

CALIFORNIA COASTAL COMMISSION

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



W26b

ADDENDUM

DATE: April 8, 2012
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Agenda Item 26b, Wednesday, April 10, 2013, City of San Buenaventura Local Coastal Program Amendment No. SBV-MAJ-1-12

The purpose of this addendum is to add to Suggested Modification One (1) and findings for expansion of the designated view corridor and bird survey requirements, to replace Exhibit 5, and to address an inadvertent error.

Note: ~~Strikethrough~~ indicates text deleted from the March 27, 2013 staff report pursuant to this addendum and underline indicates text added to the March 27, 2013 staff report pursuant to this addendum.

1) The following shall be added to Suggested Modification One (1) on page 5 of the staff report:

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 the existing Ventura Harbor 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 ~~Navigator Drive to the harbor waters, from the southern terminus of Parcel One,~~ beginning approximately 135 feet south of the existing boatel/hotel, and continuing ~~north~~ south for approximately ~~247~~ 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 replaced 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).

2) The following modifications are recommended to Section IV, part B beginning on page 9 of the staff report:

To achieve Coastal Act consistency, the Commission finds that it is necessary to modify the amendment in a manner that incorporates design parameters that will minimize the visual impact of future boatel/hotel development in the subject area. A specific requirement that a view corridor to maintain and enhance harbor views across the boatel/hotel as part of any future development on the site would minimize impacts to visual resources. Therefore, to ensure that the scenic and visual qualities of the Ventura Harbor will be maintained, **Suggested Modification One (1)** requires the designation and maintenance of a view corridor, which extends from the southern terminus of Parcel One and continues north for approximately ~~247~~ 420 feet. This suggested modification requires that large existing pine trees be removed from the view corridor area and that any future landscaping be comprised of plant species that will have a natural maximum growth that is no more than two feet in height. However, even non-native/invasive trees in disturbed urban areas, such as the project site, have the potential to provide habitat for nesting, and/or roosting for sensitive bird species. Therefore, to ensure that potential adverse impacts to sensitive bird species are avoided, Suggested Modification One (1) also requires that an environmental resource specialist conduct surveys for sensitive bird species prior to any tree removal. In addition, in order to minimize potential adverse impacts to sensitive bird species resulting from the removal of the subject trees, Suggested Modification One (1) requires the applicant to plant replacement trees within Ventura Harbor at a ratio of 1 replacement tree for each tree removed, prior to completion of the construction activities for

expansion of the boatel/hotel. Removal of existing vegetation within this area will offset the loss of views from new development in the area of the parcel outside the view corridor. A view corridor in this location and of this size will preserve harbor views of both boat dock area and open water area.

Further, the City has proposed to add a provision to improve views from Harbor Boulevard by removing large pine trees on an adjacent parcel at the Harbor entrance, as shown on Exhibit 6. In order to incorporate this provision that will enhance and maintain the scenic and visual qualities of the Ventura Harbor, Suggested Modification One (1) also requires the removal of existing vegetation within parcel 080-0-240-245, prior to or concurrent with construction on Parcel One. Finally, to clearly illustrate the location of the designated view corridor, **Suggested Modification Two (2)**, requires the insertion of a final version of the view corridor exhibit, as shown on Exhibit 5 to this staff report, into the Ventura Harbor section of the certified LUP.

By clustering an expansion of the boatel/hotel development near the existing boatel/hotel and adjacent developed areas, cumulative impacts to coastal resources, are minimized. Further, maintaining and enhancing views of boat docks and open water from Harbor Boulevard by maintaining a view corridor with low-lying landscaping will protect the scenic and visual qualities of this coastal area. Therefore, the Commission finds that the proposed LUP amendment, only as modified, is consistent with policies 30250 and 30251 of the Coastal Act.

3) Exhibit 5 of the March 27, 2013 staff report shall be deleted and replaced with Exhibit 5 included within this addendum, dated April 8, 2013.

4) To correct an inadvertent error, the following shall be added to page 6 of the staff report:

IV. FINDINGS FOR APPROVAL ~~AS SUBMITTED~~ WITH SUGGESTED MODIFICATIONS



Exhibit 5
SBV-MAJ-1-12
Location of View Corridor

CALIFORNIA COASTAL COMMISSION

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



W26b

DATE: March 27, 2013

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Senior Deputy Director
Steve Hudson, District Manager
Barbara Carey, Supervisor, Planning and Regulation
Jacqueline Blaugrund, Coastal Program Analyst

SUBJECT: City of San Buenaventura Local Coastal Program Amendment No. SBV-MAJ-1-12 for Public Hearing and Commission Action at the April 10, 2013 Commission Meeting at El Capitan Canyon Resort.

DESCRIPTION OF THE SUBMITTAL

The City of San Buenaventura is requesting an amendment to the Land Use Plan (LUP) portion of its certified Local Coastal Program (LCP) to increase the maximum number of allowable boatel/hotel units in the Central Harbor area of the Ventura Harbor from 70 to 133.

The City of San Buenaventura submitted Local Coastal Program Amendment 1-12 to the Commission on February 10, 2012. After the submittal of additional information requested by Commission staff, the amendment proposal was deemed complete and filed on October 25, 2012. Pursuant to Section 30512 of the Coastal Act and California Code of Regulations, Title 14, Section 13553, an amendment to the certified LCP that changes the LUP must be scheduled for a public hearing and the Commission must take action within 90 days of a complete submittal. Pursuant to Section 30517 of the Coastal Act, the time limit for action on this amendment was extended for one year at the January 2013 Commission hearing.

SUMMARY OF STAFF RECOMMENDATION

Commission staff recommends that the Commission **deny** the proposed City of San Buenaventura Land Use Plan Amendment SBV-MAJ-1-12 as submitted, and **approve** the proposed City of San Buenaventura Land Use Plan Amendment SBV-MAJ-1-12 with two suggested modifications. The modifications are necessary because the proposed amendment, as submitted, is not adequate to ensure consistency with the Chapter Three policies of the Coastal Act. The motions to accomplish this recommendation are found on **Page 4** of this staff report.

SUBSTANTIVE FILE DOCUMENTS

City of San Buenaventura Comprehensive Plan Update to the Year 2010; City of San Buenaventura, Municipal Code, Chapter 24 Zoning Regulations; City of San Buenaventura LCP Amendment 2-86; City of San Buenaventura LCP Amendment 2-96; City of San Buenaventura LCP Amendment 1-02; City Council Resolution No. 2011-056, November 21, 2011.

Additional Information: For further information, please contact Jacqueline Blaugrund at the South Central Coast District Office of the Coastal Commission at (805) 585-1800. The proposed amendment to the City of San Buenaventura Local Coastal Program (LCP) is available for review at the Ventura Office of the Coastal Commission.

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EXHIBITS

- Exhibit 1. Vicinity Map**
- Exhibit 2. Ventura Harbor Parcel Map**
- Exhibit 3. City of San Buenaventura City Council Resolution No. 2011-056**
- Exhibit 4. City of San Buenaventura LUP Policies**
- Exhibit 5. Location of View Corridor**
- Exhibit 6. Location of Vegetation on Parcel No. 080-0-240-245**

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act provides:

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)... (Section 30512(c))

The standard of review that the Commission uses in reviewing the adequacy of the proposed amendment to the Land Use Plan is whether the Land Use Plan as amended would be consistent with, and meet the requirements of, the policies of Chapter Three of the Coastal Act.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The City held public hearings on the subject amendment request on November 21, 2011 and on September 6, 2011. The hearings were noticed to the public consistent with Sections 13551 and 13552 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of Title 14 of the California Code of Regulations, the City resolution for submittal may specify that a Local Coastal Program Amendment will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. In this case, if the Commission approves the proposed amendment subject to suggested modifications, the City must act to accept the certified suggested modifications within six months from the date of Commission action in order for the Amendment to become effective. Pursuant to Section 13544 of the Code of Regulations, the Executive Director shall determine whether the City's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. Should the Commission deny the LCP Amendment, as submitted, without suggested modifications, no further action is required by either the Commission or the City.

II. STAFF RECOMMENDATION, MOTIONS, & RESOLUTIONS

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to the resolution.

A. DENIAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED

Motion:

*I move that the Commission **certify** City of San Buenaventura Land Use Plan Amendment SBV-MAJ-1-12 as submitted.*

Staff recommends a **NO** vote. Failure of this motion will result in denial of the 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:

*The Commission hereby **denies** the City of San Buenaventura Land Use Plan Amendment SBV-MAJ-1-12 as submitted and adopts the findings set forth below on grounds that the Land Use Plan Amendment does not conform with the policies of Chapter Three of the Coastal Act. Certification of the Land Use Plan amendment would not comply with the California Environmental Quality Act because there are 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. CERTIFICATION OF THE LAND USE PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS

Motion:

*I move that the Commission **certify** City of San Buenaventura Land Use Plan Amendment SBV-MAJ-1-12 if it is modified as suggested in this report.*

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Land Use Plan Amendment with suggested modifications 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:

*The Commission hereby **certifies** the City of San Buenaventura Land Use Plan Amendment SBV-MAJ-1-12, if modified as suggested, and adopts the findings set forth below on grounds that the Land Use Plan Amendment with the suggested modifications conforms with the Chapter Three policies of the Coastal Act. Certification of the Land Use Plan Amendment if modified as suggested 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 Land Use Plan Amendment on the environment, or 2) there are no further feasible*

alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

III. SUGGESTED MODIFICATIONS

The staff recommends the Commission certify the proposed LUP amendment, with two modifications as shown below. Language presently contained within the certified LCP is shown in straight type. Language recommended by Commission staff to be inserted is shown underlined.

A. SUGGESTED MODIFICATION NUMBER ONE

The Intent and Rationale for Land Use Designations for the Central Harbor area of the Land Use Plan shall be modified as follows:

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) 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 Navigator Drive to the harbor, from the southern terminus of Parcel One, continuing north for approximately 217 feet, 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.

B. SUGGESTED MODIFICATION NUMBER TWO

The City shall submit, for the review and approval of the Executive Director, a final version of Map 4 (consistent with the view corridor map shown as Exhibit 5 to this staff report), which depicts the view corridor described within Suggested Modification One (1). This figure shall be incorporated into the Ventura Harbor section of the certified City of San Buenaventura Land Use Plan.

IV. FINDINGS FOR APPROVAL AS SUBMITTED

The following findings support the Commission's denial of the proposed Land Use Plan Amendment as submitted, and approval of the Land Use Plan Amendment if modified as indicated in Section III (Suggested Modifications) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION AND BACKGROUND

The City of San Buenaventura is requesting an amendment to the Land Use Plan component of its certified Local Coastal Program (LCP) to increase the maximum number of allowable boatel/hotel units in the Central Harbor area of the Ventura Harbor from 70 to 133. Specifically, the City is proposing to amend the Area Locational and Intensity Policies for the Central Harbor area as follows:

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.

The subject boatel¹/hotel facility is located within the Ventura Harbor, a man-made commercial and recreational harbor located in the southwest portion of the City of San Buenaventura, Ventura County, as shown on Exhibit 1. This existing 69-unit facility is operated by the Holiday Inn Express and is located on a 3.72-acre parcel known as Port District Parcel One, at 1080 Navigator Drive, in the Central Harbor Area, as depicted on Exhibit 2. The existing Holiday Inn Express is comprised of guestrooms and meeting and conference facilities. Additionally, there are 224 on-site parking spaces. Parcel One is west of and adjacent to Navigator Drive, north of Spinnaker Drive, and adjacent to both harbor waters and the Four Points Sheraton hotel.

¹ The term "boatel", although not specifically defined in the subject LCP, is used to mean an overnight lodging facility that serves guests arriving by boat to the harbor.

The City of Ventura Local Coastal Program was certified by the Coastal Commission in two segments, a Harbor LCP on May 21, 1981 and the City LCP on February 23, 1984. The Ventura Harbor Development Plan, written in 1979 served as the Land Use Plan (LUP) component of the 1981 Harbor LCP. The policies of the Development Plan were later incorporated into the City LCP in 1984 when the Commission certified the entire LCP. The Ventura Harbor LCP segment was consolidated into the total City LCP as part of the Commission's approval of LCP Amendment No. 1-90 (Major), in 1990. The certified LUP component of the LCP states that the Harbor is intended to provide for recreational and commercial boating opportunities. Within the LUP, the harbor is divided into four areas: the South Peninsula, Southwest, Central, and Northeast Harbor areas, as depicted on Exhibit 2. The Harbor is currently developed with a variety of facilities that include, in part, a time-share hotel facility, commercial fishing and recreation boating slips, a yacht club, food services, Harbor Village shopping area, Channel Islands National Park Headquarters, and a pedestrian and bicycle path.

Shortly after assuming permit-issuing authority for coastal development permits in the Ventura Harbor area, the City approved the subject boatel/hotel facility in the Central Harbor Area, including a restaurant, banquet room and 44 lodging units. Under that same approval, the City permitted development of the Four Points Sheraton hotel building north of Navigator Drive, which is connected to the subject boatel/hotel facility at ground level by crossing Navigator Drive or by walkway over Navigator Drive. Additional hotel and boatel guest units were approved by the City as amendments to the permit in 1982 and 1984.

The Ventura Harbor was the subject of LCP Amendment 2-86 in 1986. Under this amendment, the Commission approved the following: (1) modifications to the view corridor, change in restaurant requirements, addition of office use, and increased parking in the South Peninsula Harbor Area; (2) changes to height requirements in the Northeast Harbor Area, (3) addition of office use in the Southwest Harbor Area; and (4) changes to uses in the Central Harbor Area. Specifically, under LCPA 2-86, the Central Harbor Area Intent and Rationale Statement was amended to include a 50 unit boatel, and two full service restaurants, provided that adequate on-site parking is provided. The LCP had previously required the area be limited to uses oriented toward or serving recreational boating with the exception of one full restaurant. The Central Harbor Area Intent and Rationale Statement was further modified in 1997 under LCP Amendment 2-96, wherein the Commission approved the addition of language to allow coastal-dependent and coastal-related commercial fishing uses, where compatible.

LCP Amendment 1-02 was approved by the Commission with suggested modifications in 2002, and allowed for the maximum number of allowable boatel units at the subject facility to increase from 50 to 70 units. Additionally, LCPA 1-02 re-designated the boatel facility to a boatel/hotel facility, as the facility offers rooms to both recreational boaters and the general public. The proposed LCP amendment would again increase the maximum number of allowable boatel/hotel units 70 to 133, and would therefore allow for an additional expansion of the subject boatel/hotel facility.

B. NEW DEVELOPMENT AND VISUAL RESOURCES

Coastal Act Section 30250 states:

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

Coastal Act Section 30251 states:

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 coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly 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 shall be subordinated to the character of its setting.

Section 30250 of the Coastal Act requires that new development shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. Coastal Act Section 30251 requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored.

As discussed above, the proposed amendment involves increasing the maximum number of allowable boatel/hotel units in the Central Harbor area of the Ventura Harbor from 70 to 133. The proposed amendment would allow for an expansion of the existing Holiday Inn Express (which is the only hotel facility in the Central Harbor area), therefore, it is necessary to analyze whether this potential increase in the maximum number of units would result in new development that would be located outside existing developed areas or where there are not adequate public services. Further it is necessary to determine whether the increase in density has the potential to result in significant adverse effects, either individually or cumulatively, on coastal resources, including to those coastal areas which have significant scenic and visual qualities.

Section 30250 of the Coastal Act requires that new development be located within, or in close proximity to, existing developed areas able to accommodate development. In this case, Parcel One is situated in the Central Harbor area of the Ventura Harbor, west of and adjacent to Navigator Drive, north of Spinnaker Drive, and adjacent to both harbor waters and the Four

Points Sheraton hotel. This area of the harbor is developed primarily with recreational boating and visitor serving uses, including hotels, restaurants, a public boat launch ramp, public promenade, public parking lots, and public restrooms. Specifically, the parcels within the Central Harbor area, including Parcel One where the subject boatel/hotel is located, are zoned Harbor Commercial. As described within the City of Ventura's certified LCP, development within the Central Harbor area shall contain uses oriented towards recreational boating.

Nevertheless, the expansion of development potential provided under the proposed LUP amendment could cause significant impacts to the scenic quality of the Ventura Harbor. Although the existing boatel/hotel is located within a developed area of the Ventura Harbor, Harbor Boulevard and Navigator Drive are designated scenic drives, pursuant to the City of San Buenaventura LUP Policies 6.8 and 6.11. Additionally, LUP Policy 8.2 states that view corridors and viewsheds of and from the water within the Harbor area should be preserved, as shown in Exhibit 4. Because the Ventura Harbor is a developed area, there are very few locations where harbor waters are visible from roads within the harbor area. One of the only locations where harbor waters are visible from outside of the harbor area is across the subject site from Harbor Boulevard.

Coastal Act Section 30251 requires that development be sited and designed to protect views of and along scenic coastal areas, minimize the alteration of natural landforms, be visually compatible with the character of surrounding areas, and, where feasible, restore and enhance visual quality in visually degraded areas. The proposed amendment would allow for the addition of 63 boatel/hotel rooms to the existing boatel/hotel facility. Although a Coastal Development Permit has not been issued by the City for the actual expansion of the boatel/hotel facilities, it is anticipated that the addition of a maximum of 63 rooms would occur south of the existing boatel/hotel structure. The approval of the proposed increase of the maximum number of rooms would allow for the extension of boatel/hotel development into the southern portion of Parcel One. Development in that area would block a substantial portion of Ventura Harbor channel and water views, and would therefore cause adverse visual impacts, inconsistent with the requirements of Section 30251 of the Coastal Act.

To achieve Coastal Act consistency, the Commission finds that it is necessary to modify the amendment in a manner that incorporates design parameters that will minimize the visual impact of future boatel/hotel development in the subject area. A specific requirement that a view corridor to maintain and enhance harbor views across the boatel/hotel as part of any future development on the site would minimize impacts to visual resources. Therefore, to ensure that the scenic and visual qualities of the Ventura Harbor will be maintained, **Suggested Modification One (1)** requires the designation and maintenance of a view corridor, which extends from the southern terminus of Parcel One and continues north for approximately 217 feet. This suggested modification requires that large existing pine trees be removed from the view corridor area and that any future landscaping be comprised of plant species that will have a natural maximum growth that is no more than two feet in height. Removal of existing vegetation within this area will offset the loss of views from new development in the area of the parcel outside the view corridor. A view corridor in this location and of this size will preserve harbor views of both boat dock area and open water area.

Further, the City has proposed to add a provision to improve views from Harbor Boulevard by removing large pine trees on an adjacent parcel at the Harbor entrance, as shown on Exhibit 6. In order to incorporate this provision that will enhance and maintain the scenic and visual qualities of the Ventura Harbor, Suggested Modification One (1) also requires the removal of existing vegetation within parcel 080-0-240-245, prior to or concurrent with construction on Parcel One. Finally, to clearly illustrate the location of the designated view corridor, **Suggested Modification Two (2)**, requires the insertion of a final version of the view corridor exhibit, as shown on Exhibit 5 to this staff report, into the Ventura Harbor section of the certified LUP.

By clustering an expansion of the boatel/hotel development near the existing boatel/hotel and adjacent developed areas, cumulative impacts to coastal resources, are minimized. Further, maintaining and enhancing views of boat docks and open water from Harbor Boulevard by maintaining a view corridor with low-lying landscaping will protect the scenic and visual qualities of this coastal area. Therefore, the Commission finds that the proposed LUP amendment, only as modified, is consistent with policies 30250 and 30251 of the Coastal Act.

C. PUBLIC ACCESS AND RECREATION

Coastal Act Section 30210 states:

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.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30213 of the Coastal Act states:

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

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Coastal Act Sections 30210 and 30211 mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. Sections 30213 of the Coastal Act provides for the encouragement and protection of low cost visitor serving and recreational facilities.

The proposed LCP amendment would allow for an increase in the maximum number of allowable rooms, from 70 to 133, at the boatel/hotel facility located on Parcel One within the Central Harbor area of the Ventura Harbor. The proposed LUP language would allow the City to approve an expansion of the existing Holiday Inn Express. Parcel One is adjacent to both existing development and harbor waters. This area of the harbor is developed primarily with recreational boating and visitor serving uses, including hotels, restaurants, a public boat launch ramp, public promenade, public parking lots, and public restrooms. Visitor-serving commercial uses, including overnight accommodations, are accorded a higher priority in coastal areas than other types of uses by the Coastal Act. Additionally, Coastal Act Section 30213 encourages the protection of lower cost visitor serving and recreational facilities. In this case, the Holiday Inn Express is a moderate cost lodging facility, that has over the past four years, maintained an average room occupancy of 81% during the summer time. In comparison, the average hotel occupancy rate of Ventura overall, is 66%. The high occupancy rate of the subject boatel/hotel is largely due to its harbor side location and its close proximity to harbor related recreational and visitor serving facilities.

The potential addition of up to 63 rooms would eliminate a portion of the existing 224 parking spaces on Parcel One. LCP Amendment 1-02 incorporated language into the Central Harbor portion of the LCP, which requires that all development in the Central Harbor area provide 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 (the certified Local Implementation Plan component of the LCP), in order to preserve coastal access. Without adequate parking, visitors and the general public could be prevented from having access to the water and coastal resources.

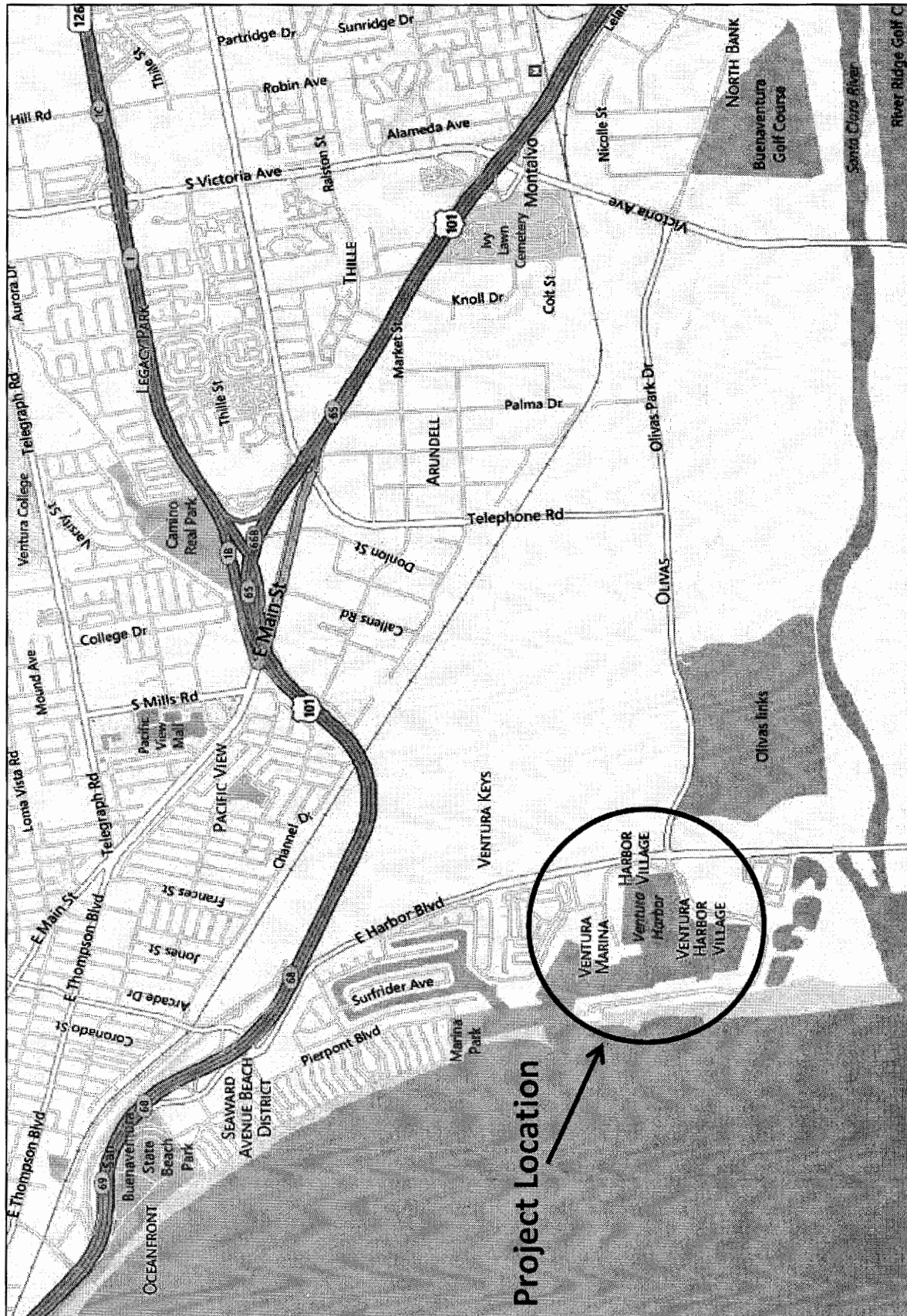
The existing Holiday Inn Express has 69 boatel/hotel rooms and 2,000 square feet of meeting space. Pursuant to Chapter 24.415 of the Municipal Zoning Code, one parking space per boatel/hotel room and one parking space per 28 gross square feet of meeting space are required. Based upon these requirements, the existing boatel/hotel facility is currently required to have 141 parking spaces, however as mentioned above, the existing parking lot has 224 parking spaces. Following the requirements of Chapter 24.415, the potential addition of a maximum of 63 rooms to the existing Holiday Inn Express would require 63 additional parking spaces. Pursuant to both the Harbor section of the LUP and the requirements of Municipal Zoning Code Chapter 24.415, an expansion of the boatel/hotel facilities would require that adequate parking be provided. Consistent with Coastal Act Sections 30210 and 30211, by providing adequate parking for boatel/hotel guests, surrounding parking available for public use would not be negatively impacted due to inadequate parking available to boatel/hotel guests. Therefore, the potential expansion of the boatel/hotel would enhance the availability of lower cost visitor and recreational facilities and would not negatively impact the public's right of access to the surrounding recreational amenities within the Ventura Harbor.

For the above reasons, the Commission finds that the proposed LCP amendment is consistent with policies 30210, 30211, and 30213 of the Coastal Act.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to Section 21080.9 of the California Environmental Quality Act (“CEQA”), the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission’s program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LCP, “...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.”

The proposed amendment is to the City of San Buenaventura’s certified Local Coastal Program Land Use Plan. For the reasons discussed in this report, the LCP amendment, as submitted is inconsistent with the applicable Chapter Three policies of the Coastal Act and feasible alternatives and mitigation are available which would lessen any significant adverse effect which the approval would have on the environment. The Commission has, therefore, modified the proposed LCP amendment to include such feasible measures adequate to ensure that such environmental impacts of new development are minimized. As discussed in the preceding sections, the Commission’s suggested modifications bring the proposed amendment to the Land Use Plan component of the LCP into conformity with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Chapter Three policies of the Coastal Act.



Project Location

Exhibit 1
SBV-MAJ-1-12
Vicinity Map

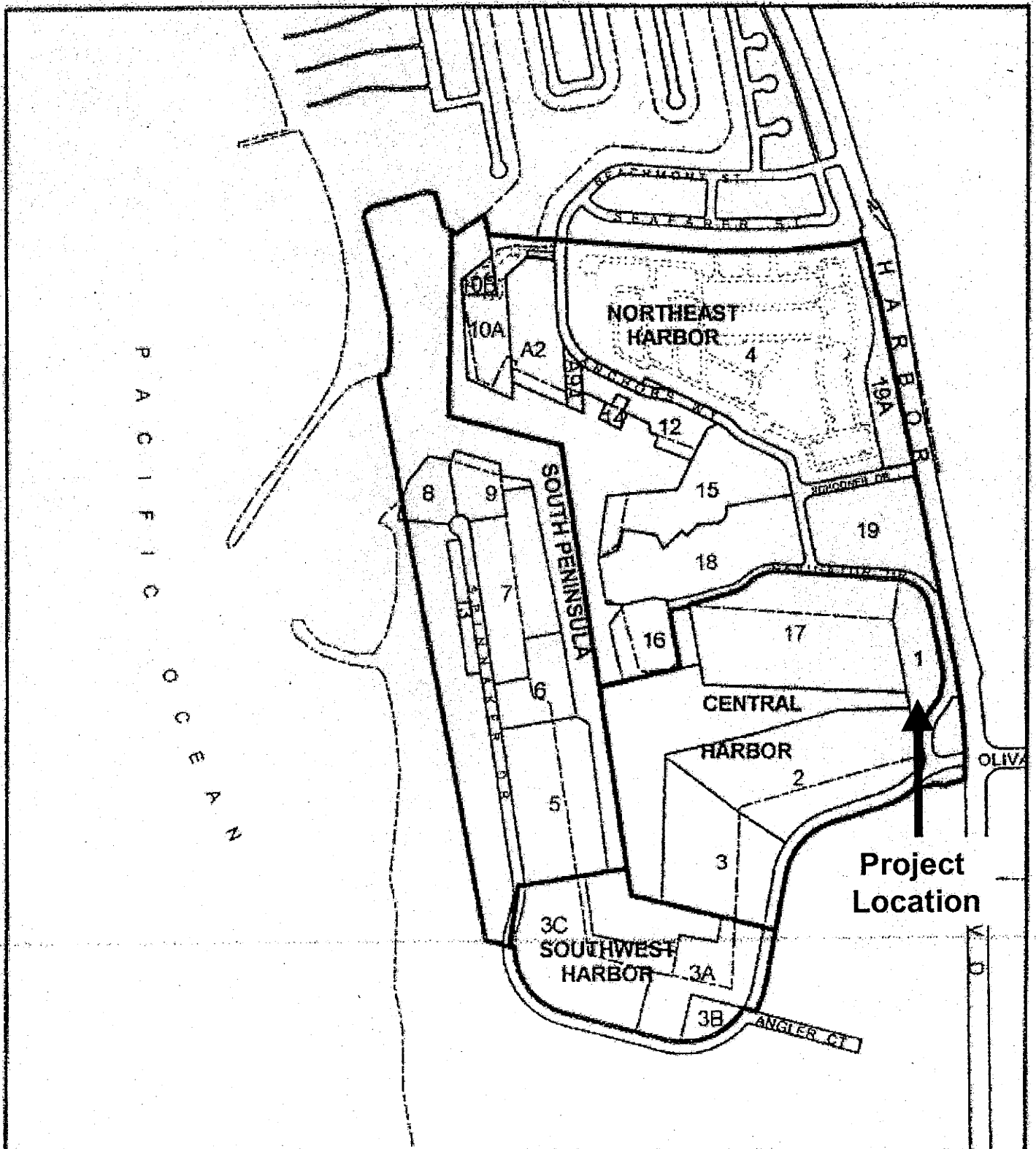


Exhibit 2
SBV-MAJ-1-12
Ventura Harbor Parcel Map

RESOLUTION NO. 2011- 056

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
BUENAVENTURA APPROVING A COMPREHENSIVE PLAN
AMENDMENT TO THE CITY'S LOCAL COASTAL PLAN ON
PROPERTY LOCATED AT 1080 NAVIGATOR DRIVE**

WHEREAS, on September 6, 2011 the Planning Commission approved a Comprehensive Plan Amendment to the Local Coastal Plan for property located at 1080 Navigator Drive;

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

SECTION 1: An application has been filed by MSW Architectural & Engineering Services Inc, representing Holiday Inn Express, pursuant to the City of San Buenaventura Municipal Code, for a Comprehensive Plan Amendment to modify the City's Local Coastal Plan for Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community to increase the number of boatel/hotel rooms from 70 to 133 rooms as shown in Exhibit "A", attached hereto.

SECTION 2: City staff provided adequate and timely public notice for all public hearings in the following manner, consistent with California Coastal Commission regulations Sections 13552 and 13515 and City Municipal Code regulations: publishing a notice in the Ventura Star newspaper a minimum of ten days prior to each public hearing; mailed notice 10 days prior to each public hearing to all property owners within a 300-foot radius and all residents within a 100-foot radius of the subject property; posting one 4' by 8' sign 10 days prior to each public hearing on the subject property containing project description, case numbers, applicant and City contact information, and the date and location of public hearings; and, mailed notice a minimum of six weeks in advance of the Council hearing date to the cities of Oxnard and Port Hueneme, County of Ventura, affected public agencies, libraries, and the Ventura Star newspaper for publishing to duly notice the LCP Amendment:

SECTION 3: All proceedings having been duly taken as required by law, and upon review of the information contained within the case file, consideration of the testimony given at the public hearing, as well as other pertinent information, the City Council hereby finds the following:

Local Coastal Plan Amendment Findings

1. **Section 30210 of the Coastal Act states:** *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 for overuse.*

The Property is a developed site with an existing 70 room boatel/hotel that occupies a waterside location. Guests of the boatel/hotel and members of the public can view the harbor and ocean from a public walkway and bike path that runs in front of the boatel/hotel while harbor water can be accessed from the adjacent marinas. The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* will facilitate the expansion of the boatel/hotel and will provide the visiting public greater access to the water and coastal resources while at the same time increasing the number of moderate-cost tourist serving lodging facilities within the harbor. No obstacles to coastal access are present nor will any obstacles be created as part of the expansion.

2. **Section 30212 of the Coastal Act states:** *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects.*

The site is currently developed with an existing 70 room boatel/hotel. The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* will facilitate developing existing vacant land on the boatel/hotel site for an additional 63 rooms. Currently there is a public pedestrian walkway and bicycle path that passes in front of the boatel/hotel and connects to the Ventura Harbor Village located on the opposite side of the harbor. The project site is also accessible by Navigator Drive, a public roadway connecting from either Anchors Way or Spinnaker Avenue. Each of these elements provides convenient and attractive accessways to the waterfront.

3. **Section 30251 of the Coastal Act states:** *The scale 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 coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly 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 shall be subordinate to the character of its setting.*

As explained above, currently the Property is developed with an existing 70 room boatel/hotel. The project site is not located within a highly scenic areas designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation, nor has the City designated the site as a scenic area. While the boatel/hotel is requesting an LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* for the future expansion of the boatel/hotel, the current pedestrian walkway and bicycle path will continue connecting the property

to the Ventura Harbor Village located across the Harbor. The property abuts Navigator Drive where only distant views of the water would be seen from the site as the road is separated from the Harbor by the existing parking lot and boatel/hotel building.

4. **Section 30250 (a) of the Coastal Act states:** *New residential, commercial or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community*, would provide an expansion of the existing commercial use, which is on a site that is currently developed with an existing boatel/motel and is surrounded by existing development. To the north is the Four Points Sheraton hotel, to the west and south are marinas and to the east beyond Harbor Blvd are agriculture fields. Further north are residential developments and west is a large commercial development. The LCP amendment will not have significant adverse effects on coastal resources as no expansion of existing public services will be required to accommodate the proposed hotel expansion. Rather than having significant adverse effects, the LCP Amendment for additional boatel/hotel rooms will increase the number of moderate cost tourist serving lodging facilities within the harbor.

5. **Section 30252 of the Coastal Act states:** *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or 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.*

Currently, the Property is developed with a 70 room boatel/hotel with an existing pedestrian and bicycle path that extends around the harbor connecting to the Ventura Harbor Village. The proposed LCP Amendment will maintain the existing pedestrian and bike circulation throughout the harbor area. A seasonal water taxi stop is located in the adjacent marina. The project provides sufficient parking as all parking for the boatel/hotel and a future proposed expansion will be on site with a surplus of 9 parking spaces.

6. **Section 30234 of the Coastal Act states:** *Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded... 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.*

The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* will increase the number of boatel/hotel rooms on the site and will not modify the adjacent marinas. The additional rooms will increase the number of moderate cost tourist serving lodging facilities within the harbor. No commercial fishing or recreational opportunities currently exist on the Property and the LCP amendment will not interfere with the commercial fishing industry that currently exists within the harbor area.

7. **Section 30224 of the Coastal Act states:** *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.*

The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* allowing an additional 63 boatel/hotel rooms, complies with this policy by adding additional rooms for visiting boaters and tourists. There will no modifications to the adjacent marinas, nor will the Project impact existing public launch areas. The increase in boatel/hotel rooms does have the potential to attract an increase in water activity in the area as the additional rooms will increase the number of moderate-cost tourist serving lodging facilities within the harbor.

8. **Section 30213 of the Coastal Act states:** *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* additional boatel/hotel rooms will increase the number of moderate cost, tourist serving lodging facilities within the harbor. The expansion will increase the number of boatel/hotel rooms at the Holiday Inn Express from 70 to 133 rooms while still maintaining parking spaces in compliance with the City's parking standards, and the public pedestrian sidewalk and bike path located just outside the boatel/hotel property will be protected.

9. ***Section 30255 of the Coastal Act states: Coastal-dependent developments shall have priority over other developments on or near the shoreline.***

The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* is for an additional 63 rooms to an existing 70 room boatel/hotel, for a total of 133 boatel/hotel rooms. The average room occupancy during the summertime has been 81% while citywide the occupancy rate has been 66% and is a reflection of the waterside location. The LCP Amendment will facilitate an additional number of boatel/hotel units that will increase the available number of moderate cost tourist serving lodging facilities within the harbor area.

10. ***Section 30221 of the Coastal Act states: Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for the area.***

The Property is currently fully developed with a 70 room hotel/boatel and associated asphalt parking lot. There currently exists no suitable area for recreational use in the Central Harbor Area parcels. As such, The LCP amendment to modify the *Area Locational and Intensity Policies of the Central Harbor Area of the Ventura Harbor Community* makes use of the site to provide additional moderate cost tourist serving lodging facilities to the area. Adjacent recreational opportunities exist within the Ventura Harbor including access to the Marinas, pedestrian and bicycle paths and the Harbor Village commercial center.

11. ***Section 30220 of the Coastal Act states: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.***

The *Central Harbor Area of the Ventura Harbor Community* is not appropriate for water-oriented recreational activities as it is currently developed with an existing 70 room boatel/hotel and the water directly adjacent is already developed with a marina. However, the boatel/hotel will provide much needed moderately priced lodging to the area for both tourists and boaters visiting the harbor area.

Comprehensive Plan Amendment Findings

12. The Comprehensive Plan Amendment is consistent with and reflective of the goals, policies, and intent to encourage orderly growth and development in a manner that preserves the public's health, safety, and welfare because the amendment will provide the visiting public greater access to the water and coastal resources while at the same time increasing the number of moderate-cost tourist serving lodging facilities within the harbor. Although the increasing additional boatel/hotel rooms will be constructed within the existing parking lot,

the property is currently over-parked and once the addition is constructed would still provide code-compliant parking. The current parking calculation requires 1 parking space per room, for a total of 133 parking spaces where as the site will retain 142 parking spaces for a net surplus of 9 parking spaces.

13. The proposed Comprehensive Plan Amendment to the Local Coastal Plan will ensure that future development is compatible with the surrounding community and meets the Intent and Rationale Statement contained within the Land Use Element of the Comprehensive Plan for the *Central Harbor Area* because adequate parking spaces will still be available, thereby enabling the public to have access to water and coastal resources while at the same time increasing the number of tourist serving lodging facilities.

California Environmental Quality Act

14. On June 13, 2011 staff distributed for public review copies of a proposed Negative Declaration (ND) under the provisions of the California Environmental Quality Act (CEQA) (See Attachment C). The ND found no significant or potentially significant impacts associated with the project. The public comment period for the ND spanned from June 13, 2011 to July 5, 2011.

Having reviewed the proposed ND and all pertinent information in the record, as a whole and as set forth in the staff report, the City Council finds that there are no significant or potentially significant impacts related to the proposed project. The City Council finds further the ND is complete, in compliance with CEQA, and represents the independent judgment of the City of Ventura.

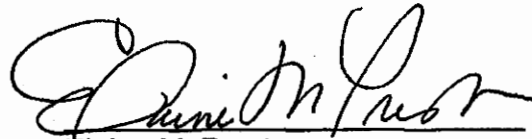
SECTION 4: Based on the above findings, the City Council hereby approves a Comprehensive Plan Amendment to modify the City's Local Coastal Plan Area *Locational and Intensity Policies for the Central Harbor Area of the Ventura Harbor Community* to reflect the regulatory extent as shown in Exhibit "A", attached.

SECTION 5: In recommending approval of the proposed Comprehensive Plan Amendment Case No. CPA-2-11-5091, the City Council hereby confirms its intent that the City's LCP will continue to be carried out in a manner fully consistent with the California Coastal Act.

SECTION 6: This LCP Amendment approved hereby shall be forwarded to the Coastal Commission for final action and shall become fully effective upon receipt of Coastal Commission certification. The existing approved Local Coastal Program shall remain in full force and effect until such Coastal Commission certification is received.

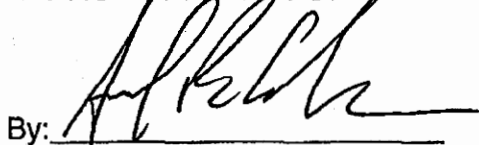
However, in no case will this Amendment be effective less than 31 days after final passage and adoption by the City Council.

PASSED AND ADOPTED this 21st day of November, 2011



Elaine M. Preston
Interim City Clerk

APPROVED AS TO FORM:



By: Ariel Pierre Calonne
City Attorney

VENTURA HARBOR

The Ventura Harbor area of the Comprehensive Plan includes the waters of Ventura Harbor and the land immediately surrounding these waters. The Ventura Harbor area, as defined, is limited to the jurisdictional boundaries of the Ventura Port District. Within the Ventura Port District jurisdictional boundaries, the harbor has been divided into four subareas. These subareas are referred to as the South Peninsula, Southwest Harbor, Central Harbor, and Northeast Harbor.

Each of the subareas is subject to one or more of three land use designations, which establish basic land use policy for the Harbor. This section of the Comprehensive Plan first describes the land use designations and general provisions, which apply to all development within the harbor, followed by discussions of Harbor subareas and maps.

Intent and Rationale for Land Use Designations:

Land Use Designations: Harbor Commercial (HC), Harbor Related Mixed Use (HRMU), Mobile Home Park (MHP).

Harbor Commercial (HC)

The Harbor Commercial (HC) designation in the Ventura Harbor area is intended to cause any new development in that area to be compatible with existing and proposed uses in the Harbor complex (as described below). Development in this area, which is also designated as a Scenic Approach to the City, should be designed to complement the existing visual and structural character of the Harbor complex, and the development should be oriented toward recreation, visitor-serving, marina, and commercial fishing uses.

To facilitate the recreation, tourist and commercial fishing opportunities within the Harbor complex, the Harbor Commercial (HC) designation shall give priority to visitor-serving commercial recreational uses over general commercial development, but not over commercial fishing, and shall protect coastal recreational land suitable for such uses.

Because of the specific function of the Harbor, private residential and general industrial uses are not appropriate in the HC designated area.

Uses within the Harbor Commercial area shall be designated as either priority or non-priority uses. Priority uses include those uses listed in the Harbor Commercial (HC)

section of the City's Zoning Ordinance under the headings of: (1) commercial visitor-serving, (2) recreation, boating, fishing, (3) commercial fishing, and (4) public service facilities. Non-priority uses include general commercial retail and offices. To ensure that a minimum number of priority land uses and coastal facilities are provided in the Harbor complex: (1) non-priority residential uses consistent with the Local Coastal Program and the criteria of the Land Use Plan shall be allowed in the HRMU designated category; (2) non-priority general retail and office uses for the 111.39 acres land in the Harbor shall be limited to 5 acres (this is exclusive of streets (17.29 acres), and the existing mobile home park (41.66 acres); and (3) dependent and harbor-oriented facilities described later in this section shall be required.

As Planned Development Permits are approved, the City shall make findings as to the adequate provision of minimum numbers or types of coastal facilities described later in this section, in terms of their consistency with this Plan.

Harbor Related Mixed Use (HRMU)

The purpose of the Harbor Related Mixed Use (HRMU) designation is to ensure that the City and Port District obtain the best-suited horizontal mixed-use development for the last remaining large parcel in Ventura Harbor. The harbor-front parcel currently lays fallow and unused. While the site presents no obstacles to accessibility of the harbor, its location off of any major thoroughfare and its lack of amenities and visitor serving facilities leaves the site wholly unattractive to visitors. The HRMU designation shall encourage development of this property with a balance of visitor-serving, recreational and residential uses. The visitor-serving and recreational components shall provide amenities for the public while the residential component should aim to enliven the development and turn it into a destination. The residential component shall provide a critical mass of residents to activate the Harbor but shall not overwhelm the harbor-front to the public's detriment. The purpose of the HRMU designation shall also be to ensure development, which can function as a transition between the adjacent residential neighborhoods to the north and east and the primarily commercial and visitor-serving uses (both existing and envisioned of the rest of the harbor. To encourage continued coastal-dependent recreation and tourist opportunities within the water front areas of the harbor, the HRMU designation category requires that public amenities, such as a public accessway, public parking, a public park and restrooms and harbor oriented recreational and visitor-serving facilities are included on the site.

Residential development, which is considered a non-priority use within the harbor, shall be limited to the development of Parcels 15 and 18 and the existing Mobile Home Park (MHP) designation and all other references to non-priority uses elsewhere in the harbor

shall mean general commercial and office uses only. Development of Parcel 15, 16, and 18 shall be subject to the preparation and approval of a master site plan for Parcels 15, 16, and 18. The master site plan for Parcels 15, 16, and 18 shall, at a minimum, meet the criteria set forth in the Area Location and Intensity policies for the Northeast Harbor, as well as any pertinent standard set forth in the Zoning Ordinance. All coastal-dependent and, visitor-serving development shall be integrated with the overall character of the harbor and continue to encourage tourist activity consistent with the goals of the City's Local Coastal Program.

Mobile Home Park (MHP)

The existing mobile home park provides affordable housing and is designated MHP for mobile home park use. It is intended that this use be allowed to continue as a mobile home park, and the site be rezoned accordingly. In the event that redevelopment of the mobile home park occurs, an amendment to this Comprehensive Plan and Local Coastal Program will be necessary. Unless adequate, affordable, low and moderate-income housing exists nearby, redevelopment must include one-to-one ratio replacement housing and housing assistance for low and moderate-income tenants. If redevelopment occurs, at least 90% of the land area shall be devoted to priority uses.

To ensure that lower cost recreational and visitor-serving facilities are available to all income groups, picnic tables, public rest rooms, pedestrian and bicycle access ways, pedestrian furniture, bicycle storage racks, small boat sailing, renting and berthing areas, and at least two lower cost eating establishments of at least 2,000 square feet each shall be provided. In addition, the Harbor beach area, which provides a lower cost recreational activity, shall be preserved for general public recreational use.

In order to encourage recreational boating, non-water dependent land uses shall be limited within the Harbor's water area complex so as to not congest access corridors and preclude recreational boating support facilities. In addition, a minimum number of recreational boating facilities available to the general public shall be provided and/or protected, including at least 1,500 recreational boat slips, public launch facilities, dry boat storage and fuel dock facilities.

Recreational boating and commercial fishing shall be located and designed so as to not interfere with one another. Potential impacts from commercial fishing or general boat repair and construction operations shall be mitigated. Mitigation measures shall include locating such facilities away from existing residential areas.

Conversion of existing commercial slips to recreation use shall not be permitted unless

the Port District, in conjunction with the City of San Buenaventura, determine that all current and foreseeable future demand has been satisfied. Should any future conversion of commercial slips reduce the minimum berthing space that exists in the Harbor, which is required by the City's Land Use Plan, an amendment to the Land Use Plan will be required. Any future determination of whether conversion of commercial slips to recreational slips will adversely impact the demand of the commercial fishing industry shall be based on the following: future evidentiary data regarding commercial fishing industry needs at the Ventura Harbor presented by the Ventura Port District in consultation with the Ventura County Fisherman's Association and reviewed and approved by the City of Ventura, demonstrating that a minimum number of boat slips are provided to serve the needs of the commercial fishing industry needs. All future determinations described in the preceding sentence shall take into consideration the cyclical changing conditions of the industry.

A minimum number of facilities serving the commercial fishing industry, adequate to meet the industry demand demonstrated in the Ventura Harbor, shall be provided within the Harbor complex. These include the existing 4,200 slip feet or berthing for at least 90 permanent and 15 transient commercial fishing boats, whichever is greater, a boat repair yard, ice facilities, fuel facilities (24 hours/day), laundry, shower and rest room facilities, two or more fish receiving facilities, a net repair area, hoists, wharf age of additional docking space and, cold storage facilities. In order to meet the changing technological needs of the commercial fishing industry, the following developments shall be given priority in the southwest harbor area and in other harbor areas compatible with commercial fishing as demand is demonstrated: the development of approximately 40 additional commercial boating slips (60-80 foot range and 45-55 foot range) while retaining the existing 4,200 slip feet which serves permanent and transient fishermen. Uses oriented toward commercial fishing, such as fish processing facilities, additional ice and cold storage facilities and additional commercial fishing boat slips shall be given priority over redevelopment of existing visitor-serving commercial projects, consistent with the needs of the commercial fishing industry. Alternatively, such uses may be provided in close proximity to the commercial fishing facilities provided that they are in a location that is easily and readily accessible without adversely impacting other priority activities in the Harbor.

The location and intensity of all land and water uses must be specifically defined to ensure no significant adverse cumulative impacts on coastal resources or access by existing or permitted development.

To ensure that the visual character of the Harbor is maintained, structures located on the South Peninsula shall be limited to two stories, not exceeding 30 feet in height

except for such structures as theme towers, observation decks and radio antennas. The South Peninsula is defined as that area located on either side of Spinnaker Drive and north of an imaginary line drawn 2,400 feet south of the terminus of Spinnaker Drive.

To enhance visual quality and ensure that new development does not impede views to the water area from the roadway or to and from the beach and inland harbor area, the policies listed below apply. A view corridor is defined, for purposes of enforcing these policies, as that area between the roadway and water which is not occupied by buildings or solid walls and fences that would impede the view of the water from the roadway. View corridors shall be measured from the linear distance paralleling the nearest public road. (See Maps following this section for delineation of Harbor areas.)

South Peninsula

For development on the South Peninsula, the following criteria shall be applied to each lot, except for the National Park Service site.

1. Buildings and other structures shall not occupy more than 25% of the lot area.
2. At least 50% of each lot shall provide a view corridor as measured from Spinnaker Drive.
3. A view corridor shall provide a single unobstructed view, except that on Parcel 5 this requirement may be satisfied by the provision of two corridors, if one corridor has a minimum width of 375 feet and the other corridor a minimum width of 125 feet.
4. All structures shall be limited to two stories, not exceeding 30 feet in height, except for a possible aquarium/research center, which shall be limited to 45 feet in height.

Southwest Harbor

For new development in the Southwest 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 30% of the area shall provide view corridors to be measured from Spinnaker Drive.

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. All structures shall be limited to three stories, not exceeding 45 feet in height.

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 30% of a given project.
2. Views 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 path on Navigator Drive through the area designated HRMU to the waterfront path. These accessways 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 antennas, masts and flagpoles which shall not exceed 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 dense uses, recognizing its unique character between two water bodies, its predominant water oriented public recreational character, its effect on views to and from the beach, channels and towards the ocean and Channel Islands, and the need to ensure that development and parking do not impact the sandy beach area. The National Park Headquarters has increased the significance of the South Peninsula as a use of greater than local importance and a visitor destination.

To further define location and intensities, the following policies shall be followed in all permit decisions in the Harbor. (See Maps following this section for delineation of Harbor areas.)

Area Locational and Intensity Policies

Northeast Harbor Area: This area shall be developed primarily with commercial visitor-serving uses and, for the portion designated HRMU, with a master-planned residential/commercial, visitor-serving and recreational mixed use development. Uses allowed in this area include the following:

- (1) Commercial visitor-serving uses;
- (2) Recreational boating;
- (3) Non-priority uses limited to public facilities and general retail and offices;
- (4) Non-water oriented commercial;
- (5) Public park and recreation;
- (6) Residential uses limited to a maximum of 300 units

(7) Mobile homes for the Mobile Home Park area (MHP).

Commercial fishing facilities are not intended uses in the Northeast Harbor Area. Coastal-dependent and coastal-related recreation and visitor-serving uses shall be developed adjacent to the harbor front and shall have priority over residential and general commercial development.

Development on the HRMU designated parcel shall be subject to the preparation of a master site plan for Parcels 15, 16, 18. The master site plan shall include, at a minimum, the following:

1) Land Use and Development Standards

- a) Architectural criteria, landscaping criteria, circulation requirements, and public view protection of the harbor.
- b) Any residential development proposed for the HRMU area shall aim to create a critical mass of residents that will activate the Harbor, without detracting from or interfering with the harbor oriented coastal visitor-serving uses, tourist activity and public recreational boating uses. New residential development within the Ventura Harbor shall be limited to the HRMU designated area and a maximum of 300 dwelling units all be permitted providing such development is consistent with all other applicable policies of the LCP. Tourist-serving and recreational uses shall be located along the water frontage area. Should any residential units be developed on the HRMU designated site, the 2.44-acre waterfront area, identified as Parcel 16 shall be developed as a public park.

Live/work residential units are encouraged. Efforts shall be made on the part of the developer/property manager to market such units to visitor-serving and/or marina-oriented businesses.

- c) In addition to the requirement of 1b above (development of the public park), the entire water frontage area, (as generally shown on Exhibit 16), shall include a 28 to 50 foot wide public access and recreation improvement.
- d) In addition, development within the HRMU designated area shall provide any one or combination of the following uses:

- a) public amenities;
- b) commercial visitor serving; and
- c) water-oriented recreational facilities.

2) Land Use Buffer/ Public Use Zone

- a) In conjunction with any residential development that occurs within the HRMU designation, a public park shall be developed on the 2.44 acre harbor-front parcel described as Parcel 16 (see Exhibit 6 and 16), to provide additional public access opportunities. The park shall be provided with picnic tables, benches, bicycle storage racks and public parking.
- b) Public access and public recreation improvements a minimum of 28 to 50 feet in width shall be sited along the waterfront. The improvements shall include a pedestrian and bicycle accessway. In addition, such improvements shall include, but are not limited to the following: benches, landscaping, drinking fountains, and improvements that would encourage use of this area by the general public. Additionally, the project shall include an internal circulation system which improves harbor-front access and brings viewing opportunities closer to the waterfront. Such circulation system shall be comprised of a minimum of 500 feet of roadway with unobstructed views of the harbor.
- c) Public restrooms shall be provided at a convenient location for users of the public park, the waterfront promenade, the adjacent marina and commercial uses.
- d) To further the City's Comprehensive Plan Circulation Element, a pedestrian and bike path (waterfront promenade), that incorporates public use areas, shall be located along the harbor water frontage. Connection of the pathway to the adjacent public areas shall be provided so that there is a continuous route around the Harbor water channel. An adequate supply of bicycle storage shall be provided at a location(s) convenient to users of the public areas.
- e) Residential areas that abut the pedestrian and bike path shall incorporate design elements such as fencing, landscaping, signage and elevation changes, to prevent the public area from becoming used exclusively by

such development.

- f) If deemed appropriate, the master site plan should include development of a shuttle stop at the corner of Anchors Way and Navigator Drive to encourage the use of public transportation.

3) Recreations and Visitor Serving

- a) Public access and recreation improvements described in Master Site Plan Policy 2, Land Use Buffer/Public Use Zone, shall be constructed concurrent with any development of the site and be available for public use concurrent with occupancy of any residential or commercial development.
- b) A 28 to 50 ft wide public access and recreation improvement (waterfront promenade) shall provide continuous access from Anchors Way to Navigator Drive and include access to the waterfront view park. In addition to this waterfront promenade, a multi-modal vertical public accessway shall be provided from the approximate terminus of Schooner Drive through Parcel 18 and connecting to the waterfront promenade. The vertical public accessway shall include a roadway for vehicles and cyclists, parallel parking and a minimum of 10-foot wide parkways, with landscaping and pedestrian sidewalks on either side of the roadway. All public accessways shall be conspicuously signed for public use and incorporate design elements such as those specified in 2d above, to clearly delineate public spaces. The existing walkways along the perimeter of this site shall not be used to satisfy this requirement.
- c) Adequate commercial facilities and wet or dry boat storage facilities, necessary to support the needs of any proposed residential development shall be either within the portion of the site developed with residential use or within close and convenient proximity to the HRMU designated area.

4) Parking and Circulation

- a) Public parking or public parking lot(s) shall be provided in locations convenient to key visitor attractions, public access and public park area on the site. If parking fees are charged, parking fees shall be kept low so that the general public may use the Harbor facilities at nominal rates.
- b) All residential and commercial development shall provide adequate on-site

resident, visitor and customer parking in addition to the required public parking or public parking lot(s).

- c) All development proposals shall submit for the appropriate planning and approving body, supplemental traffic analysis containing appropriate mitigation measures relative to project specific trip generation estimates. Said supplemental information shall demonstrate that the average daily trips (ADT) do not exceed those estimated for the previously permitted Harbor Commercial shopping center development which are estimated at 9,505 ADT.

All development proposals shall be designed to ensure that traffic generated by the project will not adversely impact the City's street system within the Pierpont/Ventura Keys and Ventura Harbor Community for area residents and members of the public: accessing the Ventura Harbor and Surfer's Knoll Beach. As a result, left turn movements from the HRMU area onto Anchors Way shall be permitted only at Navigator Drive and Schooner Drive.

Measures necessary to mitigate traffic impacts from development of the site shall be required and completed concurrent with site development. Restrictions limiting general public use of the street system shall not be permitted. If a reduction in traffic ADT is necessary, non-priority uses shall be removed from the development proposal.

- d) Site development shall provide an internal circulation system that does not rely on the public street system and insures a continuous flow of vehicle and pedestrian traffic throughout the HRMU designated area regardless of development patterns.
- e) Ingress and egress of the site shall not adversely impact the public's ability to access any public facilities, including, but not limited to the existing public boat launch facility that abuts the HRMU designated area.

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

1. 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 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.

Southwest Harbor Area: This area shall contain uses oriented toward or serving commercial fishing, recreational boating, and visitor serving commercial uses and may include general office uses above the first floor. Water dependent uses shall include at least 4,200 lineal feet of slip and wharf space for commercial vessels such as fishing boats and oil crew boats, and may include fish receiving facilities, ice facilities, fuel facilities, a boat lift, a full service boat yard and a self service boat yard. No additional, new, visitor-serving, commercial use projects may be developed in this area. Uses supportive of commercial fishing, such as fish processing facilities; additional ice and

cold storage facilities and additional commercial fishing boat slips shall be given priority over re-development of existing visitor-serving commercial projects, consistent with the needs of the commercial fishing industry. Within the existing, visitor-serving, commercial projects, a maximum of 33,000 square feet may be devoted to restaurant space. Restaurant space includes, but is not limited to, dining, bar and lounge areas, kitchen and related areas, and outdoor seating. At least 2,000 square feet of the authorized restaurant area shall be devoted to lower-cost eating establishments.

South Peninsula Area: This area shall be oriented toward water oriented recreational activities, including recreational and public beach use. General office uses may be permitted above the first floor. An aquarium/research center, the Channel Islands National Park Service Headquarters, tour boat services, recreational marinas and a yacht club are permitted uses. The water area shall also include berthing space for transient as well as permanent commercial fishing vessels. Two full service restaurants may be permitted and at least one lower-cost eating establishment shall be provided (minimum 2,000 square feet). A lower-cost restaurant is defined as a high or medium turnover sit-down or take-out restaurant with a turnover rate of less than an hour. Examples include delicatessens, test-service food restaurants, coffee shops or cafeterias. Total restaurant space includes, but is not limited to, dining, bar and lounge areas, kitchens, and related areas and outdoor dining areas. Visitor parking and public restrooms are the only permitted uses on the ocean side of Spinnaker Drive.

General Location Policies

1. Ancillary buildings such as maintenance buildings and restrooms, serving the general public and Harbor users, may be permitted throughout the Harbor. More intensive public service buildings, such as police and fire stations and utility stations, shall be confined to the Northeast Harbor Area.
2. Existing facilities serving recreational boaters and commercial fishermen shall be retained, unless documentation, consistent with that described under the Intent and Rationale Statement demonstrates that there is no longer a demand for facilities is provided or equivalent facilities are constructed elsewhere in the Harbor in conjunction with the redevelopment of existing facilities.
3. Non-conforming uses may be permitted to continue in their present locations in conformance with present lease arrangements. Expansion of a nonconforming use shall be subject to the regulations set forth in the City's Ordinance Code; however, in no case shall expansion be permitted where such expansion has the potential to displace harbor-dependent commercial fishing or recreational-boating

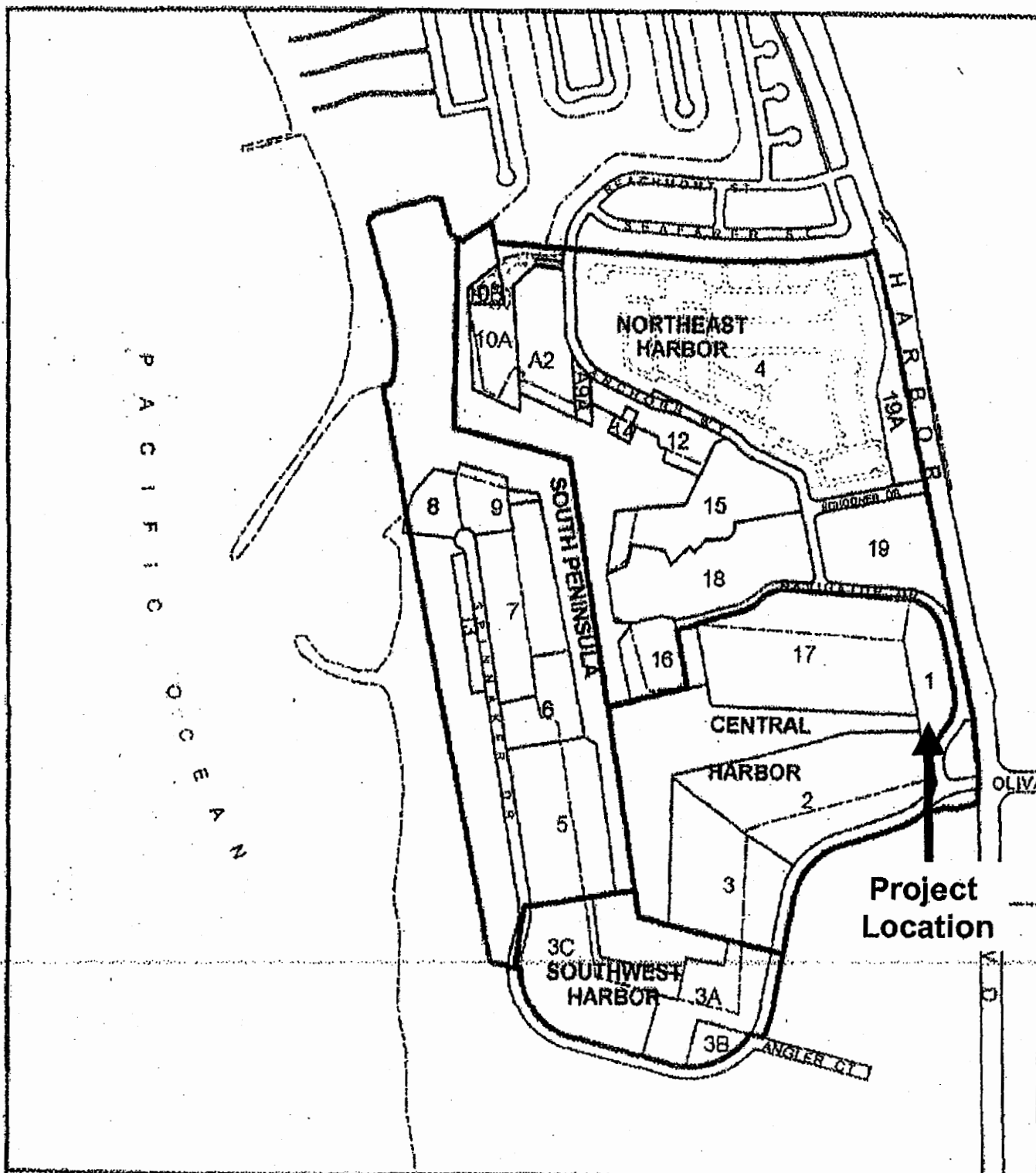
uses.



4. Dry boat storage areas shall be located inland of the first public road from the water's edge, because an oceanfront site is not essential for such uses.

Any development proposals for Ventura Harbor shall be designed to ensure that future water development near the north end of the South Peninsula (i.e., Parcels 7 and 9) not interfere with boats that require tacking maneuvers when entering and leaving the Harbor's interior channels. However, such limitations shall not interfere with berthing for visitor-serving uses, such as the Channel Islands National Park Headquarters and commercial tour boats, unless equivalent berthing is provided nearby.

All new development in the Ventura Harbor shall include measures consistent with the policies contained herein, to reduce contaminated runoff into the Harbor waters, including filtration of low flows, control and filtration of runoff from parking lots and roofs, reduction of impervious surfaces, and provision of pump out facilities, and other necessary measures to reduce harmful pollutants from storm drain waters.

The Ventura Harbor Maps, which follow, are intended to supplement the Land Use Plan Map and Circulation Plan Map, which cover the City's entire Planning Area. Because the Ventura Harbor Maps provide greater detail to better interpret and enforce the policies of this Plan, they supersede the Land Use Plan Map and Circulation Plan Map in cases where any uncertainty or apparent discrepancies may exist.



Prepared by: Geographic Information Systems		<h3 style="text-align: center;">VENTURA HARBOR AREAS</h3> <p style="text-align: center;">Parcels Harbor Areas</p>	 <p style="text-align: center;">NORTH</p>
Drawn by: A.S.			
Checked by: I.T.			
Date: 20 AUG 1989			
Prepared for: PLANNING DEPARTMENT		Scale: 1" = 800'	

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.

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

I, Roxanne Fiorillo, 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 November 21, 2011, by the following vote:

AYES: Councilmembers Brennan, Weir, Morehouse, Andrews,
 Morahan, Deputy Mayor Tracy, and Mayor Fulton.

NOES: None.

ABSENT: None.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the City of San Buenaventura on November 22, 2011.


Deputy City Clerk



OBJECTIVE 6 - CIRCULATION CORRIDORS

Views from and along roadways and highways should be preserved and enhanced to create a sense of open space and to present a pleasingly unique identity for the City.

- Policy 6.1 Designate circulation corridors, including freeways and arterial streets.
- Policy 6.2 Buildings, structures and landscaping should be added to a scenic corridor so that they contribute positively to the identity of the City.
- Policy 6.3 Street trees along scenic corridors should receive preferred maintenance.
- Policy 6.4 Encourage public and private park areas, such as linear parks, along scenic corridors.
- Policy 6.5 Soundwalls that may be required to mitigate noise impacts should be set back from the right-of-way to allow for landscaping and mounding. The design of soundwalls should provide visual interest and variety through texture, color and varying offsets.
- Policy 6.6 Preservation of views and existing natural vegetation and incorporation of complementary landscaping should be important criteria for projects located in scenic corridors of the City.
- Policy 6.7 Protect and reinforce positive landmarks, nodes and vistas by careful review of land use development design within or adjacent to major circulation corridors.
- Policy 6.8 Given its natural vistas (e.g., ocean, mountains, rivers, and open areas) and views of the scenic urban design qualities of the City, consider the following routes Scenic Drives within the City's Planning Area:

- Poli Street/Foothill Road
- Brakey Road, Summit Drive and Ferro Drive in Grant Park
- Figueroa Street
- North Bank Drive
- Olivas Park Drive
- Spinnaker Drive
- Schooner Drive
- Anchors Way
- Navigator Drive
- Loop drive around the Fairgrounds
- Harbor Boulevard
- Wells Road
- Telegraph Road east of Victoria Avenue
- Victoria Avenue south of Highway 101
- Main Street

Policy 6.9 Incorporate landscaped medians where feasible along designated scenic drives, with the exception of any portion of Poli Street, Figueroa Street, and Main Street within the boundaries of the Downtown Specific Plan.

Policy 6.10 Require new public parkways with extra wide landscaped areas for select arterial streets such as Olivas Park Drive, North Bank Drive and any future extension of Kimball Road.

Policy 6.11 To convey the City's identity to the passing motorist through aesthetic treatment of its natural attributes, the following Scenic Approaches have been identified for the City's Planning Area:

- West - the Ventura River crossing
- North - the City entry from the Ojai Freeway near Canada Larga
- East - Foothill Road and the Santa Paula Freeway at Wells and the Santa Clara River and Highway 118
- South - the Santa Clara River crossing, Harbor Boulevard Victoria Avenue and Olivas Park Drive

OBJECTIVE 8 - HARBOR AREA

The City should ensure that stabilization and enhancement of design forms in the Harbor occur through design standards to create a specific identity consistent with recreational, visitor-serving, marina and commercial fishing orientations.

- Policy 8.1 Establish architectural design guidelines for future development and redevelopment in the Harbor Area to create a unifying design theme via building design, landscaping, open areas and pedestrian/vehicular circulation areas.
- Policy 8.2 *Preserve view corridors and viewsheds of and from the water within the Harbor Area.*
- Policy 8.3 Landscaping should consist primarily of native species capable of surviving in the Harbor Area's marine environment.



Exhibit 5
SBV-MAJ-1-12
Location of View Corridor

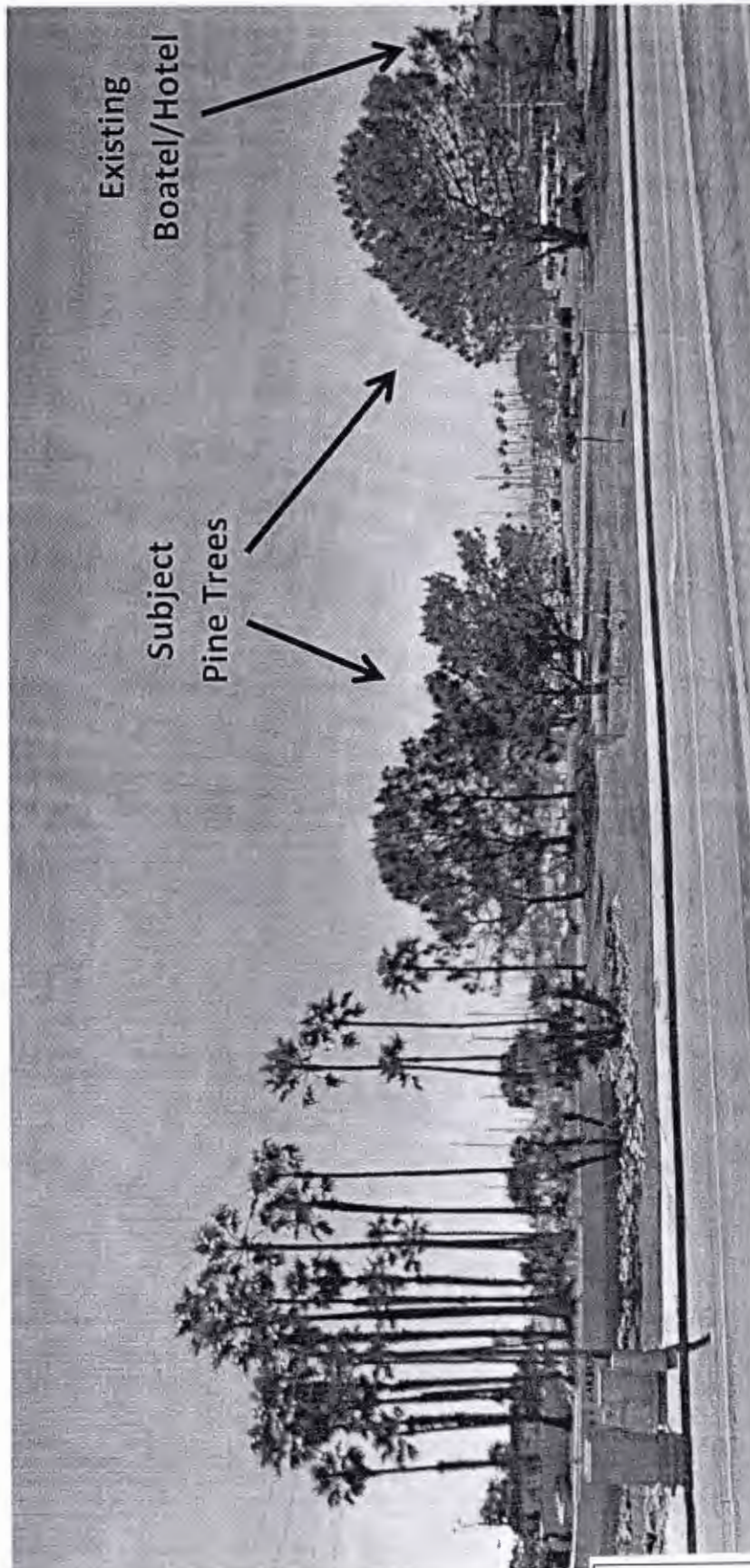


Exhibit 6
SBV-MAJ-1-12
Location of Vegetation on Parcel No.
080-0-240-245