

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Kathleen Mallory, Planner Manager
Christopher Williamson, Planning Consultant

DATE: October 18, 2018

SUBJECT: Study Session on the 2030 General Plan Consistency Re-Zoning Program.

- 1) Recommendation:** That the Planning Commission receive a presentation on the 2030 General Plan Consistency Re-Zoning Program (Program) and provide comments to staff.
- 2) Background:** As with all California cities and counties, Oxnard has a General Plan that assigns a generalized land use designation to public and private parcels. Table 3.2 (“General Plan/Zoning Consistency”) within Chapter 3 of the 2030 General Plan identifies one or more Oxnard City Code (OCC) zoning designations that implement each of the 2030 General Plan land use designations (Attachment A). Specific land uses and development standards are codified in OCC Chapter 16 (Non-Coastal Zoning) and Chapter 17 (Coastal Zoning).

For most 2030 General Plan land use designations, there is one implementing and one corresponding zoning designation. The consistency rezoning program changes any inconsistent zoning designation to the zoning designation stipulated in Table 3.2 in compliance with State law (Government Code Section 65860). For six 2030 General Plan designations (General Commercial, Limited Industrial, Light Industrial, Agriculture, Public/Semi-Public, and Airport Compatible) there are two or more consistency zoning designations. For parcels with these six designations, the City selects the most appropriate and compatible zoning designation from the choices listed in Table 3.2.

Many of the zoning inconsistencies predate the passage of the 2030 General Plan in 2011, dating back to the adoption of the 2020 General Plan in 1990. Staff initiated the Program in 2013 but suspended work due to inadequate staffing, budget, and other priorities. The building permit General Plan Maintenance fee (\$2.40 per \$1,000.00 permit valuation) provides funding to complete the Program. For development projects on parcels with inconsistent zoning, the City has and continues to either change the zoning at no cost to the applicant or defer the zoning change to this Program.

- 3) Program Scope:** There are 40,957 parcels in the City’s GIS database. Staff identified 5,356 parcels with zoning that is not consistent with their corresponding 2030 General Plan land use designation, about 13.1 percent of all parcels. Just under 90 percent involve residentially-designated parcels, as shown in the following table:

General Plan Designations	Parcels to Re-zone	Percent
Residential	4,803	89.7
Commercial	280	5.2
Industrial	97	1.8
Public/Semi Public, Open Space, Parks, School, Easement	176	3.2
Total	5,356	

The consistency rezoning does not change a parcel’s allowed or conditional uses or development regulations. If an owner of a parcel with currently inconsistent zoning were to seek a use permit and/or building permit, the City is required to apply the regulations of the consistency zoning based on 2030 General Plan Table 3.2, not the existing zoning. All property owners retain their existing permits and non-conforming rights, if applicable. In short, in most cases the proposed consistency re-zonings are a correction to assign the correct zoning designation on the zoning map. In a limited number of cases where more than one zoning designation could be applied to a parcel, the proposed consistency rezoning may change a property’s status from conforming to non-conforming, or vice versa. City staff intends to minimize impacts on property owners as much as possible in these few cases.

- 4) Community Outreach:** Staff’s intent is to provide ample public notice to all impacted parcels and provide information to assure property owners that the re-zoning will not impact their property rights or permits, with a few exceptions. Staff expects that the public will not initially understand that their current zoning is not consistent with the 2030 General Plan.

A website was created with an interactive map (Attachment B, <https://www.oxnard.org/city-department/development-services-4/general-plan-consistency-re-zoning/> or enter a search on “Oxnard Re-zoning”) on which property owners may check any proposed re-zoning by entering an APN number (using the 9-digit format), address, or using the map to identify a property. A “pop-up” will list the 2030 General Plan use designation, current zoning, and proposed consistency re-zoning.

At the May 14, 2018 Community Workshop, staff presented an overview of the Program and identified re-zoning of 41 parcels from existing residential zoning designations to Community Reserve (C-R) for parcels that are designated in the 2030 General Plan as School or Park, and 18 parcels to be re-zoned from existing residential and commercial zoning designations to Easement (ES) for parcels that are currently used as county flood control channels, railroads tracks, or other rights-of-way.

At the July 23, 2018 Community Workshop, staff presented the Commercial and Industrial-zoned parcels proposed for consistency re-zoning. Nineteen people attended including owners of several parcels adjacent to the Oxnard Airport where the Airport Compatible (AC) land use designation allows for several consistency re-zone designations. Staff also met with County Airport staff to solicit their recommendation for appropriate re-zoning in the AC-designated area.

Upcoming outreach in the coming months will include a postcard to all property owners, presentations to the Inter-Neighborhood Community Organization and Neighborhood Councils, and information on the City’s cable TV station and within utility bills. Planning staff will also be engaging in a social media campaign entitled, “Know Your Zone.” Notifications via Nextdoor.com, Facebook, and other media avenues will promote and explain the Program’s proposed re-zoning work effort.

- 4) Next Steps:** The Program follows the regular re-zoning process with ten-day public notice, a recommendation hearings with the Planning Commission, and a hearing with the City Council followed by a second reading required to change zoning designations by ordinance. Staff’s intent is to schedule the Program hearing with the Planning Commission in December, 2018 or January, 2019.

Attachments:

- A. General Plan, Table 3.2
- B. Program Webpages

Prepared by: _____ CW
Approved by: _____ KM

ATTACHMENT A

Table 3.2: General Plan/Zoning Consistency

General Plan Land Use Designation (non -Coastal Zone)	Zone Designation	Live / Work	Work / Live	Mixed Use	Height Overlay
Residential					
Low	R-1	No	No	No	No
Low-Medium	R-2	No	No	No	No
Medium	R-3	Yes	No	No	Yes
Medium-High	R-4	Yes	No	No	Yes
High	R-5	Yes	No	No	Yes
Mobile Home Park	MH	No	No	No	No
Commercial					
General	C-2, C-M	Yes	Yes	Yes	Yes
Convenience	C-1	Yes	No	No	Yes
Neighborhood	C-2	Yes	Yes	Yes	Yes
Community	C-2	Yes	Yes	Yes	Yes
Regional	C-2	Yes	Yes	Yes	Yes
Central Business District	CBD	Yes	Yes	Yes	Yes
Office	CO	Yes	Yes	Yes	Yes
Industrial					
Business/Research Park	BRP	No	No	No	Yes
Limited	ML, BRP	Yes	Yes	No	Yes
Light	M-1, C-M	No	Yes	No	Yes
Heavy	M-2	No	No	No	No
Central Industrial Area	M-2	No	No	No	Yes
Public Utility/Energy Facility	M-2	No	No	No	Yes
Open Space/Other					
Agriculture	C-R, M-1, M-2	No	Yes	No	No
Open Space	C-R	No	No	No	No
Resource Protection (non-coastal)	C-R	No	No	No	No
Park	C-R	No	No	No	Yes
Planning Reserve	R-P	No	No	No	No
Public/Semi Public	Varies	No	No	No	Yes
Airport Compatible	Varies	No	No	No	No
Urban Village	Specific, Strategic, or Harbor Public Works Plan	Yes	Yes	Yes	Yes
School	C-R	No	Yes	Yes	Yes
Easement	ES	No	No	No	No
Height Overlay District	All zones except R-1, R-2, MH, or as listed herein				

ATTACHMENT B

<https://www.oxnard.org/city-department/development-services-4/general-plan-consistency-re-zoning/>

General Plan Consistency Re-Zoning

Introduction

As part of the City's 2030 General Plan update, various changes in zoning are required to bring a parcel zoning into conformance with the General Plan land use designation. The City will be initiating a series of public workshops which are designed to inform the community regarding these upcoming consistency changes.

No development is proposed as part of this program.

Consideration of proposed changes in zoning was evaluated in the previously-certified [2030 General Plan Program Environmental Impact Report \(PEIR\)](#), in accordance with [CEQA Guidelines](#).

Community Meetings

The City will be initiating a series of public workshops during the following months to inform the community regarding proposed "consistency" re-zonings.

[Click here to see view the upcoming community meeting agendas.](#)

Background Information

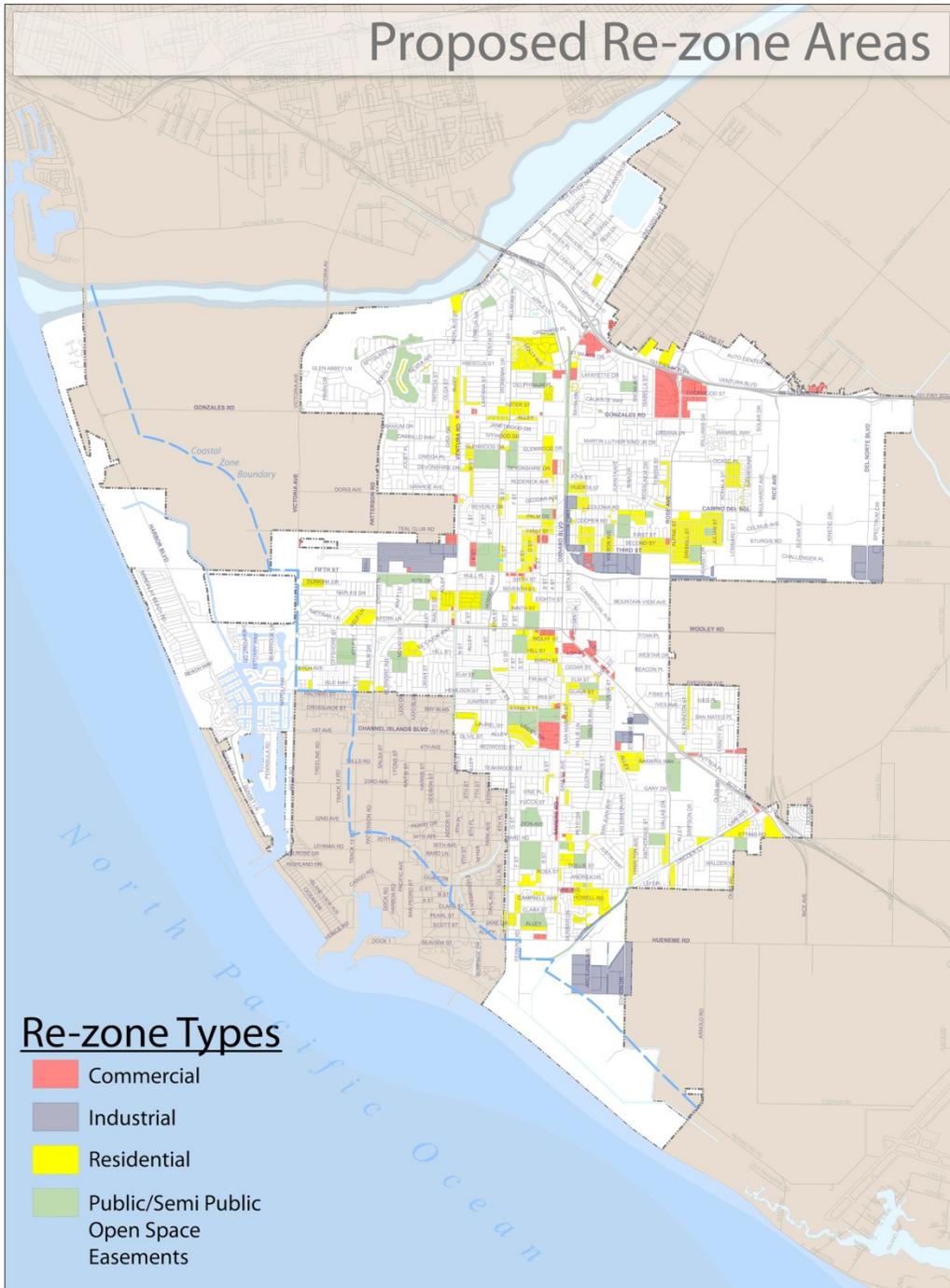
State law requires each county and city to prepare and adopt a comprehensive and long-range general plan for its physical development. The city must ensure that the general plan and its component parts comprise an integrated, internally consistent, and compatible statement of development policies. The choice of the planning horizon is up to each city but is usually at least 20 years. Oxnard's planning horizon is the year 2030.

One of the many things that a general plan does is designate the general distribution and intensity of land uses within the planning area. A comprehensive general plan provides a city with a consistent framework for land use and other decision-making. The general plan and its maps, diagrams, and development policies form the basis for city zoning, subdivision, and public works actions. Under California law, most local government development, public works, and related decisions are required to be consistent with the adopted general plan.

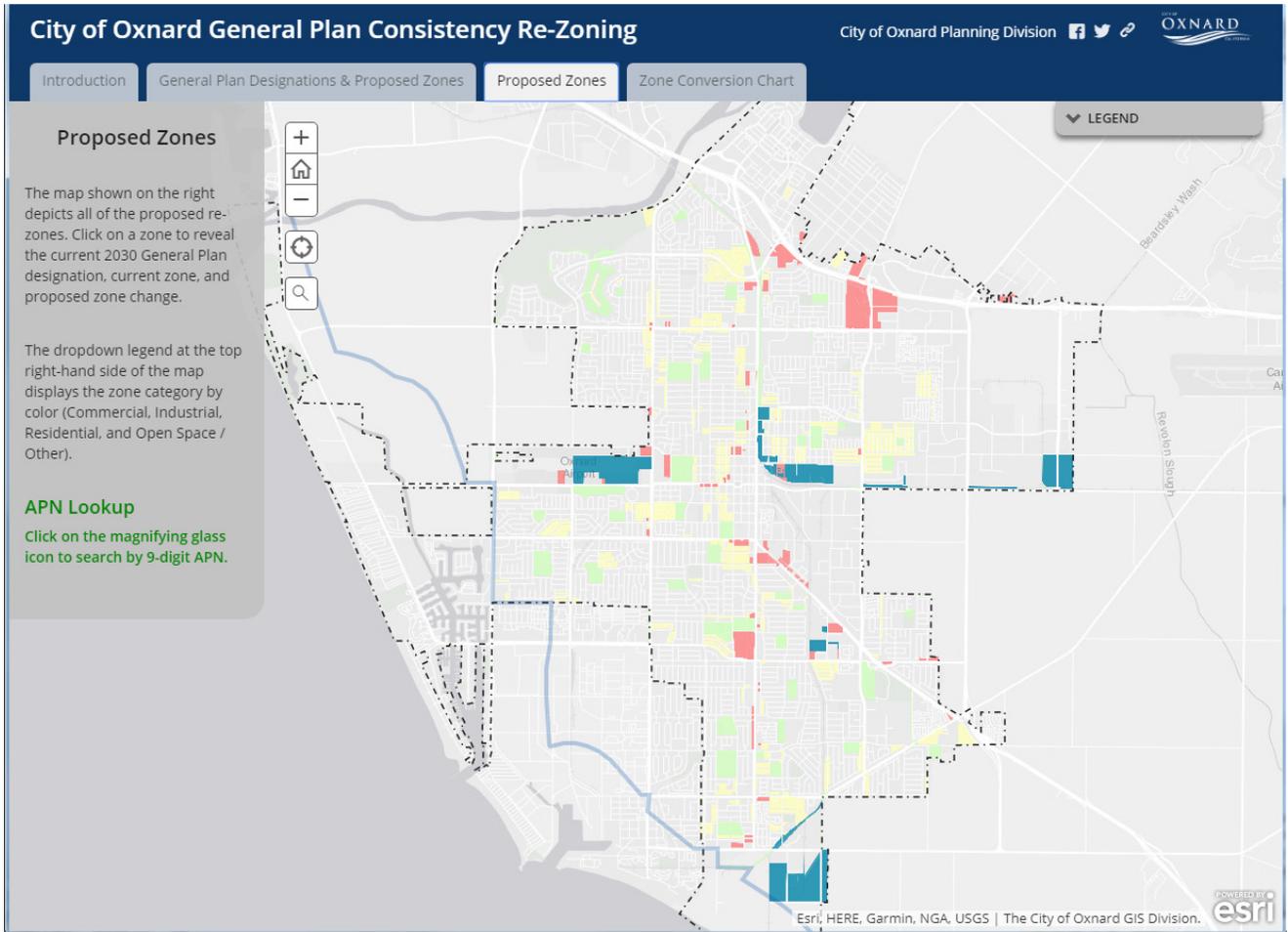
Interactive Map

[An interactive web viewer is available to view the proposed changes.](#)

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Example Pop-Up

Commercial and Industrial ReZone Parcels

APN	203006124
GENERAL PLAN CODE	CG
GENERAL PLAN DESCRIPTION	COMMERCIAL GENERAL
EXISTING ZONE CODE	CPD
EXISTING ZONE DESCRIPTION	COMMERCIAL PLANNED DEVELOPMENT
PROPOSED	C2PD