



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Christopher Williamson, AICP, Senior Planner

DATE: March 5, 2009

SUBJECT: Planning and Zoning Permit Nos. 09-410-01 (Coastal Land Use Plan Amendment), 09-630-01 (Specific Plan Amendment), and 09-580-1 (Zone Text Amendment) to Allow School Use in the Coastal Land Use Plan, Mandalay Specific Plan, and Coastal Planned Community Zone. Filed by Oxnard School District.

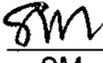
- 1) **Recommendation:** That the Planning Commission adopt resolutions recommending City Council approval of Planning and Zoning Permit Nos. 09-410-01 (Coastal Plan Amendment), 09-630-01 (Specific Plan Amendment), and 09-580-1 (Zone Text Amendment).
- 2) **Project Description and Applicant:** The proposed amendments would allow a school use within the Coastal Land Use Plan, Mandalay Bay Specific Plan, and Coastal Planned Community (CPC) zone, respectively, thereby allowing the Oxnard School District to file directly with the Coastal Commission to amend the Seabridge Coastal Development Permit (CDP) for the construction of a 53,000 square foot, two-story, elementary school at 4100 Tradewinds Drive. Filed by George Yin (agent), Garcia Calderon Ruiz LLP, 500 South Grand Street, Los Angeles, CA, 90071.
- 3) **Existing & Surrounding Land Uses:** The Mandalay Bay Specific Plan area is built out with single and multifamily homes and two commercial shopping centers.

LOCATION	ZONING	COASTAL PLAN	EXISTING LAND USE
Project Site	CPC	Mandalay Bay Specific Plan	Vacant
North	County Unincorporated	County Unincorporated RSCC	Agricultural production
South	CPC	Mandalay Bay Specific Plan	Seabridge Residential
East	CPC	Mandalay Bay Specific Plan	Seabridge Commercial
West	CPC	Mandalay Bay Specific Plan	White Sails Residential

- 4) **Text Amendments:** Each of the three amendments adds the word “school” as an allowed use in appropriate sections of the three documents, as shown in the respective exhibits to each of the three attached resolutions.
- 5) **Background Information:** The text amendments apply to the Mandalay Bay Specific Plan area between Wooley Road, Victoria Avenue, Hemlock Street, and the Edison Canal. This same area is zoned CPC. The Westport, White Sails, Harbour Island, and Seabridge projects collectively built out the entire area with the exception of the vacant eight-acre parcel located at 4100 Tradewinds Drive. Each of those projects had CDP’s that designated specific uses. The vacant parcel at 4100 Tradewinds is designated by the Seabridge CDP for multifamily housing and a small public park along Seabridge Drive. As part of the Seabridge CDP mitigation for impacts on schools, the Oxnard School District (OSD) has an option to purchase the site for an elementary school. The proposed amendments would allow a school use on this site, but not approve the school itself as the Coastal Commission has jurisdiction over amending the Seabridge CDP. The proposed amendments, if subsequently approved by the City Council, would be forwarded to the Coastal Commission for their approval. If and when the OSD applies for a CDP for the school, the Coastal Commission would issue notices and hold hearings on these amendments and the proposed school CDP at the same time.
- 6) **Environmental Determination:** The use of the 4100 Tradewinds parcel as an elementary school instead of 87 townhouses was included as an alternative project in the certified Seabridge Supplemental Environmental Impact Report (SEIR) (excerpt attached). The SEIR found that, “...this alternative would have equal impacts to that of the proposed project for all environmental topics except air-quality, where it slightly exceeds the pollutants by the project.” The SEIR also concluded that the school would serve the local area, school-related trips would not extend beyond the immediate community, and the city’s arterial network would not be impacted. The City Traffic Engineer would review the CDP application for localized traffic impacts at the time OSD files an application with the Coastal Commission.
- 7) **Coastal Commission Certification:** In accordance with Section 30514 of the California Public Resource Code, a certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the appropriate local government, but no such amendment shall take effect until it has been certified by the commission.

Attachments:

- A. Resolution for Coastal Land Use Plan Amendment
- B. Resolution for Mandalay Bay Specific Plan Amendment
- C. Resolution for CDC Zone Text Amendment
- D. Seabridge SEIR excerpt (pages 6.0-3 to 6.0-12)
- E. Mandalay Bay Specific Plan and CDC Area Map

Prepared by:  CW
Approved by:  SM

ATTACHMENT A

RESOLUTION NO. [PZ 09-410-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT A RESOLUTION APPROVING PLANNING AND ZONING PERMIT NO. 09-410-01 (COASTAL LAND USE PLAN AMENDMENT) MAKING A TEXT AMENDMENT TO POLICY 45. FILED BY GEORGE YIN (AGENT), GARCIA CALDERON RUIZ LLP, 500 SOUTH GRAND STREET, LOS ANGELES, CA, 90071.

WHEREAS, the Planning Commission of the City of Oxnard has considered a proposed amendment to Policy 45 of the Coastal Land Use Plan relating to school use within the Mandalay Bay Specific Plan area; and

WHEREAS, a subsequent environmental impact report was previously prepared and certified for a school use on the only undeveloped site in the subject area, that is was prepared in compliance with the California Environmental Quality Act, and that the Planning Commission reviewed and considered the information before approving the amendment; and

WHEREAS, in accordance with Section 30514 of the California Public Resource Code, a certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the appropriate local government, but no such amendment shall take effect until it has been certified by the Coastal Commission; and

WHEREAS, the documents and other materials that constitute the record of proceedings regarding the subsequent environmental impact report are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed amendment conforms with adopted City standards and constitutes good City planning; and that the amendment will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends to the City Council the approval of Planning and Zoning Permit No. 09-410-01 (Coastal Land Use Plan Amendment), to amend the Coastal Land Use Plan as shown in Exhibit A hereto attached.

Resolution 09-[PZ 09-410-01]
March 5, 2009
Page 2

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of February, 2009 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary

Local Coastal Policies

45. The Mandalay Bay project site, a 220-acre property located north of Hemlock Street, south of Wooley Road, and between the Edison Canal and Victoria Avenue, has been designated Planned Development. The purpose of the designation is to ensure the well-planned development of this large area which is proposed for water-oriented development. The following policies apply specifically to this development area:

- a. The entire site shall be planned as a unit. A specific plan showing the ultimate development of the site shall be required prior to any project or subdivision approval.
- b. Overall densities shall not exceed those established in the land use plan. The site design shall include expansions of the existing Inland Water/Edison Canal system. Residences, both single-family or multiple units, shall be oriented to the waterway, and private docking facilities may be provided. Public vertical access to the waterway shall be required; the combined public vertical access frontage on the water shall not be less than 10 percent of the development's total linear waterfront footage, unless adequate access is provided nearby and shall be included in the specific plan. The lateral access requirement shall be a minimum of 50 percent of the total linear frontage and shall be dedicated and available for public access. Exceptions to continuous lateral public access shall be allowed only for limited single-family waterfront home development where adequate alternative access exists nearby. All public accessways and facilities shall be provided in accordance with Policy 72. Recreational areas shall be distributed throughout the project with pedestrian and bicycle linkages between pocket parks, play areas, overlooks and other small-scale public areas offering the public and residents of the project recreational opportunities. No project on this site shall be approved without concurrent approval of all components of the "prime agricultural land maintenance program."

(Please refer to Policy 5 of this Plan)

- c. Common (nonpublic) open space shall be required for all multiple-family or attached units and shall include, but is not limited to, recreational facilities intended for the residents' use, including swimming pools, tennis courts, playgrounds, community gardens, or common landscaped areas. Streets, driveways and parking lots shall not be considered as a common open space.
- d. Public open space shall include, but is not limited to, public parks other than identified neighborhood and community parks, beaches, parking lots for public use and access corridors, including pedestrian paths and bikeways. Streets, property for private use, sensitive habitat areas and other nonusable areas shall not be considered as public open space.
- e. At least 20 percent of the net area of the site shall be designated for common open space for multiple-family or attached-unit developments unless adequate facilities are provided nearby. Not less than 20 percent of the net area of the site for all areas designated Planned Development on the land use map shall be public open space, unless adequate open space is provided nearby. Areas designated by the LCP as neighborhood or community parks shall

not be included in the site area and may not be counted towards the required percentage of public open space. The area of the waterway may be included in the tabulations.

School

f. Land uses shall consist of a mix of visitor-serving commercial, residential and public recreational areas oriented to an expansion of the existing Inland Waterway. The visitor-serving commercial, public recreation and open water shall comprise at least 50 percent of the overall project area. At least 12.5 percent of the total project area shall be public recreation areas and at least 12.5 percent of the total project area shall be visitor-serving commercial. Water area shall comprise the remaining 50 percent of the visitor-serving commercial and public recreation area.

- Total Project Site: 220 acres (100 percent)
- Area required for visitor-serving commercial, public recreation and open water: 110 acres (50 percent)
- Area for residential development: 110 acres (50 percent)

⇒ School(s) to be counted in either category

BREAKDOWN OF PUBLIC AND VISITOR SERVING AREAS

<u>Element</u>	<u>Minimum Acreage</u>	<u>Percent Of Public Area</u>	<u>Percent of Total Project</u>
Visitor-serving Commercial Public Recreation and Open Water	110.0	100	50.0
a. Visitor-serving Commercial	27.5	25	12.5
b. Public Recreation	27.5*	25	12.5
c. Open Water**	55.0	50	25.0

g. The development of an open body of water shall be an integral part of this land use designation. The development of this water area, however, may only proceed consistent with the other policies of this plan. A public launching ramp and boat docks for day use will also be provided. Fifty percent of the docking facilities provided in the project other than those provided with single-family residences shall be available for use by people not residing within the project. Full and unimpaired public access to and use of all open water areas, consistent with security and safety requirements, shall be assured. The location of and design of all development shall provide for public access and use of the project's water and immediate shore area.

*Must all be on land

** Up to 10 percent of open water may be devoted to public marinas or boat slips available to the public

ATTACHMENT B

RESOLUTION NO. [PZ 09-630-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT A RESOLUTION APPROVING PLANNING AND ZONING PERMIT NO. 09-630-01 (SPECIFIC PLAN AMENDMENT) TO AMEND SECTION III.B OF THE MANDALAY BAY SPECIFIC PLAN. FILED BY GEORGE YIN (AGENT), GARCIA CALDERON RUIZ LLP, 500 SOUTH GRAND STREET, LOS ANGELES, CA, 90071.

WHEREAS, the Planning Commission of the City of Oxnard has considered a proposed amendment to Section III B of the Mandalay Bay Specific Plan relating to school use within the Mandalay Bay Specific Plan area; and

WHEREAS, a subsequent environmental impact report was previously prepared and certified for a school use on the only undeveloped site in the subject area, that is was prepared in compliance with the California Environmental Quality Act, and that the Planning Commission reviewed and considered the information before approving the amendment; and

WHEREAS, in accordance with Section 30514 of the California Public Resource Code, a certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the appropriate local government, but no such amendment shall take effect until it has been certified by the Coastal Commission; and

WHEREAS, the documents and other materials that constitute the record of proceedings regarding the subsequent environmental impact report are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed amendment conforms with adopted City standards and constitutes good City planning; and that the amendment will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends to the City Council the approval of Planning and Zoning Permit No. 09-630-01 (Specific Plan Amendment), to amend the Mandalay Bay Specific Plan as shown in Exhibit A hereto attached.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of February 19th, 2009 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary

SECTION III: LAND USE PROGRAM

A. Coastal Plan Requirements

This Specific Plan incorporates the land use parameters established in the City of Okaloosa's Certified Coastal Land Use Plan. This document specifies the type of land uses that will be permitted, and in addition establishes minimum percentages of certain land uses to be required in the specific plan. Policy 24 of the Coastal Land Use Plan establishes minimum quantities of land use, expressed in acres and as a percentage of the total project (220 acres) for the following land uses:

Land Use	Minimum Acres	% of Total Project	% of Public Acres
Visitor Serving Commercial	27.5	12.5	25
Public Recreation	27.51	12.5	25
Open Water	55.02	25.0	50

¹Must all be on land.

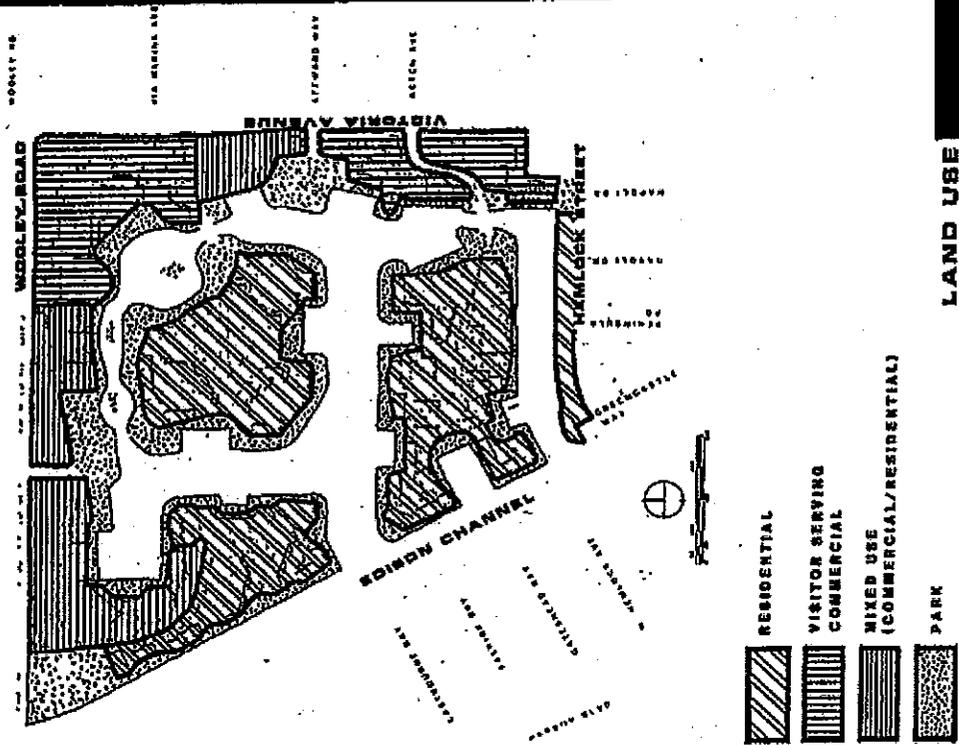
²Up to 10% of open water may be devoted to public marinas, or boat slips available to the public.

These required minimums are provided for within the accompanying conceptual illustrations and supporting tables. It is noted here that no minimum acreages have been established for residential land uses. In addition, in communications with the proponents of the Mandalay Bay Phase IV, the City has encouraged the inclusion of mixed-use development (i.e., residential above commercial in the same structure or complex). This proposed plan contemplates this possibility in its conceptual illustrations.

B. Description of Uses

The Local Coastal Program Phase III Zoning Regulations establishes on this project site the CPC, "Coastal Planned Community" sub-zone to assure orderly development of a large scale mixed-use planned development...". Under the CPC sub-zone numerous permitted and conditionally permitted uses will be allowed subject to the adoption of a specific plan for the entire 220-acre site. This zoning regulation further states that these uses shall be only those allowed in the R-M-1, R-M-2, R-2-C, R-3-C, CMC, CPC and RC coastal subzones established in the Coastal Zoning Ordinance. This Specific Plan assumes that these coastal zoning regulations will be adopted in their current general form, and therefore meet these general land use requirements (with the inclusion of mixed-use as previously stated).

with the addition of school use.



LAND USE

ATTACHMENT C

RESOLUTION NO. [PZ 09-580-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 09-580-01 (ZONE TEXT AMENDMENT) MAKING A TEXT AMENDMENT TO SECTION 17-15(C). FILED BY GEORGE YIN (AGENT), GARCIA CALDERON RUIZ LLP, 500 SOUTH GRAND STREET, LOS ANGELES, CA, 90071.

WHEREAS, the Planning Commission of the City of Oxnard has considered a proposed text amendment to Section 17-15(C) of the Oxnard City Code relating to school use within the Coastal Planned Development (CDC) subzone; and

WHEREAS, a subsequent environmental impact report was previously prepared and certified for a school use on the only undeveloped site in the subject area, that is was prepared in compliance with the California Environmental Quality Act, and that the Planning Commission reviewed and considered the information before approving the amendment; and

WHEREAS, in accordance with Section 30514 of the California Public Resource Code, a certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the appropriate local government, but no such amendment shall take effect until it has been certified by the Coastal Commission; and

WHEREAS, the documents and other materials that constitute the record of proceedings regarding the subsequent environmental impact report are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed amendment conforms with adopted City standards and constitutes good City planning; and that the amendment will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends to the City Council the approval of Planning and Zoning Permit No. 09-630-01 (Zone Text Amendment), to amend Section 17-15(C) as shown in Exhibit A hereto attached.

Resolution No.2009-[PZ 09-580-01]
March 5, 2009
Page 2

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of February, 2009 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary

EXHIBIT A

ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. _____

ORDINANCE OF THE CITY COUNCIL APPROVING AN AMENDMENT TO SECTION 17-15(C) OF THE OXNARD CITY CODE RELATING TO SCHOOL USE WITHIN THE COASTAL PLANNED DEVELOPMENT SUBZONE. FILED BY GEORGE YIN (AGENT), GARCIA CALDERON RUIZ LLP, 500 SOUTH GRAND STREET, LOS ANGELES, CA, 90071.

WHEREAS, on date, 2009, the Planning Commission approved Resolution No. 2009-XX recommending that City Council adopt an ordinance approving Planning and Zoning Permit No. 09-580-01 (Zone Text Amendment) to amend Section 17-15(C) of the Oxnard City Code, filed by the Oxnard School District; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to Zone Text Amendment No. 09-580-01; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Zone Text Amendment No. 09-580-01; and

WHEREAS, in accordance with Section 30514 of the California Public Resource Code, a certified local coastal program and all local implementing ordinances, regulations, and other actions may be amended by the appropriate local government, but no such amendment shall take effect until it has been certified by the Coastal Commission; and

WHEREAS, a subsequent environmental impact report was previously prepared and certified for a school use on the only undeveloped site in the subject area, that is was prepared in compliance with the California Environmental Quality Act, and that the Planning Commission reviewed and considered the information before approving the amendment.

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

- Part 1. Section 17-15 (C) of the Oxnard City Code is hereby amended to read as shown herein in Exhibit A.
- Part 2. 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 _____, 2009, and finally adopted on _____, 2009, to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Alan Holmberg, City Attorney

EXHIBIT A

SEC. 17-15. CPC, COASTAL PLANNED COMMUNITY, SUB-ZONE.

(A) Purpose -

(1) The purpose of the CPC sub-zone is to provide a method which will ensure the orderly development of a large scale mixed-use planned development on property located in an area bounded by Wooley Road on the north, Edison Canal on the west, Hemlock Street on the south and Victoria Avenue on the east in accordance with the provisions of the Oxnard coastal land use plan.

(2) The provisions of this sub-zone shall apply exclusively to the property zoned CPC as designated on the official Oxnard Shores Land Use Map of the certified Oxnard coastal land use plan.

(3) The CPC sub-zone is further intended to provide for the integration of residential, visitor-serving commercial, **SCHOOL**, and public recreational and open space uses consistent with the certified Oxnard coastal land use plan; to provide for appropriate public access to the extensions of the inland waterway; and to provide a development which will optimize the utilization of property to conserve energy and promote the efficient use of limited resources.

(64 Code, Sec. 37-2.6.1)

(B) Permitted uses - The following are permitted uses in the CPC sub-zone:

- (1) Agriculture and aquiculture; and
- (2) Passive recreation uses both on land and water.

(64 Code, Sec. 37-2.6.2)

(C) Other uses, coastal development permit or development review required - Residential, visitor-serving commercial, **SCHOOL**, and public passive and active recreation uses may be permitted subject to the adoption of a specific plan for the planned unit development which shall establish the development pattern for the project site. Permitted and conditionally permitted uses shall then be allowed subject to the provisions of the Oxnard coastal land use plan and the general provisions of this chapter. Permitted and conditionally permitted uses shall be only those allowed in the R-W-1, R-W-2, R-2-C, R-3-C, CNC, CVC and RC zones. (64 Code, Sec. 37-2.6.3)

**Final Supplemental
Environmental Impact Report**

**Tentative Subdivision Map No. 5266;
CDP # (PZ 00-5-85)**

State Clearinghouse No. 2001091020

Prepared for:

**City of Oxnard
Planning & Environmental Services Division
305 West Third Street
Oxnard, California 93030**

Prepared by:

**Impact Sciences, Inc.
30343 Canwood Street, Suite 210
Agoura Hills, California 91301**

June 2002

School Alternative

This alternative involves construction of an elementary school and a park on 9 acres of land located due west of the entrance to the main island along Wooley Road. This area was originally planned for 87 townhouse units adjacent to a 3-acre public park. The balance of the land plan identified on TTM 5266 would remain unchanged with selection of this alternative.

Buildout of the school alternative would involve construction of 661 residential units, 157,000 square feet of visitor-serving commercial uses, 32.3 acres of open water, a public marina providing a total of 480 boat slips, a network of parks linked by a waterfront promenade, and the elementary school. Table 6.0-1 provides a detailed description of the school, while Figure 6.0-1 illustrates a conceptual site plan for elementary school.

**Table 6.0-1
Southwest Elementary School Statistics**

Building Use	Units	Size	Total Development
Administration	1	3,900	3,900
Multipurpose/kitchen	1	6,300	6,300
Library/Media Center	1	5,400	5,400
SDC Classrooms	2	1,350	2,700
Kindergarten Rooms	3	1,350	4,050
Classroom	24	1,000	24,000
MYTRE Storage	24	100	2,400
Restrooms	3	375	1,125
Miscellaneous	1	1,325	1,325
TOTAL			56,000

Source: Oxnard School District

As shown, the school will contain 29 classrooms along with a library, multipurpose room, kitchen, and administration building. A total of 56,000 square feet of building space would be constructed on four acres. The balance of the school site (5 acres) would consist of play fields that also serve as a park. The school can accommodate 746 students under a traditional calendar year or 839 students on a multi-track calendar.

Environmental Analysis

(a) Land Use

An evaluation of the two development scenarios against relevant CLUP and California Coastal Act (CCC) policies indicates that both are consistent with relevant policies of the CLUP and CCA. Consequently, neither the proposed project nor this alternative is considered environmentally superior with regard to Land Use. See the following for details.

(b) Coastal Access and Recreation

With regard to coastal access and recreation policies, under either development scenario a public promenade would be constructed along the entire waterfront that would link the project to the larger Channel Islands development. Provision of this path would enhance public access to the waterfront consistent with coastal access policies of the CLUP and California Coastal Act (CCC). The project and this alternative will also construct a public marina and boat launch ramp, enhancing recreational boating opportunities consistent with CLUP and CCC policy. As these features will enhance public access to the coast and the project will not conflict with any specific policies in the City's CLUP, site development under either form is considered to be consistent with the public access and recreation policies of the Coastal Act.

(c) Coastal Resources

Development of this alternative would also be consistent with policies that govern coastal resources. The City's CLUP does not identify any sensitive habitat areas on or near the project site, so development under either scenario would not directly effect sensitive natural resources. However, both development projects require excavation during the construction of the on-site marine channels and shallow basin and will generate urban runoff into these channels. Potential water quality impacts will be mitigated to levels considered less than significant through incorporation of the mitigation measures contained in Section 4.4, Marine Water and Sediment Quality and through physical project design such as use of revetment or concrete seawall and treatment of all stormwater runoff prior to discharge. These measures will limit turbidity and the potential for pollutants to enter the larger waterbody. In conclusion, this alternative is consistent to the proposed project with CLUP policies governing the marine environment and environmentally sensitive habitat areas.

Both the proposed project and this alternative are also considered consistent with coastal resource policies of the CLUP and CCC pertaining to agriculture. The location of the project site within the CURB boundary presumes that sufficient agricultural land remains to maintain productivity. The project applicant is also implementing an Agricultural Soils Transfer Program to mitigate direct impacts to agricultural resources in the coastal zone. Similarly, neither the proposed project nor this alternative will have any significant impact upon biological resources in the coastal zone with implementation of the water quality measures and physical design features of the project.

(d) Development Policies

The project site is located in close proximity to existing residential and commercial uses in the Oxnard Shores area to the southwest, and is located completely within the CURB. Moreover, the project site is within an approved Specific Plan area that guides development of a water-oriented residential community with visitor serving commercial and a public marina. In short, the site is located on land that was identified for urban use and can be provided all necessary municipal services, so development of either the proposed project or this school alternative would be consistent with the CLUP and CCC.

Consistent with the Specific Plan, visitor-serving commercial uses are located at the intersection of Wooley Road with Victoria Avenue and in the southeast corner of the project. The location of the mixed-use component of TTM 5266 is also consistent with the conceptual land use pattern established by the Specific Plan. Finally, both the proposed project and the school alternative includes the amount of visitor serving commercial, open water, and public recreation land use categories called for by the Specific Plan.

With regard to land use compatibility, both the proposed project and the School Alternative incorporate a 200-foot buffer that separates developed uses from agricultural land located opposite Wooley Road. Both also place visitor serving commercial uses along the frequently traveled Victoria Avenue and orient residential development to the waterfront, thereby limiting exposure to noise generated by vehicle traffic. The school structures themselves are located away from major roads and are buffered from nearby uses. The site plan includes a 200 foot agricultural buffer located due north of the school, places a park immediately east, and constructs a linear waterfront park and the North Channel along the southern boundary of the proposed school site. Consequently, both this School Alternative and the proposed project are considered consistent with compatibility policies of the CLUP and CCC.

(e) Hazards Policies

Both development scenarios would incorporate the recommendations of the geotechnical engineering study and are required to comply with the Uniform Building Code and City of Oxnard standards, so impacts related to ground shaking or geotechnical hazards would be less than significant. Similarly, proper implementation of the project drainage concept and compliance with all standards of the City of Oxnard pertaining to flood hazards will preclude a significant effect related to flooding under either development scenario. Consequently, both the proposed project and the School Alternative are consistent with CLUP and CCC policies pertaining to hazards.

(f) Geology and Soils

Site development under this alternative would create similar impacts to earth resources as that of the proposed project. Under either development scenario, the top two feet of soil would be excavated and transported off-site as part of the Agricultural Soils Transfer Program. Subsequent to the transfer program, the site would be rough graded and the navigation channels excavated. If all grades, excavations, and fills are constructed and compacted according to recommendations provided in the project geotechnical engineering study, potential impacts would be reduced to a less than significant level regardless of the layout of the land plan.

Both the proposed project and this alternative have the inherent potential to subject persons to ground shaking-related hazards. However, recommendations and specifications of the geotechnical engineering study prepared for the project would guide the design and construction of any uses on the property, and are intended to mitigate seismic impacts. In addition, all site development would be required to conform to the latest edition of the Uniform Building Code (UBC), which includes design measures to mitigate against seismic hazards. In summary, both the proposed project and this alternative would have similar impacts upon earth resources and neither is considered environmentally superior with regard to Geology and Soils.

(g) Hydrology and Water Quality

Under both the proposed project and this alternative, a drainage system would be constructed to City standards for the collection, treatment, and discharge of both storm and dry weather runoff. Since the site is neither within a 100-year flood hazard zone nor within an area containing deficient flood control facilities, no significant impact is anticipated with construction of the proposed system to the satisfaction of the City of Oxnard under either scenario.

Construction activity associated with either development scenario has the potential to cause wind or water driven erosion of soil that may enter local waterways and increase turbidity. However, the project is required to comply with NPDES requirements and must utilize Best Management Practices to reduce sedimentation. With regard to operational impacts, runoff from paved surfaces of the project would contain typical urban contaminants such as motor oil, gasoline, rubber particles, pesticides, and fertilizers. As part of the storm drainage system, surface runoff will be treated prior to discharge through mechanical devices as well as landscaped swales and parkways. Overall, run-off leaving the project site would be equally or less contaminating to surface water resources under either development alternative compared to the run-off that presently leaves the site during storm events.

Finally, the potential exists for the contamination of the local aquifer with brackish water as a result of the construction of navigable waterways. However, this impact is not considered significant for either development scenario. This is based on the extended travel time for the brackish water to reach the Oxnard aquifer (152 years), the transient nature of water levels which can prevent or allow down migration of brackish water, and the relatively small area of brackish water that could contribute to groundwater degradation. Consequently, neither the proposed project nor this alternative is considered environmentally superior with regard to hydrology and surface or groundwater quality.

(h) Marine Water Quality

Both development scenarios would complete construction of waterways planned by the Mandalay Bay Phase IV Specific Plan. The overall configuration and design of the waterways under the School Alternative would remain identical to that of the proposed project. Consequently, the findings of no significant impact to marine water quality contained in Section 4.4 of this Supplemental Draft EIR apply equally to the School Alternative and neither is considered environmentally superior with respect to Marine Water Quality assuming implementation of the recommended mitigation.

(i) Transportation and Circulation

Table 6.0-2 depicts the vehicle trips generated by a School Alternative. As shown, the Elementary School Alternative would generate slightly more vehicle trips than would the proposed project, due to a higher trip generation rate for the proposed school in comparison to the 87 townhomes it replaces. In total, the Elementary School Alternative would generate 14,566 ADT compared to the project trip generation of 15,046 trips. A.M. Peak hour volumes are projected to be higher, with a total of 533 A.M. Peak trips under the proposed project, while the School Alternative is estimated to generate approximately 692 trips during the morning peak hour period. Finally, the School Alternative would

generate 1,183 vehicle trips during the P.M. peak period compared to the 1,298 trips generated by the proposed project during this same commuting period.

**Table 6.0-2
Elementary School Alternative Trip Generation**

Land Use	Size	Average Daily		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Trips	Rate	Total	Rate	Total
Single Family Residential	274 du	9.55	2,616	0.7	191	0.96	263
Multi-Family Residential	387 du	8.01	3,100	0.6	232	0.81	316
Commercial	157,000 sf	19.80	7,898	0.22	34	3.8	596
Park	16.5 acres	0.44	37	0	0	0	0
School	839 stds	1.09	915	0.28	235	0.01	8
TOTAL	NA	NA	14,566	NA	692	NA	1,183

Source: ITE Manual, Sixth Edition

An elementary school related vehicle trip has unique characteristics that differ from those of a residential or commercial use. Typically, an elementary school trip involves either a home-school-home trip or a home-school-work trip. Since the school is intended to serve students generated by local uses in addition to the proposed development, the attendance boundary for the proposed school is anticipated to cover adjacent residential uses located south of the property and to the east opposite Victoria Avenue. Based on the known trip characteristics, the attendance boundary, and the location of the school site, it is not anticipated that the majority of school related traffic would be added to the arterial roadway network since this traffic would mostly reach the school through local collector streets. Moreover, the peak hour characteristics of the school would differ from residential uses; thereby placing fewer vehicle trips in the P.M. peak hour which typically the most heavily traveled period of the day. Consequently, traffic and circulation impacts to the roadway system will not be substantially different from those identified for the proposed project.

The preliminary location and orientation of the school site plan would allow for acceptable traffic operation. For example, there is a student drop off area for parents located within the site itself along with a bus drop off that is separated from vehicle traffic traveling along Wooley Road by a landscaped median. Moreover, access to the school is provided off the existing entryway to the main island and is located sufficient distance from the intersection of Wooley Road and Victoria Avenue to preclude interference with the operation of this intersection. Given the above, neither the proposed

project nor this alternative is considered environmentally superior with regard to traffic and circulation.

(j) Noise

As with the proposed project, construction noise and vibration would be generated during project buildout. Construction noise would primarily impact the residential uses located opposite Victoria Avenue to the east and the homes located south of Hemlock Street. As uses are constructed within each individual phase, they too will be subject to construction noise. All construction activity must conform to City noise controls, including limitations on days and times in which such activity can take place and are also subject to the mitigation contained in this Supplemental Draft EIR. These restrictions apply equally to the proposed project as well as the Elementary School Alternative.

Off-site noise levels attributed to this alternative are also expected to be similar to that associated with development of the proposed project. The primary noise generator in the vicinity is motor vehicle traffic traveling along the local roadway network. As discussed above under traffic and circulation, this alternative would generate a slightly greater number of vehicle trips when compared to the proposed project. However, a doubling of traffic volumes is required before a noticeable increase in noise levels is experienced along affected roadways. Consequently, noise levels along local roadways are expected to be similar under either development scenario.

With regard to the school itself, the planned school site is located away from heavily traveled roadways through placement of parking and athletic fields between proposed school buildings and arterial roadways. Consequently, the school site is not subject to a high traffic noise level. Operation of the school would generate noise that could effect future residential uses in the project. However, such noises are typical of urban areas and include use of school bells, children playing, talking and yelling. Such noises are not regulated by State or local noise ordinances and occur during normal daytime hours when most people are not sensitive to noise. For these reasons, the inclusion of a school would not cause a significant noise impact. Based on the above, neither the proposed project nor this Elementary School Alternative is considered environmentally superior with respect to noise.

(k) Air Quality

Because a similar amount of grading and earthwork would occur under this alternative, the total amount of grading and construction-related air quality impacts would be similar to those of the project. However, this alternative would result in a ~~1-percent increase~~ decrease in Average Daily Traffic

volumes compared to the proposed project. As such, the Elementary School Alternative would generate slightly more ~~less~~ CO, VOC, SO_x, NO_x and PM₁₀ air emissions compared to the proposed project than the proposed project. Regional air emissions generated by either the proposed project or the school alternative would exceed adopted thresholds of significance. Implementation of mitigation measures would reduce these air quality impacts to below a level considered significant. Therefore, this alternative would not be environmentally superior to the proposed project with respect to air quality₂ because impacts under either development scenario are considered less than significant after mitigation.

(l) Public Services

The demand for fire protection service would be similar under this alternative, because both would introduce buildings and people into the area at similar development densities. Calls for service are also anticipated to be similar to those attributed to the proposed project. These include kitchen/house fires, electrical fires, car fires, and miscellaneous medical emergencies. The City anticipates adding this development to the existing Memorandum of Understanding between the City and County of Ventura that established a mechanism for providing funds to pay for increased service.

Similarly, the demand for law enforcement service under this alternative would be equivalent to that required for the proposed project. Calls for service under either development scenario would include residential and auto burglary, larceny, and assaults as well as enforcement of boating laws. As with the proposed project, this alternative includes dedicated office space and two patrol slips for use by the harbor Patrol. The City also anticipates adding this development to the existing Memorandum of Understanding between the City and County of Ventura that established a mechanism for providing funds to pay for increased service. Based on the above, neither the proposed project nor this alternative is considered environmentally superior with respect to Public Services.

(m) Public Utilities

Impacts to stormwater drainage facilities would be similar with development of either the proposed project or this alternative. Under either scenario, site development would increase the amount of impervious surfaces and alter the existing drainage patterns and absorption rates. Additionally, both must construct a stormwater drainage system to collect and channel runoff in conformance with all regulations established by the City of Oxnard Public Works Department. As such, impacts upon drainage facilities would be similar regardless of the amount of development occurring on the property

and neither the proposed project nor this alternative is considered environmentally superior with respect to drainage.

With regard to sewer service, either development proposal is reliant upon the existing AT trunk line at Victoria Avenue that conveys effluent to the ultimate point of discharge into the OWWTP for treatment and disposal. Development of either the proposed project or this alternative would generate effluent that must be conveyed for treatment. Since there are existing deficiencies along segments of the AT trunk, both the proposed project and this alternative would cause a significant impact to the existing sewer conveyance network prior to mitigation identified in this Supplemental Draft EIR. Therefore, the impact upon the existing sewage collection and treatment system would be similar and neither the proposed project nor this alternative is considered environmentally superior with respect to wastewater.

Finally, either development scenario requires construction of a water distribution system that would underlay the proposed internal street network and conform to all City of Oxnard standards. With regard to water demand, the City of Oxnard's Draft Urban Water Management Plan indicates that adequate water supplies have been identified to serve existing and projected future demand. Further, recently completed and planned improvements to the City's water transmission system will ensure that enough water can be delivered at adequate pressure and fire flow levels to new customers that are added to the system regardless of the development alternative selected. Considering the above, impacts to the water supply system under this alternative are similar to those identified for the proposed project and neither is considered environmentally superior with regard to water supply.

Relation to the Project Objectives

The Elementary School Alternative would feasibly meet all of the project objectives identified in Section 3.0, Project Description, of this Supplemental Draft EIR.

Conclusions

In conclusion, this alternative would have equal impact to that of the proposed project for all environmental topics except air quality, where it slightly exceeds the pollutants emitted by the project. Thus, this alternative is not considered to be environmentally superior to the proposed project. However, this alternative can feasibly meet the basic objectives of the project.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Based on the foregoing, the Recreational and Open Space Alternative evaluated in the 1982 FEIR and summarized herein is considered to represent the environmentally superior alternative with regard to avoiding the direct and indirect impacts associated with the project. However, this alternative fails to feasibly meet the basic objectives of the project described in Section 3.0, Project Description.

