Meeting Date: 12 / 12 / 2006

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☒ Public Hearing
☐ Other _____	☐ Other _____

Prepared By: Susan L. Martin, AICP, Planning Manager Agenda Item No. L-2

Reviewed By: City Manager SMH City Attorney Rapp Finance SW Other *(Specify)*

DATE: November 27, 2006

TO: City Council

FROM: Susan L. Martin, AICP
Planning and Environmental Services Manager

SUBJECT: **Local Coastal Program Amendment No. 98-1 (PZ 06-410-003). Filed by City of Oxnard, Planning and Environmental Services Division.**

RECOMMENDATION

That City Council:

1. Approve the first reading by title only and subsequent adoption of an ordinance approving Local Coastal Program Amendment No. 98-1 (PZ 06-410-003), consisting of a zone change from Resource Protection (RP) to Single-Family Beach (R-B-1) for a vacant parcel located on the west side of Harbor Boulevard, between Breakers Way and Reef Way; and
2. Direct the Planning and Environmental Services Manager to forward the amendment to the California Coastal Commission for consideration.

DISCUSSION

In March 2005, the City Council reviewed and approved an amendment to the City's Local Coastal Program (LCPA) for a zone change of two City-owned parcels within the Oxnard Shores area. One of these properties is located on the west side of Harbor Boulevard, between Breakers Way and Reef Way. The other property is on the north side of Whitecap Street, east of Mandalay Beach Road. At that time, approvals were also granted for two coastal development permits (CDP) processed in conjunction with the zone change requests; however that action has since been repealed at the recommendation of the California Coastal Commission.

The Coastal Commission staff report dated July 27, 2006 recommended approval of the requested zone change for the Breakers Way site, but did not support such request for the Whitecap Street site due to a potential to be considered an environmentally sensitive habitat area (ESHA). The city submitted a letter on August 3, 2006 withdrawing the LCPA request for both properties. At this time, staff requests direction to proceed with a LCPA (PZ 06-410-003) for the property at Breakers Way only. The status of the LCPA for property at Whitecap Street (PZ 06-410-004) is under consideration and is not a part of this request.

FINANCIAL IMPACT

None.

Attachment 1 - City Council Ordinance, LCP Amendment

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A ZONE CHANGE FOR PROPERTY LOCATED ON THE WEST SIDE OF HARBOR BOULEVARD, BETWEEN BREAKERS WAY AND REEF WAY.

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning and Environmental Services Division of the City of Oxnard, and the custodian of the record is the Planning and Environmental Services Manager.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. The zoning governing vacant property consisting of 1.39 gross acres, located on the west side of Harbor Boulevard, between Breakers Way and Reef Way (APN 191-033-15), is hereby changed from RP (Coastal Resource Protection) to R-B-1 (Single Family Beach), as shown on the map attached hereto as Exhibit A and incorporated herein by reference.

Part 2. The City Council of the City of Oxnard certifies that this ordinance is intended to be carried out in a manner fully in conformity with Division 20 of the Public Resources Code (the Coastal Act).

Part 3. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the City. Ordinance No. _____ was first read on _____, 2006, and finally adopted on _____, 2006, to become effective automatically upon approval by the California Coastal Commission.

AYES:

NOES:

ABSENT:

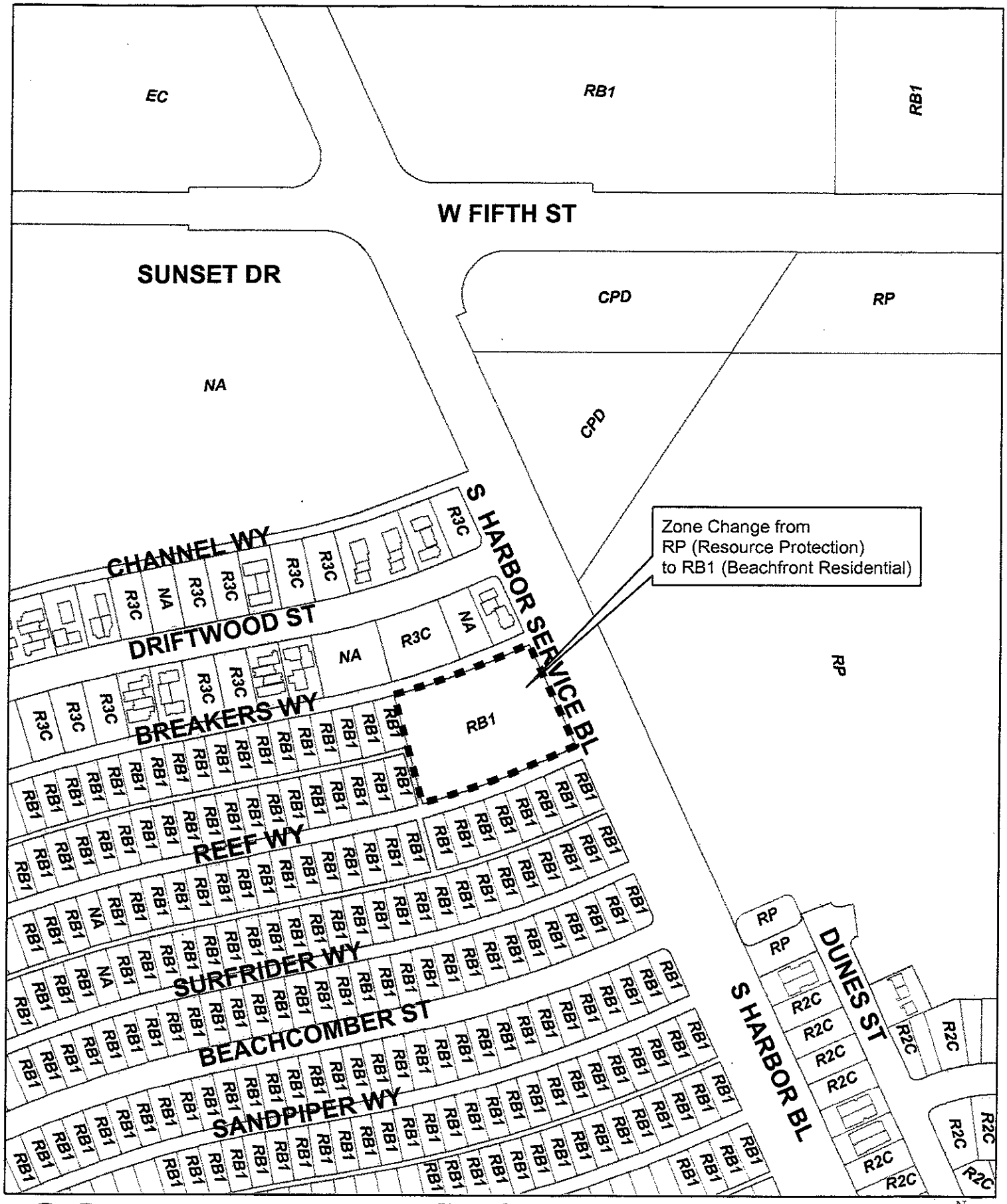
_____
Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

James F. Rupp, Jr. for
Gary L. Gillig, City Attorney



Oxnard Planning
December 5, 2006

000049

Zone Change
PZ 06-410-03
APN: 191003315

0 50 100 200 300 400 Feet

EXHIBIT A

ATTACHMENT 1

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