

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
EUREKA, CA 93001
(707) 835-1800



RECORD PACKET COPY

Tu 19 a

September 19, 2002

TO: Commissioners and Interested Persons

FROM: Charles Damm, Senior Deputy Director
John Ainsworth, Supervisor
James Johnson, Coastal Program Analyst

RE: CITY OF PORT HUENEME LOCAL COASTAL PROGRAM MAJOR
AMENDMENT No. 1 - 02, South Terminal - East Expansion Project
Public Hearing and Action at the California Coastal Commission Hearing of
Tuesday October 8, 2002 at the Eureka Inn, Eureka.

AMENDMENT SYNOPSIS

The City of Port Hueneme submitted Local Coastal Program (LCP) Major Amendment No. 1-02 on July 31, 2002 proposing to amend the City's Local Coastal Program for two parcels consisting of about 13.67 acres. The City proposes to revise the LCP Land Use Plan from Visitor Commercial to Port and Zoning Ordinance from Special Commercial to Port-Related Uses within the Oxnard Harbor District located in the southwestern portion of the City. The related Land Use Plan and Zoning Ordinance Maps are also proposed to be revised. The purpose of this Amendment is to bring the LCP into conformance with the recent southeast expansion of the Oxnard Harbor District with its acquisition of the former "Sunkist" Property in 2000. The Commission certified the Oxnard Harbor District's, Port Master Plan Amendment No. 6 in March 2002 which provided for these port related land uses. This LCP Amendment proposal has not been controversial during the City's public hearing process. On August 1, 2002, the Executive Director determined that the City's Amendment was in proper order and legally adequate to comply with the submittal requirements of Coastal Act Section 30510 (b).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after a public hearing, approve the Amendment to the LCP Land Use Plan, Zoning Ordinance and Maps, as submitted. The proposed Amendments reflect the Port of Hueneme, Oxnard Harbor District's acquisition of the former "Sunkist" property in 2000 and the Commission's March 2002 action to approve the District's Port Master Plan Amendment No. 6 incorporating this property into the District boundaries. The City of Port Hueneme proposes to amend their LCP to reflect this expansion of the Oxnard Harbor District as the South Terminal - East Expansion Project for informational purposes, as the City no longer has coastal development

permit authority on District property. The LCP Land Use Plan Amendment and Map, as submitted, is consistent with the Coastal Act and the proposed Zoning Ordinance and Map is adequate to carry out the City's Land Use Plan as amended. **The recommended Motions and Resolutions are provided on pages two and three of this report.**

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 805-585-1800.

EXHIBITS

1. Coastal Zone Location Map
2. Coastal Zone Subareas, City of Port Hueneme
3. Port Hueneme Street Map, Subject Site
4. Existing Land Use Map
5. Existing Zoning Map
6. Proposed Land Use Designation
7. Proposed Port Zoning Designation
8. City of Port Hueneme Resolution No. 3316
9. Proposed Local Coastal Program Amendments
10. Port Master Plan Land Uses as certified

I. STAFF RECOMMENDATION

A. Land Use Plan Amendment

MOTION I: *I move that the Commission certify Land Use Plan Major Amendment No. 1-02 as submitted by the City of Port Hueneme.*

STAFF RECOMMENDATION TO CERTIFY PLAN AS SUBMITTED:

Staff recommends a YES vote. Passage of the motion will result in certification of the land use plan amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby certifies the Land Use Plan Major Amendment No. 1-02 as submitted by the City of Port Hueneme and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act.

City of Port Hueneme Local Coastal Program Amendment MAJ 1-02
South Terminal – East Expansion Project
Page 3

Certification of the Land Use Plan Amendment complies with the California Environmental Quality Act because either: 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

B. Implementation Program Amendment

MOTION II: *I move that the Commission reject the Implementation Program Amendment No. 1-02 as submitted by the City of Port Hueneme.*

STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Program Amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED

The Commission hereby certifies the Implementation Program Amendment for the City of Port Hueneme as submitted and adopts the findings set forth below on the grounds that the Implementation Program Amendment will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act, and the certification of the Implementation Program Amendment will meet the requirements of the California Environmental Quality Act, because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment.

II. PROCEEDURAL ISSUES

1. STANDARD OF REVIEW

The standard of review for land use plan amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, Section 30512 states:

c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

2. 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 as an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The City's resolution of adoption as clarified by city staff in a memo dated July 30, 2002 confirms that this Amendment will take effect after it formally accepts the Commission's action. Therefore, this Amendment will not become effective until the City of Port Hueneme formally accepts the Commission's action and complies with all the requirements of Section 13544.5 including the requirement that the Executive Director determine the City's adoption of the Amendment is legally adequate.

3. PUBLIC PARTICIPATION

Coastal Act Section 30503 requires public input in preparing, approving, certifying and amending any Local Coastal Program. The City Council of Port Hueneme conducted a public hearing on July 17, 2002 acting to approve this LCP Amendment. This public hearing was noticed ten days in advance. In addition, a Notice of Public Hearing was published in the Ventura County Star. There were no public comments presented at the City Council meeting on the proposed LCP Amendment. In addition, the City mailed notices of availability of review draft documents on April 30, 2002, consistent with Sections 13551 and 13552 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties by the City.

The City adopted this Amendment to the City's certified LCP and forwarded it to the Commission for certification on July 18, 2002. Staff determined in a letter dated August 5, 2002, that the Amendment was complete and filed on August 1, 2002. Therefore, public participation and agency coordination through the notice of LCP Amendment No. 1-2002 was duly given consistent with Section 13515 of the Commission's Regulations. Notice of the subject amendment has been distributed to all known interested parties.

III. FINDINGS AND DECLARATIONS

A. LAND USE PLAN AMENDMENT

The Commission finds and declares as follows:

City of Port Hueneme Local Coastal Program Amendment MAJ 1-02
South Terminal – East Expansion Project
Page 5

The City of Port Hueneme ("City") is located at the southwest portion of Ventura County between the Pacific Ocean and the Oxnard Plain. The City is surrounded by the City of Oxnard, US Naval Construction Battalion Center and the Port of Hueneme, Oxnard Harbor District. (Exhibits 1, 2 and 3)

The City proposes to amend the Local Coastal Land Use Plan Designation and Land Use Plan Map from "Visitor Commercial" to "Port" for two parcels consisting of 13.67 acres located within the Port of Hueneme, Oxnard Harbor District west of Surfside Drive in the City of Port Hueneme (Exhibits 4 and 6). The City also proposes to amend the Zoning Ordinance Designation and Map for these two parcels from Special Commercial to Port – Related Uses (Exhibits 5 and 7). The southern 2.17 acre parcel is located adjacent to the coast consisting of an existing rock revetment and future public accessway along this section of coast connecting Surfside Drive west to the Lighthouse at the entrance to the Port of Hueneme, as proposed in the City's LCP Hueneme Beach Master Plan. The inland 11.5 acre parcel is vacant where a former citrus warehouse, "Sunkist Site" was located until it was destroyed by fire in 1977. Another 1.3 acre parcel, a portion of the "Sunkist Site" will remain in the Visitor Commercial land use designation and is not a part of this Amendment. The City's Resolution of Approval is provided in Exhibit 8. The City's proposed changes to the LCP is provided in Exhibit 9.

The purpose of the proposed LCP Amendment is to change the land use designation and land use map on these two parcels to a "Port" designation to reflect the Port of Hueneme, Oxnard Harbor District's purchase of this property in 2000. In addition, the District included these parcels in the certified Port Master Plan as certified by the Commission in the Port Master Plan Amendment No. 6 on March 6, 2002.

The Port of Hueneme, Oxnard Harbor District is located within the municipal boundaries of the City of Port Hueneme. The District has a certified Port Master Plan providing for land uses consistent with the Coastal Act and allowing the District to approve coastal development permits within the District boundaries, as delegated to it by the Commission. For clarification purposes, the City of Port Hueneme Local Coastal Program is not the standard of review for development located within the Port District boundaries. The standard of review for development within the boundaries of the District is the Port Master Plan as amended which is administered by the Oxnard Harbor District.

The proposed amendment to the certified City of Port Hueneme LCP raises two coastal issues regarding the conversion of the Visitor Serving Uses to Port Uses and provision of Public Access along the Coast.

1. Coastal Land Use, Public Access, and Port Master Plans

Coastal Act 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.

Coastal Act 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.

Coastal Act Section 30212 provides 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, ...*

Coastal Act Section 30711 provides that:

- (a) A port master plan that carries out the provisions of this chapter shall be prepared and adopted by each port governing body, and for informational purposes, each city, county, or city and county which has a port within its jurisdiction shall incorporate the certified port master plan in its local coastal program. A port master plan shall include all of the following:*
- (1) The proposed uses of land and water areas, where known.*
 - (2) The projected design and location of port land areas, water areas, berthing, and navigation ways and systems intended to serve commercial traffic within the area of jurisdiction of the port governing body. ...*

The Port of Hueneme, Oxnard Harbor District is located within the municipal boundaries of the City of Port Hueneme. The Harbor District has a certified Port Master Plan since 1979. The Commission certified Amendment Number 6 to the Port Master Plan on March 6, 2002 which incorporated the two subject parcels into boundaries of the Port Master Plan. The City of Port Hueneme proposes to amend their certified Land Use Plan to change the designated land use on these two parcels from "Visitor Commercial" to "Port" to reflect the fact that the Harbor District has acquired the subject two parcels and included them into the certified Port Master Plan. It is important to note that as a result of the Commission's action to certify the Port Master Plan Amendment No. 6 and include these two parcels into the boundaries of the Harbor District that the City of Port Hueneme Local Coastal Program is not the standard of review for future development. The coastal development permit review will now be conducted by the Harbor District applying the certified Port Master Plan as the standard of review.

Coastal Act Section 30255 requires that coastal dependent developments have priority over other categories of development in the Coastal Zone and that coastal related development should be accommodated within reasonable proximity to the coastal

City of Port Hueneme Local Coastal Program Amendment MAJ 1-02
South Terminal – East Expansion Project
Page 7

dependent uses they support. Coastal Act Section 30101 defines coastal dependent land uses as uses which require a site on or adjacent to the coast to be able to function. Coastal Act Section 30101.3 defines coastal related land uses as uses that are dependent on coastal dependent development or uses.

The City's Land Use Plan Amendment proposes to change the land use designation from Visitor Commercial to Port land uses (Exhibits 6 and 9). The Coastal Act provides a priority ranking for locating coastal dependent and coastal related land uses within the Coastal Zone. The Port of Hueneme, Oxnard Harbor District lands surrounding the water of the harbor are coastal dependent land uses. The lands surrounding these coastal dependent land uses are coastal related. The District proposes to use these lands on the larger inland parcel (Exhibit 6) for coastal related land uses. The certified Port Master Plan No. 6 designates this parcel for "General Cargo/Containers/Offshore Oil/Vehicles/Neo-Bulk/Dry Bulk/Liquid Bulk/Fishing/Maritime Support Services" (Exhibit 10). In addition, the City's proposed land use designation also applies the Port designation to the smaller southern parcel along the oceanfront of this site. The District proposes to use this parcel for public access purposes and the maintenance of the existing rock revetment on this parcel which also continues on District property to the west at the Lighthouse terminating at the entrance to the harbor. The certified Port Master Plan No. 6 designates this parcel for "Buffer Zone/Seawall Maintenance/Navigation/Waterfront Access". The City's LCP includes a Hueneme Beach Master Plan providing for a public accessway along and landward of this rock revetment as a future improvement to facilitate public access west of Surfside Drive. The City's Amendment also includes minor editing in the Land Use Plan (Exhibit 9). Because the designated land uses identified in the Port Master Plan are "Port" land uses that the City proposes to designate in their LCP for informational purposes, the proposed Amendment is consistent with the Coastal Act Sections 30210, 30212, 30255 and 30711.

2. Zoning Ordinance

Regarding the Zoning Designation, the City proposes to change the zoning designation on these parcels to Port – Related Uses (Exhibits 7 and 9). The City has this one zoning designation to carry out the Port land use designation. The City will also retain the Visitor Commercial land use and Special Commercial zoning on the 1.3 acre parcel located between the two proposed Port designated parcels and adjacent to Surfside Drive (Exhibits 6 and 7). This parcel is now owned by the City as a result of land trade between the City and District identified in the Sunkist Site Memorandum of Understanding. The City proposes to facilitate the future development of this parcel for visitor serving uses.

Therefore, the City has incorporated for informational purposes the land uses identified in the Port Master Plan into their LCP consistent with Section 30711 of the Coastal Act. Therefore, the City's proposal to amend the Land Use Plan and Zoning Ordinance and related Maps is consistent with Sections 30255, 30210, 30212, and 30711 of the Coastal Act.

IV. Local Coastal Program/California Environmental Quality Act

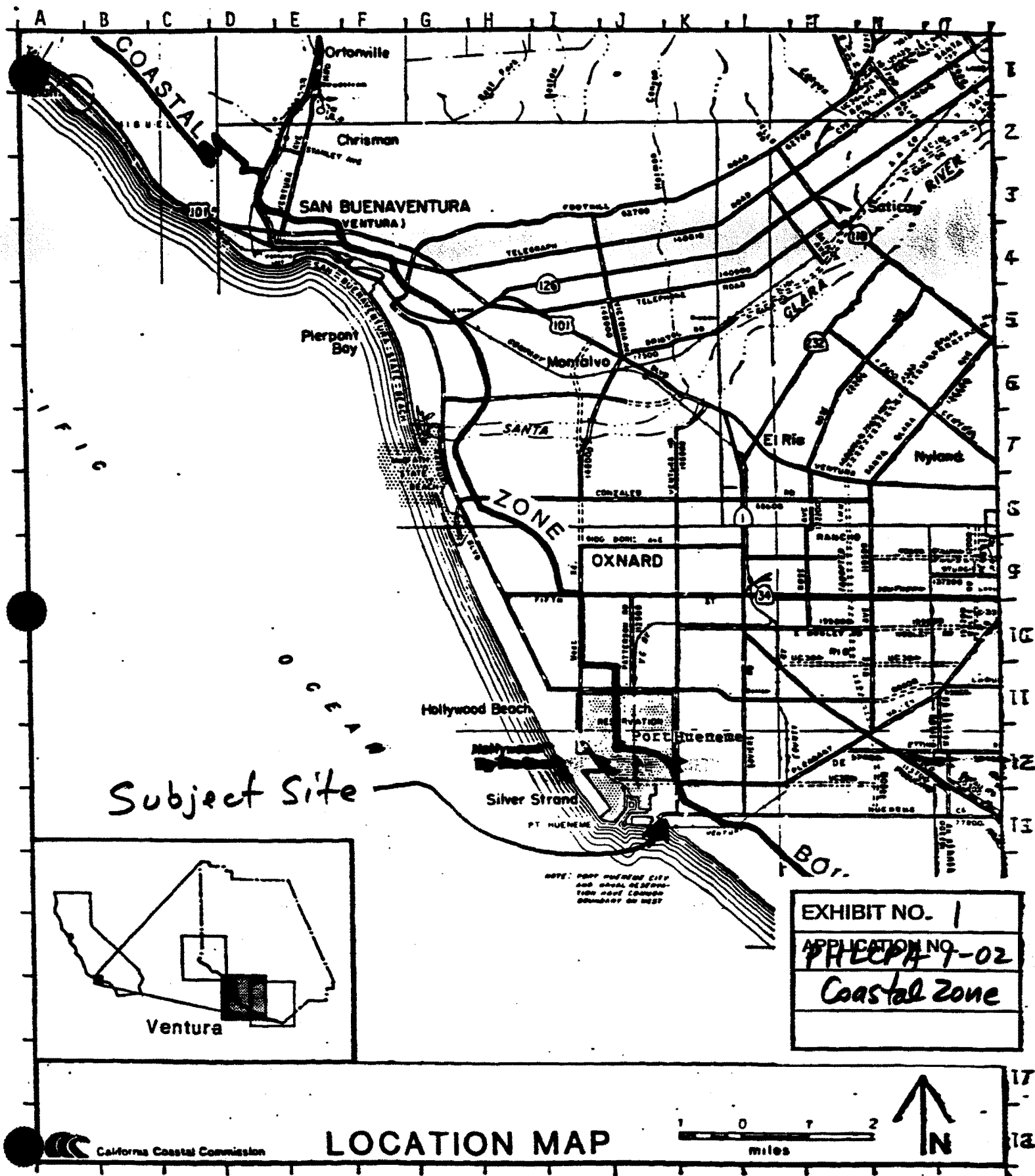
The proposed amendment is to the City of Port Hueneme's certified Local Coastal Program Land Use Plan and Implementation Plan. The Commission originally certified the City's Local Program Land Use Plan and Implementation Program in 1982 and 1984, respectively. The Port of Hueneme, Oxnard Harbor District prepared, as the lead agency, a Mitigated Negative Declaration adopting it on March 26, 2001 as consistent with the California Environmental Quality Act. The City of Port Hueneme, as a responsible agency, adopted the District's Mitigated Negative Declaration in Resolution No. 3316 on July 17, 2002 also as consistent with CEQA.

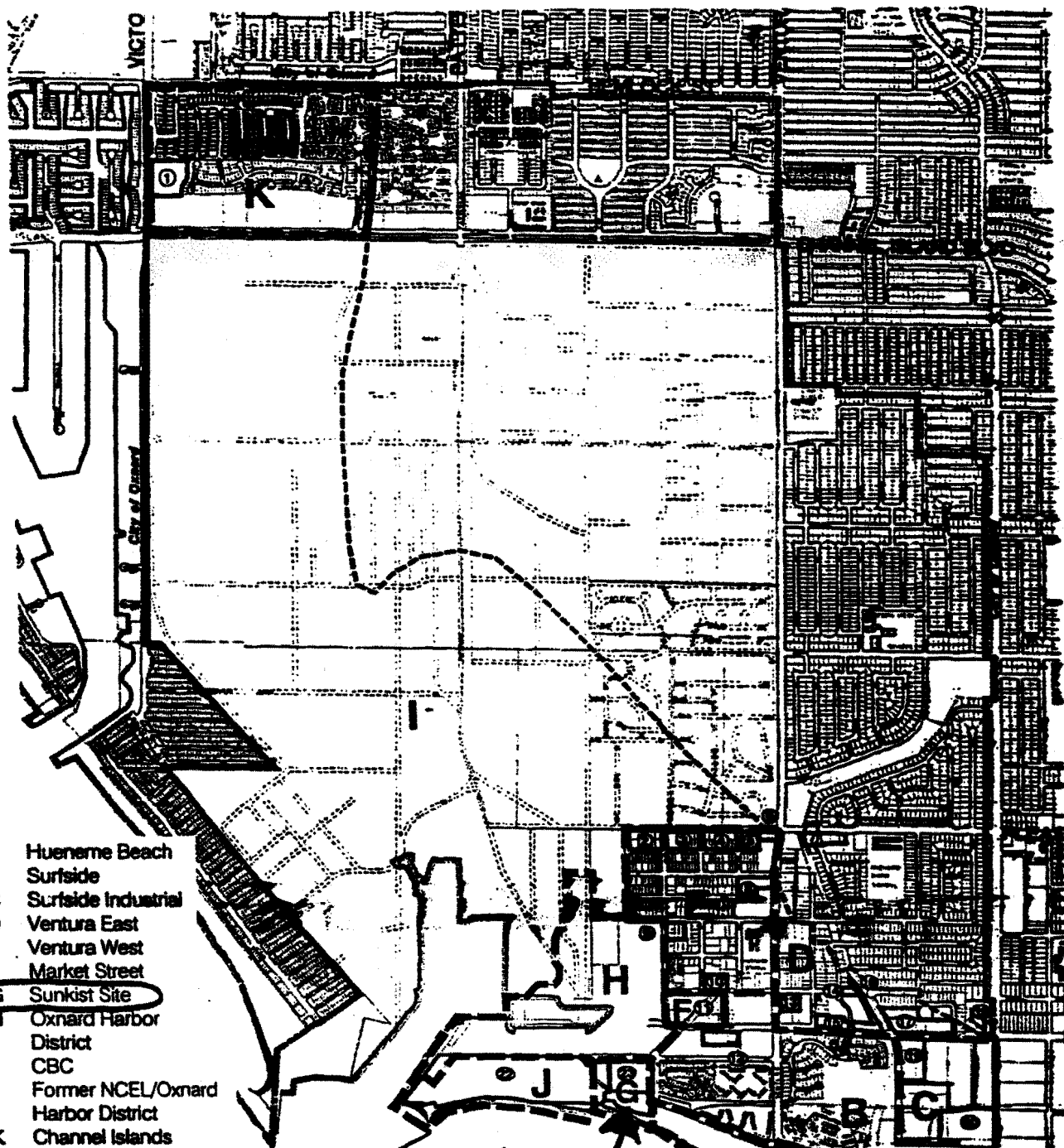
The Secretary of Resources Agency has determined that the Coastal Commission's program of reviewing and certifying Local Coastal Programs has been designated as the functional equivalent of CEQA. CEQA requires the consideration of less environmentally damaging alternatives and the consideration of mitigation measures to lessen significant environmental effects to a level of insignificance. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the Coastal Commission's Administrative Regulations require that the Commission cannot approve or adopt a Local Coastal Program amendment "if there are feasible alternatives or feasible mitigation measures available" which would substantially lessen any significant adverse effects which the activity may have on the environment.

As discussed in the findings above, the proposed amendment as submitted would have no significant adverse environmental effects, and thus, is consistent with the California Environmental Quality Act. Therefore, the amendment, as submitted, is consistent with the provisions of the California Environmental Quality Act and the California Coastal Act.

V. SUBSTANTIVE FILE DOCUMENTS

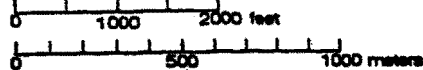
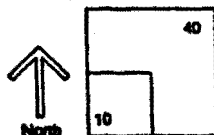
City of Port Hueneme Local Coastal Program, certified 1984, and as amended by the Commission; Coastal Permit No. 137-02, Ventura County Flood Control; Coastal Permit No. 179-33, Howard Lane Company and Port Hueneme Redevelopment Agency; Port Master Plan as amended No. 1 – 6, Port of Hueneme, Oxnard Harbor District.





- 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

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COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning

EXHIBIT NO. 2

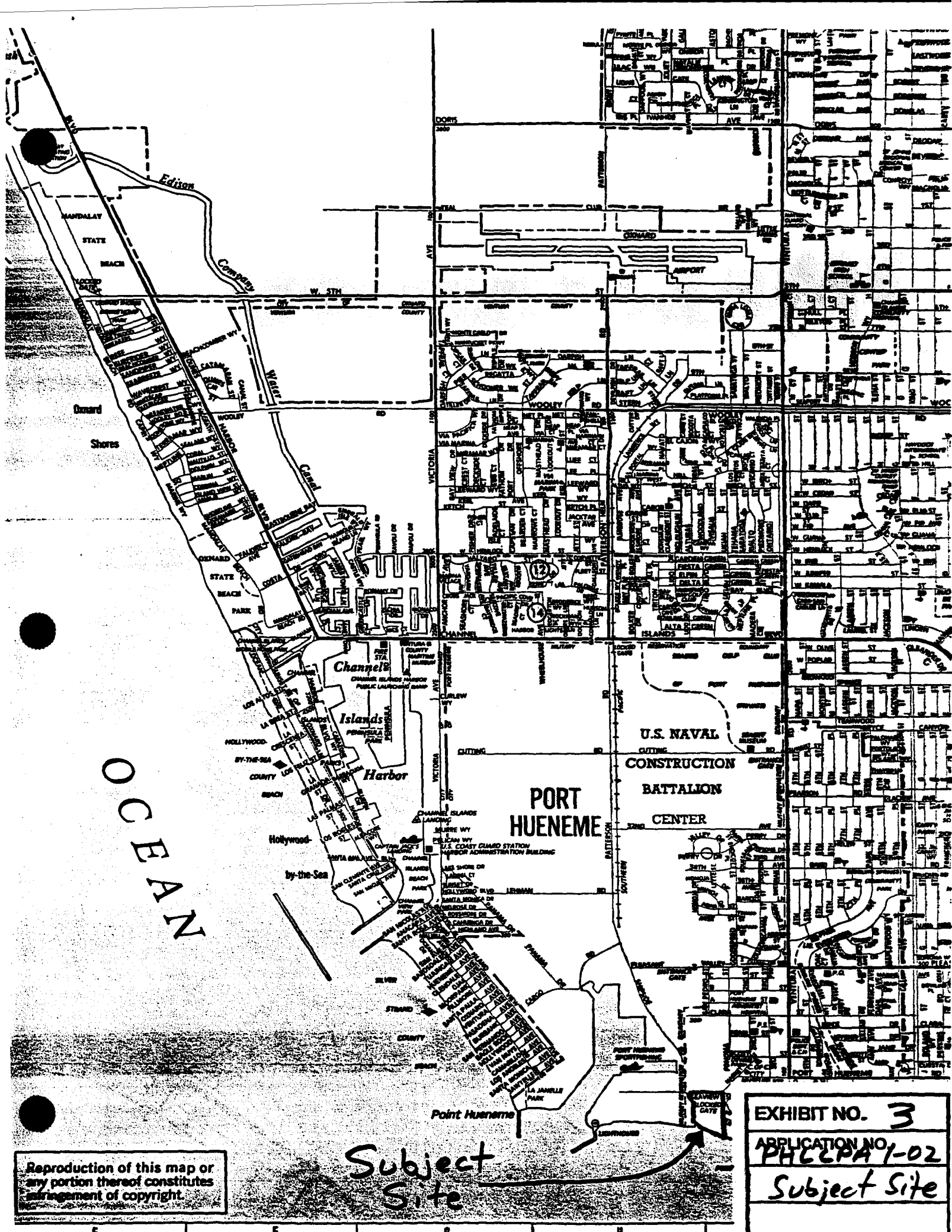
APPLICATION NO. **PHLCPA7-02**

Coastal Sub-Area - P.H.



Coastal Zone Subareas and Key Development Sites

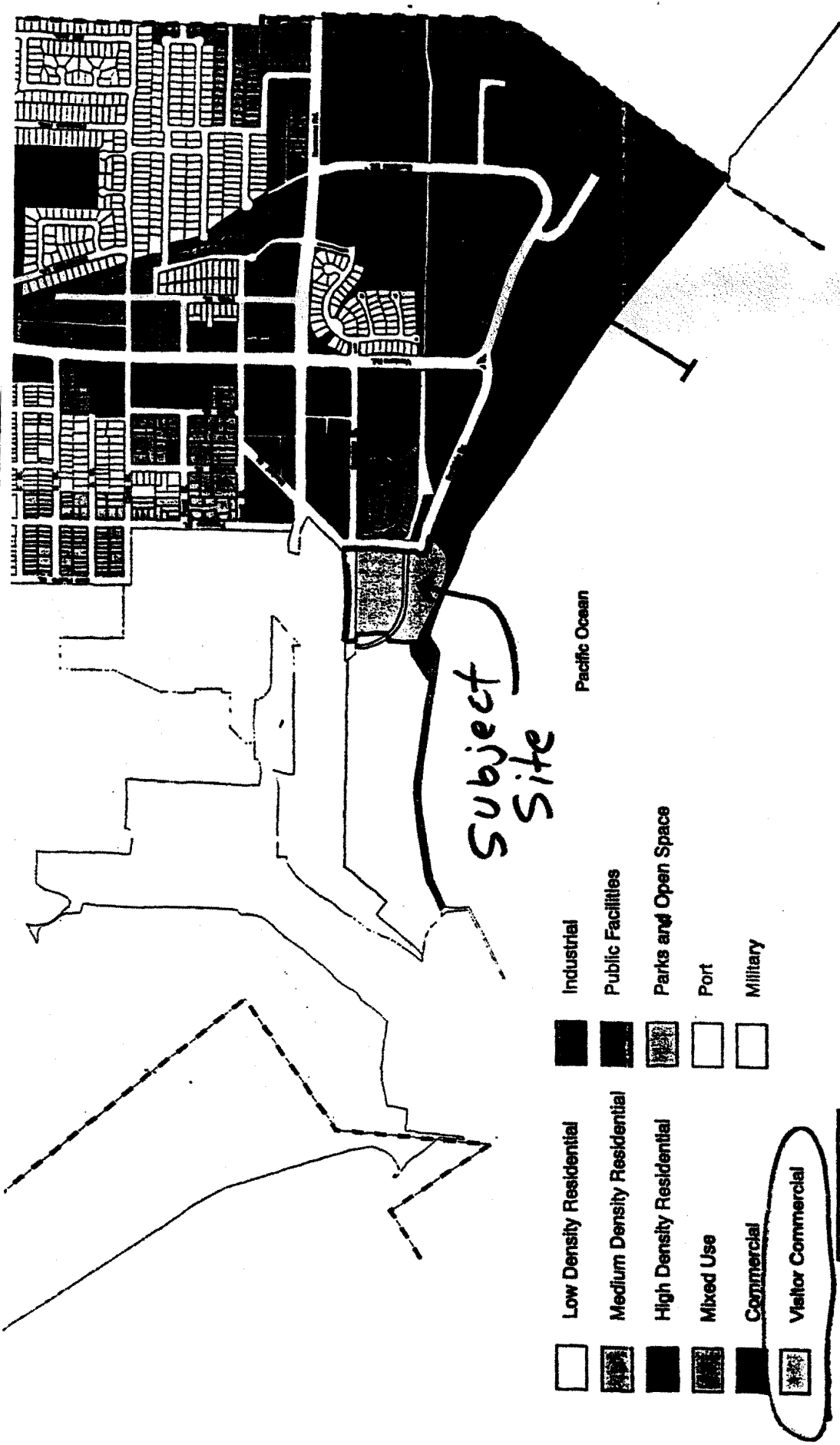
CITY OF PORT HUENEME
LOCAL COASTAL PLAN



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Subject Site

EXHIBIT NO. 3
APPLICATION NO. PHCCPA 1-02
Subject Site



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

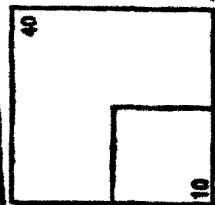


EXHIBIT NO. 4
 APPLICATION NO. PHCCPA 9-02
 Existing Land Use Designat.

COTTON/BELAND/ASSOCIATES
 Urban and Environmental Planning

Rev. January 16, 1999

Figure LU-4
 Land Use Policy Map

LAND USE ELEMENT

CITY OF PORT HUENEHE
 GENERAL PLAN

EXHIBIT NO. 5
 APPLICATION NO. PH2284-1-02
 Existing Zoning Design

s:\proj\161720\zoning.dwg 12/21/98 jrw

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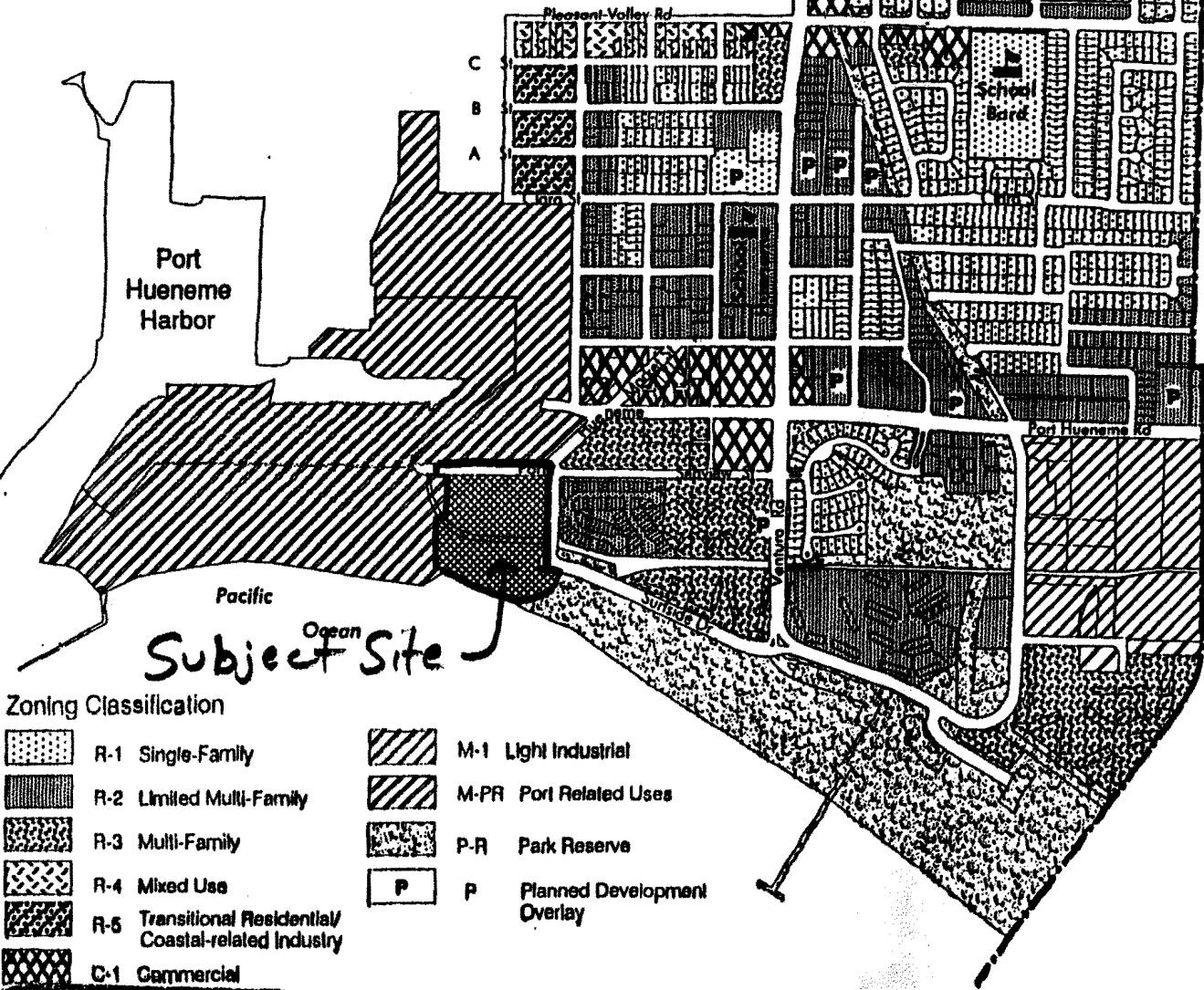
CBA COTTON/BELAND/ASSOCIATES
 Urban and Environmental Planning



CITY OF PORT HUENEME

Zoning Classification

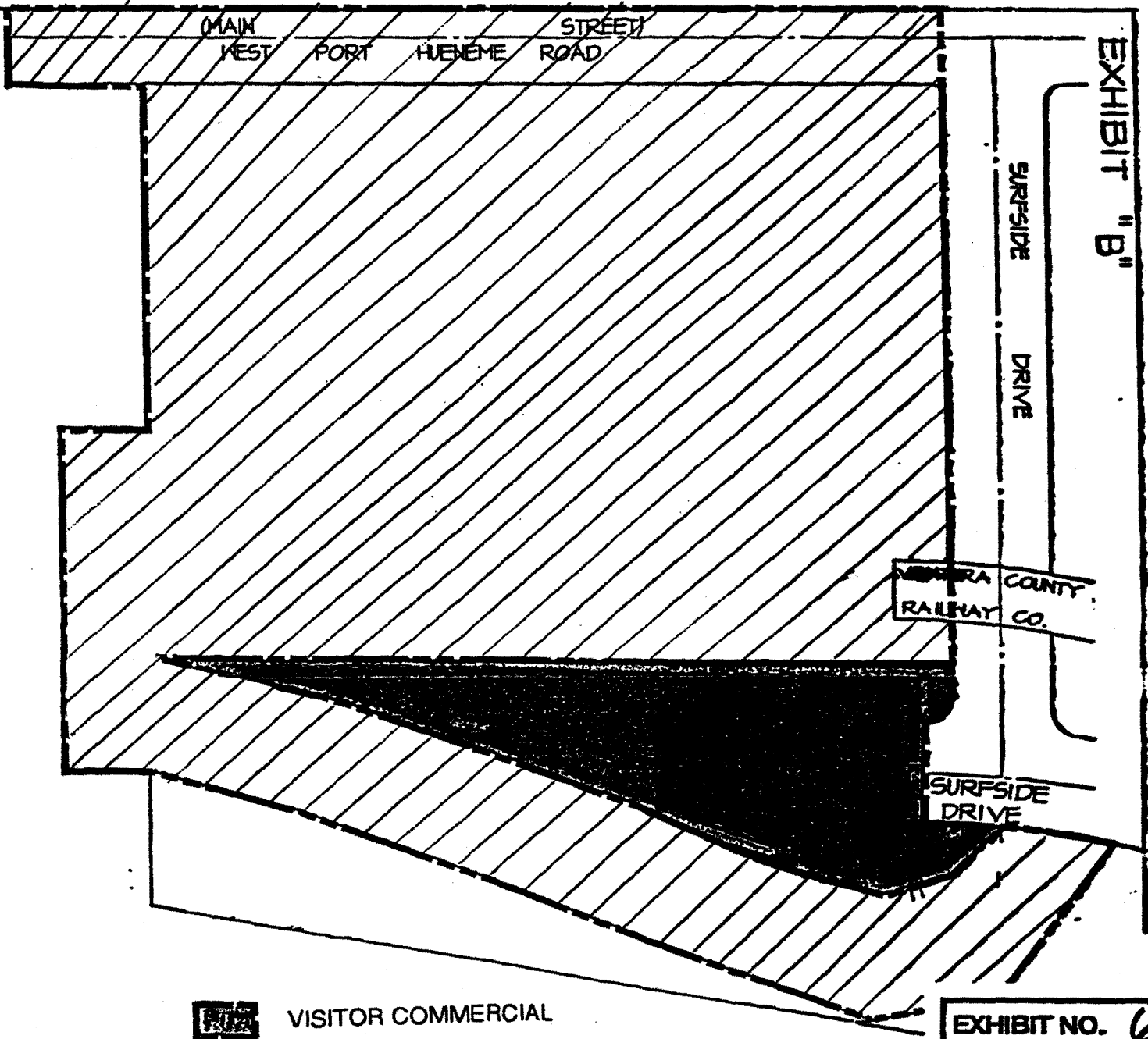
- | | |
|--|---|
|  R-1 Single-Family |  M-1 Light Industrial |
|  R-2 Limited Multi-Family |  M-PR Port Related Uses |
|  R-3 Multi-Family |  P-R Park Reserve |
|  R-4 Mixed Use |  P Planned Development Overlay |
|  R-5 Transitional Residential/ Coastal-related Industry | |
|  C-1 Commercial | |
|  C-S Special Commercial | |



Zoning Map

PROPOSED LAND USE

100' 80' 40' 0' 100'
60' 20' SCALE: 1"=100'



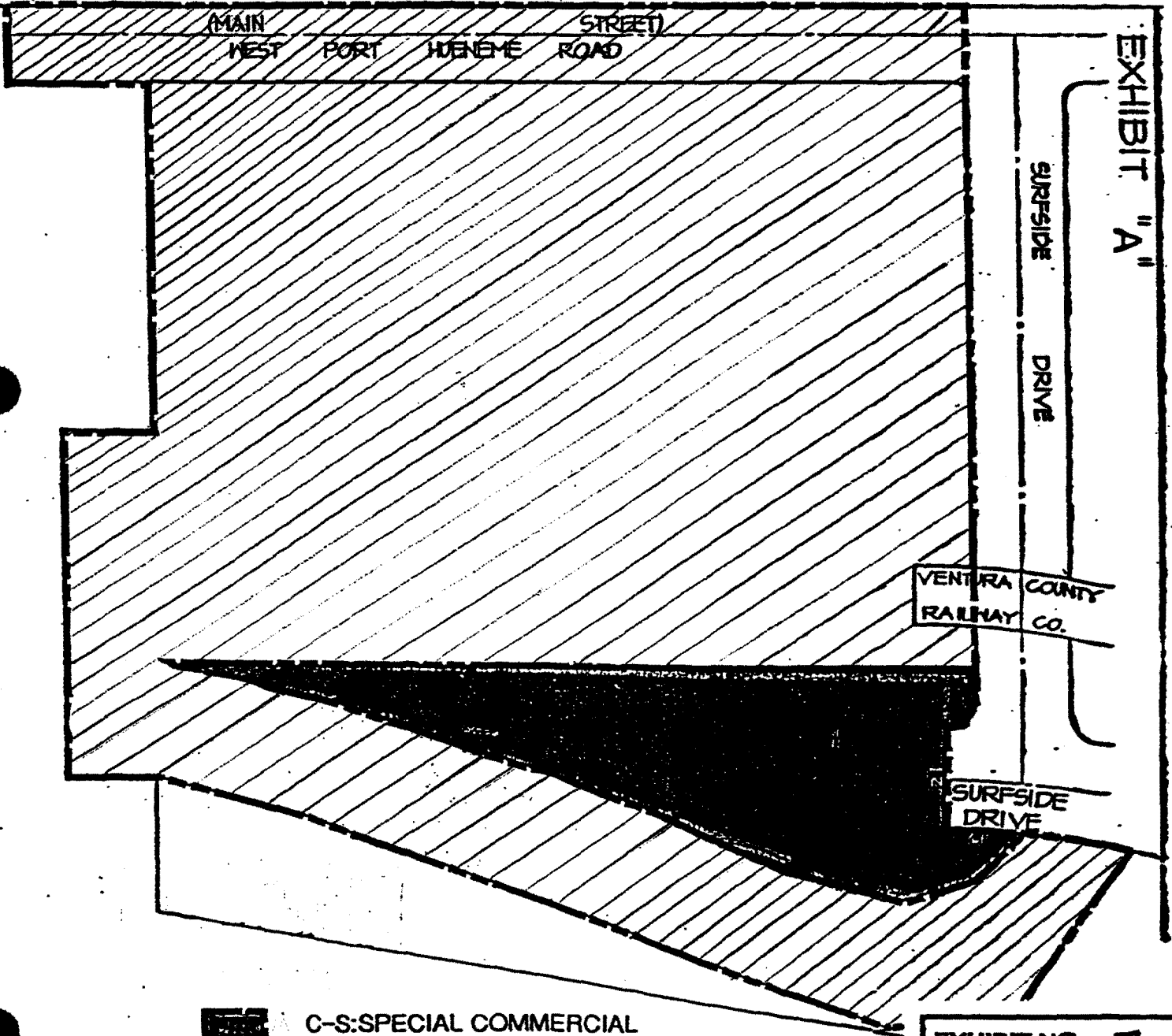
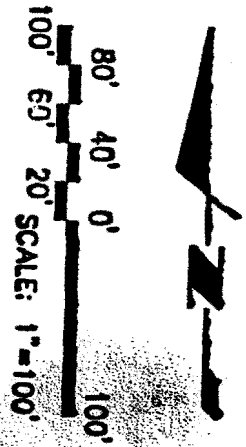
VISITOR COMMERCIAL



PORT

EXHIBIT NO. 6
APPLICATION NO. PHC/CPA 1-02
Proposed Land Use Designation

PROPOSED ZONING



C-S: SPECIAL COMMERCIAL



M-PR: PORT-RELATED USES

EXHIBIT NO.	7
APPLICATION NO.	PHLCPA 1-02
Proposed Zoning Designation	

EXHIBIT NO. 8
APPLICATION NO. PHBCPA 7-02
Resolution 3316
Page 1 of 22

RESOLUTION NO. 3316

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME
ADOPTING A FINAL MITIGATED NEGATIVE DECLARATION AS A RESPONSIBLE
AGENCY, AMENDING THE LOCAL COASTAL PROGRAM AND ZONING
ORDINANCE TEXT, CONDITIONALLY APPROVING BOUNDARY CHANGE
APPLICATION NO. PHBC-776 TO THE ZONING MAP AND GENERAL PLAN LAND
USE MAP, AND CONDITIONALLY APPROVING PLANNED DEVELOPMENT
PERMIT APPLICATION NO. PHPD-777 AND AUTHORIZING TRANSMITTAL OF
SAME TO THE CALIFORNIA COASTAL COMMISSION FOR THE SOUTH
TERMINAL-EAST EXPANSION PROJECT AT THE PORT OF HUENEME**

ARTICLE I -- RECITALS

Recitals

A. WHEREAS, pursuant to California Harbors and Navigation Code Section 6075, the City of Port Hueneme ("City") and the Oxnard Harbor District ("District") have entered into that certain Memorandum of Understanding ("SSMOU") effective September 6, 2000, whereby the City consented to the District's acquisition of the vacant 14.1-acre property commonly known as the "Sunkist Site" together with a 1.43-acre dead-end City right-of-way and 0.08-acre land-locked Agency all situated within the California Coastal Zone abutting the commercial Port of Hueneme subject to terms regarding further parcel transactions, development, and the District's construction of certain on and off-site urban design improvements; and

B. WHEREAS, on September 29, 2000, ownership of the Sunkist Site was acquired by the District, a harbor district of the State of California formed in 1937 pursuant to the California Harbors and Navigation Code, Section 6000 et al., whose primary governmental function is to own, operate, and manage the commercial deepwater Port of Hueneme including development of harbor works and facilities; and

C. WHEREAS, the District's Port Master Plan, as amended, was first approved and certified by the California Coastal Commission at its regular meeting of May 15, 1979, and on March 6, 2002, the California Coastal Commission certified the District's Port Master Plan Amendment No. 6 that adds approximately 11.5-acres of the former Sunkist Site and abutting West Hueneme Road right-of-way into the District's Port landholdings; and

D. WHEREAS, a public hearing has been held as required by law and in accordance with Section 8 of the SSMOU and Municipal Code Section 10003, 10004, and 10352 to consider the District's applications for a Boundary Change to amend the City's Land Use Map and Zoning Map and component amendment

of the City's Zoning Ordinance Text and Local Coastal Program ("LCP") Text to provide for port use on the 11.5-acres of the former Sunkist Site property and vacated City right-of-way and to seek issuance of a Planned Development Permit for the construction and use encompassing improvement of the property by paving, fencing, utilities, drainage, and lighting suitable for the placement, handling, and storage of cargo, including automobiles together with: (i) a 10-foot high perimeter wall with landscaping along the easterly boundary and a 10-foot high chain link fence along the southerly boundary; (ii) a public plaza at the intersection of Surfside Drive and the beach revetment; and (iii) the West Hueneme Road/Surfside Drive pedestrian parkway connecting the new plaza to the Museum on Market Street with said improvements all situated adjacent to the South Terminal area of the commercial Port of Hueneme, a portion of Subdivision 87, Rancho El Rio De Santa Clara O'La Colonia in the City of Port Hueneme, County of Ventura, State of California, (hereinafter referred to as, "Project"); said Project site further identified to include Ventura County Assessor's Parcel Nos. 206-0-100-33, -32, -15, and -16; and

E. WHEREAS, said Boundary Change would reclassify and remap approximately 11.5-acres of the Sunkist Site property from "C-S Special Commercial" to "M-PR Port Related Uses" zone and redesignate and remap it from "Visitor Commercial" to "Port" land use as depicted in Attachment "A" attached hereto; together with miscellaneous revisions to the LCP's Introduction text to reflect present conditions, and revisions to the LCP's Existing Conditions and Land Use Plan text to reflect the proposed zoning and land use changes to the Sunkist Site and new implementing regulatory provisions (zoning text) for the remaining "Visitor Commercial" Zone portion of the Sunkist Site as set forth in Attachment "B" attached hereto; and

F. WHEREAS, the Local Coastal Program of the City of Port Hueneme, as amended, was first approved and certified by the California Coastal Commission at its regular meeting of July 25, 1984; and

G. WHEREAS, pursuant to Municipal Code Section 10006, any amendment to adopted development and use standards or boundary change to land situated within the California Coastal Zone constitutes an amendment of the City's LCP and shall not become final until approval is granted by the Coastal Commission; and

H. WHEREAS, In order to comply with the California Environmental Quality Act, an Initial Study and Mitigated Negative Declaration was prepared for the Project by the District through its consultant, Padre Associates, Inc., to analyze the potential significant environmental effects of the Project that was circulated for public review between February 12, 2001 and March 26, 2001, whereby a Final Mitigated Negative Declaration was adopted by the District as lead agency on March 26, 2001 in accordance with CEQA; and

I. WHEREAS, consideration of the Project by the City Council represents a discretionary action subject to the environmental review requirements of the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et. seq.) and by operation of Section 15050 of the California Administrative Code, the City Council of the City of Port Hueneme is deemed "responsible agency" for the purposes of CEQA and that a Final Mitigated Negative Declaration and Initial Study Evaluation ("FMND") has been prepared by the District as required by law in connection with said Project to which it pertains, which FMND is on file in the office of the Director of Community Development, City of Port Hueneme; and

J. WHEREAS, the City Council has reviewed and considered all public testimony and supporting materials and exhibits relevant to the proposed Boundary Change Application No. PHBC-776 and Planned Development Permit Application No. PHPD-777 prior to rendering a decision on any aspect of the Project; and

K. WHEREAS, City staff has recommended that the Project be conditionally approved.

ARTICLE II -- DECLARATIONS

Record

A. 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 Project and FMND prepared pursuant thereto, 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 July 17, 2002.

b. All oral, written, and visual materials presented by City and District staff in conjunction with that certain public hearing conducted on July 17, 2002.

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 July 17, 2002 (hereinafter referred to as "Staff Report").

ii. The FMND, dated March 26, 2001 commissioned by the District for the Project.

iii. District Resolution No. 868 containing and adopting a Mitigation Monitoring and Reporting Program for the Project attached hereto as Attachment "C".

iv. The SSMOU, effective September 6, 2000.

v. All written and oral comments received as a result of the distribution of public review draft documents for the Project on April 30, 2002 and received in conjunction with that certain public hearing to consider the Project conducted on July 17, 2002.

vi. District's Boundary Change Application No. PHBC-776, Development Permit Application No. PHPD-777, and the Project's Preliminary Development Plans prepared by Penfield & Smith Engineers and Surveyors and supporting materials accompanying the Staff Report.

vii. Amendment No. 2 to the SSMOU together with the District's Letter of Understanding accompanying the Staff Report as Exhibit "A".

Public Review

B. On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements pertaining to the LCP and Zoning Ordinance Amendment and issuance of a Boundary Change 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.

1. Written notice of the availability of public review draft documents pertaining to the proposed Project together with public hearing date to be set for a certain future date before the City Council was mailed to all governmental agencies and persons known to be interested in Local Coastal program matters. In addition, copies of the review draft documents were made available for public perusal at the Port Hueneme Civic Center, Ray D. Prueter Library, and South Central Coast Area Office of the Coastal Commission. Both notice and documents were mailed and/or delivered on April 30, 2002, a minimum of forty-five (45) days prior to the City Council's final action on the proposed Project.

2. Written Notice of public hearing before the City Council of the City of Port Hueneme conducted on July 17, 2002 was mailed to all

governmental agencies and persons who were know to be interested in Local Coastal program matters and to all persons owning property within 300 feet of the boundaries of the Project site and to all residents within 100 feet of said boundaries, which notice was mailed not later than ten (10) calendar days prior to the date of said hearing.

3. Written notice of public hearing before the City Council conducted on July 17, 2002, was published in a legal section of a newspaper of general circulation on July 7, 2002.

C. BE IT FURTHER RESOLVED that the City Council of the City of Port Hueneme considered the potential effects of the proposed Project on the regional need for public services and available physical, fiscal, and environmental resources before deciding on this matter.

Environmental Impact Findings

D. BE IT FURTHER RESOLVED that the City Council has considered the information in the proposed Project's FMND and Mitigation Monitoring Program and all comments received during the public review period prior to taking any action related to the proposed Project.

E. BE IT FURTHER RESOLVED that on the whole record before the City Council, including the proposed Project's FMND containing comments received during the public review process, and with incorporation of all mitigation prescribed in Attachment "C" of this Resolution, the proposed Project will mitigate or avoid the significant environmental effects thereof as identified in the Initial Study so that the proposed Project will not have a significant effect on the environment and that this reflects the City Council's independent judgment and analysis that the FMND meets the requirements of CEQA.

F. BE IT FURTHER RESOLVED, that considering the record as a whole, the proposed Project involves no potential for adverse effect, either individually or cumulatively, on wildlife.

G. BE IT FURTHER RESOLVED, that the City Council, acting as responsible agency, hereby approves the FMND for the proposed Project subject to and contingent upon implementation of all mitigation and monitoring measure prescribed in Attachment "C" of this Resolution.

H. BE IT FURTHER RESOLVED that the City Council has conducted a public hearing as required by law to consider the proposed Project and has considered the FMND prior to taking any action related thereto.

Coastal Act Findings

I. BE IT FURTHER RESOLVED that 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 proposed Project with respect to relevant policies of Chapter 3 of the Coastal Act. On the basis of evidence presented below, the proposed Project is deemed fully consistent with and furthers the objectives of the California Coastal Act of 1976:

1. Shoreline Access

a.1. 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 Coastal Commission in 1978-79. 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 beach. At its western terminus, the Master Plan calls for 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 a meandering promenade.

b.1. Consistency Statement: The proposed Project would result in the construction and use of a sixty-foot (60') diameter decorative beach viewing plaza near the terminus of the Sunkist Site revetment at Surfside Drive that will serve as the public entry point to the planned continuation of public access that is planed up-coast alongside the beach revetment terminating near the entrance of the harbor (future Lighthouse Promenade) consistent with the intent of the Hueneme Beach Master Plan. The proposed plaza includes an eight-foot (8') wide shared bicycle and pedestrian sidewalk that connects eastward to the existing eight-foot (8') wide shared bicycle and pedestrian parkway located along the West Beach Park shoreline that links to the Beach Park's Pier Plaza and the Bubbling Springs Recreational Corridor, a shared eight-foot (8') wide bicycle and pedestrian parkway alongside a riparian water-way extending 2-miles inland from the ocean providing unrestricted access to the beach from neighborhoods in the central and northern portion of the City and outlying coastal plain. The

Proposed project will also result in the construction and use of a new twenty-two to twenty-four foot (22'-24') wide parkway with eight-foot (8') wide bicycle and pedestrian walk extending ¼-mile inland from the proposed beach plaza northward along the eastern edge of the Surfside Drive right-of-way terminating at the Port Hueneme Museum on Market Street consistent with the LCP's development policies for the Sunkist Site calling for an urban design connection to the Market Street area.

2. Recreation

a.1. 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).

b.1. Consistency Statement: The proposed Project would leave intact the "Visitor-Commercial" land use designation and "C-S Special Commercial" zoning classification for the approximate 1.5-acre portion of the Sunkist Site situated between the revetment and existing railroad tracks and reclassify the remaining landward and revetment portion of Sunkist Site with a "Port" land use designation and "M-PR Port Related Uses" zoning classification that would apply implementing regulatory provisions where seawall revetment and waterfront access facilities, together with recreational and visitor serving facilities, are permitted uses so long as they are consistent with and further the intent of the Hueneme Beach Master Plan as set forth in the Land Use Plan of the LCP; 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 (public access and recreation is currently designated on the ocean-side of the revetment with a "P-R" Park Reserve Zone classification and a "Parks and Open Space" land use designation). New implementing regulatory provisions proposed as a result of the Project would also allow certain professional, service oriented, or specialized retail uses by Conditional Use Permit for the "C-S Special Commercial" Zone.

3. Marine Environment

a.1. 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).

b.1. Consistency Statement: The proposed Project does not include marine environment property and according to the Final Mitigated Negative Declaration prepared for the Project and approved by the Coastal Commission, the proposed Project is not expected to have any significant impacts on biological resources (Section 2.4). With regard to coastal waters, the proposed Project is subject to compliance with state and federal regulations implementing the Clean Water Act, including National Pollutant Discharge Elimination System permit requirements administered by the Regional Water Quality Control Board and the three (3) additional Water Quality Policies found in Amendment No. 6 to the District's Port Master Plan.

4. Land Resources

a.1. Statement of Fact: Environmentally sensitive habitat areas must be protected. The regulations provide that development in areas adjacent to sensitive habitat areas and parks and recreation areas shall be protected against any significant disruption and that uses of adjacent areas be limited to prevent degradation of sensitive habitat (Section 30240).

b.1. Consistency Statement: According to the Final Mitigated Negative Declaration prepared for the Project and approved by the Coastal Commission, the proposed Project does not contain environmentally sensitive habitat nor does the Project disrupt adjacent sensitive habitat areas listed by the U.S. Fish and Wildlife Service, California Department of Fish and Game, or those that are of local concern. Development ~~of port-related uses on the bulk~~ of the Sunkist Site is buffered from the adjacent Beach Park by the remaining 1.5-acre Visitor Serving portion of the Sunkist Site situated between the revetment and existing railroad tracks and by the proposed 10-foot high perimeter wall with landscaping located along Surfside Drive.

5. Development

a.1. 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).

b.1. Consistency Statement: As noted herein, the proposed Project will maintain and enhance the right of public access along the shoreline and ensure coastal-related and coastal-dependent development at the Sunkist Site property by improving unimproved beach access and classifying the

property with an "M-PR" Port Related Industry Zone and "Port" land use designation that ensure shoreline access consistent with the Hueneme Beach Master Plan and the Port Master Plan Amendment No. 6, certified by the Coastal Commission on March 6, 2002, that adds the Sunkist Site to the Oxnard Harbor District's land holdings.

6. Industrial Development

a.1. 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).

b.1. Consistency Statement: The proposed Project would allow development and use of the expanded portion of the Harbor District's boundaries on the former Sunkist Site Warehouse property for port related and access related land uses to enhance operation of the deepwater Port of Hueneme complex consistent with the Hueneme Beach Master Plan and the Port Master Plan Amendment No. 6.

7. Coastal Resources Summary

a.1. Statement of Fact: the proposed Project is consistent with Port Master Plan Amendment No. 6 that added the greater part of the former Sunkist Property into the Harbor District landholdings. In approving Port Master Plan Amendment No. 6, the California Coastal Commission staff report stated: "In summary, the Commission finds that the proposed Port Master Plan Amendment No. 6 will allow the Oxnard Harbor District to construct port related support land uses and facilities and all significant effects of future development will be adequately mitigated. As proposed, the Port Master Plan Amendment is consistent with all applicable procedural provisions and policies of the Coastal Act."

Amendment Findings

J. BE IT FURTHER RESOLVED that the proposed Project's relationship to and effect on other sections of the previously certified LCP are as follows:

1. To obtain certification of its first Local Coastal Program in 1984, the City was required to rezone and redesignate land use at the Sunkist Site property for a limited range of visitor-serving commercial and recreational uses with a "C-S Special Commercial" zone classification and a "Visitor Commercial" land use designation. On September 6, 2000, the City consented to the District's acquisition and port-related use of most of this vacant land and northerly abutting West Hueneme Road right-of-way subject to terms regarding

its development, transfer, and the District's construction of certain on and off-site urban design improvements. Under the MOU, the City agreed after the District's purchase and submittal of compete development plans to diligently pursue appropriate amendments to its Zoning Ordinance, General Plan, and Local Coastal Program to allow the Sunkist Site to be used for port purposes under the same zoning that exists for the remainder of the property owned by the District at the Port of Hueneme. On September 29, 2000, ownership of the Sunkist Site was transferred to the Harbor District for expansion of commercial port-related uses at the deepwater Port of Hueneme. On March 6, 2002, the California Coastal Commission certified the District's Port Master Plan Amendment No. 6 that adds approximately 11.5-acres of the Sunkist Site and northerly abutting West Hueneme Road right-of-way into the District's Port landholdings. On April 10, 2002, the District submitted application to the City for development and reuse of the Sunkist Site.

Accordingly, a boundary change is proposed that would reclassify the greater part of the property and northerly abutting West Hueneme Road right-of-way (approximately 11.5-acres) from its existing "C-S Special Commercial" zone classification and "Visitor Commercial" land use designation to a "M-PR' Coastal Related Industry Zone and "Port" land use designation to facilitate reuse for port-related and public access purposes. The approximate 1.5-acre portion of the Sunkist Site under ownership of the City located between the revetment and existing railroad tracks would maintain its existing "C-S Special Commercial" zone classification and "Visitor Commercial" land use designation. The 2.53-acres of the Site located seaward of the revetment will retain its existing "P-R Park Reserve" Zoning and "Parks and Open Space" land use designation for recreational beach use. The land use and zoning map revisions, together with proposed changes to the LCP's Introduction, Existing Conditions, and Land Use Plan text and implementing regulatory provisions (zoning text) merely reflects the proposed change in land use for the bulk of the Sunkist Site from visitor-serving commercial to port-related purposes.

2. Modification of implementing regulatory provisions for the "C-S Special Commercial" Zone are proposed which recognize the irrelevance of the earlier geographic requirements embodied in the C-S zone and broaden the specific list of permitted conditional uses for the remaining 1.5-acre, City owned, C-S zoned lot located between the railroad tracks and beach revetment; specifically commercial uses including: bakeries, barbershops, financial institutions, florist shops, delicatessens, newsstands, confectionary stores, art and photo studios, office, professional, or business, travel agencies, antique shops, specialty retail shops, business office of port users and professional and offices doing business with port or United States Navy users.

ARTICLE III -- BOUNDARY CHANGE APPROVAL

LCP & Zoning Amendments & Boundary Changes

A. BE IT FURTHER RESOLVED that the City Council of the City of Port Hueneme does hereby approve and recommends Coastal Commission approval of Boundary Change Application No. PHBC-776 encompassing revisions of the General Plan Land Use Map and Zoning Map as illustrated in Attachment "A" attached hereto; and further approves the Local Coastal Program and Zoning Ordinance text amendments consisting of those exact revisions as set forth in Attachment "B" attached hereto.

B. BE IT FURTHER RESOLVED that initiation of the Boundary Change to the Zoning Map and Zoning Text amendments set forth in Attachment "A" and Attachment "B" are hereby initiated by the City Council pursuant to Municipal Code Section 10003(B).

ARTICLE IV -- DEVELOPMENT PERMIT APPROVAL

Development Permit

A. BE IT FURTHER RESOLVED that the City Council of the City of Port Hueneme does hereby approve Planned Development Permit Application No. PHPD-777 for the Project ("Permit") subject to the following conditions:

1. That the Permit is granted to the District (also referred to herein as "Permittee") for the area and use as described in the application and attachments thereto, and as shown in the Preliminary Development Plans accompanying the Staff Report and, by this reference, incorporated herein. The terms and conditions of this Permit shall be perpetual and all future owners and predecessors in interest to fee title of the subject property shall be bound hereunder.

2. That the location and development of all structures, fencing, driveways, parking areas, landscaping, lighting, utilities and other such facilities and features shall be substantially as shown in all the Preliminary Development plans prepared by Penfield & Smith, DMJM Harris, and Pacific Coast Land Design accompanying the Staff Report, except or unless indicated otherwise herein. The color, texture and physical composition of the perimeter panel wall shall substantially conform to that which exists around the District's property, or as amended herein. Any mechanical and/or electrical equipment, including solar collector panels, satellite dish antennas, receiving and/or transmitting antennas on the roof of any structure or "pad" mounted on the site shall be appropriately

screened from public view in a manner acceptable to the Director of Community Development or as otherwise governed by the provisions of Section 10203(H) of the Port Hueneme Municipal Code.

3. That conditional approval of this Permit shall expire in twenty-four (24) months from the date of adoption of this Resolution unless substantial use is inaugurated or substantial construction commenced within said time frame. In this regard, the term substantial shall mean over forty percent (40%) of the proposed minimum square footage of the Project site. A twelve (12) month extension of time may be granted by the Director of Community Development for a total development period not exceeding thirty-six (36) months.

4. That the Project, including all on-site and off-site improvements, shall be constructed and completed in a single-phase pursuant to the SSMOU.

5. That the following modifications to the Preliminary Development Plans accompanying the Staff Report shall be subject to further review and approval by the Director of Community Development and resolved in conjunction with the Permittee's preparation of detailed grading, construction, landscape and irrigation plans, and specifications as required herein:

(a) Type, sizing and density of all landscape plant materials including the following changes:

- (i.) All trees identified as 15-gallon in size shall be replaced with minimum 24-inch box containers.
- (ii.) All ground cover shall be minimum 8-inches on center planted continuously beneath all shrub areas.
- (iii.) Consideration should be given to including Gazania 'Mitswa Yellow' for ground cover in accent areas along the street front.
- (iv.) Add 20' Phoenix Dactyufera palm tree in landscape planter located directly across the street from the Anacapa View Homes vehicle entry off Surfside Drive to serve as a focal point.
- (v.) Washingtonia Robusta palms to be planted at approximately 20-feet on center south of Seaview Street to replicate similar palm spacing in the beach area (12 palms).
- (vi.) Provide one to two (1-2) additional Metrosideros Excelsa trees in the proposed turf planter located between Seaview Street and the Anacapa Homes vehicle entry on Surfside Drive.

- (vii.) Pipe sizing for all lateral lines needs to be depicted on plans and mainline needs to be defined.
- (viii.) Replace Carissa, Escallonia, Coprosma, and Cytisus located around flag plaza with Pittosporum Tobria 'Wheelers Dwarf', Euophrasia Viridis Munchkin, Pittosporum Tobria Variegata and Day Lilies, respectively, plus ensure that the gazania with 100% 'yellow'.
- (ix.) Along the pedestrian parkway, replace Crissa Tuttei with Pittosporum Tobria 'Wheelers Dwarf'.

(b) Change the proposed irrigation system to include: stainless steel replacement of the existing irrigation controller enclosure and the electrical service enclosure (Myers Type 3R stainless steel); replacement of the Hit-Logic with a Weathermatic time clock; and installation of a new irrigation pump with enclosure for the "City Maintained Valve".

(c) Replace all "root barrier" labeled on plans with "bio-barrier".

(d) Install three inch (3") diameter conduit material and pull boxes at appropriate distances within the City's right-of-way along Surfside Drive and West Hueneme Road beginning near the proposed flag pole plaza and ending at the intersection with Market Street where the new sidewalk joins the curb and gutter (possibly in common trench with new irrigation mainline). The design shall be appropriate to enable installation of a future video security system to help monitor the harbor perimeter, flag plaza, and future shoreline public access by the City Hall Police dispatch center.

Should an impasse be reached as to resolution of any or all of the matters listed herein, such matter or matters shall be submitted to the City Council for its deliberation as a Major Modification pursuant to the provisions of Section 10352(H) of the Municipal Code of the City of Port Hueneme.

6. That as part of the construction plans submitted herein, detailed landscaping and irrigation plans prepared by a State licensed landscape architect shall be submitted to and approved by the Director of Community Development prior to the issuance of building permits. Said plans shall specify all planting materials and include a horticultural soils report and laboratory recommendations for all soil preparation and maintenance fertilization for all landscaped areas from a state certified laboratory. Prior to issuance of a "Certificate of Occupancy" for the Project, all landscaping, irrigation, and thematic improvements shall be completed and fully installed. The Permittee shall continuously maintain all landscaping that is installed pursuant to this condition for a period of not less than ninety (90) days or until such earlier time that all plant material and ground cover has been established to the satisfaction

of the Director of Community Development. The Permittee shall notify the Director of Community Development prior to installation of all trees, palms, irrigation mainline, wire control, quick couplers, swing joints, irrigation heads, valves, and controller, to allow City verification and approval of the materials. The irrigation mainline shall be pressurized and inspected by City prior to backfill. A formal written request for final installation inspection by the District shall be accompanied by a certification from the Project landscape architect as to the Project's conformity with approved plans and specifications together with a twelve (12) month warranty on all tree and palm materials. Pursuant to Municipal Code Section 6042, the District shall be responsible for the ongoing maintenance and care of all landscaping and irrigation in the Parkway located on the west side of Surfside Drive, including maintenance and care of all trees and palms at a level of care equal to or greater than that provided by the City for its landscaped street median islands. In this regard, the Project irrigation system shall be separated for independent operation by the City and District on each side of the street with the irrigation system and materials located on the west side of Surfside Drive subject to specification and approval by the City's Landscape Supervisor.

7. That the District shall abide by Condition No. 7 of City Council Resolution No. 3089 regarding the Terminal and Multi Modal Expansion Project. (NOTE: CONDITION NO. 7 OF RESOLUTION NO. 3089 PERTAINS TO THE CITY'S APPROVAL OF DEVELOPMENT PERMIT NO. PHPD-752 FOR THE DISTRICT'S TERMINAL AND MULTI MODAL EXPANSION PROJECT AT THE FORMER NAVAL CIVIL ENGINEERING LABORATORY PROPERTY WHEREBY THE DISTRICT IS REQUIRED TO PROVIDE THE CITY PEAK HOUR AND AVERAGE DAILY TRAFFIC COUNTS OF TRUCK AND LIGHT VEHICLE TRAFFIC GENERATED BY THE HARBOR FOR INCLUSION IN THE DISTRICT'S ANNUAL AUDITED FINANCIAL STATEMENTS.)

8. The Permittee shall install street signs as deemed necessary by the Public Works Director mounted on timber poles to complement the City's established street scene.

9. That exterior lighting shall be provided for all access driveways, parking areas, and pedestrian walkways so as to facilitate protection of private property and the safe pedestrian movement throughout the Project site. Such lighting shall be accomplished in such a manner as to not illuminate adjacent properties or streets, which might be considered objectionable by adjacent property owners or hazardous to passing motorists. Detailed architectural plans depicting the location and type of all on-site and off-site lighting features shall be submitted to and approved by the Director of Community Development as part of the construction plans submitted herein.

10. That prior to issuance of Building Permits by the City, the District shall pay all fees in the amount then prescribed by ordinance, resolution, statute, or other such instrument of law that apply to the scope of development

approved by this Permit, except or unless otherwise waived by the agency having jurisdiction.

11. That the District shall consult with the Ventura County Cultural Heritage Board in order to determine the exact location of the old Hueneme Wharf site and take appropriate measures to reduce impacts to the site and identify and designate the historical site as recommend by the Cultural Heritage Board prior to a "Certificate of Occupancy" being issued for the site by the City's Building Official.

12. That prior to construction, grading and site utility plans shall be submitted to the Director of Public Works for approval as to grading and the location, type and adequacy of water and sewer lines. Prior to obtaining building permits, the Permittee shall obtain a Ventura County Fire Protection District Form #126 "Requirements for Construction" for approval as to the size, location and water flow of hydrants, which plans shall also denote the location of existing hydrants within 300 feet of the Project site. All construction and circulation shall comply with relevant Articles of the Uniform Fire Code in effect. In addition, to the extent required by the Ventura County Fire Protection District, the District shall comply with the Ventura County Fire Protection District's conditions of approval accompanying this Resolution as Attachment "E". Required fire hydrants shall be installed and made serviceable prior to any combustible construction and shall conform to the minimum standards of the Water Works Manual of the City of Port Hueneme, which standards include, but are not limited to, the following:

(a) Each hydrant shall be in accordance with current a six-inch wet barrel design and shall have two (2) four-inch and one (1) 2-1/2-inch outlet(s).

(b) The required fire flow shall be achieved at no less than 20 psi residual pressure for a 2-hour duration.

(c) Fire hydrants shall be recessed in from the curb face, 24 inches on-center.

The minimum fire flow for such hydrants shall be determined by the type of building construction, proximity to other structures, fire walls, and fire protection devices provided, as specified by the I.S.O. Guide for Determining Required Fire Flow. Given the present plans and information, the required fire flow is approximately 1,250 gallons per minute. Each individual hydrant shall have a minimum flow of 1,250 gallons per minute. The Permittee shall verify that the water purveyor can provide the required quantity at the Project site.

13. That upon request of the City, the Permittee shall provide a copy of its erosion control and storm water pollution prevention program to the

Director of Public Works for review and approval that incorporates the mitigation measures prescribed in the Final Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the Project and the three (3) Water Quality Policies found in Amendment No. 6 to the District's Port Master Plan. Should it be determined by the Director of Public Works to be necessary to relocate any existing on-site utilities, it shall be done at Permittee's expense. All underground irrigation, water, and other pipes and/or openings, which may be encountered during construction, shall be removed or sealed in a manner satisfactory to the Public Works Director. All new utility facilities serving this Project shall be installed underground in easements as required by the utility companies, and approved by the Director of Public Works. All utility lines and sub-connections to this Project shall be installed before any paving is placed and all utility boxes shall be placed underground or in inconspicuous locations, screened from public view, so as not to impair the quality of the Project.

14. That the District shall provide or ensure provision of all on-site and off-site improvements that shall conform to the Port Hueneme Municipal Code, generally accepted engineering standards, and to such standards that are found by the Public Works Director to be reasonably necessary to service the Project that include, but are not limited to, the following items:

a. An adequate domestic water, waster water, and fire flow distribution and delivery system.

b. An adequate storm water drainage system and utility systems designed and constructed to provide all necessary utilities to the Project site.

c. An adequate parking and traffic regulatory system including necessary signals, signs, and pavement surfaced with asphalt concrete or concrete, and striping.

15. That to the extent practicable, all construction and demolition debris from the Project shall be recycled. This should include, but is not limited to, asphalt, concrete, metal, brick, vegetation/brush, wood, dirt/earth, and rocks. Separate container(s) should be provided for similar materials so they can be taken to the appropriate recycling facility.

16. That all building construction shall comply with applicable City Building Code requirements and City Standard Construction Details and the Permittee shall adhere to all governmental laws, ordinances and regulations governing the site's use and development. Prior to the issuance of building permits the Project, detailed construction plans shall be submitted to and approved by the City Building Official, Public Works Director, and Ventura County Bureau of Fire Prevention

The Permittee, as deemed necessary by the City Building Official, shall employ a Deputy Inspector or a qualified Laboratory Technician, who may be a District employee, for continuous inspection of the perimeter concrete panel wall during installation. At the time of completion of the Project, the Permittee shall make formal written request for final City inspection, which request shall be accompanied by certification from the Project architect/engineer as to the Project's conformity with approved plans and specifications, including indication as to any deviation there from; provided, further, that the Permittee shall provide the Department of Community Development with "as-built" plans on reproducible Mylar or transparencies prior to a "Certificate of Occupancy" being issued for the Project.

17. That the hours of construction of this project shall be limited to weekdays from 7:00 a.m. to 5:00 p.m., and from 9:00 a.m. to 5:00 p.m. on Saturdays, unless specifically authorized in writing by the City's Building Official. A temporary chain link fence, six (6) feet in height, shall be installed around the perimeter of each area under construction during the period of construction and shall be removed upon completion of all site and building improvements. The Permittee shall be responsible for actions of his/her contractors and subcontractors until such time as all public improvements have been accepted by the City. The Permittee shall designate in writing before starting work as to an authorized representative who will have complete authority to represent and to act on behalf of the Permittee. Said authorized representative or his/her designee shall be present at the work site at all times while work is actually in progress on the Project and shall make arrangements acceptable to the City's Building Official or Director of Public Works for emergency work which may be required at such time as the Permittee's representative is not actually on the project site. Whenever the Permittee or his/her representative is not present on any particular part of the work where it may be desired to give directions, the City's Building Official or Public Works Director may give orders. These orders shall be received and obeyed by the superintendent or foreman who may have charge of the particular work in reference to which the orders are given. Should the Permittee's representative or workman not be available, the City may do or have work done by others at the Permittee's expense, if, in the opinion of the City's Building Official or Public Works Director, the work is required for the protection, health or safety of the general public.

18. That prior to issuance of Building Permits and within thirty (30) days of the date of approval of this Resolution, the Permittee shall file with the Director of Community Development written acceptance of the conditions stated herein. Compliance with and execution of all conditions, procedures and requirements listed herein shall be necessary prior to obtaining final building inspection clearance. Deviation from any condition, procedure or requirement listed herein shall only be allowed by written approval of the Director of

Community Development or as otherwise governed by the modification provisions of Section 10203(H) of the Municipal Code of the City of Port Hueneme.

19. That prior to commencement of work in the City's public right-of-way or on other City owned property, the District or District's contractor shall obtain a City Encroachment Permit from the Director of Public Works.

20. That no "Certificate of Occupancy" shall be issued for the Project until such time that all on-site and off-site landscaping, parking, lighting and other improvements depicted on the construction documents has been fully installed and completed to the City's satisfaction.

21. That all mitigation measures contained in the Mitigation Monitoring and Reporting Program as set forth in Attachment "C", attached hereto shall be accomplished in the manner and time frame identified. In this regard, the City shall be provided a copy of the monthly report to the Board of Harbor Commissioners regarding its compliance with identified mitigation measures in the FMND as set forth in Board Resolution No. 868.

22. That all improvements constructed on the site and along the western side of Surfside Drive including, without limitation, all landscaping, irrigation, monument signs, lighting, and exterior fencing surfaces, shall be maintained by the Permittee, at the Permittee's expense, in a continuous state of good condition and repair, clean and free of rubbish, to the satisfaction of the City.

23. That the Permittee shall take all actions necessary to control dust and dirt throughout the duration of construction including, without limitation, excavation, grading and material transport operations. Prior to commencement of grading and/or construction on any portion of the site, the Permittee shall develop a dust control program and submit it for review and approval by the Director of Public Works. Said program shall and shall include provision for removal of all construction debris from public streets and gutter flow lines on a regular basis. Said program shall also make provision for dust and dirt control on all portions of the project site, all phases inclusive, prior to their actual physical development.

24. That the Permittee shall be responsible for all traffic control during construction and shall review all traffic control measures with the Director of Public Works for his approval prior to commencement of construction. All street closures, detours, and barricades shall be in strict conformance with the "Manual of Traffic Controls for Construction and Maintenance Work Zones", most current edition, issued by the State of California Business and Transportation Agency, Department of Transportation. The Permittee shall also be responsible

for replacement with like kind and quality of any existing features, fixtures or facilities (roads, pavement, curbing, utility, etc.) damaged by the Permittee during construction to the satisfaction of the City.

25. That the District, in all respects regarding the proposed Project, shall comply with the terms and provisions stipulated in Condition No. 7 and 12-20, where applicable, of City Council Resolution No. 2323, which Conditions, by this reference, are incorporated herein. (NOTE: RESOLUTION NO. 2323 PERTAINS TO THE CITY'S APPROVAL OF DEVELOPMENT PERMIT NO. PHPD-614 FOR THE WHARF 2 PROJECT. CONDITION NO. 7 OF RESOLUTION NO 2323 PERTAINS TO THE ENVIRONMENTAL THRESHOLDS AND MITIGATION MEASURES EMBODIED IN THE 1987 SETTLEMENT AGREEMENT. CONDITIONS 12-20 OF RESOLUTION NO. 2323 PERTAIN TO THE ALLOWABLE CONSTRUCTION PROCEDURES/ACTIVITIES/TRAFFIC, DEVELOPMENT STANDARDS, AND CIRCULATION MEASURES EMBODIED IN THE 1987 SETTLEMENT AGREEMENT.)

26. That pursuant to Section 3 of the MOU, regarding the District's right to utilize the City's Visitor Serving parcel, the City hereby gives the District its 12-month notice terminating the District's right to utilize the City's Visitor Serving parcel effective the date that this Resolution is adopted.

27. That the Permittee and all subsequent occupants of the site shall comply with all applicable requirements of the State of California, County of Ventura, City of Port Hueneme and all other governmental agencies having jurisdiction over the Project and/or property on which it is to be developed including the District's compliance with all the terms and conditions set forth in the SSMOU, as amended.

28. That violation of any or all of the conditions of this Development Permit shall be considered a violation of the Zoning Ordinance of the City of Port Hueneme and shall constitute grounds for revocation of said Permit.

Mitigation Fee Findings

B. BE IT FURTHER RESOLVED that as a condition of Project approval, certain dedications and fees listed in Attachment "D" of this Resolution, are required to help avoid or substantially mitigate potentially injurious or detrimental effects to the public health, safety or welfare.

Effective

C. BE IT FURTHER RESOLVED that as prescribed in Article II, Article III and Article IV, of this Resolution, the proposed Project is deemed consistent with and furthers the objectives and policies of the City's General Plan, Zoning Ordinance, and Local Coastal Program and provides for the orderly growth, development, and use of property and activities in the City of Port Hueneme.

D. 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.

E. BE IT FURTHER RESOLVED that the Boundary Change approval granted herein shall not become effective until the corresponding LCP and Zoning Ordinance Text Amendments and General Plan Land Use and Zoning Map revisions have been approved and certified by the California Coastal Commission and accepted by resolution of the City Council consistent with California Code of Regulations Section 13544(a) for final certification and until thirty (30) days after adoption of the necessary Ordinance by the City Council to implement the Zoning Map and Zoning Text amendments.

F. BE IT FURTHER RESOLVED that the approvals granted herein shall not become effective until the Permittee files with the Director of Community Development written acceptance of the conditions stated herein pursuant to Article IV, Condition No. 18 of this Resolution.

G. BE IT FURTHER RESOLVED that the 90-day appeal period in which the Permittee may protest relative to the imposition of fees, dedications, reservations, or other exactions for public facilities required by the City attached to this Resolution as Attachment "D" as prescribed in California Government Code Section 66020(d)(1) has begun on the adoption date of this Resolution.

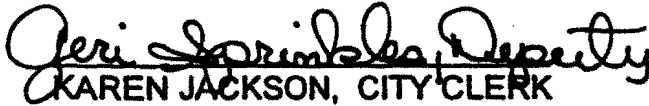
H. BE IT FURTHER RESOLVED that the Mayor of the City of Port Hueneme is hereby authorized to execute Amendment No. 2 to the SSMOU accompanying the Staff Report as Exhibit "A" and that the City Council accepts the District's Letter of Understanding in Exhibit "A" that clarifies the process by which the parking lot described in Amendment No. 2 to the SSMOU shall be constructed by the District.

I. BE IT FINALLY RESOLVED that the Director of Community Development of the City of Port Hueneme is hereby authorized to file said Project approval with the Coastal Commission of the State of California and to execute any and all necessary documents and provide additional information with appropriate governmental agencies as may be required to implement the Project.


PASSED AND ADOPTED this 17th day of July, 2002/


JONATHAN SHARKEY, MAYOR PRO TEM

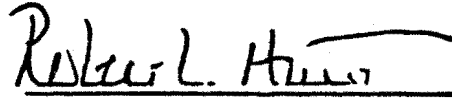
ATTEST:


KAREN JACKSON, CITY CLERK

APPROVED AS TO FORM:


MARK D. HENSLEY, CITY ATTORNEY

APPROVED AS TO CONTENT:


ROBERT L. HUNT, CITY MANAGER

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. 3316 passed and adopted by the City Council of the City of Port Hueneme at the Adjourned Regular Meeting of the City Council of the City of Port Hueneme on the 17th day of July, 2002, by the following vote:

AYES: Council Members Rosenbluth, Young, and
 Mayor Pro Tem Sharkey

NOES: None

ABSTAINING: None

ABSENT: Council Member Turner and Mayor Volante


KAREN B. JACKSON, City Clerk of
Port Hueneme and ex-officio Clerk of
the Council

DATED: July 18, 2002

PROPOSED LOCAL COASTAL PROGRAM AMENDMENTS

***"Redlined" Version – June 19, 2002
(South Terminal - East Expansion Project)***

NOTE: WORDS AND PHRASES THAT ARE UNDERLINED ARE TO BE ADDED; LANGUAGE THAT IS STRUCKOUT (~~STRUKEOUT~~) IS TO BE DELETED.

SEE PAGE NOS. 2, 4, 5, 21, 23, 39, 40, 45, 46, AND 49 FOR PROPOSED CHANGES.

EXHIBIT NO. 9
APPLICATION NO. PH CCPA 1-02
Proposed LCP
Amendments

Local Coastal Program Amendment 1-02

(2002 South Terminal – East Expansion Project)

Section I

Introduction

LIST OF TABLES

	<u>Page</u>
Table 1 - Coastal Zone Land Use Development Policy Matrix	28

LIST OF FIGURES

Figure 1 - Coastal Zone	3
Figure 2 - Coastal Zone Sub-Areas and Key Development Sites	15
Figure 3 - Resource Protection Area	34
Figure 4 - Land Use Revision	47
Figure 5 - Zoning Revisions	48

LOCAL COASTAL PROGRAM

TABLE OF CONTENTS

Page

SECTION 1: INTRODUCTION

What is the Local Coastal Program?.....	1
What does this have to do with Port Hueneme?.....	2
How was the LCP developed?.....	2
What was the process in Port Hueneme?.....	4
What is the relationship between the LCP, the General Plan, and other planning programs for the Coastal Area?.....	4
What is the relationship between the LCP and the Oxnard Harbor District Master Plan for the Port of Hueneme?.....	5

SECTION II: LAND USE PROGRAM

Coastal Policies.....	7
Existing Conditions and Potential Development.....	16
Local Coastal Land Use Plan.....	26
Implementation.....	45

SECTION III: ZONING ORDINANCE.....50

SECTION 1: 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 shoreline areas. 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 was comprehensively ~~is being~~ revised to reflect the new goals and policies contained in the 2015 General Plan Update.

How 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.

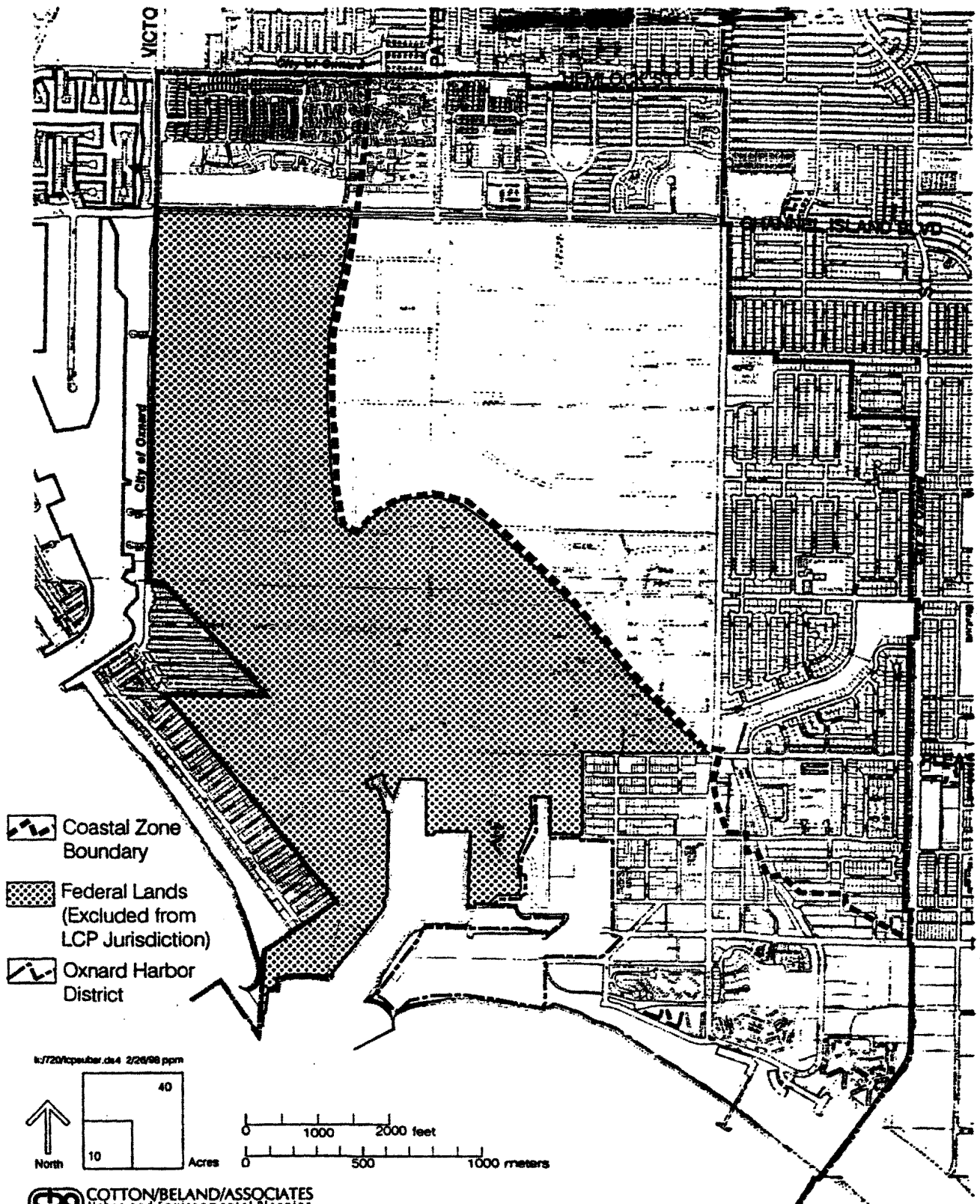


Figure 1
Coastal Zone



CITY OF PORT HUENEME
LOCAL COASTAL PLAN

What 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".

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.

The Local Coastal Program was is being revised in conjunction with the City's 2015 General Plan Update, initiated in 1992 and certified in 1998. 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.

What is the Relationship
Between the LCP, 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) 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 and Central Community Project Redevelopment Plan collectively serve as the foundation upon which the LCP Land Use Plan is based.

Secondary components which serve to implement the LCP include:

Ventura West Specific Area Plan

Neighborhood Preservation Program

Hueneme Beach Master Plan

Neighborhood Strategy Area Urban Design
Study

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 incorporated by reference for information purposes into the City of Port Hueneme Local Coastal Program in July 1984.

The City of Port Hueneme and the Oxnard Harbor District have entered into four ~~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 and September of 2000, 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, and the purchase of the Sunkist Site by the District in September of 2000.

SECTION II

Land Use Program

COASTAL POLICIES

SECTION II: LAND USE PROGRAM

The Local Coastal Program for the City of Port Hueneme must conform to the policies of the California Coastal Act. These policies have been organized into 16 groups, as shown below:

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

The following sections briefly summarize applicable Coastal Act policies concerning these 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

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

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

Coastal Act Section 30221: 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

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 pale-

ontological 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~~ 30252: 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 alone 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 2010 General Plan Update 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.

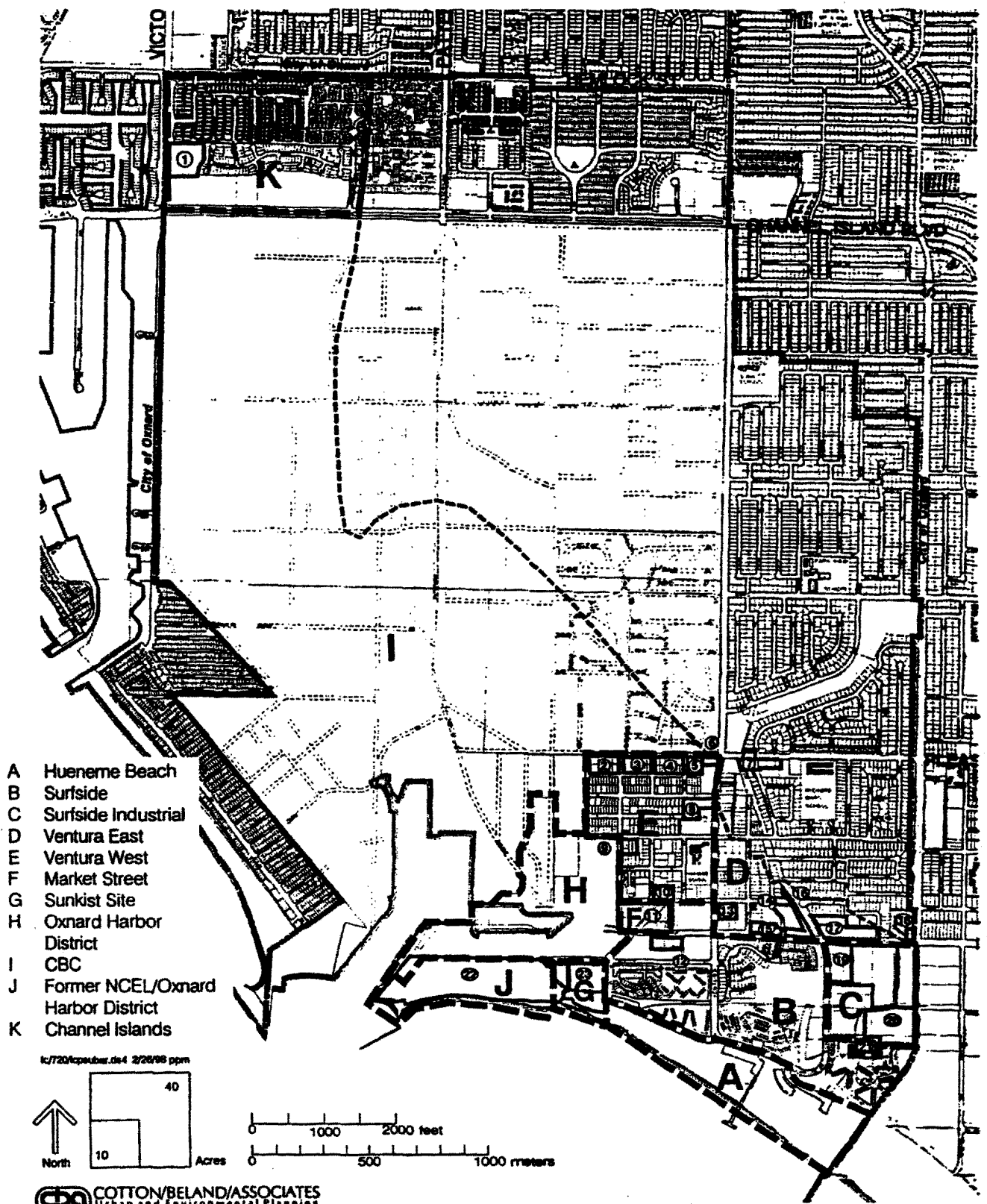


Figure 2
Coastal Zone Subareas and Key Development Sites



CITY OF PORT HUENEME
LOCAL COASTAL PLAN

EXISTING CONDITIONS AND POTENTIAL DEVELOPMENT

Area A: Hueneme Beach Park - 68 acres

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 importance, attracting visitors from all parts of Ventura County as well as from neighboring Los Angeles.

Existing Land Use:

. Recreation

General Plan Land Use:

. Parks and Open Space

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)

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.

(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 corps of Engineers.*

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.

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 integration of the park with the surrounding of the southwest corner of Surfside Drive and Port Hueneme Road.

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

Existing Land Use:

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

General Plan Land Use:

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

(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.

Area C: Surfside Industrial - 40 acres

Area C contains industrial uses (auto salvage, general industrial, mini-storage) and public facilities.

Existing Land Use:

- . Vacant
- . Industrial
- . Public Facilities

General Plan Land Use:

- . Public Facilities
- . Industrial

General Plan land use and zoning designate the area for light industrial and public facilities use.

During the General Plan update process, a new General Plan category (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 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 consists primarily of residential uses of various housing types and densities. Ventura East also contains the Port Hueneme Civic Center and a small number of commercial uses along Port Hueneme and Ventura Roads. The Bubbling Springs Linear Park passes through Area D.

Existing Land Use:

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

General Plan Land Use:

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

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 towards 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

Ventura West is primarily a residential area, with a mix of single-family (5,000 square foot 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 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.

By virtue of the dilapidated conditions prevalent within the "ABC" Street portion of Ventura West (four block area located westerly of Ponomo Street between Pleasant Valley Road and Clara Street) together with its proximity

Existing Land Use:

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

General Plan Land Use:

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

to the USNCBC and Port of Hueneme, the City has maintained a transitional zoning classification which provides for the simultaneous development of residential and harbor-related uses in 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 dwelling 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

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 vacant parcels. Under the current General Plan, the area is designated for commercial and visitor serving use.

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.

Existing Land Use:

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

General Plan Land Use:

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

Existing Land Use:

. Vacant

General Plan Land Use:

. Parks and Open Space

. Visitor Commercial

. Port

Area G: Sunkist Site - ~~11~~ 14.1 acres

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 land paralleling Port Hueneme Road occupied by railroad ~~tracks~~ tracks, 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 railroad ~~VCCR~~ for this purpose has declined greatly.

The Sunkist Site represents key development site 23. Of the approximately ~~14.1~~ 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~~ 2.53 of the 11.4 acres lies north-south of an existing seawall; the beach on size of that portion below the wall fluctuates with the sand pumping cycle from Channel Islands Harbor. The City's General Plan designates the site as suitable for Visitor Commercial (but unspecified) use on the 1.51 acres abutting north of the seawall, with the southern area, located south in the vicinity of the seawall, designated for Parks and Open Space use. The balance of the site is designated as Port under ownership of the Oxnard Harbor District and is governed by its certified Port Master Plan. It has been the City's intention to tie future development of the Sunkist Site to the Market Street area. Although The beach area below the seawall is owned by Privately the City held and 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 Hueneme Beach Master Plan calls for a meandering promenade passes through along the seawall lower portion of the Sunkist Site.

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

Existing Land Use:

. Harbor Related

General Plan Land Use:

former site of the U.S. Naval Civil Engineering Laboratory (NCEL). The NCEL was selected for closure under the Port third round of the 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 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 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 (NCEL MOU) 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 NCEL MOU, the City and the District have entered into a second MOU governing the acquisition of the Sunkist Site and 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 located within the City. In addition, the Zoning Ordinance will be amended to be consistent. (See the Implementation Section of this LCP).

The District does contain one important recreation and visitor-serving facility whose future is of concern to the City. Hueneme Sportfishing is a commercial enterprise with five boats available either for individuals on scheduled departures or for charter by fishing parties.

**Area I: 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

Existing Land Use:

- . Vacant
- . Commercial
- . Low Density Residential
- . Medium Density Residential
- . High Density Residential

General Plan Land Use:

- . Commercial
- . Low Density Residential
- . Medium Density Residential
- . High Density Residential

**Coastal Land
Use Program**

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.

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.

Arcawide 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 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 land uses which will create and sustain a strong, viable economic base for the City.
- GP-2 Creative utilization and responsible conservation of the City's major natural assets the beach and harbor environment.
- GP-3 Development and maintenance of a housing stock with a broader range of choice for residents of the City.
- GP-4 Improvement of accessibility to the City from the regional freeway and highway system.
- GP-5 "Fair Share" Payment for use of City services and facilities.
- 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.
- 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:

- 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 the LCP.

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 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 Coastal Act policy groups of concern to the geographic sub-areas within Port Hueneme.

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	○	○	○				○		○					
B. Surfside	GP-1 GP-3	LCP-1 LCP-2				○					○					
C. Surfside Industrial	GP-1	LCP-3											○			
D. Ventura East	GP-3 GP-4	LCP-1	○	○		○										
E. Ventura West	GP-3															
F. Market Street	GP-1	LCP-1 LCP-2 LCP-3	○	○			○				○					
G. Sunkist Site	GP-1	LCP-1 LCP-2	○	○				○								
H. Port of Hueneme	GP-6	LCP-3	○	○			○			○	○	○	○	○		
I. CBC (1)	GP-5 GP-6	LCP-3														
J. Port of Hueneme	GP-6	LCP-2 LCP-3	○	○	○			○		○	○		○	○		
K. Channel Islands	GP-3			○						○						
L. Areawide	GP-2 GP-6	LCP-3				○	○			○	○			○	○	○

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

 COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning

Table 1
Coastal Zone Land use
Development Policy Matrix

CITY OF PORT HUENEME
LOCAL COASTAL PLAN

LCP Land Use:

. Parks and Open Space

Related Documents:

. Beach Master Plan

. Development Permit 179-33

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

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.

Environmentally Sensitive Habitat Areas

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 in Figure 3. 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 is not definitive and 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 permit 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, 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 Habitat Protection 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 applicats 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 Permits Projects. All temporary development projects or Special Use Permits issued within Hueneme Beach Park (Coastal Zone Subarea A) shall be conditioned to identify the location of and potential sensitive resources within the Resource Conservation Zone Overlay and downcoast Ormond Beach areas and prohibit participants 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 main focus of 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.

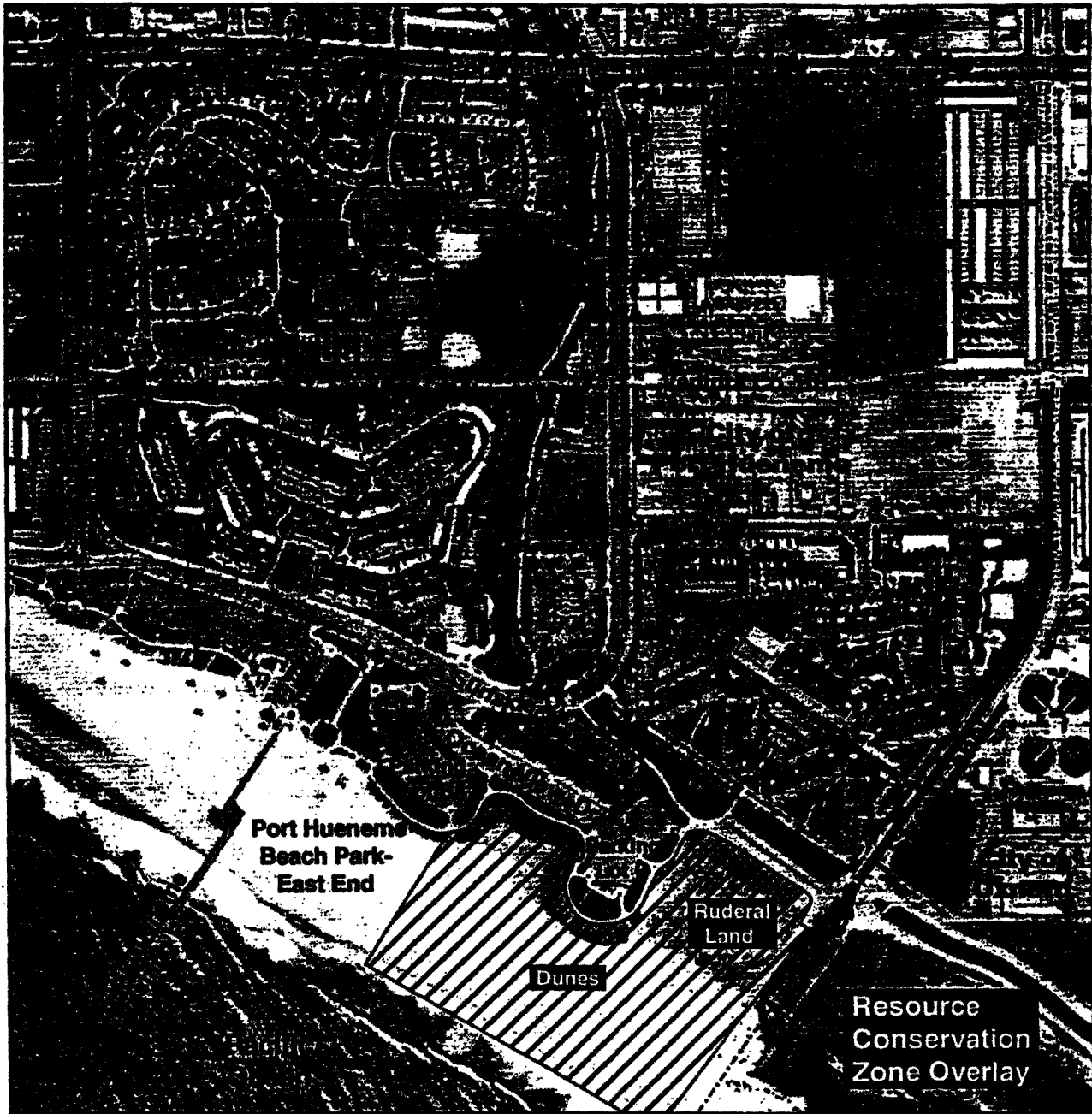
a. Dunes are distinct and sensitive ecosystems that contain certain rare, endangered, protected, or unusual plant and animal species. Dune land forms serve an important function in protecting inland areas from storm damage and erosion. This highly specialized habitat is extremely unstable due to the 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 U.S. 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 which is occupying the habitat during nesting and breeding seasons.

b. The west bank of the "J" Street Canal may have eroded and encroached into Hueneme Beach Park. As such, 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.



c:\proj\161720\rcznovly.dxf 11/20/98 jnw



0 500 feet

0 250 meters

CBA COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



CITY OF PORT HUENEME
LOCAL COASTAL PLAN

Figure 3
Resource Conservation Zone Overlay

LCP Land Use:

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

Related Documents:

- . Central Community Redevelopment Project
- . Hueneme Redevelopment Plan

LCP Land Use:

- . Industrial
- . Public Facilities

Related Documents:

- . Central Community Redevelopment Project

Area B: Surfside

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.

Area C: Surfside Industrial

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 accommodating harbor-related growth.

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:

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.

Area D: Ventura East

LCP Land Use:

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

Related Documents:

- . Development Permit 137-02
- . Central Community
Redevelopment Project
- . Neighborhood Preservation Program

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:

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.

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

LCP Land Use:

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

The Ventura West Specific Area Plan was adopted 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

Related Documents:

- . Ventura West Specific Area Plan
- . Development Permit 179-33
- . Central Community
Redevelopment Project
- . 1979 Coastal Energy Impact Program
- . Neighborhood Preservation Program
- . Port Development Review Committee
Agreement

objectives; (2) neighborhood stabilization via code enforcement and urban design improvements to facilitate elimination of blight and blighting ~~influence, and stimulation of~~ private reinvestment; and, (3) housing conservation via rehabilitation assistance and property maintenance assistance 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 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. In this respect, 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 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.

Coastal-Related 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.

Area F: Market Street

Resolution of the Market Street 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 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 /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.

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, specialty retail and harbor-related nature.

LCP Land Use:

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

Related Documents:

- . Port Development Committee Review Agreement
- . Central Community Redevelopment Project

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 functions.

Area G: Sunkist Site

The Sunkist Site, as a large parcel with ocean and frontage under single public ownership by the City and Oxnard Harbor District, represents a coastal resource requiring careful planning.

LCP Land Use:

. Commercial and

Visitor-Serving

. Parks and Open Space

. Port

Related Documents:

. Port Development Review

Committee Agreement

. Hueneme Beach Master Plan

. Central Community Redevelopment Project

. Sunkist Site MOU

Development of the Sunkist Site should be undertaken comprehensively in accordance with an approved master plan the Oxnard Harbor District's Port Master Plan Amendment No. 6 approved by the Coastal Commission on May 7, 2002 and the strategy set forth below.

As to the nature of allowable uses, the prominence of Area G relative to its proximity to both the Pacific Ocean and the Port of Hueneme presupposes a port-related use and a more limited range of 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,~~ Accordingly, it is proposed that port-related uses and 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 occur 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 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

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 owned by the City located on 1.51 acres situated 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.

(ii) The developable portion of Area G located northerly of the City owned lot existing Ventura County Railroad tracks may include Port-Related Industrial office uses in addition to visitor-serving and commercial-recreational facilities as listed in the underlying zone classification.

(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) Construction of public parking on the Gion Easement (a one-half acre parcel landward of Surfside Drive, southeasterly of the Sunkist Site) should occur concurrently with construction of the City-owned visitor-serving lot or the Lighthouse promenade.

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

Areas H& J: Port of Hueneme/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.

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 to 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.

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

LCP Land Use:

- . Port
- . Parks and Open Space

Related Documents:

- . Memorandum of Understanding
- . Naval Civil Engineering Laboratory
- . Harbor Redevelopment Plan
- . Port Development Review Committee Agreement
- . Port Master Plan

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 overseeing 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 and shall serve as the overriding development strategy for Areas H & J.

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

LCP Land Use:

- . Commercial
- . Low Density Residential
- . Medium Density Residential
- . High Density Residential

Area K: Channel Islands

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.

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 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.

Areawide 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 regulate generation, handling and disposal through performance standards and permitting procedure for facility location, intensity, density, type and design. Appropriate mitigation to hazards and other adverse impacts identified through the environmental review and permit process shall be incorporated into conditions of approval.

Related Documents:

- . Ventura County Hazardous Waste Management Plan

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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 runup; 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: pollution 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. 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.

Community Development Action Plan Amendments

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 incorporated into the Local Coastal Program. Because both of these documents are being created simultaneously, they have been designed to be consistent. Concurrently or immediately following certification, formal amendment proceedings for the General Plan will be conducted.

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.

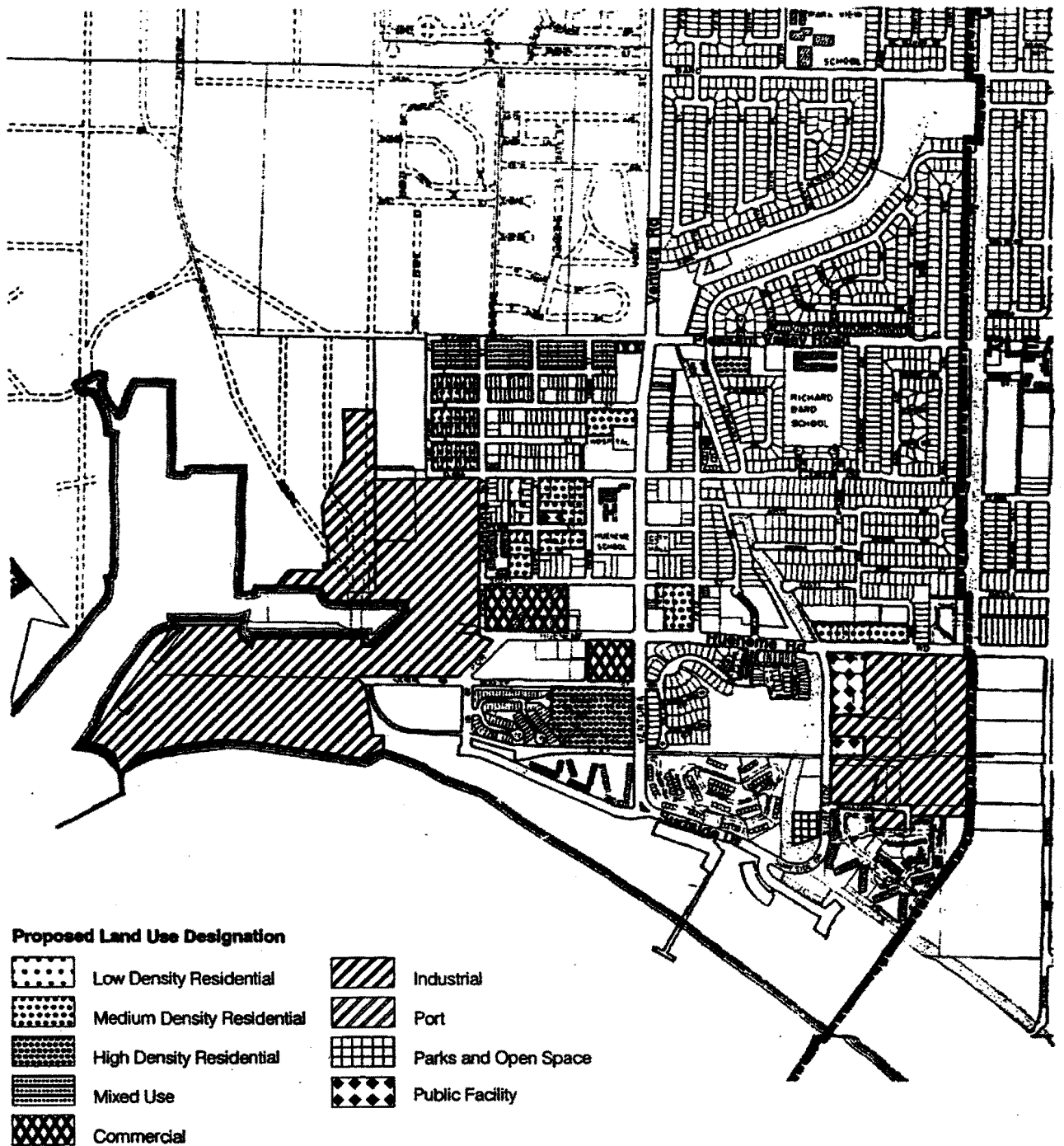
Revisions to the City's Land Use Map, as shown in Figure 4 are designed to bring land use into conformity with land use designations of the General Plan and Local Coastal Program. Revisions to the City's Zoning Map, as shown in Figure 5, are designed to bring zoning into conformity with land use designations of the General Plan and Local Coastal Program.

Modifications to the Zoning ordinance include:

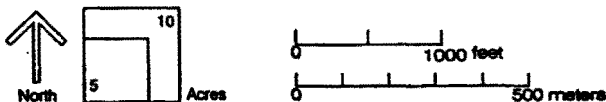
- Creation of the following categories:
Port Related Industry, Mixed Use, and
Light Industry.
- Elimination of Coastal Related
Industry and Coastal Dependent Industry.

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 Mixed Use Designation applies to the properties aligning Pleasant Valley Road. 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.



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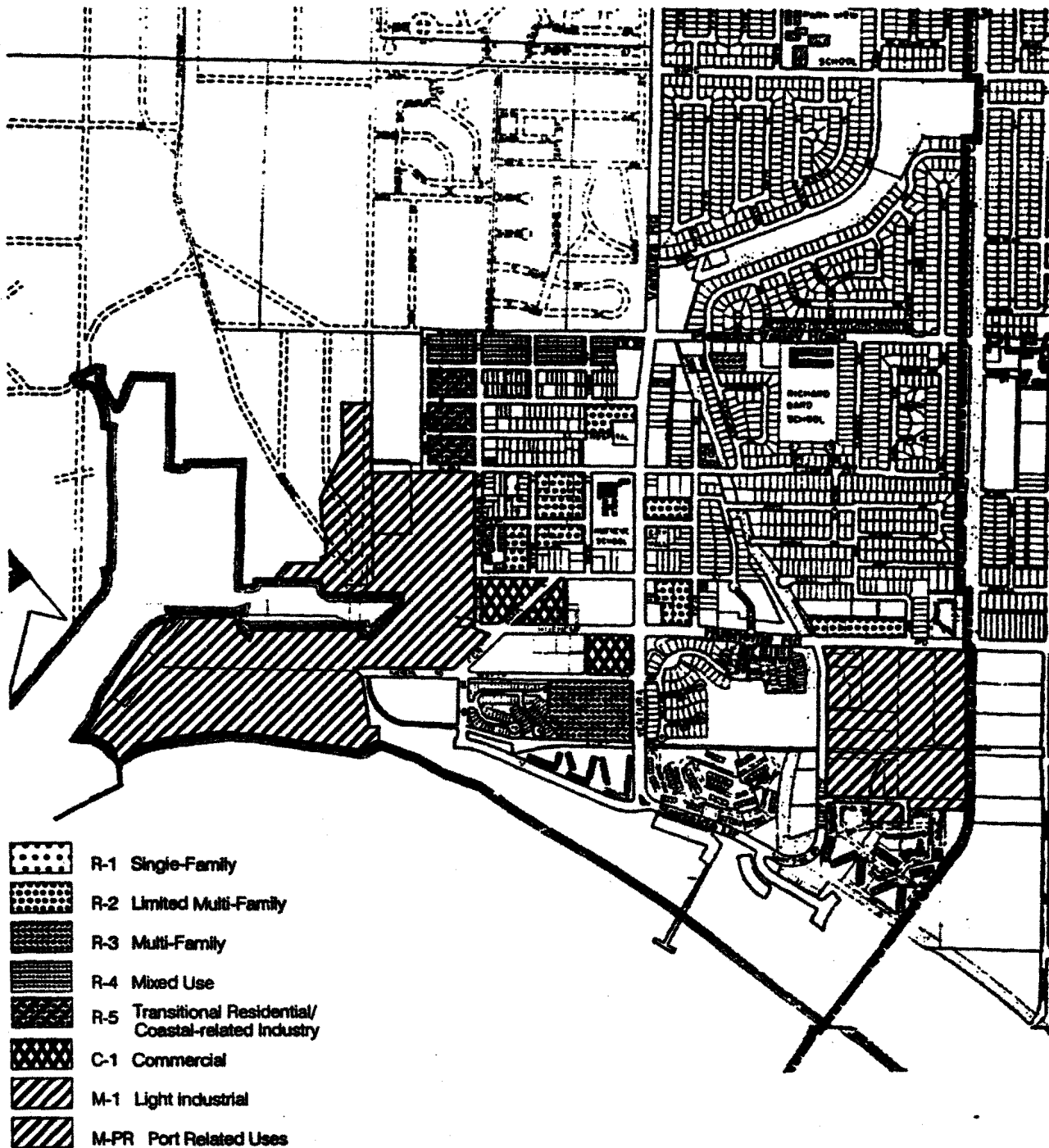


CBA COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



**CITY OF PORT HUENEME
LOCAL COASTAL PLAN**

**Figure 4
Land Use Revisions**



CBD COTTON/BELAND/ASSOCIATES
Urban and Environmental Planning



CITY OF PORT HUENEME
LOCAL COASTAL PLAN

Figure 5
Zoning Revisions

Implementing Programs

Several ~~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 the 1995 NCEL and 2000 Sunkist Site 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 four ~~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 and 2000 Sunkist Site 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 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.

Section III

Zoning Ordinance

**PROPOSED ZONING
ORDINANCE AMENDMENTS**

***"Redlined" Version – June 19, 2002
(South Terminal - East Expansion Project)***

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

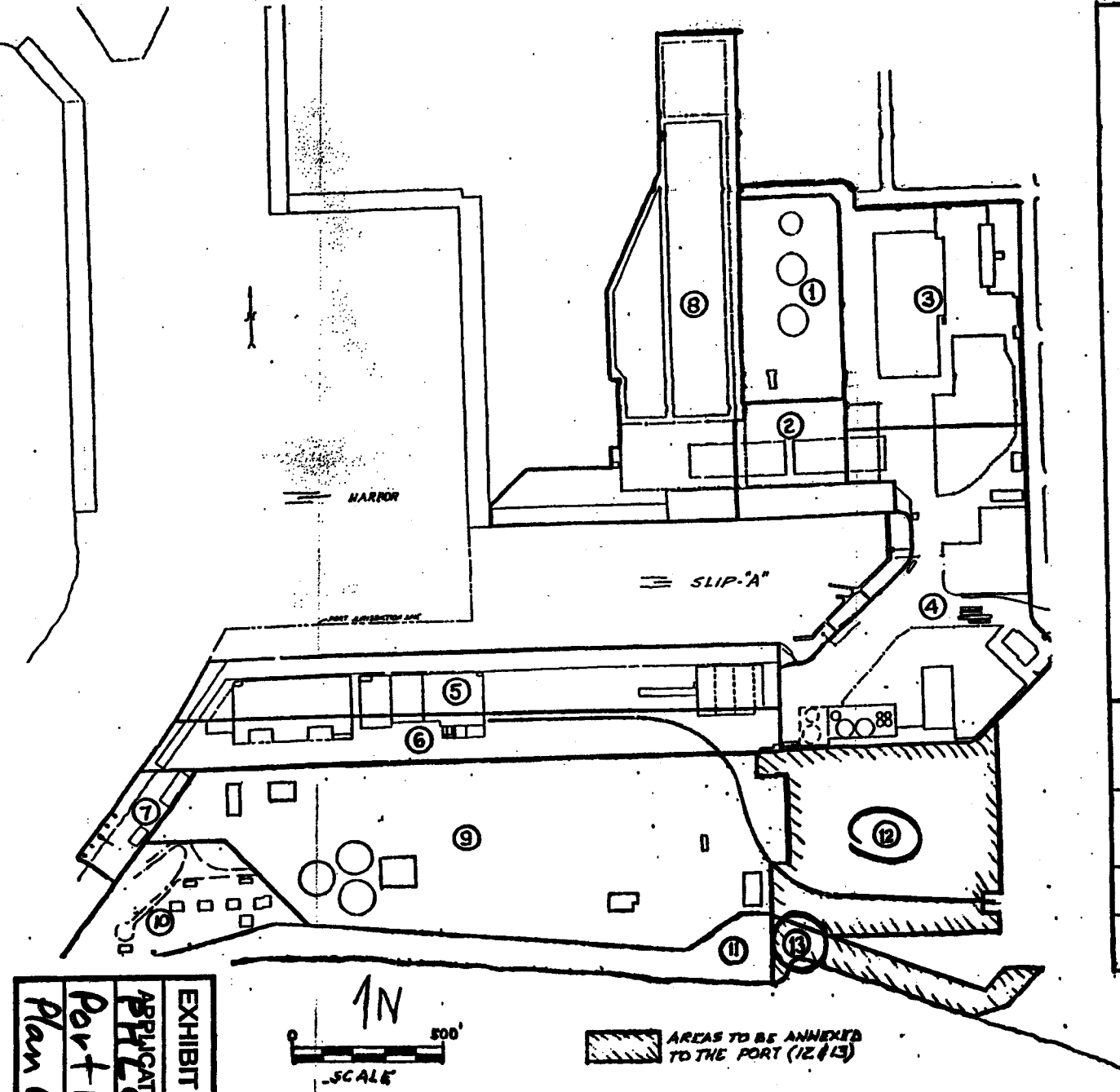
1. Revise Port Hueneme Municipal Code, Article X, Section 10502 to read as follows:

"10502 Conditional Uses

The following uses may be permitted in the C-S Zone ~~to the extent that they are fully consistent with the use criteria, including the specific geographic requirements, applicable to Market Street Landing as set forth in the Land Use Plan of the Local Coastal Program;~~ provided, further, that no Development Permit shall be required under the provisions of Section 10352 of this Article 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 use including, but not limited to, furnishings, equipment, and signs; provided, further that such improvements may be allowed only if they do not constitute a major modification as defined in Section 10352(H)(2) and are otherwise consistent with the provisions on any pre-existing development permit which serves the same general function and purpose as that prescribed in Section 10352 and 10353 of this Article:

A. Limited General Commercial Uses. General commercial uses of a professional, service-oriented or specialized retail nature may be permitted in the C-S Zone ~~so long as they are situated northerly of the intersection of Port Hueneme Road and Seaview Street;~~ provided, further, that such uses may only be comprised of the following:

13. Bakeries;
14. Barbershops;
15. Financial institutions;
16. Florist shops;
17. Delicatessens;



PARCEL NO.	PRIMARY LAND USE
1	PETROLEUM PRODUCTS
2	AUTOS / GENERAL CARGO
3	WAREHOUSING
4	AUTOS / GENERAL CARGO
5	GENERAL CARGO / BUNKERING
6	GENERAL CARGO / OFFSHORE OIL
7	KELP / OFFSHORE OIL
8	GENERAL CARGO / BUNKERING / OFFSHORE OIL
9 & 12	GENERAL CARGO / CONTAINERS / OFFSHORE OIL / VEHICLES / NEO-BULK / DRY-BULK / LIQUID-BULK / FISHING / MARITIME SUPPORT SERVICES
10	AQUACULTURE / FISHERIES / NAVIGATION / MARINE RESEARCH & EDUCATION / MIXED USE WATERFRONT COMPLEXES
11 & 13	BUFFER ZONE / SEAWALL MAINTENANCE / NAVIGATION / WATERFRONT ACCESS

**PORT OF HUENEME
OXNARD HARBOR DISTRICT**

**PORT LAYOUT
AND LAND USE PLAN**

AMENDMENT # 6 DATE: _____

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COASTAL COMMISSIONING
SOUTH CENTRAL COAST DISTRICT

EXHIBIT NO. 10
APPLICATION NO. PHC-CPA-1-02
Port Master
Plan Land Uses

EXHIBIT NO. 7
APPLICATION NO. #6
PHC-CPA-1-02
Port Layout &
Land Use Plan