

Attachment C

Planning Commission Resolution of November 20, 2015

PLANNING COMMISSION RESOLUTION NO. CD-2015-25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL NOT ADOPT A NEW CHAPTER 24.508, "RESIDENTIAL ALLOCATION PROGRAM", OF DIVISION 24 PART 5 OF THE SAN BUENAVENTURA MUNICIPAL CODE ESTABLISHING A RESIDENTIAL ALLOCATION PROGRAM, NOT AMEND THE GENERAL PLAN POLICY TO INCLUDE THE "RESIDENTIAL ALLOCATION PROGRAM", AND RECOMMENDING THAT THE CITY COUNCIL DIRECT STAFF TO REVIEW CHAPTER 24.565, "APPEAL PROCEDURE," OF THE SAN BUENAVENTURA MUNICIPAL CODE TO DETERMINE APPROPRIATE AMENDMENTS NEEDED TO COMPLY WITH EXISTING LAW

PROJECT NO. 10072

CASE NOS. OA-10-15-30881 AND OA-10-15-30876

BE IT RESOLVED by the Planning Commission of the City of San Buenaventura as follows:

SECTION 1: On April 13, 2015, the City Council directed City staff to develop a residential allocation program ("RAP") in order to accomplish the following three objectives:

1. Provide the City Council authority and discretion over the housing types, pace of growth, and quality of residential development.
2. Thoughtful allocation of limited City resources and services, such as water, land, sewer, and transportation, to ensure that high priority residential projects are developed in appropriate areas.
3. Ensure the City's growth includes a range of housing types that accommodate all income levels.

SECTION 2: On June 30, 2015, the City conducted a Community Engagement Meeting for the purpose of soliciting input from all stakeholders, including residents, businesses and developers, on the RAP, including the criteria upon which the allocation of residential units should be based and the process by which the allocations would be granted.

On September 10, 2015, the City conducted a second Community Engagement Meeting to review the draft RAP ordinance with all stakeholders and solicit further comment and suggestions for consideration in the preparation of the final RAP ordinance.

SECTION 3: A duly noticed public hearing was held on November 12, 2015, to consider recommending that the City Council i) repeal the City's Housing Approval Program, codified in San Buenaventura Municipal Code Chapter 24R.115 and approve the proposed RAP ordinance, ii) amend the General Plan to update Chapter 3, entitled, "Our Well Planned and Designed Community" to include the RAP Ordinance as an implementation component of the City's Growth Policy, iii) amend the City's Appeal Procedures contained in Chapter 24.565 of the San Buenaventura Municipal Code, and iv) approve an Addendum to the Certified General Plan Final Environmental Report, EIR-2452 for each of the three aforementioned actions.

SECTION 4: All proceedings having been duly taken as required by law, and upon review of the information contained within the program case file, consideration of the testimony given at the public hearing, as well as other pertinent information, the Planning Commission hereby finds the following:

1. The residential growth rates for the City have been below the growth projections set forth in the City's General Plan, and, therefore, there is no need to regulate the pace of development.

2. The City currently employs a robust residential development review process, commencing with the City Council "check-in" process for recently filed applications, a process implemented during 2014 that allows the City Council to learn about projects early and provide comments; thorough Planning Commission and/or Design Review Committee review and decision process; and the ability of the City Council to appeal decisions by the Planning Commission and/or Design Review regarding residential developments.

3. Issues relating to land use for residential development are more appropriately addressed through amendments to the City's General Plan and issues relating to design standards are more appropriately addressed through amendments to the Zoning Code, and Development Guidelines.

4. Issues of infrastructure and service adequacy for residential development projects are adequately analyzed through the existing CEQA review process.

5. In light of the existing residential development review process and the ability of the City to address residential development land use compatibility, design standards, and infrastructure and service adequacy through legislative and administrative guidelines as well as the CEQA review process, the proposed RAP ordinance is not necessary and only serves to add time and expense to the residential development process.

6. Although, based upon the advice and opinion of the City Attorney, an amendment to the City's appeals process is needed in order to conform with a recently-decided California Court of Appeal decision, and that process should be

undertaken outside the context of the proposed RAP ordinance.

SECTION 5: While the Planning Commission concluded their direction by minute motion at the November 12, 2015 hearing, on the advice of the City Attorney, the Planning Commission reconvened a Special Hearing on November 20, 2015, pursuant to Planning Commission Protocol No. 1.3 – Special Meetings, to adopt their direction by official resolution.

SECTION 6: Based on the above findings, the Planning Commission hereby recommends as follows:

a. that the City Council not adopt a new Chapter 24.508 of Division 24 Part 5 of the Buenaventura Municipal Code establishing a Residential Project Allocation Program;

b. that the City Council not amend the General Plan policy to include the RAP ordinance; and

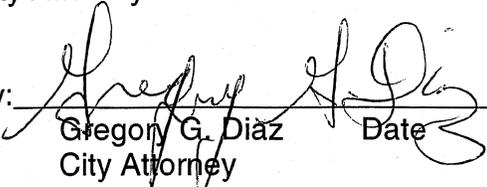
c. that the City Council direct staff to review Chapter 24.565, "Appeal Procedure," of the San Buenaventura municipal code to determine appropriate amendments needed to comply with existing law.

PASSED and ADOPTED this 20th day of November 2015.



Dave Ward, AICP
Planning Manager

APPROVED AS TO FORM
Gregory G. Diaz
City Attorney

By:  Date: 2/11/2016
Gregory G. Diaz
City Attorney

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STATE OF CALIFORNIA)
COUNTY OF VENTURA)SS
CITY OF SAN BUENAVENTURA)

I, Dave Ward, Secretary of the Planning Commission of the City of San Buenaventura, California do hereby certify that the above and foregoing Resolution No. **CD-2015-25** was duly passed and adopted by the Planning Commission of said City at a regular meeting thereof, held on the 20th of November 2015 by the following vote, to with:

AYES: Commissioners Dunbar, Ferrin, Guthrie and Vice Chair Francis and Chair Long

NOES: None

ABSTAIN: None

ABSENT: Commissioners Beck and Farkas

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of February 2016.



Dave Ward, AICP, Secretary
City of San Buenaventura, California