on page 52. The policy expressed on page 52 should take precedence.
5. Figure 2 should be corrected to show jurisdiction/ownership of Area J by the Oxnard Harbor District rather than the NCEL.
6. Page 7 - The second sentence of the third paragraph contains an incoherent sentence beginning with "These ports must..." This should be clarified.
7. Page 35 - On line 13, the word "tenant" appears to be incorrect (probably should be "intent").
8. Page 36 - Paragraph 2 is inappropriate and should be deleted.

BOARD OF HARBOR COMMISSIONERS

Jess J. Ramirez
President

Michael A. Plisky
Vice President

Jess Herrera
Secretary

Raymond E. Fosse
Harbor Commissioner

William D. Hill
Harbor Commissioner

PORT MANAGEMENT

William J. Buenger
Executive Director

EXHIBIT NO. 11
APPLICATION NO. CCPA 1-98
Harbor District
Letter 12/15/97
Pages 1 of 3

Mr. James Johnson
December 15, 1997
Page 2

9. Page 26 - Paragraph 4, first sentence, the reference to NCEL "These improvements require..." does not apply any longer.

These conclude our comments and suggestions concerning the LCP Amendment. Please contact me if you have any further questions.

Sincerely,



William J. Buenger
Executive Director

WJB:as

Cc: W. Kam Quarles, Manager, Marketing and Trade Zone Services
Greg Brown, City of Port Hueneme

Tel 805.488.3677 Fax 805.488.2620



January 8, 1997

Mr. James Johnson
Coastal Program Analyst
California Coastal Commission
89 S. California St., Suite 200
Ventura, CA 93001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Dear Mr. Johnson:

In response to your letter dated December 29, 1997, as you are aware, the Oxnard Harbor District is aggressively seeking expansion of its maritime and overall trade related business in many areas. The most rapidly growing import and export commodities are automobiles and other rolling stock (heavy vehicles such as agricultural and construction equipment). This is one of the primary reasons we have been trying to negotiate an agreement with the Naval Construction Battalion Center (NCBC) for use of their Wharf 3. We already have a signed Agreement and Grant of Option for Sublease or Use of Wharf 3 and backland with Wallenius Lines North America, Inc. when this area becomes available.

Although the "boundaries" of the Oxnard Harbor District include all of the City of Port Hueneme, the City of Oxnard and some unincorporated areas of Ventura County as established by LAFCO in 1991, the primary property owned by the District is on the waterfront of Port Hueneme Harbor in the City of Port Hueneme. Other than expansion into property owned by the Federal Government (U. S. Navy), logically and geographically there are only two areas of privately owned property adjacent to or in the immediate vicinity of the District's property for practical Port expansion: (1) the Sunkist property - Area G, and (2) the ABC properties - Area E.

Area E (ABC property) is very well suited for expansion of the District's automobile terminal activities (the receiving, storage, and distribution of automobiles and rolling stock in transit). However, there is no specific development plan established at this time, but it is very important for the District to maintain this option.

We are not aware of any comprehensive residential redevelopment project for this Area E either.

Sincerely,

William J. Buenger
Executive Director

WJB:as

Cc: W. Kam Quarles, Manager of Marketing
Greg Brown, City of Port Hueneme

**BOARD OF HARBOR
COMMISSIONERS**

Jess J. Ramirez
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Vice President

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Harbor Commissioner

William D. Hill
Harbor Commissioner

PORT MANAGEMENT

William J. Buenger
Executive Director

EXHIBIT NO. 12
APPLICATION NO. CCPA 7-98
Harbor Dist.
Letter 1/8/98

P.O. Box 608 • 333 Panama Street • Port Hueneme, CA 93044-0608

Tel 805.488.3677 Fax 805.488.2620



May 15, 1998

RECEIVED

MAY 18 1998

SOUTH CENTRAL COAST DISTRICT

Mr. James Johnson
Coastal Program Analyst
California Coastal Commission
89 S. California St., Suite 200
Ventura, CA 93001

Dear Mr. Johnson:

In regard to the City of Port Hueneme's revised Local Coastal Program Amendment, the changes involving the "ABC" portion of the Ventura West neighborhood Land Use Revisions (Figure 4) and Zoning Revisions (Figure 5) maintaining the dual harbor-related and residential zoning (R-5) are satisfactory.

Very truly yours,

William J. Buenger
Executive Director

WJB:as
Cc: Greg Brown, City of Port Hueneme

BOARD OF HARBOR COMMISSIONERS

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Harbor Commissioner

PORT MANAGEMENT

William J. Buenger
Executive Director

EXHIBIT NO. 13
APPLICATION NO. 9
Oxnard Harbor
Dist Letter

PORT OF ENTRY

City of Port Hueneme

May 14, 1998

California Coastal Commission
South Central Coast Area
Attn: James Johnson
89 South California Street, Suite 200
Ventura, CA 93001

RECEIVED

MAY 18 1998

COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

SUBJECT: ADDENDUM TO SUBMITTED LCP AMENDMENT NO. 1-98

Please accept the three following items as minor errata changes to the subject Amendment:

1. Page 23, footnote #2 should read, "2. This program is conducted by the Army Corps of Engineers".
2. Page 44, heading titled "Coastal-Dependent Industry" should read, "Coastal-Related Industry".
3. Page 54, text under heading titled, "Implementation" should read, "This Section of the Local Coastal Program describes how the LCP will be implemented. Implementation of the LCP will consist of three basic components:

Amendment of the City's General Plan

Revision of the City's Zoning Text and Map

Implementation of the Port Development Review Committee Agreement".

Should you have any questions on the above items, please feel free to call me, at (805) 986-6553.

Sincerely,

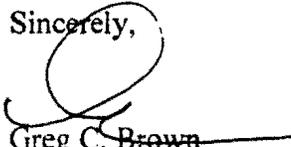

Greg C. Brown
City Planner
Department of Housing & Community Development

EXHIBIT NO. 14
APPLICATION NO. LCPA P-98
CITY PH LCP
Addendum



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

February 2, 1998

James Johnson
South Central Coast Area
California Coastal Commission
89 South California Street, Suite 200
Ventura, California 93001

Subject: Proposed City of Port Hueneme Local Coastal Plan Amendment 1-97, Port Hueneme, Ventura County, California

Dear Mr. Johnson:

In a letter dated October 3, 1997, you requested that the U.S. Fish and Wildlife Service (Service) provide the California Coastal Commission with its views regarding the referenced local coastal plan (LCP) amendment. Your letter requested the Service's opinion on five issues and information on the status of the sensitive species described in the proposed LCP amendment. The issues and the Service's opinions are as follows.

Issue 1. Confirm that the proposed designated area is geographically accurate relative to the three designated areas and explain the basis for the environmentally sensitive habitat area (ESHA) designation relative to guidance contained in the California Coastal Act.

Based on a visit to the site in January 1997, the Service confirms that the boundaries of the three designations noted in Figure 3 correspond, at least roughly, to the areas occupied by these three habitat types. The habitat types of the three designated areas have been correctly defined.

The foredunes and backdunes and the coastal strand meet the criteria for designation as environmentally sensitive areas because these habitat types have been reduced to a fraction of their former abundance throughout California and throughout Ventura County, in particular. Because of the nature of the existing uses in this area and the distance of parking and housing from these two areas, these areas seem to have retained the components that such habitat types naturally display, such as wrack in the coastal strand and scattered native vegetation in the foredunes and backdunes. The landward edge of the coastal strand and the dunes could provide valuable nesting sites for the western snowy plover (*Charadrius alexandrinus nivosus*); the coastal strand certainly contains suitable foraging habitat. The rarity of undisturbed dunes and

EXHIBIT NO. 15
APPLICATION NO. LCPA F98
USFWS letter
2/2/98

Pages 1-7

coastal strand habitats in California speaks to the fact that the ecological functions of these habitat types are easily disrupted by human activities and developments.

The ruderal lands, as noted by the definition of this habitat type, have already been disturbed by human activities. Ruderal lands are not rare in California or specifically valuable because of their special nature or role in an ecosystem. This particular site, however, continues to support a fair abundance of native species and, as evidenced by observations made during our site visit, provides suitable habitat for several native species of wildlife. Development within this area would certainly compromise the biological value of the dunes and coastal strand; consequently, the designation as an ESHA is appropriate. With this statement and the fact that the area supports numerous native species, the Service believes that restoration of the area as additional backdune habitat, possibly with dune swale wetlands, would be the most appropriate use of the area.

Issue 2. If the proposed designated area is not accurate, how should the designated area be geographically defined and on what basis?

Figure 3 accurately maps the habitat types and the Service concurs with the ESHA designation in the area. We also support the designation of buffer areas located between the parking lot and the walkways. Please note that this opinion is based on a brief site visit which did not include a technical survey of the boundaries.

Issue 3. Is all of the ESHA designation for the ruderal land appropriate, or is part of it buffer to the ESHA? What is the basis for the Service's position?

As noted in the discussions for issues 1 and 2, the Service believes that the ruderal habitat presently designated as ESHA should retain this designation. The reasons for this opinion are provided under issue 1. As we noted under issue 2, the ruderal habitat on the parking lot side of the paved walkway should be designated as buffer. The rationale for this decision is that, because it is adjacent to the parking lot, this area will certainly endure more effects from human visitation than the designated and recommended ESHAs. For this reason, the recommended buffers will almost certainly not be able to develop the full biological values of the ESHA. Additionally, when faced with restored habitat immediately adjacent to the parking lot, visitors to the beach may be more likely to use designated trails to the beach; if so, this behavior pattern would serve to protect the ESHA.

Issue 4. Should the dune area west of the proposed ESHA, seaward of the day use parking area and Ocean View Drive, also be designated ESHA and on what basis?

The Service believes that the ESHA should be expanded to include the dune area seaward of the day use parking area and Ocean View Drive, as approximated on the enclosed map provided by your staff, dated January 29, 1998. This area would include a buffer of unspecified dimensions immediately seaward of Ocean View Drive. This area continues to support vegetation

comparable in quality to that on the dunes towards the J Street Canal; conservation and enhancement of this area could increase the habitat value of this region of the shoreline substantially. We further suggest that areas between paved walkway and the parking lots be designated as buffers; these areas could be used for restoration with native species and serve as an interpretive site for visitors to the beach.

Issue 5. Confirm that the ESHA policies (1 through 5 on pages 43 and 45) proposed by the City of Port Hueneme (City) accurately reflect agreements between the City and Service.

Policy 1 confirms that development will not occur within the foredunes, backdunes, and coastal strand and states that development within the ruderal area would not occur until further studies have determined the biological significance of that area. Future development within the ruderal area would depend on the outcome of the studies. The Service is not aware of any agreement it has made with the City that specifies this course of action. In previous correspondence with the City and California Coastal Commission, the Service recommended variously sized buffers around the southern, northern, and eastern edges of the site and development of a multi-species management plan, but did not comment on this specific course of action. For reasons discussed above, we believe the ruderal area contains features of biological significance and therefore, should be designated as an ESHA. Furthermore, a buffer area on the northern edge would assist in maintaining the biological values of this area.

Policy 2 states that public recreation and beach access shall be allowed as a coastal dependent use throughout Hueneme Beach Park. The word "throughout" needs further definition before the Service would concur with such a policy. The entire point of our involvement with this issue is that unrestricted public recreation and beach access over a large portion of the ESHA portion of Hueneme Beach Park would severely compromise the biological resources. This statement does not reflect any agreement that the Service has made with the City. Public access in the ESHAs and associated buffer areas should be properly managed to benefit the protection of biological resources.

Policy 3 states that flood control maintenance, where feasible, shall be performed in a manner which protects sensitive resources provided that protection of lives and property is the priority. Although the Service has coordinated extensively with the County of Ventura on flooding issues related to the J Street Canal, we do not have any agreement with the City regarding this policy.

Policy 4 specifies when mechanized beach grooming and manual sanitation would be allowed within the foredunes, backdunes, ruderal area, and coastal strand. The policy notes that mechanized beach grooming of the ruderal area could occur. Such an activity could prevent this area from developing further components of native habitat by subjecting it to regular disturbance. Therefore, we recommend that mechanized grooming be prohibited within the ruderal area and its buffer areas. The City notes that mechanized beach grooming in the coastal strand would be undertaken in consultation with Federal and State resource agencies but notes that public health and safety would have priority. The Service's previous position on this activity is that beach

grooming should not occur in areas where western snowy plovers may nest. Furthermore, we recommend that mechanized grooming be generally prohibited within the ESHAs. Consequently, the Service does not agree with the policy as stated. However, hand grooming may be conducted in a manner which would not compromise biological resources.

Policy 5 relates to the City's commitments to implement the previous policies. The Service has no agreement with the City on this issue.

Your letter also requested that the Service review the list of protected animal and plant species contained in the LCP for accuracy with regard to biology and current status. This information is provided below.

Page 24, section b. In July 1995, the Service redefined its use of the term "candidate species" to include only those taxa for which the Service has sufficient information to support a proposal to list as endangered or threatened. With the use of this definition and the publication of a revised *Federal Register* notice on July 25, 1995, the California horned lark is no longer considered a Federal candidate species. This change in official recognition does not indicate any alteration of the status of the species in terms of threats, distribution, or abundance.

The account in the Local Coastal Plan (LCP) notes that "(I)t is unlikely that this species uses Hueneme Beach Park except as a transient to other foraging locations." The basis for this statement is not provided. In any event, migratory species depend on patches of habitat throughout their ranges for rest and foraging sites. For this reason, the value of this area should not be discounted without better knowledge of the habitat uses of this species throughout the entire local coastal area.

Page 25, section d. The Belding's savannah sparrow, like the California horned lark, is also no longer considered a candidate species.

Page 25, section e. The description of the habitat used by the western snowy plover does not convey the full range of habitats that it actually uses. To ensure the LCP adequately describes the habitat of this species, we recommend that it include the following:

The primary physical and biological features of habitat of the western snowy plover include intertidal beaches (between mean low water and mean high tide), associated dune systems, and river estuaries. Important components of the beach/dune/estuarine ecosystem include surf-cast kelp, sparsely vegetated foredunes, interdunal flats, spits, washover areas, blowouts, intertidal flats, salt flats, and flat rocky outcrops.

The LCP should also mention the value of the ESHA for migratory birds in general. As native habitats diminish, particularly throughout the coastal region, any area that supports native vegetation should be considered important for the conservation of migratory birds.

James Johnson

5

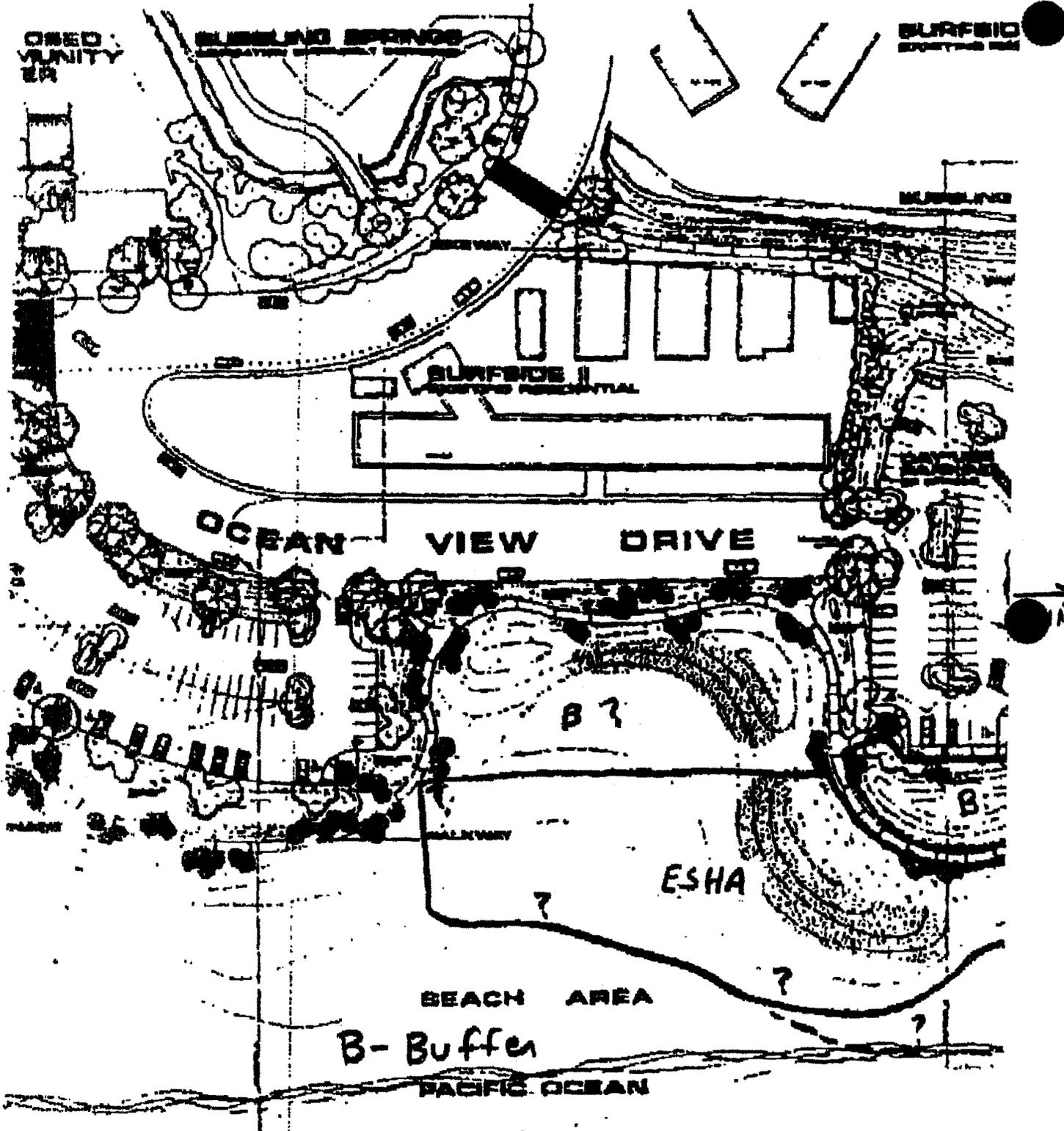
The Service appreciates your efforts to include its views in your review. If you have any questions, please contact Kate Symonds or Ray Bransfield of my staff at (805) 644-1766.

Sincerely,



Diane K. Noda
Field Supervisor

Enclosure



CITY OF OREGON HIJENEME: PREL
FIGURE 3



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

RECEIVED

July 13, 1998

JUL 15 1998

COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

James Johnson
South Central Coast Area
California Coastal Commission
89 South California Street, Suite 200
Ventura, California 93001

Subject: Port Hueneme Local Coastal Plan Amendment Concerning the Eastern End of Hueneme Beach Park

Dear Mr. Johnson:

The U.S. Fish and Wildlife Service (Service) is providing this letter to reiterate our discussion on June 25, 1998 in your office regarding the Port Hueneme Local Coastal Plan (LCP) update. Of interest is the City of Port Hueneme's (City) plan to retain the 1983 overlay for the eastern end of Hueneme Beach park as Open Space/Park. This original designation would allow development of the area into picnic grounds, tot lots, playgrounds, and related amenities. This is in contrast to the desire of the Coastal Commission and the Service to see the area designated as Environmentally Sensitive Habitat Area (ESHA) due to its connection to habitat for endangered species and the potential for restoring the habitat for numerous sensitive species. The City does not want the ESHA designation because it is concerned that there would be obligations for enforcement and habitat restoration in the area and it does not want to lose the use of beaches and the eastern parking lot.

During our meeting, we discussed the possibility of another type of overlay that would result in protection for the site from the development of public facilities, and would allow use of the beach directly below the eastern parking lot. We concluded that a Resource Conservation designation could meet the goals of all parties, provided the City would agree to incorporating this into its LCP amendment. The Service is willing to agree to this approach with the following conditions:

1. The Resource Conservation overlay would extend over a larger area than what was proposed for the ESHA designation, as shown on the enclosed figure. This enlarged size

EXHIBIT NO. 16
APPLICATION NO. LCPA 7-98
USFWS letter 7/1
Pages 1-3

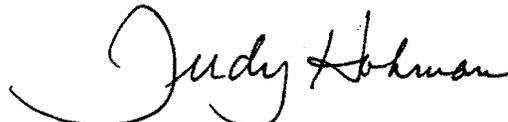
would provide some buffering from other uses, such as special events, which could be restricted to other areas.

2. The area formed by the Bubbling Springs Canal on the north, the J Street Canal on the east, the parking lot to the west and the ocean to the south would be used as a mitigation bank where habitat restoration could be implemented for impacts from other projects. This area would be suitable for coastal dune, foredune, and estuarine habitats that could support several endangered species.
3. The eastern parking lot should not be used for special events from April 1 through August 30 each year to minimize the effects of human intrusions into the nesting habitat of the federally endangered California least tern, the federally threatened western snowy plover, and other sensitive species.
4. Signs should be posted along the perimeter of parking areas adjacent to the Resource Conservation area to inform the public as to the sensitivity of the area and the penalties for harming or harassing listed species per section 9 of the Endangered Species Act of 1973. These signs should prohibit entry into the area formed by the J Street Canal, the Bubbling Springs Canal, and the eastern parking lot from April 1 through August 30 to prevent disruption of nesting by listed birds.
5. Efforts should be made to prevent small all-terrain vehicles, sport utility vehicles, trucks, bicycles, and motorcycles from entering the beach. These measures should include barricades and signs, and some periodic enforcement.

Although the Resource Conservation designation does not provide the degree of protection that the Service would like to see with an ESHA, we believe that this is the best compromise between the City's goals and the need for protecting the sensitive coastal resources.

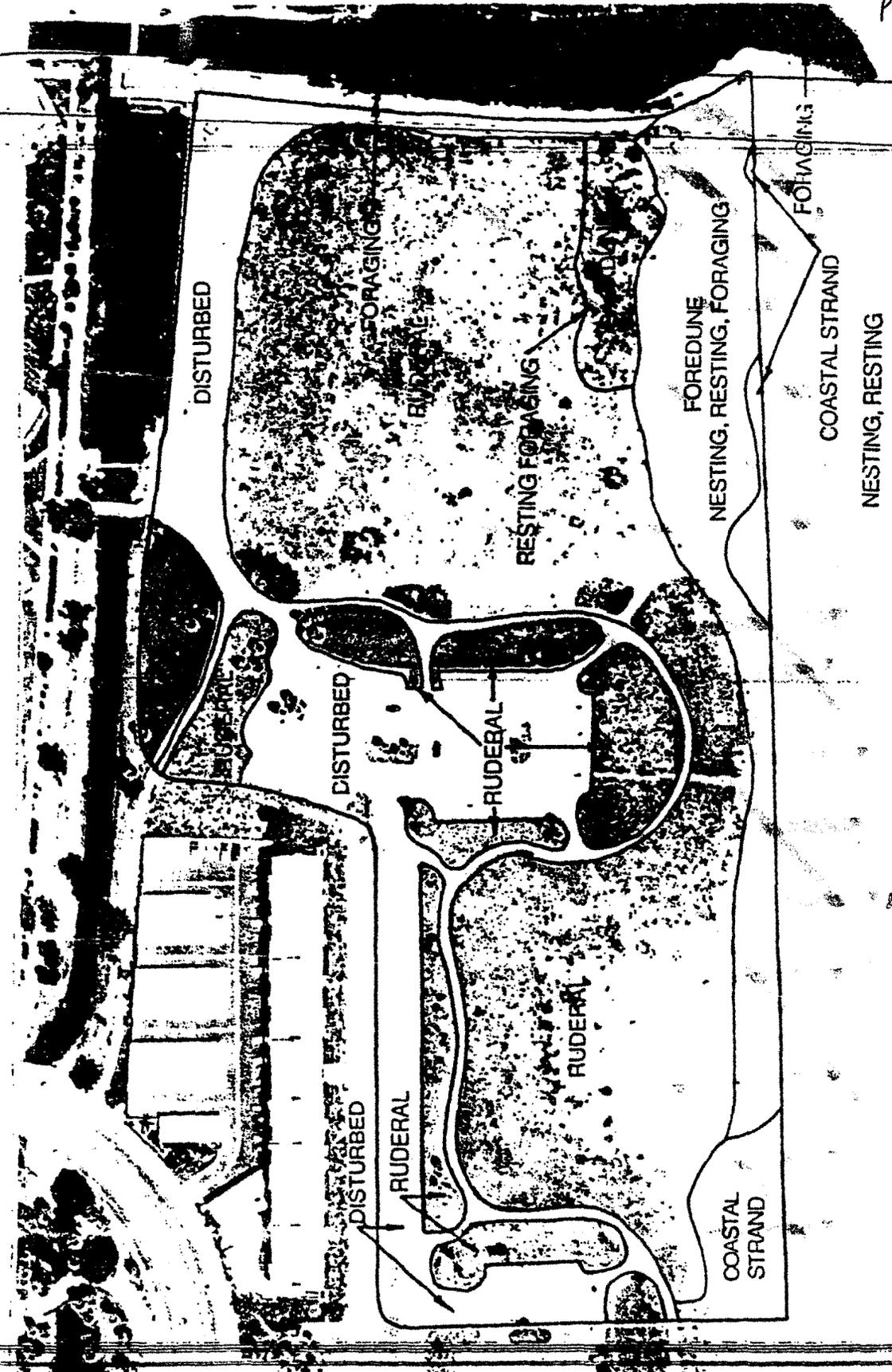
If you have any questions, please call Rick Farris of my staff at (805) 644-1766.

Sincerely,


Diane K. Noda
Field Supervisor

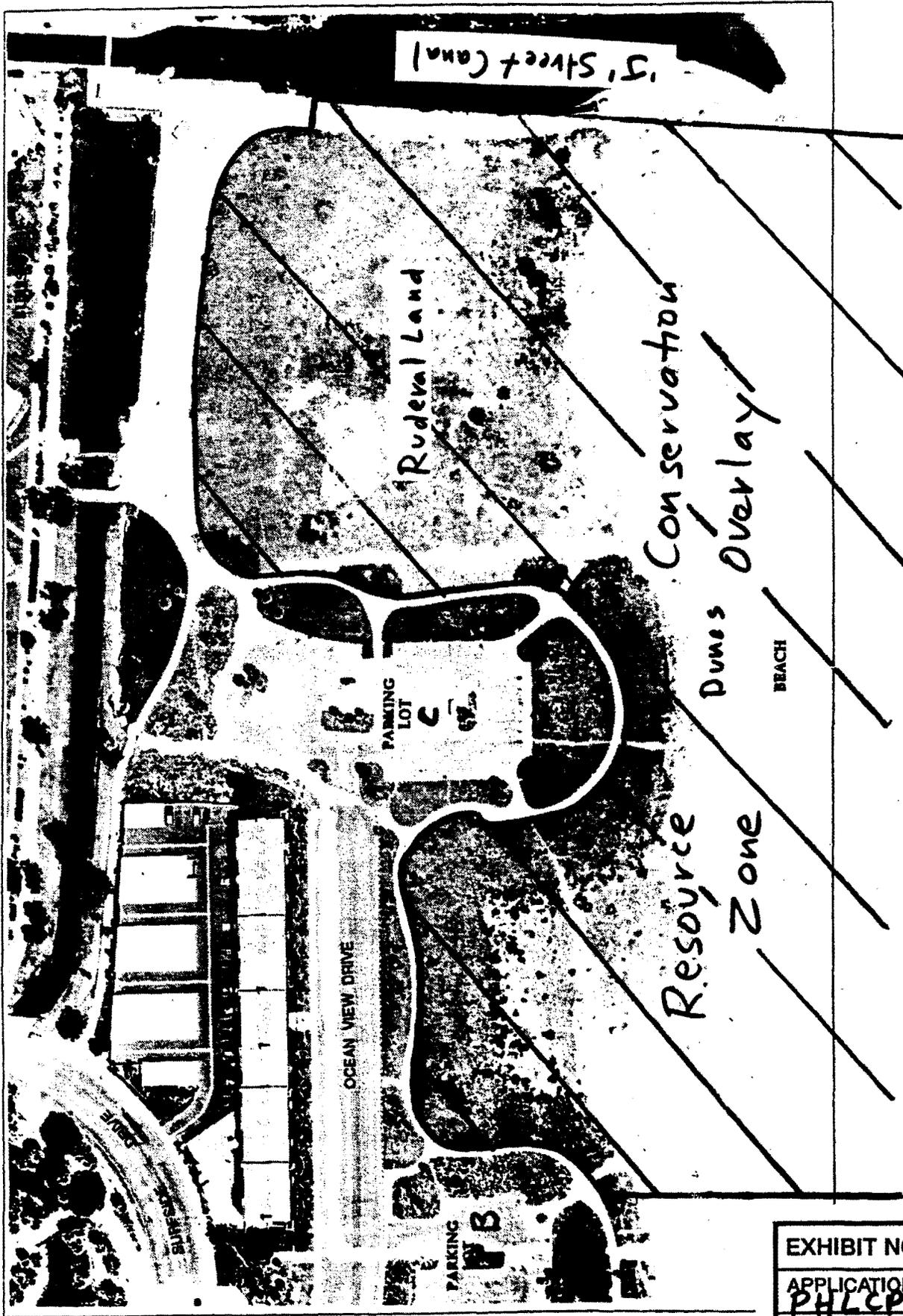
Enclosure

Site



Handwritten notes:
Reserve
San Diego
01/1/10

act Sciences



Aerial View

Huenehme Beach Park - East End

EXHIBIT NO. 17
APPLICATION NO. PHLCPA 1-98
Resource Conserv. Zone Overlay

~~EXISTING CONDITIONS~~

LCP Amendment 1-97
Now Withdrawn

~~AREA A: HUENEME BEACH PARK~~

~~68 Acres Approximately~~

Existing Land Use
Recreation

General Plan Land Use:
Parks and Open Space

In order to analyze potential uses for lands within the Coastal Zone, existing conditions in the City were examined, with a particular emphasis on changes occurring since preparation of the General Plan. To facilitate this analysis, the City's Coastal Zone was divided into 11 sub-areas, which are shown in Figure 2. These areas are briefly described in the sections which follow.

Area A: Hueneme Beach Park - 68 acres

Area A is entirely in public (City of Port Hueneme) ownership governed by a public recreational easement owned by the City of Port Hueneme under a 1972 Boundary Agreement executed by and between the City, State Lands Commission, and various parties. There is no development except for beach-related structures (pier, concession stands, restrooms) and public parking lots. The beach is a recreational resource of regional importance, attracting visitors from all parts of Ventura County as well as from neighboring Los Angeles. With this in mind, the 1972 Boundary Agreement allows Hueneme Beach Park to be used for "...public recreational purposes, and uses incidental thereto, including strolling, bathing, sunbathing, picnicking, playing sports and games, general viewing, fishing, public protection and policing, and erosion control."

In addition, the southeasterly portion of Hueneme Beach Park (between Parking Lot C located at the easterly terminus of Oceanview Drive and the "J" Street Drain) contains sensitive biological resources and is adjacent to important plant and wildlife habitat in the Ormond Beach area of Oxnard. Resource values relevant to Port Hueneme are summarized below:

Vegetative Characterization.

a. Southern Foredunes. Southern foredunes occupy the southerly most portion of Hueneme Beach Park and are sparsely vegetated by native and introduced species adapted to life in shifting sands and salt spray. Southern foredunes are rated S1.1 by the California Department of Fish and Game (CDEG); the highest rating for preservation.

EXHIBIT NO. 18
APPLICATION NO. LCPA 1-98
Prior LCPA 1-97
Now Withdrawn

Pages 23-26 &
42-45

b. Backdunes. Backdunes extend approximately 50 feet landward of the foredunes. Vegetation is dominated by introduced and weedy species, with coyote brush plants as the dominant shrub layer. Backdunes are rated S1.2 by CDEG; less threatened than foredunes but still high in priority.

c. Ruderal. Ruderal land occupies the balance of property within the southeasterly portion of Hueneme Beach Park between the backdunes and Bubbling Springs Recreational Corridor. Vegetation is composed chiefly of barren soil and non-native weeds characteristic of historic and ongoing disturbance. Variations of this community most commonly occur on roadsides, fallow agricultural fields and vacant lots. No feature of ruderal land within Hueneme Beach Park is deemed critical to the life history of any sensitive species, nor is there anything unique or valuable in this habitat. The vegetative character of such land does not provide a diverse structure, avian density or diversity. Although ruderal habitat is not rated for protection, CDEG considers such land downcoast of Oceanview Drive as biologically sensitive primarily because of its value as a buffer for the diverse, rare, sensitive and important biological values of the Ormond Beach ecosystem.

Sensitive Animal Species.

a. Burrowing Owl. The burrowing owl is classified as a State species of Special Concern. This species occurs throughout the southwestern United States in grasslands and other open habitats with a prey population of insects and small rodents. A burrowing owl was reported to have been seen within the ruderal portion of Hueneme Beach Park in the Spring of 1990, but subsequent field reconnaissance surveys in 1991 and 1993 failed to substantiate the presence of this species.

b. California Horned Lark. The California horned lark is listed as a Federal Category 2 Candidate and a State species of Special Concern. This species ranges throughout California from San Francisco to the northern portions of Baja California. It is unlikely that this species uses Hueneme Beach Park except as a transient to other foraging locations. Two pairs of this species were reportedly sighted at the southeasterly end of Hueneme Beach Park in 1992. However, the horned lark was not observed during field reconnaissance surveys conducted in 1991 and 1993.

classified as both Federal and State Endangered. This species is a seasonal habitant of southern California. Several nesting locations are known within Ormond Beach, downcoast of Hueneme Beach Park. Terns have been observed foraging in watercourses adjacent to Hueneme Beach and night roost along the coastal strand seaward of the foredunes.

d. Belding's Savannah Sparrow. The Belding's savannah sparrow is classified as State Endangered and is listed as a Federal Category 2 Candidate. This species ranges from Santa Barbara County south to Baja California and nests in salt marsh habitats dominated by pickleweed. The Belding's savannah sparrow is commonly observed within the salt marsh habitats of Ormond Beach. There are no confirmed sightings of the Belding's savannah sparrow within Hueneme Beach Park, nor does Hueneme Beach Park contain suitable salt marsh habitat.

e. Western Snowy Plover. The Western snowy plover is classified as Federal Threatened and a State Species of Special Concern. This species of shore bird inhabits barren, sandy beaches and flats. Snowy plovers nest on the sand within Ormond beach with one known pair having nested between 50 and 100 feet southwest of the "I" Street Drain. Snowy plovers have been reported to use the coastal strand within Hueneme Beach Park, seaward of the foredunes.

A comprehensive Hueneme Beach Master Plan has been prepared, covering future projected improvements to the facility over an unspecified time frame, a five to ten year period. Recently completed improvements include the lowering of the main beach parking area (to increase water visibility from Surfside Drive), enhancement of the existing pier by development of a plaza area at its base (including concession area, thematic play area and additional pieces of children's play equipment), and the addition of facilities at the eastern edge of Hueneme Beach Park (including picnic areas, open turf play area, playground equipment and additional parking). In conjunction with these improvements, a mini park on the north side of Surfside Drive (in the area where the pedestrian overcrossing of

~~has been developed.~~ Since 1978, the City has completed the main plaza of Hueneme Beach Park from Ventura Road to the easterly end of Oceanview Drive Plaza. In addition, the City has constructed various thematic improvement at the southerly terminus of Ventura Road and a new mini-park plaza at the southeast corner of Surfside Drive and Oceanview Drive.

These improvements to Hueneme Beach Park were approved by the South Central Coast Regional Commission under Development Permit 179-33. Key to these improvements to beach facilities is implementation of a sand replenishment program to prevent beach erosion caused by the jetty at the mouth of the Port. 2- This program is conducted by the Army Corps of Engineers and is exempt from Coastal Commission Review.

~~1- These improvements to Hueneme Beach Park have been approved by the South Central Coast Regional Commission under Development Permit 179-33.~~

~~2- This program is conducted by the Army Corp of Engineers and is exempt from Coastal Commission review.~~

The Beach Master Plan also includes improvements to be undertaken at a later date. These include development of a park and vista point at the entrance to the harbor, connected to the main portion of Hueneme Beach Park by an extension of Surfside Drive and by a meandering promenade.

These improvements require the consent of the Navy, (whose Civil Engineering Laboratory (NCEL) is located in the area) or the excessing of the NCEL. Also included in future plans for Hueneme Beach is enhancement of the park's westerly end along Surfside Drive to compliment and interconnect the pier/plaza area.

Area B: Surfside - 90 acres

Surfside is the beachfront residential area. Major existing residential development in the area consists of recently built high- and medium-density condominiums (approximately 12-25 dwelling units per acre) and a City-owned 90-unit below market-rent garden apartment complex (Seaview Apartments).

AREA B: SURFSIDE

90 Acres

Existing Land Use:

- ~~Residential~~
- ~~Vacant~~
- Low Density Residential

The following sections define specific development policies for each Coastal subarea, as well as land uses consistent with such policies.

Area A: Hueneme Beach Park

AREA A: HUENEME BEACH PARK

LCP Land Use:
. Parks/Open Space*

Related Documents:
. Beach Master Plan
. Development Permit 179-33

Development Policies

The Hueneme Beach Master Plan is the product of a two-year planning effort which began in conjunction with redevelopment of the south-central portion of the City's Central Community Project. ~~As adopted by the City Council in April, 1978,~~ The Beach Master Plan establishes long-term priorities and design guidelines with respect to the programming capital improvements over an unspecified time frame. Accordingly, the Hueneme Beach Master Plan is hereby incorporated by reference into this LCP and shall heretofore serve as the City's formal policy framework within which all future actions in Area A must be consistent.

Within this context, the following specific development policies shall apply:

Shoreline Access/Recreation and Visitor-Serving Facilities/Public Works

Improvements to Hueneme Beach Park shall provide for the continued maintenance and public use of the beach and access to the ocean, which development shall be consistent with the Hueneme Beach Master Plan.

Shoreline Access

Public nonvehicular access to Hueneme Beach Park shall be protected, maintained and, where feasible, expanded.

Coastal Visual Resources

Because the viewshed at Hueneme Beach Park is an important public resource, improvements to the park shall not interfere with public enjoyment of views of the beach and ocean.

* Asterisk indicates no change from existing General Plan.

The Hueneme Beach Park serves as an important recreation use and shall be preserved.

Environmentally Sensitive Habitat Areas

The southeasterly section of Hueneme Beach Park is hereby designated as a "Resource Protection Area". As depicted in Figure 3, this area is comprised of three zones: Ruderal Lands, Foredunes, Backdunes, and Coastal Strand.

Within the Resource Protection area, the following policies shall apply:

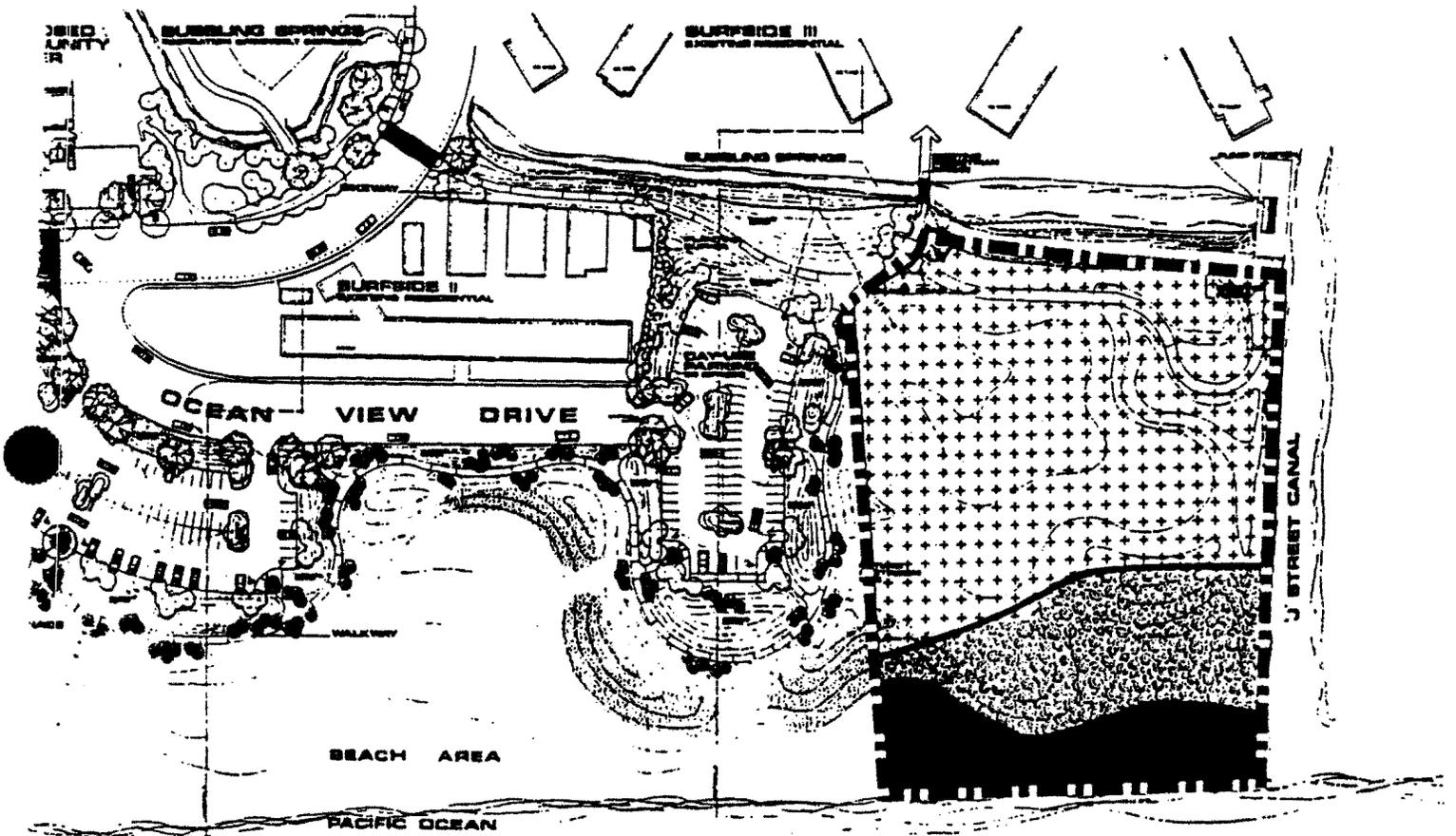
1. Development shall be prohibited within the Foredunes and Backdunes and the Coastal Strand. Development within areas designated as Ruderal Land shall be delayed until such time that the biological significance of such land has been determined through additional environmental study and Coastal Commission consultation. Such study and consultation shall serve to establish the biological significance of the Ruderal Land relative to Coastal Act definitions concerning Environmentally Sensitive Habitat Areas. Pending the outcome of such study and consultation, development of the Ruderal Land shall conform to the Hueneme Beach Master Plan.

2. Public recreation and beach access shall be allowed as a coastal dependent use throughout Hueneme Beach Park.

3. Flood control maintenance, where feasible, shall be performed in a manner which protects sensitive resources; provided, however, that protection of lives and property shall have priority. Access for maintenance purposes shall be limited to the existing paths adjacent to the flood control channels.

4. Mechanized beach grooming shall be prohibited at all times within the Foredunes and Backdunes. Manual sanitation of the Coastal Strand, Foredunes and Backdunes, and Ruderal Land shall be allowed at all times. Mechanized beach grooming and sanitation of the Coastal Strand and Ruderal

FIGURE 3



CITY OF PORT HUENEME : PRELIMINARY SITE DESIGN
HOGAN AND ROY ASSOC. : LANDSCAPE ARCHITECTURE



RUDERAL LAND



FOREDUNES & BACKDUNES



COASTAL STRAND



RESOURCE PROTECTION AREA

October through February. From March through September, mechanized beach grooming and sanitation of the Coastal Strand and Ruderal Land, shall be undertaken in consultation with State and Federal resource agencies; provided, however, that protection of public health and safety shall have priority.

5. The City shall have no affirmative obligation to expend public funds or commit human resources to enforce or otherwise implement any of the policies set forth herein; provided, however, that the City shall not knowingly violate such policies by its own actions.

Area B: Surfside

AREA B: SURFSIDE

Development Policies

LCP Land Use:

- ~~Residential~~
- ~~Commercial~~
- ~~Parks/ and Open Spaces~~
- ~~Public Facilities~~
- Low Density Residential
- Medium Density Residential
- High Density Residential

Implicit in the design of Surfside Village, together with the conditions of Coastal Commission approval, is compliance with applicable Coastal Act policies. Inasmuch as Coastal Permit 179-33 governs the undeveloped portions of Area B, land use policies applicable to the Surfside area shall be those set forth in the permit application and conditions of approval. With the exception of key development site 12 proposed for High Density Residential use, the Surfside area is almost entirely built out with existing development determined to be consistent with California Coastal Act policies.

Related Documents

- ~~Development Permit 179-33~~
- ~~Development Permit 137-02~~
- ~~Central Community Redevelopment Project~~
- Hueneme Redevelopment Plan

Area C: Surfside Industrial

AREA C: SURFSIDE INDUSTRIAL

Development Policies

LCP Land Use

- ~~Coastal Related Industry~~
- Industrial
- Public Facilities

Due to its existing industrial character, low utilization, and direct road and rail access to the Port of Hueneme, the Surfside Industrial area has been identified as an area that continues to be appropriate for future industrial development, potential location for accommodating harbor related growth. This finding is reiterated in the

POSITIVE

HISTORIC EXTENT OF ORMOND BEACH WETLAND

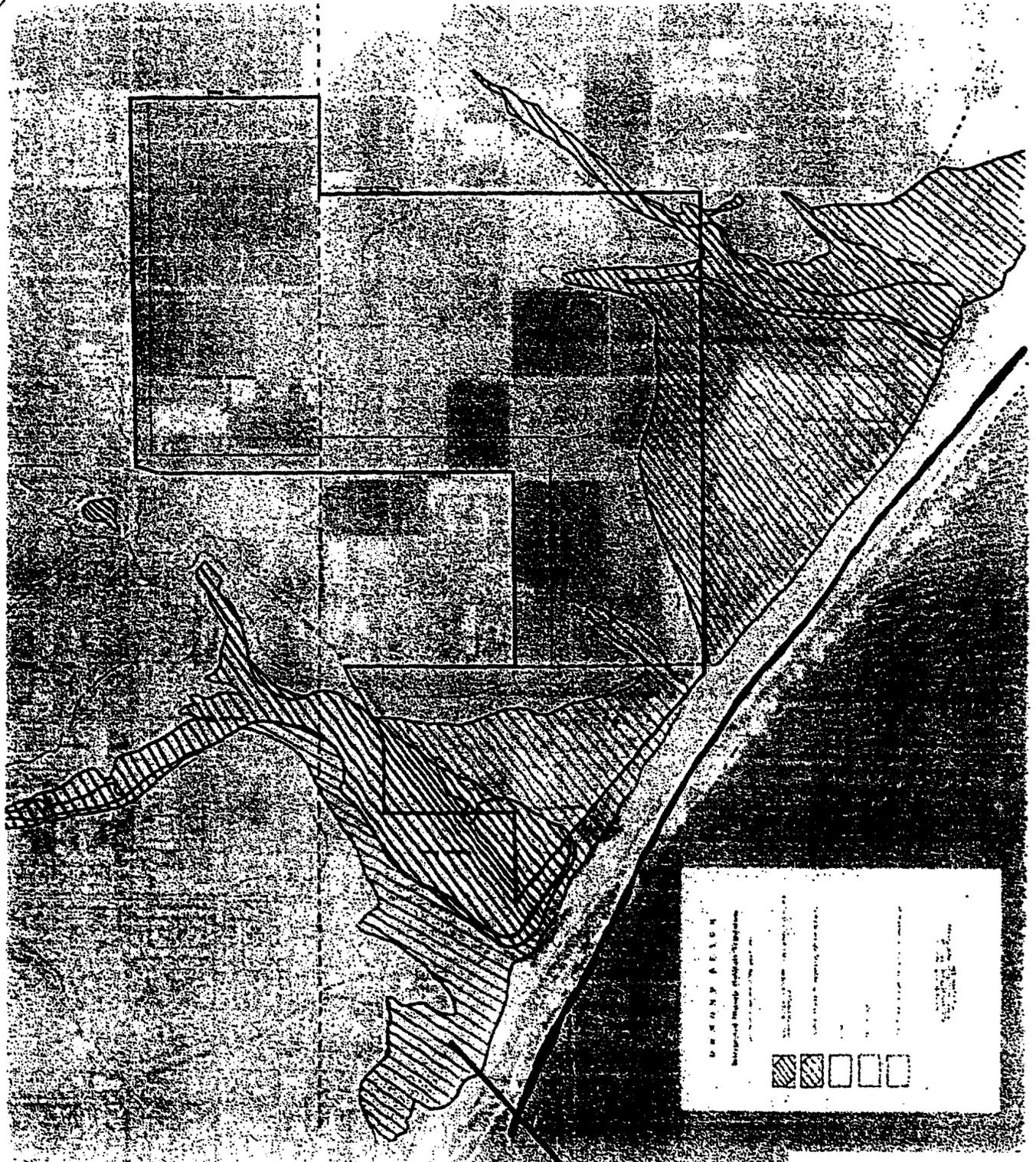


EXHIBIT NO. 19

APPLICATION NO. LCPA 1-98

Ormond Beach Wetlands

Hucrome Beach Park

O R M O N D B E A C H

Interpreted Historic Habitats/Vegetation

[Based on Coast Survey Map dated 1855]



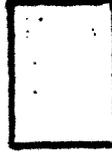
'SALT WATER' LAGOONS [also ponds and related shoreline habitats]



MARSH HABITATS [apparently salt marsh types]



DUNES



SAND BEACH



GRASSLAND [wetland transition and upland types]

Prepared by Wayne R. Ferron Jr.
Department of Biological Sciences
University of California, Santa Barbara
16 December 1991

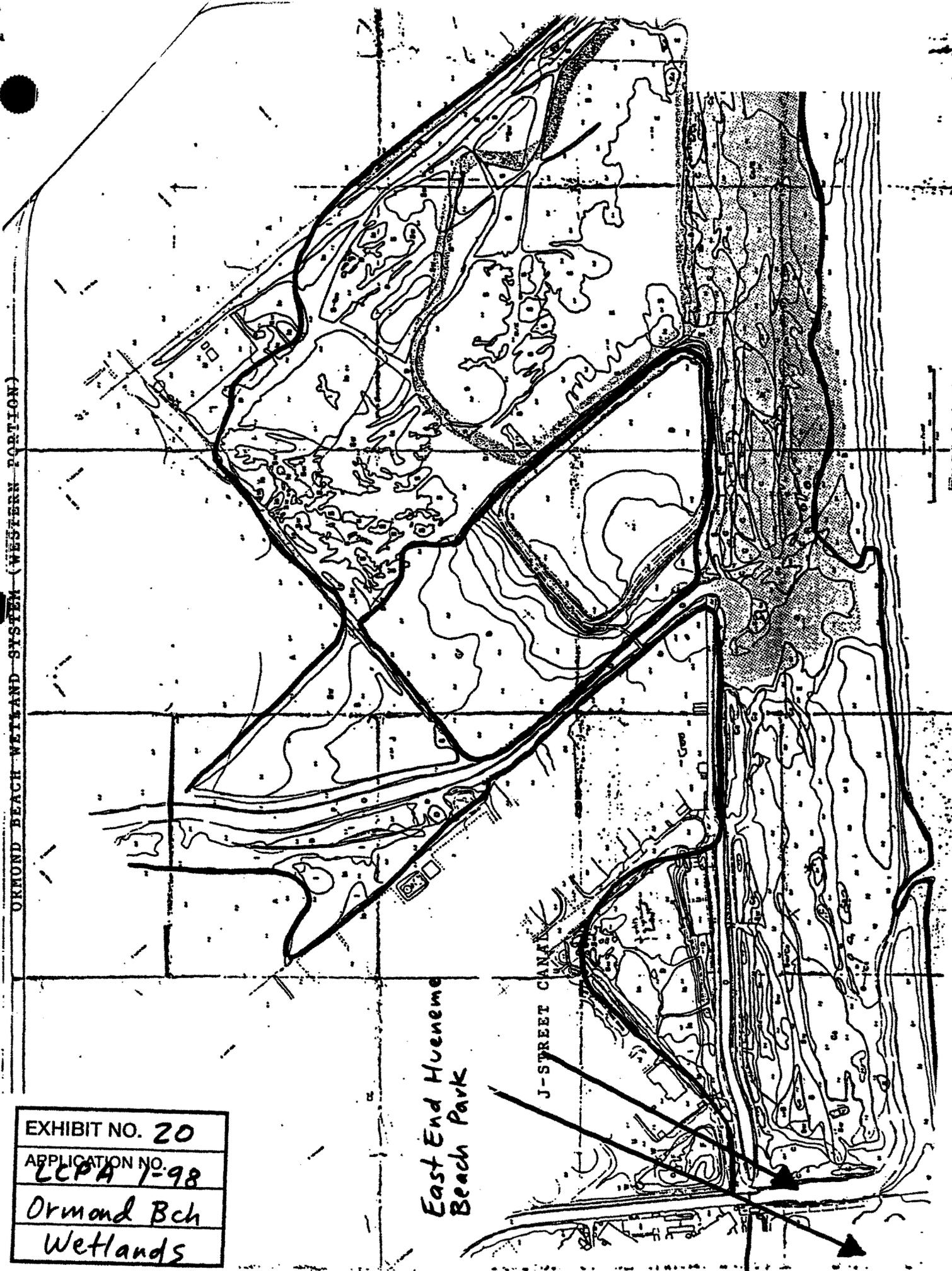
ORMOND BEACH WETLAND SYSTEM (WESTERN PORTION)

EXHIBIT NO. 20
APPLICATION NO.
CCPA 1-98
Ormond Bch
Wetlands

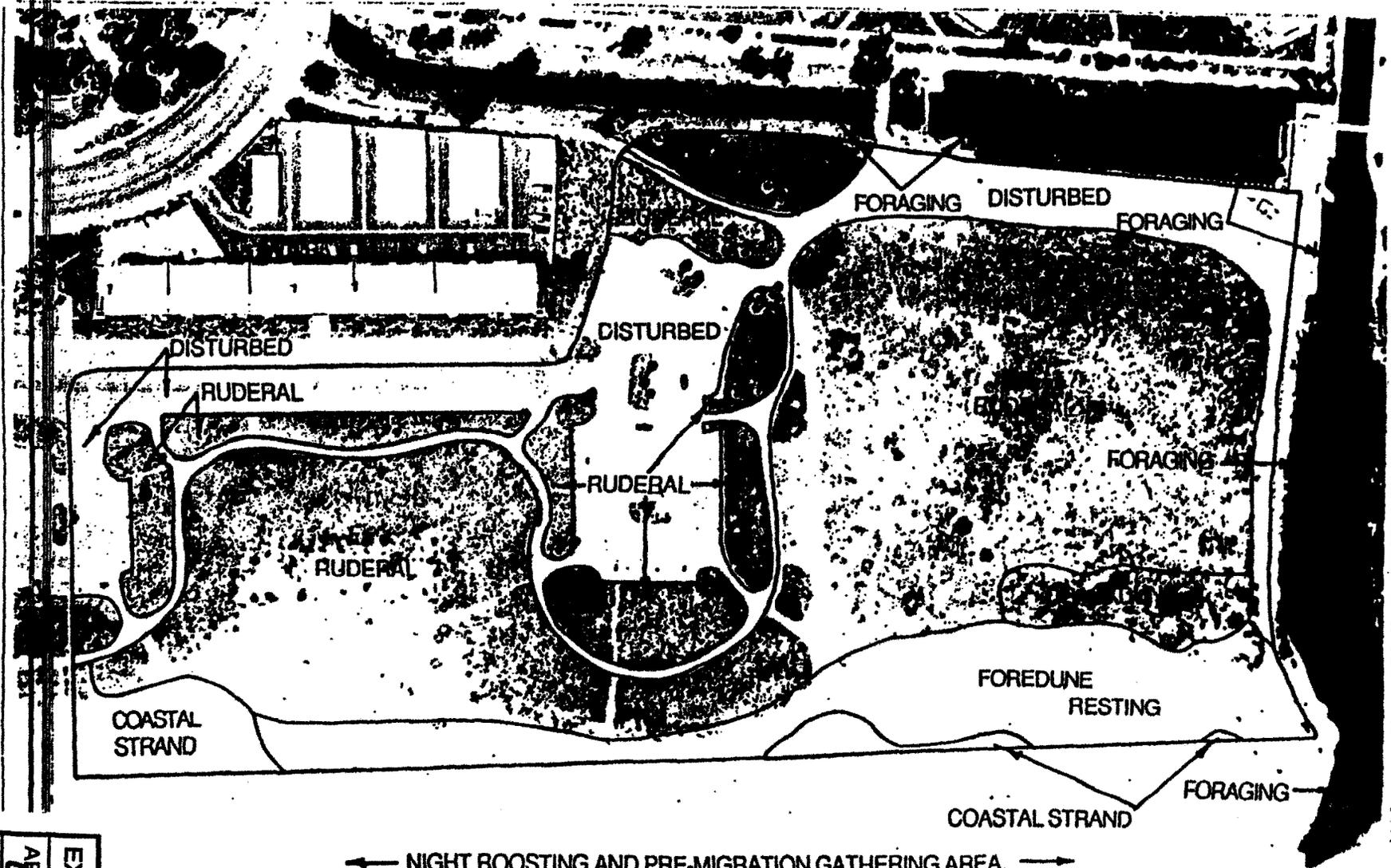
East End Hueneme
Beach Park

J-STREET CANAL

1" = 100' (horizontal alignment)
1" = 20' (vertical alignment)



IV-344



← NIGHT ROOSTING AND PRE-MIGRATION GATHERING AREA. →

California Least Terns

EXHIBIT NO. 21
APPLICATION NO. 198
Least Terns

Science

Ilwaco Beach RV Resort SEPA # 1000000000

California Least Tern

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for
an

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

MARKETLEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



EXHIBIT NO. 22
APPLICATION NO. CCPA 1-98
Letter Mark
Holmgren UCSB

DEPARTMENT OF BIOLOGICAL SCIENCES
9051 981-6311

RECEIVED
JUL 4 1992
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Pages 1-5

Mr. Meryl Betz
California Coastal Commission
925 De La Vina Street
Santa Barbara CA 93101

Dear Mr. Betz:

13 July 1992

Early last month I spent two pleasant mornings of my summer vacation near the site of the proposed Hueneme Beach Recreational Vehicle (RV) Resort. What was intended to be a short stop led to a series of 'discoveries' of the rich natural resources of the area. At the request of the Sierra Club I have drawn together some of my observations. Having reviewed portions of the EIR, written comments, and consultant's responses, I have several concerns for the animal populations in the vicinity of the proposed project.

As Curator of the UCSB Vertebrate Museum, I maintain a collection of 27,000 specimens of birds, mammals, amphibians and reptiles primarily from the Santa Barbara, Ventura and San Luis Obispo counties. One of the functions of a natural history museum is to document the changes over time in animal community composition and integrity. Although it has been altered over the last 30 years, the dunes, upland, and wetland on and near the proposed RV Resort are historical and relicts of a once more extensive coastal dune and marsh habitat. The endangered animal species (Least Terns and Belding's Savannah Sparrows) that use these habitats have a long history of occupation and a strong fidelity to it despite considerable disturbances over the past 10-20 years.

I will focus my comments mainly on the inadequate planning for the protection of habitats and animal species that show historic patterns of use and fidelity on and near the proposed RV site.

1. Endangered Bird Species on the Site

Of the animal species that are known to use the site, one is the Federal and State Endangered Least Tern (*Sterna antillarum browni*). Its activities are not trivial. Daily foraging occurs in the adjacent J Street Channel. For Least Terns feeding is tightly linked to both early season pair bonding between adults and parental care of offspring following nesting. During migratory periods (early spring and late summer) groups of Least Terns gather on or immediately adjacent to the site in what is known as a 'staging' event. Staging occurs prior to dispersal to breeding sites or southward migration. Finally, nighttime roosting on the dunes has been documented in 1992. Thus, the site is used by Least Terns for all important aspects of their life cycle conducted north of Mexico except migration.

California Coastal Commission
Hueneme Beach RV Resort (SCH91071055)

EXHIBIT NO. [REDACTED]
APPLICATION NO. 2-92 PORT HUENEME
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Hueneme Bc
ily
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Summary

Belding's Savannah Sparrow (Passerculus sandwichensis beldingi) was present on 2 June 1992 very close to the J Street Channel. The habitat in the Ormond Beach vicinity holds 5-7 pairs of birds (personnel communication Dept. Fish & Game), but the area probably could sustain more breeding pairs under better habitat conditions.

2. Other Listed Species on the Site

Horned Lark (Eremophila alpestris actia) is a Federal Category 2 species and a State Species of Special Concern (SSC). Two pairs of birds (probably of this race) were present between early June and 7 July 1992. Additionally, the California Legless Lizard (Anniella pulchra nigra) is a Category 2 species and a SSC. Its possible presence on the site or nearby is not mentioned in the EIR.

3. Conflicts Between Human Use and Animal Resources

The construction of 143 RV sites not only will eliminate habitat that is used by sensitive animals and that could be enhanced, but it exacerbates the existing problems of human, pet, and feral animal disturbances to numerous birds supported by these habitats. Peak use of the beach by humans would occur at a time (mid-summer) when Snowy Plovers (Charadrius alexandrinus nivosus), Belding's Savannah Sparrow and Least Terns are breeding.

4. Another Problem: More Predators on Nesting Birds

Populations of those species that prey upon terns and plovers are attracted to areas where human handouts and wastes are freely available. Campgrounds and outdoor eating areas are some of the best sources of food for Red Foxes, Raccoons, Skunks, and Opossums, several species of gulls and American Crows. Thus, the semi-wild and open areas of Port Hueneme beach and Ormond Beach will become habitat for these species waiting to forage on human foods and garbage. All are willing and able predators on terns and plovers when human wastes are lacking. Unfortunately, the J Street Channel and the Bubbling Springs Channel will serve effectively as corridors for some of these predator species coming from other areas. At this time Red Foxes are not predators in the Ormond Beach vicinity.

5. Inadequate Resource Assessment

A one-day wildlife inventory was performed for the EIR. Visits to the site at other times of the year would have revealed an extraordinary pattern of diverse uses by many species of birds.

a. My investigations showed that at a time when most shorebirds are breeding far to the north of California, the lagoons at Port Hueneme sustain large numbers of mostly arctic, sub-arctic, or Great Plains bird species that fail to complete the migration to their breeding grounds. These include Willet, Marbled Godwit, Whimbrel, Long-billed Curlew, Red Phalarope, Red-necked Phalarope, Ring-billed Gull, Common Tern and Forster's Tern.

~~b. Southern birds that failed to breed, presumably due to the~~
El Nino effect, use the lagoon in large numbers. In the

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California Coastal Commission
Hueneme Beach RV Resort (SCH91071)

EXHIBIT NO. C
APPLICATION NO. 107
MARY HOLMNER LUTTEN
1008

13 July 1992
Page 3

summer of 1992, these include
Caspian Tern, and Elegant Tern.

mann's Gull,

c. Of the few shorebirds that breed locally, Black-necked
Stilts and American Avocets raised young near to the J Street
Channel.

d. The broad array and large numbers of wintering shorebirds
and waterfowl in the Pt. Mugu, Ormond, and Port Hueneme areas
are well known. Unfortunately, these facts are not presented
in the EIR for review.

e. The presence of the fresh water industrial pond immediately
east of the J Street Channel complements the more brackish
wetlands and adds to the diversity of habitat types in the
area. Common Moorhens (*Gallinula chloropus*) and Great-tailed
Grackles (*Quiscalus quiscula*) were present in early June.

A more thorough assessment would reveal that, unlike most coastal
wetlands, Ormond lagoons are heavily used at most times of the
year.

6. Feasibility of the Mitigations

My experience suggests that few mitigations are designed with
sufficient appreciation of the complex relationship of disturbance,
habitat degradation, and animal reproduction. Furthermore, many
attempts to mitigate the effects of human activities on sensitive
species cannot be sustained. Leash laws, for instance, are
notoriously difficult to enforce. Its inappropriate to propose
additional policies or enforcement as mitigation when current
levels of effort are inadequate to deal with serious existing
problems. The remains of a California Towhee and a Red-winged
Blackbird were found in the wetland near where feral cats hang out.
I saw 3 unleashed dogs on the beach near the tern colony during my
three trips to the site.

Let me provide two additional examples.

a. For this project the consultant (ESA) suggests placing
fences around Snowy Plover nests. While fencing may possibly
deter some human and vehicular trampling, it may also
advertise the site to Red Foxes, Opossums, and other species
that have contributed to major losses at numerous southern
California beaches and marshes. Once erected, fences can
exclude the birds from their own nest sites. To find an
active plover nest can be difficult and searching for it is a
major disturbance to both plovers and terns. To my knowledge
there is no published study that evaluates the effects of
fences on Snowy Plover reproduction. Finally, the costs of a
well-designed, carefully executed and evaluated fencing
project may be more than the city is willing to pay. The
level of detail needed to provide realistic and effective
analysis of the fencing plan is not presented.

b. Public Education as a mitigation to deter impacts to the
breeding birds is costly and difficult to sustain, but yet it
should be attempted. However, what kind of an experience is
the city offering RV Campers once they are told that they

~~cannot go near the dunes during the spring and summer.~~
--cannot disturb fledgling development or mating;

California Coastal Commission
Hueneme Beach RV Resort (SCH910710)

EXHIBIT NO.	[REDACTED]
APPLICATION NO.	[REDACTED]
[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]

13 JUN 1971
California Coastal Commission
Hueneme Beach

- cannot collect driftwood or
- must contain their food at [REDACTED]
- cannot cook next to their vehicles or build bonfires on the beach;
- their dogs and cats must be constrained at all times;
- must turn off their lights unless entering or leaving and after 10 pm;
- cannot use their generators, motors, radios, or TVs after 10 pm; and
- their noise shall be maintained at a low level?

To impose all of these constraints will be difficult and very costly; they are minimally enforceable; and certainly they conflict with current coastal access opportunities at this site. In short, the RV Resort will prescribe more constraints upon RV users than they endure at other sites. It just doesn't sound like a fun place to be.

When measured by long-term costs to the city, the present value of the site is greatest if it remains as a buffer zone that diffuses the direct effects of human activities on an extremely important coastal wetland. As a RV Resort this project may be a liability to the city with costs incurred either through maintaining promises to support a long list of mitigation measures or from defense of its failure to successfully protect the wetland resources. In the years to come the value of the site may be greatest as a restored wetland with healthy populations of animals and plants. This kind of care and concern given to a natural area is a wise and tangible municipal investment. It instills local pride in the city and its resources. It encourages low-impact tourism. Most importantly, the benefits to a city with a strong, self-initiated, open effort to protect existing resources and to expose all resource issues is resource agency cooperation and public approval for future projects.

- I urge the Coastal Commission to deny the project due to:
1. the historical and current use of the site by sensitive species;
 2. the certain impacts to sensitive species in adjacent areas; and
 3. the infeasible and uncoordinated mitigations that have been proposed for the project.

I urge the city first to play a strong role in coping with existing problems at the wetland and then to consider the kind of coastal development that is consistent with maintenance and protection of those resources that use the site and the Ormond Beach and marsh areas.

Although I oppose this project, I am not opposed to finding a more appropriate site for the RV Resort. The idea of an Ormond Beach Task Force has been proposed to work with the cities to discuss the various concerns regarding management of Port Hueneme/Ormond Beach natural resources. I would be pleased to work with others in a team effort.

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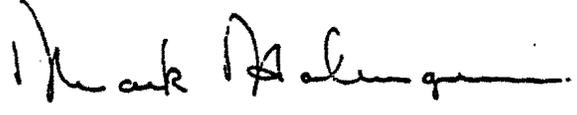
13 July

California Coastal Commission
Hueneme Beach RV Resort (SCH91071055)

13 July 1992
Page 5

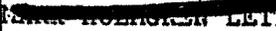
Thank you for the opportunity to comment on this issue.

Sincerely,

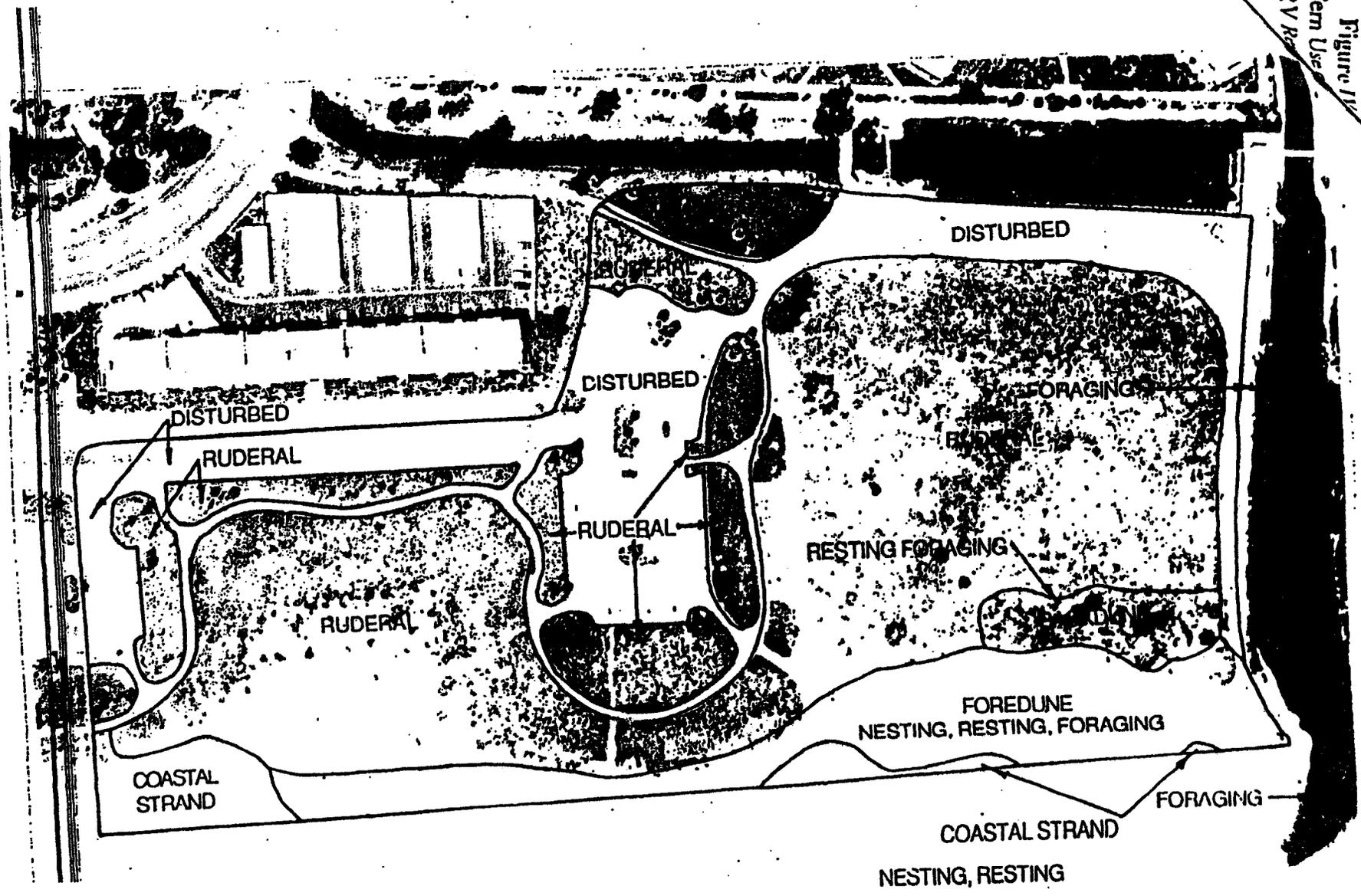


Mark A. Holmgren
Museum Scientist
UCSB Vertebrate Museum

- cc Thomas E. Figg, Port Hueneme Community Development Director
- Alan Sanders, Sierra Club
- Cathy Brown, US Fish & Wildlife Service
- Morgan Boucke, California Department of Fish & Game
- Wayne Ferren, UCSB Herbarium
- Sara Wan, League for Coastal Protection

EXHIBIT NO. 
APPLICATION NO. LCP 
 MARK HOLMGREN LETTER


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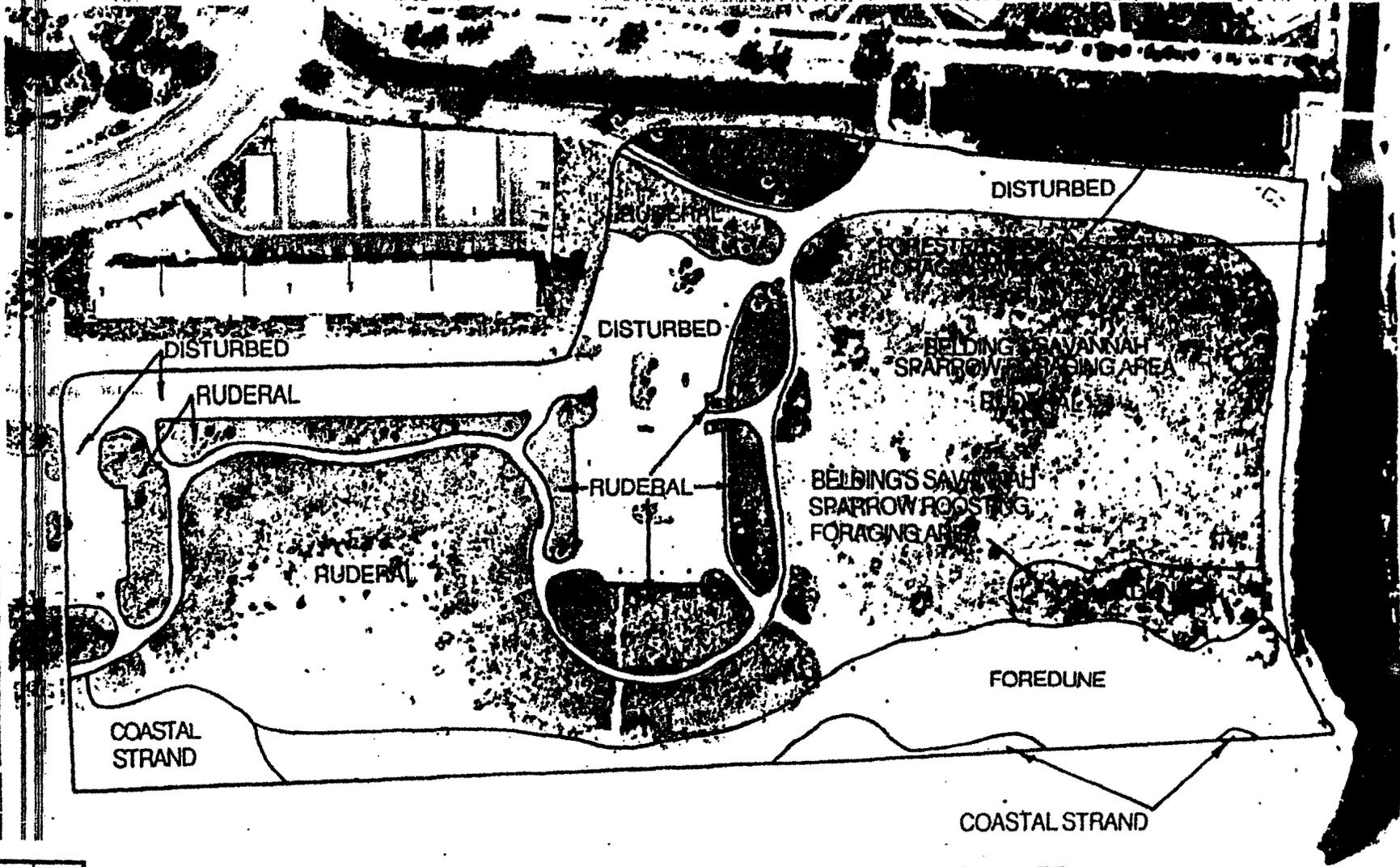
IV-339

EXHIBIT NO. 23
APPLICATION NO. 198
Snowy Plovers

Scientist

Figure IV-2
Snowy Plover Use of the
Proposed RV Resort Site

ESHN



V-101

FORSTER'S TERN AND BROWN PELICAN RESTING AREA

EXHIBIT NO. 24
APPLICATION NO. 98
Savannah Sparrow, etc.

et Sciences

Hueneme Beach RV Resort SEJR - 9477

Use of the Proposed RV Resort Site
Savannah Sparrow, Fortster's Tern, etc.

Memorandum

APPLICATION NO. LCPA 1-98
DFG 8/12/94
Pages 1-8

To : Ms. Tami Grove
California Coastal Commission
South Central Area
89 South California Street, 2nd Floor
Ventura, California 93001

Date : August 12, 1994

From : Department of Fish and Game - Region 5

RECEIVED
AUG 16 1994
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Subject: Proposed Port Hueneme Beach Recreation Vehicle Resort

The Department of Fish and Game (Department) has received your letter dated July 12, 1994 regarding the July 6, 1994 meeting on the proposed Hueneme Beach Recreation Vehicle Resort. The Department has prepared the following responses to your questions:

BACKGROUND INFORMATION

The California least tern and western snowy plover are ground nesting, coastal strand species. While the tern is colonial nesting in nature, the plover is not. Precise knowledge defining site selection by each species for nesting is only known on the broadest level. Substrate material, wind shelter, vegetative or debris cover, foraging area proximity and available roost site locations are only part of the complex set of criteria evaluated by each species for nest site selection. What is clearly known is the effect from increasing human-caused disturbances. Both direct and indirect impacts have reduced total population numbers for these species to the extremely low levels warranting listing. Increased disturbance can cause an entire population to abandon a nesting area in a very short time period (hours). While individual populations of these listed species exist in the Hueneme area, they are still part of the entire state population. Young from one area will disperse to other existing areas maintaining genetic variability, or allowing historic sites to become recolonized. Individual populations may be unproductive for a nesting season due to predation, lack of forage or perhaps disease. The importance of maintaining other producing populations in the state is then even more important. The goal of both the State and Federal Endangered Species Acts is to prevent extinction and hopefully allow species to recover to population levels large enough to remove them from the lists.

Through very intensive monitoring and protection, the least tern has had some success in raising the number of individuals since 1970. The species is far from recovered and the actual number of nesting areas has actually declined. Certain colonies have expanded to the limit the available habitat can support, but

Ms. Tami Grove
August 12, 1994
Page Two

additional or historic habitats are not available for expansion. A prime example of this is the Venice Beach colony. Over the past decade, the fence surrounding the colony has been moved outward to the maximum space available. Attempts have been made to entice terns to Dockweiler State Beach, down the coast a few miles; however, this has not been successful. Some requirement is missing. This nesting season, almost twice the usual number of nests were occupied at Venice (300), but a lack of suitable forage in Santa Monica Bay caused most of the young to be lost (over 200 as of July 10, 1994).

Unlike the tern, less is known about individual statewide populations of other sensitive species found in the Hueneme/Ormond area. The Hueneme/Ormond area is incredibly diverse, but little work has been done on the resources there. This may be due to the distance of the Ormond area from any major university or college system, its isolation and the large amount of remaining agricultural land.

RESPONSE

1. The 200-foot minimum setback was formulated based on knowledge of nest placement within enclosures from least tern nesting populations throughout the state. Also included, but not limited to, were personal and research study observations of disturbance effects, tolerance to amounts and distance of disturbance, post-disturbance behavior, frequency of abandonment, ability to renest successfully after abandonment, population fluctuations for the state, foraging pattern, geographic-specific use of foraging areas, effects and incidence of predation on colonies surrounded by more intensive development as compared to more naturally buffered colonies and importance of night roost availability to nesting success. The combination of these factors with the general geographic structure of the Hueneme/Ormond coastal strand and adjacent wetlands helped develop the 200-foot minimum buffer area. Both a thorough literature review and review of data gathered annually by least tern colony managers throughout the state clearly indicate that increased development adjacent to tern colonies increases the chances of individual populations being negatively affected. As stated in the background section, the massive population reductions of terns and plovers has been through human disturbance to nesting, foraging and roosting areas.

Ms. Tami Grove
August 12, 1994
Page Three

The Department has emphasized to the City over the past four years that biologically this portion of the City of Port Hueneme is not sound for additional structured development. The buffer is intended as a means to prevent take, to hopefully reduce the chance the least tern will completely abandon the foraging area and adjacent nesting colony. The buffer was measured from the average landward edge of the J Street drain. The channel has a semi-irregular edge and an average edge was envisioned. It is possible the channel could further erode, and lessen the amount of solid land buffer. If the project is permitted, the tern will be affected. Possible effects include greatly decreased use of the J Street drain as a major foraging site due to disturbance and mosquito abatement, loss of a night roost area and increased predation from human-tolerant species such as crows and ravens. The buffer is a requirement and not a mitigation. The buffer does nothing to protect the non-hardscaped area under the development footprint. The dune area included in the buffer will lose the majority of its value as roosting and foraging area for most sensitive species. If the beach access walkway is routed through the walkway as proposed by the City, it will lose the majority of its value for all species.

The western snowy plover has only recently been federally listed. While data from over 20 years of intensive monitoring for each nesting population area is available for least terns, it is not for the plover. Both nesting and wintering populations can be found in the Hueneme/Ormond area. When critical habitat is defended by the U.S. Fish & Wildlife Service area for the plover, it is likely the Ormond/Hueneme area may be included. Until long-term biological trend information can be gathered for areas supporting snowy plovers, management decisions must be prudent on the side of allowable disturbance. From the information available, it is important to note the plover tends to tolerate significantly less disturbance than the least tern. As an example, monitors and researchers on Ormond Beach have found plovers will flush from the nest or abandon chicks when people approach at an average of 100 feet. The plovers become aware of potential disturbance from perhaps twice the distance. Once flushed, the birds may take greater than 10 minutes to return to the nest or chicks. The plover is not a colonial nester and has less defense against predators. The plover is mainly a wading/terrestrial bird. It spends most of its time on the ground. Plover chicks are precocial. They follow

Ms. Tami Grove
August 12, 1994
Page Four

the parent bird almost immediately from hatching. Compiled, these attributes make this species very susceptible to disturbance and resulting loss. The plover both nests and over winters in this area.

2. The non-hardscaped portion of the development footprint offers habitat for a variety of species. The numbers fluctuate over the year, depending on species composition on the coastal strands and diurnal/seasonal activity patterns. There is little hard data to provide a thorough listing of all the habitat uses within the development footprint. The only current formal documentation of site usage are the Baird report and the City's document. Both reports are limited to a small section in time; the Baird report is the more extensive of the two. Casual observations by the Department and its contractors, local ornithologists, and recreational birders/naturalists have been made. The horned lark, a federal candidate 2 species, can usually be seen foraging on the site in numbers from 6-10 or more individuals. Nesting for this species occurs immediately adjacent to the J Street drain. While the Department staff have never personally sighted Belding's savannah sparrow or burrowing owls on site, staff have located them within 300 yards of the site. It is very reasonable to assume at some point in time that they occupy the site for foraging or roosting activities. Currently, an intensive inventory of the shoreline usage is being carried out. These studies are the result of the McGrath Lake oil spill. By the end of October, there should be a more complete picture of species diversity and habitat usage. The Department suggests any permitting decision be withheld until a clearer picture of the habitat usages for the site and adjacent habitats is available. The census will provide a list of avian species and relative numbers.

The entomological and herpetological components of the site are more difficult to assess. Insects and reptiles, in comparison to birds, plants and mammals, are not a genre commonly studied and catalogued by individuals on a day-to-day basis. The on-site habitat suggest globose dune beetle and tiger beetles could be present. The same is true for the coast horned lizard. The lizard is readily observable for a short time period during the late spring and early summer. The remainder of the year it spends a great deal of its time beneath surface soils. Habitat suitability and

sightings of this species in the Mandalay Beach area and at Southern California Edison (SCE) give a high likelihood of occurrence on the site.

3. The buffer as proposed (160 feet) is inadequate. The Department's reasoning is explained in the background information and the response to Question 1.
4. The site, independent of the open water habitats of the J Street canal and the sand dune, is considered an Environmentally Sensitive Habitat Area (ESHA) by the Department. This is based secondarily on the site's value as habitat for species such as horned lark, coast horned lizard, globose dune beetle, tiger beetle, burrowing owl and its potential as habitat for these and other more common species. This also includes plant species. This area is considered ESHA, primarily because of the entire site value as a buffer for the diverse, rare, sensitive and important biological values of the Ormond Beach ecosystem. Hueneme Beach and the site are only separated from Ormond Beach by virtue of a name and jurisdictional boundary. The entire area could just as well be named the Hueneme ecosystem. The existing developments of Surfside Drive, Perkins Road, and SCE within the Hueneme ecosystem, have had a significant adverse effect on the resources available for wildlife habitat. Looking at the bigger picture in Ventura County, the Hueneme ecosystem is very rare. A small amount exists at McGrath State Beach, but the adjacent wetland system is not as extensive. Mugu Lagoon is certainly part of the Hueneme ecosystem, but it is not available for public access and enjoyment. Although people traverse the site and rest in the dune area, it is not a concentrated use. Human movement patterns are somewhat random over a 24-hour period and throughout the year. During the winter, it is possible to visit the site and see fewer than five people over the space of 3-4 hours. The site and adjacent rare habitat are used by wildlife species over the entire year. The area is very important for migratory shorebird species. Little survey work has been done to determine exact numbers and species composition. Again, survey work from the McGrath Beach oil spill will result in this much needed information, especially where overwintering plover populations are concerned.

Given the rarity of the coastal strand with adjacent upland or wetland habitat, most open space left along the coastline of southern California should be

Ms. Tami Grove
August 12, 1994
Page Six

considered ESHA. In Ventura County, from the southern border, the following should be considered ESHA: Mugu Lagoon and remaining open space at Pt. Mugu NAWS, Ormond Beach, private and Oxnard owned properties inland to McWane Road, Hueneme Beach and adjacent open space, Voss property, Mandalay Beach, McGrath Lake, and McGrath Beach. These are only a few of the many possible areas qualified as ESHA.

5. It is the opinion of the Department that to actually avoid significant impacts to on-site and adjacent habitat and the species they support, the entire non-hardscaped portion of the site should remain as buffer and be enhanced through the removal of non-native plant species. The site currently functions as buffer and there already exist significant impacts to sensitive species. Additional development to this area will not improve habitat availability and quality or reduce the amount of disturbance. Based on coastal areas in Los Angeles, Orange, and San Diego counties, increased development has diminished and not improved available rare and sensitive habitat.

The most important behavioral characteristic of most avian species is their susceptibility to disturbance. The best mitigation measures possible are to maximize the amount of habitat and a buffer, provide for linkage to other similar and adjacent habitats and educate the public on the resources. Public education is a vital key to maintaining any habitat and its values.

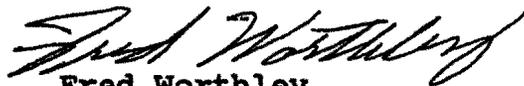
6. The City's proposed mitigation does not adequately address potential natural resource impacts. A main component of the plan is to increase beach patrol to enforce leash laws, and keep off-road vehicles off the beach. These laws already exist and they are not enforced. Portions of the mitigation plan such as revegetation of the "buffer" area, glare reduction, perch proof fencing and public education are beneficial. The City is not intending to post a bond for mitigation performance and is relying on good faith efforts and the financial success of the proposed project to assure the mitigation will be carried out. Unfortunately the Department's past experience with this type of assurance has not been positive. Mitigation measures must be bonded. Additional ideas for mitigation could be to increase the size of the buffer area beyond the required 200 feet, acquire conservation easements over lands adjacent to the

Ms. Tami Grove
August 12, 1994
Page Seven

wetlands, remove non-native vegetation from and enhance the bubbling springs corridor or remove all non-native vegetation from the beach and parking lot area.

7. This question was partially answered above in Sections 2 and 4. It would be impossible to inventory all coastal California studies that are being conducted regarding both the listed, sensitive or other species present in the Ormond/Hueneme ecosystem. An inventory of coastal wetlands is being carried out in Santa Barbara County and may be extended to Ventura County; oil spill mitigation monitoring is being conducted on several southern California beaches. Tidewater goby surveys are occurring and continual monitoring of least tern populations are carried out annually. The Department does expect oil spill monitoring will yield a much more detailed list of avian species utilizing the Hueneme/Oxnard area. This is valuable in assessing project impacts. The Department suggests that permitting decisions be withheld until a more comprehensive habitat-use list can be compiled. Much of this information will be available at the end of the tern breeding season in October. Again, an important piece of data not available will be wintering populations and activity levels of western snowy plover for the Hueneme/Ormond area.

If you have any questions, please contact Ms. Morgan Boucke, Associate Wildlife Biologist, at (805) 568-1224.



Fred Worthley
Regional Manager
Region 5

cc: See attached list

Ms. Tami Grove
August 12, 1994
Page Eight

cc: Ms. Morgan Boucke
Department of Fish and Game
Santa Barbara, California

Ms. Mary Meyer
Department of Fish and Game
Ojai, California

Mr. Ken Wilson
Department of Fish and Game
Santa Barbara, California

Mr. Maurice Cardenas
Department of Fish and Game
Santa Barbara, California

U.S. Fish and Wildlife Service
Ventura, California



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

RECEIVED

SEP 10 1998

September 8, 1998

COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

James Johnson
South Central Coast Area
California Coastal Commission
89 South California Street, Suite 200
Ventura, California 93001

Subject: Draft of Suggested Modifications to the City of Port Hueneme's Local Coastal Program Amendment

Dear Mr. Johnson:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft of Suggested Modifications for the Port Hueneme Local Coastal Program amendment. We understand that this most recent version of the modifications is the product of discussions between the California Coastal Commission (Commission) and the City of Port Hueneme planning staff on August 26 and August 27, 1998. This set of modifications also incorporates recommendations submitted by the Service in a letter sent to the City dated August 7, 1998.

The Service believes that this latest proposal adequately addresses our concerns for the east end of Hueneme Beach Park. While we would prefer to see the area set aside permanently as an Environmentally Sensitive Habitat Area, we understand the City's desire to maintain public access to the beach and to retain the ability to seek the use of the land which is most beneficial to the City. The Service believes that the provision for a biological study prior to the issuance of any coastal development permit, deletion of proposed conceptual recreational project and uses within the Resource Conservation Overlay area, and the opportunity to review any proposals for the area will protect sensitive resources in dune areas and at Ormond Beach to the east.

If you have any questions, please contact Rick Farris of my staff at (805) 644-1766.

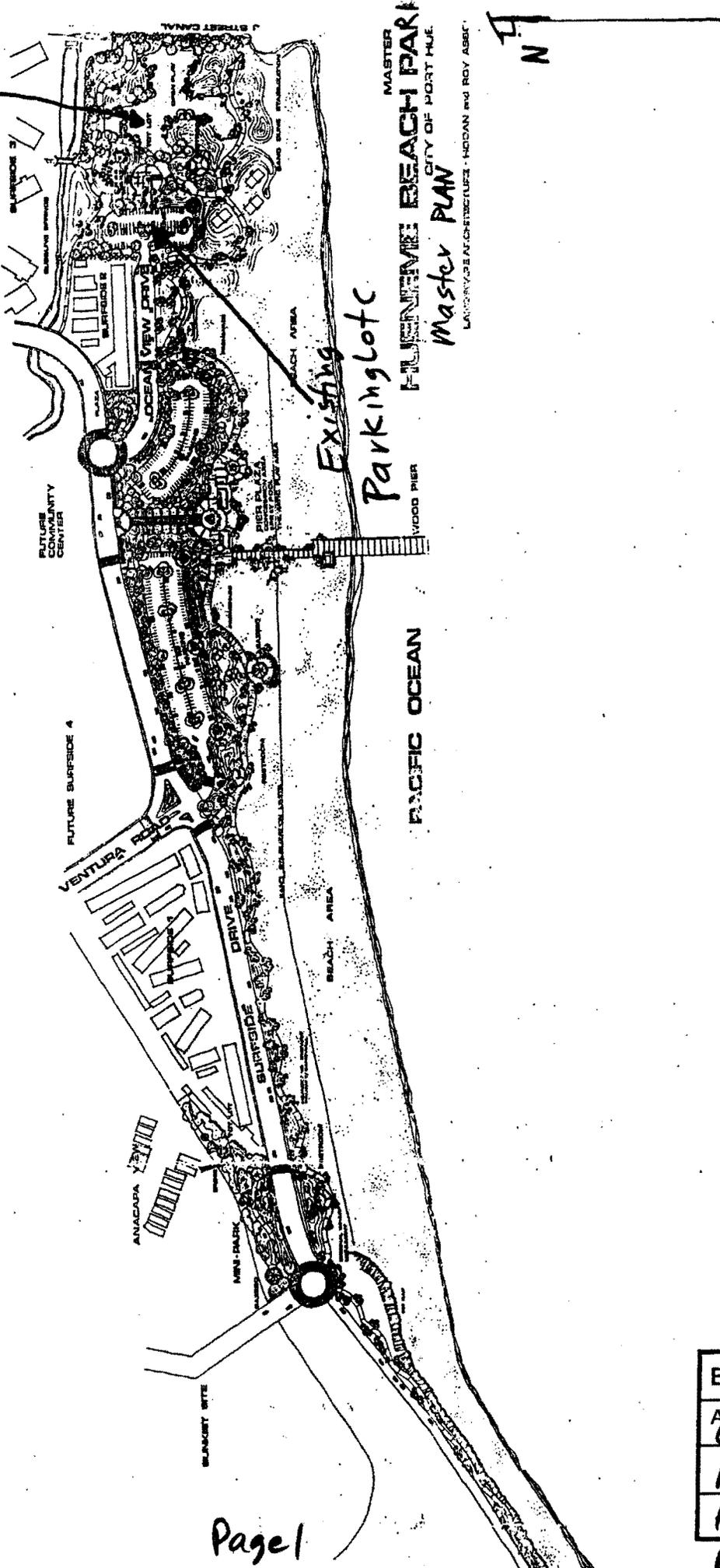
Sincerely,

Diane K. Noda

Diane K. Noda
Field Supervisor

EXHIBIT NO. 2
APPLICATION NO. LCPA 7-98
USFWS
letter 9/8/98

Eastern Portion Now Underdeveloped



MASTER PLAN
HUERFEME BEACH PARK
CITY OF PORT HUE
LANDSCAPE ARCHITECTURE - HODAN and ROY ASS'Y

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EXHIBIT NO. 27
APPLICATION NO. LCPA 1-98
Master Plan
Huerfeme Beach
Pages 1 & 2

