

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
89 S. CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001
(805) 585-1800



July 13, 2020

City of Oxnard
Attn: Jeff Lambert, Development Services Director
214 South C Street
Oxnard, CA 93030

**RE: City of Oxnard Local Coastal Program Amendment No. LCP-4-OXN-20-0008-1
(Short Term Rentals)**

Dear Mr. Lambert:

On July 10, 2020, the Coastal Commission approved LCP Amendment No. with three suggested modifications. The Commission's resolution of certification is contained in the staff report dated June 18, 2020 and the addendum dated July 6, 2020. The suggested modifications, as approved by the Commission on July 10, 2020, are attached to this correspondence.

Section 13544 of the Commission's Administrative Regulations requires that after certification, the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

- (a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above the Commission's certification with suggested modifications *shall expire six months* from the date of the Commission's action.
- (b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development required pursuant to Article 17, Section 2 are legally adequate to satisfy any specific requirements set forth in the Commission's certification order.
- (c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting and the Commission does not object to the Executive Director's determination. If a majority of the Commissioners present object to the Executive Director's determination and find that the local government action does not conform to the provisions of the

Commission's action to certify the Local Coastal Program Amendment, the Commission shall review the local government's action and notification procedures pursuant to Articles 9-12 as if it were a resubmittal.

- (d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

Should you have any questions regarding this matter, please contact Deanna Christensen in our Ventura office. The Commission and staff greatly appreciate the City's cooperation and assistance in this matter.

Authorized on behalf of the California Coastal Commission by:

John Ainsworth
Executive Director



By: Deanna Christensen
District Supervisor

Enclosure: Final Suggested Modifications for LCP Amendment No. LCP-4-OXN-20-0008-1

FINAL SUGGESTED MODIFICATIONS TO THE PROPOSED IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT

City of Oxnard LCP Amendment No. LCP-4-OXN-20-0008-1 (Short Term Rentals)

City of Oxnard LCP Amendment LCP-4-OXN-20-0008-1 was approved with suggested modifications by the Coastal Commission on July 10, 2020. Following are the modifications suggested by the Commission to the City of Oxnard for incorporation into LCP Amendment No. LCP-4-OXN-20-0008-1. The suggested modifications are numbered consecutively. For each modification, the City's proposed language is shown in straight type and language approved by the Commission to be modified is shown in ~~strikeout~~ and underline.

SUGGESTED MODIFICATION 1

Subsection C (Vacation Rental Permit Cap) of Section 17-53 (Short Term Rental Units) shall be modified as follows:

(C) Vacation Rental Permit Cap.

1. The number of vacation rental permits shall be limited by a 5% cap per General Plan neighborhood as established in the City of Oxnard Neighborhood Map adopted as Figure 3-4 in the 2030 General Plan or its successor document. The number of vacation rental permits shall also be limited to ~~5~~10% in the Residential Beach Front (R-BF) zone. The total number of vacation rental permits issued to residential dwellings ~~in the City and the R-BF zone~~ shall not exceed 5% of the total dwelling units in each neighborhood ~~or zone~~. If no short-term rental permits are available pursuant to the cap on short-term rentals, the Director or designee shall place interested property owners on a waiting list in the order in which they were received. If a permit becomes available, applications shall be accepted and reviewed in the order they are listed on the waiting list, subject to Subsection (K).
2. Notwithstanding any language in this Subsection (C), Subsection (D), or Subsection (F)(3) to the contrary, if the owner(s) of an existing short-term rental property (i) consistently paid transient occupancy taxes to the City pursuant to Section 13-15 et seq. starting on or before January 1, 2019 (ii) otherwise complies with the requirements of this Section 17-53, and (iii) applies for a vacation rental permit within sixty (60) days from the effective date of Section 17-53, then such owner(s) shall be eligible for a short-term rental permit even if the approval of such permit(s) would exceed the vacation rental permit cap for the General Plan neighborhood or R-BF zone in which the property is located. During the initial 60-day period from the effective date of this Section 17-53, no applications for a vacation rental permit shall be accepted from any party except from the owner(s) of an existing short-term rental property who consistently paid transient occupancy taxes to the City

pursuant to Section 13-15 et seq. starting on or before January 1, 2019 and otherwise complied with the requirements of Section 17-53. If the issuance of permits pursuant to applications filed during the initial 60-day period exceeds the rental permit cap in any General Plan neighborhood or the R-BF zone, then no further permits can be issued in that General Plan neighborhood or RB-F zone as long as the number of valid permits equal or exceed the percentage of permits otherwise allowed in the particular General Plan neighborhood or R-BF zone. If, however, the vacation rental permit for that property is revoked pursuant to Section 17-53(R), said property will be subject to the applicable cap requirement and the owner(s) may reapply for a permit pursuant to this Section 17-53.

SUGGESTED MODIFICATION 2

Subsection D (Separation Requirement) of proposed Section 17-53 (Short Term Rental Units) shall be modified as follows:

(D) Separation Requirement.

1. No Vacation Rental shall be issued a permit when a Vacation Rental permit has already been issued to another property that is either: (i) within 100 feet of the proposed Vacation Rental in the Residential Beach Front (R-BF) zone; or (ii) within 200 feet of the proposed Vacation Rental outside of the R-BF zone in all other areas of the City. The 100 foot and 200 foot feet separation is to be measured horizontally from the all parcel lines of property ownership as established by the legal description for the property on record with the County of Ventura.
2. Notwithstanding any language in this Subsection D to the contrary, the 100 and 200-foot separation requirement shall not apply to a dwelling unit within a development:
 - a. That is subject to the Vacation Ownership and Time-share Act of 2004 (Business and Professions Code Section 11210 et seq.); and
 - b. That became subject to the Vacation Ownership and Time-share Act of 2004 on or before January 1, 2019; and
 - c. Whose owner(s) (i) on or before January 1, 2019, consistently paid transient occupancy taxes to the City pursuant to Oxnard City Code Section 13-15 et seq. (ii) otherwise complies with the requirements of this Section 17-53, (iii) and applies for a vacation rental permit within sixty (60) days from the effective date of Section 17.53; provided, however, if the vacation rental permit is revoked pursuant to Section 17-53(R), said property will be subject to the applicable separation requirement and the owner(s) may reapply for a permit pursuant to this

Section 17-53.

SUGGESTED MODIFICATION 3

Subsection I.3 (Ineligible Dwellings, Structures, and Spaces) of proposed Section 17-53 (Short Term Rental Units) shall be modified as follows:

(I) Ineligible Dwellings, Structures, and Spaces.

No permit for a homeshare or vacation rental shall be issued for any of the following dwellings:

...

3. A dwelling on property owned by six or more owners, unless each owner shares common ancestors or the dwelling is subject to the Vacation Ownership and Time-share Act of 2004 and became subject to the Vacation Ownership and Time-share Act of 2004 on or before January 1, 2019.

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