

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. 2846

ORDINANCE OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 11-570-01 (ZONE CHANGE) FOR PROPERTY LOCATED AT 5637 – 5727 CYPRESS ROAD (APN'S: 222-0-070-110, -155, -190) CHANGING THE ZONING DESIGNATION TO MULTIPLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT (R-2-PD) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY MCCARTHY COMPANIES ON BEHALF OF RAMONA PROPERTY PARTNERS LLC, 633 VENTURA BOULEVARD, OXNARD, CA 93036.

WHEREAS, on April 21, 2011, the Planning Commission of the City of Oxnard considered an application for the Paseo Nuevo affordable housing project for property located at 5637 – 5727 Cypress Road, filed by McCarthy Companies on behalf of Ramona Property Partners LLC, and adopted Resolution No. 2011-22 recommending approval of Planning and Zoning Permit No. 11-570-01 (Zone Change); and

WHEREAS, on April 21, 2011, the Planning Commission of the City of Oxnard adopted Resolution No. 2011-21 approving Planning and Zoning Permit No. 11-540-01 (Planned Development) to entitle the Paseo Nuevo affordable housing project with 72 affordable dwelling units; and

WHEREAS, the zoning of the subject property is Single-Family Residential (R-1-PD) and Residential Planned Development (RPD), and in order for the project to be approved, the zoning of the subject parcel must be amended to Multiple-Family Residential Planned Development (R-2-PD); and

WHEREAS, the City Council carefully reviewed Planning Commission Resolution No. 2011-22 recommending approval of Zone Change No. 11-570-01; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to proposed Planning and Zoning Permit No. 11-570-01; and

WHEREAS, the City Council finds that the zone change is consistent with the 2020 General Plan; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Planning and Zoning Permit No. 11-570-01; and

WHEREAS, the California Environmental Quality Act (CEQA) provides a statutory exemption pursuant to CEQA Guidelines sections 15192 and 15194 for construction of affordable housing projects in urban areas and a categorical exemption in-fill development pursuant to State CEQA Guidelines section 15332, and all findings for these exemptions can be made; and

WHEREAS, Applicants agree, as a condition of adoption of this resolution at each Applicant's own expense, to indemnify, defend, and hold harmless City and its agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void, or annul the approval of this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

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

- Part 1. The zoning governing the property identified as Assessor's Parcel Numbers 222-0-070-110 and 222-0-070-190, as shown on the map on file with the City Clerk, is changed from Single-Family Residential (R-1-PD) to Multiple-Family Residential Planned Development (R-2-PD). The zoning governing the property identified as Assessor's Parcel Number 222-0-070-155, as shown on the map on file with the City Clerk, is changed from Residential Planned Development (RPD) to Multiple-Family Residential Planned Development (R-2-PD).
- Part 2. Pursuant to Government Code Section 65863.5, the City Clerk shall mail a copy of this ordinance to the Assessor of Ventura County within thirty (30) days from the adoption of this ordinance.
- Part 3. Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. _____ was first read on _____, 2011, and finally adopted on _____, 2011, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this _____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney