

CITY OF OXNARD

PLANNING COMMISSION

AGENDA

REGULAR MEETING

Council Chambers, 305 West Third Street, Oxnard, CA 93030
Thursday, January 17, 2019, 07:00 P.M.

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES**
- C. PUBLIC COMMENTS - On Items Not On The Agenda** At this time, a person may address the Planning Commission on matters within the jurisdiction of the Planning Commission, including information/consent items and any item not appearing on the agenda. The Chair shall limit public comments to three (3) minutes. The Planning Commission cannot take action on any item presented during public comments that is not on the agenda and such item may only be referred to the Commission Secretary. Persons wishing to speak on public hearing items should do so at the time of the public hearing.
- D. READING OF AGENDA**
- E. CONSENT AGENDA**
 - 1. APPROVAL OF MINUTES - December 6, 2018**
 - 2. APPROVAL OF MINUTES - December 20, 2018**
- F. PUBLIC HEARINGS**
 - 1. PLANNING AND ZONING PERMIT PZ NO. 17-530-03 (Special Use Permit - Wireless).** A request to construct a 60' tall mono-palm wireless tower with equipment enclosure. The site would be located on the alley side of the shopping center (Pleasant Valley Shopping Center) located at 211 West Pleasant Valley Road in the Pleasant Valley Village neighborhood. The project is exempt from environmental review pursuant to Section 15303, Class 3 of the California Environmental Quality Act Guidelines. Filed by Jerry Ambrose ("Applicant"), 3905 State Street, Suite 7-188, Santa Barbara, CA 93105. Project Planner: Paul McClaren ACTION: 17-530-03 Staff Report
 - 2. PLANNING AND ZONING PERMIT PZ NO. 16-520-03 (Special Use Permit).** A request to convert 1,596 square feet of second story commercial office square footage into two residential dwelling units. The one bedroom unit will be 760 square feet and the other residential unit will be 836 square feet. Both units will be rental apartment units. The conversion will require the unreinforced masonry building to be seismically retrofitted and building will also be retrofitted with fire sprinklers to meet current safety requirements. The proposed mixed use building is located at 509-515 South C Street within the Central Business District (CBD). The proposed project is exempt from environmental review pursuant to Section 15301(b)(3) and 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines. Filed by Christopher S. Vila on behalf of Donald A. Rosen, Rosen Family Trust, 25876 The Old Road #163, Stevenson Ranch, California 91381. Project Planner: Juan Martinez ACTION: 16-520-03 Staff Report

3. **PLANNING AND ZONING PERMIT PZ NO. 18-625-01 (General Plan Consistency).** A request for 2030 General Plan Conformity by the Oxnard Union High School District for Disposition of Real Property located at 527 Hueneme Avenue (Assessor's Parcel Number 222-0-082-625). Filed by the Oxnard Union High School District Designated Agent law firm of Myers, Widders, Gibson, Jones & Feingold, L.L.P., 5425 Everglades Street Ventura, California, 93003, on behalf of the property owner which is the Oxnard Union High School District. Project Planner: Isidro Figueroa
ACTION:

18-625-01 Staff Report

G. STUDY SESSION/REPORTS

H. PLANNING COMMISSION BUSINESS

I. PLANNING MANAGER COMMENTS

J. ADJOURNMENT FUTURE MEETINGS Thursday, February 7, 2019, 7:00 p.m., City Council Chambers CITY OF OXNARD PLANNING COMMISSION AGENDA Page 2

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803.

Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

J. ADJOURNMENT FUTURE MEETINGS Thursday, February 7, 2019, 7:00 p.m., City Council Chambers CITY OF OXNARD PLANNING COMMISSION AGENDA Page 2



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Paul McClaren, Associate Planner

DATE: January 17, 2018

SUBJECT: Planning and Zoning Permit No. 17-530-03 (Special Use Permit - Wireless),
Property Located at 211 W. Pleasant Valley Road

- 1) Recommendation:** That the Planning Commission adopt a resolution approving Planning and Zoning Permit No. 17-530-03 (Special Use Permit - Wireless), subject to certain findings and conditions.
- 2) Project Description and Applicant:** A request to construct a 60' tall mono-palm wireless tower with equipment enclosure. The site would be located on the alley side of the shopping center (Pleasant Valley Shopping Center) located at 211 West Pleasant Valley Road in the Pleasant Valley Village neighborhood. The project is exempt from environmental review pursuant to Section 15303, Class 3 of the California Environmental Quality Act Guidelines. Filed by Jerry Ambrose ("Applicant"), 3905 State Street, Suite 7-188, Santa Barbara, CA 93105.
- 3) Existing & Surrounding Land Uses:** The proposed project is located in the shopping center that is on the northwest corner of the intersection of W. Pleasant Valley Road and Saviers Road. (See Attachment A).

Surrounding Land Uses			
Direction	Zoning	General Plan	Land Use
Project Site	General Commercial - All Affordable Housing Opportunity (C-2-AH)	Commercial General (CG)	86,000 square-foot multi-tenant shopping center
North	Single-Family (R-1)	Residential Low (RL)	Single-Family Homes
South	General Commercial - All Affordable Housing Opportunity (C-2-AH)	Commercial General (CG)	Vacant Parcel, Parking Lots, Church, Shopping Center

Direction	Zoning	General Plan	Land Use
East	High Rise Residential (R-4)* General Commercial (C-2)	Residential Low (RL) Commercial General (CG)	Apartment Homes Commercial Building
West	General Commercial (C-2) Multiple-Family (R-2)*	Commercial General (CG) Residential Low (RL)	Gas Station, Shopping Center, Single-Family Homes

* Zoning will be updated to be consistent with the 2030 General Plan as part of the 2030 General Plan Consistency Re-zoning program underway.

4) Background Information: The subject property was part of Annexation No. 56-3, which was approved in January, 1957 and zoned C-2 (General Commercial) at that time. The subject parcel is Lot “A” of the Pleasant Valley Village Tract Unit No. 1, which was approved in February, 1957 and is commonly known as the Pleasant Valley Shopping Center. The existing buildings were built in 1961 and include a 67,500 square-foot primary building and four other buildings (12,500 sf, 2,500 sf, 2,100 sf and 1,800 sf). The primary building has multiple tenants with the anchor tenant being Tresierra’s Supermarket.

5) Environmental Determination: In accordance with Section 15303, Class 3 of the California Environmental Quality Act Guidelines (CEQA), projects characterized as new construction of small structures to include extensions of utilities may be found to be exempt. The proposed project is a new stealth wireless monopole tower on a 7.94 acre lot in a General Commercial zone. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment B).

6) Analysis:

a) General Discussion: The project is a new 60-foot mono-palm tower and wireless facility with ancillary equipment to be constructed directly behind the primary building on the shopping center lot. The primary building has a 20-foot wide, two-way alley to the north of the existing shopping center, running the length of the shopping center property. The setbacks from this alley to the primary building vary from 10 feet to 30 feet. The proposed location for the tower is centered on the back of the building, adjacent to an existing trash enclosure and in an area with 30 foot setbacks. The base of the tower is 21’4” from the property line (See reduced Project Plans, Attachment C). The proposed mono-palm will not impact existing circulation or access to the project site from the alley. The ancillary equipment is housed within the existing primary building.

b) General Plan Consistency: The City’s 2030 General Plan land use designation for the subject site is Commercial General (CG).

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
Infrastructure and Community Services ICS-18.1	I	Telecommunications Services Ensure residents and business have access to telecommunications services.	Installation of this facility will fill a significant gap in AT&T's coverage in this area of Oxnard
Infrastructure and Community Services ICS-18.3	I	Wireless Telecommunications Encourage wireless providers to incorporate well-designed stealth techniques that disguise the facility from the point of view of nearby residents.	The provider has proposed a mono-palm tower and with the addition of three new live palm trees the facility will blend in with the surrounding environment making it stealth.
CD-3.4 CD-4.4 CD-14.3	II	Neighborhood Quality of life. Commercial Area Aesthetics. Quality of Design	The review process led to changes in the project and/or conditions of approval that meet these Level II policies.
All others	III	All policies not listed above	No or Distant Applicability to the Proposed Project

- c) **Conformance with Zoning Development Standards:** The proposed development is located in the General Commercial (C-2) zoning district. Applicable development standards of the C-2 zone have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Max. building height	35 feet	60 feet	YES With approval of Planning Commission, pursuant to 16-497. See section d.) Site Design of this staff report
Rear yard setback	15 feet if >16 feet in height;	21'4" rear yard setback	YES

- d) Site Design:** The steel tower will be installed on an engineered foundation and painted brown. All cables and wires will be installed underground from the ancillary equipment room, through sweeps in the foundation and into the interior of the steel pole. Starting at 43' above grade, the camouflage will begin with the installation of material designed to appear like the region of a palm tree where the fronds have been trimmed. Immediately above this area, artificial palm fronds will be installed. Within the canopy of the palm fronds a total of twelve 8-foot panel antennae, 24 remote radio units, and 4 surge protectors will be installed and either painted to match the palm fronds or covered with socks to help them blend in (see Attachment D, conditions of approval). The specific products to be used for the installation and camouflage of the facility will be approved by the Planning Manager prior to issuance of a building permit (see condition of approval). The tops of the 8' tall panel antennae are at 55 feet. The palm fronds continue an additional 5' above the antennae which will bring the tower to 60' in height. Within the primary building a 160 square-foot room will be created just inside an existing door off the alley and will house the ancillary equipment. The room will be air conditioned to maintain optimal temperatures which will require the addition of rooftop compressors. The compressors will be screened from public view by new screening material that will integrate into the existing architecture (see conditions of approval).
- e) Height:** The proposed height of 60' is a 71% increase in the maximum height of the zone which must be approved by the Planning Commission per Oxnard City Code Section 16-497. A series of propagation maps have been provided by the applicant demonstrating the performance of the proposed equipment at different heights (see Attachment E). Currently a majority of the Pleasant Valley Village, Southwinds, Cypress Gardens and Pleasant Valley Estate neighborhoods experience a significant gap in coverage with an average radius of about 1,500 feet from the proposed site. A tower with a broadcast center of 36 feet would take care of the majority of this gap but would still leave pockets without coverage in these neighborhoods. A 43 foot broadcast center would eliminate some but not all of these pockets. At 51 feet the majority of the pockets have been eliminated and the remaining pockets would have to be covered by small cell facilities in the public right-of-way.
- f) Landscaping:** The property currently has limited landscaping that consists of planters with low trees and shrubs. There are two mature palm trees on the eastern side of the site near West Pleasant Valley Road. The applicant will be adding three new palm trees to the site in existing planters on the south side, or front of the primary building and nearest to the location of the mono-palm tower. These trees have been conditioned to be 40 feet at the time of installation. When fully mature, which is anticipated to take 5 to 10 years, these new palm trees will be 50 to 70 feet in height and will help to provide visual context to the mono-palm and improve the camouflage.
- g) Health and Safety:** The applicant submitted a Radio Frequency - Electromagnetic Energy Compliance Report prepared August 25, 2017 by EBI Consulting (see Attachment F). The conclusions of this report state that based on predictive modeling, at ground level the maximum power generated is estimated to be approximately 6.2% of the FCC general public exposure limit. The site will be compliant with the FCC exposure

guidelines (see conditions of approval).

- 7) Community Workshop and Public Input:** On November 9, 2018, the applicant mailed notices of the Community Workshop meeting to 369 property owners within the Pleasant Valley Village Neighborhood. A notice of this meeting was posted on the project site with a brief description and contact information. The Community Workshop was conducted on November 19, 2018. Four members of the community were present for the meeting and had questions and comments about the project. Three members expressed support for the project and the fourth stated they neither supported or opposed the project. The supporting community members expressed exasperation at the lack of AT&T service coverage in the area a statement which is supported by the propagation maps provided by the applicant. A fifth member of the community called in the day of the workshop and expressed concerns about the health effects of wireless facilities.

The day following the workshop a call was received from the Law Offices of Christopher Glenn Beckom and subsequently the City received a letter from this office regarding opposition to the project (see Attachment G). As stated in the letter (Nov. 28, 2018) their client, SBA 2012 TC Assets, LLC believes that this project is unnecessary and in violation of two sections of Oxnard City Code Sections 16-489, 16-492) and expressed concerns about the visual impacts of the new facility.

Section 16-489 requires the applicant to make a reasonable attempt to find a co-location site. The applicant provided a document titled Project Information and Justification (see Attachment H) that includes a section on alternative site analysis and co-location where they detail their attempts to find a co-location site. Staff analysis of other towers in the vicinity indicate that the closest tower to the proposed location is the tower at Hueneme High School which is approximately 971 feet away and, as stated in attachment G, is owned by SBA 2012 TC Assets, LLC who sub-leases space on this tower to other carriers. SBA 2012 TC Assets, LLC leases the land at Hueneme High School from the Oxnard Union High School District.

Section 16-492 details the development standards for wireless facilities in the City of Oxnard. As explained in Section 6c of this staff report, the project is in compliance with the development standards for the zone except for the height. The proposed project is a stealth design as it will blend in with the surrounding environment. Other than the light poles around the track at Hueneme High School there are no other existing structures in the vicinity that have height suitable to meet the coverage needs of the applicant.

- 8) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Notice of Exemption
- C. Reduced Project Plans
- D. Resolution
- E. Propagation Maps
- F. Compliance Report
- G. Letter dtd 11/28/18
- H. Project Information and Justification

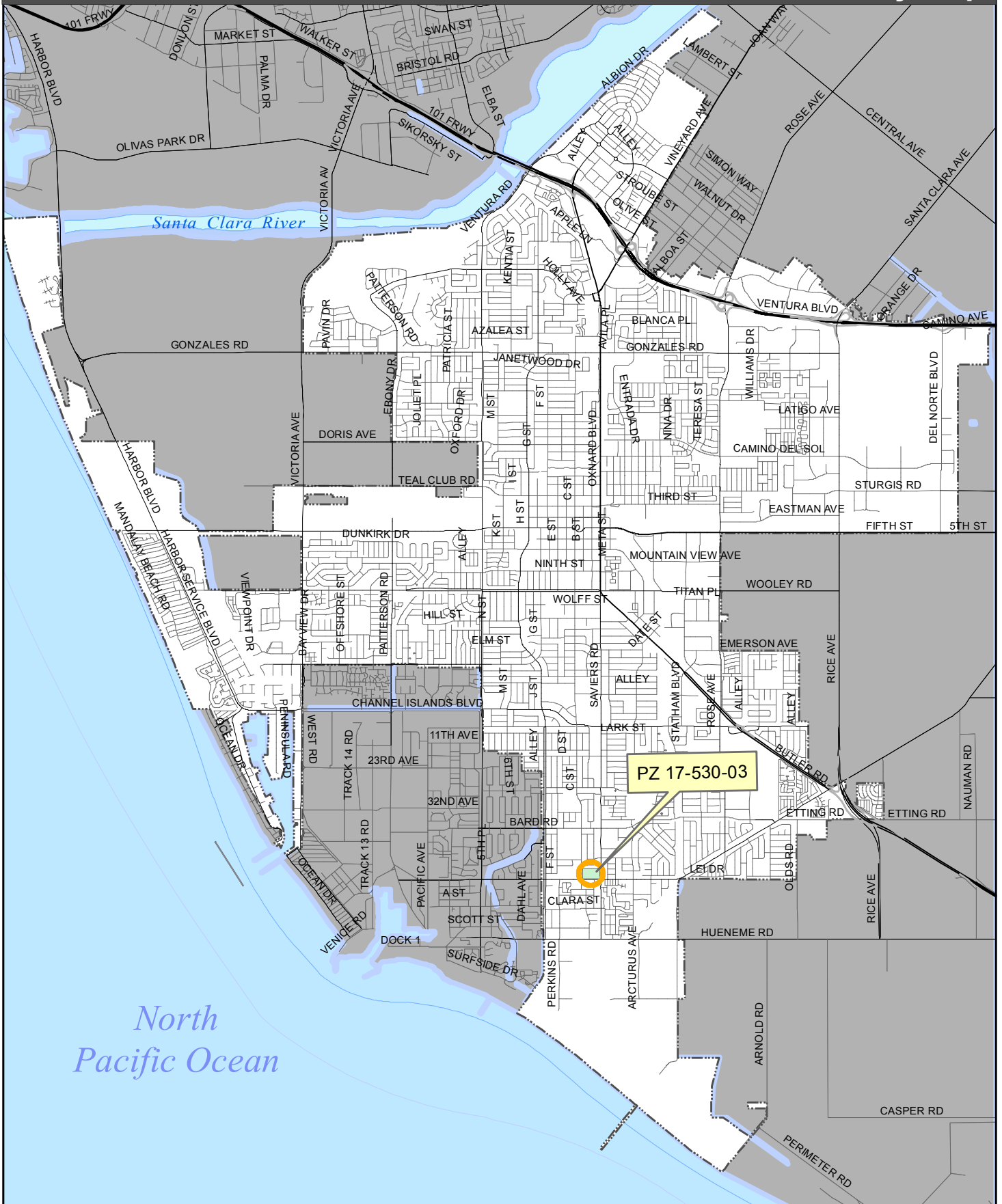
KM *Kathleen Mallory*

PM *Paul M. K...*

ATTACHMENT “A”

Maps (Vicinity, General Plan, Zoning)

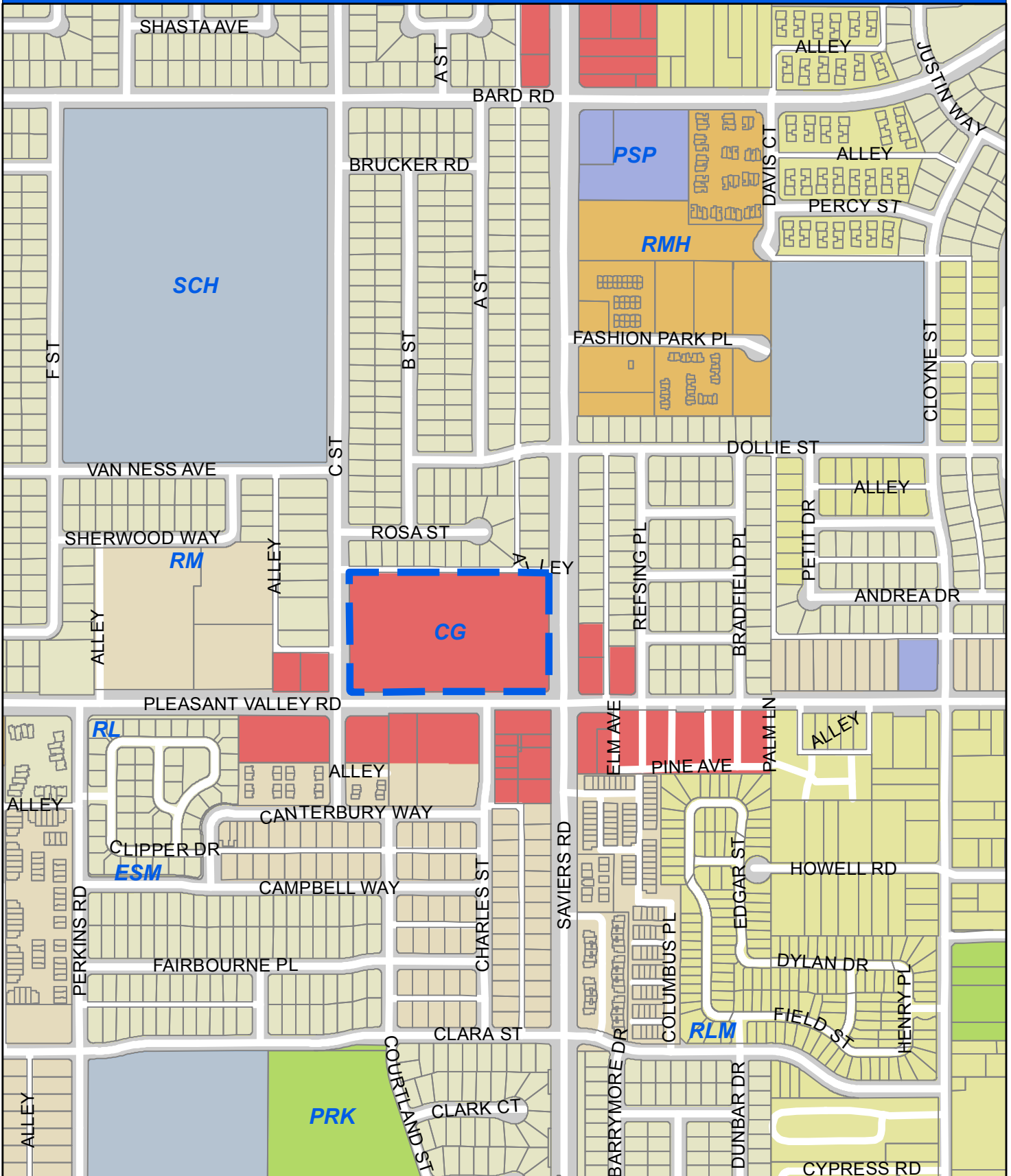
Vicinity Map



PZ 17-530-03

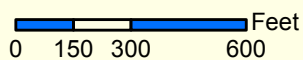


2030 General Plan Land Use Map



Oxnard Planning
November 15, 2018

PZ 17-530-03
Location: 211 W Pleasant Valley Rd.
APN: 205014132

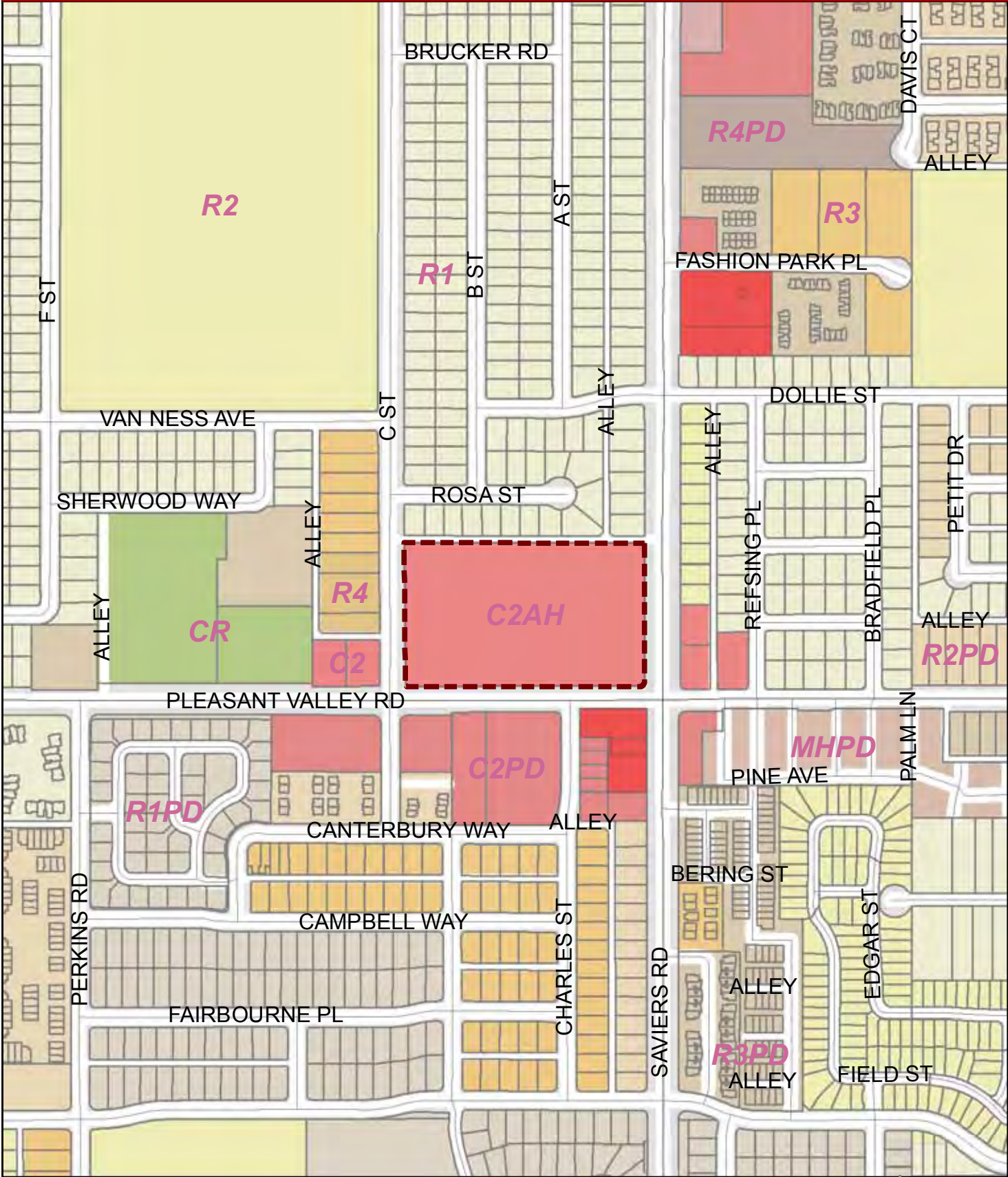


2030 General Plan Land Use Map



1:6,000

Zoning/Specific Plan Map



Aerial Map



ATTACHMENT “B”

Notice of Exemption



NOTICE OF EXEMPTION

Project Description:

PZ 17-530-03 (SPECIAL USE PERMIT - WIRELESS) TO CONSTRUCT A 60' TALL MONO-PALM WIRELESS TOWER WITH EQUIPMENT ENCLOSURE AT 211 WEST PLEASANT VALLEY ROAD SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY JERRY AMBROSE (APPLICANT), 3905 STATE STREET, SUITE 7-188, SANTA BARBARA, CA 93105.

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: In accordance with the California Environmental Quality Act Guidelines and Section 15303, projects characterized as new construction of small structures to include extensions of utilities may be found to be exempt. The proposed project is a new stealth wireless monopole tower on a 7.94 acre lot in a General Commercial zone.

(Date)

Kathleen Mallory, AICP
Planning and Environmental Services
Manager

ATTACHMENT “C”

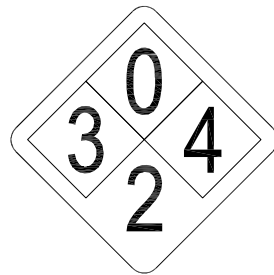
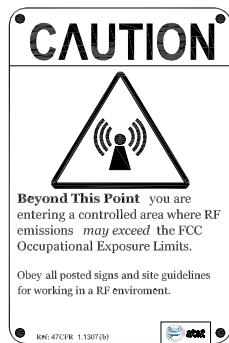
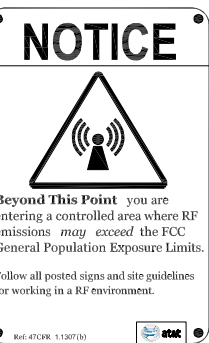
Reduced Project Plans

1. THE FACILITY IS AN UNOCCUPIED DIGITAL TELECOMMUNICATION FACILITY.
2. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH THE WORK. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE IMPLEMENTATION ENGINEER AND ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL OBTAIN, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
5. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
6. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AGENCY WITHIN THE JURISDICTION OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
7. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK, USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE IMPLEMENTATION ENGINEER AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
8. SEAL PENETRATIONS THROUGH FIRE RATED AREA WITH U.L. LISTED AND FIRE CODE APPROVED MATERIALS.
9. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA DURING CONSTRUCTION.
10. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
11. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWING (SHEET LSI OR SHEET C-1), SHALL NOT BE USED TO IDENTIFY OR ESTABLISH THE BEARING OF ANY LINE OR POINT ON THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF ANY DISCREPANCY EXISTS BETWEEN THE SURVEYOR'S ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ENGINEER.

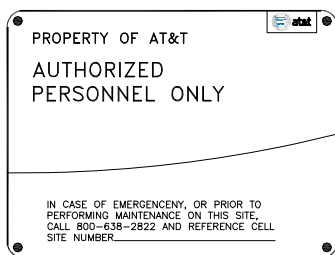
IMPROVEMENTS, PAVING, CURBS, VEGETATION, GALVANIZED SURFACES, ETC., AND UPON COMPLETION OF WORK REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF A&T.

13. KEEP GENERAL AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
14. PENETRATIONS OF ROOF MEMBRANES SHALL BE PATCHED/FLASHED AND MADE WATERTIGHT USING LIKE MATERIALS IN ACCORDANCE WITH NRCA ROOFING STANDARDS AND DETAILS. CONTRACTOR SHALL OBTAIN DETAILING CLARIFICATION FOR SITE-SPECIFIC CONDITIONS FROM ENGINEER, IF NECESSARY, BEFORE PROCEEDING.
15. BEFORE ORDERING AND/OR BEFORE FABRICATING/CONSTRUCTING/INSTALLING ANY ITEMS, VERIFY THE TYPES AND QUANTITIES.
16. CONTRACTOR SHALL PROVIDE SITE FOREMAN WITH A CELLULAR PHONE AND PAGER, AND KEEP SAME ON SITE WHENEVER PERSONNEL ARE ON SITE.
17. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON THE SITE AND NOTIFY THE PROJECT MANAGER OF ANY DISCREPANCIES BEFORE STARTING ANY WORK.
18. CONTRACTOR TO PROVIDE COMPLETE SET OF AS BUILT DRAWINGS WITHIN 10 WORKING DAYS OF PROJECT COMPLETION.
19. CONTRACTOR IS TO EXCAVATE 6" BELOW EXISTING GRADE AND SPRAY WITH WEED CONTROL. REPLACE WITH CLASS II AGGREGATE BASE AND CRUSHED WASHED ROCK. AS SPECIFIED ON SITE PLAN.
20. CONTRACTOR SHALL PROVIDE TOILET FACILITY DURING ALL PHASES OF CONSTRUCTION.
21. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR THE FABRICATION OF MATERIALS TO BE INSTALLED AT THE SITE, THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS INCLUDING AS-BUILT DIMENSIONS OF EXISTING STRUCTURES OR STRUCTURAL ELEMENTS HAVING A BEARING ON THE SCOPE OF THE WORK TO BE PERFORMED. IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE DIMENSIONS OR CONDITIONS FOUND TO BE EXISTING IN THE FIELD, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND OBTAIN DESIGN RESOLUTION PRIOR TO PROCEEDING WITH THE PORTION(S) OF THE WORK AFFECTED. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO SO NOTIFY THE ENGINEER AND OBTAIN RESOLUTION BEFORE PROCEEDING.

[illegible]



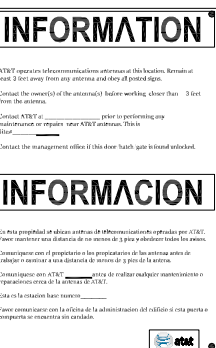
ALERTING SIGNS
NO SCALE



INFO SIGN #5
NO SCALE



INFO SIGN #3
NO SCALE



INFO SIGN #1
NO SCALE

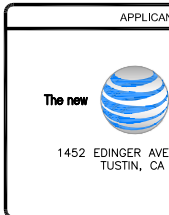
INFO SIGN #2
NO SCALE

INFO SIGN #4
NO SCALE

STAY BACK 3 FEET FROM ANTENNA

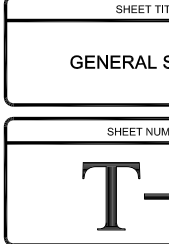
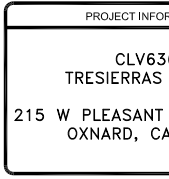
MONOPINE/Monopine/Monopalm	entrance gates, shelter doors OR on the outdoor cabinets	climbing side of the Tower	on backside of Antennas	on the side of Antennas	On the shelter door or on one outdoor equipment cabinet		At the height of the first climbing step, min. 9ft above ground
SCE Towers/Towers with high voltage	entrance gates, shelter doors OR on the outdoor cabinets	climbing side of the Tower	on backside of Antennas	on the side of Antennas	On the shelter door or on one outdoor equipment cabinet		At the height of the first climbing step, min. 9ft above ground
Light Poles/Flag Poles	entrance gates, shelter doors OR on the outdoor cabinets	on the pole, no less than 3ft below the Antenna and no	on backside of Antennas	on the side of Antennas	On the shelter door or on one outdoor equipment cabinet		
Utility Wood Poles (JPA)	entrance gates, shelter doors OR on the outdoor cabinets	on the pole, no less than 3ft below the Antenna and no	on backside of Antennas	on the side of Antennas	On the shelter door or on one outdoor equipment cabinet		If GP max value of MPE at antenna level is: 0-99% Notice sign; over 99% Caution sign at no less than 3ft below antenna and 9ft above ground
Microcells mounted on non-JPA poles	entrance gates, shelter doors OR on the outdoor cabinets	on the pole, no less than 3ft below the Antenna and no	on backside of Antennas	on the side of Antennas	On the shelter door or on one outdoor equipment cabinet		Notice or Caution sign at no less than 9ft above ground; only if the exposure exceeds 50% of the General Public Exposure at 6ft above ground or at
Roof Tops							
At all access points to the roof	X						
On Antennas	X		X	X			
Concealed Antennas	X	X					
antennas mounted facing outside the building	X	X					
antennas on support structure	X	X					
Roofview Graph:							
Radiation area is within 3ft from antenna	X	adjacent to each antenna					either Notice or Caution sign (based on Roofview results) at antennas/barrier
Radiation area is beyond 3ft from antenna	X	adjacent to each antenna				diagonal, yellow striping as to Roofview graph	
Church Steeples	Access to steeple	adjacent to antennas if antennas are concealed	On backside of Antennas	On the side of Antennas	On the shelter door or on one outdoor equipment cabinet		Caution sign at the antennas
Water Stations	Access to ladder	adjacent to antennas if antennas are concealed	On backside of Antennas	On the side of Antennas	On the shelter door or on one outdoor equipment cabinet		Caution sign beside info sign #1, min. 9ft above ground
Notes for Rooftop sites:							
1. Either NOTICE or CAUTION signs need to be posted at each sector as close as possible to: the outer edge of the striped off area of the outer antennas of the sector.							
2. If Roofview shows: only blue = Notice Sign, blue and yellow = Caution Sign, only yellow = Caution sign to be installed.							
3. Should the Required striping area interfere with any structures or equipment (A/C, vents, roof hatch, doors, other antennas, dishes, etc.). please notify AT&T to modify the striping area, prior to starting the work							

SIGNAGE GUIDELINES CHART
NO SCALE



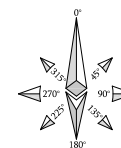
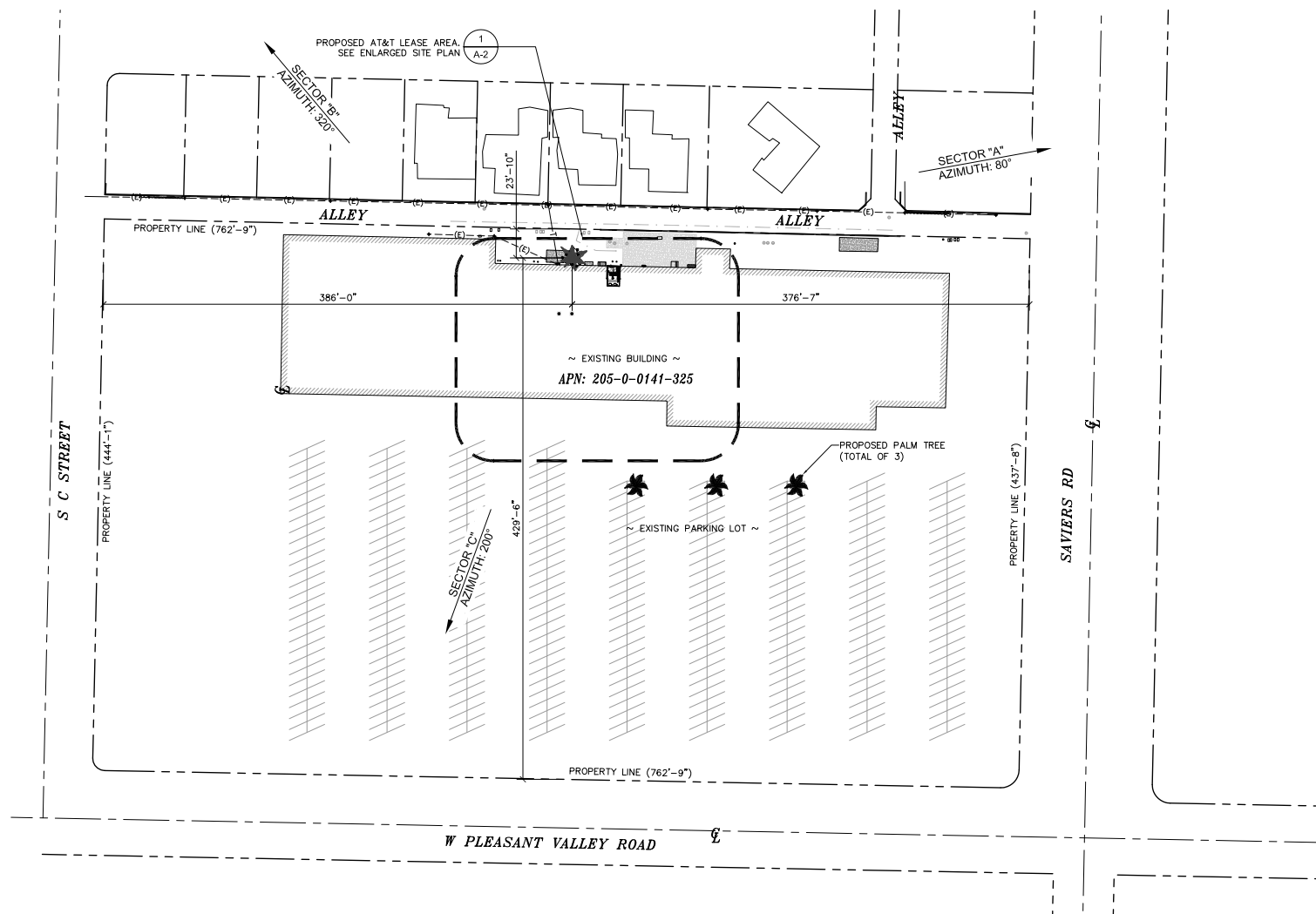
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A	02/20/17	90% Z	
REV	DATE	DESCRIPTION	



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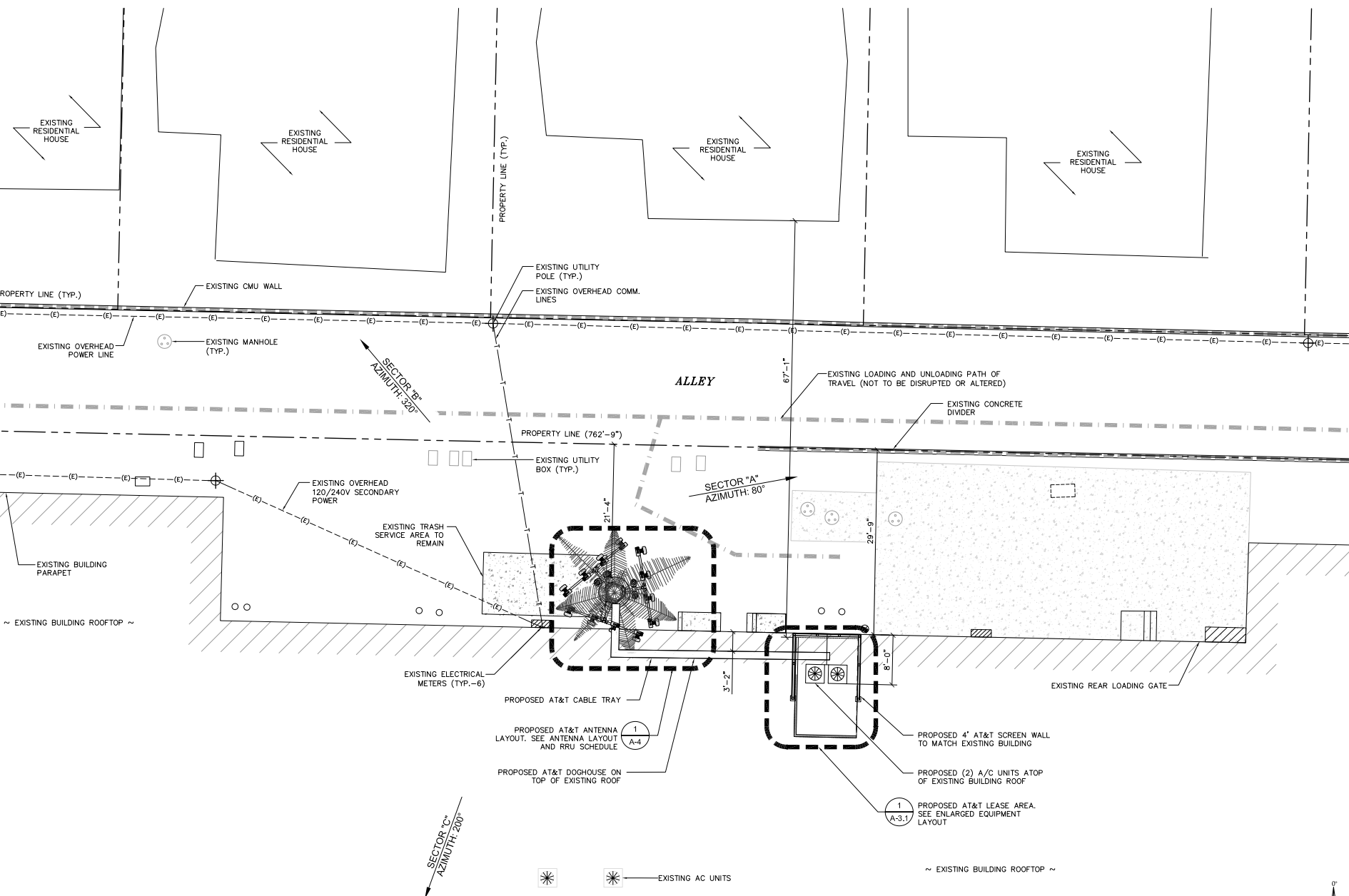
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TRESIERRAS
215 W PLEASANT VALLEY ROAD
OXNARD, CA 93426



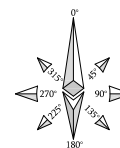
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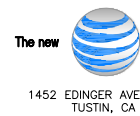
1. SPECIFY THAT AT ALL TIMES, THE PROPERTY SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION INCLUDING BUT NOT LIMITED TO REPAIRS TO STRUCTURES; REMOVAL OF TRASH AND LITTER; REMOVAL OR REPLACEMENT OF DEAD OR DISEASED PLANTS; AND ONGOING LANDSCAPE MAINTENANCE TO PREVENT OVERGROWN VEGETATION.



SITE PLAN



APPLICATION



ENGINEER



DRAWN BY:
CHECKED BY:

REVISION

REV	DATE	DESCRIPTION
2	03/20/18	PLAN
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0	01/12/18	100% Z
A	02/20/17	90% Z

LICENSE

PROJECT INFORMATION

CLV63
TRESIERRAS
215 W PLEASANT
OXNARD, CA

SHEET TITLE

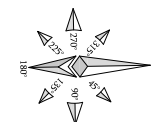
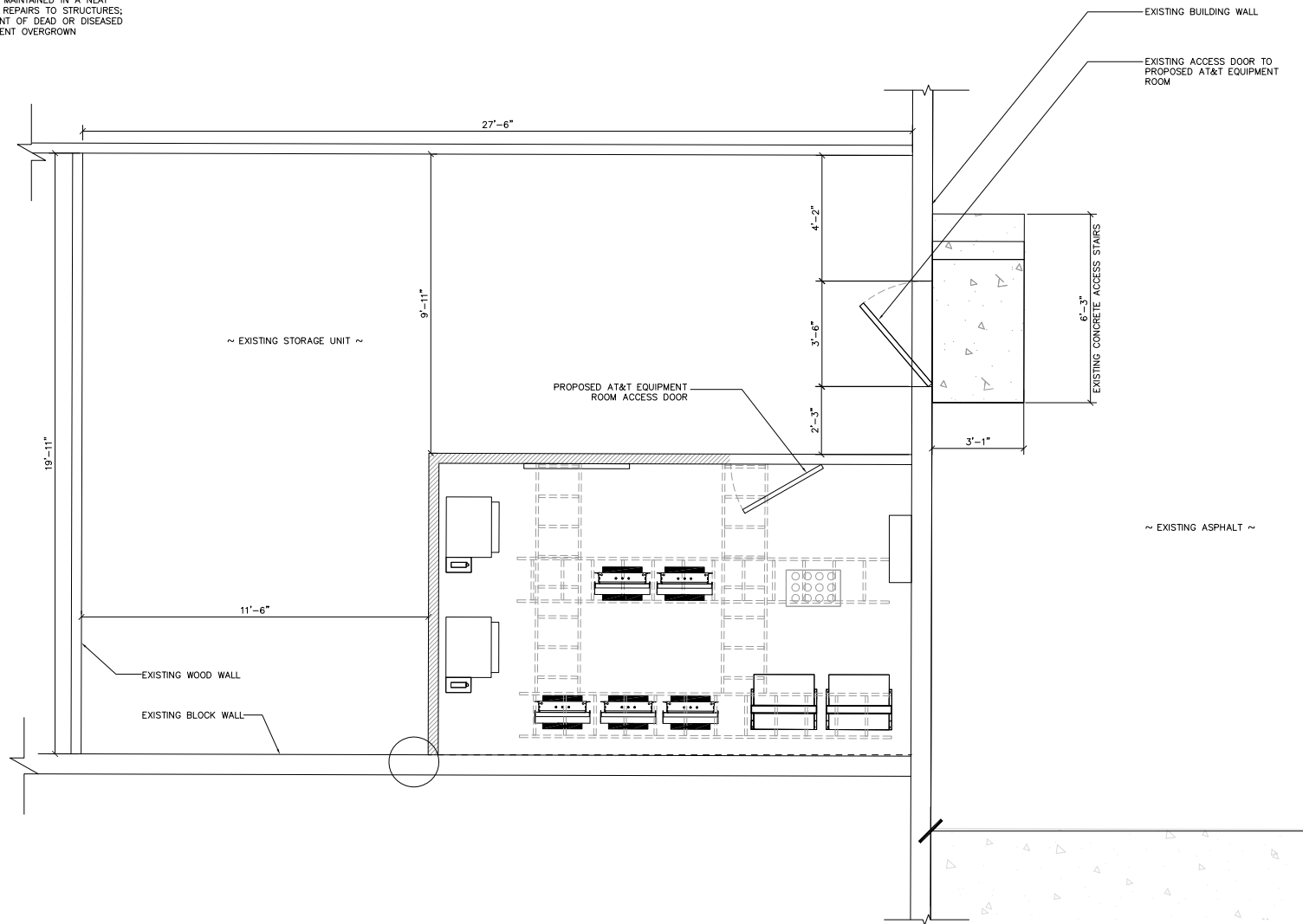
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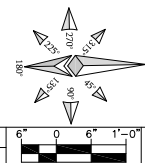
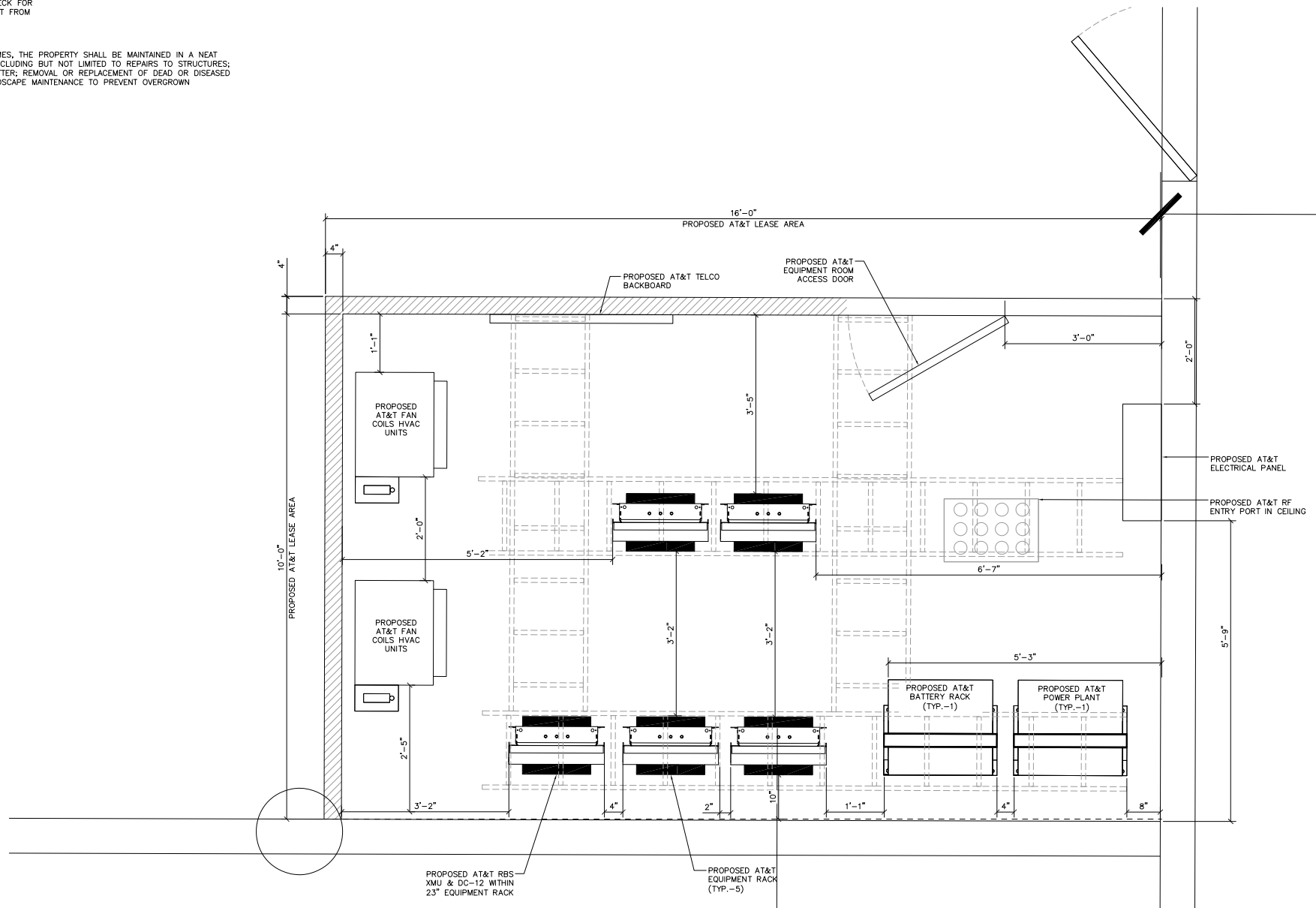
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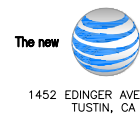
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AND LITTER; REMOVAL OR REPLACEMENT OF DEAD OR DISEASED
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APPLICANT



ENGINEER



DRAWN BY:
CHECKED BY:

REVISION

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1	01/23/18	PLAN
0	01/12/18	100% Z
A	02/20/17	90% Z
REV	DATE	DESCRIPTION

LICENSE

PROJECT INFORMATION

CLV63
TRESIERRAS
215 W PLEASANT
OXNARD, CA

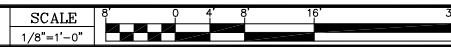
SHEET TITLE

PROPOSED NORTH
ELEVATION

SHEET NUMBER



NORTH ELEVATION



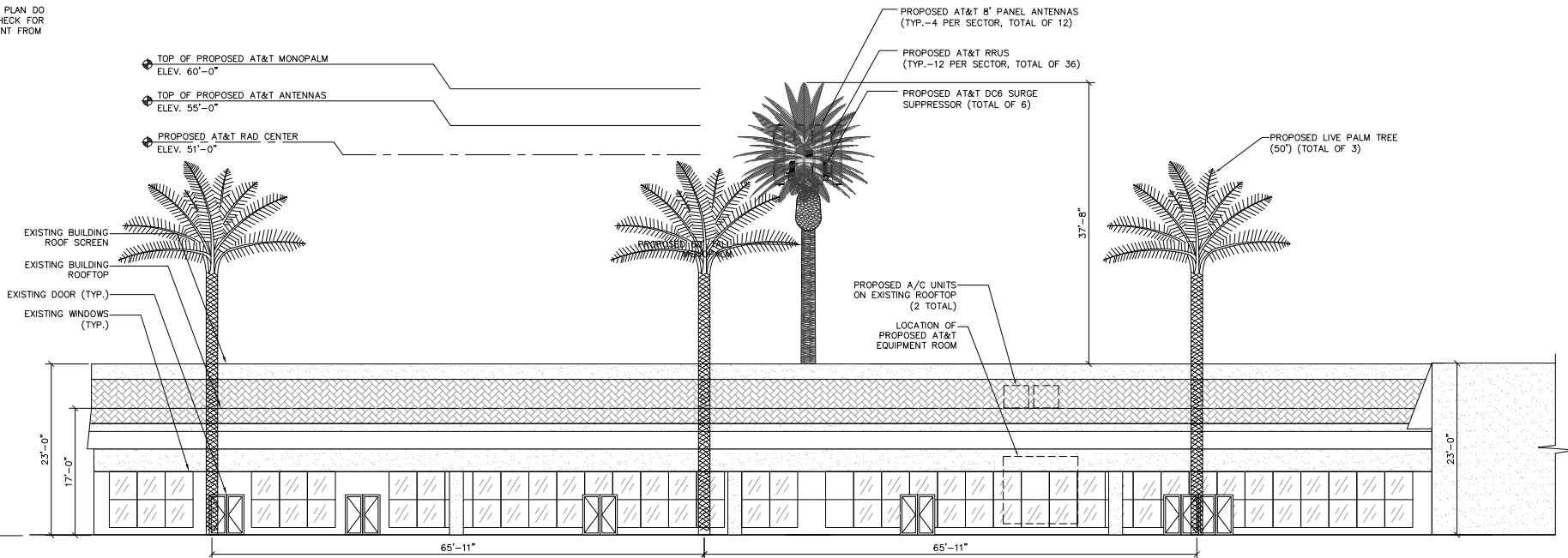
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EAST ELEVATION

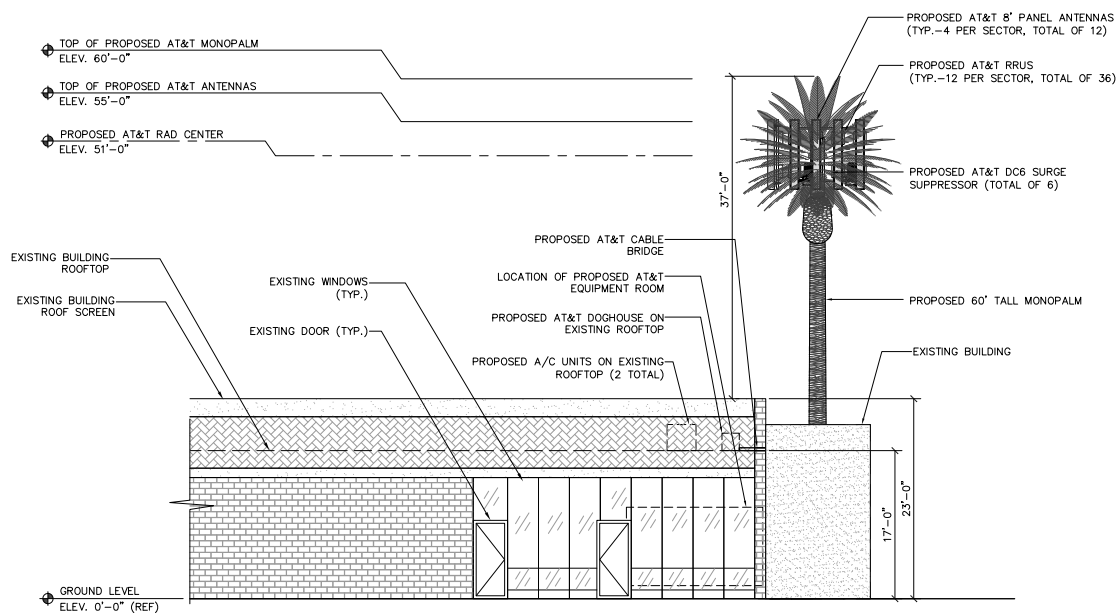


2

ON PLAN DO
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AGEMENT FROM



SOUTH ELEVATION



WEST ELEVATION



APPLICANT



1452 EDINGER AVE
TUSTIN, CA

ENGINEER



65 POST, SUITE 100
IRVINE, CA 92614
TEL: (949) 551-1111

DRAWN BY:
CHECKED BY:

REVISION

NO.	DATE	DESCRIPTION
2	03/20/18	PLANNING
1	01/23/18	PLANNING
0	01/12/18	100% ZONING
A	02/20/17	90% ZONING
REV	DATE	DESCRIPTION

LICENSE

PROJECT INFORMATION

CLV63
TRESIERRAS
215 W PLEASANT AVE
OXNARD, CA 93030

SHEET TITLE

PROPOSED S
WEST ELEV

SHEET NUMBER





POSED VIEW SOUTH-WEST



EXISTING VIEW SOUTH-WEST



SITE LOCATION

SITE COORDINATES

Latitude: 34.155955°

Longitude: -119.17899°

APPLICANT

AT&T
12900 Park Plaza Drive
Cerritos, CA 90703

SHEET NUMBER



POSED VIEW SOUTH-EAST



EXISTING VIEW SOUTH-EAST



SITE LOCATION

SITE COORDINATES

Latitude: 34.155955°

Longitude: -119.17895°

APPLICANT

AT&T
12900 Park Plaza Drive
Cerritos, CA 90703

SHEET NUMBER



POSED VIEW NORTH-WEST



EXISTING VIEW NORTH-WEST



SITE COORDINATES

Latitude: 34.155955°

Longitude: -119.17899°

APPLICANT

AT&T
12900 Park Plaza Drive
Cerritos, CA 90703

SHEET NUMBER

ATTACHMENT “D”

Resolution

RESOLUTION NO. 2019 -

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. PZ 17-530-03 (SPECIAL USE PERMIT - WIRELESS) FOR CONSTRUCTION OF A 60-FOOT TALL MONO-PALM WIRELESS COMMUNICATION FACILITY AND EQUIPMENT ENCLOSURE AT AN EXISTING SHOPPING CENTER LOCATED AT 211 W. PLEASANT VALLEY ROAD. FILED BY JERRY AMBROSE (APPLICANT) 3905 STATE STREET, SUITE 7-188, SANTA BARBARA, CA 93105.

WHEREAS, on October 27, 2017, Jerry Ambrose, on behalf of AT&T (the “**Applicant**”), submitted a request to allow a 60-foot tall mono-palm wireless communication facility and associated equipment enclosure located at 211 West Pleasant Valley Road; and

WHEREAS, on January 17, 2019, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 17-530-03 (Special Use Permit - Wireless) to allow a 60-foot tall mono-palm wireless communication facility and associated equipment enclosure located at 211 West Pleasant Valley Road (the “**Project**”) in accordance with Section 16-530 through 16-553 of Oxnard City Code; and

WHEREAS, Section 16-497 authorizes the city to approve wireless projects in the C-2 zone for wireless communications facilities with an individual support tower and Section 16-497 of the Oxnard City Code authorizes the Planning Commission to approve wireless facilities in the C-2 zone in excess of 35 feet via the issuance of a special use permit;

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 3 Categorical Exemption (Section 15303).

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

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

- (1) **The proposed increase of the maximum height from 35 feet to 60 feet is consistent with the goals principles and standards of the General Plan and other adopted city policies and with the public welfare.**

As more fully described in the staff report, the proposed use is consistent the 2030 General Plan. Allowing a single wireless communication tower at 25 feet above the 35-foot maximum height will decrease the need for additional wireless telecommunication facilities in more objectionable areas. Furthermore, the additional height will increase the quality of wireless coverage, providing a benefit to the residents and commercial businesses in the vicinity.

- (2) **The proposed use is in conformance with the General Plan and other adopted standards.**

As more fully described in the staff report, the proposed use is consistent with the 2030 General Plan, the zoning code, and applicable development standards.

- (3) The nature, condition and development of adjacent uses was considered, and such use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The proposed wireless facility is designed to resemble a palm tree. Additional palm trees are being added to the site so that the stealth facility will blend in with the new trees when mature. The construction and operation of the facility is required to comply with all applicable laws, including applicable radio frequency (RF) emission standards. The location, height and bulk of the proposed facility will not materially affect the nearby uses, buildings or structures, or the public health, safety or general welfare.

- (4) The site for the proposed use is adequate in size and shape to accommodate any yards, walls fences, parking and loading facilities, landscaping and any items required as a condition of approval of this special use permit.**

The project meets all pertinent development standards, as discussed in Section 6c of the staff report.

- (5) The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.**

The project site is a fully developed lot within an existing shopping center built with adequate street access. Furthermore, the proposed wireless facility is unmanned and will therefore have minimal impact on traffic.

- (6) The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project site is a fully developed lot with an existing shopping center within a developed area of the City. The proposed project is an unmanned stealth wireless facility, and will therefore have minimal to no impact with regards to fire, water, and storm drain facilities. The proposed use will be provided by adequate services and utilities given the proximity and capacity of existing fire protection services, sewerage, water, and storm drainage facilities.

SECTION 2. The Planning Commission, in accordance with CEQA, determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15303 Class 3 (small structures) of the State CEQA Guidelines.

The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 17-530-03 (Special Use Permit - Wireless), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated July 23, 2018 (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
4. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
5. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
6. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
7. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
8. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
9. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
10. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

11. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Applicant shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
12. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance. (PK, PK-4)

PLANNING DIVISION STANDARD CONDITIONS

13. Before the City issues building permits, Applicant shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)
14. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, PL-7)
15. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
16. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, PL-16).
17. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed product, as demonstrated by the issuance of a grading, foundation or building permit and the construction of substantial improvements. (PL/DS, G-3)

PLANNING DIVISION SPECIAL CONDITIONS

18. Prior to issuance of a building permit, Applicant shall submit specification sheets for the product to be used to create the stealth fronds and other camouflage components of the design and will provide samples of the material for review and approval by the Planning Manager.
19. Prior to issuance of a building permit, Applicant shall revise plans for the wireless facility so that any warning or advisory signs required by the Federal Communications Commission (FCC) will also be displayed in Spanish. Signs appearing in Spanish language shall be of identical in form and format to the signs required by the FCC. (PL)
20. Pursuant to City Code Section 16-493, a wireless communications facility that has not operated for six continuous months shall be considered abandoned, and the owner shall remove such facility at the owner's expense within 90 days of notice from the Planning Manager. If the Wireless communications facility is not removed within 90 days, the City may remove such facility at the owner's expense. If there are two or more users of a single wireless communications facility, this provision shall not become effective until all users cease using such facility for six continuous months. (PL/CA)
21. For the life of the project, the operator of the facility shall ensure that screening elements are maintained and replaced as necessary to ensure the mono-palm remains properly screened to the standards demonstrated in the approved plans and subject to the approval of the Planning Manager. The Operator accepts that the City reserves the right to deny

- applications for antenna replacement or colocation if the proposal is not consistent with the screening and camouflage standards of the original approval. (PL)
22. Prior to issuance of a building permit, plans shall be revised to include notes stating the colors of all equipment (panel antennas, RRUs, etc) and conduit mounted on the monopole. These colors shall mimic those of a palm tree, subject to the approval of the Planning Manager. (PL)
 23. The palm trees to be installed per the approved plans will be a minimum of 40 feet installed height at the time of planting and will be provided with the appropriate irrigation and water to insure the trees' health for the lives of the trees.
 24. Applicant shall remove any and all graffiti from the equipment enclosure, pole, or associated equipment, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL/PD)
 25. The subject permit shall be for a **ten year time period** from the date of this approval. If the lessee/operator/owner of the wireless facility wishes to continue operation as granted herein, a new application must be filed with the Planning Division. Said application must be filed no later than three months prior to the expiration of this permit and said application must be made on the appropriate forms and fees paid.
 26. The wireless facility shall at all times comply with all applicable laws, regulations, and standards, inclusive of federal requirements regarding radio frequency (RF) emissions. If the City provides no less than 24-hour prior written notice of a request to inspect the facility for compliance with applicable law, the City and its agents shall promptly be granted such inspection rights.
 27. The developer shall provide lighting within the alleyway for additional security. The lighting shall be of a type and in a location that will not create light spillover to adjacent properties, light pollution, or hazards to vehicular traffic. Developer shall submit a lighting plan showing light materials for design review and approval of the Planning Division Manager.
 28. Within 6 months of final inspection the carrier shall provide a third party report confirming that the site is in compliance with the FCC regulations.

Signatures on following page

*Resolution No. 2019-
PZ 17-530-03 (SUP)
AT&T Wireless Mono-Palm
Jan 17, 2019*

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of January, 2019

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 17th day of January 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Vince Stewart, Chair

Kathleen Mallory, AICP, Secretary

ATTACHMENT “E”

Propagation Maps

LTE Propagation Maps

Market Name: Los Angeles

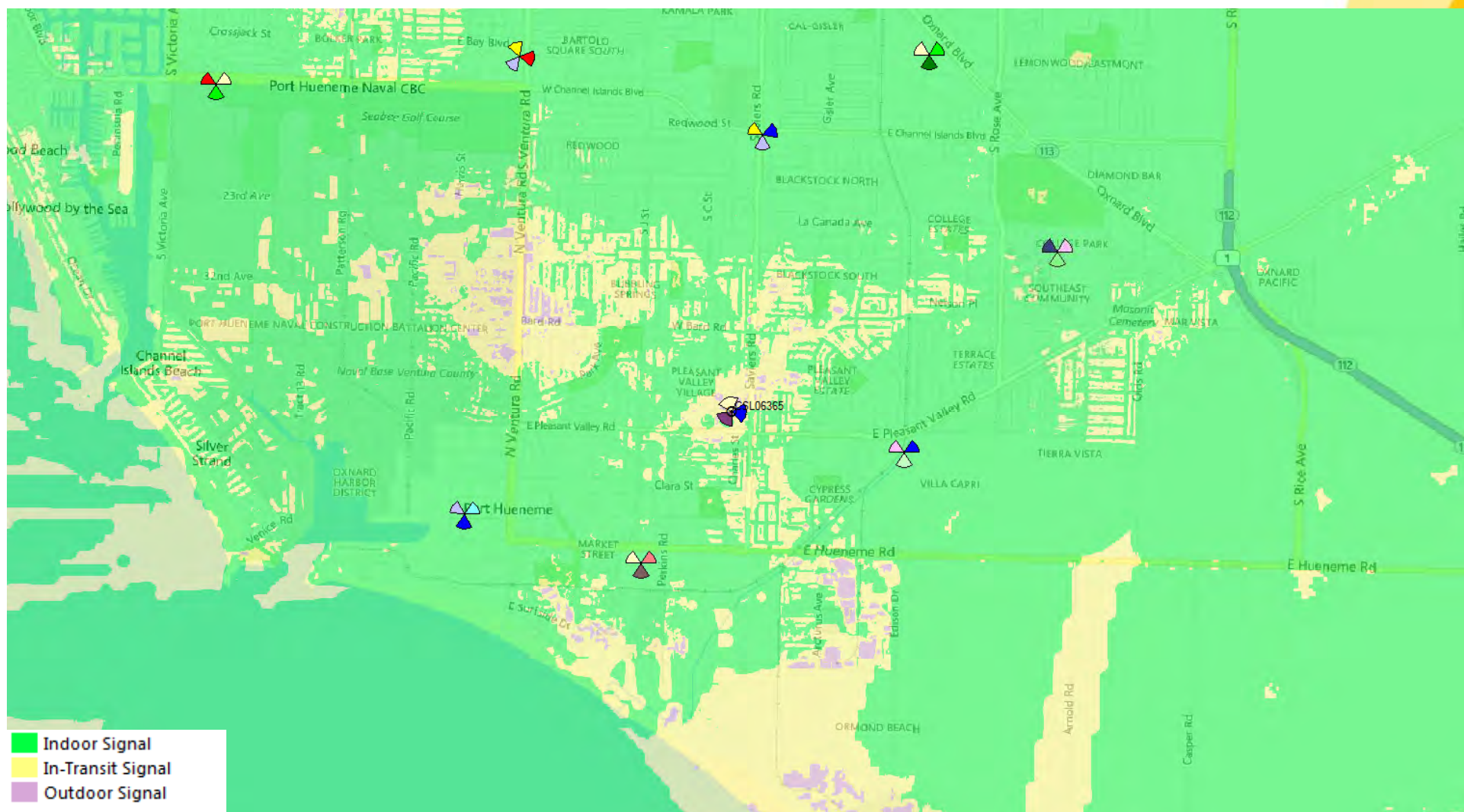
Site ID: CLV6365

Site Address: 125 West Pleasant Valley Road, Oxnard, CA 93033

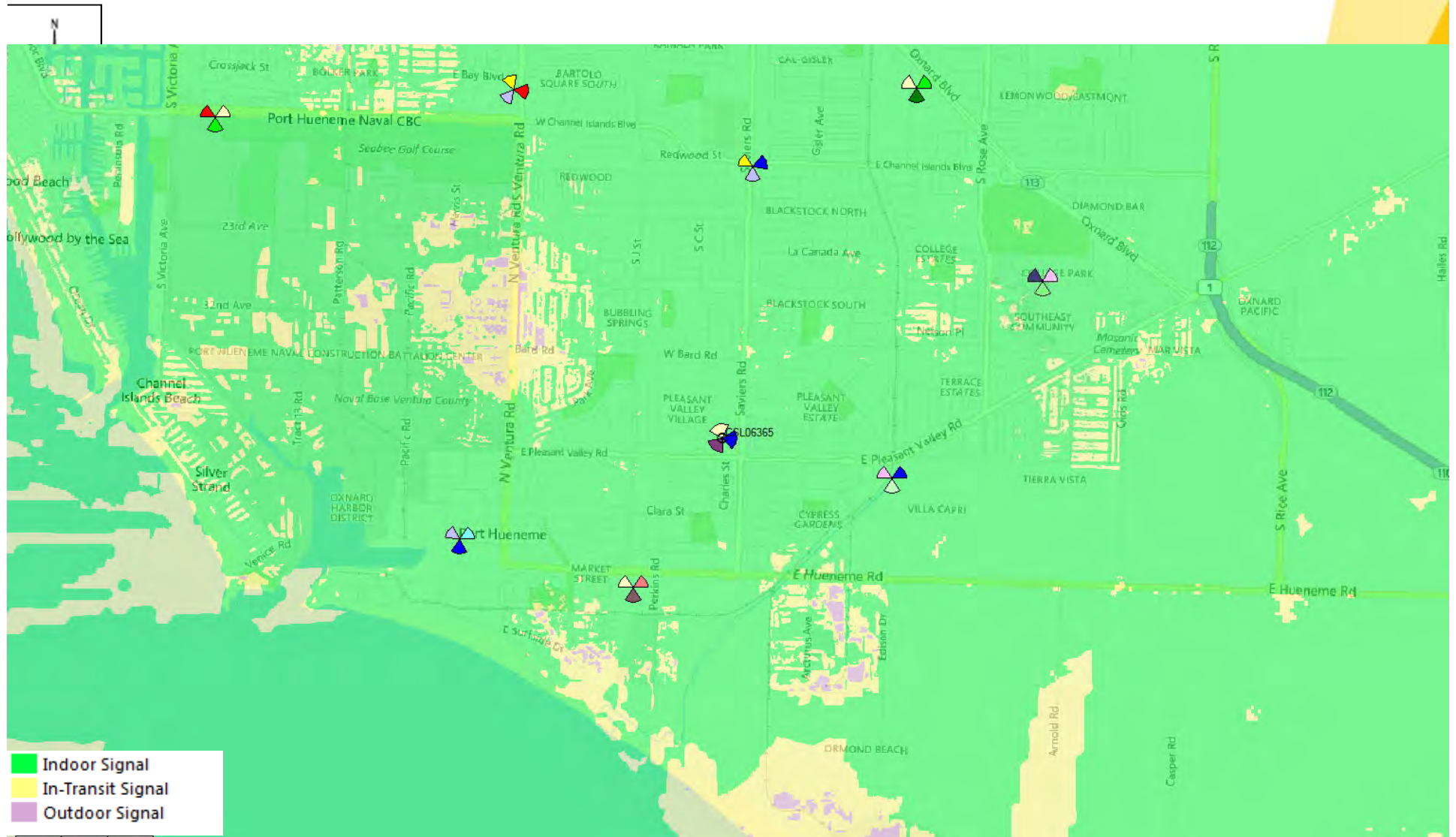
ATOLL Plots Completion Date: June 21, 2018



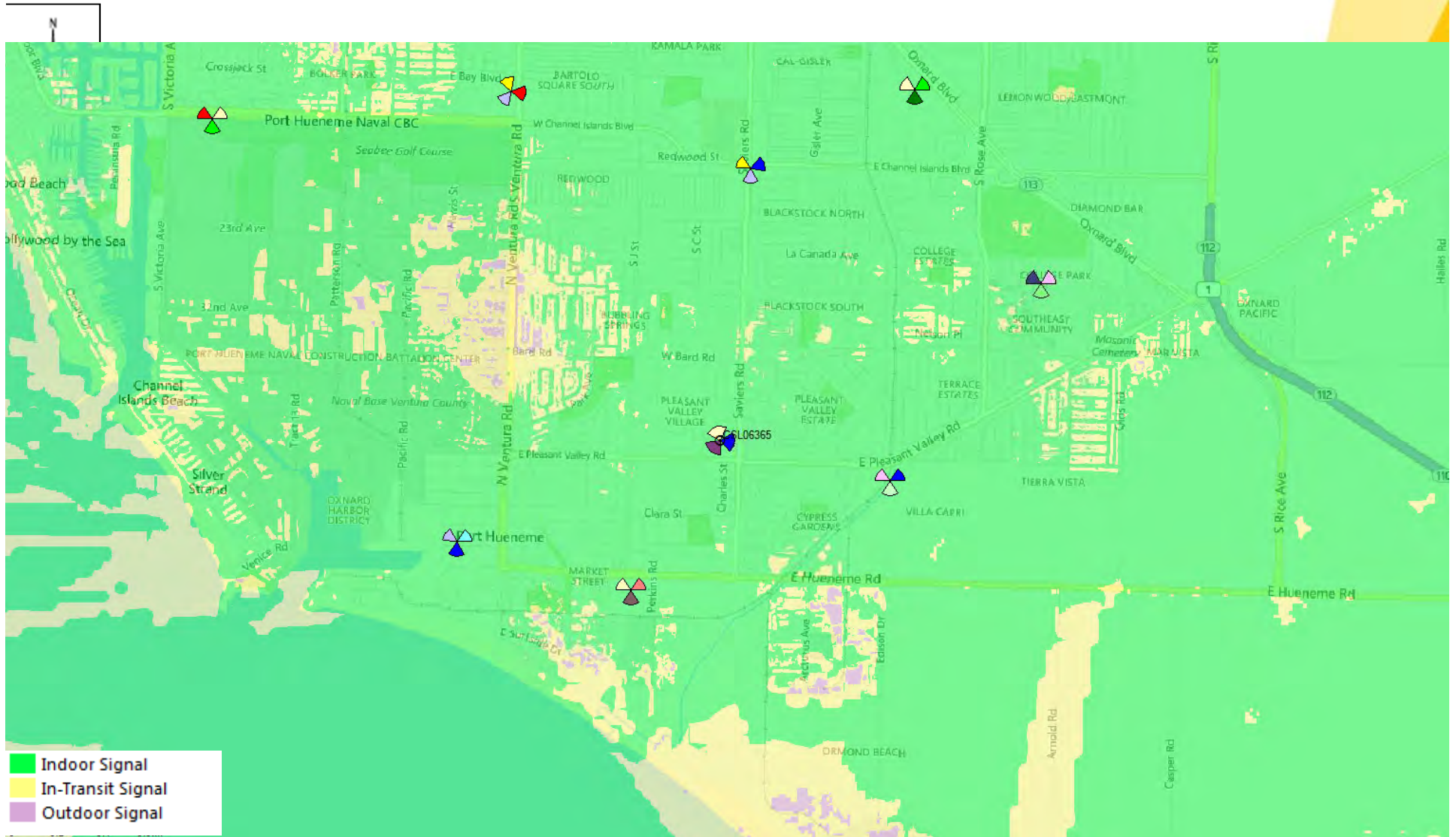
Existing LTE Coverage RSRP



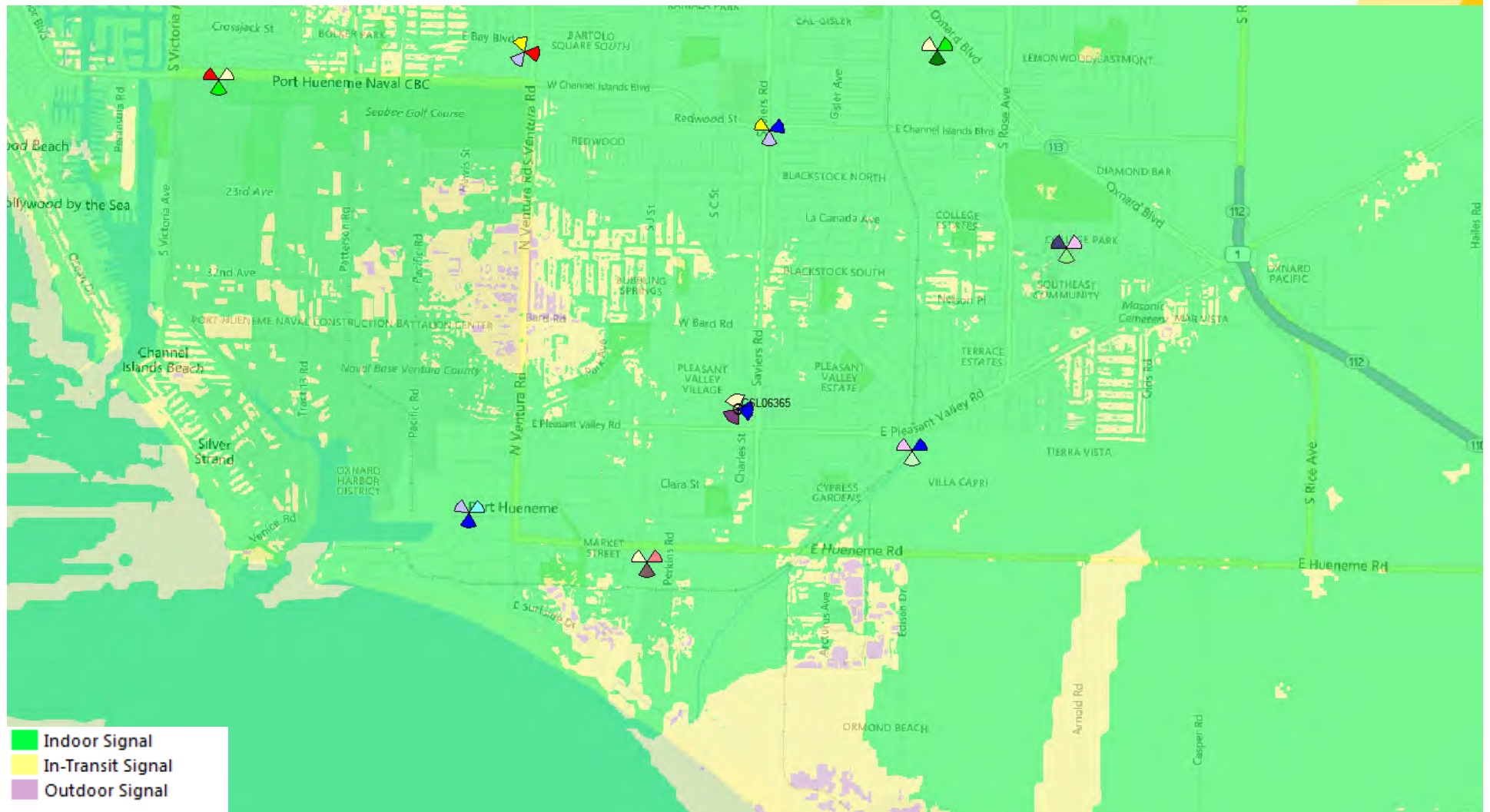
LTE Coverage RSRP with CLV06365 @ 51' Rad Center



LTE Coverage RSRP with CLV06365 @ 43' Rad Center



LTE Coverage RSRP with CLV06365 @ 36' Rad Center



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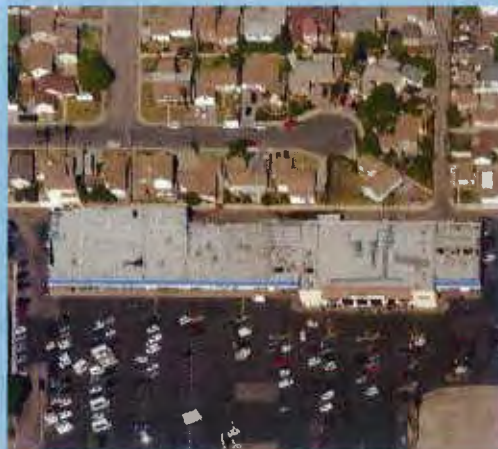
Compliance Report

Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report

Site No. CLV6365
PACE#: MRLOS036340
Tresierras Market
125 West Pleasant Valley Road
Oxnard, California 93033
Ventura County
34.155997; -119.179164 NAD83
Monotree

The proposed AT&T installation will be in compliance with FCC regulations upon proper installation of recommended signage and/or barriers.

EBI Project No. 6217003678
August 25, 2017



Prepared for:

AT&T Mobility, LLC
12312 W. Olympic Blvd
Los Angeles, California 90064

Prepared by:

 **EBI Consulting**
environmental | engineering | due diligence

TABLE OF CONTENTS

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1.0 FEDERAL COMMUNICATIONS COMMISSION (FCC) REQUIREMENTS	3
2.0 AT&T RF EXPOSURE POLICY REQUIREMENTS	5
3.0 WORST-CASE PREDICTIVE MODELING.....	5
4.0 SUMMARY AND CONCLUSIONS.....	8
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APPENDICES

- Appendix A Personnel Certifications**
Appendix B AT&T Compliance/Signage Plan

EXECUTIVE SUMMARY

Purpose of Report

EnviroBusiness Inc. (dba EBI Consulting) has been contracted by AT&T Mobility, LLC to conduct radio frequency electromagnetic (RF-EME) modeling for AT&T Site CLV6365 located at 125 West Pleasant Valley Road in Oxnard, California to determine RF-EME exposure levels from proposed AT&T wireless communications equipment at this site. As described in greater detail in Section 1.0 of this report, the Federal Communications Commission (FCC) has developed Maximum Permissible Exposure (MPE) Limits for general public exposures and occupational exposures. This report summarizes the results of RF-EME modeling in relation to relevant FCC RF-EME compliance standards for limiting human exposure to RF-EME fields.

This report contains a detailed summary of the RF EME analysis for the site, including the following:

- Site Plan with antenna locations
- Graphical representation of theoretical MPE fields based on modeling
- Graphical representation of recommended signage and/or barriers

This document addresses the compliance of AT&T's transmitting facilities independently and in relation to all collocated facilities at the site.

Statement of Compliance

A site is considered out of compliance with FCC regulations if there are areas that exceed the FCC exposure limits and there are no RF hazard mitigation measures in place. Any carrier which has an installation that contributes more than 5% of the applicable MPE must participate in mitigating these RF hazards.

As presented in the sections below, based on worst-case predictive modeling, there are no modeled exposures on any accessible rooftop or ground walking/working surface related to ATT's proposed antennas that exceed the FCC's occupational and/or general public exposure limits at this site.

As such, the proposed AT&T installation is in compliance with FCC regulations upon proper installation of recommended signage and/or barriers.

AT&T Recommended Signage/Compliance Plan

AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, requires that:

1. All sites must be analyzed for RF exposure compliance;
2. All sites must have that analysis documented; and
3. All sites must have any necessary signage and barriers installed.

Site compliance recommendations have been developed based upon protocols presented in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, additional guidance provided by AT&T, EBI's understanding of FCC and OSHA requirements, and common industry practice. Barrier locations have been identified (when required) based on guidance presented in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014. The following signage is recommended at this site:

- Green INFO 1 sign posted at the base of the monotree climbing ladder.
- Yellow CAUTION sign posted at the base of the monotree climbing ladder.

The signage proposed for installation at this site complies with AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document and therefore complies with FCC and OSHA requirements. Barriers are not recommended on this site. More detailed information concerning site compliance recommendations is presented in Section 4.0 and Appendix B of this report.

1.0 FEDERAL COMMUNICATIONS COMMISSION (FCC) REQUIREMENTS

The FCC has established Maximum Permissible Exposure (MPE) limits for human exposure to Radiofrequency Electromagnetic (RF-EME) energy fields, based on exposure limits recommended by the National Council on Radiation Protection and Measurements (NCRP) and, over a wide range of frequencies, the exposure limits developed by the Institute of Electrical and Electronics Engineers, Inc. (IEEE) and adopted by the American National Standards Institute (ANSI) to replace the 1982 ANSI guidelines. Limits for localized absorption are based on recommendations of both ANSI/IEEE and NCRP.

The FCC guidelines incorporate two separate tiers of exposure limits that are based upon occupational/controlled exposure limits (for workers) and general public/uncontrolled exposure limits for members of the general public.

Occupational/controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general public/uncontrolled limits (see below), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

General public/uncontrolled exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public would always be considered under this category when exposure is not employment-related, for example, in the case of a telecommunications tower that exposes persons in a nearby residential area.

Table I and Figure 1 (below), which are included within the FCC's OET Bulletin 65, summarize the MPE limits for RF emissions. These limits are designed to provide a substantial margin of safety. They vary by frequency to take into account the different types of equipment that may be in operation at a particular facility and are "time-averaged" limits to reflect different durations resulting from controlled and uncontrolled exposures.

The FCC's MPEs are measured in terms of power (mW) over a unit surface area (cm²). Known as the power density, the FCC has established an occupational MPE of 5 milliwatts per square centimeter (mW/cm²) and an uncontrolled MPE of 1 mW/cm² for equipment operating in the 1900 MHz frequency range. For the AT&T equipment operating at 850 MHz, the FCC's occupational MPE is 2.83 mW/cm² and an uncontrolled MPE of 0.57 mW/cm². For the AT&T equipment operating at 700 MHz, the FCC's occupational MPE is 2.33 mW/cm² and an uncontrolled MPE of 0.47 mW/cm². These limits are considered protective of these populations.

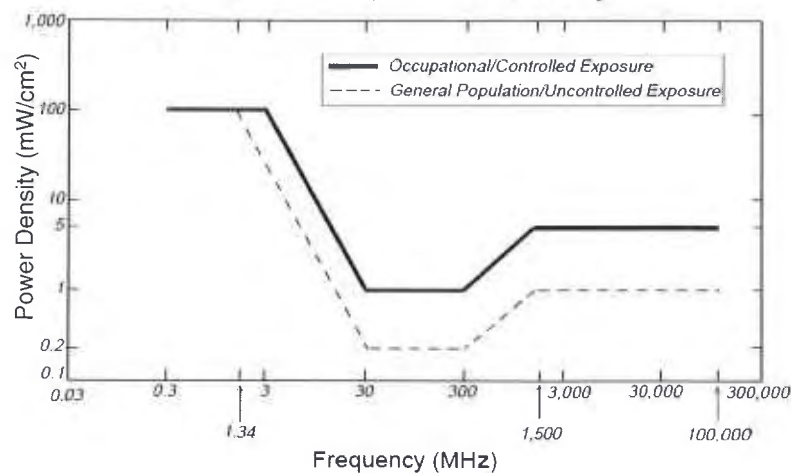
Table I: Limits for Maximum Permissible Exposure (MPE)				
(A) Limits for Occupational/Controlled Exposure				
Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time [E] ² , [H] ² , or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1,500	--	--	f/300	6

Table 1: Limits for Maximum Permissible Exposure (MPE)				
(A) Limits for Occupational/Controlled Exposure				
Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time [E] ² , [H] ² , or S (minutes)
1,500-100,000	--	--	5	6
(B) Limits for General Public/Uncontrolled Exposure				
Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time [E] ² , [H] ² , or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f ²)*	30
30-300	27.5	0.073	0.2	30
300-1,500	--	--	f/1,500	30
1,500-100,000	--	--	1.0	30

f = Frequency in (MHz)

* Plane-wave equivalent power density

Figure 1. FCC Limits for Maximum Permissible Exposure (MPE)
Plane-wave Equivalent Power Density



Based on the above, the most restrictive thresholds for exposures of unlimited duration to RF energy for several personal wireless services are summarized below:

Personal Wireless Service	Approximate Frequency	Occupational MPE	Public MPE
Personal Communication (PCS)	1,950 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Cellular Telephone	870 MHz	2.90 mW/cm ²	0.58 mW/cm ²
Specialized Mobile Radio	855 MHz	2.85 mW/cm ²	0.57 mW/cm ²
Long Term Evolution (LTE)	700 MHz	2.33 mW/cm ²	0.47 mW/cm ²
Most Restrictive Freq. Range	30-300 MHz	1.00 mW/cm ²	0.20 mW/cm ²

MPE limits are designed to provide a substantial margin of safety. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

Personal Communication (PCS) facilities used by AT&T in this area operate within a frequency range of 700-1900 MHz. Facilities typically consist of: 1) electronic transceivers (the radios or cabinets) connected to wired telephone lines; and 2) antennas that send the wireless signals created by the transceivers to be received by individual subscriber units (PCS telephones). Transceivers are typically connected to antennas by coaxial cables.

Because of the short wavelength of PCS services, the antennas require line-of-site paths for good propagation, and are typically installed above ground level. Antennas are constructed to concentrate energy towards the horizon, with as little energy as possible scattered towards the ground or the sky. This design, combined with the low power of PCS facilities, generally results in no possibility for exposure to approach Maximum Permissible Exposure (MPE) levels, with the exception of areas directly in front of the antennas.

2.0 AT&T RF EXPOSURE POLICY REQUIREMENTS

AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, requires that:

1. All sites must be analyzed for RF exposure compliance;
2. All sites must have that analysis documented; and
3. All sites must have any necessary signage and barriers installed.

Pursuant to this guidance, worst-case predictive modeling was performed for the site. This modeling is described below in Section 3.0. Lastly, based on the modeling and survey data, EBI has produced a Compliance Plan for this site that outlines the recommended signage and barriers. The recommended Compliance Plan for this site is described in Section 4.0.

3.0 WORST-CASE PREDICTIVE MODELING

In accordance with AT&T's RF Exposure policy, EBI performed theoretical modeling using RoofView® software to estimate the worst-case power density at the site rooftop and ground-level and nearby rooftops resulting from operation of the antennas. RoofView® is a widely-used predictive modeling program that has been developed by Richard Tell Associates to predict both near field and far field RF power density values for roof-top and tower telecommunications sites produced by vertical collinear antennas that are typically used in the cellular, PCS, paging and other communications services. The models utilize several operational specifications for different types of antennas to produce a plot of spatially-averaged power densities that can be expressed as a percentage of the applicable exposure limit.

For this report, EBI utilized antenna and power data provided by AT&T, and compared the resultant worst-case MPE levels to the FCC's occupational/controlled exposure limits outlined in OET Bulletin 65. For this report, EBI utilized antenna and power data provided by AT&T and compared the resultant worst-case MPE levels to the FCC's occupational/controlled exposure limits outlined in OET Bulletin 65.

The assumptions used in the modeling are based upon information provided by AT&T and information gathered from other sources. There are no other wireless carriers with equipment installed at this site.

Based on worst-case predictive modeling, there are no modeled exposures on any accessible rooftop or ground walking/working surface related to ATT's proposed antennas that exceed the FCC's occupational and/or general public exposure limits at this site.

At the nearest walking/working surfaces to the AT&T antennas, the maximum power density generated by the AT&T antennas is approximately 15.20 percent of the FCC's general public limit (3.04 percent of the FCC's occupational limit). The composite exposure level from all carriers on this site is approximately

15.20 percent of the FCC's general public limit (3.04 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna. Based on worst-case predictive modeling, there are no areas at ground level related to the proposed AT&T antennas that exceed the FCC's occupational or general public exposure limits at this site. At ground level, the maximum power density generated by the antennas is approximately 6.20 percent of the FCC's general public limit (1.24 percent of the FCC's occupational limit).

A graphical representation of the RoofView® modeling results is presented in Appendix B. It should be noted that RoofView® is not suitable for modeling microwave dish antennas; however, these units are designed for point-to-point operations at the elevations of the installed equipment rather than ground-level coverage. Based on AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, microwave antennas are considered compliant if they are higher than 20 feet above any accessible walking/working surface. There are no microwaves installed at this site.

RECOMMENDED SIGNAGE/COMPLIANCE PLAN

Signs are the primary means for control of access to areas where RF exposure levels may potentially exceed the MPE. As presented in the AT&T guidance document, the signs must:

- Be posted at a conspicuous point;
- Be posted at the appropriate locations;
- Be readily visible; and
- Make the reader aware of the potential risks prior to entering the affected area.

The table below presents the signs that may be used for AT&T installations.

Informational Signs		Alerting Signs	
	INFO 1		
	INFO 2		
	INFO 3		
	INFO 4		

Based upon protocols presented in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, and additional guidance provided by AT&T, the following signage is recommended on the site:

- Green INFO I sign posted at the base of the monotree climbing ladder.
- Yellow CAUTION sign posted at the base of the monotree climbing ladder.

No barriers are required for this site. Barriers should be constructed of weather-resistant plastic or wood fencing. Barriers may consist of railing, rope, chain, or weather-resistant plastic if no other types are permitted or are feasible. Painted stripes should only be used as a last resort and only in regions where there is little chance of snowfall. If painted stripes are selected as barriers, it is recommended that the stripes and signage be illuminated. The signage and any barriers are graphically represented in the Signage Plan presented in Appendix B.

4.0 SUMMARY AND CONCLUSIONS

EBI has prepared this Radiofrequency Emissions Compliance Report for the proposed AT&T telecommunications equipment at the site located at 125 West Pleasant Valley Road in Oxnard, California.

EBI has conducted theoretical modeling to estimate the worst-case power density from AT&T antennas to document potential MPE levels at this location and ensure that site control measures are adequate to meet FCC and OSHA requirements, as well as AT&T's corporate RF safety policies. As presented in the preceding sections, based on worst-case predictive modeling, there are no modeled exposures on any accessible rooftop or ground walking/working surface related to AT&T's proposed antennas that exceed the FCC's occupational and/or general public exposure limits at this site.

Signage is recommended at the site as presented in Section 4.0 and Appendix B. Posting of the signage brings the site into compliance with FCC rules and regulations and AT&T's corporate RF safety policies.

5.0 LIMITATIONS

This report was prepared for the use of AT&T Mobility, LLC to meet requirements outlined in AT&T's corporate RF safety guidelines. It was performed in accordance with generally accepted practices of other consultants undertaking similar studies at the same time and in the same locale under like circumstances. The conclusions provided by EBI are based solely on the information provided by the client. The observations in this report are valid on the date of the investigation. Any additional information that becomes available concerning the site should be provided to EBI so that our conclusions may be revised and modified, if necessary. This report has been prepared in accordance with Standard Conditions for Engagement and authorized proposal, both of which are integral parts of this report. No other warranty, expressed or implied, is made.

Appendix A

Personnel Certifications

Preparer Certification

I, David Keirstead, state that:

- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified "occupational" under the FCC regulations.
- I am familiar with the FCC rules and regulations as well as OSHA regulations both in general and as they apply to RF-EME exposure.
- I have been trained in on the procedures outlined in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document (dated October 28, 2014) and on RF-EME modeling using RoofView® modeling software.
- I have reviewed the data provided by the client and incorporated it into this Site Compliance Report such that the information contained in this report is true and accurate to the best of my knowledge.

David Keirstead

Appendix B

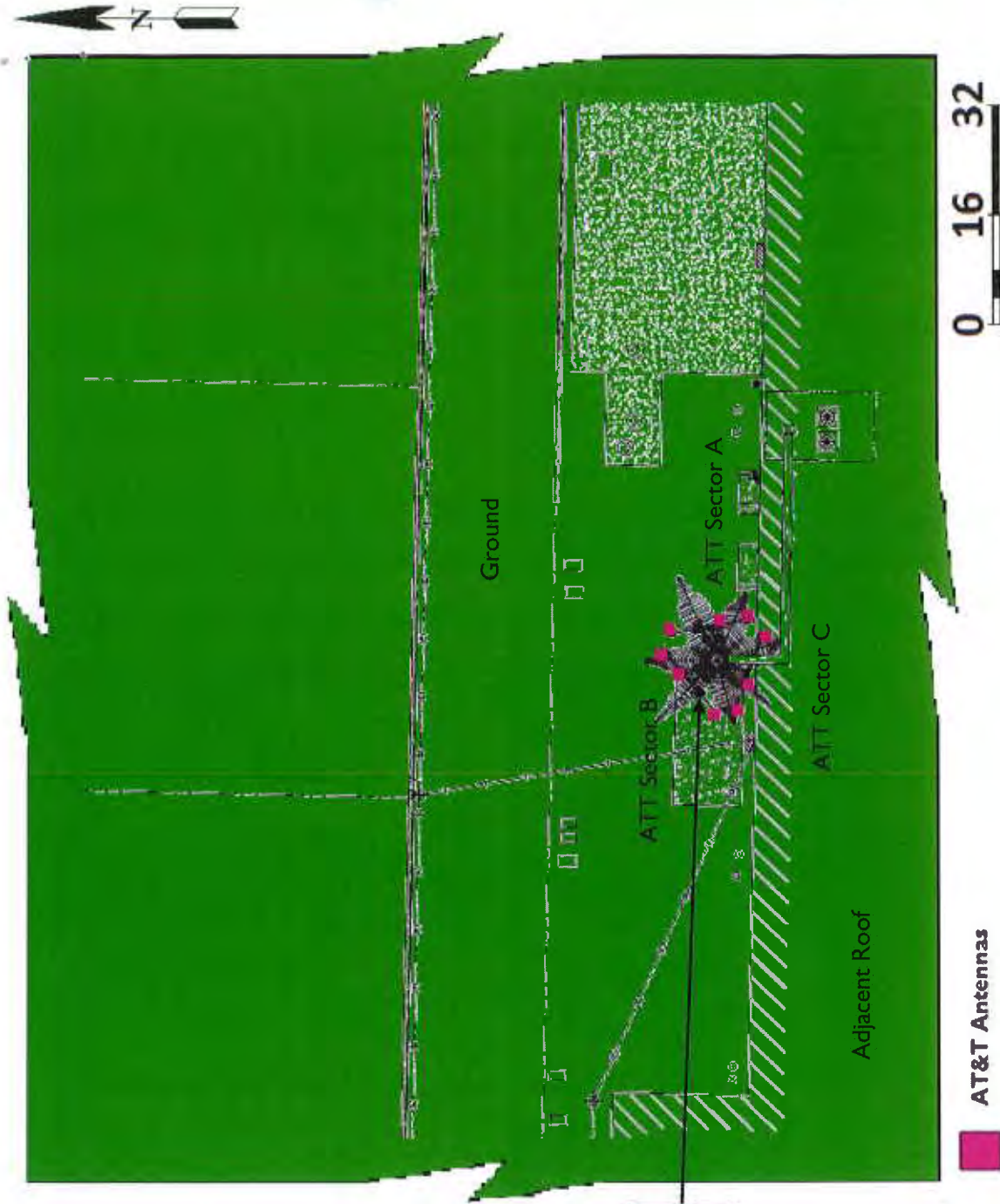
AT&T Compliance/Signage Plan

At the nearest walking/working surfaces to the AT&T antennas, the maximum power density generated by the AT&T antennas is approximately 15.20 percent of the FCC's general public limit (3.04 percent of the FCC's occupational limit). The composite exposure level from all carriers on this site is approximately 15.20 percent of the FCC's general public limit (3.04 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna. Based on worst-case predictive modeling, there are no areas at ground level related to the proposed AT&T antennas that exceed the FCC's occupational or general public exposure limits at this site. At ground level, the maximum power density generated by the AT&T antennas is approximately 6.20 percent of the FCC's general public limit (1.24 percent of the FCC's occupational limit).



% FCC Public Exposure Limit	
	Exposure Level $\geq 5,000$
	$500 < \text{Exposure Level} \leq 5,000$
	$100 < \text{Exposure Level} \leq 500$
	Exposure Level ≤ 100

Sign Identification Legend	
	Denotes AT&T Information Sign 1
	Denotes AT&T Information Sign 2
	Denotes AT&T Information Sign 3
	Denotes AT&T Information Sign 4
	Denotes AT&T NOTICE Sign
	Denotes AT&T CAUTION Sign
	Denotes AT&T CAUTION Tower Sign
	Denotes AT&T WARNING Sign

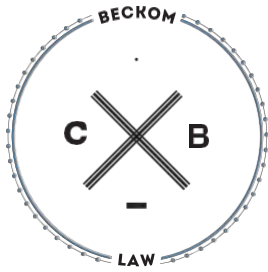


AT&T Antennas

Compliance/Signage Plan
Facility Operator: AT&T Mobility
Site Name: Tresjerras Market
AT&T Site Number: CLV6365
USID Number: 165006
Report Date: 08-25-17

ATTACHMENT "G"

Letter from the Law Offices of Christopher Beckom dtd 11/28/18



Law Offices
of
Christopher Glenn Beckom
beckomlaw.com

1307 W. 6th Street
Suite 223
Corona, CA 92882
Phone: 800-581-7030
Fax: 909-697-2251

Christopher G. Beckom, Esq.

California Bar Licensed
#306557

Tatiana Yokoyama Bui, Esq.

California Bar Licensed
#305221

Brett Marshall, Esq.

Nevada Bar Licensed
#9116

Josh Morgenstern, Esq.

Arizona Bar Licensed
#032532

November 28, 2018

SENT VIA EMAIL TO PAUL.MCCLAREN@OXNARD.ORG

Paul McClaren
Associate Planner
214 South C Street
Oxnard, CA
City of Oxnard - Planning Division

Re: Opposition to ATT&T Project CLV6365

Dear Mr. McClaren,

I have been retained by SBA 2012 TC Assets, LLC in connection with their opposition to a new project, referenced above, which we believe to be unnecessary and in violation of the City of Oxnard's Municipal Code, Sec §16-492, §16-489, §26-88-130, subdivision (a)(3)(ii). As you may know, my clients own the wireless tower site by the name of Port Hueneme, Site ID# CA45356-A, which is approximately .23 mile from AT&T's proposed site location. We have taken the position in opposition of this project based and I write to you to provide my clients' position and request this detailed explanation of opposition to the project referenced above be made a part of this project's main file.

NEGATIVE VISUAL IMPACT AND PROBABILITY OF ADDITIONAL WIRELESS TOWER
PERMIT PROPOSALS CAUSING AN INFLUX

Permitting an additional cell Tower to be built in a very close proximity to the original cell Tower will cause unwarranted visibility causing the visual impact to increase, which violates Section 26-88-130, subdivision (a)(3)(ii), pertinent parts noted as follows:

"Facility towers, antennas and other structures and equipment shall be located, designed, and screened to blend with the existing natural or built surroundings so as to minimize visual impacts and to achieve compatibility with neighboring residences and the character of the community to the extent feasible considering the technological requirements of the proposed telecommunication service." Section

26-92-080, subdivision (a), requires the County, for use permit approval, to find "the establishment, maintenance or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the neighborhood or to the general welfare of the area." Pepper Lane argues these provisions protect their private views. (*Pepper Lane Neighbors for Env'tl. Prot. v. Cty. of Sonoma* (May 30, 2018, No. A152134) Cal.App.

In the event additional cell Tower permit are granted it would "open the door" for an influx of project proposals mirroring this project, which will have the potential result of even more cell Tower sites. Soon we could expect a forest of cell towers rather than trees, illustratively speaking, should this project be approved.

CO-LOCATION ON EXISTING TOWERS IS RECOMMENDED

According to SEC. 16-489 (C)(1), AT&T must demonstrate,

"that a reasonable attempt was made to find a co-location site meeting engineering standard and that none was practically or economically feasible. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

- (1) No existing towers located within the geographic area meet applicant's engineering requirements."

Based on my preliminary review of the proposal and supporting documentation you provided to me, in relation to this proposed project, I see no evidence that AT&T has followed The City of Oxnard's requirements pursuant to Municipal Code Section 16-489. In the event they have demonstrated evidence in support of this code requirement, I respectfully request a copy of the evidence proving they have conformed with this municipal code section.

Additionally, SEC. 16-489(D) and (F) of The City of Oxnard's Municipal Code go on to state,

- "(D) Wherever feasible, wireless communication facilities and antennae shall be co-locate on existing towers. ...
- (F) Wherever feasible, transmitting and receiving equipment serving similar kinds of uses shall be placed on the same wireless communication facility so that all users with similar equipment can operate approximately equally." ('64 Code, Sec. 34-234) (Ord. No. 2449).

It appears The City of Oxnard intended for there to be an even playing ground for wireless communication companies. If this project is approved, AT&T will essentially be in direct competition with the current wireless tower owner, and the wireless companies utilizing my clients' wireless tower.

The City of Oxnard's municipal codes regarding co-location of proposed new wireless towers specifically states that a prior to submitting an application for a new tower, there should be a diligent attempt to find a co-location wherein an antenna could be added to a pole already standing. To date, we do not have any reason to believe such attempt was made. Moreover, Section 16-489 states that a new pole should only be allowed where there is not an already grounded wireless tower within the geographic area meet applicant's engineering requirements which in this case, my clients' existing tower is within the geographic area, with antenna space available.

THE PROPOSED PROJECT DOES NOT CONFORM WITH SEC. 16-492. DEVELOPMENT STANDARDS

Although it has been disclosed that the proposed project's explanation of their equipment provides that the wireless tower will have a "stealth" design identified as a "monopalm" structure, it is our position that it will still produce an atmosphere that The City of Oxnard intends to avoid, as explained further in The City of Oxnard's Municipal Code, §16-492:

(D) Location -

- (1) General requirement - Wireless communications facilities shall be located to minimize their impact. Whenever possible, ground-mounted, non-stealth facilities shall be located next to existing trees, light poles or utility poles of comparable height, provided that such light poles and utility poles are not scheduled to be placed under ground and comply with the setbacks for the zone.
- (2) Order of preference - Applicants shall propose antennae in the following order:
 - (a) Side-mounted antennae on existing structures;
 - (b) Antennae with appropriate visual or architectural screening atop existing structures;
 - (c) Antennae within existing signs; and
 - (d) Antennae on monopoles.
- (3) Restricted locations - Wireless communications facilities shall not be established in any of the following locations, except for stealth, significantly screened and micro-cell facilities determined by the reviewing authority to be integrated with or screened by a non-antenna support structure (such as a street light, utility pole, building or landscape feature), so that such facilities will be substantially indistinguishable from their support structures:

In accordance with the City of Oxnard's municipal code above, erecting a second wireless tower will violate Sec 16-492 because it will hardly be indistinguishable. In fact, a second tower will most likely draw more attention to the original tower site and be a visual catastrophe. Moreover, the above referenced section specifically states that applicants must FIRST propose an antenna on existing structures, which, to the best of my knowledge, has not been done in relation to this project proposal.

For all the above, it is my clients' position that AT&T's proposed project violates the standards and regulations mentioned herein and should therefore be denied.

I look forward to discussing this further during our scheduled meeting. Should you have any questions, please do not hesitate to contact me.

Yours Truly,

Dictated but not signed for faster service

Christopher G. Beckom, Esq.,

ATTACHMENT “H”

Project Information & Justification



Authorized Agent for AT&T Mobility

AT&T Project Number: **CLV6365**

AT&T Project Name: **CLV6365**

City of Oxnard
Application for Special Use Permit
Project Information and Justification

AT&T Mobility (AT&T) is requesting approval of above referenced *Special Use Permit* for the operation and construction of an unmanned wireless telecommunications facility and presents the following project information for your consideration.

Project Specific Location

Address: 125-211 Pleasant Valley Road, Oxnard

APN: 205-0-141-325

Zoning: C-2

Project Authorized Representative

Jerry Ambrose, Eukon Group

Address: 3905 State St., Ste 7-188, Santa Barbara, CA 93105

jambrose@wireless01.com / (805) 637-7407

AT&T Mobility Contact

Gunjan Malik

1452 Edinger Ave., 3rd Floor, Tustin, CA 92780

(562) 293-7819

Project Description

AT&T is proposing a 60-ft high antenna support structure disguised as a palm tree ("monopalm") with twelve (12), eight foot (8-ft) panel antennas, split into three (3) sectors of four (4) antennas each, & ancillary antenna support equipment. The project also includes ancillary equipment cabinets within an interior TI space measuring approximately 10' x 16'. The "monopalm" design was selected as the best solution for concealing antennas, mitigating potential adverse visual impacts, blending with the existing environment (palm trees), and obscuring the symmetric nature of the antennas from public view.

The ancillary equipment cabinets will not be visible to the public.



Project Objectives

The purpose of this project is close a "Significant Gap" in coverage within the surrounding area near the general intersection of Pleasant Valley Road & Saviers Road (mostly west of Saviers Road). As illustrated in the enclosed propagation map titled "LTE Coverage Before CLV6365", the surrounding area currently has unreliable coverage for AT & T customers (Indoor, Outdoor & Vehicular). There is some service in the surrounding area, but the strength of signal is inadequate to meet customer demand now and in the future.

All points above, and as illustrated in the enclosed propagation map titled "LTE Coverage after site CLV6365", the proposed facility at the height & location proposed, will close the Significant Gap in service coverage. The proposed wireless telecom facility is also the least intrusive option, will give relief to surrounding facilities and improve overall service in the area for both Data and Phone service.

Overall Benefits to the Community

This is a critical time in the evolution of technology. People are less tethered to a home or desk phone and need access to the people and information anytime, anywhere. This requires adding new and improving existing wireless facilities to handle voice and data faster, and installing new fiber optic cables and associated equipment to route and direct traffic on our wireline network. Wireless data traffic on the AT&T network grew more than 100% from 2007 through 2014, largely due to the increasing popularity of advanced smartphones.

What does this build mean for the Community:

- Since 2007, AT&T has invested more capital into the U.S. economy than any other public company. In a July 2012 report, the Progressive Policy Institute ranked AT&T No. 1 on its list of U.S. "Investment Heroes."
- This build means our customers are expected to see better coverage, expanded broadband connections, fewer dropped calls, and faster speeds when streaming and downloading media.
- Investment in infrastructure enhances the community tax base.
- Approximately 47% of Americans have chosen to be wireless only and have given up their landlines. The new generation of homebuyers relies to an even greater degree on wireless.
- AT&T has designed solutions to help improve public safety operations by enabling voice, video and data communications throughout agencies.
- This should benefit customers not only in everyday communications, but also in emergency situations. Wireless Emergency Alert (WEA) systems notify the public (Emergency Text Messaging). Utilized during recent events in Boston, MA.

Safety – RF is Radio

The FCC regulates RF emissions to ensure public safety. Standards have been set based on peer-reviewed scientific studies and recommendations from a variety of oversight organizations, including the National Council on Radiation Protection and Measurements (NCRP), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Environmental Protection Agency (EPA), Federal

Drug Administration (FDA), Occupational Safety and Health Administration (OSHA), and National Institute for Occupational Safety and Health (NIOSH).

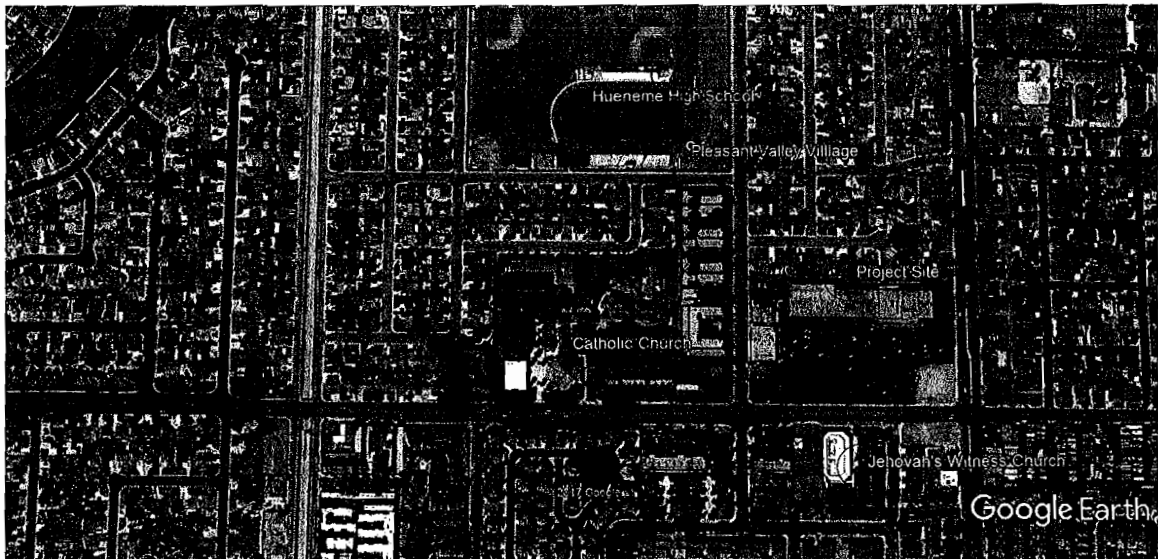
Although the purview of the public safety of RF emissions by the FCC was established by the Telecommunications Act of 1996, these standards remain under constant scrutiny. All AT&T cell sites operate well below these standards, and the typical urban cell site operates hundreds or even thousands of times below the FCC's limits for safe exposure.

Alternative Sites Analysis / Collocation

The search area established to meet network requirements generally centers around the intersection of Saviers Road and Pleasant Valley Road. Properties generally adjacent to the intersection are zoned commercial (C2) with surrounding uses being residential. Search efforts focused on the following properties:

1. Hueneme High School – 500 West Bard Road - Although this location has existing cell towers, the school district is no longer interested in leasing space to additional wireless carriers. This was the only potentially collocatable facility in the area.
2. Mary, Star of the Sea Catholic Church – 463 West Pleasant Valley Road – The church is not interested in leasing space to AT&T.
3. Jehovah's Witness Church – 200 West Pleasant Valley Road – The church is not interested in leasing space to AT&T.
4. Treserras Market – 125-211 West Pleasant Valley Road – This is the selected primary location. This location meets the technical needs of the network, has close access to existing utilities & access, allows for a design that will conceal a majority of the project from public view, and the owner is interested in leasing space to AT&T. This location also allows for a design that is less intrusive than other alternatives in the area.

An aerial map of the alternatives is embedded below:





AT&T Mobility Company Information

AT&T is recognized as one of the leading worldwide providers of IP-based communications services to businesses. We have the nation's largest 4G network—covering more than 292 million people and serve over 105.2 million wireless subscribers.

AT&T will operate this facility in full compliance with the regulations and licensing requirements of the FCC, Federal Aviation Administration (FAA) and the CPUC, as governed by the Telecommunications Act of 1996, and other applicable laws.

The enclosed application is presented for your consideration.. AT&T requests approval of *Conditional Use Permit* to build the proposed facility. Please contact me at 805 637 7407 with any questions or request for additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jerry Ambrose', is written over a horizontal line.

Jerry Ambrose, Eukon Group

Authorized Agent of AT&T Mobility



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Juan Martinez, Associate Planner

DATE: January 17, 2019

SUBJECT: Planning and Zoning Permit No. 16-520-03 (Special Use Permit); 509-513 South C Street (APN 202-0-131-230)

- 1) Recommendation:** That the Planning Commission adopt a resolution approving Planning and Zoning Permit No. 16-520-03 (Special Use Permit), subject to certain findings and conditions.
- 2) Project Description and Applicant:** Request to convert 1,596 square feet of second story commercial office square footage into two residential dwelling units. The one bedroom unit will be 760 square feet and the other residential unit will be 836 square feet. Both units will be rental apartment units. The conversion will require the unreinforced masonry building to be seismically retrofitted and the entire building will also be retrofitted with fire sprinklers to meet current safety requirements. The proposed mixed use building is located at 509-515 South C Street within the Central Business District (CBD). The proposed project is exempt from environmental review pursuant to Section 15301(b)(3) and 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines. Filed by Christopher S. Vila on behalf of Donald A. Rosen, Rosen Family Trust, 25876 The Old Road #163, Stevenson Ranch, California 91381 (the "Applicant").
- 3) Existing & Surrounding Land Uses:** The project site is located near the southwest corner of C Street and Fifth Street within the Central Business District. The 7,000 square foot lot is developed with an L-shaped building that fronts onto C Street and has parking access from the back alley. The project site is surrounded by similar commercially developed lots; some of which are already developed as residential commercial mixed use. The following table summarizes existing land uses, zoning, and 2030 General Plan designations of the Project site and adjacent properties, which is also shown on Attachment A:

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Central Business District (CBD)	Central Business District (CBD)	Restaurant/Office
North	Central Business District (CBD)	Central Business District (CBD)	City of Oxnard Parking Lot

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
South	Central Business District (CBD)	Central Business District (CBD)	Office
East	Central Business District (CBD)	Central Business District (CBD)	Plaza Park
West	Commercial Office Planned Development (CO-PD)	Commercial Office (CO)	Office

- 4) Background Information:** The two-story commercial building was constructed with two second story residential dwelling units in 1927. The project site is comprised of lots 3 and 4 of block N of map entitled Map 4 of Town of Oxnard and North Addition of Town of Oxnard Subdivision. In 1964, a 610 square foot, single story addition was constructed along the back side of the two-story building. In 1977, building permits authorized the upstairs dwelling units to be converted to commercial office spaces. On July 1981, the Planning Commission granted Special Use Permit No. 963, authorizing the on-site sale and consumption of beer and wine within the existing 738 square foot restaurant located on the first floor at 509 South C Street (at that time The Hungry Ox). The use was permitted to sell beer and wine from 9:00 a.m. to 9:00 p.m.. California Pizza is the current restaurant tenant that is operating under this SUP. This approval allows for on site consumption only (Type 41) of beer and wine; the restaurant does not contain a bar. A tax preparation company is also operating on the first floor of the subject site.

The original two-story building was constructed using red brick and the single story addition was constructed using concrete masonry blocks. The building is one of approximately 30 buildings located within the CBD zone that have been identified as an unreinforced masonry construction. Unreinforced Masonry Buildings (URM) are buildings where load and non-load bearing walls are made of brick or other masonry material that is not braced by reinforced material, such as rebar in a concrete or cinder block. The City's Building Official has determined that the conversion from commercial to residential places persons at higher risk since the URM structure is vulnerable to collapse in the event of an earthquake; therefore, prior to residential occupancy, the Applicant will need to seek permits and seismically retrofit the existing structure. In addition, the Fire Marshall also determined that the conversion also triggered the need to install fire suppression safety measures and fire sprinklers were determined to be necessary to aid in the life and safety of future residents.

The subject application was filed in November 2016. Since the application was received, staff has been working with the Applicant to achieve an acceptable project that City staff can support. In addition, the Applicant was evaluating costs associated with seismic retrofitting and fire suppression safety measures since these improvements can be relatively expensive and potentially cost prohibitive. In September 2018, the Applicant responded to the design and safety measure recommended by the Development Advisory Committee.

5) Environmental Determination: In accordance with Section Nos. 15301(e) (Existing Facilities) and 15303 (Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines, projects involving existing facilities and conversion of less than 10,000 square feet of floor area, where all public services and facilities are available to allow for maximum development permissible in the General Plan, may be found exempt from the requirements of CEQA. The Project proposes to convert two upstairs office spaces into two residential dwelling units on a project site that is located within an urbanized area where all necessary infrastructure exists. In addition, categorical exemptions consists of operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Staff has determined that there is no substantial evidence that the project may have a significant effect on the environment, and recommends adoption of the Notice of Exemption (Attachment B).

6) Analysis

a) General Discussion: Approval is being requested to convert 1,596 square feet of vacant second story commercial office square footage into two residential dwelling units. Upon satisfaction of all conditions and improvements, the two dwelling units will become available for rent to persons or families interested in living in a downtown commercial setting; the units will not be restricted for occupancy by first floor uses. One unit will be a one-bedroom unit and will be 760 square feet and the other two-bedroom unit will be 836 square feet. Conversion of the office space to residential use is consistent with historical use of the property, the 2013-2021 Housing Element, and the CBD provisions of the Oxnard City Code (OCC) which allows residential uses in the CBD with approval of a Special Use Permit (SUP).

Residential and mixed use developments are encouraged in the CBD zone and a draft Downtown Code Update (dated December 3, 2018) that is being circulated for public review continues to envision and encourage mixed use developments with residential in upper floors. The new code update proposes comprehensive changes to the current CBD zoning district which includes permitting multifamily dwellings, work/live, live/work as uses permitted by right without the need of a special use permit. In addition to these changes, code updated include new zoning district boundaries and classifications, updates to the uses permitted/not allowed, parking and various other comprehensive changes.

The current ground level office and restaurant uses are not expected to conflict with the proposed second story residential uses. Although, the building was originally constructed for mixed use with residential in upper floor, conversion back to residential will need to comply with current sound transmission control measures pursuant to the California Building Code. At time of plan check review, the building official will determine if

upgrades to interior partitions, ceilings/floors, or building openings will need to address sound attenuation measures.

- b) General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is CBD which provides for a wide range of uses within the downtown area. The CBD land use designation allows residential densities of up to 39 dwelling units per acre, live/work, work/live, and mixed uses are strongly encouraged.

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-1.5	I	Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single-family units.	The Project is proposes to re-introduce two residential dwelling units over commercial. The mixed use proposal is highly encouraged in the CBD and residential are expected to add to the housing variety and needs within the immediate area.
CD 4.2	I	Encourage upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoining neighborhoods and increase overall jobs, sales and property valuation.	The Project proposes to upgrade an existing underutilized commercial building by retrofitting and repurposing an existing commercial property in downtown. Exterior improvements and safety retrofits are anticipated to beautify, activate, and increase property values.
CD 4.4	I	Require that older commercial development upgrade / improve landscaping and architecture, if warranted, during discretionary review opportunities	The Project proposes new parking lot landscape improvements, installation of window shutters on the second floor and new paint color finishes as part of its discretionary review.
CD-14.1	I	In the evaluation of development proposals, continue to ensure that public and private development Projects comply with City design	The Project includes development and performance conditions recommend by Development Advisory Committee (DAC)

		policies, plans, and guidelines.	to ensure that the Project complies with City permitting expectations and policies.
ISC-1.2	I	Review development proposals for their impacts on infrastructure (e.g., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	The proposed development and associated improvements would tie into existing infrastructure, which has the capacity to provide service to the proposed residential dwellings. The project includes standards and special development project conditions by City Department representatives.
CD-9.2 ICS-8.5	II	"...promote the revitalization of residential, commercial,... properties that are deteriorated or detract from the visual quality of the City"	Site improvements to the back parking lot and facade changes are anticipated to revitalize the Project site and contribute to the surrounding properties.
CD-3.4 CD-14.1 CD-14.2 CD-14.3 ICS-11.10 ER-9.4 ER-10.1	II	Neighborhood Quality of Life Design Review Process Development Advisory Committee Functions Quality of Design Water Supply Findings for Smaller Projects Human Scale Development Promote Use of Native and Water Wise Plants	The DAC review process led to changes in the Project and/or conditions of approval that meet these Level II policies.

- c) Conformance with Zoning Development Standards:** Pursuant to OCC Section 16-148(I), approval of a SUP is required for residential uses in the CBD zone. The proposed project has been evaluated for compliance with the applicable development standards of the CBD zone, as follows:

CBD ZONE			
DEVELOPMENT STANDARD	REQUIREMENT	PROVIDED	COMPLIES ?
Min. lot area 16-150(A)	None	Existing lot (50X140) 7,000 square feet Total	YES - with a condition of approval which requires a lot merger
Max. building height 16-150(B)	48 feet; may increase 25% (12' add'l to 60-feet) with an SUP. Architectural features (uninhabitable) can exceed the max height by 15'.	2-Story	YES
Build To Line 16-150 (D)	Commercial -first floor to PL (entries may be recessed); on corners may be setback 15' for articulation of the façade or corner entry. Apply to new buildings unless an arcade, colonnade, outdoor public courtyard, outdoor plaza, or outdoor café is included in building design.	Existing 3'- Setback at front property line	YES

Setbacks 16-150 (C)	Commercial- None Mixed Use/Residential- FY 10' unless SUP establishes an alternative setback Special Architectural Features Projects- 3' beyond PL or ROW if 12' above publicly-owned land (License agreement).	Front = 3' Setback Side = 0' Setback Rear = 5'- Setback <u>Architectural Projection</u> None	w/ SUP for existing 3-foot setback along C Street
Parking Lots 16-150(E)	-Located behind the building - If not feasible, located along the side of the building with spaces no closer than 10' to the public sidewalk	Existing behind building	YES
Building Coverage 16-150(E)	Up to 100% for commercial provided that other code requirements are met, including on-site parking, refuse containment, and landscaping	Bldg = 2266.8 sf 32.3%	YES
Interior Yard Space 16-150(G)	Residential- 15% with 15' x 15' dimensions	Adding deck area over single story addition 711 sf provided	Yes
Parking Requirements	-City Code applies to an existing building when 25% of the existing floor area or 1,500 sqft (whichever is less) is added to an existing building -City Code applies with a change in use increases the requirements by 25% or more	25 % parking increase may apply for the proposed change in use Proposed use change results in less parking required. See Parking Section	YES
Density 16-150(H)	39 units per acre (1,116.9 sf per unit) 21,000 = 18.8 dwelling units	2 Units	YES
Minimum dwelling unit size	450 square feet	Res #1 (1bd) = 759.6 sf Res #2 (2bd) = 835.8 sf	YES
Refuse enclosures	-Indiv lots are required to have an enclosure (except A St b/w 3 rd and 6 th) -an enclosure is required where none exists if the sq.ft is increased by 50%, a use change occurs that increases the need, 50% of the building is remodeled, or with a new building (16-152(J)(3)(a-d))	New double wide refuse enclosure is proposed	YES
Landscaping	-In accordance with section 16-641 and 16-642 -Minimum of 6% of the lot (residential, commercial & parking lots) – can include decorative hardscape -Commercial buildings may get credit for enhanced building's that incorporated pedestrian oriented designs	Landscaping within new parking areas proposed equal 6 percent	YES
Lighting	-Theme coordinated decorative architectural standards providing downlighting -Uplighting of architectural features may be approved by the manager of PC	Photometric site plan will be provide at time of plan check review	YES

	-Some lightings qualify as an Over-the-Counter permit		
--	--	--	--

The proposed use of the property is not envisioned to change or be impacted as a result of the City's work on the Downtown Design Guidelines and Development Code currently under consideration by the City at this time.

- d) Site Design:** The building is located along the front of the lot with vehicular parking along the back. Pedestrian access to the dwelling units is provided via a shared door entrance that is centrally located along C Street. The C Street entrance leads to a shared staircase that leads to each of the two dwelling unit's front door on the second floor. The project incorporates a condition requiring the Applicant to install and dedicate three inverted U-type bike racks along the C Street frontage of the project; bike racks to be installed will not obstruct required handicapped accessible (ADA) sidewalk access. The new bicycle racks are expected to benefit and serve as public convenience for persons in the immediate area or visiting downtown.

The site may be comprised of two lots legal lots and a condition of approval that prior to issuance of a building permit, the Applicant provide proof that the site has been merged into a single parcel. In the event that the site has not been merged, the Applicant will need to file for a lot merger to merge the site as a single lot.

- e) Circulation and Parking:** The two story building fronts onto C Street and the site is located near the southeast corner of the intersection of the C and Fifth Street. Parking is located directly behind the building and vehicular access is provided from an alley directly along the west side. Site improvements to the existing parking lot include parking lot resurfacing, lighting, striping, landscaping and installation of a new double bin trash enclosure off the back alley. Improvements will also include striping to meet current ADA requirements.

The project proposes six parking stalls with one of the stalls designed in compliance with ADA accessibility requirements. With only six total parking stalls, the site does not meet current off-street parking requirements. However, pursuant to OCC Section 16-150(J), the off-street parking requirements would only apply when an addition to the building exceeds 25 percent of the existing floor area or 1,500 square feet, whichever is less; or when a change in use of the building increases parking requirements by 25 percent or more. In this instance, off-street parking for the proposed conversion of commercial office to residential dwelling units generates a requirement for less parking, as illustrated on the following page. Instances where off-street parking is within the 25 percent allowable threshold a parking study is not necessary or required.

OFF-STREET PARKING REQUIREMENTS			
FLOOR	Existing Uses	Parking Required	Requirement Change
1 st	- Office - 1,475 square feet - Restaurant - 742 square feet	• Office - 1 space / 250 square feet (6 Spaces Required) • Restaurant - 1 space / 75 square feet (10 Spaces Required)	No Change in use (16 total spaces required)
2 nd	- 2 Bedroom Apt (836 square feet) - 1 Bedroom Apt (760 square feet)	- 2 Car Garage Spaces - 1 Car Garage Space - 2 Visitor space (1 per unit)	5 Spaces required for both apartments <i>7 Spaces are Required for Office at 1 space/250 square feet (1,596 square foot space)</i>
	<i>The second story conversion from commercial office to residential use will actually result in less parking being required (7 spaces versus 5 spaces)</i>		

The project lies directly adjacent to a public parking lot and is located near an area that is concentrated with public parking lots that are available for the benefit of public use within the Central Business District. According to the City's inventory of public parking lots and available on-street parking, there are six (6) public parking lots with approximately 290 parking spaces and 257 public on-street parking spaces within a 700-foot walking radius around the project.

On February 9, 2018, the Downtown Design Review Committee (DDRC) reviewed the project. At the time, the application included the construction of a detached three car garage structure near the southwest corner of the site. Due to the urban nature of the downtown setting, the DDRC unanimously discouraged the construction of the three car garage structure and suggested open parking instead. DDRC described that open parking would better suit the property and the proposed mixed use while visually reducing the appearance of a single story garage structure with flat roof and garage doors. The DDRC understood the City's requirement for a three car garage; however, in light of renovation efforts in the downtown, surface parking with improvements to landscaping and lighting were determined to be more appropriate in the subject location.

- f) **Building Design:** The existing two-story building has a smooth plaster stucco finish with existing window openings along the first floor for two commercial buildings. Windows on second floor also exists for two residential dwelling units proposed. The project proposes to repaint the building and install new decorative shutters on the second floor windows. Historical images on file with the City show that windows on second floor incorporated shutters and new shutters propose is expected to enhance the building's architectural appearance. The building does not have any window openings

along the northerly elevation, since the the building is constructed along a zero-property line setback. The backside facing the alley also has windows along the first and second floors existing and proposed new use. A single story building portion designed with flat roof located behind the two-story building will be modified to incorporate a 498 square foot roof deck area. The private deck area will be open to the sky and will be accessible to both dwelling units.

- g) Landscaping Improvements:** The property does not meet the City's 6-percent parking lot landscaping requirement because existing site conditions do not provide any site landscaping. The proposed parking lot improvements include approximately 425 square feet of new landscaping or 6 percent on site landscaping in the parking area and around the trash enclosure sides along the southwestern portion of the site. This landscape strip will incorporate installation of two trees that will be spaced 40-feet on center. New landscaping will incorporate California friendly shrubs, ground cover, and planting areas around the trash enclosure that will accommodate vines and shrubs to deter graffiti activity.

The project is required to provide a photometric site plan showing that lighting in back parking lot will meet the City's current lighting standards of 1-footcandle (min) and 7-footcandle (max). In the event that a light standard is necessary, the new landscaped planter area will accommodate installation of a light standard that will help the project satisfy safer lighting needs.

- 6) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on July 12, 2017. The project application was on hold for over a year, since the applicant was evaluating costs associated with seismic retrofitting and fire suppression safety measures since such improvements can be relatively expensive and potentially cost prohibitive. In September of 2018, the Applicant decided to proceed and submitted revised plans and responded to the design and safety measure recommended by the Development Advisory Committee.
- 7) Community Workshop and Public Input:** The project is located within the Hobson Park East Neighborhood. On March 20, 2017, the applicant mailed 571 notices of the Community Workshop meeting to all property owners within the Hobson Park East Neighborhood. A notice of this meeting was posted on the Project site along with a brief description and contact information. The Community Workshop was conducted on March 20, 2017. Staff made a brief presentation regarding the proposed mixed use. There were no members of the community that expressed concerns or questions regarding the proposed Project. Slight modifications to the parking lot design since community workshop have been made. Given that this modification was considered negligible, the project did not warrant review through the neighborhood council for an additional time.

8) Appeal Procedure: In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Notice of Exemption
- C. Reduced Project Plans
- D. Resolution PZ 16-520-03 (Special Use Permit)

Prepared by:

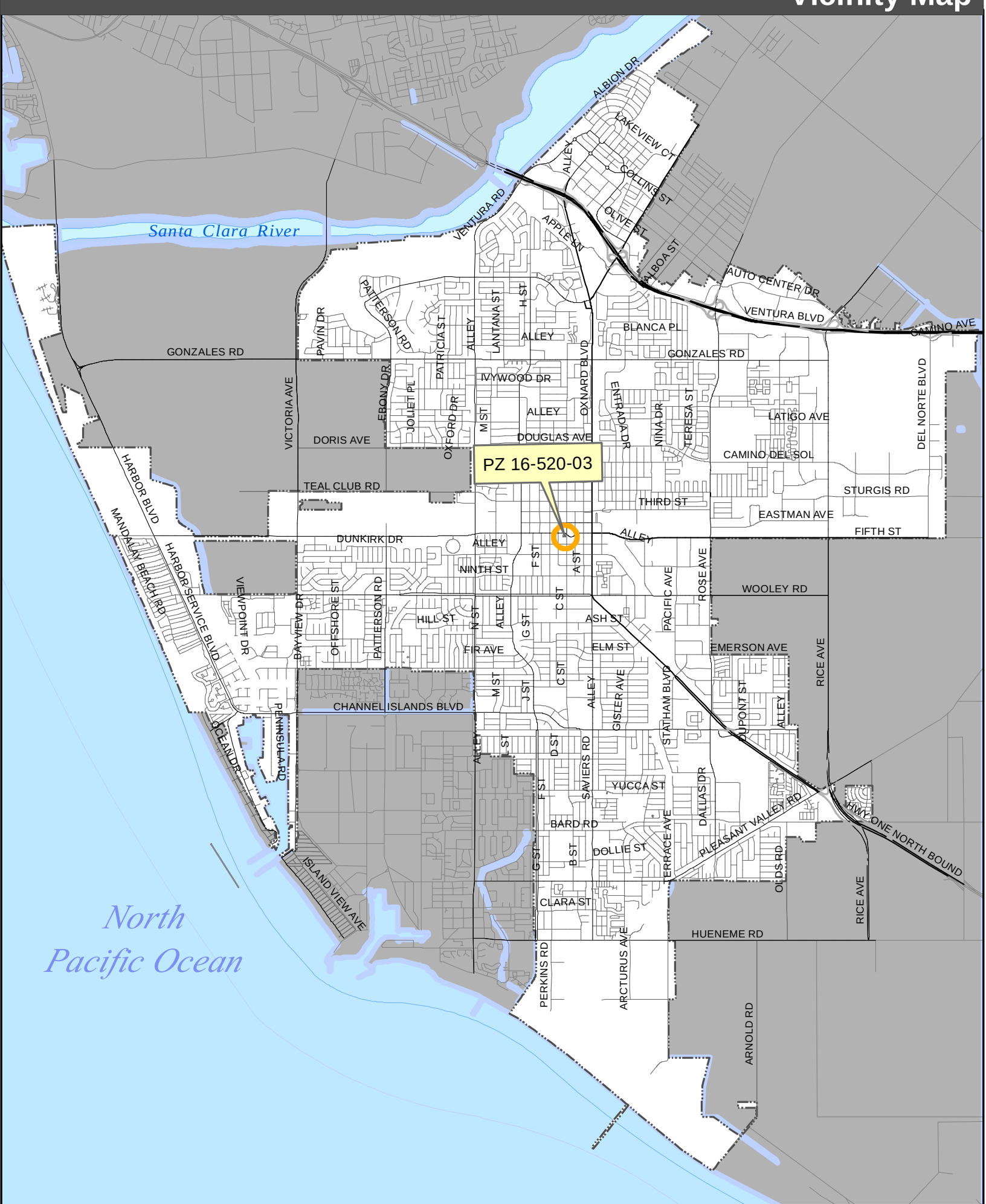
JM

Approved by:

Kathleen Maslory

ATTACHMENT A

MAPS (VICINITY, ZONING, GENERAL PLAN MAP)





W FIFTH ST

W FIFTH ST

S C ST







**ATTACHMENT
B**

NOTICE OF EXEMPTION



NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NO. 16-520-03 (Special Use Permit), application requesting approval to convert two second floor spaces from commercial office to two residential dwelling units. The one bedroom unit will total 760 square feet and the two bedroom units will total 836 square feet. The conversion will require the unreinforced masonry building be seismically retrofitted and plumbed for fire sprinklers to meet current safety standards. The proposed mixed use building is located at 509-513 South C Street with the Central Business District. The proposed project is exempt from environmental review pursuant to Section 15301(b)(3) and 15301 (Class 1) of the California Environmental Quality Act (CEQA) Guidelines. Filed by Christopher S. Vila on behalf of Donald A. Rosen, Rosen Family Trust, 25876 The Old Road #163, Stevenson Ranch, California 91381.

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: In accordance with Section Nos. 15301(e) (Existing Facilities) and 15303 (Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines, projects involving existing facilities and conversion of less than 10,000 square feet of floor area, where all public services and facilities are available to allow for maximum development permissible in the General Plan may be found exempt from the requirements of CEQA. The Project proposes to convert two upstairs office spaces into two residential dwelling units on a project site that is located within an urbanized area where all necessary infrastructure exists. In addition, categorical exemptions consists of operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Based on the above exemption and in accordance with CEQA, the Planning Division Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed.

(Date)

Kathleen Mallory, AICP
Planning Manager

ATTACHMENT C

REDUCED PROJECT PLANS

FLOOR OFFICE SUITES INTO RESIDENTIAL USE.
RESIDENTS.

1 BEDROOM) 7,000.0 S.F.
 2 BEDROOM) 3,849.0 S.F.
 2,266.8 S.F.
 1,582.2 S.F.
 759.6 S.F.
 835.8 S.F.
 V-B
 MIXED USE (B - R-2)
 NO

OC.)	742/250	3.0 SPACES
(1 BORM)	760/1	1.0 SPACE
(2 BORM)	836/2	2.0 SPACES
OC.)	1475/250	<u>6.0 SPACES</u>
		12 SPACES
OKING	10 SPACES	
ES REMOVED	-10 SPACES	
RD	5 SPACE (3 RES.)	
IBLE	<u>1 SPACES (1 VAN)</u>	
	6 SPACES	
PUBLIC PARKING)		
RD	13 SPACES	
IBLE	1 SPACE	
	14 SPACES	

SE WALKWAY TO REMAIN @ RIGHT OF WAY
OF BACK-FLOW PREVENTER.

STRIPPING TO REMAIN, NIC.

WATER METER, NO CHANGE.

TO BE PATCHED AND REPAIRED. NO CHANGE
IN GRADING.

ENTRANCE, TO REMAIN

ENCLOSURE TO BE DEMO, ASPHALT TO BE
REPAIRED

WALKWAY FENCE

ENCLOSURE PER ONXARD STANDARD PLATE 606.
ENCLOSURE PER ONXARD STANDARD PLATES.

WALKWAY FENCE

WALKWAY POST.

COVER PLANTER, PLANTED W/ LOW
GROWING PLANT, MAX 36" H

WALKWAYS AND ACCESSIBLE SPACES

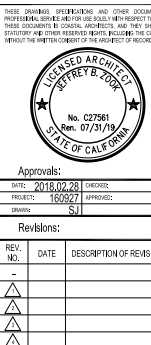
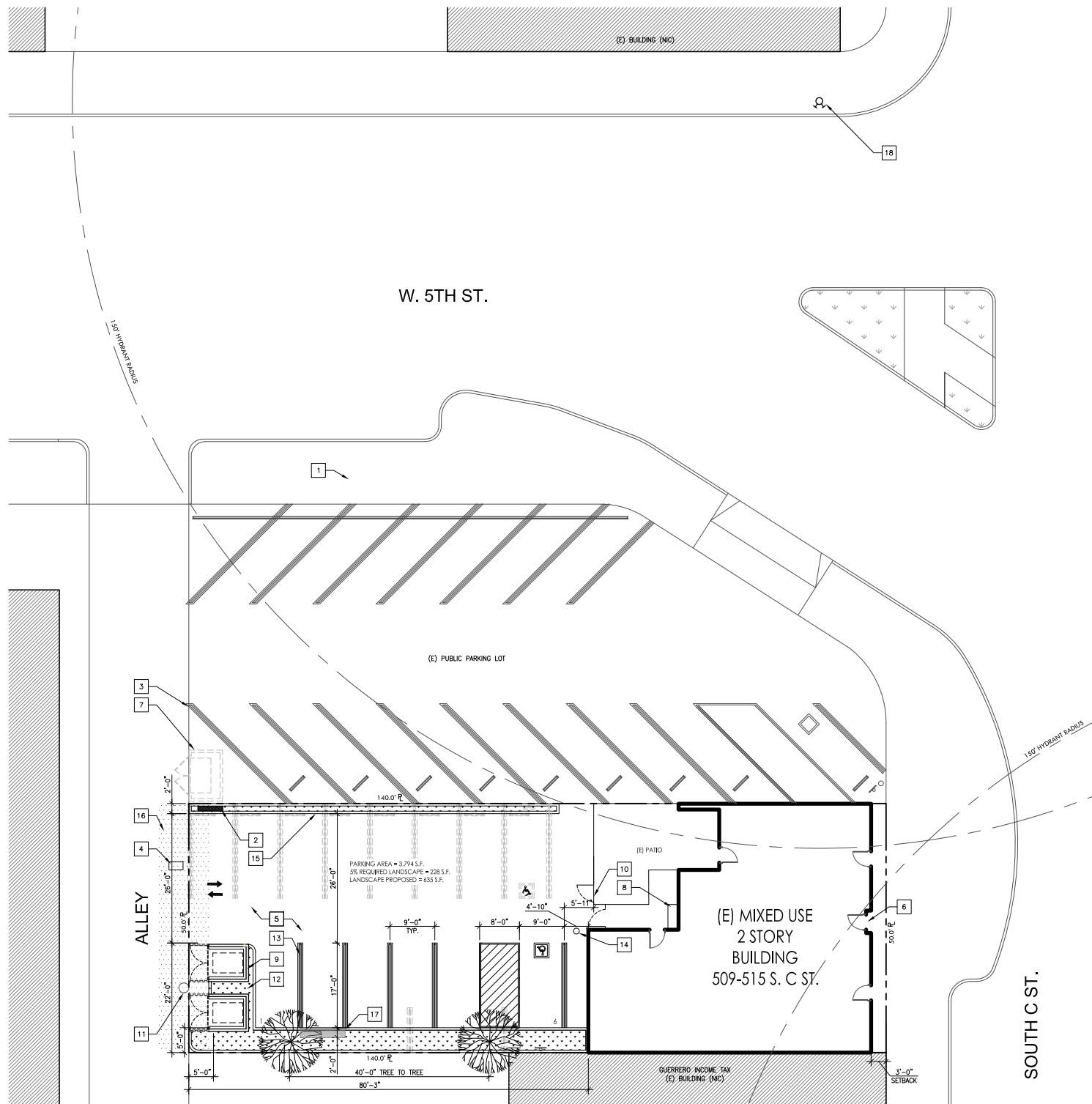
WALKWAY POST

WOOD PAVEMENT AT (E) PARKING LOT ON
EITHER SIDE OF SCE UTILITY POST

WALKWAY POST, MAX 2'. PER ONXARD CITY ORDINANCES
(C). TYP FOR ALL 7 PARKING STALLS

WALKWAY FIRE HYDRANT

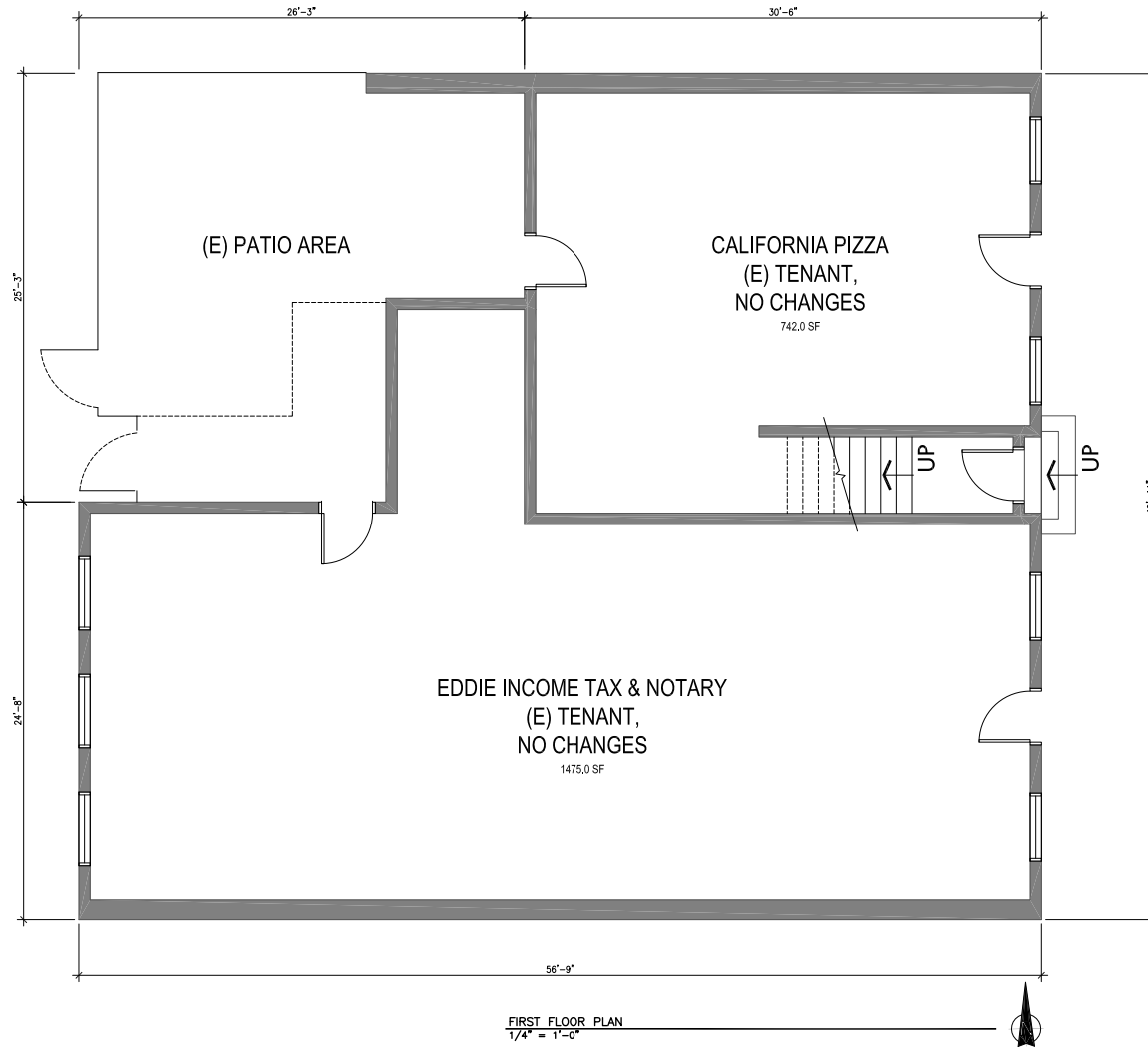
R&V ENTERPRISES
ATTN: CHRIS VILA
25076 THE OLD ROSE RD. #163
STEVENSON RANCH, CA 91381
PHONE - (661) 993-2208
FAX - (661) 287-3710



509-515 South C Street
MIXED USE
509-515 SOUTH C STREET
OXNARD, CA

Sheet Title:
SITE PLAN





KEY NOTES

1

NO CHANGES PROPOSED TO 1ST FLOOR.
(EXISTING WINDOWS, DOORS, AND STAIRS ARE TO REMAIN.)

THESE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS
PROFESSIONAL SERVICES ARE FOR THE SOLE USE OF THE CLIENT.
THESE DOCUMENTS ARE NOT TO BE REPRODUCED OR COPIED
WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OF RECORD.



Approvals:

DATE: 2018.02.28
PROJECT: 160927
DRAWN: SJ

Revisions:

REV. NO.	DATE	DESCRIPTION OF REVISION
1		
2		
3		
4		
5		

509-515 South C Street
MIXED USE
509-515 SOUTH C STREET
OXNARD, CA

GENERAL NOTES

- ALL DIMENSIONS SHOWN ARE TO FACE OF STUD, UNLESS NOTED OTHERWISE.
- ALL MAIN EXIT DOORS SHOULD HAVE A READILY VISIBLE, DURABLE SIGN ABOVE THE DOOR STATING "THIS DOOR MUST REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED". THE SIGN SHOULD BE IN LETTERS NOT LESS THAN 1 INCH HIGH ON A CONTRASTING BACKGROUND.

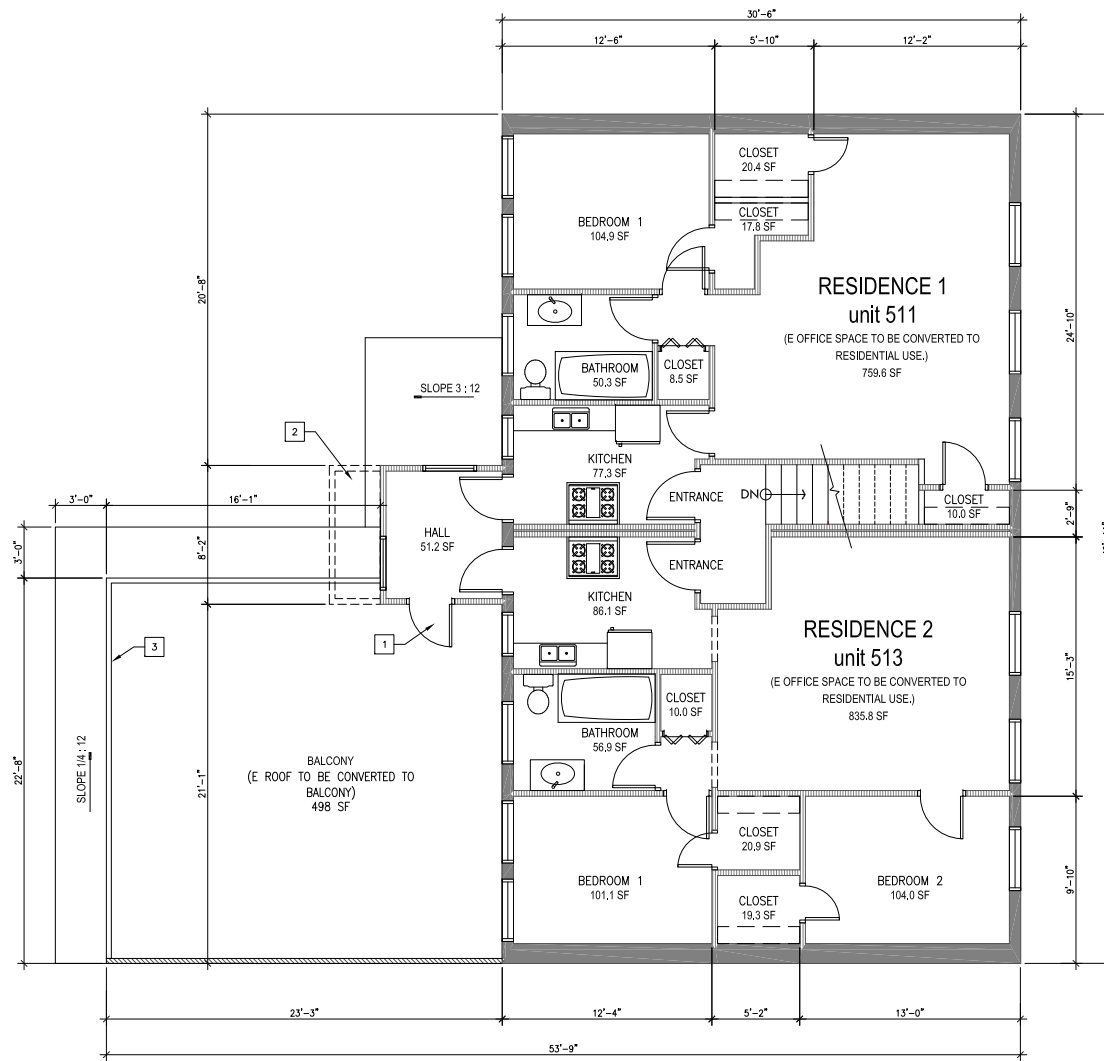
WALL LEGEND

- (-) 2X STUD WALL TO REMAIN
- 8" CMU WALL • PROPERTY LINE
- 2X STUD WALL W/ DRYWALL, BOTH SIDES, PLASTER OVER

Sheet Title:

1ST FLOOR PLAN

A1
Sheet No:



KEY NOTES

- 1 3" X 6"-8" SOLID CORE, HINGED DOOR WITH LEVER HARDWARE, LOCKING DEVICE AND SELF CLOSER. PROVIDE METAL FRAME. PAINT DOOR AND DOOR FRAME TO MATCH EXISTING.
- 2 REMOVE EXISTING BALCONY, PATCH, REPAIR, & PAINT TO MATCH EXISTING.
- 3 EXISTING ROOF TO BE CONVERTED TO BALCONY. BALCONY TO BE 42" HI. GUARD RAILING SYSTEM ALUMINUM PER DTL 5&6/AS.

ALL ROOMS ARE EXISTING. NO CHANGES TO (E) WALLS, WINDOWS, DOORS, AND STAIRS. UNLESS OTHERWISE NOTED.

THESE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS ARE THE PROPERTY OF THE ARCHITECT AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT. NO PART OF THESE DOCUMENTS IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OF RECORD.



Approvals:

DATE: 2018.02.28 DESIGNED:

PROJECT: 160927 APPROVED:

DRAWN: SJ

Revisions:

REV. NO.	DATE	DESCRIPTION OF REVISION
1		
2		
3		
4		
5		

509-515 South C Street
MIXED USE
509-515 SOUTH C STREET
OXNARD, CA

GENERAL NOTES

- A. ALL DIMENSIONS SHOWN ARE TO FACE OF STUD, UNLESS NOTED OTHERWISE.
- B. ALL MAIN EXIT DOORS SHOULD HAVE A READILY VISIBLE, DURABLE SIGN ABOVE THE DOOR STATING "THIS DOOR MUST REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED". THE SIGN SHOULD BE IN LETTERS NOT LESS THAN 1 INCH HIGH ON A CONTRASTING BACKGROUND.

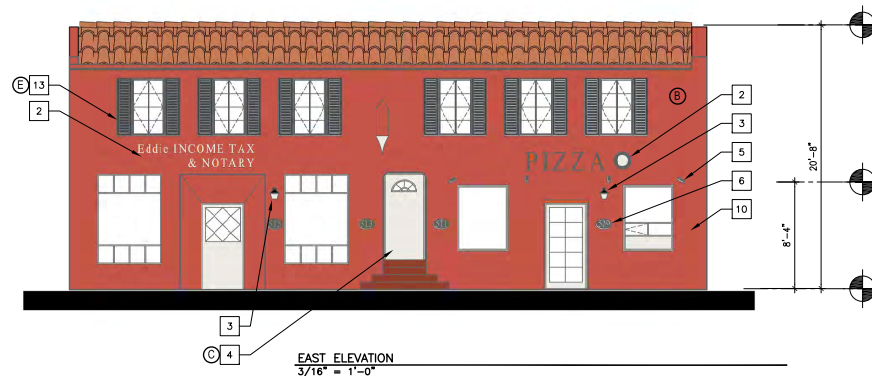
WALL LEGEND

- (L) 2X STUD WALL TO HELM
- 8" CMU WALL @ PROPERTY LINE
- 7Y STUD WALL W/ PLYWOOD

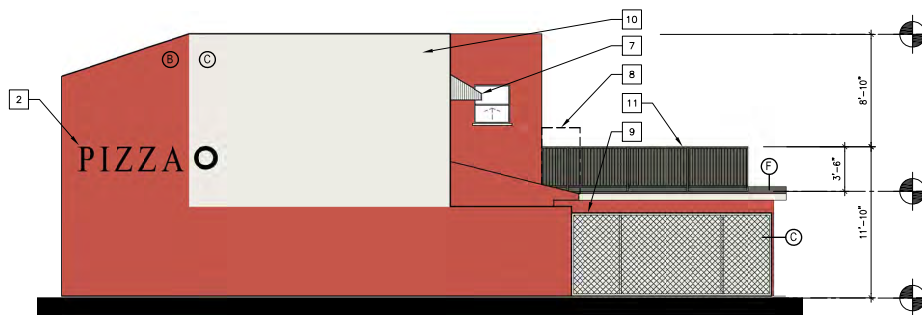
Sheet Title:

2ND FLOOR PLAN

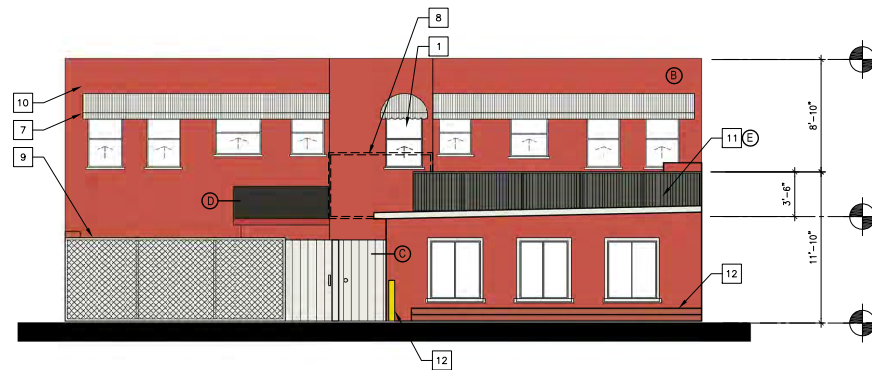




EAST ELEVATION
3/16" = 1'-0"



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



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

KEY NOTES

- 1 REMOVE EXISTING DOOR, REPLACE W/ 2'-10" X 4'-6" CASEMENT WINDOW, INFILL WINDOW SILL W/ 2X STUDS, FRAME & GLASS WINDOWS FINISHED TO MATCH EXISTING.
- 2 EXISTING SIGNAGE TO REMAIN, NO CHANGES.
- 3 EXISTING LIGHTING SCENES TO CHANGE TO CONSISTENT STYLE THROUGHOUT. INSTALL PER MANUFACTURERS SPECS. PROGRESS LIGHTING, WESTPORT LED P5862-2030K9. SEE LIGHTING SPECIFICATIONS ON SHEET A4.
- 4 EXISTING ENTRANCE, FOR RESIDENT USE TO REMAIN, PAINT PER COLOR/MATERIALS SCHEDULE THIS SHEET.
- 5 EXISTING LIGHTING AND EXPOSED CONDUIT TO REMAIN, NO CHANGES.
- 6 EXISTING ADDRESSING TO REMAIN, NO CHANGES.
- 7 EXISTING WINDOW AWNING TO REMAIN, NO CHANGES.
- 8 REMOVE EXISTING PORCH, PATCH, REPAIR, & PAINT TO MATCH EXISTING.
- 9 EXISTING LATTICE PATIO FENCE TO REMAIN, PAINT PER COLOR/MATERIALS SCHEDULE THIS SHEET.
- 10 BUILDING TO BE REPAINTED ON ALL SIDES. PRIMARY COLORS SHALL BE MUTED WITH TRIMS AND PROPOSED SHUTTERS PAINTED IN STRONGER CONTRASTING ACCENT COLOR.
- 11 EXISTING ROOF TO BE CONVERTED TO BALCONY. BALCONY TO BE 42" HI. GUARD RAILING SYSTEM ALUMINUM PER DTL 5&6/AS.
- 12 EXISTING BRICK PAVERS TO REMAIN, NO CHANGE.
- 13 INSTALL NEW USA EXTERIOR PREMIUM OPEN LOUVERED, FULL STRAIGHT TOP VINYL SHUTTERS. PAINT PER COLOR/MATERIALS SCHEDULE THIS SHEET.
- 14 INSTALL NEW 43" HI. BOLLARD POST PER SITE PLAN.

COLOR / MATERIALS

- A POWDER COATED RAILING SYSTEM
- B SHERWIN WILLIAMS EXTERIOR PAINT SW 7599 BRICK PAVER
- C SHERWIN WILLIAMS EXTERIOR PAINT SW 7005 PURE WHITE
- D ASPHALT ROOFING MATERIAL CERTAINTED COLONIAL SLATE
- E SHERWIN WILLIAMS EXTERIOR PAINT SW 7076 CYBERSPACE

GENERAL NOTES

- A. ALL DIMENSIONS SHOWN ARE TO FACE OF STUD, UNLESS NOTED OTHERWISE.
- B. CONTRACTOR TO PROVIDE MATERIAL SAMPLES OF FINISHES TO OWNER FOR APPROVAL PRIOR TO INSTALLATION.

THESE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS ARE TO BE USED IN CONJUNCTION WITH THE CONTRACT DOCUMENTS AND THE ARCHITECT'S STANDARD SPECIFICATIONS. THE ARCHITECT'S STANDARD SPECIFICATIONS ARE AVAILABLE TO THE PUBLIC AT THE ARCHITECT'S OFFICE. THE ARCHITECT'S STANDARD SPECIFICATIONS ARE NOT TO BE USED IN CONJUNCTION WITH THE ARCHITECT'S STANDARD SPECIFICATIONS.



Approvals:

DATE: 2018.02.28 DRAWN:

PROJECT: 160927 APPROVED:

REVISIONS:

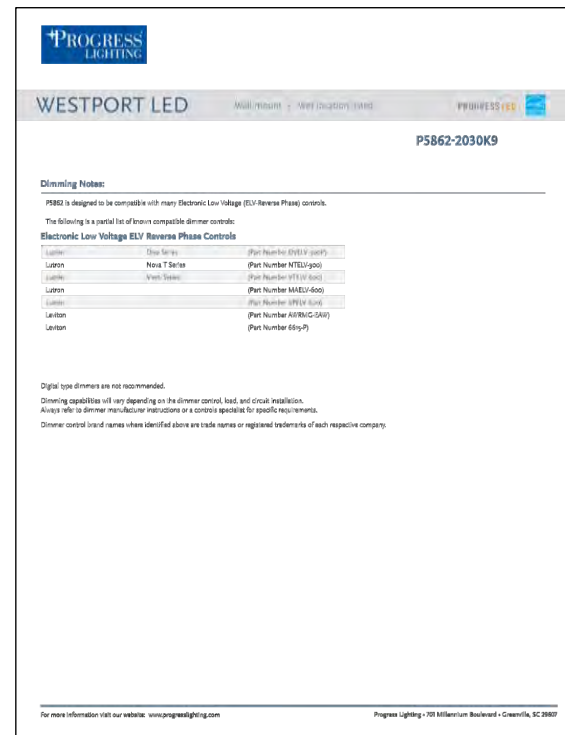
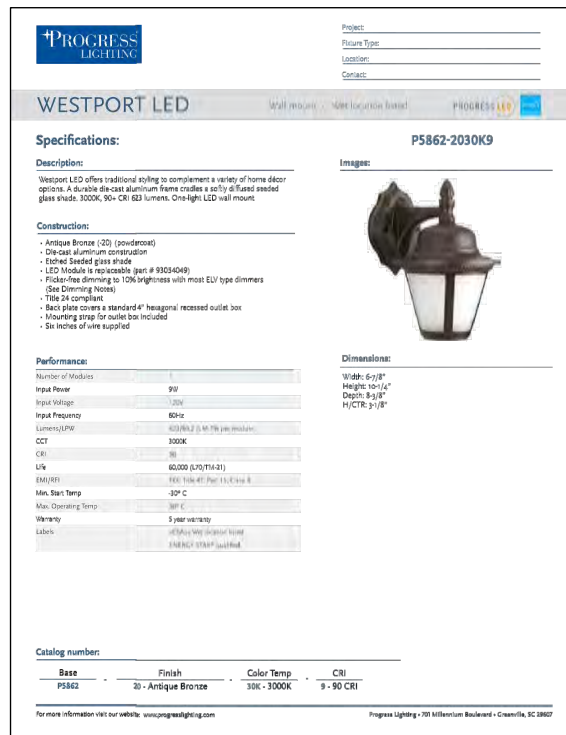
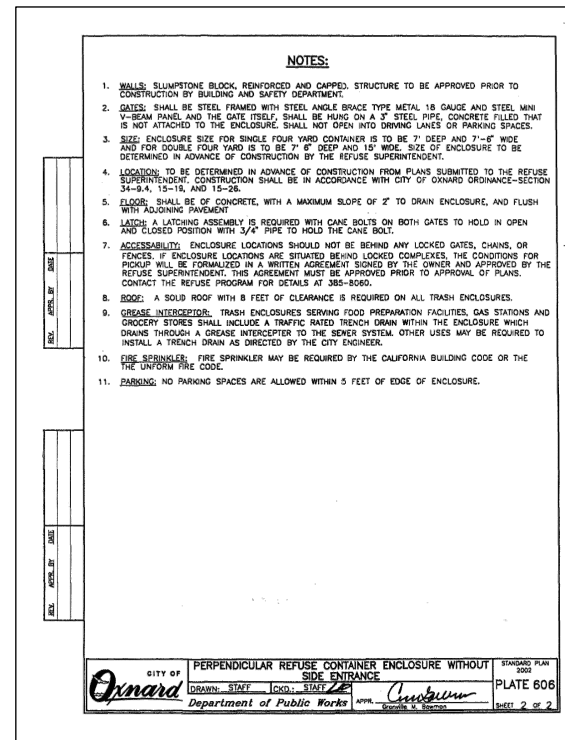
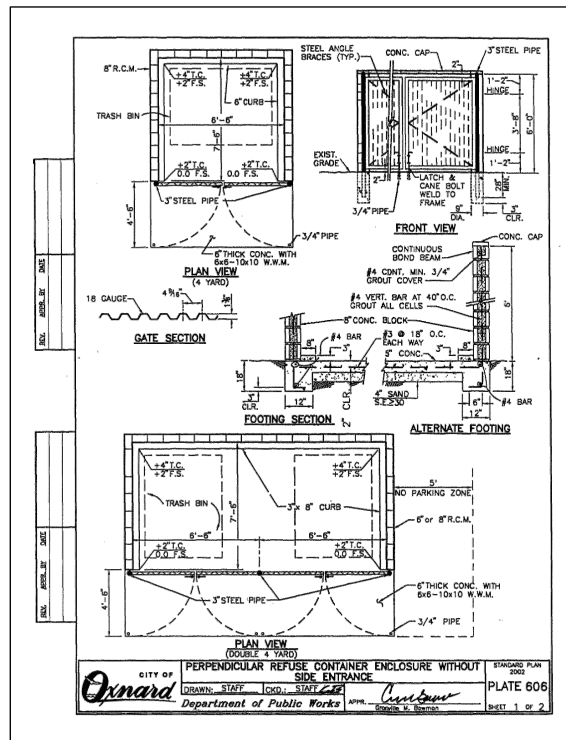
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509-515 South C Street
MIXED USE
509-515 SOUTH C STREET
OXNARD, CA

Sheet Title:

ELEVATIONS





THESE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS ARE THE PROPERTY OF THE ARCHITECT. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THESE DOCUMENTS BY OTHER ARCHITECTS, ENGINEERS OR OTHER PROFESSIONALS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED.



Approvals:
DATE: 2018.02.28
PROJECT: 160927
DRAWN: SJ
APPROVED: SJ

REV. NO.	DATE	DESCRIPTION OF REVISION
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509-515 South C Street
MIXED USE
509-515 SOUTH C STREET
OXNARD, CA

Sheet Title:
STANDARD
PLATES &
LIGHTING
SPECS
A4
Sheet No.

**ATTACHMENT
D**

**RESOLUTION
PZ 16-520-03
(SPECIAL USE PERMIT)**

RESOLUTION NO. 2019-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 16-520-03 (SPECIAL USE PERMIT) TO CONVERT 1,596 SQUARE FEET OF SECOND STORY COMMERCIAL OFFICE SPACE INTO TWO RESIDENTIAL DWELLING UNITS. THE ONE BEDROOM UNIT WILL CONTAIN 760 SQUARE FEET AND THE TWO BEDROOM UNIT WILL CONTAIN 836 SQUARE FEET. THE CONVERSION WILL REQUIRE THE UNREINFORCED MASONRY BUILDING TO BE SEISMICALLY RETROFITTED AND PLUMBED FOR FIRE SPRINKLERS TO MEET CURRENT SAFETY REQUIREMENTS. THE PROPOSED MIXED USE BUILDING IS LOCATED AT 509-513 SOUTH C STREET WITHIN THE CENTRAL BUSINESS DISTRICT. FILED BY CHRISTOPHER S. VILA ON BEHALF OF DONALD A. ROSEN, ROSEN FAMILY TRUST, 25876 THE OLD ROAD #163, STEVENSON RANCH, CALIFORNIA 91381.

WHEREAS, on November 16, 2016, designated agent Christopher S. Villa on behalf of Donald A. Rosen Family Trust, (the **“Applicant”** and/or **“Permittee”**) submitted a request for a Special Use Permit, pursuant to Oxnard City Code Section 16-270, to allow the conversion of two second story floor spaces from commercial office to two residential dwelling units for the building addressed as 509-513 South C Street; and

WHEREAS, on January 17, 2019, the Planning Commission of the City of Oxnard (**“Planning Commission”**) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 16-520-03 (Special Use Permit) to allow the conversion of second story building square footage from commercial office to two residential dwelling units for the building addressed as 509-513 South C Street (the **“Project”**) in accordance with Sections 16-530 through 16-553 of Oxnard City Code; and

WHEREAS, the Planning Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a categorical exemption (Nos. 15301(e) and 15303).

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

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

- (1) **The proposed use in in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.**

The proposed Project is consistent with the 2030 General Plan since the proposed development is consistent with the site’s land use designation of Central Business

District (CBD) zone and development policies of the 2030 General Plan. The proposed mixed use is consistent with the permitted uses and the policies of the CBD zone, subject to the approval of a special use permit pursuant to Oxnard City Code Section 16-148(I). Therefore, the proposed mixed use is in conformance with the 2030 General Plan and the elements thereof and other adopted standards.

- (2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The proposed mixed use is consistent with uses considered and permitted by the Central Business District (CBD) zone. The existing unreinforced masonry building will be retrofitted with fire suppression sprinklers and structurally retrofitted to conform to seismic safety standards pursuant to the California Building and Fire Codes. The proposed Project will improve existing building condition to not adversely effect or be materially detrimental the adjacent uses, buildings or structures or to the public health, safety or general welfare.

- (3) **The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this Resolution.**

The Project is consistent with most, but not all, of the applicable development standards. For those standards to which the project does not conform, the project has been reviewed by the Development Advisory Committee and was determined that it would have no significant impact on the public health, safety, or welfare and the project plans have been reviewed by all applicable departments and outside agencies, which include the Oxnard Police and Fire Departments.

- (4) **The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.**

The project site will be served by the existing public alley as described in Section 6 of the Planning Commission Staff Report. As described, the site has sufficient access to streets and highways that are adequate in width.

- (5) **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The Project involves the conversion of an existing building that has been found to be consistent with anticipated development for this site. Furthermore, the Project will be served by existing water mains along C Street and the alley to the west. Sewer connections serving the parcels will be through the easterly alley.

SECTION 2. In accordance with Section 15301(e) and 15303 of the State California Environmental Quality Act (CEQA) Guidelines, projects involving existing facilities and conversion of less than 10,000 square feet of floor area, where all public services and facilities are available to allow for maximum development permissible in the General Plan may be found exempt from the requirements of CEQA. The Project proposes to convert two upstairs office spaces into two residential dwelling units on a project site that is located within an urbanized area where all necessary infrastructure exists. In addition, categorical exemptions consists of operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 16-520-03 (Special Use Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

[CONDITIONS ON FOLLOWING PAGE]

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Landscape Design	CE	Code Compliance

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated January 17, 2019, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
9. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

15. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
16. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by the Planning Division. (PK, PK-3)
17. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance (PK, PK-4)
18. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
19. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current Title 23 Model Water Efficient Landscape Ordinance (MWELO). (PK, PK-7.1)

LANDSCAPE SPECIAL CONDITIONS

20. Any required backflow devices or above ground utilities shall be sufficiently landscaped to the satisfaction of the Planning Manager.

FIRE DEPARTMENT STANDARD CONDITIONS

21. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
22. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, F-3)
23. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests.

Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)

24. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
25. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
26. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
27. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
28. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, F-12)
29. Developer shall install in each structure in the project a detection/alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, F-13)

FIRE DEPARTMENT SPECIAL CONDITIONS

30. Areas designated by the Fire Marshal as Fire Lanes shall be identified by a red curb and signage per the California Department of Motor Vehicles. (FD)
31. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department. (FD)
32. Permittee shall install NFPA 13 fire sprinkler system. (FD)
33. Trash Enclosure roof and supports shall be non-combustible or sprinkler system will be required. (FD)

PLANNING DIVISION STANDARD CONDITIONS

34. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)

35. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)
36. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)
37. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
38. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
39. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
40. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)
41. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)
42. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall

be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, *PL-41*)

43. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, *PL-43*)
44. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
45. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as shown in the approved plans. (PL/B, *G-9*)

PLANNING DIVISION SPECIAL CONDITIONS

46. Developer shall file for permits with the Building and Engineering Division to seismically retrofit the existing unreinforced masonry building to meet current building code requirements. (PL/DS/P)
47. Prior to issuance of a building permit, the Permittee shall submit verification that Lots 3 and 4 in block "N" of map entitled Map No. 4 of Town of Oxnard have been merged as single lot. If verification is not produced, Permitted shall file for a lot merger to merge the lots into a single lot. Prior to issuance of building permits a certificate of approval shall be recorded with the County Recorder's Office. (PL)

POLICE CONDITIONS

48. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i) Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - ii) Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.

- c) Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.
- 49. Exterior lighting of the site including parking areas shall be between 1 and 7- foot candles and shall be in harmony with existing adjacent lighting scheme.
- 50. Lighting instruments shall be metal halide, LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
- 51. Lighting instruments shall be full cut-off and installed so that light does not directly illuminate property outside the project site. Instruments shall not create glare for motorists or pedestrians. Wall packs are not permitted.
- 52. Outdoor lighting instruments shall not be placed in close proximity of parking lot trees. In the event outdoor lighting instruments and trees are in close proximity an additional sheet will be required illustrating light and tree placement showing trees with a 20-year maturity.
- 53. Outdoor lighting shall be in operation from dusk to dawn.
- 54. Prior to the issuance of building permits, applicant shall submit a photometric sheet that illustrates compliance with the 1 to 7-footcandle requirement and callouts illustrating and describing the fixtures to meet the requirements. The photometric plan shall be reviewed and approved by the designee of the Police Department or the Associate Planner assigned for the project.
- 55. Developer shall post all entrances in compliance with California Vehicle Code Section 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)
- 56. The property management firm responsible for managing the site shall post a minimum of two signs, each visible from the public right of way, identifying the property management company's name and phone number.
- 57. Should an alarm system be installed, it shall be compliant with Oxnard City Code Section 11-95 through 11-100. Motion detection burglary or intrusion alarm systems shall utilize "Dual Technology" sensors capable of differentiating between human movement and non-human movement.

58. Install securable mailboxes for residential units in compliance with USPS requirements.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

59. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)
60. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)
61. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
62. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
63. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
64. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
65. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)
66. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the

improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)

67. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
68. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
69. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
70. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

71. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare a Local Stormwater Pollution Prevention Plan ("Local SWPPP"). The Local SWPPP shall be developed and implemented in accordance with requirements of the Ventura Countywide MS4 Permit. The Local SWPPP shall be approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the Local SWPPP updated to reflect current site conditions and a copy of the Local SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-87)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

72. Developer shall provide evidence that all existing and proposed water services are provided with an approved backflow prevention device. All backflow devices shall be protected from vehicular contact by locating them out of vehicular areas and provision of bollards where deemed appropriate. (DS)
73. In accordance with City Code, Developer shall provide separate services and water meters for: 1) Residential uses; 2) Food preparation facilities; and 3) Landscape irrigation systems. (DS)
74. Project as currently proposed does not meet the definition of "Redevelopment" as defined in the current MS4 permit and associated 2011 Technical Guidance Manual for Stormwater Quality Control Measures ("2011 TGM"). If the scope of the project changes such that it is determined by the Development Services Manager that the project meets the definition of "Redevelopment", Developer shall provide stormwater mitigations (including stormwater infiltration) as required by the MS4 permit. (DS)

75. If it is determined that the project meets the definition of “Redevelopment” as defined in the current MS4 permit, Developer shall meet all standard requirements for infiltration based stormwater treatment devices including, but not limited to; 1) Site specific infiltration tests; 2) Implementation of a reduction factor on raw infiltration rates (in addition to a standard safety factor); 3) Testing of exposed bottom of infiltration facilities immediately prior to facility construction; 4) Provision of pre-treatment for all infiltration based Best Management Practices to reduce sediment, and; 5) Preparation, execution, and recordation of a stormwater control measures maintenance and operations plan. (DS)
76. Developer shall construct a double-bin trash enclosure (one bin for recycle use) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in substantial conformance with the approved City standard plans on file with the Development Services Department. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS)
77. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends to the centerline of the adjacent alley unless otherwise approved by the Development Services Manager. (DS)
78. Developer shall install, and dedicate to the City, three (3) inverted U-type bike racks along the C Street frontage of the project. Bike racks shall be per City of Oxnard specifications. Final installation location shall be approved by the City Traffic Engineer. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of January 2019.

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 this 17th day of January 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Kathleen Mallory, Secretary



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Isidro Figueroa, Principal Planner

DATE: December 17, 2018

SUBJECT: Planning and Zoning Permit No. PZ 18-625-01 (General Plan Consistency) - Request for 2030 General Plan Conformity by the Oxnard Union High School District for Disposition of Real Property Located at 527 Hueneme Avenue (Assessor's Parcel Number 222-0-082-625).

- 1) Recommendation:** That the Planning Commission adopt a resolution affirming that the Oxnard Union High School District's disposition of real property located at 527 Hueneme Avenue is in conformance with the City of Oxnard 2030 General Plan.
- 2) Project Description and Applicant:** The Oxnard Union High School District ("**District**") is considering disposition of real property located at 527 Hueneme Avenue. For purposes of this Staff Report, the foregoing project description shall be referred to as the "**Project**". Filed by the Oxnard Union High School District Designated Agent law firm of Myers, Widders, Gibson, Jones & Feingold, L.L.P., 5425 Everglades Street Ventura, California, 93003, on behalf of the property owner which is the Oxnard Union High School District (the "**Applicant**").
- 3) Existing & Surrounding Land Uses:** The subject site is an approximately 0.59-acre parcel within an existing commercial shopping center located at 527 Hueneme Avenue. The property is improved with an approximately 8,640 square-foot building. The Zoning and General Plan land use designations, and existing land uses are as follows (see Attachment A):

Direction	Zoning	General Plan	Land Use
Project	General Commercial / All Affordable Housing opportunity Program(C-2-AH)	Commercial General	Shopping Center
North	High Rise Residential Zone (R-4)	Residential Medium-High	Multi-Family (Apartments)
East	General Commercial / All Affordable Housing opportunity Program(C-2-AH)	Commercial General	Shopping Center
South	Light Manufacturing/Planned Development (M-1-PD)	Industrial Light	Vacant
West	General Commercial / All Affordable Housing opportunity Program(C-2-AH)	Commercial General	Shopping Center

4) Background Information: On November 29, 2018, the City was notified in writing by the Oxnard Union High School District's attorney, law firm of Myers, Widders, Gibson, Jones & Feingold, L.L.P., of the District's intent to dispose of school property in accordance to Government Code Section 65402, which requires that the Planning Commission make a determination about the conformity of the dispositions to the City's 2030 General Plan land use designation and policies. Please see Attachment B.

In the November 29th letter, the District identified two properties it intends to dispose which have been determined to be surplus properties. The two identified properties are located at 527 Hueneme Road and 3400 West Gonzales Road. The latter is a parcel that is currently part of the Oxnard High School campus. The Oxnard High School campus is comprised of three parcels. The high school and sports fields are located within two parcels that are located outside the City boundaries but within the City's sphere of influence. The third parcel is currently improved with solar panels serving the campus but is outside of the sphere of influence. As such, the Planning Commission does not have authority to make a determination of conformity with the City's 2030 General Plan. Please see image below.



- 5) Environmental Determination:** In accordance with Public Resources Code Section 21065, the Planning Commission’s determination of whether the proposed disposition of the District’s subject property is consistent with the Oxnard 2030 General Plan is not a “project” for purposes of the California Environmental Quality Act (CEQA) and State CEQA Guidelines since the determination does not result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

6) Analysis:

- a) **General Plan Consistency:** California Government Code Section 65402(a) requires that a Finding of General Plan Conformity be made by the Planning Commission prior to the District's sale of the property.

The City's 2030 General Plan land use designation for 527 Hueneme Avenue is Commercial General (CG) and the zoning designation is General Commercial/All Affordable Housing opportunity Program overlay (C-2-AH), which allows for the existing commercial retail land use. The proposed disposition of this property would conform to the City's 2030 General Plan land use designation because it is an existing retail space to be used as such within an existing shopping center. The District did not include a proposal to make any modifications to the site.

The District used to operate an adult school from the subject site. However, in approximately June 2018 operation ceased and the retail space has not been leased and remains vacant. The disposition of the property would support General Plan policies supporting commercial development. It would give an opportunity for the retail space to be sold and integrated with the existing shopping center consistent with the City's 2030 General Plan Goal CD-4 which calls for commercial uses compatible with surrounding land uses to meet the present and future needs of Oxnard residents, employees, and visitors. Additionally, the disposition of the property would be consistent with Goal CD-4.2 which encourages upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoin neighborhoods and increase overall jobs, sales and property valuation. Finally, disposition of this parcel and the ultimate use of the parcel for retail use is consistent with the land use designation on the subject site. Future use of the parcel will be required to comply with all City codes and regulations.

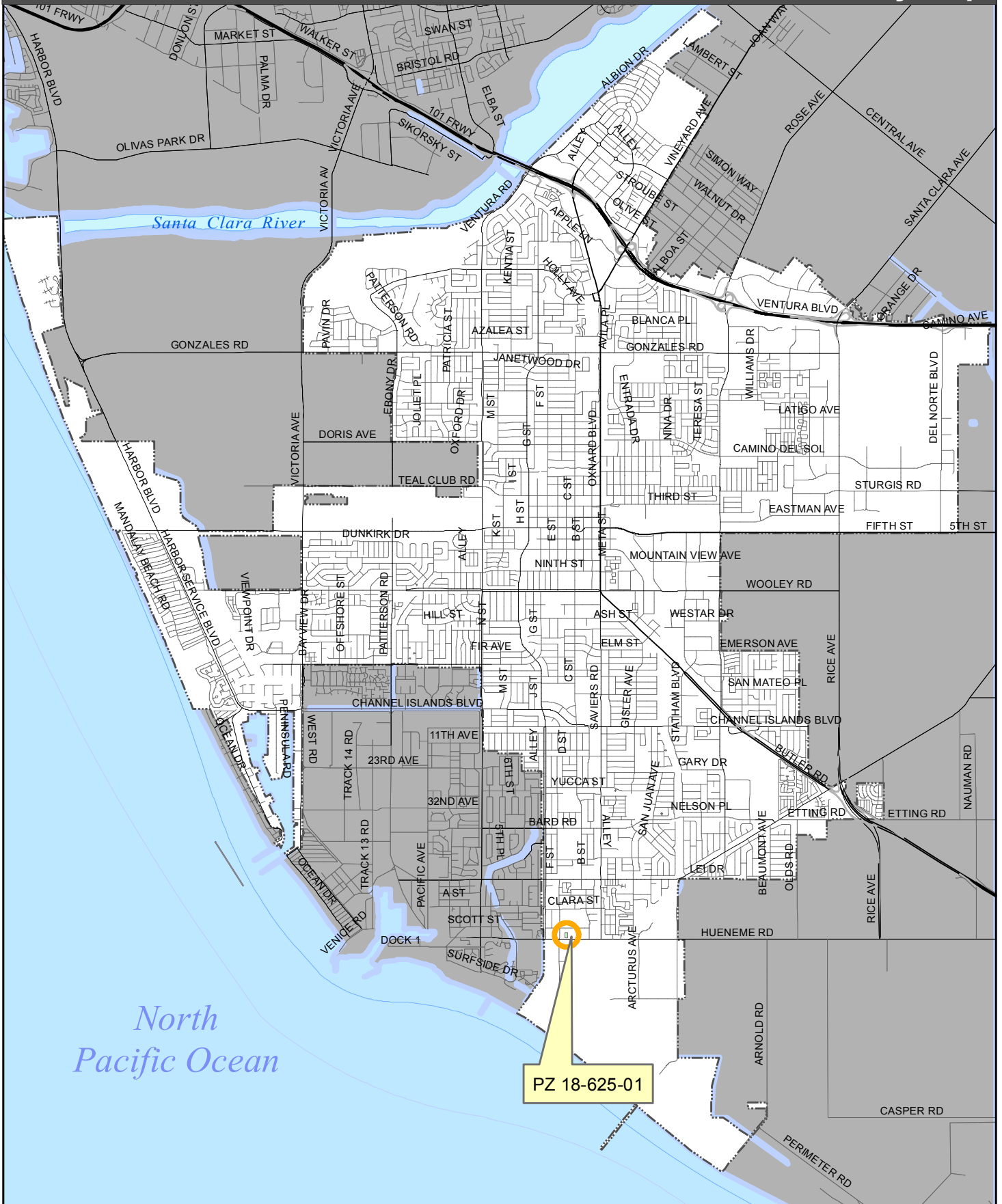
Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. November 29, 2018 Oxnard Union High School 'Disposition Letter'
- C. Resolution

Prepared by: _____
IF

Approved by: _____
KM

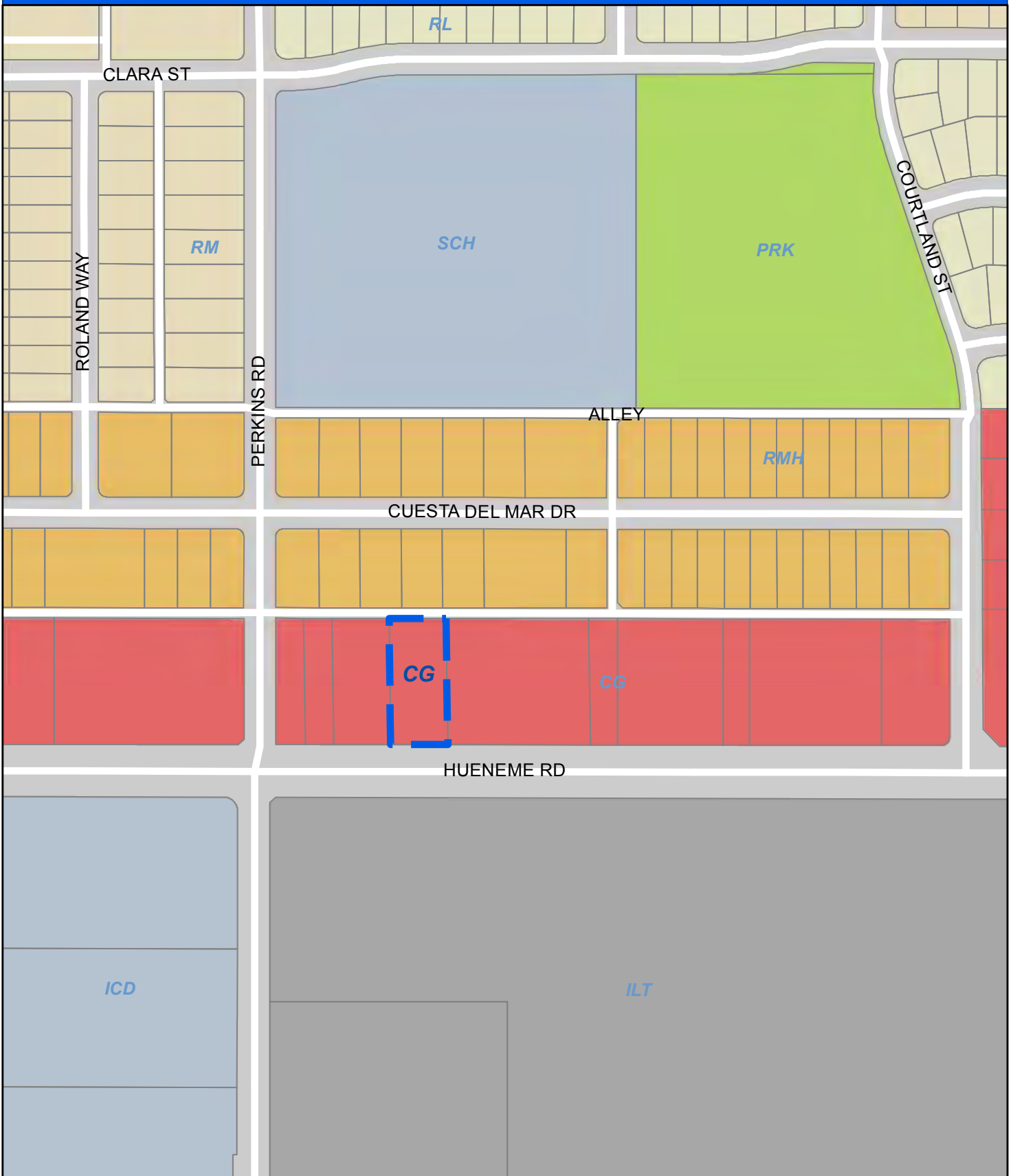
Vicinity Map



PZ 18-625-01



2030 General Plan Land Use Map



Oxnard Planning
December 31, 2018

PZ 18-625-01
Location: 527 W Hueneme Rd
APN: 222008262
OUHSD GP Consistency

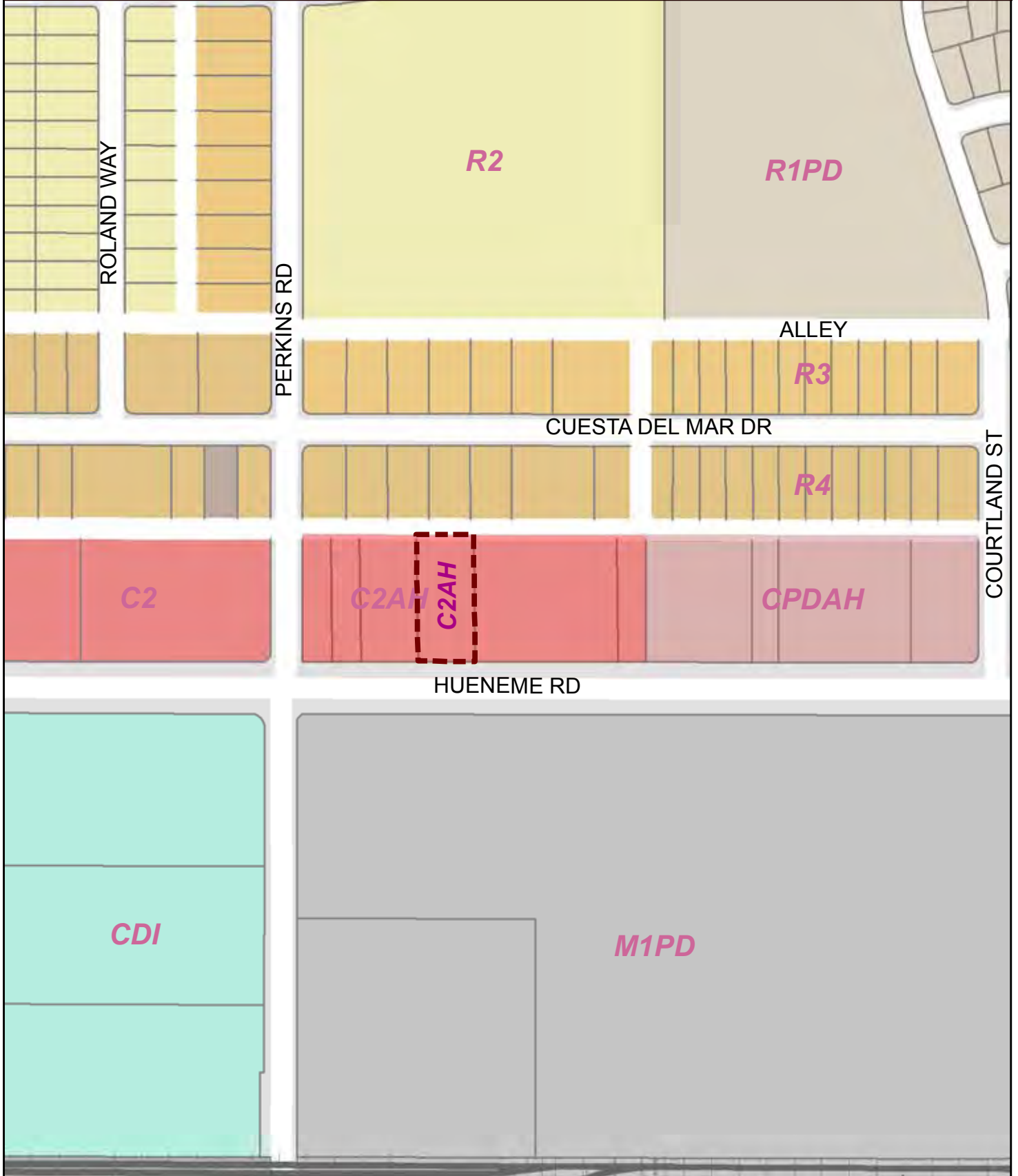
0 75 150 300 Feet

2030 General Plan Land Use Map



1:3,000

Zoning/Specific Plan Map



MYERS, WIDDERS, GIBSON, JONES & FEINGOLD, L.L.P.

KELTON LEE GIBSON
DENNIS NEIL JONES*
ERIK B. FEINGOLD
STEVEN P. LEE
DOUGLAS A. BORDNER**
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WILLIAM D. RAYMOND, JR.****
ERIC R. REED

*ALSO ADMITTED TO THE NEVADA BAR
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****CERTIFIED SPECIALIST - ESTATE PLANNING,
TRUST & PROBATE LAW
STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION

November 29, 2018

Via Regular Mail and Email

Stephen Fischer, Esq.
City of Oxnard
Office of the City Attorney
305 West Third Street, First Floor, East Wing
Oxnard, CA 93030
stephen.fischer@oxnard.org

Ashley Golden
City of Oxnard
City Manager's Office
300 West Third Street, Fourth Floor
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ashley.golden@oxnard.org

Re: Notice of Disposition of School Property (Gov. Code Section 65402)
Agency: City of Oxnard Planning Commission
Properties: 3400 West Gonzales Road, Oxnard and 527 Hueneme Road, Oxnard

Dear Mr. Fischer and Ms. Golden:

Please be advised that the law firm of Myers, Widders, Gibson, Jones, & Feingold, L.L.P. and the undersigned represent Oxnard Union High School District (the "District") in the above-referenced matter. Therefore, please direct all correspondence pertaining to the contents of this letter to the undersigned.

In accordance with Government Code Section 65402, the purpose of this correspondence is to (a) inform the Planning Commission (the "Planning Commission") for the City of Oxnard (the "City") of the location, purpose, and extent of the District's contemplated disposition of certain parcels of real property, and (b) request that the Planning Commission make a determination about the conformity of the dispositions with the City's General Plan.

Mr. Fischer and Ms. Golden
November 29, 2018
Page 2

The District intends to dispose of two parcels of real property, both of which have been determined to be "surplus property" as that term is defined in Education Code Sections 17455, *et seq.*, and Government Code Sections 54220, *et seq.* Please find below a table which provides further information about these two District surplus properties.

#	Property Address	APN	Acres/Zoning	Jurisdiction
1	527 Hueneme Road, Oxnard	222-0-082-625	0.59 / C-2	City
2	3400 West Gonzales Road, Oxnard	183-0-030-180	27.33/ A-E	County

Please note that although the West Gonzales Road property is located within the County of Ventura, it is adjacent to and within the sphere of influence of the City.

In accordance with Government Code Section 65402, the District hereby formally requests that the Planning Commission determine that the disposition of the foregoing properties is in conformity with the City's General Plan. Furthermore, the District requests that the Planning Commission report such finding to the District within the timeframe provided in Government Code Section 65402.

If you have any questions concerning the contents of this letter, please do not hesitate to contact the undersigned.

Very truly yours,

MYERS, WIDDERS, GIBSON,
JONES & FEINGOLD, L.L.P.



Jacquelyn D. Ruffin

cc: Jeff Weinstein, Assistant Superintendent, Oxnard Union High School District
Dr. Joel Kirschenstein, District Consultant, Sage Realty Group, Inc.

RESOLUTION NO. 2019–

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DETERMINING THAT THE OXNARD UNION HIGH SCHOOL DISPOSITION OF CERTAIN REAL PROPERTY LOCATED AT 527 HUENEME ROAD IS IN CONFORMANCE WITH THE OXNARD 2030 GENERAL PLAN PURSUANT TO SECTION 65402 OF THE GOVERNMENT CODE. FILED BY THE OXNARD UNION HIGH SCHOOL DISTRICT DESIGNATED AGENT, LAW FIRM OF MYERS, WIDDERS, GIBSON, JONES & FEINGOLD, L.L.P., 5425 EVERGLADES STREET VENTURA, CALIFORNIA, 93003, ON BEHALF OF THE PROPERTY OWNER.

WHEREAS, Oxnard Union High School District (“**District**”) is in the process of disposing property located at 527 Hueneme Road; and

WHEREAS, Whenever a public agency proposes to acquire or dispose of real property, California Government Code Section 65402 requires a report on conformity with the General Plan; and

WHEREAS, The subject property is designated Commercial General (CG) by the City’s 2030 General Plan and is zoned General Commercial / All Affordable Housing opportunity Program(C-2-AH); and

WHEREAS, The proposed disposition of this property would conform to the City’s 2030 General Plan land use designation because it is an existing retail space to be used as such within an existing shopping center. The District is not proposing to make any modifications to the site; and

WHEREAS, The disposition of the property would support General Plan policies supporting commercial development. It would give an opportunity for the retail space to be sold and integrated with the existing shopping center consistent with the City’s 2030 General Plan Goal CD-4 which calls for commercial uses compatible with surrounding land uses to meet the present and future needs of Oxnard residents, employees, and visitors; and

WHEREAS, The disposition of the property would be consistent with Goal CD-4.2 which encourages upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoin neighborhoods and increase overall jobs, sales and property valuation; and

WHEREAS, The disposition of the property and the ultimate use of the parcel for retail use is consistent with the land use designation on the subject site. Future use of the parcel will be required to comply with all City codes and regulations; and

WHEREAS, on January 17, 2019, the Planning Commission considered the District’s proposed disposition of real property located at 527 Hueneme Road (the “**Property**”) in light of the Oxnard 2030 General Plan and the requirements of Government Code section 65402.

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

SECTION 1. The Planning Commission, in accordance with Section 21065 of the California Environmental Quality Act (CEQA), finds that its determination of whether the proposed District's disposition of the subject Property is consistent with the Oxnard 2030 General Plan is not a "Project" for purposes of CEQA and State CEQA Guidelines since the determination does not result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

SECTION 2. Based on the findings set forth herein, and on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission hereby determines that the proposed District's disposition of the subject Property is in conformity with the Oxnard 2030 General Plan.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of January, 2019.

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 17th day of January, 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Kathleen Mallory, AICP, Secretary