



August 7, 2020

California Coastal Commissioners  
455 Market Street  
San Francisco, Ca. 94105

Re: Ventura County's Response to Commission Staff Report – City of Oxnard Local Coastal Program Amendment No. LCP-4-OXN-20-0007-1 Item 19a of August 12, 2020

Chair Padilla and Commissioners:

The County's Letter dated August 6, 2020 attempts to discredit the Staff Report on this matter. We support the Staff's findings and recommendation to deny this LCPA. We also support the City of Oxnard's denial of this LCPA.

In response to the County's letter and some of the specific claims it makes, we would like to make the general observation that many of the County's claims have previously been shown to be in error yet they continue to pursue the same claims.

- 1) Though the City's General Plan identified several areas as possible sites including Fisherman's Wharf for an "Urban Village" development, it is the LCP that governs not the General Plan. This means the County's insistence that the City make its LCP consistent with its General Plan is incorrect. The fact is the City's 2030 General Plan does not make this area an Urban Village. It is a POSSIBLE designation that is activated, if and only if, a Specific Plan is first adopted for that site.

But the County's Fisherman's Wharf project is NOT an urban village as County Supervisor Steve Bennett admitted "I think we should be upfront right now...this is not a village project....it might be convenient for us to say that because that's what the City of Oxnard has come forward with.."

The County can apply for an "urban village" development by submitting a Specific Plan as required by Oxnard's General Plan. They have elected not to apply because the project would not qualify as an urban village.

- 2) The County would like you to believe that the City is "being the blockade or brick wall here". But in June 2016, the developer made it absolutely clear that "We are trying to create an environment and lifestyle of living in apartments and living on the water... if you choose not to approve this today, we will go away."

Since then, there has been no genuine effort to modify the project to address the issues and concerns expressed by the City and public. Not a single detail has changed in this project since 2016. It is the County not City that is uncompromising in what it wants.

- 3) The County attempts to justify this LCPA with the deteriorating conditions at Fisherman's Wharf. But this deterioration is not a reason for an Override. Like any landowner/landlord, the County is responsible for the maintenance of its property. Since 2004 the County has shamefully allowed the area to deteriorate. The County is like the arsonist trying to take credit for putting out the fire.
- 4) The County's claim that this LCPA's apartment project is the only alternative to this deterioration is false. In October 2019, the County received a legitimate unsolicited development proposal for Fisherman's Wharf that is visitor-serving and requires no residential.

Even the 2013 HR & A Economic Study for Port Hueneme they cite actually contradicts their claim. It states: "these results do not reflect a strong hotel/motel market [in the City of Port Hueneme] ... both Ventura and Oxnard are superior locations...both cities have a strong presence on the major tourist corridors ...that are superior to those found in Port Hueneme."

The County never issued a Request for Proposal (RFP) for competitive development proposals for Fisherman's Wharf. They only issued a Request for Qualifications (RFQ) in 2012 that required apartment development experience. The result is self-fulfilling.

- 5) The County claims "the proposed LCP amendment with project-specific "development standards" will ensure continued and increased public use and enjoyment". They support their claim saying the project will provide "expanded and enhanced public access amenities".

The project does not do this. It virtually privatizes this important waterfront site with a massive 390 luxury apartment complex. Contrary to the County's claim of "providing waterfront rental housing affordable to persons of middle income", the rents, as the developer told the County Board, "will be at the highest end of rents available in the market here." And that is what market rate rents for waterfront luxury apartments are.

The "amenities" are overwhelmingly exclusive to apartment tenants as is evident in the developer's own project details submitted to the City. The project does not provide a new one acre park, but instead removes more than a third of the existing park and eliminates all 45 adjacent free parking spaces making the park and public docks virtually private for the apartment tenants. The project does not provide any new or additional amenities for the public.

The project does not provide adequate parking essential to public access. It is underparked by 390 spaces. It does not meet the City's code parking requirements nor the County's own Coastal Zoning Ordinance parking requirements.

- 6) In the letter, the Harbor Director states: "The Harbor Public Works Plan and the City's LCP were approved over 30 years ago. Conditions have since changed." He goes on to list the conditions that have changed as a justification for an Override for the County's LCPA.

This makes a very strong case for updating the County's 34-year old Public Works Plan. It is clear in the letter, the County intends "as with all new projects in the Harbor, ...to implement the Fisherman's Wharf project through an amendment (seventh) to its Commission-certified Public Works Plan."

Changing the priority of harbor uses parcel by parcel through serial amendments as the letter says does not make sense. It is obvious an updating of the harbor's PWP would facilitate a more efficient and transparent process for on-going development of the harbor. One can only wonder why the County continues to blatantly avoid this transparent process.

Amending the certified Public Works Plan by project can have serious consequences. Since 2008, the Commission has recommended that the County update its PWP. We also have asked the County many times to update its Public Works Plan so that its Master Plan for the ENTIRE HARBOR is made known to all and certified as consistent with the Coastal Act, the Environmental Justice principles and the City's LCP. It is the standard legitimate public process and the reason for a Public Works Plan.

Rene Aiu on behalf of the Harbor & Beach Community Alliance