



Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Christopher Williamson, AICP, Senior Planner

DATE: February 19, 2009

SUBJECT: Planning and Zoning Permit No. 09-580-3 (Zone Text Amendment) to Amend the Coastal Mobil Home Park (MHP-C) Text. Filed by City of Oxnard.

- 1) **Recommendation:** That the Planning Commission adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 09-580-03 (Zone Text Amendment).
- 2) **Project Description and Applicant:** The proposed text amendment removes a reference to Policy 88 in Section 17-16(A) of the City Code to be consistent with the Coastal Land Use Plan and adds "purpose" language. This would apply to all MHP-C zoned parcels with the City's Coastal Zone. Filed by City of Oxnard Planning Division, 214 South C Street, Oxnard, CA 93030.
- 3) **Background Information:** The Hollywood Beach Mobile Home Park, located at 4501 West Channel Islands Boulevard, was approved for conversion to condominium ownership in 2007. As part of the approval process, the City Attorney and Coastal Commission staff determined that Policy 88 was superseded by California Government Code Sections 66427.5 and 66428.1 and needed to be removed from the Coastal Land Use Plan. In an oversight, the reference to Policy 88 was not removed from the Zoning Code at that time. The Coastal Commission requested the reference to Policy 88 be removed at the next opportunity.
- 4) **Analysis:** Oxnard Coastal Land Use Plan (LCP) Policy #88 was deleted in 2007 by the City Council and confirmed by the Coastal Commission at its meeting of April 9, 2008. Policy 88 stated, "*Existing mobile home parks shall not be demolished or converted...including purchase mobile home lots unless an equal or greater number of comparably priced units are built in the coastal zone to replace the demolished or converted units*" (p. III-60). The context and intent of Policy #88 was to prevent the involuntary displacement of mobile home residents when their parks were purchased and replaced by new housing and/or commercial development. California Government Code Sections 66427.5 and 66428.1 have superseded Policy 88. Deleting the

reference to Policy 88 within Section 17-16(A) is a consistency correction requested by the Coastal Commission.

- 5) Environmental Determination:** CEQA Guidelines §15061(B)(3) state, "Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The proposed text amendment is a consistency correction to an established allowed use and is covered by the general rule that CEQA applies only to discretionary actions which have the potential for causing a significant effect on the environment. As this amendment does not change the allowed uses, there is no potential for causing a significant effect on the environment.
- 6) 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

Prepared by: <u>CW</u> CW
Approved by: <u>SM</u> SM

ATTACHMENT A

RESOLUTION NO. [PZ 09-580-03]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 09-580-03 (ZONE TEXT AMENDMENT) MAKING A TEXT AMENDMENT TO SECTION 17-16(A) OF THE CITY CODE. FILED BY CITY OF OXNARD, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered a proposed text amendment to Section 17-16(A) of the Oxnard City Code relating to Policy 88 within the Coastal Mobile Home Park subzone; and

WHEREAS, the proposed text amendment creates consistency with the Oxnard Coastal Land Use Plan by deleting a reference to Policy 88 of an established allowed use and is covered by the general rule (§15061(B)(3)) that the California Environmental Quality Act CEQA applies only to discretionary actions that have the potential for causing a significant effect on the environment, that this amendment does not change the meaning or allowed uses within the zone, 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 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. 09-630-03 (Zone Text Amendment), to amend Section 17-16(A) as shown in Exhibit A hereto attached.

PZ 09-580-03 (Zone Text Amendment)

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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 17-16(A) OF THE OXNARD CITY CODE RELATING TO POLICY 88 WITHIN THE COASTAL MOBILE HOME PARK SUBZONE. FILED BY CITY OF OXNARD, 214 SOUTH C STREET, OXNARD, CA, 93030.

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. 09-580-03 (Zone Text Amendment) to amend Section 17-16(A) of the Oxnard City Code, filed by the City of Oxnard; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to the Zone Text Amendment No. 09-580-03; 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. 09-580-03; and

WHEREAS, the proposed text amendment clarifies the existing meaning of an established allowed use and is covered by the general rule (§15061(B)(3)) that the California Environmental Quality Act CEQA applies only to discretionary actions that have the potential for causing a significant effect on the environment, that this amendment does not change the meaning or allowed uses within the zone, 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

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

Part 1. Section 17-16(A) 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. 17-16. MHP-C, COASTAL MOBILE HOME PARK, SUB-ZONE.

(A) Purpose - The purpose of the MHP-C sub-zone is to *protect and ensure compatibility of development within mobile home parks.* ~~implement Policy No. 65 of the Oxnard coastal land use plan relating particularly to the preservation of low to moderate income housing within the city's coastal zone, which states: "Existing mobile home parks shall not be demolished or converted to another use, including purchase mobile home lots, unless an equal or greater number of comparably priced housing units are built in the coastal zone to replace the demolished or converted units."~~

(64 Code, Sec. 37-2.7.1)