CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Jamie Peltier, Planning Supervisor

DATE: March 5, 2026

SUBJECT: **Project Name: Avalon Homes**; Planning and Zoning Permit Nos. 16-400-02 (Coastal Development Permit) and 16-300-03 (Tentative Map); Property generally at the northeast side of the intersection at Beachcomber Street and Harbor Boulevard bound by West Fifth Street, Harbor Boulevard, Catamaran Street and the Edison Canal (APNs: 196-0-010-275, -225, and -235).

1) Recommendation: That the Planning Commission ("**Commission**"):

a) Adopt a Resolution recommending that the City Council certify Final Environmental Impact Report No. 2016-01 (Governor's Office of Planning and Research State Clearinghouse No. 2016051075); and
b) Adopt a Resolution recommending the City Council approve Planning and Zoning Permit No. 16-300-03 for a Tentative Subdivision Map, subject to certain findings and conditions; and
c) Adopt a Resolution to approve Planning and Zoning Permit No. 16-400-02 for a Coastal Development Permit, subject to certain findings and conditions.

2) Project Description and Applicant: The project is a request to construct a 56 for-sale, market rate, detached, single-family residential dwelling unit development, community park for the proposed residences, preserved open space with a trail for public access, parking lot for the preserved open space area, and subdivision of land on a vacant 38.33-acre property. The subdivision of the property maintains the northern portion Coastal Land Use designation of Resource Protection (RP) as open space (29.58 acres) and southern lots (8.75 acres) as residential in the Coastal Multiple-Family Zone (R-2-C). The 38.33-acre site will be divided into three residential lots (Table 1: Lots 1-3) and seven other lots (Table 1: Lots A-G). The proposed breakdown is as follows that correspond with the attached tentative map:

Table 1: Tentative Tract Map 5888 Areas

Lot/Parcel	Use	Acres
1	40 cluster single family dwelling units	4.12
2	14 cluster single family dwelling units	1.42

Lot/Parcel	Use	Acres
3	2 cluster single family dwelling units	0.19
A	Open Space (resource protected)	27.67
B	Open Space (resource protected)	1.91
C	Parking Area/Drainage	0.14
D	Open Space/Entrance	0.13
E	Community/Recreation Area	0.19
F	Private Street	2.15
G	Open Space/Entrance	0.10

The proposed 56 residential units are clustered in four separate dwelling units sharing a common driveway along a private street. The private street connects to Dunes Street at the north end of the site and to Canal Street at the south site. The open space and parking areas proposed are designed for different uses. Lots A and B (approximately 29 acres) are dedicated protected open space containing a proposed walking trail with controlled access from the parking lot at Beachcomber Street and Dunes Street. Lot E is dedicated as a small community park for residents of the Avalon development, with benches, play area, and garden area.

For the purposes of this Staff Report, the foregoing project description shall be referred to as the **"Project."** Filed by property owner Oxnard Dunes LLC, Mike Marlow, 1015 S. Harbor Boulevard, Oxnard, CA 93035 (the **"Applicant"**).

Please see the reduced Project Plans (Attachment B) for more details.

3) Existing & Surrounding Land Uses: The project site is located on the west side of the City generally surrounded by open space and agriculture within the Coastal Zone between Fifth Street, Wooley Road, Harbor Boulevard, and the Edison Canal. The Oxnard Airport is located east of the site on Fifth Street and the project area is outside of all identified airport restricted protection and safety zones. The project area contains three vacant undeveloped lots identified as Assessor's Parcel Numbers (APNs) 196-0-010-275, -225, and -235. The site is currently made up of sand dune formations, disturbed vegetation, willows, and other vegetation.

The developed neighborhood between Wooley Road, Harbor Boulevard, and Fifth Street is known as the Oxnard Dunes Neighborhood containing single-family, duplexes, and multi-family residential development. Along Wooley Road is the recently completed Shoreline Townhomes project consisting of for-sale attached townhomes. North of Fifth Street at the intersection of Harbor Boulevard and Fifth Street is the North Shore at Mandalay Bay residential subdivision for 292 residential units currently under construction. West of Harbor Boulevard is the Oxnard

Shores community made up of single-family, multi-family, and a small strip commercial shopping center.

The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated on Attachment A.

Table 2: Surrounding Land Use and Zoning

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Residential Existing (REX) and Resource Protection (RP)	RP and Coastal Multiple-Family (R-2-C)	Vacant
North	Residential Existing (REX), Visitor Serving Commercial	Single-Family Beach (R-B-1), Coastal Resource Protection (RP), Coastal Visitor-Serving Commercial (CVC)	Residential Subdivision (north of W Fifth Street)
South	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential Single-Family and Multifamily
East	Coastal Recreation (REC), Agriculture (AG)	Community Reserve (CR), Coastal Recreation (RC), County Agriculture	Edison Canal, Agriculture
West	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential Duplexes

4) Background Information: The subject property is located within the Oxnard Dunes Neighborhood. In 1964, the neighborhood was created by Tract No. 1567-1 establishing 99 lots and public streets, not including the project site. Over the past 60 years, the lots have been independently developed with mostly single and duplex dwelling units with some duplex developments that have been subdivided for condominium purposes. Additionally in 1964, the City Council passed Resolution No. 3349 approving a variance for varying front yard setbacks for the entire tract from 25 feet to not less than 15 feet.

The subject properties have remained vacant but studies for development feasibility began in the mid-1980s while the surrounding Oxnard Dunes Neighborhood was being built out with residential structures. In 2003, a Coastal Development Permit (CDP) application was submitted for 125 single-family residential development and was subsequently withdrawn. In 2011, a CDP application and Tentative Subdivision Map were submitted for 64 detached residential units on approximately 8 acres of the 38-acre site. Ultimately, that project did not move forward and the application was closed by the City.

In 2016, the subject application was submitted for up to 65 residential units with either 15 single-family residences on individual lots or 30 residential duplexes, and two other lots containing 35 single-family residential clustered condominium units on 8.75-acres of the 38-acre

site. The remainder of the property would be preserved as open space and further restored to dune habitat. There were several iterations proposed after the initial submittal in 2016 with different residential unit counts, configuration, and building layouts. Pursuant to the California Environmental Quality Act (CEQA), the project required environmental review and a Draft Environmental Impact Report (EIR) was completed in 2019. The 2019 EIR identified in the project description a version of the project that also proposed front yard setback variances. This version with variances is not being proposed.

As required by CEQA, alternatives of the project were studied to identify the environmentally superior option. During the course of the City reviewing the environmental document and receiving public comments, the proposed project shifted to pursuing an alternative from the environmental document. Alternative 5 from the 2019 environmental document analyzed a 56-unit development with only detached single-family residences for ownership on two lots and still maintaining the open space parcels to the north. This alternative was the selected version to move forward with as the proposed project. After reducing the unit count from 65 to 56 and changing the site design, the modified project plans were resubmitted to the City for review in 2021.

Since the Draft EIR was originally circulated for public review between December 2019 and February 2020, this current 2025 version of the Draft EIR is a recirculated version. The CEQA process began in 2016 and the first version was circulated in December 2019. The purpose of this recirculation is to provide an update of existing conditions and to the City and State CEQA regulations that may have changed since preparation of the 2016 Draft EIR. This also analyzes if there are new or potentially more severe impacts as a result of changes to existing conditions or new circumstances.

The proposal for 56 detached single-family units with no attached units is the project for consideration. Further background is discussed in the Environmental Determination section below.

5) Environmental Determination: Pursuant to CEQA Section 15060, the City of Oxnard as the Lead Agency, has prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2016051075) in accordance with the requirements of the CEQA (Public resources Code § 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The EIR identifies and discusses the project's potential impacts on the environment, mitigation measures, monitoring requirements, and residual impacts for identified subject areas.

The City prepared an Initial Study and an EIR Notice of Preparation (NOP) and distributed the NOP for agency and public review for a 30-day review period between May 27, 2016 and June 27, 2016, in which the City received 20 comment letters. A public EIR scoping meeting was held on June 13, 2016, in the City of Oxnard's Community Room at 300 West Third Street.

The Draft EIR was originally circulated for public review between December 2019 and February

2020. This current version of the Draft EIR is a recirculated version of the original. The purpose of this recirculation is to provide an update of existing conditions and regulations that may have changed since preparation of the 2016 Draft EIR and analyze if there are new or potentially more severe impacts as a result of changes to existing conditions or new circumstances. This Recirculated Draft EIR also includes minor edits and updates in response to public comments received on the Draft EIR during the December 2019 circulation.

Since the circulation of this Draft EIR, the City of Oxnard CEQA Guidelines were updated in 2017 and the State CEQA Guidelines underwent an update in 2019 which added resource sections for energy and wildfire. The State CEQA Guidelines also revised transportation thresholds to be related to vehicle miles traveled in lieu of the level of service standards. This Recirculated Draft EIR includes a revised analysis consistent with the 2017 City of Oxnard CEQA Guidelines and the current State CEQA Guidelines. The City adopted new CEQA Guidelines in December 2024. However, preparation of this recirculated Draft EIR began earlier in 2024, prior to the adoption of the new CEQA Guidelines in December 2024. For this reason, the 2017 City of Oxnard CEQA Guidelines are used in this EIR, which were in effect prior to December 2024.

The Recirculated Draft EIR was circulated for 45-days beginning on August 7, 2025 and ending on September 21, 2025. The City of Oxnard received eight comment letters on the Recirculated Draft EIR. Comment letters and responses are included in the Final EIR.

Based on the analysis in the EIR, the Avalon Homes Project would result in one Class I significant and unavoidable impacts, Class II less than significant impacts with mitigation measures incorporated, and Class III less than significant impacts and do not need mitigation. The Transportation section has identified a Class I impact because the project increases vehicle miles traveled (VMT) per capita over the threshold, which cannot be mitigated. However, a mitigation is proposed for the Transportation section. The EIR identified mitigation measures that are incorporated for the following sections: Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Noise, and Transportation.

CEQA Section 21081 and the State CEQA Guidelines require that a public agency make specific findings before a project is approved if the project involves Class I significant and unavoidable environmental impacts. These findings are required to include consideration of benefits of the project such as economic, legal, social, technological or other benefits that may outweigh the potential significant effects on the environment. As discussed above, the project would result in transportation significant impacts which, even after application of feasible mitigation, cannot be mitigated to a less than significant level and therefore remain significant and unavoidable.

The Draft EIR analyzed the VMT for 65 residential units using the threshold of significance if the project exceeds 15% below the Ventura County Existing VMT for home-based VMT per capita. The existing county VMT plus the project VMT per capita is forecasted to exceed the CEQA threshold causing a significant impact. The Avalon Homes project regardless of 65 or 56 residential units would result in adding units in an area that already exceeds the VMT threshold;

therefore will always be considered as a significant impact until other mechanisms are in place to reduce VMT for this area.

Accordingly, Findings and a Statement of Overriding Considerations (SOC) were prepared pursuant to the CEQA and are included within the resolution of approval for Avalon Homes. State law stipulates that approval of the findings and SOC are not required until action is taken on a project.

The following statements specify the reasons why, in the City's judgment, the benefits of the project outweigh its unavoidable environmental risks. The City also finds that any one of the following reasons for approval is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the City Findings and the benefits described can be found in the Record of Proceedings.

The following statements specify the reasons why the benefits of the project outweigh its unavoidable potential risk:

- The project would provide a responsible and balanced public access framework that allows for community enjoyment of the open space area, while preserving and protecting sensitive habitat areas.
- Restore, protect, and improve native dune plant communities, habitat, and vegetation.
- Ensure the open space area remains safe by establishing security and maintenance processes and protocols.
- Complete this portion of the Oxnard Dunes Neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan; and the ability for efficiently providing municipal services.
- Comply with Local Coastal Plan (LCP) policies and provide a buffer to agricultural lands to the east.
- The project would provide on-site habitat mitigation for any sensitive areas disturbed within the R-2-C area of the property.
- Ensure that proposed development and land use conserve energy and natural resources.
- Provide for compatibility with existing residential uses in the area through effective and appropriate urban and architectural design.
- The project would create recreational opportunities for citizens of Oxnard.
- The addition of residential units to the City of Oxnard will make a substantial contribution toward attainment of community housing goals.

A discussion of the public benefits associated with the project is detailed in the Findings and Statement of Overriding Considerations. The Final EIR includes a Mitigation Monitoring and Reporting Program (Attachment H - Exhibit 2) that details the process to implement the required mitigation measures.

Therefore, staff recommends that the Planning Commission recommend that the City Council certify that: (1) the final EIR has been completed in compliance with CEQA; (2) The final EIR

was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; (3) the final EIR reflects the lead agency‘s independent judgment and analysis; (4) adopt the Findings; (5) adopt the Mitigation Monitoring and Reporting Program; (6) adopt the Statement of Overriding Considerations; and (7) certify the EIR.

6) Analysis:

a) General Discussion: The proposed project requires a CDP because the project meets the definition of appealable development (Cal. Pub. Res. Code, Section 30603(2)), which includes a subdivision within 100 feet of a wetland and within 300 feet of the inland extent of the sea (Edison Canal). The final action on the CDP made by the City may be appealed to the California Coastal Commission. A Tentative Map is required for the subdivision. CDPs are reviewed by the Planning Commission (Section 17-58) and are the final decision maker for the CDP. The Tentative Map is recommended by the Planning Commission to the City Council for final action (Section 15-40).

b) General Plan and Local Coastal Program (LCP) Consistency: The project site has a 2030 General Plan and Coastal Plan land use designation of Residential Existing (REX) and Resource Protection area (RP). The proposed uses of the site are single-family residential and preserved open space on existing lots of record consistent with the density indicated by the land use designation, zoning, and the surrounding development; therefore, the project is consistent with the City's 2030 General Plan (Attachment D).

In addition to meeting the 2030 General Plan policies, the proposed development is subject to the Coastal Act and Local Coastal Plan (LCP). The Coastal Act contains policies to address public access, recreation, marine environment, land resources, new development, and industrial development. The LCP is the City’s tool to ensure the new development is consistent with the Coastal Act. The Project meets the standards of the LCP and the policies of the Coastal Act (Attachment D).

c) Conformance with Zoning Development Standards: The proposed Project complies with the above Coastal Act and LCP policies and, as shown below, the Project is fully consistent with the development standards of the Coastal Multiple-Family (R-2-C) zone, which implements the above LCP policies.

Table 3: R-2-C Standards

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Max. building height 17-13(D)(1)	2 stories, 25 feet max.	24 feet	YES
Minimum Lot Area 17-13(D)(2)	3,500 square feet per dwelling unit	56 dwelling units/38.3 gross acres (1.5 dwelling units/ acre)	YES

Lot Width 17-13(D)(3)	50 feet	Lot 1 - 683 feet Lot 2 - 350 ft Lot 3 - 88 feet	YES
Interior Yard Space 17-13(D)(4)	25% of lot area; minimum dimension of 15 feet	29.58 acres resource protected open space; 8,276 square feet community park, and 1,000-1,135 square feet of private yard space per unit Lots 1, 2, and 3 - 30%	YES
Front Yard Setback 17-13(D)(5)	20 feet	20 feet	YES
Rear Yard Setback 17-13(D)(6)	25 feet	25 feet	YES
Side Yard Setback 17-13(D)(7)	5 feet	5 feet Approximately 8-10 feet between each unit	YES
Building Lot Coverage	Not to exceed 60%	79,498 square feet 4%	YES
Off Street Parking 16-622(F)	2 garage spaces per unit	2 garage spaces per unit 121 other open parking spaces	YES

d) Site Design: The proposed site design consists of two major components: residential development and open space. The project includes a tentative map to subdivide the 38.33-acre site into three lots dedicated to the 56-unit residential development and six other lots used as open space, parking, access, and the private street. The project is designed based on the existing zoning, neighborhood framework, and physical conditions of the subject project site.

The existing 38.33-acre project site contains elevations that range from approximately 11 to 24 feet above mean sea level. The northern portion of the project site encompasses larger sand dunes and associated back dune depressions. Moving towards the southern portion of the project site, the project area levels out and is mostly flat.

The subject project sites are zoned R-2-C and RP and the uses of the proposed project are consistent with the existing zoning. Proposed Parcels A and B (Table 1) that make up the northern portion of the project site are designated as resource protected and proposed as preserved open space. The proposal includes minor improvements for a walking loop, ADA accessible walking path, a small parking lot at the corner of Harbor Boulevard and Beachcomber Street, and security gating for controlled access. Proposed Lots 1, 2, and 3 (Table 1) that would make up the flatter southern portion of the site are currently zoned and designated for residential use. The proposed 56 single-family residences and associated

streets, landscaping, and utility infrastructure would be located entirely within these southern lots.

The proposed residential development aligns with the existing street network of the Dunes Community by connecting the development's private street to Canal Street and Dunes Street and extending the sidewalk connectivity and streetscape. The 56 detached single-family dwelling units are clustered among 2-4 units each sharing one vehicular driveway that split into the individual unit's 2-car garage. This configuration allows for the proposed number of residential units to remain within a more compact footprint, which preserves the resource protected open space area to the north with minimal disturbance.

While the zoning and proposed uses are consistent, the entirety of the project area contains biological resources and environmentally sensitive habitat area (ESHA). The Avalon Homes property is referenced as the "Northern Dunes Area" of the Oxnard Coastal Zone Area in the current Coastal Land Use Plan (LUP) (Oxnard 1982: Map No. 3). The LUP also describes sensitive habitats as including "Dunes" and "Riparian Habitat," which includes dense growths of willows (Oxnard 1982:pages III-8 through III-10). Five areas of dunes are described and mapped in the current LUP (Oxnard 1982:page III-8 and Map 7). A biological assessment was conducted and several sensitive biological resources have been mapped within the project site including willow thicket and mock heather scrub, and other species that have the potential to occur near, on, and in the vicinity like the globose dune beetle, southern California legless lizard, and the yellow warbler.

The Oxnard Local Coastal Program requires the protection of ESHA, such as the sand dune habitat found on the open space parcel to the north, against any significant disruption of habitat values. Section 30240b of the Coastal Act and incorporated into the LUP requires that development adjacent to ESHA is sited and designed to prevent impacts that would significantly degrade ESHA and to be compatible with the continuance of the habitat areas. Proposed project development would occur in an area of the site that does not contain this mapped dune habitat. These northern parcels are identified as areas for restoration that would offset any adverse impacts from the site design of the minor development within the open space and the residential development.

The Coastal Land Use Plan also requires a buffer of 100 feet to be provided adjacent to resource protection areas. The buffer may be reduced to a minimum of 50 feet only if it can be demonstrated the large buffer is unnecessary to protect the resources of the habitat area. Along the northern portion of the development, the proposed private street would occupy a width of 46 feet between the nearest residential lots and the boundary of the RP designated land. A narrow (2-foot wide) strip along its northern edge would have a split rail fence, and a retaining wall would be used to minimize the extent of fill necessary along the northern edge. This design is proposed to help minimize the extent of encroachment into the willow thickets that occur north of the proposed street. The residential lots on the southern side of the street would have front yard setbacks of 10 feet for houses and 20-feet for garages. Thus, the total horizontal distance from structures to the edge of the RP boundary and preserved ESHA would range from 56 to 66 feet. The biological assessment and EIR identified the proposed

location as a feasible and lesser environmentally damaging alternative. The EIR provided mitigation measures for pre-construction botanical survey, biological monitoring, protection and restoration of the RP designated area, re-vegetation plan with 4:1 ratio, and consultation with regulatory agencies.

The proposed development adjacent to ESHA is sited and designed to reduce significant biological impacts by locating it close to the existing developed Dunes Neighborhood. The development is compatible with the continuance of such habitat areas as the RP area remains protected and the mitigation measures incorporated as conditions of approval will further restore the northern part of the project site.

Overall, the site design for the 56 unit residential development was heavily influenced by maintaining the natural resources to the maximum extent feasible. After analyzing several options and completing the environmental review, the southern portion of the site identified for the residential neighborhood is the most compatible design that meets the General Plan and LCP.

f) Circulation and Parking: To access the residential development, one 56-foot wide private street (Canal Street) is proposed connecting to the existing public streets at Beachcomber Street/Dunes Street and the Canal Street deadend. The street will contain a 10-foot parkway on each side, 8 feet of parking on one side, and approximately 28 feet for travel lanes and Fire Department apparatus access. The public open space walking path will be accessed by a 15-foot driveway to a parking lot at the corner of Beachcomber Street and Harbor Boulevard. The project site for vehicles and bicycles is served by the existing network of streets that connect to the major arterials, Harbor Boulevard and Wooley Road. The circulation is consistent with the Dunes Neighborhood and provides sufficient connectivity to existing streets for future residents and the Fire Department.

To access the dedicated open space, a 15-foot wide driveway is proposed off of Beachcomber Street near the corner of Harbor Boulevard. The open space provides a parking lot with approximately 10 parking stalls, which allows opportunities for public recreation within the coastal zone. The parking lot for the open space trails is subject to dawn to dusk hours of operation consistent with City parks.

Vehicular access to each of the 56 single family dwelling units is via one 26-foot wide driveway approach per cluster of residences. The driveway aprons are consistent with the City's design and construction standards. The project meets the minimum parking requirement of a 2-car garage for each unit and one visitor space per unit which need not be covered for the first 30 units; after the 31st unit, 0.5 visitor space per unit for a total of 155 spaces. The project provides a two-car garage for each residential dwelling unit and throughout the project area for the residential component there are a total of 61 visitor parking spaces. The visitor parking spaces can be found on the proposed private street on-street between driveways, within a visitor parking lot, and the community park area. In total, the proposed project provides 172 parking spaces meeting Section 16-622 off-street parking requirements.

g) Building Design: The proposed two-story residences are designed to be approximately 8-10 feet apart and will share a driveway. Each will have their own yard space of about 1,000 square feet for the four single-family unit clusters. There is generally one architectural design and four styles that alternate between each unit in the cluster of four. The architecture is contemporary modern and the four design styles provide similar architectural elements, colors, and materials that complement and tie them together, but also establish differentiation in the subdivision that avoids monotonous repetition among the cluster of single-family dwellings.

Designs #1 and #2 are the two middle units in the cluster of four. There are two primary finish materials for these design styles. The predominant finish will be stucco and secondary horizontal plank siding. The color palette includes neutral tones of blue, sand, and gray with white, black, and teal blue accent colors on the trim and horizontal siding around the windows and frontage. The second floor patio railings will be black. The residences will be approximately 24 feet in height with a flat roof that also includes a roof deck in the total height. In Design #2, the color palette is only difference between #1. This proposed color palette is made up of grays and browns with green as the accent color on the horizontal siding.

Designs #3 and #4 are the two end units in the cluster of four. The proposed design style is a combination pitched roof and flat roof. Design #3 incorporates gray stucco and brick red horizontal siding with white accents. Design #4 utilizes the same massing and roofline and changes the color palette to brown/gray and brown horizontal siding.

The designs of the single-family homes will produce a desirable character that remains compatible with the surrounding Oxnard Dunes Neighborhood single-family residences and duplexes.

h) Inclusionary Housing: The Inclusionary Housing Ordinance 2980 allows a developer to request an in-lieu fee payment be made rather than providing 10% of the total number of dwelling units at an affordable lower income cost. The in-lieu fee would be available to the City for additional affordable housing units anywhere within the city. Through a Pre-Application process, the City Council has the ability to comment on the Affordable Housing In-Lieu Fee option and if it is appropriate for the formal project review and final action.

After selecting the alternative version of the project for 56 units in 2019, a Pre-application requesting affordable housing in-lieu fee was submitted in 2020 for an estimated $2,016,000 payment instead of constructing six affordable units. The estimated fee was calculated at the time of the Pre-Application and is subject to change when the project receives building permits. The City Council reviewed the report at the July 20, 2021 City Council meeting and discussed several topics including the allocation of funds to other affordable housing projects, equitability of affordable housing within the Dunes Neighborhood, and the in-lieu fee conditions of approval requirement.

Generally, the City Council did not object to the in-lieu fee. There were comments regarding affordability within the coastal zone and Council members expressed concern about providing opportunities equitably for low-income units throughout the city including near the coast. However, there was acknowledgement that the in-lieu fee can be allocated towards a higher quantity of residential units rather than limited to the six units from this proposed project. After the City Council meeting, the intent was to move forward with the Affordable Housing In-Lieu Fee. The City Council was precluded from taking a vote on the Pre-Application because it was a report item that was received and filed.

The recommended Resolution includes a condition of approval for allowing the payment of the affordable housing in-lieu fee with building permits in place of providing them onsite. The Affordable Housing In-Lieu fee is calculated at the time of building permit issuance based on the adopted fee schedule. Currently, the fee as of July 18, 2025 per Single Family dwelling unit is $43,808.91 and subject to change once the project is ready for building permits.

7) Development Advisory Committee (DAC): The DAC reviewed the 56-unit project on October 13, 2021, April 13, 2022, and April 26, 2023. The DAC previously reviewed the 65-unit project and provided comments on the development and subdivision. Overall, the changes based on the comments have been made and the project received conditions of approval to ensure consistency with the City's policies and code requirements.

8) Community Workshop: The project site is located within the Dunes Neighborhood. On April 17, 2023, the project was presented to the public during a Community Workshop meeting. A notice of this meeting was posted on the Project site with a brief description and contact information. Prior to the meeting, there were 15 public comments received related to the timing of construction, construction impacts, gating the community, public access to the open space, impacts to biological resources, and traffic. During the Community Workshop, several members of the public asked questions regarding the ownership of the development, homeless population near the Edison Canal, impacts of the Oxnard Airport, and noise and vibration concerns. The applicant and staff responded to the questions and indicated that the project will be scheduled for a Planning Commission and City Council meeting where there would be additional opportunities to provide public comments.

9) Noticing and Public Comments:
The Planning Commission Hearing was advertised in the newspaper with an on-site posting, and by mail to property owners within 300 feet of the project site and residents within 100 feet of the project site consistent with public noticing requirements. Planning Staff received comments on the Draft EIR but has not received any comments or inquiry from the general public regarding the proposed project after the Community Workshop.

10) Appeal Procedure: In accordance with Section 17-58(J) of the City Code, the Planning Commission's action may be appealed to the City Council within 10 working days after the decision is made. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 10 working days of the Planning Commission's decision, the decision of the

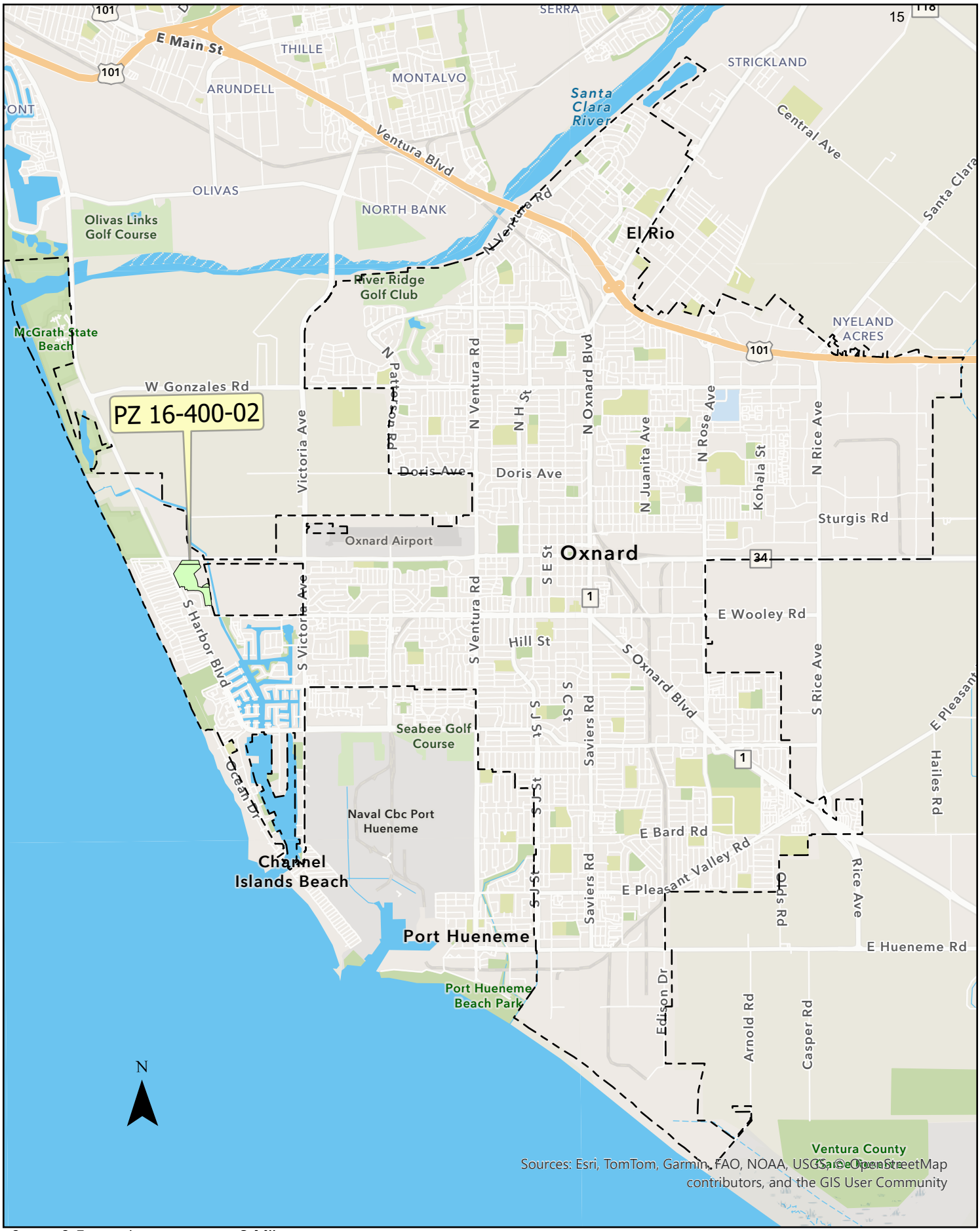
Planning Commission shall be considered final and a Notice of Final Action shall be filed on the 11th working day with the Coastal Commission. The decision of the Planning Commission on the Tentative Map and EIR are a recommendation to the City Council.

Attachments:

A. Maps (Vicinity, Aerial, General Plan, Zoning)
B. Architectural and Landscape Plans
C. Tentative Map Plans
D. General Plan and LCP Consistency Tables
E. Final EIR
F. Resolution (PZ 16-400-02 Coastal Development Permit)
G. Draft Resolution (PZ 16-300-03 Tentative Map)
H. Draft Resolution (EIR No. 2016-01)
I. Staff Presentation

ATTACHMENT A

MAPS
(VICINITY, GENERAL PLAN, ZONING, AERIAL)



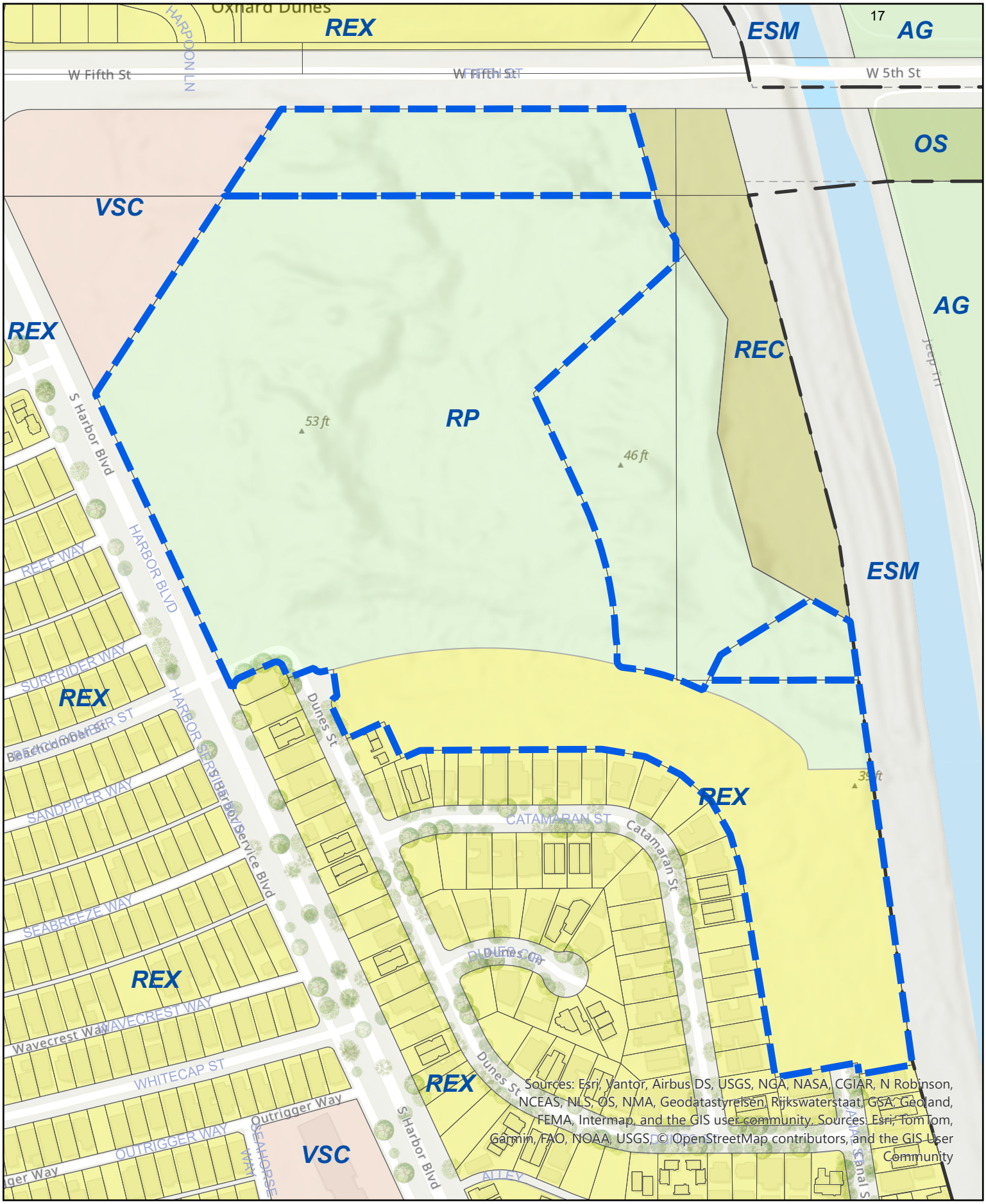
Vicinity Map

PZ 16-400-02

0 130 260 520 Feet

Aerial Map

PZ 16-400-02

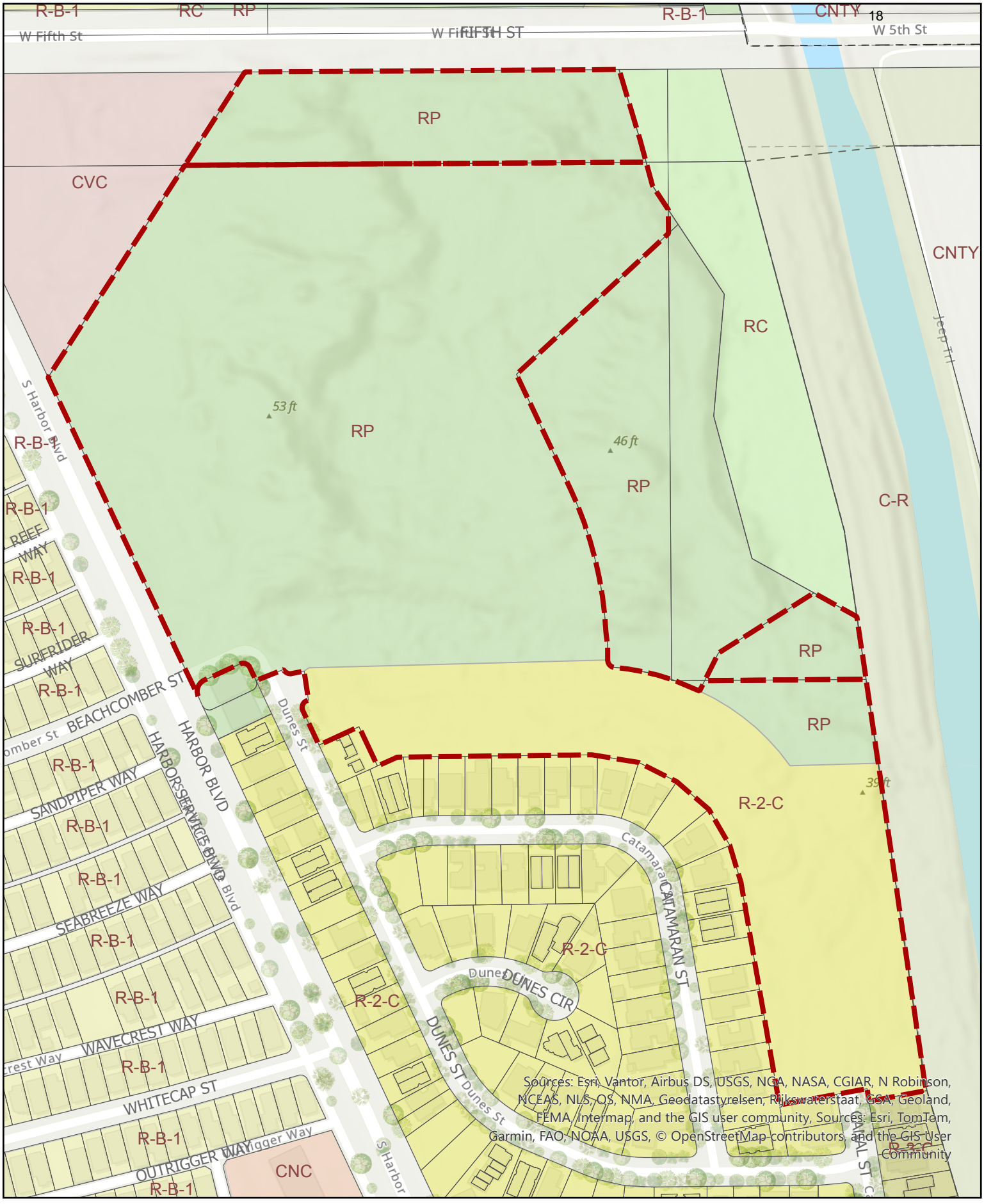


0 115 230 460 Feet

N

General Plan 2030 Map

PZ 16-400-02



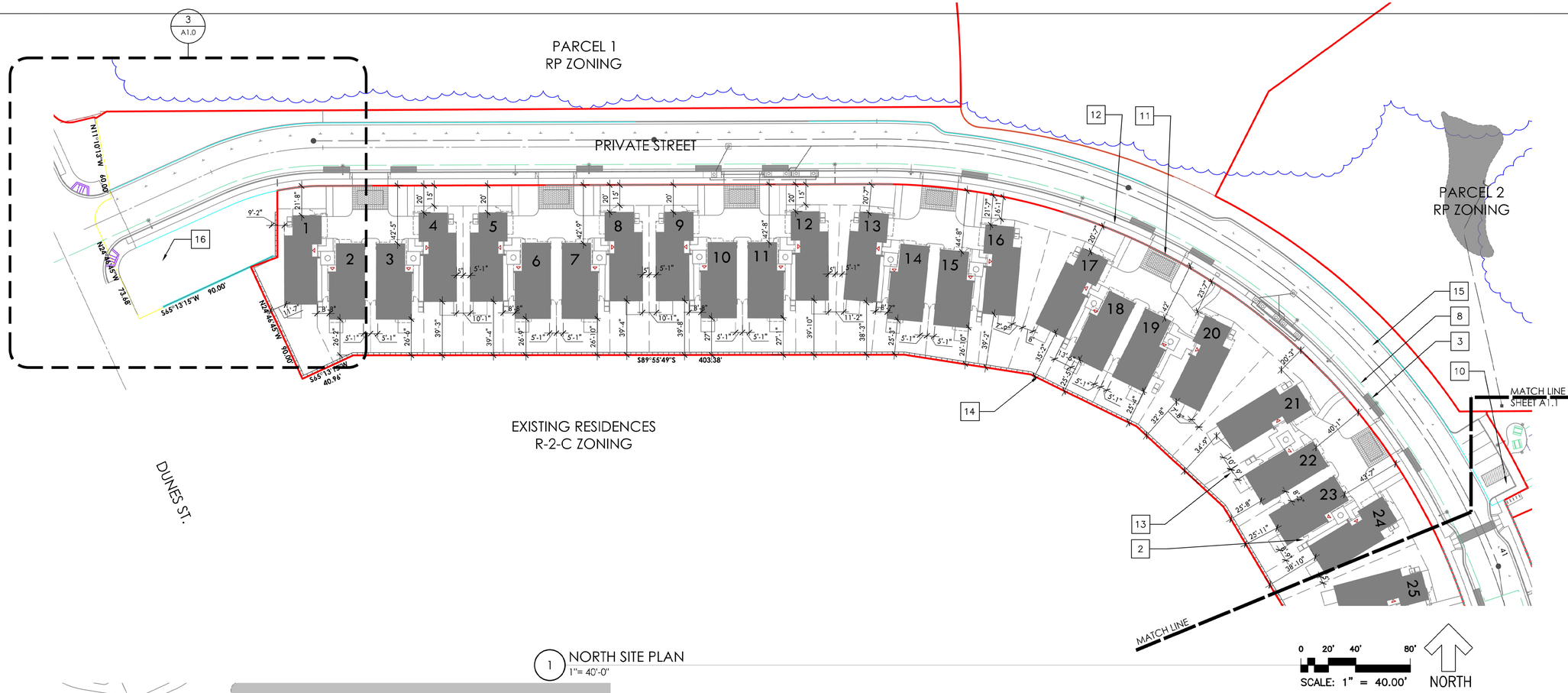
0 0.02 0.04 0.09 Miles

Zoning Map

PZ 16-400-02

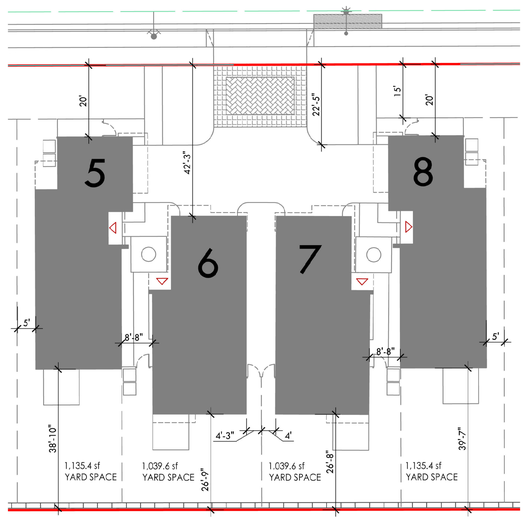
ATTACHMENT B

Architectural and Landscape Plans



1 NORTH SITE PLAN
1"= 40'-0"

3 WEST ENTRY
1"= 40'-0"



2 Typical Plot Layout
1"= 20'-0"

KEY NOTES

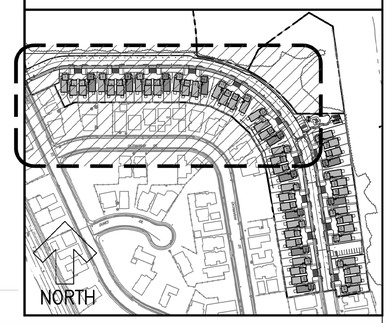
1. MAIL BOX KIOSK, UNIT TO BE APPROVED BY THE POST MASTER. PROVIDE WHITE PAINTED CURB IN FRONT OF BOXES FOR LOADING /UNLOADING
2. 42" HIGH, WROUGHT IRON VERTICAL GATE AND FENCE
3. AREA FOR TRASH CONTAINERS
4. EXTENTS OF WALL ABOVE
5. EXTERIOR COLUMNS
6. WROUGHT IRON GATE ENTRY
7. DASHED LINES INDICATES REQUIRED SETBACKS
8. 5' CONCRETE SIDEWALK
9. 3" THICK PAINTED PARKING STALL STRIPPING, PER CITY OF OXNARD STDS, TYP FOR EVERY STALL
10. ADA ACCESSIBLE PARKING STALLS
11. PRIVATE DRIVEWAY, CONCRETE PERMEABLE PAVERS, PER LANDSCAPE PLANS
12. 4' WIDE MIN. CONCRETE STEPPING STONES, PER LANDSCAPE PLANS
13. OUTDOOR OPEN SPACE, TURF AND HARDSCAPE AREA PER LANDSCAPE PLANS
14. 6' HIGH, MASONRY FENCE
15. 8' x 23' PARALLEL VISITOR PARKING SPACES, STRIPED PER CITY OF OXNARD STDS
16. BIOSWALE PER CIVIL PLANS

PROJECT DATA

ASSESSORS PARCEL NUMBER:	196-001-022; 196-001-023; 196-001-027
PROJECT ADDRESS	T.B.D. (Southeast corner of Harbor Blvd. & W. Fifth St.)
ZONING	R-2-C, Coastal Low Density Multiple Family R-P, Coastal Resource Protection

KEY SITE PLAN

NTS



COASTAL ARCHITECTS
1567 SPINNAKER DRIVE, SUITE 204 VENTURA CA 93030 www.CoastalArch.com TEL: 805.985.7654
LICENSED ARCHITECT JEFFREY B. ZOOK No. C27551 Ren.07/31/23 STATE OF CALIFORNIA
ARCHITECT: JEFF ZOOK EMAIL: jeff@coastalarch.com
PRINCIPAL PLANNER: MIKE SANCHEZ EMAIL: mike@coastalarch.com

CLIENT: MIKE MARLOW

AVALON DEVELOPMENT

RESIDENTIAL DEVELOPMENT
HARBOR BVLD / OXNARD SHORES CA

Sheet Title: NORTH SITE PLAN

Sheet No: A1.0

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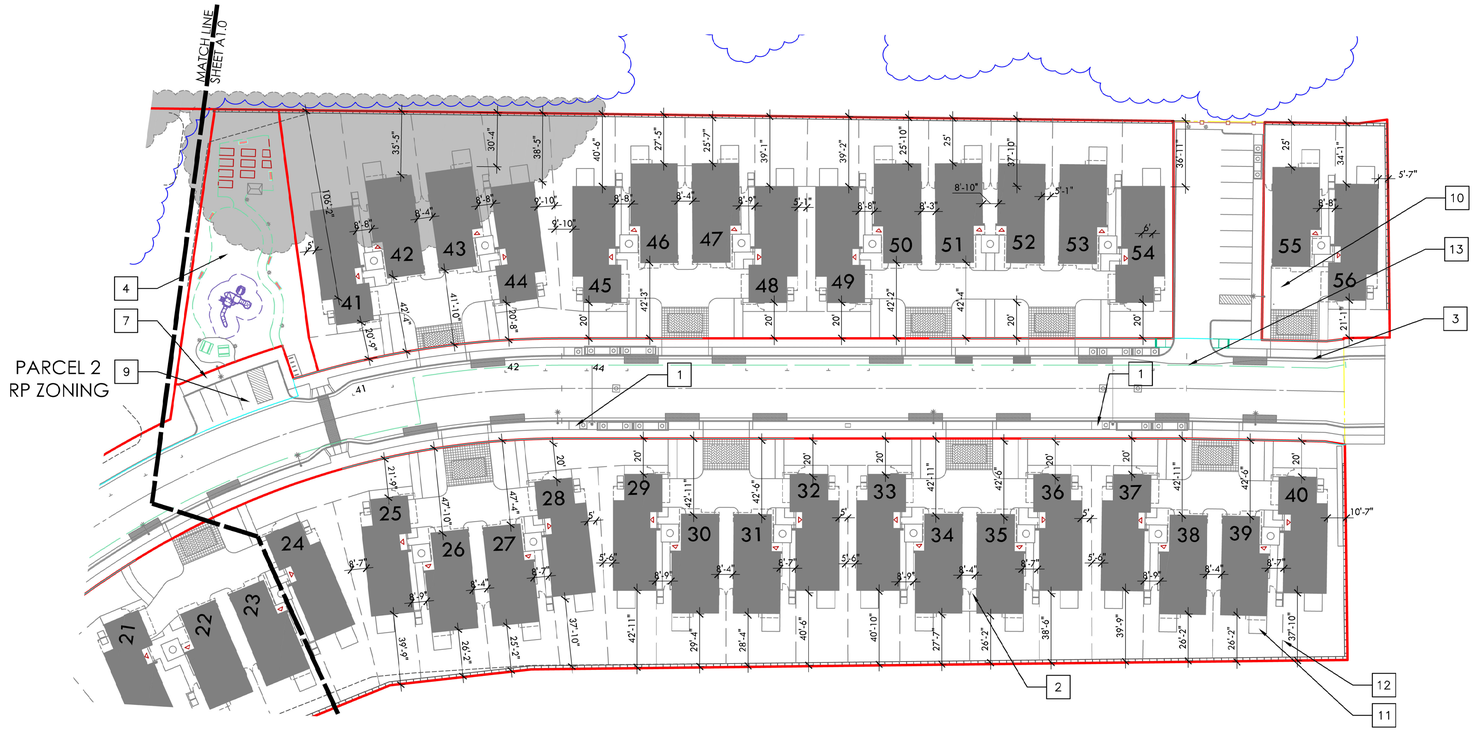


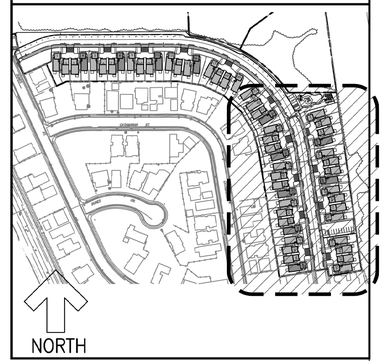
1 EAST SITE PLAN
1"=40'

0 20' 40' 80'
SCALE: 1" = 40.00'
NORTH

KEY NOTES

1. MAIL BOX KIOSK, UNIT TO BE APPROVED BY THE POST MASTER. PROVIDE WHITE PAINTED CURB IN FRONT OF BOXES FOR LOADING /UNLOADING
2. 42" WIDE, WROUGHT IRON VERTICAL GATE AND FENCE
3. AREA FOR TRASH CONTAINERS
4. LANDSCAPE AREA PER LANDSCAPE PLAN
5. WROUGHT IRON GATE ENTRY, EMERGENCY ACCESS
6. DASHED LINES INDICATES REQUIRED SETBACKS
7. 5' CONCRETE SIDEWALK
8. 3" THICK PAINTED PARKING STALL STRIPPING, PER CITY OF OXNARD STDS, TYP FOR EVERY STALL
9. ADA ACCESSIBLE PARKING STALLS
10. PRIVATE DRIVEWAY, CONCRETE PERMEABLE PAVERS, PER LANDSCAPE PLANS
11. OUTDOOR OPEN SPACE, TURF AND HARDSCAPE AREA PER LANDSCAPE PLANS
12. 6' HIGH, MASONRY FENCE
13. 8' x 23' PARALLEL VISITOR PARKING SPACES, STRIPED PER CITY OF OXNARD STDS

KEY SITE PLAN NTS



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CLIENT: MIKE MARLOW

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Sheet Title: EAST SITE PLAN

Sheet No: A1.1

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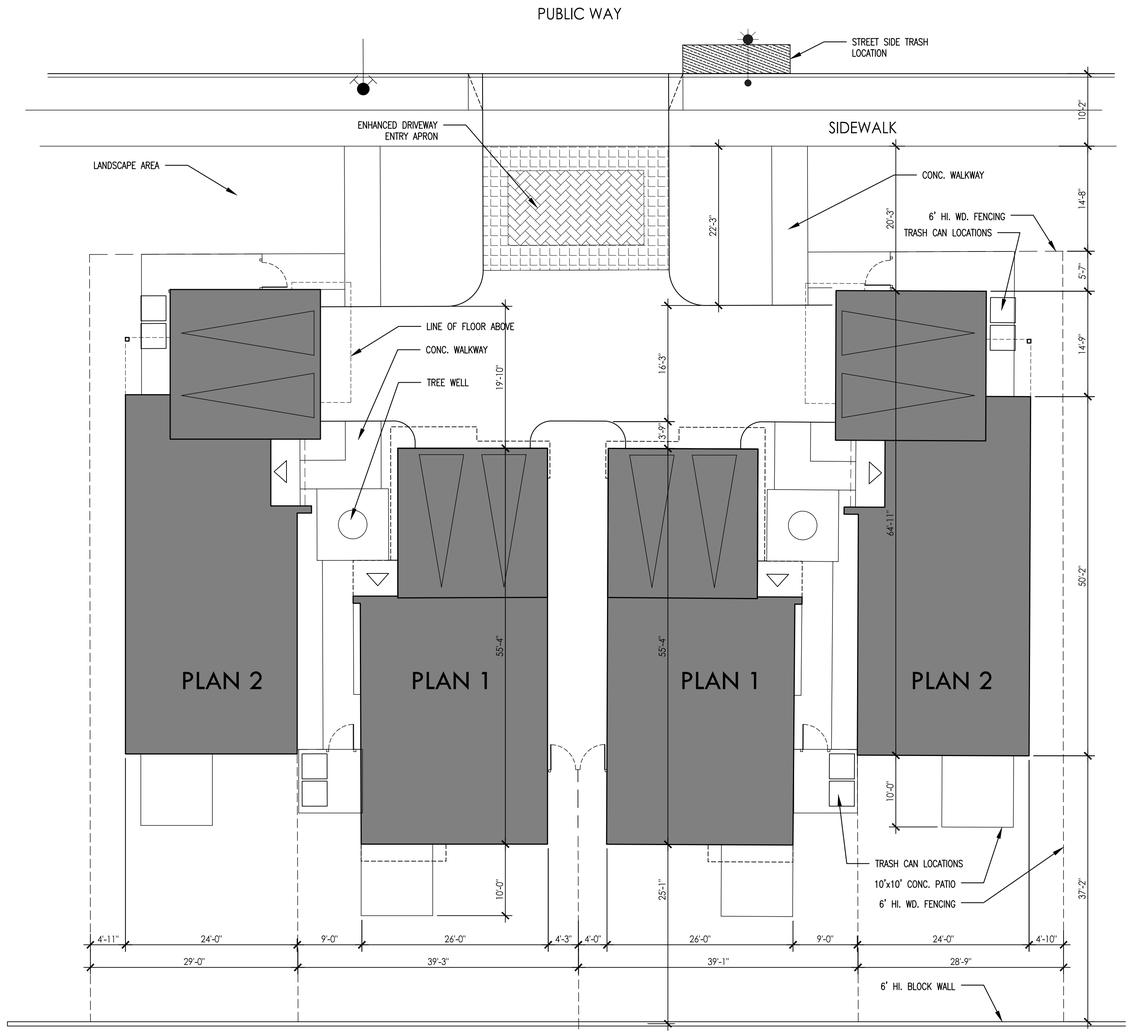

PARTIAL SITE PLAN

1"=10.00'

0 5' 10' 20'

1" = 10'-0"

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CLIENT: MIKE MARLOW

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Sheet Title: SITE PLAN

Sheet No: A2.0

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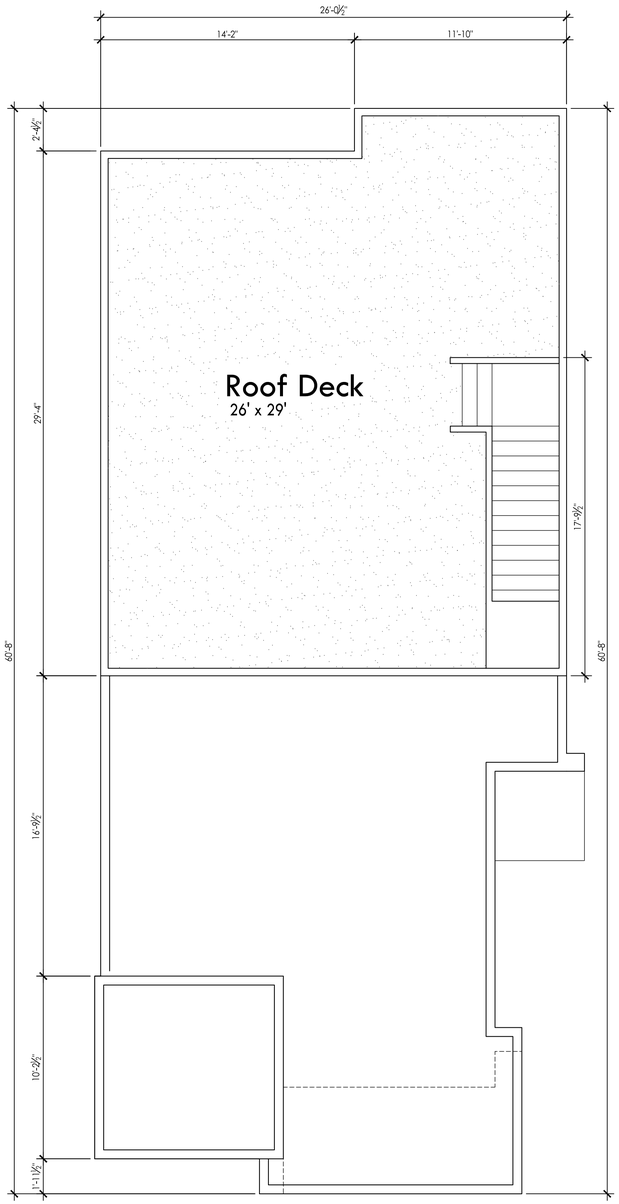
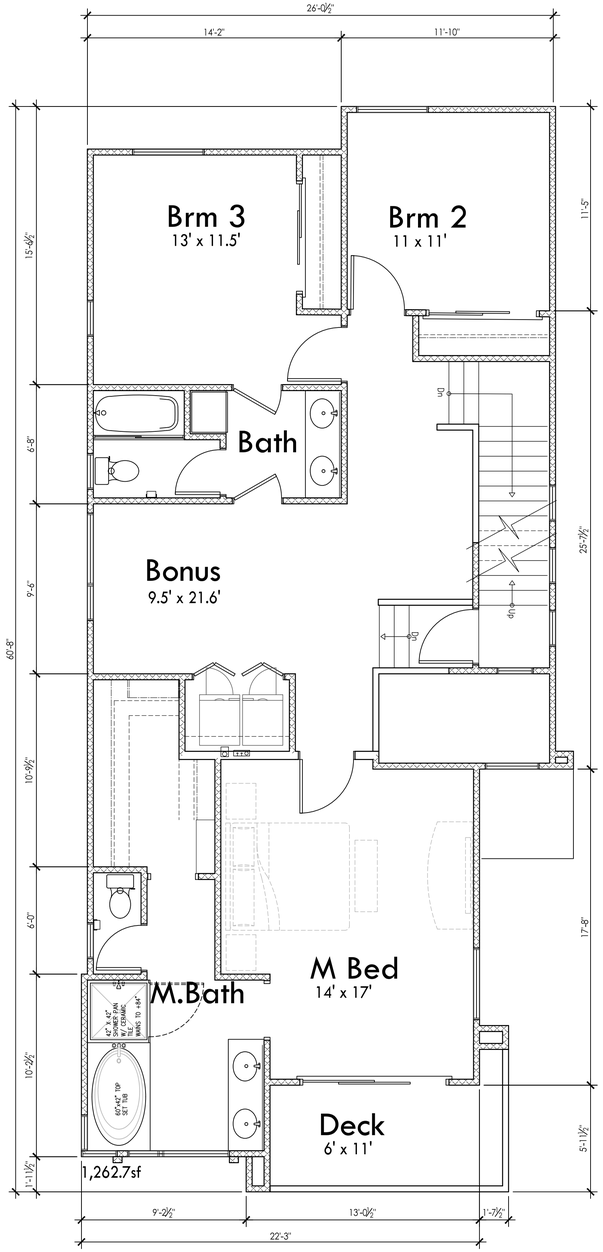


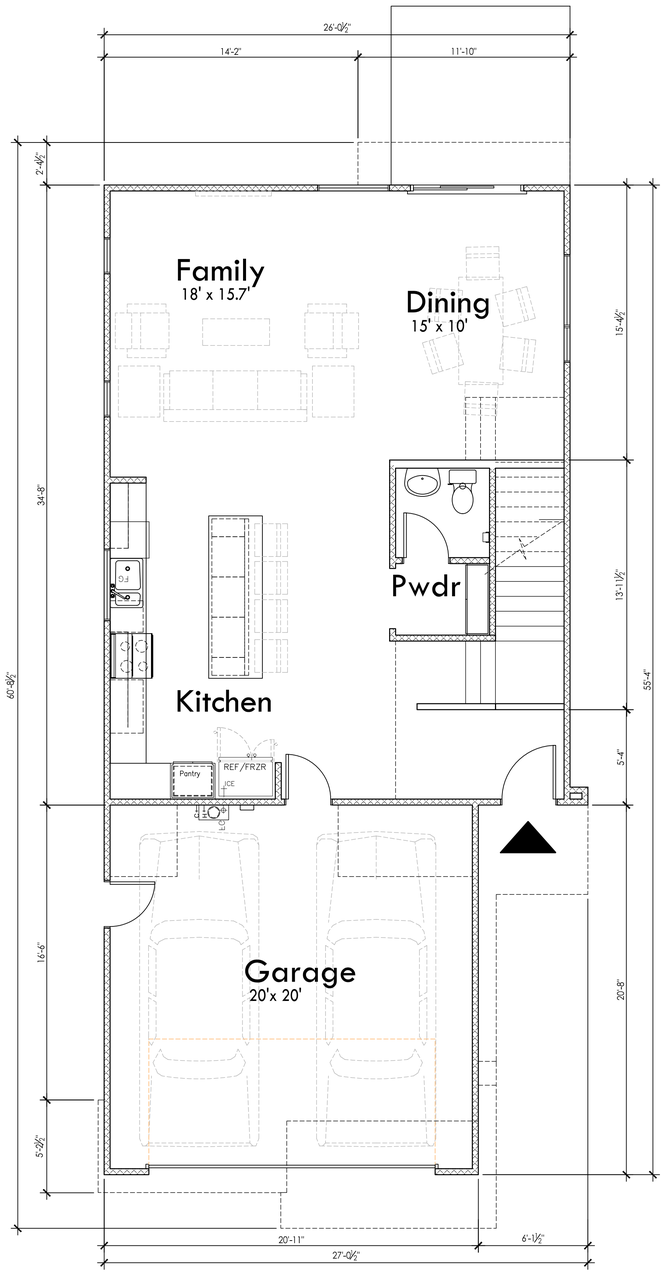
Plan 1 - Roof Plan

1/4"=1'-0"



Plan 1 - Second Floor Plan

1/4"=1'-0"



Plan 1 - First Floor Plan

1/4"=1'-0"

0 2' 4' 8'

1" = 4'-0"

PLAN 1 - BUILDING ANALYSIS

Unit Type	Single Family w/Attached Garage
Occupancy Group	R-3/U
1st Floor	897.9 sf
2nd Floor	1,235.3 sf
Total Livable Area	2,133.2 sf
Garage - 2 Car	439.0 sf
Deck Area	82.5 sf
Roof Deck Area	713.2 sf
Storage Area - Shelving 4' Above F.F. in Garage	225.0 sf

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CLIENT: MIKE MARLOW

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Sheet Title: FLOOR PLAN PLAN - 1

Sheet No: A3.0

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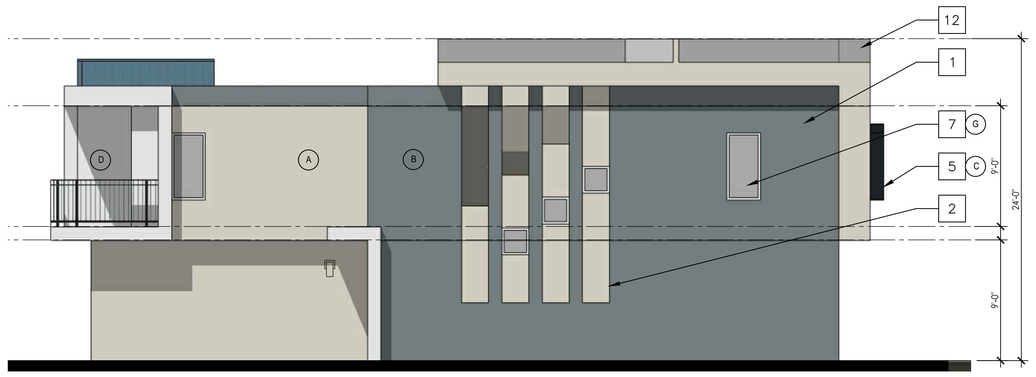
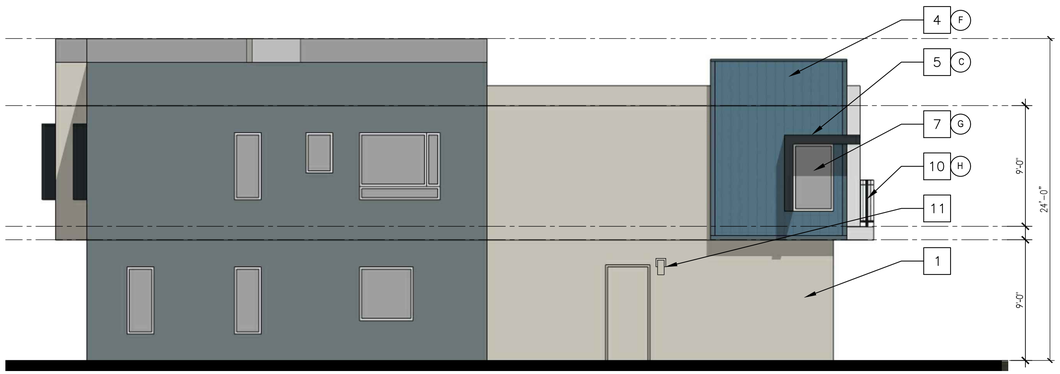
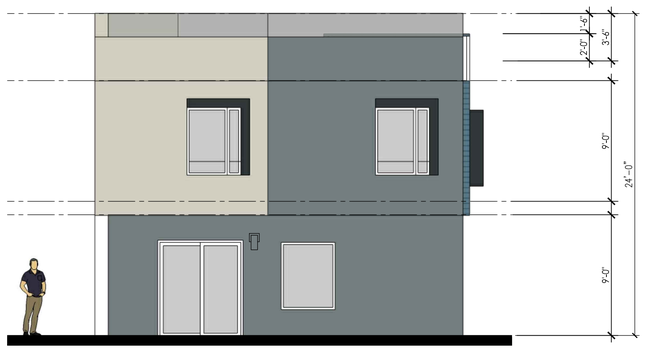
1 FRONT ELEVATION
3/16" = 1'-0"



2 REAR ELEVATION
3/16" = 1'-0"



3 LEFT ELEVATION
3/16" = 1'-0"



4 RIGHT ELEVATION
3/16" = 1'-0"

0 2.66' 5.33' 10.66'
3/16" = 1'-0"

KEYNOTES

1	7/8" THK. EXTERIOR STUCCO
2	1" STUCCO REGLET
3	EXTENDED STUCCO EYEBROW
4	VERTICAL FIBER CEMENT SIDING
5	8" STUCCO WRAP EYEBROW
6	SECTION GARAGE DOOR WITH UPPER PANEL VISUAL PANELS
7	DOUBLED GLAZED VINYL WINDOW SYSTEM
8	4" ADDRESS IN ILLUMMINATED BOX
9	42" HIGH STUCCO DECK RAILING
10	42" HIGH WROUGHT IRON RAILING
11	EXTERIOR LIGHT FIXTURE LOCATION
12	18" Hl. x 1/ 2" THK TEMP. GLASS RAILING

MATERIALS/ COLORS FOR BLUE

- (A) STUCCO - PAINTED, SW7029 AGREEABLE GRAY
- (B) STUCCO - PAINTED, SW6235 FOGGY DAY
- (C) STUCCO - PAINTED, SW6993 BLACK OF NIGHT
- (D) STUCCO - PAINTED, SW7626 ZURICH WHITE
- (E) GLAZED RAILING SYSTEM: 1/ 2" THK , CLEAR, WITH ALUMINUM, WHITE ANODIZED FINISH
- (F) SIDING: VERICAL / HORIZ. SIDING PRE-FINISHED CONCRETE FIBER BD. HARDIE PLANK - CEDARMILL, EVENING BLUE
- (G) GLAZING SYSTEM: LOW-E DBL GLAZED, CLEAR, WITH VINYL WHITE FINISH
- (H) WROUGHT IRON RAILING - BLACK

ROOFING:
VERSIWELD SINGLE PLY 80 MIL MEMBRANE ROOF, WHITE, *COMPLIES WITH ENERGY STAR REQUIEMENTS.

ROOF DECKING: TILE TECH PAVERS SYSTEM IPE DECL TILES O/ WATERPROOF ROOF SURFACE

COASTAL ARCHITECTS
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CLIENT: MIKE MARLOW

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Sheet Title: ELEVATIONS 1A PLAN - 1

Sheet No: A3.1

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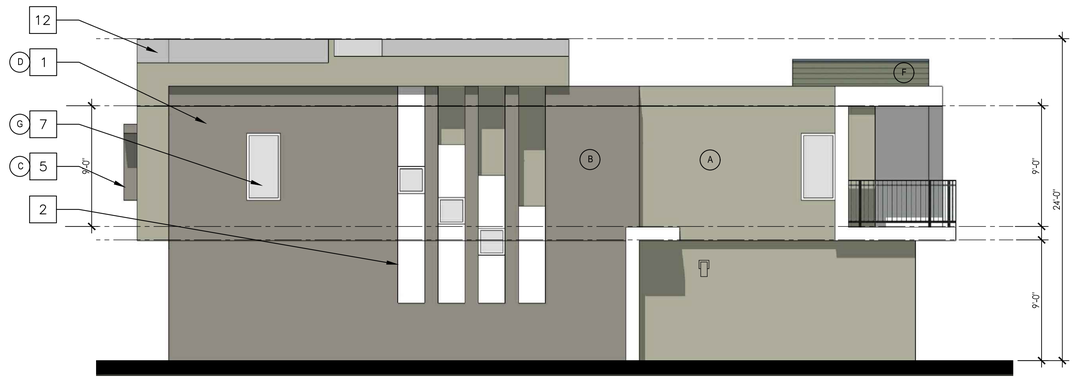
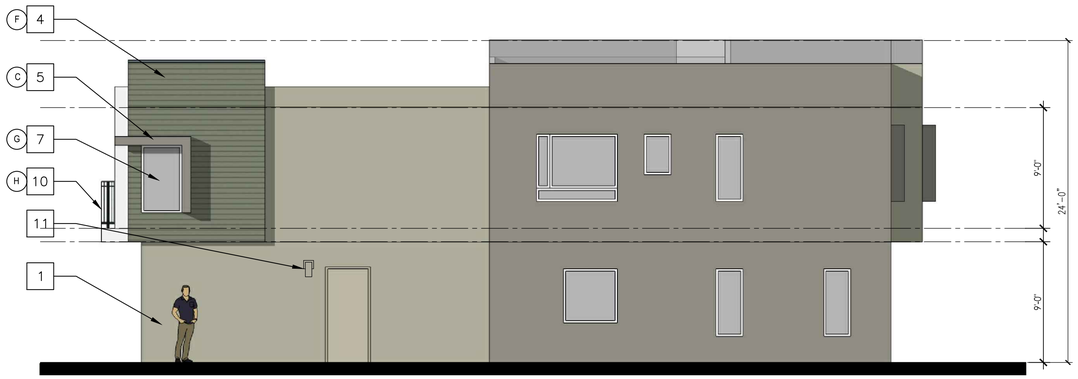
1 FRONT ELEVATION
3/16" = 1'-0"



2 REAR ELEVATION
3/16" = 1'-0"



3 LEFT ELEVATION
3/16" = 1'-0"

4 RIGHT ELEVATION
3/16" = 1'-0"

0 2.66' 5.33' 10.66'

3/16" = 1'-0"

KEYNOTES

1. 7/8" THK. EXTERIOR STUCCO
2. 1" STUCCO REGLET
3. EXTENDED STUCCO EYEBROW
4. VERTICAL FIBER CEMENT SIDING
5. 8" STUCCO WRAP EYEBROW
6. SECTION GARAGE DOOR WITH UPPER PANEL VISUAL PANELS
7. DOUBLED GLAZED VINYL WINDOW SYSTEM
8. 4" ADDRESS IN ILLUMMINATED BOX
9. 42" HIGH STUCCO DECK RAILING
10. 42" HIGH WROUGHT IRON RAILING
11. EXTERIOR LIGHT FIXTURE LOCATION
12. 18" HI. x 1/ 2" THK TEMP. GLASS RAILING

MATERIALS/ COLORS FOR GREEN

- (A) STUCCO - PAINTED, SW6171 CHARTROOM
- (B) STUCCO - PAINTED, SW7018 DOVETAIL
- (C) STUCCO - PAINTED, SW7743 MOUNTAIN ROAD
- (D) STUCCO - PAINTED, SW7626 ZURICH WHITE
- (E) GLAZED RAILING SYSTEM: 1/ 2" THK , CLEAR, WITH ALUMINUM, WHITE ANODIZED FINISH
- (F) SIDING: VERICAL / HORIZ. SIDING PRE-FINISHED CONCRETE FIBER BD. HARDIE PLANK - CEDARMILL, MOUNTAIN SAGE
- (G) GLAZING SYSTEM: LOW-E DBL GLAZED, CLEAR, WITH VINYL WHITE FINISH
- (H) WROUGHT IRON RAILING - BLACK

ROOFING:
VERSIWELD SINGLE PLY 80 MIL MEMBRANE ROOF, WHITE, *COMPLIES WITH ENERGY STAR REQUIEMENTS.

ROOF DECKING: TILE TECH PAVERS SYSTEM IPE DECL TILES O/ WATERPROOF ROOF SURFACE

COASTAL ARCHITECTS
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ARCHITECT: JEFF ZOOK EMAIL: jeff@coastalarch.com
PRINCIPAL PLANNER: MIKE SANCHEZ EMAIL: mike@coastalarch.com

CLIENT: MIKE MARLOW

AVALON DEVELOPMENT

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Sheet Title: ELEVATIONS 1B PLAN - 1

Sheet No: A3.2

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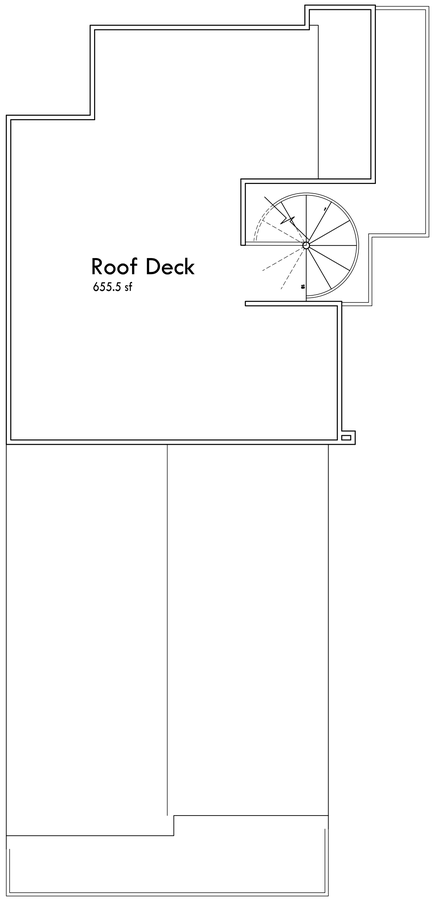
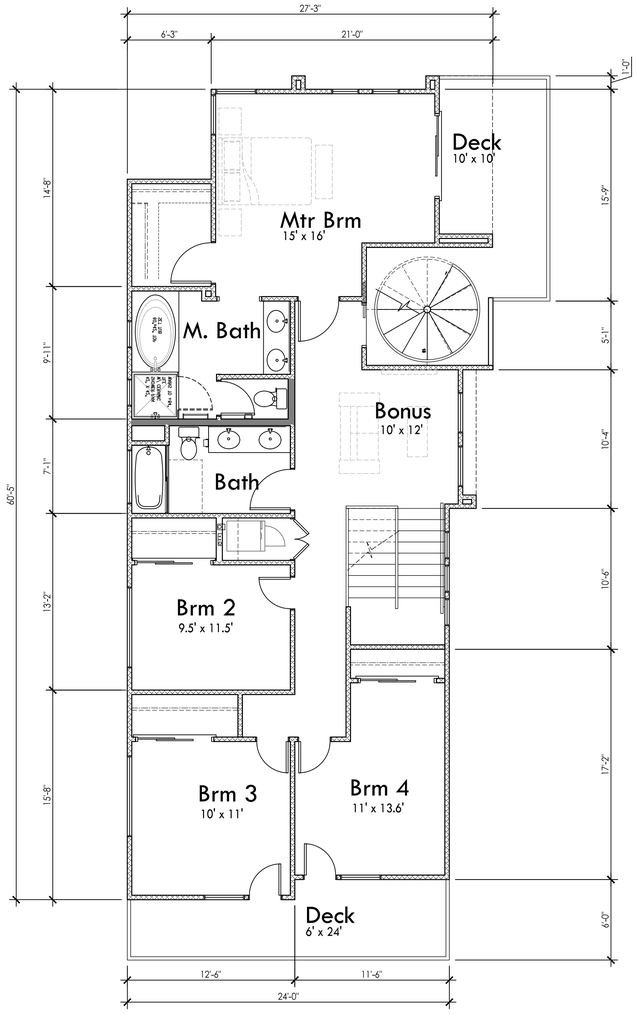


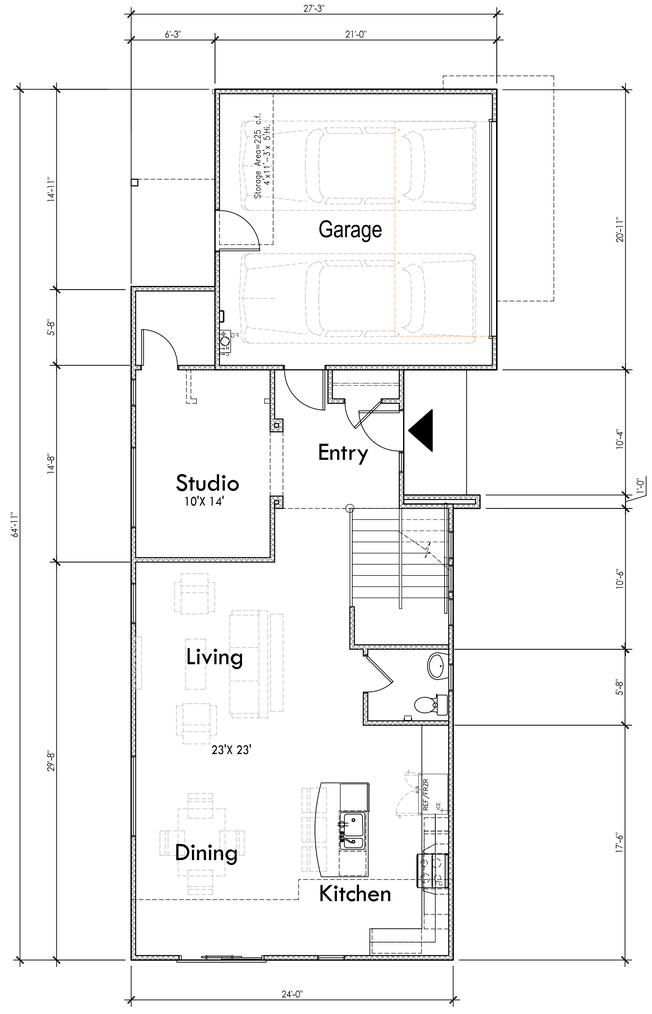
Plan 2 - Roof Plan

3/6"=1'-0" 655 sf



Plan 2 - Second Floor Plan

3/6"=1'-0" 1,338 sf



Plan 2 - First Floor Plan

3/6"=1'-0" 1,056 sf

PLAN D - BUILDING ANALYSIS

Unit Type	Single Family w/Attached Garage
Occupancy Group	R-3/U
1st Floor	1,057.9 sf
2nd Floor	1,260.5 sf
Total Area	2,318.4 sf
Garage	439.2 sf
Deck Area	330.6 sf
Roof Deck Area	655.5 sf
Storage Area - Shelving 4' Above F.F. in Garage	225.0 sf

0 2.66' 5.33' 10.66'

3/16" = 1'-0"

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LICENSED ARCHITECT JEFFREY B. ZOOK No. C27561 Ren.07/31/23 STATE OF CALIFORNIA

CLIENT: MIKE MARLOW

AVALON DEVELOPMENT

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Sheet Title: FLOOR PLANS PLAN - 2

Sheet No: A4.0

170106
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1 FRONT ELEVATION
3/16" = 1'-0"

2 REAR ELEVATION
3/16" = 1'-0"

3 LEFT ELEVATION
3/16" = 1'-0"

4 RIGHT ELEVATION
3/16" = 1'-0"

0 2.66' 5.33' 10.66'

3/16" = 1'-0"

KEYNOTES

1. 7/8" THK. EXTERIOR STUCCO
2. 1" STUCCO REGLET
3. EXTENDED STUCCO EYEBROW
4. VERTICAL FIBER CEMENT SIDING
5. 8" STUCCO WRAP EYEBROW
6. SECTION GARAGE DOOR WITH UPPER PANEL VISUAL PANELS
7. DOUBLED GLAZED VINYL WINDOW SYSTEM
8. 4" ADDRESS IN ILUMMINATED BOX
9. 42" HIGH STUCCO DECK RAILING
10. 42" HIGH WROUGHT IRON RAILING
11. EXTERIOR LIGHT FIXTURE LOCATION
12. AC SHINGLE ROOFING
13. 2X WOOD FACIA BOARD

MATERIALS/ COLORS FOR RED

- (A) STUCCO - PAINTED, SW0023 PEWTER TANKARD
- (B) STUCCO - PAINTED, SW6001 GREYISH
- (C) STUCCO - PAINTED, SW7636 ORIGAMI WHITE
- (D) WOOD FASCIA BD - PAINTED, SW0023 PEWTER TANKARD
- (E) ASPHALT SHINGLE ROOFING: GAF - GLENWOOD, ABOBE CLAY
- (F) SIDING: HORIZ. SIDING PRE-FINISHED CONCRETE FIBER BD. HARDIE PLANK - CEDARMILL, COUNTRYLANE RED
- (G) GLAZING SYSTEM: LOW-E DBL GLAZED, CLEAR, WITH VINYL WHITE FINISH
- (H) WROUGHT IRON RAILING - BLACK
- (I) SIDING: VERTICAL SIDING PRE-FINISHED CONCRETE FIBER BD. HARDIE PLANK - CEDARMILL, AGED PEWTER

ROOFING:
VERSIWELD SINGLE PLY 80 MIL MEMBRANE ROOF, WHITE.
*COMPLIES WITH ENERGY STAR REQUIEMENTS.

ROOF DECKING: TILE TECH PAVERS SYSTEM IPE DECL TILES O/ WATERPROOF ROOF SURFACE

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Sheet Title: ELEVATIONS 2A PLAN 2

Sheet No: A4.1

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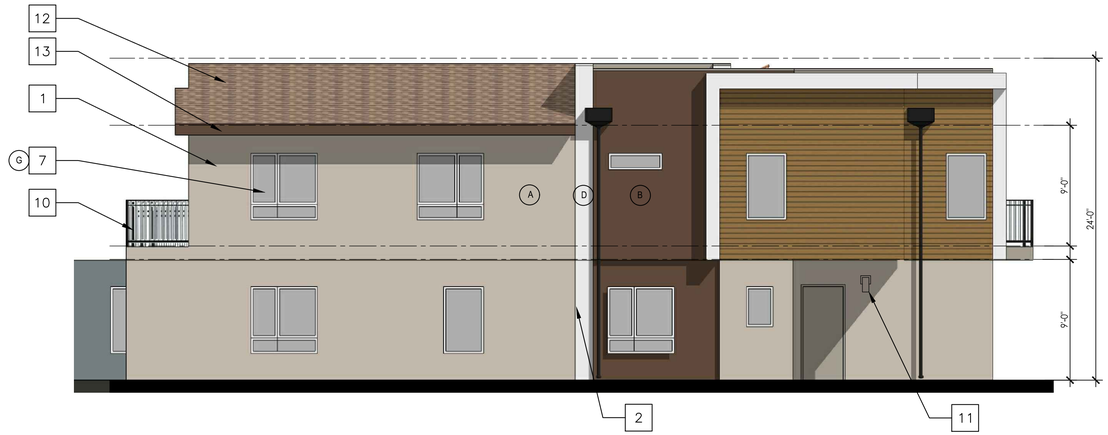
1 FRONT ELEVATION
3/16" = 1'-0"



2 REAR ELEVATION
3/16" = 1'-0"

3 LEFT ELEVATION
3/16" = 1'-0"

4 RIGHT ELEVATION
3/16" = 1'-0"

0 2.66' 5.33' 10.66'

3/16" = 1'-0"

KEYNOTES

1. 7/8" THK. EXTERIOR STUCCO
2. 1" STUCCO REGLET
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5. 8" STUCCO WRAP EYEBROW
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10. 42" HIGH WROUGHT IRON RAILING
11. EXTERIOR LIGHT FIXTURE LOCATION
12. AC SHINGLE ROOFING
13. 2X WOOD FACIA BOARD

MATERIALS/ COLORS FOR BROWN

- A STUCCO - PAINTED, SW6072 VERSATILE GRAY
- B STUCCO - PAINTED, SW7523 BURNISHED BRANDY
- C STUCCO - PAINTED, SW7636 ORIGAMI WHITE
- D WOOD FASCIA BD - PAINTED, SW7523 BURNISHED BRANDY
- E ASPHALT SHINGLE ROOFING: GAF - GLENWOOD, WEATHERED WOOD
- F SIDING: HORIZ. SIDING PRE-FINISHED CONCRETE FIBER BD. HARDIE PLANK - CEDARMILL, AUTUM TAN
- G GLAZING SYSTEM: LOW-E DBL GLAZED, CLEAR, WITH VINYL WHITE FINISH
- H WROUGHT IRON RAILING - BLACK
- I SIDING: VERTICAL SIDING PRE-FINISHED CONCRETE FIBER BD. HARDIE PLANK - CEDARMILL, SAIL CLOTH

ROOFING:
VERSIWELD SINGLE PLY 80 MIL MEMBRANE ROOF, WHITE.
*COMPLIES WITH ENERGY STAR REQUIEMENTS.

ROOF DECKING: TILE TECH PAVERS SYSTEM IPE DECL
TILES O/ WATERPROOF ROOF SURFACE

COASTAL ARCHITECTS
1567 SPINN AKER DRIVE, SUITE 204 VENTURA CA 93030 www.CoastalArch.com TEL: 805.985.7654
ARCHITECT: JEFF ZOOK EMAIL: jeff@coastalarch.com PRINCIPAL PLANNER: MIKE SANCHEZ EMAIL: mike@coastalarch.com

LICENSED ARCHITECT JEFFREY B. ZOOK No. C27561 Ren.07/31/23 STATE OF CALIFORNIA

CLIENT: MIKE MARLOW

AVALON DEVELOPMENT

RESIDENTIAL DEVELOPMENT
HARBOR BVLD / OXNARD SHORES CA

Sheet Title: ELEVATIONS 2B PLAN 2

Sheet No: A4.2

170106
FEBRUARY 21 2023

C:\Users\mike\OneDrive\CA Projects\2017 Projects\170104 Marlow - Avalon Tract\02_Planning\Drawings\Arch\MARCH 2019 DRAWINGS\2019 AVALON Plan 1-2 Prelim Set.dwg, 2/21/2023 2:53:03 PM, AutoCAD PDF (General Documentation).pc3

PLANTING LEGEND:

TREES

BOTANICAL NAME	COMMON NAME	WUCOLS	NOTES
Arbutus 'Marina'	Strawberry Tree	L	36" box, Specimen
Cercis occidentalis	Western Redbud	L	Flowering Accent Tree
Citrus sp.	Lemon/Lime/Orange	M	At common areas
Cupressus macrocarpa	Monterey Cypress	L	36" box, at entry, Evergreen Canopy tree
Fruit Tree		M	Park Tree
Lophostemon confertus	Brisbane Box	M	Evergreen Canopy Tree
Lyonothamnus floribundus	Catalina Ironwood	L	Accent tree
Melaleuca linariifolia	Flaxleaf Paperbark	L	Evergreen Canopy tree
Metrosideros excelsa	New Zealand Christmas Tree	M	Courtyard tree
Quercus agrifolia	Coast Live Oak	VL	Evergreen Canopy tree
Quercus virginiana / Pinus pinea	Southern LiveOak / Stone Pine	M	Evergreen Canopy tree
Platanus racemosa	Western Sycamore	M	Deciduous Skyline tree
Salix lasiolepis	Arroyo Willow	H	Native Riparian

SHRUBS				
	Arbutus unedo 'Elfin King'	Strawberry Shrub	L	-
	Arctostaphylos 'John Dourley'	Manzanita	L	
	Carissa macrocarpa cvs.	Natal Plum	L	
	Eriogonum fasciculatum	Coast Buckwheat	VL	
	Laurus nobilis 'Saratoga'	Saratoga Laurel	L	
	Leonotis leonurus	Lion's Tail	L	
	Melaleuca nesophila	Honey Myrtle	L	
	Mysine africana	African Boxwood	L	
	Phlomis species	Jerusalem Sage	L	
	Polygala f. 'Petite Butterfly'	Dwarf Sweet Pea Shrub	M	
	Rhamnus alaternus	Italian Buckthorn	VL	
	Rhamnus 'Mound San Bruno'	Coffeeberry	VL	
	Rhus integrifolia	Lemonade Berry	VL	
	Ribes viburnifolium	Catalina Evergreen Currant	VL	
	Salvia varieties	Salvia	VL-M	
	Tecoma stans	Yellow Bells	L	
SUCCULENTS				
	Agave vilmorianiana	Octopus Agave	VL	-
	Aloe spp.	Aloe	L	
	Kalanchoe sp.	Kalanchoe	L	
	Portulacaria afra	Japanese Boxwood	VL	
	Senecio sp.	NCN	L	
GROUNDCOVER				
	Arctostaphylos 'Pacific Mist'	Manzanita	L	-
	Baccahris pilularis 'Twin Peaks'	Coyote Bush	L	
	Ceanothus h.g. 'Yankee Point'	Creeping California Lilac	L	
	Cistus salvifolius 'Prostratus'	Rockrose	L	
	Fragaria chiloensis	Beach Strawberry	M	
	Pleocostachys serpyllifolia	NCN	L	
	Rubus pentalobus 'Emerald Carpet'	Creeping Raspberry	M	
	Salvia spp.	Sage	VL-M	
GRASSES				
	Lygeum spartum	False Esparto Grass	L	-
	Muhlenbergia rigens	Deer Grass	L	
	Pennisetum spatheolatum	NCN	M	
	Sesleria caerulea	Blue Moor Grass	M	
VINES				
	Distictis laxiflora	Vanilla Trumpet Vine	M	-
	Hardenbergia violacea 'Happy Wanderer'	Australian Lilac Vine	L	
	Jasminum tortuosum	Jasmine	M	
	Solanum laxum	Potato Vine	M	
DETENTION AREA PLANTS				
	Juncus patens	California Gray Rush	L	-
	Leymus triticoides	Creeping Wild Rye	L	
	Platanus racemosa	Western Sycamore	M	
	Rosa californica	California Wild Rose	L	
	Salix lasiolepis var. lasiolepis	Arroyo Willow	H	

SITE IMPROVEMENT LEGEND:

#	DESCRIPTION	MATERIALS / NOTES
1	Decorative Paving	Pavers or Enhanced Concrete
2	Bio-retention Area for Parking Lot	Crushed Rock/gravel. See civil engineer plans.
3	Paving	Natural gray concrete, medium sand float finish, 2-blade width sawcut control joints.
4	Paving - Path	Decomposed granite over Class II road base w/ black aluminum header
5	Picnic Area	Picnic Tables
6	Community Garden	Raised planters and shed
7	Play Area	Artificial Turf and Play equipment TBD
8	Bicycle Parking	TBD
9	Masonry Wall	6' height, CMU, natural
10	Fence	Metal, 6' height
11	Fence	2-Rail Concrete fence, 42" ht.
12	Vehicular Gate	Double swing gate, metal
13	Fence	Wood construction
14	Masonry Wall	6' height, CMU, split face
15	Retaining Wall	2'-4' height, CMU, natural
16	Pet Waste Station	'Superior Pet Waste Eliminator Station', Item E3, available at Pet Waste Eliminator, https://www.petwasteeliminator.com/e3.html

CITY OF OXNARD NOTES

1. Completed landscape and irrigation systems must be inspected and approved by the Landscape Architect (plan preparer).
2. Upon completion of the landscaping and approval by the Landscape Architect, City of Oxnard, Parks Division must be contacted for an inspection based on the approved plans. Only after completed landscape and irrigation systems are inspected and approved by the Department of Parks and Recreation, can a certificate of occupancy be issued by the City.
3. Changes to landscaping and/or irrigation must be approved by Parks and Recreation Department prior to installation.
4. The landscape contractor shall screen the irrigation controller and backflow device with shrubs, 5 gallon size (minimum).
5. All street, median and parkway trees shall be approved by the City's Parks and Recreation Department prior to planting. The Parks Division is to be notified not less than 48 hours in advance of the planting so an inspector can be present, and trees shall not be planted until inspected.
6. All construction shall conform to appropriate sections of the Standard Specifications of Public Works Construction, Latest Edition, on public property (medians and parkways only).

Cupressus macrocarpa *Quercus virginiana* *Melaleuca linariifolia* *Pinus pinea* *Quercus agrifolia*

Arctostaphylos 'John Dourley' *Muhlenbergia rigens* *Leonotis leonurus* *Leymus triticoides* *Myrsine africana*

BRODERSEN ASSOCIATES
Landscape Architecture / Horticulture / Documentation
422 E. Main Street, Ventura, CA 93001
tel 805 201 5614
brodersenassoc@gmail.com
CA#4880

REGISTERED LANDSCAPE ARCHITECT
BRIAN D BRODERSEN
No. 4880
EXP. 4/30/23
STATE OF CALIFORNIA

These drawings, including all related design, details, specifications, and information are and shall remain the sole property of Brodersen Associates and are for use on this specific project and shall not be copied, disclosed to others or used without the expressed written consent of Brodersen Associates.

AVALON HOMES
CANAL STREET
OXNARD, CA 93035

Date 02.20.23

17.04

CONCEPTUAL LANDSCAPE PLAN

Drawn by JH | Checked by BB

Sheet L-1 Of X Sheets

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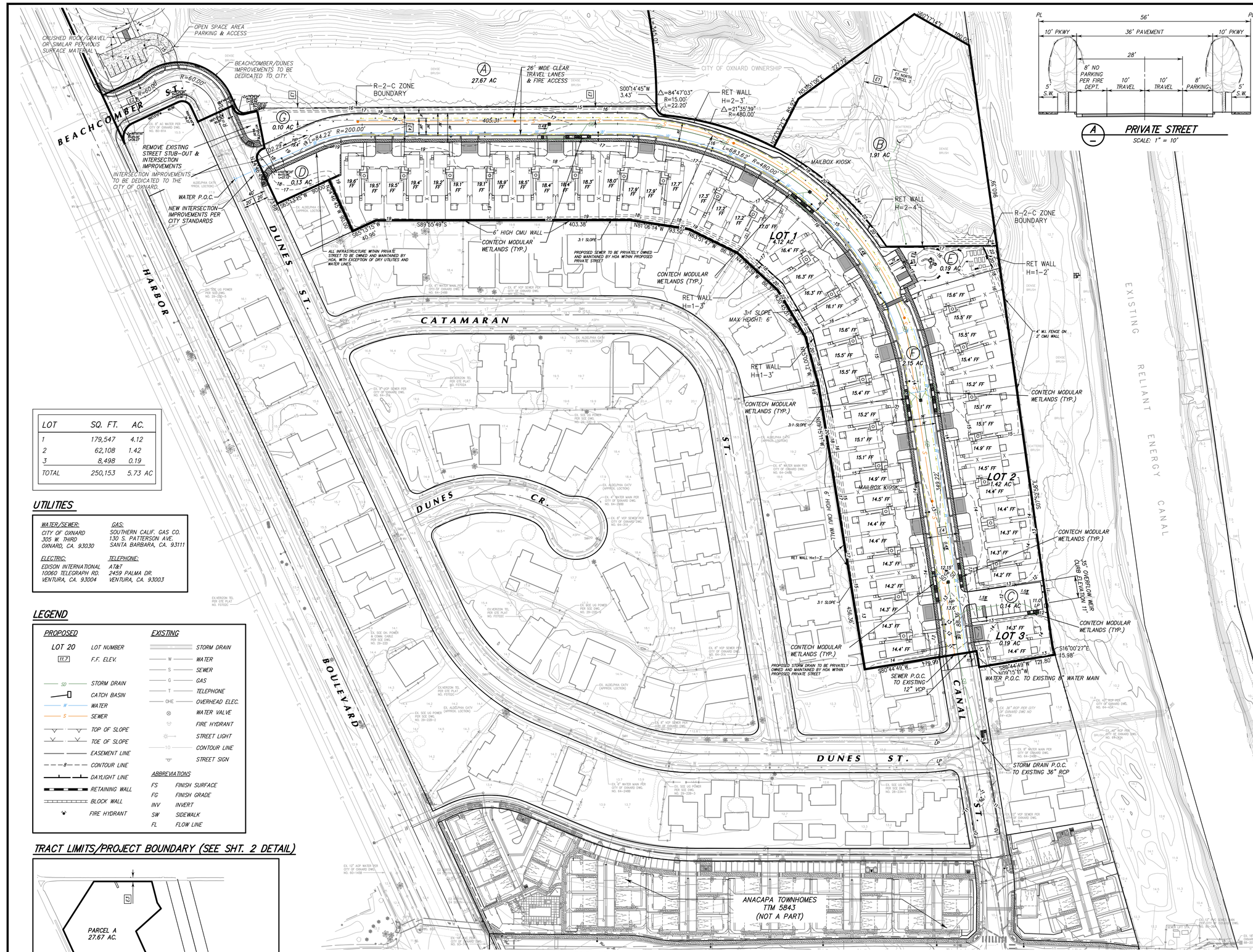
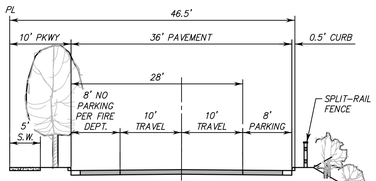
ATTACHMENT C

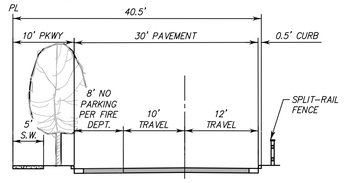
TENTATIVE MAP PLANS



A — PRIVATE STREET
SCALE: 1" = 10'



B — PRIVATE STREET
SCALE: 1" = 10'



C — PRIVATE STREET
SCALE: 1" = 10'

LAND USE DATA

1. GENERAL PLAN DESIGNATION: RESIDENTIAL EXISTING & RP
   PROPOSED GENERAL PLAN: NO CHANGE
2. ZONING:
   - R-2-C: (NO CHANGE) 8.75 AC.
   - R-P: (NO CHANGE) 29.58 AC.
3. AREAS
   - TOTAL SITE AREA: 38.33 AC.
   - A. R-2-C AREA: 8.75 AC.
   - B. R-P AREA: (NO DEVELOPMENT PROPOSED) 29.58 AC.
   - C. R-2-C AREA: 8.75 AC. (381,200 S.F.)
   - **TO BE DEVELOPED PER R-2-C ZONING REQUIREMENTS**
   - BUILDING COVERAGE: 79,498 S.F.
   - PRIVATE DRIVES: 29,994 S.F.
   - STREET / SIDEWALKS / PARKWAYS (PARCEL F): 93,631 S.F.
   - LANDSCAPE / PRIVATE OPEN SPACE: 140,106 S.F.
   - D. PUBLIC STREET DEDICATIONS 13,647 S.F.
4. DENSITY:
   - A. **PROPOSED DWELLING UNITS: 56 D.U.**
   - B. 56 D.U./8.75 AC. 6.4 D.U./AC (NET)
   - 56 D.U./38.33 AC. 1.5 D.U./AC. (GROSS)
   - C. STREET AREA (PROPOSED PRIVATE STREET) 2.15 AC.
   - **D. PARCELS A & B (OPEN SPACE) 29.58 AC.**
   - **77% OF SITE (29.58 AC. OPEN SPACE / 38.33 AC. SITE AREA)**

NOTES

1. LOTS 1 AND 2 PROPOSED FOR CONDOMINIUM USE – SINGLE FAMILY DETACHED RESIDENTIAL CONDOMINIUMS WITH PRIVATE YARD SPACE.
2. R-2-C ZONING STANDARDS APPLY.
3. LOT KEY:

LOT 1	40 D.U. S.F. RESIDENTIAL (CLUSTER SINGLE FAMILY)	4.12 AC.
LOT 2	14 D.U. S.F. RESIDENTIAL (CLUSTER SINGLE FAMILY)	1.42 AC.
LOT 3	2 D.U. S.F. RESIDENTIAL (CLUSTER SINGLE FAMILY)	0.19 AC.
PARCEL A	OPEN SPACE / R-P ZONE	27.67 AC.
PARCEL B	OPEN SPACE / R-P ZONE	1.91 AC.
PARCEL C	DRAINAGE MITIGATION/PARKING AREA	0.14 AC.
PARCEL D	OPEN SPACE / ENTRY	0.13 AC.
PARCEL E	COMMUNITY LOT	0.19 AC.
PARCEL F	PRIVATE STREET (INCLUDING ACCESS & UTILITY EASEMENT TO CITY)	2.15 AC.
PARCEL G	OPEN SPACE/ ENTRY	0.10 AC.
---	PUBLIC STREET DEDICATIONS (DUNES/BEACHCOMBER)	0.31 AC.

4. PARKING

PROPOSED LAND USE: 56 RESIDENCES

PARKING REQUIRED:

A.	2 GARAGE SPACES x 56	=	112 SPACES
B.	1 GUEST SPACE/UNIT x 30	=	30 SPACES
C.	0.5 GUEST SPACE/UNIT x 26	=	13 SPACES
	TOTAL REQUIRED		155 SPACES

PARKING PROVIDED:

A.	2 GARAGE SPACES PER UNIT	=	112 SPACES
B.	GUEST PARKING:		
	STREET PARKING	=	44 SPACES
	VISITOR PARKING AREA	=	11 SPACES
	COMMUNITY AREA	=	5 SPACES
	GUEST PARKING SUBTOTAL	=	61 SPACES
	TOTAL PROVIDED		172 SPACES

LOT	SQ. FT.	AC.
1	179,547	4.12
2	62,108	1.42
3	8,498	0.19
TOTAL	250,153	5.73 AC

UTILITIES

WATER/SEWER:	GAS:
CITY OF OXNARD 305 W. THIRD OXNARD, CA. 93030	SOUTHERN CALIF. GAS CO. 130 S. PATTERSON AVE. SANTA BARBARA, CA. 93111
ELECTRIC:	**TELEPHONE:**
EDISON INTERNATIONAL 10060 TELEGRAPH RD. VENTURA, CA. 93004	AT&T 2459 PALMA DR. VENTURA, CA. 93003

LEGEND

PROPOSED

- LOT 20 — LOT NUMBER
- 11.7 — F.F. ELEV.
- SD — STORM DRAIN
- CATCH BASIN
- W — WATER
- S — SEWER
- TOP OF SLOPE
- TOE OF SLOPE
- EASEMENT LINE
- CONTOUR LINE
- DAYLIGHT LINE
- RETAINING WALL
- BLOCK WALL
- FIRE HYDRANT

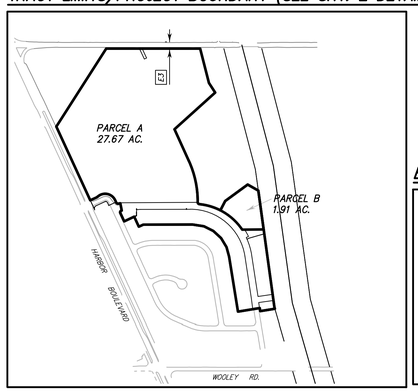
EXISTING

- STORM DRAIN
- W — WATER
- S — SEWER
- G — GAS
- T — TELEPHONE
- OHE — OVERHEAD ELEC.
- WATER VALVE
- FIRE HYDRANT
- STREET LIGHT
- 10 — CONTOUR LINE
- STREET SIGN

ABBREVIATIONS

FS	FINISH SURFACE
FG	FINISH GRADE
INV	INVERT
SW	SIDEWALK
FL	FLOW LINE

TRACT LIMITS/PROJECT BOUNDARY (SEE SHT. 2 DETAIL)



EASEMENTS

EXISTING EASEMENTS

E1: PIPELINE EASEMENT TO STANDARD OIL COMPANY OF CALIFORNIA PER 2586 OR 1 (TO BE ABANDONED)

E2: PUBLIC UTILITIES AND POLE EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY PER 2586 OR 9 BUILDING HEIGHT RESTRICTION (20') ON 14' WIDE STRIP PER 2586 OR 9

E3: 46' WIDE PUBLIC ROAD AND HIGHWAY EASEMENT TO THE COUNTY OF VENTURA PER 2796 OR 226

PROPOSED EASEMENTS

E4: PROPOSED VARIABLE WIDTH EASEMENT TO THE CITY OF OXNARD FOR PUBLIC ACCESS, PUBLIC UTILITY PURPOSES, AND INGRESS/EGRESS TO ALL GOVERNMENTAL AGENCIES PROVIDING FOR THE PUBLIC SAFETY, HEALTH, AND WELFARE.

MAP REFERENCES

BENCHMARK

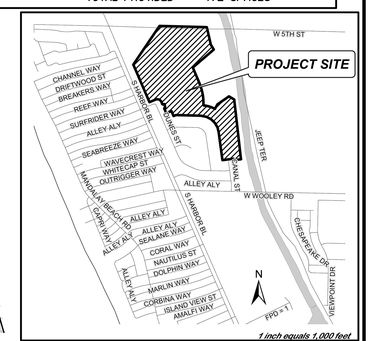
VENTURA COUNTY BENCH MARK NO. 100-9

ELEVATION 14.30'
NAVD 88
IN THE CITY OF OXNARD, AT THE SOUTHEASTERLY CORNER OF THE INTERSECTION OF HARBOR BOULEVARD AND WEST FIFTH STREET, A CONCRETE CORE, STAMPED "100-9 1968", 116 FEET SOUTHEASTERLY FROM THE CENTER OF WEST FIFTH STREET, 78 FEET EASTERLY FROM THE CENTER OF HARBOR BOULEVARD, 6.5 FEET NORTHERLY FROM POWER POLE NUMBER 13270726, 1 FOOT WESTERLY FROM AN IRON GUARD POST.

TOPOGRAPHIC REFERENCE

C&C AERIAL MAPPING
DATE: 8-14-2003

60' 30' 0' 60' 120'
GRAPHIC SCALE: 1"=60'



VICINITY MAP

MAP STATUS	DATE
DAC SUBMITTAL	4/2011
TTM/CDP SUBMITTAL	09/2011
TTM/CDP APP. COMPLETE	10/2011
TTM/CDP RE-SUBMITTAL	02/2016
TTM/CDP RE-SUBMITTAL	03/2017
TTM/CDP RE-SUBMITTAL	09/2017
TTM/CDP RE-SUBMITTAL	02/2019
TTM/CDP RE-SUBMITTAL	06/2020
TTM/CDP RE-SUBMITTAL	03/2022
TTM/CDP RE-SUBMITTAL	02/2023
TTM/CDP RE-SUBMITTAL	10/2023

SUBDIVIDER / OWNER:
Oxnard Dunes, LLC
1015 S. Harbor Blvd.
Oxnard, CA 93035
805.985.1557
805.985.1533 FAX
Attn: Mike Morlow

ENGINEER:
JENSEN DESIGN & SURVEY, INC
www.jdscivil.com
1672 DONLON STREET
VENTURA, CALIF. 93003
PHONE 805/654-6977
FAX 805/654-6979

REGISTERED PROFESSIONAL ENGINEER — JAMES REILLY — No. C 088317 — Exp. 03-31-24 — CIVIL — STATE OF CALIFORNIA

OXNARD SHORES NORTH

TENTATIVE TRACT No. 5888

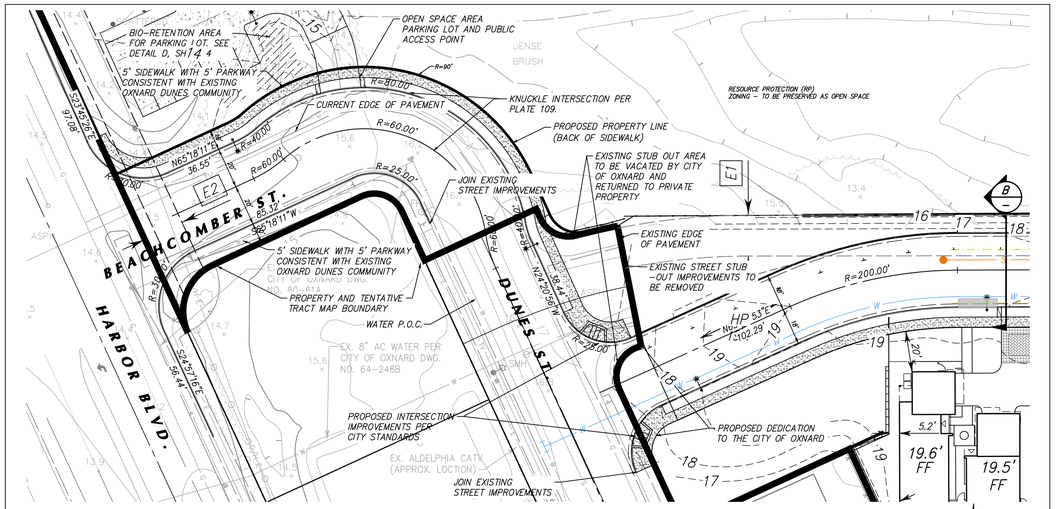
LOTS 1, 2, & 3 FOR CONDOMINIUM PURPOSES

CITY OF OXNARD — COUNTY OF VENTURA — STATE OF CALIFORNIA

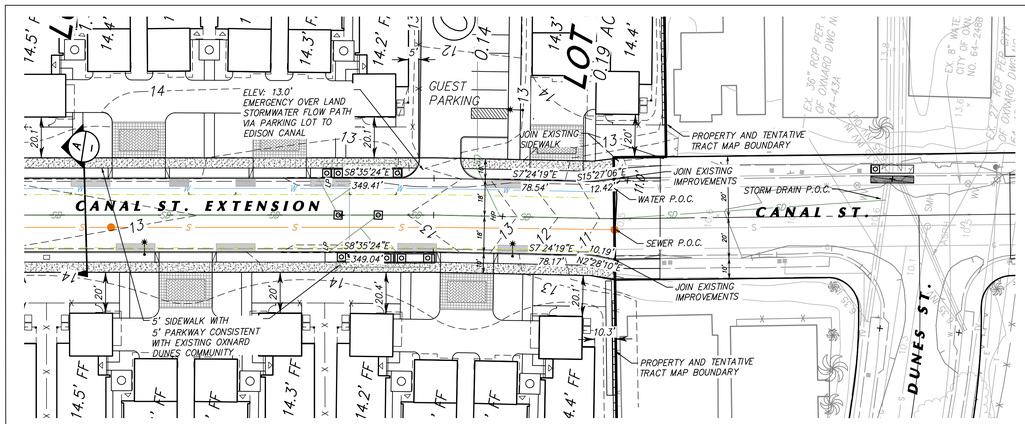
LEGAL DESCRIPTION: That portion bounded on the North by the Southerly line of Fifth St., 60 feet wide, on the East by the Westerly line of the land described in the deeds to Southern California Edison Company, recorded in Book 1685, Pages 540 and 534 both of Official Records, on the South by the Northerly line of Tract No. 1567-1 as per map recorded in Book 41, Pages 83 to 85, inclusive, of Maps, Records of said County, on the Southwest by the Northeasterly line of McGrath Road, as described in the deed recorded August 8, 1927 in Book 152, Page 113 of Official Records.

SCALE: 1"=60' — J.N.: OSC 1 3650 — DATE: May 22, 2024 — DWG. NAME: 3650North-01-TM.dwg

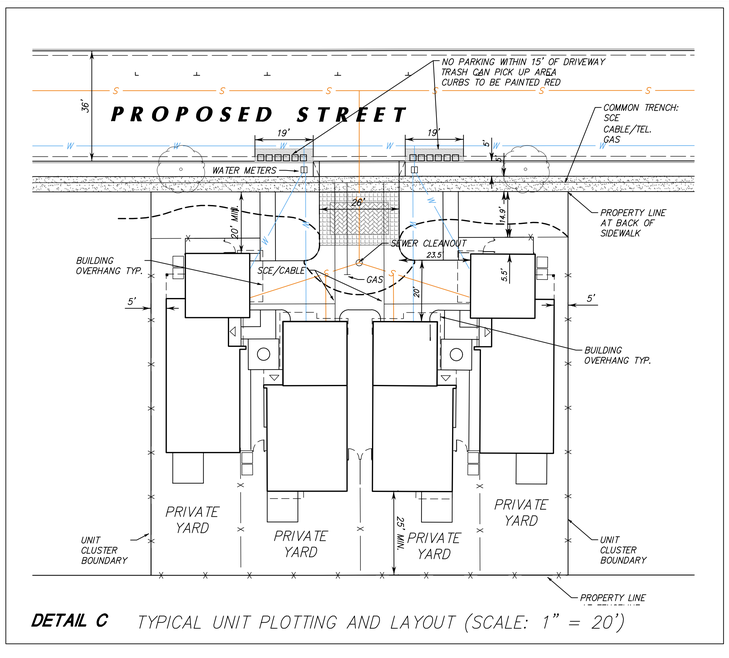
SHEET 1 OF 5



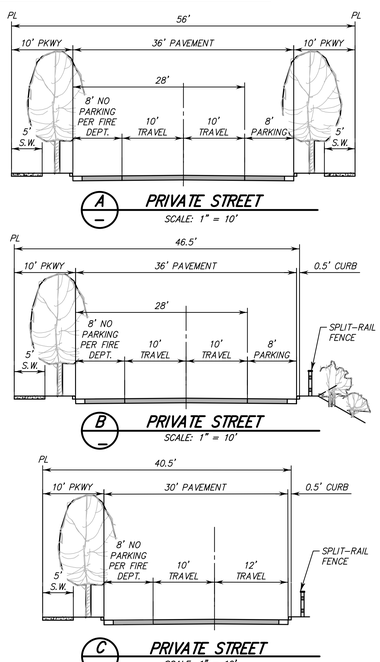
DETAIL A CANAL STREET EXTENSION (PROPOSED) TO DUNES STREET TRANSITION
BEACHCOMBER STREET KNUCKLE IMPROVEMENTS

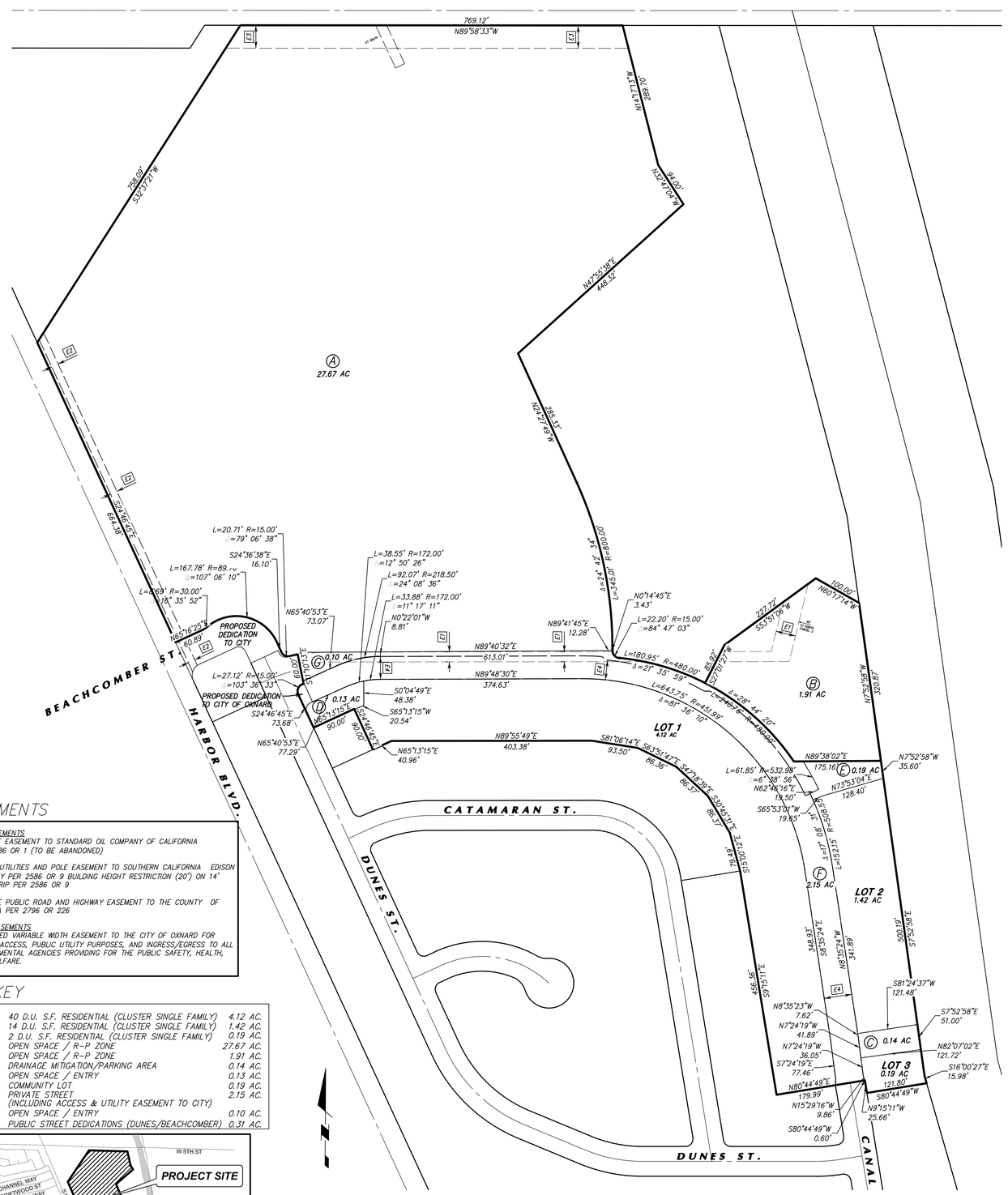


DETAIL B CANAL STREET EXTENSION (PROPOSED) TO EXISTING CANAL STREET TRANSITION



DETAIL C TYPICAL UNIT PLOTTING AND LAYOUT (SCALE: 1" = 20')





DETAIL D PROPOSED SUBDIVISION & EASEMENTS

SCALE: 1"=100'

EASEMENTS

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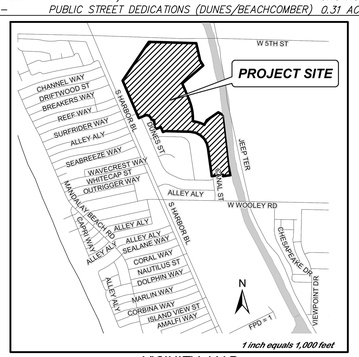

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TTM/CDP RE-SUBMITTAL	02/2019
TTM/CDP RE-SUBMITTAL	06/2020
TTM/CDP RE-SUBMITTAL	03/2022
TTM/CDP RE-SUBMITTAL	02/2023
TTM/CDP RE-SUBMITTAL	10/2023

SUBDIVIDER / OWNER:
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1015 S. Harbor Blvd.
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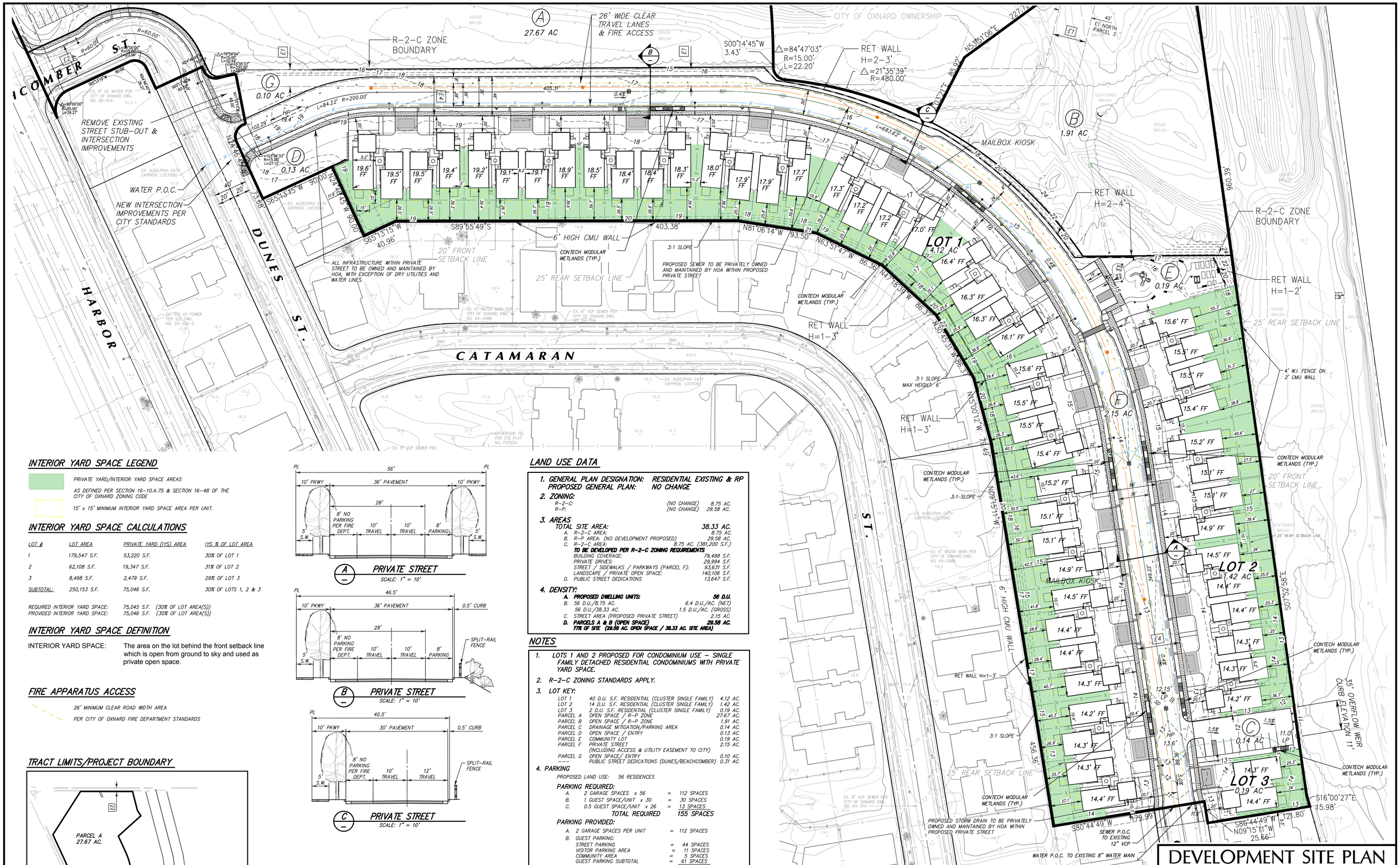
SCALE: 1"=30', AND AS NOTED — J.N.: OSC 1 3650

DATE: May 22, 2024 — DWG. NAME: 3650North-01-TM.dwg

SHEET 2 OF 5

J:\OSC\3650\Planning\Tentative-Shores North\3650North-01-TM.dwg May 22, 2024, 12:16pm tahelton



INTERIOR YARD SPACE LEGEND

PRIVATE YARD/INTERIOR YARD SPACE AREAS

AS DEFINED PER SECTION 16-10.A.75 & SECTION 16-48 OF THE CITY OF OXNARD ZONING CODE

15' x 15' MINIMUM INTERIOR YARD SPACE AREA PER UNIT.

INTERIOR YARD SPACE CALCULATIONS

LOT #	LOT AREA	PRIVATE YARD (IYS) AREA	IYS % OF LOT AREA
1	179,547 S.F.	53,220 S.F.	30% OF LOT 1
2	62,108 S.F.	19,347 S.F.	31% OF LOT 2
3	8,498 S.F.	2,479 S.F.	29% OF LOT 3
SUBTOTAL:	250,153 S.F.	75,046 S.F.	30% OF LOTS 1, 2 & 3

REQUIRED INTERIOR YARD SPACE: 75,045 S.F. (30% OF LOT AREA(S))
PROVIDED INTERIOR YARD SPACE: 75,046 S.F. (30% OF LOT AREA(S))

INTERIOR YARD SPACE DEFINITION

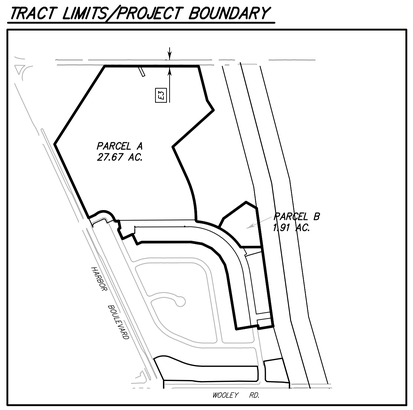
INTERIOR YARD SPACE: The area on the lot behind the front setback line which is open from ground to sky and used as private open space.

FIRE APPARATUS ACCESS

26' MINIMUM CLEAR ROAD WIDTH AREA

PER CITY OF OXNARD FIRE DEPARTMENT STANDARDS

TRACT LIMITS/PROJECT BOUNDARY



A — PRIVATE STREET
SCALE: 1" = 10'

B — PRIVATE STREET
SCALE: 1" = 10'

C — PRIVATE STREET
SCALE: 1" = 10'

LOT	SQ. FT.	AC.
1	179,547	4.12
2	62,108	1.42
3	8,498	0.19
TOTAL	250,153	5.73 AC

LAND USE DATA

1. GENERAL PLAN DESIGNATION: RESIDENTIAL EXISTING & RP
   PROPOSED GENERAL PLAN: NO CHANGE
2. ZONING:
   R-2-C: (NO CHANGE) 8.75 AC.
   R-P: (NO CHANGE) 29.58 AC.
3. AREAS
   TOTAL SITE AREA: 38.33 AC.
   A. R-2-C AREA: 8.75 AC.
   B. R-P AREA: (NO DEVELOPMENT PROPOSED) 29.58 AC.
   C. R-2-C AREA: 8.75 AC. (381,200 S.F.)
   TO BE DEVELOPED PER R-2-C ZONING REQUIREMENTS:
   BUILDING COVERAGE: 79,498 S.F.
   PRIVATE DRIVES: 29,994 S.F.
   STREET / SIDEWALKS / PARKWAYS (PARCEL F): 93,631 S.F.
   LANDSCAPE / PRIVATE OPEN SPACE: 140,106 S.F.
   D. PUBLIC STREET DEDICATIONS 13,647 S.F.
4. DENSITY:
   A. PROPOSED DWELLING UNITS: 56 D.U.
   B. 56 D.U./8.75 AC. 6.4 D.U./AC. (NET)
   56 D.U./38.33 AC. 1.5 D.U./AC. (GROSS)
   C. STREET AREA (PROPOSED PRIVATE STREET) 2.15 AC.
   D. PARCELS A & B (OPEN SPACE) 29.58 AC.
   77% OF SITE (29.58 AC. OPEN SPACE / 38.33 AC. SITE AREA)

NOTES

1. LOTS 1 AND 2 PROPOSED FOR CONDOMINIUM USE – SINGLE FAMILY DETACHED RESIDENTIAL CONDOMINIUMS WITH PRIVATE YARD SPACE.
2. R-2-C ZONING STANDARDS APPLY.
3. LOT KEY:

LOT 1	40 D.U. S.F. RESIDENTIAL (CLUSTER SINGLE FAMILY)	4.12 AC.
LOT 2	14 D.U. S.F. RESIDENTIAL (CLUSTER SINGLE FAMILY)	1.42 AC.
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PARCEL B	OPEN SPACE / R-P ZONE	1.91 AC.
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PARCEL D	OPEN SPACE / ENTRY	0.13 AC.
PARCEL E	COMMUNITY LOT	0.19 AC.
PARCEL F	PRIVATE STREET (INCLUDING ACCESS & UTILITY EASEMENT TO CITY)	2.15 AC.
PARCEL G	OPEN SPACE/ ENTRY	0.10 AC.
	PUBLIC STREET DEDICATIONS (DUNES/BEACHCOMBER)	0.31 AC.

4. PARKING
   PROPOSED LAND USE: 56 RESIDENCES

   PARKING REQUIRED:
   A. 2 GARAGE SPACES x 56 = 112 SPACES
   B. 1 GUEST SPACE/UNIT x 30 = 30 SPACES
   C. 0.5 GUEST SPACE/UNIT x 26 = 13 SPACES
   TOTAL REQUIRED 155 SPACES

   PARKING PROVIDED:
   A. 2 GARAGE SPACES PER UNIT = 112 SPACES
   B. GUEST PARKING:
   STREET PARKING = 44 SPACES
   VISITOR PARKING AREA = 11 SPACES
   COMMUNITY AREA = 5 SPACES
   GUEST PARKING SUBTOTAL = 61 SPACES
   TOTAL PROVIDED 172 SPACES

EASEMENTS

EXISTING EASEMENTS

E1: PIPELINE EASEMENT TO STANDARD OIL COMPANY OF CALIFORNIA PER 2586 OR 1 (TO BE ABANDONED)

E2: PUBLIC UTILITIES AND POLE EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY PER 2586 OR 9 BUILDING HEIGHT RESTRICTION (20') ON 14' WIDE STRIP PER 2586 OR 9

E3: 46' WIDE PUBLIC ROAD AND HIGHWAY EASEMENT TO THE COUNTY OF VENTURA PER 2796 OR 226

PROPOSED EASEMENTS

E4: PROPOSED VARIABLE WIDTH EASEMENT TO THE CITY OF OXNARD FOR PUBLIC ACCESS, PUBLIC UTILITY PURPOSES, AND INGRESS/EGRESS TO ALL GOVERNMENTAL AGENCIES PROVIDING FOR THE PUBLIC SAFETY, HEALTH, AND WELFARE

40' 20' 0' 40' 80'
GRAPHIC SCALE: 1"=40'

MAP STATUS	DATE
DAC SUBMITTAL	4/2011
TTM/CDP SUBMITTAL	09/2011
TTM/CDP APP. COMPLETE	10/2011
TTM/CDP RE-SUBMITTAL	02/2016
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TTM/CDP RE-SUBMITTAL	06/2020
TTM/CDP RE-SUBMITTAL	03/2022
TTM/CDP RE-SUBMITTAL	02/2023
TTM/CDP RE-SUBMITTAL	10/2023

SUBDIVIDER / OWNER:
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REGISTERED PROFESSIONAL ENGINEER S. JAMES KELLY No. C 088317 Exp. 03-31-24 CIVIL STATE OF CALIFORNIA

DEVELOPMENT SITE PLAN

OXNARD SHORES NORTH

TENTATIVE TRACT No. 5888

LOTS 1, 2, & 3 FOR CONDOMINIUM PURPOSES

CITY OF OXNARD COUNTY OF VENTURA STATE OF CALIFORNIA

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DATE: May 22, 2024 DWG. NAME: 3650North-01-TM.dwg

SHEET 3 OF 5

J:\OSC1\3650\Planning\Tentative-Shores North\3650North-01-TM.dwg May 22, 2024, 12:17pm tshelton

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   PROPOSED GENERAL PLAN: NO CHANGE
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EXISTING RELIANT ENERGY CANAL

OPEN SPACE AREA

A 27.67 AC

B 1.91 AC

NATURE TRAIL

ADA ACCESSIBLE TRAIL

PAVED ADA ACCESSIBLE PARKING SPACE AND LOADING AREA

OPEN SPACE AREA PARKING & ACCESS

CRUSHED ROCK/GRAVEL OR SIMILAR PERVIOUS SURFACE MATERIAL

BEACHCOMBER/DUNES IMPROVEMENTS TO BE DEDICATED TO CITY.

BEACHCOMBER

DUNES

R-2-C ZONE BOUNDARY

26' WIDE CLEAR TRAVEL LANES & FIRE ACCESS

REMOVE EXISTING STREET STUB-OUT & INTERSECTION IMPROVEMENTS

INTERSECTION IMPROVEMENTS TO BE DEDICATED TO THE CITY OF OXNARD.

WATER P.O.C.

NEW INTERSECTION IMPROVEMENTS PER CITY STANDARDS

6' HIGH CMU WALL

CONTECH MODULAR WETLANDS (TYP.)

RET WALL H=2-3'

RET WALL H=2-4'

MAILBOX KIOSK

CITY OF OXNARD OWNERSHIP

NOT A PART

LOT 1

LOT 2

LOT 3

R-2-C ZONE BOUNDARY

GRAPHIC SCALE: 1"=60'

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TTM/CDP RE-SUBMITTAL	03/2017
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TTM/CDP RE-SUBMITTAL	02/2019
TTM/CDP RE-SUBMITTAL	06/2020
TTM/CDP RE-SUBMITTAL	03/2022
TTM/CDP RE-SUBMITTAL	02/2023
TTM/CDP RE-SUBMITTAL	10/2023

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REGISTERED PROFESSIONAL ENGINEER — S. JAMES KELLY — No. C 088317 — Exp. 03-31-24 — CIVIL — STATE OF CALIFORNIA

OPEN SPACE PLAN

OXNARD SHORES NORTH

TENTATIVE TRACT No. 5888

LOTS 1, 2, & 3 FOR CONDOMINIUM PURPOSES

CITY OF OXNARD COUNTY OF VENTURA STATE OF CALIFORNIA

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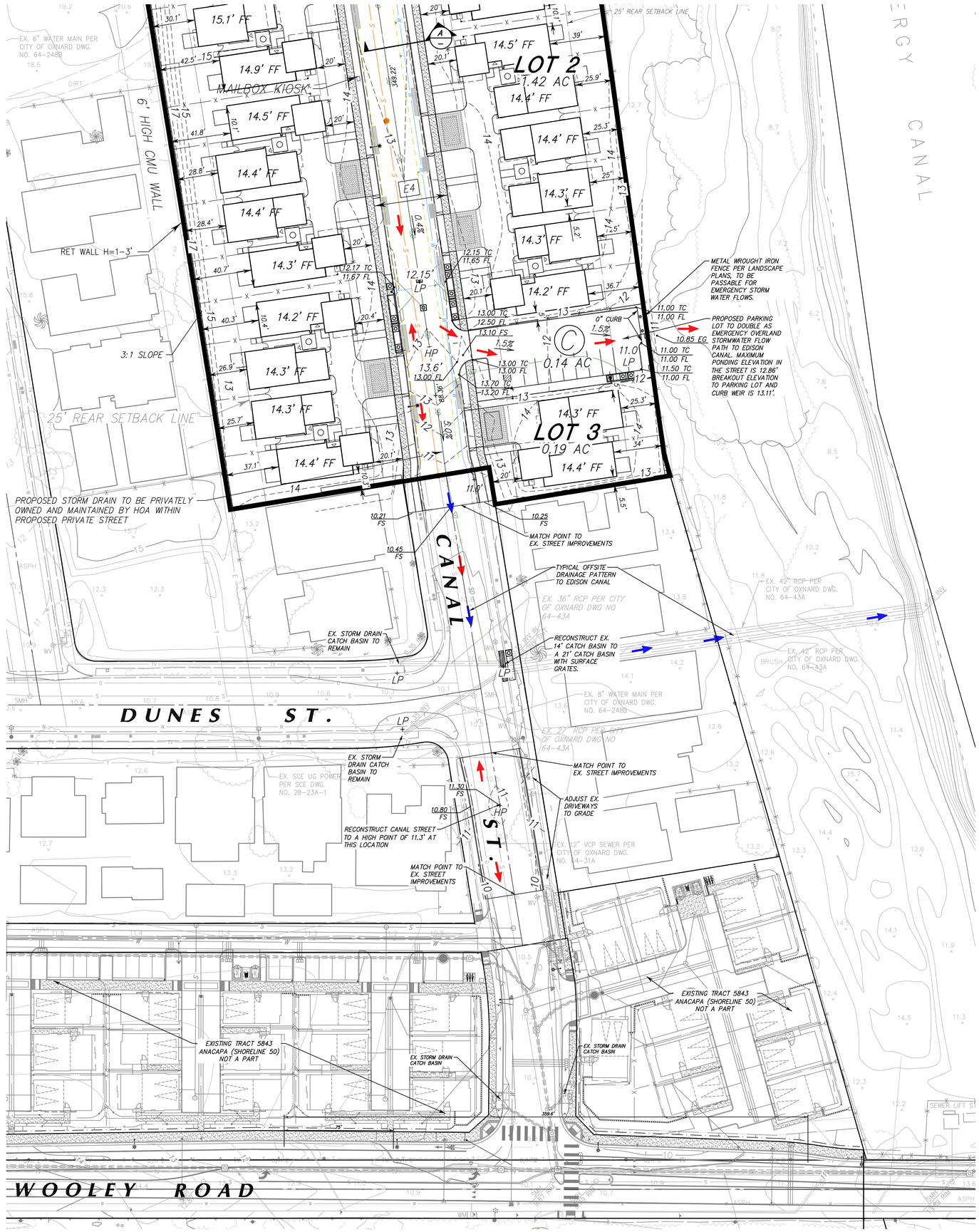
SHEET 4 OF 5



LAND USE DATA

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2. **ZONING:**
   R-2-C: (NO CHANGE) 8.75 AC.
   R-P: (NO CHANGE) 29.58 AC.
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   LANDSCAPE / PRIVATE OPEN SPACE: 140,106 S.F.
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4. **DENSITY:**
   A. PROPOSED DWELLING UNITS: 56 D.U.
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PROPOSED LAND USE: 56 RESIDENCES

PARKING REQUIRED:

A.	2 GARAGE SPACES x 56	=	112 SPACES
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TTM/CDP RE-SUBMITTAL	02/2023
TTM/CDP RE-SUBMITTAL	10/2023

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CANAL STREET IMPROVEMENTS

OXNARD SHORES NORTH

TENTATIVE TRACT No. 5888

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SHEET 5 OF 5

ATTACHMENT D

GENERAL PLAN AND LCP CONSISTENCY TABLES

ATTACHMENT D

City of Oxnard 2030 General Plan and Local Coastal Program Consistency Analysis
March 5, 2026 Planning Commission

2030 General Plan
Level I: Direct Applicability to a Proposed Policy, Project or Program
Level II: Related or Indirect Applicability to the Proposed Policy, Project, or Program
Level III: No or Distance Applicability to the Proposed Policy, Project, or Program.
All policies not listed as Level III are deemed consistent with the 2030 General Plan.

General Plan Chapter Abbreviations Chapter:

SC: Sustainable Community	2
CD: Community Development	3
ICS: Infrastructure and Community Services	4
ER: Environmental Resources	5
SH: Safety and Hazards	6
MC: Military Compatibility	7
HE: 2021-2029 Housing Element	8

GENERAL PLAN POLICIES			
Policy	**Level**	**Title/Text**	**Explanation**
CD-1.5	**I**	**Housing Variety** Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single-family units.	The Project includes new single-family dwelling units that will add to the housing stock in the immediate area, and create open space and residential uses on an underutilized vacant property.
CD-8.1	**I**	**Limiting Development** Continue to limit development to these areas that can be served by existing or planned utilities, transportation, and service systems.	The proposed Project will be served by existing utilities already serving the Dunes Neighborhood that can adequately serve the proposed Project. The site is accessed by existing street networks including major streets - Harbor Boulevard, Wooley Road, and Fifth Street.
CD-9.1	**I**	**Neighborhood Identity**	The Project is within an existing neighborhood with compatible design

GENERAL PLAN POLICIES			
Policy	**Level**	**Title/Text**	**Explanation**
		Recognize, preserve, and improve the visual character of existing neighborhoods.	and development patterns to the surrounding area that preserve the visual identity for the Dunes Neighborhood.
SC-3.1	**I**	**New Residential Development** Encourage incorporation of passive and active energy and resources conservation design and devices in new residential development and substantial remodels and/or expansions.	The Project applies sustainable energy management techniques to conserve resources related to construction building materials, landscaping, addition of solar, and meeting the current California Building Code energy standards.
ICS-1.2	**I**	**Development Impacts to Existing Infrastructure** Review development proposals for their impacts on infrastructure (e.g., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	The proposed development and associated improvements would tie into existing infrastructure, which has the capacity to provide service to the proposed residential units. The project includes standards and special development project conditions by City Department representatives.
ICS-1.4	I	**Infrastructure Conditions of Approval:** New development should not be approved unless: • The applicant demonstrates adequate public services and facilities are available; • Infrastructure improvements incorporate a range of feasible measures that can be	The proposed development demonstrates that adequate public services and facilities, including but not limited to water, sewer, electricity, and telecommunications are available for the new development and/or shall be provided by the applicant; that no new public safety and/or environmental impacts would result from the proposed development and/or

GENERAL PLAN POLICIES			
Policy	**Level**	**Title/Text**	**Explanation**
		implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement; • Infrastructure improvements are consistent with City infrastructure master plans; and • Required infrastructure needed for future new development is self-funded.	any required improvement; and that required infrastructure improvements, such as new sidewalks, curbs, gutters, roadways, and sewers, are self-funded and consistent with City infrastructure master plans.
ICS-2.11	**I**	**Scenic Highway Preservation** Preserve and enhance the character of scenic highways, and publicly owned and utility rights-of-way.	The Project is between Wooley Road and Fifth Street, identified as scenic roadways. The Project would preserve the character of both scenic roadways by clustering development within the existing developed Dunes Neighborhood and limiting visibility from public streets by keeping the structures at two stories. The Project will maintain and preserve the open space along Fifth Street and keep the proposed developed area as close to the existing community. The 38.33-acre undeveloped site will be preserved with 29-acres of open space and 8-acres of new, aesthetically modern residential single-family residences.
ICS-8.5	**I**	**Public Sidewalks and Pedestrian Orientation** Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of private	The Project includes improvements along the frontages of the residential development that will contribute to the streetscape of the community. The private sidewalks connect to public sidewalks and parkways at each end of

GENERAL PLAN POLICIES			
Policy	**Level**	**Title/Text**	**Explanation**
		development and public works projects, especially for public sidewalks.	the property on Dunes Street and Canal Street.
ER-6.6	**I**	**New Development Private Open Space** Ensure that new development incorporates open space areas that provide community and neighborhood identity, provide quality exterior private open space for each housing unit, and minimize conflicting land uses and noise generators.	The Project provides newly landscaped front and rear yards for each unit, private community park, and public open space with trails. The Project provides a community space with picnic area and outdoor kitchens, second-floor courtyards and rooftop deck, and a fifth-floor terrace. The Project provides a private yard and roof deck for every unit, designed with open metal railing.
ER-9.2	**I**	**Enhance Neighborhood Diversity** Enhance neighborhood diversity and reinforce the desirable elements of neighborhood character and quality through incorporation of design guidelines, use of landscape materials, and encouraging new developments to integrate historical and culturally significant elements into proposed projects.	The Project will maintain existing neighborhood characteristics and enhance the area by including protected open space with a walking path to be used by the general public, a community park, and new streetscape landscaping within the proposed development.
ICS-8.3	**II**	**Completing Bicycle and Sidewalk Network**	The Project will complete the portion of Canal and Dunes Street at each end of the Project, including the connecting to the Class II bicycle lane facility as identified on Wooley Road. The Project will also construct new driveways, sidewalks, curbs, and gutters, that connect to the existing street network and be built according to City standards and accessibility
ICS-8.4	**II**	**New Development Requires Bicycle Improvements**	
ICS-8.5	**II**	**Public Sidewalks and Pedestrian Orientation**	

GENERAL PLAN POLICIES			
Policy	**Level**	**Title/Text**	**Explanation**
ICS-8.6	**II**	**Americans with Disability Act (ADA) Handicap Requirements**	requirements.
ICS-8.13	**II**	**Importance of Pedestrian and Bicycle Access in Site Planning**	
All others	**III**	**All policies not listed above**	No or distant applicability to the proposed project.

LOCAL COASTAL PROGRAM AND COASTAL ACT POLICIES		
Policy No.	**Policy**	**Explanation**
Coastal Act 30250	New development shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it.	The project is within the dunes area (an approved residential area designated for in-fill development) of the Local Coastal Plan. The surrounding development consists of similarly sized single-family and duplexes to the proposed project.
Coastal Act 30251 **LCP 37**	Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural landforms, and to be visually compatible with the character of the surrounding areas. All new development in the coastal zone shall be designed to minimize impacts on the visual resources in the area.	The project site is not immediately adjacent to the ocean, but is within a designated scenic coastal area. The project has been thoughtfully designed with an appropriate density for the neighborhood and of a similar 2-story height and massing. The Project cannot be viewed from public beaches, does not block views of scenic resources, and is unlikely to be viewed from any public right-of-way. Therefore,

		the project is consistent with these policies.
Coastal Act 30240 **LCP 6d**	Development in areas adjacent to environmentally sensitive habitat areas (ESHA) and park and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. New development adjacent to wetlands or resource protection areas shall be sited and designed to mitigate any adverse impacts to the wetlands or resource.	The Project is sited and designed to avoid significant impacts to the surrounding wetland habitat and dune area. The EIR identified mitigation measures to restore any vegetation removed at a 3:1 ratio within the project site to the north. The residential development is limited to the area of the project site closest to the existing developed neighborhood. The resource protection area development is limited to a walking path that would not damage any ESHA.

ATTACHMENT E

FINAL EIR FOR AVALON HOME (EIR 2016-01)

SEE LINK BELOW

https://www.oxnard.gov/community-development/planning-environmental-services/environmental-postings

ATTACHMENT F

RESOLUTION (PZ 16-400-02 COASTAL DEVELOPMENT PERMIT)

RESOLUTION NO. 2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 16-400-02 (COASTAL DEVELOPMENT PERMIT) FOR 56 FOR-SALE, SINGLE-FAMILY DWELLING UNITS, COMMUNITY OPEN SPACE, PUBLIC OPEN SPACE WITH LIGHT RECREATION USE, AND ASSOCIATED PARKING ON THE EXISTING VACANT 38.33-ACRE PROPERTY WITHIN THE OXNARD DUNES NEIGHBORHOOD GENERALLY LOCATED EAST OF HARBOR BOULEVARD, SOUTH OF FIFTH STREET, NORTH OF WOOLEY ROAD, AND WEST OF THE EDISON CANAL, WITHIN THE CITY OF OXNARD SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD DUNES LLC, MIKE MARLOW, 1015 S. HARBOR BOULEVARD, OXNARD, CA 93035.

WHEREAS, on May 8, 2016, property owner, Oxnard Dunes LLC, Mike Marlow, (the "**Applicant**"), submitted Planning and Zoning Permit Nos. 16-400-02 (Coastal Development Permit) and 16-300-03 (Tentative Map) to subdivide and develop 65 residential units on three parcels within the Oxnard Dunes Neighborhood (the "**Project**"); and

WHEREAS, on March 5, 2026, the Planning Commission of the City of Oxnard (**"Planning Commission"**) conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 16-400-02 (Coastal Development Permit), considered recommendations on 16-300-03 (Tentative Map), and considered Final Environmental Impact Report No. 2016-01 (State Clearinghouse No. 2016051075)(the "**FEIR**") for 56 single-family dwelling units and associated development; and

WHEREAS, if the aforementioned applications are collectively approved by the City of Oxnard, the Project would be permitted to be developed; and

WHEREAS, the Planning Commission recommends that the City Council find the FEIR No. 2016-01 was completed in compliance with CEQA, and the FEIR was presented to the City Council as the decision-making body of the Lead Agency, and that the City Council reviewed and considered the information contained in the FEIR prior to approving the project, and the FEIR reflects the lead agency‘s independent judgment and analysis; and

WHEREAS, the Planning Commission recommends that the City Council certify FEIR No. 2016-01 (State Clearinghouse No. 2012051080) and adopt a Statement of Overriding Considerations. The FEIR was prepared to analyze potential impacts associated with the approval and the development of Avalon Homes. The FEIR No. 2016-01 found one area of significant impacts (Transportation); and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the comments of the Planning Commissioners, members of the public, and interested groups and agencies have been adequately responded to; and

WHEREAS, the Coastal Development Permit is consistent with the policies and directives in the 2030 General Plan, Local Coastal Program, and Zoning Ordinance to allow development to those areas that can be served by existing or planned utilities, streets, and service systems; and

WHEREAS, the Planning Commission finds that the Applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular; and

WHEREAS, the Commission considered FEIR 2016-01 prior to taking action on the Project; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements and Local Coastal Program thereof, and the Oxnard City Code for the reasons set forth in the Planning Commission Staff Report, subject to City Council approval of the Tentative Map (PZ 16-300-03) and Final EIR 2016-01 ; and

WHEREAS, the Planning Commission finds after due study and deliberation that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

WHEREAS, the Planning Commission finds that the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend (with counsel selected by the City in its discretion) the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and attachments thereto, pursuant to Section 17-57(5), the Planning Commission finds with respect to the Coastal Development Permit:

(1) The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of this chapter.

The proposed project is conditionally permitted within the Coastal Multiple-Family (R-2-C) sub-zone because there is a proposed subdivision of a 38.33-acre parcel for 56 for-sale, single-family residential units and open space available for public use, and the project meets the definition of appealable. This project is appealable because the subject site is within 300 feet of the Edison Canal, which is considered a waterway. Pursuant to Section 17-57(B)(5) (Coastal Permit Procedures) of the Coastal Zoning Code, the proposed project is appealable to the California Coastal Commission, and is thus subject to the Planning Commission's approval of a Coastal Development Permit.

The project is subject to the policies of the Coastal Land Use Plan identified in the Local Implementation Plan (Chapter 17) relating to habitat areas, visual resources, wetland restoration, cultural resources, and coastal access and recreation. The project consists of 56 single-family residences along a private street containing a community area, parking lots, sidewalks, pathways, and public access to the open space with public trails. The northern portion of the project site remains protected and will be restored with further vegetation consistent with the dune habitat and wetlands. The proposed project demonstrates compliance with the Local Coastal Program and General Plan land use designation of Residential Existing (REX) and Resource Protection (RP).

As conditioned, the Project is consistent with the Coastal Act policies and Local Coastal Plan policies that are applicable to the project.

(2) The proposed use will not impair the integrity and character of the subject sub-zone.

The proposed Project and use is consistent with uses considered by the Coastal R-2-C and RP zones. The proposed 56 single-family residential units are sited to connect to existing infrastructure. The proposed private street completes the public road extensions from Dunes Street and Canal Street. The open space will be preserved and restored, maintaining the integrity of the site. The residential use is contiguous with the residences of the Oxnard Dunes Community, and the site design and architectural features of the development preserve the character of the neighborhood. Therefore, the proposed use and improvements are not expected to have adverse effects or be materially detrimental to adjacent uses, buildings, or structures or to the public health, safety, or general welfare.

As conditioned, the Project is consistent with the Coastal Act policies and Local Coastal Plan policies that are applicable to the project. The Project is not expected to negatively affect the integrity or character of the R-2-C and RP zones, adjacent zones, or immediate vicinity.

(3) The location and intensity of use of the subject site would be physically suitable and would protect and maintain adjacent coastal resources.

The Project site is adjacent to the existing Oxnard Dunes Neighborhood of single-family and multi-family development, native vegetation, and the Edison canal waterway. The Local Coastal Program identified and planned for the project site as REX (residential) on the southern portion and RP (open space) on the northern portion of the site. The project proposes residential development consistent with each zone meeting building height, parking, private and public open space, setbacks, and landscaping. The residential development was reduced in size from 65 to 56 residential units to ensure the project is physically suitable adjacent to the dune habitat. The open space consists of dunes and other vegetation that would be protected in place and the intent is to encourage outdoor recreation with a public walking path and parking, which will enhance the use of this parcel near coastal resources with both active and passive recreation.

The lot is not near a beach public access way and the proposed development does not prevent beach access as the site is on the east side of Harbor Boulevard. There's no anticipated impact to the Edison canal waterway as the development is sited over 150 feet away from the canal. The location and proposed intensity of the Project is suitable for the site and the 56-units and associated development would not significantly impact coastal resources.

(4) The proposed use would be compatible with the land uses presently on the subject site.

The subject 38.33-acre site is currently vacant containing a variety of vegetation communities associated with coastal dune scrub. The proposed use is consistent with the intent of the existing residential and resource protection zones. The RP zone is to preserve, protect, and restore environmentally sensitive habitat areas and open space. The proposed use for passive activity does not impede the protection of the habitat area. The intent of the conditional use is to encourage light outdoor recreational uses, which will enhance coastal dependent areas. This use is compatible with the existing land use. The 56 residential units within the R-2-C zone meets the intent of the sub-zone by ensuring that the development meets the development standards and maintains the northern habitat area. The project is conditioned to mitigate the displacement of native habitat and wetlands within the portion of the site zoned RP. This proposed restoration is compatible with the coastal dune habitat that presently exists onsite.

(5) The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.

The proposed 56 single-family dwelling units and proposed in the existing R-2-C zone intended for residential development. The proposed public open space with walking trail and parking is proposed within the existing RP zone intended for preservation of open space and conditional allowed passive recreational uses. The proposed uses for the subject property are compatible with the zoning and land uses. The general area consists of the Oxnard Dunes Neighborhood with single-family and multifamily residential structures and the proposed development is directly adjacent to the developed community. The site will remain compatible with the surrounding neighborhood and open space for existing, proposed, and future land uses within the subzone and general area.

(6) There are adequate public services for the proposed use, including, but not limited to fire and police protection, water, sanitation and public utilities and services to ensure that the proposed use will not be detrimental to public health and safety.

The project is within existing planning and population projections, and within the service areas and capabilities of Southern California Edison, Southern California Gas Company, and other public utilities and services. The project development area is generally limited to approximately 8-acres adding 56 residential units and private infrastructure that connects to the adjacent existing developed neighborhood. As such, its development would not interfere with the provision of new energy facilities and existing utility service lines exist in the project area that would serve the project site. Furthermore, the project would comply with the City's standard conditions of approval and the energy efficiency standards in the California Green Building Code, connection to existing public utilities, and within the City boundaries that would be serviced by the City of Oxnard fire and police. The proposed residential development and public open space will not be detrimental to public health and safety.

(7) The Proposed use will provide a type and level of public access consistent with the access policies and standards of the certified Oxnard Coastal Land Use Plan.

Implementation of the proposed Project will not affect existing vertical and lateral public access to the beach as the subject site is not located adjacent to a beach public access way. Although the project site is on the east side of Harbor Boulevard with no direct access to the coast, the Project provides coastal view opportunities with the proposed walking path within the open space area on the northern portion of the property. Therefore, present public access to the beach would remain unchanged and would be improved by this Project.

(8) The proposed use will be appropriate in light of an established need, based upon the underlying goals and objectives of specific Oxnard Coastal Land Use Plan policies, applicable to the proposed location.

The R-2-C zone is to provide multiple family residential options within an existing developed neighborhood and the RP zone provides open space for various forms of passive outdoor recreation of either a public or private nature. The residential use proposes an appropriate density based on the Coastal Land Use Plan and is designed to meet the policies, goals, and objectives. Mitigation measures from the Final Environmental Impact Report and conditions of approval ensure the Project remains consistent with the underlying standards, policies, goals, and objectives of the Local Coastal Program (LCP). Therefore, the proposed uses are appropriate in light of established need, based upon the goals and objectives in the LCP.

(9) The proposed use would be consistent with all the applicable policies of the certified Oxnard Coastal Land Use Plan.

As conditioned the proposed project is consistent with all applicable policies as shown in the consistency analysis provided in the Staff report. The Project is conditioned to meet the policies addressed in the staff report.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project after implementation of standard conditions and mitigation measures identified in the FEIR, would result in one Class I significant and unavoidable impact and has considered the Findings of Fact, Monitoring and Reporting Program, and Statement of Overriding Considerations identified and discussed in FEIR 2016-01.

SECTION 3. This Resolution shall not become effective unless and until the City of Oxnard City Council adopts the FEIR 2016-01 and approves the associated Tentative Map (PZ No. 16-300-03). If the City Council fails to approve any of these permits, then this Resolution shall become null and void and be of no further force and effect.

SECTION 4. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 16-400-02 (Coastal Development Permit), subject to the attached conditions of approval.

SECTION 5. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 17-58 of the Oxnard City Code.

SECTION 6. The Secretary shall certify the adoption of this Resolution.

CONDITIONS OF APPROVAL

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the

project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions, while some are taken from environmental documents (e.g. *MND*).

Departments and Divisions			
CA	City Attorney	TR	Traffic Division
PD	Police Department	DS	Building and Engineering Division
ER	Environmental Resources	FD	Fire Department
HD	Housing Department	CE	Code Compliance Division
CA	City Attorney	PL	Planning Division

GENERAL PROJECT CONDITIONS

1. This permit is granted for the area described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL).

2. This permit is granted for the plans approved and dated March 5, 2026 ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions. A minor change may be granted for minimal changes under the procedures set in OCC Sec. 17-57. A Coastal Development Permit amendment shall be required for substantial changes or increases of the approved project. (PL)

3. This permit shall automatically become null and void 24 months from the date of its issuance, unless the Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. A one time extension to this permit may be granted for a maximum of 12 additional months. The request for the extension shall be applied for prior to the expiration of the permit. (PL)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Community Development Department Engineering Division Manager allows the Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA)

6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA)

7. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL)

8. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA)

9. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend (with counsel selected by the City in its discretion) the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA)

10. This permit is granted subject to the City's approval of a tentative subdivision map (PZ 16-300-03) and final map, and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Building and Engineering Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)

11. The subject Coastal Development Permit shall not become effective until 20 working days have elapsed without appeal to the Coastal Commission following the proper receipt by the Coastal Commission's Executive Director of the notice of permit issuance pursuant to Section 13316 of the Coastal Commission Code of Regulations. Such notice to the Coastal Commission shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL)

PLANNING DIVISION STANDARD CONDITIONS

12. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit in all sets of construction documents and specifications for the project. (PL)

13. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELO). Landscape plan shall show proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)(PL)

14. Prior to the issuance of building permits for a residential development that includes any model houses, Developer shall obtain the approval of the Planning Division or designee for a low water-using landscape plan. Developer shall install low water-using landscape

design and irrigation systems for at least one of the model houses in any cluster of two or more model houses, thereby demonstrating to prospective buyers the feasibility and aesthetic qualities of low water-using landscape design and irrigation systems. Developer shall provide appropriate signs, shown on the landscape plan, explaining that the model house utilizes a low water-using landscape and listing the plant materials used. (PL)

15. Exterior lighting of the site, including parking areas, shall be between 1 and 7-foot candles and shall be in harmony with existing adjacent lighting schemes. Lighting bollards shall not be used as part of the foot candle calculation on photometric sheets. This condition shall only apply to the parking area of the open spaces parcel.

16. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

17. Outdoor lighting instruments shall not be placed in close proximity to trees. In the event outdoor lighting instruments and trees are in close proximity a Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This plan shall include all outdoor areas as well as the parking facility. This is to ensure that tree growth will not adversely impact future lighting and therefore site safety as the project matures. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This plan shall include all outdoor areas as well as the parking facility. Plan sheet shall include:

    a. Tree species table which shows canopy bottom, top, and broadest diameter at a 20-year maturity.

    b. Areas where walkways exist opposite from parking stalls, Pole and arm instruments should be placed directly opposite from finger-planters.

    c. Luminaires used in the photometric calculations shall only include those instruments mounted 8-feet or more above walking/driving surface. (PL)

18. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. (PL/B)

19. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL)

20. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units and habitat areas. (PL)

21. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly in plan check with the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL)

22. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL)

23. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL)

24. Developer shall pay Quimby Fees (fees for park acquisition) before issuance of building permits. The amount of the fee shall be calculated and verified by the Planning Division at the time of payment. (PL)

25. In accordance with City Council Ordinance No. 2980, or the ordinance in effect at the time building permits are issued, Developer shall pay the current in-lieu affordable housing fees, to be calculated at the time of building permit issuance. (PL)

26. Developer shall recess or screen new roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B)

27. Developer shall pay applicable impact fees, including but not limited to the fees authorized by City Council Resolution 15,329 (Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee, and Utility and Undergrounding in-Lieu Fee) and for Wastewater, Water System, Water Service And Meter, Storm Drain, and General Plan maintenance connection and/or impact fees before issuance of building permits. (PL)

28. Developer shall remove any and all graffiti from the project premises, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. Site management shall maintain a supply of paint to match the building's exterior color scheme. (PL)

29. Before or during escrow for the sale of property within the project, Developer shall give to the buyers a document disclosing, in large type, that:

    a. The property was formerly used for agricultural purposes, and/or is near or adjacent to, land that is currently used for agricultural operations; and

    b. The buyers may be subject to inconvenience or discomfort arising from agricultural operations on such nearby or adjacent land, including, but not limited to, frost protection measures, noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) at any hour of the day or night, storage of equipment and materials necessary to the agricultural operations, slow moving farm equipment, and spraying or other application of chemical fertilizers, soil amendments (such as manure, compost materials and mulches) and pesticides (such as herbicides, insecticides and fumigants); and

    c. If the buyers complete the purchase of the property, the buyers should be prepared to accept such inconvenience and discomfort as a normal and necessary aspect of living near or adjacent to agricultural operations.

    d. To show that the buyers have read the document, Developer shall require the buyers to sign the document. Developer shall retain all such documents for at least three years and shall allow the City to inspect and copy all such documents upon request. (PL)

30. Developer shall record a notice to appear in all deeds of property within the project that the project is within or proximate to the Oxnard Airport Sphere of Influence and inhabitants may be affected by the airport and aircraft operations. Before the City issues building permits, Developer shall provide evidence of recordation of such notice with the Ventura County Recorder's Office. (PL)

31. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Division. (PL)

PLANNING DIVISION SPECIAL CONDITIONS

32. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved. (PL)

33. Prior to issuance of any certificate of occupancy for any units beyond the 50th percentile of the total approved residential units, the Developer shall complete the construction of the required open space trail improvements per the approved plans. Said improvements shall include, but not be limited to, trail grading, surfacing, signage, parking lot, public access connections, and any associated landscaping and amenities, subject to review and approval by the Planning Division. The trail shall be fully accessible to the public and open for use.

34. Prior to issuance of building permits, the Developer shall post performance bonds in an amount equal to 1.5 times the estimated value to ensure compliance with habitat restoration Mitigation Measure BIO-6 (or equivalent in the Final EIR/MMRP), requiring revegetation at a 4:1 ratio for any impacted native vegetation and initiation within one (1) year of project construction completion. The Developer shall maintain and monitor the restored areas (including trails and open space on Lots A and B) for a minimum of five (5) years, submitting annual reports to the Community Development Director. The bonds shall include: 1) 1.5 times the value of labor and materials for initial restoration; and 2) 1.5 times the value of maintenance and monitoring for 5 years. Bond amounts shall be based on a cost estimate prepared by a qualified biologist/restoration specialist and approved by the Community Development Director, with provisions for annual updates if needed. Bonds may be released upon satisfactory completion of the restoration program, verified by City inspection and compliance with MMRP success criteria. The City may collect on the bonds and complete the restoration program (including hiring third-party contractors) if the applicant fails to restore or maintain according to approved plans.

35. Applicant shall submit a check made out to the City of Oxnard for payment of outstanding discretionary permit and environmental processing fees associated with the development project. Funds shall be deposited prior to issuance of permits.

Mitigation Measures

36. Applicant shall deposit $5,000 for mitigation monitoring and reporting associated with the development project, PZ 16-400-02. Such funds shall be deposited prior to submission of building permits.

Air Quality

37. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.

38. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.

39. Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:

a. All trucks shall be required to cover their loads as required by California Vehicle Code Section 23114.

b. All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.

c. Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area within three weeks, it shall be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.

d. Signs shall be posted on-site limiting traffic to 15 miles per hour or less.

e. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either on-site or off-site.

f. Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.

g. Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health Regulations.

h. Shaker plates shall be installed at all truck exits from the site.

40. Dust control requirements shall be shown on all grading plans.

41. Signs displaying the APCD Complaint Line telephone number for public complaints shall be posted in a prominent location visible from off site: 805-645-1400 during business hours and 805-645-2797 after hours.

42. All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the USEPA Tier 4 Final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards.

43. Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes.

44. Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.

45. The number of pieces of equipment operating simultaneously shall be minimized.

46. Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric) when feasible.

47. The engine size of construction equipment shall be the minimum practical size.

48. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible.

49. During the smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.

50. Wherever feasible, non-painted exterior surfaces and low volatile interior and exterior paints shall be used for architectural coatings.

Biological Resources

51. Prior to issuance of a grading permit for the project, spring and summer seasonal botanical surveys for special status plants, including but not limited to Orcutt's pincushion, shall be conducted within the impact area by a qualified botanist satisfactory to the City. A summary of the survey findings shall be provided to the City for approval. If any special status species are observed, avoidance, minimization, and/or mitigation shall be performed to reduce effects. If the species cannot be fully avoided, the Applicant shall draft a plan to offset impacts to the species as discussed in Mitigation Measure BIO-1(b). If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the Applicant shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy.

52. In the event that Orcutt's pincushion or any other special status plant populations cannot be fully avoided, restoration, management, maintenance, and monitoring plans shall be developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by CDFW and the City of Oxnard prior to issuance of a grading permit. The mitigation therein shall be implemented within one (1) year following completion of project construction. The Applicant shall secure a bond for an amount equal to the cost of the mitigation effort prior to issuance of the grading permit. The bond shall be released by the City upon satisfaction of the approved performance criteria after the monitoring period has expired.

53. The restoration, management, maintenance, and monitoring plans shall include one or more of the following methods, to be implemented either individually or in conjunction with each other: Onsite or Offsite Restoration (Salvage and Replanting) Restoration shall involve the collection of seed from within the development footprint or nearby areas, if necessary, and replanting the seed in a suitable area in a portion of the project site that is set aside for preservation. Collection of seed from state-listed endangered, threatened, or rare plants shall not occur without appropriate authorization from CDFW. If onsite restoration is infeasible, an offsite location as close to the impact area as possible, but within the local

watershed, may be used. The Restoration Plan, prepared by a qualified plant ecologist satisfactory to the City, shall include, but not be limited to, the following to achieve a performance standard of a 2:1 replacement, or as dictated by a regulatory agency with permitting authority over the species:

a. Location of the mitigation/restoration and map;

b. Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric);

c. Identification of the party responsible for achieving the success criteria;

d. Plant species, container sizes, and seeding rates;

e. Planting schedule;

f. Monitoring frequency, methods, and duration;

g. Means to control exotic vegetation;

h. Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken);

i. Irrigation methods and schedule; and,

j. Identification of a protection instrument providing for conservation of the mitigation site in perpetuity.

54. The Developer shall maintain and monitor the plants for a minimum of five years.

a. Off-site preservation: Offsite preservation shall consist of locating a population of the impacted special status plant species containing at least two times the number of individuals impacted by the project and preserving the population in perpetuity via placement of a permanent conservation easement or purchase of the land and dedication to the City or an approved conservation organization acceptable to the City. The preserved population shall be located in an area of sufficient size to create a preserve core and be located, as feasible, at least 350 feet away from existing or proposed development, paved roads, v-ditches and irrigated areas. Additionally, the preserved population shall exhibit connectivity to other protected open space or hillside areas. The Preservation Plan shall at least identify the specific location of the preservation site and size; number of individuals preserved; ownership of the land; parties involved; and the preservation methodology (i.e., permanent conservation easement or dedication to an approved conservation organization, etc.).

55. If grading or tree removal is to occur during the bird-breeding season (January 1 through September 15), at a minimum, one (1) survey shall be conducted prior to the initiation of grading or tree removal by a qualified biologist (a person with a biology degree and/or established skills in bird recognition). The survey shall occur no more than (1) week prior

to the grading or tree removal. The work limits plus a 500-foot buffer, as feasible, shall be surveyed to accommodate potential active raptor nests, as well as other birds nesting nearby. A copy of the biologist contract for these services shall be submitted to the Planning Division for review and approval prior to the issuance of grading permits. A report summarizing the findings of the survey and the recommended buffers shall be provided to the Planning Division prior to vegetation removal activities.

56. Based on the nesting bird survey, in the event that nesting birds are observed within 500 feet of the disturbance/construction area, species-specific exclusionary buffers shall be implemented as determined by the qualified biologist, and construction timing and location shall be adjusted accordingly until the nestlings have fledged and are no longer dependent upon the nest. The active nests and exclusionary buffers shall be monitored by a qualified biologist (at least initially) to determine if the active nests are being adversely affected by construction activities and to determine if a buffer would need to be increased to reduce such effects.

57. A qualified biological monitor familiar with globose dune beetle and southern California legless lizard shall be present during initial ground-disturbing activities (including, but not limited to, site preparation, grading, excavation, and trenching) within suitable habitat for these species. The biological monitor shall have the authority to temporarily stop work if one or more individuals are observed. The monitor shall then relocate these individuals to suitable undisturbed habitat, outside the areas directly and indirectly affected by ground disturbance activities.

58. Prior to recordation of the final map for the project, the applicant shall prepare a protection and enhancement plan for the area to be preserved within the Resource Protection (RP) land use designation (approximately 29.18 acres in Parcels A and B shown on the tentative map). The plan shall be prepared by a qualified biologist and/or resource specialist and shall be reviewed and approved by the City of Oxnard. The plan shall address and incorporate the following features, which may be modified through consultation with other agencies and the City prior to finalization:

    a. Timing and procedures for establishing a conservation easement or similar protection mechanism for the RP designated land to be preserved;

    b. Incorporation of Ventura marsh milk vetch or any other sensitive plant species, if required as part of mitigation measure BIO-1;

    c. Revegetation or enlargement of the willow thicket area, if required as part of mitigation measure BIO-6(b);

    d. Removal and control of invasive species such as ice plant;

    e. Modifications to and maintenance of perimeter fencing to prohibit or control public access;

    f. Inclusion of limited public access, with prohibitions or controls addressing pets, no entry areas, and other aspects of potential public use;

g. Funding mechanism, which may include provision of performance bonds to the City to ensure installation of all improvements and completion of restoration and protection measures or alternative implementation guarantees.

59. The applicant shall accomplish the following measures, to the satisfaction of the Planning Division:

a. Preparation, review, and implementation of landscaping plans for the project shall include provisions for the control of invasive plant species to address the potential impacts of non-native plants colonizing adjacent native habitats. Covenants, Conditions and Restrictions shall be recorded specifying that landscaping for individual housing lots shall not include any exotic invasive plant species. The Covenants, Conditions and Restrictions shall be binding on each of the lots in the subdivision, shall run with the land affected by the subdivision, and shall be included or incorporated by reference in every deed transferring one or more of the lots in the subdivision.

b. The project applicant shall also provide, in connection with the sale of each housing unit, an information packet that explains the sensitivity of the natural habitats onsite and nearby and the need to minimize impacts on the identified sensitive species, designated resource protection areas, the limits on public access within or adjacent to such areas, the prohibition on landscaping that includes exotic invasive plant species, and the limits on exterior residential lighting. Interpretive signs shall also be placed in appropriate locations along the edges of resource protection areas explaining the sensitivity of certain species and natural habitats and the need to minimize impacts on these adjacent areas.

60. Prior to issuance of any grading permits for the project, and prior to clearing of any vegetation from the site, the applicant shall provide the Oxnard Planning Division with proof of consultation with CDFW, the U.S. Army Corps of Engineers, and the Los Angeles RWQCB. This consultation might result in the applicant being required to provide these agencies with a completed delineation of jurisdictional aquatic resources within the project footprint, or to apply for permits authorizing impacts to streams or wetlands. If federal or State permits are obtained, the applicant shall provide a copy of the approved permits to the Planning Division for review and approval prior to issuance of grading permits. The applicant shall comply with all permit conditions when implementing the proposed activities, including any seasonal timing restrictions, impact avoidance measures, limitations on construction means and methods, site restoration, compensatory mitigation, and reporting requirements.

61. If jurisdictional wetlands/habitat are not avoided, areas of permanent disturbance shall be compensated for by creation, restoration, or enhancement of similar habitat at a 4:1 ratio, or as required by the regulatory agencies having permitting jurisdiction over the resources. Compensation for impacts to willow thickets shall consist of native and appropriate willow scrub species, unless otherwise specified by the regulatory agencies. Re-vegetation shall occur as close to the impact area as possible and shall be within the same watershed. For this project, a likely revegetation area, should one be necessary, could be in the

preservation area immediately north of the willow thicket, within the larger project boundaries. Payment of an in-lieu fee to a conservation organization approved by the City (and acceptable to the regulatory agencies, as appropriate) to conduct the mitigation may be accepted if no other locations are feasible, as confirmed by the City. The project Applicant shall submit a re-vegetation plan prepared by a qualified restoration biologist for review and approval by the City prior to issuance of a grading permit. The plan shall include, but not be limited to, the following components:

a. Location of the mitigation/restoration and map;

b. Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric);

c. Identification of the party responsible for achieving the success criteria;

d. Plant species, container sizes, and seeding rates;

e. Planting schedule;

f. Monitoring frequency, methods, and duration;

g. Means to control exotic vegetation;

h. Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken);

i. Irrigation methods and schedule; and,

j. Identification of a protection instrument provided for conservation of the mitigation in perpetuity.

62. The revegetation shall be initiated within one (1) year of completion of project construction. The Developer shall maintain and monitor the restored areas for a minimum of five years.

63. The grading and improvement plans for the project shall indicate measures to minimize encroachment into the willow thicket habitat beyond the anticipated 0.91 acre of permanent impact. These shall include the use of a retaining wall or walls, minimum improvements along the north side of the private extension of Canal Street through the project (i.e. no sidewalks on north side and minimum improvements to meet City standards for this roadway). The plans shall also indicate through drawing or notes that equipment and vehicle parking and staging areas are to be separated from the preserved areas by 100 feet or more and shall prohibit vehicle and equipment from crossing or entering the willow thicket areas from the north (except as necessary for any approved revegetation work). The stormwater management plan shall ensure that runoff from construction areas is diverted away from the willow thicket areas as much as feasible.

Cultural Resources

64. Prior to the start of ground-disturbing activities, the City and/or subsequent responsible parties shall retain an archeologist meeting the Secretary of the Interior's Professional Qualifications Standards (NPS 2020b) (Qualified Archeologist) to respond to and address inadvertent discoveries identified for the duration of construction act activities. The Qualified Archeologist shall possess experience and familiarity with historic-period and prehistoric archaeological resources in the region.

65. All on-site personnel shall be briefed regarding unanticipated discoveries prior to the start of construction activities. A basic presentation shall be prepared and presented by a Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist to inform all on-site personnel working on the project about the archaeological sensitivity of the area. The purpose of the Workers Environmental Awareness Program training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the project and explain the importance of and legal basis for the protection of significant archaeological resources. All on-site personnel shall also be instructed in the proper procedures to follow in the event that archaeological resources or human remains are uncovered during ground-disturbing activities. These procedures include stopping or redirecting work and the immediate notification of the Qualified Archaeologist, and if appropriate, a Native American representative, and establishing an appropriate temporary avoidance buffer. The necessity of training attendance shall be stated on all construction plans, and the City and/or subsequent responsible parties shall maintain records demonstrating construction worker training participation.

66. The Qualified Archaeologist shall oversee an archaeological monitor possessing experience and familiarity with historic-period and prehistoric resources in the region. The archaeological monitor shall conduct full-time monitoring within undisturbed native soils to the project's proposed maximum depths of disturbance. In general, archaeological monitoring shall be limited to initial ground disturbance, which is defined as construction-related earthmoving of sediments from their native place of deposition and does not include any secondary movement of sediment that might be required for the project (e.g., backfilling). The Qualified Archaeologist may adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter archaeological deposits. The archaeological monitor shall be responsible for maintaining daily monitoring logs. If throughout the course of project construction activities, a discovery is made by construction personnel and a monitor is not present, the protocols and procedures outlined in the Workers Environmental Awareness Program training shall be followed. Following the completion of project construction activities, the Qualified Archaeologist shall prepare an archaeological monitoring report with the results of the archaeological monitoring program that meets state and local requirements and submit the report to the City and the SCCIC at the California State University at Fullerton. Reports submitted to the SCCIC shall be formatted and completed in accordance with the CHRIS document submittal standards.

67. In the event that previously unknown archaeological resources are inadvertently encountered during ground-disturbing activities, work in a 50-foot radius of the find shall

be halted and redirected, and the Qualified Archaeologist shall be contacted immediately. The Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist, shall provide recommendations regarding the resource's potential significance and potential treatment in coordination with the City. If the resource is determined by the Qualified Archaeologist to be indigenous in origin, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the Qualified Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via Project redesign, the Qualified Archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of the California Code of Regulations (CCR) Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the Qualified Archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the CHRIS, per CCR Section 15126.4(b)(3)(C).

68. In the event that human remains are inadvertently encountered during ground disturbing activities, they shall be treated consistent with State and local regulations including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and the CCR Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the County Coroner determines that the remains are, or believed to be Native American origin, the County Coroner is required to notify the Native American Heritage Commission that shall notify those persons believed to be the most likely descendent (MLD). The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance.

69. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If a potential fossil is discovered during project construction, construction activity within 50 feet of the find shall cease until the discovery is examined by a Qualified Professional Paleontologist as defined by the Society of Vertebrate Paleontology (SVP 2010). If the find is determined to be scientifically significant, the Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources consistent with the SVP (2010) standards, which shall include fossil salvage, laboratory preparation, curation in a paleontological repository, and a paleontological monitoring report. Additionally, the Qualified Professional Paleontologist and City shall decide if full- or part-time monitoring

shall be instated for further project-related excavations. A Qualified Professional Paleontologist is defined by the SVP (2010) as an individual with:

a. A graduate degree in paleontology or geology, and/or a publication record in peer reviewed journals; and demonstrated competence in field techniques, preparation, identification, curation, and reporting in the state or geologic province in which the project occurs. An advanced degree is less important than demonstrated competence and regional experience.

b. At least two full years professional experience as assistant to a Project Paleontologist with administration and project management experience; supported by a list of projects and referral contacts.

c. Proficiency in recognizing fossils in the field and determining their significance.

d. Expertise in local geology, stratigraphy, and biostratigraphy.

e. Experience collecting vertebrate fossils in the field.

Geology and Soils

70. All recommendations contained within the Preliminary Soils Engineering Investigation conducted by SubSurface Designs, Inc. (Appendix H of the EIR) shall be followed for future development within the project site. These recommendations include the following:

a. Grading for the proposed development shall include the removal and re-compaction of the upper six feet (6') of the existing alluvium for support of the proposed foundation system. The grading shall extend outside of the footprint of the proposed structure ten feet (10'). A minimum of four feet (4') of compacted fill shall be maintained below the bottom of all foundations. A layer of bi-directional geogrid shall be placed within the bottom of the grading limits prior to the placement of compacted fill. Portions of the bottom excavation for the recommended removals are anticipated to require stabilization prior to the placement of compacted fill. In areas where excessive pumping is encountered, the geogrid shall be covered with one foot (1') of six inch (6") minus rock then covered with a geofabric. The earth material outside of the grading limits for the proposed structure shall be removed and re- compacted down two feet (2') for support in all areas to receive concrete slab, decking, or paving.

b. Grading shall be carried forth as described in the Grading and Earthwork section. Based on the granular nature of the upper alluvium, each layer shall be compacted to 95percent of the maximum density as determined by the latest version of ASTMD 1557.

c. Structures shall be supported by a mat foundation.

71. Foundations shall be designed as outlined in the Foundations Section. Drainage and maintenance recommendations included in the Preliminary Soils Engineering Investigation

shall be incorporated into the design of the project. These recommendations include, but are not limited to:

a. A comprehensive drainage system shall be designed and incorporated into the final plans.

b. Pad areas shall be maintained and planted in a way that will allow the drainage system to function as intended.

72. Positive pad drainage shall be incorporated into the final plans. All drainage from the roof and pad shall be directed so that water does not pond adjacent to the foundations or flow toward them. All drainage shall be collected and directed via non-erosive devices to a location approved by the building official.

73. The application shall include the following energy savings requirements in construction and building management contracts.

a. The project shall comply with the latest Title 24 standards under the California Green Building Code.

b. The project shall use solar or low-emission water heaters in new buildings/residences.

c. The project shall require that landscapers providing services use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased in stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).

74. The proposed project shall install solar panels and/or similar equipment that generates electricity from sunlight and/or wind. The owner/tenant of the building may elect to install such equipment to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission, if requested by the City and economically feasible.

75. The proposed project shall include passive energy conservation design elements, including building material massing, orientation, landscape shading, recycled or low-impact materials, window glazing to increase insulation, water circulation pumps to reduce water use, and/or similar measures shown to be equally effective.

76. The applicant shall include natural ventilation in building design plans whenever feasible.

Noise

77. The construction contractor shall prepare and implement a Construction Noise Control Plan. The construction contractor shall submit the Construction Noise Control Plan to the City of Oxnard Public Works Department for review and approval prior to initiation of

construction. The details of the Construction Noise Control Plan shall be included as part of the permit application drawing set and as part of the construction drawing set. The Construction Noise Control Plan shall include the following measures:

a. At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the overall duration of the construction period. The notification shall include the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint.

b. At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, the representative shall investigate, take appropriate corrective action, and report the action to the City.

c. During the entire active construction period, equipment, tools, and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible. During the entire active construction period, stationary noise sources shall be located as far from sensitive receivers as possible, muffled, and enclosed within temporary sheds or insulation barriers, or other measures for equivalent noise reduction will be incorporated to the extent feasible.

d. The contractor shall be required to use impact tools that are hydraulically or electrically powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.

e. Stockpiling of materials shall be located as far as feasible from nearby noise-sensitive receptors.

f. Signs shall be posted at the job site entrance(s) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than five minutes.

g. Use of stereos and other amplified noise not necessary for the completion of construction work shall be prohibited.

78. During the entire active construction period and to the extent feasible, the use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only. The construction manager shall ensure the use of smart back-up alarms,

which automatically adjust the alarm level based on the background noise level or switch off back-up alarms and replace them with human spotters in compliance with safety requirements and laws.

79. Prior to the issuance of a grading and building permit, the following measures shall be included as notes on all construction plans: Construction activities that utilize large earthmoving equipment (rated at 100 hp or more) within 15 feet of offsite residential structures shall be conducted with small offroad equipment limited to 100 hp or less.

Transportation

80. The applicant shall include bicycle parking at the proposed small parking lot for the open space area in the northern area of the project site. The number of bicycle parking spaces shall be no less the number of vehicle parking spaces provided at the parking lot. The design and finish of the bicycle parking (e.g., bicycle rack, bicycle lockers, etc.) shall use natural colors, such as shades of green and tan found in the surrounding open space area to the north. The project applicant shall also include a Class III bicycle land on the proposed internal circulation road. The Class III bicycle lane shall extend the full length of the internal access road, effectively providing a bicycle-lane connection between existing Dunes Street at the north end and Canal Street at the south end.

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81. Developer shall process the final map concurrent with the site improvement plans for Coastal Development Permit PZ 16-400-02. The final map shall be processed for recordation concurrent with the approval and grading permit issuance for the PZ 16-400-02 site improvement plans. (DS)

82. Developer shall design all slopes steeper than 5 (horizontal) to 1 (vertical) with a minimum 24-inch-wide level area (at both top and bottom of slope) where it adjoins a wall, fence, sidewalk, trail, curb or similar improvement. (DS)

83. Onsite infrastructure improvements, including pavement, sidewalks, and underground utilities such as storm drainage and sanitary sewer systems, shall be privately owned and maintained. A manhole or junction structure for each system shall be constructed near the edge of the project property line to separate and identify the private portions from the public portions of the system. (DS)

84. Developer shall also provide evidence that maintenance costs for the privately owned and shared facilities are provided for in a recorded agreement, CC&Rs, or similar document in a manner acceptable to the City Engineer. A final draft shall be provided to the City Engineer for review prior and approval pertaining to this condition prior to grading permit issuance. (DS)

85. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment or proof no-payment required from the County of Ventura shall be provided to the Building and Engineering Division prior to issuance of a building permit. (DS)

86. The striping for the private road shall designate an area for the trash bins to be staged on trash pick-up days. A clear space of 2-feet shall be provided between each bin, with 3 bins required for each residential unit unless more bins are required by the Environmental Resources Division. (DS)

Utilities

87. All public utilities that will be owned by the City, such as the water system, shall be clearly labeled as 'Public' on the project improvement plans. (DS)

88. Developer shall locate all water meters near the back of curb in accordance with City standard plates. Water meters are prohibited to be located within areas subject to vehicular traffic. (DS)

89. The design and construction of the public water system shall be looped back to the City water main. Dead-ends are not permitted. The design of the loop is subject to review and approval by the City Engineer. (DS)

90. Each structure shall be served by a separate water service in accordance with City Code. (DS)

91. Developer shall dedicate a water easement to the City that encompasses the onsite water system as required by Public Works Standards and as directed by the City Engineer. The easement shall encompass all fire hydrants, water meters, water mains, and valves. Unless otherwise approved by the City Engineer, water service lines after the meters and privately-owned backflow devices shall be located outside of the water easement. Except where approved by the City Engineer for incidental crossings, all other utilities shall be located outside of the water easement. (DS)

92. Before connecting the project to the existing sewer stub, Developer shall inspect via video of the existing lateral and arrange for City staff to view inspection results. Developer shall make repairs to such facilities as determined necessary by City staff. Developer shall bring all existing water stub into compliance with current City standards including removal of unused sewer stubs by disconnection at the main. Unless a transitional manhole is constructed at the outside edge of the project, the entire sewer lateral all the way to the existing manhole shall be privately owned. (DS)

93. The project is greater than 10 acres and is required to underground existing overhead utilities along the project frontages in accordance with City Ordinance No. 2207. Facilities used for the transmission of electrical energy at voltages in excess of 33,000 volts are exempt from the undergrounding requirement. (DS)

Stormwater

94. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") in the flow control structure(s) discharging stormwater

runoff to a public drainage system. The Devices shall be sized and designed for the 1-year 1-hour storm event. (DS)

95. This project was deemed complete for stormwater review before the 2021 MS4 Permit became effective. Therefore, Developer shall have the stormwater treatment system be designed to minimize degradation of stormwater quality by complying with the applicable sections of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) for new development projects. Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). (DS)

96. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not necessarily be limited to, determination of site-specific soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not necessarily be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS)

97. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the City Engineer approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS)

98. Developer's stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning; 2) Requirement to maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system; 3) Requirement to label all on-site storm drain inlets with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS)

99. To the maximum extent feasible, the downspouts from the residential units shall be designed to allow roof runoff to be discharged to landscape areas to allow for natural infiltration prior to being collected by the structural stormwater treatment system. (DS)

100. The onsite drainage conduit system shall be sized to convey the 100-year storm event within the conduit system to the point of connection at the public drainage system downstream. The storm drain improvement plans shall provide hydraulic grade line profiles for the proposed onsite storm and off-site drainage systems. Developer shall justify the starting of the hydraulic grade line at the connection point based on as-built plans or previous drainage report, unless approved otherwise by the City Engineer. (DS)

101. Developer shall analyze the existing sump catch basin and the dual 42-in RCP culvert at the intersection of Canal and Dune Streets for the 100-year storm event capacity. The analysis shall demonstrate that the existing dual 42-in RCPs and the existing catch basin can convey the 100-year flow. The catch basin shall have the surface area capacity to capture the 100-year flow with a 50% clogging ratio unless the design engineer can demonstrate that the other nearby catch basins can also serve as the secondary overflow. The upgrades to the existing catch basin(s) shall not interfere with the existing residential driveways. (DS)

102. The private drain inlets shall be designed to capture the 100-year storm event, and a 50% clogging factor at sump shall be applied for sump/depressed locations. (DS)

103. The on-site parking lot shall be designed to serve as the emergency overland overflow for the project site and the existing neighborhood. Overland overflow runoff from the Canal and Dune intersection shall migrate to the parking lot via surface in the event that the drainage system gets clogged at the intersection. Prior to grading permit issuance, Developer shall record a DECLARATION OF RESTRICTIVE COVENANT TO ACCEPT DRAINAGE FROM PUBLIC RIGHT-OF-WAY with an exhibit showing the drainage pattern, unless approved otherwise by the City Engineer. (DS)

104. Unless approved otherwise by the City Engineer, an overflow bubbler shall be constructed at the edge of the parking lot along the easterly side at elevation 11. The bubbler structure shall be of the same pipe size diameter as the new storm drain main trunk along Canal Street Extension. The stormwater treatment facility located in the parking lot may connect to this storm drain bubbler system. (DS)

105. The parking lot shall be designed to have a consistent elevation all along the easterly side that is at least 12 inches lower than the high point flow line elevation of the to-be reconstructed Canal Street unless approved otherwise by the City Engineer. Vegetation along the easterly side shall be cleared prior to and during the rain seasons between October and April, and the maintenance requirements shall be outlined in the Covenant & Deed Restriction for Storm Water Quality Control Measures. (DS)

106. The drainage report shall include a set of calculations showing the amount of volume of runoff that can be detained in the street while not affecting the finished floor of existing homes during a 100-year event with the reconstruction of Canal Street between Wooley and Dune, and assuming that the culvert system is clogged. Developer shall demonstrate that

the building pads of the existing and new homes are protected from inundation during a 1% chance (100-year) storm. (DS)

107. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS)

Street Improvements

108. Canal Street (between Dune and Wooley Streets) shall be reconstructed, along with curb, gutter, and sidewalk, necessary to raise the street elevation to prevent overflow of stormwater from the intersection of Dune and Canal Streets to Wooley Street during a 100-year storm event. The Developer shall be responsible for coordinating with the private homeowners and reconstructing any existing private improvements at Developer's expense for the public and private improvements affected by Canal Street's reconstruction. (DS)

109. Any roadway segments that exist between the proposed resurfaced portions along Canal, Dune, and Beachcomber Streets shall receive a 2-in grind and overlay to match with the rest of the project site. The surface course shall provide a visual of continuously improved streets with the same new asphalt surface course. (DS)

110. Any saw-cutting of the public street shall be restored to the latest City standards and may include a 2-inch curb-to-curb grind and overlay. The asphalt type for pavement restoration shall be rubberized asphalt unless the existing pavement is standard asphalt. The City Inspector reserves the right to modify the required limits of the asphalt restoration based on field conditions. (DS)

111. The new parkway at the Beachcomber Street shall be maintained and irrigated by the Homeowners Association, and the landscaping maintenance shall be described in the CC&Rs. The landscape and irrigation requirements shall run with the land in perpetuity with the CDP PZ 16-400-02. (DS)

112. For public streets, the project shall use recycled materials to the extent feasible and cost-effective per Caltrans standard specifications adopted in 2018, meeting the requirements of AB 2953. Recycled materials include: (1) Recycled base and subbase materials as set forth in Sections 25-1.02 and 26-1.02 of the Caltrans standard specifications; (2) Reclaimed asphalt pavement and other materials in asphalt as set forth in Section 39-2.02B of the Caltrans standard specifications; (3) Reclaimed aggregate, fly ash, returned plastic concrete, and other materials in concrete as set forth in Sections 90-1.02, 90-2.02, and 90-9 of the Caltrans standard specifications. (DS)

113. The City carries out the street resurfacing program annually. If the road is resurfaced by the City before this project commences trenching in the public street, trenching or saw-cutting of the pavement will fall under the moratorium, and the project will be required to restore the asphalt curb to curb, unless the City Engineer approves an alternative design. If the two projects occur at the same time, Developer shall prioritize the offsite improvements, including trenching, so that the City Project will be able to resurface over the trenches and saw-cut lines. (DS)

114. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)

115. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)

116. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

117. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code. Developer shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)

118. A California licensed civil engineer shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Submittal shall include, but not necessarily be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans, construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not approve a parcel map or final map nor issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

119. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) or Universal Serial Bus (USB) drive containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)

120. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain.

Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)

121. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)

122. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

123. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until the City accepts the improvements. (DS-23)

124. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

125. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Public Works and Water Standard Plates and Design Criteria shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)

126. Developer shall retain a California licensed Civil Engineer to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of certified "as-built" plans is a condition of City's final acceptance of the project and release of any associated security. (DS-29)

127. All grading shall conform to City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)

128. Developer shall construct sufficient drainage facilities concurrent with rough grading operations to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way. (DS-31)

129. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering

design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)

130. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)

131. Developer shall install water mains, fire hydrants and water services in conformance with City standard plates, design criteria and specifications as directed by the City Engineer. (DS-41)

132. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)

133. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

134. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)

135. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, "R" value tests of in-place soils, and approved traffic indices. (DS-53)

136. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)

137. Developer shall submit a street lighting plan as a part of the civil improvement plans. Developer shall install streetlights in accordance with the plan. (DS-60)

138. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)

139. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)

140. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

FIRE DEPARTMENT CONDITIONS

141. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide, exclusive of shoulders. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)

142. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, F-3)

143. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. The tests must be certified by a mechanical, civil, or fire protection engineer. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)

144. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)

145. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)

146. At all times during construction, Developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for firefighting apparatus to all parts of the project property. (FD/DS, F-7)

147. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)

148. Developer shall provide automatic fire sprinklers as required by the City Code for all structures including trash enclosures and shall contact the Fire Chief to ascertain the location of all connections. (FD, F-12)

149. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

150. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, F-17)

151. All landscape on project property will coordinate with the fire protection features, to prevent access problems to fire protection features.

152. All landscape on project property shall comply with Wildland Interface regulations as applicable.

153. Fire sprinkler coverage is required for:

    a. Patios, overhangs or any other projections that are 48" or more from the structure.

    b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.

    c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.

154. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.

155. FDC is required to be within 50-feet of the fire hydrant and not across drive isles.

156. Fire hydrants shall be operational and accessible at all times. No parking, storage or staging of equipment/supplies shall be located within 15 feet on either side of fire hydrants. Prior to final inspection, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire Department standards.

POLICE DEPARTMENT

157. The pedestrian access point for the open space area shall have the following features:

    a. The gate shall have an access control system which limits the hours of public access to daylight hours as established by the City of Oxnard Parks Department.

    b. The gate shall be equipped with Click2Enter or a knox box to provide access for first responders.

    c. Signage adjacent to the pedestrian access point and parking lot shall inform the public that the open space area is closed from dusk to dawn, unless otherwise approved by the Community Development Director or Designee.

158. The parking lot serving the open space area shall be posted in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission.

159. The lighting and photometric plan shall be submitted to specialprojects@oxnardpd.org and approved prior to the issuance of building permits.

160. Landscape elements shall be arranged and maintained to provide clear lines of sight.

161. CMU walls adjacent to or visible from a street shall be protected by landscaping elements to dissuade the application of graffiti. Climbing vines or a combination of vines and shrubs or hedging arranged to protect walls from vandals is required.

162. Trees shall be maintained so that the canopies do not interfere with pedestrian or vehicular traffic and safe sightlines are maintained.

ENVIRONMENTAL RESOURCES CONDITIONS

163. This property is required to comply with state mandated diversion laws (AB 939, AB 341, AB 1826, SB 1383, AB 827) and must make provisions to manage three material streams (recycling, organics, trash) in any waste enclosure(s) constructed.

164. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "Environmental Resources Division Construction and Demolition Waste Management Plan" ("C&D Plan") to the City for review and approval. The C&D Plan shall provide that at least 65% of the waste generated on the project be diverted from the landfill. The C&D Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The C&D Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The C&D Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the appropriate C&D Plan form as defined by the Environmental Resources Division.

165. Developer shall follow the approved "Environmental Resources Division Construction and Demolition Waste Management Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of project activity, Developer shall complete and submit the "Environmental Resources Division Construction and Demolition Waste Management Report" ("C&D Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the C&D Report prior to issuance of a certificate of occupancy.

166. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling.

167. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. The Occupancy Plan must clearly state how recyclable and organic material, as appropriate, will be managed on site to be in compliance with applicable state laws (AB 939, AB 341, AB 1826, SB 1383, AB 827); how residents will participate in the program;

and how residents will be alerted to the presence of recycling on site and how contamination will be minimized. The Occupancy Plan must include what service provider(s) will manage/transport materials to appropriate facilities for processing and/or Disposal.

168. This property is required to adhere to applicable solid waste management ordinances, including future ordinance creation and/or revisions.

169. Any landscaping maintenance resulting in organic material needing disposal, if performed in-house or via third party, must not be placed in the trash. All organic materials are required to be diverted from landfill disposal. Any third-party contract/service agreement must stipulate this requirement and be verified through the Environmental Resources Division.

170. Must meet City Ordinance No. 3007 requirement for all three waste streams (refuse, recycling, and organic waste).

171. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a matter approved by the City Engineer.

PUBLIC WORKS TRAFFIC DIVISION

172. The developer shall provide a complete set of traffic plans that include, but are not limited to, all new and existing signs, pavement markings, and striping details. All signing and striping shall conform to the requirements of the California Manual on Uniform Traffic Control Devices (CA-MUTCD), latest edition.

173. The developer shall install a STOP sign and associated STOP pavement markings and limit line in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD), latest edition, at the intersection of Canal Street and Dunes Street, for westbound traffic at the northerly intersection.

174. The developer shall install Detail 22 pavement markings in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD), latest edition, along Canal Street within the project's limit lines. The exact limits and placement shall be determined and approved by the City's Traffic Engineering Division.

175. The developer shall provide a continuous path of travel along Canal Street within the project limits. The proposed sidewalks and pedestrian facilities shall be designed and constructed to connect to existing pedestrian facilities at both ends of the project and shall comply with all applicable ADA and City design standards.

[signatures on following page]

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of March 2026.

Ronald Arruejo, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 5th day of March 2026, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, AICP, Secretary

ATTACHMENT G

DRAFT RESOLUTION (PZ 16-300-03 TENTATIVE MAP)

RESOLUTION NO. 2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THE CITY COUNCIL APPROVE PLANNING AND ZONING PERMIT NO. 16-300-03 (TENTATIVE MAP) TO SUBDIVIDE THREE EXISTING UNDEVELOPED SITES TOTALLING 38.33-ACRE INTO THREE RESIDENTIAL CONDOMINIUM PARCELS (8.75 ACRES) AND SEVEN OTHER OPEN SPACE AND ACCESS PARCELS (29.58 ACRES) FOR 56 SINGLE-FAMILY DWELLING UNITS WITHIN THE OXNARD DUNES NEIGHBORHOOD GENERALLY LOCATED EAST OF HARBOR BOULEVARD, SOUTH OF FIFTH STREET, NORTH OF WOOLEY ROAD, AND WEST OF THE EDISON CANAL, WITHIN THE CITY OF OXNARD SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD DUNES LLC, MIKE MARLOW, 1015 S. HARBOR BOULEVARD, OXNARD, CA 93035.

WHEREAS, on May 8, 2016, property owner, Oxnard Dunes LLC, Mike Marlow, (the "**Applicant**"), submitted a request for Planning and Zoning Permit No. 16-300-03 (Tentative Map) to subdivide and develop 56 residential units on three parcels, concurrent with Planning and Zoning Permit No. 16-400-02 (Coastal Development Permit) within the Oxnard Dunes Community; and

WHEREAS, on March 5, 2026, the Planning Commission of the City of Oxnard ("Planning Commission") conducted a duly noticed public hearing to consider Planning and Zoning Permit No. 16-300-03 (Tentative Map) for a Tentative Map, which consists of subdividing three existing undeveloped 38.33-acre sites into three residential condominium parcels (8.75 acres) and seven other open space and access parcels (29.58 acres), generally located at east of Harbor Boulevard, south of Fifth Street, north of Wooley Road, and west af the Edison Canal, in accordance with Section 17-13 of the Oxnard City Code; and

WHEREAS, said tentative subdivision map was referred to City departments for recommendations and conditions of approval for the project that are incorporated within the recommended entitlements, and

WHEREAS, the Planning Commission finds that the Tentative Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the Planning Commission finds that the Tentative Map, the proposed site, and the design and improvement of the development requested are consistent with the 2030 General Plan elements and Local Coastal Program thereof; and

WHEREAS, the Planning Commission finds that the proposed site is suitable for the type and density of development requested and is not likely to cause substantial environmental damage, serious public health problems or conflict with any publicly acquired easements or access; and

WHEREAS, the Planning Commission finds that the proposed division of land complies with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

WHEREAS, the Planning Commission finds that the Applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this subdivision in particular; and

WHEREAS, the Planning Commission finds that the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Tentative Subdivision Map is internally consistent with the provisions of the City of Oxnard 2030 General Plan and Local Coastal Program.

SECTION 3. The Planning Commission finds that the Tentative Subdivision Map will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the Project site associated with the Tentative Subdivision Map is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the Tentative Subdivision Map is in the best interests and welfare of the City and its residents.

SECTION 6. Based on the entire record before the Planning Commission and all written

and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

Consistent with California Government Code Section 66474, a legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

(1) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

The subject site has General Plan designations of Resource Protection (RP) and Residential Existing (REX) and a zoning of RP and Coastal Multiple-Family (R-2-C). The project site is not within a specific plan area. The project is consistent with the General Plan designation and zoning in that the RP zone is remaining as protected open space and the R-2-C zone is single-family residential. As a result of the map, there are no changes to the General Plan designations and zoning; therefore, the Project does not meet this finding and can be supported.

(2) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

As described in the staff report, the design and improvements of the proposed subdivision on the subject properties is consistent with applicable provisions of the City's 2030 General Plan and Local Coastal Program. The subdivision supports the 56-unit development and public recreational open space. The proposal provides the required infrastructure including connection to the existing streets at Dunes Street and Canal Street, sewer, water, and other utilities. The private street will be maintained by the property owner with appropriate easements dedicated to the City. Therefore, the project does not meet this finding, which means the Project can be supported.

(3) That the site is not physically suitable for the type of development.

The subject 38.33-acre project site proposes to utilize approximately 8 acres for residential development and maintain the approximately 30 acres as protected open space with passive recreational use. The property is zoned both R-2-C and RP conditionally allowing the uses. The site was analyzed in Environmental Impact Report (EIR) 2016-01 determining the site is physically suitable for the type of development, specifically the biological resources. The Final EIR provided mitigation and monitoring measures to ensure the biological integrity is restored and protected onsite and that the development is limited to the area of the site closest to the existing developed neighborhood to reduce impacts to the surrounding open space. Therefore, the project does not meet this finding and the Project can be supported.

(4) That the site is not physically suitable for the proposed density of development.

The proposed residential development is located on 8.75 acres of the 38.33-acre site. The Coastal Zoning Code allows a density of one residential unit per a minimum of 3,500 square foot lot area in the R-2-C zone. The proposed density for the net lot size is 6.4 dwelling units per acre (56 dwelling units/8.75 acres), which is approximately half the density allowed in the R-2-C zone. The 56 residences are detached single-family units on a common lot for condominium purposes. The Project is sited on the southern portion of the property meeting the development and design standards in the Coastal Zoning Code including but not limited to building height, setbacks, interior yard space, parking, and landscaping. The residential development is accessible by existing street networks and will connect to Dunes Street and Canal Street, which connect to major arterials Wooley Road and Harbor Boulevard. The project site is currently vacant and can physically be developed with the proposed density with adequate access to streets and utilities. Therefore, the Project does not meet this finding and the Project can be supported.

(5) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The Project is located within the Coastal Zone identified by the Oxnard Local Coastal Program. The coastal zone contains several coastal dune scrub and other wetland habitats, and the project site is mapped as such. Approximately 30 acres of the project site are located in the RP zone and the proposed project includes maintaining and restoring the environmental habitat. Currently, no listed or sensitive plant species have been found in three previous surveys, however, the project site has the potential to support these special-status plant species. A pre-construction biological study is a condition of approval. The project includes a restoration plan that shows potential areas for enlargement of willow thickets, as a measure to compensate for the direct loss of similar habitat by the residential component of the project. The plan would also include removal of non-native vegetation (primarily iceplant) to expand the native dune vegetation and maintain habitat value. This would offset adverse effects of the trail and parking development, and help to mitigate other effects of the project. Review and approval of the restoration plan will occur along with the project, with the requirement that the final plan be approved prior to recordation of the final map for the subdivision. The Biology Mitigation Measures are listed as conditions of approval in Coastal Development Permit PZ 16-400-02. The design of the project is at the southern most part of the property near the existing developed Oxnard Dunes Neighborhood. The 56-unit residential development is identified in EIR 2016-01 as an alternative to the project analyzed for 65 residential units making this one of the lesser environmentally damaging options. The project is

conditioned accordingly with the Mitigation Measures from EIR 2016-01 and does not substantially and avoids significant injury to fish or wildlife or their habitat. The design does not meet this finding, therefore the Project can be supported.

(6) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

The proposed subdivision involves the creation of 10 total individual lots: three for 56 single-family residential dwelling units, five for the associated development of street, community space, parking, and utility infrastructure, and two for protected resource habitat. The subdivision design will meet the California Building Code and Green Building Code requirements for safety and EIR 2016-01 assessed the environmental impacts citing that the Project does not cause serious public health problems. Mitigation measures are in place to ensure construction impacts are limited to the maximum extent possible requiring dust controls, equipment controls, and wherever feasible using low volatile paints on the exterior. Therefore, the Project does not meet this finding and can be supported.

(7) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

The design of the proposed land division and parcel improvements will not conflict with easements, acquired by the public-at-large, for access through or use of property within the subdivision because, as conditioned, no buildings would be located in the area of the existing public utilities easements, all blanket easements or other easement that are no longer needed by the City shall be abandoned, and there is no need for new or additional easement(s) for the public-at-large. Therefore, this project does not meet this finding which means the Project can be supported.

SECTION 7. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project after implementation of standard conditions and mitigation measures identified in the Final EIR, would result in one Class I significant and unavoidable impact and has considered the Findings of Fact, Monitoring and Reporting Program, and Statement of Overriding Considerations identified and discussed in Final EIR 2016-01.

SECTION 8. This Resolution shall not become effective unless and until the Planning Commission approves Coastal Development Permit (PZ 16-400-02) and recommends and certification of EIR 2016-01. If the Planning Commission fails to approve the Coastal Development Permit, then this Resolution shall become null and void and be of no further force and effect.

SECTION 9. Based on the findings set forth herein, the Planning Commission hereby recommends that the City Council approve Planning and Zoning Permit No. 16-300-03 (Tentative Subdivision Map), subject to the attached conditions of approval.

SECTION 10. The Secretary shall certify the adoption of this Resolution.

CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions, while some are taken from environmental documents (e.g. *MND*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	TR	Traffic Division
PD	Police Department	DS	Building and Engineering Division
ER	Environmental Resources	FD	Fire Department
HD	Housing Department	CE	Code Compliance Division
CA	City Attorney	PL	Planning Division

GENERAL PROJECT CONDITIONS

1. This permit is granted for the area described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL).

2. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA)

3. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed,

signed and notarized document, together with the required fees to the Planning Manager. (PL)

4. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B)

5. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA)

6. An approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code.

PLANNING DIVISION CONDITION

7. The approval of this permit is granted subject to the approval of Coastal Development Permit (PZ 16-400-02) for the project property. (PL)

8. All conditions of Coastal Development Permit PZ 16-400-02 shall apply to this permit, and are hereby incorporated by reference.

9. Prior to recordation of the Final Map, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B)

10. Prior to approval and recordation of the final map, the Developer shall prepare and submit for review and approval by the Community Development Director and City Attorney Covenants, Conditions, and Restrictions (CC&Rs) consistent with the approved Tentative Tract Map 5888, Local Coastal Program, and Final EIR mitigation measures (e.g., BIO-1 through BIO-5 for habitat restoration, trails, and public access). The CC&Rs shall assign responsibility for long-term maintenance, monitoring, and restoration of the Resource Protection Area (including the walking trail, revegetation, and controlled public access from the parking lot) to the homeowners association (HOA), which shall work in cooperation with responsible agencies (e.g., City of Oxnard, California Coastal Commission, CDFW). The landowner or HOA may assign these obligations to a non-profit association acceptable to the City of Oxnard, subject to review and approval by the Community Development Director and City Attorney. The deed restriction shall be recorded concurrently with the final map and shall run with the land in perpetuity. Evidence of recording shall be provided to the City Engineer prior to issuance of permits. Failure to comply may result in withholding of final map approval and/or permit issuance.

11. Prior to approval and recordation of the final map, the Developer shall prepare and submit for review and approval by the Community Development Director and City Attorney a separate deed restriction that permanently restricts Lots A and B as protected open space under the Resource Protection designation, consistent with the approved Tentative Tract Map 5888, Local Coastal Program, and Final EIR mitigation measures (e.g., BIO-1 through BIO-5 for habitat restoration, trails, and public access). The deed restriction shall

be recorded concurrently with the final map and shall run with the land in perpetuity. Evidence of recording shall be provided to the City Engineer prior to issuance of permits. Failure to comply may result in withholding of final map approval and/or permit issuance.

BUILDING AND ENGINEERING DIVISION

12. Developer shall process the final map concurrent with the site improvement plans for Coastal Development Permit PZ 16-400-02. The final map shall be processed for recordation concurrent with the approval and grading permit issuance for the PZ 16-400-02 site improvement plans. (DS)

13. The final map shall indicate the vacation of existing City easements and right-of-way that are determined by the City Engineer to no longer be necessary. The vacation(s) shall be processed under section 66434(g) of the Subdivision Map Act. If easement vacations are required to be processed separately from the final map, the Developer shall be responsible for all costs associated with the vacation including, but not limited to, fees associated with the hearing(s), easement vacation document preparation, and review by the City. (DS)

14. All existing easements belonging to other entities, aside from the City of Oxnard, required to be removed to allow the site improvements for PZ 16-400-02 shall be quitclaimed concurrent with or before the recordation of the final map, and unless an equivalent legal resolution is achieved to the satisfaction of the City Engineer. (DS)

15. Developer shall dedicate to the City of Oxnard on the final map a public access easement for the entire width of the proposed private road from back-of-sidewalk to back-of-sidewalk. (DS)

16. Developer shall dedicate a 15-foot-wide water easement on the final map for the public water main system, up to and including the water meters. (DS)

17. Developer shall dedicate sufficient right-of-way to the City of Oxnard to the satisfaction of the City Engineer to encompass the necessary roadway improvements at Beachcomber Street and Dune Street. (DS)

18. The abandonment of the existing sub-out area shall be done on the final map. Developer shall take title of the proposed right-of-way abandonment and make it as part of Lot A. Developer is responsible for all legal proceedings, fees, and transfer to acquire this land from the original property owner unless an alternative is deemed acceptable by the City Attorney and City Engineer. (DS)

19. The project shall comply with City Ordinance No. 2207 with regards to undergrounding existing overhead utilities along the project frontages. Facilities used for the transmission of electrical energy at voltages in excess of 33,000 volts are exempt from the undergrounding requirement. (DS)

20. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS)

21. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code. Developer shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS)

22. Developer agrees, as a condition of approval of this resolution, to indemnify, defend (with counsel selected by the City in its discretion) and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve the Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS)

23. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS)

24. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS)

25. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that the Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS)

26. Developer shall dedicate to the City all water rights for the project property by title sheet dedication on the final map or parcel map. (DS)

27. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS)

28. Prior to release of the final map or parcel map for recordation, Developer shall post security satisfactory to the City Attorney guaranteeing that all survey monuments will be set as required by the Government Code and the City Code. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of March 2026.

Ronald Arruejo, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 5th day of March 2026, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, AICP, Secretary

ATTACHMENT H

DRAFT RESOLUTION (EIR NO. 2016-01)

RESOLUTION NO. 2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THE CITY COUNCIL CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 2016-01 (STATE CLEARINGHOUSE NO. 2016051075) AND APPROVING THE FINDINGS OF FACT AND THE MITIGATION MONITORING AND REPORTING PROGRAM AND ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS FOR PLANNING AND ZONING PERMIT NO. 16-400-02 (COASTAL DEVELOPMENT PERMIT) AND 16-300-03 (TENTATIVE MAP) TO SUBDIVIDE THREE EXISTING UNDEVELOPED 38.33-ACRE SITES INTO THREE RESIDENTIAL CONDOMINIUM PARCELS AND SEVEN OTHER OPEN SPACE AND ACCESS PARCELS FOR 56 SINGLE-FAMILY DWELLING UNITS WITHIN THE OXNARD DUNES COMMUNITY GENERALLY LOCATED EAST OF HARBOR BOULEVARD, SOUTH OF FIFTH STREET, NORTH OF WOOLEY ROAD, AND WEST OF THE EDISON CANAL, WITHIN THE CITY OF OXNARD. FILED BY OXNARD DUNES LLC, MIKE MARLOW, 1015 S. HARBOR BOULEVARD, OXNARD, CA 93035.

WHEREAS, on May 8, 2016, property owner, Oxnard Dunes LLC, Mike Marlow, (the "**Applicant**"), submitted a request for a Coastal Development Permit and Tentative Map to subdivide and develop 56 residential units on three parcels (APNs: 196-0-010-275, -225, and -235) within the Oxnard Dunes Community (the "**Project)**; and

WHEREAS, an Initial Study was conducted in May 2016 determining that the Project may have significant impacts on the environment pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) was issued on May 27, 2016, soliciting public input regarding a DEIR for a maximum 65-unit project; and

WHEREAS, the public comment period on the NOP ran for 30 days commencing on May 27, 2016 and ending on June 27, 2016; and

WHEREAS, a public scoping meeting was held on June 13, 2016 in the City's Community Room at 300 West Third Street; and

WHEREAS, the Draft Environmental Impact Report (DEIR) public comment period began on December 24, 2019 and ended on February 24, 2020; and

WHEREAS, public comments were received from the Department of Transportation (CalTrans), California Coastal Commission, California Department of Fish and Wildlife, Ventura County Public Works Watershed Protection, Ventura County Public Works Transportation,

Ventura County Air Pollution Control District, and Ventura County Resource Management Agency Environmental Health Division.

WHEREAS, it was determined in 2024 to recirculate the DEIR and update the document based on current regulations that changed since the preparation of the DEIR in 2016, and analyze potential impacts of existing conditions or new circumstances in 2025; and

WHEREAS, the Recirculated DEIR was circulated for a 45-day public comment period between August 7, 2025, to September 22, 2025; and

WHEREAS, after the close of the comment period on the Recirculated DEIR, the DEIR was modified as set forth in Section 3.1 of the Final EIR based on Section 2.1 Responses to Comments on the Recirculated Draft EIR; and

WHEREAS, in accordance with the CEQA Guidelines, the City has prepared EIR 2016-01 containing all comments received on the DEIR, written responses to all substantive comments, and necessary changes to the text of the DEIR; and

WHEREAS, Final EIR No. 2016-01 was sent to commenting agencies, organizations and individuals and made available for public review on or before February 9, 2026.

WHEREAS, the City Council of the City of Oxnard has thoroughly considered Final Environmental Impact Report No. 2016-01 (State Clearinghouse No. 2016051075) (the "EIR") for Avalon Homes, which has been prepared in accordance with CEQA; and

WHEREAS, on March 5, 2026, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the EIR; and

WHEREAS, the comments of the Commissioners, agencies, interested groups, and members of the public have received adequate responses; and

WHEREAS, the Applicant agrees that at its own expense, to indemnify, defend (with counsel selected by the City in its discretion) and hold harmless the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission staff report and all attachments thereto, the Planning Commission finds:

1. Recommends that the City Council certify that Final Environmental Impact Report No. 2016-01 is adequate and was completed in compliance with CEQA and the State CEQA Guidelines and reflects the City of Oxnard's independent judgment and analysis.
2. Finds that the Planning Commission has been presented with all of the information described in the Recitals and Final EIR 2016-01 and has considered this information prior to adopting this Resolution.
3. Recommends that the City Council approve the Findings of Fact in satisfaction of State CEQA Guidelines Section 15091, which are attached hereto as Exhibit 1 and incorporated herein by reference
4. Recommends that the City Council approve the Mitigation Monitoring and Reporting Program contained in the Final EIR in satisfaction of State CEQA Guidelines Section 15091(d), which is attached hereto as Exhibit 2 and incorporated herein by reference.
5. Recommends that the City Council approve the Statement of Overriding Considerations contained in the Final EIR in satisfaction of State CEQA Guidelines Section 15093, which is attached hereto as Exhibit 1 and incorporated herein by reference.

SECTION 2. The Planning Commission, in accordance with CEQA, determines that after implementation of standard conditions and mitigation measures identified in the Final EIR, the project would result in one Class I potentially significant and unavoidable impacts and has considered the Findings of Fact, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations. The Planning & Environmental Services Manager is hereby authorized to file a Notice of Determination with the Ventura County Clerk pursuant to Section 15094 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. The requested actions of the Planning Commission are recommendations to the City Council. As the Planning Commission does not take formal action, but recommends an action to the City Council, an Appeal procedure is not necessary. All aspects of this Project shall not become effective unless and until the Planning Commission approves Planning and Zoning Permit PZ 16-400-02 (Coastal Development Permit), and the City Council approves Planning and Zoning Permit 16-300-03 (Tentative Map) and Final EIR 2016-01.

SECTION 4. The Secretary shall certify the adoption of this Resolution.

[signatures on following page]

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of March 2026.

Ronald Arruejo, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 5th day of March 2026 and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, AICP, Secretary

Exhibits:

1. Findings of Fact and Statement of Overriding Consideration
2. Mitigation Monitoring and Reporting Program

CEQA Findings and Statement of Overriding Considerations

for

Avalon Homes Project

Pursuant to CEQA Sections 15091 and 15093 and Public Resources Code Section 21081

The Final Environmental Impact Report (Final EIR) prepared by the City of Oxnard (City) for the Avalon Homes Project ("the project" or "proposed project") identifies significant environmental impacts that will result from implementation of the project. The City finds that the inclusion of certain mitigation measures as part of project approval will reduce all but the following significant impact to levels that are less than significant: transportation. No feasible mitigation measures have been identified to reduce this impact to a less than significant level or mitigation measures have been identified but would not reduce the impact to a level of less than significant; the impact will remain a significant and unavoidable impact of the project. The impact will be overridden due to specific considerations that are described within this document.

As required by the California Environmental Quality Act (CEQA), the City, in adopting these CEQA Findings and Statement of Overriding Considerations, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The City finds that the MMRP, which is incorporated by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project. In accordance with CEQA and the *CEQA Guidelines*, the City adopts these findings as part of the project approval. Pursuant to Public Resources Code Section 21082.1(c)(3), the City also finds that the Final EIR reflects the City's independent judgment as the lead agency for the project.

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1 Introduction

1.1 Statutory Requirements for Findings

This statement of findings addresses the potentially significant environmental impacts associated with the proposed Avalon Homes Project ("project" or "proposed project") located in the City of Oxnard (City) and is made pursuant to Section 15091 of the California Environmental Quality Act Guidelines (*CEQA Guidelines*), which provides that:

(a) No public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

  (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

  (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

  (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subsection (a) will be supported by substantial evidence in the record.

Section 15092 of the *CEQA Guidelines* further stipulates that:

(a) After considering the final EIR and in conjunction with making findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project.

(b) A public agency will not decide to approve or carry out a project for which an EIR was prepared unless either:

  (1) The project as approved will not have a significant effect on the environment, or

  (2) The agency has:

    (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and

    (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

As required by CEQA, the City of Oxnard, in adopting these findings, must also adopt a Mitigation Monitoring and Reporting Program (MMRP) for the project. The MMRP, which is incorporated by reference and made a part of these findings, meets the requirements of Section 15097 of the *CEQA Guidelines* by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

Whenever these findings specifically refer to a mitigation measure that will avoid or mitigate a potentially significant impact, that specific mitigation measure is hereby made a specific condition of approval of the proposed project.

1.2 Procedural Findings

The City Council of the City of Oxnard finds as follows:

Based on the nature and scope of the proposed project, the City Council of Oxnard determined, based on substantial evidence, that the proposed project may have a significant effect on the environment and prepared an EIR. The EIR was prepared, noticed, published, circulated, reviewed and completed in full compliance with the CEQA Public Resources Code Sections 21000 et seq. CEQA and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et. Seq.), as follows.

A public EIR scoping meeting was held on June 13, 2016, in the City's Community Room at 300 West Third Street in Oxnard. The intent of the scoping meeting was to provide interested individuals, groups, and public agencies a forum to provide input in an effort to assist in further refining the intended EIR scope and focus. Community members, environmental review consultants, and representatives from the City of Oxnard were present at the scoping meeting.

The Draft EIR was originally circulated for public review between December 2019 and February 2020. The current version of the Draft EIR circulated in 2025 is a recirculated version of the Draft EIR prepared in 2016 and eventually circulated in December of 2019. The purpose of the recirculation document was to provide an update of existing conditions and regulations that may have changed since preparation of the 2016 Draft EIR and analyze if there are new or potentially more severe impacts as a result of changes to existing conditions or new circumstances. The Recirculated Draft EIR also includes minor edits and updates in response to public comments received on the Draft EIR during the December 2019 circulation period.

The Recirculated Draft EIR analyzed the effects associated with the revised project, considering changes to the environmental and regulatory setting and considering comments that were received in the original Draft EIR. Subsequent to the end of the public review period for the Recirculated Draft EIR, and consistent with the requirements of Section 15088(a) of the *CEQA Guidelines*, the City of Oxnard, as the Lead Agency, has considered the public comments received on the Recirculated Draft EIR for the project and has prepared written responses to each of the comments received relative to environmental issues.

Pursuant to Section 15132 of the *CEQA Guidelines,* the Final EIR consisted of the following:

(a) The Recirculated Draft EIR, including all of its appendices.

(b) A list of persons, organizations, and public agencies commenting on the Recirculated Draft EIR.

(c) Copies of all letters received by the City during the Recirculated Draft EIR public review period and responses to significant environmental points concerning the Recirculated Draft EIR raised in the review and consultation process.

(d) Any other information added by the Lead Agency.

1.3 Findings Required Under CEQA

The City Council (the final decision-making body) of the City of Oxnard (the CEQA Lead Agency) will determine whether to certify the EIR for the proposed project. Because the Recirculated Draft EIR identified a potentially significant environmental impact, the City Council must also make certain "findings" as part of its action to certify that the EIR has been completed in compliance with CEQA and to approve the project. Pursuant to *CEQA Guidelines* Section 15091 and *CEQA Guidelines* Section 21081, no public agency shall approve or carry out a project for which an environmental impact report has been certified, which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant effects, accompanied by a brief explanation of the rationale of each finding. As listed above, the possible findings, which must be supported by substantial evidence in the record, are:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

1.4 Record of Proceedings

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's decision on the proposed project consists of: a) matters of common knowledge to the City, including, but not limited to, federal, State and local laws and regulations; and b) the following documents which are in the custody of the City:

- Notice of Preparation and other public notices issued by the City in conjunction with the proposed project (see Appendix A of the Recirculated Draft EIR for the Notice of Preparation);
- The Draft EIR dated December 2019 and supporting documentation prepared for the proposed project and Appendices A through J and all documents cited, incorporated by reference, or referred to therein;
- The Recirculated Draft EIR and supporting documentation prepared for the proposed project (Recirculated Draft EIR dated June 2025 and Appendix A through P), and all documents cited, incorporated by reference, or referred to therein;
- The written and verbal comments and documents submitted to the City by agencies, organizations, and members of the public (before, during, and after the close of the public comment periods.);
- The Mitigation Monitoring and Reporting Program;
- The Final EIR for the Avalon Homes project dated December 2025 and all documents cited, incorporated by reference, or referred to therein;
- All findings and resolutions adopted by the City in connection with the proposed project, and documents cited or referred to therein;

- The City of Oxnard General Plan;
- Minutes or verbatim transcripts of information and study sessions, workshops, public meetings, and public hearings held by the City in connection with the proposed project; and
- Any other materials required to be in the record of proceedings by public Resources Code section 21167.6, subdivision (e).

The location and custodian of the documents and other materials that constitute the record of proceedings are:

City of Oxnard
Planning Division
214 South C Street
Oxnard, California 93030
Contact: Jamie Peltier, Planning Supervisor, (805) 385-7952

1.5 Findings

The Final EIR is incorporated into these findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Avalon Homes Project in spite of the potential for associated significant and unavoidable adverse impacts.

For the purposes of these findings, the impact discussions include the relevant policies and actions, as well as the separate mitigation measures imposed to reduce the impacts where the policies did not result in a less than significant impact. In the findings that follow, impact numbers are provided. The impact numbers correspond to sections of the Final EIR that contain an expanded discussion of impacts. Please refer to the referenced impact sections of the Final EIR for more detail.

2 Project Description

The California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (the "Guidelines") provide that no public agency shall approve or carry out a project for which an environmental impact report ("EIR") has been certified which identifies one or more significant effects on the environment that will occur if a project is approved or carried out unless the public agency makes one or more of the following findings:

A. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the EIR.

B. Such changes or alterations are within the responsibility of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

C. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

Pursuant to the requirements of CEQA, the City Council hereby makes the following environmental findings in connection with the Avalon Homes Project ("project" or "proposed project"). These findings are based upon evidence presented in the record of these proceedings, both written and oral, the Final EIR for the proposed project including all the appendices, the Comments and Responses to Comments on the EIR for the project, the Draft EIR and Recirculated Draft EIR for the project, staff and consultants' reports presented through the Planning Commission and City Council hearing process, and all of their contents.

2.1 Project Objectives

The underlying purpose of the project is to complete development of the Oxnard Dunes neighborhood consistent with the intentions of the City of Oxnard 2030 General Plan. As set forth in Section 2.5 of the Recirculated Draft EIR, specific objectives include the following:

- Objective 1: Complete this portion of the Oxnard Dunes neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan; and the ability for efficiently providing municipal services.
- Objective 2: Comply with Local Coastal Plan (LCP) policies and provide a buffer to agricultural lands to the east.
- Objective 3: Provide on-site habitat mitigation for any sensitive areas disturbed within the R-2-C area.
- Objective 4: Ensure that proposed development and land use conserve energy and natural resources.
- Objective 5: Provide for compatibility with existing residential uses in the area through effective and appropriate urban and architectural design.

- Objective 6: Provide responsible and balanced public access framework that allows for community enjoyment of the open space area, while preserving and protecting sensitive habitat areas.
- Objective 7: Restore, protect, and improve native dune plant communities, habitat, and vegetation.
- Objective 8: Ensure the open space area remains safe by establishing security and maintenance processes and protocols.

2.2 Project Summary

The project is described in Section 2 of the Recirculated Draft EIR. The project involves the construction of a maximum of 65 residential dwelling units on 8.75 acres of a 38.33 acre property. The property would be subdivided into 17 residential lots and five open space lots. Tentative Tract Map 5888 would create 15 individual lots for the 15 single family residences or 30 duplex residences and two lots for 35 single family residential clustered condominium units. Lots 1-15, for either single-family or duplex residential use, would range in size from 7,037 square feet (sf) to 8,410 sf, with residential units ranging in size from 3,000 sf to 4,500 sf. The two single family condominium lots, lot 16 (75,590 sf) and lot 17 (72,177 sf), would accommodate 35 cluster residences ranging in size from 1,500 sf to 2,800 sf. The 35 condominium units would share driveways between groups of four to six units to minimize driveway access to the collector street.

There would be five open space or common use parcels throughout the project site. Proposed Lots A and B (totaling 29.58 acres) are designated and zoned for Resource Protection (R-P) and would remain undeveloped, except for minimal improvements to allow controlled public access. Together with land already owned by the City, this component of the project would preserve the designated sensitive habitat within the “Northern Dunes Area” shown as Area 6 on Map 3 in the Coastal Land Use Plan (CLUP). The three remaining open space or common lots would include a drainage mitigation area, open space at the project gated entry and a private community recreation area.

The proposed project includes a restoration plan for the Northern Dunes Area, which details the access and management proposed for this area. Within the 29.58 acres of Parcels A and B, which would be preserved for open space, the project would include minor improvements to allow controlled public access. These improvements include a small parking lot, loop path that would be ADA accessible, and a longer loop trail through the open space area. The parking lot would have approximately seven spaces. Access would be limited with a security gate that would be locked at night and appropriate signage and railings would be installed to protect sensitive resources present. The restoration plan also shows potential areas for enlargement of willow thickets, as a measure to compensate for the direct loss of similar habitat by the residential component of the proposed project. The area or detailed requirements for this aspect of the plan will be determined through a more formal determination of jurisdictional waters and/or aquatic habitat under state and federal procedures, as described in Chapter 4 of the Recirculated Draft EIR.

The proposed parking and trail improvements have been designed to take advantage of already disturbed areas and to minimize effects on native vegetation. Based on the preliminary plan, the parking area, accessible path, and trail loop would occupy up to approximately 1.5 acres. The plan would also include removal of non-native vegetation (primarily ice plant) to expand the native dune vegetation and maintain habitat value. This would offset adverse effects of the trail construction and help to mitigate other effects of the project. Review and approval of the restoration plan will

occur along with the project, with the requirement that the final plan be approved prior to recordation of the final map for the subdivision.

The proposed project would include one private road with gated entry off Dunes Street to the west, and a second security gate at Canal Street to the south. The project would connect to the terminus of Canal Street for egress and use by emergency vehicles only. The proposed private road would have a width of 36 feet with monolithic sidewalks and rolled curbs for aesthetic purposes. Street trees would be located within the lots and would be maintained by a future homeowners' association. A rural transition is proposed along the northern portion of the private road at the border of Parcel A. Homes are only proposed at the south side of the road and a split rail fence would be built along the north side, adjacent to the open space.

2.3 Alternatives

Based on the project objectives and anticipated environmental consequences, and pursuant to CEQA Guidelines Section 15126.6, the following project alternatives were selected for analysis:

- Alternative 1: No Project - No Development
- Alternative 2: Alternate Location Development in RP Area Only
- Alternative 3: Alternative Design – Improved Buffer
- Alternative 4: Reduced Project
- Alternative 5: Alternative Design – All Single Family Detached Residential Condominiums

A more detailed description of these alternatives, and required findings, are set forth in Section 5, *Feasibility of project Alternatives*.

3 Effects Determined to be Mitigated to Less than Significant Levels

The Recirculated Draft EIR identified certain potentially significant effects that could result from the project. However, the City finds, for the reasons stated in the EIR, that mitigation identified in the Recirculated Draft EIR and Initial Study would reduce impacts to less than significant levels. The City finds that all the mitigation measures described below are feasible and agrees to adopt them as conditions of approval for the project.

Accordingly, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the EIR and adoption of the mitigation measures set forth below will reduce these significant or potentially significant effects to less than significant levels. These mitigation measures will effectively be part of the project.

3.1 Air Quality

Threshold: Would the project violate any federal or state air quality standard or contribute substantially to an existing or project air quality standard violation?

Threshold: Would the project result in a net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate construction-related criteria air pollutant emissions to a less than significant level:

Mitigation Measure AQ-1(a) Dust Control Measures

The following shall be implemented during grading and construction to control dust.

- The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.
- Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:

    1) All trucks shall be required to cover their loads as required by California Vehicle Code Section 23114.

    2) All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or

roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.

3) Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area within three weeks, it shall be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.

4) Signs shall be posted on-site limiting traffic to 15 miles per hour or less.

5) During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site.

6) Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.

7) Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

8) Shaker plates shall be installed at all truck exits from the site.

   - Dust control requirements shall be shown on all grading plans.
   - Signs displaying the APCD Complaint Line Telephone number for public complaints shall be posted in a prominent location visible off the site: (805) 645-1400 during business hours and (805) 654-2797 after hours..

Mitigation Measure AQ-1(b) Construction Equipment Controls

The following shall be implemented during construction to minimize emissions of ozone precursors.

1) All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the USEPA Tier 4 Final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards.

2) Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes.

3) Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.

4) The number of pieces of equipment operating simultaneously shall be minimized.

5) Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric) when feasible.

6) The engine size of construction equipment shall be the minimum practical size.

7) Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible.

8) During the smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.

Mitigation Measure AQ-1(c) Low Volatile Paints

Wherever feasible, non-painted exterior surfaces and low volatile interior and exterior paints shall be used for architectural coatings.

Findings of Fact

Construction of the project would not generate criteria pollutant emissions that violate federal or state air quality standard, contribute substantially to an existing or project air quality standard violation, or exceed VCAPCD thresholds with Mitigation Measures AQ-1(a) through AQ-1(c) incorporated. Thus, impacts related to criteria air pollutant emissions during construction, but Mitigation Measures AQ-1(a) through AQ-1(c) would reduce potential impacts to a less than significant level.

Threshold: Would the project expose sensitive receptors to pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project mitigates construction-related air pollutant impacts to sensitive receptors to a less than significant level:

Mitigation Measure AQ-1(b) (see above).

Findings of Fact

With incorporation of Mitigation Measure AQ-1(b), construction toxic air contaminant emissions would be minimized. Therefore, with implementation of Mitigation Measure AQ-1(b), project construction would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant. Thus, impacts to sensitive receptors would be potentially significant but Mitigation Measure AQ-1(b) would reduce impacts to a less than significant level.

Threshold: Would the project result in a cumulative air quality impact related to criteria air pollutants?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate cumulative air quality impacts related to criteria air pollutants:

Mitigation Measures AQ-1(a) through AQ-1(c) (see above)

Findings of Fact

Air pollution is largely a cumulative issue. According to VCAPCD, if a project is inconsistent with the 2022 AQMP, it would be considered to result in a cumulatively adverse air quality impact. As described above under Items 1 and 2, construction of the project would not generate criteria pollutant emissions that violate federal or state air quality standard, contribute substantially to an existing or project air quality standard violation, or exceed VCAPCD thresholds with Mitigation Measures AQ-1(a) through AQ-1(c) incorporated. Therefore, with Mitigation Measures AQ-1(a) through AQ-1(c), the project's contribution to cumulative air quality impacts would not be cumulatively considerable.

Threshold: Would the project result in a cumulative impact related to the exposure of sensitive receptors to substantial pollutant concentrations?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project mitigates construction air pollutant, including toxic air contaminant, emissions reducing cumulative risks to sensitive receptors to a less than significant level:

Mitigation Measure AQ-1(b) (see above)

Findings of Fact

Air pollution is largely a cumulative issue. As addressed under Item 3., above, with incorporation of Mitigation Measure AQ-1(b), project construction would not expose sensitive receptors to substantial pollutant concentrations. Therefore, with implementation of Mitigation Measure AQ-1(b), the project's contribution to the cumulative exposure of sensitive receptors to substantial pollutant concentrations would not be cumulatively considerable.

3.2 Biological Resources

Threshold: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential construction impacts to special-status plants and wildlife species to a less than significant level:

Mitigation Measure BIO-1(a) Pre-Construction Botanical Survey

Prior to issuance of a grading permit for the project, spring and summer seasonal botanical surveys for special status plants, including but not limited to Orcutt's pincushion, shall be conducted within the impact area by a qualified botanist satisfactory to the City. A summary of the survey findings shall be provided to the City for approval. If any special status species are observed, avoidance, minimization, and/or mitigation shall be performed to reduce effects. If the species cannot be fully avoided, the Applicant shall draft a plan to offset impacts to the species as discussed in Mitigation Measure BIO-1(b). If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the Applicant shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy.

Mitigation Measure BIO-1(b) Mitigation Plan

In the event that Orcutt's pincushion or any other special status plant populations cannot be fully avoided, restoration, management, maintenance, and monitoring plans shall be developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by CDFW and the City of Oxnard prior to issuance of a grading permit. The mitigation therein shall be implemented within one (1) year following completion of project construction. The Applicant shall secure a bond for an amount equal to the cost of the mitigation effort prior to issuance of the grading permit. The bond shall be released by the City upon satisfaction of the approved performance criteria after the monitoring period has expired.

The restoration, management, maintenance, and monitoring plans shall include one or more of the following methods, to be implemented either individually or in conjunction with each other:

Onsite or Offsite Restoration (Salvage and Replanting)

Restoration shall involve the collection of seed from within the development footprint or nearby areas, if necessary, and replanting the seed in a suitable area in a portion of the project site that is set aside for preservation. Collection of seed from state-listed endangered, threatened, or rare plants shall not occur without appropriate authorization from CDFW. If onsite restoration is infeasible, an offsite location as close to the impact area as possible, but within the local watershed, may be used. The Restoration Plan, prepared by a qualified plant ecologist satisfactory to the City, shall include, but not be limited to, the following to achieve a performance standard of a 2:1 replacement, or as dictated by a regulatory agency with permitting authority over the species:

- Location of the mitigation/restoration and map;
- Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric);
- Identification of the party responsible for achieving the success criteria;
- Plant species, container sizes, and seeding rates;
- Planting schedule;
- Monitoring frequency, methods, and duration;
- Means to control exotic vegetation;
- Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken);
- Irrigation methods and schedule; and,

- Identification of a protection instrument providing for conservation of the mitigation site in perpetuity.

The Applicant shall maintain and monitor the plants for a minimum of five years.

Offsite Preservation

Offsite preservation shall consist of locating a population of the impacted special status plant species containing at least two times the number of individuals impacted by the project and preserving the population in perpetuity via placement of a permanent conservation easement or purchase of the land and dedication to the City or an approved conservation organization acceptable to the City. The preserved population shall be located in an area of sufficient size to create a preserve core and be located, as feasible, at least 350 feet away from existing or proposed development, paved roads, v-ditches and irrigated areas. Additionally, the preserved population shall exhibit connectivity to other protected open space or hillside areas. The Preservation Plan shall at least identify the specific location of the preservation site and size; number of individuals preserved; ownership of the land; parties involved; and the preservation methodology (i.e., permanent conservation easement or dedication to an approved conservation organization, etc.).

BIO-2(a) Nesting Bird Survey

If grading or tree removal is to occur during the bird-breeding season (January 1 through September 15), at a minimum, one (1) survey shall be conducted prior to the initiation of grading or tree removal by a qualified biologist (a person with a biology degree and/or established skills in bird recognition). The survey shall occur no more than one (1) week prior to grading or tree removal. The work limits plus a 500-foot buffer, as feasible, shall be surveyed to accommodate potential active raptor nests, as well as other birds nesting nearby. A copy of the biologist contract for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits. A report summarizing the findings of the survey and the recommended buffers shall be provided to the Planning Department prior to vegetation removal activities.

BIO-2(b) Establishment of Appropriate Buffers During Grading and Construction

Based on the nesting bird survey, in the event that nesting birds are observed within 500 feet of the disturbance/construction area, species-specific exclusionary buffers shall be implemented as determined by the qualified biologist, and construction timing and location shall be adjusted accordingly until the nestlings have fledged and are no longer dependent upon the nest. The active nests and exclusionary buffers shall be monitored by a qualified biologist (at least initially) to determine if the active nests are being adversely affected by construction activities and to determine if a buffer would need to be increased to reduce such effects.

BIO-3 Biological Monitoring

A qualified biological monitor familiar with globose dune beetle and southern California legless lizard shall be present during initial ground-disturbing activities (including, but not limited to, site preparation, grading, excavation, and trenching) within suitable habitat for these species. The biological monitor shall have the authority to temporarily stop work if one or more individuals are observed. The monitor shall then relocate these individuals to suitable

undisturbed habitat, outside the areas directly and indirectly affected by ground disturbance activities.

Findings of Fact

Special-status plants and wildlife species may be present on the project site and could be disturbed by project construction activities. Implementation of Mitigation Measures BIO-1(a) through BIO-3 would reduce potential project impacts to protected plant and wildlife species by providing pre-construction surveys, construction monitoring, protection measures, preservation, and compensation. Thus, impacts to special status plants and wildlife species during project construction would be potentially significant but Mitigation Measures BIO-1(a) through BIO-3 would reduce impacts to a less than significant level.

Threshold: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential construction and operational impacts to environmentally sensitive habitat areas (ESHA) to a less than significant level:

BIO-5(a) Protection and Enhancement of RP Designated Area

Prior to recordation of the final map for the project, the applicant shall prepare a protection and enhancement plan for the area to be preserved within the RP land use designation (approximately 29.18 acres in Parcels A and B shown on the tentative map). The plan shall be prepared by a qualified biologist and/or resource specialist and shall be reviewed and approved by the City of Oxnard. The plan shall address and incorporate the following features, which may be modified through consultation with other agencies and the City prior to finalization:

- Timing and procedures for establishing a conservation easement or similar protection mechanism for the RP designated land to be preserved
- Incorporation of Ventura marsh milk vetch or any other sensitive plant species, if required as part of mitigation measure BIO-1
- Revegetation or enlargement of the willow thicket area, if required as part of mitigation measure BIO-6(b)
- Removal and control of invasive species such as ice plant
- Modifications to and maintenance of perimeter fencing to prohibit or control public access
- Inclusion of limited public access, with prohibitions or controls addressing pets, no entry areas, and other aspects of potential public use
- Funding mechanism, which may include provision of performance bonds to the City to ensure installation of all improvements and completion of restoration and protection measures or alternative implementation guarantees.

BIO-5(b) Management of Residential Landscaping

The applicant shall accomplish the following measures, to the satisfaction of the Planning Division:

1. Preparation, review, and implementation of landscaping plans for the project shall include provisions for the control of invasive plant species to address the potential impacts of non-native plants colonizing adjacent native habitats. Covenants, Conditions and Restrictions shall be recorded specifying that landscaping for individual housing lots shall not include any exotic invasive plant species. The Covenants, Conditions and Restrictions shall be binding on each of the lots in the subdivision, shall run with the land affected by the subdivision, and shall be included or incorporated by reference in every deed transferring one or more of the lots in the subdivision.
2. The project applicant shall also provide, in connection with the sale of each housing unit, an information packet that explains the sensitivity of the natural habitats onsite and nearby and the need to minimize impacts on the identified sensitive species, designated resource protection areas, the limits on public access within or adjacent to such areas, the prohibition on landscaping that includes exotic invasive plant species, and the limits on exterior residential lighting. Interpretive signs shall also be placed in appropriate locations along the edges of resource protection areas explaining the sensitivity of certain species and natural habitats and the need to minimize impacts on these adjacent areas.

Findings of Fact

ESHA are present on the project site and could be disturbed by project construction and operational activities. Implementation of Mitigation Measures BIO-5(a) and BIO-5(b) would reduce potential project impacts to ESHA by providing a conservation easement on the project site and ensuring ongoing management of residential landscaping to control invasive species. Thus, impacts to sensitive natural habitats during project construction and operation would be potentially significant but Mitigation Measures BIO-5(a) and BIO-5(b) would reduce impacts to a less than significant level.

Threshold: Would the project have a substantial adverse effect on state or federally protected waters of the U.S. as defined by Section 404 of the Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, and coastal wetlands) through direct removal, filling, hydrological interruption, or other means?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential construction phase impacts to jurisdictional resources to a less than significant level:

BIO-6(a) Consultation with Regulatory Agencies

Prior to issuance of any grading permits for the project, and prior to clearing of any vegetation from the site, the applicant shall provide the Oxnard Planning Division with proof of

consultation with CDFW, the U.S. Army Corps of Engineers, and the Los Angeles RWQCB. This consultation might result in the applicant being required to provide these agencies with a completed delineation of jurisdictional aquatic resources within the project footprint, or to apply for permits authorizing impacts to streams or wetlands. If federal or State permits are obtained, the applicant shall provide a copy of the approved permits to the Planning Division for review and approval prior to issuance of grading permits. The applicant shall comply with all permit conditions when implementing the proposed activities, including any seasonal timing restrictions, impact avoidance measures, limitations on construction means and methods, site restoration, compensatory mitigation, and reporting requirements.

BIO-6(b) Re-vegetation Plan

If jurisdictional wetlands/habitat are not avoided, areas of permanent disturbance shall be compensated for by creation, restoration, or enhancement of similar habitat at a 4:1 ratio, or as required by the regulatory agencies having permitting jurisdiction over the resources. Compensation for impacts to willow thickets shall consist of native and appropriate willow scrub species, unless otherwise specified by the regulatory agencies.

Re-vegetation shall occur as close to the impact area as possible and shall be within the same watershed. For this project, a likely revegetation area, should one be necessary, could be in the preservation area immediately north of the willow thicket, within the larger project boundaries. Payment of an in-lieu fee to a conservation organization approved by the City (and acceptable to the regulatory agencies, as appropriate) to conduct the mitigation may be accepted if no other locations are feasible, as confirmed by the City. The project Applicant shall submit a re-vegetation plan prepared by a qualified restoration biologist for review and approval by the City prior to issuance of a grading permit. The plan shall include, but not be limited to, the following components:

- Location of the mitigation/restoration and map;
- Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric);
- Identification of the party responsible for achieving the success criteria;
- Plant species, container sizes, and seeding rates;
- Planting schedule;
- Monitoring frequency, methods, and duration;
- Means to control exotic vegetation;
- Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken);
- Irrigation methods and schedule; and,
- Identification of a protection instrument providing for conservation of the mitigation site in perpetuity.

The revegetation shall be initiated within one (1) year of completion of project construction. The Applicant shall maintain and monitor the restored areas for a minimum of five years.

BIO-6(c) Protection Measures During Construction

The grading and improvement plans for the project shall indicate measures to minimize

encroachment into the willow thicket habitat beyond the anticipated 0.91 acre of permanent impact. These shall include the use of a retaining wall or walls, minimum improvements along the north side of the private extension of Canal Street through the project (i.e. no sidewalks on north side and minimum improvements to meet City standards for this roadway). The plans shall also indicate through drawing or notes that equipment and vehicle parking and staging areas are to be separated from the preserved areas by 100 feet or more and shall prohibit vehicle and equipment from crossing or entering the willow thicket areas from the north (except as necessary for any approved revegetation work). The stormwater management plan shall ensure that runoff from construction areas is diverted away from the willow thicket areas as much as feasible.

Findings of Fact

Wetlands/riparian habitats may be present on the project site and could be disturbed by project construction activities. Implementation of Mitigation Measures BIO-6(a) through BIO-6(c) would reduce potential project impacts to jurisdictional features by requiring agency consultation and permit compliance, habitat restoration and/or compensation, and protection measures during construction. Thus, impacts to jurisdictional features during project construction would be potentially significant but Mitigation Measures BIO-6(a) through BIO-6(c) would reduce impacts to a less than significant level.

Threshold: Would the project conflict with any local policies or ordinances protecting biological resources?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential construction and operational impacts to biological resources to a less than significant level and ensure consistency with local policies and ordinances protecting biological resources:

Mitigation Measures BIO-1(a) through BIO-6(c) (See above).

Findings of Fact

Implementation of Mitigation Measures BIO-1(a) through BIO-6(c) would reduce potential project impacts to biological resources and ensure consistency with the applicable coastal policies and local ordinances. Thus, impacts would be potentially significant but Mitigation Measures BIO-1(a) through BIO-6(c) would reduce impacts to a less than significant level.

Threshold: Would the project result in cumulative impacts to candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential cumulative impacts to special-status plants and wildlife species to a less than significant level:

Mitigation Measures BIO-1(a) through BIO-3 (see above)

Findings of Fact

Cumulative impacts are not identified for special status species due to the built-out nature of the project vicinity. Additionally, implementation of Mitigation Measures BIO-1(a) through BIO-3 would reduce potential project impacts to protected plant and wildlife species by providing pre-construction surveys, construction monitoring, protection measures, preservation, and compensation. Thus, cumulative impacts to special status plants and wildlife species would be less than significant with implementation of Mitigation Measures BIO-1(a) through BIO-3.

Threshold: Would the project result in cumulative impacts to any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Threshold: Would the project result in cumulative impacts on state or federally protected waters of the U.S. as defined by Section 404 of the Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, and coastal wetlands) through direct removal, filling, hydrological interruption, or other means?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential cumulative impacts to riparian habitat, sensitive natural communities, and jurisdictional features to a less than significant level:

Mitigation Measures BIO-5(a) through BIO-6(c) (see above).

Findings of Fact

Cumulative impacts are not identified for riparian habitat, sensitive natural communities, and jurisdictional features due to the built-out nature of the project vicinity. Additionally, implementation of Mitigation Measures BIO-5(a) through BIO-6(c) would reduce potential project impacts to riparian habitat, sensitive natural communities, and jurisdictional features by providing a conservation easement on the project site, ensuring ongoing management of residential landscaping to control invasive species, requiring agency consultation and permit compliance, implementing habitat restoration and/or compensation, and requiring protection measures during construction. Thus, cumulative impacts to riparian habitat, sensitive natural communities, and jurisdictional features would be less than significant with implementation of Mitigation Measures BIO-5(a) through BIO-6(c).

3.3 Cultural and Tribal Cultural Resources

Threshold: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section15064.5?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential impacts to archaeological resources to a less than significant level:

CR-1 Retention of a Qualified Archaeologist

Prior to the start of ground-disturbing activities, the City and/or subsequent responsible parties shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards (NPS 2020b) (Qualified Archaeologist) to respond to and address inadvertent discoveries identified for the duration of construction activities. The Qualified Archaeologist shall possess experience and familiarity with historic-period and prehistoric archaeological resources in the region.

CR-2 Workers Environmental Awareness Program Training

All on-site personnel shall be briefed regarding unanticipated discoveries prior to the start of construction activities. A basic presentation shall be prepared and presented by a Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist to inform all on-site personnel working on the project about the archaeological sensitivity of the area. The purpose of the Workers Environmental Awareness Program training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the project and explain the importance of and legal basis for the protection of significant archaeological resources. All on-site personnel shall also be instructed in the proper procedures to follow in the event that archaeological resources or human remains are uncovered during ground-disturbing activities. These procedures include stopping or redirecting work and the immediate notification of the Qualified Archaeologist, and if appropriate, a Native American representative, and establishing an appropriate temporary avoidance buffer. The necessity of training attendance shall be stated on all construction plans, and the City and/or subsequent responsible parties shall maintain records demonstrating construction worker training participation.

CR-3 Archaeological Monitoring

The Qualified Archaeologist shall oversee an archaeological monitor possessing experience and familiarity with historic-period and prehistoric resources in the region. The archaeological monitor shall conduct full-time monitoring within undisturbed native soils to the project's proposed maximum depths of disturbance. In general, archaeological monitoring shall be limited to initial ground disturbance, which is defined as construction-related earthmoving of sediments from their native place of deposition and does not include any secondary movement of sediment that might be required for the project (e.g., backfilling). The Qualified Archaeologist may adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter archaeological deposits. The archaeological monitor shall be responsible for maintaining daily monitoring logs.

If throughout the course of project construction activities, a discovery is made by construction personnel and a monitor is not present, the protocols and procedures outlined in the Workers

Environmental Awareness Program training shall be followed. Following the completion of project construction activities, the Qualified Archaeologist shall prepare an archaeological monitoring report with the results of the archaeological monitoring program that meets state and local requirements and submit the report to the City and the SCCIC at the California State University at Fullerton. Reports submitted to the SCCIC shall be formatted and completed in accordance with the CHRIS document submittal standards.

CR-4 Inadvertent Discovery of Archaeological Resources

In the event that previously unknown archaeological resources are inadvertently encountered during ground-disturbing activities, work in a 50-foot radius of the find shall be halted and redirected, and the Qualified Archaeologist shall be contacted immediately. The Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist, shall provide recommendations regarding the resource's potential significance and potential treatment in coordination with the City. If the resource is determined by the Qualified Archaeologist to be indigenous in origin, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the Qualified Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, the Qualified Archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of the California Code of Regulations (CCR) Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the Qualified Archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the CHRIS, per CCR Section 15126.4(b)(3)(C).

CR-5 Procedures for Discovery of Human Remains

In the event that human remains are inadvertently encountered during ground disturbing activities, they shall be treated consistent with State and local regulations including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and the CCR Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the County Coroner determines that the remains are, or believed to be Native American origin, the County Coroner is required to notify the Native American Heritage Commission that shall notify those persons believed to be the most likely descendent (MLD). The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance.

Findings of Fact

The results of the records search conducted for the project site indicate that no archaeological resources have been found within the project site. However, it is possible that unknown and unanticipated intact archaeological deposits and/or features could be present at subsurface levels. project excavations could potentially encounter unknown and unanticipated archaeological resources. Mitigation Measures CR-1 through CR-5 are designed to address impacts of project construction activities and the potential for discovery of archaeological resources. By implementing Mitigation Measures CR-1 through CR-5, the City would require the evaluation and proper steps to protect or treat significant archaeological resources if encountered during construction. Thus, impacts to archaeological resources during construction would be potentially significant but Mitigation Measures CR-1 through CR-5 would reduce impacts to a less than significant level.

Threshold: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project mitigates potential construction-related impacts to paleontological resources to a less than significant level:

CR-6 Paleontological Resources

The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If a potential fossil is discovered during project construction, construction activity within 50 feet of the find shall cease until the discovery is examined by a Qualified Professional Paleontologist as defined by the Society of Vertebrate Paleontology (SVP 2010). If the find is determined to be scientifically significant, the Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources consistent with the SVP (2010) standards, which shall include fossil salvage, laboratory preparation, curation in a paleontological repository, and a paleontological monitoring report. Additionally, the Qualified Professional Paleontologist and City shall decide if full- or part-time monitoring shall be instated for further project-related excavations. A Qualified Professional Paleontologist is defined by the SVP (2010) as an individual with:

- A graduate degree in paleontology or geology, and/or a publication record in peer reviewed journals; and demonstrated competence in field techniques, preparation, identification, curation, and reporting in the state or geologic province in which the project occurs. An advanced degree is less important than demonstrated competence and regional experience.
- At least two full years professional experience as assistant to a project Paleontologist with administration and project management experience; supported by a list of projects and referral contacts.
- Proficiency in recognizing fossils in the field and determining their significance.
- Expertise in local geology, stratigraphy, and biostratigraphy.
- Experience collecting vertebrate fossils in the field.

Findings of Fact

The records search conducted for the project site indicates that no paleontological resources have been previously recorded at the project site but that geologic units are present on the project site that are considered to have high paleontological sensitivity. Therefore, the possibility exists that paleontological artifacts that were not recovered during prior construction and other human activity on the project site may be inadvertently encountered during construction. Mitigation Measures GEO-1 and GEO-2 are designed to address any such impacts through the recovery, identification, and curation of previously unrecovered fossils. These mitigation measures would apply to ground-disturbing activities within previously undisturbed sediments that extend beyond two feet below the current grade, which represents the minimum observed depth of artificial fill on the site. Thus, impacts to paleontological resources during excavation would be potentially significant but Mitigation Measures GEO-1 and GEO-2 would reduce impacts to a less than significant level.

Threshold: Would the project result in cumulative impacts to archaeological resources?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential cumulative impacts to archaeological resources to a less than significant level:

Mitigation Measures CR-1 through CR-5 (see above).

Findings of Fact

Impacts related to cultural resources are site specific, no cumulative effects to archaeological resources are identified. A described above, Mitigation Measures CR-1 through CR-5 would ensure that project-level impacts to unknown archaeological resources are adequately mitigated. After implementation of these measures, cumulative impacts related to archaeological resources would be less than significant.

Threshold: Would the project result in cumulative impacts to paleontological resources?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project mitigates potential cumulative impacts to paleontological resources to a less than significant level:

Mitigation Measure CR-6 (see above).

Findings of Fact

Impacts related to paleontological resources are site specific, no cumulative effects to paleontological resources are identified. A described above, Mitigation Measure CR-6 would ensure that project-level impacts to unknown paleontological resources are adequately mitigated. After implementation of this measure, cumulative impacts related to paleontological resources would be less than significant.

3.4 Geology and Soils

Threshold: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure?

Threshold: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements?

Findings

The TCSP area and additional Annexation area is within a State designated Liquefaction Hazard Zone. In addition, near-surface alluvial soils in the project area are not considered suitable to support structures and expansive soils may be present. However, geotechnical engineering solutions are available to remediate these issues, and development of the residential and other uses envisioned in the TCSP and additional annexation area would be feasible from a geotechnical perspective. Mitigation Measure GEO-2 would reduce impacts to a Class II, significant but mitigable, level.

Mitigation Measure GEO-1 Geotechnical Recommendations

All recommendations contained within the Preliminary Soils Engineering Investigation conducted by SubSurface Designs, Inc. (Appendix H of the Draft EIR) shall be followed for future development within the project site. These recommendations include the following:

- Grading for the proposed development shall include the removal and re-compaction of the upper six feet (6') of the existing alluvium for support of the proposed foundation system. The grading shall extend outside of the footprint of the proposed structure ten feet (10'). A minimum of four feet (4') of compacted fill shall be maintained below the bottom of all foundations. A layer of bi-directional geogrid shall be placed within the bottom of the grading limits prior to the placement of compacted fill. Portions of the bottom excavation for the recommended removals are anticipated to require stabilization prior to the placement of compacted fill. In areas where excessive pumping is encountered, the geogrid shall be covered with one foot (1') of six inch (6") minus rock then covered with a geofabric. The earth material outside of the grading limits for the proposed structure shall be removed and re-compacted down two feet (2') for support in all areas to receive concrete slab, decking, or paving.
- Grading shall be carried forth as described in the Grading and Earthwork section. Based on the granular nature of the upper alluvium, each layer shall be compacted to 95percent of the maximum density as determined by the latest version of ASTM D 1557.
- Structures shall be supported by a mat foundation.
- Foundations shall be designed as outlined in the Foundations section

Findings of Fact

Geotechnical analysis conducted for the project site indicates that the site contains soils susceptible to seismic-related ground failure and instability, including potential liquefaction and settlement.

These conditions could result in significant impacts if not addressed. Mitigation Measure GEO-1 requires implementation of all recommendations contained in the Preliminary Soils Engineering Investigation, including removal and re-compaction of the upper six feet of alluvium, installation of geogrid and stabilization measures, and construction of mat foundations designed per geotechnical specifications. These measures would ensure that grading and foundation design address potential seismic-related ground failure and unstable soils, reducing these impacts to a less than significant level.

Threshold: Would the project be located on expansive soils, creating substantial risks to life or property that cannot be addressed through compliance with standard Code requirements?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project mitigates potential impacts related to expansive soils to a less than significant level:

GEO-2 Drainage and Maintenance

Drainage and maintenance recommendations included in the Preliminary Soils Engineering Investigation shall be incorporated into the design of the project. These recommendations include, but are not limited to:

- A comprehensive drainage system shall be designed and incorporated into the final plans.
- Pad areas shall be maintained and planted in a way that will allow the drainage system to function as intended.

Positive pad drainage shall be incorporated into the final plans. All drainage from the roof and pad shall be directed so that water does not pond adjacent to the foundations or flow toward them. All drainage shall be collected and directed via non-erosive devices to a location approved by the building official.

Findings of Fact

Geotechnical analysis conducted for the project site indicates that the site contains soils with the potential for expansion, which could create substantial risks to structures if not properly managed. These conditions could result in significant impacts if drainage and maintenance are not addressed. Mitigation Measure GEO-2 requires incorporation of comprehensive drainage systems into the final design, positive pad drainage, and measures to ensure water does not pond adjacent to foundations. Roof and pad drainage must be directed away from structures and collected via non-erosive devices to approved locations. These measures will prevent moisture accumulation that could exacerbate soil expansion and ensure long-term stability of foundations, reducing impacts related to expansive soils to a less than significant level.

3.5 Greenhouse Gas Emissions

Threshold: Would the project generate greenhouse gas emissions, either directly or indirectly,

that may have a significant impact on the environment?

Threshold: Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with state goals for reducing GHG emissions in California?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential impacts related to greenhouse gas emissions to a less than significant level:

GHG-1(a) Increased Efficiency

The application shall include the following energy savings requirements in construction and building management contracts.

The project shall comply with the latest Title 24 standards under the California Green Building Code.

The project shall use solar or low-emission water heaters in new buildings/residences.

The project shall require that landscapers providing services use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased in stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).

GHG-1(b) Renewable Energy

The proposed project shall install solar panels and/or similar equipment that generates electricity from sunlight and/or wind. The owner/tenant of the building may elect to install such equipment to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission, if requested by the City and economically feasible.

GHG-1(c) Passive Energy Conservation Design

The proposed project shall include passive energy conservation design elements, including building material massing, orientation, landscape shading, recycled or low-impact materials, window glazing to increase insulation, water circulation pumps to reduce water use, and/or similar measures shown to be equally effective.

GHG-1(d) Natural Ventilation

The applicant shall include natural ventilation in building design plans whenever feasible.

Findings of Fact

The project would generate greenhouse gas emissions during construction and operation and could potentially conflict with state and local GHG reduction goals if not addressed. Mitigation Measures GHG-1(a) through GHG-1(d) require implementation of energy efficiency measures, installation of

renewable energy systems, incorporation of passive energy conservation design, and natural ventilation strategies. These measures include compliance with the latest Title 24 standards, use of solar or low-emission water heaters, installation of solar panels or similar renewable energy equipment, and design features that reduce energy demand. Collectively, these measures ensure that the project minimizes GHG emissions and aligns with applicable plans and policies for reducing emissions. With implementation of these measures, impacts related to GHG emissions and consistency with GHG reduction plans would be reduced to a less than significant level.

3.6 Land Use Planning

Threshold: Would the project conflict with an applicable land use plan, policy, or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measures imposed upon the project mitigate potential impacts related to conflicts with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect:

Mitigation Measures AQ-1 through AQ-1(c) (see above), GEO-1 (see above), GEO-2 (see above), and NOI-1 and NOI-2 (see below).

Findings of Fact

Implementation of Mitigation Measures AQ-1(a) through AQ-1(c), GEO-1, GEO-2, NOI-1, and NOI-2 would reduce environmental impacts to help achieve consistency with adopted goals and policies. Therefore, land use and planning impacts would be less than significant with mitigation.

3.7 Noise

Threshold: Would the project generate or expose persons to noise levels in excess of standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?

Threshold: Would the project generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Threshold: Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project mitigates impacts from noise levels during construction to a less than significant level:

NOI-1 Construction Noise Control Plan

The construction contractor shall prepare and implement a Construction Noise Control Plan. The construction contractor shall submit the Construction Noise Control Plan to the City of Oxnard Public Works Department for review and approval prior to initiation of construction. The details of the Construction Noise Control Plan shall be included as part of the permit application drawing set and as part of the construction drawing set. The Construction Noise Control Plan shall include the following measures:

- At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the overall duration of the construction period. The notification shall include the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint.
- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, the representative shall investigate, take appropriate corrective action, and report the action to the City.
- During the entire active construction period, equipment, tools, and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible. During the entire active construction period, stationary noise sources shall be located as far from sensitive receivers as possible, muffled, and enclosed within temporary sheds or insulation barriers, or other measures for equivalent noise reduction will be incorporated to the extent feasible.
- The contractor shall be required to use impact tools that are hydraulically or electrically powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stockpiling of materials shall be located as far as feasible from nearby noise-sensitive receptors.
- Signs shall be posted at the job site entrance(s) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than five minutes.
- Use of stereos and other amplified noise not necessary for the completion of construction work shall be prohibited.
- During the entire active construction period and to the extent feasible, the use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only. The construction manager shall ensure the use of smart back-up alarms, which automatically adjust the alarm level based on the background noise level or

switch off back-up alarms and replace with human spotters in compliance with safety requirements and laws.

Findings of Fact

Implementation of Mitigation Measure NOI-1 would instate a construction noise control plan consisting of various measures to reduce noise levels generated during construction, which would reduce construction noise levels by 10 dBA or more. This would reduce noise generated during construction activities to 76 dBA L_{eq} (8-hour) and below at the nearest sensitive receptors located to the southwest of the project site, which would be below the FTA's threshold of 80 dBA L_{eq} (8-hour). Therefore, temporary noise impacts resulting from construction of the project would be less than significant with mitigation.

Threshold: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project mitigates impacts from groundborne vibration and groundborne noise levels during construction to a less than significant level:

NOI-2 Alternative Construction Equipment

Prior to the issuance of a grading and building permit, the following measures shall be included as notes on all construction plans:

Construction activities that utilize large earthmoving equipment (rated at 100 hp or more) within 15 feet of offsite residential structures shall be conducted with small offroad equipment limited to 100 hp or less.

Findings of Fact

Implementation of Mitigation Measure NOI-2 would require the use of alternative construction equipment which produces lower levels of vibration for earthmoving activities conducted near offsite residential structures. Alternative construction equipment would include the use of small offroad equipment limited to 100 hp or less, which generates vibration levels up to 0.003 in/sec PPV at a reference distance of 25 feet. At the nearest offsite residential structure located approximately 10 feet away, small offroad equipment would generate vibration levels up to 0.012 in/sec PPV, which would not exceed the FTA's vibration threshold of 0.2 in/sec PPV. Therefore, implementation of Mitigation Measure NOI-2 would reduce construction-generated vibration levels to those below the thresholds recommended by the FTA for potential minor architectural (i.e., non-structural) damage. Vibration impacts would be less than significant with mitigation.

Threshold: Would the project expose non-human species to excessive noise?

Findings

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. Specifically,

the following Mitigation Measures imposed upon the project mitigate impacts to non-human species from noise to a less than significant level:

Mitigation Measures BIO-2(a) through BIO-5(a) (see above) .

Findings of Fact

Implementation of Mitigation Measures BIO-2(a) through BIO-5(b) would include preconstruction surveys, establishment of buffer zones, biological monitoring, and protection of native areas and sensitive species in the vicinity of the project site. Following the implementation of these mitigation measures, noise impacts to non-human species would be less than significant.

4 Significant Effects that Cannot be Mitigated to a Less than Significant Level

A significant unavoidable impact is an impact that cannot be mitigated to a less than significant level if the project is implemented, because no feasible mitigation has been identified. Except for the impact described below, all significant impacts associated with the proposed project would be reduced to a less than significant level with incorporation of mitigation measures identified in the Final EIR. The project would result in the following significant unavoidable impact:

4.1 Transportation

Threshold: Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Findings

Changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental effect as identified in the Final EIR. Specifically, the following Mitigation Measure imposed upon the project would substantially lessen the significant transportation effect as identified in the EIR, but impacts would remain significant and unavoidable:

Mitigation Measure T-2 Bicycle Improvements

The applicant shall include bicycle parking at the proposed small parking lot for the open space area in the northern area of the project site. The number of bicycle parking spaces shall be no less the number of vehicle parking spaces provided at the parking lot. The design and finish of the bicycle parking (e.g., bicycle rack, bicycle lockers, etc.) shall use natural colors, such as shades of green and tan found in the surrounding open space area to the north. The project applicant shall also include a Class III bicycle land on the proposed internal circulation road. The Class III bicycle lane shall extend the full length of the internal access road, effectively providing a bicycle-lane connections between existing Dunes Street at the north end and Canal Street at the south end.

No other feasible mitigation is available to reduce the impact to a less than significant level.

Findings of Fact

Mitigation Measure T-2 would encourage the use of bicycles for transportation because it would connect the project site to the larger bicycle network in Oxnard, such as existing bicycle lanes on Harbor Boulevard and W. Wooley Road. The use of bicycles for transportation could reduce VMT as less people choose to drive cars for local trips. In the case of the proposed project, the project also includes components that typically reduce VMT, such as pedestrian sidewalks and multi-use paths, and proximity to local businesses and transit, which are both within 1 mile of the project site. However, even with these components and Mitigation Measure T-2, the VMT per capita of the project would exceed the significance threshold. Therefore, VMT impacts would remain significant and unavoidable.

5 Feasibility of project Alternatives

The Recirculated Draft EIR included several project alternatives. The City hereby concludes that the Recirculated Draft EIR sets forth a reasonable range of alternatives to the proposed project so as to foster informed public participation and informed decision making. The City finds that the alternatives identified and described in the Recirculated Draft EIR were considered and further finds two of them to be infeasible for the specific economic, social, or other considerations set forth below pursuant to *CEQA Guidelines* Section 21081.

In addition to the project, the following alternatives were evaluated in the Recirculated Draft EIR, and are more fully described in Section 7, *Alternatives,* of the Recirculated Draft EIR.

5.1 Alternative 1: No Project/No Development Alternative

Summary of Alternative

The *CEQA Guidelines* stipulate that an EIR specifically include a "No Project" alternative. The purpose in including a No Project Alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project.

Consistent with CEQA Guidelines, the No Project/No Development Alternative consists of the circumstances under which a proposed project does not proceed and assumes the project would not be approved and no new development would occur on the site (CEQA Guidelines Section 15126.6(e)(3)(B)). Under the No Project/No Development Alternative, the existing physical conditions on the project site would generally remain as they are. The area proposed for development is currently designated as Residential-Existing (REX) in the Coastal Land Use Plan and General Plan and zoned for Coastal Low-Density Multi-Family use (R-2-C). To permanently implement the No Project Alternative, additional actions such as public acquisition or conservation easements would be required to protect the land from future development. Without such measures, some form of development consistent with the existing designation and zoning would be expected in the future. Existing General Plan land use designations and zoning would remain the same, and no residential neighborhood or associated infrastructure would be constructed.

Reason for Rejecting Alternative

A comparison between impacts identified for the project and Alternative 1 is detailed in Section 7.1.1 of the Recirculated Draft EIR. Under Alternative 1, the project site would remain undeveloped, and no new residential neighborhood or associated infrastructure would be constructed. As detailed in Section 2, project Description, of the Recirculated Draft EIR, the site is currently designated REX in the Coastal Land Use Plan and zoned R-2-C for Coastal Low-Density Multi-Family use. While Alternative 1 assumes no development occurs, some form of development consistent with these designations would be expected in the future unless additional measures, such as public acquisition or conservation easements, were implemented. Alternative 1 would eliminate all construction-related impacts, including temporary air quality emissions, noise, and biological resource disturbance. All of the potential impacts associated with these issues would be mitigated to a level

of less than significant except for the transportation impact, but under Alternative 1 there would be no physical changes whatsoever at the project site.

Under Alternative 1, the existing conditions would remain on the project site and no new development would occur. As such, Alternative 1 would not complete development of the Oxnard Dunes neighborhood or meet the underlying purpose of the project or meet the majority of the project objectives, as described below.

Alternative 1 would partially meet the following objective:

Objective 7: Restore, protect, and improve native dune plant communities, habitat, and vegetation.

- The RP-designated area would remain undisturbed under Alternative 1, but no active restoration, enhancement, or management would occur to improve habitat quality or connectivity.

Alternative 1 would not meet the following objectives:

Objective 1: Complete this portion of the Oxnard Dunes neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan; and provide the ability for efficiently providing municipal services.

Objective 2: Comply with Local Coastal Plan (LCP) policies and provide a buffer to agricultural lands to the east.

Objective 3: Provide on-site habitat mitigation for any sensitive areas disturbed within the R-2-C area.

Objective 4: Ensure that proposed development and land use conserve energy and natural resources.

Objective 5: Provide for compatibility with existing residential uses in the area through effective and appropriate urban and architectural design.

Objective 6: Provide responsible and balanced public access framework that allows for community enjoyment of the open space area, while preserving and protecting sensitive habitat areas.

Objective 8: Ensure the open space area remains safe by establishing security and maintenance processes and protocols.

Findings

Because Alternative 1 would not meet the project's underlying purpose to redevelop the project site or meet the majority of the project objectives, Alternative 1 is an overall inferior alternative that is hereby rejected. Overall, the findings for the project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of this alternative from further consideration.

5.2 Alternative 2: Alternate Location Development in RP Area Only

Summary of Alternative

Under Alternative 2, the project site would be developed in an alternate location within the RP-designated area rather than the REX-designated area proposed under the project. This Alternative satisfies the provision of CEQA Guidelines Section 15126.6(e) by providing a feasible development option that could meet some project objectives while reducing certain impacts. Under Alternative 2, approximately 50 residential units would be constructed on land currently designated for Resource Protection, requiring amendments to the Coastal Land Use Plan and zoning to allow residential development in this area. The RP-designated area would be reconfigured to preserve a portion of the coastal dunes adjacent to existing homes along Catamaran Street, while shifting development northward from the Oxnard Dunes neighborhood.

The development footprint under Alternative 2 would be similar in size to the proposed project (approximately 6 acres), and internal circulation roads would connect to the same roadway network as the project. Construction activities under Alternative 2, including equipment use, grading, and haul quantities, would be similar to the project, and construction emissions would exceed NOx thresholds, requiring implementation of the same mitigation measures as the project. Operational characteristics, including vehicle trips and utility demands, would also be similar, although slightly reduced due to fewer dwelling units compared to the maximum buildout of the project.

While Alternative 2 would reduce visual and noise impacts on existing residences along Catamaran Street, it would increase encroachment into higher-quality dune habitat and ESHA areas, resulting in greater biological resource impacts compared to the project. Additionally, this alternative would conflict with Coastal Land Use Plan policies intended to preserve RP-designated lands, requiring substantial amendments to land use designations and zoning.

Reason for Rejecting Alternative

A comparison between impacts identified for the project and Alternative 2 is detailed in Section 7.2 of the Recirculated Draft EIR. Under Alternative 2, development would occur within the RP-designated area rather than the REX-designated area proposed under the project. While this alternative would reduce visual and noise impacts on existing residences along Catamaran Street, it would result in greater biological resource impacts due to encroachment into higher-quality dune habitat and ESHA areas. Similar to the project, Alternative 2 would result in significant and unavoidable transportation impacts related to VMT per capita. Construction emissions under Alternative 2 would exceed NOx thresholds, requiring implementation of the same mitigation measures as the project. Operational emissions would be slightly reduced compared to the project due to fewer dwelling units, but land use impacts would increase because this alternative would conflict with Coastal Land Use Plan policies and require substantial amendments to land use designations and zoning. Overall, Alternative 2 would have mixed effects compared to the project, reducing some impacts (e.g., aesthetics and noise) while increasing others (e.g., biological resources and land use consistency).

By providing residential development consistent with the City's General Plan, Alternative 2 would partially meet the underlying purpose of the project to complete development of the Oxnard Dunes neighborhood. Alternative 2 would also meet some of the project objectives, as described below.

Alternative 2 would meet the following objectives:

Objective 4: Ensure that proposed development and land use conserve energy and natural resources.

Objective 5: Provide for compatibility with existing residential uses in the area through effective and appropriate urban and architectural design.

Objective 6: Provide responsible and balanced public access framework that allows for community enjoyment of the open space area, while preserving and protecting sensitive habitat areas.

Alternative 2 would meet the following objectives but to a lesser extent than the project:

Objective 1: Complete this portion of the Oxnard Dunes neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan; and provide the ability for efficiently providing municipal services.

- Alternative 2 would provide residential development but would require substantial amendments to the Coastal Land Use Plan and zoning, reducing consistency with adopted plans.

Objective 7: Restore, protect, and improve native dune plant communities, habitat, and vegetation.

- Alternative 2 would preserve some dune habitat but would also disturb higher-quality ESHA areas, resulting in greater biological impacts compared to the project.

Objective 8: Ensure the open space area remains safe by establishing security and maintenance processes and protocols.

- Alternative 2 would provide some preserved open space but would not implement the same level of security and maintenance measures as the project.

Alternative 2 would not meet the following objectives:

Objective 2: Comply with Local Coastal Plan (LCP) policies and provide a buffer to agricultural lands to the east.

Objective 3: Provide on-site habitat mitigation for any sensitive areas disturbed within the R-2-C area.

Findings

While Alternative 2 would meet some of the project objectives, it would not eliminate any of the project's impacts that are significant and unavoidable, less than significant, or less than significant with mitigation. In fact, Alternative 2 would result in greater impacts in certain areas, including biological resources and land use consistency, when compared to the project. Thus, Alternative 2 is an inferior alternative that is hereby rejected.

5.3 Alternative 3: Alternative Design – Improved Buffer

Summary of Alternative

Alternative 3 would involve a design modification to improve the buffer between development and the preserved willow thicket ESHA. Under this alternative, the alignment of the new private street extension would be shifted as far south as possible, ending in a cul-de-sac rather than connecting through to Dunes Street. A pedestrian pathway would provide access between the cul-de-sac and

Dunes Street but would be closed to vehicle traffic. Condominium-style buildings would be removed, and only clustered detached single-family condominium dwellings would be constructed. In total, Alternative 3 would include approximately 34 single-family detached condominium units, compared to 50–65 units under the project. The development footprint would be approximately 6.3 acres, and a 50-foot buffer would be maintained between the development and the willow thicket, except for minor grading and the pedestrian pathway.

The overall footprint of development and types of land uses under Alternative 3 would be similar to the project, but the number of dwelling units would be reduced, and the buffer area would be increased. Open space amenities, sustainability features, landscaping, and site access would remain consistent with the project. Construction activities under Alternative 3, such as equipment used and haul quantities, would be similar to the project, except that the building construction phase would be shorter due to fewer units and reduced square footage.

Reason for Rejecting Alternative

A comparison between impacts identified for the project and Alternative 3 is detailed in Section 7.3 of the Recirculated Draft EIR. Alternative 3 would reduce construction noise impacts in comparison to the project due to the reduced overall construction schedule and smaller development footprint but would still result in significant and unavoidable transportation impacts related to VMT per capita. The significance of impacts associated with most environmental issues would be similar to or less than those of the project because of the reduced number of dwelling units and shorter construction duration. Biological resource impacts would be reduced due to the increased buffer between development and the willow thicket ESHA, although the buffer would still not meet the 100-foot policy requirement.

With the same general characteristics as the project, Alternative 3 would generally meet the underlying purpose of the project to complete development of the Oxnard Dunes neighborhood, though to a lesser extent than the project due to the reduced development density and smaller footprint. Alternative 3 would also generally meet the majority of the project objectives, as described below.

Alternative 3 would meet the following objectives:

Objective 4: Ensure that proposed development and land use conserve energy and natural resources.

Objective 5: Provide for compatibility with existing residential uses in the area through effective and appropriate urban and architectural design.

Objective 6: Provide responsible and balanced public access framework that allows for community enjoyment of the open space area, while preserving and protecting sensitive habitat areas.

Objective 7: Restore, protect, and improve native dune plant communities, habitat, and vegetation.

Objective 8: Ensure the open space area remains safe by establishing security and maintenance processes and protocols.

Alternative 3 would meet the following objectives but to a lesser extent than the project:

Objective 1: Complete this portion of the Oxnard Dunes neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan; and provide the ability for efficiently providing municipal services.

Alternative 3 would provide residential development but with fewer units (34 compared to 50–65 under the project), reducing housing opportunities and municipal service efficiency.

Objective 2: Comply with Local Coastal Plan (LCP) policies and provide a buffer to agricultural lands to the east.

Alternative 3 would improve the buffer between development and ESHA compared to the project but would still not meet the 100-foot buffer policy requirement.

Objective 3: Provide on-site habitat mitigation for any sensitive areas disturbed within the R-2-C area.

- Alternative 3 would reduce disturbance but would still require mitigation for impacts to sensitive areas.

Findings

While Alternative 3 would meet many of the project objectives, it would not meet several objectives to the same extent as the project. In addition, Alternative 3 would not eliminate the project's significant and unavoidable transportation impacts or the project's impacts that were found to be less than significant or less than significant with mitigation. Given that Alternative 3 would result in overall similar significant and unavoidable impacts and mitigation measures as the project and would not meet the project objectives to the same extent as the project, this alternative is hereby rejected.

5.4 Alternative 4: Reduced Project

Summary of Alternative

Alternative 4 would involve a reduced development footprint compared to the project. Under this alternative, the private street extension through the site would not connect to Dunes Street. Instead, a cul-de-sac would extend northward from Canal Street approximately 610 feet to provide access to condominium lots and the community lot. The northern portion of the proposed development would be eliminated and incorporated into the Resource Protection (RP) preserve area, increasing the preserved area to approximately 34.3 acres.

Alternative 4 would include approximately 27 to 35 condominium dwelling units, compared to 50–65 units under the project, and would not include single-family or duplex units. This alternative would avoid encroachment into the northern willow thicket and maintain a buffer of approximately 100 feet between development and the preserved RP area along Catamaran Street. The total development footprint would be approximately 4 acres, smaller than the project's footprint.

Open space amenities, sustainability features, and site access would remain consistent with the project, although internal circulation would be limited to the cul-de-sac. Construction activities under Alternative 4, such as equipment use and haul quantities, would be similar to the project but reduced in duration due to fewer units and a smaller development area.

Reason for Rejecting Alternative

A comparison between impacts identified in the project and Alternative 4 is detailed in Section 7.4 of the Recirculated Draft EIR. As with the project, Alternative 4 would result in significant and unavoidable transportation impacts related to VMT per capita. The significance of impacts

associated with the remaining environmental issues would generally be similar to or less than those of the project due to the reduced development footprint and fewer dwelling units. Biological resource impacts would be reduced because this alternative would avoid encroachment into the northern willow thicket and maintain a 100-foot buffer in most areas. Noise, air quality, and greenhouse gas emissions would also be slightly reduced due to the smaller scale of construction and fewer operational trips. Overall, Alternative 4 would result in reduced impacts compared to the project in most resource areas.

With a similar mix of uses and general characteristics as the project, Alternative 4 would meet the underlying purpose of the project to complete development of the Oxnard Dunes neighborhood, while providing a greater buffer to sensitive habitat areas. Alternative 4 would also meet the majority of the project objectives, as described below.

Alternative 4 would meet the following objectives:

Objective 2: Comply with Local Coastal Plan (LCP) policies and provide a buffer to agricultural lands to the east.

Objective 3: Provide on-site habitat mitigation for any sensitive areas disturbed within the R-2-C area.

Objective 4: Ensure that proposed development and land use conserve energy and natural resources.

Objective 6: Provide responsible and balanced public access framework that allows for community enjoyment of the open space area, while preserving and protecting sensitive habitat areas.

Objective 7: Restore, protect, and improve native dune plant communities, habitat, and vegetation.

Objective 8: Ensure the open space area remains safe by establishing security and maintenance processes and protocols.

Alternative 4 would meet the following objectives but to a lesser extent than the project:

Objective 1: Complete this portion of the Oxnard Dunes neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan; and provide the ability for efficiently providing municipal services.

Alternative 4 would provide residential development but with fewer units (27-35 compared to 50–65 under the project), reducing housing opportunities and municipal service efficiency.

Objective 5: Provide for compatibility with existing residential uses in the area through effective and appropriate urban and architectural design.

Alternative 4 would maintain compatibility but with fewer housing units (27–35 compared to 50–65 under the project), reducing housing opportunities.

Findings

While Alternative 4 would meet many of the project objectives, it would not meet several objectives to the same extent as the project. In addition, Alternative 4 would not eliminate the project's significant and unavoidable transportation impacts or the project's impacts that were found to be less than significant or less than significant with mitigation. Given that Alternative 4 would result in overall similar significant and unavoidable impacts and mitigation measures as the project and would not meet the project objectives to the same extent as the project, this alternative is hereby rejected.

5.5 Alternative 5: Alternative Design – All Single Family Detached Residential Condominiums

Summary of Alternative

Alternative 5 would result in an identical buildout to the project, with one exception: all residential units would be developed as detached single-family residential condominiums rather than a mix of single-family, duplex, and condominium units. Under this alternative, approximately 56 detached single-family units would be constructed within the same development footprint as the project. The preserved RP area would remain at approximately 29.58 acres, and the overall site plan would include similar private streets, drainage improvements, and open space amenities.

There would be no changes to the project's overall footprint, proposed uses, circulation improvements, open space and landscaping, or sustainability features. Construction activities under Alternative 5, including equipment use and haul quantities, would be similar to the project, and the duration of construction would remain comparable.

Reason for Rejecting Alternative

A comparison between impacts identified for the project and Alternative 5 is detailed in Section 7.5 of the Recirculated Draft EIR. As with the project, Alternative 5 would result in significant and unavoidable transportation impacts related to VMT per capita. Because Alternative 5 would involve the same development footprint and similar construction activities as the project, the significance of impacts associated with most environmental issues would be the same as those of the project. Biological resource, air quality, greenhouse gas emissions, noise, and utility impacts would remain similar. Overall, Alternative 5 would not substantially reduce or increase impacts compared to the project.

Alternative 5 would develop the same mix of uses as the project and would meet the underlying purpose of the project to complete development of the Oxnard Dunes neighborhood. As Alternative 5 would be identical to the project other than the change in residential design (all single-family detached units), Alternative 5 would also meet all of the project objectives

Findings

Alternative 5 would meet all of the project objectives to the same extent as the project, the only difference being that the change in residential design. Alternative 5 would not eliminate the project's significant and unavoidable transportation impacts or the project's impacts that were found to be less than significant or less than significant with mitigation. As Alternative 5 would not substantially lessen environmental impacts in comparison to the project, this alternative is hereby rejected.

5.6 Environmentally Superior Alternative

The *CEQA Guidelines* state than an EIR shall identify an environmentally superior alternative. If the environmentally superior alternative is the "No Project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (Section 15126.6(e)(2)).

A detailed discussion of the Environmentally Superior Alternative is included in Section 7 of the Recirculated Draft EIR. Of the alternatives analyzed in the Recirculated Draft EIR, Alternative 1 (No

Project/No Development) would avoid all of the project's impacts, including the significant and unavoidable transportation impacts. Alternative 1 would also reduce most of the project's impacts to other resources. However, Alternative 1 would not meet any of the basic project objectives, including completing development of the Oxnard Dunes neighborhood and providing on-site habitat mitigation.

In accordance with the requirements of the CEQA Guidelines to identify an environmentally superior alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 4 (Reduced Project) would be the environmentally superior alternative. Although Alternative 4 would not eliminate the project's significant and unavoidable transportation impact, Alternative 4 would reduce the project's less-than-significant and less-than-significant-with-mitigation impacts to the greatest degree compared to the other alternatives due to the substantial reduction in development footprint and resulting decreased construction duration and operational intensity. Alternative 4 would also preserve the largest area of dune scrub and provide buffer distances consistent with the Coastal Land Use Plan.

Although Alternative 4 would reduce many of the environmental impacts associated with the project, this alternative would not meet the project objectives to the same extent as the project, including but not limited to "Complete this portion of the Oxnard Dunes neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan".

6 Statement of Overriding Considerations

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable (*CEQA Guidelines* Section 15093(a)).

CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (*CEQA Guidelines* Section 19093(B)). The proposed project would result in a significant unavoidable impact related to Transportation. No feasible mitigation measures have been identified that would reduce that impact to a less than significant level. The significant unavoidable impact is identified and discussed in Section 5 of these Findings. The City finds that the significant unavoidable impact to Transportation is outweighed by the proposed project's benefits and is acceptable in light of the benefits of the project, based on the findings below:

- The City has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the project, as described above.
- All mitigation measures required in the Final EIR have been incorporated into the project and will be implemented through the MMRP, incorporated by reference herein.
- In accordance with *CEQA Guidelines* Section 15093, the City has, in determining whether or not to approve the project, balanced the economic, legal, social, technological, and other benefits, including region-wide or statewide environmental benefits of the project against these unavoidable environmental risks, and has found that the benefits of the project outweigh the unavoidable adverse environmental effects.
- The proposed project would fulfill all of the project objectives, whereas some of the proposed alternatives, each of which have the same significant and unavoidable impacts, do not.

The following statements specify the reasons why, in the City's judgment, the benefits of the project outweigh its unavoidable environmental risks. The City also finds that any one of the following reasons for approval cited below is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the City Findings and the benefits described below can be found in the Record of Proceedings.

- The project would provide responsible and balanced public access framework that allows for community enjoyment of the open space area, while preserving and protecting sensitive habitat areas.
- Restore, protect, and improve native dune plant communities, habitat, and vegetation.
- Ensure the open space area remains safe by establishing security and maintenance processes and protocols.

- Complete this portion of the Oxnard Dunes neighborhood with an attractive residential neighborhood pursuant to the requirements of the City of Oxnard 2030 General Plan; and the ability for efficiently providing municipal services.
- Comply with Local Coastal Plan (LCP) policies and provide a buffer to agricultural lands to the east.
- The project would provide on-site habitat mitigation for any sensitive areas disturbed within the R-2-C area.
- Ensure that proposed development and land use conserve energy and natural resources.
- Provide for compatibility with existing residential uses in the area through effective and appropriate urban and architectural design.
- The project would create recreational opportunities for citizens of Oxnard.
- The addition of residential units to the City of Oxnard will make a substantial contribution toward attainment of community housing goals.

After balancing the specific economic, legal, social, technological, and other benefits of the project alternatives, the City of Oxnard has determined that the unavoidable adverse environmental impact identified may be considered acceptable due to the specific considerations listed above which offset the unavoidable and adverse environmental impact that will be caused by implementation of the proposed project.

Recognizing that a significant and unavoidable impact will result from implementation of the project, the City adopts this Statement of Overriding Considerations. Having adopted all feasible mitigation measures and recognizing the significant and unavoidable impact, the City hereby finds that each of the separate benefits of the project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the proposed project and outweighs and overrides its unavoidable significant effect, and thereby justifies the approval of the project.

7 Conclusion

7.1 Incorporation by Reference

These findings incorporate the text of the Final EIR for the Avalon Homes Project by reference and in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, the determination of the environmentally superior alternative, and the reasons for approving the project in spite of the potential for associated significant and unavoidable adverse impacts.

7.2 No Recirculation of the Recirculated Draft EIR is Required

The changes and new information provided in the Final EIR consist of clarifications of the Recirculated Draft EIR analysis and do not include identification of new significant impacts associated with the project or mitigation measures, or new project alternatives or mitigation measures that warrant consideration.

The City of Oxnard finds that the new information added in the Final EIR merely clarifies, amplifies, or makes insignificant modifications to an adequate EIR and is not "significant" within the meaning of *CEQA Guidelines* Section 15088.5.

The City of Oxnard further finds that incorporating the new information does not deprive the public of a meaningful opportunity to comment on the project or its effects, and that no information has been added to the Final EIR that would warrant recirculation pursuant to Public Resources Code Section 21092.1.

Finally, the City of Oxnard has reviewed and considered comments made after the Final EIR was issued and finds that those comments do not present significant new information within the meaning of *CEQA Guidelines* Section 15088.5 or otherwise warrant recirculation of the Final EIR pursuant to Public Resources Code Section 21092.1.

These findings are based on all the information presented in the Final EIR and the record of proceedings.

7.3 Summary

1. Based on the foregoing Findings and the information contained in the record, the City has made one or more of the following Findings with respect to each of the significant effects of the project:
    a. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effects identified in the Final EIR.
    b. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other public agency.

c. Specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the project.

2. Based on the foregoing Findings and the information contained in the record, the City determines that:

   a. All significant effects on the environment due to the approval of the project have been eliminated or substantially lessened where feasible.

   b. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section 6 above.

4 Mitigation Monitoring and Reporting Program

The Environmental Impact Report (EIR) for the Avalon Homes Project identifies the mitigation measures required to reduce environmental impacts associated with the project. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program (MMRP) for assessing and ensuring compliance with required mitigation measures applied to proposed development. As stated in Section 21081.6(a)(1) of the Public Resources Code:

> "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment."

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of making findings or adopting a mitigated negative declaration.

The mitigation monitoring table below lists the identified mitigation measures for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The first column, entitled "Mitigation Measure," identifies mitigation measures that were identified in the Final EIR. The second column, entitled "Implementing Action," refers to the action that must be taken to ensure the mitigation measure's implementation. The third column, entitled "Implementation Monitoring and Reporting Responsibility," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Implementation Timing Requirements," refers to how often the monitoring will occur to ensure that the mitigation action is complete. The "Compliance Verification" column is where the agency responsible for oversight verifies that the measures have been implemented.

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
Aesthetics						
AQ-1(a) Dust Control Measures						
The following shall be implemented during grading and construction to control dust. • The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust. • Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities. • Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities: 1) All trucks shall be required to cover their loads as required by California Vehicle Code Section 23114. 2) All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. 3) Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the	Perform site inspections, once at the start of construction and once half-way through construction, to verify contractor compliance. Retain copies of inspection records in project file.	The City is responsible for verifying project dust measures. The construction contractor is responsible for implementing the project dust measures.	Prior to construction activities and throughout the construction phase.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
area within three weeks, it shall be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust. 4) Signs shall be posted on-site limiting traffic to 15 miles per hour or less. 5) During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site. 6) Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads. 7) Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations. 8) Shaker plates shall be installed at all truck exits from the site. • Dust control requirements shall be shown on all grading plans. • Signs displaying the APCD Complaint Line Telephone number for public complaints shall be posted in a prominent location visible off the site: (805) 645-1400 during business hours and (805) 654-2797 after hours.						
AQ-1(b) Construction Equipment Controls						
The following shall be implemented during construction to minimize emissions of ozone precursors.	Perform site inspections, once at the start of construction and once half-way through	The City is responsible for verifying project measures.	Prior to construction activities and throughout the construction phase.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
1) All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the USEPA Tier 4 Final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards. 2) Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes. 3) Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications. 4) The number of pieces of equipment operating simultaneously shall be minimized. 5) Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric) when feasible. 6) The engine size of construction equipment shall be the minimum practical size. 7) Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible. 8) During the smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.	construction, to verify contractor compliance. Retain copies of inspection records in project file.	The construction contractor is responsible for implementing the project dust measures.				
AQ-1(c) Low Volatile Paints						
Wherever feasible, non-painted exterior surfaces and low volatile interior and exterior paints shall be used for architectural coatings.	Perform site inspections, once at the start of construction and once half-way through construction, to verify contractor compliance. Retain copies of	The City is responsible for verifying project paint review.	Prior to construction activities and throughout the construction phase.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
	inspection records in project file.					
Biological Resources						
BIO-1(a) Pre-construction Botanical Survey						
Prior to issuance of a grading permit for the project, spring and summer seasonal botanical surveys for special status plants, including but not limited to Orcutt's pincushion, shall be conducted within the impact area by a qualified botanist satisfactory to the City. A summary of the survey findings shall be provided to the City for approval. If any special status species are observed, avoidance, minimization, and/or mitigation shall be performed to reduce effects. If the species cannot be fully avoided, the Applicant shall draft a plan to offset impacts to the species as discussed in Mitigation Measure BIO-1(b). If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the Applicant shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy.	The City shall verify and review the completion of a botanical survey and survey results. If construction is delayed after the survey has been conducted, an additional survey shall be conducted such that no more than seven days have elapsed between the last survey and the commencement of construction activities.	Review and verification prior by City.	Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).			
BIO-1(b) Mitigation Plan						
In the event that Orcutt's pincushion or any other special status plant populations cannot be fully avoided, restoration, management, maintenance, and monitoring plans shall be developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by CDFW and the City of Oxnard prior to issuance of a grading permit. The mitigation therein shall be implemented within one (1) year following completion of project construction. The Applicant shall secure a bond for an amount equal to the cost of the mitigation effort prior to issuance of the grading permit. The bond shall be released by the City upon satisfaction of the approved performance criteria after the monitoring period has expired.	The City shall verify and review the completion of a botanical survey and survey results. If construction is delayed after the survey has been conducted, an additional survey shall be conducted such that no more than seven days have elapsed between the last survey and the commencement of construction activities.	Review and verification prior by City.	Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
The restoration, management, maintenance, and monitoring plans shall include one or more of the following methods, to be implemented either individually or in conjunction with each other: *Onsite or Offsite Restoration (Salvage and Replanting)* Restoration shall involve the collection of seed from within the development footprint or nearby areas, if necessary, and replanting the seed in a suitable area in a portion of the project site that is set aside for preservation. Collection of seed from state-listed endangered, threatened, or rare plants shall not occur without appropriate authorization from CDFW. If onsite restoration is infeasible, an offsite location as close to the impact area as possible, but within the local watershed, may be used. The Restoration Plan, prepared by a qualified plant ecologist satisfactory to the City, shall include, but not be limited to, the following to achieve a performance standard of a 2:1 replacement, or as dictated by a regulatory agency with permitting authority over the species: • Location of the mitigation/restoration and map; • Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric); • Identification of the party responsible for achieving the success criteria; • Plant species, container sizes, and seeding rates; • Planting schedule; • Monitoring frequency, methods, and duration; • Means to control exotic vegetation; • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); • Irrigation methods and schedule; and,						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
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• Identification of a protection instrument providing for conservation of the mitigation site in perpetuity. The Applicant shall maintain and monitor the plants for a minimum of five years. *Offsite Preservation* Offsite preservation shall consist of locating a population of the impacted special status plant species containing at least two times the number of individuals impacted by the project and preserving the population in perpetuity via placement of a permanent conservation easement or purchase of the land and dedication to the City or an approved conservation organization acceptable to the City. The preserved population shall be located in an area of sufficient size to create a preserve core and be located, as feasible, at least 350 feet away from existing or proposed development, paved roads, v-ditches and irrigated areas. Additionally, the preserved population shall exhibit connectivity to other protected open space or hillside areas. The Preservation Plan shall at least identify the specific location of the preservation site and size; number of individuals preserved; ownership of the land; parties involved; and the preservation methodology (i.e., permanent conservation easement or dedication to an approved conservation organization, etc.).						
BIO-2(a) Nesting Bird Survey						
If grading or tree removal is to occur during the bird-breeding season (January 1 through September 15), at a minimum, one (1) survey shall be conducted prior to the initiation of grading or tree removal by a qualified biologist (a person with a biology degree and/or established skills in bird recognition). The survey shall occur no more than one (1) week prior to grading or tree removal. The work limits plus a 500-foot buffer, as feasible, shall be surveyed to accommodate potential active raptor nests, as well	The City shall verify that construction is scheduled outside of the bird breeding season; if construction is to occur during the bird breeding season, the City shall verify and review the completion of a nesting	Review and verification by the City prior to issuance of any construction permit.	Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).			

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as other birds nesting nearby. A copy of the biologist contract for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits. A report summarizing the findings of the survey and the recommended buffers shall be provided to the Planning Department prior to vegetation removal activities.	bird survey and survey results. If nests are found, the City shall verify through field monitoring the compliance with established buffer. If construction is delayed after the survey has been conducted, an additional nesting bird survey shall be conducted such that no more than seven days have elapsed between the last survey and the commencement of construction activities.					
BIO-2(b) Establishment of Appropriate Buffers During Grading and Construction						
Based on the nesting bird survey, in the event that nesting birds are observed within 500 feet of the disturbance/construction area, species-specific exclusionary buffers shall be implemented as determined by the qualified biologist, and construction timing and location shall be adjusted accordingly until the nestlings have fledged and are no longer dependent upon the nest. The active nests and exclusionary buffers shall be monitored by a qualified biologist (at least initially) to determine if the active nests are being adversely affected by construction activities and to determine if a buffer would need to be increased to reduce such effects.	The project Applicant, under the direction of the City, would determine if a buffer is needed.	Review and verification by the City prior to issuance of any construction permit.	Once prior to submittal of construction drawings and once prior to issuance of building permits.			
BIO-3 Biological Monitoring						
A qualified biological monitor familiar with globose dune beetle and southern California legless lizard shall be present during initial ground-disturbing activities (including, but not limited to, site preparation, grading, excavation, and trenching)	The City shall verify that the project Applicant has retained a qualified biologist and verify that the specialist is on-site	Review and verification by the City prior to issuance of any construction permit.	Once by City prior to issuance of initial demolition and/or construction permits.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
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within suitable habitat for these species. The biological monitor shall have the authority to temporarily stop work if one or more individuals are observed. The monitor shall then relocate these individuals to suitable undisturbed habitat, outside the areas directly and indirectly affected by ground disturbance activities.	during ground-disturbing activities.					
BIO-5(a) Protection and Enhancement of RP Designated Area						
Prior to recordation of the final map for the project, the applicant shall prepare a protection and enhancement plan for the area to be preserved within the RP land use designation (approximately 29.18 acres in Parcels A and B shown on the tentative map). The plan shall be prepared by a qualified biologist and/or resource specialist and shall be reviewed and approved by the City of Oxnard. The plan shall address and incorporate the following features, which may be modified through consultation with other agencies and the City prior to finalization: • Timing and procedures for establishing a conservation easement or similar protection mechanism for the RP designated land to be preserved • Incorporation of Ventura marsh milk vetch or any other sensitive plant species, if required as part of mitigation measure BIO-1 • Revegetation or enlargement of the willow thicket area, if required as part of mitigation measure BIO-6(b) • Removal and control of invasive species such as ice plant • Modifications to and maintenance of perimeter fencing to prohibit or control public access • Inclusion of limited public access, with prohibitions or controls addressing pets, no	The project Applicant, under the direction of the City, shall prepare a protection and enhancement plan for review by the City prior to grading activities.	Prior to the issuance of building permits	Once by City prior to issuance of initial demolition and/or construction permits.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
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entry areas, and other aspects of potential public use • Funding mechanism, which may include provision of performance bonds to the City to ensure installation of all improvements and completion of restoration and protection measures or alternative implementation guarantees.						
BIO-5(b) Management of Residential Landscaping						
The applicant shall accomplish the following measures, to the satisfaction of the Planning Division: 1) Preparation, review, and implementation of landscaping plans for the project shall include provisions for the control of invasive plant species to address the potential impacts of non-native plants colonizing adjacent native habitats. Covenants, Conditions and Restrictions shall be recorded specifying that landscaping for individual housing lots shall not include any exotic invasive plant species. The Covenants, Conditions and Restrictions shall be binding on each of the lots in the subdivision, shall run with the land affected by the subdivision, and shall be included or incorporated by reference in every deed transferring one or more of the lots in the subdivision. 2) The project applicant shall also provide, in connection with the sale of each housing unit, an information packet that explains the sensitivity of the natural habitats onsite and nearby and the need to minimize impacts on the identified sensitive species, designated resource protection areas, the limits on public access within or adjacent to such areas, the prohibition on landscaping that includes exotic invasive plant species, and the limits on exterior residential	The project Applicant, under the direction of the City, shall prepare a landscaping plan for review by the City prior to grading activities.	Prior to the issuance of building permits or grading permits.	Once by City prior to issuance of initial demolition and/or construction permits.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
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lighting. Interpretive signs shall also be placed in appropriate locations along the edges of resource protection areas explaining the sensitivity of certain species and natural habitats and the need to minimize impacts on these adjacent areas.						
BIO-6(a) Consultation with Regulatory Agencies						
Prior to issuance of any grading permits for the project, and prior to clearing of any vegetation from the site, the applicant shall provide the Oxnard Planning Division with proof of consultation with CDFW, the U.S. Army Corps of Engineers, and the Los Angeles RWQCB. This consultation might result in the applicant being required to provide these agencies with a completed delineation of jurisdictional aquatic resources within the project footprint, or to apply for permits authorizing impacts to streams or wetlands. If federal or State permits are obtained, the applicant shall provide a copy of the approved permits to the Planning Division for review and approval prior to issuance of grading permits. The applicant shall comply with all permit conditions when implementing the proposed activities, including any seasonal timing restrictions, impact avoidance measures, limitations on construction means and methods, site restoration, compensatory mitigation, and reporting requirements.	The project Applicant, under the direction of the City, shall consult with regulatory agencies prior to any grading permits are issued or clearance of any vegetation.	Prior to the issuance of building permits or grading permits.	Once by City prior to issuance of initial demolition and/or construction permits.			
BIO-6(b) Re-vegetation Plan						
If jurisdictional wetlands/habitat are not avoided, areas of permanent disturbance shall be compensated for by creation, restoration, or enhancement of similar habitat at a 4:1 ratio, or as required by the regulatory agencies having permitting jurisdiction over the resources. Compensation for impacts to willow thickets shall consist of native and appropriate willow scrub	The project Applicant, under the direction of the City, shall prepare a re-vegetation plan, if required, within one year of completion of construction.	City of Oxnard and Building Department.	Within one year of completion of construction of development.			

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species, unless otherwise specified by the regulatory agencies. Re-vegetation shall occur as close to the impact area as possible and shall be within the same watershed. For this project, a likely revegetation area, should one be necessary, could be in the preservation area immediately north of the willow thicket, within the larger project boundaries. Payment of an in-lieu fee to a conservation organization approved by the City (and acceptable to the regulatory agencies, as appropriate) to conduct the mitigation may be accepted if no other locations are feasible, as confirmed by the City. The project Applicant shall submit a re-vegetation plan prepared by a qualified restoration biologist for review and approval by the City prior to issuance of a grading permit. The plan shall include, but not be limited to, the following components: • Location of the mitigation/restoration and map; • Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric); • Identification of the party responsible for achieving the success criteria; • Plant species, container sizes, and seeding rates; • Planting schedule; • Monitoring frequency, methods, and duration; • Means to control exotic vegetation; • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); • Irrigation methods and schedule; and,						

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• Identification of a protection instrument providing for conservation of the mitigation site in perpetuity. The revegetation shall be initiated within one (1) year of completion of project construction. The Applicant shall maintain and monitor the restored areas for a minimum of five years.						
BIO-6(c) Protection Measures During Construction						
The grading and improvement plans for the project shall indicate measures to minimize encroachment into the willow thicket habitat beyond the anticipated 0.91 acre of permanent impact. These shall include the use of a retaining wall or walls, minimum improvements along the north side of the private extension of Canal Street through the project (i.e. no sidewalks on north side and minimum improvements to meet City standards for this roadway). The plans shall also indicate through drawing or notes that equipment and vehicle parking and staging areas are to be separated from the preserved areas by 100 feet or more and shall prohibit vehicle and equipment from crossing or entering the willow thicket areas from the north (except as necessary for any approved revegetation work). The stormwater management plan shall ensure that runoff from construction areas is diverted away from the willow thicket areas as much as feasible.	The project Applicant, under the direction of the City, shall prepare protection measures (as identified) before grading or clearance activities related to the project.	The City is responsible for ensuring accurate measures are implemented during construction activities. The project contractor is also responsible for implementing all measures.	Once by City prior to issuance of initial demolition and/or construction permits.			
Cultural Resources						
CR-1 Retention of a Qualified Archaeologist						
Prior to the start of ground-disturbing activities, the City and/or subsequent responsible parties shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards (NPS 2020b) (Qualified Archaeologist) to respond to and address inadvertent discoveries identified for	Retention of a qualified archaeologist prior to grading and/or ground disturbance activities.	The City is responsible for verifying all construction monitoring is accurately performed.	Prior to the commencement of any ground-disturbing activities.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
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the duration of construction activities. The Qualified Archaeologist shall possess experience and familiarity with historic-period and prehistoric archaeological resources in the region.						
CR-2: Workers Environmental Awareness Program Training						
All on-site personnel shall be briefed regarding unanticipated discoveries prior to the start of construction activities. A basic presentation shall be prepared and presented by a Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist to inform all on-site personnel working on the project about the archaeological sensitivity of the area. The purpose of the Workers Environmental Awareness Program training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the project and explain the importance of and legal basis for the protection of significant archaeological resources. All on-site personnel shall also be instructed in the proper procedures to follow in the event that archaeological resources or human remains are uncovered during ground-disturbing activities. These procedures include stopping or redirecting work and the immediate notification of the Qualified Archaeologist, and if appropriate, a Native American representative, and establishing an appropriate temporary avoidance buffer. The necessity of training attendance shall be stated on all construction plans, and the City and/or subsequent responsible parties shall maintain records demonstrating construction worker training participation.	Retain a qualified archaeologist to prepare and conduct WEAP training for all construction personnel. Retain copies of WEAP training and attendance in project file.	The City is responsible for verifying all construction personnel have attended WEAP training prior to construction. The qualified archaeologist is responsible for preparing and conducting the WEAP training.	Prior to the commencement of any ground-disturbing activities.			

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CR-3 Archaeological Monitoring						
The Qualified Archaeologist shall oversee an archaeological monitor possessing experience and familiarity with historic-period and prehistoric resources in the region. The archaeological monitor shall conduct full-time monitoring within undisturbed native soils to the project's proposed maximum depths of disturbance. In general, archaeological monitoring shall be limited to initial ground disturbance, which is defined as construction-related earthmoving of sediments from their native place of deposition and does not include any secondary movement of sediment that might be required for the project (e.g., backfilling). The Qualified Archaeologist may adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter archaeological deposits. The archaeological monitor shall be responsible for maintaining daily monitoring logs. If throughout the course of project construction activities, a discovery is made by construction personnel and a monitor is not present, the protocols and procedures outlined in the Workers Environmental Awareness Program training shall be followed. Following the completion of project construction activities, the Qualified Archaeologist shall prepare an archaeological monitoring report with the results of the archaeological monitoring program that meets state and local requirements and submit the report to the City and the SCCIC at the California State University at Fullerton. Reports submitted to the SCCIC shall be formatted and completed in accordance with the CHRIS document submittal standards.	Prepare a CRMP to support the archaeological and Native American monitoring effort. Ensure the CRMP includes monitoring protocols to be carried out during project construction. Ensure the CRMP outlines the appropriate measures to be followed in the event of a cultural resource discovery during project construction.	The qualified archaeologist is responsible for preparing the CRMP. The City is responsible for reviewing and approving the CRMP. Native American groups that were previously contacted as part of AB 52 consultation for the project are responsible for reviewing and commenting on the CRMP prior to its finalization.	Prior to the start of ground-disturbing activities and as-needed.			

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CR-4 Inadvertent Discovery of Archaeological Resources						
In the event that previously unknown archaeological resources are inadvertently encountered during ground-disturbing activities, work in a 50-foot radius of the find shall be halted and redirected, and the Qualified Archaeologist shall be contacted immediately. The Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist, shall provide recommendations regarding the resource's potential significance and potential treatment in coordination with the City. If the resource is determined by the Qualified Archaeologist to be indigenous in origin, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the Qualified Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via Project redesign, the Qualified Archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of the California Code of Regulations (CCR) Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the Qualified Archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the	Retain an archaeological monitor and Native American monitor to observe all ground-disturbing activities within the project site. Ensure the CRMP documents the findings during the project's monitoring efforts. Retain copies of monitoring logs in the project file.	The archaeological monitor and Native American monitor are responsible for monitoring activities during construction. The City is responsible for retaining an archaeological and Native American monitor, reviewing monitoring logs, and submitting monitoring logs to the SCCIC.	During project construction.			

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regional repository of the CHRIS, per CCR Section 15126.4(b)(3)(C).						
CR-5 Procedures for Discovery of Human Remains						
In the event that human remains are inadvertently encountered during ground disturbing activities, they shall be treated consistent with State and local regulations including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and the CCR Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the County Coroner determines that the remains are, or believed to be Native American origin, the County Coroner is required to notify the Native American Heritage Commission that shall notify those persons believed to be the most likely descendent (MLD). The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance.	Retain an archaeological monitor and Native American monitor to observe all ground-disturbing activities within the project site. Ensure the CRMP documents the findings during the project's monitoring efforts. Retain copies of monitoring logs in the project file.	The archaeological monitor and Native American monitor are responsible for monitoring activities during construction. The City is responsible for retaining an archaeological and Native American monitor, reviewing monitoring logs, and submitting monitoring logs to the SCCIC.	During project construction.			
CR-6 Paleontological Resources						
The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If a potential fossil is discovered during project construction, construction activity within 50 feet of the find shall cease until the discovery is examined by a Qualified Professional Paleontologist as defined by the Society of Vertebrate Paleontology (SVP 2010). If the find is determined to be	Retain a paleontological monitor to observe all ground-disturbing activities within the project site. Retain copies of monitoring logs in the project file.	The monitor is responsible for monitoring activities during construction. The City is responsible for retaining a paleontological monitor, reviewing monitoring logs, and submitting monitoring logs as deemed necessary.	During project construction.			

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scientifically significant, the Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources consistent with the SVP (2010) standards, which shall include fossil salvage, laboratory preparation, curation in a paleontological repository, and a paleontological monitoring report. Additionally, the Qualified Professional Paleontologist and City shall decide if full- or part-time monitoring shall be instated for further project-related excavations. A Qualified Professional Paleontologist is defined by the SVP (2010) as an individual with: • A graduate degree in paleontology or geology, and/or a publication record in peer reviewed journals; and demonstrated competence in field techniques, preparation, identification, curation, and reporting in the state or geologic province in which the project occurs. An advanced degree is less important than demonstrated competence and regional experience. • At least two full years professional experience as assistant to a Project Paleontologist with administration and project management experience; supported by a list of projects and referral contacts. • Proficiency in recognizing fossils in the field and determining their significance. • Expertise in local geology, stratigraphy, and biostratigraphy. • Experience collecting vertebrate fossils in the field.						

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Geology and Soils						
GEO-1 Geotechnical Recommendations						
All recommendations contained within the Preliminary Soils Engineering Investigation conducted by SubSurface Designs, Inc. (Appendix H of this EIR) shall be followed for future development within the project site. These recommendations include the following: • Grading for the proposed development shall include the removal and re-compaction of the upper six feet (6') of the existing alluvium for support of the proposed foundation system. The grading shall extend outside of the footprint of the proposed structure ten feet (10'). A minimum of four feet (4') of compacted fill shall be maintained below the bottom of all foundations. A layer of bi-directional geogrid shall be placed within the bottom of the grading limits prior to the placement of compacted fill. Portions of the bottom excavation for the recommended removals are anticipated to require stabilization prior to the placement of compacted fill. In areas where excessive pumping is encountered, the geogrid shall be covered with one foot (1') of six inch (6") minus rock then covered with a geofabric. The earth material outside of the grading limits for the proposed structure shall be removed and re-compacted down two feet (2') for support in all areas to receive concrete slab, decking, or paving. • Grading shall be carried forth as described in the Grading and Earthwork section. Based on the granular nature of the upper alluvium, each layer shall be compacted to 95percent of the maximum density as	Retain a qualified professional geologist or professional engineer to ensure all recommendations are followed prior to issuance of grading permits.	The City is responsible for reviewing that the contractor implements remedial measures and all recommendation are performed during construction.	Prior to issuance of grading permits and throughout construction.			

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determined by the latest version of ASTM D 1557. • Structures shall be supported by a mat foundation. Foundations shall be designed as outlined in the Foundations section.						
GEO-2 Drainage and Maintenance						
Drainage and maintenance recommendations included in the Preliminary Soils Engineering Investigation shall be incorporated into the design of the project. These recommendations include, but are not limited to: • A comprehensive drainage system shall be designed and incorporated into the final plans. • Pad areas shall be maintained and planted in a way that will allow the drainage system to function as intended. Positive pad drainage shall be incorporated into the final plans. All drainage from the roof and pad shall be directed so that water does not pond adjacent to the foundations or flow toward them. All drainage shall be collected and directed via non-erosive devices to a location approved by the building official.	Retain a qualified professional geologist or professional engineer to prepare a SMP for the project. Ensure the SMP establishes remedial measures and soil management practices to ensure worker safety and prevent off-site migration of contaminants. Retain a copy of the SMP in the project file.	The qualified professional geologist or professional engineer is responsible for preparing the SMP. The City is responsible for reviewing and approving the SMP and verifying that the contractor implements remedial measures and soil management practices during construction.	Prior to issuance of grading permits and throughout construction.			
Greenhouse Gas Emissions						
GHG-1(a) Increased Efficiency						
The application shall include the following energy savings requirements in construction and building management contracts. • The project shall comply with the latest Title 24 standards under the California Green Building Code.	Start or grading through end of construction.	City shall be responsible for ensuring all efficiency strategies have been met for the project.	Issuance of Certificate of Occupancy.			

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• The project shall use solar or low-emission water heaters in new buildings/residences. • The project shall require that landscapers providing services use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased in stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment). •						
GHG-1(b) Renewable Energy						
The proposed project shall install solar panels and/or similar equipment that generates electricity from sunlight and/or wind. The owner/tenant of the building may elect to install such equipment to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission, if requested by the City and economically feasible.	Start or grading through end of construction.	City shall be responsible for ensuring all efficiency strategies have been met for the project.	Issuance of Certificate of Occupancy.			
GHG-1(c) Passive Energy Conservation Design						
The proposed project shall include passive energy conservation design elements, including building material massing, orientation, landscape shading, recycled or low-impact materials, window glazing to increase insulation, water circulation pumps to reduce water use, and/or similar measures shown to be equally effective.						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
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GHG-1(d) Natural Ventilation						
The applicant shall include natural ventilation in building design plans whenever feasible.	Start or grading through end of construction.	City shall be responsible for ensuring all efficiency strategies have been met for the project.	Issuance of Certificate of Occupancy.			
Noise						
NOI-1 Construction Noise Control Plan						
The construction contractor shall prepare and implement a Construction Noise Control Plan. The construction contractor shall submit the Construction Noise Control Plan to the City of Oxnard Public Works Department for review and approval prior to initiation of construction. The details of the Construction Noise Control Plan shall be included as part of the permit application drawing set and as part of the construction drawing set. The Construction Noise Control Plan shall include the following measures: • At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the overall duration of the construction period. The notification shall include the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. • At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the	The project Applicant, under the direction of the City, shall prepare a noise control plan prior to commencement of construction related activities.	City shall be responsible for ensuring that the noise control plan is accurately described and followed.	Prior to issuance of a grading and/or building permit.			

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telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, the representative shall investigate, take appropriate corrective action, and report the action to the City. • During the entire active construction period, equipment, tools, and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible. During the entire active construction period, stationary noise sources shall be located as far from sensitive receivers as possible, muffled, and enclosed within temporary sheds or insulation barriers, or other measures for equivalent noise reduction will be incorporated to the extent feasible. • The contractor shall be required to use impact tools that are hydraulically or electrically powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. • Stockpiling of materials shall be located as far as feasible from nearby noise-sensitive receptors. • Signs shall be posted at the job site entrance(s) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than five minutes.						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
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• Use of stereos and other amplified noise not necessary for the completion of construction work shall be prohibited. During the entire active construction period and to the extent feasible, the use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only. The construction manager shall ensure the use of use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch off back-up alarms and replace with human spotters in compliance with safety requirements and laws.						
NOI-2 Alternative Construction Equipment						
Prior to the issuance of a grading and building permit, the following measures shall be included as notes on all construction plans: Construction activities that utilize large earthmoving equipment (rated at 100 hp or more) within 15 feet of offsite residential structures shall be conducted with small offroad equipment limited to 100 hp or less.	The project Applicant, under the direction of the City, shall prepare a noise control plan with notes that state NOI-2 equipment requirements on the plans.	City shall be responsible for ensuring that the noise control plan is accurately described and followed.	Prior to issuance of a grading and/or building permit.			
Transportation						
T-2 Bicycle Improvements						
The applicant shall include bicycle parking at the proposed small parking lot for the open space area in the northern area of the project site. The number of bicycle parking spaces shall be no less the number of vehicle parking spaces provided at the parking lot. The design and finish of the bicycle parking (e.g., bicycle rack, bicycle lockers, etc.) shall use natural colors, such as shades of green and tan found in the surrounding open space area to the north. The project applicant shall also include a Class III bicycle land on the proposed internal circulation road. The Class III bicycle lane shall extend the full length of	The project Applicant, under the direction of the City, shall ensure the inclusion of bicycle parking for the open space area in the northern area of the project site prior to completion of construction activities.	The City is responsible for ensuring that bicycle parking has been implemented. The construction contractor is responsible for implementing the bicycle parking during construction activities.	Prior to the issuance of a certificate of occupancy.			

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the internal access road, effectively providing a bicycle-lane connections between existing Dunes Street at the north end and Canal Street at the south end.						

ATTACHMENT I

STAFF PRESENTATION

City of Oxnard Planning Commission
March 5, 2026

Avalon Homes
PZs: 16-400-02 (Coastal Development Permit), 16-300-03 (Tentative Map), & EIR 2016-01

Applicant: Tanner Shelton, Designated Agent, Sanbell
Case Planner: Jamie Peltier, Planning Supervisor

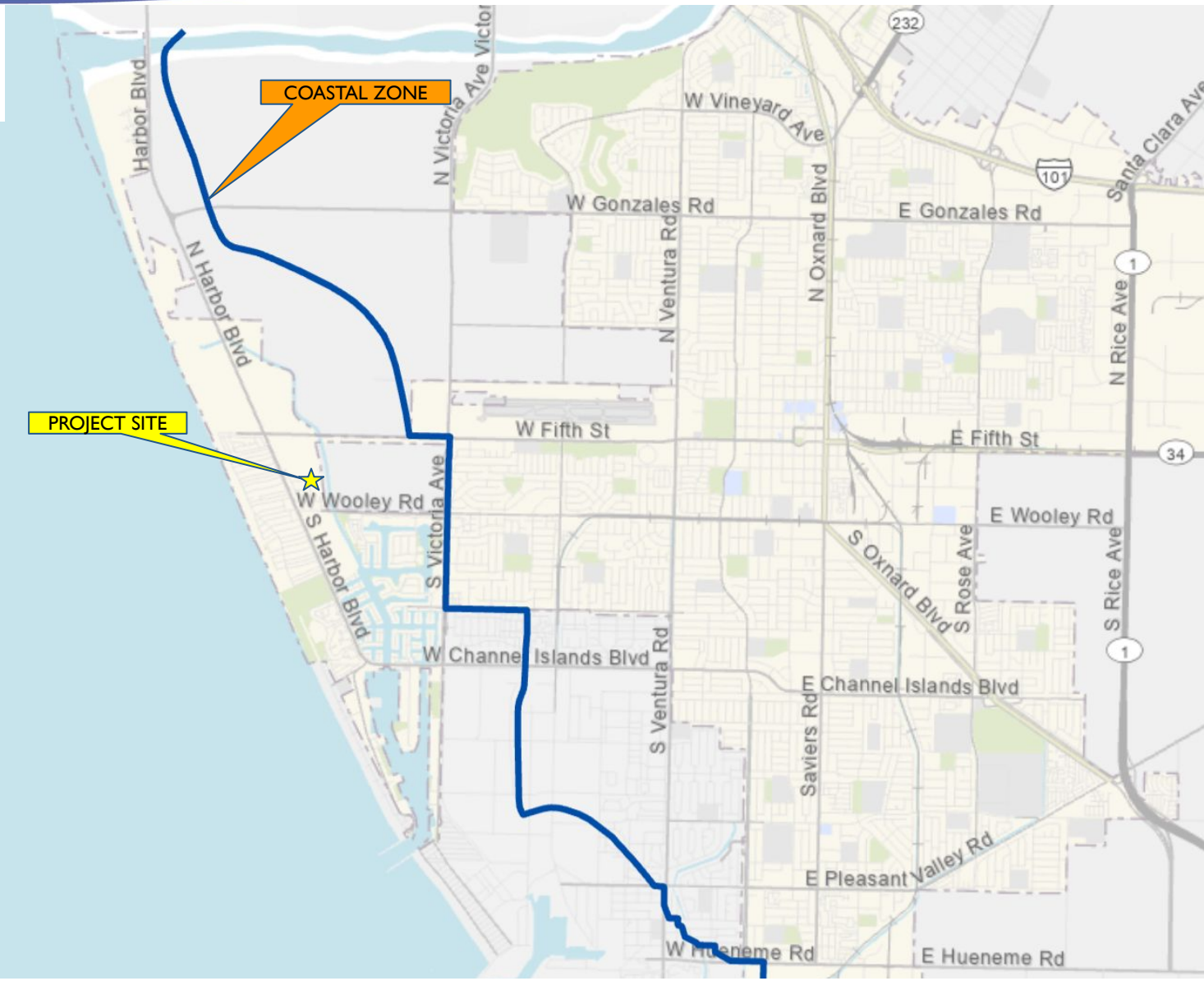
CITY OF OXNARD CALIFORNIA

Coastal Development Permit and Tentative Subdivision Map with Environmental Impact Report for:

- Residential Development (8.75 acres)
  - 56 detached single-family dwelling units (condominium)
  - Private Street
  - Community park space
  - Surface parking
- Dedicated preserved open space (39.5 acres)
  - Parking lot
  - ADA walking path
  - Larger walking paths
  - Protected and restoration area

PROJECT LOCATION

Subject Site: Between Harbor Bvld, Fifth Street, Edison Canal



PROJECT LOCATION

STREET VIEWS

View from Harbor Blvd and Beachcomber St looking north

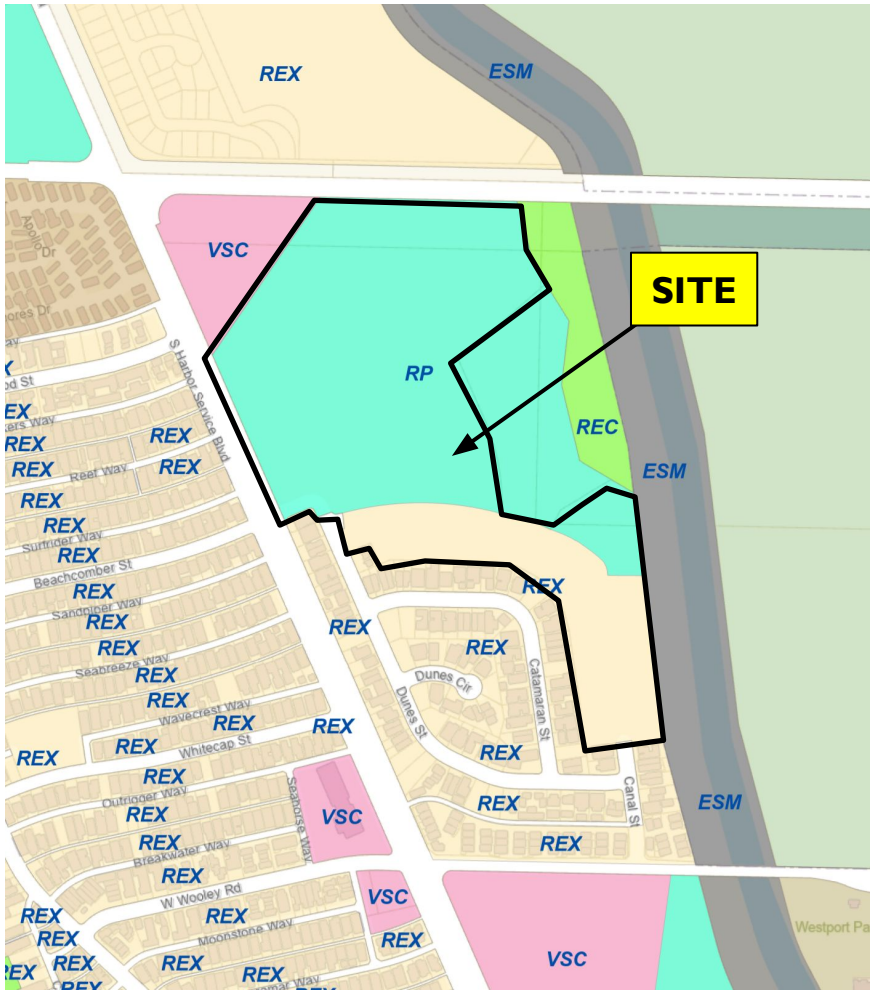
View from Canal St looking north

View from Fifth St looking south

View from Dunes St/Beachcomber St looking east

GENERAL PLAN & ZONING MAPS

General Plan and Coastal Land Use Designation



Residential Existing (REX)
Resource Protection (RP)

Zoning Designation

Coastal Multiple-Family (R-2-C)
Resource Protection (RP)

EXISTING SITE AND SURROUNDING LAND USES

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	*Residential Existing (REX) and Resource Protection (RP)*	*RP and Coastal Multiple-Family (R-2-C)*	*Vacant - sand dunes and vegetation*
North	Residential Existing (REX) Visitor Serving Commercial	Single-Family Beach (R-B-1) Coastal Resource Protection (RP) Coastal Visitor-Serving Commercial (CVC)	Residential Subdivision (north of W Fifth Street)
South	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential Single-Family and Multifamily
East	Coastal Recreation (REC) Agriculture (AG)	Community Reserve (CR) Coastal Recreation (RC) County Agriculture	Edison Canal, Agriculture (county)
West	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential Duplexes

BACKGROUND

- The Project site is located on 3 undeveloped parcels in the Oxnard Dunes Neighborhood.
- 1964 Oxnard Dunes Neighborhood created by Tract No. 1567-1
- 1982 Oxnard Local Coastal Program identified lots as RP and R-2-C.
- Lots individually developed - only a few vacant parcels left.

BACKGROUND

Subject Site Application History

- 2003 - application 125 single-family unit development
  - Withdrawn
- 2011 - application for 64 single-family unit development
  - Closed
- 2016 - current application submitted for 65 single-family units attached and detached options
  - Environmental review began shortly after submission in 2016

BACKGROUND

Project History Cont.

- 2019 - Draft Environmental Impact Report (EIR) circulated
- Draft EIR alternative #5 analyzed a 56-unit project
- 2021 - applicant changed scope and selected alternative #5. Plans resubmitted for reduction of units from 65 to 56.
- Project re-reviewed by City departments October 2021, April 2022, and April 2023
- 2024 - Draft EIR reanalyzed
- 2025 - Draft EIR recirculated for public review

SITE PLAN

Open Space Site Plan

- Public passive recreation area
- Preserved and restored
- Parking lot
- ADA trail
- Larger loop trails

N

SITE PLAN

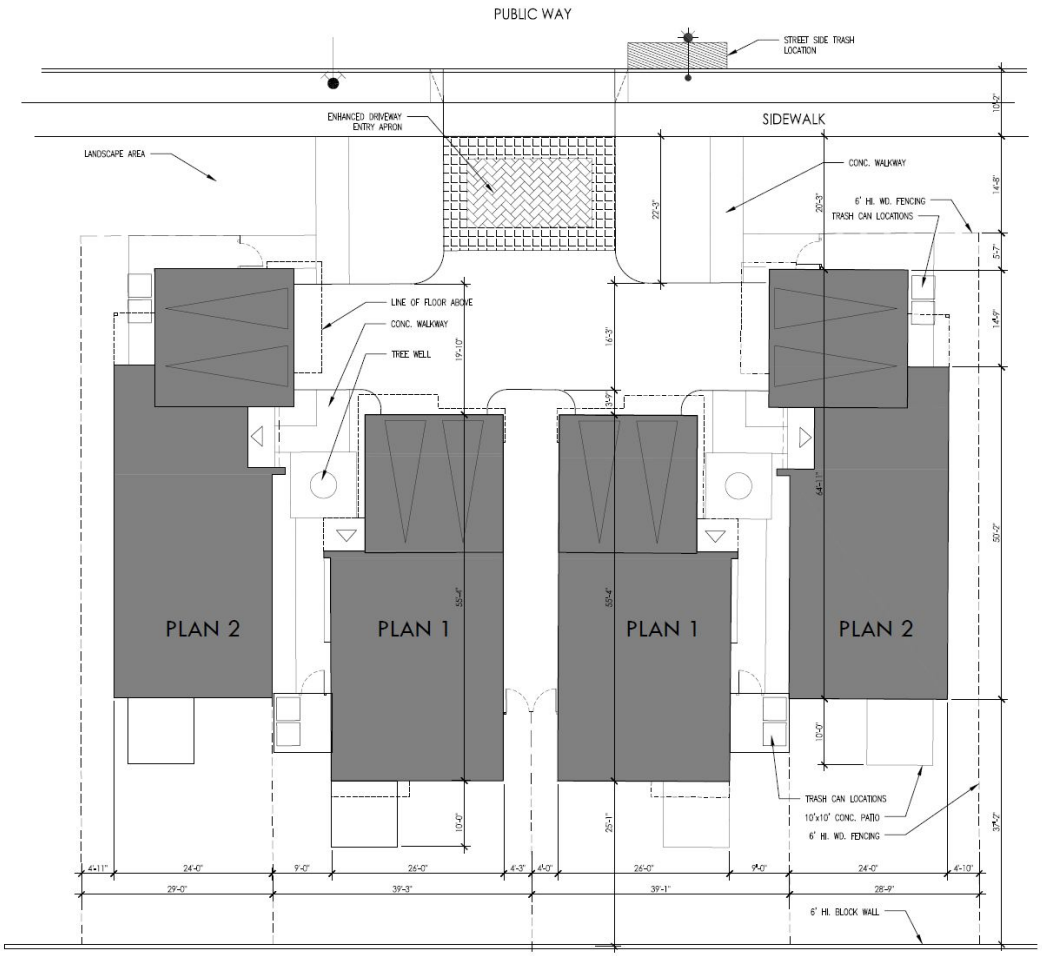
Residential Site Plan

- 56 single-family dwelling units
- Community Space
- Parking
- Private street
- Sidewalk with landscaping
- Connects to Canal St and Dunes St

SITE PLAN

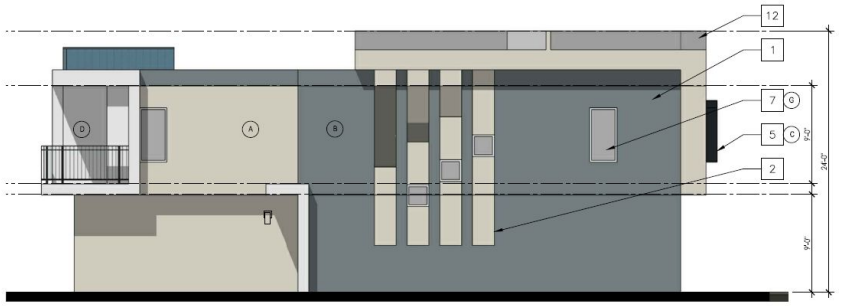
Cluster Site Plan

- 4 single-family dwelling units
- Shared driveway
- Individual private yards

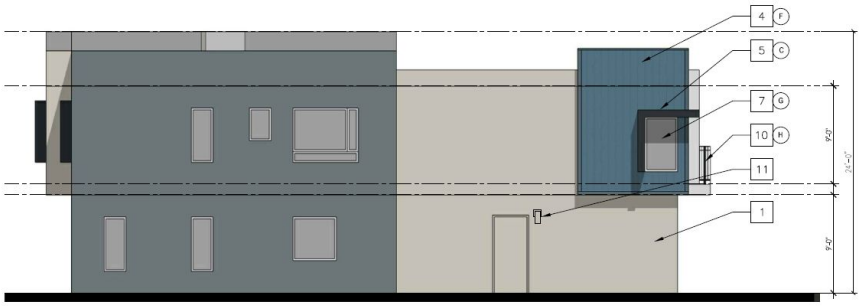


PROJECT ELEVATION PLANS (Design #1)

1 FRONT ELEVATION



2 REAR ELEVATION



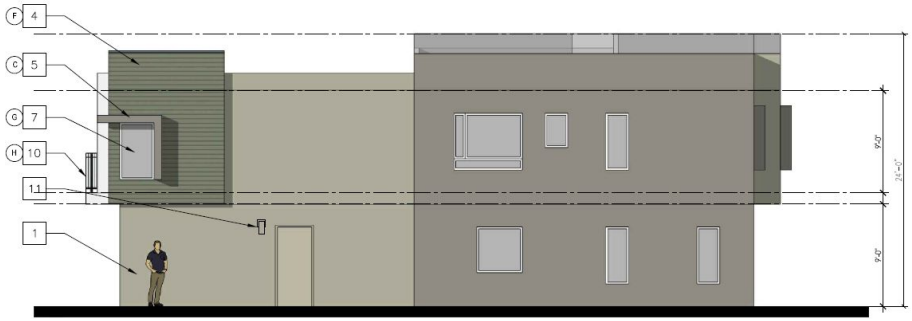
3 LEFT ELEVATION

4 RIGHT ELEVATION

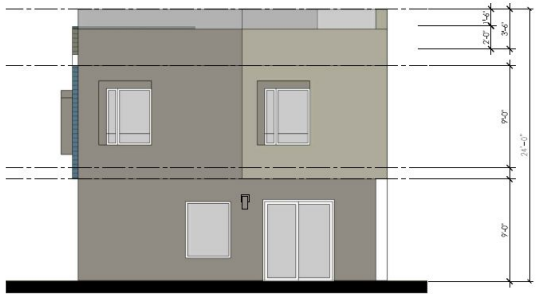
PROJECT ELEVATION PLANS (Design #2)

1 FRONT ELEVATION

2 REAR ELEVATION



3 LEFT ELEVATION



4 RIGHT ELEVATION

PROJECT ELEVATION PLANS (Design #3)

1 FRONT ELEVATION

2 REAR ELEVATION

3 LEFT ELEVATION

4 RIGHT ELEVATION

PROJECT ELEVATION PLANS (Design #4)

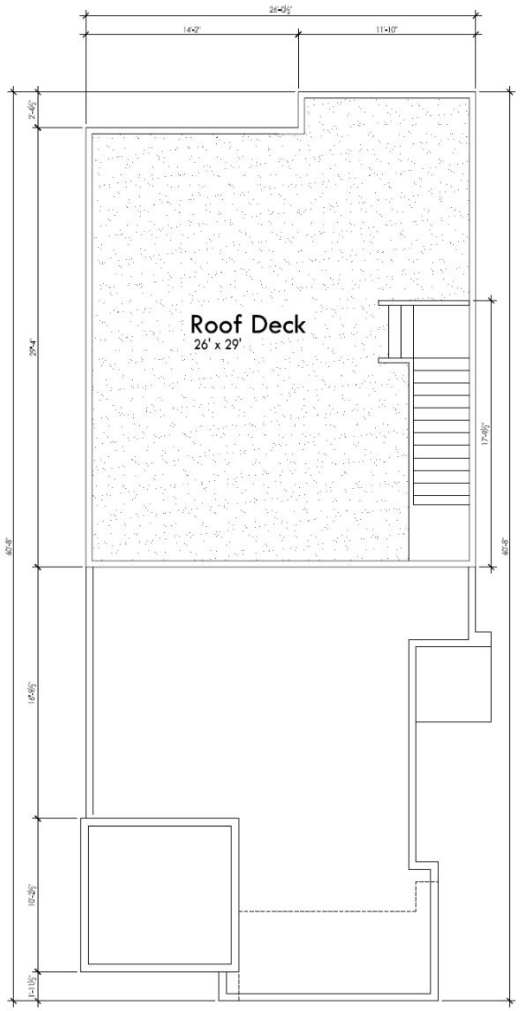
1 FRONT ELEVATION

2 REAR ELEVATION

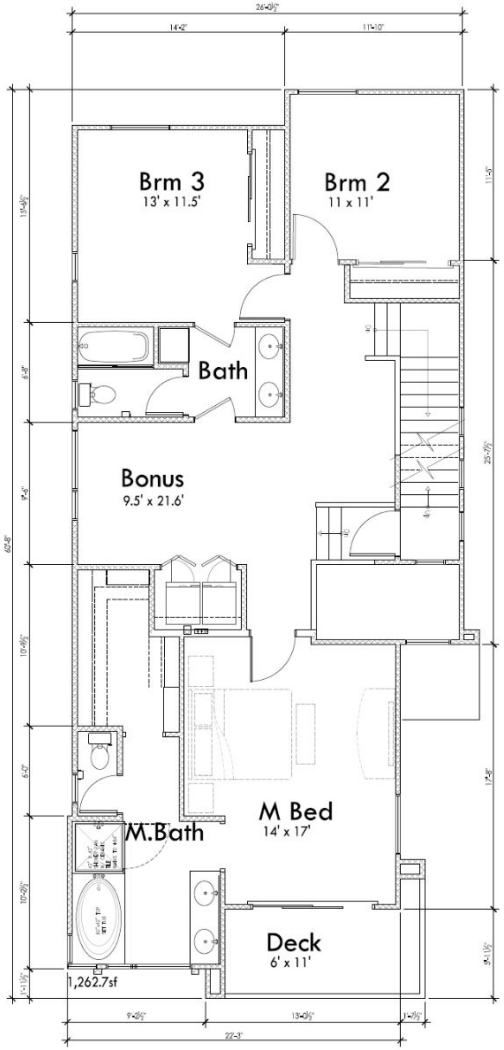
3 LEFT ELEVATION

4 RIGHT ELEVATION

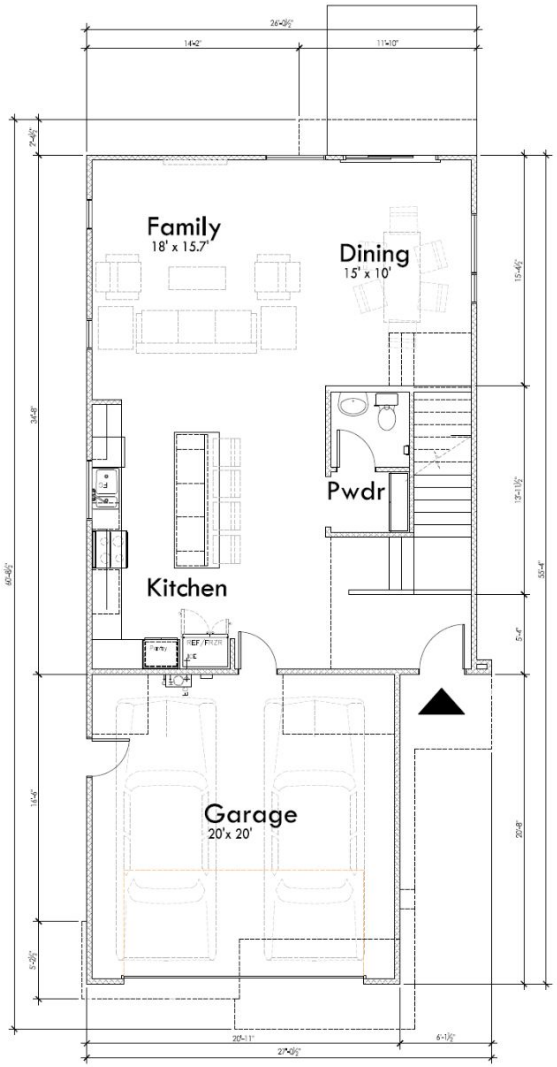
FLOOR PLANS (Middle units - Designs #1 and #2)



Plan 1 - Roof Plan
1/4"=1'-0"



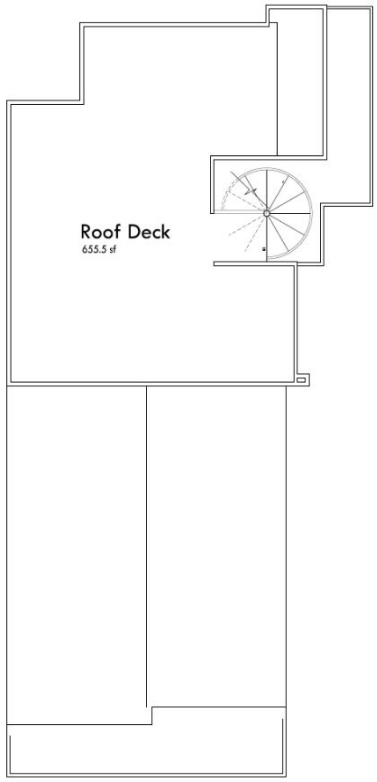
Plan 1 - Second Floor Plan
1/4"=1'-0"



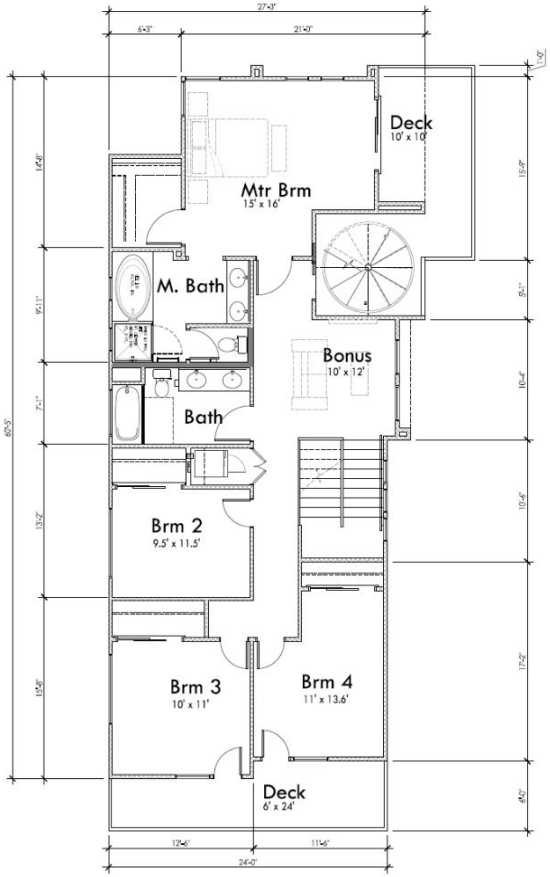
Plan 1 - First Floor Plan
1/4"=1'-0"

1" = 4'-0"

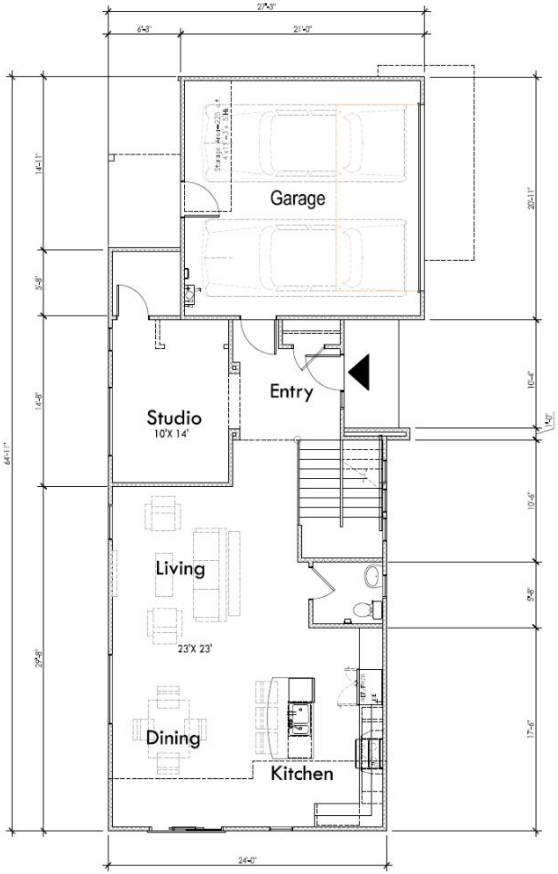
FLOOR PLANS (End units - Designs #3 and #4)



Plan 2 - Roof Plan
3/6"=1'-0" 655 sf



Plan 2 - Second Floor Plan
3/6"=1'-0" 1,338 sf



Plan 2 - First Floor Plan
3/6"=1'-0" 1,056 sf

ZONING CONSISTENCY TABLE - R-2-C

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Max. building height 17-13(D)(1)	2 stories, 25 feet max.	24 feet	YES
Minimum Lot Area 17-13(D)(2)	3,500 square feet per dwelling unit.	56 dwelling units/38.3 gross acres (1.5 dwelling units/ acre)	YES
Lot Width 17-13(D)(3)	50 feet	Lot 1 - 683 feet Lot 2 - 350 ft Lot 3 - 88 feet	YES
Interior Yard Space 17-13(D)(4)	25% of lot area; minimum dimension of 15 feet	29.58 acres resource protected open space; 8,276 square feet community park, and 1,000-1,135 square feet of private yard space per unit Lots 1, 2, and 3 - 30%	YES
Front Yard Setback 17-13(D)(5)	20 feet	20 feet	YES
Rear Yard Setback 17-13(D)(6)	25 feet	25 feet	YES
Side Yard Setback 17-13(D)(7)	5 feet	5 feet Approximately 8-10 feet between each unit	YES
Building Lot Coverage	Not to exceed 60%	79,498 square feet 4%	YES
Off Street Parking 16-622(F)	2 garage spaces per unit	2 garage spaces per unit 121 other open parking spaces	YES

KEY GP AND LCP POLICIES - CONSISTENCY TABLES

Policy	Level	Title/Text	Explanation
CD-8.1	**I**	**Limiting Development** Continue to limit development to these areas that can be served by existing or planned utilities, transportation, and service systems.	The proposed Project will be served by existing utilities already serving the Dunes Neighborhood that can adequately serve the proposed Project. The site is accessed by existing street networks including major streets - Harbor Boulevard, Wooley Road, and Fifth Street.
ER-6.6	**I**	**New Development Private Open Space** Ensure that new development incorporates open space areas that provide community and neighborhood identity, provide quality exterior private open space for each housing unit, and minimize conflicting land uses and noise generators.	The Project provides newly landscaped front and rear yards for each unit, private community park, and public open space with trails. The Project provides a community space with picnic area and outdoor kitchens, second-floor courtyards and rooftop deck, and a fifth-floor terrace. The Project provides a private yard and roof deck for every unit, designed with open metal railing.
ICS-8.3	**II**	**Completing Bicycle and Sidewalk Network**	The Project will complete the portion of Canal and Dunes Street at each end of the Project, including the connecting to the Class II bicycle lane facility as identified on Wooley Road. The Project will also construct new driveways, sidewalks, curbs, and gutters, that connect to the existing street network and be built according to City standards and accessibility requirements.
ICS-8.4	**II**	**New Development Requires Bicycle Improvements**	
ICS-8.5	**II**	**Public Sidewalks and Pedestrian Orientation**	

2030 General Plan Consistency Table

No.	POLICY	EXPLANATION
Coastal Act 30250	New development shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it.	The project is within the dunes area (an approved residential area designated for in-fill development) of the Local Coastal Plan. The surrounding development consists of similarly sized single-family and duplexes to the proposed project.
Coastal Act 30251 **LCP 37**	Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural landforms, and to be visually compatible with the character of the surrounding areas. All new development in the coastal zone shall be designed to minimize impacts on the visual resources in the area.	The project site is not immediately adjacent to the ocean, but is within a designated scenic coastal area. The project has been thoughtfully designed with an appropriate density for the neighborhood and of a similar 2-story height and massing. The Project cannot be viewed from public beaches, does not block views of scenic resources, and is unlikely to be viewed from any public right-of-way. Therefore, the project is consistent with these policies.
Coastal Act 30240 **LCP 6d**	Development in areas adjacent to environmentally sensitive habitat areas (ESHA) and park and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. New development adjacent to wetlands or resource protection areas shall be sited and designed to mitigate any adverse impacts to the wetlands or resource.	The Project is sited and designed to avoid significant impacts to the surrounding wetland habitat and dune area. The EIR identified mitigation measures to restore any vegetation removed at a 4:1 ratio within the project site to the north. The residential development is limited to the area of the project site closest to the existing developed neighborhood. The resource protection area development is limited to a walking path that would not damage any ESHA.

Local Coastal Plan Consistency Table

INCLUSIONARY HOUSING PLAN

- Inclusionary Housing Ordinance 2980
  - Requires 10% affordable low-income level units
  - Or request in-lieu fee

- Pre-Application submitted for in-lieu fee in 2021.
- City Council reviewed Pre-Application on July 20, 2021.
  - Discussions on equitable affordable housing throughout the city including coastal zones.
  - Acknowledgement that an in-lieu fee could go towards a higher quantity of units.
  - No action on report item. Receive and file only.

- In-lieu fee condition of approval - calculated at time of building permit issuance. Current fee schedule requires $43,808.91 per single-family unit.

ENVIRONMENTAL DETERMINATION

Environmental Impact Report (EIR) prepared pursuant to California Environmental Quality Act (CEQA).

- Initial Study and Notice of Preparation distributed for review between May 27, 2016 and June 27, 2016.
- Scoping meeting held on June 13, 2016.
- Draft EIR circulated December 2019.
- Applicant changed scope of work from 65 to 56 units in 2020, identified as Alternative #5 in the Draft EIR.
- Draft EIR required updates to new CEQA guidelines and regulations. In 2024, Draft EIR recirculation process begins.
- Transportation significant impact founded according to new CEQA guidelines. Vehicle Miles Traveled (VMT) cannot be mitigated to less than significant value requiring a Statement of Overriding Considerations.
- Recirculation of Draft EIR began August 7, 2025 ended on September 21, 2025. 8 comments received.
- Final EIR prepared and agencies that commented on the Draft EIR provided notice at least 10 days before certification.
- Recommended CEQA findings, mitigation monitoring and reporting program, and statement of overriding considerations in EIR Resolution.

Cont. EIR

- The City finds that the inclusion of certain mitigation measures as part of project approval will reduce the identified impacts to levels to less than significant.
- Mitigation Measures for the following EIR sections:
  - Air Quality
  - Biological Resources
  - Cultural Resources
  - Geology and Soils
  - Greenhouse Gas Emissions
  - Noise
  - Transportation (significant impact)
    - No feasible mitigation measures have been identified to reduce this impact to a less than significant level or mitigation measures have been identified but would not reduce the impact to a level of less than significant; the impact will remain a significant a unavoidable impact of the project. The impact will be overridden due to specific considerations that are described within this document.

Coastal Development Permit

Prior to issuance of any certificate of occupancy for any units beyond the 50th percentile of the total approved residential units, the Developer shall complete the construction of the required open space trail improvements per the approved plans. Said improvements shall include, but not be limited to, trail grading, surfacing, signage, parking lot, public access connections, and any associated landscaping and amenities, subject to review and approval by the Planning Division. The trail shall be fully accessible to the public and open for use.

Prior to issuance of building permits, the Developer shall post performance bonds in an amount equal to 1.5 times the estimated value to ensure compliance with habitat restoration Mitigation Measure BIO-3 (or equivalent in the Final EIR/MMRP), requiring revegetation at a 4:1 ratio for any impacted native vegetation and initiation within one (1) year of project construction completion. The Developer shall maintain and monitor the restored areas (including trails and open space on Lots A and B) for a minimum of five (5) years, submitting annual reports to the Community Development Director. The bonds shall include: 1) 1.5 times the value of labor and materials for initial restoration; and 2) 1.5 times the value of maintenance and monitoring for 5 years. Bond amounts shall be based on a cost estimate prepared by a qualified biologist/restoration specialist and approved by the Community Development Director, with provisions for annual updates if needed. Bonds may be released upon satisfactory completion of the restoration program, verified by City inspection and compliance with MMRP success criteria. The City may collect on the bonds and complete the restoration program (including hiring third-party contractors) if the applicant fails to restore or maintain according to approved plans.

Tentative Map

Prior to approval and recordation of the final map, the Developer shall prepare and submit for review and approval by the Community Development Director and City Attorney Covenants, Conditions, and Restrictions (CC&Rs) consistent with the approved Tentative Tract Map 5888, Local Coastal Program, and Final EIR mitigation measures (e.g., BIO-1 through BIO-5 for habitat restoration, trails, and public access). The CC&Rs shall assign responsibility for long-term maintenance, monitoring, and restoration of the Resource Protection Area (including the walking trail, revegetation, and controlled public access from the parking lot) to the homeowners association (HOA), which shall work in cooperation with responsible agencies (e.g., City of Oxnard, California Coastal Commission, CDFW). The landowner or HOA may assign these obligations to a non-profit association acceptable to the City of Oxnard, subject to review and approval by the Community Development Director and City Attorney. The deed restriction shall be recorded concurrently with the final map and shall run with the land in perpetuity. Evidence of recording shall be provided to the City Engineer prior to issuance of permits. Failure to comply may result in withholding of final map approval and/or permit issuance.

Prior to approval and recordation of the final map, the Developer shall prepare and submit for review and approval by the Community Development Director and City Attorney a separate deed restriction that permanently restricts Lots A and B as protected open space under the Resource Protection designation, consistent with the approved Tentative Tract Map 5888, Local Coastal Program, and Final EIR mitigation measures (e.g., BIO-1 through BIO-5 for habitat restoration, trails, and public access). The deed restriction shall be recorded concurrently with the final map and shall run with the land in perpetuity. Evidence of recording shall be provided to the City Engineer prior to issuance of permits. Failure to comply may result in withholding of final map approval and/or permit issuance.

RECOMMENDATION

That the Planning Commission:

- Adopt a Resolution recommending that the City Council certify Final Environmental Impact Report No. 2016-01 (Governor's Office of Planning and Research State Clearinghouse No. 2016051075); and

- Adopt a Resolution recommending the City Council approve Planning and Zoning Permit No. 16-300-03 for a Tentative Map, subject to certain findings and conditions; and

- Adopt a Resolution to approve Planning and Zoning Permit No. 16-400-02 for a Coastal Development Permit, subject to certain findings and conditions.

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