CITY OF
OXNARD
CALIFORNIA

Meeting Date: 06 /12 / 2012

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	■ Public Hearing
☐ Other _____	☐ Other _____

Prepared By: Christopher Williamson, AICP, Principal Planner CW Agenda Item No. L-3

Reviewed By: City Manager City Attorney SMF Finance Other (Specify) for SC

DATE: June 4, 2012

TO: City Council

FROM: Matthew Winegar, AICP
Development Services Director

SUBJECT: **Adoption of 2006-2014 Housing Element**

RECOMMENDATION

That City Council: 1) Hold a public hearing on the 2006-2014 Housing Element; 2) Adopt by Resolution the 2006-2014 Housing Element; and 3) Direct staff to incorporate the 2006-2014 Housing Element into the 2030 General Plan as Chapter 8 and forward the 2006-2014 Housing Element to the Department of Housing and Community Development (HCD) for certification.

SUMMARY

The State-required 2006-2014 Housing Element (Housing Element) identifies and analyzes the current and future housing needs within the City of Oxnard and identifies goals, policies and programs to provide certain services and ensure adequate opportunities for housing of all income levels for the planning period January 1, 2006 to June 30, 2014. Staff and many members of the public have worked for over three years to prepare this current version (May 2012) and identify goals and programs that comply with State Law and HCD review and comments on previous versions. The Planning Commission recommended adoption at its meeting of March 15, 2012.

DISCUSSION

Housing is considered of "vital statewide importance" and the Housing Element is required as part of a city's General Plan. The format and content are largely prescribed by State Law. The State sets the planning periods and generates population and housing projections that are passed down to regional planning agencies which, for Oxnard, is the Southern California Association of Governments. This process is called the Regional Housing Needs Assessment (RHNA) and results in a RHNA allocation of housing units by Extremely Low, Very Low, Low, Moderate, and Above Moderate income classes. Oxnard's allocation was determined in 2008 as 7,093 units, about 25% of the County total which matches the City's share of the County's population, for the planning period 2006 to 2014. In the recently adopted 2030 General Plan in 2008, the Housing Element is designated as Chapter 8.

Development of the Housing Element

Goals and programs in the 1998-2005 Housing Element were largely left in place and Draft No. 1 relied on the identification of possible sites for affordable housing focused on vacant, underutilized, and commercial sites of all sizes; the City's continued success with the affordable housing inclusionary program; and the possibility of developing all-affordable housing projects under the SOAR exemption for development and annexation of up to 20-acres per year for all-affordable housing projects. Draft No. 1 was released in February, 2009 followed by HCD's April 24, 2009 review letter that disallowed small infill sites, reliance on inclusionary zoning, and SOAR-exempt development as not having enough certainty. As a result, staff identified a different approach that relied on an affordable housing 'overlay' that was a program in the 1998-2005 Housing Element that had not been implemented. Draft No. 2 was released in July 2010 and introduced the All-Affordable Housing Overlay Program (AAHOP). Responding to public comments on Draft No. 2 led to Draft No. 3 in January, 2011. In August, 2011, the City retained a consulting firm that specializes in working with HCD to respond to the April 1, 2011 HCD comments on Draft No. 3. The consultant's direct discussions with HCD led to Draft No. 4, dated February 2012, which was also updated to reflect and be consistent with the October 2011 adoption of the 2030 General Plan. Staff and the consultants worked with HCD to arrive at the current version that was deemed in compliance with State Law in an HCD letter of April 12, 2012.

The Planning Commission recommended adoption of the 2006-2014 Housing Element on March 15, 2012 (Minutes and Resolution 2012-04 attached).

Summary of Content and Format

The following is a brief summary of each Housing Element chapter:

A. Review and Revise Previous Policies and Goals: During the previous Housing Element (1998-2005), the City achieved 51 percent of very low income, 95 percent of low income, 11 percent of moderate income, and 295 percent of above moderate income housing targets. This was a good performance compared to many cities. An initial review of policies and programs recommended that all but five programs be continued and/or modified.

B. Existing Housing Needs: Chapter B focuses on the housing needs of current residents in terms of overcrowding and overpayment. Approximately 55 percent of lower income households pay more than 30 percent of their gross income for rent or ownership costs, and 40 percent are in overcrowded households. Oxnard's statistics are somewhat influenced by the relatively high Ventura County median household income ($79,107 in 2006 compared to California $64,563 and Oxnard at $57,907) and the relatively high number of households with young children, which is not the same type of crowding as a household with the same number of adults.

C. Special Housing Needs: This chapter examines the housing needs of persons with disabilities, the elderly, large families, single parent families, farmworker housing, and emergency housing. In general, need exists in all these populations.

D. Projected Housing Needs: The Southern California Association of Governments (SCAG) prepared Regional Housing Needs Assessment (RHNA) employment, population, and housing unit projections that were then allocated to the 16 SCAG subregions, of which Ventura County is its own subregion.

Oxnard's share of very low, low, and moderate income housing was lowered by a small amount in recognition that the City has a disproportionately larger share of low to moderate income housing compared to most other Ventura County jurisdictions. The City's 2006-2014 RHNA targets, representing both current and future need, are shown below.

Table 1	Very-Low	Low	Moderate	Upper	Total
RHNA Allocation	1,491	1,221	1,445	2,936	7,093

E. Constraints: State Law requires the use of the term 'constraints' which generally implies forces or efforts to restrain actions that would otherwise occur. Environmental review, general planning, zoning, SOAR, and related local land use regulations and development standards are all extensions of local government police powers to protect life and property, minimize nuisances, and achieve a desired quality of life as expressed through a participatory democratic process. This section should be interpreted as a review of local development standards and development review procedures to ascertain whether a development standard or procedure or other regulation is no longer needed, has unintended negative consequences, and/or could be improved so as to increase opportunities and the feasibility of developing affordable housing (especially special needs, farmworker, and very low and low income units). The largest constraint, the general economy, state budget, and decline in development activity, will continue to play a major role in affordable housing actually being constructed during the 2006-2014 RHNA period.

F. Achieving the RHNA Allocation: Chapter F is a key section that details components of AAHOP (described below in more detail) that provide development opportunity to achieve the remaining RHNA allocation of 2,070 Very Low and Low income affordable units. The Teal Club Specific Plan and Riverpark Specific Plan both play a role in achieving the remaining RHNA.

G. Goals, Policies and Programs: The final chapter is a listing of five goals and 31 implementing programs that would set the stage for attempting to meet the RHNA goals by mid-2014.

<u>All-Affordable Housing Opportunity Program (AAHOP)</u>

AAHOP is the main new program designed to provide opportunities for affordable housing development with a relatively high degree of certainty on realistic sites of at least an acre in size fully within the City Urban Restriction Boundary (CURB). AAHOP is also consistent with the 2030 General Plan in that many of the AAHOP sites are along major arterials where transit is either available or feasible and mixed-use development would be appropriate. AAHOP is implemented by the creation of a new "Affordable Housing" (AH) additive zone within Division 17 of Article III of Chapter 16 of the Oxnard City Code. The "AH" suffix would be placed on AAHOP-identified affordable housing opportunity sites through the Zone Change process initiated by the City and completed as part of zone changes that implement the 2030 General Plan.

Key AAHOP components are:

1. 24 units/acre used a "default density" per Government Code section 65583.2(c)(3).
2. Creates "-AH" zone suffix (similar to "- PD").
   Examples: R3 becomes R3-AH, C2-PD becomes C2-PD-AH.
3. AH is a City density bonus from 18 to 24 units/acre.

4. State 35% density bonus could be added.
5. Only for 100% Very Low and Low income projects.
6. Underlying zoning and allowed uses are not changed.
7. Does not otherwise limit affordable housing projects in other locations.
8. Grants one development standards concession.
9. Commits the City to flexible development review.
10. An AAHOP project is Director approved.
11. Requires one community workshop.
12. AAHOP sites may change as necessary to continue to meet the RHNA target.
13. Supplement II identifies 36 AAHOP sites with opportunity for 2,365 affordable units.

Supplements I and II

The Housing Element includes two supplements. Supplement I is a detailed list of 15 all-affordable housing projects completed since 1995 that documents that a density of 24 units per acre is feasible for all-affordable housing projects. Establishing this "default" density allows the City to count all housing theoretically possible on the AAHOP sites towards meeting the remaining RHNA planning target.

Supplement II is a detailed listing of the 36 AAHOP sites with HCD-required information for each parcel or group of parcels. The 36 sites are classified as A) **Vacant [5]** (never developed, or in agricultural use), B) **Largely Vacant [14]** (minor structures and/or paving to be demolished, small business to be relocated, less than five existing residences), C) **Large Vacant Structure [4]** (possibility of commercial and/or market-rate housing mixed use due to location opportunity and/or need to create financial feasibility to remove a large commercial structure), and D) **Constrained Sites [13]** (sites with unique environmental or urban infill situations). These sites have been reviewed by HCD and are considered feasible for purposes of the Housing Element.

Environmental Review

The recently certified (October 2011) 2030 General Plan Program EIR covers the adoption of the 2006-2014 Housing Element for the following four reasons: 1) the Housing Element does not increase 2030 population or housing projections or the various utilities and services related to that growth, 2) the 2030 General Plan includes policies and programs in place to evaluate and mitigate environmental impacts at a project level, 3) AAHOP projects are subject to subsequent project-level CEQA review, and 4) an AAHOP project with unmitigatable adverse environmental impacts may be denied per GC Section 65589.5.

Community Outreach

Staff has met informally with affordable housing providers and interested persons on many occasions since 2008. On December 19, 2011 a memo was sent to the stakeholders group and the House Farmworkers e-mail list informing them that a revised draft Housing Element was underway as well and that the next draft of the 2006-2014 Housing Element should be available in January for public review. On March 1, 2012, Draft 4 was placed on the City's website and distributed to the City's libraries. Two public study sessions were scheduled for March 5, 2012 with the Commission on Homelessness and stakeholders group where staff presented the revised AAHOP and related information.

FINANCIAL IMPACT

Adoption of the Housing Element commits the City to implementing the Programs listed in Chapter G, either as ongoing programs already included in various departmental budgets (Development Services, Housing, etc.) and as new programs that will require staff time over the next several years to prepare and bring forward to appropriate decision makers. Staff does not anticipate requesting additional funding to implement ongoing and new programs; existing staff will be adequate.

CW:cw

Attachment #1 - 2006-2014 Housing Element (separate document previously distributed)
#2 - April 12, 2012 HCD Letter
#3 - Resolution of Adoption
#4 – Minutes of the March 15, 2012 Planning Commission meeting
#5 – Planning Commission Resolution 2012-04

Note: The 2006-2014 Housing Element has been provided to the City Council. Copies are available for review at the Help Desk in the Library after 6:00 p.m. on the Thursday prior to the Council meeting and at the City Clerk's Office after 8:00 a.m. on Monday.

STATE OF CALIFORNIA-BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN JR., Governor

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April 12, 2012

Mr. Matt Winegar, Director
Development Services Department
City of Oxnard
305 West Third Street
Oxnard, CA 93030

RE: Review of the City of Oxnard's Revised Draft Housing Element

Dear Mr. Winegar:

Thank you for submitting Oxnard's revised draft housing element received on February 27, 2012 along with additional revisions on April 2 and 11, 2012. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b).

The revised draft addresses the statutory requirements described in the Department's April 1, 2011 review. For example, the element now demonstrates adequate sites to accommodate the regional housing need. The element will comply with State housing element law (Article 10.6 of the Government Code) when the revised draft is adopted and submitted to the Department, pursuant to Government Code Section 65585(g).

Programs 3 (Affordable Opportunity), 5 (Parcel Assembly) and 17 (Incentives) are crucial to demonstrate adequate sites to accommodate the regional housing need and encourage the development of housing affordable to lower-income households. As a result, the City must monitor and report on the status of these Programs through the annual progress report, required pursuant to Government Code Section 65400. If these Programs are not effective in encouraging housing development affordable to lower-income households or making sites available for development with appropriate zoning, the element should be amended to identify alternative strategies and sites. For example, if the Affordable Housing additive zone is not adopted as described, alternative strategies should be adopted to provide sufficient opportunities for development within the planning period.

The Department appreciates Oxnard's effort and cooperation throughout the review process. We look forward to receiving Oxnard's adopted housing element. If you have any additional questions, please contact Brett Arriaga, of our staff, at (916) 445-5888.

Sincerely,

Glen A. Campora

Glen A. Campora
Assistant Deputy Director

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADOPTING THE 2006-2014 HOUSING ELEMENT AND INCORPORATING THE 2006-2014 HOUSING ELEMENT AS CHAPTER 8 OF THE 2030 GENERAL PLAN. FILED BY CITY OF OXNARD, PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, Government Code Section 65300 requires each legislative body and planning agency to prepare and adopt a comprehensive, long-term general plan for the physical development of the city and any land outside its boundaries which in the planning agency's judgment bears relation to its planning; and

WHEREAS, the California State Legislature identified the State's major housing goal as the attainment of a decent home and suitable living environment for every Californian and due to the critical role that local planning programs play in achieving this goal, the California State Legislature requires that all jurisdictions prepare and periodically review and update a housing element as they direct; and

WHEREAS, Government Code Section 65583 lists requirements of the housing element wherein each housing element must contain "an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing;" and

WHEREAS, the Housing Element requires review and certification by the State of California, Department of Housing and Community Development (HCD); and

WHEREAS, the City of Oxnard (City) falls within the region covered by the Southern California Association of Governments (SCAG) and for each housing element planning cycle, SCAG is required to determine the share of the regional housing need to be allocated to each city and unincorporated county areas within the SCAG region called the Regional Housing Need Assessment (RHNA); and

WHEREAS, the total RHNA allocation for the 2006-2014 Housing Element was 7,093 housing units for Oxnard intended to accommodate current and projected growth housing need based on population and economic analyses and projections; and

WHEREAS, the 2006-2014 Housing Element is required to be part of the 2030 General Plan and consistent therewith; and

WHEREAS, the City of Oxnard 2030 General Plan was adopted on October 11, 2011 with Chapter 8 reserved for the 2006-2014 Housing Element; and

WHEREAS, beginning in 2008, the City prepared drafts of the 2006-2014 Housing Element that were reviewed by HCD for which HCD prepared extensive comments and directions; and

WHEREAS, the City retained expert consultants to respond to HCD comments and direction resulting in the preparation of the present draft dated May 2012; and

WHEREAS, 2006-2014 Housing Element was presented to the Planning Commission, Commission on Homelessness, and interested parties on several occasions between 2009 and the present; and

WHEREAS, the 2030 General Plan Final Program Environmental Impact Report (PEIR) was presented to the City Council at a public hearing on February 2, 2010, following which the City Council adopted Resolution No.13,770 certifying in accordance with Section 15090 of the State CEQA Guidelines that the Final PEIR was completed in accordance with CEQA, and reflects the independent judgment and analysis of the City; and

WHEREAS, an addendum to the Final PEIR was prepared according to State CEQA Guidelines Section 15164 to document environmental impacts of changes to the 2030 General Plan that occurred after February 2, 2010; and

WHEREAS, at the October 11, 2011 hearing, City Council voted 4-1 to adopt the 2030 General Plan and no challenges to the PEIR occurred; and

WHEREAS, the 2030 General Plan PEIR included the housing, population, traffic, and related projected growth that is reflected in the 2006-2014 Housing Element; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the 2030 General Plan, 2006-2014 Housing Element, PEIR, and Statement of Overriding Considerations and Findings of Fact are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission voted at its meeting of March 15, 2012 to recommend that the City Council adopt the 2006-2014 Housing Element; and

WHEREAS, the HCD transmitted a letter to the City dated April 12, 2012 that stated the 2006-2014 Housing Element complies with State housing element law (Article 10.6, of Chapter 3 of Division 1 of Title 7 of the Government Code) and the City Council has the findings stated therein.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to: 1) adopt the 2006-2014 Housing Element, 2) direct staff to incorporate the 2006-2014 Housing Element in its entirety as Chapter 8 of the 2030 General Plan, and 3) direct staff to transmit the adopted 2006-2014 Housing Element to HCD for certification.

PASSED AND ADOPTED this 12th day of June, 2012, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM

For

Alan Holmberg, City Attorney

MINUTES

OXNARD PLANNING COMMISSION
REGULAR MEETING
March 15, 2012

A. ROLL CALL

At 7:00 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Stephen Huber, Anthony Murguia, Gilbert Guevara, Saul Medina, Vincent Stewart, and Steven Nash were present. Chairman Murguia presided and called the meeting to order. Staff members present were: Susan Martin, Planning Manager, Paul Wendt, Senior Civil Engineer; Jason Samonte, Traffic Engineer; Stephen Fischer, Assistant City Attorney; Chris Williamson, Principal Planner, Brian Foote, Associate Planner; Senior Officer Cliff Waer, Police; and Lori Maxfield, Recording Secretary.

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Commissioner Nash led the pledge of allegiance.

C. PUBLIC COMMENTS

D. READING OF AGENDA

Planning Manager Martin reviewed the agenda including staff's recommendation to continue Item G-2 (PZ 11-500-07) off calendar; and continue Item G-3 (PZ 08-550-03) to April 5, 2012.

MOTION Commissioner Nash moved and Commissioner Guevara seconded a motion to continue Item G-2 (PZ 11-500-07) off calendar; and continue Item G-3 (PZ 08-550-03) to April 5, 2012. The question was called and the motion carried 6-0-1, Commissioner Mullin absent.

E. CONSENT AGENDA

1. APPROVAL OF MINUTES – February 2, 2012

MOTION Commissioner Nash moved and Commissioner Huber seconded a motion to approve the minutes of February 2, 2012 as presented. The question was called and the motion carried 6-0-1, Commissioner Mullin absent.

F. CONTINUED PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 10-300-05 (Tentative Subdivision Map), a request to subdivide approximately 32 acres into seven parcels varying in size between 2.19 and 10.82 acres each, for future industrial development consistent with the M-1-PD zone. No development is proposed at this time. There is no substantial evidence that the proposed project may have a significant effect on the environment, and a mitigated negative declaration (MND # 11-04) will be adopted. Located at 2600

Challenger Place and 150, 300, 350 & 400 Discovery Drive. Filed by Valerie Draeger, Triliad Development, Inc., on behalf of owner PEGH Investments LLC, 270 Conejo Ridge Ave., Suite 200, Thousand Oaks, CA 91361-4944.
PROJECT PLANNER: Brian Foote

Associate Planner Foote presented the staff report including the surrounding uses; no development is currently proposed; and Mitigated Negative Declaration 11-04 with traffic study, archaeological survey, air quality, hydrology and drainage, and geotechnical engineering report. He also displayed the location, vicinity, General Plan, zoning; and tentative maps.

Traffic Engineer Samonte explained the basis for the increase in traffic.

Chairman Murguia opened the public testimony.

Ms. Valerie Draeger, Triliad Development, gave a brief presentation.

Chairman Murguia closed the public testimony.

MOTION Commissioner Nash moved and Commissioner Stewart seconded a motion to adopt a resolution recommending City Council approval of PZ 10-300-05, a Tentative Subdivision Map to allow subdivision of approximately 32 acres on vacant land into six parcels for future industrial development plus one common lot, located at 2600 Challenger Place and 150, 300, 350, and 400 Discovery Drive, subject to certain findings and conditions. The question was called and the motion carried 5-1-1, Commissioner Medina voting no, Commissioner Mullin absent.

G. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 11-550-1 (Major Modification), a request for approval of a major modification to Special Use Permit No. 04-500-28, to remove one interior wall between dining rooms and relocate one existing bar in Ruby's Café. The project site is located at 348 and 350 South Oxnard Boulevard. The project is exempt from environmental review pursuant to Sections 15301 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Coastal Architects, on behalf of property owner Guadalupe Martinez, 505 South A Street, Suite #200, Oxnard, CA 93030.
PROJECT PLANNER: Brian Foote

Associate Planner Foote presented the staff report including surrounding uses; parking study; access/exit doors; occupancy limits; Police Department not opposed to the project; and Condition No. 50 to be deleted. He also displayed the location, General Plan, and zoning maps; aerial and site photos; aerial photo of parking facilities; existing and proposed floor plans; interior photos;

Chairman Murguia opened the public testimony.

Mr. Mike Sanchez, Coastal Architects, representing the property owner, gave a brief presentation.

Senior Officer Waer indicated that RAPAC was not contacted on this proposal, but was included in original request; discussed calls for service; new owner cooperating with Police; and not currently a nuisance establishment with the cooperation of the owner to improve existing problems.

Mr. Oscar Gonzales, legal counsel for Mora Enterprises (tenant), discussed business purchased in September, 2010; primarily a restaurant, nightclub 20 hours per week; restaurant 80 hours per week; all proposed conditions are currently in effect; tenant has lost opportunities for banquets in excess of 180 people; owner has their own security, including the parking lot; would bring people downtown; and agreed to all conditions.

Ms. Jannet Mendez and Ms. Barbara Macri-Ortiz spoke in favor of the project.

Ms. Pat Brown, Five Points Neighborhood Chair, discussed the proposed project.

Chairman Murguia closed the public testimony.

MOTION Commissioner Medina moved to adopt a resolution denying PZ 11-550-1. The motion failed due to a lack of a second.

MOTION Commissioner Nash moved and Commissioner Stewart seconded a motion to adopt a resolution granting PZ 04-500-28, a Major Modification to Special Use Permit PZ 04-500-28, to allow removal of one interior wall dividing suites 348 and 350, relocation of one bar in suite 350, and other interior improvements as may be necessary to comply with all applicable requirements of the California Building code, located at 348 and 350 South Oxnard Boulevard. The question was called and the motion failed 3-3, Commissioners Guevara, Medina, and Murguia voting no, Commissioner Mullin absent.

Assistant City Attorney Fischer explained the applicant's appeal rights when a motion fails to be approved due to a tie vote.

RECESS Chairman Murguia called a recess at 8:52 p.m. The meeting reconvened at 9:00 p.m. with all Commissioners present, except Commissioner Mullin.

2. PLANNING AND ZONING PERMIT NO. 11-500-07 (Special Use Permit) and 11-300-03 (Tentative Parcel Map), a request to subdivide an irregular shaped 1.31-acre site into two parcels, a 1.17-acre and a 0.14-acre parcel and construct a 4,729 square foot automated drive thru carwash facility on the proposed 1.14-acre site; construct a 1,500 square foot building for restaurant (speculative) on the proposed 0.18-acre lot. The car wash facility will accommodate 16 vacuum and drying stations, vending machines for self serve cleaning, and detail services. The project site is located at 1811 E. Channel Islands Blvd. The project is exempt from environmental review pursuant to Section 15321 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Bijan Shahmordadi, 8730 Wilshire Boulevard, Suite 202 Beverly Hills, California 90211.
PROJECT PLANNER: Juan Martinez

ITEM G-2 (PZ 11-500-07) CONTINUED ABOVE.

3. PLANNING AND ZONING PERMIT NO. 08-550-03 (Major Modification to Special Use Permit No. 1255), a request to construct and operate a 1,440 square foot automated carwash at an existing automobile fuel station (Chevron), located at 1860 North Ventura Road. The 60-foot long tunnel will be located to the east of the existing 964 square foot food mart, and the project includes dedication of public-right-of-way for the future widening of Gonzales Road and Ventura Road. A 4-foot wide dedication (no improvements) is proposed along Gonzales Road, and a 17-foot wide dedication along Ventura Road will allow future roadway improvements to accommodate a right turn pocket. The project is exempt from

environmental review pursuant to Section 15301 of the CEQA Guidelines. Filed by Leon E. Felus on behalf of Mohammad Taherizadegan, 14000 Palawan Way Suite D, Marina Del Rey, California 90292.
PROJECT PLANNER: Juan Martinez

ITEM G-3 (08-550-03) CONTINUED ABOVE.

4. PLANNING AND ZONING PERMIT NO. 10-620-02 (General Plan Amendment) a recommendation to the City Council on adoption of the Oxnard 2006-2014 Housing Element and its designation as Chapter 8 of the 2030 General Plan. This February 2012 version establishes goals, policies and programs to meet current and future housing needs of Oxnard residents. This version responds to comments from the Department of Housing and Community Development (HCD) on the January 2011 version by creating the additive affordable housing zoning designation of "AH" and adding the "AH" suffix to the existing zoning of approximately 120 parcels. The "AH" designation grants a density bonus and selected alternative development standards only for an all-affordable housing development. The cumulative development opportunity of all "AH" parcels allows the City to reach the remaining affordable housing planning target. The "AH" additive zoning does not otherwise change the existing zoning. With guidance from HCD, other programs are added or modified and are expected to meet HCD certification criteria. The previously-certified 2030 General Plan Final Environmental Impact Report examined the potential impacts associated with the proposed action. Filed by Planning Division, 214 South C Street, Oxnard, CA 93030.
PROJECT PLANNER: Chris Williamson

Principal Planner Williamson presented the staff report including housing law in California; planning period is 2006-2017; RHNA numbers; work done in the past three years with Housing and Community Development (HCD); major changes between drafts three and four; five major goals of the Housing Element; creation of AH (affordable housing additive zone designation); overcrowding calculations; analysis of the need; Senate Bill 2 (SB-2); and the schedule for adoption of the Housing Element.

Ms. Cynthia Dean Aviso, PMC, consultant for the City, consultant for the City, explained that they work closely with HCD through the entire process; discussed All Affordable Housing Opportunity Program (AAHOP); and have reached out to affordable housing developers in the area to find out their concerns and needs are.

Chairman Murguia opened the public testimony.

Ms. Theodora Davitt-Cornyn, suggested that the focus be on very low income; and concerned about safe places for children to play and do homework.

Ms. Eileen Tracy discussed priority for second units; programs for SRO for extremely low income and homeless; zone text amendment for reasonable accommodation that was recently adopted contained a non-standard definition of family; and referenced letter from Homeless Commission distributed to the Planning Commission regarding placement of emergency shelters.

Ms. Pat Brown stated the high density bonus would be a problem with parking; one workshop is not enough; developers must work together with developers of low income housing, as there's a neighborhood effect; low income housing, should have been sprinkled throughout the development, as they're now having problems; and the low income housing project on Seventh Street was reoriented with the input from the neighborhood.

Ms. Barbara Macri-Ortiz stated that the Housing Element is a road map on how to get it done; the need is growing; money is shrinking; need a cohesive program; time is of the essence; need density bonus straightened out within the 120 days; sites in AAHOP will be a challenge; and City should think about putting shelters near town.

Ms. Karen Flock, Cabrillo Economic Development, stated they are in favor of the adoption of the Housing Element; thanked the City for their support of affordable homes; Camino Gonzales project was finished, so 18 farmworker families will move in later this month, and Paseo de Luz, with 25 special needs apartments is almost finished; and Cabrillo has a commitment to use green standards for energy efficiency.

Ms. Sonia Flores, House Farmworkers, stated that improvement were made to AAHOP, but the programs need a specific month and year when they will be implemented, especially the SB-2 program and density bonus ordinance; it should state that both ordinances will be amended within three months after the Housing Element is adopted; and the need for an appropriate zone for shelters is enormous.

Planning Manager Martin indicated that two comment cards were received regarding the Housing Element from Roman Garcia and Jodie Solario.

Chairman Murguia closed the public testimony.

The Planning Commission discussed the affordable housing designation and process; it's up to the neighborhoods to attend the workshops and give input; an inventory of affordable housing must be created; City must have transitional housing throughout the community with a case manager, to transition to independent, rather than a massive shelter; look at creative solutions to address moderate income due to foreclosures and the economy; should provide dignity and respect to transition from homelessness to independence.

MOTION Commissioner Guevara moved and Commissioner Medina seconded a motion to adopt a resolution recommending City Council approval of PZ 10-620-02, to amend the 2030 General Plan by adopting the 2006-2014 Housing Element and incorporating it as Chapter 8 of the 2030 General Plan. The question was called and the motion carried 6-0-1, Commissioner Mullin absent.

H. REPORTS; STUDY SESSION

1. Proposed 2012 Meeting Schedule

Planning Manager Martin reviewed the proposed 2012 meeting schedule including special meetings may be called during the year, and a proposed meeting calendar for 2013 would be presented in December.

MOTION Commissioner Nash moved and Commissioner Stewart seconded a motion to adopt the 2012 Planning Commission meeting schedule. The question was called and the motion carried 6-0-1, Commissioner Mullin absent.

2. Submittal of proposed revision to Commission Rules and Procedures

Assistant City Attorney Fischer discussed the red-line version of the Rules and Procedures.

MOTION Commissioner Nash moved and Commissioner Guevara seconded a motion to adopt a resolution granting. The question was called and the motion carried 6-0-1, Commissioner Mullin absent.

I. PLANNING COMMISSION BUSINESS

1. Commissioner Nash's e-mail to staff dated January 17, 2012 regarding the 2030 General Plan stating "On pg. 4-5, ICS-1.4, fourth bullet point, it reads 'Required infrastructure needed for future development is self-funded.' The 1-10 Final Draft of the 2030 GP included the following, 'so current residents do not subsidize infrastructure needed for future growth.' This partial deletion was not noted in any memo from Dr. Williamson or the planning staff. Are these sorts of unilateral deletions and/or modifications to the GP allowed without any notification to the Planning Commissioners, public, City officials, et al prior to the final approval? Thanks and still awaiting your response from my previous e-mail concerning our by-laws, et cetera."

Planning Manager Martin's response dated January 30, 2012: "Commissioner Nash, It was necessary to review quite a few documents to verify the information you provided pertaining to the 2030 General Plan. Chris Williamson assisted in this effort and found the language you cited in the Nov. 7, 2008 version of Chapter 4. The text is under what was then number ICS 1.6, 'Require all infrastructure expansion needed for future development to be self-funding so current residents do not subsidize infrastructure needed for future growth. [New Policy]' This was a policy borrowed from another City and placed in the draft document by Matrix Design Group, the consultants. The Planning Commission adopted the version dated Jan. 27, 2009 that moved the text to ICS-1.4, Bullet 4.

The General Plan then went to City Council for adoption in February, 2009. Once items are referred to City Council on recommendation, it is typically up to the Council to refer staff back to the Planning Commission to address any subsequent significant changes. As versions after February, 2009 were not considered significant, nor did the changes affect particular issues raised during the Planning Commission review, staff was not directed back to Planning Commission pertaining to the 2030 General Plan.

The September, 2011 version shows the 'so current residents do not subsidize infrastructure needed for future growth' language crossed out in track changes. Staff's recollection is that staff initiated the change as the 'self funding' text in the same policy was the operative and well-understood direction, the rest of the phrase was redundant and possibly confusing, and that the change was not significant. Such change is considered a minor clean-up that improves the document while maintaining the intent and direction of the document. As such, City Council adopted the cleaned-up version in October, 2011.

As to your questions about the Planning Commission by-laws, I have placed an item on the next agenda so that the Commission can have the opportunity to discuss this topic in the appropriate setting."

Commissioner Nash questioned whether staff could respond to his e-mail, or if it had to be formally agendized.

Assistant City Attorney Fischer explained that the item need not be agendized, as long as the staff response was brief.

2. Commissioner Huber asked for an update on the City's Urban Water Management Plan, such as the GREAT Program.

Planning Manager Martin indicated that staff would follow up.

J. PLANNING MANAGER COMMENTS

1. Planning Commission Interest and Involvement in Special Committees

Planning Manager Martin discussed the memo distributed to the Planning Commission on their involvement in special committees; and indicated that the meeting of April 5, 2012 would probably be cancelled.

Commissioner Guevara indicated his willingness to be involved in committees such as the Housing Element and the Downtown Improvement Task Force.

K. ADJOURNMENT

At 10:37 p.m., the Planning Commission concurred to adjourn.

_____
Anthony R. Murguia, Chairman

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2012-04

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL AMEND THE 2030 GENERAL PLAN BY ADOPTING THE 2006-2014 HOUSING ELEMENT AND INCORPORATING IT AS CHAPTER 8 OF THE 2030 GENERAL PLAN. FILED BY CITY OF OXNARD, PLANNING DIVISION, 214 SOUTH C STREET, OXNARD, CA, 93030.

WHEREAS, Government Code Section 65300 requires each legislative body and planning agency to prepare and adopt a comprehensive, long-term general plan for the physical development of the city and any land outside its boundaries which in the planning agency's judgment bears relation to its planning; and

WHEREAS, the California State Legislature identified the State's major housing goal as the attainment of a decent home and suitable living environment for every Californian and due to the critical role that local planning programs play in achieving this goal, the California State Legislature requires that all jurisdictions prepare and periodically review and update a housing element as they direct; and

WHEREAS, Government Code Section 65583 lists requirements of the housing element wherein each housing element must contain "an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled program actions for the preservation, improvement, and development of housing;" and

WHEREAS, the Housing Element requires review and certification by the State of California, Department of Housing and Community Development (HCD); and

WHEREAS, the City of Oxnard (City) falls within the region covered by the Southern California Association of Governments (SCAG) and for each housing element planning cycle, SCAG is required to determine the share of the regional housing need to be allocated to each city and unincorporated county areas within the SCAG region called the Regional Housing Need Assessment (RHNA); and

WHEREAS, the total RHNA allocation for the 2006-2014 Housing Element was 7,093 housing units for Oxnard intended to accommodate current and projected growth housing need based on population and economic analyses and projections; and

WHEREAS, the 2006-2014 Housing Element is required to be part of the 2030 General Plan and consistent therewith; and

WHEREAS, the City of Oxnard 2030 General Plan was adopted on October 11, 2011; and

WHEREAS, the operative documents of the Oxnard 2030 General Plan consist of (1) the Background Report (2006), and (2) the Goals and Policies which includes a placeholder for the 2006-2014 Housing Element as Chapter 8; and

WHEREAS, beginning in 2008, the City prepared drafts of the 2006-2014 Housing Element that were reviewed by the State Department of Housing and Community Development (HCD) for which HCD prepared extensive comments and directions; and

WHEREAS, the City retained expert consultants to respond to HCD comments and direction resulting in the preparation of the present fourth draft dated February 2012; and

WHEREAS, 2006-2014 Housing Element progress reports have been presented to the Planning Commission, Commission on Homelessness, and interested parties on several occasions between 2009 and the present; and

WHEREAS, the February 2012 draft of the 2006-2014 Housing Element was made available to the public on March 1, 2012; and

WHEREAS, the 2030 General Plan Final Program Environmental Impact Report (PEIR) was presented to the City Council at a public hearing on February 2, 2010, following which the City Council adopted Resolution No.13,770 certifying in accordance with Section 15090 of the State CEQA Guidelines that the Final PEIR was completed in accordance with CEQA, and reflects the independent judgment and analysis of the City; and

WHEREAS, an addendum to the Final PEIR was prepared according to State CEQA Guidelines Section 15164 to document environmental impacts of changes to the 2030 General Plan that occurred after February 2, 2010; and

WHEREAS, at the October 11, 2011 hearing, City Council voted 4-1 to adopt the 2030 General Plan and no challenges to the PEIR occurred; and

WHEREAS, the 2030 General Plan PEIR included the housing, population, traffic, and related projected growth that is reflected in the 2006-2014 Housing Element; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the 2030 General Plan, 2006-2014 Housing Element, PEIR, and Statement of Overriding Considerations and Findings of Fact are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission finds that the Oxnard 2006-2014 Housing Element identifies and analyzes the current and future housing needs of residents within the City of Oxnard (City) and establishes housing goals, policies, and programs to meet the needs; and

NOW, THEREFORE, the Planning Commission of the City of Oxnard recommends that the City Council adopt the 2006-2014 Housing Element and amend the 2030 General Plan to incorporate the 2006-2014 Housing Element in its entirety as Chapter 8.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 15th day of March, 2012, by the following vote:

AYES: Commissioners: Guevara, Medina, Stewart, Nash, Huber, Murguia

NOES: Commissioners: None

ABSENT: Commissioners: Mullin

Anthony R. Murguia, Chairman

ATTEST:

Susan L. Martin, Secretary