

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800

**RECORD PACKET COPY**

**DATE:** May 21, 2003

**TO:** Commissioners and Interested Parties

**FROM:** Peter Douglas, Executive Director  
Chuck Damm, Senior Deputy Director

**SUBJECT:** City of San Buenaventura LCP Amendment No. MAJ-1-02; Four Points Sheraton: Executive Director's determination that the City's acknowledgement of receipt, acceptance, and agreement with the Commission's certification with suggested modifications is legally adequate. This determination will be reported to the Commission at the June 13, 2003 meeting in Long Beach.

On August 6, 2002 the Commission approved Local Coastal Program Amendment No. MAJ-1-02 submitted by the City of San Buenaventura with suggested modifications. This amendment increases the allowable boatel units (hotel units serving recreational boaters and the public) in the Central Harbor Area of Ventura Harbor from a maximum of 50 units to 70 boatel/hotel units. On February 6, 2003 the City requested a one-year extension to accept the suggested modifications pursuant to the California Code of Regulations Section 13544.5.

On April 14, 2003 the City Council of the City of Ventura adopted Resolution No. 2003-024 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. MAJ-1-02 and accepting and agreeing to all modifications suggested by the Commission.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Ventura acknowledging receipt and acceptance of, and agreement with the Commission's certification of the above referenced LCP amendment with suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the City's acknowledgement and acceptance of, and agreement with the terms and suggested modifications of LCPA 1-02, as certified by the Commission on August 6, 2002, as contained in the adopted Resolution of April 14, 2003 and find that the City's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

CITY COUNCIL RESOLUTION NO. 2003-024

ACCEPTANCE AND ACKNOWLEDGE OF THE  
CALIFORNIA COASTAL COMMISSION'S PROPOSED  
MODIFICATIONS TO THE LOCAL COASTAL PROGRAM  
AMENDMENT PREVIOUSLY APPROVED BY THE CITY  
COUNCIL FOR PROPERTY LOCATED AT 1080  
NAVIGATOR DRIVE (FOUR POINTS SHERATON HOTEL)  
CASE NO. MP-140

BE IT RESOLVED by the City Council of the City of San Buenaventura as follows:

**SECTION 1:** On December 17, 2001, the City Council approved an application filed by Lyw Ventura Harborview L.P. for a Comprehensive Plan and Local Coastal Program (LCP) Amendment to amend the Land Use Element's Intent and Rationale Statement for the Ventura Harbor, Central Harbor area, changing the provision restricting the maximum number of boatel/hotel units from 50 to allow a maximum of 70 boatel/hotel units for the property located at 1080 Navigator Drive currently identified as Assessor's Parcel Number 080-0-240-225.

**SECTION 2:** On August 6, 2002 the California Coastal Commission approved the requested LCP Amendment subject to modifications. Pursuant to California Coastal Commission regulations (Title 14, Section 13544) the City Council is required to acknowledge and accept the modifications upon which the Coastal Commission approved the LCP request.

**SECTION 3:** On December 17, 2001, after adopting a Negative Declaration for the project, the City Council approved a Comprehensive Plan and LCP Amendment for the project. The City Council has reviewed and considered the Negative Declaration approved for the project and finds that none of the modifications proposed by the California Coastal Commission require subsequent or supplemental environmental review under CEQA Section 21166.

**SECTION 4:** The City Council HEREBY acknowledges and accepts the modifications upon which the Coastal Commission approved the LCP Amendment request and amends the previously approved Comprehensive Plan/LCP Amendment (MP-140) by incorporating the following italicized language into the Land Use Elements Interest and Rationale Statement for the Ventura Harbor Avenue as follows:

**(For the Central Harbor Area)**

1. *Boatel/hotel development and use shall not detract from or interfere with the harbor oriented coastal visitor-serving uses, tourist activity and public recreational boating uses. Boatel/hotel use shall preserve its visitor serving function by limiting the visitor length of stay. Visitor occupancy of boatel/hotel guestrooms shall be limited to not more than 30 consecutive days and a total of 60 days during one calendar year. Boatel/hotel records shall be maintained in conjunction with the City's Transient*

Occupancy Tax (TOT/Hotel) collection. These records shall be available for inspection to Commission staff and shall include, at a minimum, the occupant's name, guestroom number, dates of occupancy, and calendar year total.


2. All development shall preserve visitor-serving uses and coastal access by providing adequate off street parking areas in an amount determined pursuant to the off street parking regulations described in Chapter 24.415 of the Municipal Zoning Code or any modified parking requirements that are certified as an LCP amendment in the future. Every use of property hereafter initiated, reinitiated, expanded, intensified, or changed and every building hereafter erected enlarge, or structurally altered to accommodate such uses shall be required to provide adequate off street parking spaces. In instances where it is not practical to provide all required off street parking spaces on the subject site, private offsite parking shall be permitted, provided that: (a) The boundaries of the other site containing available parking are located within 500 feet of the boundaries of the site containing the subject land use; (b) The parking spaces available on the other site are not required for another use; and (c) The applicant's right to use the offsite parking spaces is guaranteed in a manner satisfactory to the director and the city attorney through a recorded instrument or executed agreement which is irrevocable throughout the lifetime of the development.

**(For the Northeast Harbor Area)**


3. All development shall preserve visitor-serving uses and coastal access by providing adequate off street parking areas in an amount determined pursuant to the off street parking regulations described in Chapter 24.415 of the Municipal Zoning Code or any modified parking requirements that are certified as an LCP amendment in the future. Every use of property hereafter initiated, reinitiated, expanded, intensified, or changed and every building hereafter erected, enlarged or structurally altered to accommodate such uses shall be required to provide adequate off street parking spaces. In instances where it is not practical to provide all required off street parking spaces on the subject site private offsite parking shall be permitted, provided that: (a) The boundaries of the other site containing available parking are located within 500 feet of the boundaries of the site containing the subject land use; (b) The parking spaces available on the other site are not required for another use; and (c) The applicant's right to use the offsite parking spaces is guaranteed in a manner satisfactory to the director and the city attorney through a recorded instrument or executed agreement which is irrevocable throughout the lifetime of the development.

**PASSED AND ADOPTED** this 14th day of April, 2003.

APPROVED AS TO FORM:

  
Assistant City Attorney

  
Barbara Kam, City Clerk

  
Barbara J. Kam, City Clerk