

CITY OF OXNARD

PLANNING COMMISSION AGENDA

REGULAR MEETING
Council Chambers, 305 West Third Street
Thursday, October 17, 2019, 6:00 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. CONSENT AGENDA

1. APPROVAL OF MINUTES – September 19, 2019

E. CONTINUED PUBLIC HEARING

- Project Name: 7-Eleven** – PLANNING AND ZONING PERMIT PZ NO. 18-500-12 (Special Use Permit) A request to demolish an existing four-story 27,450 square-foot office building and construct a gas fueling facility with six fuel dispenser stations and 12 pumps; construct a one-story 3,000 square-foot convenience store (7-Eleven) operating 24-hours; permit a Type-20 alcohol license for the sale of beer and wine for off-site consumption during the hours of 7:00 a.m. and 12:00 a.m.; approve a street dedication of 3.5 feet along Saviers Road; approve a street dedication of 1.35 feet along Channel Islands Boulevard; and construct associated parking and landscaping improvements on a 1.05 acre (45,738 square feet) site located at 2900 Saviers Road (APN 219-018-035) in the General Commercial (C-2) zone. Filed by Greg Fick of Tait and Associates, 701 N. Parkcenter Drive, Santa Ana, CA 92705.

Project Planner: Veronica Ortiz-DeAnda

Recommendation:

Deny the Project, as submitted, finding the Project to be Statutorily Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which are Disapproved), and Approve Resolution 2019-XX for Planning and Zoning Permit Number 18-500-12 (Special Use Permit), denying the Project as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-531 and City Council Resolution No. 11,896 in order to grant a Special Use Permit.

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 ensure 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.

F. PUBLIC HEARING

1. **Project Name: Romero Duplex** – PLANNING AND ZONING PERMIT NO. 17-500-14 (Special Use Permit) Request for approval to establish a Planned Residential Group (PRG) for the adaptive reuse of an existing two-story 3,244 square-foot industrial building to a residential duplex. The proposed duplex includes a 1,635 square-foot unit and a 1,202 square-foot unit with a detached three-car carport on a 4,110 square-foot parcel. Pursuant to Oxnard City Code (OCC) § 16-445, the project includes the following modifications to the development standards of the Multiple Family (R-2) zoning district:
 - 1) increase in density (from 3,500 square-feet of lot area per dwelling unit required to 2,055 square-feet of lot area per dwelling unit provided);
 - 2) reduction of the required interior yard space (from 1,233 square-feet with minimum dimensions of 15 feet by 15 feet required to 759 square-feet without the 15 feet by 15 feet minimum dimensions provided);
 - 3) reduction in front yard setback (from 25 feet required to 9 feet and 8 inches provided);
 - 4) reduction in side yard setback (from 4 feet to none along the southern property line provided);
 - 5) increase in height of front yard fence (from 42 inches required to 6 feet provided);
 - 6) relief from required resident off-street parking (4 garage parking spaces required to 3 carport parking spaces provided);
 - 7) relief from required visitor parking (from two off-street visitor parking spaces required to zero off-street visitor parking spaces provided); and
 - 8) relief from landscaping (from 10-foot parking area landscaping required to 1 foot and 10 inch parking area landscaping provided).

For the purposes of this staff report, the foregoing project description shall be referred to as “the Project.” The project is located at 212 East First Street (APN 201-0-115-240) in the Multiple Family (R-2) zone. Filed by Jeff Valenzuela on behalf of property owner Juan Romero, 971 Gill Avenue, Port Hueneme, California 93041.

Project Planner: Jay Dobrowalski

Recommendation:

Approve the Project, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 (New Construction or Conversion of Small Structures), and Approve Resolution 2019-XX for Planning and Zoning Permit Number 17-500-14 (Special Use Permit), subject to certain findings and conditions.

G. STUDY SESSION/REPORTS**H. PLANNING COMMISSION BUSINESS****I. COMMUNITY DEVELOPMENT STAFF UPDATES****J. ADJOURNMENT****K. FUTURE MEETINGS - Thursday, November 7, 2019, at 6:00 p.m., City Council Chambers**

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 ensure accessibility to the meeting.

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MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
September 19, 2019
DRAFT

A. ROLL CALL

At 6:00 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Frank, Vice Chair Chua, Commissioners Chavez, Fuhring (arrived 6:20 p.m.), Meyer and Sanchez were present. Commissioners Dozier was absent. Staff members present were Jeffrey Lambert, Community Development Director, Scott Kolwitz, Planning Manager, Veronica Ortiz-DeAnda, Contract Planner, Ken Rozell, Chief Assistant City Attorney, and Maria Santana, Recording Secretary. Chair Frank presided and called the meeting to order.

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Commissioner Meyer led the pledge of allegiance.

C. Public Comments – On Items Not On the Agenda

No public comments were received for items not on the agenda.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES September 5, 2019

MOTION: Commissioner Chavez moved and Commissioner Meyer seconded a motion to approve the minutes of September 5, 2019, as submitted. Commissioner Dozier and Fuhring were absent. The motion carried 5:0:2:0.

E. CONTINUED PUBLIC HEARING

1. **Project Name: Romero Duplex – PLANNING AND ZONING PERMIT NO. 17-500-14** (Special Use Permit) Request for approval to establish a Planned Residential Group (PRG) for the conversion of an existing two-story 3,244 square-foot medical commercial building to a residential duplex. The proposed duplex includes a 1,635 square-foot unit and a 1,202 square-foot unit with a detached three-car carport on a 4,110 square-foot parcel. Pursuant to Oxnard City Code (OCC) § 16-445, the project includes the following modifications to the development standards of the R-2 zoning district: 1) increase in density; 2) reduction of the required interior yard space; 3) reduction in front yard setback; 4) reduction in side

yard setback; 5) relief from garage parking; 6) relief from off-street visitor parking; and 7) reduction in parking area landscaping. The project is located at 212 East First Street (APN 201-0-115-240) in the Multiple Family (R-2) zone. Filed by Jeff Valenzuela on behalf of property owner Juan Romero, 971 Gill Avenue, Port Hueneme, California 93041.

Project Planner: Jay Dobrowalski

Recommendation:

Continue the Project to a date certain of October 17, 2019.

MOTION: Commissioner Meyer moved and Commissioner Chavez seconded a motion to continued PZ 17-500-14 (Special Use Permit) to a date certain of October 17, 2019.

VOTE: Chair Frank, Vice Chair Chua, Commissioners Chavez, Meyer and Sanchez voted in favor. Commissioner Dozier and Fuhring were absent. The motion carried 5:0:2:0.

F. PUBLIC HEARING

1. **Project Name: 7-Eleven – PLANNING AND ZONING PERMIT PZ NO. 18-500-12** (Special Use Permit) A request to demolish an existing four-story 27,450 square-foot office building and construct a gas fueling facility with six fuel dispenser stations and 12 pumps; construct a one-story 3,000 square-foot convenience store (7-Eleven) operating 24-hours; permit a Type-20 alcohol license for the sale of beer and wine for off-site consumption during the hours of 7:00 a.m. and 12:00 a.m.; approve a street dedication of 3.5 feet along Saviers Road; approve a street dedication of 1.35 feet along Channel Islands Boulevard; and construct associated parking and landscaping improvements on a 1.05 acre (45,738 square feet) site located at 2900 Saviers Road (APN 219-018-035) in the General Commercial (C-2) zone. Filed by Greg Fick of Tait and Associates, 701 N. Parkcenter Drive, Santa Ana, CA 92705.

Project Planner: Veronica Ortiz-DeAnda

Recommendation:

Approve the Project, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects), and Approve Resolution 2019-XX for Planning and Zoning Permit Number 18-500-12 (Special Use Permit - SUP), subject to certain findings and conditions.

Planning Commissioners did not have any ex parte communications to report for item F.1.

Contract Planner Veronica Ortiz-De Anda provided a PowerPoint presentation outlining the request.

Michael Gonzales, esq., provided a PowerPoint presentation outlining their request. Chair Frank opened the public comments portion of the public hearing.

Public verbal comments were received from the following in favor of the project: Delfino Anguiano, and Pamela Sitt.

Public written comments were received from the following in favor of the project: Ramiro Franco, Andrea Gonzales, Gopal Manwani, Luz Mendoza, Robert Rizzie, Ajaib Singh, Bakhtowar Singh Manar, Jaswinder Singh Koonar, Jogjit Singh Manan, Kulwinder Singh, Parmdit Singh, Sharandeep Singh Deol, Bill Stover, Mandeep Sudwal, Naudip Thandi, Jessie Tiwana, Parmit Tiwana, Ranjitkaur Tiwana, Amit Uttwani, Evelyn Vianzon, and Ranjit Kaur Ziwaagna.

Public verbal comments were received from the following people not in favor of the project: Pat Brown, Max Ghenis, Shirley Godwin, Jon Huycke, David Lopez, Rosalie Lopez, Barbara Macri-Ortiz, Donald Nielsen, Jackson Piper, Roy Prince, Nancy Rahn, Leopoldo Rojas, and Yaderi Salazar.

Public written comments were received from the following people not in favor of the project: Agustin Morales Jr., Katherine Nishimori, Eduardo Salcedo, Sonia Salcedo, Gloria Shadenzar, and Shacen.

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Commissioner Chavez moved and Commissioner Fuhring seconded a motion of intent to deny the Project as they could not make all of the Findings required to grant the Special Use Permit in accordance with Oxnard City Code Section 16-531, and they continued the hearing to October 17, 2019 to ratify the action by approving a resolution of denial.

VOTE: Chair Frank, Vice Chair Chua, Commissioners Chavez, Fuhring, Meyer and Sanchez voted in favor. Commissioner Dozier was absent. The motion carried 6:0:1:0.

G. STUDY SESSION/REPORTS

None.

H. PLANNING COMMISSION BUSINESS

Commissioner Sanchez announced the Knights of Columbus will be hosting the Civic Knight, with guest of honor Assemblymember Jacki Irwin on October 14, 2019.

Vice Chair Chua requested for the City's Traffic Engineer to attend Planning Commission meetings.

Commissioners Meyer requested for an overview of projects happening throughout the City, in general, and South Oxnard in particular, to be provided to the Planning Commission at a future meeting.

I. PLANNING MANAGER COMMENTS

Jeff Lambert, Community Development Director announced:

1. The City Council's Housing and Economic Development Committee is scheduled to review the Short Term Rental Ordinance on September 24, 2019.
2. The City Council is scheduled to review the Citywide General Plan Consistency Zone Change Program on October 1, 2019.
3. The City Council is scheduled to review the Fisherman's Wharf project at a special meeting on October 7, 2019.
4. The City Council is anticipated to review the Retail Cannabis Ordinance Amendment in October.
5. The Planning Commission is scheduled to review the the Rio Urbana Development proposed at 2714 Vineyard Avenue on October 3, 2019.

J. ADJOURNMENT

At 9:20 p.m., the Planning Commission concurred to adjourn.

Deirdre Frank, Chair

ATTEST:

Jeffrey Lambert, Community Development Director

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission

FROM: Veronica Ortiz-De Anda, Contract Planner

DATE: October 17, 2019

SUBJECT: **Project Name: 7-Eleven:** Planning and Zoning No. 18-500-12 (Special Use Permit) for Property Located at 2900 Saviers Road

Summary

On September 19, 2019, the Planning Commission (the "Commission") considered PZ No. 18-500-12 (Special Use Permit)¹ and made a motion of intent to deny the Project as they could not make all of the Findings required to grant the Special Use Permit in accordance with Oxnard City Code Section 16-531, and they continued the hearing to October 17, 2019 to ratify the action by approving a resolution of denial. The motion passed unanimously.

Staff has prepared the resolution of denial for the proposed Project (Attachment A). Additionally, draft Planning Commission Minutes for the meeting of September 19, 2019 are attached to this memo (Attachment B).

Appeal Process

A decision by the Planning Commission may be appealed to the City Council pursuant to Oxnard City Code Section 16-545. The appeal must be filed with the City Clerk no later than 18 days after the date of the decision.

Attachments

A – Resolution for Denial of PZ 18-500-12

B – Planning Commission Draft Minutes for the September 19, 2019 Meeting

¹ To demolish an existing four-story office building, construct a 12-pump gas fuel station with a 3,000 square-foot convenience store operating 24-hours a day, allow the sale of beer and wine beverages for off-site consumption, and accept an offer for a street dedication of 3.5 feet wide along Saviers Road and 1.35 feet wide along Channel Islands Boulevard on property addressed 2900 Saviers Road (the "Project"). The Applicant requesting approval of this SUP, is also the operator of the existing 7-Eleven convenience store located at 3280 Saviers Road and proposes to close that store and relocate to the Project site. The relocation involves the transfer of the existing type 20 alcohol license for the sale of beer and wine for off-site consumption from the existing store location to the Project site.

RESOLUTION NO. 2019 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DENYING PLANNING AND ZONING PERMIT NO. 18-500-12 (SPECIAL USE PERMIT) TO DEMOLISH AN EXISTING FOUR-STORY 27,450 SQUARE-FOOT OFFICE BUILDING AND CONSTRUCT A GAS FUELING FACILITY WITH SIX FUEL DISPENSER STATIONS AND 12 PUMPS; CONSTRUCT A 3,000 SQUARE-FOOT ONE-STORY CONVENIENCE STORE (7-ELEVEN) OPERATING 24-HOURS A DAY; PERMIT A TYPE 20 ALCOHOL LICENSE FOR THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION DURING THE HOURS OF 7:00 A.M. THROUGH 12:00 A.M.; STREET DEDICATION OF 3.5 FEET ALONG SAVIERS ROAD; STREET DEDICATION OF 1.5 FEET ALONG CHANNEL ISLAND BOULEVARD; AND CONSTRUCT ASSOCIATED PARKING AND LANDSCAPING IMPROVEMENTS ON A 1.05 ACRE (45,738 SQUARE FEET) SITE LOCATED AT 2900 SAVIERS ROAD (A.P.N. 219-0-018-035). FILED BY GREG FICK OF TAIT AND ASSOCIATES, ON BEHALF OF BV OXNARD LLC, PROPERTY OWNER, 6400 SOUTH FIDDLERS GREEN CIRCLE, SUITE 1820, GREENWOOD VILLAGE, CO 80111.

WHEREAS, on September 6, 2018, Greg Fick, (the “**Applicant**”), submitted a request to demolish a four-story 27,450 square-foot office building and construct a gas fueling facility with six fuel dispenser stations with 12 pumps and a 3,000 square-foot, 24-hour convenience store with a type 20 alcohol license allowing the sale of beer and wine for off-site consumption, and associated on-site improvements (collectively, the “Project”); and

WHEREAS, on September 19, 2019, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing and received public testimony to consider the application for Planning and Zoning Permit No. 18-500-12 (Special Use Permit) associated with the Project in accordance with Oxnard City Code Sections 16-530 through 16-553 of the Oxnard City Code and City Council Resolution No. 11,896; and

WHEREAS, on September 19, 2019, the Planning Commission also reviewed all of the information provided in the staff report and considered the testimony given at the public hearing, including all written communications to the Planning Commission, as well as other pertinent information; and

WHEREAS, on September 19, 2019,, the Planning Commission deliberated the merits of the Project and made a motion of intent to deny the Project, subject to the preparation of a written resolution of denial to be considered at the Planning Commission meeting on October 17, 2019.

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) **Oxnard City Code Section 16-531(A). The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no proposed special use permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The Planning Commission finds that:

A. The proposed Project will be materially detrimental to the public health, safety or general welfare because the Project will adversely impact the existing baseline conditions which consists of an undue concentration of alcohol outlets in the immediate area; a high crime rate in the neighborhood; continuous problems of vagrancy at the existing store seeking to relocate to the Project site; and the potentially significant historic resource located on the project site.

B. Data from the City Police Department provides information about the number of commercial establishments that sell alcohol in the Project vicinity, crime rate, and policing problems in the neighborhood. The report cites that within 1000 feet of the Project site, there are seven (7) alcohol outlets including the one proposing to relocate to the subject site. The 2017 crime rate in the neighborhood is 4.9 times higher than the average crime rate citywide and 1.6 times higher than the citywide commercial rate. There report also cites various problems with policing the area including that the Applicant's existing store has continuous problems with loitering and panhandling by the homeless, which requires regular police patrol to address.

C. Relocation of the Applicant's existing store at 3280 Saviers to the subject site with a fuel station will not improve crime and homeless activity problems in the area as a larger facility with more merchandise choices and the fuel station aspect of the Project relocated to a prominent City intersection may bring more customers compared to the location of the existing store and reasonably increase the sale of alcoholic beverages to the homeless.

D. Demolition of the existing building on the Project site may cause impacts to a potentially significant historical resource as the building was designed by a recognized and respected architecture firm, Frank Homolka &

Associates. The Applicant did not undergo a Historical Resource Assessment with the Ventura County Cultural Heritage Board and therefore the impacts to significant historic resources, if any, are unknown; therefore, the Planning Commission is not able to determine if the Project is Categorically Exempt from the California Environmental Quality Act.

(2) City Council Resolution No. 11,896. The proposed use is likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.

The Planning Commission finds that:

A. The Project will create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is requested because the Project site is located in a corner of a major City intersection where there would be more patrons due to more merchandise choices, including gas.

B. These patrons include the homeless, who loiter and panhandle and consume the alcoholic beverage they buy outside the store in public. The Project provides a larger facility with a new fuel station on a prominent corner lot with more visibility, and through those combination of factors, the Planning Commission finds the problems of crime, loitering, and panhandling by the homeless are not expected to improve in part due to the inability of the Applicant to manage these problems at the existing store location.

C. The Project is likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.

SECTION 2. Based on the findings set forth above, each of which provides a separate and distinct basis for denial, the Planning Commission hereby denies Planning and Zoning Permit No. 18-500-12 (Special Use Permit) as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-531 and City Council Resolution No. 11,896 in order to grant a Special Use Permit.

SECTION 3. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”) because the proposed Project is denied.

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

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

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

Deirdre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 17th day of October, 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Scott Kolwitz, Secretary

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Jay Dobrowalski, Associate Planner

DATE: October 17, 2019

SUBJECT: Planning and Zoning Permit No. 17-500-14 (Special Use Permit),
Property Located at 212 East First Street

- 1) Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 17-500-14 (Special Use Permit), subject to certain findings and conditions.
- 2) Project Description and Applicant:** Request for approval to establish a Planned Residential Group (PRG) for the adaptive reuse of an existing two-story 3,244 square-foot industrial building to a residential duplex. The proposed duplex includes a 1,635 square-foot unit and a 1,202 square-foot unit with a detached three-car carport. Pursuant to Oxnard City Code (OCC) § 16-445, the project includes the following modifications to the development standards of the Multiple Family (R-2) zoning district: 1) increase in density (from 3,500 square-feet of lot area per dwelling unit required to 2,055 square-feet of lot area per dwelling unit provided); 2) reduction of the required interior yard space (from 1,233 square-feet with minimum dimensions of 15 feet by 15 feet required to 759 square-feet without the 15 feet by 15 feet minimum dimensions provided); 3) reduction in front yard setback (from 25 feet required to 9 feet and 8 inches provided); 4) reduction in side yard setback (from 4 feet to none along the southern property line provided); 5) increase in height of front yard fence (from 42 inches required to 6 feet provided); 6) relief from required resident off-street parking (4 garage parking spaces required to 3 carport parking spaces provided); 7) relief from required visitor parking (from two off-street visitor parking spaces required to zero off-street visitor parking spaces provided); and 8) relief from landscaping (from 10-foot parking area landscaping required to 1 foot and 10 inch parking area landscaping provided). For the purposes of this staff report, the foregoing project description shall be referred to as “the Project.” Filed by Jeff Valenzuela on behalf of property owner Juan Romero, 971 Gill Avenue, Port Hueneme, California 93041.
- 3) Existing & Surrounding Land Uses:** The project site is currently developed with the existing industrial building. The project site is generally surrounded by residential development. The following table describes the General Plan Land Use Designations, Zoning Designations, and existing land uses of the site and immediately adjacent to the site (Attachment A):

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Residential Low Medium (RLM)	Multiple Family (R-2)	Industrial building
North	Residential Low Medium (RLM)	Multiple Family (R-2)	La Cascada Bar, single-family dwellings
South	Residential Low Medium (RLM)	Multiple Family (R-2)	Single-family dwelling
East	Residential Low Medium (RLM)	Multiple Family (R-2)	Single-family dwellings
West	Industrial Limited (ILM)	Light Manufacturing (M-1)	Ventura County Rescue Mission Bargain Center Thrift Store

- 4) Background Information:** The project site has been developed with the existing industrial building. On April 10, 1989, the Planning Commission approved Special Use Permit No. 1356 for the construction of the existing single-story 1,690 square-foot (sq. ft.) industrial building to be used as an office and warehouse for a concrete business, and Zone Variance No. 484 to permit backing out into the alley and allow the proposed design of the loading and unloading area. The SUP authorized the construction of the industrial building in its current configuration; to date, no changes have been made to the building. At that time, the project site had a zoning designation of Light Manufacturing (M-1), which was consistent with the industrial designation of the 1990 Land Use Element of the General Plan.

On September 12, 2000, the City Council approved Zone Change No. 00-5-11 for property generally located on the east side of Harrison Avenue between Colonia Road and Second Street, and the east and west sides of Hayes Avenue between First Street and Second Street. At that time, the project site had a zoning designation of Light Manufacturing (M-1), which was not consistent with the 2020 General Plan. The project site's zoning designation was changed to Multiple-family Residential (R-2) which was consistent with the Low Medium Density Residential designation of the 2020 General Plan, and is currently consistent with the 2030 General Plan.

- 5) Environmental Determination:** In accordance with § 15303(b), Class 3 of the State California Environmental Quality Act (CEQA) Guidelines, projects characterized as the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, including a duplex or similar multi-family residential structure, totaling no more than six dwelling units, may be found to be exempt from the requirements of the CEQA. The proposed development is the conversion of an industrial building into a residential duplex for a total of two units. The proposed project does not trigger thresholds listed in Section 6.2 of the City's CEQA Guidelines. Therefore, there is no substantial evidence that the project will have a significant effect on the environment and recommends that the Planning Commission accept the Notice of Exemption (Attachment B).

6) Analysis:

- a) General Discussion:** The existing industrial building will be adaptively reused into a residential duplex, for a total of two single-family units. The existing 3,244 square-foot building will be converted into a 1,655 square-foot unit and a 1,202 square-foot unit. The proposed duplex includes a detached three-car carport which will be lighted from dusk to dawn. The project site includes an existing curb cut and driveway that will be converted to a patio area, yard space, and sidewalk. The proposed project includes minor alterations to the façade of the building to create a more residential appearance. The project site includes a perimeter picket fence that will be removed and replaced with plants similar to bougainvillea plants. The proposed development includes a wrought iron gate across the entrance to the front doors, and a wrought iron fence with a gate across the walkway leading to the new patio area. The proposed development also includes a 6 foot high chainlink fence within the front setback along the southern property line (Attachment C).
- b) General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is for Residential Low-Medium uses which allows low-rise apartments and detached and attached single-family residences. The proposed project includes the conversion of an industrial building into a residential duplex, for a total of two attached single-family residences. This Project has been determined to be consistent with the General Plan and the property's land use designation.

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD-1.3	I	Redevelopment to Mixed Use Promote the renovation and adaptive reuse of existing buildings, especially to mixed use if appropriate, in order to provide commercial convenience shopping in established neighborhoods.	Proposed project is the adaptive reuse of an existing industrial building for residential single-family dwellings.
CD-1.5	I	Housing Variety Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single-family units.	The proposed project is the development of two attached single-family dwellings.
CD-8.1	I	Limiting Development Continue to limit development to those areas that can be served by existing or planned utilities, transportation, and service systems.	The project site is surrounded by urban development, and is already served by existing utilities.
CD-9.1	I	Neighborhood Identity Recognize, preserve, and improve the visual identity and character of existing neighborhoods.	The two-story infill development is located within an existing neighborhood of multi-family lots.
CD-14.1	I	Design Review Process In the evaluation of development proposals, continue to ensure that public and private development Projects comply with City design policies, plans, and guidelines.	The project's design incorporates development conditions recommended by the Development Advisory Committee (DAC) to ensure compliance with the City's permitting standards, expectations, and policies for this type of development.
ISC-1.2	I	Development Impacts to Existing Infrastructure Review development proposals for their impacts on infrastructure (e.g., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	The proposed development and associated improvements would use existing infrastructure, which has the capacity to provide service to the proposed residential dwellings. The project includes standards and special development project conditions by City Department representatives.
ISC-8.5	I	Public Sidewalks and Pedestrian Orientation Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of	The proposed development includes the replacement of a curb cut and driveway with a sidewalk to enhance the pedestrian experience.

		private development and public works projects, especially for public sidewalks.	
SC-4.1	I	Green Building Code Implementation Implement the 2010 California Green Building Code as may be amended (CALGREEN) and consider recommending and/or requiring certain developments to incorporate Tier I and Tier II voluntary standards under certain conditions to be developed by the Development Services Director.	Project is designed to comply with Title 24 Green Building Code.
CD-3.4 CD-14.1 CD-14.2 CD-14.3 ICS-11.10 ER-9.4 ER-10.1	II	Neighborhood Quality of Life Design Review Process Development Advisory Committee (DAC) Functions Quality of Design Water Supply Findings for Smaller Projects Human Scale Development Promote Use of Native and Water Wise Plants	The DAC review process led to changes in the Project and/or conditions of approval that meet these Level II policies.

c) Conformance with Zoning Development Standards: The proposed development is located in the Multiple-Family (R-2) zone district. In accordance with the Oxnard City Code (OCC) (§ 16-445.A), the proposed Planned Residential Group may be permitted with approval of an SUP. Applicable development standards of the R-2 zone have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES?
Max. building height 16-43	2 stories, not to exceed 25 feet	23 feet 2 inches	Yes
Density 16-44	3,500 sqft per dwelling unit	7,000 sqft required; existing lot is 4,110 sqft proposed with PRG	Yes, with PRG
Front yard setback 16-45(A)	25% of lot depth, not to exceed 25 feet	25ft required; 9 ft and 8 in existing along Harrison	Yes, with PRG
Side yard setback 16-46(A)	10% of lot width for residence; 4 feet None for accessory structure in rear yard	Zero setback on interior side Zero setback for carport	Yes; with PRG
Rear yard setback 16-47	25% of lot depth, not to exceed 25 feet for residence None for accessory structure in rear yard	25 ft required; 9 ft and 8 in to building existing; 5 ft to carport (may occupy rear yard)	Yes
Interior yard space 16-48	30% of lot area, min. dimension of 15' x 15'. Area open from ground to sky (see exceptions 16-304-16-307).	30% of 4110 sqft = 1233 sqft required; 759 sqft proposed without minimum dimensions with PRG	Yes, with PRG
Accessory buildings 16-49	May be in required rear yard. Must be at least 6 ft from main building, and	Carport proposed 6ft from main building and only 1 story high	Yes

	only 1 story high.		
Fences/hedges - front yard 16-308	Must be at least 50% open, and may not exceed 42 inches. Or if solid wall, then may not exceed 18 inches.	Chainlink fence 6 ft high	Yes, with PRG
Fences/hedges - side & rear yards 16-309	Not to exceed 7 feet in height.	Wrought iron fence 4 ft high with two gates proposed along northern property line	Yes
Parking spaces Resident 16-622	1 space in a garage for each 1-bedroom unit, and 2 spaces in a garage for each unit with 2 -5 bedrooms.	4 garage spaces required; 3 carport spaces proposed with PRG	Yes, with PRG
Parking spaces Visitor 16-622	1 visitor space for each unit	2 visitor spaces required; none proposed with PRG	Yes, with PRG
Parking landscaping 16-641	10-foot wide strip along any street or alley.	1 ft and 10 in wide strip along First Street proposed with PRG	Yes, with PRG

- d) Planned Residential Group:** The proposed project includes a request for a Planned Residential Group (PRG). Pursuant to the OCC (§ 16-445.B), a Special Use Permit for a PRG may vary the density, area, yards, height, parking and fencing requirements of the zone when such action is in accordance with the basic principles and intent of the OCC and the commission can make four additional findings. The applicant requests a PRG in order to reuse the existing industrial building for residential use.

The proposed residential use of the existing industrial building in its current configuration requires the following modifications to the R-2 zone:

- 1) increase in density (from 3,500 square-feet of lot area per dwelling unit required to 2,055 square-feet of lot area per dwelling unit provided);
- 2) reduction of the required interior yard space (from 1,233 square-feet with minimum dimensions of 15 feet by 15 feet required to 759 square-feet without the 15 feet by 15 feet minimum dimensions provided);
- 3) reduction in front yard setback (from 25 feet required to 9 feet and 8 inches provided);
- 4) reduction in side yard setback (from 4 feet to none along the southern property line provided);
- 5) increase in height of front yard fence (from 42 inches required to 6 feet provided);
- 6) relief from required resident off-street parking (4 garage parking spaces required to 3 carport parking spaces provided);
- 7) relief from required visitor parking (from two off-street visitor parking spaces required to zero off-street visitor parking spaces provided); and
- 8) relief from landscaping (from 10-foot parking area landscaping required to 1 foot and 10 inch parking area landscaping provided).

The four additional PRG Findings and the applicant's response to each, verbatim, are as follows:

- 1) A substantial improvement of the use of the land will be thereby effected, and there will not be any detrimental effect upon the surrounding area;

Currently the property is being under-utilized and inappropriate as the commercial use due to the residential nature of the neighborhood. The existing commercial use produces increased traffic and parking generation. A residential use is more appropriate and will be less traffic generation and more compatible with the surrounding residential uses.

- 2) The residential use proposed is permitted within the zone;

The residential use proposed is compatible with the R.2 zoning.

- 3) Building will substantially conform with plot plans and elevations submitted in support of the special use permit; and

Although the existing building does not comply with all setback requirements, the building and proposed use does substantially conform and should be approved under a special use permit.

- 4) The applicant has demonstrated that population densities proposed are in conformance with existing and proposed public facilities, such as streets, sewers, water, schools and parks.

The proposed duplex is a moderate density and is in conformance with the existing city infrastructure and will pose no significant impact on public services.

Based on the applicant's response to each required finding, staff recommends that the Planning Commission make the additional four findings to grant the requested PRG.

- e) **Site Design:** The 0.09 acre (4,110 square-feet) site is located on the southeastern corner of the intersection of Harrison Avenue and East First Street. As part of the PRG request (see above Section d), the applicant requests the following eight modifications to the R-2 zone: 1) increase in density (from 3,500 square-feet of lot area per dwelling unit required to 2,055 square-feet of lot area per dwelling unit provided); 2) reduction of the required interior yard space (from 1,233 square-feet with minimum dimensions of 15 feet by 15 feet required to 759 square-feet without the 15 feet by 15 feet minimum dimensions provided); 3) reduction in front yard setback (from 25 feet required to 9 feet and 8 inches provided); 4) reduction in side yard setback (from 4 feet to none along the southern property line provided); 5) increase in height of front yard fence (from 42 inches required to 6 feet provided); 6) relief from required resident off-street parking (4 garage parking spaces required to 3 carport parking spaces provided); 7)

relief from required visitor parking (from two off-street visitor parking spaces required to zero off-street visitor parking spaces provided); and 8) relief from landscaping (from 10-foot parking area landscaping required to 1 foot and 10 inch parking area landscaping provided).

The proposed residential use is an adaptive reuse of an existing industrial building. The project site is not large enough to accommodate two dwelling units per the R-2 zone standards. The density may be varied with the PRG. The proposed duplex provides two new residential units in a residential neighborhood that is developed with multiple units on nearby lots of similar size. The existing building is located on the southern side property line and is not consistent with current R-2 setback requirements. Since the building will be reused in its current location, the legal non-conforming zero setback along the southern property line will remain. The existing building and the proposed carport do not allow for the required 1,233 square-feet of interior yard space. The proposed project will provide a reduced 759 square-feet of interior yard space.

The front doors of the duplex will face East First Street. The building will have one walkway from the sidewalk to the two front doors. The eastern side of the site features a patio area that will be used for private open space and storage of trash bins. The patio and trash bin storage area will be screened from the street by a cedar fence. The parking area will be located in the rear of the property and will have direct access from the alley. The parking area includes four vehicle parking spaces, and the three spaces closest to East First Street will be covered by a carport. The proposed project will be subject to a condition of approval to require lighting outside the front entrances and under the carport from dusk to dawn. The duplex will be prominently visible on the corner, as the building is located closer to Harrison Avenue than the adjacent single family residence. The site will feature existing Loquat and Magnolia trees to soften the visual impact of the building. The perimeter of the site will be landscaped with five gallon shrubs to separate the residential space from the sidewalk.

- f) **Parking:** Pursuant to the OCC (§16-622.F) each of the residential units requires two garage vehicle parking spaces and one uncovered vehicle parking space (for a total of four garage spaces and two uncovered spaces). As part of the PRG request (see above Section d), the applicant requests a modification to the parking requirement. The project site, with the existing building in its current configuration, does not allow on-site parking for six vehicles. The proposed carport allows vehicle parking and discourages storage of items that might otherwise be stored in a garage to prevent vehicle parking within the garage. Furthermore, Police Department staff had concerns regarding the potential use of a garage for uses other than vehicle parking and adequate on-site nighttime lighting. Thus, the proposed residence and carport are designed with nighttime lighting. Pursuant to the OCC (§16-636.A), backing out onto a public street or sidewalk from a parking space is permitted only for multi-family developments of four units or less. The proposed duplex will have two units. Thus, the project may include parking that backs out onto the adjacent alley. The proposed carport parking is located approximately 25 feet from the adjacent alley so that vehicles will have adequate

distance to back out into the alley. The project site includes frontage along East First Street. Thus, visitors are able to park on the street immediately adjacent to the proposed duplex.

The project site currently has a curb cut from East First Street for a driveway to the loading and unloading zone. The existing curb cut will be removed and replaced with a monolithic sidewalk to match the existing sidewalk, a grass area, and a patio area. The removal of the curb cut eliminates the possibility of vehicles backing out onto East First Street close to the intersection with Harrison Avenue, and creates more street frontage for on-street parking.

- g) *Building Design:*** The proposed two-story building will be a maximum of 23 feet and 2 inches in height. The building has a modern design with a parapet wall along the top of the façade above the first floor and along the top of the second story. The exterior of the building will be feature plaster walls with a sand finish. The front of the building (facing East First Street) features two entrances (one for each unit) with exterior light fixtures, floor to ceiling windows on the first floor, and second-story windows visible beyond the first floor façade. The building design includes a brick accent and tiles above the first floor. The building will be an alabaster color with blue-grey accents. The detached carport will be a beige color.

The building includes wall sconces on the front and the side (facing the carport) for site security. The building includes two prominent entrances (one for each unit), and both will be located underneath an arched parapet wall. The building will be unique from the surrounding development which is mostly characterized as residential development. The nearby lots are developed with smaller residential structures; there are multiple residences on the nearby lots. Thus, the adaptive reuse of the existing industrial building as a residential duplex pays homage to the industrial history of the project site while integrating a residential use into the neighborhood with the surrounding development.

- h) *Landscaping and Open Space:*** As part of the PRG request, the applicant requests that the required 10-foot wide landscape strip required along the parking area facing East First Street be reduced to the proposed 1-foot and 10-inch landscape strip provided. The adaptive reuse of the project site does not allow for adequate on-site vehicle parking and landscaping. The proposed site design allows for one additional on-site vehicle parking space in lieu of the required landscaping. A more functional yard space is provided in front of the vehicle parking area.

Pursuant to the OCC, the project is required to provide 30% of the lot area (1,233 square-feet) as interior yard space, with minimum dimensions of 15 feet by 15 feet. The project will provide 759 square-feet of interior yard space without the minimum dimensions of 15 feet by 15 feet. The project will provide 33% of the total lot (1,415 square-feet) as landscaped area. The proposed duplex includes landscaping along both street perimeters and within the interior yard area. The western side of the project site (along Harrison Avenue) will be landscaped with Loquat trees, and the northern side of the site (along East First Street) will be landscaped with Magnolia trees to soften the visual impact of the building from the roadways. The perimeter of

the site will be landscaped with five gallon plum or similar plants.

The proposed landscaping uses low water usage plantings. The project will be subject to a condition of approval to require compliance with city landscape water conservation standards.

- 2) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on March 14, 2018. Recommendations of the DAC are included in the attached resolution of approval. (Attachment D).
- 3) Community Workshop and Public Input:** The applicant mailed notices to property owners within the La Colonia Neighborhood regarding a Community Workshop to be held April 15, 2019. On April 5, 2019, a notice of this meeting was posted on the project site with a brief description and contact information for the case planner and the applicant. During the April 15, 2019 Community Workshop, staff did not receive public comment regarding the proposed project.
- 4) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

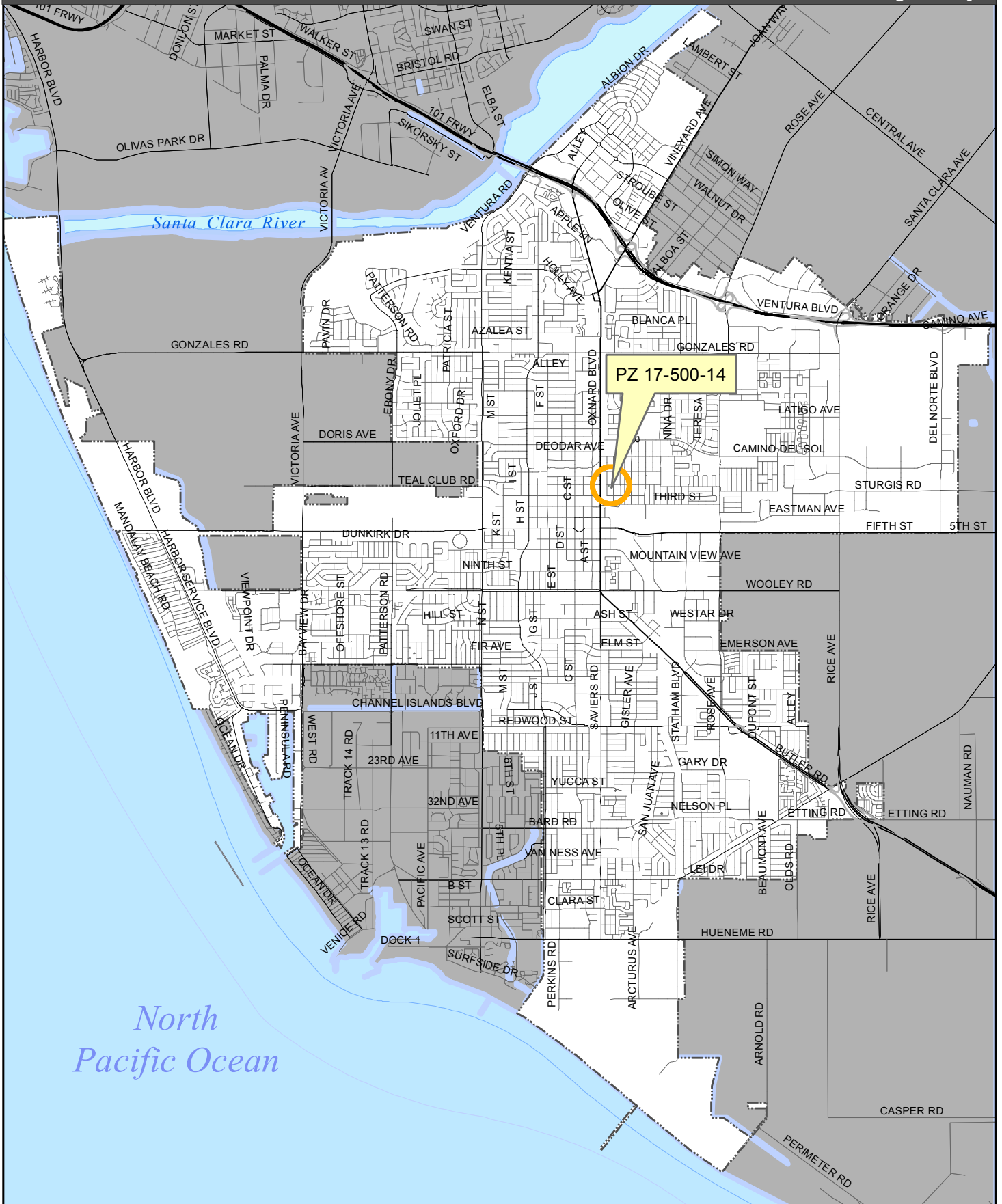
- A. Maps (Aerial, Vicinity, General Plan, Zoning)
- B. Notice of Exemption
- C. Reduced Project Plans
- D. Resolution and Conditions of Approval

ATTACHMENT A

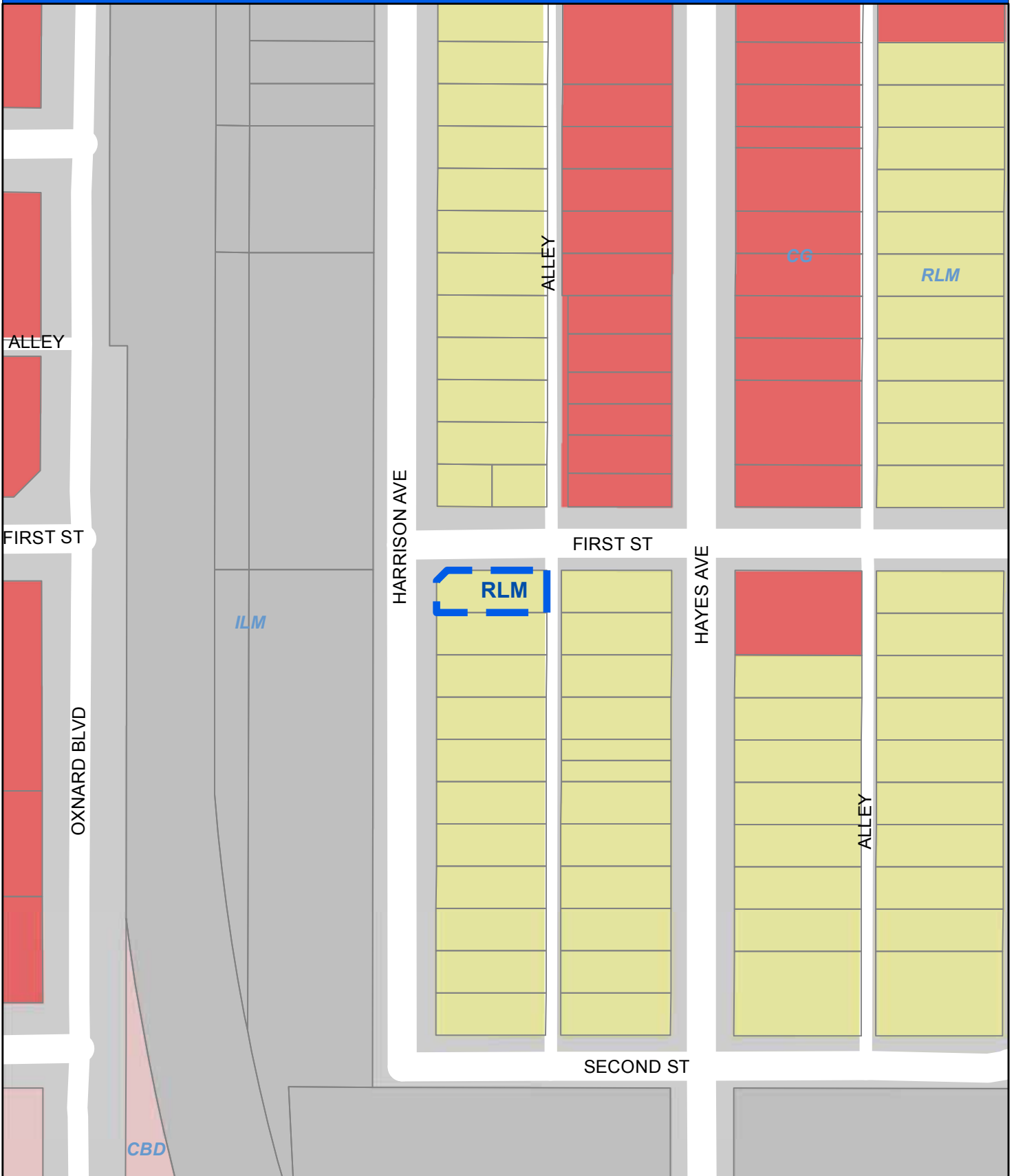
**MAPS
(VICINITY, GENERAL PLAN, ZONING, AERIAL)**



Vicinity Map

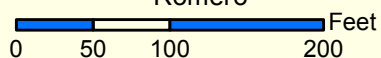


2030 General Plan Land Use Map



Oxnard Planning
April 12, 2019

PZ 17-500-14
Location: 212 E First St
APN: 2010115240
Romero

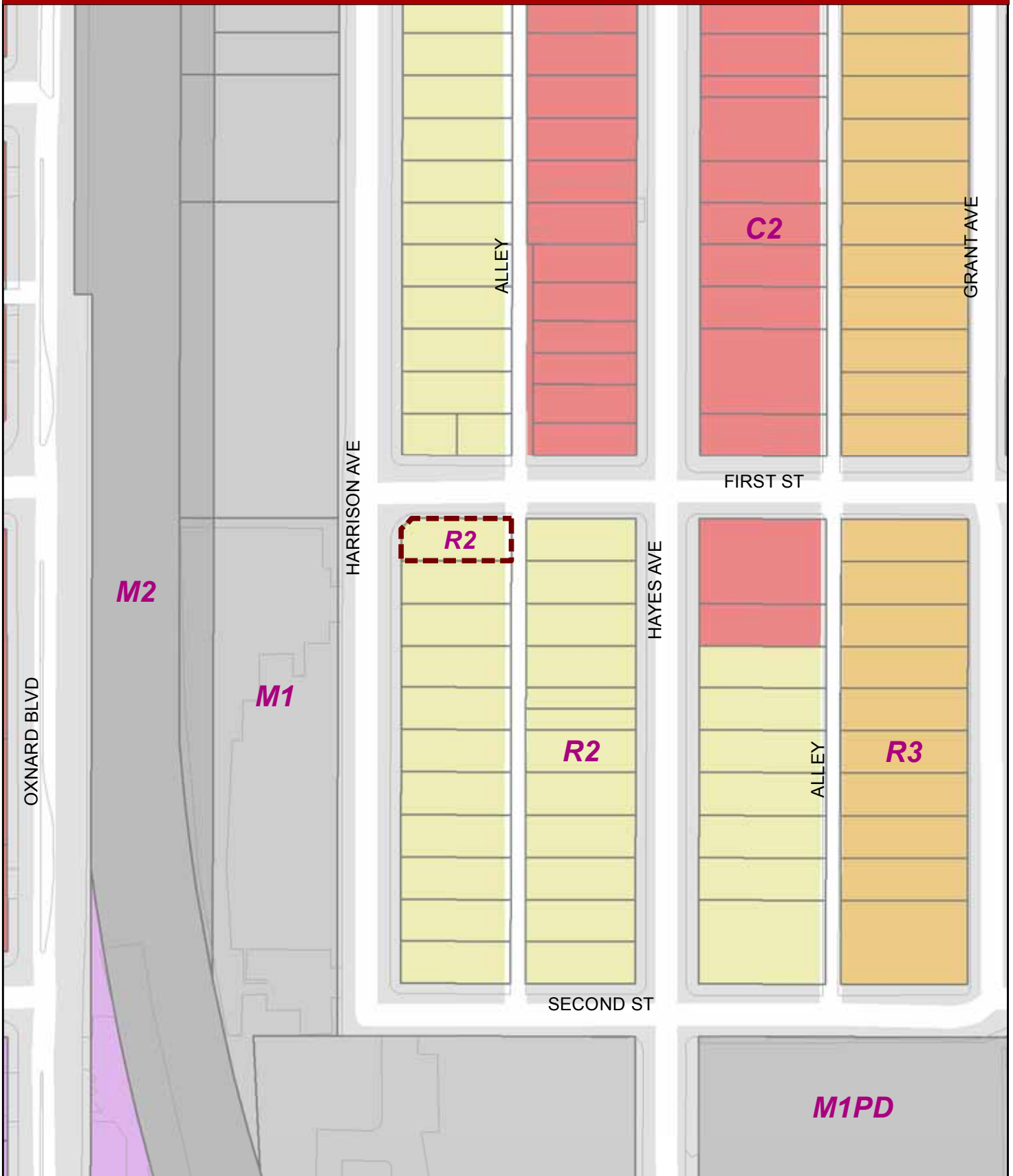


2030 General Plan Land Use Map



1:1,500

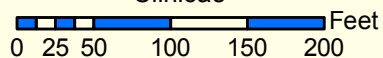
Zoning/Specific Plan Map



Oxnard Planning

April 12, 2019

PZ 17-500-19
Location: 2001 Statham BLVD
APN: 22000010325
Clinicas



Zoning/Specific Plan Map



1:1,500

ATTACHMENT B

CEQA NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

Project Description: Request for approval to establish a Planned Residential Group (PRG) for the adaptive reuse of an existing two-story 3,244 square-foot industrial building to a residential duplex. The proposed duplex includes a 1,635 square-foot unit and a 1,202 square-foot unit with a detached three-car carport. Pursuant to Oxnard City Code (OCC) § 16-445, the project includes the following modifications to the development standards of the Multiple Family (R-2) zoning district: 1) increase in density (from 3,500 square-feet of lot area per dwelling unit required to 2,055 square-feet of lot area per dwelling unit provided); 2) reduction of the required interior yard space (from 1,233 square-feet with minimum dimensions of 15 feet by 15 feet required to 745 square-feet without the 15 feet by 15 feet minimum dimensions provided); 3) reduction in front yard setback (from 25 feet required to 9 feet and 8 inches provided); 4) reduction in side yard setback (from 4 feet to none along the southern property line provided); 5) increase in height of front yard fence (from 42 inches required to 6 feet provided); 6) relief from required resident off-street parking (4 garage parking spaces required to 3 carport parking spaces provided); 7) relief from required visitor parking (from two off-street visitor parking spaces required to zero off-street visitor parking spaces provided); and 8) relief from landscaping (from 10-foot parking area landscaping required to 1 foot and 10 inch parking area landscaping provided). The project is located at 212 East First Street (APN 201-0-115-240) in the Multiple Family (R-2) zone. Filed by Jeff Valenzuela on behalf of property owner Juan Romero, 971 Gill Avenue, Port Hueneme, California 93041.

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 § 15303(b), Class 3 of the State California Environmental Quality Act (CEQA) Guidelines, projects characterized as the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, including a duplex or similar multi-family residential structure, totaling no more than six dwelling units, may be found to be exempt from the requirements of the CEQA. The proposed development is the conversion of an industrial building into a residential duplex for a total of two units. The proposed project does not trigger thresholds listed in Section 6.2 of the City's CEQA Guidelines. Therefore, there is no substantial evidence

that the project will have a significant effect on the environment and there is no requirement to prepare an environmental document.

(Date)

Scott Kolwitz
Planning Manager

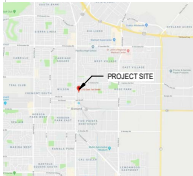
ATTACHMENT C

REDUCED PROJECT PLANS

ROMERO DUPLEX

PATIO OPENING CALCULATION		
DISTANCE A	=	11'-11"
DISTANCE B	=	10'-3"
65% (DISTANCE B)	=	6'-9 3/4"
11'-11"	=	6'-9 3/4"

VICINITY MAP



④ WROUGHT IRON GATE
1" = 1'-0"



③ CEDAR WOOD FENCE
1" = 1'-0"

OXNARD APARTMENT REMODEL 212 EAST 1ST STREET - OXNARD, CA 93030

INDEX OF DRAWINGS

- A1.1 SITE PLAN
- A2.1 FLOOR PLAN - FIRST
- A2.2 FLOOR PLAN - SECOND
- A3.3 ROOF PLAN
- A3.1 EXTERIOR ELEVATIONS
- EX.1 PHOTOGRAPHS

GENERAL NOTES

1. EXTERIOR LIGHTING WILL BE REQUIRED TO BE HARDWIRED WITH PHOTOCELL SENSOR TO ALLOW FOR AUTOMATED DUSK TO DAWN LIGHTING.

SCOPE OF WORK

CONVERSION OF EXISTING COMMERCIAL BUILDING TO A RESIDENTIAL DUPLEX. WORK TO INCLUDE ADDITION OF CARPORT.

KEYNOTES

1. GRASS (MARATHON 8 SOD)
2. TREE (MAGNOLIA) - EXISTING TO REMAIN
3. FIRE HYDRANT - EXISTING TO REMAIN
4. CHAIN LINK FENCE, 4' IN HEIGHT - EXISTING TO REMAIN
5. PICKET PERIMETER FENCE, 3'-4" IN HT. - EXISTING TO BE REMOVED
6. PICKET GATE - EXISTING TO BE REPLACED WITH WROUGHT IRON GATE 3'-4" IN HT. (SEE A4-1.1)
7. HOSE BIBB - EXISTING TO REMAIN
8. GAS METER - EXISTING TO REMAIN
9. WATER METER - EXISTING TO BE SUBMETERED TO SERVE EACH TENANT (2)
10. ELECTRICAL PANEL - EXISTING TO BE SPLIT INTO SERVICE FOR 2 TENANTS
11. PROPERTY LINE
12. CARPORT ROOF ABOVE
13. TUBE STEEL COLUMNS WITH END CAPS AND CONCRETE BASE
14. TRASH ENCLOSURE - EXISTING TO BE DEMOLISHED
15. EXTERIOR LIGHT FIXTURE - EXISTING TO BE RELOCATED
16. EXTERIOR LIGHT FIXTURE - EXISTING TO REMAIN
17. CURB CUT - EXISTING TO REMAIN
18. REMOVE DRIVE APPROACH, IN-FILL SIDEWALK TO MATCH EXISTING PER CITY STANDARD P.W. PLATES
19. (E) MASONRY WALL ON PROPERTY LINE
20. PAINTED STRIPING, WHITE
21. BUSH - 5 GALLON BOUGAINVILLEA @ 3' ON CENTER
22. LOCATION OF TENANT TRASH RECEPTACLES
23. LED EXTERIOR LIGHT FIXTURE WITH MOTION SENSOR TO BE IMPACT RESISTANT. NO LIGHT SPILLAGE OFF PROPERTY.
24. PATIO OPEN TO THE SKY
25. PARK BENCH
26. SCREEN FENCE (CEDAR WOOD), 4'-0" IN HT. (SEE 3/A-1.1)
27. TREE (LOQUAT) - EXISTING TO REMAIN
28. WROUGHT IRON FENCE (4'-0" IN HEIGHT) TO MATCH GATE STYLE AND COLOR
29. (E) PLANTER TO REMAIN

PROJECT SUMMARY:

APN:	201-0-116-240
SITE AREA:	4.110 S.F. (0.9 ACRES)
DENSITY:	2 UNITS PER ACRE
LOT COVERAGE:	42%

BUILDING AREAS:

BUILDING	
FIRST FLOOR	1,733 S.F.
SECOND FLOOR	1,911 S.F.
CARPORTS	
1	760 S.F.

SITE ANALYSIS:

SITE (0.9 AC):	4,110 S.F.	100%
BLDG (FOOTPRINT)	1,698 S.F.	41%
PARKING	987 S.F.	24%
PARKING LANDSCAPE	81 S.F.	2%
LANDSCAPE/WALKS	1,415 S.F.	30%
TOTAL LANDSCAPE AREA	35%	

UNIT TABULATION

Name	Area
LEVEL 1 F.F.	
UNIT A	670 SF
UNIT B	872 SF
LEVEL 2 F.F.	
UNIT A	871 SF
UNIT B	522 SF

OFF STREET PARKING TABULATION

UNIT A	3 BR	2 REQUIRED SPACES	TOTAL REQUIRED 4
UNIT B	3 BR	2 REQUIRED SPACES	TOTAL PROVIDED 4 (3 COVERED)
			(1) UNCOVERED

SITE PLAN

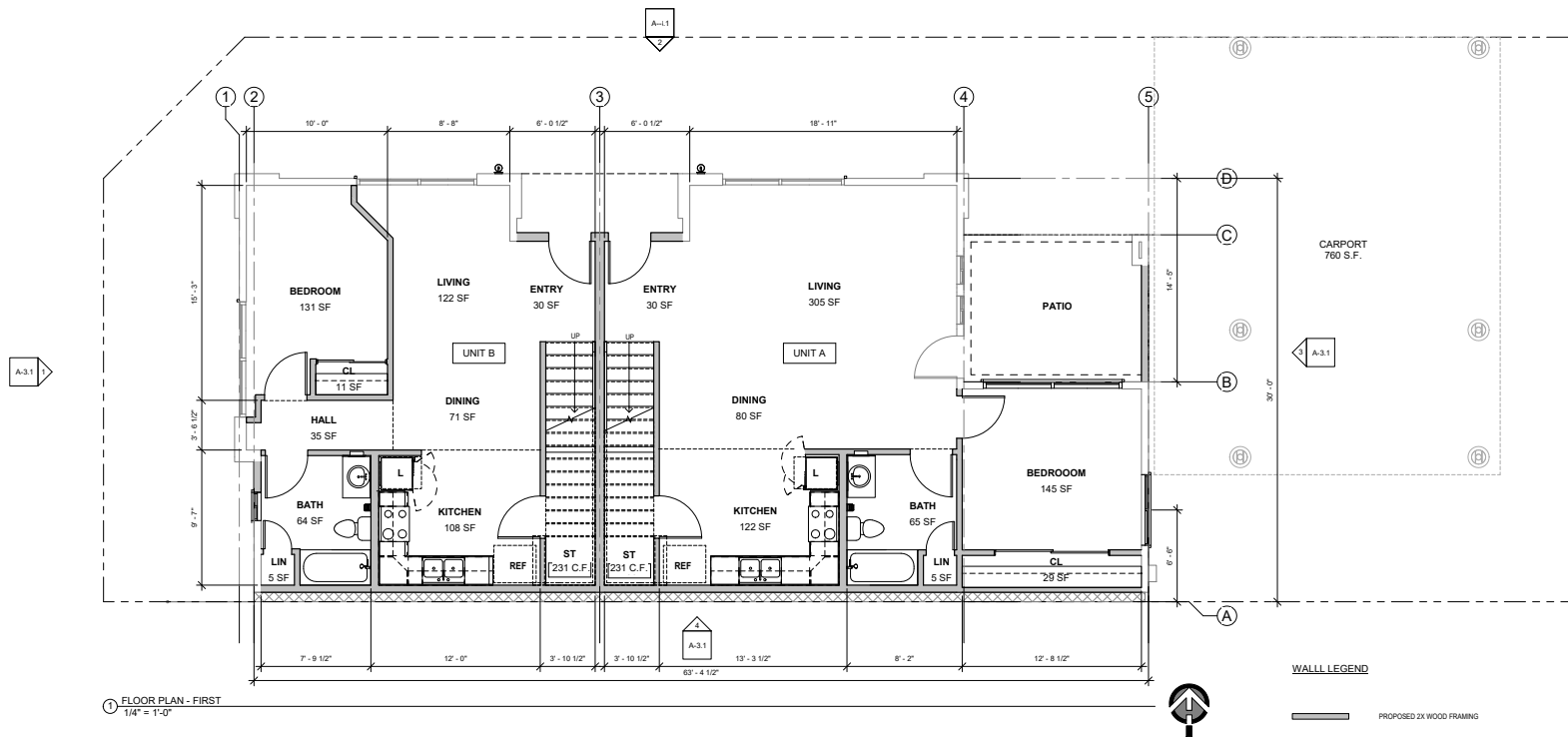
OXNARD APARTMENT REMODEL
ROMERO DUPLEX
212 East 1st Street, OXNARD, CALIFORNIA, 93030

LAUTERBACH & ASSOCIATES
ARCHITECTS, INC.
David C. Lauterbach, Architect • Mark S. Smith, Architect
200 ANTONIO DRIVE, OXNARD, CALIFORNIA 93030 • (805) 488-8888 • FAX: (805) 488-8888 • www.la.com

JUAN ROMERO
212 East 1st Street, OXNARD, CALIFORNIA, 93030

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Fig. No.: 20-181101

A-1.1



FLOOR PLAN - FIRST

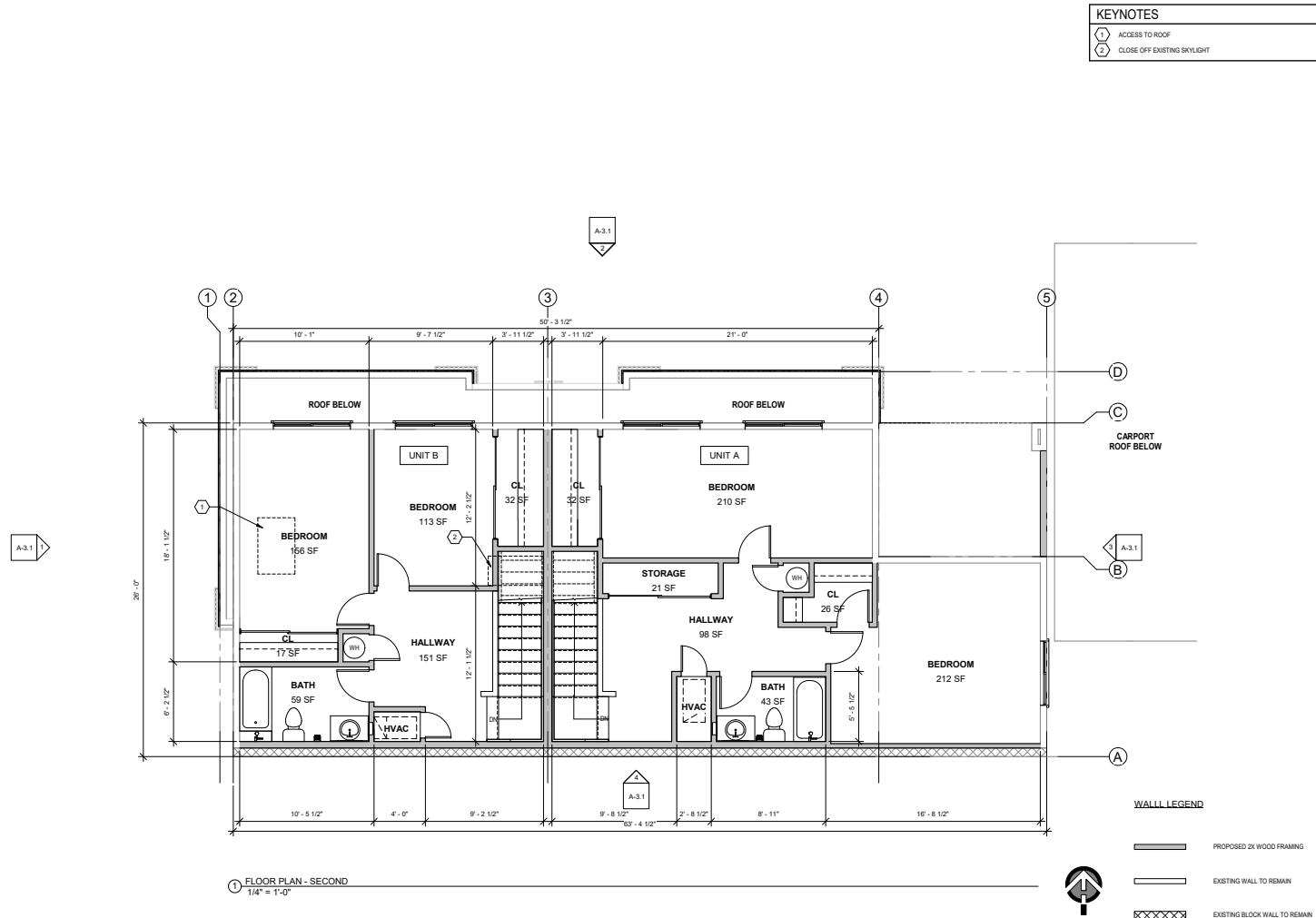
OXNARD APARTMENT REMODEL
ROMERO DUPLEX
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ARCHITECTS, INC.
David C. Lauterbach, Architect • Mark S. Smith, Architect
200 MONTECITO AVENUE, OXNARD, CALIFORNIA 93030 | TEL: 805-481-1111 | WWW.LA-ARCH.COM

JUAN ROMERO
212 East 1st Street, OXNARD, CALIFORNIA, 93030

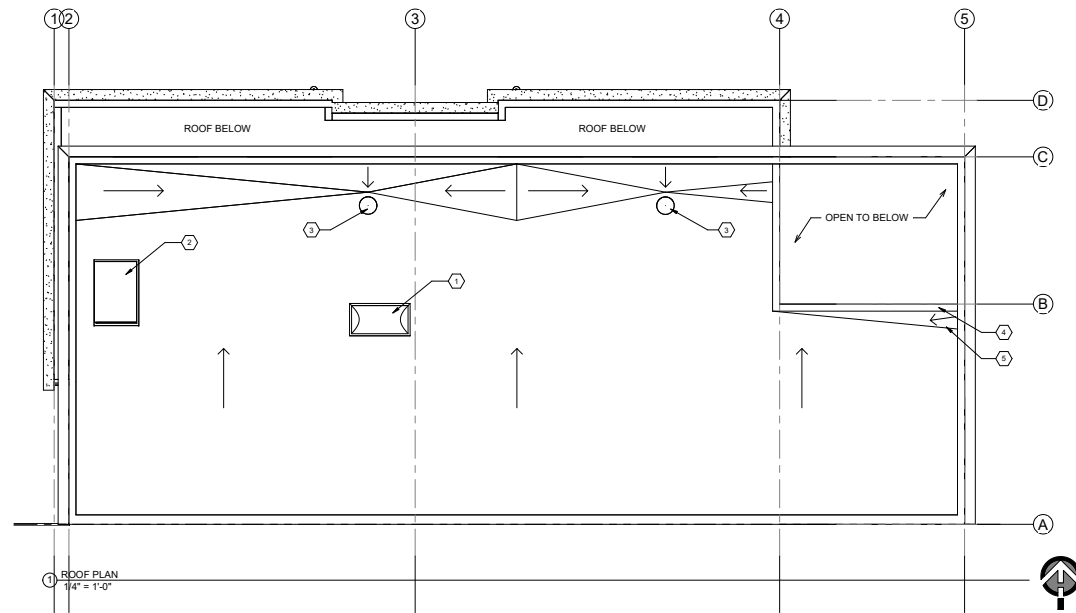
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A-2.1

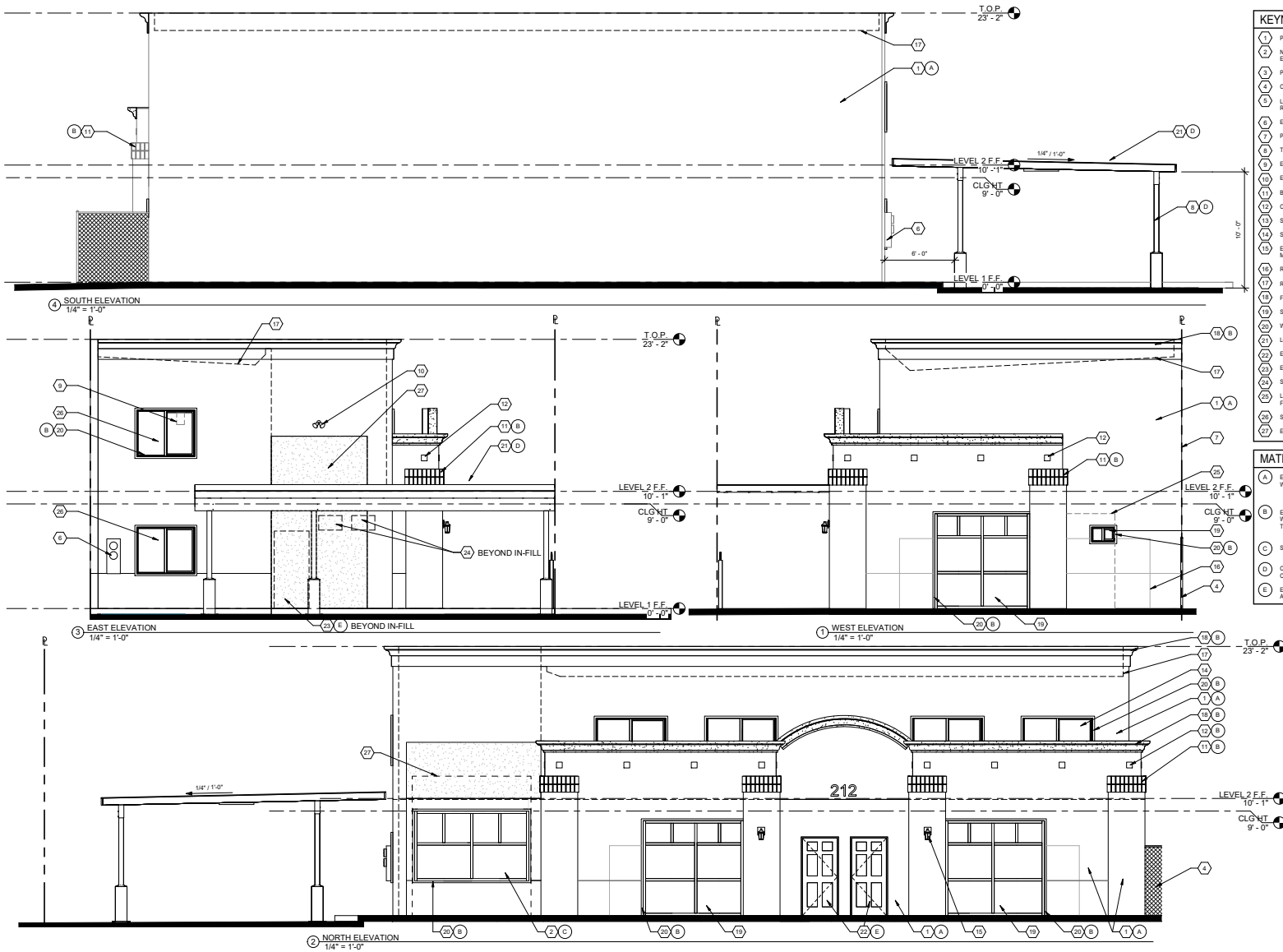


FLOOR PLAN - SECOND

OXNARD APARTMENT REMODEL
ROMERO DUPLEX
212 East 1st Street, OXNARD, CALIFORNIA, 93030



KEYNOTES	
1	CLOSE OFF EXISTING SKYLIGHT
2	ROOF HATCH - EXISTING TO REMAIN
3	ROOF DRAIN - EXISTING TO REMAIN
4	NEW 48" HIGH PARAPET
5	NEW CRICKET



- KEYNOTES**
- 1 PLASTER FINISH
 - 2 NEW STOREFRONT (8'-10" X 6'-0") COLOR AND FINISH TO MATCH EXISTING
 - 3 PARK BENCH
 - 4 CHAIN LINK FENCE, 6FT IN HEIGHT - EXISTING TO REMAIN
 - 5 LED EXTERIOR LIGHT FIXTURE WITH MOTION SENSOR TO BE IMPACT RESISTANT. NO LIGHT SPILLAGE OFF PROPERTY.
 - 6 ELECTRICAL PANEL - EXISTING TO REMAIN
 - 7 PROPERTY LINE
 - 8 TUBE STEEL COLUMNS WITH END CAPS AND CONCRETE BASE
 - 9 EXTERIOR LIGHT FIXTURE - EXISTING TO BE REMOVED
 - 10 EXTERIOR LIGHT FIXTURE - EXISTING TO REMAIN
 - 11 BROCK ACCENT - EXISTING TO REMAIN, PAINT
 - 12 CERAMIC TILE - EXISTING TO REMAIN
 - 13 SLIDER WINDOW - 2'-0" X 1'-3" (WHITE VINYL)
 - 14 SLIDER WINDOW - 6'-0" X 4'-0" (WHITE VINYL)
 - 15 EXTERIOR LIGHT FIXTURE TO BE IMPACT RESISTANT AND ON MOTION SENSOR - WALL MOUNTED, SEE SIA-3.1C
 - 16 REVEAL - EXISTING TO REMAIN
 - 17 ROOF BEYOND
 - 18 FOAM CORNICE WITH PLASTER FINISH
 - 19 STOREFRONT - EXISTING TO REMAIN
 - 20 WINDOW TRIM
 - 21 LOW SLOPE MEMBRANE ROOF WITH FASCIA
 - 22 EXTERIOR ENTRY DOOR
 - 23 EXTERIOR DOOR - EXISTING TO REMAIN, PAINT
 - 24 SLIDER WINDOW - EXISTING TO REMAIN
 - 25 LIMIT OF REMOVED STOREFRONT, INFILL TO MATCH EXISTING FINISH
 - 26 SLIDER WINDOW - 5'-0" X 4'-0" (WHITE VINYL)
 - 27 EXTENTS OF WALL INFILL - MATCH EXISTING COLOR AND FINISH

- MATERIALS / COLORS**
- | | | |
|---|---|--|
| A | EXTERIOR PLASTER WALL WITH SAND FINISH | FIELD WALL PAINT COLOR TO MATCH MERLEX "ALABASTER" (P-40) |
| B | EXTERIOR PLASTER WALL WITH SAND FINISH, TRIM FINISH | ACCENT WALL PAINT COLOR TO MATCH LA HABRA "BLUE GREY" (004 (47)) |
| C | STORE FRONT | ALUMINUM TO MATCH EXISTING |
| D | CARPORT ROOF AND COLUMNS | DUNN EDWARDS "YORK HARBOR" (DEB179) |
| E | EXTERIOR DOORS ACCENT COLOR | DUNN EDWARDS "MARRAZ" (DEB67) |

EXTERIOR ELEVATIONS

OXNARD APARTMENT REMODEL
ROMERO DUPLEX
212 East 1st Street, Oxnard, California, 93030

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212 East 1st Street, Oxnard, California, 93030

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Fig. No.: 20-181021

A-3.1



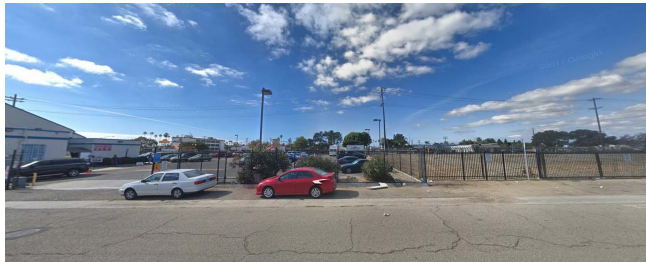
② FROM E. 1ST ST. - LOOKING SOUTH
1" = 1'-0"



③ FROM HARRISON AVE - LOOKING EAST
1" = 1'-0"



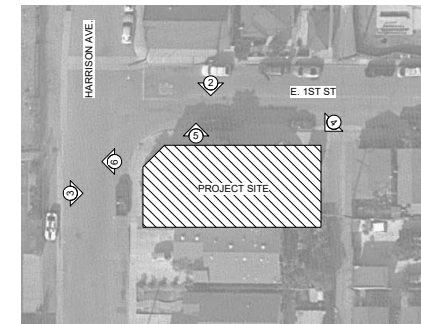
④ FROM E. 1ST ST. - LOOKING SW
1" = 1'-0"



⑤ FROM HARRISON - LOOKING WEST
1" = 1'-0"



⑥ FROM E. 1ST ST. - LOOKING NORTH
1" = 1'-0"



① Photo Key
1" = 40'-0"

PHOTOGRAPHS

OXNARD APARTMENT REMODEL
ROMERO DUPLEX
212 East 1st Street, Oxnard, California, 93030

LAUTERBACH & ASSOCIATES
ARCHITECTS, INC.
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300 MONTECITO AVENUE, OXNARD, CALIFORNIA 93030 | (805) 488-8877 | FAX: (805) 488-8877 | www.la-arch.com

JUAN ROMERO
212 East 1st Street, Oxnard, California, 93030

Print Date: 09/19/2019 8:25:03 AM
Proj. No.: 20-181101

EX-1

**ATTACHMENT
D
RESOLUTION
(SPECIAL USE PERMIT)**

RESOLUTION NO. 2019 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 17-500-14 (SPECIAL USE PERMIT, PLANNED RESIDENTIAL GROUP) TO ALLOW THE ADAPTIVE REUSE OF A 3,244 SQUARE-FOOT INDUSTRIAL BUILDING INTO A RESIDENTIAL DUPLEX WITH MODIFICATIONS TO THE R-2 STANDARDS FOR DENSITY, INTERIOR YARD SPACE, FRONT YARD SETBACKS, SIDE YARD SETBACKS, HEIGHT OF FRONT YARD FENCE, RELIEF FROM RESIDENT PARKING, RELIEF FROM VISITOR PARKING, AND RELIEF FROM LANDSCAPING REQUIREMENTS. PROJECT IS LOCATED AT 212 EAST FIRST STREET (APN: 201-0-115-240), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY JEFF VALENZUELA ON BEHALF OF PROPERTY OWNER JUAN ROMERO, 971 GILL AVENUE, PORT HUENEME, CALIFORNIA 93030.

WHEREAS, on October 18, 2017, Juan Romero (the “**Applicant**” and/or “**Permittee**”) submitted a request to allow the adaptive reuse of a 3,244 square-foot industrial building into a residential duplex with modifications to the R-2 standards for density, interior yard space, front yard setbacks, side yard setbacks, height of front yard fence, relief from resident parking, relief from visitor parking, and relief from landscaping requirements, located at 212 East First Street (APN: 201-0-115-240); and

WHEREAS, on October 17, 2019, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 17-500-14 (Special Use Permit, Planned Residential Group) to allow the conversion of a 3,244 square-foot industrial building into a residential duplex with modifications to the R-2 standards for density, interior yard space, front yard setbacks, side yard setbacks, height of front yard fence, relief from resident parking, relief from visitor parking, and relief from landscaping requirements, located at 212 East First Street (APN: 201-0-115-240) (the “**Project**”) in accordance with Section 16-445 and Sections 16-530 through 16-553 of Oxnard City Code; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 3 “New Construction or Conversion of Small Structures” Categorical Exemption.

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:

(1.1) The proposed use is in conformance with the City of Oxnard 2030 General Plan and other adopted standards.

The Planned Residential Group use is located on property with a General Plan designation of Residential Low-Medium, which allows low-rise apartments and detached and attached single-family residences. The Project involves the adaptive reuse of an industrial structure to a residential duplex to provide two attached single-family residences. The Project is consistent with the zoning standards of the R-2 zone subject to approval of the Special Use Permit and PRG Findings (Staff Report, Sections c and d). Thus, the proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.

(1.2) The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed special use permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare.

The Project as designed and conditioned is consistent with uses considered and permitted by the Multiple-family (R-2) zoning designation. The residential activities anticipated with this residential use will generally occur within the proposed duplex, which will be located adjacent to other residential uses. The trash bin storage area will be screened from view from the street by a cedar fence and landscape screening. The vehicle parking area will be screened by landscaping along the perimeter. The adaptive reuse of the industrial building as a residential duplex will replace the industrial traffic to and from the site with a lower level of traffic for the residential use. Construction activities, anticipated uses, and development design will be subject to standard construction requirement of the Building and Fire Codes. Thus, 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.

(1.3) The site that is subject to the special use permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and items which may be required by section 16-532.

The Project is a request for a Planned Residential Group (PRG) use. The applicant requests a PRG in order to adaptively reuse the existing industrial building for residential use. The residential use of the existing industrial building in its current configuration requires the following modifications to the R-2 zone which were discussed in greater detail in Sections 6(c) through 6(h) of the Planning Commission Staff Report:

- 1) increase in density (from 3,500 square-feet of lot area per dwelling unit required to 2,055 square-feet of lot area per dwelling unit provided);
- 2) reduction of the required interior yard space (from 1,233 square-feet with minimum dimensions of 15 feet by 15 feet required to 745 square-feet without the 15 feet by 15 feet minimum dimensions provided);
- 3) reduction in front yard setback (from 25 feet required to 9 feet and 8 inches provided);
- 4) reduction in side yard setback (from 4 feet to none along the southern property line provided);
- 5) increase in height of front yard fence (from 42 inches required to 6 feet provided);
- 6) relief from required resident off-street parking (4 garage parking spaces required to 3 carport parking spaces provided);
- 7) relief from required visitor parking (from two off-street visitor parking spaces required to zero off-street visitor parking spaces provided); and
- 8) relief from landscaping (from 10-foot parking area landscaping required to 1 foot and 10 inch parking area landscaping provided).

Pursuant to the Oxnard City Code (OCC) (§ 16-445.B), a Special Use Permit for a PRG may vary the density, area, yards, height, parking and fencing requirements of the zone when such action is in accordance with the basic principles and intent of the OCC and the commission can make four additional findings. The Planning Commission can make these four additional findings as follows:

- (1.3.1) A substantial improvement of the use of the land will be thereby effected, and there will not be any detrimental effect upon the surrounding area;

Currently the property is under-utilized and a non-conforming industrial use due to the R-2 zoning residential nature of the neighborhood. The existing industrial use produces increased traffic and parking generation. A residential use is more appropriate and will produce less traffic generation and be more compatible with the surrounding residential uses.

- (1.3.2) The residential use proposed is permitted within the zone;

The residential use proposed is compatible with the R-2 zoning, and the PRG use is permitted in the R-2 zone with a Special Use Permit.

- (1.3.3) Building will substantially conform with plot plans and elevations submitted in support of the special use permit; and

Although the existing building does not comply with all setback requirements of the R-2 zone, the project is for the adaptive reuse of an existing industrial building and the proposed residential use substantially

conforms to the purpose of the R-2 zone. The project includes minor alterations to the façade of the building to create a more residential appearance.

- (1.3.4) The applicant has demonstrated that population densities proposed are in conformance with existing and proposed public facilities, such as streets, sewers, water, schools and parks.

The proposed density of the duplex is in conformance with, and can be adequately served by, the existing city infrastructure and public services.

Additionally, the project has been reviewed by the Development Advisory Committee. Pursuant to that review, the department reviewers have determined that the proposed project will have no significant impact on the public health, safety, or welfare.

- (1.4) The site that is subject to the special use permit shall be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.**

The project site is currently served by streets that are adequate in width and structure to carry traffic for the existing industrial use. The Project, an adaptive reuse of an industrial structure for a residential use, will generate less traffic than the existing industrial use. Thus, the site for the proposed use will be served by adequate streets for the traffic generated by the proposed residential use.

- (1.5) The site that is subject to the special use permit shall 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. The existing industrial building is served by adequate existing utilities (water and sewer, water, fire protection, and storm drainage facilities). The Development Advisory Committee found the adaptive reuse of the industrial building into a residential duplex does not require expansion of the existing site or the installation of new utilities. Thus, the site for the proposed use will be provided with adequate sewerage, water, fire protection, and storm drainage facilities.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15303(b) (Class 3) of the State CEQA Guidelines. This section pertains to projects characterized as the conversion of existing small structures from one use to another, including a

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

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 17-500-14 (Special Use Permit, Planned Residential Group), subject to the attached conditions of approval.

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

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

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated September 19, 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 12 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
9. 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)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)

11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)
13. 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*)
14. 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*)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

16. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, *PK-1*)
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 ensue 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. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
24. 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)
25. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled “Tree Tabulation Chart”. The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the landscape plan. The Tree Tabulation Chart shall clearly list all trees to remain. (PL)

FIRE DEPARTMENT STANDARD CONDITIONS

26. 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)
27. 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)
28. The project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, F-6)
29. 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)
30. 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)
31. Developer shall install hardwire smoke alarms in each sleeping room and hallways leading into the sleeping rooms. (FD, F-18)

FIRE DEPARTMENT SPECIAL CONDITIONS

32. 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 STANDARD CONDITIONS

33. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
- a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - 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.
34. 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.
35. Exterior lighting shall be LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).

36. 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.
37. Exterior lights shall be on a dedicated “house” circuit and shall operate from dusk to dawn.
38. Carport light fixtures shall have hardened lenses and be impact resistant and shall operate from dusk to dawn. Motion sensor activated lights are not acceptable.
39. Landscape elements other than trees shall maintained at a height at or below 42-inches above grade to provide clear lines of sight in and out of the property.
40. Bougainvillea shall not be placed adjacent to city sidewalks or the carport. Proposed Bougainvillea shall be replaced with natal plum or similar shrub that has less defensive characteristics adjacent to city sidewalks or carport.
41. Mature trees shall be maintained so that there is a minimum of 8-foot clearance between the ground and the canopy in order to maintain clear sightlines around the property.
42. Should an alarm system be installed, 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.
43. A lighted street address fixture is required near the front door of each unit.

PLANNING DIVISION STANDARD CONDITIONS

44. 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)
45. 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)
46. 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)
47. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2” by 11”) of full-size colored elevations and

any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

48. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
49. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. The site lighting plan shall demonstrate that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
50. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
51. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)
52. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)
53. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)
54. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic

watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)

55. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
56. 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*)
57. 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*)
58. 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*).
59. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, *PL-50*)
60. 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*)
61. Developer shall construct each dwelling unit with separate utility systems and meters. Developer shall paint utility meter panels to match structures upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (DS/B, *PL-34*)

PLANNING DIVISION SPECIAL CONDITIONS

62. Developer shall remove any and all graffiti from the project premises within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)

63. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
64. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacture's specifications. (MND, C-1)
65. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (MND, C-2)
66. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)
67. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). ((MND, C-7)
68. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)
69. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)

ENVIRONMENTAL RESOURCES DIVISION

70. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled,

reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

71. Developer shall follow the approved “City of Oxnard C&D Environmental Resources Management & Recycling Plan” and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the “City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed” (“Work Completed Report”) and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility’s letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
72. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City’s Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
73. Developer shall dispose of sewage and solid waste from the project by City’s wastewater and solid waste systems in a manner approved by the City Engineer.
74. Solid waste containers that will be placed for City pick-up are required to be stored in a patio, yard, or storage area and not in the garage. Such solid waste containers shall be stored on a concrete slab and any residential gate used to access such containers shall be sized to allow clearance by a three-foot wide cart.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

75. 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)
76. 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)
77. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

78. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
79. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
80. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
81. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

82. 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)
83. Developer shall obtain an encroachment permit for removal of the existing First Street driveway and construction of replacement curb, gutter, and sidewalk in compliance with City standard. (DS)
84. Developer shall construct a level concrete pad to accommodate storage of two refuse containers per unit (4 containers total) in a location that is out of view from the street. Developer shall construct a paved path from the storage location to the pickup point. All gates or doors along the path shall be constructed with a minimum of 36-inches of clear space to allow passage of the containers. Storage location and path shall be shown on the fine grading plans. (DS)
85. Prior to Building Permit issuance, construction plans shall demonstrate proposed development is consistent with California Building Code. Redesign of the project may require additional Planning and Zoning permits including, but not limited to, a Minor Modification to this Special Use Permit. (PL)

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

Deirdre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 17th day of October, 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

Scott Kolwitz, Secretary