

CALIFORNIA COASTAL COMMISSION

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

Filed: 4/21/04
49th Day: 6/9/04
180th Day: 10/18/04
Staff: T. Duffey
Staff Report: 4/28/04
Hearing Date: 5/13/04
Commission Action:

**RECORD PACKET COPY****STAFF REPORT: PERMIT AMENDMENT**

APPLICATION NO.: A-4-OXN-03-014-A2

APPLICANT: D.R. Horton Los Angeles Holding Company, Inc.

PROJECT LOCATION: West side of Victoria Avenue, between Wooley Road and Hemlock Street, within the Mandalay Bay Specific Plan area, Oxnard (Ventura County)

DESCRIPTION OF PREVIOUSLY APPROVED PROJECT: Development of the "Seabridge" project on a 135 acre site within the Mandalay Bay Specific Plan area, including: removal of prime agricultural soil; creation of channels and waterways; subdivision of three existing parcels (127.40 acres, 4.02 acres, and 3.88 acres) into 334 lots; the construction of 708 residential units (276 single-family homes, 42 multi-family units, and 390 residential units in the visitor-serving and mixed use designations); 169,000 square feet of commercial floor area on 35 acres; 16.5 acres of recreational land uses; 32.2 acres of open water; 503 boat slips (241 public and 235 private); public trail system (10,755 linear feet of lateral access and 3,841 linear feet of vertical access); and other necessary infrastructure improvements.

DESCRIPTION OF PROPOSED AMENDMENT: Revise project plans to delete the two swimming beaches located in the shallow bay, add a public waterfront landing facility and other sailing amenities to provide additional water access for small craft, and provide other corollary modifications including replacing the upland beach areas with grass areas and paved pedestrian trails and reconfiguring the boat launch ramp to continue to allow "carry-in" boat launch access for small, non-motorized craft. This amendment will also delete the text of Special Condition No. 6 from CDP A-4-OXN-03-014.

SUBSTANTIVE FILE DOCUMENTS: California Coastal Act; City of Oxnard certified Local Coastal Program (LCP); certified Mandalay Bay Specific Plan (MBSP); CDP A-4-OXN-03-014; City of Oxnard CDP, Planning and Zoning Permit Nos. 01-5-93 (CDP), 00-5-85 (TSM Tract No. 5266), and 02-670-2 (Development Agreement).

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

II. SPECIAL CONDITIONS

6. *Water Quality Management Plan For Recreational Bay/"Swimming Beach" Area (deleted)*

Special Condition No. 6 from CDP A-4-oxN-03-014 is deleted in its entirety.

Note: Unless specifically altered by the amendment, all standard and special conditions previously applied to Coastal Development Permit A-4-oxN-03-014 and A-4-oxN-03-014-A1 continue to apply, with the exception of Special Condition No. 6, which is deleted pursuant to the proposed amendment.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. *PROJECT DESCRIPTION AND BACKGROUND*

This proposed amendment includes deleting the two swimming beaches located in the shallow bay, adding a public waterfront landing facility and other sailing amenities to provide additional water access for small craft, and other corollary modifications that include replacing the upland beach areas with grass areas and paved pedestrian trails and the reconfiguration of the boat launch ramp to continue to allow "carry-in" boat launch access for small, non-motorized craft.

On January 14, 2004, the Commission approved the revised findings for Coastal Development Permit A-4-oxN-03-014, which required the development and implementation of a Water Quality Management Plan (WQMP), including specific measures to monitor and protect water quality and to protect public health and safety at the swimming beaches. This requirement was based on the Commission's findings that the potential for water quality impairment, as discussed in detail in the A-4-oxN-03-014 staff report and as seen at other enclosed beaches of this type with similar control over sources of impairments, is great enough to require a Water Quality Management Plan focused on the swimming beaches, in addition to the other water quality requirements imposed by the City's approval. The Commission noted several concerns regarding the proposed swimming beaches, including that the nature of swimming beaches in enclosed harbors is that they attract small children, often have trash and bird problems, are near other harbor activities, such as boating and fishing, and, thus, they have many potential sources of bacteria, and that high residence times (relative to other areas of the Channel Islands Harbor), as are likely to occur with this project, can exacerbate these bacteria problems, resulting in impaired water quality. Therefore, the Commission found that it can be assumed that the project's waterways, including the swimming beaches, will be impacted to some degree by bacteria pollution, which can lead to adverse impacts to coastal resources and human health, and, thus, that the project, as approved by the City, was not consistent with the water quality provisions of the LUP. However, as conditioned to require the development and implementation of a Water Quality Management Plan for the swimming beaches and to require compliance with the City's Conditions, the project was found to be consistent with the water quality policies in the City's LUP.

- d. *Surface water discharge from streams and rivers shall be maintained at levels necessary to sustain the functional capacity of coastal waters, streams, wetlands, estuaries and lakes.*
- e. *Naturally occurring vegetation that protects riparian habitats shall be maintained and, where feasible, restored.*
- f. *Alterations to natural streams shall be minimized to sustain the functional capacity of such areas.*
- g. *Wastewater reclamation shall be encouraged through, among other means, using treated effluent to replenish groundwater supplies and providing freshwater for the restoration of streams, wetlands, estuaries and lakes.*

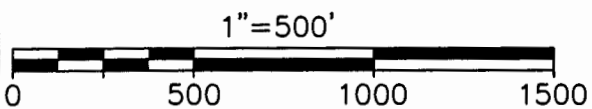
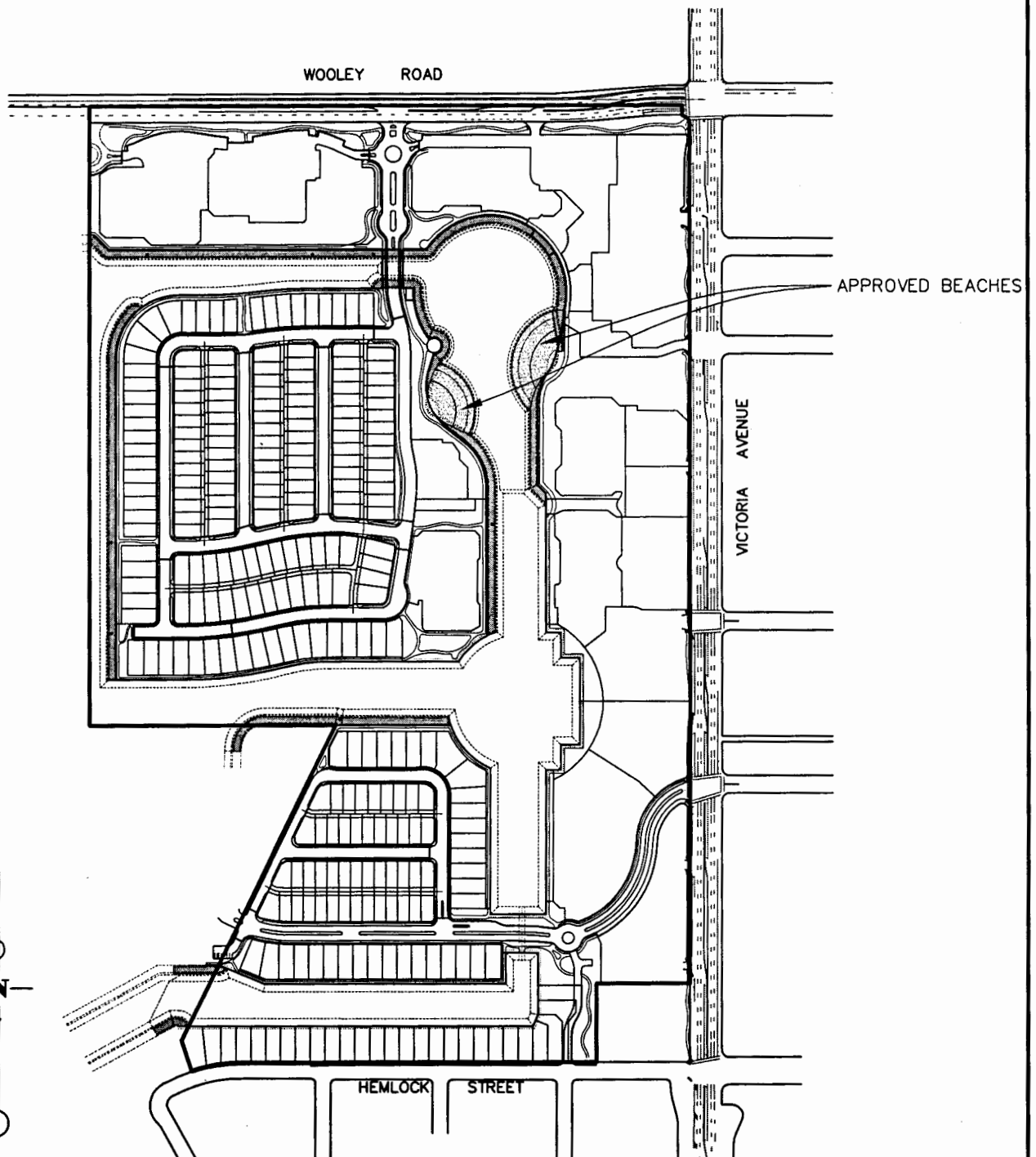
The Specific Plan – Mandalay Bay, Section III, Public Access and Recreation states:

The primary public access to the waterfront of this project is satisfied by a linear park which extends throughout the entire project, except where single-family residences are proposed along Hemlock Street. This waterfront park will provide approximately 21,000 linear feet of lateral access for the public. Interspersed along this linear waterfront park are several "pocket parks" ranging from approximately one-third acre to three acres in size. These pocket parks will offer visitors and residents a variety of facilities, gardens, and open space for "free play." Though auto access to the island will be private and secured (i.e., key operated gate), this linear park system will allow free access for bicyclists and pedestrians alike, and in addition will carry throughout the development a consistent landscape theme unique to this project in the Channel Island Marina. Approximately 8 acres of open water will be designed as a special water recreation area or "water park." This area will not be accessible to larger boating craft (length in excess of 8 feet), but rather will be set aside for activities such as wading, swimming, wind-surfing, and paddle boating, which otherwise would pose a hazard to and be endangered by normal boating activities. This public water park will be unlike any other recreational amenity in the region and will be available the general public as well as guests and residents of the marina.

The applicant is proposing to remove the swimming beaches from the project through the proposed amendment. The applicant has submitted plans to delete the two swimming beaches located in the shallow bay and provide equivalent recreation amenities, with the exception of swimming, where the beaches were originally proposed (Exhibits 1-4). These amenities will include park areas, a public waterfront landing facility for small craft, pedestrian trails, and the reconfiguration of the boat ramp to continue to allow "carry-in" boat launch access for small, non-motorized craft (Exhibits 6-9). In addition, the applicant is proposing to enter into a formal contract with Fair Wind Yacht Club to provide facilities and capital to help establish an equal opportunity community sailing club within the Seabridge development and marina.¹ The beaches would have comprised a combined area of approximately .34 acres of sand recreation. The proposed amendment replaces this area with approximately .34 acres of park recreation area (Exhibit 5). These proposed recreation amenities, including access to open water for small craft, meet the intent of the requirements for public access and recreation (including water recreation) in the Specific Plan. In addition, the proposed amendment complies with the Specific Plan's land use minimum requirements for open water areas and public recreation areas.

¹ This contract was not finalized at the time of the staff report and will be attached in a subsequent addendum.

APPROVED CONDITION



Penfield & Smith
ENGINEERS • SURVEYORS

15080.53 Beach-Exhibit02 1"=500'

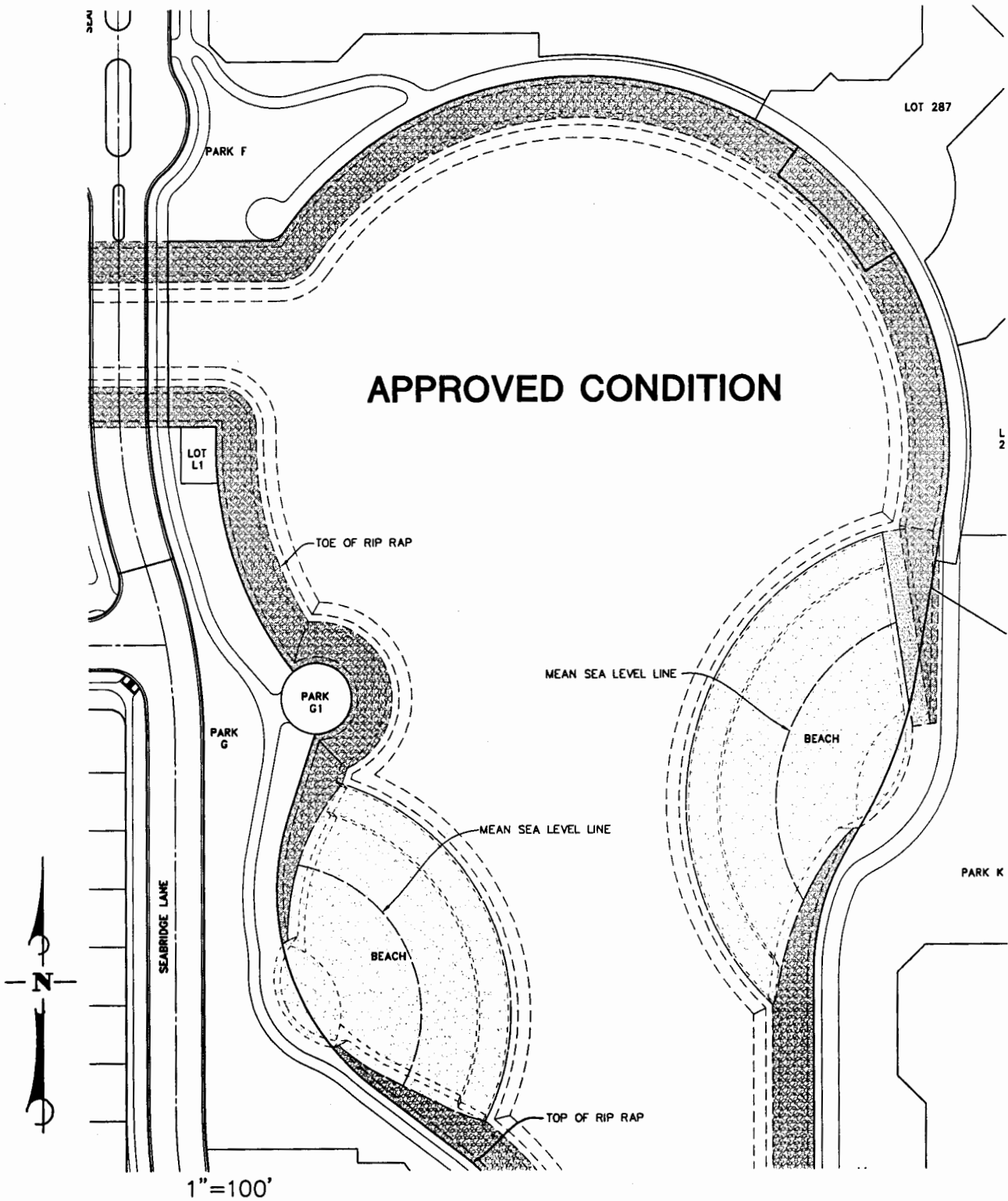
TRACT 5266
SEABRIDGE AT CHANNEL ISLANDS HARBOR
CHANNEL BEACH EXHIBIT

EXHIBIT 1

A-4-OXN-03-014-A2

Site Plan - Approved
Beaches

1 OF 4



0 100 200 300

TRACT 5266
SEABRIDGE AT CHANNEL ISLANDS HARBOR
 CHANNEL BEACH EXHIBIT

Penfield & Smith
 ENGINEERS • SURVEYORS

15080.53 Beach-Exhibit02 1"=100'

EXHIBIT 3

A-4-oxN-03-014-A2

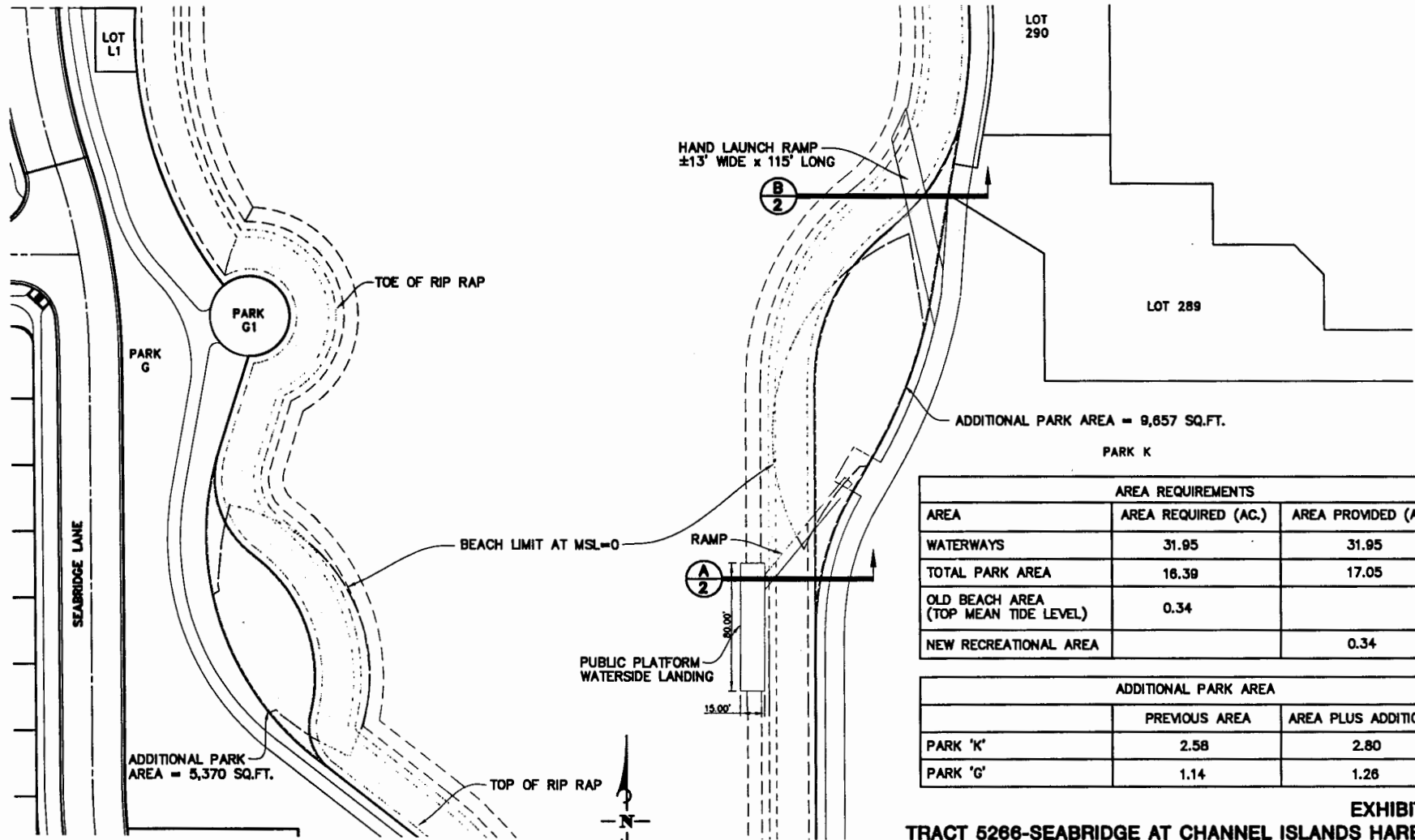
**Approved Beaches -
 Enlargement**

3 OF 4

EXHIBIT 5

A-4-oxN-03-014-A2

Proposed Park Area Plan



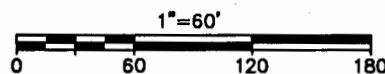
AREA REQUIREMENTS		
AREA	AREA REQUIRED (AC.)	AREA PROVIDED (AC.)
WATERWAYS	31.95	31.95
TOTAL PARK AREA	16.39	17.05
OLD BEACH AREA (TOP MEAN TIDE LEVEL)	0.34	
NEW RECREATIONAL AREA		0.34

ADDITIONAL PARK AREA		
	PREVIOUS AREA	AREA PLUS ADDITIONAL
PARK 'K'	2.58	2.80
PARK 'G'	1.14	1.26

EXHIBIT 'A'
TRACT 5266-SEABRIDGE AT CHANNEL ISLANDS HARBOR
CHANNEL EXHIBIT WITHOUT BEACHES

Penfield & Smith
ENGINEERS • SURVEYORS

15080.53 15080-nobeach.dwg 1"=60'



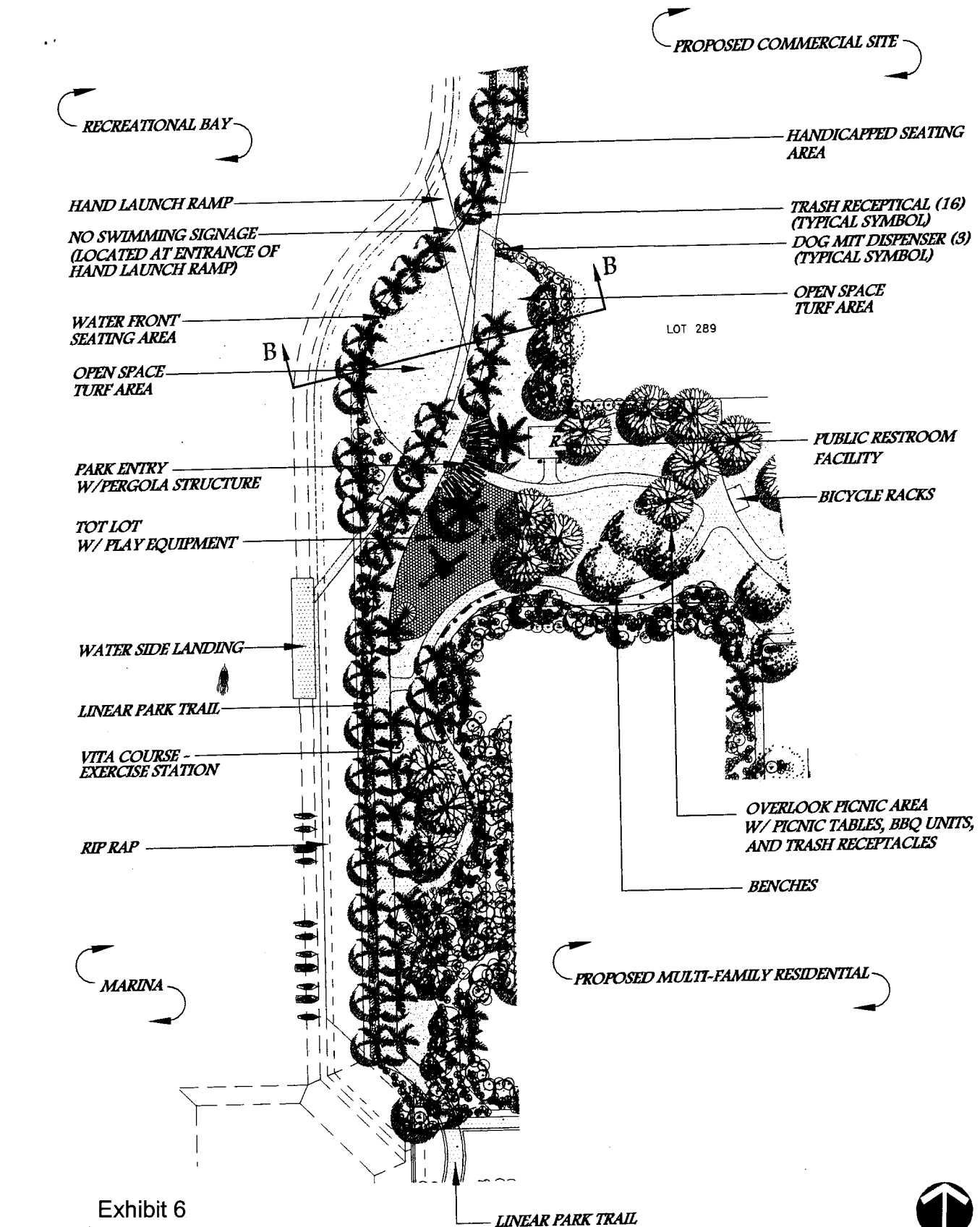


Exhibit 6
A-4-oxn-03-014-A2
East Park Landscape Plan

SEABRIDGE
CHANNEL ISLANDS HARBOR

EAST BEACH/ REVISED WATER FRONT PARK AREA

TENATIVE TRACT NO. 5266, CITY OF OXNARD, CALIFORNIA

PREPARED FOR: OLY-MANDALAY BAY GENERAL PARTNERSHIP, 600 SOUTH VICTORIA AVE., SUITE A200, OXNARD, CA 93035, 805.382.9244

PREPARED BY: THE DESIGN CONSORTIUM, 1190 S. VICTORIA AVENUE, SUITE 208, VENTURA, CA 93003 - 805.650.3006

LANDSCAPE ARCHITECTURE - LAND PLANNING - URBAN DESIGN



SCALE: N.T.S.

APRIL 21, 2004

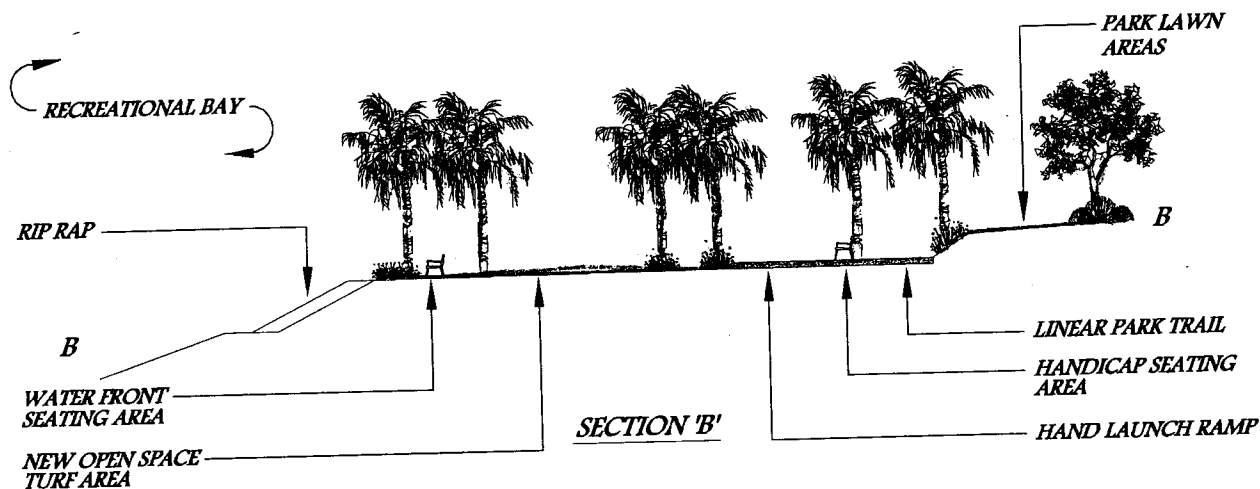
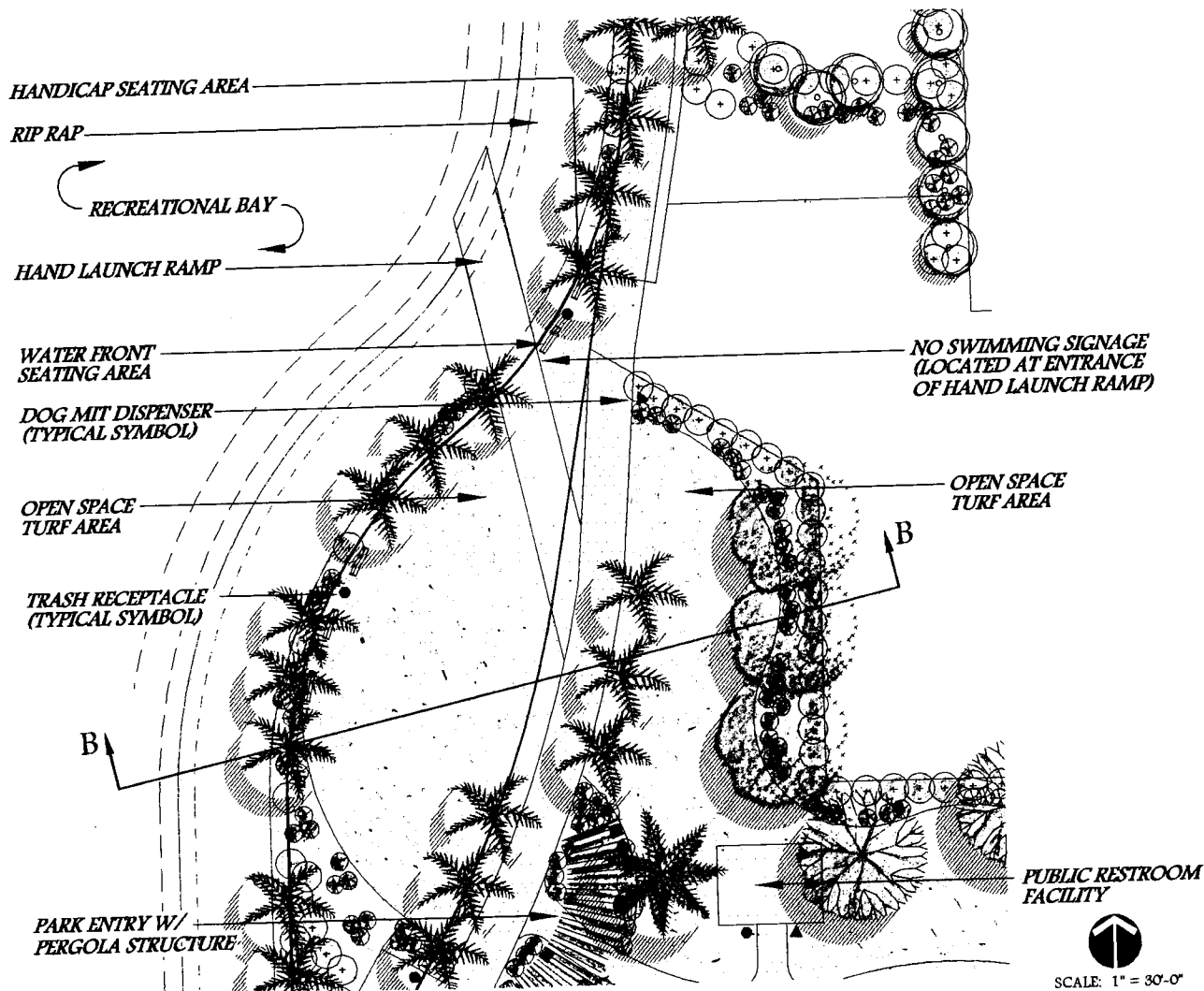


Exhibit 8
A-4-OXN-03-014-A2
East Park Landscape Plan
Enlargement and Section

SEABRIDGE

CHANNEL ISLANDS HARBOR

EAST BEACH / WATER FRONT PARK AREA

TENATIVE TRACT NO. 5266, CITY OF OXNARD, CALIFORNIA

PREPARED FOR: OLY-MANDALAY BAY GENERAL PARTNERSHIP, 600 SOUTH VICTORIA AVE., SUITE A200, OXNARD, CA 93035, 805.382.9244

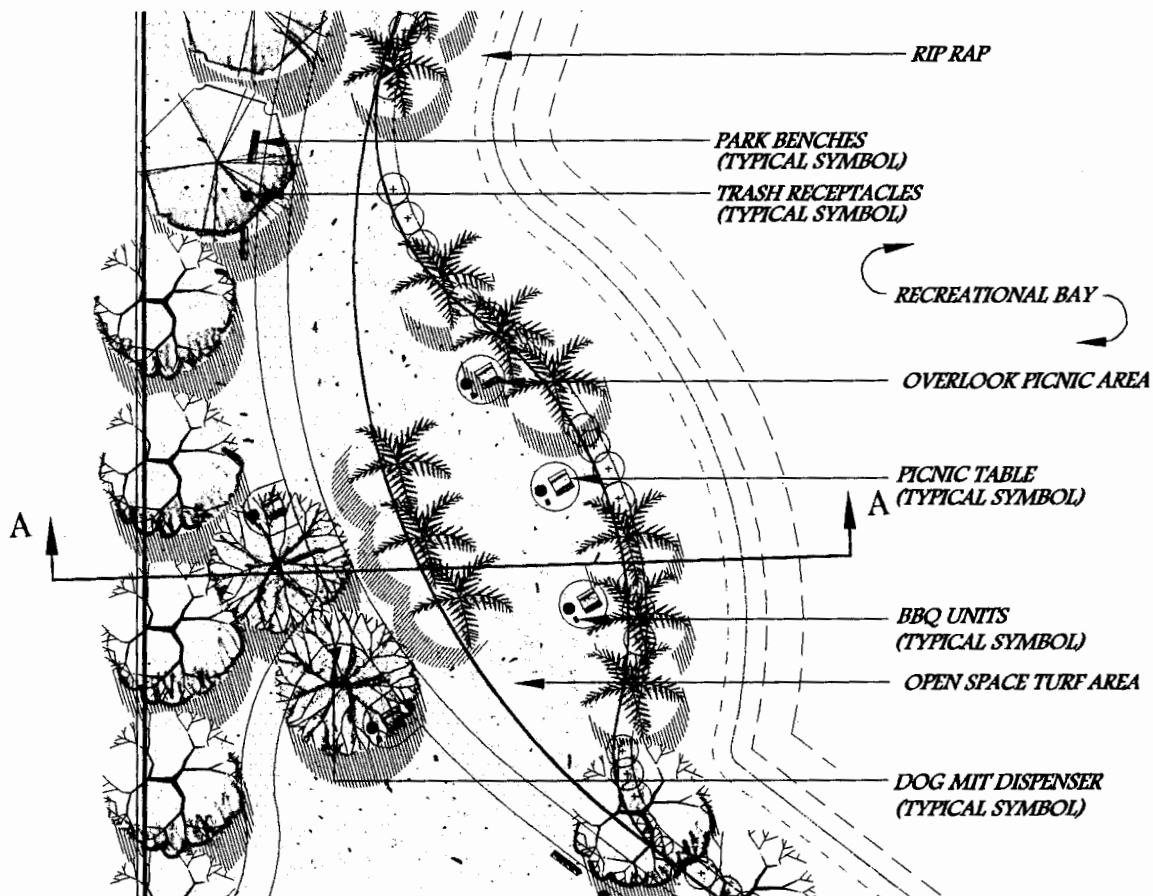
PREPARED BY: THE DESIGN CONSORTIUM, 1190 S. VICTORIA AVENUE, SUITE 208, VENTURA, CA 93003 - 805.680.3006

LANDSCAPE ARCHITECTURE - LAND PLANNING - URBAN DESIGN

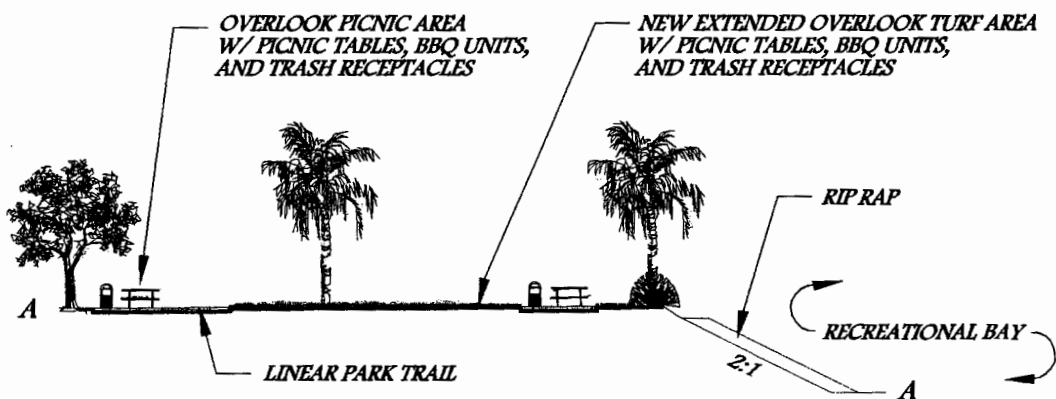


SCALE: N.T.S.

APRIL 21, 2004



SCALE: 1" = 30'-0"



SECTION 'A'

Exhibit 9
A-4-OXN-03-014-A2
West Park Landscape Plan
Enlargement and Section

SEABRIDGE
CHANNEL ISLANDS HARBOR
WEST BEACH / WATER FRONT PARK AREA

SCALE: N.T.S.

TENATIVE TRACT NO. 5266, CITY OF OXNARD, CALIFORNIA
PREPARED FOR: OLY-MANDALAY BAY GENERAL PARTNERSHIP, 600 SOUTH VICTORIA AVE., SUITE A200, OXNARD, CA 93035, 805.382.9244
PREPARED BY: THE DESIGN CONSORTIUM, 1190 S. VICTORIA AVENUE, SUITE 208, VENTURA, CA 93003 - 805.650.5006
LANDSCAPE ARCHITECTURE - LAND PLANNING - URBAN DESIGN

APRIL 21, 2004