

CALIFORNIA COASTAL COMMISSION

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



Th16a

DATE: October 24, 2013

TO: Commissioners and Interested Parties

FROM: Charles Lester, Executive Director
John Ainsworth, Senior Deputy Director
Jacqueline Blaugrund, Coastal Program Analyst

SUBJECT: **City of San Buenaventura LCP Amendment No. 1-12 (Ventura Harbor Boatel/Hotel):** Executive Director's determination that action by the City of San Buenaventura, acknowledging 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 November 14, 2013 meeting in Newport Beach.

On April 10, 2013, the Commission approved Local Coastal Program (LCP) Amendment No. 1-12 with suggested modifications. The subject amendment consists of changes to the Land Use Plan (LUP) portion of the certified LCP to increase the maximum number of allowable boatel/hotel units in the Central Harbor area of the Ventura Harbor from 70 to 133.

On September 16, 2013, the City Council adopted Resolution No. 2013-038 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. 1-12 and accepting and agreeing to all modifications suggested by the Commission. The document was transmitted to Commission staff on September 27, 2013.

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 San Buenaventura 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 LCP Amendment 1-12, as certified by the Commission on April 10, 2013, as contained in the adopted Resolution of September 16, 2013 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.

RESOLUTION NO. 2013-038

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA ACCEPTING AND ADOPTING CALIFORNIA COASTAL COMMISSION MODIFICATIONS TO THE HOLIDAY INN EXPRESS COMPREHENSIVE PLAN AMENDMENT TO THE CITY'S LOCAL COASTAL PLAN FOR THE VENTURA HARBOR

CASE NO. CPA-2-11-5091

WHEREAS, on November 21, 2011, the Council enacted Resolution No. 2011-065 approving a Local Coastal Plan Amendment (LCPA) to increase the number of boatel/hotel rooms from 70 to 133 on property located at 1080 Navigator Drive in the Central Harbor Area of the Ventura Harbor (Case No. CPA-2-11-5091);

WHEREAS, the Council of San Buenaventura forwarded the LCPA to the California Coastal Commission for the Commission's review and approval;

WHEREAS, on April 10, 2013, the Coastal Commission reviewed and approved, with modifications, the LCPA to increase the number of boatel/hotel rooms from 70 to 133 on property located at 1080 Navigator Drive;

WHEREAS, the modifications to the LCPA requested by the California Coastal Commission require acceptance and adoption by the City Council;

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

SECTION 1: All proceedings have been duly taken as required by law, with adequate and timely public notice for this public hearing provided consistent with Title 14 of the California Code of Regulations Sections 13552 and 13515, California Government Code Section 65352, and City Municipal Code regulations, the City Council hereby: 1) acknowledges receipt of the Coastal Commission's resolution of certification,

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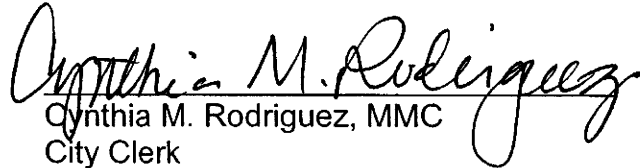
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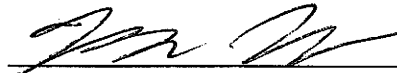
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including all terms and modifications suggested for final certification; and (2) accepts and adopts the changes requested by the Coastal Commission, as detailed in attached Exhibits A and B; and (3) directs Community Development staff to transmit this acceptance resolution to the Executive Director of the California Coastal Commission for final approval.

PASSED AND ADOPTED this 16th day of September, 2013


Cynthia M. Rodriguez, MMC
City Clerk

APPROVED AS TO FORM
Ariel Pierre Calonne
City Attorney


Keith Bauerle
Assistant City Attorney

3. All structures shall be limited to three stories, not exceeding 45 feet in height, except for theme towers and observation decks which shall not exceed 55 feet in height, and antennas and masts which shall not exceed 70 feet in height.

Central Harbor

For development in the Central Harbor area, the following criteria shall be applied to the entire area taken as a single unit.

1. Buildings and other structures shall not occupy more than 25% of the total area.
2. At least 50% of the area shall provide view corridors to be measured from Spinnaker Drive or Navigator Drive as appropriate.
3. Existing vegetation, with the exception of existing palm trees, located at the Harbor entrance at the intersection of Harbor Boulevard and Spinnaker Drive, on parcel 080-0-240-245, shall be removed for the purpose of providing and maintaining open harbor views, prior to or concurrent with the construction of any new development on Parcel One in the Central Harbor area. Low-lying landscaping (plant species with a maximum natural growth of less than 2 feet in height), and a Ventura Harbor monument entrance sign may be permitted within this area.
4. All structures shall be limited to three stories, not exceeding 45 feet in height.

For development on Parcel One in the Central Harbor area, the following criteria shall be applied.

1. One continuous view corridor shall be maintained between Harbor Boulevard and harbor waters, beginning approximately 135 feet south of the existing boatel/hotel, and continuing south for approximately 420 feet to Spinnaker Drive, as depicted on Map 4. 100% of this view corridor shall preserve views of harbor waters. Parking lot(s) and low-lying landscaping (plant species with a maximum natural growth of less than 2 feet in height) may be permitted within the view corridor, but structures are prohibited. Existing vegetation within the view corridor that is over 2 feet in height shall be removed.
2. All structures shall be limited to three stories, not exceeding 45 feet in height.

An environmental resource specialist shall conduct bird surveys to observe and/or identify any sensitive species, breeding behavior, and/or active nests prior to the removal of existing vegetation on Parcel One and Parcel 080-0-240-245. In the event that any sensitive species are present, but do not exhibit reproductive behavior and are

not within the estimated breeding/reproductive cycle of the subject species, removal may occur. All trees removed shall be placed in the Ventura Harbor with native, non-invasive species at a ratio of 1:1 prior to completion of the construction activities for expansion of the boatel/hotel on Parcel One (1).

Northeast Harbor

For development in the Northeast Harbor area, the following criteria shall be applied, except for the mobile home park.

1. Buildings and other structures shall not occupy more than 35% of a given project.
2. View corridors of the harbor from Anchors Way Drive shall begin at Schooner Drive and continue for approximately 1,500 feet to the western terminus of the boat launch area. At least 50 percent of this portion of Anchors Way, including the boat launch area, shall preserve views of harbor waters. Additionally, a development shall receive credit toward the fulfillment of the requirement for any internal project roadway with unobstructed views of the harbor. Fragments of roadway less than 100 linear feet shall not count toward the fulfillment of this requirement. The public park at the terminus of Navigator Drive shall be designed so as to maintain open-views of the harbor.

Development of vacant properties south of the boat launch area (Parcels 15 and 18) shall provide public pedestrian access and a bicycle path (waterfront promenade) adjacent to and along the entire length of the waterfront and connecting to the existing bike lanes on Navigator Drive and Anchors Way. These access ways to the water frontage and the development of a public park in concert with any residential land use shall offer additional enhanced views of the harbor.

3. All structures shall be limited to three stories, not exceeding 45 feet in height, except theme towers and observation decks or similar structures which shall not exceed 58 feet, and freestanding antennas, masts and flagpoles which shall not exceed 60 feet, and antennas, masts and flagpoles attached to a structure, which shall not exceed 10 feet above the maximum height of the structure to which it is attached. Up to three flagpoles marking project entry, project center or otherwise creating project identity shall be permitted, not exceeding 85 feet in height.

Harbor activities shall be clustered into locations appropriate to their use to further Coastal Act policies. More intensive and higher density activities shall be concentrated on the inland side of the Harbor. The South Peninsula shall contain less intensive and

Level Rise report, prepared by the California Ocean Protection Council and adopted March 11, 2011). All development in the harbor area shall require erosion and wave uprush studies based upon projections of sea level rise (as identified by the most recent State of California Sea-Level Rise report prepared by the California Ocean Protection Council) which can be expected within the reasonable economic life of the structure or lease term. All structures shall be sited and designed to minimize destruction of life and property during likely inundation events.

6. Tsunami

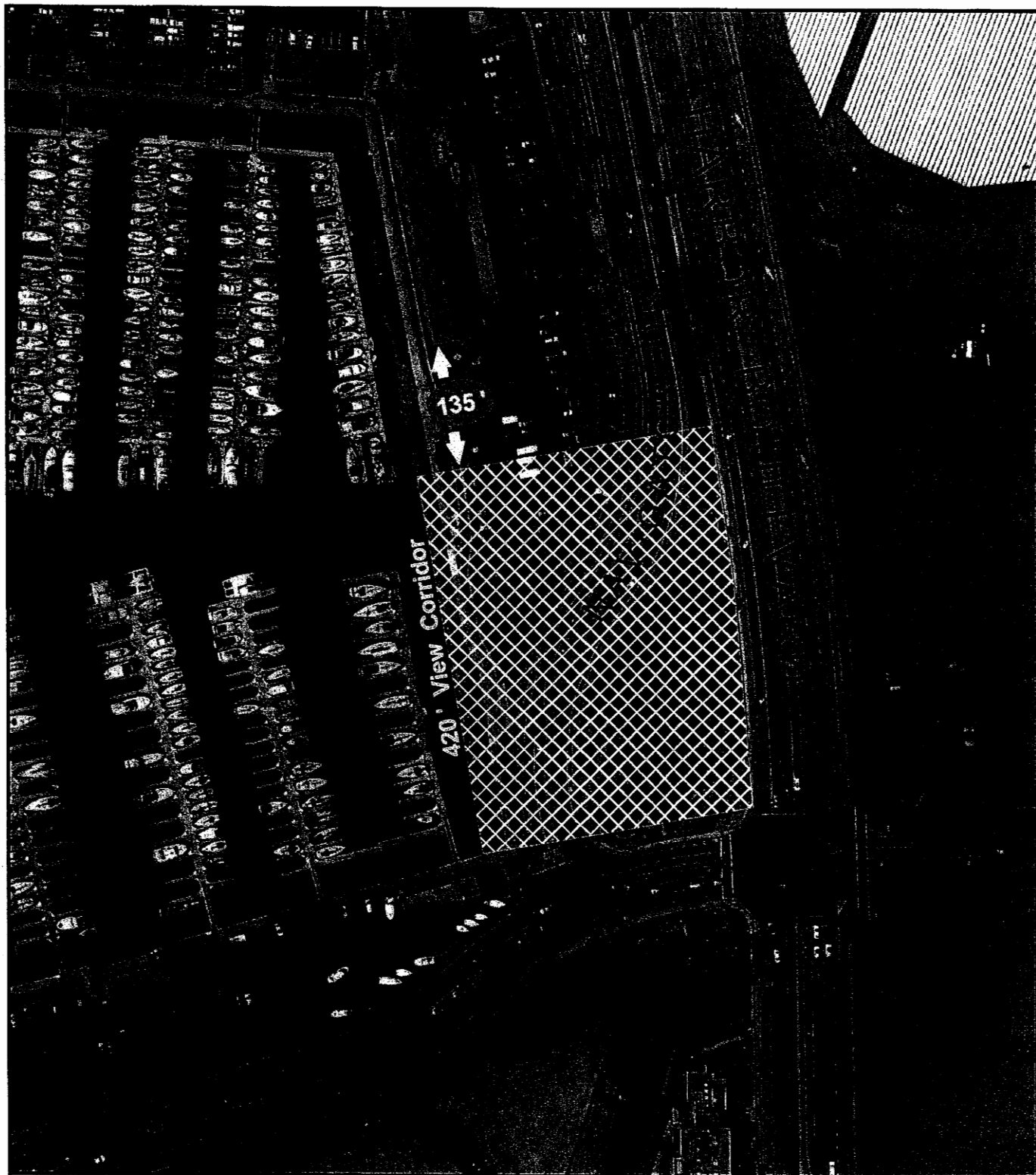
For all development located within the tsunami inundation zone, as identified by the most recent state or local California Emergency Management Agency maps, or below elevation 15 feet above mean sea level, information concerning the height and force of likely tsunami run-up on the property shall be provided. All development located within a possible tsunami run-up zone shall be required to contact the local office of emergency services concerning tsunami plans and to cooperate and/or participate with local warning programs and evacuation planning efforts. Visitor-serving facilities shall work with the local office of emergency services to prepare an evacuation plan, consistent with other community evacuation efforts.

Central Harbor: This area shall contain uses oriented toward or serving recreational boating. All other uses are prohibited, except that a 70 133-unit boatel/hotel and two full service restaurants may be permitted, provided that adequate on-site parking is provided. Where compatible, coastal dependent or coastal-related commercial fishing uses shall be permitted.

A. Land Use and Development

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.

B. Parking and Circulation



Prepared By: Geographic Information Systems		Title: <p style="text-align: center;">Ventura Harbor View Corridor</p>	 NORTH
Department: A.S.		Reference: CPA-2-11-5091	
Division: I.T.		Section: I.S.	
9 SEP 2013	This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.		1" = 150'

EXHIBIT B

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss
CITY OF SAN BUENAVENTURA)

I, Elaine M. Preston, Deputy City Clerk of the City of San Buenaventura, California, certify that the foregoing Resolution was passed and adopted by the City Council of the City of San Buenaventura at a regular meeting on September 16, 2013, by the following vote:

AYES: Councilmembers Brennan, Weir, Morehouse, Andrews,
Monahan, Deputy Mayor Heitmann, and Mayor Tracy.

NOES: None.

ABSENT: None.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the City of San Buenaventura on September 17, 2013.



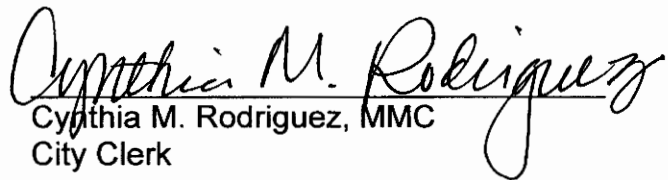
Deputy City Clerk



STATE OF CALIFORNIA)
)
COUNTY OF VENTURA)
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CITY OF SAN BUENAVENTURA) ss.

I, Cynthia M. Rodriguez, City Clerk of the City of San Buenaventura, do hereby certify the attached is a true and correct copy of **Resolution No. 2013-038**, Accepting and Adopting California Coastal Commission Modifications to the Holiday Inn Express Comprehensive Plan Amendment to the City's Local Coastal Plan for the Ventura Harbor, Case No. CPA-2-11-5091.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of said City to be affixed on September 18, 2013.


Cynthia M. Rodriguez, MMC
City Clerk

