



Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Christopher Williamson, AICP, Principal Planner

DATE: January 21, 2010

SUBJECT: Recommendations to the City Council Regarding Certification of the 2030 General Plan Final Program Environmental Impact Report (No. 09-01) and Adoption of the Final Draft Oxnard 2030 General Plan (PZ 10-620-01).

- 1) **Recommendation:** That the Planning Commission:
 - a) Hold a hearing to take public comment on the Final Program Environmental Impact Report (PEIR) and the Final Draft 2030 Oxnard General Plan (2030 Plan).
 - b) Adopt a resolution recommending that the City Council certify the Final Program Environmental Impact Report and adopt the Final Draft 2030 Oxnard General Plan.
- 2) **Final Program Environmental Impact Report:** The California Environmental Quality Act (CEQA) provides that the purpose of the PEIR is to identify possible negative significant impacts on the environment of the proposed 2030 Plan may have on the environment, identify alternatives to the 2030 Plan, indicate how those significant effects are mitigated or avoided, and/or identify which impacts cannot be mitigated and state the overriding considerations.

The Draft PEIR was completed and initially circulated for comments between March and May, 2009 and public hearings were held on April 17, May 14, and May 21, 2009. Five sections of the PEIR were updated and recirculated for public review between November 23, 2009 and January 7, 2010 as a result of changes to the Land Use Map, goals and policies, and/or updated environmental information. A public hearing was held on December 17, 2009 to take comments on the Five Recirculated Sections. Responses to comments received on the Draft PEIR and responses to comments on the Five Recirculated Sections of the Draft PEIR, together with the Draft PEIR and Five Recirculated Sections documents, constitute the Final PEIR for the Oxnard 2030 General Plan.

Attachment 1 is the response to comments document (with two appendices) for comments received on both the Draft PEIR and the Five Recirculated Sections. The comment letters are arranged by public agencies ("A" letters) and individuals ("I" letters) in Appendices 2 (Comments on the Draft PEIR) and 3 (Comments on the Five Recirculated Sections of the Draft PEIR). Responses are divided into master responses to frequently raised comments (Chapter 3), responses to individual comments on the Draft PEIR (Chapter 4), and all responses to comments on the Five Recirculated Sections of the Draft PEIR (Chapter 5). Responses to public agency comments were sent to the agencies in compliance with the CEQA requirement of a 10-day period before certification, which is scheduled for January 26, 2010 with the City Council. In responding to comments, CEQA requires a good faith effort at full disclosure and does not require an agency to conduct every test or perform all research, study, or experimentation suggested by commentors (Guidelines 15088, 15204).

The following were major comment topics from all comment letters:

1. Need to recirculate the PEIR
2. SOAR and CURB amendment required for the Jones Ranch area
3. Agricultural impacts greater than stated in the Draft PEIR
4. Greenhouse Gas emissions, climate change, and sea level rise
5. Ormond Beach wetlands, visitor access, and water quality
6. Need for hydrology map in the Background Report
7. Changing the designation of the Halaco site
8. Corrections to the Background Report, use of more recent data
9. Long term reliable water supply, status of groundwater credits
10. Removal of references to LNG in the Local Coastal Plan
11. Transit services, traffic, and levels of service
12. Impacts on Camarillo and County intersections and streets
13. Impacts on schools and need for facilities
14. Identification and impacts on specific habitat and species

The 2006-2014 Housing Element is not included at this time in the 2030 Plan. Comments specific to the Housing Element are not included in the Final PEIR but will be addressed as part of the Housing Element adoption process. Comment letters received separately from the two PEIR comment periods are attached (Attachment D) and divided into three groups: 1) comments on multiple topics, 2) specific comments, and 3) Ormond Beach. CEQA does not require written responses to comments received outside of the two formal PEIR comment periods.

The Final PEIR finds that Class I significant and unavoidable impacts are: Air Quality and Greenhouse Gases; Agricultural Resources; Circulation, Traffic and Transportation (five intersections operate below Level of Service 'C'); and Noise. All other environmental impacts are found to be less than significant with implementation of mitigating policies and programs.

The objectives of CEQA and the EIR process are to: 1) disclose environmental impacts, 2) identify ways to avoid or reduce impacts, 3) require feasible mitigations, 4) disclose significant unavoidable impacts, 5) foster interagency review, and 6) enhance public participation in the

planning process. Because final action of adopting the 2030 Plan rests with the City Council, the Planning Commission does not certify the Final PEIR. Staff is confident that the 2030 Plan Final EIR was prepared in compliance with CEQA, reflects the independent judgment of the City, and requests that the Planning Commission recommend certification.

- 3) Final Draft Oxnard 2030 General Plan:** State law requires each city to prepare and adopt a comprehensive long-range general plan for its physical development (Government Code Section 65300). The Oxnard Planning Area is approximately 68 square miles bordered by the Pacific Ocean, Santa Clara River, Los Angeles Avenue, Santa Clara Avenue, Beardsley Wash, Revolon Slough, Highway 1, and the Mugu Lagoon (excluding the City of Port Hueneme). The Final 2030 General Plan has four major themes: 1) development within the City Urban Restriction Boundary (CURB), 2) creation and designation of Urban Villages, 3) a CURB amendment requiring voter approval to allow the annexation and eventual development of the Del Norte Community Extension (DNCE) area, and 4) assessment of the City's participation in the restoration of the Ormond Beach wetlands.

The DNCE area is bounded by Vineyard Avenue, Central Avenue, Rose Avenue, and the northerly extent of properties generally along the north side of Lemar Avenue along the north side of the El Rio community. Other than the proposed DNCE, no changes are proposed outside the Oxnard CURB line. The 2030 Plan includes policies for the concurrent provision of public services, maintains Level of Service 'C' for all but five major intersections after implementation of planned improvements, and provides an adequate amount of land zoned for commercial and industrial uses and affordable housing to meet resident needs and provide opportunities for economic development to the year 2030. If 2030 Plan buildout were to occur, the City's population would increase from approximately 200,000 to 240,000, about one percent per year, which is consistent with the 2008 adopted Ventura Council of Governments 2040 Population Forecast.

The Plan has two operative documents: 1) Background Report, and 2) Goals and Policies. The Goals and Policies document includes the seven State-required elements (land use, circulation, housing, open-space, conservation, safety, and noise), optional elements (sustainable community and military compatibility), and a placeholder for the 2006-2014 Housing Element, which is to be adopted under a separate process. All goals and policies are assigned to City departments for implementation and proposed land use changes and related regulations within the Oxnard Coastal Zone are not effective until certified by the California Coastal Commission. Supporting documents are: 1) Map Atlas, 2) Issues and Alternatives Report, and 3) Program Environmental Impact Report.

The 2030 Plan process began in 2002 and has cost over \$1.2 Million in consultant expenses and a significant amount of staff time. Staff and consultants have worked diligently to involve the public, consider their comments, educate everyone on newly emerged issues such as climate change and long-term water supply, present a full administrative record to the public and decision makers, and present a vision and flexible planning framework to guide the City for the next 20 years in a new direction of sustainable development largely within our CURB line. The 2030 Plan may not meet everyone's expectations or have the level of detail desired by some, but it has the ability to be amended and subsequent implementation will take us to the more detailed

level. Staff and our consultants are confident that we have tackled the major issues and challenges and ask that the Planning Commission recommend that the City Council adopt the Final Draft 2030 General Plan, Alternative B (Attachment E).

Attachments:

- A. Response to Comments on the Draft PEIR and Five Recirculated Sections of the Draft PEIR; Appendix A, Comments on the Draft PEIR; Appendix B, Comments on the Five Recirculated Sections of the Draft PEIR
- B. Comments received other than the two Draft PEIR comment periods
- C. Final Draft 2030 General Plan, Goals and Policies
- D. Resolution of Recommendation

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

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- C. Final Draft 2030 General Plan, Goals and Policies
- D. Resolution of Recommendation

Prepared by: _____ CW
Approved by: _____ SM

Attachment D

Resolution of Recommendation

RESOLUTION NO. 2010-[]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL CERTIFICATION OF FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT NO. 09-01 (SCH #2007041024) AND RECOMMENDING CITY COUNCIL ADOPTION OF THE FINAL DRAFT OXNARD 2030 GENERAL PLAN, ALTERNATIVE B (PZ 10-620-01). FILED BY CITY OF OXNARD, PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, the City of Oxnard has proposed to adopt a 2030 General Plan that is a comprehensive update and reformat of its existing 2020 General Plan, encompassing all elements of the existing 2020 General Plan except for the Housing Element; and

WHEREAS, the Housing Element is being prepared under a separate consistent process and when adopted will become incorporated into the 2030 General Plan; and

WHEREAS, the Oxnard 2030 General Plan contains the goals and policy framework to achieve the desired vision expressed by the residents; and

WHEREAS, the 2030 General Plan is composed of two Operative Documents and three Supporting Documents and individuals, groups, and agencies have had numerous opportunities to review and comment on the 2030 General Plan Operative and Supporting documents; and

WHEREAS, the Planning Commission of the City of Oxnard has thoroughly reviewed and considered Final Program Environmental Impact Report No.09-01 ("Final PEIR") (State Clearinghouse # 2007041024) for the 2030 General Plan which has been prepared in accordance with the California Environmental Quality Act (CEQA) and Resolution No. 10,851, as amended, of the City Council; and

WHEREAS, the Planning Commission has held four public hearings and received and considered oral and written testimony on the Final PEIR and held five public hearings in 2009 on the Draft 2030 General Plan; and

WHEREAS, all comments submitted timely during the two public review and comment periods regarding the contents and adequacy of the Draft and Five Recirculated Sections of the PEIR were responded to adequately in the Final PEIR; and

WHEREAS, the City of Oxnard Planning Commission has reviewed and considered information in the Final Draft 2030 General Plan and the Final PEIR.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Planning Commission of the City of Oxnard recommends City Council certification of the Final PEIR determining that this document was completed in compliance with CEQA and that this document reflects the City of Oxnard's independent judgment and analysis.
2. The Planning Commission of the City of Oxnard recommends City Council adoption of the Final Draft 2030 General Plan, Alternative B.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of January, 2010, by the following vote:

AYES:

NOES:

ABSENT:

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary