

CITY OF OXNARD

PLANNING COMMISSION

AGENDA

REGULAR MEETING

Council Chambers, 305 West Third Street, Oxnard, CA 93030
Thursday, February 7, 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**
- F. PUBLIC HEARINGS**
 - 1. PLANNING AND ZONING PERMIT PZ NO. 18-400-07 (Coastal Development Permit) and PZ 18-300-11 (Tentative Parcel Map .** A request to subdivide a vacant, 7,447 square-foot lot for condominium purposes and develop three, three-story (35 feet), contemporary townhouse-style units with rooftop decks, and site and landscaping improvements. Each unit includes three bedrooms (one bedroom on each floor), three baths, a ground level patio area, one or more balconies, and a two-vehicle garage. Units range from 1,833 sf to 1,984 sf. in size. Three off-street guest parking spaces are provided. The project is located at 5201 Driftwood Street. Filed by Michael Hendrickson, 10328 Keokuk Avenue, Chatsworth, CA 91311. Project Planner: Chris Williamson **ACTION:**
PZ 18-400-07 Staff Report
 - 2. PLANNING AND ZONING PERMIT PZ NO. 19-580-01 (Accessory Dwelling Unit Zoning Text Amendment).** The proposed project would amend Oxnard City Code (OCC) Sections 16-10, “Definitions,” and 16-465, “Accessory Dwelling Units” (ADU). These amendments are necessary to be consistent with recent changes in State Law; establish a reduction in the minimum ADU size from 600 to 220 gross square feet (gsf); and make changes to the ADU ordinance to address minimum lot size and development standards to allow a primary unit to be converted to an ADU under specific regulatory standards. In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the Commission’s recommendations on the ZTA’s is not considered a project as defined by CEQA. Filed by the City of Oxnard, Ashley Golden, Interim Development Services Director, 214 South C Street, Oxnard 93030. Project Planner: Chris Williamson **ACTION:**
PZ 19-580-01 Staff Report

G. STUDY SESSION/REPORTS

H. PLANNING COMMISSION BUSINESS

I. PLANNING MANAGER COMMENTS

J. ADJOURNMENT FUTURE MEETINGS Thursday, February 21, 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.



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Chris Williamson, Consultant Planner

DATE: February 7, 2019

SUBJECT: Planning and Zoning Permit Nos. 18-400-07 (Coastal Development Permit) and PZ 18-300-11 (Tentative Parcel Map), Located at 5201 Driftwood Street

1) Recommendation: That the Planning Commission:

- a)** Approve Planning and Zoning Permit No. 18-400-07 (Coastal Development Permit), subject to certain findings and conditions.
- b)** Approve Planning and Zoning Permit No. 18-300-11 (Tentative Parcel Map), subject to certain findings and conditions.

2) Project Description and Applicant: A request to subdivide a vacant, 7,447 square-foot lot for condominium purposes and develop three, three-story (35 feet), contemporary townhouse-style units with rooftop decks, and site and landscaping improvements. Each unit includes three bedrooms (one bedroom on each floor), three baths, a ground level patio area, one or more balconies, and a two-vehicle garage. Units range from 1,833 sf to 1,984 sf. in size. Three off-street guest parking spaces are provided. Filed by Michael Hendrickson, 10328 Keokuk Avenue, Chatsworth, CA 91311.

3) Existing & Surrounding Land Uses: The Project site is a vacant parcel on the southwest corner of Driftwood Street and Harbor Boulevard. To the west of Driftwood Street is developed with two- and three-story multi-family housing, with the exception of several vacant lots. The Oxnard Shores Mobile Home Park is located to the north of the project site, across Channel Way. One block to the south of the project site, three-story development steps down to one- and two-story single-family housing along Breakers Way. Across Harbor Boulevard to the east is one of the two remaining undeveloped backdune areas between Harbor Boulevard and the Edison Canal that is designated as Resource Protection (see Attachment A); this project is site is known as the Avalon Homes development project.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Residential Existing	R-3-C Coastal Medium Density Multiple Family	Vacant
North	Residential Existing	MH-PC Mobile Home Park Coastal	Oxnard Shores Mobile Home Park
South	Residential Existing	R-3-C Coastal Medium Density Multiple Family RB-1 Single Family Beach	Two- and three-story multifamily housing One and two-story single family homes
East	Visitor Serving and Resource Protection	Commercial Visitor Serving and Resource Protection	Undeveloped backdunes
West	Residential Existing	R-3-C Coastal Medium Density Multiple Family	Two- and three-story multifamily development

4) Background Information: The Project site is located on one of the few remaining undeveloped parcels in Oxnard Shores. The applicant completed a Pre-Development Advisory Committee (DAC) consultation on October 3, 2018 that resulted in Project design changes to the present submitted plans. As a result, the proposed Project is consistent with applicable development standards.

5) Environmental Determination: In accordance with Sections 15315 and 15032 of the State CEQA Guidelines, Projects involving subdivision in urban areas of into four or fewer parcels and infill development consistent with the general plan and zoning designations on parcels of five acres or less with no value as a habitat for endangered species and adequately served by utilities may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal meets these criteria as the Project proposes a three-parcel condominium subdivision and development of three units on a vacant 0.17-acre urban infill Project with no endangered species habitat value. 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 consists of a request for approval of a Coastal Development Permit (PZ No. 18-400-07) to develop three townhouses, with an interior parking court along the west property line that take access from the alley along the north property line. Approval of the companion Tentative Parcel Map (PZ No. 18-300-11) would create three condominiums with a Homeowners Association that would responsible for all on-site maintenance.

b) General Plan and Local Coastal Program (LCP) Consistency: The City's 2030 General Plan land use designation for the subject site is for Existing Residential uses which allows residential uses. Approval of this Coastal Development Permit and Tentative Parcel Map would be consistent with the 2030 General Plan and LCP land use designations. Consistency with the 2030 General Plan and LCP is defined by the relationship between applicable 2030 General Plan and LCP policies and the proposed Project.

The three 2030 General Plan 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
SH-6.4	I	Require that proposed development Projects not generate more noise on nearby property than that classified as "satisfactory" based on adopted CEQA Thresholds of significance.	Project construction periods are limited by City Code to not exceed decibel thresholds. A condition of approval requires posting of a noise complaint phone number on the site during construction.
CD-3.4 CD-4.4 CD-14.1 CD-14.2 CD-14.3 ICS-11.10 ER-7.2 ER-10.1	II	Neighborhood Quality of life. Commercial Area Aesthetics. Design Review Process Development Advisory Committee (DAC) Quality of Design Water Supply Findings for Smaller Projects Design of Sound or Zone Walls 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.
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 R-3-C, Coastal Medium Density Multiple Family subzone zoning district. In accordance with the Oxnard City Code, the proposed residential condominium development may be permitted with an approved Coastal Development Permit and a

Tentative Parcel Map. Applicable development standards of the R-3-C subzone have been compared with the proposed Project, as follows:

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES?
Max. building height	3 stories, not to exceed 35 feet.	35 feet to top of rail of roof deck. Chimneys are allowed above 35 foot limit.	Yes
Min. lot area	Legal lots prior to 5/21/81 with a min. 4,800 sf may have 3 units.	7,447 sf parcel 7,117 sf total building area	Yes
Min. lot width	60 feet	61 feet except at rounded corners	Yes
Min. lot area per dwelling	2,400 sf	7,447 sf - exceeds 7,200 sf minimum for 3 unit	Yes
Interior yard space	25% of lot area; min. 15 foot dimension (cumulative); 25% max of interior yard space can be used on decks with min. dimension of 10 feet, 200 sf min. area.	1,860 sf per plans ground area + three 655 sf roof decks = 2,515 sf @ 34%.	Yes
Front yard setback	20 feet or 15 feet if all vehicle access is off an alley or 30 feet when abutting designated scenic corridors.	15 feet (garages from rear). Not abutting a scenic corridor.	Yes
Rear yard setback	25 feet	25 feet.	Yes
Side yard setbacks for interior lots with 3 story structures	10 feet	10 feet along Harbor service. 10 feet west side.	Yes
Fences/hedges - front yard	Must be at least 50% open, and may not exceed 42 inches. Or if solid wall, then may not exceed 18 inches.	Elevations indicate higher walls while site plan indicates "42 inch high screen wall."	Condition included to comply with Code.
Fences/hedges - side & rear yards	Not to exceed 7 feet in height.	Six feet indicated on plans.	Yes
Parking spaces	2 garage spaces per dwelling; 1 visitor stall for each dwelling.	Three 2-car garages (one for each unit). 3 off-street guest spaces.	Yes. Condition 66 requires access to second Unit A guest space by guests of Units B or C.

Design standards	Pursuant to Section 17-46.	Contemporary style, stucco and metal siding, grey tone color pallet with accents, large windows.	Yes
Landscaping standards; per section 17-47 (B) Chap. 16 standards apply	1 street tree required.	No parkway on either adjoining street. Project has several trees within setback areas.	Yes

- d) Site Design, Circulation, and Parking:** The Project orients the three similar three-story units (A, B, and C) around an interior parking court. Units A and B front the Harbor Blvd. service road and Unit C fronts Driftwood Street. Each unit has its own sidewalk entrance. Access to the two-vehicle garages for Units B and C and one guest parking space is provided from the internal parking court that takes access from the alley on the north side of the parcel. The garage for Unit C takes access from the alley, and two guest spaces utilize the Unit C driveway apron. Condition No. 67 requires the Homeowner's Association (HOA) Rules and Regulations to require one of the two garage spaces which are currently located on the Unit A driveway apron and allocated to Unit A also be available to Unit B and/or Unit C guests. Project plans are included as Attachment C.
- e) Building Design:** The three contemporary-style units are attached with flat roofs and stucco and metal siding. Windows/balcony doors are large, prominent, and most are framed by horizontal and vertical features that contrast with the surrounding stucco walls. The third floor is articulated compared to the massing of the first and second floor. The color scheme includes silver, charcoal, and dark purple. Exterior lighting will be conditioned to comply with City requirements.
- f) Landscaping and Open Space:** The applicant has identified a range of native, succulents, ground covers, and accent plants that would landscape the Driftwood Street and Harbor Boulevard service road setback areas. A condition of approval was added to remove the palm trees proposed along the sidewalks. A final landscape plan is not proposed so as to allow future owners to choose from the list. The final landscape plan will be reviewed by the City for conformance with water conservation requirements, compatibility with the coastal micro-climate, and existing nearby landscaping.
- g) Tentative Parcel Map:** The proposed three-unit condominium tentative parcel map was circulated to utilities, schools, and other agencies for a 30-day public review period beginning on December 3, 2018. No responses were received that led to changes in the project changes. The Planning Commission's action on this item is an approval because less than five lots will be created (Oxnard City Code (OCC) Section 15-11(C) Parcel Map Waiver). Attachment F includes the Tentative Parcel Map PZ No. 18-300-11 resolution .

- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this Project on December 12, 2018. Recommendations of the DAC are included in the resolution of approval (Attachment F) for Coastal Development Permit PZ No. 18-400-07.
- 8) Community Workshop and Public Input:** On December 7, 2018, the applicant mailed approximately 1,600 Community Workshop meeting notices to property owners within the Oxnard Shores Neighborhood. A notice of the meeting was posted on the Project site with a brief description and contact information. The Community Workshop was conducted on December 17, 2018. Several neighbors raised concerns regarding possible construction noise before and after allowed construction periods. The applicant agreed to abide by City Code and post a noise complaint phone number. One neighbor subsequently sent an e-mail dated January 4, 2019, expressing concerns that the architecture was too “commercial” and that the accent colors are incompatible with adjacent buildings and the neighborhood. The e-mail is included as Attachment D.
- 9) Appeal Procedure:** In accordance with Section 17-58(H) of the City Code, the Planning Commission’s action may be appealed to the City Council within 10 working 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. In accordance with Section 15-25 of the City Code, an appeal from the Planning Commission’s action may be taken in the manner provided by Cal. Gov. Code Section 66452.5.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. CEQA Notice of Exemption
- C. Reduced Project Plans
- D. Email correspondence dated January 4, 2019 from Ann Millican to Chris Williamson
- E. Coastal Development Permit Resolution of Approval and Tentative Tract Map Resolution of Approval

Prepared by: _____
CW

Approved by: *Kathleen Mallory*

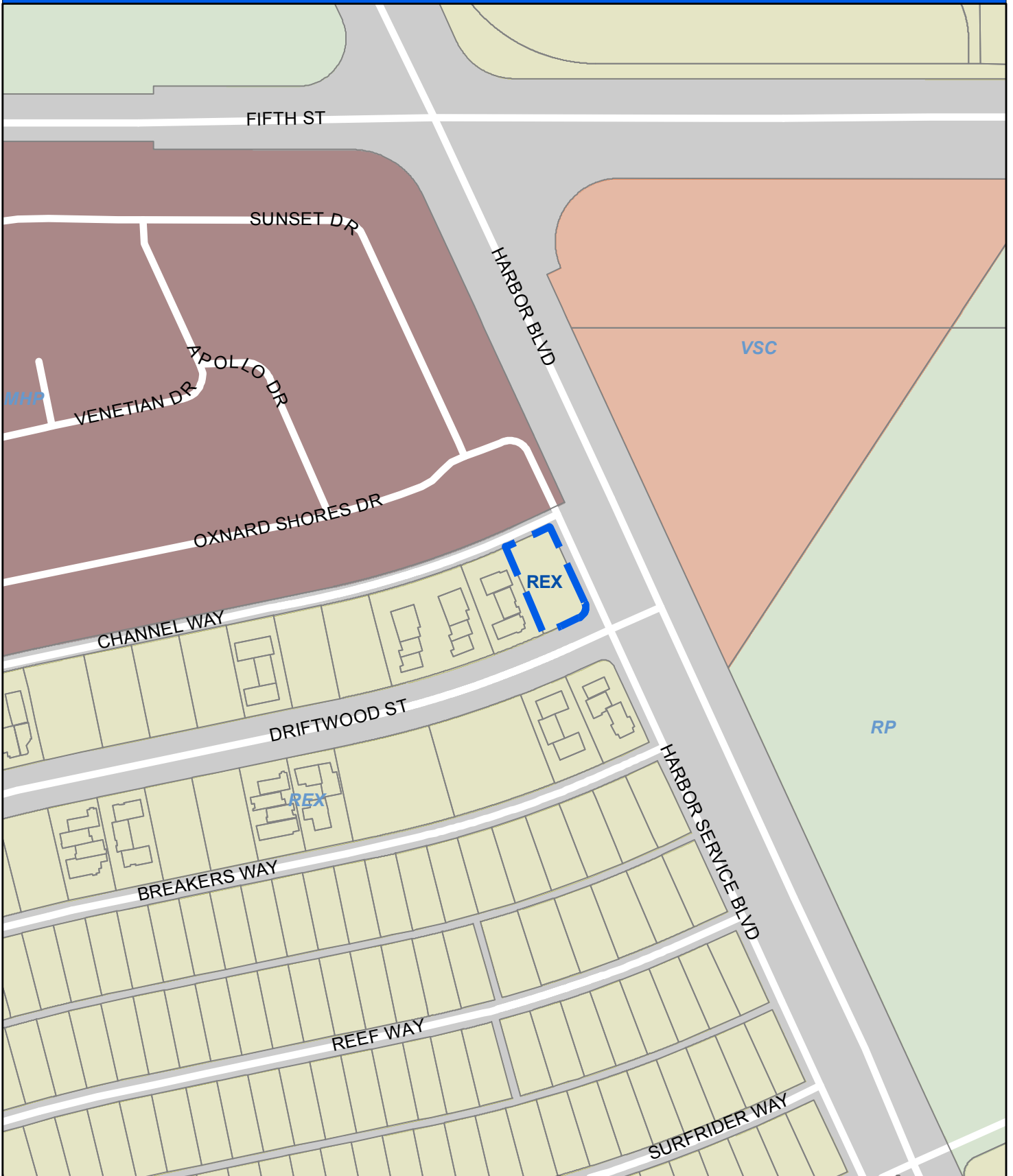
ATTACHMENT “A”

Maps (Vicinity, General Plan, Zoning)

Vicinity Map

The map displays the Santa Clara River and surrounding urban areas. Key streets include Harbor Blvd, Market St, Walker St, Swart St, Bristol Rd, Elda St, 101 Fwy, Sikorsky St, Victoria Ave, Ventura Blvd, Alameda Dr, Lambert St, Simon May, Walnut Dr, Rose Ave, Central Ave, Santa Clara Ave, Franchise Dr, Camino Ave, Del Norte Blvd, Sturgis Rd, Eastman Ave, Fifth St, 5th St, Wooley Rd, Emerson Ave, Rice Ave, Nauman Rd, Casper Rd, Perimeter Rd, Huene Rd, Perkins Rd, Arcturus Ave, Bard Rd, 32nd Ave, 23rd Ave, 11th Ave, 15th St, Pacific Ave, Dock 1, Surfside Dr, Claret St, San Juan Ave, Nelson Pl, Leif Dr, Beau Mont Ave, Qeds Rd, Otting Rd, and Harbor Blvd. A yellow callout box labeled "PZ 18-400-07" points to a specific location on Harbor Blvd near Whitecap St. The North Pacific Ocean is labeled at the bottom left.

2030 General Plan Land Use Map



Oxnard Planning
January 3, 2019

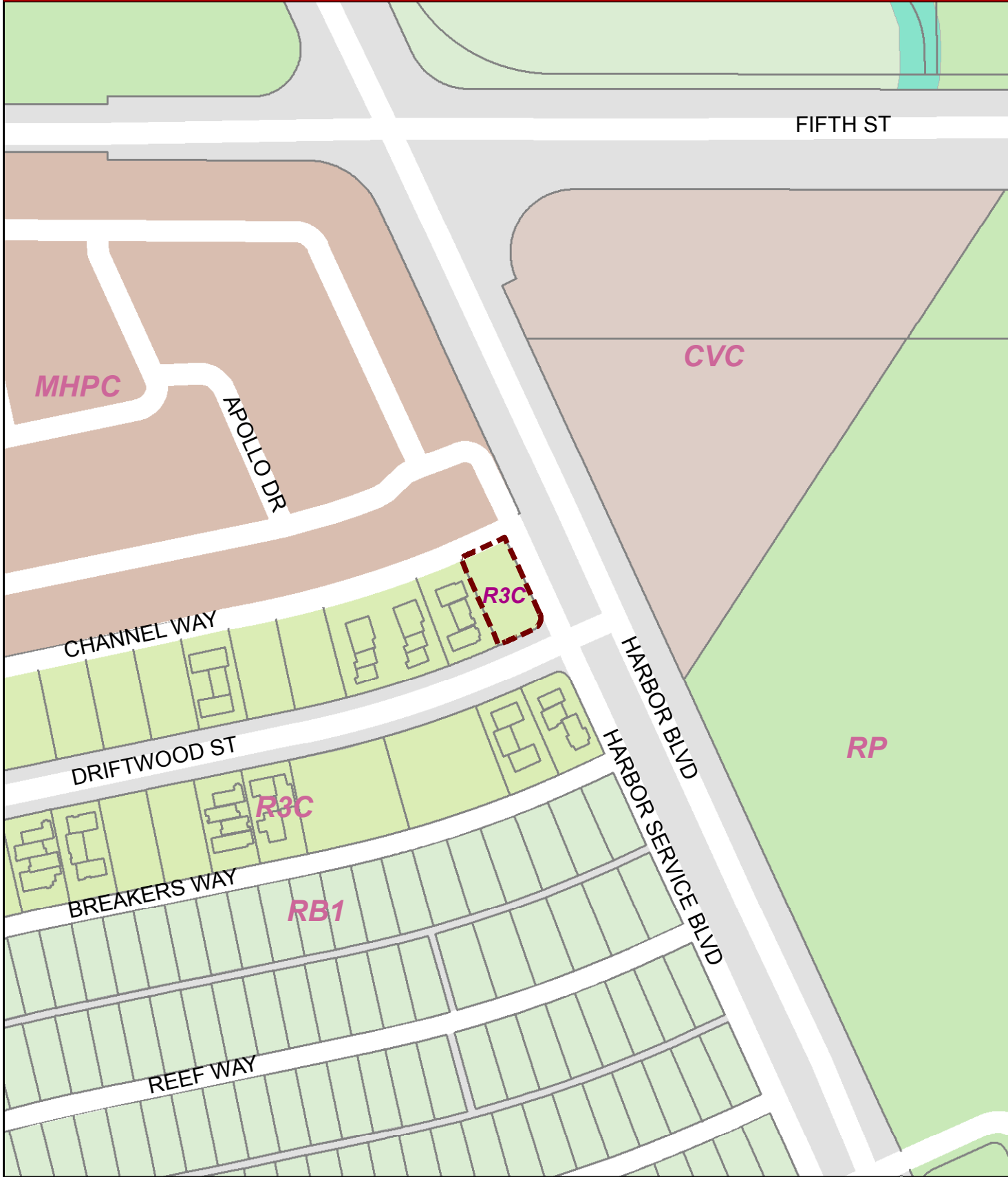
PZ 18-400-07
Location: 5201 Driftwood St.
APN: 1910031125
Hendrickson Triplex
0 50 100 200 Feet

2030 General Plan Land Use Map



1:2,000

Zoning/Specific Plan Map





ATTACHMENT “B”

CEQA Notice of Exemption

NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NOS. PZ 18-400-07 (Coastal Development Permit) and 18-300-11 (Tentative Parcel Map) to develop a three unit, attached, three-story condominium townhouse project on a vacant lot located at 5201 Driftwood Street (APN: 191-0-031-125) within the Oxnard Shores Neighborhood. Filed by Property Owner Michael Hendrickson, 10328 Keokuk Avenue, Chatsworth, CA 91311.

Finding:

The Planning and Environmental Services 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, Section 15270]
- ☐ No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

Supporting Reasons:

The Planning and Environmental Services Division has determined that the proposed project is exempt from environmental review. In accordance with Sections 15315 and 15032 of the State CEQA Guidelines, projects involving subdivision in urban areas of into four or fewer parcels and infill development consistent with the general plan and zoning designations on parcels of five acres or less with no value as a habitat for endangered species and adequately served by utilities may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal meets these criteria as the project proposed a three-unit condominium subdivision and development on a vacant 0.17-acre urban infill project with no endangered species habitat value.

Based on the above exemption and in accordance with CEQA, the Planning and Environmental Services Manager has determined that there is not substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed.

February 7, 2019

(Date)

Kathleen Mallory
Planning & Environmental Services Manager

ATTACHMENT “C”

Project Plans

HENDRICKSON TRI - PLEX
5201 DRIFTWOOD STREET
OXNARD, CALIFORNIA

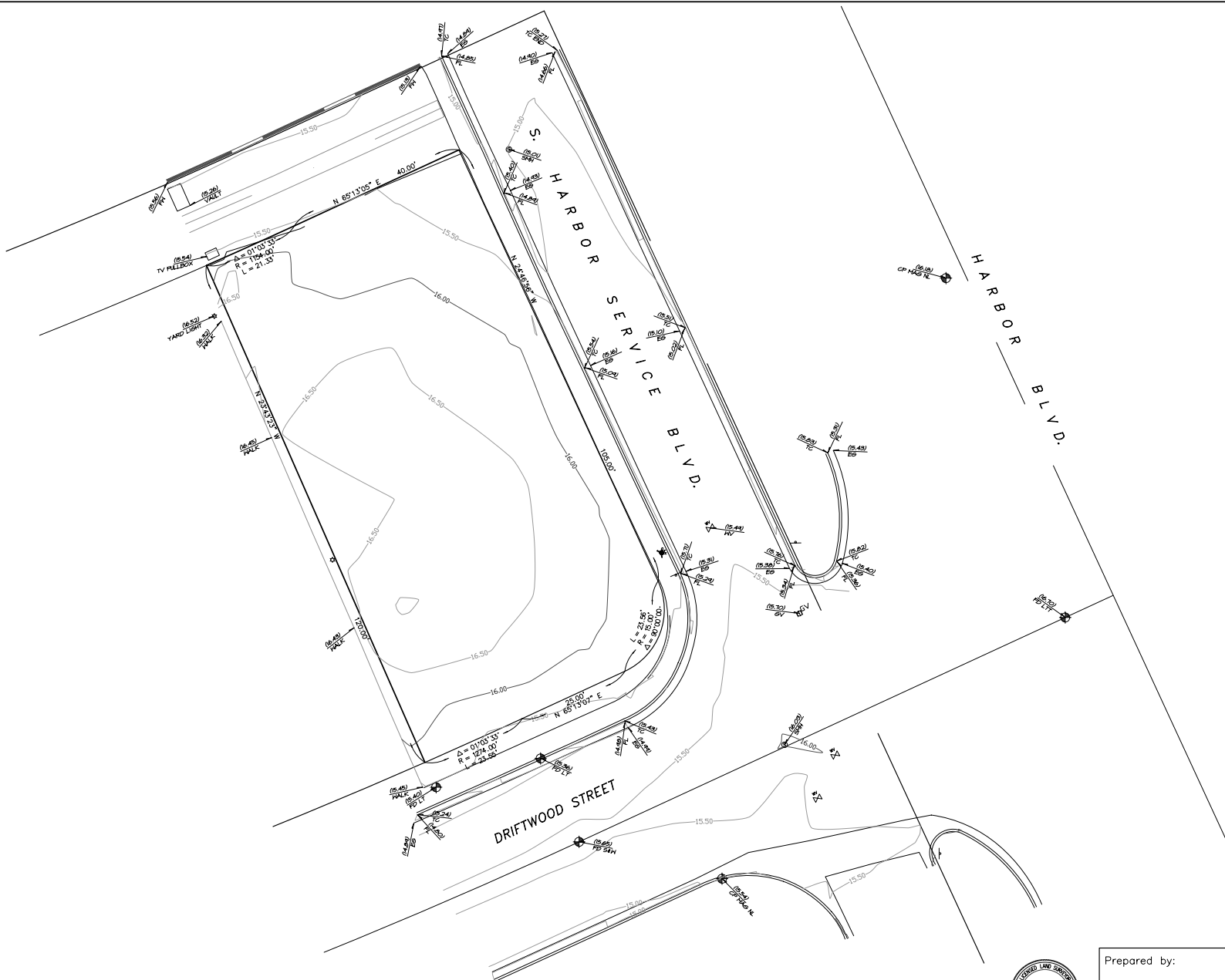
PROJECT DATA	PROJECT DESCRIPTION	SHEET INDEX	VICINITY MAP
PROJECT ADDRESS: 5201 DRIFTWOOD STREET, LOT 101 OXNARD, CA OWNER: MICHAEL HENDRICKSON E-MAIL: michael.hendrickson@hndrckson.com PHONE # 310-880-9452 ARCHITECT: MURRAY DUNCAN ARCHITECTS 150 CASTLEMAN DRIVE, SUITE 201 OAKLAND, CA 94612 PHONE # 510-880-1275 E-MAIL: murray@murrayduncan.com APN: 041-011-025 ZONING: RNC (COASTAL MEDIUM DENSITY MULTIFAMILY) OCCUPANCY: R-3 CONSTRUCTION TYPE: V-B FIRE SPRINKLERS: YES, PROVIDE NFPA 13 (SPRINKLER SYSTEM) NUMBER OF STORIES: THREE STORY BUILDING, CONSISTS OF THREE CONDOMINIUM UNITS BUILDING HEIGHT: 35' 0" BUILDING AREA: 7,177 SQ.FT. SEE SHEET A-1 FOR MORE INFORMATION ON UNIT AREAS LOT AREA: 7710 SQ.FT. ± 8.56 ACRES WIDTH OF LOT: 151'-4" LENGTH OF LOT: 122'-0" INTERIOR YARD SPACE: VARIATION OF LOT AREA AT GROUND LEVEL: 1719 SQ.FT. AT SUNSET TERRACES: 188 SQ.FT. TOTAL: 2573 SQ.FT. DE 5% OF LOT AREA FIRE DEPARTMENT NOTE: PRIOR TO ISSUANCE OF BUILDING PERMIT, A FIRE FLOW TEST WILL BE REQUIRED	THIS PROJECT INVOLVES NEW CONSTRUCTION OF THREE STORY TRI-PLEX CONDOMINIUM UNITS AND SITE DEVELOPMENT LOCATED AT 5201 DRIFTWOOD STREET, OXNARD, CA EACH CONDOMINIUM UNIT WILL HAVE (2) BEDROOMS, (2) BATHROOMS, LIVING AREA WITH FIRE PLACE & BALCONIES, LAUNDRY ROOM AND (2) CAR GARAGES AND SUNSET TERRACE ON ROOF TOP FIRST FLOOR WILL INCLUDE (2) CAR GARAGE, LAUNDRY ROOM, UTILITY ROOM AND (1) BEDROOM WITH (1) BATHROOM (2) BALCONY LIVING AREA WITH FIREPLACE AND ACCESS TO BALCONIES ARE LOCATED ON SECOND FLOOR & BEDROOM WITH FULL BATHROOM ARE ALSO INCLUDED ON SECOND FLOOR MASTER SUITE IS LOCATED ON THIRD FLOOR THAT OPENS UP TO COVERED TERRACE WITH FIREPLACE AND OUTDOOR BBQ AND HAS ACCESS TO A SUNSET TERRACE AT THE ROOF TOP	A-0 COVER SHEET A-00 SURVEYOR TOPOGRAPHIC SURVEY A-01 TOPOGRAPHIC SURVEY A-02 SITE PHOTOGRAPHS A-03 SITE PHOTOGRAPHS A-1 CONCEPTUAL FLOOR PLANS AND SITE A-2 CONCEPTUAL EXTERIOR ELEVATIONS L-1 CONCEPTUAL LANDSCAPE PLAN G-1 PARKS MAP	NOT TO SCALE PROJECT SITE LOCATION 

HENDRICKSON TRI-PLEX
COVER SHEET

HENDRICKSON TRI-PLEX
5201 DRIFTWOOD STREET, OXNARD, CA
COVER SHEET
SCALE: 1/8"=1'-0"
1/4/2019



A-0



SURVEYOR'S STATEMENT

This map correctly represents a topographic survey made by me or under my direction in conformance with locally accepted standards and practices at the request of ISLAND LLC in July, 2018.

LEGAL DESCRIPTION

LOT 22, TRACT NO. 1086, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 27 PAGE 15 OF MISCELLANEOUS RECORDS (MAPS), IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

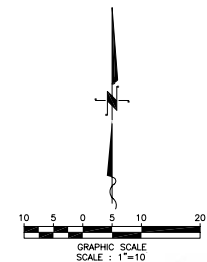
BENCHMARK

VCPIID: 424
 DESIGNATION: 100-4
 Datum: NAVD 88
 Character: VENTURA COUNTY BRASS Disk
 Date: 2003
 Elevation: 14.30 Feet

Description:
 AT THE SOUTHEASTERLY CORNER OF THE INTERSECTION OF HARBOR BOULEVARD AND WEST FIFTH STREET, 116.0 FEET SOUTHEASTERLY FROM THE CENTER OF WEST FIFTH STREET, 18.0 FEET EASTERLY FROM THE CENTER OF HARBOR BOULEVARD, 6.5 FEET NORTHERLY FROM POWER POLE NUMBER 1827012E, 1.0 FOOT WESTERLY FROM AN IRON GUARD POST.

NOTES

- No attempt has been made as a part of this topographic survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility, except as may be shown hereon. For information regarding these utilities or facilities, contact the appropriate agency.
- Except as specifically stated or shown on this plot, this topographic survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making this survey; building setback lines; restrictive covenants; zoning or other land use regulations; and any other land use regulations; and any other facts that on accurate and current title search may disclose.



A-00



Prepared by:
 Les Everard Surveyor
 5201 Clemson Street
 Ventura, CA 93003
 (805) 289-9407

Topographic Survey
 5201 Driftwood Street
 Oxnard, CA
 Survey Date: July, 2018



Photo-No.1



Photo-No.2



Photo-No.3



Photo-No.4



Photo-No.5



Photo-No.6



Photo-No.7



Photo-No.8



Photo-No. 9



Photo-No.10



AERIAL VIEW OF EXISTING SITE & KEY MAP

NOT TO SCALE

HENDRICKSON TRI-PLEX
5201 DRIFTWOOD STREET, OXNARD, CA
SITE PHOTOGRAPHS
SCALE: 1/8"=1'-0" 1/4/2019

HENDRICKSON TRI-PLEX
SITE PHOTOGRAPHS



Photo-No.11



Photo-No.12



Photo-No.13



Photo-No.14



Photo-No.15



Photo-No.16



Photo-No.17



Photo-No.18

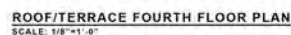


AERIAL VIEW OF EXISTING SITE & KEY MAP

NOT TO SCALE

HENDRICKSON TRI-PLEX
 5201 DRIFTWOOD STREET, OXNARD, CA
SITE PHOTOGRAPHS
 SCALE: 1/8"=1'-0" 1/4/2019

**HENDRICKSON TRI-PLEX
 SITE PHOTOGRAPHS**



HENDRICKSON TRI-PLEX CONCEPTUAL FLOOR PLANS & SITE

SQUARE FOOTAGE		SQUARE FOOTAGE		SQUARE FOOTAGE		SQUARE FOOTAGE	
UNIT A		UNIT B		UNIT C		BUILDING AREA	
FIRST FLOOR AREA =	365 SQ. FT.	FIRST FLOOR AREA =	430 SQ. FT.	FIRST FLOOR AREA =	427 SQ. FT.	FIRST FLOOR AREA =	2,610 SQ. FT.
SECOND FLOOR AREA =	877 SQ. FT.	SECOND FLOOR AREA =	994 SQ. FT.	SECOND FLOOR AREA =	851 SQ. FT.	SECOND FLOOR AREA =	2,839 SQ. FT.
THIRD FLOOR AREA =	591 SQ. FT.	THIRD FLOOR AREA =	560 SQ. FT.	THIRD FLOOR AREA =	577 SQ. FT.	THIRD FLOOR AREA =	1,728 SQ. FT.
TOTAL LIVABLE AREA =	1,833 SQ. FT.	TOTAL LIVABLE AREA =	1,984 SQ. FT.	TOTAL LIVABLE AREA =	1,855 SQ. FT.	TOTAL BUILDING AREA =	7,177 SQ. FT.
GARAGE =	439 SQ. FT.	GARAGE =	432 SQ. FT.	GARAGE =	439 SQ. FT.		
COVERED TERRACE =	267 SQ. FT.	COVERED TERRACE =	281 SQ. FT.	COVERED TERRACE =	281 SQ. FT.		

HENDRICKSON TRI-PLEX
5201 DRIFTWOOD STREET, OXNARD, CA
CONCEPTUAL FLOOR PLANS & SITE
SCALE: 1/8"=1'-0" 1/4/2019





EAST ELEVATION
SCALE: 1/8"=1'-0"



NORTH ELEVATION
SCALE: 1/8"=1'-0"



WEST ELEVATION
SCALE: 1/8"=1'-0"

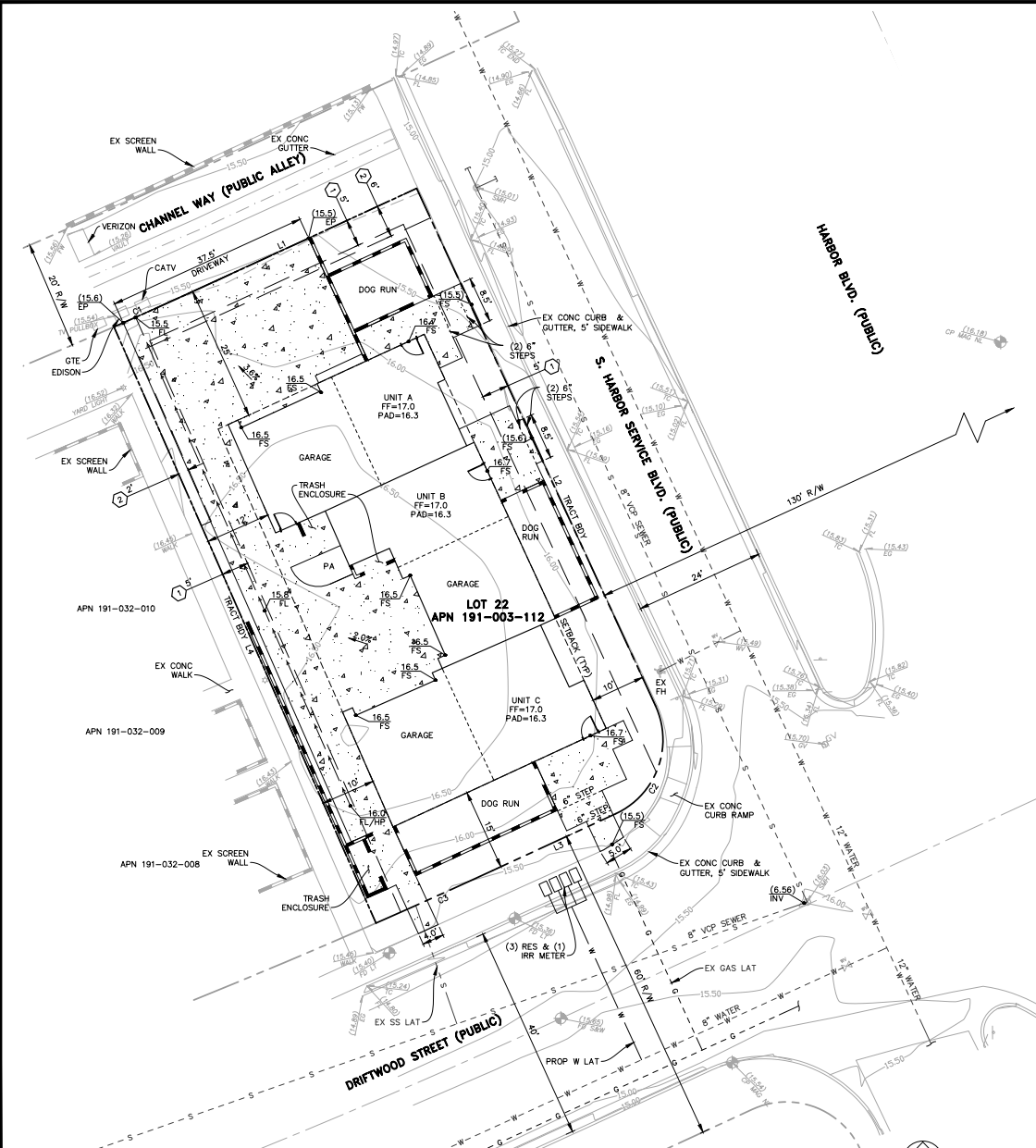


SOUTH ELEVATION
SCALE: 1/8"=1'-0"

HENDRICKSON TRI-PLEX
5201 DRIFTWOOD STREET, OXNARD, CA
CONCEPTUAL EXTERIOR ELEVATIONS
SCALE: 1/8"=1'-0" 1/4/2019

HENDRICKSON TRI-PLEX
CONCEPTUAL EXTERIOR ELEVATIONS

3/26/2018 11:27:27 AM SAVE DATE: 11/27/2018 2:36:35 PM PLOT DATE: 1/2/2019 8:00:31 PM DRAWING: 03064.ctb\\03064\\175600\\Engineering\\Stantec\\03064.ctb\\175600.ctb\\03064.ctb



PROJECT INFORMATION/STATISTICS

ASSESSOR'S PARCEL NUMBER: 191-003-112
ADDRESS: 5201 DRIFTWOOD ST
OXNARD, CA 93035
EXISTING LAND USE: VACANT LOT
EXISTING LANDUSE: (OFFSITE)
NORTH: CHANNEL WAY
SOUTH: DRIFTWOOD STREET
WEST: MULTIFAMILY
EAST: S HARBOR SERVICE BLVD
EXISTING ZONING: RESIDENTIAL (R3C)
PROPOSED ZONING: RESIDENTIAL (R3C)
GROSS AREA: 0.17 ACRES
NET AREA: 0.17 ACRES
TOTAL CONDOMINIUMS: 3
LEGAL PARCELS: 1
GROSS DENSITY: 17.65 DU/AC
NET DENSITY: 17.65 DU/AC
SETBACKS: FRONT YARD: 15
REAR YARD: 25
SIDE YARDS: 10'

CONTACT INFORMATION

OWNER
MICHAEL HENDRICKSON
CONTACT: MICHAEL HENDRICKSON
10328 KEOKUK AVE
CHATS WORTH, CA 93131
(310) 980-0452
CIVIL ENGINEER
STANTEC CONSULTING SERVICES, INC
CONTACT: GERMANY SALTS
111 E VICTORIA STREET
SANTA BARBARA, CA 93101
(805) 963-9532
ARCHITECT
MURRAY DUNCAN ARCHITECTS
CONTACT: MURRAY DUNCAN
150 CASTILIAN DR, SUITE 201
GOLETA, CA 93117
(805) 962-1270
LANDSCAPE ARCHITECT
ROBERT ANDREW FOWLER
LANDSCAPE ARCHITECTURE
CONTACT: ROB FOWLER
(805) 730-7555

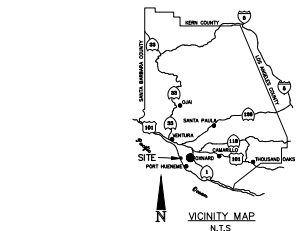
UTILITY PROVIDER INFORMATION

SEWER
CITY OF OXNARD
6001 S PERKINS RD
OXNARD, CA 93033
(805) 385-7839
GAS
SOUTHERN CALIFORNIA GAS
9400 OAKDALE AVE
CHATS WORTH, CA
(818) 701-3245
TELECOMMUNICATIONS
FRONTIER
2525 KNOLL RD
VENTURA, CA 93003
(805) 732-9355
WATER
CITY OF OXNARD
291 S HAVES AVE
OXNARD, CA 93030
(805) 385-8154
ELECTRIC
SOUTHERN CALIFORNIA EDISON
14005 S BENSON AVE
CHINO, CA 91710
(909) 328-9445
TELECOMMUNICATIONS
FRONTIER
201 FLYNN ROAD
CAMARILLO, CA 93012
(805) 504-5179

EXISTING EASEMENTS/EXCEPTIONS

- ① A 5' WIDE EASEMENT FOR UTILITY PURPOSES.
- ② A VARIABLE WIDTH PUBLIC UTILITY EASEMENT GRANTED TO SOUTHERN CALIFORNIA EDISON.

LINE TABLE			CURVE TABLE			
LINE	LENGTH	DIRECTION	CURVE	DELTA	RADIUS	LENGTH
L1	40.00	S65° 13' 00"W	C1	170°33'33"	1154.00	21.33
L2	105.00	S24° 46' 56"E	C2	90°00'00"	15.00	23.56
L3	25.00	S65° 13' 07"W	C3	170°33'33"	1274.00	23.55
L4	120.00	N23° 43' 23"W				



LEGAL DESCRIPTION

LOT 22, TRACT NO. 1056, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 27 PAGE 15 OF MISCELLANEOUS RECORDS (MAPS), IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXCEPT ALL METALS AND MINERALS, OIL, PETROLEUM, GAS, HYDROCARBON SUBSTANCES AND ALL SUBROD, PRODUCTS AND FISSONABLE SUBSTANCES IN OR UNDER SAID PROPERTY AND EVERY PART THEREOF, TOGETHER WITH THE SOLE AND EXCLUSIVE RIGHT, AS HEREINAFTER LIMITED, TO DRILL REDRILL, DEEPEN, COMPLETE AND MAINTAIN WELL HOLES UNDER, THROUGH AND BEYOND, AND TO DRILL FOR, PRODUCE, EXTRACT, TAKE AND REMOVE SAID SUBSTANCES, AND WATER NECESSARY THEREFOR, FROM AND THROUGH SAID REAL PROPERTY, TOGETHER WITH RIGHTS OF WAY AND EASEMENTS FOR ANY AND ALL OF THE ABOVE MENTIONED PURPOSES, BUT WITH NO RIGHT OF ENTRY UPON OR THROUGH SAID REAL PROPERTY EXCEPT BENEATH A DEPTH OF 500 FEET BELOW THE SURFACE OF SAID REAL PROPERTY.

SURVEY NOTES

BOUNDARY
BOUNDARY SHOWN PER CITY RECORDS.
BENCHMARK
VCPIR: 424
DESIGNATION: 100-9
DATUM: NAVD 88
CHARACTER: VENTURA COUNTY BRASS DISK
DATE: 2003
ELEVATION: 14.30 FEET

FLOOD HAZARD INFORMATION

PROJECT SITE IS LOCATED WITHIN A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) DESIGNATED AS HAVING A 0.2% ANNUAL CHANCE FLOOD HAZARD.

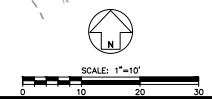
LEGEND	
EXISTING PARCEL BOUNDARY	---
EXISTING EASEMENT	---
BUILDING SETBACK	---
PROPOSED WATER	W
EXISTING SEWER	S
EXISTING WATER	W
EXISTING GAS	G
PROPOSED CONCRETE	---
PROPOSED WALL	---

PARCEL MAP WAIVER #PZ 18-400-07 HENDRICKSON TRIPLEX

A SUBDIVISION OF ASSESSOR'S PARCEL
191-003-112
CITY OF OXNARD, VENTURA COUNTY
JANUARY 4, 2019



1327 Del Norte Road, Suite 200, Camarillo, CA 93010
Phone: (805) 981-0706



C-1
SHEET 1 OF 1

ATTENTION: IF THIS DOCUMENT IS PROVIDED AS A COPY IN AN ELECTRONIC FORMAT, THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF THE PROFESSIONAL WORK PRODUCT. ONLY A HARD COPY DOCUMENT THAT IS SIGNED AND SEALED BY AN AUTHORIZED PROFESSIONAL EMPLOYEE OF STANTEC CONSTITUTES THE PROFESSIONAL WORK PRODUCT. IN THE EVENT THE ELECTRONIC FILE IS ALTERED, THE HARD COPY MUST BE RETURNED TO FOR THE ORIGINAL AND CORRECT INFORMATION. STANTEC SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE TO THE ELECTRONIC FILE, OR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY AN AUTHORIZED PROFESSIONAL EMPLOYEE OF STANTEC. COPYRIGHT 2018, STANTEC CONSULTING SERVICES INC.

■ M U R R A Y D U N C A N ■
A R C H I T E C T S

■ SANTA BARBARA (805)562-1270

■ SACRAMENTO (916)780-1701 ■

A CALIFORNIA CORPORATION



FRONT ELEVATION

**EXT. STUCCO
BASE COLOR**



PAINTED PLASTER
COLOR MATCH:
BENJAMIN MOORE,
2108-50 "SILVER FOX"

**EXT. STUCCO
ACCENT COLOR 1**



PAINTED PLASTER
COLOR MATCH:
BENJAMIN MOORE, HC-166
"KENDALL CHARCOAL"

**EXT. STUCCO
ACCENT COLOR 2**



PAINTED PLASTER
COLOR MATCH:
BENJAMIN MOORE,
2073-10 "DARK PURPLE"

EXT. METAL SIDING



16" METAL LAP SIDING
COLOR MATCH:
BENJAMIN MOORE, HC-166
"KENDALL CHARCOAL"

**EXT. DOORS &
WINDOWS**



ALUMINUM CLAD DOORS
& WINDOWS
COLOR MATCH:
BENJAMIN MOORE, HC-166
"KENDALL CHARCOAL"

GARAGE DOORS



SUPERIOR GARAGE DOORS
COLOR MATCH:
BENJAMIN MOORE, HC-166
"KENDALL CHARCOAL"

**EXTERIOR LIGHT
FIXTURES**



HINKLEY KUBE 1765 SW
LED OUTDOOR WALL LIGHT
6" HIGH SATIN WHITE
DARK SKY COMPLIANT

HENDRICKSON TRI-PLEX
5201 DRIFTWOOD STREET
OXNARD, CALIFORNIA

ATTACHMENT “D”

Correspondence



Williamson, Chris <chris.williamson@oxnard.org>

Follow Up to Community Workshop on Dec 17 RE: Oxnard Shores Project

1 message

ANN MILLICAN <a.millican@comcast.net>

Fri, Jan 4, 2019 at 12:59 PM

Reply-To: ANN MILLICAN <a.millican@comcast.net>

To: Chris.Williamson@oxnard.org

Cc: Christina Altfeld <misstina@cmadesigns.com>, David Millican <dnmillican@gmail.com>, Frank Dupuis <pacoknarf@aol.com>

Happy New Year, Chris,

My neighbor Christina Altfeld and I attended the December 17, 2018 Community Workshop and gave our input on the 3-unit condo project proposed on Driftwood at Harbor Blvd.

Here are our concerns about the project:

Architecture Looks Like a Commercial Building

- See attached photos from 4 adjacent and nearby residential buildings. You can see that the proposed condos will not fit in with the neighborhood because they have a significantly different design concept compared to existing multi-family residences.
- The building was designed to be a "statement" and to attract attention from Harbor Blvd. This would be desirable for a commercial building. But, in a residential neighborhood, being compatible with the the character of the existing development is more important than making a statement.

Accent Colors Are Incompatible with Adjacent Residential Buildings and the Neighborhood

- At the Workshop, the representative said that eggplant and rust accent colors were proposed. It is unclear where these accent areas would be from the elevations shown at the Community Workshop or on the sign posted on the site. Please forward any information you have on this. Where would the accent colors be? Do you have color samples?
- Proposed accent colors aren't compatible with a beach residential project. Colors should be pastels and earth tone colors reflective of the beach or natural materials (wood), not blocks of bold painted hues that attract attention.
- See photos of new modern residences on Reef Way. They use natural materials (wood) and colors consistent with a beach community (gray, tan.)

Construction impacts

- Neighbors on Driftwood St. experienced major construction impacts when the modern residences were built on Reef Way about 2 years ago.
- We are concerned about construction impacts from this project. Please email the standard conditions for construction impacts that you mentioned at the Workshop.

1/7/2019

City of Oxnard Mail - Follow Up to Community Workshop on Dec 17 RE: Oxnard Shores Project

- Blocking access to Channel Way with construction equipment and activities is an issue, since many residents use Channel Way to get to their garages.
- Please also send the contact information for the construction manager. I do see the applicant's name on the sign posted on the site.

When is the project scheduled for a public hearing before the Planning Commission?

Please call me to review the above comments when you have a chance at (805) 832-4681.

Ann

Ann Millican
5309 Driftwood Street
Oxnard, CA 93035-1020
Land Line (805) 832-4681

ATTACHMENT “E”

Coastal Development Permit and Tentative Map Resolutions

RESOLUTION NO. 2019-[PZ 18-400-07]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 18-400-07 (COASTAL DEVELOPMENT PERMIT) TO CONSTRUCT A THREE UNIT, THREE-STORY, RESIDENTIAL STRUCTURE ON A 7,447 SQUARE-FOOT VACANT LOT LOCATED AT 5201 DRIFTWOOD STREET. THE SITE IS ZONED COASTAL MEDIUM DENSITY MULTIPLE-FAMILY (R-3-C) AND IS LOCATED WITHIN THE OXNARD SHORES NEIGHBORHOOD. FILED BY MICHAEL HENDRICKSON, 10328 KEOKUK AVENUE, CHATSWORTH, CA 91311.

WHEREAS, on October 15, 2018 designated agent Michael Hendrickson (the “**Applicant**” and/or “**Permittee**”) submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to allow the construction of three unit, three-story residential structure on a 7,447 square foot vacant lot, located at 5201 Driftwood Street; and

WHEREAS, on February 7, 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. 18-400-07 (Coastal Development Permit) for above cited proposal; and

WHEREAS, the Planning Commission of the City of Oxnard has considered a companion application for a Tentative Parcel Map (PZ No. 18-300-11) to subdivide the Project parcel for condominium purposes and the Coastal Development Permit is conditioned on approval of the Tentative Parcel Map; and

WHEREAS, Section 15332 of the State CEQA Guidelines exempts the Project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act.

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 and Local Coastal Program since the proposed development is consistent with the site’s land use designation of Residential Existing (REX) and complies with the Coastal Medium Density Multiple-Family (R-3-C) subzone designation and its related development 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 Project and use is consistent with uses considered and permitted by the Coastal Medium Density Multiple-Family (R-3-C). Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building and Fire Codes. Therefore, the proposed use and improvements are not expected to have adverse effects 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.**

As proposed and conditioned, the Project will meet the development standards of the Coastal Medium Density Multiple-Family (R-3-C). The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the R-3-C zone requirements.

Additionally, 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 existing streets as described in February 7, 2019 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 is considered infill development that has been found to be consistent with anticipated development for this site. Furthermore, the Project will be served by existing water and sewer mains along Driftwood Street and/or Harbor Boulevard service road. In accordance with the Stormwater Quality Conditions of

this Resolution, the Project's design will comply with stormwater control measures as required by the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit.

SECTION 2. In accordance with Section 15032 (Class 32) of the State California Environmental Quality Act (CEQA) Guidelines, Projects involving "in-fill development" on less than five acres with no habitat value for protected species may be found to be exempt from the requirements of the CEQA. 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 No. 18-400-07 (Coastal Development 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 17-58(H) 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 architectural, civil, and conceptual landscape plans dated January 4, 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. 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)
7. 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)
8. Developer shall provide off-street parking for the Project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)

9. Before placing or constructing signs, if any, 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*).
15. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the Project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, *G-16*)
16. The subject Coastal Development Permit shall not become effective until 20 working days have elapsed without appeal to the Coastal Commission following the proper receipt by the Coastal Commission's Executive Director of the notice of permit issuance pursuant to Section 13316 of the Coastal Commission Code of Regulations. Such notice to the Coastal Commission shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, *G-17*)

LANDSCAPE STANDARD CONDITIONS

17. 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*)
18. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)
19. 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*)
20. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, *PK-5*)
21. 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*)
22. 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*)
23. Within sixty days after the first unit is occupied, Developer shall install all Project landscaping. (PK/ PL, *PK-10*)
24. Developer shall provide an automatic irrigation controller and a written seasonal watering schedule for all front yard and street side yard landscaping. The watering schedule shall include variations for seasonal changes, sun and shade exposure of plants, type of plants, duration and frequency of irrigation, and suggestions as to how to conserve water. As part of the landscape plan check submittal process, the Parks and Facilities Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, *PK-11*)

25. At the close of escrow or at the time of occupancy of each dwelling unit, Developer shall review with and provide instructions to each buyer concerning the irrigation controller operation and the watering schedules. (PK, PK-12)
26. Developer shall install sod or other alternative drought tolerant and California native friendly landscaping in the lawn areas. (PK, PK-13)
27. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, PK-23)
28. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, PK-24)
29. Prior to issuance of the third certificate of occupancy, Developer shall submit the final "as planted" Landscape Plan to the Planning Manager that includes: 1) WOCALS values for all trees and shrubs selected for the Project, 2) total landscape square footage, and 3) water compliance calculations and a statement that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK)

LANDSCAPE SPECIAL CONDITIONS

30. The landscape plan shall be revised to remove the proposed palm trees. Applicant shall submit an alternate landscape tree to the satisfaction of the Planning Manager.

FIRE DEPARTMENT STANDARD CONDITIONS

31. Developer shall construct all vehicle access driveways on the Project property to be at least 26 feet wide. 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)
32. All roof covering materials on the Project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, F-2)

33. 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*)
34. The Project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, *F-6*)
35. 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*)
36. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer’s specifications. The detector shall be hardwired with a battery backup. (FD, *F-17*)

FIRE DEPARTMENT SPECIAL CONDITIONS

37. Fire sprinkler coverage is required for:
 - a. Patios, overhangs or any other Projections that are 48” or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.

POLICE DEPARTMENT CONDITIONS

38. This 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:
 - 1) 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.
 - 2) 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 top 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.
39. 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.
 40. Wall packs are not permitted.
 41. Exterior lighting, excluding rooftop areas, shall be on a house circuit.
 42. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
 43. 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.
 44. Lighting on the rooftop patios shall be below the height of the parapet and shall not trespass to neighboring properties.
 45. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment.
 46. Developer shall inform residents of the provisions of Oxnard City Ordinance 7-100 through 7-106 as it applies to hosting loud parties or events and, that should police respond to a disturbance multiple times, a service charge may be imposed.
 47. All common area lighting shall operate from dusk to dawn.
 48. Should an alarm system be installed on any units, it shall be compliant with Oxnard City Code 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.
 49. Lighted street address fixture for each unit is required and shall be clearly visible from either Driftwood Street and/or Harbor Boulevard service road.
 50. Landscaping within six feet of the front door of each unit and the approach to each door shall be low-profile (30"-height) to provide clear lines of sight.

PLANNING DIVISION STANDARD CONDITIONS

51. 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)
52. 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)
53. 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)
54. Developer shall provide for dust control at all times during Project property preparation and construction activities. (B/DS, PL-13)
55. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the Project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this Project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, PL-14)
56. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, PL-15)
57. 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).
58. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, PL-18)
59. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the

Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)

60. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)
61. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
62. Railings and enclosures for patios, areas designated, and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, *PL-24*)
63. Additions and patio covers shall conform to the requirements of the Coastal Medium Density Multiple-Family (R-3-C) zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, *PL-27*)
64. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Division for approval prior to issuance of building permits. (PL, *PL-28*)

PLANNING DIVISION SPECIAL CONDITION

65. During all phases of construction beginning with grading, Applicant shall require a noise complaint sign with a contact name and phone number to be prominently placed on the construction site of a minimum size of 3 feet by 3 feet. The contact person shall be the general contractor, Project architect, or the Applicant. The sign shall note the days and times during which construction is allowed by Oxnard City Code (OCC) Chapter 7, Article XI "Sound Regulation" and specifically OCC Section 7-188(D), and the sign shall include language that directs a person who is not satisfied by whatever action is taken by the Project to contact the Code Compliance Division at (805) 385-7940. (PL)
66. This permit is conditioned on approval of Parcel Map Waiver No. PZ 18-300-11 for three air-space condominium parcels. (PL)
67. The HOA CC&R's shall include an irrevocable provision that one of the two guest parking spaces located on the garage door apron of Unit A shall be permanently available to residents' guests of the other two units if guest parking spaces are not assigned to each unit. If guest parking spaces are assigned within the HOA CC&R's and/or HOA Rules and Regulations, one of the two guest parking spaces located on the garage door apron of Unit A shall be permanently assigned to either Unit B or C (PL), depending on which unit is assigned the guest space within the parking court. HOA CC&R's shall include a provision

that Units B or C residents agree to temporarily move a guest vehicle parking on the Unit A garage apron upon request of the Unit A resident in order for the Unit A resident to access the Unit A garage during reasonable daytime and evening time periods.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

68. 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)
69. Developer shall protect building pads from inundation during a 1% chance (100year) storm. (DS-5)
70. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
71. Before connecting the Project to existing sewer and water service laterals, Developer shall inspect (pothole or video) existing lateral(s) and arrange for City staff to view inspection results. Developer shall make repairs to such facilities as determined necessary by City staff. Developer shall bring all existing water services into compliance with current City standards including removal of unused water or sewer laterals by disconnection at the main. (DS-7)
72. Developer shall install onsite and offsite electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)
73. 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)
74. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
75. 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)
76. Developer shall provide three City refuse containers for each lot or unit. An alternative number of containers may be approved by the Environmental Resources Division. (DS-67)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

77. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property as directed by the Construction Services Inspector. (DS)
78. Developer shall provide a separate water lateral and meter for each unit of the project. Manifold systems are not approved for connections to the City water main. (DS)
79. Developer shall construct a 6-foot by 3-foot level concrete pad for storage of two refuse containers for each unit out of view of the public street. Developer shall provide a paved path from the storage location to the street curb. All gates or doors along the path shall be constructed with a minimum of 36-inches of clear space to allow passage of the City issued containers. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of February 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 7th day of February 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Kathleen Mallory, Secretary

RESOLUTION NO. 2019- [PZ 18-300-11]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 18-300-11 (TENTATIVE PARCEL MAP), TO SUBDIVIDE FOR CONDOMINIUM PURPOSES A 7,447 SQUARE FOOT PARCEL COMMONLY KNOWN AS 5201 DRIFTWOOD STREET (APN: 191-0-031-125) WITHIN THE OXNARD SHORES NEIGHBORHOOD. FILED BY MICHAEL HENDRICKSON, 10328 KEOKUK AVENUE, CHATSWORTH, CA 91311.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a Parcel Map Waiver (PZ No. 18-300-11) to subdivide a single parcel for condominium purposes, filed by Michael Hendrickson, in accordance with Chapter 15 of the Oxnard City Code and the State Subdivision Map Act; and

WHEREAS, said tentative parcel map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the proposed condominium subdivision, together with the provisions for development of three townhomes under consideration within a companion entitlement application for a Coastal Development Permit (PZ No. 18-400-07) is consistent with the 2030 General Plan and the Oxnard Local Coastal Program (LCP); and

WHEREAS, the proposed subdivision is conditioned on approval of Coastal Development Permit (PZ No. 18-400-07); and

WHEREAS, Section 15315 of the State CEQA Guidelines exempts the Project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard finds that the proposed division of land complies with requirements established by the Subdivision Map Act and this chapter, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection, and hereby approves the parcel map waiver and authorizes the Planning Director to review and sign the Certificate of Approval for Parcel Map Waiver, subject to the following conditions:

Note: The abbreviations listed below indicate which City group or program has responsibility to insure compliance with these conditions. The first agency listed has responsibility at plan check, the second at inspection and the third at final inspection, prior to certificate of occupancy, or at a later date, as specified in the condition.

AGENCIES

CA	City Attorney	PL	Planning
DS	Devt Service/Eng Devt/Inspectors	TR	Traffic
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Prevention Bureau/Dept
PK	Parks Division	BI	Building Inspectors

If more than one agency is listed, the first department or division listed must check the plans or inspect the Project before the second may approve compliance with the condition.

PLANNING SPECIAL CONDITIONS

1. The approved tentative parcel map shall expire thirty-six (36) months after its approval if a Certificate of Approval for the Parcel Map is not recorded with the Ventura County Recorder's Office. (PL)
2. Prior to City's issuance of the Certificate of Approval for a Parcel Map Waiver, Subdivider shall provide proof of recordation of a reciprocal access agreement for the proposed site affected by the newly created Parcels (Units) A, B, and C or as otherwise denoted. (PL)
3. Subdivider shall establish a property homeowner's association (HOA) and the HOA shall be responsible for the maintenance of parking, landscaping, lighting and other common areas and facilities held in common by the association and for the enforcement of HOA CC&R's related to property maintenance.
4. Subdivider shall submit to Planning staff an application and exhibits required for the Certificate of Approval of Parcel Map Waiver. Planning staff shall prepare the Certificate of Approval for Parcel Map Waiver, and Subdivider shall record the Certificate of Approval for Parcel Map with the Ventura County Recorder's Office. (PL)
5. This permit is conditioned on concurrent approval of Coastal Development Permit Planning and Zoning Permit No. 18-400-07 for construction of three residential units. (PL)

DEVELOPMENT SERVICES STANDARD CONDITIONS

6. Subdivider agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Subdivider's expense, City and its agents, officers and employees from and

against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Subdivider of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Subdivider in the defense thereof. Subdivider shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Subdivider of the obligations of this condition. Subdivider's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)

SPECIAL CONDITIONS:

7. Developer shall process the parcel map waiver prior to, or concurrent with, the site improvement plans for Planning and Zoning Permit No. 18-400-007. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of February 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 7th day of February 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: Chris Williamson, Planning Consultant

DATE: February 7, 2019

**SUBJECT: Planning & Zoning (PZ) Permit No. 19-580-01 (Zone Text Amendment)
Relating to Accessory Dwelling Units (ADU).**

1) Recommendation: That the Planning Commission:

- a) Receive a presentation on the proposed Zone Text Amendment (ZTA's);
- b) Receive and provide comments on the proposed ZTA's; and
- c) Approve a resolution recommending that the City Council approve Planning & Zoning Permit No. 19-580-01 (Accessory Dwelling Unit Zone Text Amendment).

2) Project Description and Applicant: The proposed project ("Project") would amend Oxnard City Code (OCC) Sections 16-10, "Definitions," and 16-465, "Accessory Dwelling Units" (ADU). These amendments are necessary to be consistent with recent changes in State Law; establish a reduction in the minimum ADU size from 600 to 220 gross square feet (gsf); and make changes to the ADU ordinance to address minimum lot size and development standards to allow a primary unit to be converted to an ADU under specific regulatory standards. In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the Commission's recommendations on the ZTA's is not considered a project as defined by CEQA. Filed by the City of Oxnard, Ashley Golden, Interim Development Services Director, 214 South C Street, Oxnard 93030.

3) Background: Government Code §65852.2 became effective on January 1, 2017 establishing the ADU as an allowed-by-right use generally on residentially-zoned parcels with one existing "primary" dwelling unit, subject to applicable ADU development standards. On December 20, 2016, the City adopted Ordinance No. 2914, amending OCC, Chapter 16, Section 16-465, "Second Units," to be consistent with Government Code Section 65852.2. In October 2017, the City adopted Ordinance No. 2925 to clarify the ADU definition, remove a restriction on an ADU in a listed historic district, and incorporate various "clean up" zone text amendments to be consistent with the ADU Guidelines issued by the Department of Housing and Community Development (HCD). The ADU minimum size was set at 600 gsf, the maximum size at 1,200 gsf, and the ADU could not exceed 50% of the size of the primary unit.

- 4) Discussion:** In late 2017, the State Legislature adopted SB 229 (Wieckowski) and AB 494 (Bloom) as ‘clean up’ bills amending various sections of Government Code Section 65852.2. The amendments, effective January 1, 2018, allow ADUs to be built concurrently with a single-family home, add areas where ADUs can be built to include all zoning districts that allow single-family uses, clarify utility connection and impact fees, and reduce parking requirements. Attachment A is a summary of these changes prepared by HCD.

Within the City, as of December 31, 2018, 53 ADU permit applications were filed of which 40 are permitted and the remaining are in process. Over the past year, staff has been processing requests for ADU’s which can be generally characterized as the following type of requests:

- Conversion of one or more rooms entirely within the primary structure into an ADU;
- Conversion of an attached or detached garage into an ADU;
- Addition to the primary unit and/or garage; and
- Construction of an independent and separate structure in the rear of the parcel.

Several ADU applications involve both a conversion of existing space and an addition. Other ADU application proposed an addition to the primary unit and an addition for the ADU. Based on public questions and review of ADU applications, and to bring the City into compliance with the State’s “clean up” ADU legislation, staff have identified the following amendments to OCC Sections 16-10 (Definitions) and 16-465 (Accessory Dwelling Units).

One important change to the ADU ordinance is a reduction in the allowable size of an ADU. Staff research revealed that most Ventura County cities and cities elsewhere in California set the minimum size of an ADU at 220 gsf. This sizing is to be consistent with Health and Safety Code Section 17958.1(b), as referenced in Part 2 of Title 24 of the California Code of Regulations (i.e. “Building Code”) (see Attachment B). This regulation effectively establishes the minimum ADU size for two persons at 220 gsf. Based upon questions at the public counter, staff’s implementation of the City’s ADU ordinance over the past two years, a review of these and other ADU applications, and to bring the City in compliance with the State’s most recent “clean up” ADU legislation, staff has identified amendments to OCC Sections 16-10 (Definitions) and 16-465 (Accessory Dwelling Units).

Section 16-10 DEFINITIONS

The definition of efficiency was added to the OCC; additionally, modifications were made in legislative format (strikethrough for removal and underline for additions - see Attachment C:

(1) **ACCESSORY DWELLING UNIT** – Add text “...or proposed...” to be consistent with State Law that allows the primary unit and ADU to be concurrently developed with an accessory dwelling unit.

(10) **APARTMENT** – Add text that indicates “efficiency”, “studio”, and “single” are interchangeable terms used for small apartments for purposes of zoning.

(XX) **EFFICIENCY** – Add this term and set the minimum size as 220 gsf.

(XX) HOUSEHOLD – Add this term and refer directly to FAMILY.

(132) TANDEM PARKING SPACE – Add text to be consistent with State Law.

Section 16-465 ACCESSORY DWELLING UNITS

The following summarizes key changes to the ADU ordinance:

- Text added that the terms Efficiency, Studio, and Single are types of ADU's.
- Clarification that an ADU may be concurrently proposed with the primary unit.
- Clarification that passageways cannot be used to connect an ADU to the primary unit.
- Clarifies that an ADU will have separate bath, full kitchen facilities, and a separate or combined living area, and sleeping areas.
- Text added regarding utility connection fees consistent with State Law.
- Requirement added that the ADU has a separate primary entrance.
- Reduce the minimum ADU floor area to 220 gsف.
- Text added to allow the ADU floor area to be determined by the total primary unit floor area that includes a concurrent primary unit floor area addition.
- Text added regarding parking consistent with State Law.
- Clarify that fire safety access could be a sufficient reason to increase an otherwise allowed ADU minimum setback requirement.
- Added a reference that an ADU in the CBD zone is subject to possible Downtown Development Code amendments to the CBD zone.
- Added a discretionary review process for larger properties with a relatively small existing primary dwelling unit that allows for development of a new primary unit and re-designation of the existing unit as the ADU, set the minimum qualifying property size as one-quarter acre (10,890 square feet), and set the minimum size of the new primary unit at a minimum of twice the size of the existing dwelling unit.

Attachment C includes a draft ordinance with Exhibits A and B which depict, respectively, the Section 16-10 and Section 16-465 text amendments presented in legislative format - with ~~strikeout~~ indicating removed text and underlining indicating added text.

5) Environmental Review: In accordance with Section 15061 (b) of the CEQA Guidelines, the Commission's recommendations on the ZTA's is not considered a project as defined by CEQA. Therefore, a notice of exemption has been prepared (see Attachment D).

6) Community Outreach: In compliance with state law, a notice of public hearing was published in the Vida Newspaper on January 24, 2019. The proposed ZTA was shared with House Farm Workers, Barbara Macri-Ortiz, and the Ventura County Coastal Association of Realtors between January 10 - 22, 2019. State and City legal noticing requirements were met with publication of a notice of hearing in the Vida Newspaper on January 24, 2019.

During this time, Ms. Barbara Macri-Ortiz provided comments on several sections of the ADU text amendment. Her recommended modifications included the following; staff's response follows in italics:

- Change in Section 16-469.6, Exceptions for Large Lots With a Proposal for New Primary Unit, regarding new primary unit size was incorporated into the proposed text amendment.
- Change in Section 16-466, Ministerial Considerations, requested removal of the word “complete” before “application” consistent with State Law.

8) Recommendation and Appeal Procedure: Staff recommends that the Planning Commission adopt a resolution recommending that the City Council adopt the proposed zone text amendments incorporated within Attachment C. The Planning Commission’s action is a recommendation to the City Council. The item will be scheduled for the City Council Housing and Economic Development Sub-Committee on February 26, 2019.

Attachments:

- A. Housing and Community Development ADU Memorandum May 29, 2018
- B. Survey of ADU Minimum and Maximum Size
- C. Resolution and Draft Ordinance with Text Amendments Exhibits A and B
- D. CEQA Notice of Exemption

Prepared by: _____
CW

Approved by: _____

Kathleen Mallory

KM

ATTACHMENT “A”

Housing and Community Development ADU Memorandum
May 29, 2018

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500

Sacramento, CA 95833

(916) 263-2911 / FAX (916) 263-7453

www.hcd.ca.gov**MEMORANDUM**

DATE: May 29, 2018

TO: Planning Directors and Interested Parties

FROM: Zachary Olmstead, Deputy Director
Division of Housing Policy Development 

SUBJECT: **Local Agency Accessory Dwelling Units
Chapter 594, Statutes of 2017 (Senate Bill 229) and
Chapter 602, Statutes of 2017 (Assembly Bill 494)**

This memorandum is to inform you of the amendments to California law, effective January 1, 2018, regarding the creation of accessory dwelling units (ADU). Chapter 594, Statutes of 2017 (Senate Bill 229) and Chapter 602, Statutes of 2017 (Assembly Bill 494) build upon recent changes to ADU law (Government Code (GC) Section 65852.2) and further address barriers to the development of ADUs.

SB 229 and AB 494, among other changes, addresses the following:

- Clarifies an ADU can be created through the conversion of a garage, carport or covered parking structure.
- Requires special districts and water corporations to charge a proportional fee scale based upon the ADUs size or its number of plumbing fixtures.
- Reduces the maximum number of parking spaces for an ADU to one space.
- Allows replacement parking spaces to be located in any configuration, as a result, of a parking structure conversion to an ADU.
- Authorizes the Department of Housing and Community Development to review and comment on ADU ordinances.
- Defines the term "tandem parking" to mean two or more automobiles.

For assistance, please see the amended statute in Attachment A. In addition, pursuant to GC Section 65852.2(h), adopted ADU ordinances shall be submitted to HCD within 60 days of adoption. For more information and updates, please contact Greg Nickless, Housing Policy Analyst, at 916-274-6244.

ATTACHMENT A

TITLE 7, DIVISION 2, CHAPTER 4, ARTICLE 2

SB 229 and AB 494 Accessory Dwelling Units (65852.2)

Section 65852.2 of the Government Code is amended to read:

65852.2.

(a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in ~~single-family and multifamily residential zones; areas zoned to allow single-family or multifamily use.~~ The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on ~~criteria,~~ *criteria* that may include, but are not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.

(B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, lot coverage, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) The unit ~~is not intended for sale; may be rented~~ separate from the primary ~~residence and~~ residence, ~~but may be rented; not be sold or otherwise conveyed separate from the primary residence.~~

(ii) The lot is zoned ~~for to allow~~ single-family or multifamily use and ~~contains an existing; includes a proposed or existing~~ single-family dwelling.

(iii) The accessory dwelling unit is either attached ~~to the existing dwelling~~ or located within the living area of the ~~proposed or existing primary dwelling~~ or detached from the ~~proposed or existing primary dwelling~~ and located on the same lot as the ~~proposed or existing primary dwelling~~.

(iv) The ~~increased floor total~~ area of floorspace of an attached accessory dwelling unit shall not exceed 50 percent of the ~~existing living area, with a maximum increase in floor area of~~ proposed or existing primary dwelling living area or 1,200 square feet.

(v) The total area of floorspace for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing garage that is converted to ~~a~~ *an* accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.

(viii) Local building code requirements that apply to detached dwellings, as appropriate.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per ~~bedroom; bedroom, whichever is less.~~ These spaces may be provided as tandem parking on ~~an existing~~ a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety ~~conditions, or that it is not permitted anywhere else in the jurisdiction; conditions.~~

(III) This clause shall not apply to a unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, and the local agency requires that those offstreet parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d).

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, within 120 days after receiving the application. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001–02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency subsequent to the effective date of the act adding this paragraph shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(5) No other local ordinance, policy, or regulation shall be the basis for the denial of a building permit or a use permit under this subdivision.

(6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot zoned for residential use that ~~contains an~~ includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be utilized or imposed, except that a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives ~~its first application on or after July 1, 1983, an application~~ for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall ~~accept the application and~~ approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a) within 120 days after receiving the application.

(c) A local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units. No minimum or maximum size for an accessory dwelling unit, or size based upon a percentage of the ~~proposed or~~ existing primary dwelling, shall be established by ordinance for either attached or detached dwellings that does not permit at least an efficiency unit to be constructed in compliance with local development standards. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

- (3) The accessory dwelling unit is part of the *proposed or* existing primary residence or an ~~existing~~-accessory structure.
- (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- (5) When there is a car share vehicle located within one block of the accessory dwelling unit.
- (e) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit to create within a ~~single-family residential zone~~ *zone for single-family use* one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, *including, but not limited to, a studio, pool house, or other similar structure*, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. *A city may require owner occupancy for either the primary or the accessory dwelling unit created through this process.*
- (f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).
- (2) Accessory dwelling units shall not be considered ~~new residential uses~~ *by a local agency, special district, or water corporation to be a new residential use* for the purposes of calculating ~~local agency~~-connection fees or capacity charges for utilities, including water and sewer service.
- (A) For an accessory dwelling unit described in subdivision (e), a local ~~agency~~-*agency, special district, or water corporation* shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.
- (B) For an accessory dwelling unit that is not described in subdivision (e), a local ~~agency~~-*agency, special district, or water corporation* may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.
- (g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.
- (h) Local agencies shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. *The department may review and comment on this submitted ordinance.*
- (i) As used in this section, the following terms mean:
- (1) "Living area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.
- (2) "Local agency" means a city, county, or city and county, whether general law or chartered.
- (3) For purposes of this section, "neighborhood" has the same meaning as set forth in Section 65589.5.
- (4) "Accessory dwelling unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:
- (A) An efficiency unit, as defined in Section 17958.1 of *the* Health and Safety Code.
- (B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.
- (5) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
- (6) "*Tandem parking*" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- (j) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

ATTACHMENT “B”

ADU Standards Comparison
October 30, 2018

ATTACHMENT B

October 30, 2018

Jurisdiction	Minimum ADU size	Maximum ADU size
Ventura County	220 sf	Interim ordinance 4507/4509: Minimum lot size 9,000 sf. but under 40 acres: Attached ADU not to exceed 50% of primary unit or 1,200 sf.; Detached ADU not to exceed 1,200 sf. Lots over 40 acres, maximum of 1,800 sf.
Camarillo	220 sf	700 sf. in R-E zone on 1 acre or less; 640 sf. in R-1 zone on more than 1 acre: not more than 30% of primary dwelling unit up to 1,200 sf.
Fillmore	800 sf	At time of construction, not to exceed more than 30% main dwelling unit if attached; 1,200 sf if detached.
Moorpark	220 sf	800 sf. on lots less than 1 acre, 1,200 sf. on lots of 1 acre or more
Ojai	220 sf	1200 sf or 50% of the existing habitable area of the legal primary unit, whichever is smaller
Port Hueneme	Not specified.	640 sf
Santa Paula	Not specified.	Detached and on 10,000-20,000 sf lot, maximum size 640 sf. If detached and on lot larger than 20,000 sf, maximum is 1,200 sf. If attached, maximum is either 50% of primary dwelling unit's floor area or 1,200 sf, whichever is less.
Simi Valley	220 sf	1,200 sf, but not to exceed 30% of primary unit living area
Thousand Oaks	220 sf	600 sf for attached and detached ADUs
Ventura (city)	Not specified.	750 sf for an attached ADU not to exceed 50% of primary unit living area. 750 sf for detached ADU.
Santa Barbara County	Living area of an ADU must be no smaller than 300 sf unless it qualifies as an "efficiency" unit in accordance w/ Health/Safety Code 17958.1	Attached ADU no larger than 50% of primary residential unit or 1,200 sq ft, whichever is less. Detached ADU varies: -Lots less than 9,999 sq ft, maximum is 400 sq ft -Lots between 10,000 and 19,999 sq ft, maximum is 600 sf -On lots between 20,000 sq ft to 1 acre, maximum is 800 sf -On lots between 1 to 2 acres, maximum is 1,000 sf -On lots greater than 2 acres, maximum is 1,200 sf
Santa Barbara (City)	Not specified.	If net lot area is less than 4,000 sf, maximum ADU size must be no greater than 2,200 sf If net lot area is between 4,000 to 9,999 sf then the maximum is 1,200 sf + 0.25 multiplied by the net lot area If net lot area is between 10,000 to 14,999 sf, then maximum is 2,500 sf + 0.125 multiplied by net lot area.

ATTACHMENT “C”

Planning Commission Resolution

ATTACHMENT B

RESOLUTION NO. - [PZ 19-580-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF OXNARD ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 19-580-01 (ZONE TEXT AMENDMENT) RELATING TO DEFINITIONS AND ACCESSORY DWELLING UNITS. FILED BY CITY OF OXNARD, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030.

WHEREAS, Government Code §65852.2 was amended in 2016 regarding Accessory Dwelling Units and became effective January 1, 2017 and, as a result, various provisions of the existing City Code would become inconsistent with state law unless the City Code was updated; and

WHEREAS, the California Department of Housing and Community Development (HCD) released a 39-page document “Accessory Dwelling Unit Memorandum” and held a webinar of December 20, 2016 that provided local governments guidance in preparing local zoning code amendments to comply with Government Code Section 65852.2; and

WHEREAS, on December 20, 2016, the Oxnard City Council adopted Ordinance No. 2914, amending the Oxnard City Code, Chapter 16, Section 16-465, “Second Units,” to be consistent with Government Code Section 65852.2; and

WHEREAS, on March 27, 2017, HCD conditionally approved the City’s 2013-2021 Housing Element, which included a direction to “...examine and modify, as appropriate, the recent zoning amendments passed in 2016”; and

WHEREAS, staff has implemented Ordinance No. 2914 since January 2017 by processing over 50 ADU applications and has determined that additional revisions are needed to assist in implementation of the Ordinance and better meet the intent of fostering affordable housing and being in compliance with Government Code Section 65852.2; and

WHEREAS, effective January 1, 2018, the State Legislature adopted SB 229 (Wieckowski) and AB 494 (Bloom) as ‘clean up’ bills amending various sections of Government Code Section 65852.2 regarding Accessory Dwelling Units and, as a result, various provisions of the existing City Code would again become inconsistent with state law unless the City Code was updated; and

WHEREAS, the revisions to this ordinance continues to implement Program 6, Zoning Code Amendments, of the 2013-2021 Housing Mid-Cycle Element; and

WHEREAS, Section 15061(b)(3) of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act; and

WHEREAS, the Planning Commission considered public comments, and voted to recommend approval of this zone text amendment at its meeting of February 7, 2019.

NOW, THEREFORE, the Planning Commission of the City of Oxnard recommends that the City Council adopt the Zone Text Amendment herein included as Attachment A.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of February, 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 7th day of February 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Kathleen Mallory, Secretary

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING ARTICLE II, DIVISION 1 AND ARTICLE V, DIVISION 13 OF THE OXNARD CITY CODE RELATING TO DEFINITIONS AND ACCESSORY DWELLING UNITS.

WHEREAS, Government Code §65852.2 was amended in 2016, effective January 1, 2017, regarding Accessory Dwelling Units and, as a result, various provisions of the existing City Code would become inconsistent with state law unless the City Code was updated; and

WHEREAS, the California Department of Housing and Community Development (HCD) released a 39-page document “Accessory Dwelling Unit Memorandum” and held a webinar of December 20, 2016 that provided local governments guidance in preparing local zoning code amendments to comply with Government Code Section 65852.2; and

WHEREAS, on December 20, 2016, the Oxnard City Council adopted Ordinance No. 2914, amending the Oxnard City Code, Chapter 16, Section 16-465, “Second Units,” to be consistent with Government Code Section 65852.2; and

WHEREAS, on March 27, 2017, HCD conditionally approved the City’s 2013-2021 Housing Element, which included a direction to “...examine and modify, as appropriate, the recent zoning amendments passed in 2016”; and

WHEREAS, staff has implemented Ordinance No. 2914 since January 2017 by processing over 50 ADU applications and has determined that additional revisions are needed to assist in implementation of the Ordinance and better meet the intent of fostering affordable housing and being in compliance with Government Code Section 65852.2; and

WHEREAS, the State Legislature adopted SB 229 (Wieckowski) and AB 494 (Bloom), effective January 1, 2018, as ‘clean up’ bills amending various sections of Government Code Section 65852.2 regarding Accessory Dwelling Units and, as a result, various provisions of the existing City Code would become inconsistent with state law unless the City Code was updated; and

WHEREAS, the revisions to this ordinance continues to implement Program 6, Zoning Code Amendments, of the 2013-2021 Housing Mid-Cycle Element; and

WHEREAS, Section 15061(b)(3) of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act; and

WHEREAS, the Planning Commission considered public comments, and voted to recommend approval of this zone text amendment at its meeting of February 7, 2019; and

WHEREAS, the Housing and Economic Development Committee of the City Council considered public comments and voted to recommend approval of this zone text amendments at its meeting of DATE, 2019.

NOW THEREFORE, the City Council of the City of Oxnard hereby ordains as follows:

Section 1. Amend Oxnard City Code Section 16-10 “Definitions”. Existing Oxnard City Code Section 16-10 is amended as shown herein in Exhibit ‘A’ wherein strikeout indicates removed text and underline indicates added text.

Section 2. Amend Oxnard City Code Section 16-465 “Accessory Dwelling Units”. Existing Oxnard City Code Section 16-465 is amended as shown herein in Exhibit ‘B’ wherein strikeout indicates removed text and underline indicates added text.

Section 3. Severability. If any provision(s) of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, even though any one or more sections, subsections, clauses, phrases, parts or portions thereof was declared invalid or unconstitutional.

Section 4. Waiver of Second Reading. City Council approves reading of title only and waives reading of the ordinance at the second reading.

Section 5. Effective date. This ordinance shall become effective thirty (30) days after it is finally adopted.

Section 6. Publication. The City Clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk in accordance with Government Code section 36933.

The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Oxnard, State of California, held on the DATE day of MONTH, 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

Ordinance No.

Page 3

ABSENT:

Tim Flynn, Mayor

ATTEST:

APPROVED AS TO FORM:

Michelle Ascencion, City Clerk

Stephen M. Fischer, City Attorney

EXHIBIT A

SEC. 16-10. DEFINITIONS.

(A) For the purposes of this chapter, the following words shall have the following meanings:

(1) ACCESSORY BUILDING - Any structure built for the support, shelter, or enclosure of property that is separate from but related, subordinate, and secondary to the main use of the property, such as but not limited to: storage sheds, greenhouses, and garages.

(2) ACCESSORY DWELLING UNIT - An independent living facility ~~for one or more persons~~ located entirely within or attached to an existing or proposed legal structure or as a detached structure that includes permanent provisions for living, sleeping, eating, cooking and sanitation, and is situated on the same parcel as an existing or proposed primary single-family dwelling, but is subordinate to and smaller than the primary dwelling.

(3) ACCESSORY SIGN - Any sign which advertises goods manufactured or produced, goods for sale, or services rendered on the property upon which such sign is located, also known as an on-premise sign.

(4) ACCESSORY STRUCTURE - A man-made object other than ornamental statuary, having a permanent location on the ground and more than six inches above the finished grade that is separate from but related, subordinate, and secondary to the main use of the property, such as but not limited to: patio covers, gazebos, and children's play structures.

(5) ACCESSORY USE - A use of property separate from, but related, subordinate and secondary to, the main use of the property.

(6) ADULT DAY CARE FACILITY - A state-licensed facility that provides less than 24-hour per day care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals.

(7) ADULT HEALTH CARE CENTER - Any family day home, day care center, or social rehabilitation center, as defined in Cal. Health and Safety Code, § 1570.7, and licensed by the State Department of Health, which provides, on less than a twenty-four hour basis, nonmedical care to adults in need of personal services, protection, supervision, assistance, guidance or training essential for sustaining the activities of daily living or for the protection of the individual.

(8) ALLEY - Any public thoroughfare for the use of pedestrians or vehicles, not less than ten feet nor more than thirty feet wide, which has been deeded or dedicated to the city as a secondary means of access to abutting property.

(9) ANTIQUE SHOP - A retail business that sells works of art, furniture, decorative objects and the like, all of which are at least thirty years old.

(10) APARTMENT - A room or suite of rooms in a multi-family dwelling unit designated as a residence for one family household and containing ~~one~~ permanent provisions for living,

sleeping, eating, cooking and sanitation. Efficiency, studio, and single are terms used for apartments with combined living, sleeping, and/or kitchen areas.

(11) APARTMENT HOTEL - A building containing six or more apartments, designated for use as second or temporary dwellings for transient guests.

(12) APARTMENT HOUSE - Any building which is designed to ~~be~~ or is in fact occupied as the residence of two or more families living independently of each other in such building, in separate apartments, and where such apartments are rented or leased for a period of not less than one month.

(13) AUTOMOBILE REPAIR GARAGE - A building used for the overhaul and repair of vehicles, including body repairs, engine overhaul, upholstery work, parts rebuilding and like activities.

(14) AUTOMOBILE SERVICE STATION - Any business which dispenses gasoline and which may also sell other automotive-related and nonrelated goods and services, but which excludes auto body work, complete engine and transmission overhaul and rebuilding and similar intensive vehicle-related services.

(15) AUTOMOBILE WRECKING - The dismantling or destruction of one or more motorcycles or motor vehicles.

(16) BABYSITTING - The care of one or more children by an individual in a home on a temporary basis, and without the benefit of formal advertising or established hours of business.

(17) BASEMENT - A story partly underground with less than one-half its height above the average finished grade.

(18) BED AND BREAKFAST INN - An establishment, originally built as a single-family residence, operated by a resident owner and containing three to five guest bedrooms, each of which is available for rent to the general public for up to twenty-nine consecutive days.

(19) BEDROOM - Any room that is or can be used for sleeping purposes, including any room other than a kitchen, bathroom, or utility service room, such as a study, den and loft.

(20) BUILDING - Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

(21) BUILDING HEIGHT - Total height of a building measured from the average finished grade at the base of the building to the highest point of the building.

(22) BUILDING SITE - The area, including all required yards, open space and parking, which a main building and its accessory buildings and uses occupy.

(23) BUSINESS - Any use of property for profit requiring a business license.

(24) CANNABIS - Shall have the same meaning as set forth in Cal. Bus. and Prof. Code Section 26001(f), as that section now appears or may hereinafter be amended or renumbered.

(25) CAR WASH (MECHANICAL) - Any operation which provides for the washing of motor vehicles primarily through the use of mechanical equipment which may include conveyor chains, blowers, steam guns, roller brushes, high pressure vacuum units and similar equipment.

(26) CAR WASH (NONMECHANICAL, SELF-SERVICE) - Any operation which provides for the washing of motor vehicles by the customer, which employs persons only to check, maintain and supervise the use of the facility and equipment, and which has equipment limited to water softeners, water heaters, soap mixing tanks, low pressure vacuum units and similar equipment that produces only a low volume of sound.

(27) CHILD CARE CENTER - A state-licensed child care facility other than a family day care home, in which less than twenty-four hour per day nonmedical care and supervision is provided in a group setting for children.

(28) CHURCH - A building operated primarily for worship or for promotion of religious activities excluding other buildings or activities maintained by religious organizations such as educational institutions, hospitals, homeless shelters and day care centers or operations that are commercial in nature.

(29) CLUB - An association of persons for some common, nonprofit purpose excluding groups organized primarily to render a service which is customarily carried on as a business.

(30) COMMERCIAL DISTRICT - Stores and businesses located in a shopping center of more than ten acres but less than thirty acres and designed to serve several neighborhoods.

(31) COMMERCIAL SCHOOL - A nonaccredited school providing training or personal improvement, such as a beauty college, dance school, business school, or gymnasium.

(32) COMMISSION - The Planning Commission of the city.

(33) COMMON AREA - Any area or space designed for joint use by tenants occupying mobile home parks, condominiums, planned residential groups and similar residential developments.

(34) COMMUNITY APARTMENT PROJECT - A project in which an undivided interest in the property is coupled with the right of exclusive occupancy of any apartment located thereon.

(35) COMMUNITY CARE FACILITY - A State-licensed facility maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services for children and/or adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, as further defined in Cal. Health and Safety Code, § 1502.

(36) CONDOMINIUM - An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in space in a building on real property such as a residence.

(37) CONGREGATE LIVING HEALTH FACILITY - A State-licensed residential home with a non-institutional home-like environment that provides twenty-four hour medical supervision and skilled nursing with services for persons who are physically disabled, have a

diagnosis of terminal illness, or are catastrophically and severely disabled, as further defined in Cal. Health and Safety Code, Section 1250.

(38) CORNER LOT - A lot having frontage on two intersecting streets.

(39) DETACHED BUILDING - Any building that is not physically joined to another building by a common wall.

(40) DIRECTOR - The city's development services director or designee.

(41) DRIVE-IN THEATER - A motion picture theater containing a vehicle parking area where patrons remain in their vehicles to view the entertainment presented on one or more screens.

(42) DRIVE-THRU FACILITY - A facility which, by its design, allows people to receive goods and/or services while remaining in their motor vehicles.

(43) DUPLEX - A building containing two dwelling units.

(44) DWELLING UNIT - A room or suite of rooms designed as a residence for one familyhousehold and containing one kitchen.

(45) EDUCATIONAL INSTITUTION - An institution offering academic instruction or training leading to a degree, or accredited by the state, including private colleges or trade schools but not including dance schools, business schools, and similar commercial establishments.

~~—(46)~~(46) EFFICIENCY – a housing unit typically a combined living room and bedroom area, a separate bathroom, and a kitchenette with a typical minimum gross floor area of 220 square feet. Occupancy standards and square footages shall be governed by California Residential Code R304.5. In no instance shall the minimum square footage be less than 220 square feet.

(47) EMERGENCY SHELTER FOR FAMILIES - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless families with children under the age of 18, or 21 if they are full-time students or disabled, pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No family shall be denied emergency shelter because of an inability to pay. For purposes of this definition, "disabled" means persons with special needs, including mental disabilities, developmental disabilities, AIDS, substance abuse or chronic health conditions.

~~(47)~~(48) EMERGENCY SHELTER, PERMANENT - A permanent facility consisting of a building or group of buildings with overnight sleeping accommodations providing temporary housing for six months or less to homeless persons pursuant to standards set forth in article V, division 18. Such accommodations shall include basic supportive services such as meals, restroom, bathing and laundry facilities. No individual or household shall be denied emergency shelter because of an inability to pay.

(4849) EMERGENCY SHELTER, TEMPORARY - A temporary facility consisting of a building or group of buildings with overnight sleeping accommodations providing housing to homeless persons for winter warming or similar short-term, temporary operation not to exceed four months within a twelve-month period. No individual or household shall be denied emergency shelter because of an inability to pay.

(4950) ENTERTAINMENT - Any performance or activity defined herein; provided, however, that the term does not include vocal music or music from a single, unamplified, stringed instrument, including piano.

(5051) FAMILY - A group of residents whose members jointly occupy a dwelling unit as a single housekeeping unit; have joint use of and responsibility for common areas; share household activities such as meals, chores, maintenance and expenses; but not including residents of commercial group living such as hotels, dormitories and fraternities.

(5152) FARMWORKER - An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market.

(5253) FARMWORKER EMPLOYEE HOUSING - A residential use of one or more single or multi family dwelling units and accessory dwellings of the same type and in the same zone, and/or group quarters structures with common dining area. A farmworker housing complex does not need to be located on the site of a qualifying agricultural operation where the farmworkers are employed.

(5354) FAST FOOD RESTAURANT - An establishment whose principal business is sale of pre-prepared or rapidly prepared food served in disposable packaging directly to the customer, for consumption either within the restaurant building or off premises.

(5455) FRONTAGE - The portion of a lot, parcel or site that abuts a dedicated public street, not an alley.

(5556) FRONTAGE OF BLOCK - The length of a block measured between two cross streets whereon more than four lots have frontage.

(5657) FRONT LOT LINE - The line dividing a lot or parcel from an officially designated street; provided, however, that if the street is without frontage, the commission shall designate the front lot line.

(5758) FRONT YARD - The yard measured the full width of the lot, lying between the front lot line and the closest portion of the main building.

(5859) GARAGE - An accessory building or portion of the main building having a minimum of four walls, and designed and used principally for the housing of motor vehicles.

(5960) GENERAL COMMERCIAL - Individual stores and businesses where each establishment is located on a separate lot, with separate parking and loading facilities and not in a shopping center.

(~~60~~61) GUEST HOUSE - An accessory building for the housing of temporary guests, not containing a kitchen and not being rented or leased.

(~~61~~62) HABITABLE ROOM - Any room used, or intended or designed to be used for sleeping, living, cooking or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms and similar spaces.

(~~62~~63) HOME FINDING AGENCY - Any individual or organization engaged in finding homes or other facilities as defined in the Cal. Code of Regulations, for placement of persons of any age for temporary or permanent care, or adoption, including providing continuing social services to such persons.

(~~63~~64) HOME OCCUPATION - Gainful employment engaged in by the occupants of a dwelling, which is incidental and subordinate to and compatible with the residential use of the property and- surrounding residential uses.

(~~64~~65) HOTEL - A building providing separate bedrooms or baths for the accommodation of travelers, semipermanent residents and the like, where no kitchen facility is provided, whether known as a hotel, motel, or rooming house.

—(~~65~~ (66) HOUSEHOLD – See Family.

(67) INLAND WATERWAY - A body of water confined to a channel which permits navigation by vessels and ships and is connected directly to the ocean.

(~~66~~68) INSTITUTION - An organization having a social, educational, or religious purpose such as a school, church, hospital, club or lodge.

(~~67~~69) INTERIOR LOT - A lot having lots adjoining on two sides.

(~~68~~70) INTERIOR YARD SPACE - The area on the lot behind the front setback line which is open from ground to sky and used as private open space except as otherwise permitted in this chapter.

(~~69~~71) JUNK - Scraps of copper, wood, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled or wrecked motor vehicles or parts thereof, iron, steel and other scrap ferrous or nonferrous material.

(~~70~~72) KEY LOT - A lot whose side lot forms the rear lot line of a reversed corner lot.

(~~71~~73) KITCHEN - Any room or portion of a room used, or intended, or designed to be used for cooking and preparing food.

(~~72~~74) LANDSCAPING - The treatment and maintenance of a yard area with predominantly vegetative materials, such as lawn or ground cover, shrubs or trees, and ornamental flagstone, brick or rock work and the like, organized in a manner designed to create or enhance a specific appearance.

(~~73~~75) LARGE FAMILY DAY CARE HOME - A State-licensed facility that provides care, protection and supervision for seven to fourteen children in the provider's own home for periods

less than twenty-four hours per day, as further defined in Cal. Health and Safety Code, Section 1596.78.

(~~74~~76) LOT - A parcel of real property officially subdivided and recorded prior to or according to Chapter 15 of this code.

(~~75~~77) LOT AREA - The number of square feet enclosed by the lot lines of a lot.

(~~76~~78) LOT DEPTH - The average lineal distance between the front and rear lot lines, measured perpendicular to the front lot line.

(~~77~~79) LOT WIDTH - The lineal width of a lot measured at the midpoint between the front lot line and rear lot line.

(~~78~~80) MAIN BUILDING - The building wherein the principal use of a lot or parcel is conducted, including attached structures where more than eight lineal feet of a wall is commonly used.

(~~79~~81) MAJOR RECREATIONAL EQUIPMENT - Items designed to be used as temporary dwellings for recreational outings, or designed to be used for other recreational purposes, such as travel trailers, trailer coaches, pickup campers, motorized dwellings, tent trailers, boats and boat trailers.

(~~80~~82) MARIJUANA - Shall have the same meaning as cannabis.

(~~81~~83) MINI-WAREHOUSE - Any structure designed, built or used as individual compartments for five or more occupants on a lease or rental basis for the purpose of storage of any item for a period of more than forty-eight hours.

(~~82~~84) MOBILE HOME - A manufactured relocatable vehicle, other than a motor vehicle, designed or equipped for human residential habitation and for being drawn by a motor vehicle.

(~~83~~85) MOBILE HOME LOT - A parcel of land in a mobile home park rented and used exclusively by the occupants of the mobile home located on that lot.

(~~84~~86) MOBILE HOME PARK - A contiguous area or tract of land of at least sixteen acres under single ownership which has been planned and improved for the placement of mobile homes for nontransient residential use.

(~~85~~87) MOBILE HOME STAND - The part of a mobile home lot reserved for the placement of a mobile home.

(~~86~~88) MOBILE OFFICE - A vehicle other than a motor vehicle designed or used as an office for industrial, professional or commercial purposes, and designed to be drawn by a motor vehicle.

(~~87~~89) MOTEL - A building or group of buildings or units attached, semi-attached or detached, designed to serve as temporary sleeping quarters for transient persons, whether known as a motel, auto court, tourist court or bungalow court, excluding an adult motel, as defined in section [16-336\(A\)\(5\)](#).

| (~~88~~90) MOTION PICTURE THEATER - An establishment containing two or fewer screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

| (~~89~~91) MOTOR VEHICLE - A device by which any person or property may be propelled, moved, or drawn upon a public street, excepting a device moved by human power.

| (~~90~~92) MULTI-FAMILY DWELLING - A building containing two or more dwelling units.

| (~~91~~93) MULTIPLEX MOTION PICTURE THEATER - An establishment containing three or more screens where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown for any form of consideration.

| (~~92~~94) NEIGHBORHOOD COMMERCIAL - Stores and businesses located in a shopping center of less than ten acres and designed to serve a local neighborhood rather than several neighborhoods.

| (~~93~~95) NONACCESSORY SIGN - A sign which advertises products, services or other uses not associated with any use established on the premises on which such sign is located, also known as an off-premise sign and including, but not restricted to, billboards and outdoor advertising structures.

| (~~94~~96) NONCONFORMING - Buildings or uses which become not permitted or not in compliance with zoning regulations by reason of changes in the zoning regulations or land use zone classification of the property on which such building or uses are located.

(95) OCCUPIED AREA - That area of an individual mobile home lot which has been covered by a mobile home and its accessory structures.

(96) PARKING SPACE - A rectangular space, clearly delineated on the ground or pavement, of dimensions required elsewhere in this chapter, to be used for the parking or stopping of motor vehicles.

| (~~97~~99) PARKING STRUCTURE - A structure used for the parking of vehicles where parking is accommodated on two or more levels.

| (~~98~~100) PATIO - A deck or paved area not extending above the first floor level of a building and open to the sky.

(99) PATIO SHELTER - A covered shelter for semi-outdoor recreational activities, which is enclosed on no more than two sides, whether or not the remaining two sides are partially enclosed by a low wall, supporting structural members, lattice work, louvers, screens and the like.

| (~~100~~102) PAWNSHOP - An establishment that engages in the business of loaning money on the security of pledges of personal property, and purchasing and selling personal property.

| (~~101~~103) PERGOLA - An open-work structure or lattice having at least fifty percent of its roof open to the sky.

- (~~102~~104) PERMANENT STORAGE - The storage of any item of personal property for a period of more than forty-eight hours.
- (~~103~~105) PERMANENT STRUCTURE - Any object having a solid foundation or fixed location on the ground.
- (~~104~~106) PRIMARY DWELLING UNIT - The main residential structure containing one dwelling unit located on a single-family lot.
- (~~105~~107) PRIVATE SCHOOL - An accredited private school or college providing academic or trade education.
- (~~106~~108) PRIVATE STREET - A privately owned vehicular right-of-way used as access by two or more lots which do not have frontage on a public street.
- (~~107~~109) PRODUCT ASSEMBLY PLANT - Production facilities primarily engaged in final or partial assembling or packaging of premanufactured, treated, or fabricated components, materials or products.
- (~~108~~110) PUBLIC CAMPGROUND - A public area wherein major recreational equipment may be placed as temporary dwellings.
- (~~109~~111) PUBLIC PARKING LOT - A parking lot for motor vehicles created to serve the public either as a separate business or as an accessory use to a business, whether owned by a governmental agency or by a private person or business.
- (~~110~~112) QUARRY - Any premises or site from which rock, sand, gravel, stone, earth, soil or any other mineral is removed or excavated for the purpose of sale, excluding the necessary grading or excavating of a building site under a valid building permit.
- (~~111~~113) REAR LOT LINE - The lot line most nearly parallel to the front lot line and dividing the lot from an alley or adjoining lot; provided, however, that the Planning Commission shall designate the rear lot line for through lots.
- (~~112~~114) REAR YARD - The yard measured the full width of the lot, lying between the rear lot line and the nearest portion of the main building.
- (~~113~~115) RECREATION COMMERCIAL - Indoor or outdoor sport, game, or recreational activity which may occur within a building or as outdoor activities, including but not limited to arenas, stadiums, rinks, golf courses, ranges, auditoriums, or theaters.
- (~~114~~116) REQUIRED YARD - The yard area required by this chapter.
- (~~115~~117) RESEARCH AND DEVELOPMENT - Facilities or establishments primarily performing research or development of industrial or scientific products.
- (~~116~~118) RESIDENTIAL CARE FACILITY FOR THE ELDERLY - A housing arrangement of residents at least sixty years of age, where personal care and supervision are provided, as defined in Cal. Health and Safety Code, § 1569.2.

(~~117~~119) REVERSED CORNER LOT - A corner lot whose rear lot line abuts the side lot line of an adjoining lot.

(~~118~~120) SCRAP METAL PROCESSING FACILITY - Any property which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.

(~~119~~121) SENIOR AND/OR SENIOR ASSISTED LIVING RESIDENTIAL FACILITY - A state-licensed residential facility with seven or more residents that provides a range of community dining and/or recreation areas integrated with individual apartment units that may have individual cooking facilities; that provides at least one non-medical and/or medical support service to residents such as housekeeping, laundry, media room facility, library, hair care, recreation, and transportation services; that is restricted to qualifying residents or senior citizens as those terms are defined in Cal. Civil Code, section 51.11; that may include a secure area(s) for residents with limited memory or cognitive abilities and/or limited physical mobility; and that is subject to the regulations for Planned Residential Groups set forth in section [16-466](#) of this code.

(~~120~~122) SIDE LOT LINE - All other lot lines that are not front or rear lot lines.

(~~121~~123) SIDE STREET - A street providing secondary frontage to a lot, and having an angle between forty-five to one hundred and forty degrees at its intersection with the street providing principal frontage for the lot in question.

(~~122~~124) SIDE YARD - The yard lying between the side lot line and the closest portion of the main building and between the front and rear yards.

(~~123~~125) SINGLE-FAMILY DWELLING - A building containing one dwelling unit whether built as a detached building or as an attached townhouse type of unit that does not involve common ownership or adjacent parcels of real property. The definition of single family dwelling does not include farmworker employee housing, but shall including farmworker employee housing projects with six or fewer residents as allowed by state law.

(~~124~~126) SMALL RESIDENTIAL HEALTH OR CARE FACILITY - A facility licensed, authorized or certified by the State that provides nonmedical health or care services to six or fewer persons (except as otherwise provided herein), which State statutes identify as a residential use of property subject only to standards and restrictions applicable to other dwellings of the same type in the same zone, including but not limited to: a congregate living facility, as defined in Cal. Health and Safety Code, § 1250, having no more than six beds; an intermediate care facility/developmentally disabled habilitative, as defined in Cal. Health and Safety Code, § 1250, serving no more than six persons; an intermediate care facility/developmentally disabled-nursing, as defined in Cal. Health and Safety Code, § 1250, having no more than six beds; a state-licensed residential care facility, as defined in Cal. Health and Safety Code, § 1568.01, serving no more than six persons; a small family day care home serving no more than eight children, as defined in Cal. Health and Safety Code, § 1596.78; a pediatric day health and respite care facility, as defined in Cal. Health and Safety Code, § 1760.2, having no more than six beds; an alcoholism or drug abuse recovery or treatment facility, as defined in Cal. Health and Safety Code, § 11834.02, serving no more than six persons; and a state authorized, certified or licensed family care home, foster home or group home providing care on a twenty-four hour a day basis

to six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, as referred to in Cal. Welfare and Institutions Code, § 5116.

—~~(125~~ (127) STORY - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above; also, if the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade as defined herein for more than fifty percent of the total perimeter or is more than twelve feet above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered as a story.

~~(126~~128) STREET - Land dedicated to or owned by a city, county, or state and designated as a public right-of-way, but not including an alley as defined herein.

~~(127~~129) STRUCTURAL ALTERATIONS - Any change to a bearing wall, column, beam, joist, roof, rafter or other supporting member of a building or structure.

~~(128~~130) STRUCTURE - A man-made object other than ornamental statuary, having a permanent location on the ground, and more than six inches above the finished grade.

~~(129~~131) SUBTERRANEAN GARAGE - Any enclosed motor vehicle storage area of which any portion extends below the average grade of the project site.

~~(130~~132) SUPPORTIVE HOUSING - Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same zone.

~~(131~~133) SWAP MEET - Any indoor or outdoor facility containing multiple tenant spaces, stalls or booths from which new or used merchandise, crafts, or food are sold, exchanged or bought by separate vendors. An admission fee may or may not be charged. Any facility bearing the name of, or otherwise being promoted as a swap meet or flea market, shall constitute a swap meet for purposes of this chapter.

~~(132~~134) TANDEM PARKING SPACE - A parking space located ~~so that it abuts~~immediately behind or in front of a second parking space, such that vehicular access to that second space can be made only through the abutting space. Tandem parking accommodates two or more vehicles.

~~(133~~135) THEATER - A motion picture theater or an establishment regularly featuring live performance of dramatic productions for any form of consideration.

~~(134~~136) THRIFT STORE or SECONDHAND STORE - A retail business that engages or specializes in the sale of previously owned, secondhand or used merchandise, in which the area devoted to such merchandise is larger than twenty-five percent of the total floor area devoted to retail sales; provided, however, that this definition does not include antique shops or specialty

retail stores that sell only one type of used merchandise, including but not limited to used record stores, used bookstores, used furniture stores, and sports trading card stores.

| (~~135~~137) THROUGH LOT - An interior lot whose front and rear lot lines both abut public streets.

| (~~136~~138) TIMESHARE - Dwelling units or commercial transient quarters (such as hotel or motel rooms) divided for purposes of marketing and sale into at least twelve annual time segments of not less than one week or more than thirty days during which the units or quarters may be occupied, with the annual right of occupancy extended over a specified period of time.

| (~~137~~139) TOWNHOUSE - A single-family dwelling unit attached to one or more other single-family dwelling units with each dwelling unit occupying a separate lot.

| (~~138~~140) TOWNHOUSE CONDOMINIUM - A townhouse, having associated with it an undivided interest in common in a parcel of real property that is contiguous with the townhouse lots.

| (~~139~~141) TRADITIONAL BED AND BREAKFAST - An establishment which contains no more than two guest bedrooms each of which is available for rent to the general public for up to twenty-nine consecutive days.

| (~~140~~142) TRAILER - A vehicle designed to be towed behind an automobile or truck.

| (~~141~~143) TRAILER PARK - Any area where one or more mobile homes are located.

| (~~142~~144) TRANSIENT - A tourist or other person abiding in the city for a short period of time.

| (~~143~~145) TRANSITIONAL HOUSING - Five or more dwelling unit(s) used as rental housing but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient. Supportive services ~~are~~are provided to facilitate the movement of homeless individuals and their families to permanent housing. An eligible person(s) may live in the dwelling for up to two years, pursuant to Cal. Health and Safety Code, §§ 50675.2(h) and 50801(i). Some units may be designated for transition in place, where person(s) may stay in the unit for more than two years. Such housing shall be considered a residential use of the property and shall be subject only to those restrictions that apply to other residential dwellings of the same type and in the same /one.

| (~~144~~146) USE - Utilization of property or buildings for a specific purpose.

| (~~145~~147) USE AREA - An open or yard area, uncovered by building or structures, used as the main use or accessory use of a lot or parcel.

| (~~146~~148) USED CAR JUNK AREAS - Any property which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, abandoned or dismantled motor vehicles or motor vehicle parts.

EXHIBIT B

DIVISION 13. ACCESSORY DWELLING UNITS

SEC. 16-465. PURPOSE AND FINDINGS.

(A) Accessory dwelling units (also known as “second units” or “granny flats”) are located within, attached to, or ~~behind~~detached and adjacent to the primary single-family ~~units~~unit, and can provide an important source of affordable housing.

(B) Accessory dwelling units, when appropriately sized and located, have little impact on neighborhood quality of life.

(C) Establishing reasonable regulations of accessory dwelling units is an appropriate mechanism to properly balance the need for additional affordable housing with the need to maintain existing community character and neighborhood quality of life.

~~(Ord. No. 2914, 2925)~~

~~(D) Accessory dwelling units may be referred to as “Efficiency”, “Studio”, or “Single” and be of any room count and configuration allowed by applicable development standards and building codes. (Ord. No. 2914, 2925)~~

~~(E) For purposes of these regulations, reference to “director” shall mean the the Director of Development Services.~~

SEC. 16-466. MINISTERIAL CONSIDERATIONS.

(A) New detached construction - If the director receives an application to construct an accessory dwelling unit by constructing a new detached ~~structure~~structure, and the proposal meets all of the requirements of the ~~Municipal~~Oxnard City Code, then within 120 days of the director receiving ~~a complete~~an application the accessory dwelling unit, the director shall ministerially approve the application without a hearing.

(B) New attached construction - If the director receives an application to construct an accessory dwelling unit by adding on to an existing structure and the proposal meets all of the requirements of the City Code, then within one-hundred 120 days of the director receiving ~~a complete~~an application ~~for~~ the accessory dwelling unit, the director shall ministerially approve the application without a hearing.

(C) Construction within existing structure - If the applicant will not be adding floor area, and instead has submitted ~~a complete~~an application for an accessory dwelling unit entirely within the existing space of a single-family residence or accessory structure, then ~~the requirements of section 16-469 (“Exception for Accessory Dwelling Unit Within Existing Single Family Residence or Accessory Structure”)~~ shall ~~apply within one-hundred 120 days of the director receiving an application for the accessory dwelling unit, the director shall ministerially approve the application without a hearing.~~

(D) Historic district or historic property - If the applicant submits ~~a complete~~an application for an accessory dwelling unit within a designated historic district or on a parcel with a historic designation by the City, County of Ventura, State of California, and/or U.S. Department of the Interior, or on a property that is within the 2005 Downtown Oxnard Historic Resources Survey area, the application will default to applicable permitting procedures for development ~~of a new housing unit in that location~~, except that the accessory dwelling unit application and use is allowed pursuant to Cal. Gov't Code Section 65852.2.

(Ord. No. 2914, 2925)

SEC. 16-467. STANDARDS FOR REVIEW.

Except as provided in section ~~16-469, ("Exception for Accessory Dwelling Unit Within Existing Single Family Residence or Accessory Structure~~16-469, ("Fire Safety Exception to Setback Requirements for Accessory Unit"), all accessory dwelling units shall meet or exceed all of the following standards:

(A) Zoning compliance - Except as otherwise provided herein, the primary residence and the accessory dwelling unit shall meet current applicable requirements~~for interior yard space, height, landscaping, setbacks and parking~~ for the zone in which the primary residence and the accessory dwelling unit are located. The accessory dwelling unit shall not be considered when calculating the maximum number of dwelling units permitted by the underlying zone designation.

(B) Residentially zoned - The lot must be zoned R-1, R-1-PD, R-1-7-PD, R-10-PD, R-1-8-PD ("Single-Family"), R-2, R-2-PD ("Multiple Family"),~~R-3, R-3-PD ("Garden Apartment,"), and C-2 ("General Commercial") or CBD ("Central Business District") with approval of a special use permit.~~

(C) Single-family dwelling - There must be an existing or proposed single-family dwelling on the lot, and the single-family dwelling must be ~~either a legal nonconforming, or legal residence.~~

(D) No passageway - No passageway, breezeway, or other type of covered passageway that is not fully enclosed and/or conditioned space shall be ~~required in conjunction with~~allowed to connect the ~~construction of primary dwelling unit to~~ an accessory dwelling unit.

(E) Setbacks for garage units - All otherwise applicable setback requirements apply except that in no event shall:

(1) A setback be required for a garage that is converted to an accessory dwelling unit, or

(2) A required setback exceed five feet from the side and rear lot lines for an accessory dwelling unit that is constructed ~~above~~as an addition to an existing garage.

(F) ~~Kitchen~~Functional Areas - The accessory dwelling unit shall comply with all applicable habitability standards. The accessory dwelling unit shall contain ~~its own~~an independent kitchen facility ~~and bathroom facility separate from the primary dwelling unit. The kitchen facility that~~ shall include ~~at least one of each of~~ the following features: (i) sink; (ii) refrigerator of more than

five cubic feet capacity; and (iii) range or cooktop. The accessory dwelling unit shall ~~comply~~include a separate bathroom with all applicable habitability standards, sink, toilet, and bathing facility; and separate or combined living and sleeping areas.

(G) Foundation - The accessory dwelling unit shall be constructed on a permanent foundation, complying to the California Building Standards Code.

(H) Architecture - An attached or detached accessory dwelling unit shall comply with the architectural standards of ~~section~~Section 16-2316-23 and shall be of materials, colors and in a style which are each compatible with the primary residence, or as reasonable determined by the director.

~~(I) — (I)~~ Public utilities - The accessory dwelling unit shall be served by adequate public utility facilities including, but not limited to, electric, sewer, water and streets, as certified by the public works director. Accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service. Where an accessory dwelling unit is created within an existing structure (primary or accessory), no new utility connection or payment of impact fees shall be required. For any other accessory dwelling unit, a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Any connection fee or capacity charge shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(J) Separate entrances - The accessory dwelling unit shall have ~~an~~one entrance separate from the entrance to the primary residence. Only one of the entrances may be visible from the front yard of the primary residence unless the primary and accessory dwelling unit entrances are designed in a manner that maintains the appearance of a single-family dwelling. An entrance leading to a foyer with entrances leading from the foyer to the primary dwelling unit and the accessory dwelling unit is allowed. An accessory dwelling unit shall have one primary entrance similar in design to that of the primary dwelling unit. Secondary exterior access including sliding doors, french doors, etc. may be provided in accordance with applicable development standards.

- (K) Occupancy by owner - The primary residence or the accessory dwelling unit shall be occupied by the property owner, and the property owner shall annually certify to the city such occupancy in ~~a manner similar to the annual reasonable accommodation self-certification process~~accordance with the ADU permit conditions of approval. An owner may be absent from the primary or accessory dwelling unit for up to 12 months during any 36-month period. A property owner who will be absent for more than 12 months may obtain an additional 12 months' absence with director approval if the director determines the approval will not be detrimental to the neighborhood. Before a certificate of occupancy is issued for the accessory dwelling unit, an agreement affecting real property shall be recorded against the property that ~~imposed~~imposes specific restrictions on the property including occupancy by owner of the property, the accessory unit not being for sale separate from the primary residence and limitations on rentals. The

language of the agreement affecting real property shall be approved by the city prior to its recordation.

(L) Not for sale - The accessory dwelling unit shall not be ~~intended to be~~ sold or offered for sale separately from the primary residence.

(M) Rentals - Either the accessory dwelling or the primary residence may be rented, but not both. Rental terms shall be 30 days or longer.

(N) Only one accessory dwelling unit - No more than one accessory dwelling unit may be constructed on any legally existing lot or ~~combinations~~combination of lots that are developed as one residential use.

(O) Sprinklers - Fire sprinklers are required for any accessory dwelling unit if they are required for the primary residence.

(P) Building code - ~~All~~ building standards code requirements that apply to detached dwellings apply to accessory dwelling units.

(Q) Minimum and Maximum ~~floor area~~Gross Floor Area -

(1) Detached unit - If the accessory dwelling unit is detached from the existing primary dwelling unit, then the accessory dwelling ~~unit's~~unit maximum permissible floor area shall be 50% of the square footage of the existing or proposed primary residence, not including garage floor area, except that ~~the maximum~~that floor area shall ~~not~~ be no less than ~~600~~220 gross square feet, or more than 1,200 gross square feet, ~~except that the otherwise applicable maximum permissible floor area shall be increased to the extent necessary for ADA compliance; provided, however, that at least an efficiency unit (as that term is defined by Cal. Health and Safety Code, Section 17958.1) shall be allowed to be constructed in compliance with the local development standards.~~

(2) Addition to existing residence for accessory dwelling unit - If the accessory dwelling unit is attached to an existing primary dwelling unit, and the accessory dwelling unit floor area is added to the existing primary dwelling unit, then the gross square feet and the maximum floor area the applicant may add is 50% of the gross square footage of the primary residence, not including garage floor area, except that the maximum floor area shall ~~not~~ be no less than ~~600~~220 gross square feet, or more than 1,200 gross square feet, ~~except that the otherwise applicable maximum permissible additional floor area shall be increased to the extent necessary for ADA compliance; provided, however, that at least an efficiency unit (as that term is defined by Cal. Health and Safety Code, Section 17958.1) shall be allowed to be constructed in compliance with the local development standards.~~

(3) Construction entirely within existing structure – If the accessory dwelling unit is developed entirely within the existing primary residence and/or accessory structure, the ADU shall be the smaller of the two units and the minimum floor area of the ADU shall be no less than 220 gross square feet and the maximum no more than 1,200 gross square feet.

(4) An accessory dwelling unit may be constructed concurrently with construction of an addition to the primary dwelling unit that, by and of itself, meets applicable zoning district development standards for a primary dwelling unit. The minimum and maximum allowed accessory dwelling unit floor areas shall be based on the total size of the primary dwelling unit plus any additions integrated with only the primary dwelling unit, not including garage floor area.

(Ord. No. 2914, 2925)

SEC. 16-468. OFF-STREET PARKING.

- ~~(A)~~ ~~—(A)—~~ Parking requirements - The requirements of ~~Municipal~~Oxnard City Code section ~~16-622~~16-622(F) (entitled "Schedule of Vehicle-Off-Street Parking Requirements") apply, ~~where not specified in this section.~~
- ~~(B)~~ ~~—(B)—~~ Off-Street Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom, whichever is greater. These spaces may be provided as tandem parking. The accessory dwelling unit parking space(s) may not be located in the required front yard setback.
- ~~(C)~~ ~~—(C)—~~ Off-street parking is not required in any of the following instances when the Applicant demonstrates that:
- ~~(1)~~ ~~—(1)—~~ The accessory dwelling unit is located within one-half mile of public transit, including transit stations and bus stations;
 - ~~(2)~~ ~~—(2)—~~ The accessory dwelling unit is located within an architecturally and historically significant historic district;
 - ~~(3)~~ ~~—(3)—~~ The accessory dwelling unit is constructed entirely within the proposed or existing primary dwelling unit or an accessory structure;
 - ~~(4)~~ ~~—(4)—~~ When on-street parking permits are required by the City but not offered to the occupant of the accessory dwelling unit; or
 - ~~(5)~~ ~~—(5)—~~ When there is a car share vehicle located within one block of the accessory dwelling unit.
- ~~(D)~~ ~~—(D)—~~ Demolished or converted required parking spaces - When a required garage, carport, or covered parking structure for the primary unit is demolished or converted in conjunction with the construction of an accessory dwelling unit, required parking for the primary unit shall be provided on the property, outside of the front yard setback, and on a city approved pad or structure ~~in compliance with applicable Oxnard City Code requirements.~~

(Ord. No. 2914, 2925)

SEC. 16-469. FIRE SAFETY EXCEPTION TO SETBACK REQUIREMENTS FOR ACCESSORY UNIT ~~WITHIN EXISTING SINGLE FAMILY RESIDENCE OR ACCESSORY STRUCTURE.~~

Notwithstanding any other provision of this code to the contrary, the director shall ~~without a hearing, not~~ ministerially approve ~~a complete~~an application for a permit to create an accessory dwelling unit if ~~all of the following apply:~~

- ~~—(A)—~~ ~~The unit is contained entirely within the existing space of a single family primary residence or legal accessory structure (without adding floor area to the existing residence or accessory structure).~~
- ~~—(B)—~~ ~~The unit will be on a lot with a zoning designation listed in section 16-467(B).~~
- ~~—(C)—~~ ~~There will be only one accessory dwelling unit on the lot.~~

- ~~—(D) The accessory dwelling unit has independent exterior access from the existing residence.~~
- ~~—(E) The accessory dwelling unit side and/or rear setbacks are ~~sufficient~~insufficient for fire safety as determined by the fire marshal.~~
- ~~—(F) Fire sprinklers are provided to the same extent that they are required for the primary residence.~~

(Ord. No. 2914, 2925)

SEC. 16-469.5. ACCESSORY DWELLING UNIT IN GENERAL COMMERCIAL (C-2) AND CENTRAL BUSINESS DISTRICT (CBD) ZONES.

Accessory dwelling units are allowed in the General Commercial (C-2) zone and in the Central Business District (CBD-zones) zone, subject to Downtown Development Code amendments, upon the issuance of a special use permit pursuant to Division 3, ~~section 16-530~~Section 16-530 of the Oxnard ~~Municipal~~City Code if the lot is developed with only ~~a one~~ legal single-family unit.

(Ord. No. 2914, 2925)

SEC. 16-469.6. EXCEPTIONS FOR LARGE LOTS WITH A PROPOSAL FOR NEW PRIMARY UNIT

Notwithstanding any other provision of this code to the contrary, the Planning Manager shall consider a request for a Development Design Review (DDR) permit to develop a new primary housing unit and designate an existing housing unit as the accessory dwelling unit if all of the following apply:

- (A) The qualifying legal lot is at least 10,890 (1/4 acre) square feet.
- (B) Contiguous lots must be under the same ownership shall be required to complete a lot merger.
- (C) The existing legal single-family housing unit is not greater than 1,200 square feet in size, not counting an attached or detached garage.
- (D) The lot complies with zoning designations listed in section 16-467(B).
- (E) The proposed new housing unit is situated on the lot in compliance with applicable zoning setbacks and uniformly applied development and parking standards.
- (F) The proposed new housing unit shall be a minimum of twice the size of the existing dwelling unit now designated as the accessory dwelling unit, not counting an attached or detached garage.
- (G) That approved plans, certificate of occupancy, and related documents shall reflect that the existing housing unit is classified as the accessory dwelling unit and subject to Sections 16-

467(F)/(I) / -(J)/ -(L)/ -(M)/ -(O)/ -(P) and the newly constructed housing unit is classified as the primary unit and subject to Sections 16-467(K)/ -(M)/ -(P).

ATTACHMENT “D”

CEQA Exemption



NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NO. 19-580-01 (Zone Text Amendment): a request to amend Oxnard City Code (OCC) Sections 16-10, Definitions, and 16-465, Accessory Dwelling Units (ADU), to be consistent with recent changes in State Law; reduce the ADU minimum size from 600 to 220 gross square feet; and establish minimum lot size and development standards for an exception process whereby lots with small primary units may develop a new primary residence and the original unit be designated the ADU. In accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the Commission's recommendations on the ZTA's is not considered a project as defined by CEQA. Filed by the City of Oxnard, Development Services Department, Ashley Golden, Director, 214 South C Street, Oxnard 93030.

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 15061(b)(3), the adoption of a zoning code amendment does not lead to a direct or foreseeable change in the physical environment as any development that would be affected by the proposed zoning amendment requires a development application for which the approval is either ministerial by State law or discretionary subject to a project-level CEQA review.

(Date)

Kathleen Mallory, AICP
Planning and Environmental Services
Manager