

RESOLUTION NO. 2009-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL DENIAL OF PLANNING AND ZONING PERMIT NOS. 09-410-01 (COASTAL PLAN AMENDMENT), 09-630-01 (SPECIFIC PLAN AMENDMENT), AND 09-580-01 (ZONE TEXT AMENDMENT) TO ALLOW SCHOOL USE WITHIN THE MANDALAY BAY SPECIFIC PLAN. FILED BY GEORGE YIN (AGENT FOR OXNARD SCHOOL DISTRICT), GARCIA CALDERON RUIZ LLP, 500 SOUTH GRAND STREET, LOS ANGELES, CA, 90071.

WHEREAS, the Planning Commission of the City of Oxnard has considered Planning and Zoning Permit No. 09-410-01 (Coastal Plan Amendment) to amend Policy 45 of the Coastal Land Use Plan to allow school use within the Mandalay Bay Specific Plan area; and

WHEREAS, the Planning Commission of the City of Oxnard has considered Planning and Zoning Permit No. 09-630-01 (Specific Plan Amendment) to amend Section III B of the Mandalay Bay Specific Plan to allow school use within the Mandalay Bay Specific Plan; and

WHEREAS, the Planning Commission of the City of Oxnard has considered Planning and Zoning Permit No. 09-580-01 (Zone Text Amendment) to amend 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, the documents and other materials that constitute the record of proceedings upon which the decision to certify the final environmental impact report is 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 use is not consistent with the Oxnard certified Local Coastal Plan; given that the Commission did not recommend approval of PZ 09-410-01; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the need for a school was not established at the site proposed by the Oxnard School District within the Mandalay Bay Specific Plan area.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends that the City Council deny Planning and Zoning Permit Nos. 09-410-01 (Coastal Plan Amendment), 09-630-01 (Specific Plan Amendment), and 09-580-01 (Zone Text Amendment).

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of March, 2009, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary