Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard website at www.oxnard.org.

CITY OF OXNARD CALIFORNIA

AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
OXNARD FINANCING AUTHORITY
OXNARD HOUSING AUTHORITY
Council Chambers, 305 West Third Street
March 19, 2019
Closed Session - 4:30 PM
Regular Meeting - 5:30 PM

A. ROLL CALL/POSTING OF AGENDA

THE FOLLOWING LEGISLATIVE BODIES ARE MEETING: City Council.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION (4:30 PM)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(D)(1))

CC Name of Case: April Kittel v. City of Oxnard; et al.
United States District Court Case No. CV-17-6709-MWF (GJSx)

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(D)(1))

CC Name of case: Green Energy Holdings, LLC; Auto Fuels, Inc. v. City of Oxnard, et al.
Ventura County Superior Court, Case No. 56-2015-00470344-CU-EI-VTA

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code Section 54956.9(D)(2))

CC Based on existing facts and circumstances, there is significant exposure to litigation against the City in one potential case.

D. OPENING CEREMONIES (5:30 PM)

Pledge of allegiance to the flag of the United States.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item time estimates: (Staff Presentation / Council Discussion / Public Comment)

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Proclamation Designating the Month of March as "Women's History Month."

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker cards will not be accepted after the beginning of the general public comment period. Based on the number of speaker cards submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to three minutes, but shorter time may be established as deemed necessary. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager/ Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing.

G. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

H. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY BUSINESS/COMMITTEE REPORTS

At this time, a member of the legislative body may make a brief announcement, or make a brief report on his or her activities. Further, members of the legislative body may request to schedule consideration of whether to place an item on a future agenda. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. The member's report shall not exceed three minutes, unless additional time is granted by the presiding officer.

I. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

J. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

K. INFORMATION CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the March 5, 2019 Regular Meeting as presented.
Legislative Body: CC Contact: Michelle Ascencion Phone: (805) 385-7805

Cultural and Community Service Department

2. SUBJECT: Second Amendment to Senior Nutrition Grant from the Ventura County Area Agency on Aging (VCAAA).
RECOMMENDATION: That the City Council:
1. Authorize the City Manager or designee to execute the amended Ventura County Area Agency on Aging Grant Contract No. A-8086 for the Provision of Services (Senior Nutrition Program & "Senior Nutrition Program Grant Agreement") and any other document or instrument necessary to carry out the purposes of Senior Nutrition grant; the Chief Financial Officer or designee to submit financial reports and grant claims for the use of Senior Nutrition grant funds; and
2. Approve a budget appropriation to recognize one-time-only funds amending the Senior Nutrition grant award in the amount of $137,973 for the FY 2018-2019 Senior Nutrition Program.
Legislative Body: CC Contact: Terrel Harrison Phone: 385-7994

Finance Department

3. SUBJECT: Examination of Sales and Use Tax Records and Other Governmental Functions.
RECOMMENDATION: That the City Council adopt a resolution authorizing examination of sales or transactions and use tax records of the California Department of Tax and Fee Administration for tax collection purposes and other governmental purposes. (Finance and Governance Committee approved 3-0)
Legislative Body: CC Contact: Kevin Riper Phone: (805) 385-7461

L. REPORTS

Development Services Department

1. SUBJECT: Planning & Zoning Permit No. 19-600-01 - Pre-Application Review of the East Village Development Project, Located on the Northeast Corner of Rose Avenue and Camino Del Sol. (20/20/15)
RECOMMENDATION: That the City Council review and provide preliminary comments on an updated request for pre-application review for the master planning of a 107 acres project site, known as “East Village Development Project” with residential, parks, high school with a Civic Center Act agreement, and commercial development.
Legislative Body: CC Contact: Jeffrey Lambert Phone: (805) 385-7882

2. SUBJECT: Planning & Zoning Permit No. 18-600-02 - Pre-Application Review of the Portofino Place Residential Development Project, Located on the Southeast and Southwest Corners of Fifth Street and Portofino Place. Filed by John Morelli on Behalf of Portofino Place, LLC. (15/20/15)
RECOMMENDATION: That the City Council review and provide preliminary comments on:
1. A Pre-Application to construct 45-duplex residential buildings (90 total units), inclusive of a 2,800 square-foot office/gym/pool building; 412 parking spaces; dog park; and children's play area; and
2. The applicant's request to pay the City's in lieu affordable housing fee instead of constructing the affordable housing units on site.
Legislative Body: CC Contact: Jeffrey Lambert Phone: (805) 385-7882

Human Resources Department

3. SUBJECT: Successor Memoranda of Understanding Between the City of Oxnard and the Oxnard Peace Officers Association and the Oxnard Public Safety Managers' Association. (5/5/5)
RECOMMENDATION: That City Council adopt by resolution the attached successor memoranda of understanding (MOU) with the following bargaining units:
a. Oxnard Peace Officers Association (OPOA); and
b. Oxnard Public Safety Managers' Association (OPSMA).
Legislative Body: CC Contact: Steve Naveau Phone: (805) 385-7947

M. PUBLIC HEARING

Development Services Department

1. SUBJECT: Planning and Zoning (PZ) Permit No. 17-580-01 (Zone Text Amendment) – Amendments to the Industrial Portion of the Zoning Ordinance, Chapter 16, Divisions 11-15 of the Oxnard City Code- Business and Research Park, Limited Manufacturing, Light Manufacturing, Commercial Manufacturing, and Heavy Manufacturing (10/15/20)
RECOMMENDATION: That the City Council introduce an ordinance (read by title only, waiving further reading) amending Chapter 16, Divisions 11 – 15 of the Oxnard City Code pertaining to regulations governing land uses and development regulations for uses within the Business and Research Park, Limited Manufacturing, Light Manufacturing, Commercial Manufacturing, and Heavy Manufacturing zoning districts, and implement the Planning Commission's recommendations.
Legislative Body: CC Contact: Jeffrey Lambert Phone: (805) 385-7882

N. ADJOURNMENT

CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Info/Consent** **AGENDA ITEM NO.: 1**

DATE: March 19, 2019

TO: City Council

FROM: Michelle Ascencion
City Clerk

SUBJECT: Approval of Minutes.

CONTACT: Michelle Ascencion, City Clerk
Michelle.Ascencion@oxnard.org, (805) 385-7805

RECOMMENDATION:

That the City Council approve the minutes of the March 5, 2019 Regular Meeting as presented.

STRATEGIC PRIORITIES:

This agenda item is a routine operational item that does not directly relate to the four strategic plans adopted by City Council on May 17, 2016. This agenda items does provide transparency of Council meetings to the public.

FINANCIAL IMPACT:

There is no financial impact.

Prepared by Michelle Ascencion, City Clerk

ATTACHMENTS:

Minutes 03.05.2019 CC regular meeting

M I N U T E S
OXNARD CITY COUNCIL
Regular Meeting
March 5, 2019

A. ROLL CALL/POSTING OF AGENDA

At 4:33 p.m., Mayor Flynn called to order the regular meeting of the Oxnard City Council in the City Hall Council Chambers, 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Councilmembers Gabriela Basua, Vianey Lopez, Bryan A. MacDonald, Bert Perello, Mayor Pro Tem Carmen Ramirez, and Mayor Tim Flynn were present; Councilmember Oscar Madrigal arrived at 4:38 p.m.

Staff members present were Alexander Nguyen, City Manager; Stephen Fischer, City Attorney; Ashley Golden, Assistant City Manager; Shiri Klima, Deputy City Manager; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS (None.)

C. CLOSED SESSION

Mayor Flynn read the following closed session statement:

"The City Council will recess to a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with its attorneys. The title of the litigation being discussed is City of Oxnard v. Dale Belcher; Arthur Lopez; et al.

"In accordance with Government Code section 54956.9(d)(2), a point has been reached where, in the opinion of City Council on the advice of its Assistant City Attorney, based on existing facts and circumstances, there is significant exposure to litigation against the City and all the other entities claiming groundwater rights in the Oxnard sub-basin. Due to the current drought and lack of surface water, the agricultural community is especially vulnerable to restrictions in groundwater pumping. As the Fox Canyon Groundwater Management Agency considers a proposal to restrict such pumping, and as the GMA has stated publicly that it wants to put a groundwater sustainability plan in place by this fall, some members of the agricultural community may file suit to adjudicate the basin, which would bring the City into litigation. Such suit has already been filed on March 27, 2018, against the GMA regarding the Las Posas Valley groundwater basin, which is a neighboring basin that is separate from, but hydrologically connected to, the Oxnard sub-basin, which is the City's basin.

"The City Council will also recess to a closed session, pursuant to Government Code section 54957, evaluation of public employee, City Attorney."

At 4:36 p.m., the City Council recessed to a closed session. At 5:05 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session, but that closed session will resume after the open session to consider items 2 and 3.

D. APPOINTMENT ITEM

City Manager Department

1. SUBJECT: Report from Ventura County Watershed Protection District on Oxnard Projects.
RECOMMENDATION: That the Oxnard City Council receive and file a report on the status of joint, collaborative projects between the City of Oxnard and the Ventura County Watershed Protection Agency from Gerard Kapuscik, Strategic Resiliency Group Manager, Ventura County Watershed Protection District.

Watershed Director Glenn Shephard and Mr. Kapuscik gave a report. Public comments were received from Jackie Tedeschi. Discussion ensued among the Council and staff. No action was required.

2. SUBJECT: Citizen Advisory Groups Ordinance.
RECOMMENDATION: That City Council approve the first reading by title only and waive further reading of an ordinance amending Article II of Chapter 2 of the Oxnard City Code related to Citizen Advisory Group.

The City Manager gave a report. Public comments were received from Sofia Vega, Lucy Cartagena, Vincent Stewart, Daniel Chavez Jr., Alicia Percell, and Lang Martinez. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Lopez, to approve the recommended action with an amendment to the Ordinance to specify that three consecutive unexcused absences, or absence from half of the meetings in a calendar year for any reason, shall be deemed a resignation by absences. VOTE: Basua, Flynn, Lopez, MacDonald, and Perello voted in favor; Madrigal voted against and Ramirez abstained. The motion carried 5-1-1.

E. OPENING CEREMONIES

The flag salute was followed by a moment of silence.

Additional staff members present at this time were Barbara Wulf, Public Works Outreach/Education Specialist; Kathleen Mallory, Planning and Environmental Services Manager; Steve Naveau, Human Resources Director; and Jeffrey Lambert, Development Services Director.

F. CEREMONIAL CALENDAR

1. SUBJECT: Presentation of a Commendation to Saint Paul Baptist Church on the Occasion of Their 100th Anniversary.

Mayor Flynn read the commendation and presented it to Dr. Angela Timmons, chair of the Saint Paul Baptist Church 100th Anniversary Committee, who made some remarks.

2. SUBJECT: Presentation of a Commendation to Oxnard Certified Green Businesses.

Mayor Flynn and the Public Works Outreach/Education Specialist made some remarks and presented the commendations to representatives from Honey Cup Coffee and Kitchen, Heritage Coffee & Gifts, JaniTek Cleaning Solutions, and Bimbo Bakeries USA.

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G. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Larry Barbarine (city crime statistics, the council's recent resolution regarding oil production, employee pension reform), Jackie Tedeschi (article on Oxnard in Westways magazine), Daniel Chavez Jr. (employee pensions and revenue streams), Pat Brown (conflict over Channel Islands Harbor, aesthetic condition of Oxnard Boulevard), Julie Miller Kalbacher (upcoming Earth Day event, noticing for upcoming planning projects), and Tina Rivera (upcoming Ronald MacDonald House Charities "Walk for Kids").

H. PUBLIC HEARINGS

City Manager Department

1. SUBJECT: Resolution Declaring Results of Majority Protest Proceedings and Establishing the Oxnard Tourism Marketing District.
RECOMMENDATION: That City Council: 1) hold a final public hearing, 2) declare results of the majority protest proceeding, and 3) adopt **Resolution No. 15,200** establishing the Oxnard Tourism Marking District.

The City Clerk announced the affidavit of publication and stated that no written communications had been received. Gina Reed of Civitas gave a report.

Mayor Flynn opened the public testimony portion of the public hearing. Public comments were received from Pat Brown, Alicia Percell, and Rafael Narcia. Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, and Ramirez voted in favor; Perello voted against, stating he felt the resolution should have addressed short-term rentals. The motion carried 6-1.

Development Services Department

2. SUBJECT: Appeal of Planning and Zoning Permit No. 18-500-01 (Special Use Permit for a Planned Development); 18-300-05 (Tentative Tract Map for Tract No. 6009); and 18-535-01 (Density Bonus). Heritage Homes Development Project, Located at 130-184 North H Street and 838 Palm Drive.
RECOMMENDATION: That City Council:
1. Adopt **Resolution No. 15,201** upholding the Planning Commission's approval of Planning and Zoning Permit No. 18-500-01 (Special Use Permit for a Planned Development Permit), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-35;
2. Adopt **Resolution No. 15,202** upholding the Planning Commission's approval of Planning and Zoning Permit No. 18-535-01 (Density Bonus Permit), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-37; and
3. Adopt **Resolution No. 15,203** approving Planning and Zoning Permit No. 18-300-05

DRAFT

(Tentative Tract Map for Tract No. 6009), subject to certain findings and conditions set forth in Planning Commission Resolution No. 2018-36.

The City Clerk announced the affidavit of publication and stated that a petition and one written communication had been received. Mayor Flynn recused himself from the discussion citing a potential real estate conflict of interest, and left the dais.

The Planning and Environmental Services Manager and applicant Henry Casillas gave a report.

Mayor Pro Tem Ramirez opened the public testimony portion of the public hearing. Public comments were received from Gary Blum, Julie Miller Kalbacher, Steve Fleischer, Mark DiCecco, Barbara Macri Ortiz, and Pat Brown. Without objection, the Council approved closing the public testimony portion of the public hearing. Discussion ensued among the Council and staff.

It was moved by Councilwoman Basua, seconded by Councilmember Lopez, to approve the recommended action as presented. VOTE: Basua, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; Flynn was absent (recused). The motion carried 6-0.

Mayor Flynn returned to the dais at this time.

I. REPORT OF CITY MANAGER (None.)

J. CITY COUNCIL REPORTS

Councilmember Lopez commented on International Women's Day, recent meetings of the Redwood neighborhood council and Southwinds neighborhood council, and the recent AIDS Walk event.

Councilmember Perello announced an upcoming job fair, suggested sobriety checkpoints on Patterson Road/Vineyard Avenue and Vineyard Avenue/Ventura Road, commented on the recent donation of beds for the homeless shelter, and recommended simplifying planning related jargon for better public understanding.

Mayor Pro Tem Ramirez commented on SCAG's Regional Housing Needs Assessment process restarting, the Strawberry Festival annual poster unveiling, Read Across America, and the upcoming Firefighter of the Year awards luncheon.

Councilwoman Basua reported on the Strawberry Festival annual poster unveiling, congratulated Santa Clara High School boys basketball team on winning the CIF Championship, and reported on attending the recent Big Brand Tire grand opening event.

Councilmember Madrigal commented on the recent Rose Park neighborhood council meeting, an informational meeting about college at Lemonwood school, newly reconstructed Elm School, upcoming little league opening day, safe passage, and marijuana revenues.

Mayor Flynn commented on the Santa Clara High School boys basketball team's CIF Championship win, working with Southwinds residents on issues around Cuesta Del Mar and the "Safe Homes, Safe Families" program, and the recent committee presentation on public employee pensions.

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K. REVIEW OF INFORMATION/CONSENT AGENDA

The City Manager and Human Resources Director announced an amendment to item M-3.

L. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA (None.)

M. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.
RECOMMENDATION: That the City Council approve the minutes of the February 19, 2019 Regular Meeting as presented.

Development Services Department

2. SUBJECT: Sixth Amendment and Budget Appropriation for Jan-Pro Cleaning Systems – Central Coast Trade Services Agreement No. A-7846 for Janitorial Services at the Oxnard Transit Center.
RECOMMENDATION: That City Council:
1. Approve and authorize the Mayor to execute the Sixth Amendment to the Trade Services Agreement No. A-7846 with Jan-Pro Cleaning Systems – Central Coast to increase the amount from $502,996 not to exceed $531,193 (an increase of $27,197 plus a $1,000 contingency) and to extend the expiration date to May 1, 2019, for janitorial services at the Oxnard Transit Center at 201 East Fourth Street.
2. Approve the appropriation of $28,197, which includes a contingency of $1,000, for an additional two months of janitorial services at the Oxnard Transit Center (Account No. 213-3110-803-8209).

Human Resources Department

3. SUBJECT: Amending the City's Position Control Resolution and Classification and Salary Resolution.
RECOMMENDATION: That City Council adopt pursuant to Chapter 4 of the City's Personnel Rules and Regulations:
1. **Resolution No. 15,204** amending Resolution No. 15,153 authorizing and approving classification and salary schedules.
2. **Resolution No. 15,205** amending Resolution No. 15,152 authorizing full-time equivalent positions in the City service.

Public Works Department

4. SUBJECT: Personnel Classifications for Public Works, Environmental Resources Division.
RECOMMENDATION: That City Council adopt pursuant to Chapter 4 of the City Personnel Rules and Regulations:
1. **Resolution No. 15,206** amending Resolution No. 15,153, adding six (6) new classifications.
2. **Resolution No. 15,207** amending Resolution No. 15,152, authorizing full time equivalent positions for the 2018-2019 fiscal year.

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5. SUBJECT: Approve Second Amendment to Ventura County Watersheds Coalition Interagency Agreement.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute a Second Amendment to the Memorandum of Understanding (MOU) Agreement A-7091 with the Watersheds Coalition of Ventura County, to:
1. Extend the term of the MOU Agreement for five (5) years through August 22, 2023; and
2. Increase the value of the MOU by $40,000 per Fiscal Year, for a total amount of $200,000.

6. SUBJECT: Third Amendment to VRSD Santa Clara Landfill Gas and Water Monitoring Agreement.
RECOMMENDATION: That City Council approve and authorize the Mayor to execute the Third Amendment to Agreement No. 7167-15-CM with Ventura Regional Sanitation District for monitoring and reporting for the City of Oxnard's closed Santa Clara Landfill to increase the amount of the Agreement by $99,987 to $418,215.91, and extend the term to June 30, 2019.

7. SUBJECT: Second Amendment to Agreement for Supplemental Waste Transfer Hauling.
RECOMMENDATION: That City Council approves and authorizes the Mayor to execute a Second Amendment to Agreement No. 7978-17-PW with Finish Line Transport, to:
1. Extend the term to May 8, 2021; and
2. Add $150,000; increasing the agreement value from $210,000 to $360,000.

It was moved by Mayor Pro Tem Ramirez, seconded by Councilman MacDonald, to approve the Information/Consent items as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

N. REPORTS

Development Services Department

1. SUBJECT: Exception Finding for Villa Las Brisas Renovation Project Located at 1700 East Fifth Street.
RECOMMENDATION: That the City Council find that the proposed renovation of Villa Las Brisas farmworker employee housing facility located at 1700 East Fifth Street is needed in the interest of the public health, safety, and welfare and qualifies for the exception under Oxnard City Code (OCC) Section 16-511, "Exemptions."

The Development Services Director gave a report. Public comments were received from Pat Brown, Mark DiCecco, Barbara Macri Ortiz, Yissel Barajas. Discussion ensued among the Council and staff.

It was moved by Councilman MacDonald, seconded by Councilmember Perello, to approve the recommended action as presented. VOTE: Basua, Flynn, Lopez, MacDonald, Madrigal, Perello, and Ramirez voted in favor; the motion carried 7-0.

CONTINUATION OF CLOSED SESSION

At 8:48 p.m., the City Council recessed to closed session to consider the previously-announced

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items 2 and 3 (anticipated litigation, and City Attorney performance evaluation). At 9:42 p.m. the City Council reconvened in open session in the Council Chambers. The City Attorney announced that there were no reportable actions out of closed session.

O. ADJOURNMENT

There being no further business on the agenda, and without objection, Mayor Flynn adjourned the meeting at 9:43 p.m.

MICHELLE ASCENCION, CMC City Clerk	TIM FLYNN Mayor

DRAFT

CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Info/Consent** **AGENDA ITEM NO.: 2**

DATE: March 19, 2019

TO: City Council

FROM: Terrel Harrison
Interim Cultural and Community Services Director

SUBJECT: Second Amendment to Senior Nutrition Grant from the Ventura County Area Agency on Aging (VCAAA).

CONTACT: Terrel Harrison, Interim Cultural and Community Services Director
Terrel.Harrison@oxnard.org, 385-7994

RECOMMENDATION:

That the City Council:
1. Authorize the City Manager or designee to execute the amended Ventura County Area Agency on Aging Grant Contract No. A-8086 for the Provision of Services (Senior Nutrition Program & "Senior Nutrition Program Grant Agreement") and any other document or instrument necessary to carry out the purposes of Senior Nutrition grant; the Chief Financial Officer or designee to submit financial reports and grant claims for the use of Senior Nutrition grant funds; and
2. Approve a budget appropriation to recognize one-time-only funds amending the Senior Nutrition grant award in the amount of $137,973 for the FY 2018-2019 Senior Nutrition Program.

BACKGROUND

On June 12, 2018 City Council authorized the City Manager or designee to execute the Ventura County Area Agency on Aging (VCAAA) Grant, Contract No. A-8086, in the amount of $103,550 for the Senior Nutrition Program FY2018-2019. On October 23, 2018 City Council authorized the first amendment and acceptance of additional funds in the amount of $33,925. Approval and acceptance of one-time-only funds in the amount of $498 will allow for the purchase of program related equipment to support the service of senior nutrition meals and bring the grant total to $137,973.

The Senior Nutrition Program is a donation-based program which provides congregate and home-delivered meals to Oxnard area seniors, 60 years of age and older. The grant agreement anticipates the City's Senior Services division would serve approximately 17,700 congregate meals and 29,600 home-delivered meals to home-bound seniors during FY 2018-2019.

The City's Senior Services division provides administrative oversight and management of the Senior Nutrition Program, space to serve, prepare and distribute meals, along with volunteers to assist in the day-to-day operations of the program. A match of 10% ($13,797.30) of the grant award is required and met through in-kind contributions.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

FINANCIAL IMPACT

Contract No. A-8086 Senior Nutrition Program Grant Agreement, bringing the total program up to $137,973. The additional grant award will be appropriated to FY18-19 Senior Nutrition Program (Project No. 775366) for contract services through June 30, 2019. There is no impact to the general fund for this action.

Prepared by Renee Rakestraw, Recreation Supervisor.

ATTACHMENTS:

SNP Contract FY1819 Second Amendment

Amendment 2 BA

AMENDMENT #2 – Ventura County Area Agency on Aging
Agreement and Assurances of Older Americans Act Grant Award for Services
(Senior Nutrition Program)
CT# 3500FY19000000000005

The County of Ventura (County) and the City of Oxnard hereby agree that the grant agreement identified as Ventura County Area Agency on Aging Contract Number 3500FY19-05 previously entered into by the parties is amended, effective January 28, 2019, as shown below.

1. The FY 2018-2019 contract amount (for the period referred to in paragraph 1 above) in Title III C1 funds shall be increased by $498 for the purpose of funding the purchase of approved Senior Nutrition Program equipment.

2. The FY 2018-2019 contract amount total award for Title III C funds shall not exceed $137,973.

Fiscal Year Funds:	FY 2018-2019	
Contract Number:	3500FY19-05	
Funding Agency Name (State/Federal):	Ventura County Area Agency on Aging (California Department of Aging/Administration on Aging)	
CFDA No.:	93.045	
Program Name:	Senior Nutrition	
State Fund Amount:	$0.00	
Federal Fund Amount	$49,173.00	(C1)
	$88,800.00	(C2)
TOTAL CONTRACT AMOUNT:	**$137,973.00**	
Match (10% required, cash or in kind):	$13,797.30	
Contract Amount plus Match:	$151,770.30	

All other terms and conditions remain the same.

CONTINUED ON NEXT PAGE

COUNTY OF VENTURA:	**GRANTEE:**
Authorized Signature	Authorized Signature
Printed Name	Printed Name
Buyer, GSA Procurement Title	Title
Date	Date

REQUEST FOR BUDGET APPROPRIATION

Department: Cultural & Community Ser **Date:** January 23, 2019

Project/Program Manager: Renee Rakestraw **Phone:** 805-385-8022

Reason for Appropriation:

To recognize the ammended FY18-19 Senior Nutrition grant from the Ventura County Area Agency on Aging and program donations as matching contributions.

Accounts and Descriptions		AMOUNT
Fund: FEDERAL TERM GRANTS FUND (261)		
Revenues/Transfers In		
Senior Nutrition FY 18-19 (Project 775366)		
261-5503-581-75.33	MISCELLANEOUS REVENUES/FEDERAL PASS-THROUGH	498
	Sub-total Revenues	498
Expenditures/Transfers Out		
Senior Nutrition FY 18-19 (Project 775366)		
261-5503-805-81.04	SUPPLIES - SHOP & FIELD	498
	Sub-total Expenditures	498
	Net Change to Fund Balance	**0**

Approvals

Department Director _____

Chief Financial Officer _____

City Manager _____

BA# (Finance Use Only)_____

BA Doc# (Finance Use Only)_____

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REQUIRES CITY COUNCIL AUTHORIZATION

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CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Info/Consent** **AGENDA ITEM NO.: 3**

DATE: March 19, 2019

TO: City Council

FROM: Kevin Riper
Chief Financial Officer

SUBJECT: Examination of Sales and Use Tax Records and Other Governmental Functions.

CONTACT: Kevin Riper, Chief Financial Officer
Kevin.Riper@oxnard.org, (805) 385-7461

RECOMMENDATION:

That the City Council adopt a resolution authorizing examination of sales or transactions and use tax records of the California Department of Tax and Fee Administration for tax collection purposes and other governmental purposes. (Finance and Governance Committee approved 3-0)

BACKGROUND

Sales and transactions use tax data is required to be kept confidential by Revenue and Taxation Code Section 7056. Therefore, it is unlawful for anyone who receives access to sales or transactions and use tax records ("tax records") to disclose this information without authorization.

Although it is confidential by law, tax records can be used by local government officials if the use is "related to the collection of local sales or transactions and use taxes" or "related to other governmental functions of the county, city and county, city or district" specified by resolution. The City accesses tax records from the California Department of Tax and Fee Administration ("Board") by agreement with the State but may not disclose amounts of tax paid or any other information that would disclose the operations of a business except as specified in Revenue and Taxation Code Section 7056.

Permit administrators, finance or revenue managers, economic development staff, community development personnel, and business license officials can benefit from access to local tax records. However, only those officers or employees that are authorized by resolution of the City

Council may have access to confidential data, and each person authorized is required to follow the provisions of Revenue and Taxation Code Section 7056. Authorized officers and employees will receive guidance on complying with Section 7056, including its confidentiality requirement.

Under the City's agreement with the State for the Board to perform all functions incidental to the administration and collection of City sales and transactions and use tax, the City Manager or designee is appointed to represent the City with authority to examine tax records of the Board pertaining to sales or transactions and use taxes collected for the City.

The City's current resolutions regarding tax records (nos. 11,632 and 13,595) limit the City's authorized representatives to examine Board tax records for purposes related to the collection of City sales or transaction and use taxes only. The proposed resolution would update that authorization to include examination of tax records for all of the following governmental purposes:

A. Budgeting and revenue projections
B. Economic development and strategic planning
C. Land use planning
D. Revenue productivity analysis
E. Fiscal & Economic Impact Analysis
F. Business licensing and tax collection
G. Other appropriate governmental uses consistent with State law

Consistent with the City Council delegation of authority to the City Manager, in addition to the City's sales and transactions and use tax consultant specified in the resolution, the following City staff would be authorized by the City Manager to review the Board tax records of individual business filers for appropriate municipal purposes.

City Manager's Office
Alexander Nguyen – City Manager
Ashley Golden – Assistant City Manager
Shiri Klima -- Deputy City Manager

City Treasurer's Office
Phillip Molina – City Treasurer
Eden Alomeri – Assistant City Treasurer/Revenue Accounting Manager
Armida Galvan-Monares – Treasury Supervisor

Finance Department
Kevin Riper – Chief Financial Officer
Donna Ventura – Assistant Chief Financial Officer
Christine Williams – Controller
Beth Vo – Budget Manager
Tanya Williams – Financial Analyst III

Development Services
Jeffrey Lambert – Development Services Director

Economic Development
Adam Smith – Project Manager

Information Technology
Keith Brooks – Information Technology Director

FINANCIAL IMPACT

There is no financial impact.

COMMITTEE OUTCOME

The Finance and Governance Committee voted 3-0 on February 26, 2019, to approve staff recommendation and to forward the item for Council approval.

Prepared by Dave Millican, Interim Chief Financial Officer and Kevin Riper, Chief Financial Officer.

ATTACHMENT

Proposed Resolution Authorizing Examination of Sales or Transactions and Use Tax Records

ATTACHMENTS:

Proposed Resolution Authorizing Examination of Sales or Transactions and Use Tax Records

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AUTHORIZING EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS

WHEREAS, the City of Oxnard has entered into contracts with the State Board of Equalization to perform all functions incident to the administration and collection of City sales or transactions and use taxes, which duties have been transferred to the California Department of Tax and Fee Administration (the "Board"); and

WHEREAS, the City Council deems it desirable and necessary for authorized representatives of the City to examine confidential sales or transactions and use tax records of the Board pertaining to sales or transactions and use taxes collected by the Board for the City pursuant to those contracts; and

WHEREAS, Section 7056 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Board sales or transactions and use tax records, and makes unauthorized disclosure of information contained in or derived from such records unlawful; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code has been amended to broaden the purposes for use of sales or transactions and use tax data that can be authorized by the City Council to improve government operations and effectiveness.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

Section 1. The City Manager, or other officer or employee of the City designated in writing by the City Manager to the Board, is hereby appointed to represent the City of Oxnard with authority to examine sales or transactions and use tax records of the Board pertaining to sales or transactions and use taxes collected for the City by the Board pursuant to the contracts between the City and the Board.

Section 2. That Hinderliter, de Llamas and Associates is also hereby designated to examine the sales or transactions and use tax records of the Board pertaining to sales or transactions and use taxes collected for the City by the Board. Hinderliter, de Llamas and Associates meets all of the following conditions:

(a) has an existing agreement with the City to examine those sales or transactions and use tax records;

(b) is required by that agreement to disclose information contained in, or derived from, those sales or transactions and use tax records only to the officer or employee authorized under Section 1 of this resolution to examine the information;

(c) is prohibited by that agreement from performing consulting services for a retailer during the term of that contract; and

(d) is prohibited by that agreement from retaining the information contained in or derived from those sales or transactions and use tax records, after that contract has expired.

Section 3. The information obtained by examination of Board records shall be used for the collection of sales or transactions and use taxes and for the following governmental purposes:

A. Budgeting and Revenue Projections
B. Economic Development and Strategic Planning
C. Land Use Planning
D. Revenue Productivity Analysis
E. Fiscal & Economic Impact Analysis
F. Business licensing and tax collection
G. Other appropriate governmental uses consistent with state law

Section 4. This resolution shall become effective on March _____, 2019, on which date Resolution Nos. 11,632 and 13,595 are hereby repealed.

PASSED, APPROVED, and ADOPTED, this _____ day of March, 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Tim Flynn, Mayor

ATTEST:

_____
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_____
Stephen M. Fischer, City Attorney

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CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Report** **AGENDA ITEM NO.: 1**

DATE: March 19, 2019

TO: City Council

FROM: Jeffrey Lambert
Development Services Director

SUBJECT: Planning & Zoning Permit No. 19-600-01 - Pre-Application Review of the East Village Development Project, Located on the Northeast Corner of Rose Avenue and Camino Del Sol. (20/20/15)

CONTACT: Jeffrey Lambert, Development Services Director
Jeffrey.Lambert@oxnard.org, (805) 385-7882

RECOMMENDATION:

That the City Council review and provide preliminary comments on an updated request for pre-application review for the master planning of a 107 acres project site, known as "East Village Development Project" with residential, parks, high school with a Civic Center Act agreement, and commercial development.

BACKGROUND

The pre-application process allows City Council members an opportunity to make individual comments concerning a future development project. The Council's preliminary comments may be helpful for the applicant to refine the proposal or to determine whether entitlements should be pursued for the proposal. Comments provided by the City Council on a pre-application do not constitute a decision or endorsement of the proposal. In accordance with state law, no formal direction or decision making will take place until such time as a formal application has been filed and has undergone appropriate environmental review, evaluation for consistency with adopted City plans and policies, and public notice has been provided. Input provided by the City Council will help inform the applicant's decision to proceed through the entitlement process.

On December 18, 2018, City Council reviewed a Pre-Application for the subject property (Planning & Zoning (PZ) No. 18-600-01). The staff report for the December Pre-Application is included as Attachment A. That proposal included a total of 590 residential units, a 21,300

square-foot neighborhood commercial shopping center, 4.1 acres of open drainage basins, a total of 1.5 acres provided by 7 very small parks, a 2,300 student high school including 14.2 acres proposed for joint use parks, and associated site improvements (herein referred to as "master plan").

In response to the December proposal, various Council members expressed:

1. A desire for increased housing density and more urban multi-family unit types pursuant to the Urban Village designation of the property.
2. Concerns that the 1.5 acres of park space proposed would not adequately serve the needs of the residents and fell short of the 30 acres anticipated in the 2030 General Plan.
3. Positive feedback regarding the proposed school, but expressed concerns related to the cost for utilization of and limited public recreational access to the proposed joint use facilities.
4. Desire to retain the historic assets on the project site, including the Maulhardt Barn.

Following the December Pre-Application meeting, Staff provided the Developers with a detailed summary of City Council comments, including the comments provided by the public. The Developer provided a response to each Council and public comment and a revised project proposal (see Attachment C). The depth of considerations associated with the Pre-Application are identified in December 18th City Council Pre-Application staff report (Attachment A), are still relevant, however, this report March 19th focuses on three key issues identified by the City Council at the Pre-Application meeting:

1. Project Density and Land Use Design: Residential density has increased to a range of 900 to 1,100 units. The proposed densities range between 28 and 34.3 units per acre. Residential development would consist of a variety of multi-family housing types (townhomes, apartments, condominiums, etc.). No single-family development is proposed. The variety of housing types provided is consistent with the Urban Village design principles.

2. Public Use of OUHSD Facilities Pursuant to a Civic Act Agreement: The District proposes 20.3 acres of sports facilities, recreational areas, and parking for scheduled public use and use by organized groups as an amenity to the community.

3. Parks and Open Space Concept: The proposed 5.4-acre expansion to East Village Park would be dedicated to the City, and would expand the Park to 11.4 acres. A 1-acre park is provided at the Maulhardt Farmhouse, plus 5.5 acres of expanded street frontage and interior paseos. In consideration with the proposed public use of OUHSD facilities, approximately 33 acres of parks, paseos, open space, sports fields, and associated facilities are proposed within the project.

Project Context:

The 2030 General Plan, Zoning, and East Village Entitlements

Along with other geographic areas in the City, the 2030 General Plan designates the subject site with an Urban Village overlay. Urban Villages are envisioned to be developed with moderate to high-density residential units, as well as land uses which are intended to be complementary and include a variety of uses. Urban Villages are also characterized by mixed-use development, promoting a unique sense-of-place as well as enhanced development features, integrated development, and pedestrian-oriented design.

In addition to the Urban Village designation, the 2030 General Plan land use map of the subject property anticipates a 30-acre park at the northerly portion of the lot, residential development between 7 to 12 units per acre (approximately 460 to 790 units), linear parks, and general commercial development. The 2030 General Plan also describes the East Village Urban Village as "primarily residential with neighborhood services, including public uses still needed for the Northeast Community Specific Plan (the "NECSP"), such as parks, schools, etc." The subject area is the third phase and final buildout of the NECSP - hence reference to Phase III. The subject area has been historically referred to as the Maulhardt Property (in reference to the land owners) or East Village, Phase III (herein "East Village").

The 107-acre area was annexed into the City in 2013 via Planning & Zoning Permit No. 10-610-01 (Annexation) and is located within the NECSP, adopted in 1993. Pre-zoning of the property was also approved in 2013 via PZ No. 10-560-01 to align the zoning with the underlying land use designations in the NECSP. An Environmental Impact Report (EIR No. 11-01) was certified for the 2013 Annexation project.

The NECSP land use designations on the property were approved as part of the specific plan in 1993, and were not modified as part of the 2013 annexation. The NECSP anticipates development of 403 single-family units at a density of 4.5 units per acre, a six-acre neighborhood commercial shopping center and associated streets and linear parks on the subject property.

UPDATED PRE-APPLICATION PROPOSAL

The Applicant provided an updated conceptual site plan (Attachment D) and detailed project description (Attachment E). The master plan includes three planning areas for future development For reference, the previous conceptual site plan reviewed with the December Pre-Application is also included as Attachment F. A summary of both development plans is provided below:

Updated Conceptual Site Plan (February, 2019)

PLANNING AREA	ACREAGE	PROPOSED DEVELOPMENT
A: Urban Village	43.7	750 to 900 multifamily residential units (apartments, condominiums, townhomes, and/or tri/quad-plex), a 2-acre neighborhood commercial center, 5.4-acre expansion of East Village Park and 3.1 acres of expanded street frontage paseos and interior paseos, roadways and associated improvements

B: High School	49.75	A 2,300 student high school campus and associated sports and recreation facilities (20.3 acres proposed for scheduled use by community groups and athletic organizations outside of regular school hours pursuant to the Civic Center Act Agreement), retention and/or adaptive reuse of the Maulhardt Barn, and .4 acres of expanded street frontage designed as a paseo, roadways and associated site improvements.
C: Urban Village	10.65	150 to 200 affordable multifamily residential units (apartments and townhomes), a 1-acre park designed around the Maulhardt Farmhouse (cultural resource), 2 acres of expanded street frontage designed as paseos and interior paseos.
Total	107 (gross)	900 to 1,100 multifamily residential units, 6.4 acres of public parks, 5.5 acres of paseos, 20.3 acres of recreational facilities and parking areas for scheduled use by community groups and athletic organizations outside of regular school hours pursuant to the Civic Center Act Agreement, a 2,300 student high school, a 2-acre neighborhood commercial shopping center, plus associated streets, sidewalks, etc.

Previous Conceptual Site Plan (December, 2018)

PLANNING AREA	ACREAGE	PREVIOUSLY PROPOSED DEVELOPMENT
1	44.06	450 residential units (62 detached single-family and 388 attached/multifamily), 7 parks (total 1.5 acres) ranging between .1 and .43-acres, two open drainage basins (4.1 acres), roadways and associated improvements
2	48.24	A 2,300 student high school campus and associated sports and recreation facilities (14.2 acres proposed for City joint use)
3	10.9	21,300 square feet of neighborhood commercial/retail and 140 apartments
Total	107 (gross)	590 residential units, 4.1 acres of open drainage basins, 14.2 acres proposed for joint use parks space, 1.5 acres proposed for neighborhood parks, 2,300 student high school, and 21,300 square-foot neighborhood commercial shopping center, plus associated streets, sidewalks, etc.

Entitlements required for the subject development to proceed include, at a minimum and depending upon Council input: General Plan Amendment, Specific Plan or Specific Plan Amendment, Zone Change, Tentative Subdivision Map, and discretionary development entitlement permit. Environmental analysis pursuant to the California Environmental Quality Act will also be required.

The Developer and OUHSD requests the Council's feedback regarding project density and land use design. As stated previously, the residential density has increased to a range of 900 to 1,100 units. The proposed densities range between 28 and 34.3 units per acre. The variety of housing types provided is consistent with the Urban Village design principles.

PARKS AND PUBLIC USE OF OUHSD FACILITIES

The Developers are requesting specific input from Council regarding whether the proposed parks

in all Planning Areas, inclusive of the community use of OUHSD facilities are adequate as an alternative to the 30-acre park identified in the 2030 General Plan. The Developer and OUHSD requests the Council's feedback regarding the:

- Parks and Open Space Concept: The proposed 5.4-acre expansion to existing 6-acre East Village Park would be dedicated to the City, and would expand the Park to 11.4 acres. A 1-acre park is proposed within Planning Area C (the Maulhardt Farmhouse), plus 5.5 acres of expanded street frontage and interior paseos.

- Public Use of OUHSD Facilities Pursuant to a Civic Act Agreement: The District proposes 20.3 acres of sports facilities, recreational areas, and parking for scheduled public use and use by organized groups as an amenity to the community.

Pursuant to the Quimby Act, Ordinance No. 2683 provides a basis for determining the park space required by new development within the City. A preliminary estimate of the Quimby park obligation based on the conceptual project has been identified as a minimum of 5.4 acres (900 apartments) and a maximum of 12.87 acres (1,100 townhomes) of parks space. A total of 6.4-acres of public park space, and a network of expansive landscaped paseos accounting for an additional 5.5 acres of open space, are proposed. The interior paseos (those not fronting a street) provide enhanced internal linkages through the project and are consistent with the Urban Village design principles. In consideration with the proposed public use of OUHSD facilities (20.3-acres), approximately 33 acres of parks, paseos, open space, sports fields, and associated facilities are proposed within the project.

The proposal also identifies 20.3 acres within Planning Area B that OUHSD intends to provide for limited scheduled use by the public. This would include the soccer field, tennis courts, baseball and softball fields, basketball courts, and aquatic facilities, and associated parking lots. OUHSD is proposing that the public use of these facilities is managed by a Civic Center Act Agreement, which provides for limited scheduled use by the public, including recreational groups, when OUHSD is reimbursed for direct costs, including maintenance, site restoration, etc. As proposed, use of the OUHSD facilities would not require funding by the City or community facilities district for ongoing maintenance.

OUHSD REAL ESTATE PROPOSAL AND PARKS OBLIGATION

The Developers indicated that clarifying the anticipated parks space obligation for the future project is a contingency for the sale of the property to OUHSD. According to OUHSD, the District has planned to acquire the property by April 1st to allow the District sufficient time to apply for funding with the State during the current cycle. Specifically, the Developer's project narrative describes the following:

> The commitment to install and maintain the public park acreage on the Maulhardt Ranch is per the proposed plan, and the City commits to not require any further park land dedication incidental to the residential development. The District's obligation to permit public use of the school facilities designated for such use are all to be established by a

three-party agreement entered into under the Civic Center Act. Such an agreement is a condition precedent to the District's right to purchase the land for the High School. (Project Description, page 6 - see Attachment E)

Staff has informed the Developers that an amendment to the 2030 General Plan is required to reduce or modify the 30-acre "park" designation to the alternative land uses required to suit the proposed master plan. The City cannot commit to the specific park requirements within Planning Area A until the Specific Plan is adopted or amended, and is subject to environmental review pursuant to the California Environmental Quality Act.

STRATEGIC PRIORITIES

Quality of Life

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goal:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Economic Development

This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard's business climate, promote the City's fiscal health, and support economic growth in a manner consistent with the City's unique character. This item supports the following goal:

Goal 2. Enhance business development throughout the City.

Infrastructure and Natural Resources

This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals:

Goal 1. Ensure Master plans for all City infrastructure are current, synchronized and consistent with the General Plan.

Goal 5. Ensure orderly development and long-range conservation and management of our natural resources and coastal assets.

FINANCIAL IMPACT

No fiscal impacts are associated with review of this Pre-Application.

Prepared by Douglas Spondello, Principal Planner

ATTACHMENTS:

Attachment A Previous Pre-Application Staff Report w/o Attachments (December, 2018)

Attachment B Aerial Photo of Subject Property

Attachment C December Pre-Application Comment Summary and Developer Response

Attachment D Updated Conceptual Site Plan (February, 2019)

Attachment E Pre-Application Project Description

Attachment F Previous Conceptual Site Plan December, 2018)

CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Report** **AGENDA ITEM NO.: 1**

DATE: December 18, 2018

TO: City Council

FROM: Ashley Golden
Development Services Director

SUBJECT: Planning & Zoning No. 18-600-01 - Pre-Application Review of the East Village Development Project (Known as the Maulhardt Development Project), Located on the Northeast Corner of Rose Avenue and Camino Del Sol. Filed by Rob Talmadage of Jensen Design and Survey on Behalf of the Maulhardt RF-JW. Trust. (15/20/15)

CONTACT: Ashley Golden, Development Services Director
Ashley.Golden@oxnard.org, (805) 385-7882

RECOMMENDATION:

That the City Council review and provide preliminary comments on a pre-application to master plan and develop 107 acres (e.g.., East Village Development Project) with residential, open space (including parks and detention areas), a high school with a joint use agreement, and commercial area.

BACKGROUND

The pre-application process allows City Council members an opportunity to make individual comments concerning a future development project. The Council's preliminary comments may be helpful for the applicant to refine the proposal or to determine whether entitlement should be pursued for the proposal. Comments provided by the City Council on a pre-application do not constitute a decision or endorsement of the proposal. In accordance with State Law, no formal direction or decision making will take place until such time as a formal application has been filed and has undergone appropriate environmental review and evaluation for consistency with adopted City plans and policies and public notice has been provided. Input provided by the City Council will help inform the applicant's decision to proceed through the entitlement process.

EXISTING LAND USES & ENTITLEMENTS

The 107-acre project site is currently being farmed and comprised of row crops, trees, and errant landscaping. An existing occupied residence is located on the southerly portion of the project site and there are also several outbuildings. Infrastructure and utilities are located in vicinity of the project site, but none are significantly provided on the project site (see Attachment A - Aerial Photo of Subject Property). The subject area has been historically referred to as the Maulhardt Property (in reference to the land owners) or East Village, Phase III (herein "East Village"). The subject area is the third phase and final buildout of the Northeast Community Specific Plan (the "NECSP") - hence reference to Phase III.

The 107-acre area was annexed into the City in 2013 via Planning & Zoning Permit No. 10-610-01 (Annexation) and is located within the NECSP, adopted in 1993. Pre-zoning of the property was also approved in 2013 via PZ No. 10-560-01 to align the zoning with the underlying land use designations in the NECSP. An Environmental Impact Report (EIR No. 11-01) was certified for the 2013 Annexation project. The EIR identified two project-level impacts (aesthetic impact and loss of prime agricultural land) and five cumulative significant and unavoidable impacts (agricultural resources, air quality, noise, traffic, and greenhouse gasses). The EIR also established mitigations for impacts to other environmental topics which were identified as potentially impacted by the buildout of the property.

The NECSP land use designations on the property were approved as part of the specific plan in 1993. The NECSP anticipates development of 403 single-family units at a density of 4.5 units per acre, a six-acre neighborhood commercial shopping center and associated streets and linear parks on the subject property. These designations were not modified as part of the 2013 annexation. The following table summarizes the land uses and zoning designation of the site and adjacent properties:

LOCATION	GENERAL PLAN DESIGNATION	ZONING and SPECIFIC PLAN DESIGNATIONS	EXISTING LAND USE
Project Site	Urban Village - East Village Phase III (Park/30-acres, Residential Low-Medium and Commercial General)	**Zoning:** Single-Family Residential-Planned Development (R-1-PD), Neighborhood Shopping Center (C-1), and Community Reserve (C-R) **Specific Plan:** Low Density Residential and Neighborhood Commercial	Farm and Residence
North	Residential Low-Medium	**Zoning:** Multiple-Family-Planned Development **Specific Plan:** Mixed Use Area: Low-Medium Density Residential, Office/Public/Semi-Public	Single-Family Residential
South	Residential Medium-High and Commercial Neighborhood	**Zoning:** General Commercial-Planned Development (C-2-PD) and High Rise Residential-Planned Development (R-4-PD)	Shopping Center and Multi-Family Housing
East	Park and Residential Low	**Zoning:** Single-Family Residential - Planned Development (R-1-PD) and Community Reserve (C-R) **Specific Plan:** Elementary	Single-Family Residential and East Village Park

		School/Park and Low Density Residential	
West	Residential Low	**Zoning:** Multiple Family Residential-Planned Development (R-2-PD) **Specific Plan:** Low Density Residential	Single-Family Residential

The 2030 General Plan and East Village

Along with five other geographic areas in the City, the 2030 General Plan designates the subject site with an Urban Village overlay. This designation was applied to the subject property when the 2030 General Plan was adopted, prior to the 2013 annexation. Urban Villages are envisioned to be developed with moderate to high-density residential units, as well as land uses which are intended to be complementary and include a variety and mix of uses. Urban Villages are also characterized by mixed-use development, promoting a unique sense-of-place as well as development features, integrated development, and pedestrian-oriented design.

According to the General Plan, a Specific Plan is required to master plan the subject area along with a land plan and design principals promoting a specific vision or "Urban Village." The General Plan also stipulates (page 3-28):

> "The 107-acre area is the largest undeveloped area within the City limits and represents an opportunity to provide remaining public uses needed for the Northeast Community along with an urban village. This area is within the NECSP which could be amended instead of creating a new specific plan."

The 2030 General Plan established a number of goals and policies that provided guidance for growth and development within the City (Attachment B - Relevant General Plan Urban Village Goals and Policies). Goal CD-7: Urban Villages, has 13 implementing policies that address a wide range of infrastructure and design requirements. Policy CD-7.1, established the East Village Urban Village designation on the subject property. According to the 2030 General Plan policies, Urban Villages are envisioned as characterized by (page 3-27):

1. Infill and/or development of formerly agricultural land;
2. Reinvestment in the existing community;
3. Mixture of land uses;
4. Mix of residential densities and housing types;
5. Providing a minimum of 15 percent of affordable housing;
6. Location along or near corridors, downtown, and transit nodes; and
7. Transit, pedestrian, and bicycle circulation given high priority

In addition to the Urban Village designation, the 2030 General Plan land use map of the subject property anticipates a 30-acre park at the northerly portion of the lot, residential development between 7 to 12 units per acre (approximately 460 to 790 units), linear parks, and general commercial development. The 2030 General Plan also describes the East Village Urban Village as "primarily residential with neighborhood services, including public uses still needed for the NECSP (parks, schools, etc.)" (see Attachment B). During the 2013 annexation hearing for the

subject site, staff indicated that future development would require a specific plan amendment to incorporate the land use designations of the 2030 General Plan or possibly both a general plan and specific plan amendment, depending on the proposed development.

PRE-APPLICATION PROPOSAL

The project proposes to divide the property into three planning areas for future development. The Applicant has provided a conceptual site plan (Attachment C) and detailed project description (Attachment D). A summary of each planning area is provided below:

PLANNING AREA	ACREAGE	PROPOSED DEVELOPMENT
1	44.06	450 residential units (62 detached single-family and 388 attached/multi-family), 7 parks (total 1.5 acres) ranging between .1 and .43-acres, two open drainage basins (4.1 acres), roadways and associated improvements
2	48.24	A 2,300 student high school campus and associated sports and recreation facilities (14.2 acres proposed for City joint use)
3	10.9	21,300 square feet of neighborhood commercial/retail and 140 apartments
Total Numbers	107 (gross)	590 residential units, 4.1 acres of open drainage basins, 14.2 acres proposed for joint use parks space, 1.5 acres proposed for neighborhood parks, 2,300 student high school, and 21,300 square-foot neighborhood commercial shopping center, plus associated streets, sidewalks, etc.

Entitlements required for the subject development to proceed including, at a minimum and depending upon Council input, filing of a General Plan Amendment, Specific Plan or Specific Plan Amendment, Zone Change, Tentative Subdivision Map, and discretionary development entitlement permit. Environmental analysis pursuant to the California Environmental Quality Act will also be required. Also, the proposal includes, within Planning Area 2, 14.2 acres to be jointly used by the City and the Oxnard Union High School District (OUHSD). The proposed joint use facilities include parking areas, six tennis courts and a softball, baseball, and soccer fields. If the proposed request for joint use is pursued by the Applicant, a Joint Use Agreement, subject to City Council approval will also be required.

ITEMS FOR CONSIDERATION

The Planning Division has reviewed the pre-application request and consulted with relevant City departments. A summary of issues for consideration with this pre-application follows.

<u>2030 General Plan Consistency</u>

- The 2030 General Plan land use designation on the northerly portion of the project site identified the construction of a 30-acre park. The pre-application identifies 1.5 acres of neighborhood parks space and 14.2 acres for joint use (see related comments below in the "Parks and Joint Use Agreement" section)

- The project site plan does not provide sufficient multi-modal circulation connections as required by 2030 General Plan Policy CD-7.4 through 7.6. Better access and connections across the project, through planning areas, and linkages between amenities is necessary. The school site and proposed joint use facilities are gated and significantly limit interior circulation between Planning Areas 1 and 3.
- A 30-foot landscaped buffer is required along designated scenic corridors, including the Rose Avenue and Camino Del Sol frontages (2030 General Plan Policy CD-9.4). If a formal application is submitted it will be required to provide for this 30-foot landscaped buffer.
- The project will be required to comply with the NECSP or propose an amendment to this document.
- A minimum of 15% affordable housing is required (2030 General Plan Policy CD-7.4), which the applicant does intend to provide.

Environmental Considerations

- An Environmental Impact Report (EIR) will be required for processing of this development project. The project proposes higher intensities of development beyond the scope previously anticipated by EIR No. 11-01. Furthermore, the City thresholds for environmental impacts were comprehensively updated in 2017 and the proposed high school, in particular, presents unique impacts.
- Impacts to water, sewer, traffic, as well as Police and Fire service will need to be fully identified, evaluated, and mitigated.
- An appraisal of existing mature windrow trees along Rose Avenue will be required and plantings upgraded accordingly.
- Impacts to potential cultural resources/historic structures will need to be evaluated. Revisions to the project may be required if existing development is determined to be historically significant.

Parks and Joint Use Agreement

- The applicant is proposing a joint use agreement whereby the City is permitted to utilize parking areas, six tennis courts and softball, baseball, and soccer fields. At this point in the pre-application, the school district simply provided preliminary draft terms for the joint-use agreement. Staff's initial review revealed concerns regarding: the initial and long-term costs associated with the agreement, potential maintenance and rental costs associated with use of space, and a limited ability for the public to utilize the facilities in a manner that is consistent with traditional City park and recreational space. At this point, it is not clear if the amenities proposed to be shared with the City will be shared in an unrestricted manner.
- The need for recreational facilities throughout the city are currently being evaluated as part of an update to the City's Park and Recreation Master Plan (RMP). As part of that master plans staff will get a better sense if the amenities that the school district has identified to be shared meet an established City or community recreation need. Also, the RMP will evaluate overall park need by neighborhood and will assist in informing decision-makers if 30 acres of new parks acreage is warranted.
- The small "parks" identified within Planning Area 1 are not functional. A formal application will need to consolidate the park space so that it is more useable. An initial suggestion would

be to place recreational space adjacent to the existing East Village Park, immediately to the east of the project site.

- The City determines park acreage based upon an ordinance and the regulation/requirements are termed "Quimby Ordinance". The project intends to provide the required park space for the residential acreage of the development based on the Quimby formula specified in the ordinance. A preliminary estimate of land area to be dedicated as park acreage or paid in-lieu is approximately 4.8 acres based on the number and type of residential units which have been conceptually proposed. The project does not intend to provide the 30-acre park outlined in the 2030 General Plan.
- The applicant has designated a total of 1.5 acres of neighborhood park space comprised of seven small portions of property within Planning Area 1.

Finance

- Due to the nature of the public improvements, phasing, and requested funding of joint use facilities, the project may warrant a development agreement between the City of Oxnard, OUHSD, and private developer.
- To fund and maintain landscaping, street lights, and common amenities, long-term funding mechanisms, such as a Community Facilities District, may be necessary.

Public Infrastructure

Project specific infrastructure studies have not been submitted, but will be required as part of a formal application.

- The project will be required to upgrade all sewer, water, and storm drain systems to ensure that all infrastructure has been designed to meet City capacity standards in compliance with all City Codes. Downstream sewer upgrades will be required.
- The project will be required to transfer all on-site water allocation credits and comply with the City's water neutrality policy. The project will be required to evaluate total water supply and projected need and ensure sufficient water is available to meet projected demand.

Public Safety

- As part of the project and CEQA review impacts to public safety services will need to reviewed and appropriate mitigations put in place.

Traffic and Circulation

- Project specific traffic studies have not been submitted, but will be required as part of a formal application.
- Rose Avenue and Camino Del Sol frontages are not designed in accordance with the NECSP (Figure 4-15). Additional right of way will be required which will result in changes to the site plan. Roadway widening along Rose Ave is anticipated along with the previously certified EIR identified intersection improvements.
- The orientation of the school parking lot and drop-off area will result in significant traffic impacts to Camino Del Sol. A public street running north/south along the easterly edge of the school parking lot, between Camino Del Sol and Jacinto should be provided in order to improve interior circulation and relieve morning and afternoon traffic congestion.

- The project will be required to be designed in accordance with the Bicycle and Pedestrian Facilities Master Plan.

STRATEGIC PRIORITIES

Quality of Life
This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goal:

> Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Economic Development
This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard's business climate, promote the City's fiscal health, and support economic growth in a manner consistent with the City's unique character. This item supports the following goal:

> Goal 2. Enhance business development throughout the City.

Infrastructure and Natural Resources
This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals:

> Goal 1. Ensure Master plans for all City infrastructure are current, synchronized and consistent with the General Plan.
> Goal 5. Ensure orderly development and long-range conservation and management of our natural resources and coastal assets.

FINANCIAL IMPACT

No fiscal impacts are associated with review of this Pre-Application.

Prepared by Douglas Spondello, Principal Planner and
Kathleen Mallory, Planning & Environmental Services Manager

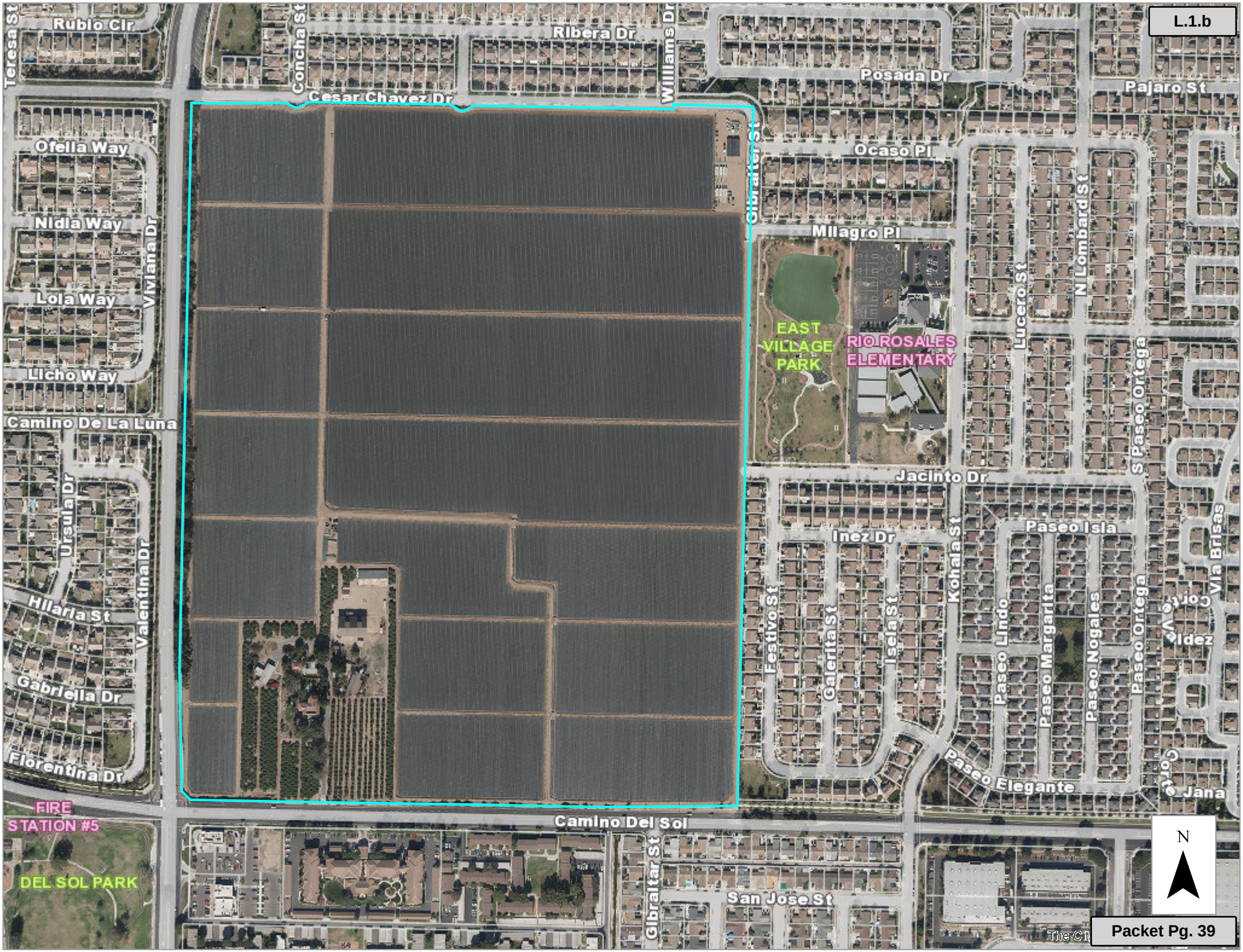
ATTACHMENTS:

Attachment A: Aerial Photo of Subject Property

Attachment B: Relevant General Plan Urban Village Goals and Policies

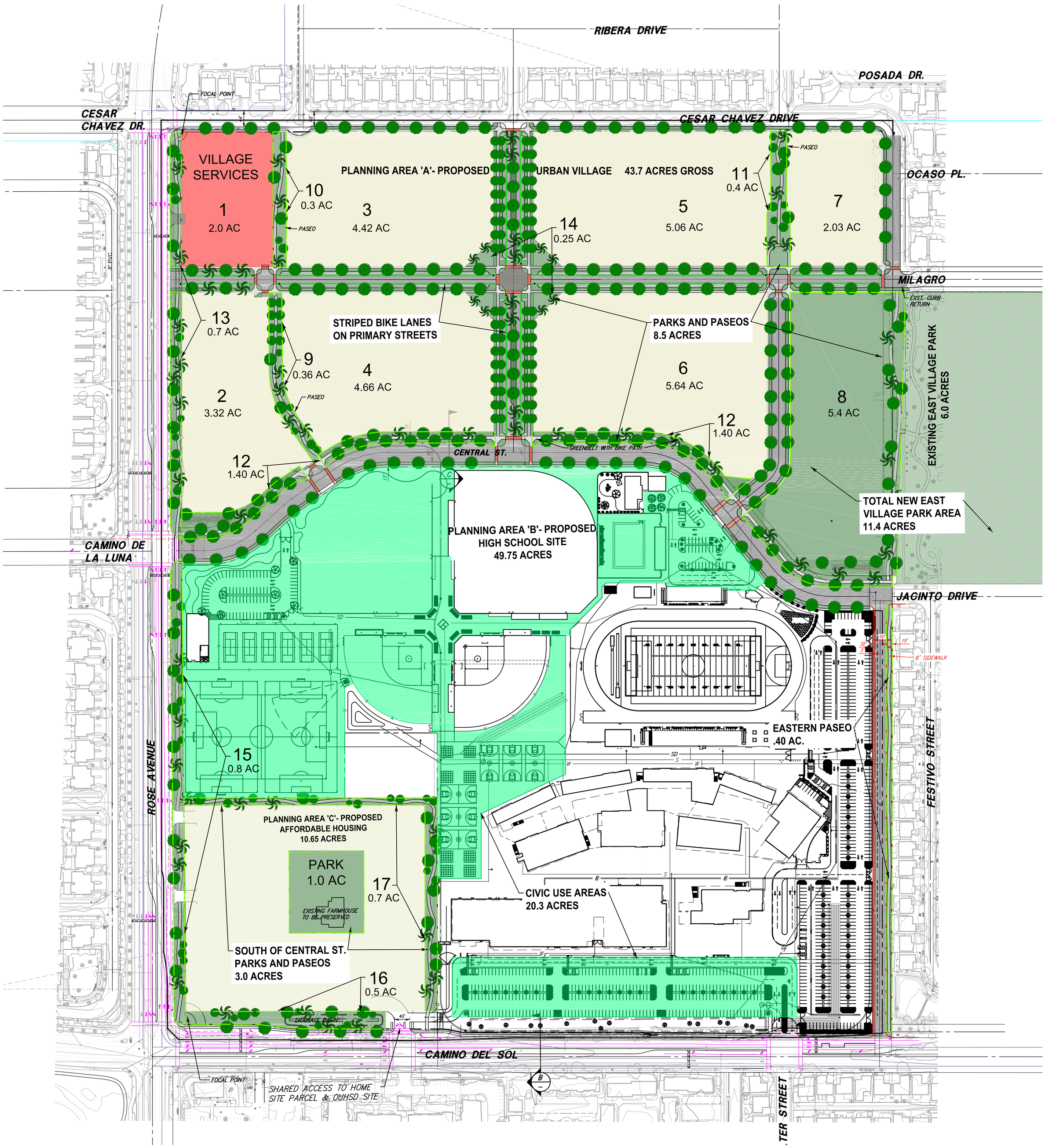
Attachment C: Conceptual Site Plan

Attachment D: Pre-Application Project Description


Teresa St
Rubio Cir
Concha St
Ribera Dr
Williams Dr
Posada Dr
Pajaro St
Cesar Chavez Dr
Ofella Way
Ocaso Pl
Nidia Way
Viviana Dr
Milagro Pl
Lola Way
Licho Way
EAST VILLAGE PARK
RIO ROSALES ELEMENTARY
Lucero St
N Lombard St
S Paseo Ortega
Camino De La Luna
Jacinto Dr
Ursula Dr
Inez Dr
Paseo Isla
Kohala St
Valentina Dr
Hilaria St
Festivo St
Galerita St
Isla St
Paseo Lindo
Paseo Margarita
Paseo Nogales
Paseo Ortega
Via Brisas
Gabriella Dr
Paseo Elegante
Jana
Florentina Dr
FIRE STATION #5
Camino Del Sol
DEL SOL PARK
Gibraltar St
San Jose St
N

Maulhardt Pre-Application Public/Council Comment Summary

Type	Name	Topic	Comment	Response/Implementation:
Public	Barbara Macri-Or	Urban Village	Not consistent with Urban Village. Commercial and residential projects are separated, too much reliance on cars (not walkable)	Project has been revised to incorporate Urban Village Designs
		Housing	Single-family housing is not "urban" or forward-thinking. Need to maximize use of land.	Have redesigned the project with higher density housing.
Public	Pat Brown	Transportation	Rose Avenue needs to be widened to three lanes in each direction; also fix right lane drop-off on southbound rose past Gonzales. School is great. Existing neighbors should have a say in the types of housing and uses that are developed.	Plans currently anticipate the widening of Rose Avenue to provide three lanes in each direction.
		Outreach	Existing neighbors should have a say in the types of housing and uses that are developed.	We have met and will continue to meet with the Neighborhood Councils.
Public	Steve Nash	Urban Village	Not a walkable or sustainable neighborhood (carbon and water neutral)	Have redesigned the project to promote walkability and minimize water use.
		Historic/Ag Resou	Losing best farmland in world, largest barn in Oxnard plain, Rose Avenue eucalyptus. Benefits must outweigh "loss" of resources	The High School site will eliminate the viability of farming the property.
Public	Dan Pinedo	Community Facilit	City has history of not securing adequate financing for amenities within new development. Need to get everything we can and ensure we aren't left short.	Project will contribute 100% of Quimby and City required impact fees.
Public	Marissa Martinez	Other	Would like to see development and more apartments in South Oxnard	NA
Public	Roy Prince	Transportation	Grid layout of residential on north side of project would improve walkability and reduce reliance on cars. Service road parallel to major streets discourage walkability.	Project has been redesigned relocating the commercial to the northern portion of the property.
Council	Madrigal	School	School looks amazing	
		School	Does not support magnet school, won't serve residents.	OUHSD not supportive of Magnet School
		Transportation	Cesar Chavez is currently very narrow, made worse by on-street parking. Traffic is often limited to one vehicle. May need to be widened with this project.	Will be widened.
Council	Basua	Transportation	Cesar Chavez is currently very narrow, made worse by on-street parking. Traffic is often limited to one vehicle. May need to be widened with this project.	Will be widened.
		Parking	Adequate parking needs to be provided, residents in existing community don't have sufficient parking for parks.	Parking will be available at the OUHSD school site for use of the Civic Center Facilities
Council	Ramirez	School	Looks forward to a spectacular, modern school.	
		Historic/Ag Resou	Historic assets (including barn) are very important to City and identity, should be preserved for public use.	We are looking into the viability of restoring the buildings and/or replicating
		Housing	Need to update housing options to something more modern, not "old suburbia". Provide options for population here already.	Project has been redesigned to accommodate higher density
		Urban Village	Walkability between residential and commercial services critical.	Have relocated the commercial component to the north.
Council	MacDonald	Historic/Ag Resou	Preserve historic resources, including barn.	We are looking into the viability of restoring the buildings and/or replicating
		Parks/Joint Use	Not a fan of joint use parks. Not usable by public, high costs, etc. Use is very limited. Not a good deal for City residents.	Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
	Perello	Environmental	Site needs to be evaluated for toxic substances. Any issues need to be mitigated. (reference previous projects and Department of Toxic Substances Control)	Has already been completed and remediation will solve limited amount of contamination.
		Environmental	Water Neutral Policy do new or existing residents have higher priority?	Per City policy
		Environmental	Existing neighbors should have a say in the types of housing and uses that are developed.	We have met and will continue to meet with the Neighborhood Councils.
		Parks/Joint Use	Agrees with MacDonald re joint use, costs too high for City (reference East Village Park).	Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
		Parks/Joint Use	Small pocket parks do not accommodate resident needs.	We have redesigned project to incorporate a larger parks within the residential area. We have also worked with OUHSD on the Civic Center Act.
		Community Facilit	What happens if CFD is defunded by ballot initiative?	Large CFD not anticipated. Mostly for landscape and park maintenance.
		Public Safety	Last piece of NCSP, previous public safety assets planned in this project, then sakioka, have not been placed.	Not anticipating providing a fire station.
Council	Lopez	Parks/Joint Use	Big difference between 32 acres and 1.5. Need to use General Plan as our guidance.	General Plan amendment contemplated. Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
		Housing	Who will housing be offered to?	200 units of low income and 900 units market rate for rent and for sale.
		Parks/Joint Use	Same issues with Joint Use expressed by other Councilmembers	Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
Council	Flynn	Housing	1,500 employees at St John's, only 40% live in Oxnard. 60% live outside of City	We are providing housing types that are more affordable due to higher density.
		Parks/Joint Use	Consider partnership but City needs to get something back in return.	Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
		School	Consider increasing student capacity by 500 students to provide magnet school. Capture St. John's employees and medical corridor.	OUHSD not supportive of Magnet School. Maulhardt Ranch has no involvement in the school planning.
		Historic/Ag Resou	Supports preservation of historic assets (barn and home).	We are looking into the viability of restoring the buildings and/or replicating
		Urban Village	Key component is workforce housing, need to capture St John's employees	We are providing housing types that are more affordable due to higher density.
Staff	Staff	General Plan Con	30-acre park anticipated, 1.5 acres proposed is not sufficient.	Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
		Urban Village	Project does not provide sufficient multi-modal circulation connections. Better access and connections/linkages required, particularly between Planning Areas 1 and 3.	Project has been revised to incorporate Urban Village Designs
		General Plan Con	30-foot landscape buffer required along Rose Avenue and Camino del Sol frontages (Policy CD-9.4)	Has been accommodated.
		Environmental	An appraisal of existing windrow trees along Rose Avenue and any other mature trees that are proposed to be removed will be required.	This will be completed along with a survey indicating which trees are on private property and which trees are on city owned property.
		Parks/Joint Use	Concerns regarding cost and limitation proposed with joint use agreement.	Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
		Parks/Joint Use	Need to review parks and joint use requests to the needs and recommendations of Parks Master Plan currently being prepared	Maulhardt Ranch and OUHSD is proposing Civic Center Act use for school facilities. No cost to city
		Parks/Joint Use	"Parks" in Planning Area I are not functional. Consolidate these into something that can be used. Suggest relocate adjacent to existing East Village Park, along east of project site.	We have redesigned project to incorporate a larger park within the residential area.
		Community Facilit	CFD necessary to fund landscape maintenance, street lights, common amenities.	We anticipate a CFD for these issues.
		Infrastructure	Project will be required to mitigate any impacts to sewer, water and storm drain systems to ensure capacity meets City standards and Code.	Agree
		Infrastructure	Project will be required to transfer all on-site water allocation credits and comply with the City's water neutral policy.	Agree
		Infrastructure	Project will need to evaluate total water supply and project need to ensure sufficient water is available to meet projected demand.	Agree with City establishing water allocation.
		Transportation	Provide a public street running north/south along the easterly edge of the school parking lot, between Camino del Sol and Jacinto in order to improve interior circulation and relieve morning and afternoon traffic congestion.	This extension will be studied in the traffic report.
		Transportation	Implement recommendation of bicycle lane included in Bicycle and Pedestrian Facilities Master Plan within project	Being included in the planning of the project.



LAND USE DATA

GROSS PROPERTY AREA: 107.2 AC

EXISTING N.E.C.S.P. LAND USE DESIGNATIONS

LOW DENSITY RESIDENTIAL	101.2 AC
NEIGHBORHOOD COMMERCIAL	6 AC

EXISTING GENERAL PLAN LAND USE DESIGNATIONS

URBAN VILLAGE	107.2 AC

*WITH 30 ACRE PARK RESERVE, RESIDENTIAL LOW-MEDIUM: 460-790 UNITS, COMMERCIAL GENERAL

PROPOSED LAND USE DESIGNATIONS

1) PLANNING AREA 'A': PROPOSED URBAN VILLAGE (43.7 AC.)

RESIDENTIAL:	APPROX. 25.15 AC.
	APPROX. 750-900 D.U. (35 D.U./AC.)
COMMERCIAL:	APPROX. 2 AC.
PARKS:	APPROX. 8.5 AC.

5) PLANNING AREA 'B': PROPOSED HIGH SCHOOL (49.75 AC.)

CIVIC USE AREA:	APPROX. 20.3 AC.
PARKS:	APPROX. 0.4 AC. (EASTERN PASEO)

6) PLANNING AREA 'C': PROPOSED URBAN VILLAGE (10.65 AC.)

RESIDENTIAL:	APPROX. 6.88 AC.
	APPROX. 150-200 D.U. (28 D.U./AC.)
	AFFORDABLE HOUSING SITE
PARKS:	APPROX. 3.0 AC.

TOTAL DWELLING UNITS: APPROX. 900-1,100 D.U.

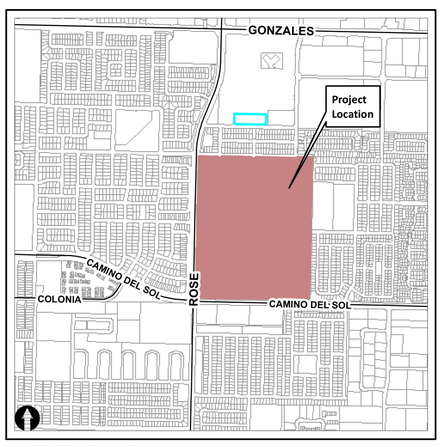
PARK AREA NOTES

PLANNING AREA 'A':	8.5 ACRES OF PARKS & GREENBELTS PUBLIC PARK: 5.4 AC. (AREA 8) PASEOS/GREENBELTS: 3.1 AC. (AREAS 9, 10, 11, 12, 13, & 14)
PLANNING AREA 'B':	20.3 ACRES OF CIVIC CENTER ACT PUBLIC RECREATIONAL USE AREA 0.40 ACRES OF PASEO
PLANNING AREA 'C':	3.0 ACRES OF PARKS & GREENBELTS PUBLIC PARK: 1.0 AC. PASEOS/GREENBELTS: 2.0 AC (AREAS 15, 16, & 17)
TOTAL PARK AREAS:	32.2 ACRES

LEGEND

- PROPOSED RESIDENTIAL AREAS
- PROPOSED COMMERCIAL AREAS
- PROPOSED PARKS/RECREATION AREAS
- PARKS AND PASEOS (11.9 ACRES)
- CIVIC USE ACT AREA (20.3 ACRES)

VICINITY MAP



NOT TO SCALE

80' 40' 0' 80' 160'
GRAPHIC SCALE: 1"=80'

NOTES:

STREET AREAS SHOWN TO EXISTING BOUNDARY; SUBJECT TO FUTURE STREET DEDICATIONS REQUIRED BY THE CITY OF OXNARD. PRELIM CAMINO DEL SOL AND ROSE AVE. STRIPING & SECTIONS BASED ON CITY TRAFFIC MARKUPS

PARK DESIGNS AND LANDSCAPING SHOWN ARE CONCEPTUAL IN NATURE AND FOR ILLUSTRATIVE PURPOSES ONLY.

REVISION	DATE
PRE-APP	06/2018
PRE-APP #2	02/2019

SUBDIVIDER/OWNER:
MAULHARDT FAMILY
C/O
MIKE PENROD
PARKSTONE COMPANIES
860 HAMPSHIRE ROAD, SUITE U
WESTLAKE VILLAGE, CA 931361

OXNARD UNION HIGH SCHOOL DISTRICT
309 SOUTH 'K' STREET
OXNARD, CA 93030

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

NORTHEAST COMMUNITY SPECIFIC PLAN

MAULHARDT PROPERTY

URBAN VILLAGE SITE PLAN

CITY OF OXNARD COUNTY OF VENTURA STATE OF CALIFORNIA

LEGAL DESCRITION HERE

SCALE: 1"=100' J.N.: PAR 15808

DATE: Feb 28, 2019 DWG. NAME: 5808 REVISED URBAN VILLAGE SITE PLAN AND PARKS EXHIBIT.dwg

SHEET 1 OF

J:\PAR15808\Planning\Concept\5808 REVISED URBAN VILLAGE SITE PLAN AND PARKS EXHIBIT.dwg Feb 28, 2019, 3:03pm tshelton

JENSEN DESIGN & SURVEY, INC.
Delivering Excellence through Experience

1672 Donlon Street
Ventura, CA 93003
Phone: (805) 654-6977
www.jdscivil.com

PROJECT DESCRIPTION

URBAN VILLAGE – MAULHARDT PROPERTY

Oxnard Union High School District & Maulhardt Family
Pre Application Submittal – February 2019

Project Name:	Northeast Community Urban Village
Project Applicant:	Oxnard Union High School District Maulhardt Trust et. al (c/o Parkstone Companies)
Location:	Northeast Corner of Camino Del Sol & Rose Avenue
APN:	214-0-020-595
Current Zoning:	Existing Northeast Community Specific Plan: Low Density Residential (R-1) Neighborhood Commercial (C-1) Open Space (C-R)
Current General Plan:	Urban Village, Residential Low/Medium, Park, General Commercial
Proposed Land Use:	Public Education Civic Center Use: Public Education/Recreation Neighborhood Commercial Medium Density Residential High Density Residential Neighborhood Parks
Entitlement Requests:	Amendment to Northeast Community Specific Plan Tentative Tract Map New High School – Oxnard Union High School District

PROJECT NARRATIVE

The proposed Northeast Community Urban Village will bring needed mixed housing types, neighborhood commercial, educational and public recreational areas to the northeast corner of Camino Del Sol and Rose Avenue on an undeveloped 107 acre parcel of land, known as the Maulhardt property. This parcel of land is one of the few remaining undeveloped "islands" within the City limits and presents an opportunity to create an 'Urban Village' in agreement with the goals of the City of Oxnard's General Plan (Goal CD-7).

Three basic Planning Areas have been identified for the project:

a. **Planning Area 'A'** will contain medium and high-density residential and neighborhood-oriented commercial in a walkable mixed use village setting. The village is anchored by a walkable network of neighborhood streets, connecting paseos and the expansion of 8.5 acres of Park for the City of Oxnard.

b. **Planning Area 'B'** will consist of a 49 acre, 2,300-student high school campus and associated Civic Center Use Act recreation fields, offering public use of the facilities at approved non-school hours.

c. **Planning Area 'C'**, located immediately adjacent to the corner of Rose Avenue and Camino Del Sol, will consist of an affordable housing community. This area will serve as a continuation of the urban village to the north, with a one-acre park and paseos providing connections to the adjacent project areas, and connections to existing neighborhoods.

A detailed description of each planning unit can be found in the 'Site Plan Description' section below.

VEHICULAR ACCESS

The site is located at the northeast corner of Rose Ave. and Camino del Sol; within the City of Oxnard. Cesar Chavez Drive borders the site to the north, and there is an existing residential community along with two public streets – Milagro Place and Jacinto Drive on the east border.

A central street is proposed which bisects the site, and extends from Camino de la Luna on Rose Ave. to Jacinto Drive on the east.

Rose Avenue is a restricted-access primary arterial as identified in the Specific Plan, with six travel lanes and raised median. The central street will intersect Rose at Camino de la Luna with a full movement intersection. The extension of Milagro will intersect Rose Ave. south of Ceasar Chavez Drive, and will be a right-turn only intersection. Between Camino del Sol and Camino de la Luna, there are two right-in only driveways proposed to Planning Area C.

For the residential community (Planning Area A), one vehicular access point is proposed off Cesar Chavez Drive which aligns with existing Prado Way. Milagro Place will be extended from the east through the planned village core to Rose Avenue. Internal streets within Planning Area A are laid out in a basic grid pattern, creating a legible street pattern. All proposed streets conform to the right-of-way/pavement width requirements of the Specific Plan. Additionally,

vehicular calming and pedestrian safety features such as bulb outs, patterned crosswalks, and other traffic calming devices are provided.

The proposed High School will take primary access form the proposed central street and Camino del Sol. Parking for the school is located along the eastern boundary, and along the Camino del Sol frontage. Four-way access is proposed along Camino del Sol at existing Gibralter Street, and at the Central Road / Jacinto Drive. Additionally, an access road is proposed down the eastern edge of Planning Area 'B', connecting the proposed central street to Camino del Sol.

PEDESTRIAN ACCESS & CIRCULATION

The Northeast Community Village has been designed to prioritize pedestrian connectivity and circulation throughout all three planning areas (A, B, and C). The proposed street network consists of a well-connected grid network with ample pedestrian amenities, such as generously landscaped greenbelts, wide sidewalks, and street design features to aid pedestrian crossings, such as bulb outs and crosswalks.

Multiple greenbelts with dedicated walking/cycling trails are envisioned as part of the overall development. Adjacent to the proposed central street is a minimum 30' wide greenbelt with an 8' to 10' wide dedicated Class I walking/cycling path. This pathway will provide a strong west-east running link through the project for pedestrians and cyclists, connecting existing communities on both sides of the site. Along Rose Avenue, a parkway/greenbelt is located along the street on the western edge, and another is located along the site's eastern boundary. Planning Area 'C', has perimeter greenbelts, connecting this area to the rest of the urban village and adjacent high school site. Several smaller paseos and greenbelts are located throughout Planning Area A, providing inner-neighborhood, pedestrian only circulation and recreation opportunities for residents.

The project is also dedicating 5.4 acres for the expansion of an existing 6.0 acre Neighborhood Park in the City of Oxnard; linking the project to the existing East Village neighborhoods to the east.

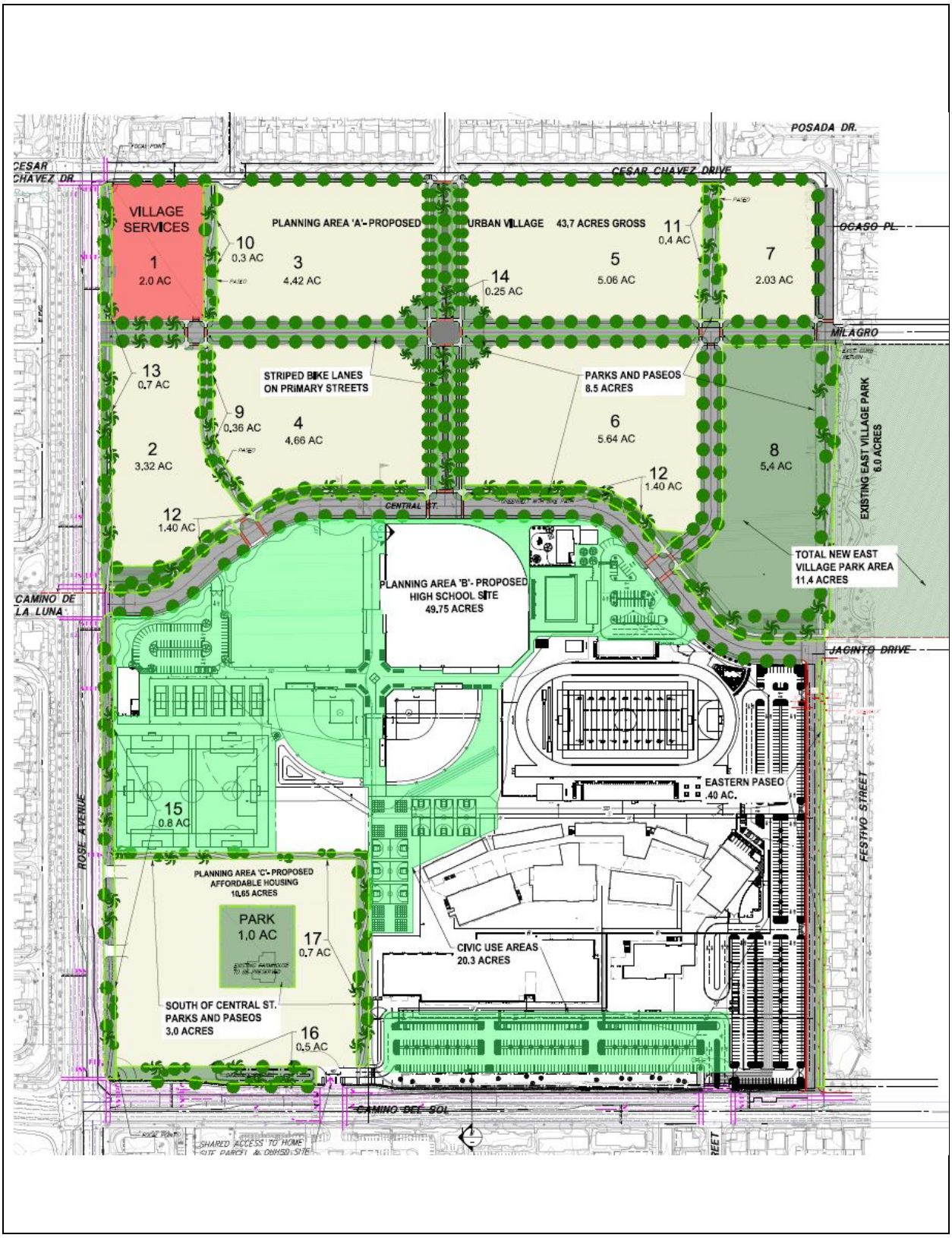


Figure 1: Site plan showing street, alley, and pedestrian/bike circulation. Pedestrian circulation and linkages are highlighted in orange. Please see the submitted scaled site plan further detail.

SITE PLAN DESCRIPTION

Planning Area 'A': Urban Village

Planning Area A contains approximately 750 to 900 dwelling units in a traditional medium-high density neighborhood village design, with connected grid pattern streets and thorough pedestrian circulation. Various residential product types are envisioned among the proposed medium and high-density residential community, including, but not limited to townhomes, apartments, and condominiums. These residences will be served by a neighborhood scale commercial component, as well as a central village green and several smaller parks and paseos.

The site design incorporates several of the Ahwahnee Princples (Figure 2.1 of the Northeast Community Specific Plan) in order to facilitate a cohesive community with a distinct sense of identity and usable public gathering & recreation places. The planned street pattern is an interconnected grid pattern that is integrated with existing street pattern of the surrounding neighborhoods. Bike paths/linear parks will also ring the community along Rose Avenue, to the east adjacent to the existing East Village Park, and along the proposed central street dividing the high school and the primary urban village portion of the project.

The northwestern corner of the site near the intersection of Cesar Chavez Drive and Rose Avenue is slated for a neighborhood scale commercial center. This project component will serve the small-scale shopping and commercial needs of the proposed urban village residents, as well as those of the greater East Village area. Commercial uses at this location are envisioned to be neighborhood serving institutions, such as corner markets, coffee shops, restaurants, and small scale retail establishments. The commercial area will be directly accessible to village residents via Cesar Chavez Drive, an adjacent paseo, and the proposed Milagro Place extension. The envisioned village services area will be designed in a manner that emphasizes human scale and pedestrian linkages, and will ensure that vehicular parking areas are sited in manner that does not detract from walkability and character of the urban village.

Medium and high density residential is proposed on the majority of Planning Area 'A'. The densest residential development will occur in blocks 3, 4, 5, and 6, immediately adjacent to the Village Park. Medium density development will be sited along the northern edge of blocks 3, 5, and 7, providing a step-down in density to transition to the adjacent existing single-family residential communities to the north and east.

Residential typologies are preliminarily envisioned to be apartments and or condominiums for the high-density residential portions of the site, and other attached product types for the perimeter areas. Parking will be located in the center of the block, and serviced by rear loaded alleys or driveways. This will create inviting building frontages, allowing public streets to be more walkable, and create more street parking opportunities by eliminating excessive driveway curb cuts. All buildings will be oriented towards a public street or right of way (such as a paseo or park), further enhancing the public realm and encourage community interactions and engagement. Additionally, buildings will be designed with Northeast Community mandated principles, including front porches/stoops, articulated facades, contextual architectural design elements/features, and outdoor living spaces that take advantage of the local climate.

In addition to the 5.4 acre Neighborhood Park expansion, several smaller paseos and pocket parks are located throughout the core of the urban village, providing additional pedestrian

circulation networks and recreational opportunities. The paseos and small parks will be well landscaped, and may contain amenities such as small tot lots, picnic areas, community gardening spaces, and or other amenities. In instances where buildings are adjacent to paseos, all residential units will be oriented towards the paseo, to create vibrant pedestrian thoroughfares and community interaction. In total, approximately 8.5 acres of parks, greenbelts, and paseos are proposed in Planning Area A. The applicant notes: "The commitment to install and maintain the public park acreage on the Maulhardt Ranch is per the proposed plan, and the City commits to not require any further park land dedication incident to the residential development. The District's obligation to permit public use of the school facilities designated for such use are all to be established by a 3 party agreement entered into under the Civic Center Act. Such an agreement is a condition precedent to the District's right to purchase the land for the High School. "

Residents of the urban village and the public will also have access to approximately 20.3 acres of Civic Center Use Act recreation areas at the adjacent proposed high school, which will be opened during non-school hours for community use.

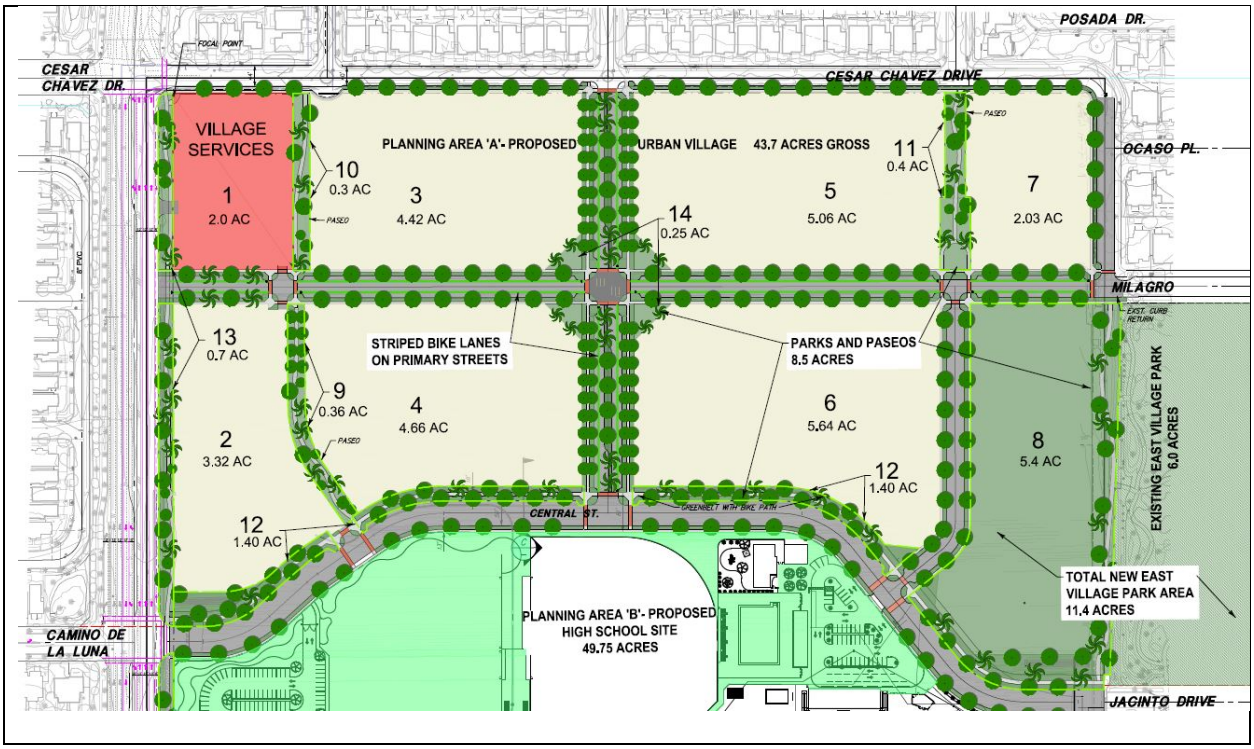


Figure 2: Planning Area A conceptual/land use site plan

<u>Planning Area 'B': Public Education</u>

Proposed on Planning Area B is Oxnard High School No. 8, a comprehensive 2,300 student high school with approximately 270,404 square feet of building space. The design of the new high school is based on Oxnard Union High School District's objectives and goals for this new campus.

The top priority for the Oxnard Union High School District is to 'improve students' academic achievements' and therefore the District considers the community to be an important part in the development and implementation of programs and strategies that will support the education environment. The community becomes a partner in the educational process and as a

result, encourages and promotes effective parent, business, community, and college participation in schools.

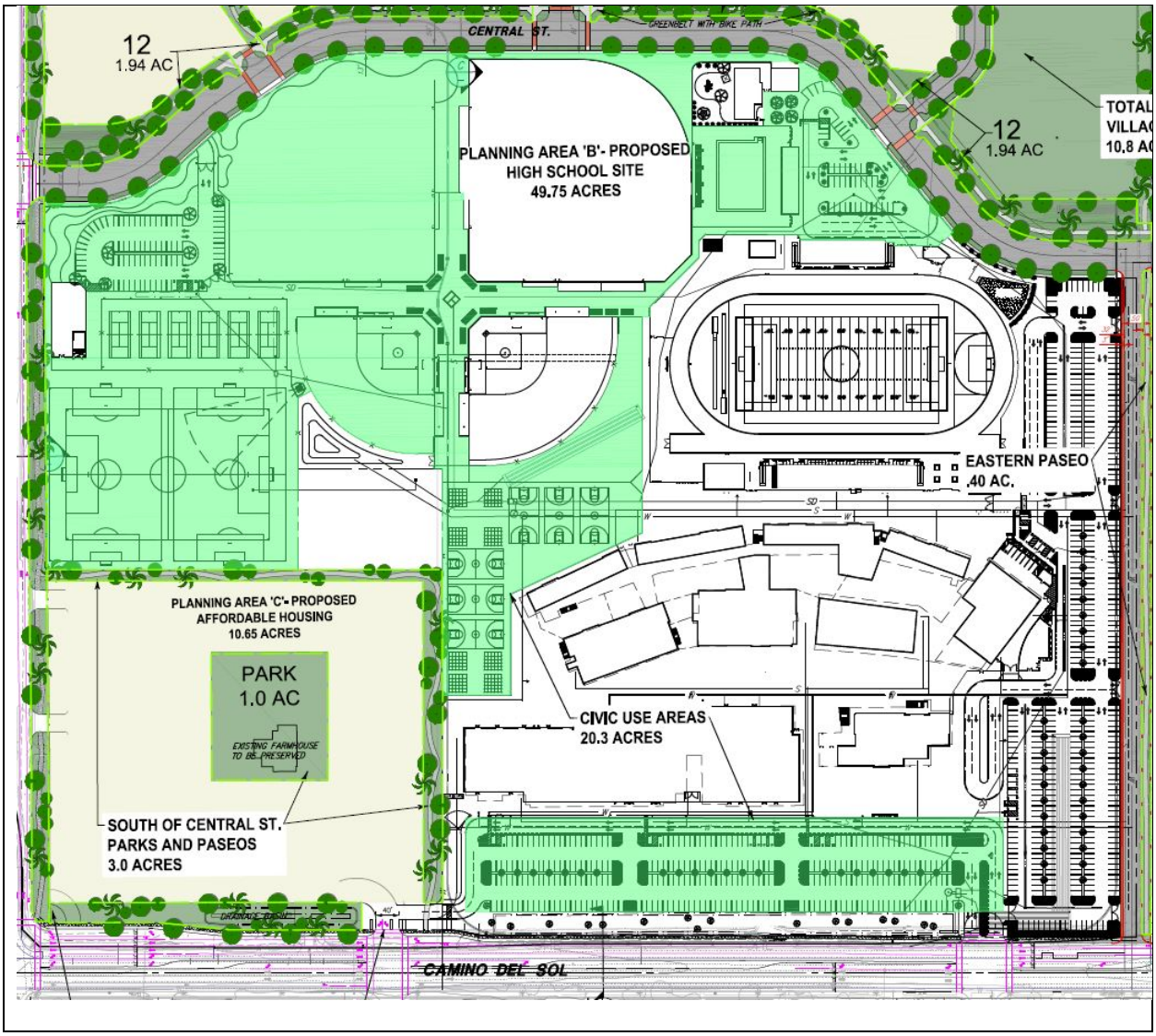


Figure 3: Planning Area B site plan with Civic use areas highlighted in green

To create the environment necessary for an effective school, the Oxnard Union High School District endorses and prescribes strong instructional leadership, a safe and orderly environment, school-wide emphasis on basic skills, high teacher expectation for student achievement, and continuous assessment of student progress. The new High School will be based on the following design principles.

- Community Civic Center Use Act – Sports field/recreation areas (soccer, J.V, baseball, J.V. softball, aquatic center, and tennis; associated parking areas, as further described below)
- Promote school pride
- Secure environments for safe learning
- Campus size proportional to student enrollment

- Sustainability
- Adaptable learning environments and spaces
- Faculty community collaboration environments
- Planned Campus Organization
- Adaptable support departments
- Flexible and adaptable campus for future needs

The site is located east of Rose Avenue and north of Camino Del Sol. The site is designed with the parking lot located off Camino Del Sol wrapping around the east side of the site and used to create a clear front entrance into the campus. A set of three building facades leading into the front entrance of the campus provides an inviting community setting. The three buildings, Gymnasium, Performing Arts, and Media Center, will act as a security perimeter to the building as well.

Once inside campus an amphitheater/courtyard encourages a space for leisure interaction as well as a place where pep rallies can be held. The Academic buildings are at the north side of the campus. At the north side of campus will be the football field along with baseball, softball, soccer fields, tennis courts, pool and facilities, and maintenance and operations building.

A portion of the site will be open to community use and recreation as established by the Civic Center Use Act. The Civic Center Act (CCA) areas provides for community members and community organizations to use school district facilities when school is not in session inclusive of weekends and holidays and summer months. This will come at no cost to the City of Oxnard.

Areas proposed for community use include the soccer field, tennis courts, junior varsity baseball and softball fields, outdoor basketball courts, and aquatics facilities. Parking for these uses will be located in two lots to the north of the school site accessed off the proposed Central Street, as well as an additional lot on the southern portion off the site off Camino Del Sol.

Individuals and or organizations are not required to have paid for the facilities or land covered by the CCA. The OUHSD already has in place adopted Board of Education policies and procedures for the CCA use of facilities inclusive of maintenance use requirements that will govern use of the CCA areas.

The proposed CCA areas, in conjunction with the nearly 11.5 acres of park land proposed in Planning Areas ‘A’ and ‘C’ tally to approximately 32.2 acres of new public recreational space for the City of Oxnard. This new park space will complement the still yet-to-be-developed City owned 30 acre park parcel located at the intersection of Oxnard Blvd. and W. Gonzales Drive. This undeveloped park is also located in the Northeast Community Specific Plan area.

Planning Area ‘C’: Urban Village- Affordable Housing Component

The portion of the site located near the intersection of Rose Avenue and Camino Del Sol is planned for an affordable housing community and approximately 3.0 acres of parks and greenbelts within the community and along Rose Avenue.

As with Planning Area A, Planning Area C will also incorporate the design principles of an urban village, as well as the adopted standards of the Northeast Community Specific Plan. The affordable housing development will be linked to the remainder of the urban village and high school site by dedicated walking/cycling paths. The community will be oriented around a roughly one (1) acre neighborhood park, which will incorporate the preserved Maulhardt Family farmhouse. There is the potential for this historic residence to be adaptively reused, pending historical analyses and structural/architectural feasibility studies.

Housing typologies in Planning Area C will likely consist of apartments and or townhomes, and will be designed to be oriented toward the public right of way, with parking and services to be provided from rear loaded alleys and driveways. Architecture will be of high quality, with appropriate architectural embellishments and features such as front porches, stoops, and outdoor living spaces.

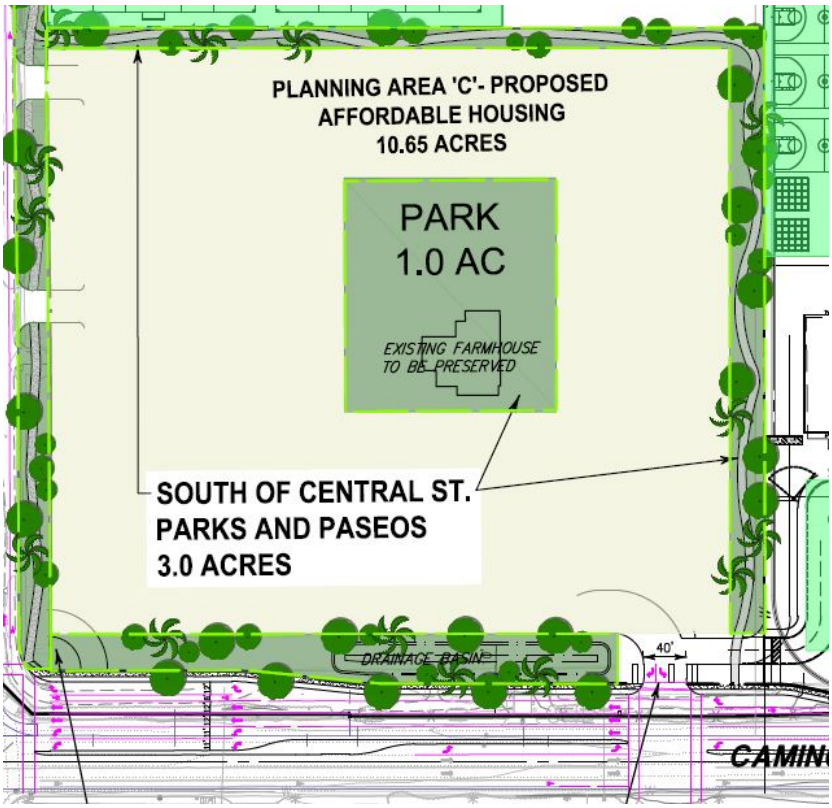


Figure 4: Planning Area C conceptual/land use site plan

Urban Village Components & Consistency

Consistency with City Policy, General Plan, Specific Plan & Urban Village Overlay

The proposed project is consistent with the City of Oxnard's goals and policies as laid out in the City's General Plan. Goal CD-7 of the 2030 General Plan states the following:

> *"Development of vibrant mixed-use urban villages characterized by a mix of land uses, transit accessibility, pedestrian orientation, and neighborhood identity."*

This goal is backed with policy CD- 7.1 which establishes six urban villages in the City. The project site, referred to as "East Village Phase III", is identified as one of these potential urban villages. The general plan narrative for the potential urban village is as follows:

> • *Location. Northeast Corner of Camino Del Sol and Rose Avenue.*
>
> • *Land Use. Primarily residential with neighborhood services, including public uses still needed for the Northeast Community (parks, schools, etc.).*
>
> • *Overview. The 107-acre unincorporated "island" is the last large undeveloped area within the City limits and represents an opportunity to provide remaining public uses needed for the Northeast Community along with an urban village. This area is within the Northeast Community Specific Plan (NECSP) which could be amended instead of creating a new specific plan. For purposes of annexation, the NECSP land use designations for this area as of July 2011 are deemed consistent with this 2030 General Plan.*

As referenced in policy CD-7.1 of the General Plan, the proposed project will require an amendment to the Northeast Community Specific Plan (NECSP) to proceed. Currently, the NECSP calls for the project site to be Low Density Residential, Neighborhood Commercial, and Open Space. The potential amendment would require a change to the NESCP land use map (Figure 3.1) as well as deviation from the current development standards and establishment of new development standards in the specific plan to allow the envisioned urban village to come to fruition. In addition to fulfilling the objectives of Policy CD-7.1 of the General Plan, the proposed project also accomplishes the goals of the following General Plan Community Development goals and or policies:

- GOAL CD-1: A balanced community consisting of residential, commercial and employment uses consistent with the character, capacity, and vision of the City.
    - CD 1.2 Infill Development, Priority to Mixed Use: Promote the efficient use of larger vacant parcels and vacant areas of the City by encouraging infill development, with a priority to mixed uses that reduce vehicle trips and GHG emissions and promote sustainable development goals and objectives.
    - CD 1.5 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.
    - CD 1.6 Public Facilities: Enhance resident quality of life by providing adequate space for schools, libraries, parks and recreation areas, as well as space for the expansion of public facilities to support the community's vision.

- CD 1.7 Compact Development: Promote the use of development patterns that are more compactly built and use space in an efficient aesthetic manner as part of the community vision.
- CD 1.9 Commute Reduction: Minimize the commuting distances between residential concentrations and employment centers by encouraging the development of mixed land uses in appropriate areas.
- CD1.11 Recreation Opportunities: Promote improved coastal access and enhanced recreation opportunities with access from all areas of the City.

PROJECT CONSISTENCY: The proposed project site is identified by the Oxnard General Plan as the "last large undeveloped area" within City limits, and is surrounded by urbanized land on all sides. The project provides a variety of housing typologies, built in a compact, efficient, aesthetic manner. Also included are public education and parks/recreation facilities for public use and enjoyment. The project is located near major employment centers (McInnes Ranch, Northfield, Five Points/E. Wooley Road area) and contains a mixture of uses on site, minimizing commuting distances.

- GOAL CD-4: Commercial uses compatible with surrounding land uses to meet the present and future needs of Oxnard residents, employees, and visitors.
  - CD 4.3 Urban Village Program & Height Overlay: Develop and implement the Urban Village program and Height Overlay District as the principal growth management tools as the 2020 General Plan-designated infill and opportunity sites are gradually developed.

PROJECT CONSISTENCY: The project is designed as an urban village on a site identified by the General Plan as an infill opportunity.

- GOAL CD-7: Development of vibrant mixed-use urban villages characterized by a mix of land uses, transit accessibility, pedestrian orientation, and neighborhood identity.
  - CD 7.5 Pedestrian and Transit Scale: Design urban village areas to be pedestrian-oriented and transit accessible, incorporating block patterns, walking routes and edges, social orientation of buildings, and streetscapes to provide ease of walking and safety.
  - CD 7.6 Connectivity: Provide connectivity to other activity nodes in the form of roadways, transit connections, and bicycle and pedestrian linkages that encourages non-vehicular travel modes. Urban villages should be considered major transit transfer points and have amenities oriented towards transit users.
  - CD 7.11 Urban Village Open Space Areas/Parks: Park sizes and locations shall follow City standards and be within walking distance of a majority of the population.
  - CD 7.12 Urban Village Collocation with Schools: Promote the collocation of parks with school facilities for the purpose of enhancing available open space and recreation.
  - CD 7.13 Urban Village Trail and Open Space Connections: Include trails (pedestrian and bicycle) and open space areas, where feasible within urban village areas. These facilities shall create a network that links urban villages and other neighborhoods to each other.

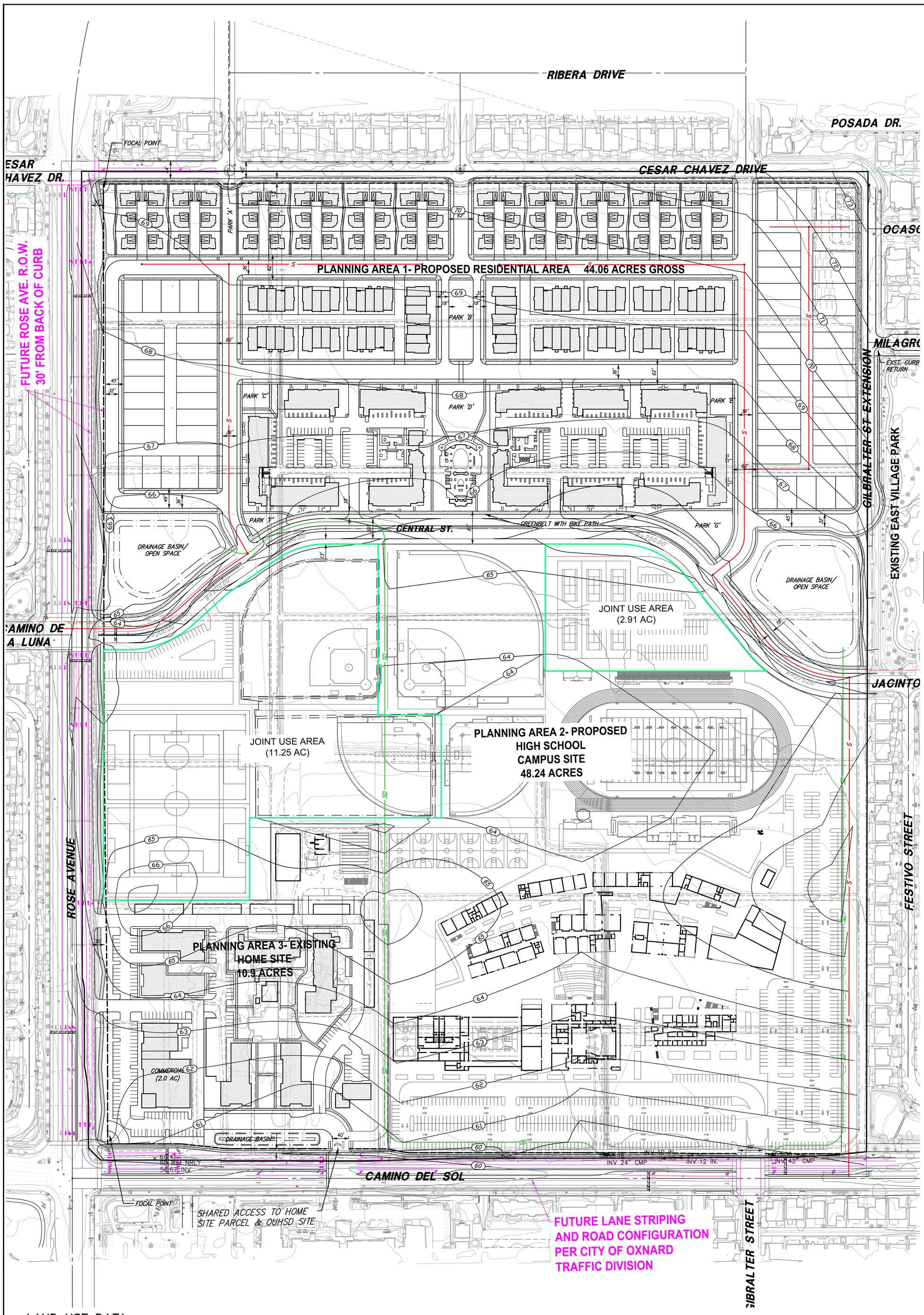
PROJECT CONSISTENCY: The project is designed as a pedestrian oriented urban village, with a mixture of land uses, community amenities such as parks, and a focus on neighborhood identity. The community has a legible pedestrian scale, and provides connections to surrounding neighborhoods. The proposed urban village is also collocated with the new public high school planned on the site.

- GOAL CD-10 Neighborhoods and urban villages with a distinct sense of place.
    - CD 10.1 Human Scale Development: In the evaluation of development proposals, require urban development on a human scale, by emphasizing the pedestrian experience over the movement and storage of vehicles.
    - CD 10.2 Neighborhood Themes: In the evaluation of development proposals, require neighborhood themes and principles of design, such as neotraditional town planning, which include central parks, schools, and community and commercial facilities, strong pedestrian orientation and de-emphasis of automobile related elements in new development projects.

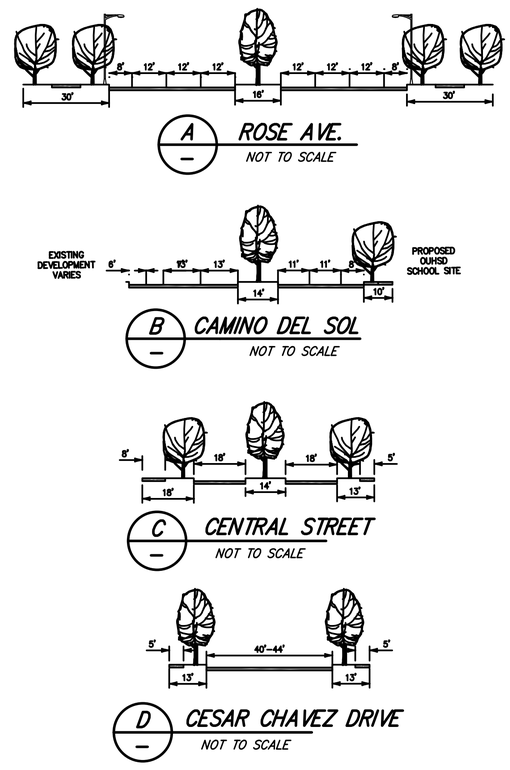
PROJECT CONSISTENCY: The proposed urban village is designed at a human scale, and incorporates neotraditional town planning principles, and includes elements such as central parks, schools, and community commercial facilities.

- GOAL CD-11 Protect historic and authentic qualities of Oxnard traditional neighborhoods and historic districts
    - CD 11.4 Incorporate Historic Features: Require new developments within historic areas to incorporate historic and natural features and adaptive reuse into site development planning.

PROJECT CONSISTENCY: The project will adaptively reuse the Louis G. Maulhardt ranch barn and ranch house; to the extent allowable by contemporary building codes. A central park is oriented around the ranch house, with potential uses being community building, or other semi-public uses.



STREET SECTIONS



PRELIMINARY EARTHWORK STATISTICS

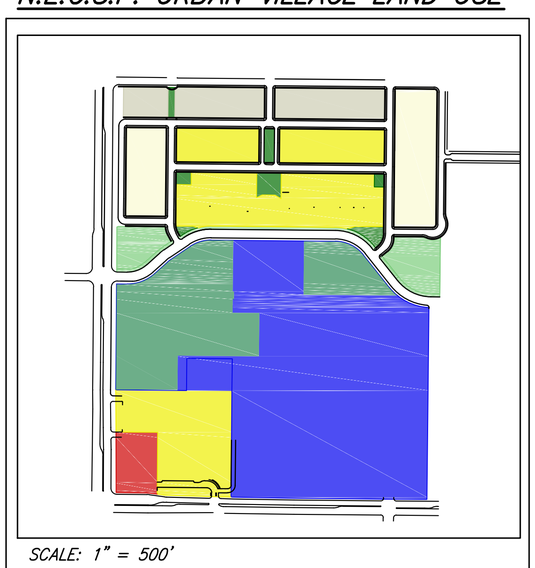
RAW CUT VOLUME (UNADJUSTED)	65,550 CU. YARDS
RAW FILL VOLUME (UNADJUSTED)	247,000 CU. YARDS
NET VALUE (UNADJUSTED)	181,450 CU. YARDS OF FILL

NOTE:
EARTHWORK QUANTITIES PROVIDED ARE RAW VALUE ESTIMATES ONLY. CORRECTION FACTORS, LOSSES, OVEREX, AND POTENTIAL SOIL REMEDIATION VOLUMES HAVE NOT BEEN ACCOUNTED FOR IN THIS CONCEPT DESIGN.

LEGEND

- SD — PROPOSED STORM DRAIN
- S — PROPOSED SEWER
- W — PROPOSED WATER

N.E.C.S.P. URBAN VILLAGE LAND USE



SCALE: 1" = 500'

PUBLIC EDUCATION	34.1 AC
JOINT USE PUBLIC EDUCATION/RECREATION	14.2 AC
NEIGHBORHOOD COMMERCIAL	2.0 AC
LOW DENSITY RESIDENTIAL (UP TO 8 DU/AC)	7.2 AC
LOW-MEDIUM DENSITY RESIDENTIAL (12 DU/AC)	5.7 AC
MEDIUM DENSITY RESIDENTIAL (15-30 DU/AC)	20.5 AC
NEIGHBORHOOD PARKS	1.5 AC
OPEN SPACE/DRAINAGE AREAS	4.1 AC

LAND USE DATA

OVERVIEW

GROSS PROPERTY AREA: 107.2 AC

EXISTING N.E.C.S.P. LAND USE DESIGNATIONS

LOW DENSITY RESIDENTIAL	101.2 AC
NEIGHBORHOOD COMMERCIAL	6 AC

PROPOSED LAND USE DESIGNATIONS

PUBLIC EDUCATION	34.1 AC
JOINT USE PUBLIC EDUCATION/RECREATION	14.2 AC
NEIGHBORHOOD COMMERCIAL	2.0 AC
RESIDENTIAL URBAN VILLAGE	
LOW DENSITY RESIDENTIAL	7.2 AC
LOW-MEDIUM DENSITY RESIDENTIAL	5.7 AC
MEDIUM DENSITY RESIDENTIAL	20.5 AC
NEIGHBORHOOD PARKS	1.5 AC
OPEN SPACE/DRAINAGE	4.1 AC
CIRCULATION/PUBLIC RIGHT OF WAYS	17.9 AC

LAND USE DETAILS

RESIDENTIAL URBAN VILLAGE (PARCEL 1)

A. LOW DENSITY RESIDENTIAL (8.5 DU/AC)

46' x 80' DETACHED SFD	10 D.U.
48' x 80' DETACHED SFD	10 D.U.
40.5' x 100' DETACHED SFD	14 D.U.
40' x 105' DETACHED SFD	28 D.U.
LOW DENSITY SUBTOTAL:	62 D.U.

B. LOW-MEDIUM DENSITY RESIDENTIAL (11.5 DU/AC)

128' x 176' 6-PACK CLUSTER SFD	66 D.U.
LOW-MEDIUM DENSITY SUBTOTAL	66 D.U.

C. MEDIUM DENSITY RESIDENTIAL (14-30 DU/AC)

ATTACHED TOWNHOME (3 UNIT BLDG.)	6 D.U.
ATTACHED TOWNHOME (4 UNIT BLDG.)	32 DU.
ATTACHED TOWNHOME (5 UNIT BLDG.)	40 D.U.
APARTMENTS/CONDOMINIUMS	244 D.U.
MEDIUM DENSITY SUBTOTAL	322 D.U.

TOTAL URBAN VILLAGE DWELLING UNITS: 450 D.U.

PUBLIC EDUCATION (PARCEL 2)

A. PUBLIC HIGH SCHOOL (OUHSD)	34.1 AC
B. JOINT USE PUBLIC HIGH SCHOOL FIELDS	14.2 AC
TOTAL PUBLIC EDUCATION ACREAGE:	48.3 AC

NEIGHBORHOOD COMMERCIAL/RESIDENTIAL (PARCEL 3)

A. NEIGHBORHOOD COMMERCIAL/RETAIL	21,300 S.F.
B. MEDIUM DENSITY RESIDENTIAL (14-30 DU/AC) APARTMENTS	140 D.U.
TOTAL COMMERCIAL/RETAIL SPACE:	21,300 S.F.
TOTAL DWELLING UNITS	140 D.U.

NEIGHBORHOOD PARKS (PARCEL 1)

A. NEIGHBORHOOD PARKS

PARK A	.16 AC
PARK B	.26 AC
PARK C	.15 AC
PARK D	.43 AC
PARK E	.10 AC
PARK F	.10 AC
PARK G	.30 AC
TOTAL PARK ACREAGE:	1.50 AC

OPEN SPACE/DRAINAGE (PARCEL 1)

A. OPEN SPACE/DRAINAGE BASINS	4.10 AC

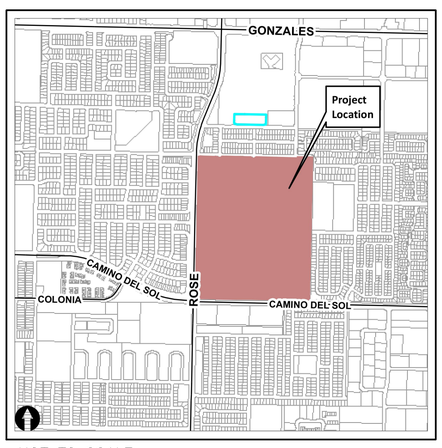
CIRCULATION/PUBLIC RIGHT OF WAYS

A. ROSE AVENUE	2.95 AC
B. CAMINO DEL SOL	.86 AC
C. CESAR CHAVEZ DRIVE	1.27 AC
D. GIBRALTAR STREET EXTENSION	.54 AC
E. CENTRAL STREET	3.10 AC
F. INTERIOR URBAN VILLAGE STREETS	9.18 AC
TOTAL CIRCULATION/PUBLIC R.O.W.	17.90 AC

100' 50' 0' 100' 200'
GRAPHIC SCALE: 1"=100'

NOTE:
STREET AREAS SHOWN TO EXISTING BOUNDARY; SUBJECT TO FUTURE STREET DEDICATIONS REQUIRED BY THE CITY OF OXNARD. PRELIM CAMINO DEL SOL AND ROSE AVE. STRIPING & SECTIONS BASED ON CITY TRAFFIC MARKUPS

VICINITY MAP



NOT TO SCALE

REVISION	DATE
PRE-APP	06/2018

SUBDIVIDER/OWNER:
MAULHARDT FAMILY
C/O
MIKE PENROD
PARKSTONE COMPANIES
860 HAMPSHIRE ROAD, SUITE U
WESTLAKE VILLAGE, CA 931361

OXNARD UNION HIGH SCHOOL DISTRICT
309 SOUTH 'K' STREET
OXNARD, CA 93030

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

NORTHEAST COMMUNITY SPECIFIC PLAN

MAULHARDT PROPERTY

PRELIMINARY GRADING & BACKBONE UTILITIES

CITY OF OXNARD | COUNTY OF VENTURA | STATE OF CALIFORNIA

LEGAL DESCRITION HERE

SCALE: 1"=100' | J.N.: PAR 15808

DATE: Jul 11, 2018 | DWG. NAME: PAR15808 SITE PLAN.dwg

SHEET 2 OF 2

J:\PAR15808\Planning\Site Plan\PAR15808 SITE PLAN.dwg Jul 11, 2018, 4:38pm tshelton

Pre-Application No. 19-600-01

Maulhardt and Oxnard Union High School District Development Project

Filed By: Mike Penrod, Parkstone Companies, on behalf of Maulhardt/Stiles Ranch

City Council March 19, 2019

CITY OF OXNARD CALIFORNIA

Pre-Application

- Not a formal application.
- Project was previously presented to City Council on December 18, 2018. Applicant submitted revised conceptual plan and requests input from Council for future planning and development of property located at the northeast corner of Rose Avenue and Camino Del Sol.
- Specific input requested:
  1. Project Density and Land Use Design;
  2. Public Use of OUHSD Facilities Pursuant to a Civic Act Agreement; and
  3. Parks and Open Space Concept.

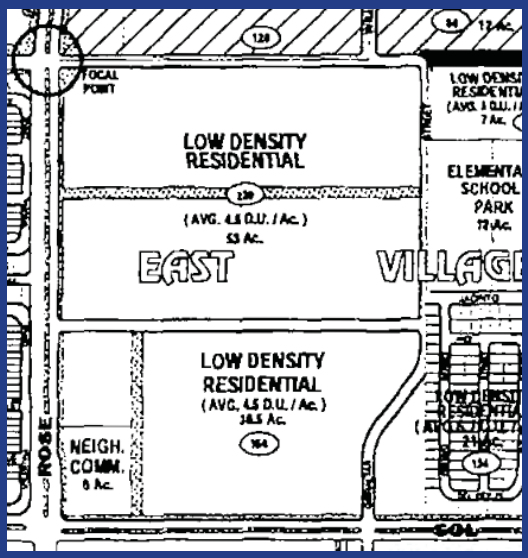
CITY OF OXNARD CALIFORNIA

Project Location and Existing Uses

- 107-acre farm and residence
- Within Northeast Community Specific Plan (East Village Phase III)

2030 General Plan and Specific Plan Designations

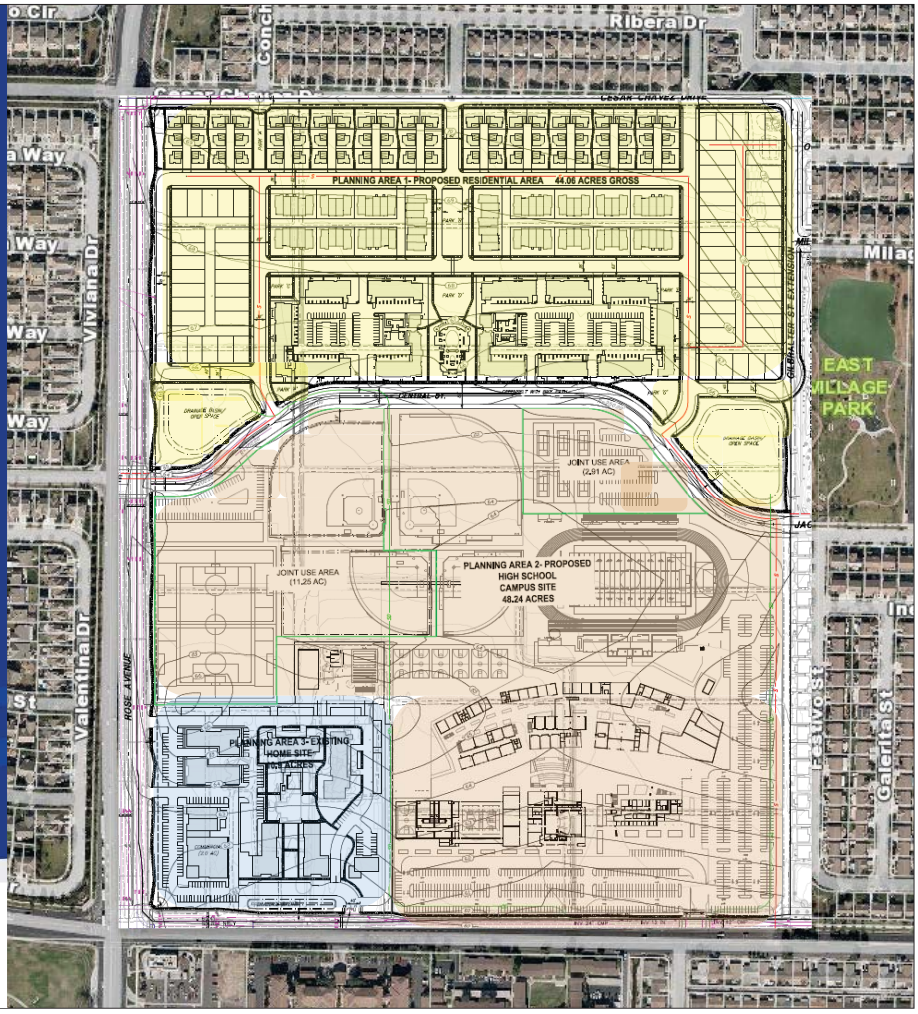
Urban Village – East Village Phase III



Low-Density Residential and Neighborhood Commercial

Previous Conceptual Site Plan (Dec, 2018)

- Planning Area I
- Planning Area II
- Planning Area III



December, 2018 Pre-Application Project Summary

<u>Residential:</u> 590 Units

- 528 Multi-Family
- 62 Single-Family Detached

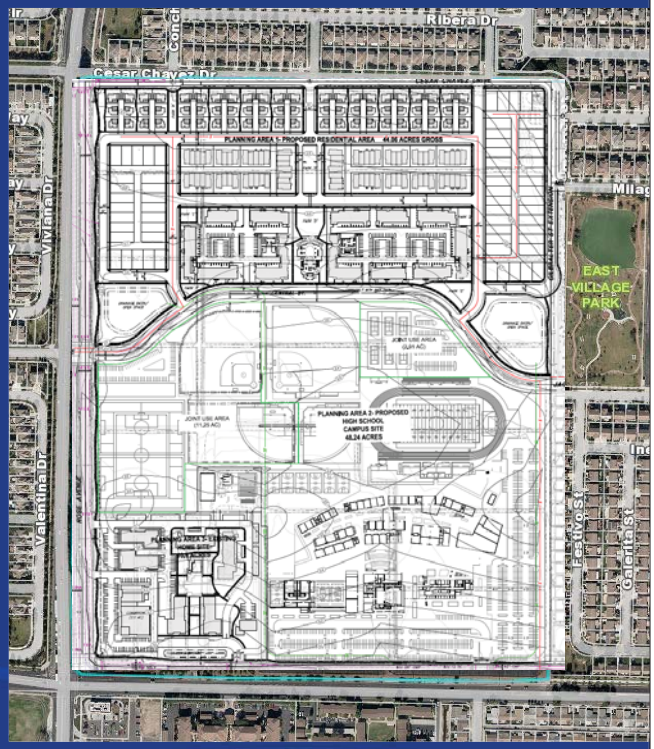
<u>Commercial:</u> 21,300 Square Feet

<u>High School (OUHSD):</u>

- 2,300 Students
- 14.2 Acres for City Joint Use

<u>Parks/Open Space:</u>

- 7 “Parks” (1.5 acres total)
- 2 Open Drainage Basins (4.1 acres)



CITY OF OXNARD CALIFORNIA

December, 2018 Pre-Application Feedback

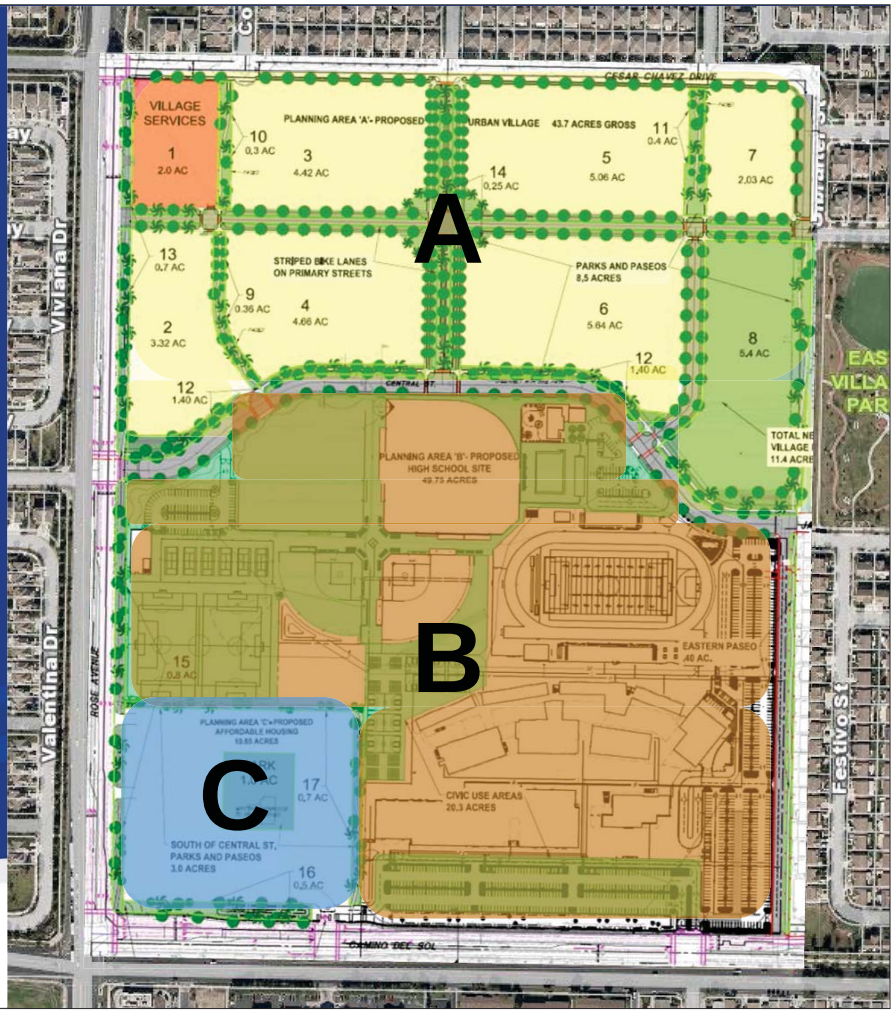
During Pre-Application discussion, Council provided comments on the following subjects:

- Residential density and housing types;
- Consistency with Urban Village designation;
- Design and programming of High School;
- Parks space and proposed joint-use areas; and
- Historic asset preservation and reuse.

CITY OF OXNARD CALIFORNIA

Revised Pre-Application

- Planning Area A
- Planning Area B
- Planning Area C



Planning Area A (approx 44 acres)

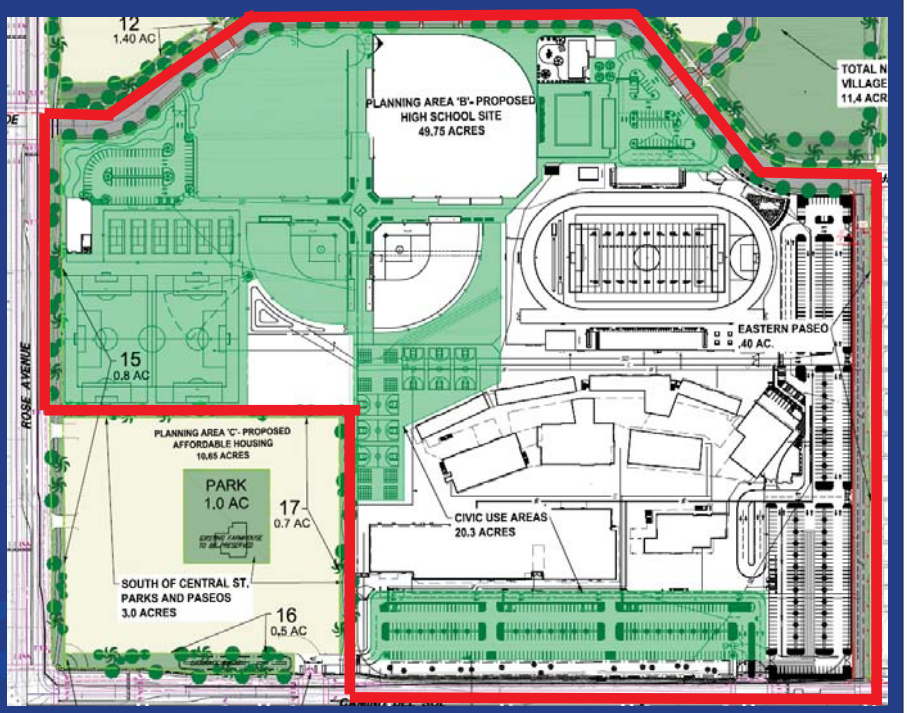
- 750-900 multi-family units
- 2 acres commercial
- 5.4-acre expansion to East Village Park (total 11.4-acre public park)
- 3.1 acres paseos and enhanced street frontages

CITY OF OXNARD CALIFORNIA

Planning Area B (approx 50 acres)

High School Campus (OUHSD)

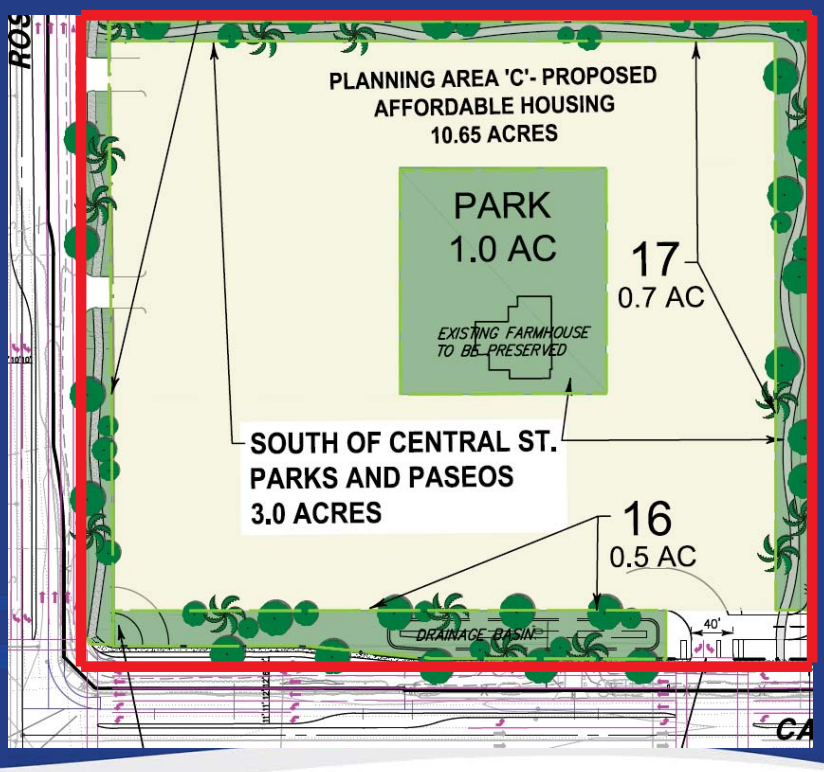
- 2,500 students
- sports and recreation facilities
- 20.3 for public use and scheduled use by community groups (Civic Center Act Agreement)
- Preservation and/or adaptive reuse of Maulhardt Barn
- .4-acre paseo



CITY OF OXNARD CALIFORNIA

Planning Area C (approx 11 acres)

- 150 to 200 affordable multi-family units
- One-acre park designed around the Maulhardt Farmhouse
- 2 acres paseos and enhanced street frontages



Development Entitlements

- As proposed, this project will require approval of the following entitlements prior to development:
  - General Plan Amendment
  - Specific Plan or Amendment to the Northeast Community Specific Plan
  - Zone Change
  - Tentative Subdivision Map
  - Discretionary Development Permit
  - Environmental Review

Specific Input Requested

- **Project Density and Land Use Design**:

  Residential density increased from 509 units to 900-1,100 units (28 to 34.3 units/acre). Housing types are multi-family, no single-family development proposed.

- **Public Use of OUHSD Facilities Pursuant to a Civic Act Agreement:**

  District proposes 20.3 acres of sports facilities, recreational areas, and parking for public use and scheduled use by organized groups.

CITY OF OXNARD CALIFORNIA

Specific Input Requested

- **Parks and Open Space Concept:**

Parks and Open Space Acreage	
Parks	6.4 (5.4 at East Village Park and 1 at Farmhouse)
Enhanced Streetscape and Paseos	5.5
OUHSD Facilities	20.3
Total Parks and Open Space:	**32.2 acres**

CITY OF OXNARD CALIFORNIA

Specific Input Requested

1. Project Density and Land Use Design;
2. Public Use of OUHSD Facilities Pursuant to a Civic Act Agreement; and
3. Parks and Open Space Concept.

Notes: Quimby Obligation

- Ord 2683 requires 3 acres of parks per 1,000 residents (i.e. Quimby obligation) and established occupancy rates for new development:
  - 3.9 persons/household for single-family or townhomes
  - 2.85 persons/household for condominiums
  - 2.0 persons/household for apartments or mobile homes
- Project proposes 900-1,100 units but details regarding housing types have not been identified.
- Based on the possible range of occupancy for 900-1,100 units, Quimby obligation (land and/or fee) required is <u>minimum 5.4, maximum 12.87 acres.</u>

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CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Report** **AGENDA ITEM NO.: 2**

DATE: March 19, 2019

TO: City Council

FROM: Jeffrey Lambert
Development Services Director

SUBJECT: Planning & Zoning Permit No. 18-600-02 - Pre-Application Review of the Portofino Place Residential Development Project, Located on the Southeast and Southwest Corners of Fifth Street and Portofino Place. Filed by John Morelli on Behalf of Portofino Place, LLC. (15/20/15)

CONTACT: Jeffrey Lambert, Development Services Director
Jeffrey.Lambert@oxnard.org, (805) 385-7882

RECOMMENDATION:

That the City Council review and provide preliminary comments on:
1. A Pre-Application to construct 45-duplex residential buildings (90 total units), inclusive of a 2,800 square-foot office/gym/pool building; 412 parking spaces; dog park; and children's play area; and
2. The applicant's request to pay the City's in lieu affordable housing fee instead of constructing the affordable housing units on site.

BACKGROUND

The Pre-Application process allows City Council members an opportunity to make individual comments concerning a future development project. The Council's preliminary comments may be helpful for the applicant to refine the proposal or to determine whether entitlement should be pursued for the proposal. Comments provided by the Council on a Pre-Application do not constitute a decision or endorsement of the proposal. In accordance with State Law, no formal direction or decision making will take place until such time as a formal application has been filed and has undergone appropriate environmental review and evaluation for consistency with adopted City plans and policies and public notice has been provided. Input provided by the Council will help inform the Applicant's decision to proceed through the entitlement process.

The Project site is located south of the Oxnard Airport, at the southwesterly and southeasterly corners of Fifth Street and Portofino Place, within the Sea View Estates Neighborhood, and is part of a larger 17-acre project site that has been developed in phases. Prior to 2004, the 17-acre project site had a 2020 General Land Use designation of Business Research Park (BRP) and was zoned BRP. In 2004 the Council approved a General Plan Amendment and Zone Change to designate 7.885 acres of the 17 acres residential. At that time, just south of the subject side, Council approved a tentative subdivision map and special use permit for the construction of 41 single-family residences. Per the 2004 Project, the 2020 General Plan land use designation and zoning for the remaining 7.61 acres was to be changed to Commercial General and General Commercial (C-2) through a separate General Plan Amendment and Zone Change application but it remained the same – BRP. That application never came forward.

EXISTING LAND USES

The Pre-Application involves the development of a 7.61-acre project site (3 parcels) which is currently vacant with no improvements. The Project site is surrounded immediately to the south by the 41 single-family residential subdivision and a 101 multiple-family subdivision to the immediate southwest that was constructed on a parcel zoned C-2 zone.

LOCATION	ZONING DESIGNATION	GENERAL PLAN DESIGNATION	EXISTING LAND USE
Project Site	Business and Research Park (BRP)	Business Research Park	Vacant
North	Light Manufacturing/ Planned Development (M-1-PD)	Airport Compatible	Oxnard Airport
East	Community Reserve (C-R)	School	Juan Lagunas Soria School
South	Single-Family/Planned Development (R-1-PD)	Residential Low	Residential Subdivision
West	General Commercial/Planned Development (C-2-PD)	Commercial General	Vacant

PRE-APPLICATION PROPOSAL

The Project proposes a General Plan Amendment to change the existing land use designation on the Project site from Business Research Park to Residential Medium and a Zone Change from Business and Research Park to Residential Multiple Family/Planned Development (R-2-PD)/Planned Residential Group in order to construct 45 rental duplexes (90 units). The development would also provide for a 2,800 square-foot office/gym/pool building; 412 parking spaces; dog park; children's play area; entry gates; interior circulation improvements; and a Tentative Subdivision Map to for a residential subdivision. The proposed density of the Project as designed is approximately 12 units per acre.

The Project provides two and three bedroom floor plans ranging in size from approximately 1,450-1,530 square feet. The residential units are two stories, have a two car garage, and have a uniformed architectural theme.

ITEMS FOR COUNCIL CONSIDERATION

The Planning Division has reviewed the Pre-Application proposal and consulted with relevant City departments. A summary of issues for consideration with this pre-application follows:

Oxnard Airport

The Project site is located directly south of the Oxnard Airport, within the Oxnard Airport Sphere of Influence (SOI) area. The Airport SOI is generally an area which extends in a circle around the airport bounded on the north by Doris Avenue, on the east by "B" Street, on the south by Wooley Road, and on the west by the Edison Canal. According to the Airport Comprehensive Land Use Plan for Ventura County (CLUP) the project is within the Height and Traffic Pattern Zones.

Prior to a formal submittal of a development project to the City, the applicant must request a review by the Federal Aviation Administration for a determination on the risk assessment. Additionally, prior to the approval of the project by the City, the Oxnard Airport Authority must review the project for conformity with the CLUP. The Airport Land Use Commission will review the Project and determine if the Project complies with the CLUP.

The Applicant consulted with the Ventura County Transportation Commission (VCTC) to receive guidance for development of the site. VCTC does not provide a recommendation until a formal application is submitted for review before the Ventura County Airport Land Use Commission. However, VCTC indicated to the Applicant that multi-family residential is conditionally permitted under the CLUP, provided that the maximum structural coverage is not more than 25% of the total land area of the parcel. Based on the preliminary information provided by the Applicant, the Project has been designed with a maximum structural coverage of just under 25%. Additionally, an aviation easement is required to be recorded if the Project is approved. The VCTC determination findings and conclusions will require verification, if the applicant chooses to proceed and submit an application.

2030 General Plan Consistency

The 2030 General Plan designates the subject site for Business Research Park land uses. The 2030 General Plan land use designation of Business Research Park is characterized by professional, administrative, research, and limited manufacturing uses along with limited commercial activities intended to support such uses, integrated into campus-like environments that are oriented towards arterials, freeways, airports, and harbors, and developed to high property and development standards.

The proposed subdivision is not allowed under the Business and Research Park land use. To facilitate the development project, an amendment to the 2030 General Plan land use map would be required. Based upon the land use proposal, the general plan would need to be changed to Residential Medium (12-18 dwelling units per acre).

The Sea View Estates neighborhood is characterized by single and multiple-family residential. If the General Plan Amendment and Zone Change to commercial use would had occurred in 2004, the General Commercial zoning would have allowed, with a special use permit, for residential development based on the Garden Apartment Zone (R-3) standards. The R-3 zoning is a higher density than the surrounding R-1 and R-2 zones that predominantly make up the Sea View Estates. The proposed 2030 General Plan Amendment and Zone Change for the Project site appears to be consistent with the type of residential development within the Project area but a comprehensive analysis would have to be made during the environmental analysis.

General Plan Policy CD-9.4 stipulates that because the development project is located directly adjacent to Fifth Street, which is a designated Scenic Roadway, the project must provide a high quality visual image and perception of the City. Based on 2030 General Plan Policy CD-9.4, the Project would be required to provide a landscape buffer corridor of at least 30 feet long. Additionally, the Project would be required to be designed in accordance to Policy CD-9.1 to ensure that the project recognizes, preserves, and improves the visual identity and character of the existing Sea View Estates Neighborhood and surrounding residential communities. Although the plans are conceptual, additional design and articulation would be warranted if a formal application is submitted.

Zoning Consistency

The Project site is zoned Business and Research Park. Pursuant to Oxnard City Code (OCC) Section 16-176, intended to provide areas for a limited group of professional, administrative and high technology research and manufacturing uses along with limited commercial activities intended to support such uses. The BRP zone does not permit the construction of residential dwelling units. In order to permit the residential subdivision, a zone change is required to change the zoning designation on the project site to Multiple-Family Zone (R-2).

Based upon R-2 development standards, Airport CLUP coverage requirements, and required dedications, it is likely that approximately 45 duplexes (90 dwelling units) could be constructed on the project site; however, the residential development would likely require either a Planned Development (PD) or a Planned Residential Group (PRG) overlay to allow for modifications to the development standards such as density, setbacks, and open space areas.

The Project has been designed to incorporate architectural features from the surrounding residential developments. The Project offers children's play areas, dog parks, swimming pool and gym and exercise parks. The Project layout would be analyzed through the environmental review to ensure consistency with surrounding residential developments and conformity to the City's 2030 General Plan and OCC.

Environmental Review

The project is subject to the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines (Thresholds). Staff will need to complete an Initial Study evaluating the various environmental impact categories (ex., water, sewer, traffic, public safety, ex.). If the project moves forward, project specific infrastructure, as well as traffic studies, will be required. The project will be required to upgrade all sewer, water, and storm drain systems to ensure that infrastructure has been designed to meet City capacity standards in compliance with all City Codes. In terms of traffic, a preliminary analysis of the Project determined that the Applicant should study gaining access from Jolly Roger Way and approach the commercial project to the west which is under construction to share a driveway which they are required to install along Fifth Street.

The project will be required to comply with the City's water neutrality policy. The project will be required to evaluate total water supply and projected need and ensure sufficient water is available to meet projected demand. A preliminary water demand analysis provided by the Applicant identified that the proposed Project would yield less demand for water than a project allowed under the BRP zone. Please see Attachment E.

Based upon the result of an environmental analysis, a determination if the preparation of either an Environmental Impact Report or Mitigated Negative Declaration will be made.

Parks/Quimby

Pursuant to the Quimby Act, Ordinance No. 2683 provides a basis for determining the park space required by new development within the City. As outlined by the ordinance, 3 acres of parks space is required for every 1,000 residents, commonly referred to as a "Quimby" obligation. The ordinance establishes density factors to identify the required park acreage. These factors are 3.9 persons/household for single-family or townhomes, 2.85 persons/household for condominiums, and 2.0 persons/household for apartments or mobile homes. A preliminary estimate of the Quimby park obligation, based on 90 dwelling units, results in a minimum of 1.053 acres of parkland. Alternatively, the Applicant can request to pay a Quimby in lieu fee which is determined by the fair market value of the required park acreage at the date of filing the final map.

Request to Pay Affordable Housing In-Lieu Fee

The applicant is proposing to construct 45 rental duplex units. Pursuant to City Council Ordinance No. not less than 5% of the total number of dwelling units offered for rent in the project that shall be rented at an affordable rent to persons and families of very low income or the developer may make a written request to be considered by City Council, to make an in-lieu Affordable Housing Payment to the City's Affordable Housing in Lieu Fee Fund. Based on the aforementioned, the Project is required to provide 5 affordable units onsite, or seek council consideration to pay an in-lieu fee. The Applicant is requesting pay the in-lieu Affordable Housing Payment instead of providing the affordable housing units onsite (See Attachment D).

STRATEGIC PRIORITIES

Quality of Life
This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 3. Strengthen neighborhood development, and connect City, community and culture.

Objective 3a. Create a renewed focus on establishing a positive outlook and orientation of our City, neighborhoods and overall community.

Natural Resources
This agenda item supports the Infrastructure and Natural Resources strategy. The purpose of the Infrastructure and Natural Resources strategy is to establish, preserve and improve our infrastructure and natural resources through effective planning, prioritization, and efficient use of available funding. This item supports the following goals and objectives:

Goal 5. Ensure orderly development and long-range conservation and management of our natural resources and coastal assets.

FINANCIAL IMPACT

No fiscal impacts are associated with review of this Pre-Application.

Prepared by Isidro Figueroa, Principal Planner

ATTACHMENTS:

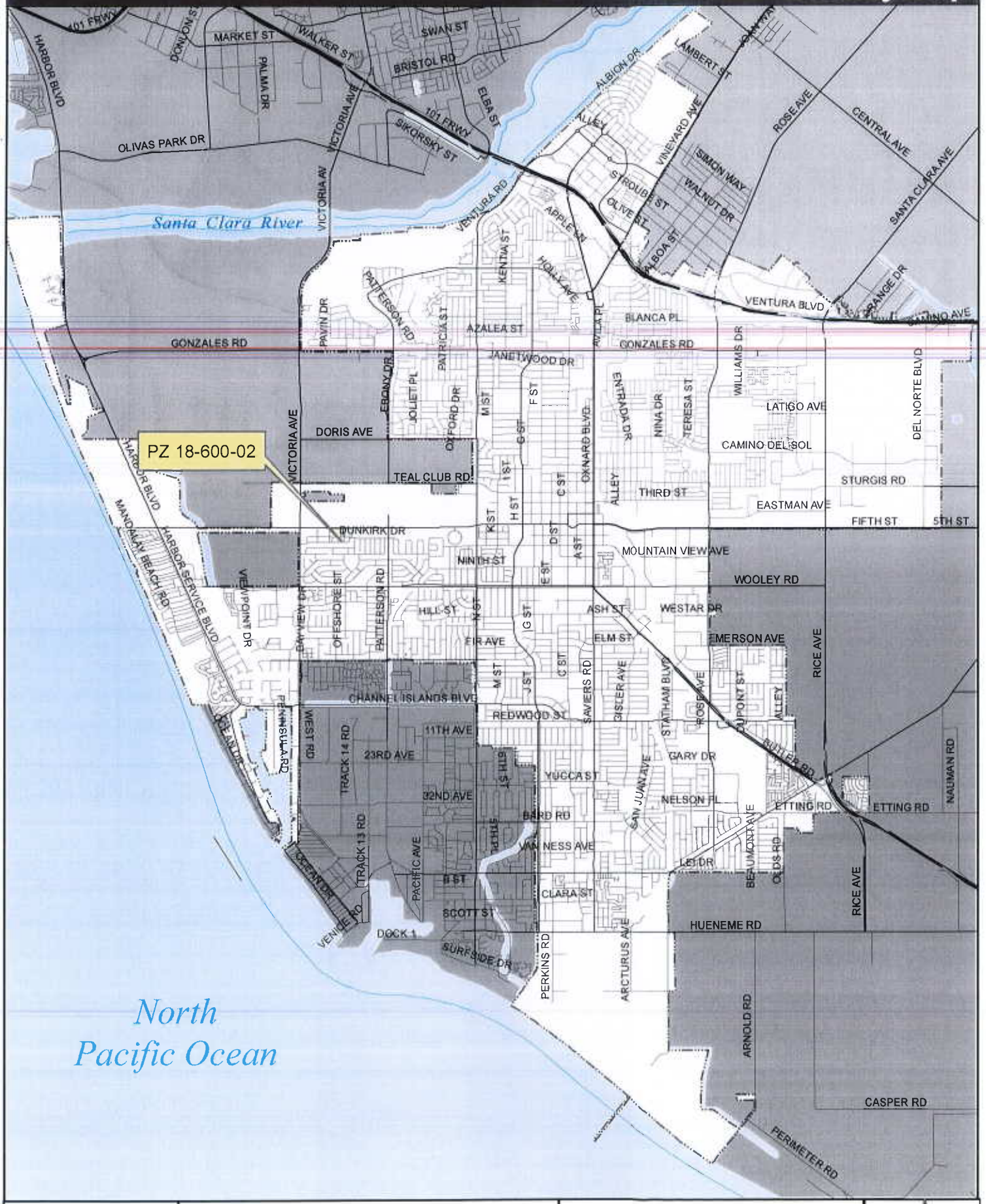
Attachment A_Maps

Attachment B_Project Plans

Attachment C_Pre-Application Letter (Justification Letter)

Attachment D_Preliminary Water Demand Analysis

Vicinity Map



OXNARD
Oxnard Planning
February 26, 2019

PZ 18-600-02
Location: Fifth St and Portofino Pl
APN:1850221020, 1850221260, 1850223010

Vicinity Map

0 0.5 1 1.5 2 Miles

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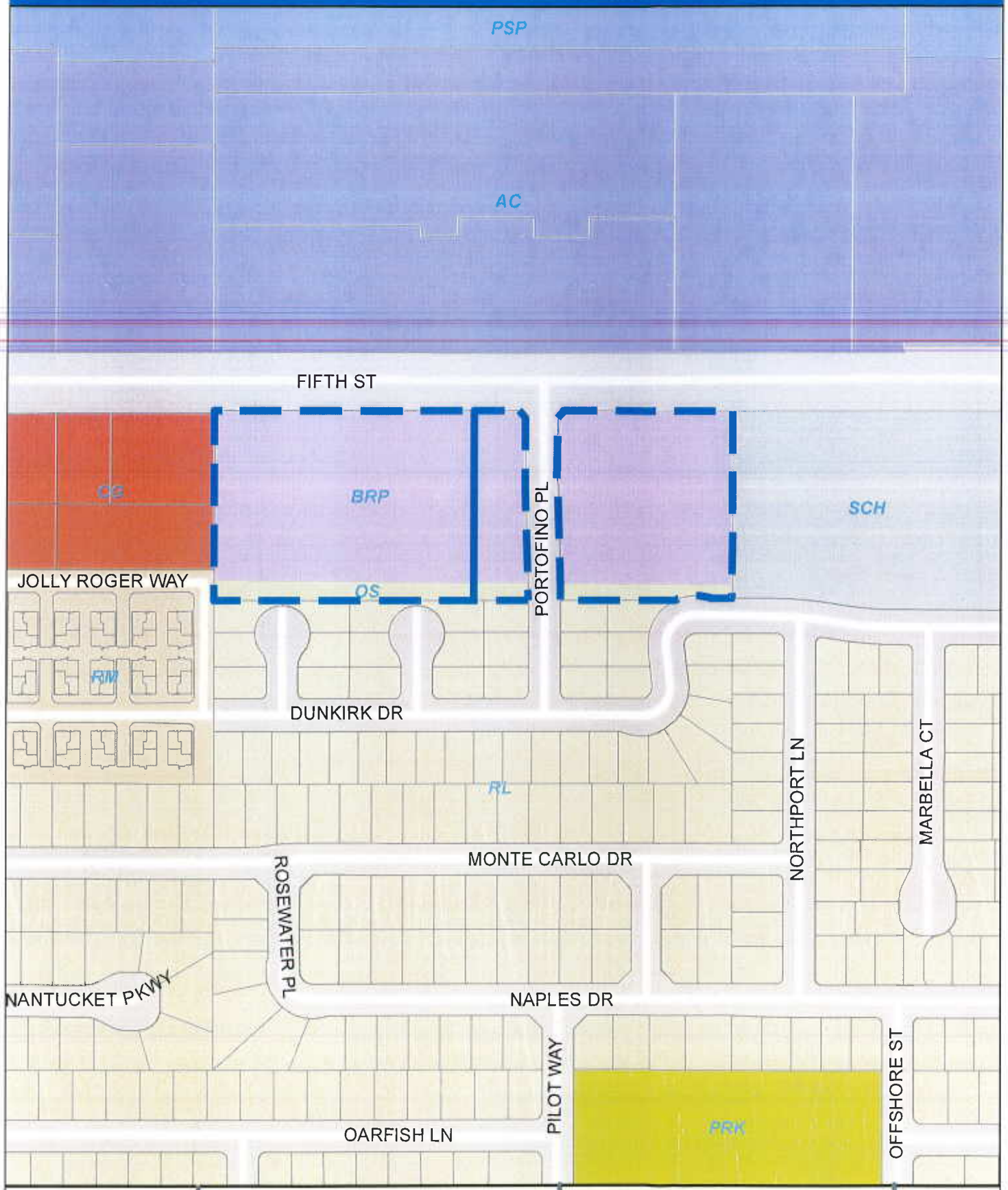
2030 General Plan Land Use Map



OXNARD

Oxnard Planning

February 26, 2019

PZ 18-600-02
Location: Fifth St and Portofino Pl
APN:1850221020, 1850221260, 1850223010

0 75 150 300 Feet

2030 General Plan Land Use Map

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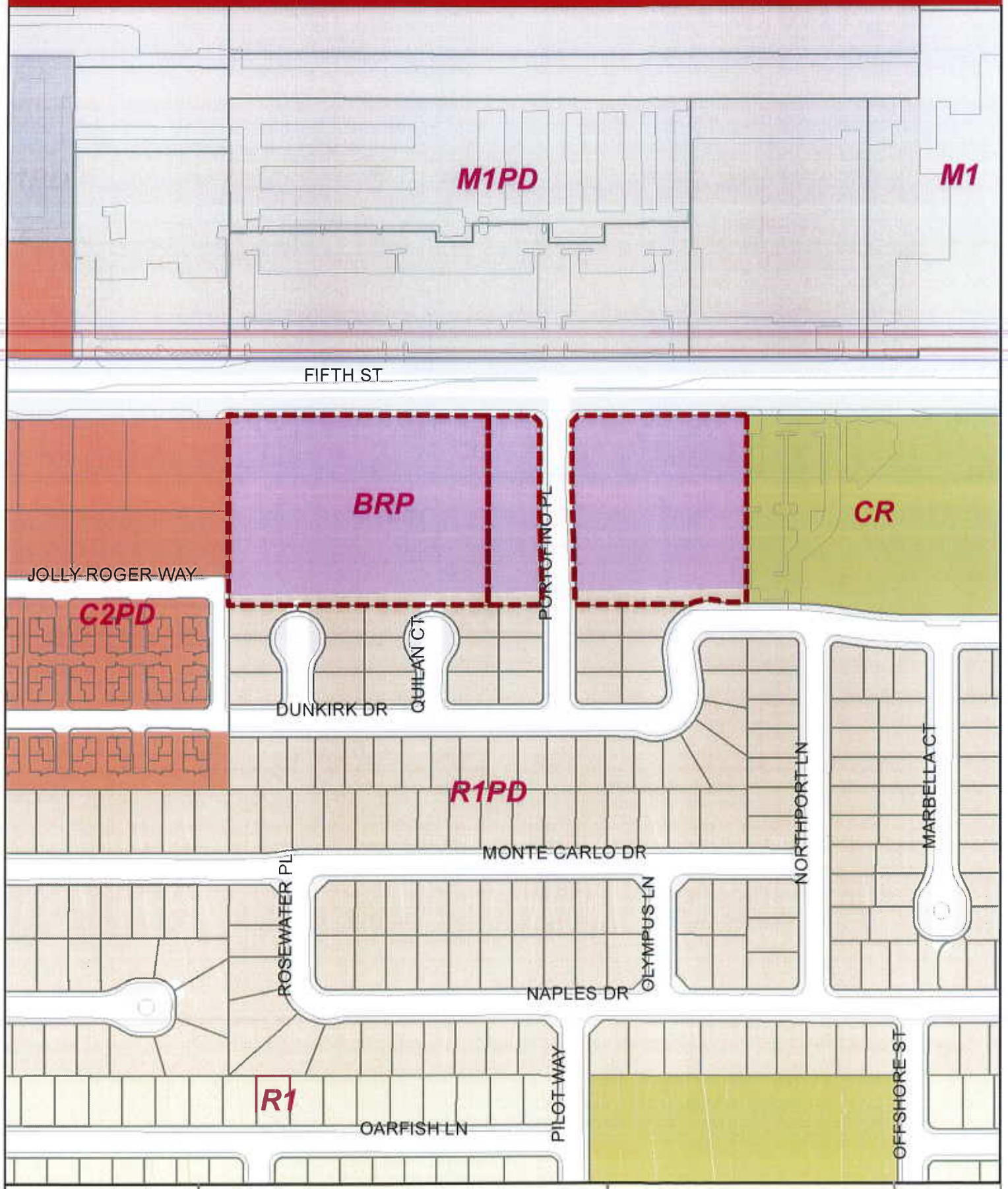


OXNARD

Oxnard Planning

February 26, 2019

PZ 18-600-02
Location: Fifth St and Portofino Pl
APN:1850221020, 1850221260, 1850223010

0 50 100 200 300 400 Feet

Zoning/Specific Plan Map

Aerial Map

OXNARD

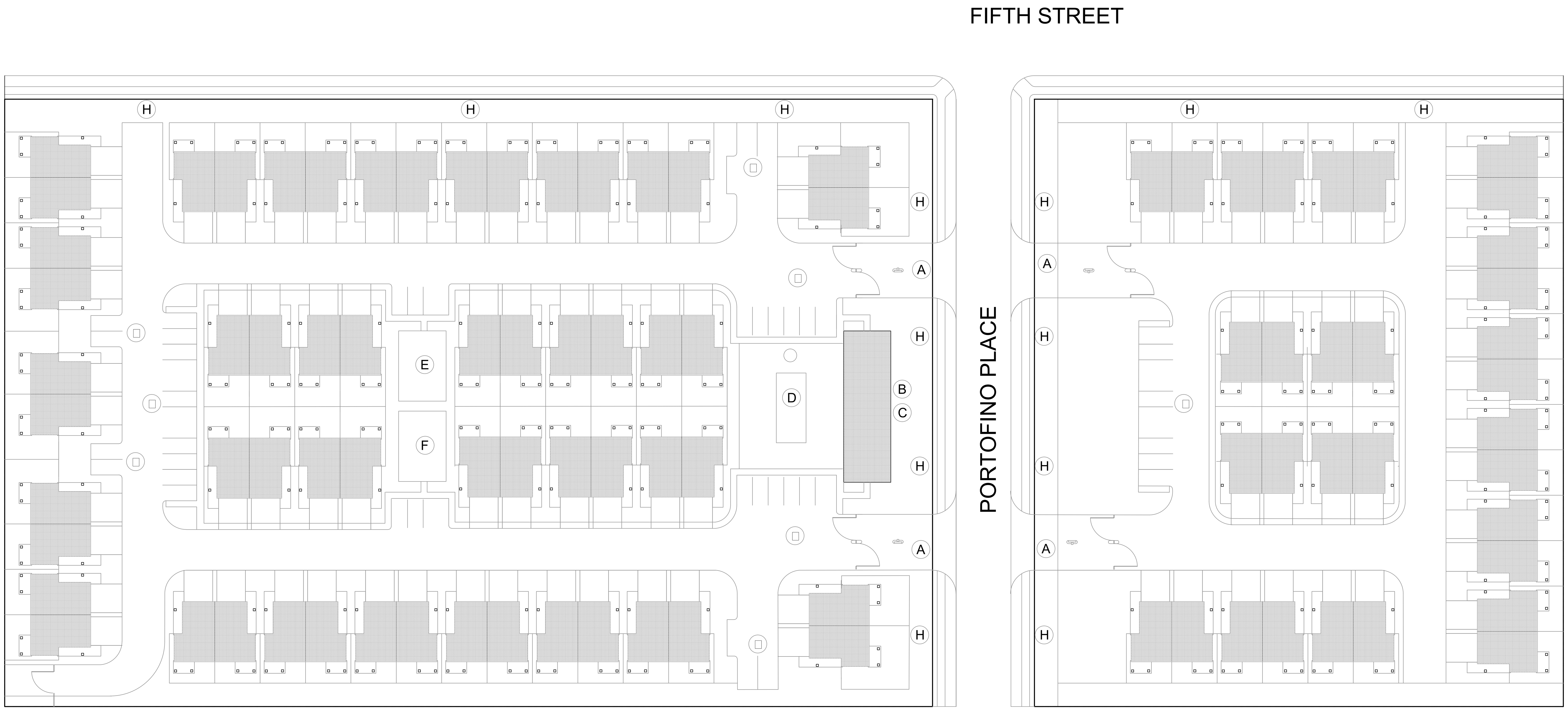
Oxnard Planning

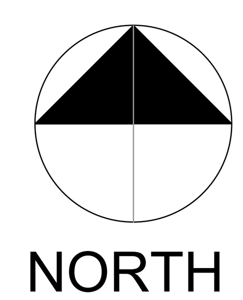
February 26, 2019

PZ 18-600-02
Location: Fifth St and Portofino Pl
APN:1850221020, 1850221260, 1850223010

0 50 100 200 300 400 Feet

Aerial Map





SITE PLAN

LEGEND

- (A) ENTRY GATE AND TURN□OUT
- (B) ON SITE RENTAL□MANAGEMENT
- (C) POOL BATH□GYM
- (D) POOL□□A□U□□I
- (E) CHILDREN PLAY AREA
- (F) DOG PARK
- (G) TYPICAL 26□STREET
- (H) EXISTING SIDE□ALK AND LANDSCAPING
- (□) GUEST PARKING □UANTITY

PROGRAM SUMMARY

SITE DATA

LOT			UNIT COUNT
PARCEL □A□□	4.07 ACRES	177□289.2 SF	58
PARCEL □B□□	.81 ACRES	35□283 SF	
PARCEL □C□□	2.73 ACRES	118□918.8 SF	32
	7.61 ACRES	331□491.6 SF	90

BUILDING DATA

PLAN	PLAN	FOOTPRINT □SF□	TOTAL	FF LIVING	SF LIVING	TOTAL LIVING	TOTAL LIVING □GROSS□	VERANDA	TOTAL VERANDA	TOTAL PER UNIT
300	3 BR□3 BA	883	39□735	468	1060	1528	68□760	80	3600	72□360
200	2 BR□2 BA	883	39.735	468	997	1465	65□925	80	3600	69□525
			79□470				131□400		7□200	141□885

BUILDING COVERAGE

PLAN	PLOTTING	LIVING □SF□	GARAGE □SF□	FOOTPRINT □SF□	TOTAL
300	45	468	425	883	39□735
200	45	468	425	883	39.735
					79□470

AMENITY STRUCTURES □SF□		TOTAL
RENTAL OFFICE□	850	2□800
GYM□POOL BATH□	1950	79□470
	2800	82□270 □24.81□□

PARKING

GARAGE	GUEST □DRIVE□AY□	GUEST □OFF STREET□	TOTAL
180	180	56	412
2.0 PER UNIT	2.0 PER UNIT	.62 PER UNIT	4.6 PER UNIT

PACIFIC COAST INVESTMENTS, L.L.C

SITE PLAN

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PORTOFINO PLACE
O□□□rd□CA
APN 185□022□10□20
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APN 185□022□30□10

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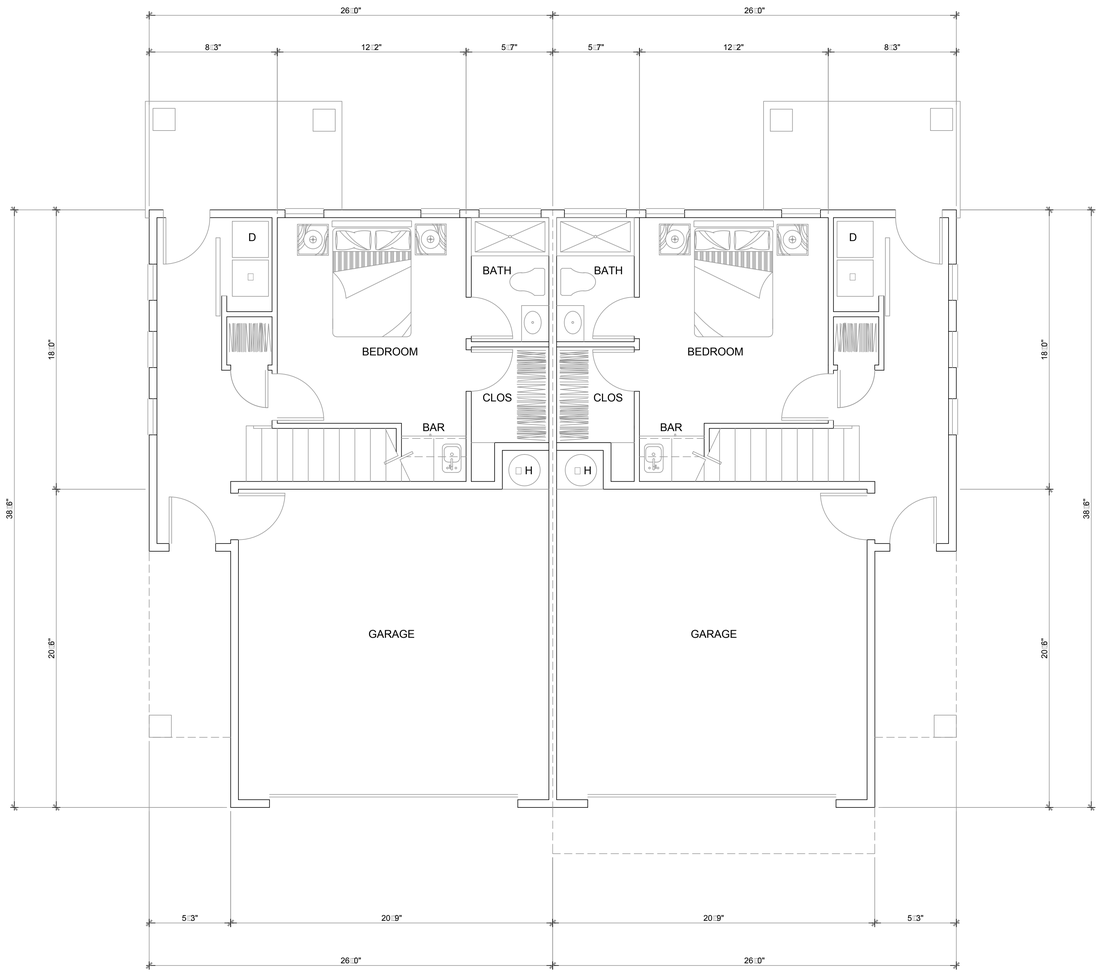
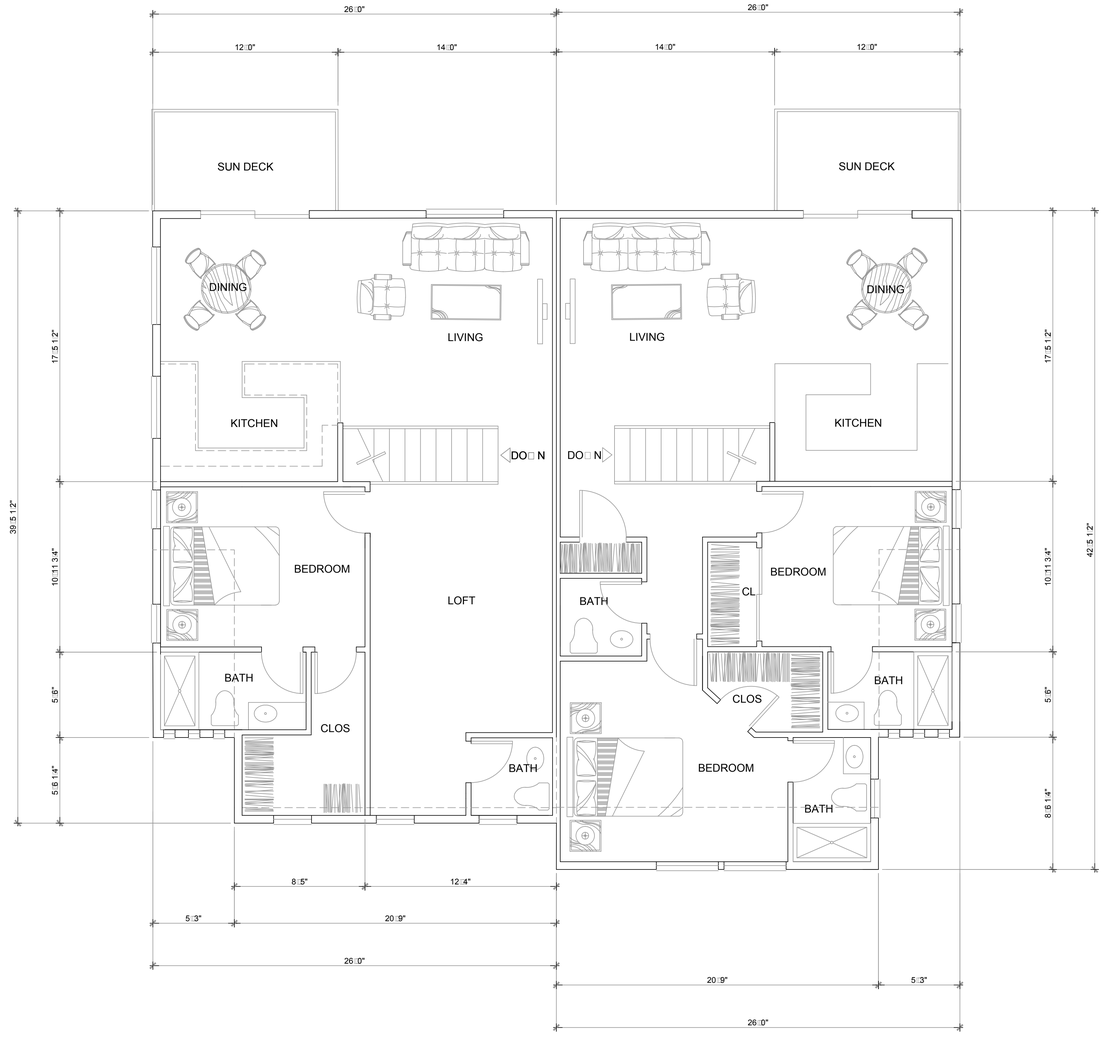


TYPICAL ENTRY FLOOR

FF LIVING 468 SF
FOOTPRINT 883 SF
GARAGE 425 SF



2 BEDROOM OPTION

FF LIVING 468
SF LIVING 997
TTL SF 1422

3 BEDROOM OPTION

FF LIVING 468
SF LIVING 1060
TTL SF 1585

PACIFIC COAST INVESTMENTS, L.L.C

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APN 185 022 30 10

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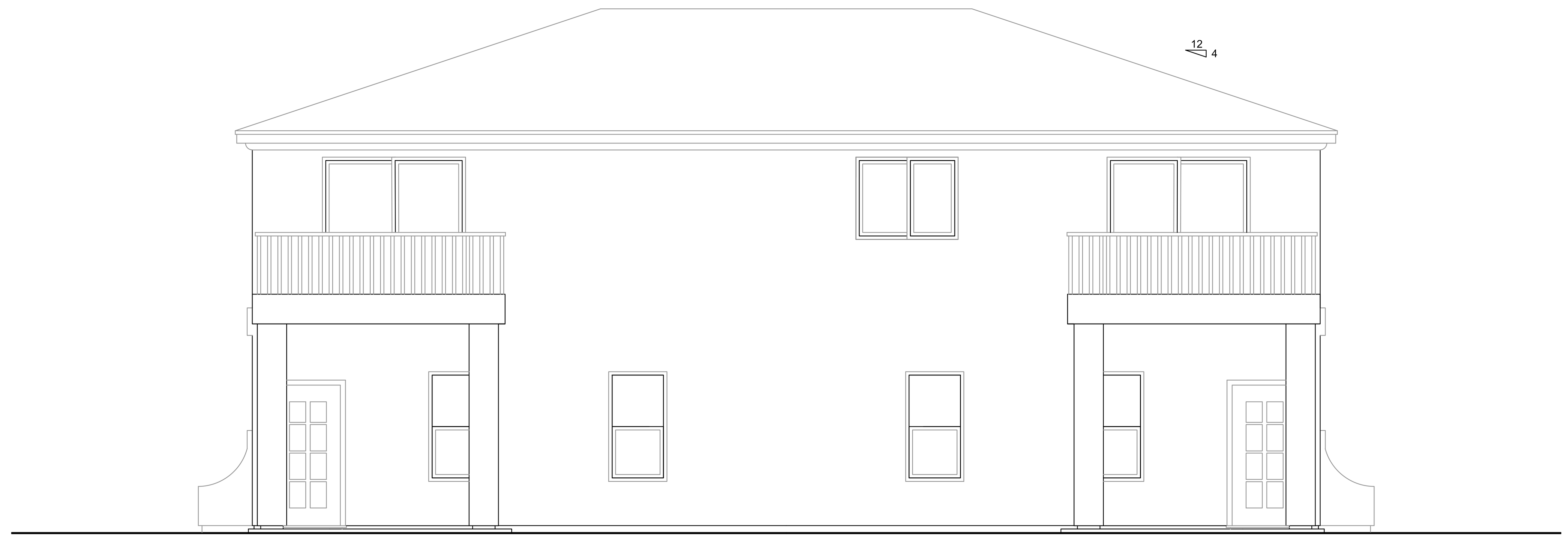
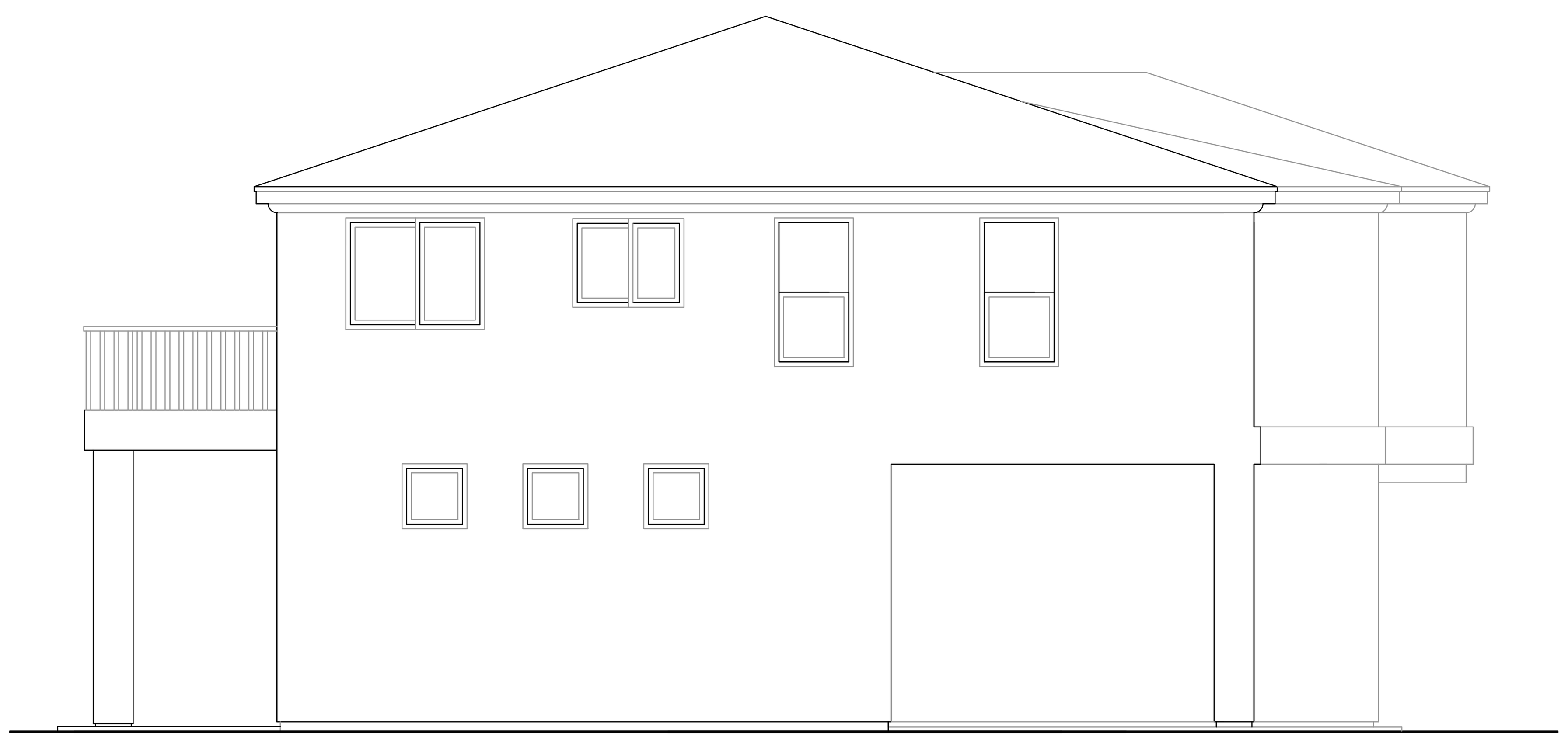
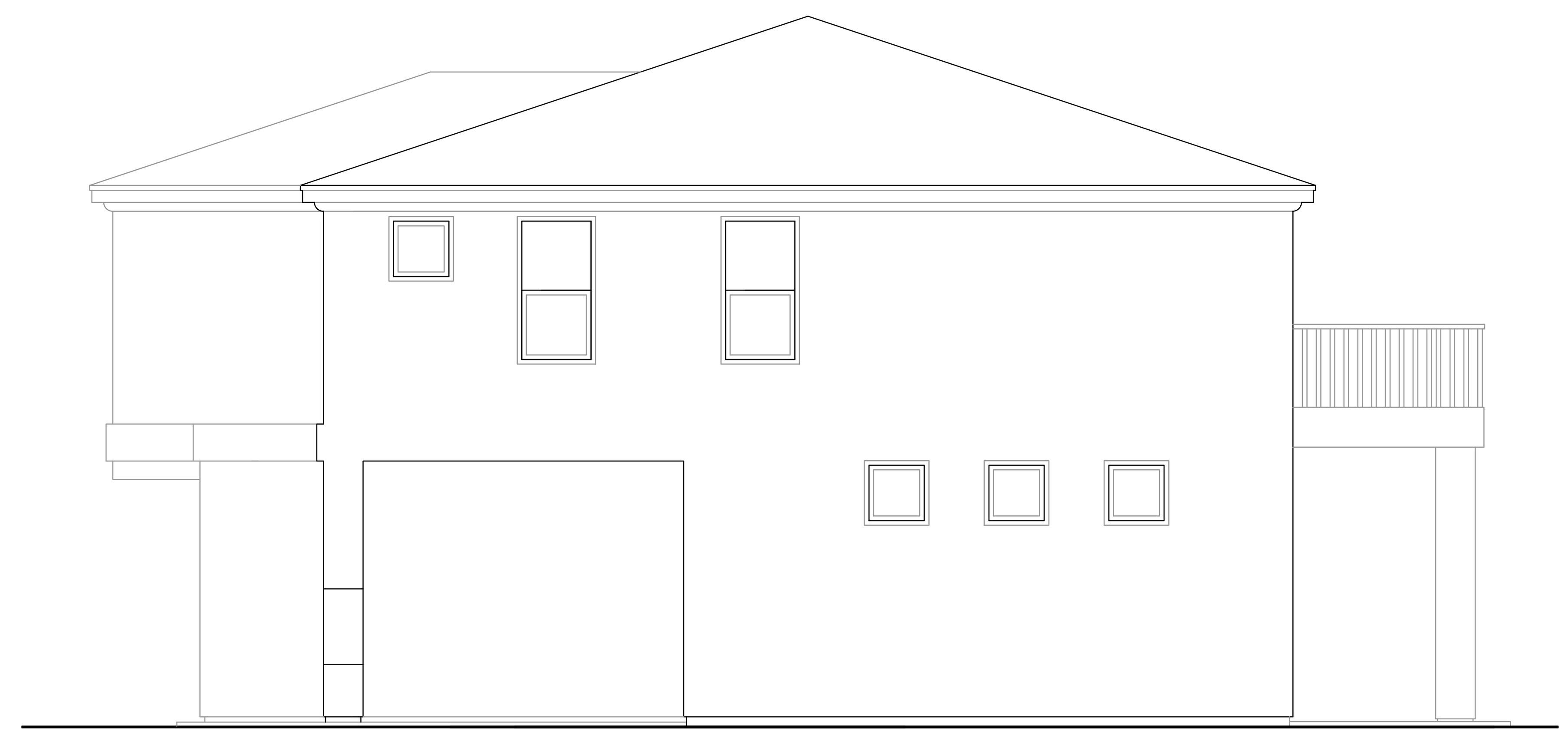


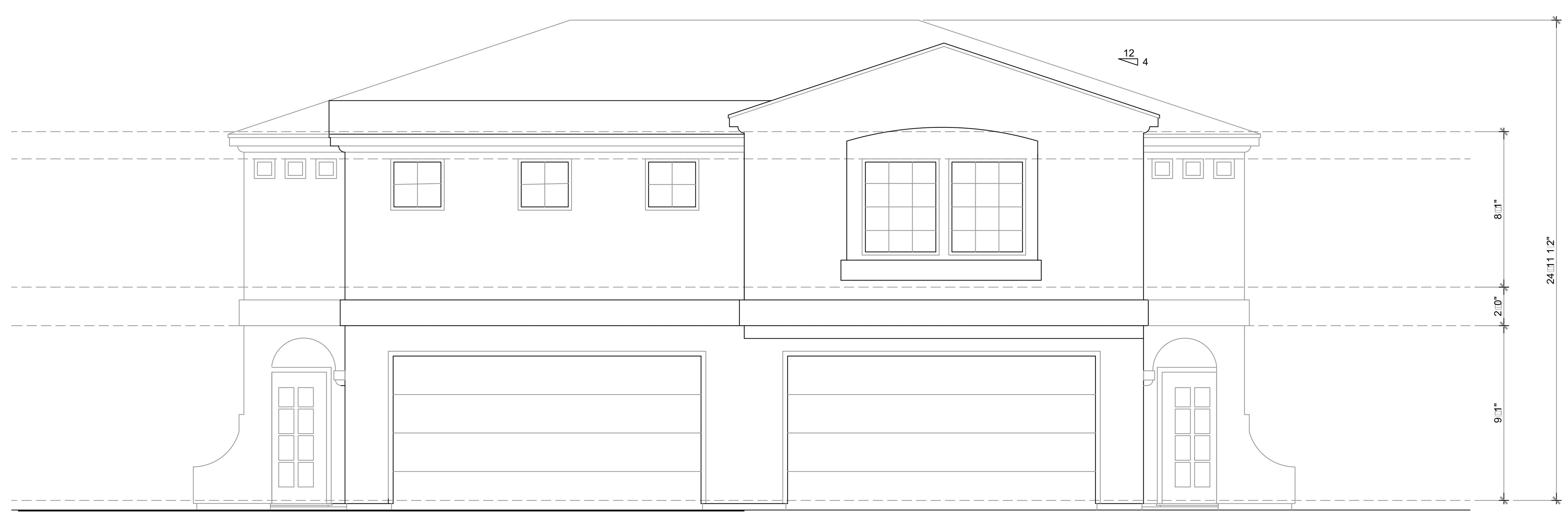
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION

PACIFIC COAST INVESTMENTS, L.L.C

ELEVATIONS

Graphic Scale 0 1 2 3 4 5 6 7 8

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Oxnard, CA
APN 185-022-10-20
APN 185-022-12-60
APN 185-022-30-10

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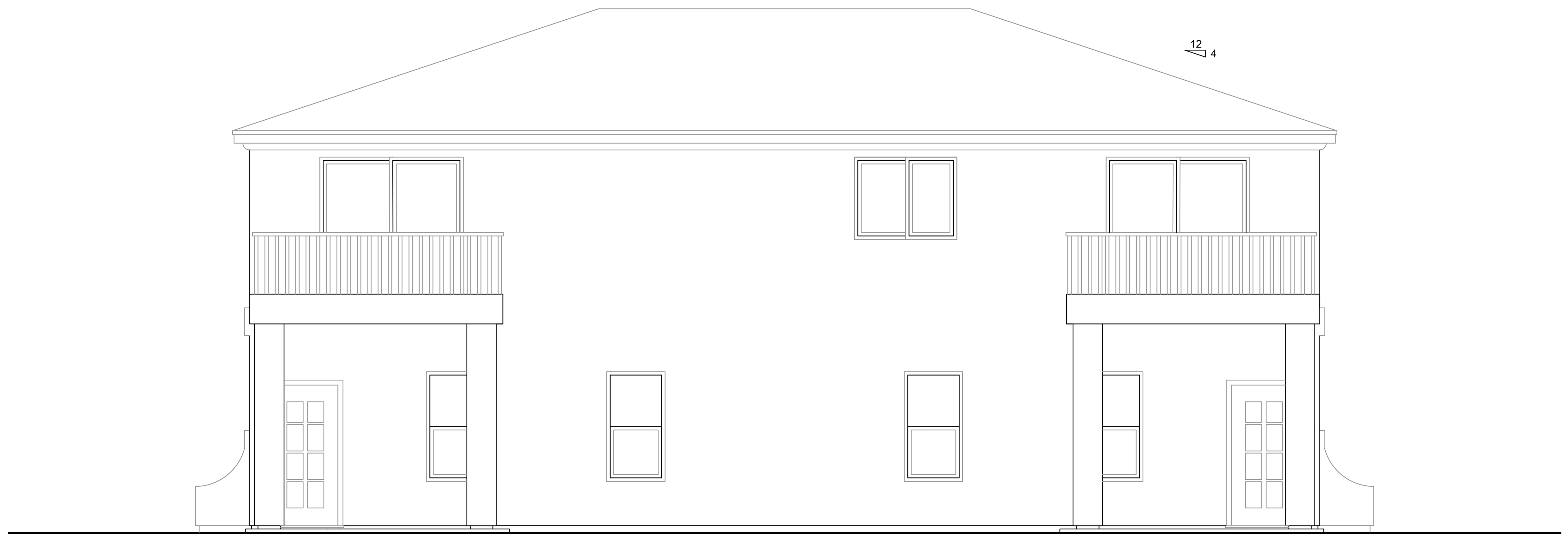

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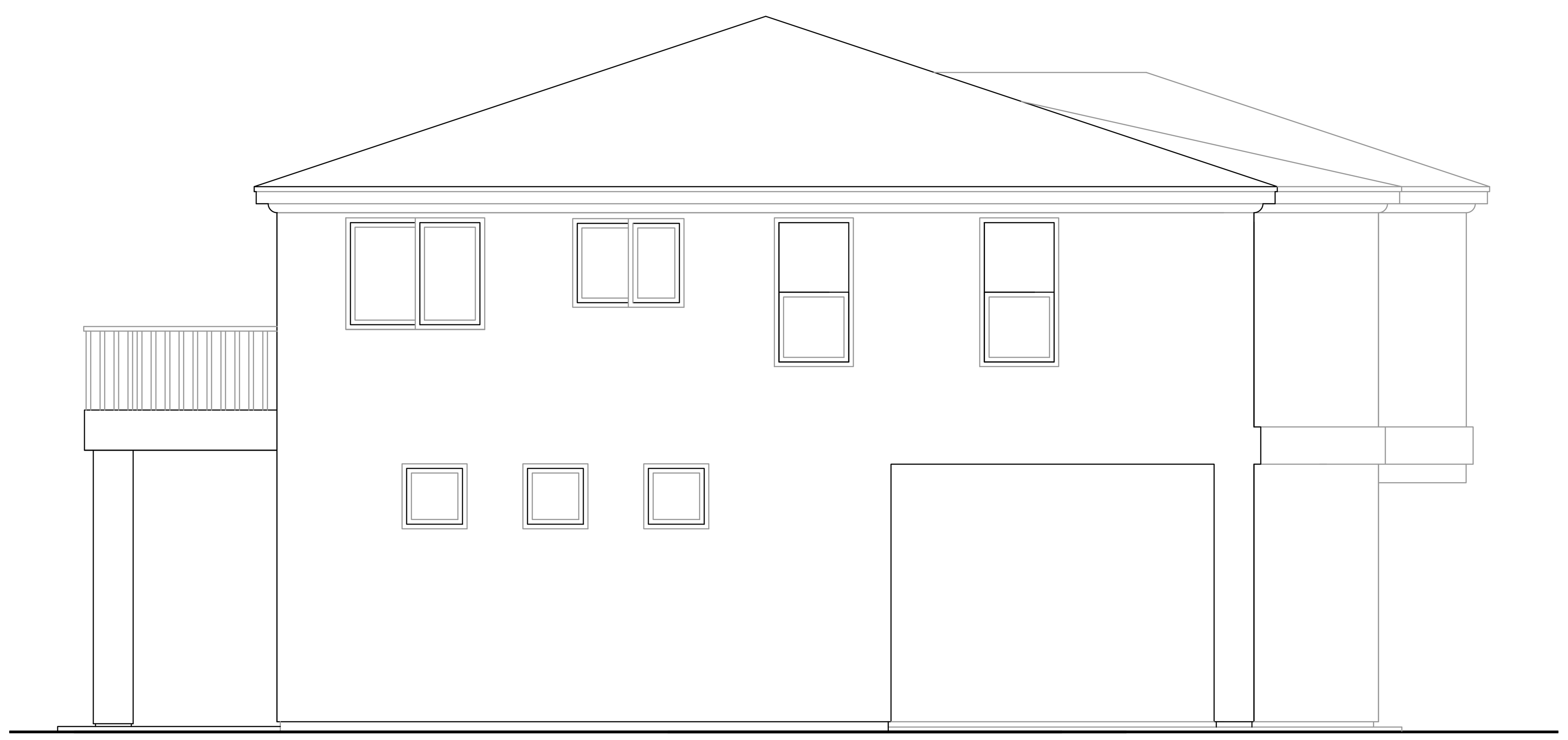
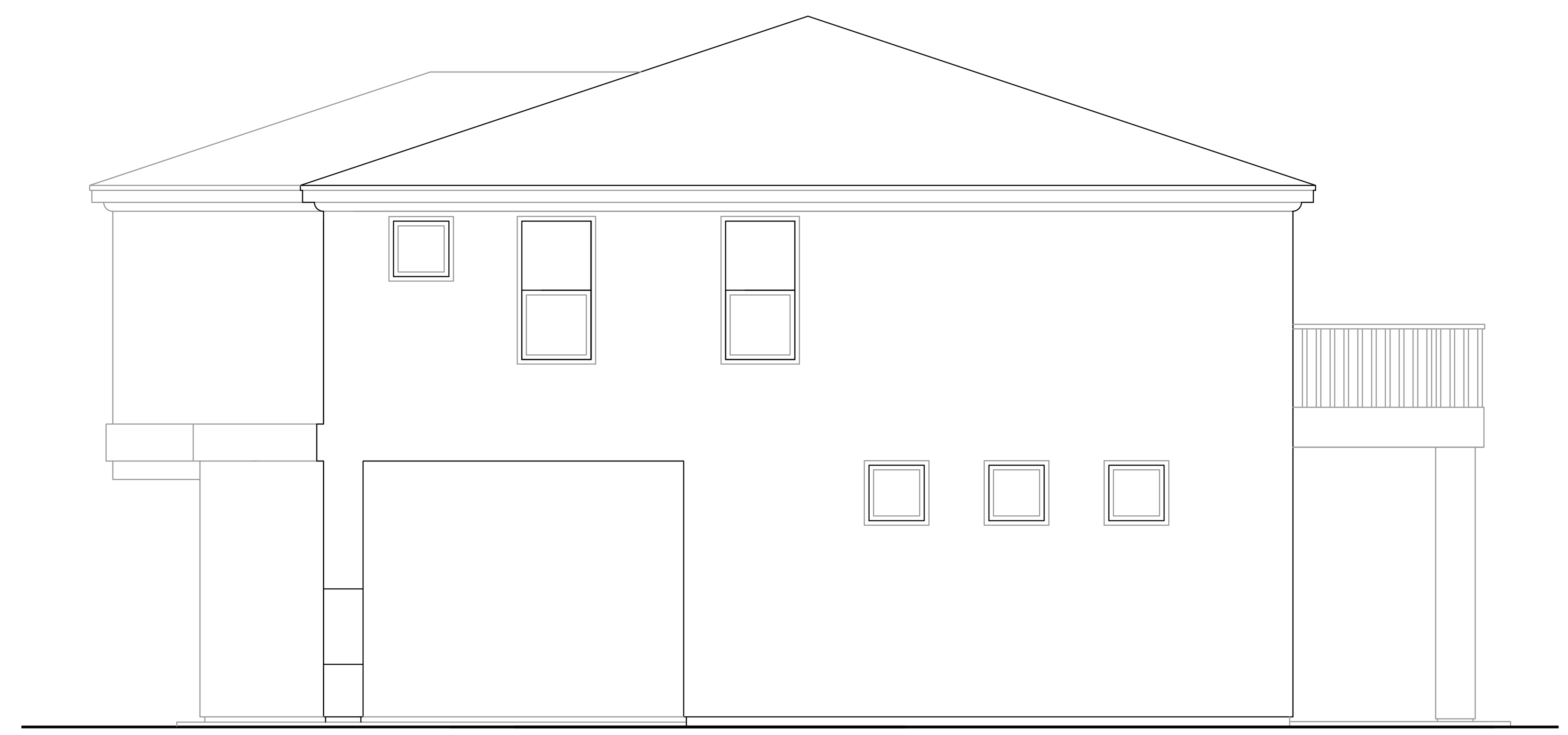


LEFT SIDE ELEVATION



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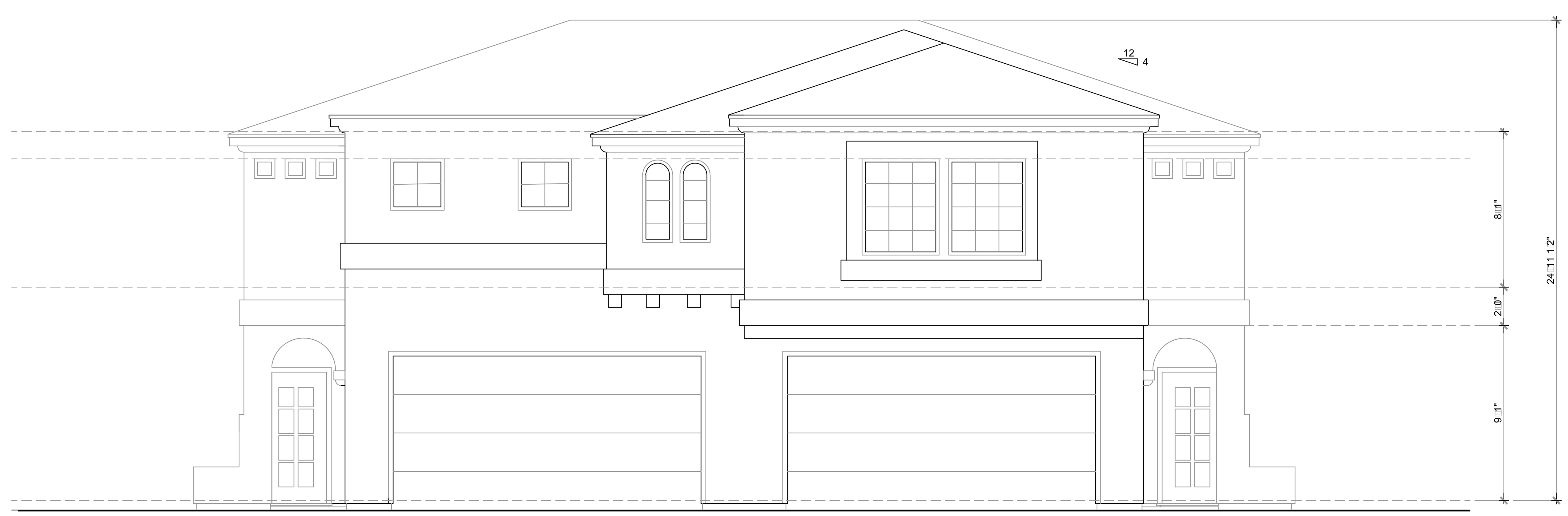

STREET ELEVATION

PACIFIC COAST INVESTMENTS, L.L.C

ELEVATIONS

PORTOFINO PLACE
Oxnard, CA
APN 185-022-10-20
APN 185-022-12-60
APN 185-022-30-10

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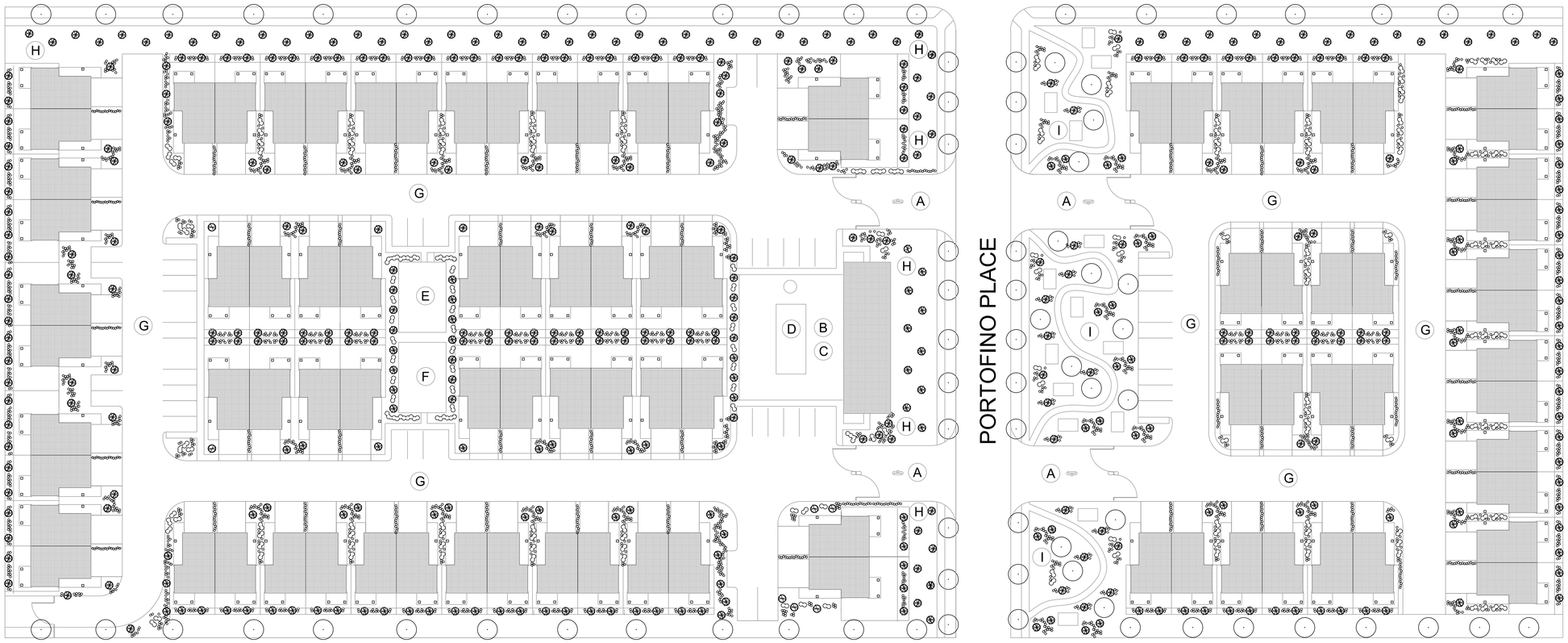
FIFTH STREET



NORTH

LANDSCAPE PLAN

NOTES LEGEND

- (A) ENTRY GATE AND TURN□OUT
- (B) ON SITE RENTAL□MANAGEMENT
- (C) POOL BATH□GYM
- (D) POOL□□A□U□□I
- (E) CHILDREN PLAY AREA
- (F) DOG PARK
- (G) TYPICAL 26□STREET
- (H) EXISTING SIDE □ ALK AND LANDSCAPING
- (I) □ ORKOUT □ CALISTHENICS PARK

LANDSCAPE LEGEND

TREES
24" BOX TREE□SPECIES TBD

SHRUBS
5 GALLON□DROUGHT TOLERANT□SPECIES TBD

GROUND COVER
5 GALLON□DROUGHT TOLERANT 12" OC□SPECIES TBD

EXISTING STREET LANDSCAPING

PACIFIC COAST INVESTMENTS, L.L.C

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VIA EMAIL

OXNARD PLANNING DEPARTMENT
ATTN: ISIDRO FIGUEROA
214 S. C. St
Oxnard, CA 93030

RE: Request for Pre-Application Review
Portofino Place
Intersection of Fifth Street and Portofino Place
APN: 185-022-10-20, 185-022-12-60, 185-022-30-10

Dear Mr. Figueroa:

On behalf of Portofino Place, LLC we respectfully submit the following in preparation for a Pre-Application Review, and ask that such a review take place as soon as possible.

Portofino Place has been working with the City for almost a year, concerning its plans to construct a 90-unit (45 duplexes) residential rental project at Fifth Street and Portofino Place. For more than 30 years, the owners of Portofino Place have operated a similar project only two miles away (the Stonebridge Townhomes), and are certain that this new project will fill a real need for residential rental property in the City.

Specifically, the proposed project will be a Planned Unit Development (PUD) for 45 duplexes (a total of 90 units). Half of the units are two bedroom/two bath units, and half of the units are three bedroom/two bath units. There will also be a 2,800 sf clubhouse on site, which will include a rental office, a gym, and a pool house.

As for zoning, the current General Plan designation is Business/Research Park (BRP), and within the Airport Overlay. The applicant would ask to change that to R-2 (PUD). The location is actually better suited to residential rather than Business Park. It is adjacent to residential properties and a school. It is an ideal location for expanded residential housing.

The environmental impacts of the project are expected to be negligible. The City has asked only for a site assessment and a water study, both of which have been completed and submitted to the City. All other impacts are expected to be minimal, and the applicant would like to "pre-load" mitigation measures into the application to insure the best possible project is presented to the decision-makers and the public. This is one of the reasons for the pre-application review: the applicant wants to create a submission that is as close to complete and fully mitigated as possible, within the constraints of the site.

The applicant is asking to pay "in lieu" fees for the City's affordable housing requirement. Ordinance 2721 allows for a project such as this (all units will be for rent, instead of for sale) to include 5% of the units as affordable housing. However, if Portofino Place provides five affordable units, it will unfairly increase the rental costs for the other renters, perhaps pricing some renters out of the project. As landlords at our other rental property in Oxnard, Stonebridge Townhomes, we know the rental rates that attract renters, and those rates that begin to turn renters away. There is a small margin of what is "affordable" in the traditional sense, and we believe that the units at Portofino Place will provide safe and cost-effective housing for hard-working Oxnard families. None of these units are for the wealthy. These

units are for working families. If the applicant has to put in affordable units, the shortfall would have to covered by the other renters. Raising the rents to allow for affordable units would not be fair to those families, who would have to pay the difference.

However, the applicant is happy to pay the affordable housing in-lieu fee. As you know, the fee will be partnered with state and federal funds to create an affordable development that may be a better option for the City's low income residents.

As requested, please see enclosed preliminary plans in addition to the required exhibits for submittal. Should you have any questions or require additional information to evaluate this request, please do not hesitate to contact me directly.

Sincerely,

John Morelli,
702-556-1780

JENSEN
DESIGN & SURVEY, INC.
Delivering excellence through experience

RECEIVED
NOV 07 2018
PLANNING DIVISION
CITY OF OXNARD

1672 Donlon Street
Ventura, CA 93003
Local 805 654-6977
Fax 805 654-6979
www.jdscivil.com

POR03.5946
Monday, November 5, 2018

Re: Portofino Place Townhomes – Initial Water Investigation

The proposed project site is located in the City of Oxnard at the intersection of Portofino Place and 5th Street and consists of three separate parcels: APN 185-0-221-025 (4.07 AC), -265 (0.81 AC); 185-0-223-015 (2.73 AC). Total lot area is 7.61 AC. The 2030 General Plan designates the property as Business Research Park (BRP). Current zoning designation is also BRP and this project is proposing to change zoning to either R-2 Multiple-Family Zone or R-3 Garden Apartment Zone. This letter is to discuss water demand, both current zoning and proposed future zoning.

Existing Zoning Water Demand – BRP Zoning:

The existing zoning for these parcels is Research Business Park (RBP), and hence we would be looking at a light commercial use. Of the 7.61 acres, RBP allows 40% building which is 132,596 S.F. of buildings. For water demand assumptions, we will look at sewer generation from previous discussion with the City stating 300 Gallons per Day (GPD) per 1,000 S.F. of building. This equates to 39,750 GPD sewer generation. Now multiplying sewer generation by a factor of 1.2 we get a potential industrial/commercial water demand of 47,700 GPD or 53 Acre Feet per Year (AFY).

Proposed Zoning Water Demand – Residential RPD Zoning:

The proposed development consists of 90 residential dwelling units in a townhome configuration. With 90 units in 7.61 gross acres, this falls into a medium density category. In past, the City of Oxnard uses 0.2078 AFY per dwelling unit. With the proposed 90 dwelling units at 0.2077 AFY/DU we arrive at 18.7 AFY domestic water demand for residential use. Additionally, we include an additional 1 AFY for landscaping, making a grand total of 19.7 AFY.

In conclusion, existing water demand under existing BRP Zoning has the potential to be much greater than proposed residential water demand by a factor greater than 2.5, and therefore see the re-zoning as being a water-surplus for the City.

James C. McCoskey, P.E.
Civil Engineer
Jensen Design & Survey, Inc.

C:\Users\isidro.figueroa\Desktop\Portofino Place\Attachment D_Preliminary Water Demand Analysis.doc

Pre-Application No. 18-600-02 Portofino Place Residential Subdivision

Filed by: John Morelli on behalf of Portofino Place, LLC.

Isidro Figueroa
Principal Planner

March 19, 2019

Pre-Application

- No formal discretionary application submitted yet.
- Input requested to inform future planning and development of the property on the west and east corners of Portofino Place and Fifth Street.

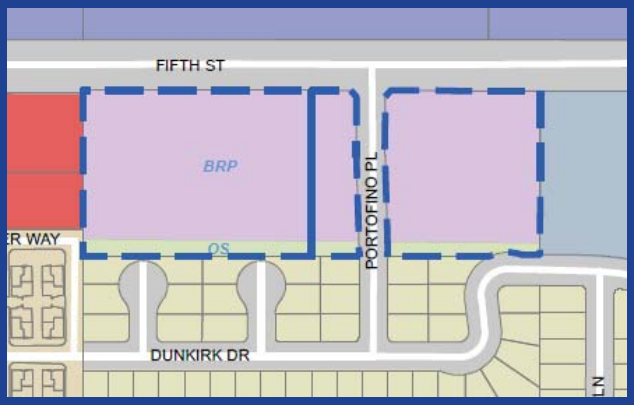
Site History

- Project site part of 17-acre project approved November on 9, 2004 to:
  - Construct 41 single-family residences (7.885 acres)
  - Create two commercial parcels (separate application- 7.61 acres)
  - Public street improvements (1.505 acres)
- Mitigated Negative Declaration (04-11) adopted
- 41 Single-Family Residences
  - All 41 residences constructed
  - General Land Use Designation: Low Density Residential
  - Zoning: Single-Family Residential/Planned Development/Planed Residential Group (R-1-PD)
- Public street improvements completed
- Commercial subdivision never executed

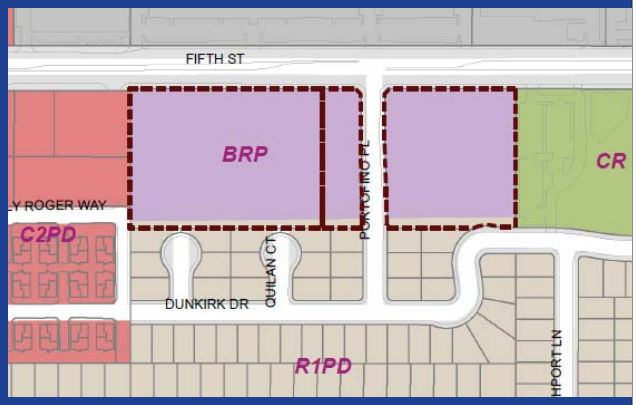
Location Map

- Corner of Fifth Street and Portofino Place
- Within the Sea View Estates

General Plan/Zoning



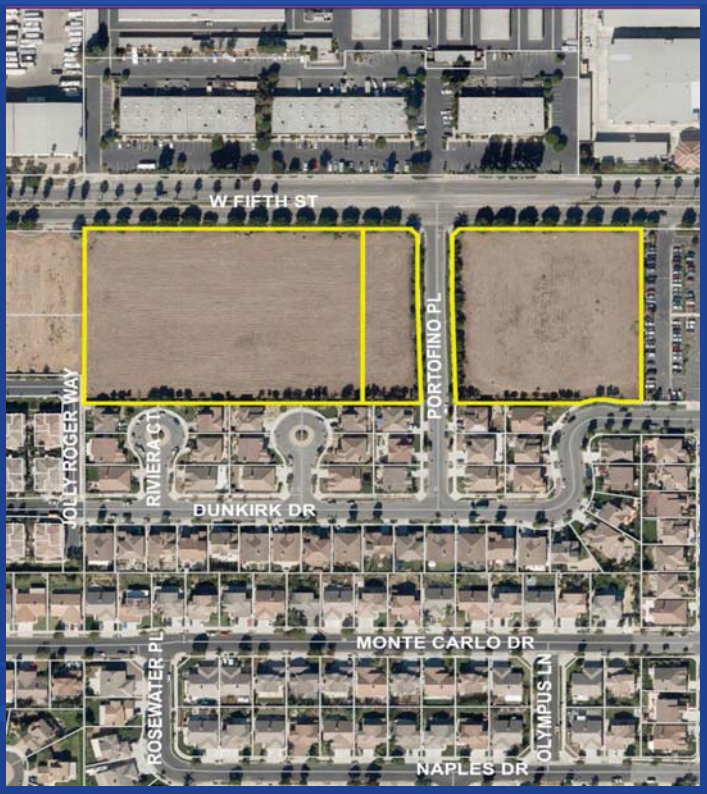
General Land Use:
Business and Research Park (BRP)



Zoning:
Business Research Park (BRP)

Existing Site

- Site: Vacant
- North: Industrial/Airport
- South: Residential
- East: Public School (John Soria)
- West: Commercial (Under construction)



2030 General Plan

- Business Research Park is characterized by:
  - Professional, research, limited manufacturing
  - Limited commercial uses to support manufacturing
  - Integrated into campus-like environments

Zoning

- Business and Research Park allowed uses:
  - Trade/private/public schools and colleges
  - Distribution/warehousing
  - Manufacture/assembly
  - Adult day care facilities
- Uses allowed with Special Use Permit approval:
  - Motels/hotels and convention facilities
  - Hospitals/private emergency medical facilities
  - Residential care facility for the elderly
  - Children's day care facility serving more than 15 children

Development Constraints

- Proximity to Oxnard Airport
  - Located within Sphere of Influence- Height Restriction and Traffic Zones
  - Subject to Comprehensive Land Use Plan (CLUP)
  - 25% lot coverage max
  - Federal Aviation Administration must review for risk assessment

Proposal

- General Plan Amendment:
  - ➢Change from Business Research Park to Residential Medium
- Zone Change:
  - ➢Change from Business and Research Park to Residential Multiple Family/Planned Development (R-2-PD)/Planned Residential Group
- Proposal to construct:
  - ➢Residential subdivision with improvements.

Site Plan

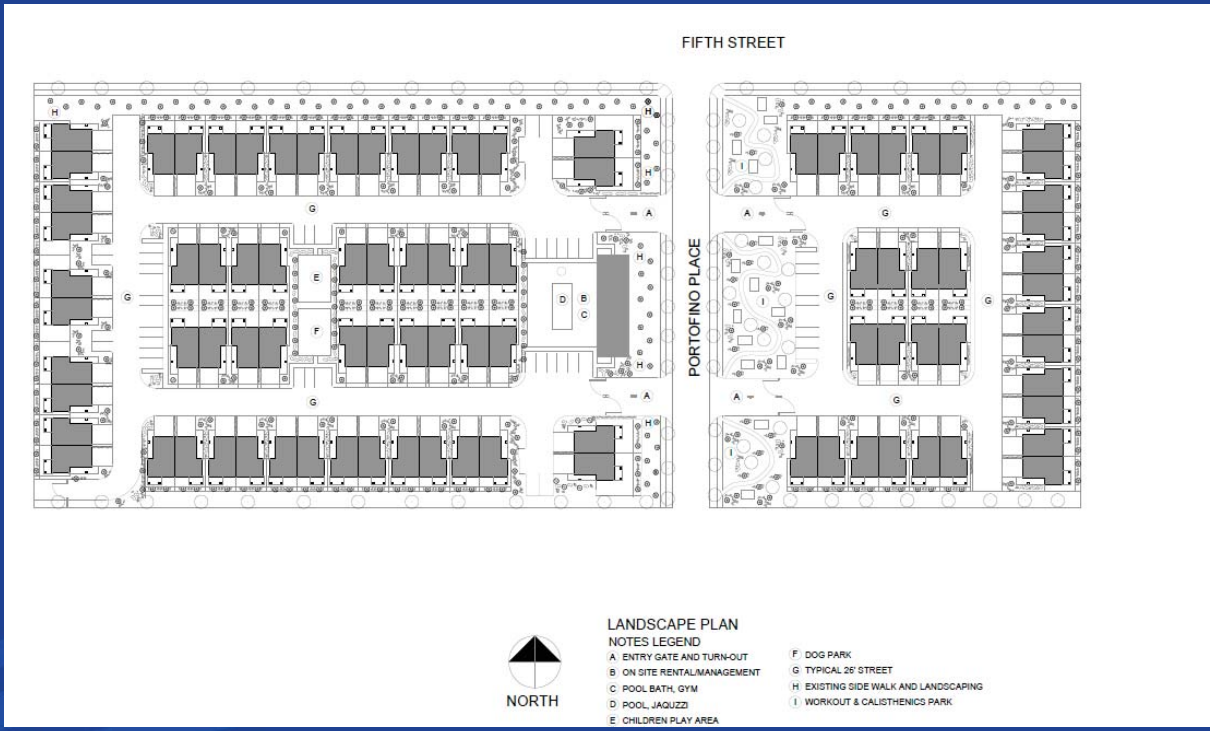
Portofino Place

45 duplexes (90 units)
2,800 sq.ft. gym/pool building
Pool
Children's play area

Resident/visitor parking
Entry gates
Dog park

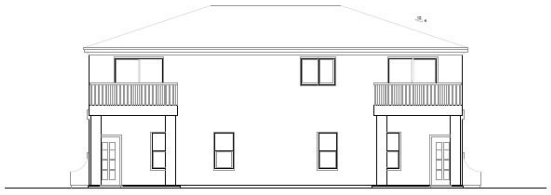
Landscape

Portofino Place

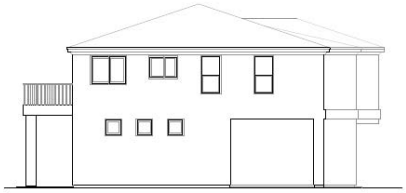


Architecture- Model A

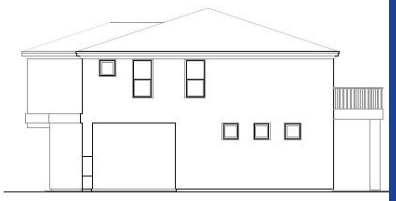
Portofino Place



REAR ELEVATION



LEFT SIDE ELEVATION

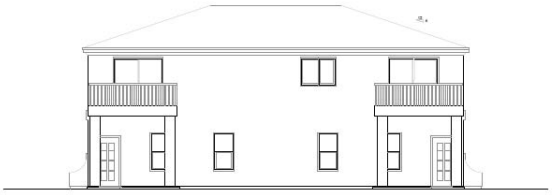


RIGHT SIDE ELEVATION

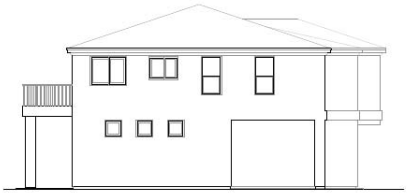
STREET ELEVATION

Architecture- Model B

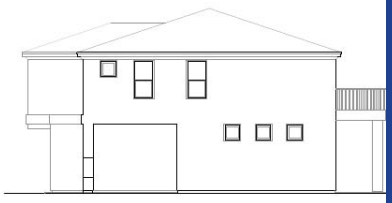
Portofino Place



REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

STREET ELEVATION

Items for Consideration

Portofino Place

- 2030 General Plan Consistency
  - General Plan Amendment
  - High quality design and integration to surrounding residential community
- Zoning Consistency
  - Zone change required
  - PGR- specific standards for project
    1. Minimum lot size
    2. Setbacks
    3. Lot depth and width

Items for Consideration

Portofino Place

- Affordable Housing
  - Provide 5% affordable housing onsite (5 units required)
  - Applicant requesting to pay in-lieu Affordable Housing Fee
- Parks/Quimby:
  - Quimby fee based on preliminary assessed fair market land value.
- Public Infrastructure
  - Upgrade sewer, water, and storm drain systems
  - Project required to comply with water neutral policy
    1. Preliminary water analysis provided by Applicant identified project will yield less water demand than project allowed under BRP zone
- Traffic and Circulation
  - Traffic study and traffic improvements required
  - Designed with Bicycle and Pedestrian Master Plan compliance

Items for Consideration

Portofino Place

- Environmental Review
  - Initial Study will be required - Mitigated Negative Declaration most likely based upon environmental review of similar projects
- Oxnard Airport
  - Ventura County Transportation Commission (VTC)
    1. Requires Project review
    2. Multi-family residential conditionally permitted under the CLUP
    3. Maximum structure coverage not to exceed 25% of total land area
    4. If approved aviation easement required to be recorded

CITY OF OXNARD CALIFORNIA

Development Entitlements

Portofino Place

- General Plan Amendment
- Zone Change
- Special Use Permit
- Tentative Subdivision Map

CITY OF OXNARD CALIFORNIA

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OXNARD
CALIFORNIA

QUESTIONS

CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Report** **AGENDA ITEM NO.: 3**

DATE: March 19, 2019

TO: City Council

FROM: Steve Naveau
Director of Human Resources

SUBJECT: Successor Memoranda of Understanding Between the City of Oxnard and the Oxnard Peace Officers Association and the Oxnard Public Safety Managers' Association. (5/5/5)

CONTACT: Steve Naveau, Director of Human Resources
Steve.Naveau@oxnard.org, (805) 385-7947

RECOMMENDATION:

That City Council adopt by resolution the attached successor memoranda of understanding (MOU) with the following bargaining units:
a. Oxnard Peace Officers Association (OPOA); and
b. Oxnard Public Safety Managers' Association (OPSMA).

BACKGROUND

The agreements with our police bargaining units represent nine months of negotiations with the two parties. The City began the process with the intent to put its limited resources into fixing the employer contribution to employee healthcare. This has been an ongoing issue that has hampered the City's ability to recruit and retain employee talent. As an example of the issues our employees must manage, a family that accepts medical through the City will pay more than $1,000 per month for medical while nearby jurisdictions with the same medical plans will pay less than $400, and in some cases, significantly less than that. The City's bargaining team made its intentions understood at the outset that, though we were willing to address small issues of compensation, our primary goal was to address the benefits divide and provide only small increases in total compensation of which none of those increases should be reportable to CalPERS as income. By shifting money away from compensable items the total cost of any increases in benefits is significantly less as the City is only paying for the total cost of the benefit rather than the compounded cost if the benefit is reportable to CalPERS.

DISCUSSION

The contracts proposed represent fair and reasonable adjustments in overall compensation for our police officers and commanders. Both bargaining units have voted to ratify their respective, proposed contracts.

The tentative agreements for each bargaining unit are attached, and more details on each item are provided below:

Following terms are applicable to the two bargaining units:

- Term: Through June 30, 2021
- Medical: The City will increase its total contribution to the medical program incrementally to a final amount of $1,543 per month over the term of the contract. Those who elect to waive coverage will receive cash in lieu with a total maximum of a $1,243 increase per month in the last year of the contract. The amount shall be reduced to $900 per month after the end of the contract unless each bargaining group meets the stated target of 75% participation in the City's medical plan.

Below is the monthly health care contribution for some of our comparator agencies as compared to Oxnard's:

Agency	Monthly Employer Contribution
City of Oxnard	$343.88
City of Thousand Oaks	$435.00
City of Ventura	$1,023.00
City of Santa Barbara	$1,374.64
City of Simi Valley	$1,855.64
City of Anaheim	$3,182.64
City of Glendale	$1,605.69
City of Riverside	$1,364.59
City of Pasadena	$1,608.46

OPOA

- Physical Fitness Program: The City will increase its contribution to the program by $10,000 per year.
- Deferred Compensation: The City will make a 0.9% contribution to a qualified 401(a) Deferred Compensation Plan.
- Callback: City will increase the call back from $2 per hour to $4 per hour. Callback

occurs when an employee is assigned to be available to respond back to work when called by a manager. This requires the employee to be readily available to return to work and places some restrictions on the employees off time.

- Investigation Differential: The City will provide a 5% differential for two employees whose primary assignment are investigations.

OPSMA

- Uniform: Clean up language to report to CalPERS uniforms, which the City provides to employees at an annual value of $450. In a recent audit finding, CalPERS requires the City to report the value of the uniforms which we provide to employees. The language is intended to comply with CalPERS law.
- Deferred Compensation: The City will provide an additional 1.4% to a qualified 401(a) Deferred Compensation Plan for a total contribution of 2.4%.

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

FINANCIAL IMPACT

The total cost for the OPOA contract in year one is $1,563,407; year two is $1,074,765; year three is $1,074,501 for a total cost of $3,712,673. The total cost for the OPSMA contract in year one is $108,281; year two is $69,600; year three is $81,696 for a total of $259,577.

Prepared by Steve Naveau, Director of Human Resources

ATTACHMENTS:

Attachment 1 - OPOA Contract

Attachment 2 - OPSMA Contract

Attachment 3 - OPOA Resolution

Attachment 4 - OPSMA Resolution

ATTACHMENT I

MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF OXNARD AND OXNARD PEACE OFFICERS' ASSOCIATION

7623-16-HR

I. Introduction

A. The purpose of this Memorandum of Understanding (MOU) is to memorialize the wages, employee benefits, and other terms and conditions of employment of employees in the Police Unit (Unit) of representation (regular employees in the classifications of Police Officer I/II, Police Officer III, Police Sergeant, Public Safety Dispatcher I, Public Safety Dispatcher II, Public Safety Dispatcher III, Communications Training Coordinator, Police Service Officer, and Senior Police Service Officer) (Unit employees) which have been negotiated and agreed upon between duly authorized representatives of the City Manager of the City of Oxnard (City) and the Oxnard Peace Officers' Association (OPOA) and which are recommended to the City Council for ratification. This MOU shall be effective September 1, 2018, and shall remain in full force and effect through June 30, 2021.

B. The matters presented herein, determined through extensive negotiations between representatives of City and OPOA, are considered equitable to City, OPOA and the affected employees and will be supported by City, OPOA and the affected employees.

C. The following items, together with those wages, hours, and other terms and conditions of employment as expressly set forth in previous Memoranda of Understanding between City and the OPOA, which are not changed by this MOU, shall constitute the wages, hours, and other terms and conditions of employment until such matters are changed or otherwise modified which, in no event, shall occur prior to the expiration of this MOU, except as otherwise provided herein. There shall be no change or modification in wages, hours, or other terms and conditions of employment by City without first meeting and conferring in good faith with the OPOA to the extent required by law.

D. No Discrimination
There shall be no discrimination by the City in employment conditions or treatment of employees on the basis of membership or non-membership in the Association, or participation in the activities of the Association.

E. Dues Checkoff
The Association acknowledges that it bears the sole responsibility for providing the City with a comprehensive list of employees with the dues deductions to be made by the City on behalf of the POA. The POA holds harmless and indemnifies the City from any actions that an employee may take for improper

deductions being made when those deductions were made based on the list provided by the POA.

II. Management Rights and Responsibilities

The sole purpose of this provision is to clarify those rights presently possessed by management so that City and OPOA will have a better and clearer understanding of their respective rights. City reserves, retains, and is vested with, solely and exclusively, all rights of management as provided by law which existed prior to the execution of this MOU. These sole and exclusive rights of management shall include but not be limited to, the following rights:

A. To manage City generally and to determine issues of policy.

B. To determine the existence or non-existence of facts which are the basis of a management decision.

C. To determine the necessity and organization of any service or activity conducted by City and to expand or diminish services.

D. To determine the nature, manner, means and technology, and extent of services to be provided to the public.

E. To determine methods of financing City functions and operations.

F. To determine types of equipment or technology to be used.

G. To determine and/or change the facilities, methods, technology, means, organizational structure and composition of the work force and allocate and assign work by which to conduct City operations.

H. To determine and change the number of locations, relocations and types of operations, processes and materials to be used in carrying out all City functions.

I. To assign work to and schedule employees (including but not limited to temporary light-duty assignments) in accordance with requirements as determined by City.

J. To lay off employees from duties because of lack of work or lack of funds, or under conditions where continued work would be ineffective or non-productive, pursuant to the Oxnard City Code and City of Oxnard Personnel Rules and Regulations.

K. To establish and modify productivity and performance standards.

L. To discharge, suspend, demote, reprimand, withhold salary increases and benefits, or otherwise discipline employees for cause, in accordance with the Oxnard City Code and City of Oxnard Personnel Rules and Regulations, Oxnard Police

Department rules and regulations and standard operating procedures in existence at the time of the execution of this MOU and subject to all appeal rights set forth therein.

M. To determine minimum qualifications, skills, abilities, knowledge, selection procedures and standards, job classifications and to reclassify and promote employees in accordance with this MOU, the Oxnard City Code and City of Oxnard Personnel Rules and Regulations and applicable resolutions.

N. To establish and modify reasonable employee performance standards and to require compliance therewith.

O. To maintain order and efficiency in City facilities and operations.

P. To establish and promulgate and/or modify rules and regulations to maintain order, safety and health in City which do not contravene this MOU.

Q. To take any and all necessary action to carry out the mission of City in emergencies.

III. Compensation

A. Wages

1. There shall be no across-the-board increases in base wages during the term of this MOU.

B. Retirement

1. Employees hired on or before December 31, 2012 or who are defined as "classic" PERS members hired on or after January 1, 2013:

   a. For "safety" employees, the City's contract with CalPERS provides for the three percent (3%) at age fifty (50) retirement formula.

   b. For "miscellaneous" employees, the City's contract with CalPERS provides for the two percent (2%) at age fifty-five (55) retirement formula.

   c. Classic employees shall continue to pay five percent (5.0%) of pensionable compensation towards the required employee retirement contribution to PERS for. This shall be paid by employees by payroll deduction. This payment shall be made on a pre-tax basis pursuant to Section 414(h)(2) of the Internal Revenue Code.

      i. The remaining required employee retirement contribution shall be paid by the City. The City shall report to PERS as compensation earnable pursuant to California Government Code section 20636(c)(4) its payment of a portion of employee retirement

contributions to PERS, which is four percent (4.0%) of pensionable compensation for safety employees and two percent (2.0%) of pensionable compensation for miscellaneous employees.

2. Employees hired on or after January 1, 2013 who are "new members" as that term is defined in the Public Employee Pension Reform Act ("PEPRA"), Government Code § 7522 et seq.:

   a. For safety employees, the City's contract with CalPERS provides for the two point seven percent (2.7%) at age fifty-seven (57) retirement formula.

   b. For miscellaneous employees, the City's contract with CalPERS provides for the two percent (2.0%) at age sixty-two (62) retirement formula for miscellaneous employees.

   c. Employees shall pay the full "member contribution" to PERS at the rate established by PERS, which is 50% of the normal cost as provided in Government Code Section 7522.30(c), and which in FY2016-17 is 13.75% of pensionable compensation for safety employees and 6.00% of pensionable compensation for miscellaneous employees and which may change from year to year. This shall be paid by employees by payroll deduction. No portion of the member contribution shall be paid by the City. This payment by employees shall be made on a pre-tax basis pursuant to Section 414(h)(2) of the Internal Revenue Code.

3. City shall make available to Unit employees a retirement medical savings plan allowing for voluntary individual contributions to a defined contribution medical retirement plan.

4. Effective the first pay period following Council ratification the City will establish a Deferred Compensation 401 (a) plan and will contribute 0.9% of base salary to the plan. The contribution will take effect the first full pay period following the election made by the employee. There will be no retroactivity for those employees who fail to make a timely enrollment

5. Salary Step Plan

   a. Eligible permanent employees will be moved to the next step in the salary step plan attached hereto as Exhibit B as set forth below. The same provisions shall apply to hourly-paid and part-time persons.

   b. <u>Original Appointment</u>: The first salary step shall be the minimum salary rate in the salary step plan and shall be the normal hiring rate for new employees. In the case where a person possesses unusual qualifications, the City Manager may authorize initial appointment above the first salary step after receiving the recommendation of the department head.

c. Progression through Salary Step Plan: An employee shall be considered for increase to the second step upon the employee's satisfactory completion of 2,080 hours in paid status (not including overtime) at the first salary step. An employee shall be considered for all subsequent step increases upon the employee's satisfactory completion of 2,080 hours in paid status (not including overtime) since his or her prior step increase.

d. Salary step increases shall be effective the first day of the pay period after they are granted. If a step increase is granted on the first day of a pay period, salary step increases shall be as of that date. If a department head recommends to withhold salary step increases because an employee has not achieved the level of performance required for the position, the recommendation of notice must be received by the City Manager at least four (4) weeks in advance of the employee's eligibility date. The affected employee shall be furnished a copy of the department head's recommendation.

e. Changes in an employee's salary because of promotion, demotion, postponement of salary step increase or special merit increase will set a new salary anniversary date for that employee, which date shall be as stated in the preceding paragraph. Salary range adjustments for the classification will not set a new salary anniversary date for employees serving in that classification.

C. Annual Leave

1. City shall provide annual leave benefits to Unit employees as follows:

a. Full-time regular Unit employees shall accrue annual leave for each biweekly period of service or major fraction thereof based upon years of service as set forth in the following table:

YEARS OF SERVICE	BIWEEKLY ANNUAL LEAVE ACCRUAL	MAXIMUM ANNUAL LEAVE ACCRUAL
Less than 5	10.11	800
5 to 10 years	11.66	920
Greater than 10	13.21	1040
Greater than 15	14.75	1160

b. (1) If a Unit employee actually works on New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Cesar Chavez Birthday, Memorial Day, Fourth of July, Labor Day, Veterans' Day, Thanksgiving Day, the day after Thanksgiving, and/or Christmas Day such employee shall receive, in addition to his or her regular compensation and the annual leave

entitlements, premium pay at the rate of one-half times the employee's regular rate of pay for each regularly scheduled shift hour worked.

(2) If a Unit employee actually works on Christmas Eve and/or New Year's Eve such employee shall receive, in addition to his or her regular compensation and the annual leave entitlements described below, premium pay at the rate of one-half times the employee's regular rate of pay for one-half of the regularly scheduled shift hours worked.

(3) Employees in an on-call status subject to call back outside of their regular shift when such call back period falls on a holiday shall receive 2.7 hours of pay at the employee's regular rate if they are subject to call back on a holiday listed in Article III(C)(1)(b)(1) and 1.4 hours of pay at the employee's regular rate if they are subject to call back on a holiday listed in Article III(C)(1)(b)(2).

c. Except as provided below, if a Unit employee accrues the maximum level of annual leave, such employee shall no longer be entitled to accrue additional annual leave until such time as his/her accrued annual leave is below the applicable maximum. The maximum leave caps shall be enforced on a pay period by pay period basis. However, a Unit employee shall be allowed to accrue annual leave beyond the maximum level for an additional five biweekly pay periods under the following conditions:

(1) The employee must first file with the Police Business Office a request to accrue annual leave above the maximum level for an additional five biweekly pay periods. The employee may submit such a request only on one occasion during any calendar year.

(2) During the extended five biweekly pay periods, the employee shall submit a request with his or her supervisor to use sufficient annual leave benefits so as to cause the amount of accrued annual leave to be less than the maximum.

(3) The Police Chief or designee shall make every effort to enable the employee to utilize the annual leave benefits in the manner requested or in a manner otherwise acceptable to the employee.

(4) If the employee has not been afforded an opportunity to use a sufficient amount of the requested annual leave during the extended five biweekly pay periods so as to cause his or her accrued annual leave to be less than the maximum, he or she shall continue to accrue annual leave benefits until such time as he or she has failed to take advantage of a reasonable opportunity, as initially determined by the Police Chief or designee, to use sufficient annual leave benefits so as to cause his or her accrued annual leave to be less than the maximum.

d. A Unit employee may redeem accrued annual leave for cash or roll accrued annual leave into a deferred compensation plan during each calendar year by submitting a written request to the General Accounting Division (Finance/Payroll) during the month of July or December according to the following table. The payment shall be at his/her then current hourly rate of pay including any longevity pay, educational and incentive pay and bi-lingual pay being earned as of the effective date of the payment.

YEARS OF SERVICE	MAXIMUM ANNUAL LEAVE REDEMPTION HOURS
Greater than 5	40 hours
Greater than 10	80 hours
Greater than 15	120 hours

Any rollover of accrued annual leave into an employee's deferred compensation plan shall be subject to the lower of the redemption limits set forth above or any applicable IRS limits. Compliance with applicable IRS limits is the responsibility of individual employees. However, upon request, the City shall provide requested information to assist the employee. Should employees choose to roll accrued annual leave into a deferred compensation plan under this subsection, they must submit their redemption forms to the City's payroll department no later than July 1st or December 1st.

e. If a Unit employee separates from service, the employee shall be paid for accrued annual leave to which the Unit employee is otherwise entitled at his/her then current hourly rate of pay including any longevity pay, educational and incentive pay and bilingual pay being earned as of the effective date of separation from City service.

f. City may designate, on a work unit basis, specific days which that work unit will be closed for service, and may then require employees assigned to that work unit to use accumulated annual leave hours to receive full pay while absent from work on those days. In the alternative, City may grant the request of any such employee to be reassigned to a different work unit on any such day.

2. Sick leave benefits accrued by Unit employees as of February 5, 2000, shall be addressed as follows:

a. Such current sick leave accruals may be used to receive a leave of absence with pay for illnesses or injuries of the employee under the same circumstance and with the same limitations as existed prior to January 1, 2000.

b. Such current sick leave accruals may be used as donations to a sick leave bank established by City for another City employee.

c. City will redeem fifty percent of such current unused or unredeemed sick leave accruals, not to exceed 600 hours, upon any separation from service to those employees with a minimum of five years of regular full-time service, at time of separation, at his/her then current hourly rate of pay including any longevity pay, educational and incentive pay and bilingual pay being earned as of the effective date of separation from City service.

D. Insurance

1. Health Insurance Premiums

a. The City shall contribute the amount required under California Government Code section 22892 towards the payment of premiums under City's health insurance plan on behalf of each Unit employee and, to the extent required by law, each eligible retiree.

Effective on the date City Council approves this MOU, the City shall contribute $743.00 per month for each Unit employee (regardless of tier, i.e. Employee Only, Employee Plus One or Family) towards the City's health insurance reimbursement plan (Cafeteria Plan). Therefore, effective on the date City Council approves this MOU, the City's total monthly contribution is as follows:

Employee Only – $743.00

Employee plus One - $743.00

Family - $743.00

Should the City's contribution exceed the plan premium selected by the employee, then that excess will be paid to the employee in cash.

Effective on the date City Council approves this MOU, employees who waive medical benefits will receive $643 per month in cash.

b. Effective the first full pay period of July 2019, the City will make an additional $400 monthly contribution for each Unit employee (regardless of tier, i.e. Employee Only, Employee Plus One or Family) towards the Cafeteria Plan. Therefore, effective the first full pay period of July 2019, the City's total monthly contribution is as follows:

Employee Only – $1143.00

Employee plus One - $1143.00

Family - $1143.00

Should the City's contribution exceed the plan premium selected by the employee, then that excess will be paid to the employee in cash.

Effective the first full pay period of July 2019, employees who waive medical benefits will receive $943 per month in cash.

c. Effective the first full pay period of July 2020, the City will make an additional $400 monthly contribution for each Unit employee (regardless of tier, i.e. Employee Only, Employee Plus One or Family) towards the Cafeteria Plan. Therefore, effective the first full pay period of July 2020, the City's total monthly contribution is as follows:

Employee Only – $1543.00

Employee plus One - $1543.00

Family - $1543.00

Should the City's contribution exceed the plan premium selected by the employee, then that excess will be paid to the employee in cash.

Effective the first full pay period of July 2020, employees who waive medical benefits will receive $1243 per month in cash.

d. On the date the MOU expires, the status quo for the monthly amount for Unit employees who waive medical benefits will remain at $1243 if the bargaining unit has a 75% participation level in the medical program on January 1, 2021. If the bargaining unit's participation level is less than 75% at on that date, then the status quo as of the expiration of the MOU shall be that the cash back for Unit employees who waive medical benefits is $900 per month.

e. City shall contribute $30.83 biweekly per Unit employee towards City's dental insurance reimbursement plan (Cafeteria Plan).

f. City and OPOA acknowledge that the Cafeteria Plan is primarily designed to provide health and dental benefits to Unit employees. Nonetheless, if a Unit employee provides acceptable verification of alternative health insurance coverage to City, as set forth above, the Unit employee shall receive a cash payment to the extent that when added to the employee's other insurance selections the cash payment does not exceed the available Cafeteria Plan dollars provided by City.

g. To the extent legally possible all deductions for insurance premiums will not be taxable in accordance with Section 125 of Internal Revenue Service regulations. Any monies not used by Unit employees to pay for City and/or OPOA-sponsored insurance programs shall be paid to Unit employees biweekly.

h. Cafeteria Plan monies shall be subject to applicable State and federal taxes, but shall not be considered wages for retirement purposes or retirement calculations.

i. Cash received pursuant to the Cafeteria Plan shall be included in an employee's regular rate of pay for purposes of calculating overtime under the Fair Labor Standards Act (29 USC § 201, *et seq.*). However, cash received pursuant to the Cafeteria Plan shall not be included in an employee's regular rate of pay for purposes of calculating overtime under this MOU ("Contract Overtime").

j. The City agrees that all benefits allowed by law shall be extended to the domestic partner of a Unit employee.

2. Life Insurance

City shall continue to pay one hundred percent of the current premium for employee only coverage under the existing level of benefits for life insurance for Unit employees.

3. Dental Insurance

City shall continue to provide one or more family dental insurance plans. Unit employees must be enrolled in a dental insurance program provided by City. Unit employees shall be eligible to enroll in the Delta Dental, Golden West Dental & Vision, or other dental programs offered by City.

4. Long-Term Disability Insurance

City shall continue to pay six dollars biweekly for an OPOA-administered long-term disability (LTD) insurance plan for Unit employees. OPOA shall hold City harmless on any issue related to the LTD insurance plan.

E. Physical Fitness

1. Benefit

a. The City shall provide OPOA with $40,000 annually to be utilized by OPOA toward the payment of membership fees for a physical fitness

program available to Unit employees at qualified health clubs previously approved by the City Manager. The Union agrees to submit an annual statement detailing the specific use of the funds including: amount, equipment, facility, and employee. Should the City not receive the statement by June 30 of each year then the Union will forfeit the amount for the following fiscal year.

b. Any of these funds not utilized for Unit employees enrolled in health clubs during the term of this MOU may be utilized for the purchase of equipment to be placed in the designated physical fitness area at the Public Safety Building subject to approval by the Police Chief.

c. City agrees that other physical fitness programs at other local facilities may be made available for use by Unit employees, subject to approval by the City Manager after submittal to the City Manager by OPOA of a proposed agreement between OPOA and a facility. Such additional program shall be subject to the same terms and conditions, and shall be charged to the Unit employee dollar maximum specified in subparagraph III.E.1.a.

d. The payment of this sum by City is contingent upon each Unit employee executing a formal waiver releasing City and OPOA from any liability for any injuries or other claims for damages resulting from participation in the program.

e. OPOA shall perform all acts necessary to cause to be provided to City access to the relevant records of the health clubs for the purpose of evaluating the overall performance of Unit employees who participate in the program; provided, however, that in affording access to City, the individual identity of each participant shall remain anonymous.

2. Performance Standards

City and OPOA agree to implement a Physical Fitness and Wellness Program (Program) to be developed by a committee comprised of representatives of the Police Department and OPOA. City and OPOA shall make every effort to develop this Program as soon as possible. Sworn Unit employees hired after July 1, 1998, shall adhere to this Program as a condition of continued employment for the first ten years of employment as a sworn officer. For all other Unit employees, participation in the Program shall be on a voluntary basis.

F. Bilingual Pay

1. Bilingual Program

City shall maintain its current Bilingual Program which shall include the following minimum requirements for receipt of compensation under this program:

a. Consideration of the need for these bilingual skills to provide services to the community in the course of carrying out usual job duties;

b. In understanding and sensitivity to cultural aspects associated with effectively communicating with diverse populations; and

c. A specified testing process to determine competency.

2. Compensation

A regular full-time employee who qualifies under the Bilingual Program shall receive bilingual pay at the rate of:

a. One hundred twenty-five dollars biweekly for Spanish language ability.

b. Sixty-two dollars and fifty cents biweekly for bilingual services in a designated language other than English or Spanish.

IV. Hours of Work

During the term of this MOU the current temporary 3/12 work schedule for Unit employees assigned to patrol shall continue on a trial basis.

V. Resignation and Reinstatement

A. Advanced Notice

A Unit employee may resign from City service at any time. A Unit employee resigning from City service, however, shall give a minimum of two (2) weeks' notice to his/her supervisor in order to enable the City to make proper provisions for filling his/her position, unless a shorter notice period is mutually agreed to by the City and the employee.

B. Forfeiture of Privileges

Except as provided below, upon resignation, the Unit employee shall forfeit all seniority and employment privileges allowed by this MOU and other applicable City policies. Any person resigning may, at the discretion of the City Manager, be reinstated in accordance with Section C below.

C. Reinstatement

Any Unit employee who has resigned from City service may apply for reinstatement within one (1) year by means of a written request. If, in his/her sole discretion, the City Manager determines that the reinstatement request should be granted, the applicant may be reemployed in the same job classification as occupied upon resignation if there is a vacancy in that classification. The Unit employee will have his or her seniority rights related to leave accruals and

longevity pay reinstated and shall not be required to serve a new probationary period, but shall have no other rights, privileges or benefits accrued by him/her during his/her previous employment. This section will not apply to reinstatement after military service.

VI. OPOA Business

A. OPOA members shall be authorized to utilize a maximum of 600 hours per year of paid release time from duty for the conduct of usual and normal OPOA activities relating to the employer-employee relationship. For purposes of this paragraph, a reasonable amount of time spent managing/supervising the OPOA Christmas tree lot shall be considered to be an authorized OPOA activity. Time spent in labor negotiations shall not be included in this 600-hour allocation.

B. OPOA shall maintain complete, accurate and current records of release time so utilized and shall submit a monthly record to the Police Chief or his/her designee. No member shall utilize release time for OPOA activities without prior authorization of the commanding officer.

C. If an OPOA member uses release time under this paragraph to receive training and such training is creditable by Police Officer Standards and Training (e.g., Advance Officer Training), City may claim credit for such training.

VII. Standby

City shall provide standby pay for those employees subject to call back after regularly scheduled work hours in the amount of $4.00 per hour.

VIII. Contributions to Retiree Medical Trust Fund

City shall continue to contribute to a Retiree Medical Trust Fund maintained by OPOA on behalf of Unit employees to provide for medical insurance subsidies after retirement an amount equal to four percent (4.0%) of total annual compensation for all Unit employees, including base wage and all items of remuneration that increase when base wages increase. The projected payroll information upon which the contributions for each calendar year will be computed shall be determined by the beginning of that year. Until June 30, 2010, the payments to the Trust based upon that calculation shall continue to be made each pay period. Commencing August 1, 2010, and every three (3) months thereafter, the payments shall be made on a calendar quarterly basis. For example, the August 1, 2010 payment shall encompass the calendar quarter of July 1, 2010 through September 30, 2010. The components to be used in making these calculations are set forth in Exhibit A to this Agreement.

IX. Longevity Pay

City shall provide longevity pay benefits to each Unit employee who has successfully completed the following lengths of service with City in the following percentages of base salary:

LENGTH OF SERVICE COMPLETED	PERCENTAGE OF BASE SALARY
5 years, but less than 10	1%
10 years, but less than 15	4%
15 years, but less than 20	5%
20 years, but less than 25	6%
25 years or more	7%

X. Educational Incentive Pay

A. Each Unit employee who has earned an Associate Degree from an accredited college or university shall receive an incentive award equal to five percent (5%) of the employee's base wages.

B. Each Unit employee who has earned an Intermediate POST Certificate from the California Commission of Peace Officers' Standards and Training shall receive an incentive award equal to five percent (5%) of the employee's base wages.

C. A Unit employee who has earned both an Associate Degree and an Intermediate POST Certificate shall only be entitled to receive the five percent (5%) incentive pay for one of those accomplishments, not both.

D. Each Unit employee who has earned a Bachelor's Degree from an accredited college or university shall receive an incentive award equal to ten percent (10%) of the employee's base wages.

E. Each Unit employee who has earned an Advanced POST Certificate from the California Commission of Peace Officers' Standards and Training shall receive an incentive award equal to ten percent (10%) of the employee's base wages.

F. A Unit employee who has earned both a Bachelor's Degree and an Advanced POST Certificate shall only be entitled to receive the ten percent (10%) incentive pay for one of those accomplishments, not both.

G. The pay awards described above are not cumulative. Therefore, an employee with a qualifying Associate Degree and a qualifying Bachelor's Degree will receive the award for the Bachelor's Degree, and an employee with a qualifying Intermediate POST Certificate and a qualifying Advanced POST Certificate will receive the award only for the Advanced POST Certificate.

H. Non-management, non-safety employees represented by the OPOA who successfully complete thirty (30) work-related college semester units above the minimum education requirements for their position shall no longer be eligible to receive the education incentive award set forth in the City's Administrative Manual re: "EDUCATIONAL INCENTIVE AWARD PROGRAM."

1. Those non-management, non-safety employees represented by OPOA who were receiving the education incentive award pursuant to the Administrative Manual prior to the execution of the 2005 MOU between the parties shall continue to receive that award from that date forward; provided, however, that they shall no longer receive that award if they should subsequently qualify for a larger bonus upon attaining either an Associate Degree or a Bachelor's Degree.

I. Qualifying employees shall receive the applicable incentive pay effective the first full pay period following the date that the qualifying documentation is presented to the Human Resources Department.

XI. Detective Assignment Pay

Each Unit employee assigned to serve as a Detective in the Investigation Bureau shall receive assignment pay equal to five percent (5%) of his or her base wages.

Furthermore, employees whose primary assignment is investigations will receive assignment pay equal to five percent (5%) of his or her base wages.

XII. Training Officer Assignment Pay

Each Unit employee assigned to serve as a Field Training Officer or a Communications Training Officer shall receive assignment pay in the amount of $125 per pay period.

In addition, each such employee shall receive twenty (20) hours per fiscal year as compensatory time off to be credited at the rate of ten (10) hours semiannually to the employee's compensatory leave accrual. An employee so appointed for less than a full year shall be credited with a prorate amount for each month of service as a training officer. A month of service shall mean eighty (80) scheduled hours or more per month serving in that appointment.

Individuals employed as Police Service Officers (Booking Officers) who are perform duties training another employee shall receive assignment pay in the amount of $125 per pay period, but only for pay periods in which they are actually assigned to conduct training. Furthermore, such Police Service Officers shall not be entitled to compensatory hours described in the preceding paragraph.

Plain Clothes Pay

The City agrees to provide "plain clothes" pay of $13.46 per pay period for employees who are required to purchase non-uniformed clothing.. This clause is intended to codify long term existing practice of providing this amount to all employees who are not required to wear a uniform. Except with respect to "new members" as defined in Government Code section 7522.04(f), the City is legally obligated pursuant to the California Code of Regulations (2 CCR § 571) to report this amount as pensionable income as "Uniform Allowance".

XIII. Night Differential

All sworn Unit employees shall receive night differential pay in an amount equal to five percent (5%) of the Unit employee's base wages whenever fifty percent (50%) of the Unit employee's regularly scheduled work shift occurs between 6:00 p.m. and 6:00 a.m.

XIV. Promotional Appointment

The Police Chief shall not make promotions from an existing eligibility list when there are no vacant positions for the classification in question prior to the original expiration date of the list.

XV. City of Oxnard Employee Thrift Plan

City shall enable Unit employees to participate in the City of Oxnard Employee Thrift Plan. However, any deposits by employees into the City of Oxnard Employee Thrift Plan must be made consistent with applicable state and federal law and the City makes no representations as to the ability of employees to make contributions to the City of Oxnard Employee Thrift Plan on a tax-deferred basis.

XVI. Uniforms

The Oxnard Police Department shall provide to each Unit member the following uniform pieces on an annual basis:

2 short sleeve uniform shirts
1 long sleeve uniform shirt
2 pairs of pants

In addition, the Oxnard Police Department shall provide the following equipment to newly assigned motorcycle officers, consistent with Cal. Gov't Code § 50081.1:

Riding boots;
Riding breeches;
Leather jacket;
Leather gloves;
Safety helmet; and
Protective glasses

Unit members shall be responsible for the purchase of their own footwear.

Except with respect to "new members" as defined in Government Code section 7522.04(f), the City is legally obligated pursuant to the California Code of Regulations (2 CCR § 571) to report to CalPERS as pensionable compensation the value of the uniform pieces provided to each Unit member on an annual basis as set forth in this section. It is agreed that the value of such items is $450 per year for safety employees, and either $200 or $450 for non-safety depending on the classification and the uniform requirements of the department.

XVII. Comprehensive MOU

During the term of this MOU, City and OPOA shall continue to make every effort to develop a comprehensive memorandum of understanding covering all wages, hours, and terms and conditions of employment of employees represented by OPOA. The intent and purpose of this process is to develop a comprehensive MOU not to modify existing or previously negotiated memoranda of understanding.

XVIII. Personnel Rules and Regulations

A. During the term of this MOU, City and OPOA shall meet and confer in good faith with regard to modification of the City of Oxnard Personnel Rules and Regulations, provided, however, that City may not implement any changes with regard to these Personnel Rules and Regulations during the term of this MOU without the concurrence of OPOA unless those changes apply to all City employees uniformly.

B. Any changes made by City regarding the "rule of three" for appointments or promotions are subject to the meet and confer process described above and shall not be effective as such changes apply to Unit employees until following the expiration of this MOU.

XIX. Lateral Transfer Program

The Lateral Transfer Program is currently set forth in Oxnard Police Department Policy Manual Section 1003 (Policy). The contents of that Policy, as presently stated, are incorporated herein by reference as though set forth in full.

XX. Mandated Overtime

A. Anticipated Overtime

1. The following procedure addresses City's need to mandate overtime work with reference to anticipated overtime needs. Whenever the Police Chief or designee identifies a need for overtime staffing, Police Chief will seek Unit employee volunteers in the following order:

   a. Volunteers within the specific work unit
   b. Volunteer part-time employees
   c. Volunteers from other work units

2. Once the above process has been exhausted and the overtime staffing needs have not been met, overtime work will be mandated for employees within the specific work unit according to an employee's availability, seniority, current overtime commitment and equity.

3. Each division of the unit can formulate an overtime policy that is consistent with this MOU. Those divisions that do not contain sworn officers, but do require the use of officer overtime, will limit the use to not more than 25% of the division's overtime commitment.

B. Emergency Overtime

As a general rule, mandated overtime is a prerogative the Police Chief may exercise during emergency circumstances. An emergency is defined as a situation that is out of the norm requiring immediate staffing to insure the public safety and minimum staffing or in preparation of events requiring additional resources. Emergency circumstances are usually temporary in nature and of short duration. Should an emergency require prolonged attention, Police Chief shall seek other reasonable alternatives to overtime work as soon as practical.

XXI. Rights of Nonsworn Employees Represented by OPOA in Disciplinary Matters

Nonsworn employees represented by OPOA have the following rights in investigations which either City or the nonsworn employee believe could lead to punitive action, such as action which may lead to discharge, demotion, suspension, reduction in salary, transfer for purpose of punishment or written reprimand.

A. Any interview shall be conducted at a reasonable hour, preferably at a time when the employee is on duty, or during the normal waking hours for the employee, unless the seriousness of the investigation requires otherwise. If such interview does occur during off duty time of the employee being interviewed, the employee shall be compensated for such off-duty time in accordance with the regular Police Department procedures, and the employee shall not be released from employment for any work missed.

B. The employee under investigation shall be informed prior to such interview of the rank, name and command of the employee in charge of the interview, the interviewing employees, and all other persons to be present during the interview. All questions directed to the employee interviewed shall be asked by and through no more than two persons at one time.

C. The employee under investigation shall be informed of the nature of the investigation prior to any interview.

D. The interview shall be for a reasonable period taking into consideration the gravity and complexity of the issue being investigated. The employee interviewed shall be allowed to attend to his/her own personal physical necessities.

E. The employee being interviewed shall not be subjected to offensive language or threatened with punitive action, except that an employee refusing to respond to questions or report for an interview shall be informed that failure to answer questions directly related to the investigation or not reporting for an interview

may result in punitive action. No promise of reward shall be made as an inducement for an employee to answer any question.

F. City shall not cause the employee interviewed to be subjected to visits by the press or news media without his/her express consent nor shall his/her home address or photograph be given to the press or news media without his/her express consent.

G. The complete interview of an employee may be recorded. If a tape recording is made of the interview, the employee shall have access to the tape if any further proceedings are contemplated or prior to any further interview at a subsequent time. The employee shall be entitled to a transcribed copy of any notes made by a stenographer or to any reports or complaints made by investigators or other persons, except those which are deemed by the Police Department to be confidential. No notes or reports which are deemed to be confidential may be entered in the employee's personnel file. The employee being interviewed shall have the right to bring his/her own recording device and record any and all aspects of the interview.

H. If prior to or during the interview of an employee the Police Department deems that the employee may be charged with criminal offenses, he/she shall be immediately informed of his/her constitutional rights.

I. Upon filing of a formal written statement of charges, or whenever an interview focuses on matters which are likely to result in punitive action against any employee, that employee, at his/her request, shall have the right to be represented by a representative of his/her choice who may be present at all times during such interview. The representative shall not be a person subject to the same investigation. The representative shall not be required to disclose, nor be subject to any punitive action for refusing to disclose, any information received from the employee under investigation for noncriminal matters.

J. Written reprimands will be removed from an employee's personnel file five years from the date the appeal process has been completed provided no further disciplinary action has occurred in the intervening years. Should additional punitive action be imposed that is not later set aside by an administrative appeal or Court action, then the written reprimand will become part of the employee's permanent record.

K. No employee shall be loaned or temporarily assigned to a location or duty assignment if an employee of his/her program would not normally be sent to that location or would not normally be given that duty assignment under similar circumstances.

L. No employee shall be subjected to punitive action, or denied promotion, or be threatened with any such treatment, because of the lawful exercise of the rights granted under this MOU section, or the exercise of any rights under any existing

administrative grievance procedure. No punitive action, nor denial of promotion on grounds other than merit, shall be undertaken by the Police Department without providing the employee with an opportunity for administrative appeal.

M. No employee shall have any comment adverse to his/her interest entered in his/her personnel file, or any other file used for any personnel purposes by City, without the employee having first read and signed the instrument containing the adverse comment indicating he/she is aware of such comment, except that such entry may be made if after reading such instrument the employee refuses to sign it. Should an employee refuse to sign, that fact shall be noted on that document and signed or initialed by such employee.

N. An employee shall have thirty days within which to file a written response to any adverse comment entered in his/her personnel file. Such written response shall be attached to, and shall accompany, the adverse comment.

O. No employee shall be compelled to submit to a polygraph examination against his/her will. No disciplinary action or other recrimination shall be taken against an employee refusing to submit to a polygraph examination, nor shall any comment be entered anywhere in the investigator's notes or anywhere else that the employee refused to take a polygraph examination, nor shall any testimony or evidence be admissible at a subsequent hearing, trial, or proceeding, judicial or administrative, to the effect that the employee refused to take a polygraph examination.

P. No employee shall be required or requested for purposes of job assignment or other personnel action to disclose any item of his/her property, income, assets, source of income, debts or personal or domestic expenditures (including those of any member of his/her family or household) unless such information is obtained or required under State law or proper legal procedure, tends to indicate a conflict of interest with respect to the performance of his/her official duties, or is necessary for City to ascertain the desirability of assigning the employee to a specialized unit in which there is a strong possibility that bribes or other improper inducements may be offered.

Q. No employee shall have his/her locker, or other space for storage that may be assigned to him/her searched except in his/her presence, or with his/her consent, or unless a valid search warrant has been obtained or where he/she has been notified that search will be conducted. This section shall apply to lockers or other space for storage that are owned or leased by City.

XXII. Reserve Officer Deployment

A. Level One reserve officers have completed a certified police reserve officer academy and have successfully completed the field training program of the Police Department. These Level One reserve officers may be assigned to ride as a second

officer with a regular sworn officer, and perform special assignments or details. The deployment of Level One reserve officers will be limited to:

1. Festivals
2. Football games
3. Investigations (follow-up type contacts by telephone and/or in person).
4. Bike detail, consistent with Police Department policy.
5. Stake-out assignments with direct supervision of a regular sworn officer.
6. Station detail (teleserve, juvenile detention)
7. Emergency situations (earthquake, riot)
8. Special assignments or details under the supervision of a regular sworn officer or supervisor.
9. Taking reports of priority 3 burglaries, thefts or vandalism, or automobile accidents.

B. Watch Commanders and supervisors shall not use Level One reserve officers to staff overtime positions that are used to insure minimum staffing. Level One reserve officers shall not be assigned as one- and two-officer, general-duty patrol or beat units.

C. Level One reserve officers shall not be used as follows:

1. Routinely and without direct supervision of a regular sworn officer, interview or interrogate suspects.
2. Act as primary investigating officer for the purpose of prosecution or file cases with prosecutors, except when assisting officers or detectives with follow-up investigations.
3. Take active enforcement action inconsistent with his/her immediate assignments, except to report such incidents to his/her supervising officer or to communications.
4. Replace regular sworn officers in overtime assignments except those assignments where exclusively regular sworn officers have been routinely used and unless regular sworn personnel have been afforded the opportunity to decline the overtime work.

XXIII. Non-Tobacco Use Policy

A. All Unit employees hired as of September 13, 2003 shall be required to sign a "Statement of Acceptance" to refrain from using tobacco products as a term and condition of employment.

B. All Unit employees represented by OPOA prior to the ratification date of September 13, 2003 shall refrain from using tobacco products while on-duty or on City premises. For the purposes of this section, the term "on-duty" shall be interpreted to mean the hours the employee is working. These hours will be inclusive of breaks and lunch periods, irrespective of whether the employee is compensated for breaks and/or lunch periods.

C. Violation of the Non-Tobacco Use Policy shall provide basis for City to initiate progressive disciplinary action, if subsequent violations occur within one year of a prior offense.

D. This Section XXIII will not be implemented until applicable to all sworn peace officers employed by City.

XXIV. Labor Management Committee

A. City and OPOA shall establish an OPOA/Police Management Committee (Committee) consisting of up to four representatives of OPOA and an equal number of representatives of Police Department management. The purpose of the Committee shall be to examine internal Police Department operations as they affect employees' working conditions and other matters of mutual concern.

B. The Committee's operating procedures, including frequency and scheduling of meetings, shall be determined by the Committee members.

C. Agreements reached by the Committee members regarding internal Police Department operations shall be reduced to writing and be binding on City and OPOA. In the absence of agreement, City and OPOA shall be governed by law.

XXV. Additional Provisions

A. Promotional Process

City and OPOA agree that if City and OPOA are involved in judicial or grievance proceedings relating to the issues of work schedules or the promotional selection process, neither City nor OPOA shall in any way refer to the terms "schedule" or "selection procedures" that are set forth in paragraphs I and M of the "Management Rights" provision to assert or imply that the other party has conceded or surrendered any lawful rights which either City or OPOA believes it possessed prior to the inclusion of the "Management Rights" provision in the MOU.

B. Eligibility List Duration

The normal duration of an eligible list for any position/classification in the Unit will be twelve months. The eligible list for any position/classification in the Unit may be extended by City for a maximum of six months upon implementation of a hiring freeze for that position/classification. The frozen list only will be used to fill vacancies that occurred during its initial twelve month effective time frame. Any vacancy occurring subsequent to that twelve month period shall be filled from the ensuing eligible list even if the list is created after the vacancies occur.

C. Disciplinary Action Appeals

The Disciplinary Action Appeals Procedure applicable to Unit employees shall be as follows:

1. Definition of Disciplinary Action

   A "Disciplinary Action" is any suspension, demotion, discharge or restriction of access to overtime of regular non-probationary Unit employees taken for punitive reasons.

2. Opportunity to Respond and Appeal

   Within five calendar days of receipt of an intent to impose disciplinary action, a Unit employee shall be accorded a prompt opportunity to respond orally or in writing to the person proposing the disciplinary action and to the charges constituting the bases for the action.

3. Advisory Arbitration

   a. Within ten calendar days of the receipt of a notice imposing a disciplinary action, a Unit employee may file a request for advisory arbitration with the Human Resources Director or his/her designee to appeal the disciplinary action.

   b. The Human Resources Director and Unit employee, or their designated representatives, shall agree on an advisory arbitrator. If they are not able to agree on an arbitrator within a reasonable time, either the Human Resources Director or the Unit employee may request the State Mediation and Conciliation Service to submit a list of seven arbitrators who have had experience in public sector employee relations. The Human Resources Director and Unit employee or their designated representatives shall select the arbitrator by alternately striking names from a list until one name remains. The identity of the first person striking the first name shall be determined by a coin flip or other random means. Unless agreement is reached on the name of a specific arbitrator, the last name remaining on the list shall become the advisory arbitrator.

c. The arbitrator so selected shall conduct a hearing as expeditiously as possible at a time and place convenient to the Human Resources Director and Unit employee or their designated representatives.

d. Upon conclusion of the hearing, the arbitrator shall submit findings and an advisory recommendation to the City Manager, the Human Resources Director and Unit employee.

Within forty-five calendar days of the receipt of the written findings, conclusions and advisory recommendation, the City Manager shall determine whether or not to adopt the recommendation of the arbitrator. If the City Manager does not adopt the advisory recommendation of the arbitrator and the City Manager's decision is to impose discipline that has a greater negative financial impact on the Unit employee than the advisory recommendation, then the City Manager shall have reviewed the entire evidentiary record of the arbitration proceedings before imposing such new and more severe discipline.

e. The cost of the arbitrator shall be borne by City.

f. The time limits expressed herein may be modified by mutual written agreement of the Human Resources Director and Unit employee, or their designee(s).

D. Grievance Procedure

During the term of this Agreement, the parties agree to meet and confer over developing a grievance procedure applicable to Unit members.

E. Multi-Agency Dispatch Center

No change in any existing term and condition of employment within the lawful scope of representation of OPOA may occur as a result of that process unless if City desires to develop a multi-agency dispatch center, City shall meet and confer in good faith with OPOA, mutually agreed by City and OPOA.

F. Employee Selection—Acting Assignments

1. If a certified eligible list exists, the Police Chief may select from the top three candidates on the list.

2. If a certified eligible list does not exist, the Police Chief may select from the top three most senior qualified employees who declare an interest in the assignment.

XXVI. Term

This MOU shall be in full force and effect from September 1, 2018 through June 30, 2021.

FOR THE CITY OF OXNARD	FOR THE OXNARD PEACE OFFICERS' ASSOCIATION
_____	_____
Alex Nguyen, City Manager	Michael Gregson, President
_____	
Steve Naveau, Human Resources Director	

Dated this _____day of _____, 2019.

EXHIBIT "A"

Ingredients, in addition to salary, to be utilized in calculating the payment to the Retiree Medical Trust Fund in accordance with Article IX

REGULAR HOURS
Total wages
EDUCATIONAL INCENTIVE PAY (as listed in Article X)
LONGEVITY PAY (as listed in Article IX)
MEDICARE EMPLOYER
PERS MISC – ER
PERS MISC (PERS+) – EE
PERS PLUS 7% EE
PERS PLUS 7% ER
PERS PLUS 9% EE
PERS PLUS 9% ER POLICE
PERS POLICE – EE
PERS POLICE – ER
SAFETY PROGRAM
UNEMP INS – CITY
UNFUNDED MEDICAL
VACATION/SICK PAYOUT
WORKERS COMPENSATION

City of Oxnard/POA Contract Negotiations
Tentative Agreement
February 20, 2019

Unless otherwise stated, this tentative agreement is prospective and is effective upon ratification by the bargaining unit and approval of the City Council.

1. **Term** - Contract will expire June 30, 2021

2. **Physical Fitness Program** - The City accepts the Union proposal to increase the cap of the physical fitness program by $10,000 to $40,000 as well as eliminating the $5,000 cap provided that the Union agrees to submit an annual statement detailing the specific use of the funds including: amount, equipment, facility, and employee. Should the City not receive the statement by June 30 of each year then the Union will forfeit the amount for the following fiscal year.

3. **Medical** - The City will increase the monthly contribution to medical by $400 the pay period following Council approval of the new MOU. The total new contribution is as follows:

Employee Only – $743.00
Employee plus one - $743.00
Family - $743.00

The City will make an additional $400 contribution for each tier of medical effective the first full pay period of July 2019. The total new contribution is as follows:

Employee Only – $1143.00
Employee plus One - $1143.00
Family - $1143.00

The City will make an additional $400 contribution for each tier of medical effective the first full pay period of July 2020. The total new contribution is as follows:

Employee Only – $1543.00
Employee plus One - $1543.00
Family - $1543.00

Should the City contribution exceed the plan premium then that excess will be paid to the employee.

Employees who waive medical benefits will receive the following amounts which will be effective simultaneously to when the increase in City contribution occurs for those electing medical through the City:
Year 1: $643
Year 2: $943
Year 3: $1243

In the year the MOU expires, the waiver will remain at the Year 3 level should the bargaining unit reach a 75% participation level in the medical program. If the bargaining unit's participation level is less than 75% at that time, then the cash back for the waive will be reduced to $900 effective the first pay period following expiration of the contract.

Participation will be reviewed at the start of each benefit year after open enrollment to ensure that the minimum level of participation continues to be 75%. Should participation drop below 75% then the waive cash would revert back to $900 per month.

4. **Deferred Compensation** - Effective the first pay period following Council ratification the City will establish a 401 (a) plan and will contribute 0.9% to the plan. The contribution will take affect the first full pay period following the election made by the employee. There will be no retroactivity for those employees who fail to make a timely enrollment.

5. **Callback** – Increase call back from $2/hr to $4/hr

6. **Investigations Differential** – Employees whose primary assignment is investigations will receive assignment pay equal to 5%.

7. **Uniforms** - The City accepts the Union proposal incorporating Uniform Pay into the MOU.

8. **Plain Clothes Pay** – The City agrees to incorporate the plain clothes pay of $13.46 per pay period into the MOU. This is intended to codify long term existing practice.

Non-Economic Agreements

1. **Written Reprimands** - Written reprimands will be removed from the personnel file five years from the date the appeal process has been completed provided no further disciplinary action has occurred in the intervening years. Should additional disciplinary actions occur, then the written reprimand will become part of the permanent record.

* SUBJECT TO FINAL MUTUALLY AGREEABLE LANGUAGE

For the City of Oxnard

For the OPOA MICHAEL JOHNSON

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OXNARD AND THE OXNARD PUBLIC SAFETY MANAGERS' ASSOCIATION

This Memorandum of Understanding (MOU) is entered into with reference to the following facts:

A. The Oxnard Public Safety Managers' Association (Association) is the recognized majority representative of the employees occupying classifications: Police Commander, Assistant Police Chief, Battalion Chief and Assistant Fire Chief.

B. The authorized representatives of the City of Oxnard (City) and the Association have met and conferred in good faith concerning wages, hours and other terms and conditions of employment of Association employees; and

C. The authorized representatives of City and the Association have reached an agreement as to wages, hours and other terms and conditions of employment of the employees represented by the Association, which shall be submitted to the City Council for its determination. The implementation of this MOU shall be by action of the City Council by appropriate ordinance, resolution or other directives.

D. This MOU supersedes any and all prior agreements or MOUs entered into between the City and the Association.

THEREFORE, the City and the Association agree that upon implementation by the City Council the wages, hours and other terms and conditions of employment for Unit employees shall be as follows:

1. The term of the MOU shall commence July 1, 2018, and shall expire June 30, 2021.

2. The City and the Association agree to meet and confer upon request of either the City or the Association on staff-recommended changes to the City of Oxnard Personnel Rules and Regulations which are within the statutorily required scope of negotiations as defined in California Government Code section 3504.

3. The City shall, as required by State law, contribute toward the payment of the cost of an Association employee's health insurance provided by the Public Employees Retirement System.

4. The City shall continue to pay 100 percent of the premiums for employee-only coverage under the existing level of benefits for life and long term disability insurance for Association employees.

5. City shall continue to pay $160.06 biweekly for each Association employee as City's contribution toward City's Health and Dental Insurance Reimbursement Program (Cafeteria Program) for Association employees (includes $129.23 for medical and $30.83 for dental). Effective following Council approval of the new MOU, the City's contributions towards the Cafeteria Plan shall increase by four hundred dollars ($400.00) per month, per pay period based on a twenty-six (26) pay period cycle. The total new contribution is as follows:

Employee only - $743.00
Employee plus one - $743.00
Family $743.00

The City will make an additional $400 contribution for each tier of medical effective the first full pay period of July 2019. The total new contribution is as follows:

Employee only - $1143.00
Employee plus one - $1143.00
Family - $1143.00

The City will make an additional $400 contribution for each tier of medical effective the first full pay period of July 2020. The total new contribution is as follows:

Employee only - $1543.00
Employee plus one - $1543.00
Family - $1543.00

Should the City contribution exceed the plan premium then that excess will be paid to the employee.

Employees who waive medical benefits will receive the following amounts which will be effective simultaneously to when the increase in City contribution occurs for those electing medical through the City:

Year 1: $643
Year 2: $943
Year 3: $1243

In the year the MOU expires, the waiver will remain at the Year 3 level should the bargaining unit reach a 75% participation level in the medical program. If the bargaining unit's participation level is less than 75% at that time, then the cash back for the waive will be reduced to $900 effective the first pay period following expiration of the contract.

Participation will be reviewed at the start of each benefit year after open enrollment to ensure that the minimum level of participation continues to be 75%. Should participation drop below 75% then the waive cash would revert back to $900 per month. Should participation increase

above 75% then the waive cash would revert back to $1243 per month. Any change to the waive amount will occur with the first full pay period of the new fiscal year.

6. Association employees occupying the classifications of Police Commander, Assistant Chief of Police, Battalion Chief and Assistant Fire Chief as defined in Government Code section 20425 who were (i) hired on or before December 31, 2012 or (ii) qualify as "classic" members of CalPERS and were hired on or after January 1, 2013, shall continue to be covered by the 3% at age 50 retirement formula set forth in California Government Code section 21362.2.

7. Employees who are "classic" members of CalPERS shall pay four and one half percent (4.5%) of pensionable compensation towards the employee share of PERS costs. This shall be paid by the employee by payroll deduction. This payment by employees shall be made on a pre-tax basis pursuant to Section 414(h)(2) of the Internal Revenue Code. The remaining required employee retirement contribution, equal to four and one half percent (4.5%) of pensionable compensation shall be paid by the City. The City shall report to PERS as compensation earnable pursuant to California Government Code section 20636(c)(4) its payment of a portion of employee retirement contributions. The City agrees to report the uniform pieces to CalPERS at the rate of $450/year.

8. The City shall establish a 401 (a) plan and effective the first pay period following Council ratification contribute 2.4% to the plan. The contribution will take affect the first full pay period following the election made by the employee. There will be no retroactivity for those employees who fail to make a timely enrollment.

9. At the discretion of the Department Head, Association employees may be permitted to code leave time as administrative leave. However, at no time shall any employee be entitled to use more than fifty- six (56) hours of administrative leave in any one fiscal year.

10. Based upon the semiannual evaluation of performance by the Department Head, an Association employee may be awarded up to one (1) day off every six months for outstanding performance. This leave is in addition to administrative leave which is available as set forth in the City of Oxnard Administrative Manual. Performance leave time awarded and not used by the Association employee within the six-month period following the award of the performance leave is forfeited and may not be accumulated or carried forwarded. Eligibility for such performance leave shall be determined by the Department Head.

11. New Association employees will no longer be permitted to establish a Reserve Leave Fund (RLF). Current Association employees who have previously established an RLF will be permitted to maintain the balance of their RLF. Employees will not be permitted to move any additional accrued leave into their RLFs.

An employee has the option to use his or her RLF balance to cover leaves of absence, consistent with the restrictions placed on the use of annual leave set forth in Article 12. In addition, an employee may cash out 100% of the balance of his or her RLF upon separation from City service, provided that the employee has a minimum of five (5) years of regular full-time service with the City.

12. Annual Leave:

a) The City shall provide annual leave benefits to Association employees as follows:

i. Full-time regular Association employees shall accrue annual leave for each biweekly period upon years of service as set forth in the following table:

YEARS OF SERVICE	BIWEEKLY ANNUALLEAVE ACCRUAL	MAXIMUM ANNUAL LEAVE ACCRUAL
Less than 5	10.85	564.20
5 to 10 years	11.16	580.32
Greater than 10	11.47	596.44
Greater than 15	11.78	612.56

For 24 Hour Shift Employees Only:

YEARS OF SERVICE	BIWEEKLY ANNUAL LEAVE ACCRUAL	MAXIMUM ANNUAL LEAVE ACCRUAL
5 to 10 years	19.68	1023.49
Greater than 10	20.23	1051.89
Greater than 15	20.79	1081.08

b) The City Manager may waive the maximum amount of annual leave authorized to be carried forward under extraordinary circumstances, subject to such conditions as the City Manager may deem appropriate.

c) Except as provided in section 12(b) above, if an Association employee accrues the maximum level of annual leave, such employee shall no longer be, entitled to accrue additional

annual leave, until such time as the employee's accrued annual leave is below the

applicable maximum.

d) An Association employee may redeem accrued annual leave for cash once during each calendar year by submitting a written request to the Director of Human Resources during the month of July or December according to the following table. The payment shall be made based upon the employee's base rate of pay.

YEARS OF SERVICE	MAXIMUM ANNUAL LEAVE REDEMPTION HOURS
Greater than 5	40 hours
Greater than 10	80 hours
Greater than 15	120 hours
Greater than 20	160 hours

e) If an Association employee separates from service, the employee shall be paid for accrued annual leave at the employee's base rate of pay earned as of the effective date of separation from City service.

f) Sick leave and vacation leave benefits accrued by Association employees as of December 14, 2010, shall be addressed as follows:

i. Current sick leave accruals may be used to receive a leave of absence with pay for illnesses or-injuries of the employee under the same circumstance and with the same limitations as existed prior to December 14, 2010.

ii. Such current sick leave accruals may be used as donations to a sick leave bank established by City for another City employee.

iii. City will redeem fifty percent (50%) of such current unused unredeemed sick and one hundred percent (100%) of such current unused unredeemed vacation leave accruals not to exceed 600 hours for each account, upon separation from service to those employees with a minimum of five (5) years of regular full-time service, at time of separation, at the employee's base rate of pay being earned as of the effective date of separation from City service.

g) During their final three (3) years of employment prior to retirement from the City, the association employee may convert accrued but unused annual or vacation leave into a City-sponsored 457

deferred compensation plan. The amount of annual leave and/or vacation leave that may be transferred shall be limited to the contribution amounts set forth in the Internal Revenue Code (the "IRC"). It is the responsibility of each employee, not the City, to ensure compliance with any IRC contribution limits. An employee electing to transfer annual leave and/or vacation leave into the deferred compensation plan must enroll in the plan before any leave can be transferred.

Employees must request a transfer using the City-approved form, which is available from the City's payroll department.

13. The City and the Association agree to continue the Physical Fitness and Wellness Program (Program). Participation in the program by Association employees shall be voluntary. Each Association employee shall be eligible for Wellness reimbursement in accordance with the applicable City wide Wellness policy, which is currently $500 per fiscal year.

    Acceptable Items:
    Heart rate monitor & accessories
    Any smartwatch that tracks heart rate information
    Pool swim pass
    Gym membership
    Exercise equipment
    Athletic trainer expenses
    Weights (vests included)

14. If a Police Commander is assigned to Patrol Watch Commander responsibilities and works during the week of a City-recognized holiday, the City shall compensate the Police Commander with ten (10) hours of annual leave for each such holiday, as long as said Commander is working a 4-10 shift. If the Commander is working an eight (8) hour shift, the Commander shall receive eight (8) hours of annual leave compensation and if the Commander is working a twelve (12) hour shift, the Commander shall receive twelve (12) hours of annual leave compensation.

    Any Association employee who is serving in any other Mutual Aid Assignment shall be paid at and one half time the normal salary for hours worked in these positions outside of their regular shift(s). Effective July 14th, 2017, any Association employee who is assigned to an additional shift to backfill for an employee who has been assigned in a Mutual Aid Assignment shall be paid at one and one halftime the normal salary for hours worked in such an assignment. This backfill pay will be applied retroactively upon ratification of this agreement. This pay rate Shall apply only to incidents where costs are reimbursed by the State and/or Federal Government. Employees shall not be entitled to pay at one and one halftime their normal salary for hours worked during their regular shifts and only one employee (either the employee on assignment or the employee backfilling for the employee on assignment) shall be eligible for this one and one half time pay rate per shift. In addition, employees in the classification of

Battalion Chief may be assigned, at the discretion of the Fire Chief, to additional shifts outside of their regular schedule and be compensated at the employee's regular hourly rate for such overtime work at straight time.

15. The annual recurring occasions which shall be observed as City holidays for Association Employees are as follows:

New Year's Day (January 1)
Martin Luther King, Jr. Day (3rd Monday in January)
Presidents' Day (3rd Monday in February)
Cesar Chavez Birthday (March 31st)
Memorial Day (Last Monday in May)
Independence Day (July 4th)
Labor bay (1st Monday in September)
Veterans' Day (November 11th)
Thanksgiving Day (4th Thursday in November)
Christmas Eve (December 24th, 1/2 day)
Christmas Day (December 25th)
New Year's Eve (December 31st, 1/2 day)

16. Management Incentive Pay

a. Fire Department Managers that engage primarily in administrative duties while working in a regular full-time position in Administration shall receive a managerial incentive pay in the amount of five (5%) percent. The provision does not apply to Association employees assigned to temporary modified duty (TMD).

b. When an Association employee assigned to administrative duties is called to work in a suppression/shift assignment in addition to their administrative duties, such employee shall be paid based upon an hourly rate of pay calculated by dividing the employee's biweekly compensation, including the afore-stated managerial incentive pay, by 112 hours (instead of 80 hours). Except for mutual aid assisting.

c. Employees occupying the classification of Police Commander will be allowed, at the discretion of the Police Chief, to work overtime hours performing the assignment of Watch Commander, and be compensated at the employee's regular hourly rate for such overtime work at straight time.

17. Wages
There shall be no cost of living adjustments during the term of this MOU. Merit increase as defined in the Personnel Rules and Regulations are not affected.

18. The City shall continue to make mandatory contributions to the Oxnard Peace Officers' Association (OPOA) - Retiree Medical Trust ("Trust") on behalf of Association employees occupying the classifications of Police Commander and Assistant Police Chief who were promoted into the Association from the OPOA. The amount of such contributions made on behalf of each employee shall equal the contribution rate of a top-step sergeant plus 10% education and 7% longevity as established in the most recent MOU between the City and the OPOA. The City shall adjust the contribution rate to reflect any negotiated OPOA top step sergeant increase. Such adjustments to the contribution rate shall be effective on the same date as the negotiated OPOA top-step sergeant increase. Payment will be made 30 days following the close of the previous quarter.

The City shall remit said contributions to the Trust for the duration of this MOU, via ACH transfer to:

United Missouri Bank - Premium Reimbursement Plan Oxnard
Officers Retirement Medical Trust
Account# 39900001614173371
Routing# 101205681

19. The City shall continue contributing on behalf of each association employee occupying the classifications of Battalion Chief and Assistant Fire Chief an amount equal to 1.6923% of his/her base salary to a Post Employment Health Plan (PEHP), as authorized by Internal Revenue Code Section Sol (c) (9), which PEHP shall be administered by a private agency authorized by the city. These contributions shall not be considered as taxable income or pensionable income and the City shall not report such contributions on the employee's W-2 form.

20. Tuition reimbursement shall be provided at the rate of 75% of the cost of tuition, provided the employee attends an accredited institution, receives a "C" or better, or passes the class if the criteria work is pass/fail, and as long as the course work benefits the employee towards completion of a degree (e.g., B.A., M.B.A.) or benefits the employee's career development. $10,000 is the maximum reimbursement the employee may receive per calendar year.

21. Temporary Upgrade Pay: An employee who is assigned to assume the majority of duties and responsibilities of a higher classification shall receive additional compensation while such duties are performed. The employee shall be compensated at the minimum base salary established for the higher classification, or five percent (5%) above the employee's present

pay, whichever is greater, and which will not exceed the new pay/salary range maximum. The change in pay/salary related to the assignment shall be effective the first day of the new pay period following such appointment, once the employee has performed such duties for at least forty hours (40) in any one calendar year. The employee shall then continue to receive the additional pay for the duration of the assignment. The employee shall not receive any other benefit assigned to the higher classification that they are not already receiving. PERS language; current law may not be reportable for single highest year.

22. All employees in the Association are "exempt" employees as defined under the Fair Labor Standards Act and therefore are salaried employees and ineligible for overtime pay, except as defined above.

23. During the month of July 2019 and July 2020, the Association may reopen discussions concerning the pay differential between Fire Captains and Battalion Chiefs.

Dated this _____day of _____, 2019.

For the City of Oxnard

_____

Alex Nguyen
City Manager

_____

Steve Naveau
Human Resources Director

For the Association

_____

Christopher Williams
President, OPSMA

City of Oxnard/OPSMA Contract Negotiations
Tentative Agreement
February 20, 2019

The following is a comprehensive economic package proposal from the City. Rejection of any one term is a rejection of the entire package. Unless otherwise stated, this proposal is prospective and is effective upon ratification by the bargaining unit and approval of the City Council.

Term: Three years through June 30, 2021.

Union Proposal 5: The City rejects language providing a blanket $500 for the wellness program. The City is open to creating a list of items which are subject to reimbursement.

Union Proposal 6: It is the City's understanding that this is clean up language is intended to reflect the current past practice. The City proposes that the payment will be made 30 days following the close of the previous quarter.

Union Proposal 8: The City counter proposes to maintain current tuition reimbursement language as defined in the Police Unit MOU dated September 6, 2016 with the addition of a cap of $10,000 per calendar year.

Union Proposal 9: The City agrees to report the uniform pieces to CalPERS at the rate of $450/year.

Medical - Medical - The City will increase the monthly contribution to medical by $400 the pay period following Council approval of the new MOU. The total new contribution is as follows:

Employee Only – $743.00
Employee plus one - $743.00
Family - $743.00

The City will make an additional $400 contribution for each tier of medical effective the first full pay period of July 2019. The total new contribution is as follows:

Employee Only – $1143.00
Employee plus One - $1143.00
Family - $1143.00

The City will make an additional $400 contribution for each tier of medical effective the first full pay period of July 2020. The total new contribution is as follows:

Employee Only – $1543.00
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Should the City contribution exceed the plan premium then that excess will be paid to the employee.

Employees who waive medical benefits will receive the following amounts which will be effective simultaneously to when the increase in City contribution occurs for those electing medical through the City:
Year 1: $643
Year 2: $943
Year 3: $1243

In the year the MOU expires, the waiver will remain at the Year 3 level should the bargaining unit reach a 75% participation level in the medical program. If the bargaining unit's participation level is less than 75% at that time, then the cash back for the waive will be reduced to $900 effective the first pay period following expiration of the contract.

Participation will be reviewed at the start of each benefit year after open enrollment to ensure that the minimum level of participation continues to be 75%. Should participation drop below 75% then the waive cash would revert back to $900 per month. Should participation increase above 75% then the waive cash would revert back to $1243 per month. Any change to the waive amount will occur with the first full pay period of the new fiscal year.

PHEP - The City is in agreement to add the following clean up language regarding the PHEP for employees in Fire. It is acknowledged by both parties that this clean up language is not increasing the current benefit but rather adds clarity to how the benefit is paid:

The City shall continue contributing on behalf of each Unit employee an amount equal to 1.6923% of his or her base salary to a Post Employment Health Plan (PEHP), as authorized by Internal Revenue Code Section Sol (c)(9), which PEHP shall be administered by a private agency authorized by the City. These contributions shall not be considered as taxable income or pensionable income and the City shall not report such contributions on the Unit employee's W-2 form.

Deferred Compensation – The City will establish a 401 (a) plan and effective the first pay period following Council ratification contribute 1.4% to the plan. The contribution will take affect the first full pay period following the election made by the employee. There will be no retroactivity for those employees who fail to make a timely enrollment.

Reopener - The City agrees to continue discussions concerning the differential between Fire Captains and Battalion Chiefs.

For the City of Oxnard

For the OPSMA

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING THE SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OXNARD AND THE OXNARD PEACE OFFICERS ASSOCIATION AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE THE NECESSARY ADMINISTRATIVE ACTIONS NECESSARY TO IMPLEMENT THE AGREEMENT

WHEREAS, the Oxnard Peace Officers Association is the recognized representative for the Oxnard Police Officers; and

WHEREAS, the City's memoranda of understanding with the Oxnard Peace Officers Association expired August 30, 2018; and

WHEREAS, representatives of the City met and conferred in good faith with representatives of Oxnard Peace Officers Association concerning wages, hours, terms, and conditions of employment for employees in the bargaining unit consistent with their obligations under the Meyers-Milias-Brown Act; and

WHEREAS, the City has reached agreement with the Oxnard Peace Officers Association attached as Attachment 1 to the City Council agenda report of March 19, 2019, (the "Agreement") which sets forth the modified terms and conditions of employment for this bargaining unit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD RESOLVES that the Agreement is adopted and the City Manager and/or his designee is directed to perform all acts necessary to implement its terms, including but not limited to executing the Memorandum of Understanding on behalf of the City.

PASSED AND ADOPTED this 19th day of March 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Tim Flynn, Mayor

ATTEST:

_____
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_____
Stephen Fischer, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING THE SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OXNARD AND THE OXNARD PUBLIC SAFETY MANAGERS ASSOCIATION AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO TAKE THE NECESSARY ADMINISTRATIVE ACTIONS NECESSARY TO IMPLEMENT THE AGREEMENT

WHEREAS, the Oxnard Public Safety Managers Association is the recognized representative for the Oxnard Public Safety Manager; and

WHEREAS, the City's memoranda of understanding with the Oxnard Public Safety Managers Association expired August 30, 2018; and

WHEREAS, representatives of the City met and conferred in good faith with representatives of Oxnard Public Safety Managers Association concerning wages, hours, terms, and conditions of employment for employees in the bargaining unit consistent with their obligations under the Meyers-Milias-Brown Act; and

WHEREAS, the City has reached agreement with the Oxnard Public Safety Managers Association attached as Attachment 2 to the City Council agenda report of March 19, 2019, (the "Agreement") which sets forth the modified terms and conditions of employment for this bargaining unit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD RESOLVES that the Agreement is adopted and the City Manager and/or his designee is directed to perform all acts necessary to implement its terms, including but not limited to executing the Memorandum of Understanding on behalf of the City.

PASSED AND ADOPTED this 19th day of March 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Tim Flynn, Mayor

ATTEST:

_____
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_____
Stephen Fischer, City Attorney

OPOA MOU

- **Term**: Through June 30, 2021
- **Medical Contribution**
  - Employees who purchase insurance: Incremental increase to final amount of $1,543 per month over the term of the contract
  - Employees who waive insurance: Incremental increase to final amount of $1,243 per month over the term of the contract
    - Reduced to $900 after end of contract term unless OPOA has 75% of members participating in the medical plan
- **Physical Fitness Program**: The City will increase its contribution to the program by $10,000 per year
- **Deferred Compensation**: The City will make a 0.9% contribution to a 401(a) Deferred Compensation Plan
- **Callback**: City will increase the call back from $2 per hour to $4 per hour
- **Investigation Differential**: The City will provide a 5% differential for employees whose primary assignment are investigations

OPSMA MOU

- **Term**: Through June 30, 2021
- **Medical Contribution**
  - Employees who purchase insurance: Incremental increase to final amount of $1,543 per month over the term of the contract
  - Employees who waive insurance: Incremental increase to final amount of $1,243 per month over the term of the contract
    - Reduced to $900 after end of contract term unless OPOA has 75% of members participating in the medical plan
- **Deferred Compensation**: The City will make an additional 1.4% contribution to a 401(a) Deferred Compensation Plan
- **Uniform**: Clean up language to report to CalPERS uniforms, which the City provides to employees at an annual value of $450

Comparison of Monthly Employer Medical Contribution

Agency	Monthly Employer Contribution
City of Oxnard	**$343.88**
City of Thousand Oaks	$435.00
City of Ventura	$1,023.00
City of Santa Barbara	$1,374.64
City of Simi Valley	$1,855.64
City of Anaheim	$3,182.64
City of Glendale	$1,605.69
City of Riverside	$1,364.59
City of Pasadena	$1,608.46

Financial Impact

Year	OPOA	OPSMA
Year 1	$1,563,407	$108,281
Year 2	1,074,765	69,600
Year 3	1,074,501	81,696
TOTALS	**$3,712,673**	**$259,577**

CITY OF OXNARD CALIFORNIA	**CITY COUNCIL** **AGENDA REPORT**	**TYPE OF ITEM: Public Hearing** **AGENDA ITEM NO.: 1**

DATE: March 19, 2019

TO: City Council

FROM: Jeffrey Lambert
Development Services Director

SUBJECT: Planning and Zoning (PZ) Permit No. 17-580-01 (Zone Text Amendment) – Amendments to the Industrial Portion of the Zoning Ordinance, Chapter 16, Divisions 11-15 of the Oxnard City Code- Business and Research Park, Limited Manufacturing, Light Manufacturing, Commercial Manufacturing, and Heavy Manufacturing (10/15/20)

CONTACT: Jeffrey Lambert, Development Services Director
Jeffrey.Lambert@oxnard.org, (805) 385-7882

RECOMMENDATION:

That the City Council introduce an ordinance (read by title only, waiving further reading) amending Chapter 16, Divisions 11 – 15 of the Oxnard City Code pertaining to regulations governing land uses and development regulations for uses within the Business and Research Park, Limited Manufacturing, Light Manufacturing, Commercial Manufacturing, and Heavy Manufacturing zoning districts, and implement the Planning Commission's recommendations.

BACKGROUND

At the direction of City Council, per the May 17, 2016 adopted Council Strategic Priorities, staff and the project consultant team prepared a draft update of the City's industrial zoning ordinance through a Zone Text Amendment (ZTA). The proposed ZTA revises the format of the industrial zoning ordinance, updates land uses commensurate with current development trends, and amends development regulations for the Business and Research Park (BRP), Limited Manufacturing (M-L), Light Manufacturing (M-1), Commercial Manufacturing (C-M), and Heavy Manufacturing (M-2) zoning districts. It also provides for an efficient development permitting process for specific land uses and clarifies the permitting authority for specific uses.

Other than the addition of the BRP zoning category, and performance standards in the 1980's, the current industrial zoning ordinance and regulations are largely the same as when the Zoning Ordinance was initially adopted in the 1960's. The key features and objectives of this update are the following:

- Update the land use categories and the approval level for the various types of industrial land uses.
- Develop easy-to-use tables for land uses, development standards, and performance standards.
- Eliminate obsolete uses and terms.
- Amend regulations for accessory uses in industrial buildings and facilities, including limited commercial and office uses.
- Develop regulations regarding primary and accessory outdoor storage, equipment, and industrial activities.
- Improve regulations concerning the permit process for permitted, administratively permitted, and conditionally permitted (Special Use Permit - SUP).

Community Outreach

As part of the effort to address business and community concerns regarding the existing industrial zoning regulations, the following actions were taken:

- Discussions with the former Economic Development Corporation of Oxnard (EDCO) staff (November 2016- July 2017)
- City website survey and comment opportunity (April 11-April 30, 2018)
- Workshop with industrial property owners, developers, investors, brokers, and the general public (April 11, 2018)
- Presentations and updates to the Greater Oxnard Chamber of Commerce Business Advocacy Committee (April 9, 2018 and June 11, 2018)
- Online review and comment of draft Ordinance posted on project website June 12, 2018-July 2, 2018)
- Planning Commission Study Session (July 19, 2018)
- Planning Commission Public Hearing (November 15, 2018)
- CBRE draft ordinance comments submitted to staff on December 10, 2018
- Meeting with CBRE to discuss draft ordinance comments on February 13, 2019

Planning Commission

On July 19, 2018, the Planning Commission held a study session to receive a presentation outlining staff's efforts to update the City's industrial zoning ordinance, receive public comments and provide input to staff. At the Planning Commission study session, comments received from the public mainly concerned outdoor uses and the preference to permit these uses through a SUP, which is approved by the Planning Commission, instead of a Development Design Review Permit (DDR), which is reviewed and approved by the Development Services Director. The Planning Commission inquired about a number of issues:

1. *Is the 2030 General Plan required to be updated in order to be consistent with the proposed Industrial Code Update?* The industrial zone ordinance is being updated in order to be consistent with the 2030 General Plan that was adopted on October 2011, as

well as State and Federal laws. Therefore, there is no need to update the 2030 General Plan in order to accomplish the proposed Industrial ZTA.

2. *Are there restrictions on industrial land uses in proximity to church uses and homeless shelters?* The purpose of the ZTA is to clarify procedures and requirements that are already codified or uncodified. No changes are made to where homeless shelters and churches may be located.
3. *Will the industrial ordinance include medical cannabis provisions?* The Industrial ZTA will not contain any provisions related to cannabis unless the City Council directs otherwise. Currently, the cultivation, distribution and sale of cannabis is prohibited in the City; however staff is working on a separate ordinance based on Council direction to allow for manufacturing, testing, and warehousing. The ordinance is expected to come to City Council later this year.
4. *Will the industrial ordinance relax development standards that will impact residential parcels?* The Industrial ZTA does not amend any of the existing development standards which include height, setbacks, lot coverage and floor area ratio. Furthermore, the industrial performance standards currently apply to the Limited Manufacturing (M-L) zone exclusively but the Industrial ZTA proposes to apply these performance standards to all industrial zones.

On November 15, 2018, the Planning Commission conducted a public hearing and considered the ZTA (see Attachment A). At the public hearing, comments received from the public mainly concerned outdoor uses and the preference to permit these uses through a Special Use Permit (SUP) instead of a Development Design Review Permit (DDR), which is reviewed and approved by the Development Services Director. The Planning Commission determined that outdoor uses associated with a primary use should be allowed by approval of a DDR instead of a SUP. The Planning Commission unanimously approved Planning Commission Resolution 2018-31 (Attachment B), recommending that the City Council approve PZ No. 17-580-01, with format changes to the M-L 'Purpose and Intent' section, and to allow cafes and restaurants to all remaining zones (M-1 and M-2) that the ZTA did not include with approval of a DDR. The Planning Commission recommendations have been incorporated into the ZTA. The ZTA is Categorically Exempt from the California Environmental Quality Act (CEQA; Exemption 15601 (b)). A Notice of Exemption has been prepared (see Attachment C).

Zone Text Amendment Analysis

The current Zoning Ordinance is primarily in textual format; that is, almost all information is presented in the form of lists and text. Contemporary zoning ordinances typically provide information in tabular and graphic form. Land uses, development standards such as setbacks and height requirements, as well as performance standards that apply to industrial operations are now presented in easy-to-understand tables. The uses permitted in the Limited Manufacturing (M-L) zone have been substantially expanded to address stakeholder feedback and development trends. The Land Use Table provides clear information as to whether a particular use is permitted ("P"); requires a staff level review and approval (DDR); or requires Planning Commission review and approval (SUP) based upon the properties respective industrial zone designation. The image below provides an example of how the Land Use Table will be formatted.

Section 16-XXXX
Industrial Land Uses by Zone

Sec. 16-XXX. Industrial Land Use Matrix
The allowed land uses in the industrial zoning districts are identified in the following table as being:

	=	Not Allowed
P	=	Permitted Use (Requires a zone clearance)
SUP	=	Special Use Permit
DDR	=	Development Design Review Permit

	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Administrative, executive, and/or corporate offices which are a part of a predominantly industrial operation, including governmental offices and facilities	P	P	P	P	P	
Administrative, financial, professional, medical, and general office services	P	P	SUP			
Adult businesses, except adult motels		P	P	P ~~SUP~~	P ~~SUP~~	Refer to Oxnard City Code (OCC) Section ###
Adult day care facilities	P	P				
Adult motels	P					Refer to OCC Section ###
Advertising structures other than those permitted in Article IX of this chapter					SUP	Refer to OCC Section ###

Specific Plans/Senate Bill (SB) 2 Uses
The ZTA proposes to include a table identifying the adopted five industrial specific plan areas and the type of permit required for uses in these areas. The reader will be required to review each adopted specific plan to research development standards, capital improvement obligations, design guidelines and all other requirements pertaining to each adopted specific plan.

The SB 2 related uses include emergency temporary shelters; transitional housing; supportive housing and farmworker housing. The ZTA proposes to include a new table identifying SB 2 related uses and definitions; and consistent with City Ordinance No. 2864 identify where these

uses are allowed within the industrial zones. The ZTA intends to allow farmworker housing in all industrial zones identified in the Housing Element Implementation Program within the adopted Housing Element (October 2017), which is required by State Law.

Accessory Uses

Perhaps the most significant area of concern based on stakeholder feedback was the lack of clarity regarding uses which are typically accessory, also known as secondary or supportive, to the principle industrial use. This lack of clarity can have a negative impact to industrial business proposals and may place the City at a competitive disadvantage relative to other nearby communities. During Council consideration of this item, Staff will review these changes in more detail. As a result, the Land Use Table and supplemental regulations have been developed to address the following:

Office Use
Early consultations with the Chamber of Commerce revealed that the City was unable to attract industrial uses due to the City's industrial zoning ordinance strict regulations concerning office use. The proposed ZTA provides regulations that will allow office uses by right if the office areas are no more than 25% of the total gross floor area of any single or multi-tenant building. A principal use that proposes office area greater than 25% maybe be permitted through approval of a DDR permit. Additionally, the City may require traffic and/or parking studies to determine the appropriateness of permitting office areas in excess of 25% of the total gross floor area of any single or multi-tenant building.

Commercial and Retail Uses
Current industrial uses located within the City require a commercial and retail presence in order to be economically competitive with competitors located in surrounding cities. Additionally, internet sales are critical to undertake both a commercial and retail presence. The ZTA intends to address commercial and retail activities in the industrial zones by allowing them as ancillary uses to the primary manufacturing and wholesale use to enable businesses to compete with similar businesses in surrounding jurisdictions and attract businesses to the City. Additionally, the ZTA intends to include showroom regulations to support commercial and retail uses.

Outdoor Uses and Storage/Equipment
One of the major points of concern the Chamber of Commerce communicated to the City in the early stages of consultation was the regulations pertaining to the outdoor uses and equipment and that the City's current regulations. The ZTA intends to clarify allowed outdoor uses and equipment by outlining the requirements based on the particular industrial zone district. Further, the regulations will provide a permit path to allow such uses with a DDR, unless a SUP is specifically required. This change is recommended in order to facilitate business development with an efficient and reliable permitting process while still ensuring that performance standards are met. The recommended shift in permitting of outdoor uses and equipment storage will streamline and expand the allowance of these uses in the industrial portions of the City.

STRATEGIC PRIORITIES

This agenda item supports the Economic Development strategy. The purpose of the Economic Development strategy is to develop and enhance Oxnard's business climate, promote the City's fiscal health, and support economic growth in a manner consistent with the City's unique character. This item supports the following goals and objectives:

Goal 1. Create vibrant and economically sustainable commercial, industrial and retail industries throughout the City.

Objective 1a. Focus available resources on a comprehensive effort to promote economic activity in Oxnard, including a marketing program that communicates the City's available resources and assets.

Goal 2. Enhance business development throughout the City.

Objective 2a. Develop a strong citywide economy which attracts investment, increases the tax base, creates employment opportunities, and generates public revenue.

Action/Task 2.a.1 Update industrial zoning code sections to address current needs

Objective 2b. Improve relationships and communication between the City and the business community.

Goal 3. Enhance business retention and attraction.

Objective 4a. Streamline internal process to ensure government efficiencies.

FINANCIAL IMPACT

No fiscal impacts are associated with adoption of the Zone Text Amendment Ordinance.

Prepared by Isidro Figueroa, Principal Planner

ATTACHMENTS:

Attachment A_Planning Commission Staff Report November 15, 2018

Attachment B_Planning Commission Resolution 2018-31

Attachment C_CEQA Notice of Exemption

Attachment D_Final Draft Oxnard Industrial Code

Attachment E_City Council Ordinance

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Isidro Figueroa, Principal Planner

DATE: November 15, 2018

SUBJECT: **Planning and Zoning (PZ) Permit No. 17-580-01 (Zone Text Amendment) – Amendment to the Industrial Zoning Ordinance Section of Chapter 16, Divisions 11 - 15 of the Oxnard City Code**

1) **Recommendation:** That the Planning Commission recommend City Council approval of an ordinance amending regulations relating to land uses and development regulations for uses within the Business and Research Park, Limited Manufacturing, Light Manufacturing, Commercial Manufacturing, and Heavy Manufacturing zoning districts.

2) **Project Description and Applicant:** The proposed Zone Text Amendment (ZTA) revises the format of the industrial zoning ordinance , updates land uses commensurate with current development trends, and amends development regulations for the Business and Research Park (BRP), Limited Manufacturing (M-L), Light Manufacturing (M-1), Commercial Manufacturing (C-M), and Heavy Manufacturing (M-2) zoning districts. It also provides for an efficient development permitting process for specific land uses and clarifies the permitting authority for specific uses. Filed by the Development Services Department, 214 South C Street, Oxnard.

3) **Background:** At the direction of City Council, staff and the project consultant team prepared a draft update of the City's industrial zoning ordinance and Business and Research Park (BRP) through a ZTA. Other than the addition of the BRP zoning category, and performance standards in the 1980's, the current industrial zoning ordinance and regulations are largely the same as when the Zoning Ordinance was initially adopted in the 1960's. The key features and objectives of this update are the following:
   - Update the land use categories and the approval level for the various types of industrial land uses
   - Develop easy-to-use tables for land uses, development standards, and performance standards
   - Eliminate obsolete uses and terms
   - Amend regulations for accessory uses in industrial buildings and facilities, including limited commercial and office uses
   - Develop regulations regarding principle and accessory outdoor storage, equipment, and industrial activities

- Improve regulations concerning the permit process for permitted, administratively permitted, and conditionally permitted (Special Use Permit - SUP).

Study Session

On July 19, 2018, the Planning Commission held a study session to receive a presentation outlining staff's efforts to update the City's industrial zoning ordinance, receive public comments and provide input to staff.

Public Input

Comments received from the public mainly concerned outdoor uses and the preference to permit these uses through a SUP instead of a Development Design Review Permit (DDR), which is reviewed and approved by the Development Services Director. Members of the public felt that the public noticing requirements and availability of project documents on the City's webpage associated with a SUP allowed for greater public outreach to inform the general public of proposed projects. Additionally, members of the public felt that a Planning Commission forum was more appropriate to review proposed outdoor industrial uses and equipment because this meeting format occurs as a noticed and televised public hearing in the evening.

Planning Commission Input

At the July 19th study session, the Planning Commission inquired about a number of issues; staff's response is identified in italics as follows:

1. Is the 2030 General Plan required to be updated in order to be consistent with the proposed Industrial Code Update? *The industrial zone ordinance is being updated in order to be consistent with the 2030 General Plan that was adopted on October 2011, as well as State and Federal law. Therefore, there is no need to update the 2030 General Plan in order to accomplish the proposed Industrial ZTA.*

2. Are there restrictions on industrial land uses in proximity to church uses and homeless shelters? *The proposed Industrial Code Update does not intend to restrict industrial land uses. The purpose of the ZTA is to clarify procedures and requirements that are already codified or uncodified. For instance, a new table will be incorporated into the industrial zone regulations to indicate in what industrial zones Senate Bill 2 (SB2) related uses such as homeless shelters and farm worker housing will be allowed. Additionally, regulations pertaining to churches and religious institutions will be provided within the Industrial Code Update.*

3. Will the industrial ordinance include Medical Cannabis provisions? *The Planning Commission asked if the Industrial Code Update will incorporate any cannabis related provisions. Currently, the cultivation, distribution and sale of cannabis is prohibited in the City. The Industrial Code Update will not contain any provisions related to cannabis unless the City Council directs otherwise.*

4. Will the industrial ordinance relax development standards that will impact residential parcels? *The Planning Commission was concerned that there would be a relaxation of standards to industrial land uses in close proximity to residential zones. The Industrial ZTA does not amend any of the existing development standards which include height, setbacks, lot coverage and floor area ratio. Furthermore, the industrial performance standards currently apply to the Limited Manufacturing (M-L) zone exclusively but the Industrial ZTA proposes to apply these performance standards to all industrial zones. The following list contains the performance standards that will be applied to all industrial zones:*
   1. Noise
   2. Smoke and Particulates
   3. Toxic or Noxious Matter
   4. Odors
   5. Glare or Heat
   6. Vibration
   7. Electricity and Radioactivity
   8. Liquid and Solid Wastes
   9. Fire and Explosive Hazards
   10. Mechanical Equipment

4) Environmental Review: The proposed action is Categorically Exempt from the California Environmental Quality Act (CEQA; Exemption 15601 (b)). The proposed ZTA is regulatory and format related. The ZTA would not permit development intensity over what is allowed by current regulations. The draft ZTA includes additional development and performance standards for industrial zoning categories. Therefore, a Notice of Exemption has been prepared (see Attachment A).

5) Analysis - Proposed Zoning Text Amendments (ZTA's): Adoption of the changes proposed to Divisions 11 to 15 of Chapter 16 of the Oxnard Municipal Code will necessitate renumbering subsequent chapters of Chapter 16 of the Municipal Code.

The proposed ZTA's are summarized below and can be reviewed in Attachment B:

The current Zoning Ordinance is primarily in textual format; that is, almost all information is presented in the form of lists and text. Contemporary zoning ordinances typically provide

information in tabular and graphic form. Land uses, development standards such as setbacks and height requirements, as well as performance standards that apply to industrial operations are now all presented in easy-to-understand tables. The types of uses permitted in the Limited Manufacturing (M-L) zone have been substantially expanded to address stakeholder feedback and development trends. The image below provides an example of how the Land Use Table will be formatted.

Section 16-XXXX
Industrial Land Uses by Zone

Sec. 16-XXX. Industrial Land Use Matrix
The allowed land uses in the industrial zoning districts are identified in the following table as being:

	=	Not Allowed
P	=	Permitted Use (Requires a zone clearance)
SUP	=	Special Use Permit
DDR	=	Development Design Review Permit

	ZONE DISTRICT					
Land Use	CM	BRP	M-L	M-1	M-2	NOTES
Administrative, executive, and/or corporate offices which are a part of a predominantly industrial operation, including governmental offices and facilities	P	P	P	P	P	
Administrative, financial, professional, medical, and general office services	P	P	SUP			
Adult businesses, except adult motels		P	P	P ~~SUP~~	P ~~SUP~~	Refer to Oxnard City Code (OCC) Section ###
Adult day care facilities	P	P				
Adult motels	P					Refer to OCC Section ###
Advertising structures other than those permitted in Article IX of this chapter					SUP	Refer to OCC Section ###

The Land Use Table provides clear information as to whether a particular use is permitted ("P") or requires a SUP based upon the properties respective industrial zone designation. An allowed use is subject to one of the following approval paths:

1. Permitted Use (P). A permitted use is allowed by right subject to the approval of a zone clearance and a City business license. Other regulatory requirements such as a building permit or public health permit may also apply.

2. Development Design Review (DDR) Permit. A DDR is a staff level review and approval process for uses which may have characteristics which merit review by several City departments. A DDR is also required for the development of new industrial buildings or additions.

3. Special Use Permit (SUP). A special use permit is required for uses that have the potential to have impacts on adjacent land uses, sensitive populations, or which by their nature require the consideration of operational conditions. A SUP is reviewed by and subject to approval of the Planning Commission.

Specific Plans

A specific plan is a tool for the systematic implementation of the general plan. It effectively establishes a link between implementing policies of the general plan and the individual development proposals in a defined area. The City has adopted five specific plans located within industrial zones:

1. Rose/Santa Clara
2. Northfield-Segate
3. McInnish Ranch
4. Sakioka Farms
5. Camino Real

The ZTA proposes to include a table identifying the adopted five industrial specific plan areas and the type of permit required for uses in these areas. The reader will be required to review each adopted specific plan to research development standards, capital improvement obligations, design guidelines and all other requirements pertaining to each adopted specific plan.

SPECIFIC PLAN	PERMIT TYPE	
	DDR	SUP
Rose/Santa Clara	• All New Development	• Drive-Through Uses • Outdoor Storage
Northfield-Seagate	• All New Development	• SUP when use requires this per the Oxnard City Code
McInnis Ranch	• All New Development under	• All new development over

	100,000 square feet	100,000 square feet • SUP when use requires this per the Oxnard City Code
Sakioka Farms	• All New Development	• None
Camino Real	• All New Development	• SUP when use requires this per the Oxnard City Code

Senate Bill (SB) 2 Uses

On April 23, 2013, the City adopted the City's SB 2 provisions (City Council Ordinance No. 2864), which was never comprehensively incorporated into the Zoning Ordinance. A new table identifying SB 2 related uses and definitions will be incorporated into the ZTA to identify where these uses are allowed within the industrial zones. This ZTA does not propose to change the City's adopted SB 2 provisions or land use citing. The SB2 related uses identified in the table are as follows:

1. Emergency Temporary Shelters
2. Transitional Housing
3. Supportive Housing
4. Farmworker Housing

Industrial Zone District	Emergency Shelter Types			Transitional Housing	Supportive Housing	Farmworker Housing
	Permanent	Temporary	Family			
C-M	SUP	P	P	SUP	SUP	SUP
BRP						
M-L	P	P	P			
M-1						
M-2						SUP

Accessory Uses

Perhaps the most significant area of concern based on stakeholder feedback was the lack of clarity regarding uses which are typically accessory to the principle industrial use or which are often found in industrial areas, but which were not specifically addressed by the current zoning regulations. This lack of clarity at times can have a negative impact to industrial business proposals and may place the City at a competitive disadvantage relative to other nearby communities. Staff will present these changes during the study session. As a result, the Land Use Table and supplemental regulations have been developed to address the following:

Office Use

Early consultations with the Chamber of Commerce revealed that the City was unable to attract industrial uses due to the City's industrial zoning ordinance's strict regulations concerning office use. The proposed ZTA intends to provide regulations that would allow office uses by right if the office areas are no more than 25% of the total gross floor area of any single or multi-tenant building. A principal use that proposes office area greater than 25% maybe be permitted subject to approval of a DDR permit. Additionally, the City may require traffic and/or parking studies to determine the appropriateness of permitting office areas in excess of 25% of the total gross floor area of any single or multi-tenant building.

Commercial and Retail Uses

Current industrial uses require a commercial and retail presence in order to be competitive in the current economy. Additionally, internet sales are critical to undertake both a commercial and retail presence. The ZTA intends to address commercial and retail activities in the industrial zones by limiting such uses to the size of the product offered.

Outdoor Uses and Storage/Equipment)

One of the major points of concern the Chamber of Commerce communicated to the City in the early stages of consultation to the City was the regulations pertaining to the outdoor uses and equipment. The ZTA intends to clarify allowed outdoor uses and equipment by outlining the requirements based on the industrial zone district. Further, the regulations will provide a permit path to allow such uses with a DDR, unless a SUP is required. This change is recommended in order to facilitate business development with an efficient and reliable permitting process while still ensuring that performance standards are met.

6) *General Plan Consistency:* The City's 2030 General Plan discusses industrial uses. Goal CD-5 states "Development of industrial uses in appropriate areas, assistance in the location of new industry, retention and expansion of existing industry, and maintenance of the City's economic vitality.

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).

II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).

III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD-5.1	I	Industrial Clustering. Encourage the clustering of industrial uses into areas that have common needs and area compatible in order to maximize their efficiency.	The ZTA addresses uses such as accessory uses that were previously addressed through un-codified policies, ensuring these uses are compatible with the permitted industrial use.
CD 5.2	I	Compatible Land Use. Ensure adequate separation between sensitive land uses (residential, educational, open space, health care) to minimize land use incompatibility associated with noise, odors, and air pollutant emissions.	The ZTA clarifies permitted and conditionally permitted uses and places standards in easy to use tables making them easier to understand. Additionally new uses such as accessory uses are addressed to clarify what uses may and may not take place.
CD 5.3	I	Available Services. Encourage industrial activities to locate where municipal services are available including adequate storm drainage and water facilities, as well as easy access to multiple modes of transportation.	The Industrial Code Update continues to provide standards on industrial development, with new modernization and clarification of uses and development standards.
CD 5.4	I	Environmentally Friendly and "Green" Industry. Seek to attract industrial development that avoids or minimizes substantial pollution, noise, glare, odor, use of hazardous materials, or other offensive activity and/or is a component of the emerging Green Industry.	The revisions to the Industrial Code provides clarification of uses and reconfirms the requirements of all industrial uses to comply with Green standards that the City has in effect.
CD 5.5	I	"Green" Major Transportation Routes, guide industrial development to locate near transportation facilities capable of handling goods movements in an efficient manner without decreasing the level of service on the transportation network or dividing existing neighborhoods.	The ZTA assists future developers in fully understanding what uses area permitted, and development standards for those uses.
CD 16.5	I	Industrial and Commercial Development Standards. Require high quality development standards that increase the efficient use of existing industrial and commercial development areas so as to preserve agricultural land and minimize adverse environmental impacts.	The ZTA will ensure a clear understanding of the current development standards, address accessory uses to ensure these uses are compatible with primary uses and ensure that uses are located in areas that are the most beneficial to the community as a whole.
CD 18.2	I	Attract New Business. Identify and attract a range of commercial and industrial businesses that are compatible with the community's business climate and not detrimental to the existing local economy and environment.	The ZTA provides clarification and clearly lists permitted accessory uses and assists in letting future businesses fully understand the uses that can take place to keep them competitive in their market.
All Others		All policies not listed above	Consistent

7) Community Outreach: As part of the effort to address business and community concerns regarding the existing industrial zoning regulations, the following actions were

taken:

- Planning Commission Study Session (July 19, 2018)
- Presentations and updates to the Greater Oxnard Chamber of Commerce Local Government Committee (April 9, 2018 and June 11, 2018)
- Workshop with industrial property owners, developers, investors, brokers, and the general public (April 11, 2018)
- City Web-site survey and comment opportunity (April 11-April 30, 2018)
- Online review and comment of draft Ordinance posted on project website June 12, 2018-July 2, 2018)
- Discussions with the former EDCO staff (November 2016- July 2017)

8) **Next Steps:** The Planning Commission's action on this matter is advisory to the City Council. The Planning Commission's recommendation on this matter will be forwarded to the City Council for consideration.

Attachments:

A. CEQA Exemption
B. Draft Industrial Code Update Zone Text Amendment
C. Planning Commission Resolution

Prepared by: _____
IF

Approved by: _____ for
KM

ATTACHMENT A

CITY OF OXNARD CALIFORNIA

OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

NOTICE OF EXEMPTION

Project Description:
The proposed Zone Text Amendment (ZTA) revises the format of the industrial zoning ordinance, updates land uses commensurate with current development trends, and amends development regulations for the Business and Research Park (BRP), Limited Manufacturing (M-L), Light Manufacturing (M-1), Commercial Manufacturing (C-M), and Heavy Manufacturing (M-2) zoning districts. It also provides for an efficient development permitting process for specific land uses and clarifies the permitting authority for specific uses.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ Ministerial Project
- ☐ Categorical Exemption
- ☐ Statutory Exemption
- ☐ Emergency Project
- ☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- ☒ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: The proposed action is Categorically Exempt from the California Environmental Quality Act (CEQA; Exemption 15601 (b)). The proposed ZTA is regulatory and format related. The ZTA would not permit development intensity over what is allowed by current regulations. The draft ZTA includes additional development and performance standards for industrial zoning categories. Therefore, a Notice of Exemption has been prepared

November 15, 2018
(Date)

Kathleen Mallory, AICP
Planning and Environmental Services Manager

ATTACHMENT B

Section 16-XXXX INDUSTRIAL ZONES-PURPOSE AND INTENT

The following are descriptions of the purpose and intent of each one of the industrial zoning districts in the City of Oxnard. All permitted, and conditionally permitted uses shall be consistent with the purpose and intent of the respective zone.

16.-XXXX.1 C-M (Commercial Manufacturing Zone)

The purpose of the C-M Zone is to provide a zone for selected commercial retail sales and services, light manufacturing, warehousing, distributing, storage and wholesale activities that are conducted totally within a building and with development standards suitable for commercial and limited industrial districts. This zone district also allows for permanent and temporary emergency shelters and emergency shelters for families, supportive and transitional housing, and farmworker housing pursuant to statutory requirements and provides an appropriate transition from residential areas to more intense industrial activities.

16.-XXXX.2 BRP (Business and Research Park Zone)

The purpose of the BRP ~~(Business and Research Park)~~ Zone is to provide areas for a limited group of professional, administrative, and ~~high technology~~ research, and limited manufacturing uses along with limited commercial activities intended to support such uses. Such uses shall be ~~integrated into campus-business/research park environments that are~~ oriented toward major transportation elements such as freeways, airports, and harbors, and shall be developed to ~~high~~ specific property and development design standards.

16.-XXXX.3 M-L (Limited Manufacturing Zone)

The purpose of the M-L ~~Limited Manufacturing~~ Zone is to provide areas suitable for adult businesses, permanent and temporary emergency shelters and emergency shelters for families to provide housing pursuant to statutory requirements, and for the development and protection of restricted manufacturing uses and activities involving a high level of performance and site development. Uses may include administrative, wholesaling, warehousing and manufacturing activities and scientific research offices and laboratories, including certain accessory facilities necessary to serve the employees of such uses located in the zone. The development and performance standards of this division will enhance views from major transportation routes and assure a high-quality environment compatible with surrounding and abutting residential zones.

(B) Manufacturing uses shall be limited to the fabrication, assembly, compounding, processing or packaging of materials in a processed form that do not, in their maintenance, assembly or packaging, create obnoxious or offensive smoke, gas, odor, dust, sound, vibration, soot or lighting.

(C) In order to avoid reduction of the city's industrial base and to protect industrial land and improvements from encroaching upon incompatible uses or uses more properly suited to other districts, residential and commercial uses except as provided herein, are not permitted in the limited manufacturing zone.

16.-XXXX.4 M-1 (Light Manufacturing Zone)

The purpose of the M-1 Zone is to provide areas suitable for adult businesses and for manufacturing and related service uses and activities ~~that can be made compatible with each other and with surrounding uses and activities by~~ where the principal activity occurs within a building, but also permits outdoor assembly, fabrication, public services, and storage that conform~~ance~~ to the development and performance standards of this chapter ~~division~~. Industrial uses in this zone shall be limited to those that conduct fabrication,, assembly, or/and processing of materials (including agricultural produce) primarily

within a building. The development and performance standards of this chapter ~~division will~~ limit the creation of smoke, gas, odor, dust, sound and vibration that might be detrimental to health, safety and welfare to protect any adjoining uses. Wholesale and retail sales and services related to principal uses are permitted. Limited outdoor storage associated with a primary use may be permitted.

16.-XXXX.5 M-2 (Heavy Manufacturing Zone)
The purpose of the M-2 Zone is to provide areas for industrial uses that are primarily outdoor and/or within specialized structures that may involve general manufacturing, processing, and/or fabrication activities, including outdoor storage and manufacturing, that are specifically excluded from other industrial zones and which do not require highly restrictive performance and development standards in regard to adjoining uses.

Section 16-XXXX PERMIT REQUIREMENTS FOR INDUSTRIAL USES

The required permit for a respective industrial land use is indicated in Section 16-XXXX, Industrial Land Use Matrix. The permit requirements are as provided for in this Chapter and as further provided for below.

A. Special Use Permit(SUP)-The permit application requirements and process for a special use permit are set forth in Article VII, Division 3, of this Chapter.
B. Development Design Review (DDR)Permit-The permit application requirements and process for development design review permit are set forth in Article VII, Division 2, of this Chapter.
   a. A DDR permit may be required for either the review and approval of the construction of a new industrial building, and/or the review and approval of a use which requires administrative review to insure compliance with the provisions of this Chapter and other regulatory requirements.
   b. For the review of uses proposed to be located in existing structures, the Director may determine the level of information and plans required.

C. Minor Modifications-Where a planning permit such as a special use, planned development, or development design review permit has been previously approved, the City may elect to modify that existing permit in lieu of requiring the application and approval of a new special use or development design review permit for a proposed physical modification or use clearance, provided such physical modification is within the parameters for minor modifications provided for in this Chapter or by administrative policy.

D. Permitted Uses-Zone Clearance-Permitted uses are subject to the requirement for approval of a zone clearance in accordance with this Chapter.

E. Specific Plan Permit Requirements: For development in areas within a designated Specific Plan, the following table identifies the permit processing requirements.

SPECIFIC PLAN	PERMIT TYPE	
	DDR	SUP
Rose/Santa Clara	• All New Development	• Drive-Through Uses • Outdoor Storage

Northfield-Seagate	• All New Development	• SUP when use requires this per the Oxnard City Code
McInnis Ranch	• All New Development under 100,000 square feet	• All new development over 100,000 square feet • SUP when use requires this per the Oxnard City Code
Sakioka Farms	• All New Development	• None
Camino Real	• All New Development	• SUP when use requires this per the Oxnard City Code

Section 16-XXXX NON-INDUSTRIAL USES

The City Council has determined that certain non-industrial uses may be permitted in industrial zones in order to achieve land use compatibility objectives. Those uses include adult uses and churches and religious facilities. Consistent with the guidance provided in Section 16-XXXX, Industrial Land Use Matrix, the following provisions and restrictions apply:

A. Adult uses-Adult uses are further governed by Article V., Division 1 of the Oxnard City Code.
B. Churches and Religious Institutions-to insure the integrity and economic viability of the Oxnard industrial zoning districts and promote compatibility with assembly type uses such as churches, mosques, synagogues, and other religious facilities, the following additional restrictions apply to industrial zoned properties:
   a. All religious facilities in industrial zones are subject to a Special Use Permit to permit the evaluation of land use compatibility and potential negative impacts on nearby industrial uses and hazard exposure to facility users.
   b. Religious facilities may be permitted in multi-tenant buildings in the C-M, BRP, and M-L zones, subject to a Special Use Permit.
   c. Schools which provide standard K-12 educational instruction are not permitted in any industrial zone. Religious instruction such as Sunday schools, bible study, and similar classes may be permitted subject to a Special Use Permit.
   d. Religious institutions in the M-1 and M-2 must be located in freestanding buildings.

C. Senate Bill (SB) 2 Uses:
For the purposes of this section, certain terms and words are defined as follows:
   a. EMERGENCY SHELTER FOR FAMILIES – A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless families with children under the age of 18, or 21 if they are full-time students or disabled, pursuant to standards set forth in Article V, Division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No family shall be denied emergency shelter because of an inability to pay. For purposes of this definition, "disabled" means persons with special needs, including mental disabilities, developmental disabilities, AIDS, substance abuse or chronic health conditions.
   b. EMERGENCY SHELTER, PERMANENT – A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless persons pursuant to standards set forth in

Article V, Division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No individual or household shall be denied emergency shelter because of an inability to pay.

c. EMERGENCY SHELTER, TEMPORARY – A temporary facility consisting of a building or group of buildings with overnight sleeping accommodations providing housing to homeless persons for winter warming or similar short-term, temporary operation not to exceed four months within a twelve-month period. No individual or household shall be denied emergency shelter because of an inability to pay.

d. FAMILY – A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit; have joint use of and responsibility for common areas; share household activities such as meals, chores, maintenance and expenses; but not including residents of commercial group living such as hotels, dormitories and fraternities.

e. FARMWORKER – An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market.

f. FARMWORKER HOUSING – Deed-restricted housing for agricultural workers that is available to and occupied only by low and very low income farmworker households, and that is subject to standards that apply to other residential dwellings of the same type and in the same zone.

g. SUPPORTIVE HOUSING – Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

h. TRANSITIONAL HOUSING – Five or more dwelling unit(s) used as rental housing but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient. Supportive services are provided to facilitate the movement of homeless individuals and their families to permanent housing. An eligible person(s) may live in the dwelling for up to two years, pursuant to Cal. Health and Safety Code sections 50675.2(h) and 50801(i). Some units may be designated for transition in place, where person(s) may stay in the unit for more than two years. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

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Section 16-XXXX
Industrial Land Uses by Zone

Sec. 16-XXX. Industrial Land Use Matrix

The allowed land uses in the industrial zoning districts are identified in the following table as being:

	=	NotAllowed
P	=	Permitted Use (Requires a zone clearance)
SUP	=	Special Use Permit
DDR	=	Development Design Review Permit

	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Administrative, executive, and/or corporate offices which are a part of a predominantly industrial operation, including governmental offices and facilities	P	P	P	P	P	
Administrative, financial, professional, medical, and general office services	P	P	SUP			
Adult businesses, except adult motels		P	P	P ~~SUP~~	P ~~SUP~~	Refer to Oxnard City Code (OCC) Section 16-337
Adult day care facilities	P	P				
Adult motels	P					Refer to OCC Section 16-336

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Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Advertising structures other than those permitted in Article IX of this chapter					SUP	Refer to OCC Section ###
Agricultural and construction vehicle sales with incidental repair and service	~~P~~ SUP		DDR	DDR		
Agricultural, limited to growing of crops	P	P	P	P	P	
Aircraft modification, storage, repair, and maintenance				~~SUP~~ P	P	
Aircraft sales	P	P	P	P		
Alcohol sales; on-site, off-site, and wine tasting	SUP	SUP	SUP	SUP		
Ambulance Base Facilities	P	~~SUP~~ P	~~SUP~~ P	P	P	
Appliance repairs	P		P	P		
Asphalt or Concrete Manufacture or Refining					DDR	
Assembly or repair of small electrical and electronic equipment	P		P	P		
Assisted living residential facility.		SUP				
Auction houses	~~SUP~~ P	P	P	P	P	
Boat building and repair				~~SUP~~ P	P	
Boiler Repair and Maintenance				P	P	
Book binding	P	P	P	~~SUP~~ P	P	
Bottling/Canning plants	~~P~~		P	~~SUP~~ P	P	
Breweries, Microbrew (Less than 60,000 Barrels) A SUP is required if including tasting rooms	DDR	DDR	DDR	DDR		

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Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Breweries, Craft (More than 60,000 Barrels, less than 2 million Barrels) A SUP is required if including tasting rooms	DDR	DDR	DDR	DDR		
Breweries, Large (More than 2 million Barrels)				DDR	DDR	
Brick, tile, or terra cotta manufacture				DDR	DDR	
Business furniture, supplies, and equipment sales	P	P	P			
Cabinet or carpenter shops	P		P	~~SUP~~ P	~~SUP~~ P	
Cafeterias accessory to permitted uses for the convenience of persons employed on the premises		P	~~SUP~~ P	P	P	
Carpet, rug, and dry-cleaning plants	P		P	P	P	
Cement, glass, lime, gypsum, or plaster manufacture					DDR	
Ceramic products	P		P	P	P	
Children's day care facility serving more than 15 children	SUP	SUP	~~SUP~~			
Churches	SUP	SUP	SUP	SUP	SUP	Refer to OCC Section###
Coffee Shops, Cafés	P	P	DDR			
Cold Storage Facilities including Agricultural Freezers and Ice Production and Sales	~~P~~		P	P	P	
Commercial and Retail Uses	P	DDR	DDR	DDR		Refer to OCC Section ###

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Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Commercial Recreational and Entertainment Uses, such as batting cages, gymnasiums, boxing gyms, "escape rooms", bowling alleys, skating rinks, and similar recreational uses as determined by the Planning Manager.	DDR	DDR	DDR	DDR		
Computer and business machine sales and service	P	P	P			
Convenience markets and drugstores	P	DDR				
Corporate training and professional development facilities including ancillary outdoor activities	P	P	P	~~SUP~~ P	P	
Day care facilities accessory to industrial uses		DDR	DDR	DDR		
Day care facilities (over 12 children) as a principal use	DDR	DDR				
Distribution, warehousing and wholesaling	P	P	P	P	P	
Drive-through services	SUP	SUP	SUP			
Drop forge industries					DDR	
Dwelling unit, one per establishment, for a security or management when located on the premises where such person is employed in such capacity and accessory to an industrial use	DDR	~~Acc to SUP~~	DDR	DDR	DDR	
Electric motor rebuilding	P		P	P	P	
Electrical and Lighting supply	P		P			
Electronic and Computer Repair	P	P	P			
Emergency Shelter For Families	SUP		P			

Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Emergency Shelter, Permanent	SUP		P			
Emergency Shelter, Temporary	SUP		P			
Employment agencies	P	P				
Energy Generation, Distribution, Storage, and Support Facilities, including electrical and gas utilities	SUP	SUP	SUP	SUP	DDR	
Explosives, manufacture or storage					DDR	
Farmworker Housing	SUP					
Feed sales	P		P	P		
Fertilizer manufacture					DDR	
Fish smoking, processing, curing or canning				DDR	DDR	
Florists	P	P				
Freight classification yard, including Truck and Bus Storage and Maintenance				DDR	P	
Furniture Manufacture and Assembly	P		P	P	P	
Furniture upholstery shops	P		P	P		
Garbage, offal, or deal animal reduction or dumping					P	
Garment Manufacturing		P	P	~~SUP~~ P	P	
Gas bulk storage, manufacturing, and distribution of flammable liquids and all gases					DDR	
General Office, including legal, professional, medical, consulting, or similar	P	P				
Iron, steel, brass or copper foundry or fabrication plant				SUP	DDR	

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Kennels and animal boarding	DDR		DDR	DDR	DDR	
Kennel Day Care	P		P	P	P	
Laboratories, research only	~~P~~	P	P			
Laundry, commercial	P		P	P	P	
Light metal fabrication, i.e., sheet metal, wrought iron, etc.	P		P	P	P	
Lumber Yards with incidental sales of Building and Hardware Supplies (outside storage)	SUP			SUP	P	
Machine shops	P		P	P	P	
Manufacture and Assembly of electrical and electronic instruments, devices, and components	P	P	P	P	P	
Manufacturing and maintenance of electric neon signs	P		P	P	P	
Manufacturing, compounding assembly or treatment of articles or merchandise from prepared materials such as, but not limited to canvas, cloth, stones, wood products, and leather			P	P	P	
Manufacturing, compounding, processing, packaging, or treatment of food products such as, but not limited to bakery, dairy; fruits and vegetables, and honey	~~P~~		P	P	P	
Marine Equipment Sales with incidental repair and service	P		P	P	P	
Medical product sales	P	P	P			
Medical: Hospitals and Medical Centers		SUP	~~SUP~~			
Metals Recycling and Storage, including sales				SUP	DDR	

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Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Mini-warehouses and self-storage facilities	SUP		SUP	SUP	SUP	Refer to OCC Section ### (Resolution No.)
Mobile home sales and display	~~P~~ DDR		DDR	DDR	DDR	
Motels, hotels, and convention facilities	SUP	SUP	~~SUP~~			
Off-site non-accessory signs or billboards					SUP	Refer to OCC Section###
Oilcloth or linoleum manufacture					P	
Outdoor storage or assembly as a primary use					SUP	
Outdoor Storage; incidental/accessory to uses otherwise permitted			DDR	DDR	DDR	
Paint, oil, shellac, turpentine and varnish manufacture					DDR	
Paper and pulp manufacture					DDR	
Pawnshops	SUP					
Petroleum bulk plants and distribution				SUP	DDR	
Petroleum refining					DDR	
Photographic studios and services;	P	P	P			
Planning mills				SUP	DDR	
Plastic manufacture				P	P	
Plumbing supply	P		P	P		
Printing shop, lithographing, photocopying, blueprinting, and publishing	P	P	P	~~SUP~~ P	P	

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Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Product assembly plants and production facilities primarily engaged in final or partial assembling of packaging of premanufactured, treated or fabricated components, materials or products	P	P	~~SUP~~ P	~~SUP~~ P	P	
Public service uses - Communications; Fire and Police; Water, and other governmental or public facilities	DDR	DDR	DDR	DDR	DDR	
Radio or television broadcasting station	P	P	P	P	P	
~~Railroad Repair Shop~~ Railroad Support Services				SUP	DDR	
Recycling Collection; Collection Recycling Facility for the acceptance of materials from the public including a bulk or single-feed reverse vending machine, a kiosk unit, or a permanent building.				DDR	DDR	
Recycling Mobile Unit; Mobile recycling unit used for the collection of recycled materials including the bins, boxes, or containers for the collection of recyclable materials.	DDR		DDR	DDR	DDR	
Recycling Processing Facility; Processing Facility for ferrous and non-ferrous materials including the preparation of material for efficient shipment which includes baling, briquetting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and re-manufacturing. Outdoor bin storage allowed for the collection of recycled materials.				SUP	SUP	
Refrigeration and air conditioning repair and service	P		P	P	P	

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Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Research and development, experimental or developmental laboratories.		P	~~SUP~~ P	~~SUP~~ P	P	
Research, development, and clinical laboratories and uses including associated incidental out-patient clinics		P				
Restaurants and delicatessens	~~SUP~~ P	P	P			
Rock crusher or distribution of rock, sand or gravel					DDR	
Sale of Building and Hardware supplies within a building	P		P	P	P	
Specialized commercial retail centers oriented toward major transportation elements such as freeways, expressways, and other major transportation corridors. Specialized commercial uses include promotional, discount, factory outlet, and off-price shopping centers, as well as centers that are tourist-oriented or oriented to other specialized markets. Specialized commercial uses may also include general commercial uses in special or unique settings.		SUP	~~SUP~~	~~SUP~~		
Stationery and office supplies	P	P				
Supportive Housing	SUP					
Taxidermist	P		P	P		
Textiles Manufacturing			P	P	P	
Trade schools, public and private schools and colleges. dance and performing arts studios	P	P	DDR			
Transitional Housing	SUP					

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Land Use	ZONE DISTRICT					
	CM	BRP	M-L	M-1	M-2	NOTES
Vehicle Assembly				SUP	DDR	
Vehicle and Equipment Dismantling and Recycling, including sale of parts and vehicles					SUP	
Vehicle Rental Agencies	DDR	DDR	DDR			
Vehicle repair, including engine overhaul, body and fender work, transmission, and radiator repair, painting, and upholstering	P		P	~~SUP~~ P	~~SUP~~ P	
Vehicle Service Stations	~~P~~ SUP	SUP	SUP	SUP	DDR	
Vehicle Storage				SUP	SUP	
Veterinarians with on-site kennels	DDR		DDR	DDR	DDR	
Veterinarians with no on-site kennels	P		P	P	P	
Welding shops			P	P	P	
Wine Production Facility			SUP	P	P	
Wine Tasting with or without Cafés		SUP	SUP	SUP		

Section 16-XXXX INDUSTRIAL ZONES- DEVELOPMENT STANDARDS

The following table sets forth Development Standards for all of the industrial zone districts in the City of Oxnard. All permitted and conditionally permitted uses shall be consistent with the purpose and intent of the respective zone.

	ZONE DISTRICT				
STANDARD	**CM**	**BRP**	**ML**	**M-1**	**M-2**
Minimum Lot Size	Commercial and light manufacturing lots created after January 1, 1974, shall have a minimum area of 10,000 square feet.	20,000 SF	15,000 SF, exclusive of any public right-of way dedicated for road purposes or proposed road purposes	15,000 SF	15,000 SF
Minimum Lot Width					
Interior Lots	50 feet	100 feet	100 Feet	100 feet	100 feet
Corner Lots	75 feet	150 feet	150 feet	150 feet	150 feet
Maximum Building Height	35 feet*	35 feet*	All buildings and structures shall be limited to a height of 35 feet except that height limits may be increased one foot for each additional one foot increase to all of the required building setbacks.	55 feet	No building shall exceed a height at the street line of eight stories or 100 feet.
Frontyard Setback	None	30 Feet; 40 feet when adjacent to designated thoroughfare	20 feet; 30 feet when adjacent to designated thoroughfare, minor thoroughfare, or the proposed property line, if	10 feet; 30 feet when adjacent to designated thoroughfare	10 feet; 30 feet when adjacent to designated thoroughfare

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			future public road dedication is required, whichever is greater.		
Sideyard Setback	None; 10 feet if adjacent to R zone	Equal to height of building unless otherwise permitted by a SUP	Equal to height of building or approved by SUP	None	None; 5 feet if adjacent to R zone
Rearyard Setback	20% of depth of lot need not to exceed 20 feet	20 feet	Equal to height of building	Equal to height of building	None
Street Sideyard Setback	10 feet	Half of height of building	Same as require for front yard	Same as front yard	Same as front yard
Setback from Residential Zoned Property	See Section 16.XXX	100 feet See Section 16.XXX	50 feet See Section 16.XXX	30 feet; same setback applies if parcel abuts an alley separating the parcel from a residential zone See Section 16.XXX	20 feet; See Section 16.XXX
Maximum Lot Coverage	40%	40%	50%	70%	70%
Maximum Floor Area Ratio	50%	100%	60%	70%	70%
Minimum Lot Depth	100 feet	150 feet	150 feet; Measured at right angles to the front property line	150 feet; Measured at right angles to the front property line	150 feet

**Additional height may be allowed with approval of a SUP*

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Section 16-XXXX INDUSTRIAL ZONES SPECIAL REQUIREMENTS SPECIFIC TO C-M; BRP; M-L; M-1; AND M-2

The purpose of the following sections is to provide regulations specific to the respective industrial zoning categories as follows:

A. C-M Zone

a. Open storage of materials and equipment shall be permitted in a C-M zone only when incidental to the use of an office, store, or manufacturing building located on the front portion of the same lot and provided that:

(1) Storage is located on the rear one-half of the lot and is confined to an area not to exceed 3,000 square feet;

(2) Storage is completely enclosed by a solid wall or fence with necessary solid gates, not less than six feet in height; and

(3) No material is stored to a height greater than that of the wall or fence enclosing the storage area.

c) Commercial and light manufacturing lots created after January 1, 1974, shall have a minimum area of 10,000 square feet.

d) Every building in a C-M zone shall be so constructed, machinery and equipment shall be so installed and maintained, and activities shall be so conducted, that all noise, vibrations, dust, odor and other objectionable factors shall be confined or reduced to the extent that no annoyance or injury will result to persons residing in the vicinity. Whenever there is any difficulty in determining the application of these provisions to any specific case, the building official shall such determination.

b. Minimum zoning district size composed of contiguous lots, exclusive of streets: 20 acres.

c. Setbacks

i. Front

1. Lots in the C-M zone having frontage on one side of the street between two intersecting streets need no front yard. If a lot having frontage on one side of the street between two intersecting streets is located in the C-M zone and R zone, the front yard requirement for the R zone shall apply to the C-M zone. If a front yard is required in the C-M zone, the yard shall be landscaped and maintained, except for approved driveways and walkways and no parking shall be permitted in this area.

ii. Side

1. If a lot in a C-M zone abuts upon the side of a lot in an R zone, there shall be a side yard of not less than ten feet. If a reversed corner lot rears upon a lot in an R zone, the side yard on the street side of the reversed corner lot shall be not less than 50 percent of the front yard required on the lots in the rear of such corner lot. In all other cases, a side yard for a C-M building shall not be required. If a street side yard is required in the case of a reversed corner lot, the area shall be landscaped and maintained except for approved driveways and walkways and no parking shall be permitted in this area.

B. BRP Zone

a. Architectural design standards:

i. Metal buildings shall not be permitted.

ii. A minimum of two types of building texture or materials, exclusive of window glazing and frames, shall be provided on all building elevations having exposure to public streets or residential areas.

i. All roof structure and mechanical equipment shall be completely screened from abutting public roadways and residential areas. Screening elements shall be integrated with main structural and architectural features of the structure.

b. Site design standards:

i. No parking areas shall be permitted within 20 feet of any residential zone.

ii. The minimum dimension of the landscape area along any street shall be 30 feet. An average of 30 feet may be approved with approval of a DDR.

iii. All activities shall be conducted within a building except as otherwise permitted by a conditional use permit.

c. Landscaping- All landscaping shall be installed and maintained in accordance with the requirements of this chapter. Vegetation sizes and types shall be in accordance with the adopted guidelines for commercial and industrial projects. In addition to these requirements, the following shall apply:

i. All parking areas shall be screened from public streets by a minimum 36-inch high landscape berm or a combination of a 36-inch high wall and landscaping.

ii. All backflow prevention systems shall be screened by landscaping.

iii. A minimum of 15 percent of the lot area shall be landscaped in addition to any required parking lot landscaping.

d. Utility service and structure :

i. Where required by the code, all off-site utility service shall be placed underground. All on-site utility service shall be placed underground.

ii. All aboveground utility structures shall be screened on all sides by landscaping or a structural element which matches the architectural features of the primary structure.

e. Walls and fences :

i. A minimum six-foot high wall shall be required where any BRP zone directly abuts a residential zone. Such a wall may be required on a residential property line where a BRP zone lies across a public roadway from a residential zone.

ii. Where required or provided, walls and fences shall be finished in textures and/or colors to match architectural features of the primary structure. Landscaping shall abut any exterior building wall where there is no penetration for loading or building entry.

f. Parking and access :

i. The quantity and size of vehicle parking spaces and the provision of on-site circulation for uses in the BRP zone shall be in accordance with this chapter.

ii. Curb cuts and site access shall be in accordance with adopted standards.

iii. Parking for marked service vehicles related to the on-site uses shall be provided in addition to and exclusive of required employee parking.

g. On-site advertising signs - The placement and size of building and monument signs shall be in accordance with the code. Where freestanding signs are permitted by the code, a monument sign of no more than six feet in height shall be allowed.

h. Lighting - All on-site lighting systems shall use architectural standards and devices that provide down-lighting and lighting that is shielded from abutting public streets; residential areas, or adjoining properties.

i. Refuse enclosures and containment :

   i. All uses on individual lots shall provide refuse containers and enclosures in accordance with adopted public works department standards. All solid masonry or concrete enclosures shall be finished in textures and/or colors to match the major architectural features of the primary structure.

   ii. The storage of combustible materials shall not occur within 20 feet of any lot line and shall be separate from the storage of normal refuse.

   iii. Access to such storage areas shall be subject to the approval of the fire department.

   iv. All refuse containment areas shall be maintained in a sanitary manner and enclosures and gates shall be maintained in good condition.

j. Loading and outdoor storage areas :

   i. Loading spaces shall be provided in accordance with this chapter.

   ii. Where entries or docks are provided exclusively for loading and unloading

   iii. purposes such loading dock areas, ramps, and entries shall be screened from any public roadway or residential area by a solid wall, or fence and landscaping.

   iv. Such wall or fence shall not be less than eight feet in height.

   v. Where permitted, outdoor storage areas shall be enclosed by a solid wall, or fence and landscaping of not less than eight feet in height.

   vi. Solid screening and enclosure walls or fences shall be constructed of materials, textures and colors to match or compliment the architectural features of the primary structure.

   vii. All loading areas or spaces shall be a minimum of 50 feet from any residential zone.

   viii. Prior to the issuance of building permits for buildings or structures for uses which do not require a special use permit or other zoning permit as required by this chapter, an administrative permit for development design review shall be approved by the director pursuant to section 16-525.

C. <u>M-L Zone</u>

a. Industrial Service Centers- Limited commercial services within existing or proposed industrial areas to meet the daily needs of industrial employees within their work area in the restricted amount of time available during the journey to work, breaks or lunch periods.

b. Location and size - Locational criteria for establishing industrial service centers are as follows:

   i. Such centers shall not be located within ½-mile of existing commercial services;

   ii. An industrial service center shall be centrally located in an industrial area, or at a location convenient to industrial employees by means of vehicular and

pedestrian traffic from all portions of the industrial area which it is proposed to serve; and

iii. An industrial service center shall be a minimum of one and a maximum of five acres in size. The total area of all industrial service centers in an industrial area shall not exceed 5% of the designated industrial area unless special circumstances and benefits are shown.

c. Survey:

i. An application for an industrial service center shall include an objective market survey of the area shall to determine if there is evidence to support the findings required under subsection (D). The survey shall be conducted by a consultant selected by the director. The applicant shall make a cash deposit in an amount determined by the director. The survey shall be submitted to the special use permit approval body.

ii. The survey shall address the ability of an existing or proposed industrial area to support an industrial service center.

iii. A questionnaire shall be prepared and distributed to a cross-section of employees to reflect the needs and desires of the employees of the industrial area where an industrial service center is proposed.

d. Findings - In order to grant a special use permit for an industrial service center, the approval body must find that:

i. The proposed services will assist in meeting the daily needs of employees within their work area;

ii. The proposed services will be subordinate to the primary purpose of the adjacent industrial zone;

iii. The proposed commercial uses will not conflict with the commercial service uses of neighboring commercial zones; and

iv. The proposed location of the industrial service center has the necessary industrial improvements to support the center.

e. Walls:

i. The placement, design and detail of walls shall be included and indicated on any required project plan.

ii. A six-foot solid decorative masonry wall or other type of visual buffering such as landscaping, architectural treatment, or a combination thereof, shall be provided and maintained on the boundary of the M-L zone which abuts or is across a public street or alley from a residential zone. Such wall or visual buffering shall be placed in the location shown on the approved project plan to provide the necessary screening from the public right-of-way.

f. Access: Access to property shall typically be provided from dedicated industrial collector streets 74 feet in width, to provide access from a major thoroughfare or private street. A master circulation plan must be submitted and approved in compliance with adopted city policies. Curb cuts to the property shall be a minimum of 30 feet in width, except as otherwise approved by a master circulation plan, and shall be located in conformance with the adopted city curb cut policies.

g. Landscaping:
   i. The landscaping requirements are intended to enhance and conserve property values by encouraging a pleasant and attractive environment.
   ii. Landscaped areas shall be considered to be areas of lawn, trees, planter boxes, shrubs, or other planted areas. Courtyards, water ponds, fountains, decks, kiosks, walkways and similar items which may be permitted as part of the landscaped area in the discretion of the commission.
   iii. All landscaping shall be provided in accordance with the following standards:
      1. A landscape plan shall be required.
      2. The entire required front yard setback shall be landscaped, with the exception of that area provided for vehicles or pedestrian access.
      3. When the development is either behind or beside a residential zone, or abuts an alley across from residential zone, or abuts developed residential property, there shall be a landscaped area adjacent to that residential or developed property line. The landscaped area shall have a depth of not less than 15 feet. Plant materials used for screening purposes shall consist of compact evergreen plants, together with evergreen trees. They shall be of a kind or used in such a manner so as to provide an opaque screen within 18 months after initial installation.
      4. All parking lot landscaping shall be in conformance with this code.

h. Underground Utilities, Lighting, Trash Enclosures, Tanks, Transformers, etc.
   i. All trash enclosures, lighting, utility lines, including, but not limited to, electric, communication, street lighting and cable television, shall be installed in accordance with this code.
   ii. Appurtenances and associated equipment, including, but not limited to, tanks, air conditioning units, surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets and concealed ducts in an underground system, may be placed above ground if approved as part of the project plan and provided that such facilities are adequately screened by landscaping or other means.

D. <u>M-1 Zone</u>

a. Industrial service centers may be established pursuant to the provisions of section 16-XXX.

b. Setback Requirements:
   i. Front yard setback:
      1. No side yard setback shall be required along interior property lines where the abutting zoning is M-1 or M-2. Whenever a lot or parcel of land in the light manufacturing zone abuts a lot or parcel of land in a residential zone or abuts an alley which separates a light manufacturing zone from any residential zone, the setback requirement for the residential zone shall apply. The side yard adjacent to a public street shall meet the front yard setback requirements.
      2. Pedestrian walks, vehicular access drives, meter pits, signs and utility manholes may be located in any required front yard.

ii. Side yard setback:

1. No side yard setback shall be required along interior property lines where the abutting zoning is M-1 or M-2. Whenever a lot or parcel of land in the light manufacturing zone abuts a lot or parcel of land in a residential zone or abuts an alley which separates a light manufacturing zone from any residential zone, the setback requirement for the residential zone shall apply. The side yard adjacent to a public street shall meet the front yard setback requirements.
2. A common building wall with a zero setback may be established by a project plan which shall provide documentation describing the exchange and recordation of necessary documents to ensure adequate access, parking, and easements to serve the development.

iii. Rear yard setback:

1. A rear yard shall be not less than the height of the building, except that a minimum rear yard of 30 feet shall be required whenever a lot or parcel of land in the light manufacturing zone abuts a lot or parcel in a residential zone or abuts an alley which separates a light manufacturing zone from any residential zone.

iv. Uses permitted in required setback areas:

1. Uses permitted in any required front setback area shall be limited to signs and landscaping. Uses permitted in any other required setback area shall be limited to signs, parking, landscaping, recreational, loading and outside storage uses, where such storage is adequately screened and approved by a special use permit.

c. Walls:

i. The placement, design and detail of walls shall be included and indicated on any required project plan.

ii. A six-foot solid decorative masonry wall or other type of visual buffering, such as landscaping, architectural treatment, or combination thereof, shall be provided and maintained on the boundary of the light manufacturing zone which abuts or is across a public street or alley from a residential zone. On the front or side front portion of the property, the wall or visual buffering shall be placed in a location as shown on the approved project plan to provide the necessary screening from the public right-of-way.

d. Access:

i. Access to property shall typically be provided from dedicated industrial collector streets 74 feet in width, to provide access from a major thoroughfare or private street. A master circulation plan must be submitted and approved in compliance with adopted city policies.

ii. Curb cuts to the property shall be a minimum of 30 feet in width, except as otherwise approved by a master circulation plan, and shall be located in conformance with the adopted city curb cut policies.

e. Landscaping:

i. The purpose of the landscaping requirements shall be to enhance, conserve and stabilize property values by encouraging a pleasant and attractive environment. Landscaped areas shall be considered those areas of lawn, trees, planter boxes, shrubs or other plants. Courtyards, water ponds, fountains, decks, kiosks, walkways and similar areas may be permitted as part of the landscaped area in the discretion of the commission.

ii. All landscaping shall be provided in accordance with the following standards:

1. A landscape plan shall be required.
2. The entire front yard setback shall be landscaped, with the exception of that area provided for vehicles or pedestrian access.
3. When the industrial development is either behind or beside a residential zone, or where the light manufacturing zone abuts an alley or developed property, there shall be a landscaped area adjacent to that residential or developed property line. The landscaped area shall have a depth of not less than ten feet. Plant materials used for the screen shall consist of compact evergreen plants, together with evergreen trees. They shall be of a kind or used in such a manner so as to provide an opaque screen within 18 months after initial installation.

f. Underground Utilities, Lighting, Trash Enclosures:

i. All trash enclosures, on-site lighting, and utility lines, including, but not limited to, electric, communication, street lighting and cable television, shall be installed in accordance with this code.

ii. Appurtenances and associated equipment, including, but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets and concealed ducts in an underground system, may be placed above ground if approved as part of the project plan and provided that such facilities are adequately screened by landscaping or other means.

g. Certificate of Occupancy

i. Application for a certificate of occupancy shall be made for any new use, except the adult businesses referred to in section 16-221 or expansion of land or buildings permitted in section 16-XXX. The building official may issue the certificate only after approval of the new buildings and uses by the director. Any subsequent modification, change or changes in the use permitted by a certificate of occupancy shall occur only after the holder of such certificate has obtained an amendment from the building official and director allowing such change or changes.

ii. A certificate of occupancy for a use of the land in the M-1 zone may be revoked by the city council after a public hearing, if the city council finds that the holder of the certificate has failed to comply with the approved special use permit.

E. <u>M-2 Zone</u>

a. Setbacks:

i. Front yard

1. Where all the frontage on one side of the street between two intersecting streets is located in an M-2 zone, no front yard shall be required. Where frontage on one side of the street between two intersecting streets is located in an M-2 zone and an R zone, the front yard requirement in the R zone shall apply to the M-2 zone.

ii. Side yard

1. Where a lot in an M-2 zone abuts the side of a lot in any R zone, there shall be a side yard of not less than five feet. In all other cases, a side yard for a commercial or industrial building shall not be required.

iii. Rear yard

1. No rear yard shall be required except where an M-2 zone abuts an R zone, in which case there shall be a rear yard of not less than 20 feet.

All outdoor equipment and storage areas shall be screened and secured by walls, fences, and gates. Where incidental outdoor equipment is proposed, the equipment may be painted to match the related structure and protected from damage by means

SEC. 16-~~203~~. PERFORMANCE STANDARDS; GENERAL.

(A) All uses in the industrial zones are subject to performance standards as indicated below in Section 16-XXX. ~~The maximum permitted levels of operational characteristics resulting from uses of property shall be called performance standards. Continued~~

(B) The property owner (designee) shall ensure compliance with the performance standards, with the exception for ~~the~~ adult businesses referred to in section 16-xxx, except as an approved permit may warrant, and/or except as otherwise provided for in this division or the Oxnard Municipal Code.

~~(B) Land or buildings shall not be used or occupied in any manner so as to create any dangerous, noxious, injurious or otherwise objectionable fire, explosion or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; electrical disturbance; glare; liquid or solid refuse or wastes; or other dangerous or objectionable substance, condition, or element in such a manner or such amount as to adversely affect the environment or surrounding community as measured from the property line.~~

(C) More restrictive performance standards or regulations enacted by an authorized governmental or regulatory agency having jurisdiction of such matters shall take precedence over the provisions of these regulations.

SEC. 16-~~XXX~~. EXCEPTIONS.

(A) These ~~regulations~~ performance standards do not apply to unexpected brief periods where these standards are exceeded based upon a reasonable cause, such as equipment testing, breakdown of equipment, modification or cleaning of equipment, or other similar reason,.

(B) These ~~regulations~~ performance standards shall not apply to the operation of motor vehicles or other transportation equipment unless otherwise specified.

(C) These performance standards shall not apply to agricultural activities, food processing, and similar agricultural related uses.

SEC. 16-XXX. PERFORMANCE STANDARDS; SPECIFIC

Performance Standards:	Industrial Zones: CM, BRP, ML, M1, M2
NOISE	Baffling or muffling devices or other precautionary means shall be employed with processes or operations causing objectionable noise characteristics to prevent -their being objectionable when measured at the property line during normal operation. Noise levels are required to comply with the Oxnard City Code, Chapter 7.
SMOKE AND PARTICULATES	Visible emissions of smoke shall not exceed Ringlemann No. 1 on the Ringlemann Chart of the U.S. Bureau of Mines, except for exhausts emitted by motor vehicles or other transportation facilities. This requirement shall also be applicable to the disposal of trash and waste materials. Windborne dust, dirt, fly ash, airborne solids, sprays, and mists (except water vapor) originating from any use ~~will not be permitted~~ shall be required to be conditioned and/or mitigated to below the Ringlemann No. 1 level.
TOXIC OR NOXIOUS MATTER	Toxic gases or noxious matter which can cause any damage to health, animals, vegetation, or other forms of property, or which can cause any excessive soiling beyond the ~~lot~~ property lines of the use shall not be ~~emitted~~ permitted.
~~ODIFEROUS MATTER~~ ODORS	Operations, processes, or products shall not emit odors that are detectable at any point beyond the property lines of the use, except as otherwise exempt by Section 16-XXX (Exceptions).
GLARE OR HEAT	Any operation producing intense glare or heat shall be performed within an enclosed or screened area in such a manner that the glare or heat emitted will not be ~~discernable~~ detectable from the property lines of the use.
VIBRATION	Every use shall be ~~so~~ operated so that the ground vibration generated by the use is not harmful or injurious to ~~the use of the~~ any surrounding properties. No perceptible vibration (seen or felt without vibration detecting instruments) shall be permitted ~~which is perceptible without instruments~~ at any point ~~along~~ beyond the property lines ~~on which said~~ of the use ~~is located~~.
ELECTRICITY AND RADIOACTIVITY	Radio and television transmitters shall be operated at the regularly assigned wave lengths (or within the authorized tolerances thereof) as assigned by the appropriate governmental agency. Subject to such exception, such transmitters shall be suitably wired, shielded and controlled so that in operation they shall not emit any electrical impulses or waves beyond the lot lines which shall adversely affect the operation and control of any domestic household equipment or nay other electronic devices and equipment.

Performance Standards:	Industrial Zones: CM, BRP, ML, M1, M2
LIQUID AND SOLID WASTES	Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or groundwater supply nor to interfere with bacterial processes in sewage treatment. Such operations and uses shall comply with, and in some cases shall be obtain all required permits , by authorized governmental health and safety ~~regulations of~~ regulatory agencies having jurisdiction over such disposal activities. The disposal or dumping of solid wastes, such as slag, paper or fiber wastes, or other industrial wastes, shall not be permitted for any use. ~~On any premises unless otherwise provided for in this chapter.~~
FIRE AND EXPLOSIVE HAZARDS	(A) All activities involving the use or storage of combustible, flammable or explosive materials shall be in compliance with nationally recognized standards, and shall be provided with adequate firefighting and fire-suppression equipment and devices in compliance with the current edition of the National Fire Protection Association regulations and in compliance with the City of Oxnard Fire Department. (B) Burning of waste materials in open fires is prohibited by state law.
MECHANICAL EQUIPMENT	All mechanical and electrical equipment, including ground mounted equipment shall be completely screened behind a permanent structure or landscaping. All rooftop mechanical and electrical equipment shall be placed behind a permanent parapet screen or wall and shall be completely screened from any adjacent public street view except as otherwise permitted by project conditions of approval.

Section 16-XXXX Industrial Accessory Uses

Section 16-XXXX Purpose and Intent

The purpose of the following sections is to provide guidance and regulation concerning activities associated with industrial or manufacturing uses, which by their nature could be considered permitted or principle uses in other zones, but which are typically incidental to the principle industrial use. Internet sales

Section 16-XXXX Office Uses

Office uses as a principle use are permitted as indicated in the Industrial Land Use Matrix. Office uses in support of the principle industrial use in M-L, M-1, and M-2 zones are permitted as follows:

A. In any free-standing building or divisible space, no more than 25% of the total gross floor area of any single or multi-tenant building shall be office area..
B. Office areas above the 25% threshold may be permitted subject to the approval of a DDR permit. The City may require traffic and/or parking studies to determine the appropriateness of permitting office areas in excess of 25%.

Section 16-XXXX Commercial and Retail Uses

Commercial and retail activities in industrial zones shall be limited to those types of uses, which by the size of the product offered or the care and handling of products, requires a significant allocation of space for product display and mechanical handling, or products and goods that are typically marketed to other industrial types of users and services.

A. Types of Commercial products and services are limited to the following:
   1. Electrical, paint, and plumbing supply.
   2. Janitorial, building, and property maintenance services and equipment sales and rental.
   3. Construction and agricultural equipment sales, rental, and service.
   4. Medium and heavy-duty trucks sales, rental, and service.
   5. Hardware in association with lumber and building material sales.
   6. Spas, hot tubs, and prefabricated pools.
   7. Flooring, surfaces, and cabinet sales.
   8. Equipment, truck, trailer, and light vehicle rental.
   9. Recreational vehicles and watercraft sales, service, and rental.
   10. Restaurants, cafes, coffee shops, printing services, and similar uses intended to primarily serve the businesses and employees of adjacent industrial areas.
   11. Breweries and associated food service, winery tasting rooms, and similar uses as determined by the Planning Manager.
   12. Similar types of uses and activities as determined by the Planning Manager .
B. Permit Requirements

   The uses identified in Sub-Section A above are subject to the permit requirements in Section 16-XXXX, Industrial Land Use Matrix.

Section 16-XXXX Outdoor Uses and Storage/Equipment

The guidance for outdoor uses and equipment and storage is provided by the purpose and intent of the respective industrial zoning categories as follows:

F. C-M, BRP, and M-L zones
   a. Outdoor equipment is limited to that which is essential to the principle use and which cannot be reasonably accommodated within the associated structure due to the physical characteristics of the equipment or prohibited by other applicable regulations.
   b. Permit requirements: Outdoor equipment may be permitted by the review and approval of a DDR permit or permit modification as may be applicable.
   c. Outdoor areas shall be fully screened from view based upon the performance standards identified in Sub-Section 16.XXX

G. M-1 Zone
   a. Except as may be permitted by a use permit, outdoor uses in the M-1 zone are limited to:
      i. Outdoor equipment as described in the Sub-Section 16-XXX:
      ii. Storage of materials directly related to the principle industrial use, provided it is screened and secured as provide for herein.
      iii. Parking of operative commercial vehicles, including automobiles, bearing identification of the associated business.
      iv. Outdoor industrial activities, such as the manufacture, processing, or assembly of goods, raw materials, or equipment is not permitted.
   b. Permit requirements: Outdoor equipment and storage as identified above may be permitted by the review and approval of a DDR permit or permit modification as applicable.

H. M-2 Zone
   a. Outdoor storage, equipment, and assembly, maintenance, processing, and similar activities, may be permitted in the M-2 zone subject to the provisions in this Section.
   b. Permit requirements: Except where a use permit is required by the Industrial Land Use Matrix, the following permits apply to outdoor uses in the M-2 zone:
      i. Incidental outdoor equipment or storage: DDR permit or permit modification as applicable
      ii. Active manufacturing, assembly, storage, or processing: DDR permit

I. Standards applicable to outdoor uses and equipment
   a. All outdoor equipment and storage areas shall be screened and secured by walls, fences, and gates. Where incidental outdoor equipment is proposed, the equipment may be painted to match the related structure and protected from damage by means other than walls and gates. Tanks and equipment made of stainless steel and similar material need not be painted.
   b. All storage areas shall be screened by a wall or opaque fence no less than six feet in height at any given point.

All outdoor storage and active industrial activities in the M-2 Zone shall be screened by a wall or opaque fence of no less than eight feet in height at any given point.

ATTACHMENT C

RESOLUTION NO. 2018-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING CHAPTER 16 OF THE OXNARD CITY CODE TO REPEAL DIVISIONS 11 TO 15 OF ARTICLE III AND REPLACE WITH NEW DIVISION 11 TITLED 'INDUSTRIAL ZONES' UNIFYING ALL INDUSTRIAL ZONES AND AMENDING REGULATIONS RELATING TO COMMERCIAL, OFFICE AND OUTDOOR USES AND PERMITTING AUTHORITY CONSISTENT WITH THE 2030 GENERAL PLAN. FILED BY CITY OF OXNARD, DEVELOPMENT SERVICES DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA, 93030.

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

WHEREAS, on May 17, 2017, the City of Oxnard (the **"Applicant"** and/or **"Permittee"**) submitted a proposed zoning text amendment to revise the format of the industrial zoning regulations for the City and amends regulations to commercial, office and outdoor uses in industrial zones and provides permitting authority for permitted and conditionally permitted uses; and

WHEREAS, on April 11, 2018, a public workshop was held for the industrial community and the general public to receive community input on the proposed zoning text amendments; and

WHEREAS, on April 5, 2018, a project webpage was created to update and inform the general public and stakeholders about the proposed zone text amendment effort; and

WHEREAS, on April 9, 2018, an Industrial Code Update survey was posted on the Project's webpage to gauge the industrial community and general public's interest pertaining to the needs and improvements of the industrial zones. The survey was available from April 9 to April 30; and

WHEREAS, on April 9, 2018 staff informed the City of Oxnard Chamber of Commerce Business Advocacy Committee about the Industrial Code Update workshop and survey and on June 11, 2018, staff informed the Business Advocacy Committee about the draft Industrial Code Update being posted on the Project's webpage and future public hearing dates; and

WHEREAS, on June 12, 2018, the draft Industrial Code Update was posted on the Project's webpage to inform the general public and industrial community of the proposed zone text amendment and staff requested that the general public and the industrial community review the send comments on the Industrial Code Ordinance between June 12 to July 2; and

WHEREAS, on July 19, 2018, the Planning Commission of the City of Oxnard conducted a study session to receive an overview of the draft Industrial Code Update, received public comment and provide input to staff; and

WHEREAS, on November 15, 2018, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 17-580-01 (Zone Text Amendment) (the **"Project"**) in accordance with the Oxnard City Code, and

WHEREAS, the proposed Zoning Text Amendments are incorporated herein as Exhibit A; and

WHEREAS, the Planning Commission received written and verbal comments from the public; and

WHEREAS, the Planning Commission finds that the Zoning Text Amendment incorporated by reference as Attachment A would facilitate administration of industrial zone regulations, would outline permitting procedures for industrial uses and would respond to the industrial development community concerns and recommendations; and

WHEREAS, the Zone Text Amendment clarifies the review authority and permit procedures, refines allowed use and development standards for each of the City's Industrial Zone Districts, and establish specific use provisions consistent with the action items and policy directives in the 2030 General Plan. The proposed Zone Text Amendment would ensure that Chapter 16 of the Oxnard City Code is consistent with the 2030 General Plan; and

WHEREAS, the proposed Zoning Text Amendment is in the public interest and reflect the input from residents, decision-makers, and other stakeholders in the community. There are no changes recommended under the proposed Zoning Text Amendments that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed Zone Text Amendment does not involve any direct physical changes to the environment. There are no changes in landforms or land uses proposed as a part of the proposed Zone Text Amendment and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety. Moreover, the proposed Zone Text Amendment would be consistent with the land uses and development anticipated by the 2030 General Plan; and

WHEREAS, the proposed Zone Text Amendment to Chapter 16 of the City of Oxnard Code would establish internal consistency and with other titles of the Oxnard Municipal Code; and

WHEREAS, the adoption of Zone Text Amendment would be a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by clarifying the implementation procedures of industrial zones throughout the City of Oxnard; and

WHEREAS, under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the action is not subject to CEQA; and

NOW, THEREFORE, the Planning Commission of the City of Oxnard:

1. For the above stated reasons, and the reasons set forth in the staff report, finds that the proposed Zone Text Amendment will not result in any new significant environmental impacts that were not addressed in the 2030 General Plan EIR, will not increase the severity of any previously identified impacts, and is exempt from CEQA under the CEQA Guidelines Section 15061(b)(3).
2. Recommends that the City Council adopt Zone Text Amendment PZ 17-580-01.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 15th day of November, 2018.

Vincent Stewart, 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 on the 15th day of November, 2018, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Kathleen Mallory, AICP, Secretary

RESOLUTION NO. 2018-31

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING CHAPTER 16 OF THE OXNARD CITY CODE TO REPEAL DIVISIONS 11 TO 15 OF ARTICLE III AND REPLACE WITH NEW DIVISION 11 TITLED 'INDUSTRIAL ZONES' UNIFYING ALL INDUSTRIAL ZONES AND AMENDING REGULATIONS RELATING TO COMMERCIAL, OFFICE AND OUTDOOR USES AND PERMITTING AUTHORITY CONSISTENT WITH THE 2030 GENERAL PLAN. FILED BY CITY OF OXNARD, DEVELOPMENT SERVICES DEPARTMENT, 214 SOUTH C STREET, OXNARD, CA, 93030.

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

WHEREAS, on May 17, 2017, the City of Oxnard (the **"Applicant"** and/or **"Permittee"**) submitted a proposed zoning text amendment to revise the format of the industrial zoning regulations for the City and amends regulations to commercial, office and outdoor uses in industrial zones and provides permitting authority for permitted and conditionally permitted uses; and

WHEREAS, on April 11, 2018, a public workshop was held for the industrial community and the general public to receive community input on the proposed zoning text amendments; and

WHEREAS, on April 5, 2018, a project webpage was created to update and inform the general public and stakeholders about the proposed zone text amendment effort; and

WHEREAS, on April 9, 2018, an Industrial Code Update survey was posted on the Project's webpage to gauge the industrial community and general public's interest pertaining to the needs and improvements of the industrial zones. The survey was available from April 9 to April 30; and

WHEREAS, on April 9, 2018 staff informed the City of Oxnard Chamber of Commerce Business Advocacy Committee about the Industrial Code Update workshop and survey and on June 11, 2018, staff informed the Business Advocacy Committee about the draft Industrial Code Update being posted on the Project's webpage and future public hearing dates; and

WHEREAS, on June 12, 2018, the draft Industrial Code Update was posted on the Project's webpage to inform the general public and industrial community of the proposed zone text amendment and staff requested that the general public and the industrial community review the send comments on the Industrial Code Ordinance between June 12 to July 2; and

WHEREAS, on July 19, 2018, the Planning Commission of the City of Oxnard conducted a study session to receive an overview of the draft Industrial Code Update, received public comment and provide input to staff; and

WHEREAS, on November 15, 2018, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 17-580-01 (Zone Text Amendment) (the **"Project"**) in accordance with the Oxnard City Code, and

WHEREAS, the proposed Zoning Text Amendments are incorporated herein as Exhibit A; and

WHEREAS, the Planning Commission received written and verbal comments from the public; and

WHEREAS, the Planning Commission finds that the Zoning Text Amendment incorporated by reference as Attachment A would facilitate administration of industrial zone regulations, would outline permitting procedures for industrial uses and would respond to the industrial development community concerns and recommendations; and

WHEREAS, the Zone Text Amendment clarifies the review authority and permit procedures, refines allowed use and development standards for each of the City's Industrial Zone Districts, and establish specific use provisions consistent with the action items and policy directives in the 2030 General Plan. The proposed Zone Text Amendment would ensure that Chapter 16 of the Oxnard City Code is consistent with the 2030 General Plan; and

WHEREAS, the proposed Zoning Text Amendment is in the public interest and reflect the input from residents, decision-makers, and other stakeholders in the community. There are no changes recommended under the proposed Zoning Text Amendments that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed Zone Text Amendment does not involve any direct physical changes to the environment. There are no changes in landforms or land uses proposed as a part of the proposed Zone Text Amendment and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety. Moreover, the proposed Zone Text Amendment would be consistent with the land uses and development anticipated by the 2030 General Plan; and

WHEREAS, the proposed Zone Text Amendment to Chapter 16 of the City of Oxnard Code would establish internal consistency and with other titles of the Oxnard Municipal Code; and

WHEREAS, the adoption of Zone Text Amendment would be a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by clarifying the implementation procedures of industrial zones throughout the City of Oxnard; and

WHEREAS, under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the action is not subject to CEQA; and

NOW, THEREFORE, the Planning Commission of the City of Oxnard:

1. For the above stated reasons, and the reasons set forth in the staff report, finds that the proposed Zone Text Amendment will not result in any new significant environmental impacts that were not addressed in the 2030 General Plan EIR, will not increase the severity of any previously identified impacts, and is exempt from CEQA under the CEQA Guidelines Section 15061(b)(3).
2. Recommends that the City Council adopt Zone Text Amendment PZ 17-580-01.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 15th day of November, 2018.

Vincent Stewart, 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 on the 15th day of November, 2018, and carried by the following vote:

AYES: Commissioner(s): Chua; Dozier; Frank; Fuhring; Huber; Sanchez; Stewart

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Kathleen Mallory

Kathleen Mallory, AICP, Secretary

OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

NOTICE OF EXEMPTION

Project Description:
The proposed Zone Text Amendment (ZTA) revises the format of the industrial zoning ordinance, updates land uses commensurate with current development trends, and amends development regulations for the Business and Research Park (BRP), Limited Manufacturing (M-L), Light Manufacturing (M-1), Commercial Manufacturing (C-M), and Heavy Manufacturing (M-2) zoning districts. It also provides for an efficient development permitting process for specific land uses and clarifies the permitting authority for specific uses.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

☐ Ministerial Project
☐ Categorical Exemption
☐ Statutory Exemption
☐ Emergency Project
☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
☒ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: The proposed action is Categorically Exempt from the California Environmental Quality Act (CEQA; Exemption 15601 (b)). The proposed ZTA is regulatory and format related. The ZTA would not permit development intensity over what is allowed by current regulations. The draft ZTA includes additional development and performance standards for industrial zoning categories. Therefore, a Notice of Exemption has been prepared.

March 19, 2019
(Date)

Kathleen Mallory, AICP
Planning and Environmental Services Manager

Section 16-XXXX INDUSTRIAL ZONES-PURPOSE AND INTENT

The following are descriptions of the purpose and intent of each one of the industrial zoning districts in the City of Oxnard. All permitted, and conditionally permitted uses shall be consistent with the purpose and intent of the respective zone.

16.-XXXX.1 C-M (Commercial Manufacturing Zone)

The purpose of the C-M Zone is to provide a zone for selected commercial retail sales and services, light manufacturing, warehousing, distributing, storage and wholesale activities that are conducted totally within a building and with development standards suitable for commercial and limited industrial districts. This zone district also allows for permanent and temporary emergency shelters and emergency shelters for families, supportive and transitional housing, and farmworker housing pursuant to statutory requirements and provides an appropriate transition from residential areas to more intense industrial activities.

16.-XXXX.2 BRP (Business and Research Park Zone)

The purpose of the BRP ~~(Business and Research Park)~~ Zone is to provide areas for a limited group of professional, administrative, and ~~high technology~~ research, and limited manufacturing uses along with limited commercial activities intended to support such uses. Such uses shall be ~~integrated into campus business/research park environments that are~~ oriented toward major transportation elements such as freeways, airports, and harbors, and shall be developed to ~~high~~ specific property and development design standards.

16.-XXXX.3 M-L (Limited Manufacturing Zone)

The purpose of the M-L ~~Limited Manufacturing~~ Zone is to provide areas suitable for the development and protection of restricted manufacturing uses and activities involving a high level of performance and site development. Uses may include administrative, wholesaling, warehousing and manufacturing activities and scientific research offices and laboratories, including certain accessory facilities necessary to serve the employees of such uses located in the zone. The development and performance standards of this division will enhance views from major transportation routes and assure a high-quality environment compatible with surrounding and abutting residential zones. This zone district also allows for permanent and temporary emergency shelters and emergency shelters for families to provide housing pursuant to statutory requirements, and for adult businesses.

(A) Manufacturing uses shall be limited to the fabrication, assembly, compounding, processing or packaging of materials in a processed form that do not, in their maintenance, assembly or packaging, create obnoxious or offensive smoke, gas, odor, dust, sound, vibration, soot or lighting.

(B) In order to avoid reduction of the city's industrial base and to protect industrial land and improvements from encroaching upon incompatible uses or uses more properly suited to other districts, residential and commercial uses except as provided herein, are not permitted in the limited manufacturing zone.

16.-XXXX.4 M-1 (Light Manufacturing Zone)

The purpose of the M-1 Zone is to provide areas suitable for adult businesses and for manufacturing and related service uses and activities ~~that can be made compatible with each other and with surrounding uses and activities by~~ where the principal activity occurs within a building, but also permits outdoor assembly, fabrication, public services, and storage that conform~~ance~~ to the development and performance standards of this chapter ~~division~~. Industrial uses in th~~is~~ zone shall be limited to those that conduct fabrication,, assembly, or/and processing of materials (including agricultural produce) primarily

within a building. The development and performance standards of this chapter ~~division will~~ limit the creation of smoke, gas, odor, dust, sound and vibration that might be detrimental to health, safety and welfare to protect any adjoining uses. Wholesale and retail sales and services related to principal uses are permitted. Limited outdoor storage associated with a primary use may be permitted.

16.-XXXX.5 M-2 (Heavy Manufacturing Zone)

The purpose of the M-2 Zone is to provide areas for industrial uses that are primarily outdoor and/or within specialized structures that may involve general manufacturing, processing, and/or fabrication activities, including outdoor storage and manufacturing, that are specifically excluded from other industrial zones and which do not require highly restrictive performance and development standards in regard to adjoining uses.

Section 16-XXXX PERMIT REQUIREMENTS FOR INDUSTRIAL USES

The required permit for a respective industrial land use is indicated in Section 16-XXXX, Industrial Land Use Matrix. The permit requirements are as provided for in this Chapter and as further provided for below.

A. Special Use Permit(SUP)-The permit application requirements and process for a special use permit are set forth in Article VII, Division 3, of this Chapter.
B. Development Design Review (DDR)Permit-The permit application requirements and process for development design review permit are set forth in Article VII, Division 2, of this Chapter.
    a. A DDR permit may be required for either the review and approval of the construction of a new industrial building, and/or the review and approval of a use which requires administrative review to insure compliance with the provisions of this Chapter and other regulatory requirements.
    b. For the review of uses proposed to be located in existing structures, the Director may determine the level of information and plans required.

C. Minor Modifications-Where a planning permit such as a special use, planned development, or development design review permit has been previously approved, the City may elect to modify that existing permit in lieu of requiring the application and approval of a new special use or development design review permit for a proposed physical modification or use clearance, provided such physical modification is within the parameters for minor modifications provided for in this Chapter or by administrative policy.

D. Permitted Uses-Zone Clearance-Permitted uses are subject to the requirement for approval of a zone clearance in accordance with this Chapter.

E. Specific Plan Permit Requirements: For development in areas within a designated Specific Plan, the following table identifies the permit processing requirements.

SPECIFIC PLAN	PERMIT TYPE	
	DDR	SUP
Rose/Santa Clara	• All New Development	• Drive-Through Uses • Outdoor Storage

Northfield-Seagate	• All New Development	• SUP when use requires this per the Oxnard City Code
McInnis Ranch	• All New Development under 100,000 square feet	• All new development over 100,000 square feet • SUP when use requires this per the Oxnard City Code
Sakioka Farms	• All New Development	• None
Camino Real	• All New Development	• SUP when use requires this per the Oxnard City Code

Section 16-XXXX NON-INDUSTRIAL USES

The City Council has determined that certain non-industrial uses may be permitted in industrial zones in order to achieve land use compatibility objectives. Those uses include adult uses and churches and religious facilities. Consistent with the guidance provided in Section 16-XXXX, Industrial Land Use Matrix, the following provisions and restrictions apply:

A. Adult uses-Adult uses are further governed by Article V., Division 1 of the Oxnard City Code.
B. Churches and Religious Institutions-to insure the integrity and economic viability of the Oxnard industrial zoning districts and promote compatibility with assembly type uses such as churches, mosques, synagogues, and other religious facilities, the following additional restrictions apply to industrial zoned properties:
    a. All religious facilities in industrial zones are subject to a Special Use Permit to permit the evaluation of land use compatibility and potential negative impacts on nearby industrial uses and hazard exposure to facility users.
    b. Religious facilities may be permitted in multi-tenant buildings in the C-M, BRP, and M-L zones, subject to a Special Use Permit.
    c. Schools which provide standard K-12 educational instruction are not permitted in any industrial zone. Religious instruction such as Sunday schools, bible study, and similar classes may be permitted subject to a Special Use Permit.
    d. Religious institutions in the M-1 and M-2 must be located in freestanding buildings.

C. Senate Bill (SB) 2 Uses:
For the purposes of this section, certain terms and words are defined as follows:
    a. EMERGENCY SHELTER FOR FAMILIES – A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless families with children under the age of 18, or 21 if they are full-time students or disabled, pursuant to standards set forth in Article V, Division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No family shall be denied emergency shelter because of an inability to pay. For purposes of this definition, “disabled” means persons with special needs, including mental disabilities, developmental disabilities, AIDS, substance abuse or chronic health conditions.
    b. EMERGENCY SHELTER, PERMANENT – A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless persons pursuant to standards set forth in

Article V, Division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No individual or household shall be denied emergency shelter because of an inability to pay.

c. EMERGENCY SHELTER, TEMPORARY – A temporary facility consisting of a building or group of buildings with overnight sleeping accommodations providing housing to homeless persons for winter warming or similar short-term, temporary operation not to exceed four months within a twelve-month period. No individual or household shall be denied emergency shelter because of an inability to pay.

d. FAMILY – A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit; have joint use of and responsibility for common areas; share household activities such as meals, chores, maintenance and expenses; but not including residents of commercial group living such as hotels, dormitories and fraternities.

e. FARMWORKER – An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market.

f. FARMWORKER HOUSING – Deed-restricted housing for agricultural workers that is available to and occupied only by low and very low income farmworker households, and that is subject to standards that apply to other residential dwellings of the same type and in the same zone.

g. SUPPORTIVE HOUSING – Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

h. TRANSITIONAL HOUSING – Five or more dwelling unit(s) used as rental housing but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient. Supportive services are provided to facilitate the movement of homeless individuals and their families to permanent housing. An eligible person(s) may live in the dwelling for up to two years, pursuant to Cal. Health and Safety Code sections 50675.2(h) and 50801(i). Some units may be designated for transition in place, where person(s) may stay in the unit for more than two years. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

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Section 16-XXXX
Industrial Land Uses by Zone

Sec. 16-XXX. Industrial Land Use Matrix

The allowed land uses in the industrial zoning districts are identified in the following table as being:

	=	NotAllowed
P	=	Permitted Use (Requires a zone clearance)
SUP	=	Special Use Permit
DDR	=	Development Design Review Permit

	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Administrative, executive, and/or corporate offices which are a part of a predominantly industrial operation, including governmental offices and facilities	P	P	P	P	P	
Administrative, financial, professional, medical, and general office services	P	P	SUP			
Adult businesses, except adult motels		P	P	P	P	Refer to Oxnard City Code (OCC) Section 16-337
Adult day care facilities	P	P				
Adult motels	P					Refer to OCC Section 16-336

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Advertising structures other than those permitted in Article IX of this chapter					SUP	Refer to OCC Section ###
Agricultural and construction vehicle sales with incidental repair and service	~~P~~ SUP		DDR	DDR		
Agricultural, limited to growing of crops	P	P	P	P	P	
Aircraft modification, storage, repair, and maintenance				~~SUP~~ P	P	
Aircraft sales	P	P	P	P		
Alcohol sales; on-site, off-site, and wine tasting	SUP	SUP	SUP	SUP		
Ambulance Base Facilities	P	~~SUP~~ P	~~SUP~~ P	P	P	
Appliance repairs	P		P	P		
Asphalt or Concrete Manufacture or Refining					DDR	
Assembly or repair of small electrical and electronic equipment	P		P	P		
Assisted living residential facility.		SUP				
Auction houses	~~SUP~~ P	P	P	P	P	
Boat building and repair				~~SUP~~ P	P	
Boiler Repair and Maintenance				P	P	
Book binding	P	P	P	~~SUP~~ P	P	
Bottling/Canning plants	~~P~~		P	~~SUP~~ P	P	
Breweries, Microbrew (Less than 60,000 Barrels) A SUP is required if including tasting rooms	DDR	DDR	DDR	DDR		

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Breweries, Craft (More than 60,000 Barrels, less than 2 million Barrels) A SUP is required if including tasting rooms	DDR	DDR	DDR	DDR		
Breweries, Large (More than 2 million Barrels)				DDR	DDR	
Brick, tile, or terra cotta manufacture				DDR	DDR	
Business furniture, supplies, and equipment sales	P	P	P			
Cabinet or carpenter shops	P		P	~~SUP~~ P	~~SUP~~ P	
Cafeterias accessory to permitted uses for the convenience of persons employed on the premises		P	~~SUP~~ P	P	P	
Carpet, rug, and dry-cleaning plants	P		P	P	P	
Cement, glass, lime, gypsum, or plaster manufacture					DDR	
Ceramic products	P		P	P	P	
Children's day care facility serving more than 15 children	SUP	SUP	~~SUP~~			
Churches	SUP	SUP	SUP	SUP	SUP	Refer to OCC Section###
Coffee Shops, Cafés	P	P	DDR	DDR	DDR	
Cold Storage Facilities including Agricultural Freezers and Ice Production and Sales	~~P~~		P	P	P	
Commercial and Retail Uses	P	DDR	DDR	DDR		Refer to OCC Section ###

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Commercial Recreational and Entertainment Uses, such as batting cages, gymnasiums, boxing gyms, "escape rooms", bowling alleys, skating rinks, and similar recreational uses as determined by the Planning Manager.	DDR	DDR	DDR	DDR		
Computer and business machine sales and service	P	P	P			
Convenience markets and drugstores	P	DDR				
Corporate training and professional development facilities including ancillary outdoor activities	P	P	P	~~SUP~~ P	P	
Day care facilities accessory to industrial uses		DDR	DDR	DDR		
Day care facilities (over 12 children) as a principal use	DDR	DDR				
Distribution, warehousing and wholesaling	P	P	P	P	P	
Drive-through services	SUP	SUP	SUP			
Drop forge industries					DDR	
Dwelling unit, one per establishment, for a security or management when located on the premises where such person is employed in such capacity and accessory to an industrial use	DDR	~~Acc to SUP~~	DDR	DDR	DDR	
Electric motor rebuilding	P		P	P	P	
Electrical and Lighting supply	P		P			
Electronic and Computer Repair	P	P	P			
Emergency Shelter For Families	SUP		P			

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Emergency Shelter, Permanent	SUP		P			
Emergency Shelter, Temporary	SUP		P			
Employment agencies	P	P				
Energy Generation, Distribution, Storage, and Support Facilities, including electrical and gas utilities	SUP	SUP	SUP	SUP	DDR	
Explosives, manufacture or storage					DDR	
Farmworker Housing	SUP		P	P	P	
Feed sales	P		P	P		
Fertilizer manufacture					DDR	
Fish smoking, processing, curing or canning				DDR	DDR	
Florists	P	P				
Freight classification yard, including Truck and Bus Storage and Maintenance				DDR	P	
Furniture Manufacture and Assembly	P		P	P	P	
Furniture upholstery shops	P		P	P		
Garbage, offal, or deal animal reduction or dumping					P	
Garment Manufacturing		P	P	~~SUP~~ P	P	
Gas bulk storage, manufacturing, and distribution of flammable liquids and all gases					DDR	
General Office, including legal, professional, medical, consulting, or similar	P	P				
Iron, steel, brass or copper foundry or fabrication plant				SUP	DDR	

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Kennels and animal boarding	DDR		DDR	DDR	DDR	
Kennel Day Care	P		P	P	P	
Laboratories, research only	~~P~~	P	P			
Laundry, commercial	P		P	P	P	
Light metal fabrication, i.e., sheet metal, wrought iron, etc.	P		P	P	P	
Lumber Yards with incidental sales of Building and Hardware Supplies (outside storage)	SUP			SUP	P	
Machine shops	P		P	P	P	
Manufacture and Assembly of electrical and electronic instruments, devices, and components	P	P	P	P	P	
Manufacturing and maintenance of electric neon signs	P		P	P	P	
Manufacturing, compounding assembly or treatment of articles or merchandise from prepared materials such as, but not limited to canvas, cloth, stones, wood products, and leather			P	P	P	
Manufacturing, compounding, processing, packaging, or treatment of food products such as, but not limited to bakery, dairy; fruits and vegetables, and honey	~~P~~		P	P	P	
Marine Equipment Sales with incidental repair and service	P		P	P	P	
Medical product sales	P	P	P			
Medical: Hospitals and Medical Centers		SUP	~~SUP~~			
Metals Recycling and Storage, including sales				SUP	DDR	

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Mini-warehouses and self-storage facilities	SUP		SUP	SUP	SUP	Refer to OCC Section ### (Resolution No.)
Mobile home sales and display	~~P~~ DDR		DDR	DDR	DDR	
Motels, hotels, and convention facilities	SUP	SUP	~~SUP~~			
Off-site non-accessory signs or billboards					SUP	Refer to OCC Section###
Oilcloth or linoleum manufacture					P	
Outdoor storage or assembly as a primary use					SUP	
Outdoor Storage; incidental/accessory to uses otherwise permitted			DDR	DDR	DDR	
Paint, oil, shellac, turpentine and varnish manufacture					DDR	
Paper and pulp manufacture					DDR	
Pawnshops	SUP					
Petroleum bulk plants and distribution				SUP	DDR	
Petroleum refining					DDR	
Photographic studios and services;	P	P	P			
Planning mills				SUP	DDR	
Plastic manufacture				P	P	
Plumbing supply	P		P	P		
Printing shop, lithographing, photocopying, blueprinting, and publishing	P	P	P	~~SUP~~ P	P	

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Product assembly plants and production facilities primarily engaged in final or partial assembling of packaging of premanufactured, treated or fabricated components, materials or products	P	P	~~SUP~~ P	~~SUP~~ P	P	
Public service uses - Communications; Fire and Police; Water, and other governmental or public facilities	DDR	DDR	DDR	DDR	DDR	
Radio or television broadcasting station	P	P	P	P	P	
~~Railroad Repair Shop~~ Railroad Support Services				SUP	DDR	
Recycling Collection; Collection Recycling Facility for the acceptance of materials from the public including a bulk or single-feed reverse vending machine, a kiosk unit, or a permanent building.				DDR	DDR	
Recycling Mobile Unit; Mobile recycling unit used for the collection of recycled materials including the bins, boxes, or containers for the collection of recyclable materials.	DDR		DDR	DDR	DDR	
Recycling Processing Facility; Processing Facility for ferrous and non-ferrous materials including the preparation of material for efficient shipment which includes baling, briquetting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and re-manufacturing. Outdoor bin storage allowed for the collection of recycled materials.				SUP	SUP	
Refrigeration and air conditioning repair and service	P		P	P	P	

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Research and development, experimental or developmental laboratories.		P	~~SUP~~ P	~~SUP~~ P	P	
Research, development, and clinical laboratories and uses including associated incidental out-patient clinics		P				
Restaurants and delicatessens	~~SUP~~ P	P	P	DDR	DDR	
Rock crusher or distribution of rock, sand or gravel					DDR	
Sale of Building and Hardware supplies within a building	P		P	P	P	
Specialized commercial retail centers oriented toward major transportation elements such as freeways, expressways, and other major transportation corridors. Specialized commercial uses include promotional, discount, factory outlet, and off-price shopping centers, as well as centers that are tourist-oriented or oriented to other specialized markets. Specialized commercial uses may also include general commercial uses in special or unique settings.		SUP	~~SUP~~	~~SUP~~		
Stationery and office supplies	P	P				
Supportive Housing	SUP					
Taxidermist	P		P	P		
Textiles Manufacturing			P	P	P	
Trade schools, public and private schools and colleges. dance and performing arts studios	P	P	DDR			
Transitional Housing	SUP					

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	ZONE DISTRICT					
Land Use	**CM**	**BRP**	**M-L**	**M-1**	**M-2**	**NOTES**
Vehicle Assembly				SUP	DDR	
Vehicle and Equipment Dismantling and Recycling, including sale of parts and vehicles					SUP	
Vehicle Rental Agencies	DDR	DDR	DDR			
Vehicle repair, including engine overhaul, body and fender work, transmission, and radiator repair, painting, and upholstering	P		P	~~SUP~~ P	~~SUP~~ P	
Vehicle Service Stations	~~P~~ SUP	SUP	SUP	SUP	DDR	
Vehicle Storage				SUP	SUP	
Veterinarians with on-site kennels	DDR		DDR	DDR	DDR	
Veterinarians with no on-site kennels	P		P	P	P	
Welding shops			P	P	P	
Wine Production Facility			SUP	P	P	
Wine Tasting with or without Cafés		SUP	SUP	SUP		

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Section 16-XXXX INDUSTRIAL ZONES- DEVELOPMENT STANDARDS

The following table sets forth Development Standards for all of the industrial zone districts in the City of Oxnard. All permitted and conditionally permitted uses shall be consistent with the purpose and intent of the respective zone.

	ZONE DISTRICT				
STANDARD	**CM**	**BRP**	**ML**	**M-1**	**M-2**
Minimum Lot Size	Commercial and light manufacturing lots created after January 1, 1974, shall have a minimum area of 10,000 square feet.	20,000 SF	15,000 SF, exclusive of any public right-of way dedicated for road purposes or proposed road purposes	15,000 SF	15,000 SF
Minimum Lot Width					
Interior Lots	50 feet	100 feet	100 Feet	100 feet	100 feet
Corner Lots	75 feet	150 feet	150 feet	150 feet	150 feet
Maximum Building Height	35 feet*	35 feet*	All buildings and structures shall be limited to a height of 35 feet except that height limits may be increased one foot for each additional one foot increase to all of the required building setbacks.	55 feet	No building shall exceed a height at the street line of eight stories or 100 feet.
Frontyard Setback	None	30 Feet; 40 feet when adjacent to designated thoroughfare	20 feet; 30 feet when adjacent to designated thoroughfare, minor thoroughfare, or the proposed property line, if	10 feet; 30 feet when adjacent to designated thoroughfare	10 feet; 30 feet when adjacent to designated thoroughfare

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			future public road dedication is required, whichever is greater.		
Sideyard Setback	None; 10 feet if adjacent to R zone	Equal to height of building unless otherwise permitted by a SUP	Equal to height of building or approved by SUP	None	None; 5 feet if adjacent to R zone
Rearyard Setback	20% of depth of lot need not to exceed 20 feet	20 feet	Equal to height of building	Equal to height of building	None
Street Sideyard Setback	10 feet	Half of height of building	Same as require for front yard	Same as front yard	Same as front yard
Setback from Residential Zoned Property	See Section 16.XXX	100 feet See Section 16.XXX	50 feet See Section 16.XXX	30 feet; same setback applies if parcel abuts an alley separating the parcel from a residential zone See Section 16.XXX	20 feet; See Section 16.XXX
Maximum Lot Coverage	40%	40%	50%	70%	70%
Maximum Floor Area Ratio	50%	100%	60%	70%	70%
Minimum Lot Depth	100 feet	150 feet	150 feet; Measured at right angles to the front property line	150 feet; Measured at right angles to the front property line	150 feet

**Additional height may be allowed with approval of a SUP*

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Section 16-XXXX INDUSTRIAL ZONES SPECIAL REQUIREMENTS SPECIFIC TO C-M; BRP; M-L; M-1; AND M-2

The purpose of the following sections is to provide regulations specific to the respective industrial zoning categories as follows:

A. C-M Zone

a. Open storage of materials and equipment shall be permitted in a C-M zone only when incidental to the use of an office, store, or manufacturing building located on the front portion of the same lot and provided that:

(1) Storage is located on the rear one-half of the lot and is confined to an area not to exceed 3,000 square feet;

(2) Storage is completely enclosed by a solid wall or fence with necessary solid gates, not less than six feet in height; and

(3) No material is stored to a height greater than that of the wall or fence enclosing the storage area.

c) Commercial and light manufacturing lots created after January 1, 1974, shall have a minimum area of 10,000 square feet.

d) Every building in a C-M zone shall be so constructed, machinery and equipment shall be so installed and maintained, and activities shall be so conducted, that all noise, vibrations, dust, odor and other objectionable factors shall be confined or reduced to the extent that no annoyance or injury will result to persons residing in the vicinity. Whenever there is any difficulty in determining the application of these provisions to any specific case, the building official shall such determination.

b. Minimum zoning district size composed of contiguous lots, exclusive of streets: 20 acres.

c. Setbacks

i. Front

1. Lots in the C-M zone having frontage on one side of the street between two intersecting streets need no front yard. If a lot having frontage on one side of the street between two intersecting streets is located in the C-M zone and R zone, the front yard requirement for the R zone shall apply to the C-M zone. If a front yard is required in the C-M zone, the yard shall be landscaped and maintained, except for approved driveways and walkways and no parking shall be permitted in this area.

ii. Side

1. If a lot in a C-M zone abuts upon the side of a lot in an R zone, there shall be a side yard of not less than ten feet. If a reversed corner lot rears upon a lot in an R zone, the side yard on the street side of the reversed corner lot shall be not less than 50 percent of the front yard required on the lots in the rear of such corner lot. In all other cases, a side yard for a C-M building shall not be required. If a street side yard is required in the case of a reversed corner lot, the area shall be landscaped and maintained except for approved driveways and walkways and no parking shall be permitted in this area.

B. BRP Zone

a. Architectural design standards:

i. Metal buildings shall not be permitted.

ii. A minimum of two types of building texture or materials, exclusive of window glazing and frames, shall be provided on all building elevations having exposure to public streets or residential areas.

i. All roof structure and mechanical equipment shall be completely screened from abutting public roadways and residential areas. Screening elements shall be integrated with main structural and architectural features of the structure.

b. Site design standards:

i. No parking areas shall be permitted within 20 feet of any residential zone.

ii. The minimum dimension of the landscape area along any street shall be 30 feet. An average of 30 feet may be approved with approval of a DDR.

iii. All activities shall be conducted within a building except as otherwise permitted by a conditional use permit.

c. Landscaping- All landscaping shall be installed and maintained in accordance with the requirements of this chapter. Vegetation sizes and types shall be in accordance with the adopted guidelines for commercial and industrial projects. In addition to these requirements, the following shall apply:

i. All parking areas shall be screened from public streets by a minimum 36-inch high landscape berm or a combination of a 36-inch high wall and landscaping.

ii. All backflow prevention systems shall be screened by landscaping.

iii. A minimum of 15 percent of the lot area shall be landscaped in addition to any required parking lot landscaping.

d. Utility service and structure :

i. Where required by the code, all off-site utility service shall be placed underground. All on-site utility service shall be placed underground.

ii. All aboveground utility structures shall be screened on all sides by landscaping or a structural element which matches the architectural features of the primary structure.

e. Walls and fences :

i. A minimum six-foot high wall shall be required where any BRP zone directly abuts a residential zone. Such a wall may be required on a residential property line where a BRP zone lies across a public roadway from a residential zone.

ii. Where required or provided, walls and fences shall be finished in textures and/or colors to match architectural features of the primary structure. Landscaping shall abut any exterior building wall where there is no penetration for loading or building entry.

f. Parking and access :

i. The quantity and size of vehicle parking spaces and the provision of on-site circulation for uses in the BRP zone shall be in accordance with this chapter.

ii. Curb cuts and site access shall be in accordance with adopted standards.

iii. Parking for marked service vehicles related to the on-site uses shall be provided in addition to and exclusive of required employee parking.

g. On-site advertising signs - The placement and size of building and monument signs shall be in accordance with the code. Where freestanding signs are permitted by the code, a monument sign of no more than six feet in height shall be allowed.
h. Lighting - All on-site lighting systems shall use architectural standards and devices that provide down-lighting and lighting that is shielded from abutting public streets, residential areas, or adjoining properties.
i. Refuse enclosures and containment :
    i. All uses on individual lots shall provide refuse containers and enclosures in accordance with adopted public works department standards. All solid masonry or concrete enclosures shall be finished in textures and/or colors to match the major architectural features of the primary structure.
    ii. The storage of combustible materials shall not occur within 20 feet of any lot line and shall be separate from the storage of normal refuse.
    iii. Access to such storage areas shall be subject to the approval of the fire department.
    iv. All refuse containment areas shall be maintained in a sanitary manner and enclosures and gates shall be maintained in good condition.
j. Loading and outdoor storage areas :
    i. Loading spaces shall be provided in accordance with this chapter.
    ii. Where entries or docks are provided exclusively for loading and unloading
    iii. purposes such loading dock areas, ramps, and entries shall be screened from any public roadway or residential area by a solid wall, or fence and landscaping.
    iv. Such wall or fence shall not be less than eight feet in height.
    v. Where permitted, outdoor storage areas shall be enclosed by a solid wall, or fence and landscaping of not less than eight feet in height.
    vi. Solid screening and enclosure walls or fences shall be constructed of materials, textures and colors to match or compliment the architectural features of the primary structure.
    vii. All loading areas or spaces shall be a minimum of 50 feet from any residential zone.
    viii. Prior to the issuance of building permits for buildings or structures for uses which do not require a special use permit or other zoning permit as required by this chapter, an administrative permit for development design review shall be approved by the director pursuant to section 16-525.

C. <u>M-L Zone</u>

a. Industrial Service Centers- Limited commercial services within existing or proposed industrial areas to meet the daily needs of industrial employees within their work area in the restricted amount of time available during the journey to work, breaks or lunch periods.
b. Location and size - Locational criteria for establishing industrial service centers are as follows:
    i. Such centers shall not be located within ½-mile of existing commercial services;
    ii. An industrial service center shall be centrally located in an industrial area, or at a location convenient to industrial employees by means of vehicular and

pedestrian traffic from all portions of the industrial area which it is proposed to serve; and

iii. An industrial service center shall be a minimum of one and a maximum of five acres in size. The total area of all industrial service centers in an industrial area shall not exceed 5% of the designated industrial area unless special circumstances and benefits are shown.

c. Survey:

i. An application for an industrial service center shall include an objective market survey of the area shall to determine if there is evidence to support the findings required under subsection (D). The survey shall be conducted by a consultant selected by the director. The applicant shall make a cash deposit in an amount determined by the director. The survey shall be submitted to the special use permit approval body.

ii. The survey shall address the ability of an existing or proposed industrial area to support an industrial service center.

iii. A questionnaire shall be prepared and distributed to a cross-section of employees to reflect the needs and desires of the employees of the industrial area where an industrial service center is proposed.

d. Findings - In order to grant a special use permit for an industrial service center, the approval body must find that:

i. The proposed services will assist in meeting the daily needs of employees within their work area;

ii. The proposed services will be subordinate to the primary purpose of the adjacent industrial zone;

iii. The proposed commercial uses will not conflict with the commercial service uses of neighboring commercial zones; and

iv. The proposed location of the industrial service center has the necessary industrial improvements to support the center.

e. Walls:

i. The placement, design and detail of walls shall be included and indicated on any required project plan.

ii. A six-foot solid decorative masonry wall or other type of visual buffering such as landscaping, architectural treatment, or a combination thereof, shall be provided and maintained on the boundary of the M-L zone which abuts or is across a public street or alley from a residential zone. Such wall or visual buffering shall be placed in the location shown on the approved project plan to provide the necessary screening from the public right-of-way.

f. Access: Access to property shall typically be provided from dedicated industrial collector streets 74 feet in width, to provide access from a major thoroughfare or private street. A master circulation plan must be submitted and approved in compliance with adopted city policies. Curb cuts to the property shall be a minimum of 30 feet in width, except as otherwise approved by a master circulation plan, and shall be located in conformance with the adopted city curb cut policies.

g. Landscaping:
   i. The landscaping requirements are intended to enhance and conserve property values by encouraging a pleasant and attractive environment.
   ii. Landscaped areas shall be considered to be areas of lawn, trees, planter boxes, shrubs, or other planted areas. Courtyards, water ponds, fountains, decks, kiosks, walkways and similar items which may be permitted as part of the landscaped area in the discretion of the commission.
   iii. All landscaping shall be provided in accordance with the following standards:
      1. A landscape plan shall be required.
      2. The entire required front yard setback shall be landscaped, with the exception of that area provided for vehicles or pedestrian access.
      3. When the development is either behind or beside a residential zone, or abuts an alley across from residential zone, or abuts developed residential property, there shall be a landscaped area adjacent to that residential or developed property line. The landscaped area shall have a depth of not less than 15 feet. Plant materials used for screening purposes shall consist of compact evergreen plants, together with evergreen trees. They shall be of a kind or used in such a manner so as to provide an opaque screen within 18 months after initial installation.
      4. All parking lot landscaping shall be in conformance with this code.

h. Underground Utilities, Lighting, Trash Enclosures, Tanks, Transformers, etc.
   i. All trash enclosures, lighting, utility lines, including, but not limited to, electric, communication, street lighting and cable television, shall be installed in accordance with this code.
   ii. Appurtenances and associated equipment, including, but not limited to, tanks, air conditioning units, surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets and concealed ducts in an underground system, may be placed above ground if approved as part of the project plan and provided that such facilities are adequately screened by landscaping or other means.

D. <u>M-1 Zone</u>
   a. Industrial service centers may be established pursuant to the provisions of section 16-XXX.
   b. Setback Requirements:
      i. Front yard setback:
         1. No side yard setback shall be required along interior property lines where the abutting zoning is M-1 or M-2. Whenever a lot or parcel of land in the light manufacturing zone abuts a lot or parcel of land in a residential zone or abuts an alley which separates a light manufacturing zone from any residential zone, the setback requirement for the residential zone shall apply. The side yard adjacent to a public street shall meet the front yard setback requirements.
         2. Pedestrian walks, vehicular access drives, meter pits, signs and utility manholes may be located in any required front yard.

ii. Side yard setback:
    1. No side yard setback shall be required along interior property lines where the abutting zoning is M-1 or M-2. Whenever a lot or parcel of land in the light manufacturing zone abuts a lot or parcel of land in a residential zone or abuts an alley which separates a light manufacturing zone from any residential zone, the setback requirement for the residential zone shall apply. The side yard adjacent to a public street shall meet the front yard setback requirements.
    2. A common building wall with a zero setback may be established by a project plan which shall provide documentation describing the exchange and recordation of necessary documents to ensure adequate access, parking, and easements to serve the development.

iii. Rear yard setback:
    1. A rear yard shall be not less than the height of the building, except that a minimum rear yard of 30 feet shall be required whenever a lot or parcel of land in the light manufacturing zone abuts a lot or parcel in a residential zone or abuts an alley which separates a light manufacturing zone from any residential zone.

iv. Uses permitted in required setback areas:
    1. Uses permitted in any required front setback area shall be limited to signs and landscaping. Uses permitted in any other required setback area shall be limited to signs, parking, landscaping, recreational, loading and outside storage uses, where such storage is adequately screened and approved by a special use permit.

c. Walls:
    i. The placement, design and detail of walls shall be included and indicated on any required project plan.
    ii. A six-foot solid decorative masonry wall or other type of visual buffering, such as landscaping, architectural treatment, or combination thereof, shall be provided and maintained on the boundary of the light manufacturing zone which abuts or is across a public street or alley from a residential zone. On the front or side front portion of the property, the wall or visual buffering shall be placed in a location as shown on the approved project plan to provide the necessary screening from the public right-of-way.

d. Access:
    i. Access to property shall typically be provided from dedicated industrial collector streets 74 feet in width, to provide access from a major thoroughfare or private street. A master circulation plan must be submitted and approved in compliance with adopted city policies.
    ii. Curb cuts to the property shall be a minimum of 30 feet in width, except as otherwise approved by a master circulation plan, and shall be located in conformance with the adopted city curb cut policies.

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e. Landscaping:
   i. The purpose of the landscaping requirements shall be to enhance, conserve and stabilize property values by encouraging a pleasant and attractive environment. Landscaped areas shall be considered those areas of lawn, trees, planter boxes, shrubs or other plants. Courtyards, water ponds, fountains, decks, kiosks, walkways and similar areas may be permitted as part of the landscaped area in the discretion of the commission.
   ii. All landscaping shall be provided in accordance with the following standards:
      1. A landscape plan shall be required.
      2. The entire front yard setback shall be landscaped, with the exception of that area provided for vehicles or pedestrian access.
      3. When the industrial development is either behind or beside a residential zone, or where the light manufacturing zone abuts an alley or developed property, there shall be a landscaped area adjacent to that residential or developed property line. The landscaped area shall have a depth of not less than ten feet. Plant materials used for the screen shall consist of compact evergreen plants, together with evergreen trees. They shall be of a kind or used in such a manner so as to provide an opaque screen within 18 months after initial installation.

f. Underground Utilities, Lighting, Trash Enclosures:
   i. All trash enclosures, on-site lighting, and utility lines, including, but not limited to, electric, communication, street lighting and cable television, shall be installed in accordance with this code.
   ii. Appurtenances and associated equipment, including, but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets and concealed ducts in an underground system, may be placed above ground if approved as part of the project plan and provided that such facilities are adequately screened by landscaping or other means.

g. Certificate of Occupancy
   i. Application for a certificate of occupancy shall be made for any new use, except the adult businesses referred to in section 16-221 or expansion of land or buildings permitted in section 16-XXX. The building official may issue the certificate only after approval of the new buildings and uses by the director. Any subsequent modification, change or changes in the use permitted by a certificate of occupancy shall occur only after the holder of such certificate has obtained an amendment from the building official and director allowing such change or changes.
   ii. A certificate of occupancy for a use of the land in the M-1 zone may be revoked by the city council after a public hearing, if the city council finds that the holder of the certificate has failed to comply with the approved special use permit.

E. <u>M-2 Zone</u>

a. Setbacks:
   i. Front yard

1. Where all the frontage on one side of the street between two intersecting streets is located in an M-2 zone, no front yard shall be required. Where frontage on one side of the street between two intersecting streets is located in an M-2 zone and an R zone, the front yard requirement in the R zone shall apply to the M-2 zone.

ii. Side yard

1. Where a lot in an M-2 zone abuts the side of a lot in any R zone, there shall be a side yard of not less than five feet. In all other cases, a side yard for a commercial or industrial building shall not be required.

iii. Rear yard

1. No rear yard shall be required except where an M-2 zone abuts an R zone, in which case there shall be a rear yard of not less than 20 feet.

All outdoor equipment and storage areas shall be screened and secured by walls, fences, and gates. Where incidental outdoor equipment is proposed, the equipment may be painted to match the related structure and protected from damage by means

SEC. 16-~~203~~. PERFORMANCE STANDARDS; GENERAL.

(A) All uses in the industrial zones are subject to performance standards as indicated below in Section 16-XXX. ~~The maximum permitted levels of operational characteristics resulting from uses of property shall be called performance standards~~. ~~Continued~~

(B) The property owner (designee) shall ensure compliance with the performance standards, with the exception for ~~the~~ adult businesses referred to in section 16-xxx, except as an approved permit may warrant, and/or except as otherwise provided for in this division or the Oxnard Municipal Code.

~~(B) Land or buildings shall not be used or occupied in any manner so as to create any dangerous, noxious, injurious or otherwise objectionable fire, explosion or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; electrical disturbance; glare; liquid or solid refuse or wastes; or other dangerous or objectionable substance, condition, or element in such a manner or such amount as to adversely affect the environment or surrounding community as measured from the property line.~~

(C) More restrictive performance standards or regulations enacted by an authorized governmental or regulatory agency having jurisdiction of such matters shall take precedence over the provisions of these regulations.

SEC. 16-~~XXX~~. EXCEPTIONS.

(A) These ~~regulations~~ performance standards do not apply to unexpected brief periods where these standards are exceeded based upon a reasonable cause, such as equipment testing, breakdown of equipment, modification or cleaning of equipment, or other similar reason,.

(B) These ~~regulations~~ performance standards shall not apply to the operation of motor vehicles or other transportation equipment unless otherwise specified.

(C) These performance standards shall not apply to agricultural activities, food processing, and similar agricultural related uses.

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SEC. 16-XXX. PERFORMANCE STANDARDS; SPECIFIC

Performance Standards:	Industrial Zones: CM, BRP, ML, M1, M2
NOISE	Baffling or muffling devices or other precautionary means shall be employed with processes or operations causing objectionable noise characteristics to prevent -their being objectionable when measured at the property line during normal operation. Noise levels are required to comply with the Oxnard City Code, Chapter 7.
SMOKE AND PARTICULATES	Visible emissions of smoke shall not exceed Ringlemann No. 1 on the Ringlemann Chart of the U.S. Bureau of Mines, except for exhausts emitted by motor vehicles or other transportation facilities. This requirement shall also be applicable to the disposal of trash and waste materials. Windborne dust, dirt, fly ash, airborne solids, sprays, and mists (except water vapor) originating from any use ~~will not be permitted~~ shall be required to be conditioned and/or mitigated to below the Ringlemann No. 1 level.
TOXIC OR NOXIOUS MATTER	Toxic gases or noxious matter which can cause any damage to health, animals, vegetation, or other forms of property, or which can cause any excessive soiling beyond the ~~lot~~ property lines of the use shall not be ~~emitted~~ permitted.
~~ODIFEROUS MATTER~~ ODORS	Operations, processes, or products shall not emit odors that are detectable at any point beyond the property lines of the use, except as otherwise exempt by Section 16-XXX (Exceptions).
GLARE OR HEAT	Any operation producing intense glare or heat shall be performed within an enclosed or screened area in such a manner that the glare or heat emitted will not be ~~discernable~~ detectable from the property lines of the use.
VIBRATION	Every use shall be ~~so~~ operated so that the ground vibration generated by the use is not harmful or injurious to ~~the use of the~~ any surrounding properties. No perceptible vibration (seen or felt without vibration detecting instruments) shall be permitted ~~which is perceptible without instruments~~ at any point ~~along~~ beyond the property lines ~~on which said~~ of the use ~~is located~~.
ELECTRICITY AND RADIOACTIVITY	Radio and television transmitters shall be operated at the regularly assigned wave lengths (or within the authorized tolerances thereof) as assigned by the appropriate governmental agency. Subject to such exception, such transmitters shall be suitably wired, shielded and controlled so that in operation they shall not emit any electrical impulses or waves beyond the lot lines which shall adversely affect the operation and control of any domestic household equipment or nay other electronic devices and equipment.

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Performance Standards:	Industrial Zones: CM, BRP, ML, M1, M2
LIQUID AND SOLID WASTES	Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or groundwater supply nor to interfere with bacterial processes in sewage treatment. Such operations and uses shall comply with, and in some cases shall be obtain all required permits , by authorized governmental health and safety ~~regulations of~~ regulatory agencies having jurisdiction over such disposal activities. The disposal or dumping of solid wastes, such as slag, paper or fiber wastes, or other industrial wastes, shall not be permitted for any use. ~~On any premises unless otherwise provided for in this chapter.~~
FIRE AND EXPLOSIVE HAZARDS	(A) All activities involving the use or storage of combustible, flammable or explosive materials shall be in compliance with nationally recognized standards, and shall be provided with adequate firefighting and fire-suppression equipment and devices in compliance with the current edition of the National Fire Protection Association regulations and in compliance with the City of Oxnard Fire Department. (B) Burning of waste materials in open fires is prohibited by state law.
MECHANICAL EQUIPMENT	All mechanical and electrical equipment, including ground mounted equipment shall be completely screened behind a permanent structure or landscaping. All rooftop mechanical and electrical equipment shall be placed behind a permanent parapet screen or wall and shall be completely screened from any adjacent public street view except as otherwise permitted by project conditions of approval.

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Section 16-XXXX Industrial Accessory Uses

Section 16-XXXX Purpose and Intent

The purpose of the following sections is to provide guidance and regulation concerning activities associated with industrial or manufacturing uses, which by their nature could be considered permitted or principle uses in other zones, but which are typically incidental to the principle industrial use. Internet sales

Section 16-XXXX Office Uses

Office uses as a principle use are permitted as indicated in the Industrial Land Use Matrix. Office uses in support of the principle industrial use in M-L, M-1, and M-2 zones are permitted as follows:

A. In any free-standing building or divisible space, no more than 25% of the total gross floor area of any single or multi-tenant building shall be office area.
B. Office areas above the 25% threshold may be permitted subject to the approval of a DDR permit. The City may require traffic and/or parking studies to determine the appropriateness of permitting office areas in excess of 25%.

Section 16-XXXX Commercial and Retail Uses

Commercial and retail activities in industrial zones shall be limited to those types of uses, which by the size of the product offered or the care and handling of products, requires a significant allocation of space for product display and mechanical handling, or products and goods that are typically marketed to other industrial types of users and services.

A. Types of Commercial products and services are limited to the following:
    1. Electrical, paint, and plumbing supply.
    2. Janitorial, building, and property maintenance services and equipment sales and rental.
    3. Construction and agricultural equipment sales, rental, and service.
    4. Medium and heavy-duty trucks sales, rental, and service.
    5. Hardware in association with lumber and building material sales.
    6. Spas, hot tubs, and prefabricated pools.
    7. Flooring, surfaces, and cabinet sales.
    8. Equipment, truck, trailer, and light vehicle rental.
    9. Recreational vehicles and watercraft sales, service, and rental.
    10. Restaurants, cafes, coffee shops, printing services, and similar uses intended to primarily serve the businesses and employees of adjacent industrial areas.
    11. Breweries and associated food service, winery tasting rooms, and similar uses as determined by the Planning Manager.
    12. Similar types of uses and activities as determined by the Planning Manager .
B. Permit Requirements

    The uses identified in Sub-Section A above are subject to the permit requirements in Section 16-XXXX, Industrial Land Use Matrix.

Section 16-XXXX Outdoor Uses and Storage/Equipment

The guidance for outdoor uses and equipment and storage is provided by the purpose and intent of the respective industrial zoning categories as follows:

F. C-M, BRP, and M-L zones
   a. Outdoor equipment is limited to that which is essential to the principle use and which cannot be reasonably accommodated within the associated structure due to the physical characteristics of the equipment or prohibited by other applicable regulations.
   b. Permit requirements: Outdoor equipment may be permitted by the review and approval of a DDR permit or permit modification as may be applicable.
   c. Outdoor areas shall be fully screened from view based upon the performance standards identified in Sub-Section 16.XXX

G. M-1 Zone
   a. Except as may be permitted by a use permit, outdoor uses in the M-1 zone are limited to:
      i. Outdoor equipment as described in the Sub-Section 16-XXX.
      ii. Storage of materials directly related to the principle industrial use, provided it is screened and secured as provide for herein.
      iii. Parking of operative commercial vehicles, including automobiles, bearing identification of the associated business.
      iv. Outdoor industrial activities, such as the manufacture, processing, or assembly of goods, raw materials, or equipment is not permitted.
   b. Permit requirements: Outdoor equipment and storage as identified above may be permitted by the review and approval of a DDR permit or permit modification as applicable.

H. M-2 Zone
   a. Outdoor storage, equipment, and assembly, maintenance, processing, and similar activities, may be permitted in the M-2 zone subject to the provisions in this Section.
   b. Permit requirements: Except where a use permit is required by the Industrial Land Use Matrix, the following permits apply to outdoor uses in the M-2 zone:
      i. Incidental outdoor equipment or storage: DDR permit or permit modification as applicable
      ii. Active manufacturing, assembly, storage, or processing: DDR permit

I. Standards applicable to outdoor uses and equipment
   a. All outdoor equipment and storage areas shall be screened and secured by walls, fences, and gates. Where incidental outdoor equipment is proposed, the equipment may be painted to match the related structure and protected from damage by means other than walls and gates. Tanks and equipment made of stainless steel and similar material need not be painted.
   b. All storage areas shall be screened by a wall or opaque fence no less than six feet in height at any given point.

All outdoor storage and active industrial activities in the M-2 Zone shall be screened by a wall or opaque fence of no less than eight feet in height at any given point.

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ORDINANCE NO. _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD REPEALING DIVISIONS 11 TO15 OF ARTICLE III, OF CHAPTER 16 OF THE CITY OF OXNARD CITY CODE RELATING TO INDUSTRIAL USES AND REPLACING WITH NEW DIVISION 11 TITLED 'INDUSTRIAL ZONES' UNIFYING ALL INDUSTRIAL ZONES PREVIOUSLY FOUND WITHIN REPLACED DIVISIONS 11 TO 15 OF CHAPTER 16 OF THE CITY CODE UNDER ONE DIVISION IN ORDER TO PROVIDE FOR FORMAT REVISIONS TO THE INDUSTRIAL ZONING REGULATIONS AND AMENDING REGULATIONS RELATING TO COMMERCIAL, OFFICE AND OUTDOOR USES AND PERMITTING AUTHORITY CONSISTENT WITH THE 2030 GENERAL PLAN.

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

WHEREAS, on May 17, 2017, the City of Oxnard (the **"Applicant"** and/or **"Permittee"**) submitted a proposed zoning text amendment to revise the format of the industrial zoning regulations for the City and amends regulations to commercial, office and outdoor uses in industrial zones and provides permitting authority for permitted and conditionally permitted uses; and

WHEREAS, on April 11, 2018, a public workshop was held for the industrial community and the general public to receive community input on the proposed zoning text amendments; and

WHEREAS, on April 5, 2018, a project webpage was created to update and inform the general public and stakeholders about the proposed zone text amendments; and

WHEREAS, on April 9, 2018, an Industrial Code Update survey was posted on the Project's webpage to gauge the industrial community and general public about the needs and improvements of the industrial zones. The survey was available from April 9 to April 30; and

WHEREAS, on April 9, 2018 staff informed the City of Oxnard Chamber of Commerce Business Advocacy Committee about the Industrial Code Update workshop and survey and on June 11, 2018, staff informed the Business Advocacy Committee about the draft Industrial Code Update being posted on the Project's webpage and future public hearing dates; and

WHEREAS, on June 12, 2018, the draft Industrial Code Update was posted on the Project's webpage to inform the general public and industrial community of the proposed zone text amendment and staff requested that the general public and the industrial community review the send comments on the Industrial Code Ordinance between June 12 to July 2; and

WHEREAS, on July 19, 2018, the Planning Commission of the City of Oxnard conducted a study session to receive an overview of the draft Industrial Code Update, received public comment and provide input to staff; and

WHEREAS, on November 15, 2018, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 17-580-01 (Zone Text Amendment) (the **"Project"**) in accordance with the

Oxnard City Code, and

WHEREAS, on March 19, 2019, the City Council of the City of Oxnard conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 17-580-01 (Zone Text Amendment) in accordance with the Oxnard City Code, and

WHEREAS, the Zone Text Amendment clarifies the review authority and permit procedures, refine allowed use and development standards for each of the City's Industrial Zone Districts, and establish specific use provisions consistent with the action items and policy directives in the 2030 General Plan. The proposed Zone Text Amendment would ensure that Chapter 16 of the Oxnard City Code is consistent with the 2030 General Plan; and

WHEREAS, the proposed Zoning Text Amendment is in the public interest and reflect the input from residents, decision-makers, and other stakeholders in the community. There are no changes recommended under the proposed zoning text amendments that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed Zone Text Amendment does not involve any direct physical changes to the environment. There are no changes in landforms or land uses are proposed as a part of the proposed Zone Text Amendment and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety. Moreover, the proposed Zone Text Amendment would be consistent with the land uses and development anticipated by the 2030 General Plan; and

WHEREAS, the proposed Zone Text Amendment to Chapter 16 of the City of Oxnard Code would establish consistency internally and with other titles of the Oxnard Municipal Code; and

WHEREAS, the adoption of Zone Text Amendment would be a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by clarifying the implementation procedures of industrial zones throughout the City of Oxnard; and

WHEREAS, under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the action is not subject to CEQA; and

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Section 1. Division 11 to 15 of Chapter 16 of the City Code shall be repealed and replaced with new Division 11 titled "Industrial Use Zones" and Chapter 16 of the City Code shall be amended as shown on Exhibit A.

Section 2. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court of competent jurisdiction, then decision or order shall not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted this Ordinance, and each section, sentence, subsection, clause, phrase, part or portion thereof, regardless of the fact that any one or more sections, sentences, subsections, clauses, phrases, be declared invalid or unconstitutional.

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Section 3. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City's Zoning Code.

Section 4. Exempt from CEQA. The City Council determines and finds that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the Guidelines to the California Environmental Quality Act because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Therefore, CEQA does not apply to this action.

Section 5. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this Ordinance, and a certified copy the Ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council's adoption of the Ordinance.

Section 6. The City Clerk shall certify as to the adoption of this Ordinance and shall cause summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this Ordinance, including for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance _____ was first read on _____ 2019, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this 19th day of March, 2019 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Tim Flynn, Mayor

ATTEST:

_____
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

_____
Stephen M. Fischer, City Attorney

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INDUSTRIAL ZONE ORDINANCE UPDATE

Isidro Figueroa
Principal Planner
PZ No. 17-580-01(ZONING TEXT AMENDMENT)

March 19, 2019

CITY OF OXNARD CALIFORNIA

Project Request

- Proposed Zone Text Amendment (ZTA) to Consolidate Divisions 11 to 15 (Industrial Zones) into one Division to:
  1. Provide efficient development permitting process
  2. Clarify permitting authority

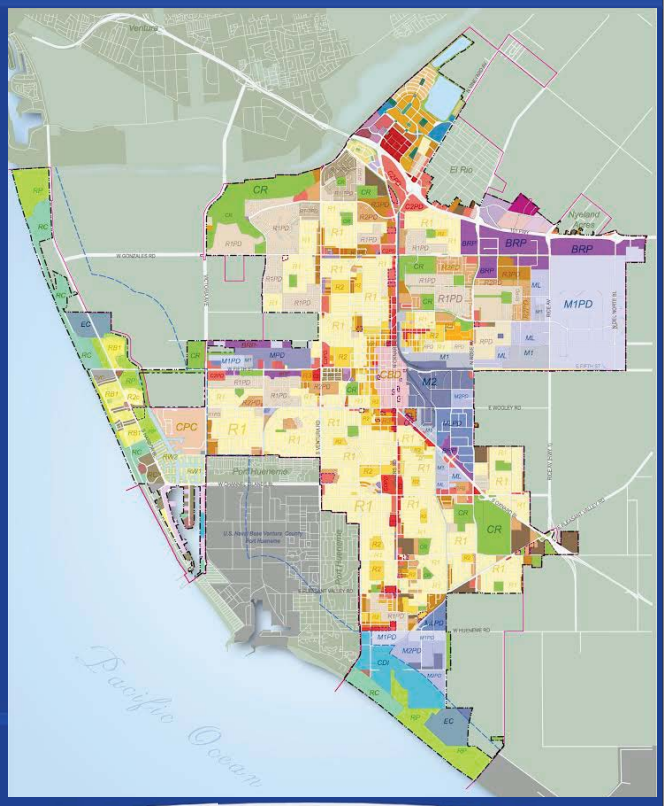
CITY OF OXNARD CALIFORNIA

City Code

- Adopted in 1964 (Chapter 16-Zoning)
- Since adoption, no major modifications
- Creation of Business Research Park (BRP) zone 1980s
- Inclusion of Performance Standards 1980s
- 2016-2017 Budget
  1. Develop strong citywide economy
  2. Update Industrial Zoning Ordinance

Applicable Zones

- Business and Research Park (BRP)
- Commercial and Light Manufacturing (C-M)
- Limited Manufacturing (M-L)
- Light Manufacturing (M-1)
- Heavy Manufacturing (M-2)



Objectives

- Revised Purpose and Intent Sections
- New Land Use Matrix
- Clarify Relationship with Specific Plans
- Create Development Standards Table
- Clarify and simplify permit process
- Revised Performance Standards
- Industrial Accessory Uses

Study Session

- Planning Commission Study Session (July 19, 2018)
  1. Public: Prefer Planning Commission overview and noticing requirements for outdoor uses.
- Planning Commission:
  1. 2030 General Plan required to be updates? *No*
  2. Restrictions to land uses in proximity to churches and homeless shelters? *No*
  3. ZTA include Medical Cannabis provisions? *No*
  4. ZTA relax development standards that will impact residential parcels? *No*

Public Hearing

- Planning Commission Public Hearing (November 15, 2018)
  1. Public: Prefer Planning Commission overview and noticing requirements for outdoor uses.
- Planning Commission:
  1. Recommended format changes to M-L 'Purpose and Intent' section.
  2. Allow cafes and restaurants with approval of a DDR.
- Unanimously approved Planning Commission Resolution 2018-31, recommending that the City Council adopt Industrial Code ZTA.

Land Use Matrix

- Convert from text to matrix
- Eliminate outdated & obsolete terms
- Address current land use trends
- Include State mandated land uses (SB 2)
- Clarify permitting processing

Section 16-XXXX
Industrial USES BY ZONE

Sec. 16-XXX. Industrial Land Use Matrix
The uses of land allowed by this zoning ordinance in the industrial zoning districts are identified in the following table as being:

	=	Not Allowed
P	=	Permitted Use (Requires a zone clearance)
SUP	=	Special Use Permit
DDR	=	Development Design Review Permit

	ZONE DISTRICT					
Land Use	CM	BRP	M-L	M-1	M-2	Refer to Standards in Section
Administrative, executive, and/or corporate offices which are a part of a predominantly industrial operation, including governmental offices and facilities	P	P	P	P	P	Sec.
Administrative, financial, professional, medical, and general office services	P	P	SUP			
Adult businesses, except adult motels		P	P	P ~~SUP~~	P ~~SUP~~	See Section 16-336
Adult day care facilities	P	P				
Adult motels	P					
Advertising structures other than those permitted in Article IX of this chapter					SUP	
Agricultural and construction vehicle sales with incidental repair and service	~~P~~ SUP		P	P		

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Dev. Standards Table

- Identify standards pertaining to specific zones
- User friendly
- Ensure consistency with 2030 General Plan
- Identify exceptions

Section 16-XXXX INDUSTRIAL ZONES- DEVELOPMENT STANDARDS

The following table sets forth Development Standards for all of the industrial zone districts in the City of Oxnard. All permitted, and conditionally permitted uses shall be consistent with the purpose and intent of the respective zone.

	ZONE DISTRICT				
STANDARD	CM	BRP	ML	M-1	M-2
Min Lot Size	10000 SF	20000 SF	15000 SF	15000 SF	None
Min Lot Width					
Interior Lots	50 feet	100 feet	100 feet	100 feet	None
Corner Lots	75 feet	150 feet	150 feet	150 feet	None
Max Building Height	35 feet*	35 feet*	35 feet*	55 feet*	Shall not exceed a height at the street line of eight stories or 100 feet
Front yard Setback	None	30 Feet; 40 feet when adjacent to designated thoroughfare	20 feet; 30 feet when adjacent to designated thoroughfare	10 feet; 30 feet when adjacent to designated thoroughfare	10 feet; 30 feet when adjacent to designated thoroughfare
Side yard Setback	None if adjacent to Residential zone; 10 feet	Equal to height of building or approved by SUP	Equal to height of building or approved by SUP	None	None
Rear yard Setback	20% of depth of lot need not exceed 20 feet	20 feet	Equal to height of building	Equal to height of building	None
Street Side yard Setback	10 feet	Half of height of building	Same as require for front yard	Same as front yard	Same as front yard
Setback from Residential Zoned Property	10 feet	100 feet	50 feet	20 feet	None
Max Lot Coverage	40%	40%	50%	70%	None
Max Floor Area Ratio	0.35 to 0.45	0.60	0.45	0.45 0.60 (warehousing)	0.45

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Updates

- Clarify intent and purpose section of all industrial zones and ensure consistency with 2030 General Plan.
- Identify and clarify permit requirements for industrial uses.
- Provide matrix identifying 5 adopted Specific Plan areas and permit requirements.
- Include permit requirements and regulations for non-industrial uses:
  1. Churches
  2. SB 2
  3. Adult

Updates Continued

- Special requirements for industrial uses:
  1. Development near neighboring residential parcels
  2. Landscaping
  3. Site Design
- Performance Standards:
  1. Eliminate redundancies
  2. Apply to all zones
  3. Update to reflect current environmental standards
- Office Use:
  1. Allow office use in conjunction with industrial use
  2. 25% of gross floor area allowed by right
  3. Greater than 25% requires DDR approval

Update Continued

- Commercial & Retail:
  1. Allow commercial & retail to allow businesses to be competitive such as:
     a. Flooring, surfaces, and cabinets
     b. Electrical, paint, plumbing supplies
- Outdoor Storage:
  1. Provide regulations for outdoor uses and storage/ equipment:
     a. Incidental to main use
     b. Screening requirement
     c. DDR (Director review) or
     d. SUP (Planning Commission review)

Environmental

- ZTA categorically exempt from CEQA State Guidelines pursuant to Section 15601(b).
- Notice of Exemption has been prepared and will be filed with the County of Ventura.

Public Outreach

- EDCO consultation
- Chamber of Commerce presentations
- Public workshop April 11, 2018
- City website project page
- Planning Commission Study Session July 19, 2018
- Planning Commission Public Hearing November 15, 2018
- Meeting with CBRE to discuss draft ordinance comments on February 13, 2019

Recommendation

- That the City Council adopt an ordinance to adopt the Industrial Code Zone Text Amendment.

CITY OF OXNARD CALIFORNIA

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QUESTIONS