

# CITY OF OXNARD PLANNING COMMISSION AGENDA

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## REGULAR MEETING

Council Chambers, 305 West Third Street  
Thursday, January 16, 2020, 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

### E. CONTINUED PUBLIC HEARING

1. **Project Name: Roussey Tentative Parcel Map – PLANNING AND ZONING PERMIT NO. 17-300-09**, Tentative Parcel Map for a Parcel Map Waiver: A request to subdivide a 4.19-acre site located at 3501 South Saviers Road (APN 205-0-443-085), and commonly known as the Swap Meet, into two parcels. Parcel A would be a 3.14-acre lot and Parcel B would be a 1.05-acre lot. No development is proposed at this time. The proposed project is exempt from environmental review pursuant to Section 15315, Minor Land Divisions, Class 15 of the CEQA Guidelines. Filed by David Kesterson of Lauterbach & Associates, 300 Montgomery Avenue, Oxnard, CA 93036.

**Project Planner: Paul McClaren**

#### **Recommendation:**

That the Planning Commission 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 15315 (Minor Land Divisions), and Approve Resolution 2019-XX for Planning and Zoning Permit Number 17-300-09 (Tentative Parcel Map for a Parcel Map Waiver), subject to certain findings and conditions.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

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

**F. PUBLIC HEARING**

1. **Project Name: Karina's Royal Banquet Hall/Karina's Restaurant & Grill – PLANNING AND ZONING PERMIT NO. 19-510-03 (Special Use Permit - Alcohol)** A request to allow the sale of general alcohol including spirits for on-site consumption (Alcohol Beverage Control License Type 47 - On Sale General - Eating Place) within an existing 2,500 square foot establishment (with an 1,800 square-foot interior customer service area and no outdoor customer service area) located at 529 South A Street (APN 202-0-105-325) within the Downtown Core (DT-C) zone. The proposed project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines. Filed by Silvia Ochoa, Business Owner.

**Project Planner: Juan Martinez, Associate Planner**

**Recommendation:**

That the Planning Commission 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 15301 (Existing Facilities), and Approve Resolution 2019-XX for Planning and Zoning Permit Number 19-510-03 (Special Use Permit - Alcohol), subject to certain findings and conditions.

**G. STUDY SESSION/REPORTS**

1. **Project Name: Overview of 2019 New Housing Laws and the Regional Housing Needs Assessment**

**Project Planner: Kathleen Mallory, Planning and Sustainability Manager  
Chris Williamson, Consulting Planner**

**Recommendation:**

That the Planning Commission receive and file this report.

**H. PLANNING COMMISSION BUSINESS****I. COMMUNITY DEVELOPMENT STAFF UPDATES****J. ADJOURNMENT****FUTURE MEETINGS**

Thursday, February 6, 2020, 6:00 p.m., City Council Chambers

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## **ATTACHMENT “A”**

November 21, 2019, Staff Report

# MEMO



**TO:** The Planning Commission

**FROM:** Scott Kolwitz, Planning Manager  
Paul McClaren, Associate Planner

**SUBJECT:** **Project Name: Roussey Tentative Parcel Map** - PZ 17-300-09 (Tentative Parcel Map for a Parcel Map Waiver); 3501 Saviers Road

On November 21, 2019 the Planning Commission voted 7:0, to continue Planning & Zoning Permit No. 17-300-09 (Tentative Parcel Map for a Parcel Map Waiver) to January 16, 2020. The Planning Commission had three reasons for continuing the project:

1. The Planning Commission wanted the City to present the item at a Community Workshop meeting on December 16, 2019, due to expressed public interest.
2. The Planning Commission requested that the property owner revisit the proposed parcel layout and consider having the proposed one acre parcel go all the way through to A Street which would create two parcels of approximately 1.75 and 2.25 acres.
3. Additionally, the Planning Commission asked questions about how the split zoning (C-2 - AH and C-PD) on the parcel was created and how it might affect future development.

Staff's responses to the three reasons for continuing the project above are as follows:

## **1. Community Workshop:**

On December 6, 2019, the City sent out 1,358 notices of a scheduled Community Workshop to take place on December 16, 2019, at 6:00 pm in the Community Room located at 300 W. Third Street. These notices were sent to all owners within 2,000 feet of the property lines and specifically to residents who called in and expressed an interest in this project. The Community Workshop was also advertised in La Vida newspaper on December 5, 2019. The sign posted on Saviers Road, at the project location, was refaced to advertise the Community Workshop. The Community Workshop was attended by ten residents of the City, and the applicant, Mr. Ralph Roussey. A total of eight residents were in attendance for the subject project.

During the Community Workshop, Staff provided a detailed history of the project, explained the legal framework under which subdivisions occur (i.e. the Subdivision Map Act and Oxnard City Code), explained how the split zoning and All-Affordable Housing Opportunity Program (AAHOP) overlay came to be, what effect the existing zoning and the subdivision would have on this property, the limits of this project (i.e. no structural development was being proposed as part of this project), and how future projects that occurred on either properties created would likely be processed. The Community Workshop was opened for questions.



Residents in attendance understood the project was limited to a subdivision of land, and no one raised any objections to the subdivision. As the property owner was on hand, the residents in attendance provided the following comments about future development possibilities to the property owner:

1. They were concerned about making sure their voices were heard on future projects for this property as well as others in South Oxnard.
2. They were concerned about the quality of future development that will occur on these lots.
3. They supported the idea of future development that will revitalize South Oxnard, draw people to South Oxnard and inspire other developers to invest in the community.
4. They were concerned about the housing shortage and would like to see the property developed with a mix of commercial and affordable housing.

Staff collected contact information from willing attendees to notify them, as well as all other residents within the required notification radius of the property, of any future public hearings for projects proposed for this property.

## **2. Revisiting the Layout**

The property owner has decided to not alter the layout of the proposed parcel. The map as presented is compliant with the General Plan, the Zoning Code and the Subdivision Map Act.

## **3. Split Zoning History**

In 1959, the City Council approved a Variance to permit parking in the sixty-two foot strip zoned R-3. In March of 1964, the subject property was home to Vitro Laboratories (which occupied the existing commercial building) and Hughes Market (the demolished building). The westerly sixty-two feet of the property along A Street was zoned R-3 (Garden Apartment Zone) and the rest of the property was zoned C-2 (General Commercial Zone). The Planning Commission initiated a Zone Change (Resolution of intention number 1488, case Z-266) in March of 1964 due to an “inadequate zoning pattern.”

At the hearing in April 1964, Mr. Hosford, the Planning Manager and Secretary, stated that “a use variance to permit commercial parking in an R-3 zone was not a proper use of the variance and that commercial parking should have the benefit of the ‘C’ zone.” He further stated that C-P-D (versus C-2) was appropriate as C-P-D had not existed when the larger portion of the property had received the C-2 zoning. On April 15, 1964, with a vote of 5 to 0, with two Planning Commissioners absent, the Planning Commission passed Resolution 1510 recommending approval of the Zone Change to City Council. The City Council approved the Zone Change on June 16, 1964, through Ordinance 888. The zoning established by these actions is the zoning pattern that still exists on the property today.

Eventually Hughes Market and Vitro Laboratories went out of business. The Vitro Laboratories building was, for a time, the first home of Oxnard Community College and was eventually partitioned into the multi-tenant commercial building that still exists today.

## Conclusion

Following additional community engagement and discussions with the applicant, the project has not been modified, and staff's recommendation as contained within the Planning Commission staff report dated November 21, 2019 (Attachment A) remains unchanged:

Recommendation: That the Planning Commission approve Planning and Zoning Permit No. 17-300-09 for a Parcel Map Waiver, subject to certain findings and conditions.

The draft Resolution (Attachment B) has been updated to reflect two Planning Commission hearings and a Community Workshop have been held, but no other edits have been made to the draft Resolution.

## Attachments:

- A. November 21, 2019, Staff Report
- B. Resolution



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Planning Commission  
**FROM:** Paul McClaren, Associate Planner  
**DATE:** November 21, 2019

**SUBJECT:** Planning and Zoning Permit No. 17-300-09 (Tentative Parcel Map for a Parcel Map Waiver), located at 3501 South Saviers Road

**1) Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 17-300-09 for a Parcel Map Waiver, Subject to certain findings and conditions.

**2) Project Description and Applicant:** A request to subdivide a 4.19 acre site, commonly known as the Swap Meet, into two parcels. Parcel A would be a 3.14 acre lot with 214.78 feet of frontage on Saviers Road and 375.41 feet of frontage on South A Street. Parcel A has been designed to retain a 16,600 square-foot commercial building and associated parking. Parcel B would be an undeveloped 1.05 acre lot with 160.63 feet of frontage on South Saviers Road and a depth of 287.00 feet. No development is proposed at this time. For the purposes of this staff report, the foregoing project description shall be referred to as "the Project." Filed by David Kesterson of Lauterbach & Associates, 300 Montgomery Ave, Oxnard, CA 93036.

**3) Existing & Surrounding Land Uses:** The project is located within the Bryce Canyon neighborhood. The property is developed with an existing 16,600 square foot Multi-tenant commercial retail center.

| LOCATION     | ZONING                                                                                                                    | GENERAL PLAN                                          | EXISTING LAND USE                                                                   |
|--------------|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------------------------------|
| Project Site | General Commercial -<br>All Affordable Housing<br>Opportunity<br>(C-2- AH)<br>Commercial-Planned<br>Development<br>(C-PD) | Commercial General<br>(CG)                            | 16,600 square-foot multi-tenant<br>commercial retail center                         |
| North        | General Commercial (C-<br>2)<br>Commercial-Planned<br>Development<br>(C-PD)                                               | Commercial General<br>(CG)                            | Ralph's Grocery Store                                                               |
| South        | Single-family residential<br>(R-1)<br>General Commercial (C-<br>2)                                                        | Residential-Low<br>(RL)<br>Commercial General<br>(CG) | Single-family residences to the<br>southwest and a Restaurant<br>along Saviers Road |

|      |                                                                           |                         |                                                            |
|------|---------------------------------------------------------------------------|-------------------------|------------------------------------------------------------|
| East | General Commercial (C-2)                                                  | Commercial General (CG) | Restaurants, Retail, Laundry Mat & a Used Car Sales Center |
| West | Residential Planned Development (R-PD)<br>Single-family residential (R-1) | Residential-Low (RL)    | Multi-unit apartments and single family residences         |

**4) Background Information:** The building located at 3501 South Saviers Road was constructed for use as a supermarket in October 1959. On October 14, 1998, the applicant applied for City approval to use the building for swap meet purposes. This use was established when final occupancy was granted on December 3, 1998 (Building Permit Number 98-4232).

On July 29, 2005, a structure fire occurred within the building and a significant portion of the building was burned, and the use of the property as a swap meet was discontinued. The building caught fire six additional times from February 4, 2006 to March 24, 2006 due to warming and cooking associated with illegal vagrant activities occurring within the unsecured building.

The applicant, in 2008, applied to repair the building and reestablish the swap meet use. The application was denied. Shortly after the denial, a demolition permit was issued and the damaged portions of the building were removed. The undamaged portions became tenant spaces for various retail uses.

Currently the existing 16,600 square foot multi-tenant commercial building is occupied by Lassen's Health Foods, a staffing company, a thrift store and a salon and a large parking lot.

The proposed Parcel A is occupied by the remaining 16,600 square foot multi-tenant commercial building and a large parking lot. Both proposed parcels have existing infrastructure and site improvements that include power, water, gas, sewer and communications. Existing easements for utilities and access would be preserved. As a condition of approval, storm water drainage improvements would be installed so that each parcel's stormwater is separated. Parcel B has no proposed development at this time.

Additionally, as conditions of approval, Parcel A will make on-site improvements that will bring the parking, ADA accessibility, and site lighting into conformance with the Oxnard City Code based on the size of the remaining, existing structure. These onsite improvements will include resurfacing and restriping the parking lot, providing the appropriate number of handicapped spaces, creating ADA compliant ramps, creating a clear, ADA compliant path of travel from both South A Street and South Saviers Road to the front of the commercial building, and installation of the required number of short-term and long-term bicycle parking areas. Finally, a trash enclosure conforming to the City standards will be installed to serve the remaining, existing structure.

**5) Environmental Determination:** In accordance with Section 15315 (Minor Land Divisions, Class 15) of the State CEQA Guidelines, projects consisting of “the division of property in urbanized areas zoned for commercial use into four or fewer parcels” may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal creates two parcels that meet the required lot dimensions of the C-2 zoning and are compatible with the General Plan. No variances or exceptions are required or requested, all services and access exist to the parcels per City standards, the average slope is less than 20 percent and the property has not been involved in a previous subdivision within the last two years. Therefore, staff has determined that 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 (see Attachment C).

**6) Analysis:**

**a) General Discussion:** The subdivision of land requires the recordation of a parcel map when the request involves four or fewer parcels. In situations where all public services are available on-site and sufficient environmental protections are in place, Section 15-11(C) of the City Code authorizes the Planning Commission to grant a parcel map waiver. A parcel map waiver simplifies the subdivision process in applicable situations such as with this request.

Once the Planning Commission approves the Tentative Parcel Map for a Parcel Map Waiver, the subdivider submits exhibits directly to the City Surveyor to assure that the map is technically correct. With the City Surveyor’s recommendation, the Development Services Director certifies compliance with the conditions set forth in the Planning Commission’s resolution by granting a Certificate of Approval for the Parcel Map Waiver. Both the Certificate and the Parcel Map Waiver are recorded with the Ventura County Recorder’s office.

The project has been conditioned to provide storm drainage improvements and other on-site improvements to parcel A.

**b) General Plan Consistency:** The City’s 2030 General Plan land use designation for the subject site is Commercial General uses which allows retail uses and shopping centers. The existing development and uses are consistent with these allowed uses and there are no development plans proposed. Therefore, the project is in conformance with the General Plan land use designation for the property.

**c) Conformance with Zoning Development Standards:** The property as it exists was developed in compliance with the zoning and development standards in place when developed. No new development is proposed and no changes are proposed to the existing development.

**d) Site Design:** The existing 16,600 square foot building is located in the northwest corner of the lot. The irregular rectangular building is 72 feet from the property line along South A Street, 23 feet from the northerly property line, 309 feet from property line along South Saviers Road, and 192 feet from the southerly property line. The rest of the lot is currently parking lot, a

trash enclosure, utility infrastructure, and a vacant building pad where the demolished, fire damaged building once stood. Proposed Parcel A has been designed to retain a 16,600 square-foot commercial building and associated parking which is compliant with C-2 development standards. Proposed Parcel B will be located in the southeast corner of the existing lot. Proposed Parcel B would be rectangular with the short side of the lot having 160 feet of frontage along Saviers Road and a depth of 287 feet.

**e) Circulation and Parking:** The site has 5 access points from the public right-of-way, two from South A Street and three from South Saviers Road. The southern driveway on South A Street is 34 feet wide but is currently blocked by a chain link fence on the property and will continue to be blocked until development is proposed for the property. The northern driveway on South A Street is a total of 43 feet wide but is a shared access driveway with the property to the north of 3501 Saviers Road. The southernmost driveway on South Saviers Road, is 28 feet wide and provides access to proposed Parcel B. This driveway is necessary to provide access to the parking for the restaurant on the adjacent property to the south. An existing easement to access the restaurant parking on the adjacent lot must be retained as a condition of approval. The central driveway on South Saviers Road is 39 feet wide. This driveway also provides access to proposed Parcel B. The northernmost driveway on South Saviers Road is 30 feet wide and accesses proposed Parcel A.

A reciprocal parking and access easement exists between 3501 South Saviers Road and 3301-3445 South Saviers Road, the property to the north. The property to the north can be accessed from 3501 Saviers Road on the western side of the property, behind the buildings and at two locations in the front of the building.

There are 41 parking spaces on the western side of the existing building on proposed Parcel A that are accessed primarily from South A Street. From this parking area there is a 23 foot wide drive aisle to the north of the building that allows access to the parking area at the front of the building. At the front of the building there are 142 parking spaces which include one American Disability Act (ADA) compliant space. 110 of these spaces, including the one ADA space, are located on proposed Parcel A. The total parking on parcel A is 151 spaces. A retail center that is 16,600 square feet requires 67 parking spaces, so there are 84 excess parking spaces on Proposed Parcel A. Parcel B has 32 parking spaces but no proposed development. Were Parcel B to be developed the development would need to provide the necessary parking per Oxnard City Code.

**7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on March 28, 2018. The plans brought to the DAC were reviewed and found to be extremely problematic. The proposed subdivision included the creation of four parcels. The proposed lots were oddly shaped and the configuration made providing utility access and ingress/egress access complicated. Additionally, no development was proposed so it was difficult to determine how the layout would affect future developments. When the applicant resubmitted the Tentative Parcel Map had been simplified creating just two parcels both with frontage on Saviers Road. When the new Tentative Parcel Map was circulated, it was determined that a second DAC meeting was not necessary and that the project should move forward to the Planning Commission for a Parcel Map Waiver.

**8) Community Workshop and Public Input:** The project, being a simple subdivision of a large parcel of land into smaller parcels, it was determined that the project did not require a Community Workshop.

**9) Appeal Procedure:** In accordance with Section 15-25 of the City Code, an appeal from the Planning Commission's action may be taken in the manner provided by Cal. Gov. Code Section 66452.5.

**Attachments:**

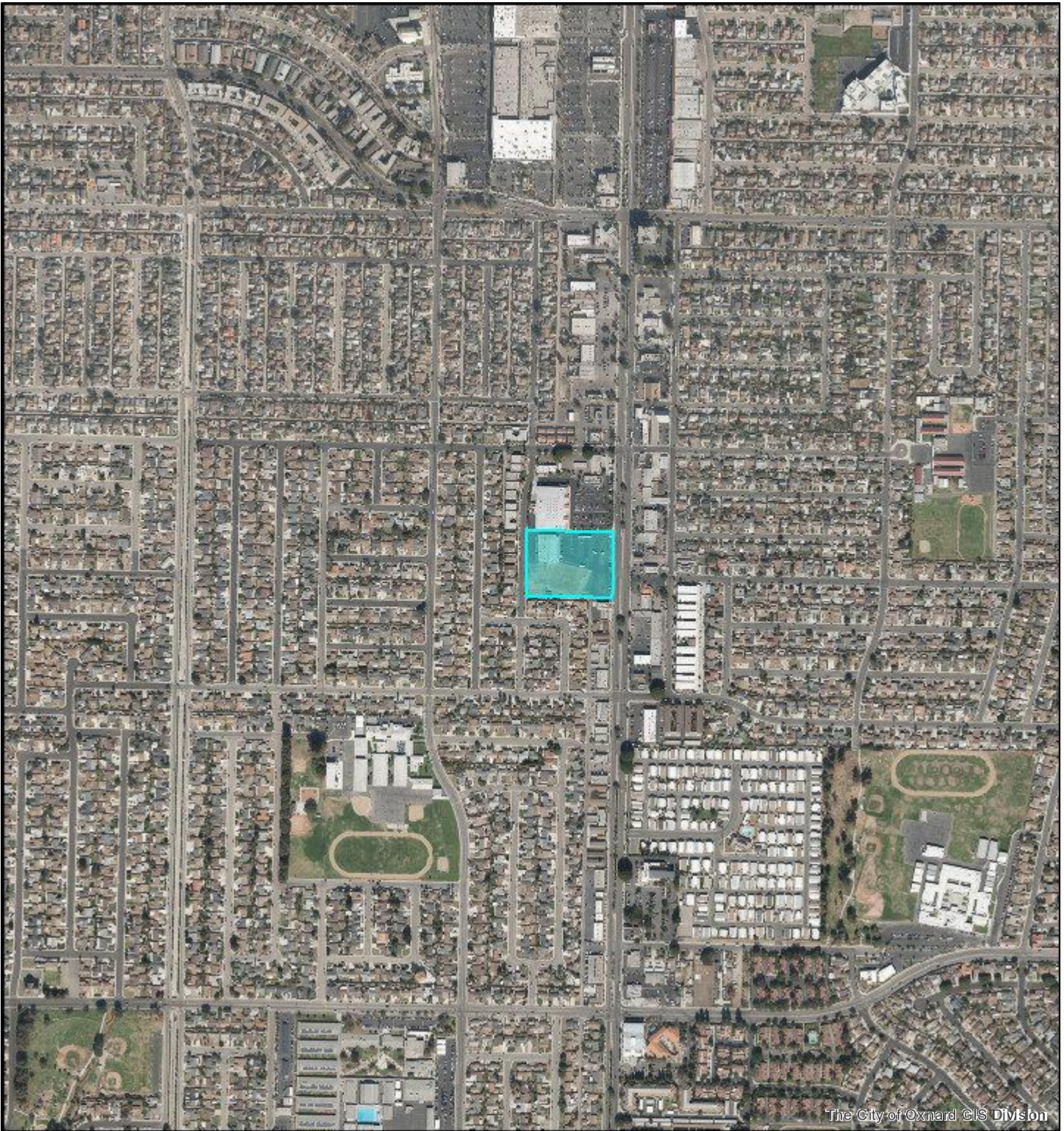
- A. Maps (Vicinity, Aerial, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolution

## **ATTACHMENT “A”**

Maps (Vicinity, General Plan, Zoning)



# Vicinity Map

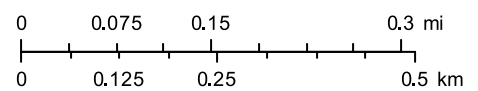


October 7, 2019

Parcels

3501 Saviers Road

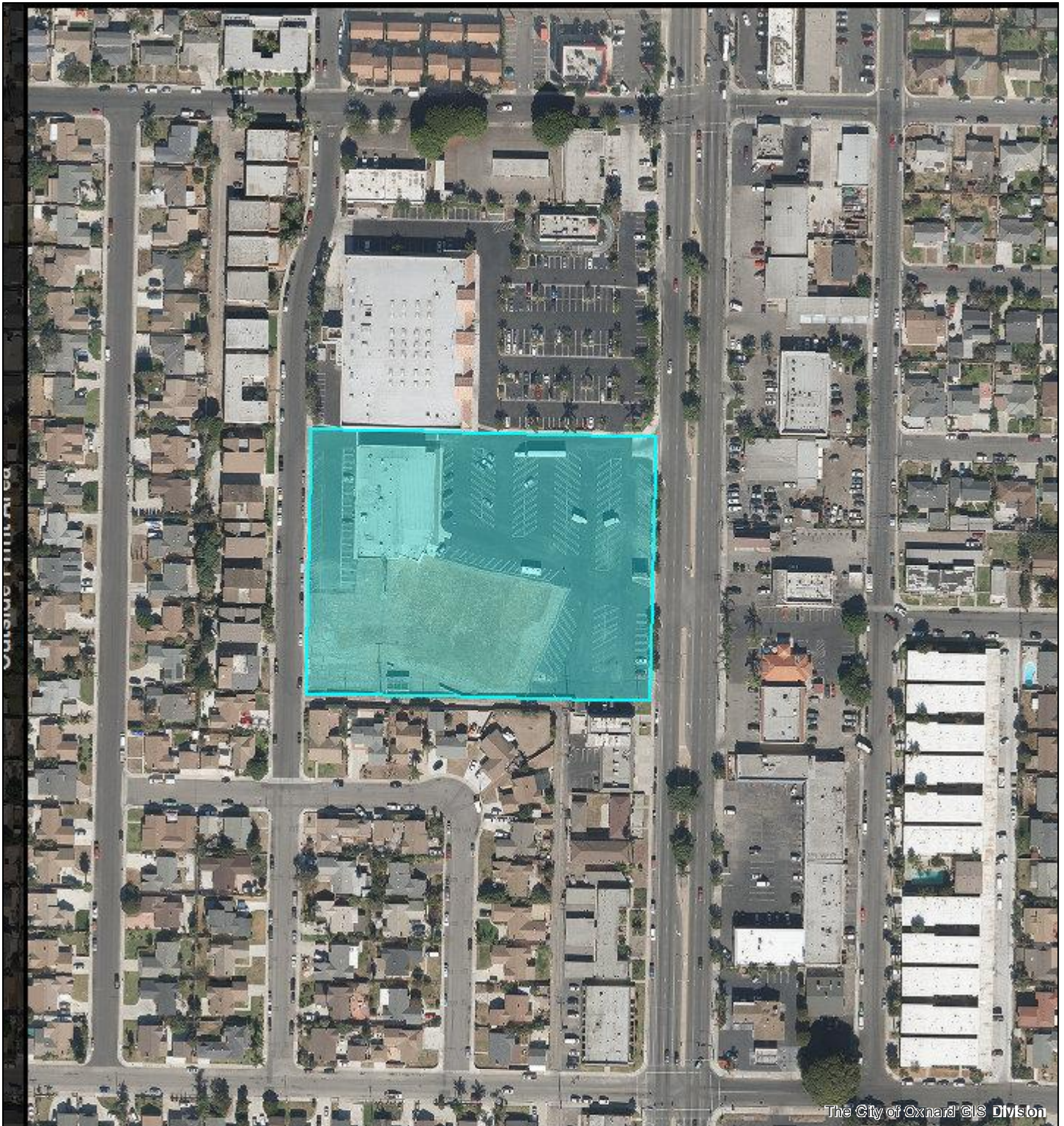
1:9,600



This map is compiled by the City of Oxnard GIS Program, which is developed and operated solely for the convenience of the City. The map is for illustrative purposes only. The City does not warrant the accuracy of this map and no decision involving a risk of injury or economic loss should be made in reliance thereon.



# Aerial Map

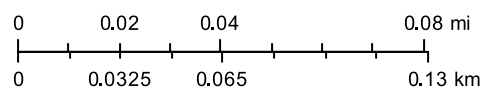


October 7, 2019

Parcels

3501 Saviers Road

1:2,400



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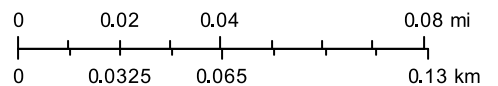
# General Plan



October 7, 2019

1:2,400

| Parcels |     | General Plan |     |
|---------|-----|--------------|-----|
| AC      | AG  | BRP          | CBD |
| CCM     |     |              |     |
| CCV     | CG  | CIA          | CN  |
| COF     | CR  | DTE          |     |
| DTN     | ESM | HCI          | ICD |
|         |     | Hueneme      | IH  |
| ILT     | MHP | OS           | PR  |
| PRK     | PSP | PUD          |     |
| PUE     | REC | REX          | RH  |
| RH      | RHD | RL           | RLM |
| RM      | RMH | RP           | SCH |
|         |     | VSC          |     |



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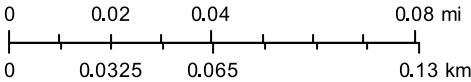
# Zoning Map



October 7, 2019

Parcels

1:2,400

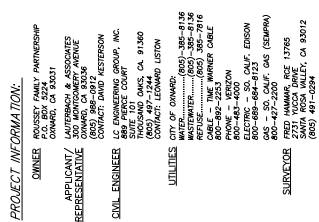


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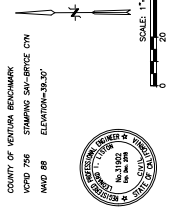
## **ATTACHMENT “B”**

Reduced Project Plans

(NOT A PART)



| LEGEND:               |       | ABBREVIATIONS:        |       |
|-----------------------|-------|-----------------------|-------|
| ASPHALT CONCRETE      | AC    | ASPHALT CONCRETE      | AC    |
| GRAVEL                | G     | GRAVEL                | G     |
| DRAINAGE PAVEMENT     | DP    | DRAINAGE PAVEMENT     | DP    |
| PAVEMENT              | P     | PAVEMENT              | P     |
| EXISTING              | E     | EXISTING              | E     |
| PROPOSED              | P     | PROPOSED              | P     |
| PROPERTY BOUNDARY     | P/B   | PROPERTY BOUNDARY     | P/B   |
| RETAINING WALL        | R/W   | RETAINING WALL        | R/W   |
| SEWER MANHOLE         | SM    | SEWER MANHOLE         | SM    |
| WOODEN FENCE          | WF    | WOODEN FENCE          | WF    |
| WATER                 | W     | WATER                 | W     |
| WATER VALVE           | WV    | WATER VALVE           | WV    |
| EX. ELEVATION         | ..... | EX. ELEVATION         | ..... |
| EX. CONTOUR LINE      | ..... | EX. CONTOUR LINE      | ..... |
| RETAINING WALL        | ..... | RETAINING WALL        | ..... |
| EX. STRUCTURE         | ..... | EX. STRUCTURE         | ..... |
| EX. CURB LINE         | ..... | EX. CURB LINE         | ..... |
| EX. FASHPANT          | ..... | EX. FASHPANT          | ..... |
| PROPOSED STRUTS       | ..... | PROPOSED STRUTS       | ..... |
| PROPOSED LOT LINES    | ..... | PROPOSED LOT LINES    | ..... |
| PROJECT BOUNDARY      | ..... | PROJECT BOUNDARY      | ..... |
| EXISTING SEWER LINE   | ..... | EXISTING SEWER LINE   | ..... |
| EXISTING WATER LINE   | ..... | EXISTING WATER LINE   | ..... |
| EXISTING GAS LINE     | ..... | EXISTING GAS LINE     | ..... |
| EXISTING SHOE SERVICE | ..... | EXISTING SHOE SERVICE | ..... |

BENCH MARK:

ENGINEER'S NOTES:

1. PROJECT ACR: 162,460.57 (4.19 AC2)
2. DATE OF TENTATIVE MAP: 10/7/2018
3. SOURCE OF TECHNOLOGY: TOPOGRAHY SURVEY PREPARED BY FRED W. HAMANN DATED 9/25/2017
4. A TITLE REPORT PREPARED BY FIRST AMERICAN TITLE COMPANY (ORDER NUMBER 848745) WAS USED AS REFERENCE FOR THE TENTATIVE PARCEL MAP
5. EXISTING LAND USE OF (COMMERCIAL-GENERAL)
6. EXISTING ZONING (C-40) (PORTION); GENERAL COMMERCIAL-AFFORDABLE HOUSING (PORTION)
7. C-40 (PORTION); COMMERCIAL PLANNED DEVELOPMENT (PORTION)
8. THERE ARE NO OTHER GENERAL PLAN AMENDMENTS AFFECTING THIS PROJECT
9. THERE ARE NO IMPROVEMENTS TO THE PROJECT SITE OR PUBLIC UTILITIES ASSOCIATED WITH THIS TENTATIVE PARCEL MAP. ALL EXISTING IMPROVEMENTS ARE REMAIN

LEGAL DESCRIPTION:

- [illegible]

**SETBACK NOTE:**

\* REAR SETBACK SHALL ONLY BE REQUIRED WHEN PROPOSED STRUCTURES EXCEED 16 FEET IN HEIGHT.

PROPOSED EASEMENT LEGEND:

EXISTING EASEMENT LEGEND:

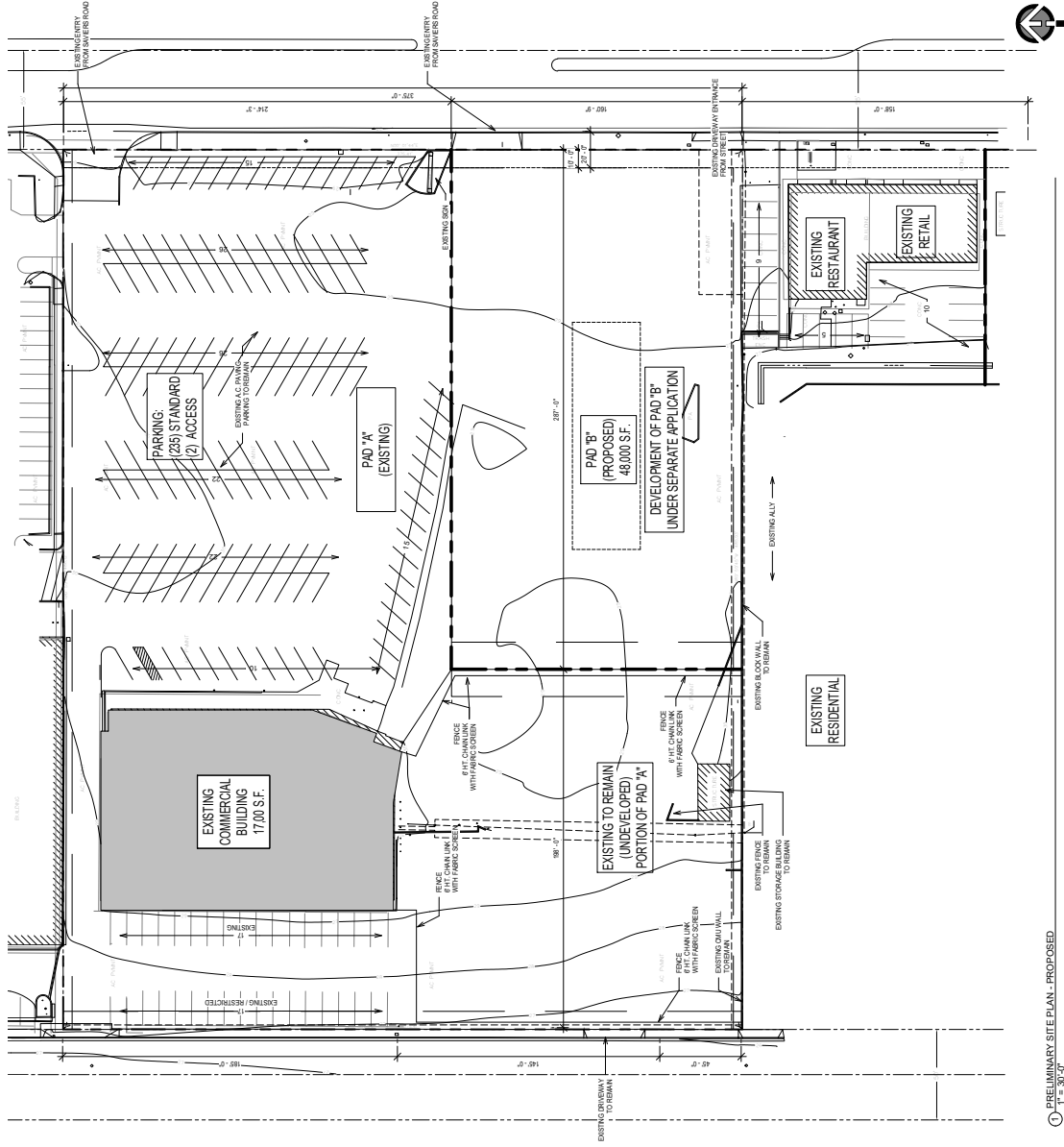
- INDICATES AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED APRIL 22, 1957 AS BOOK 1504, PAGE 584 OF OFFICIAL RECORDS.
- INDICATES AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JULY 12, 1960 AS BOOK 1887, PAGE 418 OF OFFICIAL RECORDS.
- INDICATES AN EASEMENT FOR DRIVEWAY PURPOSES FOR INGRESS AND EGRESS AND FOR THE INSTALLATION AND MAINTENANCE OF UTILITY LINES IN THE DOCUMENT RECORDED APRIL 22, 1957 AS BOOK 1504, PAGE 584 OF OFFICIAL RECORDS.

**LC ENGINEERING GROUP, INC.**  
**CONSULTING ENGINEERS**  
 889 Pierce Court, Suite 101, Thousand Oaks, California 91320  
 (805) 495-1341 | [www.lcengineers.com](http://www.lcengineers.com) | [info@lcengineers.com](mailto:info@lcengineers.com)

|                                                                                                                                                     |                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <p><b>TENTATIVE PARCEL MAP NO. 17-300-09</b></p> <p>FOR</p> <p><b>ROUSSEY FAMILY PARTNERSHIP</b></p> <p>3501 S SAVERS RD<br/>OXNARD, CALIFORNIA</p> | <p>SHEET</p> <p>1</p> <p>OF 1</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|

## PRELIMINARY SITE PLAN

TENTATIVE PARCEL MAP  
EXISTING COMMERCIAL CENTER



## **ATTACHMENT “C”**

### Notice of Exemption





## NOTICE OF EXEMPTION

### ***Project Description:***

PZ No. 17-300-09 (Tentative Map for a Parcel Map Waiver). A request to subdivide a 4.19 acre site located at 3501 Saviers Road into two parcels. Parcel A would be a 3.14 acre lot and Parcel B would be a 1.05 acre lot. No development is proposed at this time. Filed by David Kesterson of Lauterbach & Associates, 300 Montgomery Ave, Oxnard, CA 93036.

### ***Finding:***

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ Ministerial Project
- ☒ Categorical Exemption
- ☐ Statutory Exemption
- ☐ Emergency Project
- ☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- ☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

***Supporting Reasons:*** In accordance with Section 15315 (Minor Land Divisions, Class 15) of the State CEQA Guidelines, projects consisting of “the division of property in urbanized areas zoned for commercial use into four or fewer parcels” may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal creates two parcels that meet the required lot dimensions of the C-2 zoning and are compatible with the General Plan. No variances or exceptions are required or requested, all services and access exist to the parcels per City standards, the average slope is less than 20 percent and the property has not been involved in a previous subdivision within the last two years. Therefore, the Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment.

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(Date)

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Paul McClaren,  
Associate Planner

## **ATTACHMENT “B”**

Resolution

RESOLUTION NO. 2020-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING TENTATIVE PARCEL MAP FOR A PARCEL MAP WAIVER (PLANNING AND ZONING PERMIT NO. PZ 17-300-09) A 4.19 ACRE SITE INTO TWO PARCELS (PARCEL A IS 3.14 ACRES, PARCEL B IS 1.05 ACRES) FOR A PROPERTY LOCATED AT 3501 SOUTH SAVIERS ROAD, (APN 205-0-443-085) SUBJECT TO CERTAIN CONDITIONS. FILED BY DAVID KESTERSON, LAUTERBACH & ASSOCIATES, ARCHITECTS, INC., 300 MONTGOMERY AVENUE, OXNARD, CA 93036.

WHEREAS, the Roussey Family Partnership owns a 4.19 acre parcel located at 3501 South Saviers Road (APN 205-0-443-085); and

WHEREAS, David Kesterson on behalf of the Roussey Family Partnership filed an entitlement application with the City of Oxnard on December 8, 2017 for a Tentative Map for a Parcel Map Waiver (PZ No. 17-300-09); and

WHEREAS, said Tentative Parcel Map was reviewed by the Planning Commission of the City of Oxnard on November 21, 2019 and continued to a date certain of January 16, 2020; and

WHEREAS, a duly noticed community workshop was held on December 16, 2019; and

WHEREAS, the Planning Commission of the City of Oxnard has considered the Tentative Parcel Map for a parcel map waiver (Planning and Zoning Permit No. 17-300-09), filed by David Kesterson, in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, said Tentative Parcel Map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the Tentative Parcel Map conforms to the City's 2030 General Plan and elements thereof; 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 15 "Minor Land Divisions" Categorical Exemption Guidelines exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and received and reviewed written and oral comments related to the Project; and

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

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

SECTION 1. The Planning Commission, in accordance with Section 15315 (Minor Land Divisions, Class 15) of the State CEQA Guidelines, projects consisting of “the division of property in urbanized areas zoned for commercial use into four or fewer parcels” may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal creates two parcels that meet the required lot dimensions of the C-2 zoning and are compatible with the General Plan. No variances or exceptions are required or requested, all services and access exist to the parcels per City standards, the average slope is less than 20 percent and the property has not been involved in a previous subdivision within the last two years. Therefore, the Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment

SECTION 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

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

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

The project’s commercial uses are consistent with the General Plan land use designation and zoning as discussed in great detail in Sections 6 (b), 6 (c), and 6 (e) and Section 7 of the Planning Commission Staff Report. The Project as designed and conditioned meets all applicable development standards. Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards.

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

The design and improvements of the project will provide for development that furthers the intent of the General Plan to realize the potential of commercial and or housing improvements that increases housing in the Bryce Canyon Neighborhood and is consistent with the 2030 General Plan, as discussed above in Finding 2a.

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

The site is physically suitable for the proposed type of development because the site is relatively level and an environmental assessment of the site did not find any soil or geologic conditions that would make the site physically unsuitable for development. As the site is not subject to soil and/or geologic conditions indicating substrate instability, the site is suitable for the architectural design of the proposed development which is compatible with the character of the surrounding neighborhood

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

The site is physically suitable for the proposed density of development because it is located

within a developed urban area and will be served by existing adequate public utilities. The C-2 zone does not have minimum parcel size or width requirements. No development is proposed at this time; however, the Project as designed and conditioned would allow future development which could meet all applicable development standards.

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

The Project would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no listed species are known or expected to occur at the project site and the project site is not considered to be conducive to important biological resources or their habitat. Additionally, the project site does not have any natural standing bodies of water, riparian habitat, or other sensitive natural communities. Federally protected wetland communities are not thought or known to exist on the site and the project site is not located within a Biological Resources Area which is known or thought to meet habitat needs for plants and animals or promote wildlife

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

The design of the subdivision or type of improvements is unlikely to cause serious public health problems as the Project involves no development at this time; however, the Project as designed and conditioned would allow future development which could meet all applicable development standards. However, potentially hazardous materials such as fuels, lubricants, and solvents would be used during grading and construction of a future project, but their use and disposal would be to applicable standards and law so as to not create environmental or health issues. The design of the subdivision is not likely to cause serious public health problems because, as indicated by Finding 2.a above, it would utilize existing adequate public utilities, namely water and sewer.

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

The design of the subdivision does not conflict with easements, acquired by the public-at-large, for access through or use of property within the subdivision because, as conditioned, no buildings would be located in the area of the existing public utilities easements, all blanket easements or other easement that are no longer needed by the City shall be abandoned, and there is no need for new or additional easement(s) for the public-at-large.



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

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby recommends the City Council approve Planning and Zoning Permit No. Tentative Parcel Map for a parcel map waiver (Planning and Zoning Permit No. 17-300-09, subject to the attached conditions of approval.

SECTION 4. 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*).

| <b>DEPARTMENTS AND DIVISIONS</b> |                                 |    |                       |
|----------------------------------|---------------------------------|----|-----------------------|
| 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 October 3, 2018, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*).

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

4. 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).

5. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14).

### **PLANNING DIVISION STANDARD CONDITIONS**

6. 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)

7. Prior to recordation of a Final Map, 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 for Parcel A with the understanding that Parcel B will be addressed when developed. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges, per City Code, will be provided for Parcel A without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

8. 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)

9. 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)

### **PLANNING DIVISION SPECIAL CONDITIONS**

10. Approved tentative map for a Parcel Map Waiver shall expire thirty-six (36) months after its approval if a Certificate of Approval for the Parcel Map Waiver is not recorded with the Ventura County Recorder's Office. (PL)

11. The developer shall submit plans to resurface and restripe the parking areas of parcel A. At a minimum, the restriping plan will include 67 parking spaces. Three of the spaces must be ADA compliant to include one of the spaces being van accessible. One of the spaces must be a motorcycle parking space. The motorcycle parking space shall include a concrete pad and be

labeled or include signage designating it as a motorcycle space. The restriping shall also include the designation of two 12' x 40' dedicated loading zones. The plans will also indicate striping or improvements that create an ADA compliant pedestrian path of travel from A Street and from Saviers Road to the front of the existing commercial building. Additionally, the plans shall include the installation of one or more ADA compliant ramps to the sidewalk along the existing store frontage. Finally, the plans shall include the installation of 2 long-term bicycle parking lockers and bike racks to accommodate 8 short-term bicycles. The short-term bike parking shall be evenly distributed into four groups along the frontage of the commercial building. Prior to approval of a parcel map the developer shall obtain all necessary permits and complete all required on-site improvements and have a Planner conduct a final inspection of said improvements.

12. All existing reciprocal access and parking agreements for the site with adjacent sites will remain in full force and effect and shall apply to Parcels A and B created by this Tentative Parcel Map. Said easements can only be vacated with the consent of all parties to include the City of Oxnard as the regulating authority. The easements cannot be vacated until alternatives are devised and approved by the City to accommodate parking and circulation on adjacent sites.

13. Prior to City's issuance of the Certificate of Approval for Parcel Map Waiver, Subdivider shall provide proof of recordation of a reciprocal access and parking agreement that is acceptable to the City Attorney's office for the proposed site affected by the newly created Parcels A & B. (PL)

14. Subdivider shall establish a property owner's association and the association shall be responsible for the maintenance of parking, landscaping, lighting and other common areas and facilities held in common by the association and for the enforcement of CC&Rs related to property maintenance.

15. Subdivider shall submit to Planning staff an application and exhibits required for the Certificate of Approval of Parcel Map Waiver. Planning staff shall prepare the Certificate of Approval for Parcel Map Waiver, and the Subdivider shall record the Certificate of Approval for Parcel Map Waiver with the Ventura County Recorder's Office. (PL)

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

## **ENVIRONMENTAL RESOURCES DIVISION**

17. The developer will install on Parcel A a trash enclosure to serve the existing commercial building per City standards for trash enclosures. The location of the enclosure should be included on the restriping plans required in condition 11. The size and location of the trash enclosure shall be reviewed and approved by the Environmental Resources Division.

## **DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS**

18. 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)

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

20. Developer's site improvement plans shall include an onsite sewer plan. (DS-10)

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

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

23. 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)

24. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)

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

26. Prior to beginning construction, the Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do the work required for the convenience and safety of the general public because of inclement weather or any other cause, and the orders are not

immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

27. Prior to approval of the final map or parcel map, the Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)

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

29. Developer shall dedicate to the City all water rights for the project property by title sheet dedication on the final map or parcel map. (DS-39)

30. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, 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)

31. Prior to release of the final map or parcel map for recordation, the Developer shall provide the City Engineer with a 100 scale base map for addressing purposes. The map shall be drawn on 18 inch by 24 inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)

32. Prior to release of the final map or parcel map for recordation, the Developer shall post security satisfactory to the City Attorney guaranteeing that all survey monuments will be set as required by the Government Code and the City Code. (DS-57)

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

#### **DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS**

34. In accordance with Government Code (Subdivision Map Act) Section 66411.1, Developer shall record an agreement that indicates the requirement for construction of onsite and offsite improvements prior to issuance of a permit or other grant of approval for any new

development on any parcel of this parcel map. The required onsite and offsite improvements include: a) An onsite private sewer lateral serving proposed Parcel A and Parcel B generally as indicated on the tentative parcel map; b) A connection from the onsite private sewer lateral to the existing public sewer main in the nearby alley west of Saviers Road; c) Onsite private drainage infrastructure to eliminate cross-lot drainage between Parcels A and B unless an agreement is recorded between the affected parcels allowing for mutual conveyance of stormwater. Recordation of the referenced agreement is not required if the improvements are constructed prior to recordation of the parcel map. (DS)

35. All onsite sewer improvements shall be privately owned and maintained. (DS)

36. Developer shall provide evidence of approval of a Public Utility Easement owner before constructing additional facilities within the easement. (DS)

37. Developer shall construct all under-sidewalk (parkway) drains within the public right-of-way in accordance with City Standard Plate 124. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 16th day of January, 2020, by the following vote:

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Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 16th day of January 2020, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioner(s):

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Scott Kolwitz, Secretary



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Juan Martinez, Associate Planner

**DATE:** January 16, 2020

**SUBJECT:** Project Name: Karina's Royal Banquet Hall/Karina's Restaurant & Grill;  
Planning and Zoning Permit No. 19-510-03 (Special Use Permit-Alcohol);  
Property located at 529 South A Street (APN 202-0-105-325)

- 1) Recommendation:** That the Planning Commission adopt a resolution approving Planning and Zoning Permit No. 19-510-03 (Special Use Permit-Alcohol), subject to certain findings and conditions.
- 2) Project Description and Applicant:** A request to allow the sale of general alcohol including spirits for on-site consumption (Alcohol Beverage Control (ABC) License Type 47 - On Sale General - Eating Place<sup>1</sup>) within an existing 2,500 square-foot restaurant/banquet facility (with an 1,800 square-foot interior customer service area and no outdoor customer service area) located at 529 South A Street within the Downtown Core (DT-C) zone. The proposed sale of alcohol would be allowed to occur during the hours of 7:00 a.m. to 10:00 p.m. daily. For the purpose of this Staff Report, the foregoing project description shall be referred to as the "**Project.**" Filed by Silvia Ochoa, Restaurant Owner (the "**Applicant**"), 267 Glenwood Drive, Oxnard, California 93030 on behalf of the property owner.
- 3) Existing & Surrounding Land Uses:** The project site is located at 529 South A Street, between West Fifth and West Sixth Street, within the Downtown Core District (DT-C). The 12,600 square-foot lot is developed with a multi-tenant linear building that fronts onto South A Street and also has side access to a pedestrian paseo that connects pedestrians from South A Street to back alley and public parking lot. The Project site is surrounded by similar commercially developed lots; some of which are already licensed and operating as restaurants with entertainment and alcohol for on-site consumption. The following table summarizes existing land uses, zoning, and 2030 General Plan designations of the Project site and adjacent properties, which are also shown on Attachment A:

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<sup>1</sup> ABC License Type 47 (On Sale General - Eating Place) Definition: (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

| LOCATION     | ZONING               | GENERAL PLAN | EXISTING LAND USE                                           |
|--------------|----------------------|--------------|-------------------------------------------------------------|
| Project Site | Downtown Core (DT-C) | Downtown     | Restaurant/Banquet Facility<br>General Retail and Vacancies |
| North        | Downtown Core (DT-C) | Downtown     | Public Pedestrian Paseo/ Two Story<br>Office Building       |
| South        | Downtown Core (DT-C) | Downtown     | General Retail                                              |
| East         | Downtown Core (DT-C) | Downtown     | General Retail                                              |
| West         | Downtown Core (DT-C) | Downtown     | City of Oxnard<br>Public Parking Lot                        |

- 4) Background Information:** The single-story commercial building was constructed in 1980. On November 20, 2003, the Planning Commission granted Special Use Permit No. 03-520-09, authorizing the site to operate as a banquet facility with dancing (Attachment B). In addition, it permitted event holders seeking permit for Private Party/One Night Dance License to also serve alcohol provided that they obtain a license from the State Department of ABC. However, the Special Use Permit did not authorize the premise of business operator to seek its own ABC license for the continued sales and service of alcoholic beverages for on-site consumption. Building permits (06-4694) dating back to 2006 show that the subject site was remodelled to accommodate the subject restaurant and banquet facility.

In August of 2010, the Kitchen Restaurant was licensed to operate at this location. ABC records search shows that the premise was licensed (ABC License Type 41 - On Sale Beer & Wine - Eating Place<sup>2</sup>) to operate and sell beer and wine for on-site consumption with the restaurant. The ABC license expired in June of 2016 after non-renewal because the business went out of business.

- 5) Environmental Determination:** In accordance with Section No. 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found exempt from the requirements of CEQA. The Project involves a request to sell general alcohol including spirits for on-site consumption and does not involve expansion of square footage of building area. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption.

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<sup>2</sup> ABC License Type 41 (On Sale Beer & Wine - Eating Place) Definition: (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

Therefore, Staff has determined that there is no substantial evidence that the project may have a significant effect on the environment, and recommends that the Planning Commission accept the Notice of Exemption (Attachment C)

## 6) Analysis

**a) General Discussion:** The Applicant is requesting approval of a Special Use Permit to allow the sale of general alcoholic beverages for on-site consumption within an existing 2,500 square-foot restaurant/banquet facility. The restaurant is designed to provide seating for approximately 69 persons, and the banquet hall will accommodate seating for up to 117 persons (Attachment D). The restaurant's front door faces the public paseo along the northside of the building with a pass through connection to the banquet hall which has front and main entrances off South A Street and also has entrances facing the public paseo. The floor plan shows that there are two rear access doorways that connect to a service hallway that serves as an emergency egress for the subject Project and other building tenants. The restaurant will operate two shifts with up to five employees per shift. The business proposes to operate seven days a week: 8:00 a.m. to 10:00 p.m. Monday through Thursday; 9:00 a.m. to 12:00 a.m. Friday and Saturday; and 8 a.m. to 9:30 p.m. on Sundays; however, as the Special Use Permit doesn't regulate the hours of the business, these operating hours may change with market conditions. On the other hand, the proposed sale of alcohol would be allowed to occur only during the hours of 7:00 a.m. to 10:00 p.m. daily.

**b) General Plan and Zoning Consistency:** The 2030 General Plan land use designation is consistent with the of the Project site's zoning designation of Downtown Core (DT-C). The DT-C zoning district is characterized by lively, pedestrian-oriented retail, restaurant, service, and wide range of other supporting uses including high density residential in upper floors. The Project does not propose any exterior alterations or modifications to the existing building.

Pursuant to the allowed uses section 16-148(A) of the Downtown Code, Eating and Drinking Establishments and Community Assembly facilities of less than 10,000 square feet are permitted uses; however, alcohol for on site consumption with sale of food requires the approval of a Special Use Permit.

Within the DT-C zoning district, Nightclubs are subject to approval of a Special Use Permit; however, the Project does not propose to operate as a nightclub where such facilities are open to the public and may or may not charge a cover charge for dancing and entertainment. The banquet facility will continue to operate as a rental facility for private functions and not open to the general public.

**c) Police Department Review:** The Oxnard Police Department provided a comprehensive report (Attachment E) in accordance with City Council Resolution No 11,896 (Attachment F). The report analyzes the number of establishments selling alcoholic beverages within 350 feet and 1,000 feet of the Project site to determine whether a presumption of undue concentration exists, and whether approval of the application request is likely to significantly aggravate police problems. The Police Department's Report is broken down into an analysis of the concentration of alcohol outlets, crime statistics, police and community input, and conclusion. The table below summarizes the findings of the Police Department's Report:

| Location           | Same Type Within 350 Feet | Same Type Within 1,000 Feet | Likely to Cause Police Problems? | Undue Concentration as Defined in Resolution 11,896? |
|--------------------|---------------------------|-----------------------------|----------------------------------|------------------------------------------------------|
| 529 South A Street | Yes, 3 similar uses       | Yes, 9 similar uses         | No, as conditioned               | Yes                                                  |

Concentration of Alcohol Outlets: According to the Police report, there are nine restaurants (similar uses with ABC License Types 41 or 47) within 1,000 feet of the Project site (Fresh and Fabulous, La Veros Mexican Seafood & Bar, La Fond Del Rey, Sabor, Ruby's Cafe, Bahia Del Mar, China Square, El Dorado, Izzy Otani). Additionally, there are four markets (with ABC License Type 20<sup>3</sup>) within 1,000 feet of the Project site (La Mexicana, 4-Way Meat, Doc's Beer & Wine, and Asahi), and there is one bar (with ABC License Type 40<sup>4</sup>) within 1,000 feet of the Project site (Nuevo Carmelita).

The Police Department has determined that because there are three similar uses within 350 feet of the Project site that there is a presumption of undue concentration. Although, a presumption of undue concentration has been identified as described within the Police report, this presumption can be rebutted by a preponderance of evidence, which shows the Project site is located in the Downtown area, a commercial area where multiple restaurants serving alcoholic beverages operate under similar conditions considered to be generally appropriate, because the uses are permitted and desired in Downtown Oxnard and as contract security services are provided by PSC Security and two police officers

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<sup>3</sup> ABC License Type 20 (Off Sale Beer & Wine) Definition: (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.

<sup>4</sup> ABC License Type 40 (On Sale Beer) Definition: (Bar, Tavern) Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.

specifically assigned to Downtown to, in part, to mitigate the impact of the concentration of alcohol outlets.

Crime Statistic Review: For comparison purposes, the Police Department calculates the average number of Part I<sup>5</sup> and II<sup>6</sup> crimes that occurred during a 12-month period. In the case of this report, all calculations are based on statistics from 2018. The average citywide, annular average of Part I and II crimes is 79.7. The average number of Part I and II crimes occurring within the 1,000-foot annular area is 500. This is more than two times the average commercial annular crime rate of 229.9 citywide. The statistical analysis show that crime rate is significantly higher than the City-wide averages for commercial properties. These numbers are much higher due in part to the service calls due to the influx of homeless that migrated into the area.

Historically, restaurants do not aggravate policing problems provided that a restaurant operates as a bona fide restaurant and not morph into a nightclub operation. An ABC License Type 47 restricts the establishment to maintain alcohol sales as incidental to the sale of food.

The Kitchen Restaurant which previously existed at this same address included the sale of alcohol. The Oxnard Police Department Alcohol Compliance Specialist confirmed that the Kitchen had minimal service calls.

Police & Community Input: The Beat Coordinator is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area, and stated that the location is not generally considered to be a policing problem, and it has not required any specific attention. Several neighboring business operators were contacted and interviewed regarding the proposed sale of alcoholic beverages at the restaurant. Concerns included limited parking, particularly on the street and the need to restrict hours to no later than 11:00 p.m. One business operator had concerns regarding the service of alcohol at the restaurant because the prior business, The Kitchen, often had intoxicated customers who harassed persons as they left the site.

Conclusion: The statistical analysis shows the surrounding area has a crime rate that is significantly higher than the citywide average for commercial properties. Historically, from a policing perspective, this site, as a restaurant does not generate concerns as long as its business model does not morph into a nightclub.

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<sup>5</sup> Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.

<sup>6</sup> Part II crimes include: vandalism, weapons possession, sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct.

Consistent with the license issued by ABC, conditions of approval are included as part of this request would restrict and address potential policing concerns. Draft conditions within the draft Resolution (Attachment G) include: required training for responsible beverage service; operational and sales of alcohol restrictions requiring the establishment operate as a bona fide restaurant with quarterly gross sales of alcoholic beverages not to exceed the gross sales of food; security surveillance system; and alcohol sales restrictions that would limit the sale of alcohol between the hours of 7:00 a.m. and 10:00 p.m. The draft conditions include an opportunity for the restaurant owner to seek a one-day permit for up to six times to accommodate special events such as New Year's Eve party to extend hours of operations and alcohol service beyond 10:00 p.m. time restriction.

**6) Community Workshop and Public Input:** The project is located within the Hobson Park East Neighborhood. On October 8, 2019, the applicant mailed 589 notices of the Community Workshop meeting to all property owners within the Hobson Park East Neighborhood. A notice of this meeting was posted on the Project site along with a brief description and contact information. The Community Workshop was conducted on October 21, 2019. Approximately, 13 persons attended the Community Workshop meeting, which included two other development project presentations. Staff made a brief presentation describing the proposed request. None of the persons in attendance asked questions, expressed concerns or opposition to the proposed Project. As of the date of this report our office has not received any interest in support or opposition.

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

**Attachments:**

- A. Maps (Vicinity, Aerial, General Plan, Zoning)
- B. PC Resolution 2003-108 (PZ 03-520-09\_Special Use Permit)
- C. Notice of Exemption
- D. Reduced Project Plans
- E. Police Department Report
- F. City Council Resolution 11,896
- G. Draft Resolution PZ 19-510-03 (Special Use Permit)

# **ATTACHMENT**

## **A**

### **MAPS**

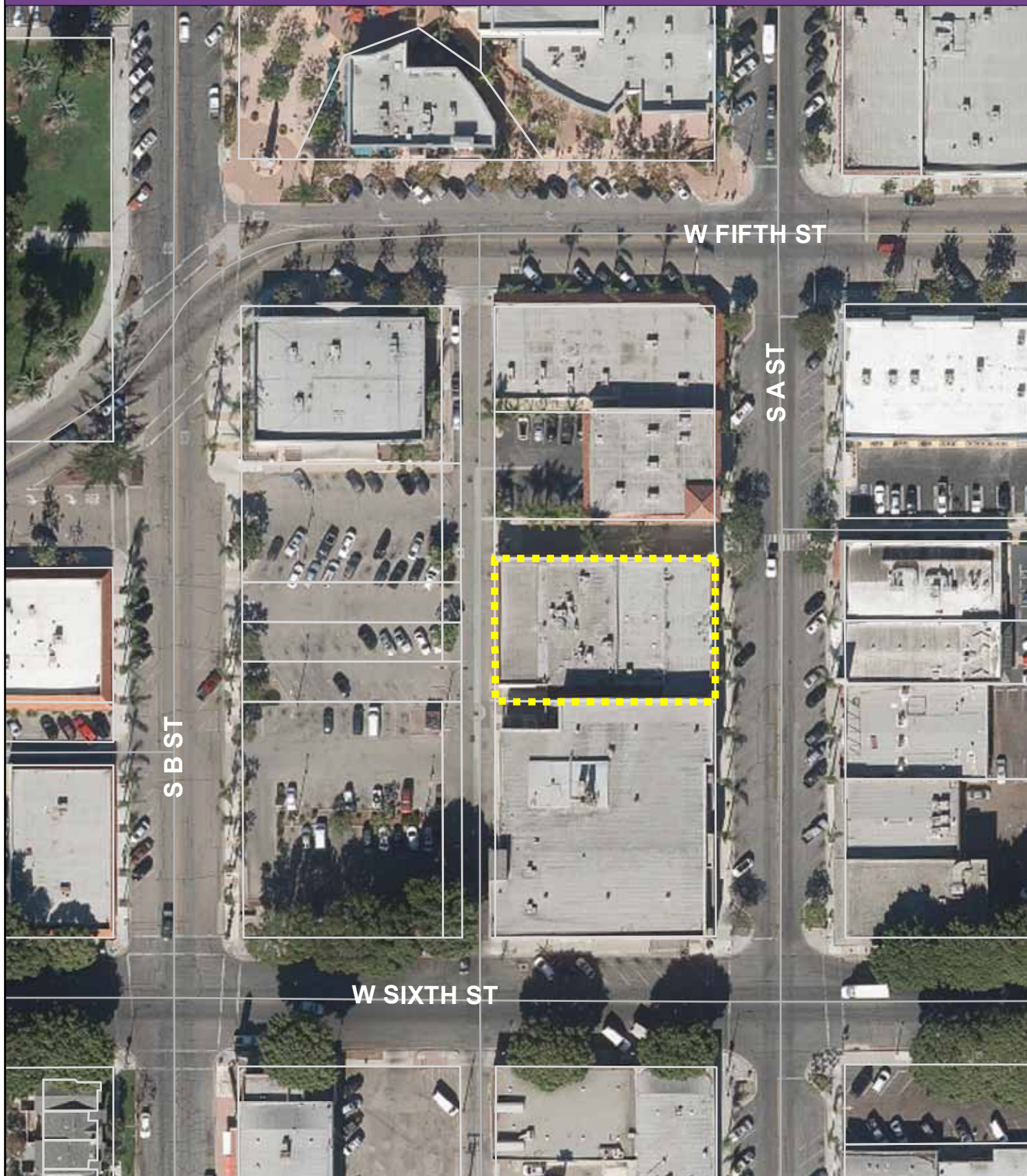
**(VICINITY, AERIAL, ZONING, GENERAL PLAN MAP)**



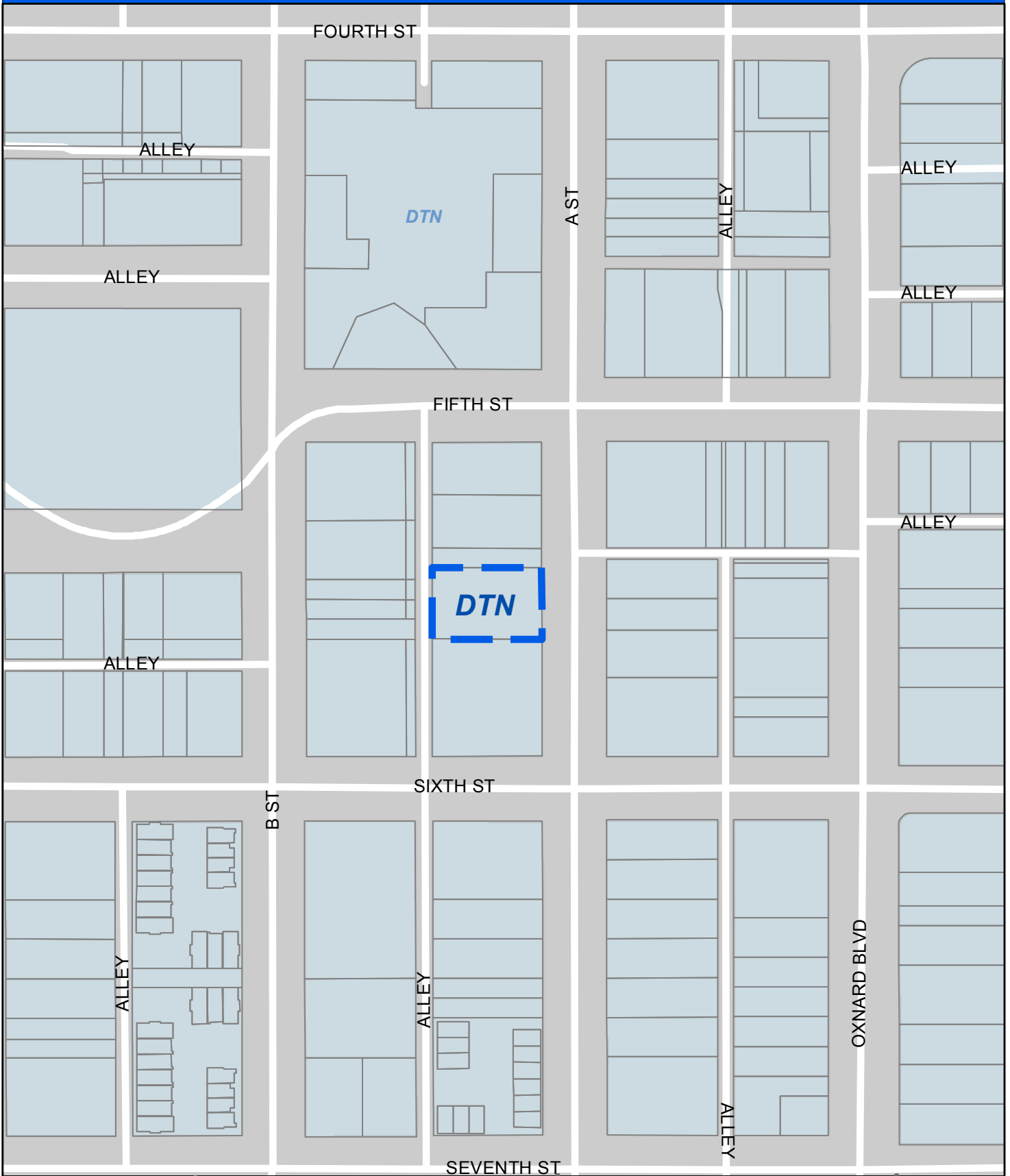
# Vicinity Map



# Aerial Map



# 2030 General Plan Land Use Map



Oxnard Planning  
January 8, 2020

PZ 19-510-03  
Location: 529 S A St  
APN: 2020105325  
Karina's Royal Banquet

0 50 100 200 Feet

2030 General Plan Land Use Map



1:2,000



# Zoning/Specific Plan Map



**ATTACHMENT  
B**

**PC RESOLUTION 2003-108  
(PZ 03-520-09 SPECIAL USE PERMIT)**

RESOLUTION NO. 2003-108

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PERMIT NO. PZ 03-520-9, A SPECIAL USE PERMIT FOR A BANQUET FACILITY AT 529 SOUTH A STREET, SUBJECT TO CERTAIN CONDITIONS. FILED BY GONZALO FERNANDEZ, 2034 LANYARD WAY, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a Special Use Permit filed by Gonzalo Fernandez in accordance with the Sections 34-146 through 34-157.1 of the Oxnard City Code; and

WHEREAS, in accordance with Section 15301 of the State California Environmental Quality Act (CEQA) guidelines and California Public Resources Code section 21000 et seq., the Planning and Environmental Services Division has determined that the project meets the criteria stated therein and is exempt from CEQA; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

- A. That the proposed use is in conformance with the 2020 General Plan and other adopted standards of the City of Oxnard.
- B. That 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.
- C. That the site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.
- D. That the site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
- E. That the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves Special Use Permit No. PZ 03-520-9 subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 34-155 of the Oxnard City Code.

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 |
| DS                        | Dev Services/Eng Dev/Inspectors | TR | Traffic  |

| DEPARTMENTS AND DIVISIONS |                |    |                       |
|---------------------------|----------------|----|-----------------------|
| PD                        | Police         | B  | Building Plan Checker |
| SC                        | Source Control | FD | Fire                  |
| PK                        | Parks          | CE | Code Enforcement      |

## 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 November 20, 2003, ("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 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 24 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, or the beginning of the proposed use. (PL, G-3)
4. 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)
5. 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. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
6. 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)
7. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
9. 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)
10. 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)

11. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

#### **PLANNING STANDARD CONDITIONS**

12. Any application for a minor modification to the project shall be accompanied by three copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)

#### **POLICE DEPARTMENT SPECIAL CONDITIONS**

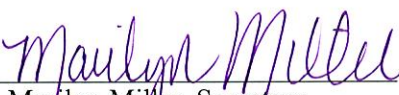
13. The use of any amplifying system or device inside the premises shall not be audible outside the premises.
14. The Permittee shall inform event holders that they are required to obtain a Private Party/One Night Dance Business License through the Licensing Division. (PL)
15. Before dances may be held on the premises the permitte or event holder shall obtain a dance permit. (PL)
16. The Permittee shall inform event holders that they are required to obtain a license from the State Alcohol Beverage Control Department prior to the sale of any alcohol on the premises.
17. Permittee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
18. Any consumption of alcohol shall conform to the requirements of any licenses issued by the State Alcohol Beverage Control Department.
19. Any graffiti painted or marked up the premises or on any adjacent area under the control of the Permittee shall be removed or painted over within 48 hours of being applied.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 20<sup>th</sup> day of November 2003, by the following vote:

AYES: Commissioners: Burdullis, Okada, Fischer, Lopez, Dean, Duff, Clarke

NOES: Commissioners: None

ABSENT: Commissioners: None

ATTEST:   
Marilyn Miller, Secretary

  
Michael D. Clarke, Chairperson



**ATTACHMENT  
C**

**NOTICE OF EXEMPTION**

## NOTICE OF EXEMPTION

### ***Project Description:***

PLANNING AND ZONING PERMIT NO. 19-510-03 (Special Use Permit-Alcohol), an application to allow the sale of general alcohol including spirits for on-site consumption (ABC License Type 47 - On Sale General Eating Place) within an existing 2,500 square-foot restaurant/banquet facility is located at 529 South A Street within the Downtown Core (DT-C) zone. The proposed sale of alcohol would be allowed to occur during the hours of 7:00 a.m. to 10:00 p.m. daily. The proposed project is exempt from environmental review pursuant to Section 15301 Class 1 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Silvia Ochoa, Restaurant Owner, 267 Glenwood Drive, Oxnard, California 93030.

### ***Finding:***

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ Ministerial Project
- ☒ Categorical Exemption
- ☐ Statutory Exemption
- ☐ Emergency Project
- ☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- ☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

***Supporting Reasons:*** In accordance with Section 15301(a) (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The project involves a request to sell general alcohol including spirits for on-site consumption and does not involve the expansion of the existing 2,500 restaurant/banquet facility. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Based on the above exemption and in accordance with CEQA, the Planning & Environmental Services Manager has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a notice of exemption may be filed.

---

(Date)

---

Scott Kolwits,  
Planning & Environmental Services  
Manager

# **ATTACHMENT D**

## **REDUCED PROJECT PLANS**

- ALL RENOVATIONS ARE INTERIOR. NO EXTERIOR CHANGES ARE PROPOSED.
- EXTERIOR BUILDING SIGNAGE UNDER SEPARATE SUBMITTAL AND PERMIT.

- ALL RENOVATIONS ARE INTERIOR. NO EXTERIOR CHANGES ARE PROPOSED.
- EXTERIOR BUILDING SIGNAGE UNDER SEPARATE SUBMITTAL AND PERMIT.

|                                                     |                                               |
|-----------------------------------------------------|-----------------------------------------------|
| PROJECT ADDRESS                                     | 529 & 531 S. A STREET<br>OXNARD, CA 93030     |
| ASSESSING PARCEL NO.<br>ZONING                      | 2020-005-025<br>CRO-Central Business District |
| SITE AREA                                           | 12,600 S.F.                                   |
| EXISTING BUILDING USE<br>OCCUPANCY GROUP            | RESTAURANT & BANQUET<br>A-2                   |
| EXISTING CONSTRUCTION TYPE<br>FIRE SPRINKLER SYSTEM | V-8<br>NO                                     |
| NUMBER OF STORES                                    | SINGLE STORY                                  |
| AREA OF EXISTING BUILDING                           | 10,920.0 SF                                   |
| AREA OF EXISTING TENANTS:                           |                                               |
| 529 S. A STREET                                     | 2,414.50 SF                                   |
| 531 S. A STREET                                     | 2,586.50 SF                                   |

ALL WORK SHALL CONFORM TO:

- 2016 BUILDING STDS. ADMIN. CODE, PT.1, TITLE 24 C.C.R.
- 2016 CA BUILDING CODE, PT. 2, TITLE 24 C.C.R.
- 2016 CA ELECTRICAL CODE, PT. 3, TITLE 24 C.C.R.
- 2016 CA MECHANICAL CODE, PT. 4, TITLE 24 C.C.R.
- 2016 CA PLUMBING CODE, PT. 5, TITLE 24 C.C.R.
- 2016 CA FIRE CODE, PT. 9 TITLE 24 C.C.R.
- 2016 CA REFERENCED STDS. CODE, PT.12, TITLE 24 C.C.R.

**ARCHITECT:**  
UZETTE ELENES  
OXNARD CA  
(805) 824-4188

**RESTAURANT OWNER:**  
SILVIA OCHOA &  
TERESA MENDOZA  
(805) 248-8648

**BUILDING OWNER:**  
RUBA BATAH  
(805) 304-4224

## RESTAURANT & BANQUET HALL

529 & 531 S. A STREET  
OXNARD CA 93030

[illegible]

|      |  |  |                            |
|------|--|--|----------------------------|
| P1.0 |  |  | PLUMBING NOTES & SCHEDULES |
| P2.0 |  |  | PLUMBING PLANS             |

|      |  |  |  |                              |
|------|--|--|--|------------------------------|
| E1.0 |  |  |  | ELECTRICAL NOTES & SCHEDULES |
| E2.1 |  |  |  | ELECTRICAL PLANS             |

[illegible]

|   |                                                                 |
|---|-----------------------------------------------------------------|
| 1 | (1) ACCESSIBLE PARKING SPACE TO REMAIN<br>PUBLIC PROPERTY       |
| 2 | (2) PUBLIC PARKING LOT, STRIPING TO REMAIN                      |
| 3 | (3) COVERED TRASH ENCLOSURE TO REMAIN                           |
| 4 | (4) PEDESTRIAN CROSS WALK TO REMAIN                             |
| 5 | (5) REAR EXIT/SERVICE CORRIDOR TO REMAIN                        |
| 6 | (6) PUBLIC CURB RAMP                                            |
| 7 | (7) WATER METERS TO REMAIN                                      |
| 8 | (8) GREASE INTERCEPTOR                                          |
| 9 | (9) NEW ACCESSIBLE RAMP AT ENTRANCE, SEE SHEET A2.1 FOR DETAILS |

INDICATES ACCESSIBLE PATH OF TRAVEL FROM PUBLIC WAY AND FROM PARKING STALL TO BUILDING ENTRANCE. CONTINUOUS WALKWAY 48" MIN. WIDTH, WITH NO ABRUPT CHANGES IN LEVEL, 5% MAX. SLOPE IN DIRECTION OF TRAVEL AND 2% MAX. CROSS SLOPE.

(E) BUILDING, NO CHANGES TO DASHED AREA

**ERA**  
**ARCHITECTS**  
LIZETTELENES@LIVE.COM  
805.824.4188  
OXNARD CA



| NO. | REVISIONS                            | DATE     |
|-----|--------------------------------------|----------|
| 1   | BUILDING AND SAFETY<br>1ST SUBMITTAL | --       |
| 2   | BUILDING AND SAFETY<br>2ND SUBMITTAL | 12/05/18 |
|     |                                      |          |
|     |                                      |          |
|     |                                      |          |
|     |                                      |          |
|     |                                      |          |

**RESTAURANT & BANQUET HALL  
TENANT IMPROVEMENT**  
529 & 531 S.A STREET  
OXNARD, CA 93030

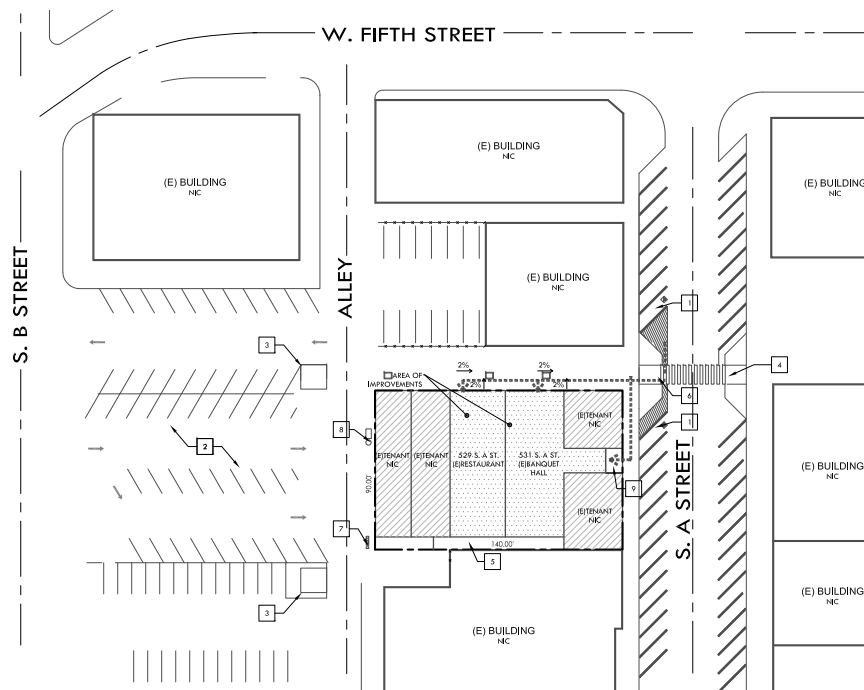
THESE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS ARE INSTRUMENTS OF SERVICE AND THE PROPERTY OF THE ARCHITECT. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE IDENTIFIED HEREON. NO PART OF THESE DRAWINGS OR SPECIFICATIONS IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

|           |               |
|-----------|---------------|
| SCALE:    | AS SHOWN      |
| DATE:     | 07- 20 - 2011 |
| PROJECT:  | 180702        |
| DRAWN BY: | LE            |

COVER SHEET  
& SITE PLAN

## A1.0

SHEET X OF XX

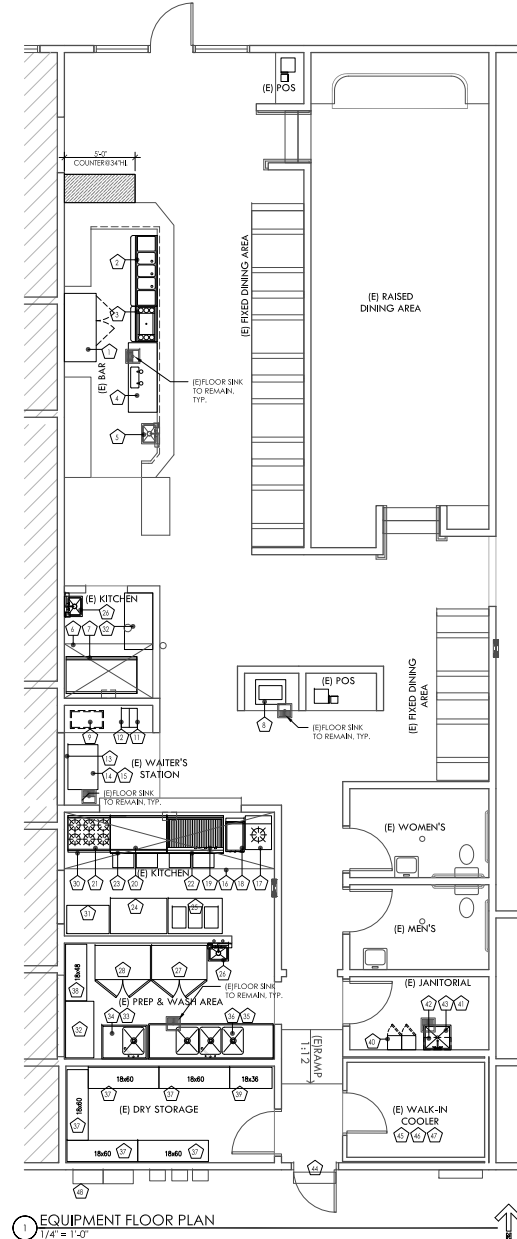


1 SITE PLAN  
1/32" = 1'-0"



| EQUIPMENT SCHEDULE |      |                                       |                                  |                           |      |         |       |                      |                     |                        |                          |                  |
|--------------------|------|---------------------------------------|----------------------------------|---------------------------|------|---------|-------|----------------------|---------------------|------------------------|--------------------------|------------------|
| Item No.           | QTY. | Equipment Category                    | Manufacturer                     | Model Number              | Amps | Volts   | Phase | Cold Water Size (in) | Hot Water Size (in) | Direct Drain Size (in) | Indirect Drain Size (in) | GAS              |
| 1                  | 1    | EXISTING BACK BAR COOLER              | TRUE                             | TBB-2                     | 9.1  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 2                  | 1    | UNDERBAR TYLE SINK                    | HYDROX                           | TB30C                     | -    | -       | -     | 1/2"                 | 1/2"                | -                      | -                        | -                |
| 3                  | 1    | UNDERBAR ICE BIN                      | KROWNE                           | TB-302P                   | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 4                  | 1    | UNDERBAR REFRIGERATOR, BEER DISPENSER | KROWNE                           | TBD-2                     | 9.1  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 5                  | 1    | EXISTING UNDERBAR HANDSINK            | ORSH                             | HS-1613WGD                | -    | -       | -     | 1/2"                 | 1/2"                | 2"                     | -                        | -                |
| 6                  | 1    | WATERLESS GLASS TROOP                 | WOOD S.S.                        | WET 9.5 4"                | 7.5  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 7                  | 1    | CHILLER, GAS                          | INTERMID                         | ISA-60                    | -    | -       | -     | -                    | -                   | -                      | -                        | 3/4" 120,000 BTU |
| 8                  | 1    | COCA COLA SODA MACHINE                | BY VENDOR                        | -                         | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 9                  | 1    | COFFEE TIE                            | BY VENDOR                        | BAG-BK-400R               | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 10                 | 1    | COFFEE BREWER, WITH COFFEE DISPENSER  | CURBS                            | CBS 10000                 | 13.8 | 120     | -     | -                    | -                   | -                      | -                        | -                |
| 11                 | 1    | TEA BREWER, WITH TEA DISPENSER        | CURBS                            | CBS 10000                 | 13.8 | 120     | -     | -                    | -                   | -                      | -                        | -                |
| 12                 | 1    | TEA BREWER, WITH TEA DISPENSER        | CURBS                            | CBS 10000                 | 13.8 | 120     | -     | -                    | -                   | -                      | -                        | -                |
| 13                 | 1    | WATER SYSTEM, COUNTER                 | WANTWOOD ICE                     | AW-10000                  | -    | -       | -     | 0.375                | -                   | -                      | -                        | -                |
| 14                 | 1    | WATER SYSTEM, COUNTER                 | WANTWOOD ICE                     | AW-10000                  | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 15                 | 1    | ICE MAKER W/O BIN                     | WANTWOOD ICE                     | WD-6002A                  | 8.3  | 208     | 1     | 0.375                | -                   | -                      | -                        | -                |
| 16                 | 1    | EXISTING GLASS HOOD                   | EXISTING HOOD S.S.               | Spec 14.6x4" Exhaust H.U. | 15.0 | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 17                 | 1    | STOCK POT STOVE, GAS                  | ATOSA                            | ATSP-18-1                 | -    | -       | -     | -                    | -                   | -                      | -                        | 3/4" 110,000 BTU |
| 18                 | 1    | STOVE, DIB FAY, GAS                   | RECO                             | RS2-48                    | -    | -       | -     | -                    | -                   | -                      | -                        | 3/4" 110,000 BTU |
| 19                 | 1    | WOKER, GAS                            | RAIDANCE                         | TANG-48                   | -    | -       | -     | -                    | -                   | -                      | -                        | 3/4" 120,000 BTU |
| 20                 | 1    | CHILLER, GAS                          | RAIDANCE                         | TANG-48                   | -    | -       | -     | -                    | -                   | -                      | -                        | 3/4" 120,000 BTU |
| 21                 | 1    | WATER TAP, GAS                        | WATER TAP                        | WTP-48-306                | -    | -       | -     | -                    | -                   | -                      | -                        | 3/4" 120,000 BTU |
| 22                 | 1    | REFRIG, CHEF BASE                     | PANELL                           | PD048BC                   | 6.0  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 23                 | 1    | REFRIGERATOR, CHEF BASE               | TRUE                             | TREC-48                   | 5.4  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 24                 | 1    | REFRIGERATOR, SANDWICH/SALAD PREP     | TURBO AIR                        | TSA-4800H                 | 4.4  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 25                 | 1    | TRUCK TABLE COAS                      | COKE                             | ST-18X30-18               | -    | -       | -     | -                    | -                   | -                      | -                        | 1/2" 7,500 BTU   |
| 26                 | 2    | HAND SINK, WALL MOUNTED               | ADVANCE TACCO                    | T-25-48                   | -    | -       | -     | 1/2"                 | 1/2"                | 2"                     | -                        | -                |
| 27                 | 1    | REFRIGERATOR, REACH-IN                | TRUE FOOD SERVICE                | T-43-4C                   | 5.4  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 28                 | 1    | REFRIG, REACH IN                      | TRUE FOOD SERVICE                | T-43-4C                   | 5.4  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 29                 | 1    | TABLE WORK                            | BLKAY                            | BWT 30 S 36-STD 28        | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 30                 | 1    | TABLE WORK                            | BLKAY                            | BWT 30 S 36-STD 28        | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 31                 | 1    | TABLE WORK                            | BLKAY                            | BWT 30 S 36-STD 28        | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 32                 | 2    | TABLE WORK                            | BLKAY                            | BWT 30 S 36-STD 28        | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 33                 | 1    | PREP SINK, WALL MOUNT (PREP)          | T & S BRASS                      | S-2133                    | -    | -       | -     | 1/2"                 | 1/2"                | -                      | -                        | -                |
| 34                 | 1    | PREP SINK, WITH DRAIN BOARD ON 1 SIDE | BLKAY                            | LC 18x18 8 18             | -    | -       | -     | 1/2"                 | 1/2"                | -                      | -                        | -                |
| 35                 | 1    | PREP SINK, WALL MOUNT (PREP)          | T & S BRASS                      | S-2133                    | -    | -       | -     | 1/2"                 | 1/2"                | -                      | -                        | -                |
| 36                 | 1    | TRUCK SINK, WITH DRAIN BOARD SA. SINK | BLKAY                            | LC 18x18 2 24             | -    | -       | -     | 1/2"                 | 1/2"                | -                      | -                        | -                |
| 37                 | 5    | SHELVING, WIRE                        | INTERMID INDUSTRIES              | 18x60                     | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 38                 | 1    | SHELVING, WIRE                        | INTERMID INDUSTRIES              | 18x48                     | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 39                 | 1    | SHELVING, WIRE                        | INTERMID INDUSTRIES              | 18x36                     | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 40                 | 2    | EMPLOYEE LOCKERS                      | -                                | -                         | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 41                 | 1    | FAUCET, W/VACUUM BREAKER              | T & S BRASS                      | S-655-40H                 | -    | -       | -     | 0.5                  | 0.5                 | -                      | -                        | -                |
| 42                 | 1    | SHELVING, W/VACUUM BREAKER            | ADVANCE TACCO                    | T-25-48                   | -    | -       | -     | -                    | -                   | -                      | -                        | -                |
| 43                 | 1    | HOP SINK                              | BLKAY                            | LC 18x18-102H             | -    | -       | -     | 1/2"                 | 1/2"                | 2"                     | -                        | -                |
| 44                 | 1    | EXISTING AIR CURTAIN                  | KEENER                           | ASR1036A                  | 7.8  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 45                 | 1    | EXISTING WALK-IN COOLER               | DURA COOL                        | Walk-In Cooler 18x18      | 2.5  | 115     | 1     | -                    | -                   | -                      | -                        | -                |
| 46                 | 1    | EXISTING REMOTE ON ROOF               | Exister Refrigeration Compressor | Compressor                | 20   | 208-230 | 1     | -                    | -                   | -                      | -                        | -                |
| 47                 | 1    | EXISTING WALK-IN COOLER ROOF          | REFRIGERATION COOL               | COOL                      | 1.5  | 120     | 1     | -                    | -                   | -                      | -                        | -                |
| 48                 | 1    | EXISTING WATER HEATER                 | COMMERCIAL TANKLESS              | TANKLESS                  | -    | -       | -     | -                    | -                   | -                      | -                        | -                |

| FINISH SCHEDULE      |                                                        |                                            |              |                                                       |
|----------------------|--------------------------------------------------------|--------------------------------------------|--------------|-------------------------------------------------------|
| AREA                 | WALLS                                                  | CEILINGS                                   | FLOOR        | FLOOR BASE                                            |
| KITCHEN AREA         | FRP PANEL FULL HT. OR CERAMIC TILE                     | QUARRY TILE                                | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |
| FOOD PREP AREA       | FRP PANEL FULL HT. OR CERAMIC TILE                     | DRYWALL PAINTED SEMI-GLOSS ENAMEL          | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |
| DEHWASHER AREA       | FRP PANEL FULL HT. OR CERAMIC TILE                     | DRYWALL PAINTED SEMI-GLOSS ENAMEL          | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |
| DRY STORAGE          | FRP PANEL FULL HT.                                     | DRYWALL PAINTED SEMI-GLOSS ENAMEL          | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |
| WOP AREA             | CERAMIC TILE                                           | DRYWALL PAINTED LIGHT SEMI-GLOSS ENAMEL    | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |
| BAR AREA             | FRP ON BAR DE WALL, WOOD CAB STAINED & SEALED          | DRYWALL PAINTED LIGHT SEMI-GLOSS ENAMEL    | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |
| WALK-IN COOLER AREA  | 3.5" FOAM-IN PLACE CHAIN-LOCK GALZ. PANELS             | 3.5" FOAM-IN PLACE CHAIN-LOCK GALZ. PANELS | QUARRY TILE  | METAL COVE BASE W/4" RAD.                             |
| RESTROOM (M)         | 4" TY. CERAMIC WAINSCOT THEN PAINTED SEMI-GLOSS ENAMEL | DRYWALL PAINTED LIGHT SEMI-GLOSS ENAMEL    | CERAMIC TILE | 3/8" FOOT SANITARY CERAMIC TILE COVE BASE W/3/8" RAD. |
| EMPLOYEE CHANGE ROOM | DRYWALL PAINTED LIGHT SEMI-GLOSS ENAMEL                | DRYWALL PAINTED LIGHT SEMI-GLOSS ENAMEL    | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |
| PICK-UP WATER AREA   | FRP PANEL FULL HT. OR CERAMIC TILE                     | DRYWALL PAINTED LIGHT SEMI-GLOSS ENAMEL    | QUARRY TILE  | QUARRY TILE 4" COVE BASE W/3/8" RAD.                  |



1 EQUIPMENT FLOOR PLAN  
1/4" = 1'-0"

**ERA**  
**ARCHITECTS**  
LIZETTELENE@LIVE.COM  
805.824.4188  
OXNARD CA



| NO. | REVISIONS | DATE     | BY | CHECKED | DATE | BY | CHECKED |
|-----|-----------|----------|----|---------|------|----|---------|
|     |           |          |    |         |      |    |         |
| 1   | 1         | 12/05/19 |    |         |      |    |         |

# **RESTAURANT & BANQUET HALL** **TENANT IMPROVEMENT** 529 & 531 S. A STREET OXNARD, CA 93030

THESE DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS ARE THE PROPERTY OF ERA ARCHITECTS. NO PART OF THESE DRAWINGS, SPECIFICATIONS OR OTHER DOCUMENTS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF ERA ARCHITECTS.

SCALE: AS SHOWN  
DATE: 07-20-2018  
PROJECT: 180702  
DRAWN BY: LE

**KITCHEN**  
**EQUIPMENT PLAN**  
**& SCHEDULES**

**A3.1**

SHEET X OF XX

**ATTACHMENT  
E**

**POLICE DEPARTMENT REPORT**





## Police Department

Scott Whitney, Chief of Police

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Date: November 6, 2019

To: Scott Kolwitz, Planning Manager  
Juan Martinez, Associate Planner

From: Denise Shadinger, Patrol Support Division Commander  
Scott Swenson, Neighborhood Safety & Alcohol Compliance Specialist

Subject: Planning and Zoning Permit No. 19-510-03 (Special Use Permit-Alcohol);  
Karina's Royal Banquet Hall/Karina's Restaurant & Grill, 529 South A  
Street (APN 202-0-105-325) *Application submitted as Las Amigas.*

### **Site Information:**

The site operated up to 2016 as "The Kitchen" with an ABC Type 41 License. The business is located on A Street in the Central Business District and within the Hobson Park East Neighborhood. The business has frontage on South A Street as well as an entrance on a paseo linking A Street with a public parking lot on South B Street. The immediate area around the business is made up of retail and commercial offices. There are a very small number of residences within 1000-feet of the site. There are two houses of worship within 350-feet of the site. The business has applied for an ABC Type 47 License to operate as a restaurant selling beer, wine and spirits for on-site consumption.

### **Alcohol outlets located less than 350 feet**

| BUSINESS NAME                     | LOCATION         | LICENSE TYPE | LICENSE TITLE                                     | LICENSE DESC. | ALCOHOL ALLOWED      |
|-----------------------------------|------------------|--------------|---------------------------------------------------|---------------|----------------------|
| 1. Fresh and Fabulous             | 221 W. FIFTH ST. | Type 41      | On-Sale Beer & Wine Eating Establishment          | Restaurant    | Beer and Wine        |
| 2. La Veros Mexican Seafood & Bar | 231 W. FIFTH ST. | Type 47      | On-Sale Beer, Wine & Spirits Eating Establishment | Restaurant    | Beer, Wine & Spirits |
| 3. La Fonda Del Rey               | 455 S. A ST.     | Type 47      | On-Sale Beer, Wine & Spirits Eating Establishment | Restaurant    | Beer, Wine & Spirits |
| 4. La Mexicana Market             | 601 S. A ST.     | Type 20      | Off-Sale Beer & Wine Market                       | Market        | Beer & Wine          |

Alcohol outlets located between 350 feet and 1000 feet of the establishment include:

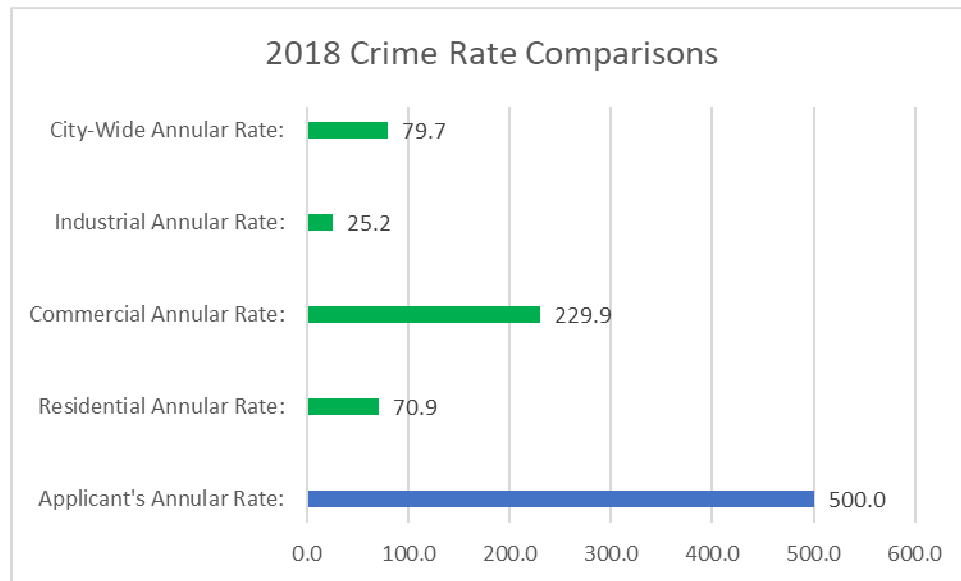
| BUSINESS NAME                   | LOCATION             | LICENSE TYPE | LICENSE TITLE                                     | LICENSE DESC.        | ALCOHOL ALLOWED      |
|---------------------------------|----------------------|--------------|---------------------------------------------------|----------------------|----------------------|
| 1. Nuevo Carmelita              | 113 E. Fifth St.     | Type 40      | On-Sale Beer Bar                                  | Bar (minors allowed) | Beer only            |
| 2. Sabor                        | 128 E Sixth St.      | Type 41      | On-Sale Beer & Wine Eating Establishment          | Restaurant           | Beer & Wine          |
| 3. Ruby's Café                  | 348 So. Oxnard Blvd. | Type 47      | On-Sale Beer, Wine & Spirits Eating Establishment | Restaurant           | Beer, Wine & Spirits |
| 4. Bahia Del Mar Restaurant     | 349 So. Oxnard Blvd. | Type 47      | On-Sale Beer, Wine & Spirits Eating Establishment | Restaurant           | Beer, Wine & Spirits |
| 5. 4 Way Meat Market #4         | 440 So. Oxnard Blvd, | Type 20      | Off Sale Beer & Wine Market                       | Market               | Beer & Wine          |
| 6. China Square Restaurant      | 450 So. B St.        | Type 41      | On-Sale Beer & Wine Eating Establishment          | Restaurant           | Beer & Wine          |
| 7. Doc's Beer & Wine            | 521 So. C St.        | Type 20      | Off-Sale Beer & Wine Market                       | Market               | Beer & Wine          |
| 8. El Dorado Mexican Restaurant | 601 So. Oxnard Blvd. | Type 47      | On-Sale Beer, Wine & Spirits Eating Establishment | Restaurant           | Beer, Wine & Spirits |
| 9. Izzy Otani Fish Market       | 610 So. A Street     | Type 41      | On-Sale Beer & Wine Eating Establishment          | Restaurant           | Beer & Wine          |
| 10. Asahi Market                | 660 So. Oxnard Blvd. | Type 20      | Off-Sale Beer & Wine Market                       | Market               | Beer & Wine          |

**Crime Statistics Review:**

For comparison purposes the Police Department calculates the average number of Part I and II crimes that occurred during a selected 12-month period. In the case of this report, all calculations are based on statistics from 2018. The average city-wide, annular average of Part I and II crimes is 79.7. The number of Part I and II crimes in the applicant's 1000 feet annular area is 500. This is more than double the commercial annular rate of 229.9 citywide. The crime statistics for this site can be best illustrated in the graph below:

For reference, the category of Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson. Part II crimes include: vandalism, weapons

possession, sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct.



**Police Department Input:**

The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention.

**Community Input:**

Several neighboring business operators were contacted and interviewed regarding the proposed sale of alcoholic beverages at the restaurant. Concerns included limited parking, particularly on the street and the need to restrict hours to no later than 11P.M. One business operator had concerns regarding the service of alcohol at the restaurant because the prior business, The Kitchen, often had intoxicated customers who harassed persons as they left the site.

**Conclusion:**

The statistical analysis shows the surrounding area has a crime rate that is significantly higher than the city-wide average for commercial properties. Historically, from a policing perspective, this site, as a restaurant, does not generate concerns as long as its' business model does not morph into a nightclub. Restricting the service of alcohol service hours should be sufficient to mitigate this concern.

There is an undue concentration of similar outlets as there are nine restaurants within 1000-feet of the site. This undue concentration may be refuted as there are additional services provided within the Central Business District. These services include contract security services provided by PSC Security and two police officers specifically assigned

Downtown. These officers are, in part are in place, to mitigate the impact of the concentration of alcohol outlets. These measures are helpful in addressing some of the issues, however, in the past year, an influx of homeless have migrated into the area. This fact has had an impact on both the security and police services and their ability to commit time to manage issues tied to area alcohol establishments.

It is the Police Department's experience that the proposed permit, when properly regulated through conditions imposed by the Planning Commission, will not aggravate policing issues as long as the establishment complies with these regulations and operates responsibly.

## **Police Operating Conditions On-Sale Restaurant**

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1. All sellers, servers and their supervisors/managers shall complete a course in Responsible Beverage Service (RBS) approved by Oxnard PD within sixty days of license granting and/or date of employment. This condition is directed at those persons taking and/or delivering alcoholic beverages to the customers within the restaurant area. Applicant/store management can contact the Oxnard Police Department Special Projects Unit via email at: [specialprojects@oxnardpd.org](mailto:specialprojects@oxnardpd.org) to inquire about RBS course schedules. (PL/PD)
2. A menu of food items, including appetizers, entrees and desserts, shall be available at all times that alcohol is sold, and employees will encourage guests to purchase and consume food items along with their alcoholic beverages, as part of its commitment to responsible beverage service.
3. When security personnel are present or required per Oxnard City Code, Permittee shall maintain accurate records of all security personnel on the premise at any given time and make those available to the police upon demand. These records shall, at a minimum, provide the name, date of birth, copies of security guard credentials or license and any other permits or certifications related to security work. This would include copies of permits for weapons or other tools the guard may be authorized to carry. Security personnel shall remain in compliance with updated training related to their work as set forth by any existing or future state and/or local regulations. (PD)
4. The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit if the Chief finds that there have been significant violations of the use permit conditions and/or a permit issued by the California Department of Alcoholic Beverage Control ("ABC"), or there is a single serious violent crime or single significant incident to

which multiple police units or multiple police jurisdictions respond associated with the operation of this use, which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing on the revocation of the permit by the Development Services Director to be held no more than 30 days after the suspension begins. (PD)

5. The premises shall be equipped with an adequate number of seats to accommodate all customers. There shall be no service area that is designed or used as a standing area only or as a combined standing and seating area. (PD)
6. The activity at the site and the use of any amplifying system or device shall not be disruptive to neighboring uses. (PD)
7. There shall be no advertising of alcoholic beverages visible from the outside, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)
8. Sales of alcohol may only occur between the hours of 7:00 A.M. and 10P.M. (*see provision for extension of service hours in "Special Conditions"*) (PL/PD)
9. Permittee shall have a Certified Food Handler on-duty at all times alcohol is offered for sale in order to support the service of its menu.
10. Alcoholic beverages shall not be offered at significantly reduced prices (typically more than a 25% reduction from regular prices) that are meant to encourage greater consumption of alcohol such as during "happy hour" type promotions. Permittee shall not develop any other promotional activity that is designed to encourage excessive drinking of alcoholic beverages. Promoting a "happy hour" or other event that offers reduced prices on food or other items shall not be considered a violation of this condition and are actually encouraged. (PD)
11. Alcoholic beverages shall be served in standard sizes that are consistent with the industry and shall not be served by the pitcher or similar high capacity containers exceeding 36oz total. (PD)
12. In the areas outside the business, not otherwise licensed by the Department of Alcoholic Beverage Control allowing the service of alcohol, Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverages is prohibited. This includes the parking lot, walkways and other adjacent areas under Permittee's reasonable control. (PD)
13. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)

14. Employees involved in the sale or service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)
15. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without DDR review and approval by the Police Chief or designee and the Development Services Director. (PD)
16. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing DDR shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)
17. Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)
18. The property owner and the tenant shall be responsible for maintaining their areas of responsibility free of litter the area adjacent to the premises over which Permittee has reasonable control. (PL/PD)
19. The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons in or about the area. (PL/PD)
20. No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors. Any pay phones installed inside shall be blocked from incoming calls. (PL/PD)
21. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)
22. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)
23. The permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)
24. The permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)

25. Permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall, at a minimum, monitor the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
- a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
  - b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
  - c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
  - d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
  - e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
  - f. Recorded images shall bear a date and time stamp that cannot be altered.
  - g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any public door to the business. The camera covering the east public door shall be mounted near the northeast corner of the lobby/public entry area and mounted between 7 and 8-feet above the floor. The camera dedicated to capturing images of persons entering the east public door shall be mounted about 7-feet above the floor on near the northwest corner of the lobby/public dining area.
  - h. At a minimum, one camera shall be dedicated to capturing general activity in rear kitchen. (PD)
26. Upon request by the Police Department, the permittee shall provide video images for any investigation in a timely manner. Such requests may be made verbally, in writing or by email.
27. In addition to the other conditions of approval in this permit, the permittee shall comply with the provisions of Section 23038 of the Business and Professions Code and acknowledges that incidental, sporadic, or infrequent sales of meals or a mere offering of meals without actual sales shall not be deemed sufficient to consider the premises in compliance with the aforementioned section. (PL/PD)
28. The premises shall be equipped and maintained in good faith as a bonafide restaurant and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed. (PL/PD)

29. The premises shall possess the necessary utensils, table service, and the condiment dispensers with which to serve meals to the public. (PL/PD)
30. Permittee shall offer an assortment of food items to customers at all times that alcohol is being served. The proposed menu shall not be reduced in number or substance at any time alcohol is being served other than for reasonable, unforeseen reasons (lack of product...). Any changes or replacements to the proposed product offering shall be of similar or greater quantity and any permanent reduction of menu items is prohibited. (PD)
31. Alcohol shall be served in containers or mugs that are distinct from the typical cups or containers used for coffee or other non-alcoholic beverages. The sale or service of alcohol in their original container (bottle or can) is prohibited. (PD)
32. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Permittee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department upon demand. (PL/PD)
33. The permittee shall participate, when requested and reasonable, in programs and efforts by the Oxnard Police Department and the property owner to inform and educate patrons on dangers of driving under the influence of alcohol or drugs.
34. The permittee's Internet presence shall be consistent with these conditions. Any site or Internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that run contrary to provisions set forth through their ABC license or this Special Use Permit.
35. In the event of a suspected criminal event where some part of the event occurs within the business, the permittee or managing/supervising employee shall provide to the Oxnard Police Department, in a timely manner, any video recording documenting activity within and around this business relative to the event when it involves:
  - a) The service or sales of alcohol beverages under the scope of this permit.
  - b) Any crime of violence and there is an urgency to identify the suspect or true circumstances to protect the safety of an individual or the public at large.
  - c) Any theft occurring within the business
36. A copy of these conditions and a log of employees who have completed Responsible Beverage Service training must be maintained on the premises and made available upon the demand of by any representative of the Oxnard Police Department.



37. Any questions concerning this Special Use Permit for sales of alcoholic beverages should be sent to: [specialprojects@oxnardpd.org](mailto:specialprojects@oxnardpd.org).

### **POLICE DEPARTMENT SPECIAL CONDITIONS**

38. The permittee may apply for a one-day permit up to six times in a calendar year to accommodate special activities (ie: New Year's Eve, Mother's Day) to expand the hours of operation and alcohol service beyond the hours identified in the conditions of this permit. The one-day permit may be denied if there has been a documented violation of these conditions during the 12-month period prior to date of the planned one-day event or any other circumstance where it is believed the event would disturb neighboring uses or require additional police resources to monitor the event.

**ATTACHMENT  
F**

**CITY COUNCIL  
RESOLUTION 11,896**

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 11.896

RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF OXNARD ADOPTING STANDARDS FOR  
DETERMINING APPLICATIONS FOR SPECIAL USE  
PERMITS TO SELL ALCOHOLIC BEVERAGES

WHEREAS, any person wishing to sell alcoholic beverages in the State of California must obtain a license to do so from the Department of Alcoholic Beverage Control; and

WHEREAS, Business and Professions Code Section 23790 provides that the Department of Alcoholic Beverage Control shall not issue a retail license "for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city"; and

WHEREAS, the City of Oxnard has enacted zoning ordinances restricting the sale of alcoholic beverages to certain zones and requiring that a person wishing to sell alcoholic beverages in such zones first obtain a special use permit; and

WHEREAS, section 34-147 of the Oxnard City Code provides in part:

"Before a special use permit may be granted, the applicant must show and the planning commission must find that the proposed use is in conformance with the general plan and other adopted standards and that the following conditions are met:

"(a) The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed special use permit shall be granted where the commission 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."

WHEREAS, based on the experience of the Police Department that there is a relationship between crime and the consumption of alcohol and that establishments selling alcohol are incompatible with certain adjacent uses, the City Council wishes to adopt standards for determining when granting applications for special use permits to sell alcoholic beverages would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the public health, safety and general welfare; and

WHEREAS, this resolution applies only to the determination required by subsection (a) of section 34-147 of the City Code, and does not dispense with the requirement that in order to grant a special use permit to sell alcoholic beverages the application must satisfy the remainder of section 34-147; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a negative declaration for the adoption of this resolution ("the project"), and the City Council has considered the proposed negative declaration, together with any comments received during the public review process, finds on the basis of the initial study and any comments received that there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and approves the negative declaration.

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

1. City Council Resolution No. 8597 is repealed.

2. The Planning and Environmental Services Division of the Development Services Department shall refer to the Police Department applications for special use permits to sell alcoholic beverages at retail. The Police Department shall prepare and submit to the secretary of the Planning Commission, at least ten calendar days before the date set for hearing on the special use permit, a written report on the following matters:

(a) The name and address and a description of the type of all establishments selling alcoholic beverages within 1,000 feet of the location for which the special use permit is applied. As used in this resolution, "the type" refers to the nature of the business (e.g., grocery store, liquor store, bar or restaurant), not to the type of State Alcoholic Beverage Control license issued to or sought for the business.

(b) The annual number of incidents involving police responses within 1,000 feet of the location for which the special use permit is applied and how this number compares to the City average of police responses.

(c) The likelihood that granting the application will create or significantly aggravate police problems at or near the subject location.

(d) A list of conditions recommended for inclusion in the special use permit to minimize police problems if the application is granted. One such condition shall be that the applicant provide Responsible Beverage Sales and Service (RBSS) training to all operators and employees of the establishment within 30 days of their employment. The applicant may apply to the Police Department for a waiver of RBSS training for temporary or short-term employees.

3. The Planning Commission shall consider the report, as well as any other relevant evidence, in determining whether, under subsection (a) of section 34-147 of the City Code, granting an application for a special use permit to sell alcoholic beverages at retail would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the

public health, safety or general welfare. Before making such determination, the Planning Commission shall make the following findings, as well as any other relevant findings:

(a) The proposed use is not likely to create or significantly aggravate police problems within 1000 feet of the location for which the special use permit is applied; and

(b) The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, there is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.

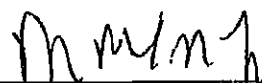
4. All of the procedures and other matters contained in section 34-146 et seq. of the City Code apply to applications for special use permits to sell alcoholic beverages at retail.

PASSED AND ADOPTED this 6th day of February, 2001, by the following vote:

AYES: Councilmembers Maulhardt, Pinkard, Zaragoza, Holden and Lopez.

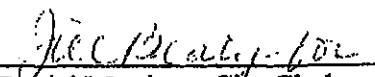
NOES: None.

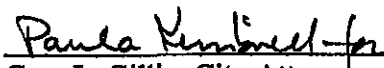
ABSENT: None.

  
\_\_\_\_\_  
Dr. Manuel M. Lopez, Mayor

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Daniel Martinez, City Clerk

  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

**ATTACHMENT  
G**

**DRAFT RESOLUTION PZ 19-510-03  
(SPECIAL USE PERMIT)**

RESOLUTION NO. 2020-\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 19-510-03 (SPECIAL USE PERMIT - ALCOHOL) TO ALLOW THE SALE OF GENERAL ALCOHOL INCLUDING SPIRITS FOR ON-SITE CONSUMPTION (ABC LICENSE TYPE 47- ON SALE GENERAL EATING PLACE) AT AN EXISTING 2,500 SQUARE-FOOT RESTAURANT/BANQUET FACILITY LOCATED AT 529 SOUTH A STREET WITHIN THE DOWNTOWN CORE (DT-C) ZONE. FILED BY SILVIA OCHOA, RESTAURANT OWNER, 267 GLENWOOD DRIVE, OXNARD, CALIFORNIA 93030. (THE “APPLICANT”), ON BEHALF OF THE PROPERTY OWNER.

WHEREAS, on November 20, 2003, the Planning Commission adopted Resolution No. 2003-108, approving Planning and Zoning Permit No. 03-520-09 (Special Use Permit), allowing a banquet facility at 529 South A Street, subject to conditions; and

WHEREAS, on May 13, 2019, designated agent Silvia Ochoa on behalf of The Batah Family Trust, (the “**Applicant**” and/or “**Permittee**”) submitted a request for a Special Use Permit, pursuant to Oxnard City Code Section 16-148(A), to repeal Planning Commission Resolution No. 2003-108 and to allow the sale of general alcohol including spirits for on-site consumption at an existing restaurant/banquet facility located at 529 South A Street (APN 202-0-105-325); and

WHEREAS, on January 16, 2020, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider the Applicant’s request to approve Planning and Zoning Permit No. 19-510-03 (Special Use Permit - Alcohol) to allow the sale of general alcohol including spirits for on-site consumption at an existing restaurant/banquet facility located at 529 South A Street (the “**Project**”) in accordance with Sections 16-530 through 16-553 of Oxnard City Code and City Council Resolution No. 11,896; 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 1 Categorical Exemption (Section 15301). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern

where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is located within the 2030 General Plan land use designation of Downtown within the Downtown Core (DT-C) zone. The Project is surrounded by commercial development. The project site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed Special Use Permit request for alcohol is consistent with the 2030 General Plan and the Oxnard City Code and is compatible with the physical scale and character of other commercial development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General Plan and the Municipal Code for consistency and CEQA for any potential impacts. Therefore the project will have no significant cumulative impact.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed Special Use Permit request for alcohol will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the commercial character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by commercial development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

The project is not located in or adjacent to a state designated scenic highway.



- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

- (f) Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The project site does not contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. The single story commercial structure located on site was originally constructed in 1980. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

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

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

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

The proposed Project is consistent with the 2030 General Plan since the existing and the proposed use are consistent with the site's land Downtown land use designation and development policies of the 2030 General Plan. The proposed ancillary sales of alcoholic beverages is consistent with the Downtown Code, subject to the approval of a Special Use Permit pursuant to Oxnard City Code Section 16-148. Therefore, the proposed sale of alcohol is in conformance with the 2030 mixed use is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

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

The Project will allow the sale of alcoholic beverages for on-site consumption within an existing restaurant/banquet facility already established for assembly use. As conditioned, the Project will not aggravate policing issues when properly

regulated through the imposition of and compliance with the conditions of approval. The Project site is located in the Downtown area, a commercial area where multiple restaurants serving alcoholic beverages operate under similar conditions considered to be generally appropriate, because the uses permitted and desired in Downtown Oxnard and as contract security services are specifically assigned to Downtown to, in part, to mitigate the impact of the concentration of alcohol outlets. Historically, restaurants do not aggravate policing problems provided that restaurant operates as a bona fide restaurant. Conditions of approval provides for operational restrictions to encourage business responsibility to avoid any adverse impact on area crime or demand for police services.

- (3) **The proposed use will not result in or add to an undue concentration of offsite consumption establishments selling alcohol beverages within 350 feet of the subject location.**

As described in the Staff Report, because there are three similar uses within 350 feet of the Project site there is a presumption of undue concentration. Although, a presumption of undue concentration has been identified as described within the Police report, this presumption can be rebutted by a preponderance of evidence which shows the Project site is located in the Downtown area, a commercial area where multiple restaurants serving alcoholic beverages operate under similar conditions considered to be generally appropriate, because the uses permitted and desired in Downtown Oxnard and as contract security services are specifically assigned to Downtown to, in part, to mitigate the impact of the concentration of alcohol outlets.

- (4) **The proposed use is not likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.**

The Project will not create, or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is requested, as discussed in the Staff Report and Oxnard Police Department Report. As such this Project meets this finding.

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 15301 (Existing Facilities) of the State CEQA Guidelines. This section pertains to projects not involving any expansion of existing uses. 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.** Upon the applicant's receipt of ABC Type 47 License (On-Sale General Eating Place), the Planning Commission of the City of Oxnard after conducting the public hearing hereby repeals Planning Commission Resolution No. 2003-108, Planning and Zoning Permit No. 03-520-09 (Special Use Permit), allowing a banquet facility at 529 South A Street, and said Resolution shall be of no further force and effect.

**SECTION 4.** Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 19-510-03 (Special Use Permit - Alcohol), subject to the attached conditions of approval.

**SECTION 5.** The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

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

### **STANDARD CONDITIONS OF APPROVAL**

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

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

### **GENERAL PROJECT CONDITIONS**

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

2. This permit is granted for the plans dated January 16, 2020, ("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. Unless the use is inaugurated no later than 12 months after this approval is granted and is diligently pursued thereafter, this approval will expire pursuant to the Oxnard City Code Section 16-553.
4. By commencing any activity related to the project or using any structure authorized by this permit, Applicant 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)
5. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
7. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
8. Before placing or constructing any signs on the project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the project property. (PL/B, G-10)
9. Applicant shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)

10. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
11. Applicant 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)
12. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
13. Prior to issuance of building permits, Applicant 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).

#### **PLANNING DIVISION STANDARD CONDITIONS**

14. Applicant may not modify any use approved by this permit unless the Planning Division Manager determines that Applicant has provided the parking required by the City Code for the modified use. (PL, PL-7)

#### **POLICE CONDITIONS**

15. All sellers, servers and their supervisors/managers shall complete a course in Responsible Beverage Service (RBS), or equivalent, approved by Oxnard Police Department within sixty days of license granting and/or date of employment. This condition is directed at those persons taking and/or delivering alcoholic beverages to the customers within the restaurant area. Applicant/store management can contact the Oxnard Police Department Special Projects Unit via email at: [specialprojects@oxnardpd.org](mailto:specialprojects@oxnardpd.org) to inquire about RBS course schedules. (PL/PD)
16. A menu of food items, including appetizers, entrees and desserts, shall be available at all times that alcohol is sold, and employees will encourage guests to purchase and consume food items along with their alcoholic beverages, as part of its commitment to responsible beverage service.
17. When security personnel are present or required per Oxnard City Code, Permittee shall maintain accurate records of all security personnel on the premise at any given time and make those available to the police upon demand. These records shall, at a minimum, provide the name, date of birth, copies of security guard credentials or license and any other permits or certifications related to security work. This would include copies of permits for weapons or other tools the guard may be authorized to carry. Security personnel

shall remain in compliance with updated training related to their work as set forth by any existing or future state and/or local regulations. (PD)

18. The Police Chief or designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit if the Chief finds that there have been significant violations of the use permit conditions and/or a permit issued by the California Department of Alcoholic Beverage Control ("ABC"), or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operation of this use, which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing on the revocation of the permit by the Development Services Director to be held no more than 30 days after the suspension begins. (PD)
19. The premises shall be equipped with an adequate number of seats to accommodate all customers. There shall be no service area that is designed or used as a standing area only or as a combined standing and seating area. (PD)
20. The activity at the site and the use of any amplifying system or device shall not be disruptive to neighboring uses. (PD)
21. There shall be no advertising of alcoholic beverages visible from the outside, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)
22. Sales of alcohol may only occur between the hours of 7:00 A.M. and 10P.M. (*see provision for extension of service hours in "Special Conditions"*) (PL/PD)
23. Permittee shall have a Certified Food Handler on-duty at all times alcohol is offered for sale in order to support the service of its menu.
24. Alcoholic beverages shall not be offered at significantly reduced prices (typically more than a 25% reduction from regular prices) that are meant to encourage greater consumption of alcohol such as during "happy hour" type promotions. Permittee shall not develop any other promotional activity that is designed to encourage excessive drinking of alcoholic beverages. Promoting a "happy hour" or other event that offers reduced prices on food or other items shall not be considered a violation of this condition and are actually encouraged. (PD)
25. Alcoholic beverages shall be served in standard sizes that are consistent with the industry and shall not be served by the pitcher or similar high capacity containers exceeding 36oz total. (PD)

26. In the areas outside the business, not otherwise licensed by the Department of Alcoholic Beverage Control allowing the service of alcohol, Permittee shall post prominent, permanent signs indicating that loitering, open containers and the consumption of alcoholic beverages is prohibited. This includes the parking lot, walkways and other adjacent areas under Permittee's reasonable control. (PD)
27. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be served alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)
28. Employees involved in the sale or service of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report to work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances. (PD)
29. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without review and approval by the Police Chief or designee and the Development Services Director as required by the City Code for the modified use. (PD)
30. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)
31. Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)
32. The property owner and the tenant shall be responsible for maintaining their areas of responsibility free of litter the area adjacent to the premises over which Permittee has reasonable control. (PL/PD)
33. The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PL/PD)
34. No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors. Any pay phones installed inside shall be blocked from incoming calls. (PL/PD)

35. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)
36. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)
37. The permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and thefts. (PD)
38. The permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)
39. Permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall be operated 24-hours a day to monitor, at a minimum, the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. The specifics of the camera system, and any upgrades to the system, shall be developed by the applicant in consultation with and approved by the Oxnard Police Department. Any video system installed to meet the requirement of these conditions shall meet the minimum standards listed below:
  - a. Cameras and supporting equipment shall supply high definition digital color images under normal lighting conditions. Grayscale images are required for infra-red lighting.
  - b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
  - c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
  - d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
  - e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days. The digital recording system shall perform all recording, viewing (local and remote), playback (local and remote) queries, and backup functions simultaneously, with no interruption of any other function.
  - f. Recorded images shall bear a date and time stamp that cannot be altered.
  - g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any public door to the business. The camera covering the east public door shall be mounted near the northeast corner of the lobby/public entry area and mounted between 7 and 8-feet above the floor. The camera dedicated to capturing images of persons entering the east public door shall be mounted about 7-feet above the floor near the northwest corner of the lobby/public dining area.



- h. At a minimum, one camera shall be dedicated to capturing general activity in rear kitchen/food preparation area. (PD)
  - i. During normal business hours, the licensee shall provide access to the digital recordings for any and all enforcement purposes as determined by the City of Oxnard.
- 40. Upon request by the Police Department, the permittee shall provide video images for any investigation in a timely manner. Such requests may be made verbally, in writing or by email.
- 41. In addition to the other conditions of approval in this permit, the permittee shall comply with the provisions of Section 23038 of the Business and Professions Code and acknowledges that incidental, sporadic, or infrequent sales of meals or a mere offering of meals without actual sales shall not be deemed sufficient to consider the premises in compliance with the aforementioned section. (PL/PD)
- 42. The premises shall be equipped and maintained in good faith as a bonafide restaurant and shall possess, in operative condition, such conveniences for cooking and storage of foods such as stoves, ovens, broilers, refrigeration or other devices, as well as pots, pans or containers which can be used for cooking or heating foods on the type heating device employed. (PL/PD)
- 43. The premises shall possess the necessary utensils, table service, and the condiment dispensers with which to serve meals to the public. (PL/PD)
- 44. Permittee shall offer an assortment of food items to customers at all times that alcohol is being served. The proposed menu shall not be reduced in number or substance at any time alcohol is being served other than for reasonable, unforeseen reasons (lack of product...). Any changes or replacements to the proposed product offering shall be of similar or greater quantity and any permanent reduction of menu items is prohibited. (PD)
- 45. Alcohol shall be served in containers or mugs that are distinct from the typical cups or containers used for coffee or other non-alcoholic beverages. The sale or service of alcohol in their original container (bottle or can) is prohibited. (PD)
- 46. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. Permittee shall at all times maintain records which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department upon demand. (PL/PD)

47. The permittee shall participate, when requested and reasonable, in programs and efforts by the Oxnard Police Department and the property owner to inform and educate patrons on dangers of driving under the influence of alcohol or drugs.
48. The permittee's Internet presence shall be consistent with these conditions. Any site or Internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that run contrary to provisions set forth through their ABC license or this Special Use Permit.
49. In the event of a suspected criminal event where some part of the event occurs within the business, the permittee or managing/supervising employee shall provide to the Oxnard Police Department, in a timely manner, any video recording documenting activity within and around this business relative to the event when it involves:
  - a. The service or sales of alcohol beverages under the scope of this permit.
  - b. Any crime of violence and there is an urgency to identify the suspect or true circumstances to protect the safety of an individual or the public at large.
  - c. Any theft occurring within the business
50. A copy of these conditions and a log of employees who have completed Responsible Beverage Service, or equivalent, training must be maintained on the premises and made available upon the demand of by any representative of the Oxnard Police Department.
51. Any questions concerning this Special Use Permit for sales of alcoholic beverages should be sent to: [specialprojects@oxnardpd.org](mailto:specialprojects@oxnardpd.org).

#### **POLICE DEPARTMENT SPECIAL CONDITIONS**

52. The permittee may apply for a one-day permit up to six times in a calendar year to accommodate special activities (ie: New Year's Eve, Mother's Day) to expand the hours of operation and alcohol service beyond the hours identified in the conditions of this Special Use Permit. The one-day permit may be denied by the City of Oxnard if there has been a documented violation of these conditions during the 12-month period prior to the date of the planned one-day event or any other circumstance where it is believed the event would disturb neighboring uses or require additional police resources to monitor the event.

[ SIGNATURES ON NEXT PAGE]

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 16<sup>th</sup> day of January 2020.

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Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 16<sup>th</sup> day of January 2020, and carried by the following vote:

AYES:           Commissioner(s):

NOES:           Commissioner(s):

ABSENT:       Commissioner(s):

ABSTAIN:       Commissioner(s):

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Scott Kolwitz, Secretary

# MEMO



January 9, 2020

TO: Planning Commission

FROM: Kathleen Mallory, Planning & Sustainability Manager  
Chris Williamson, Planning Consultant

SUBJECT: Overview of 2019 Housing Laws and Information Pertaining to the Regional Housing Needs Assessment

The purpose of this memorandum is to provide information regarding recent State housing legislation that supersedes local government zoning codes, provide the status of the Regional Housing Needs Assessment (RHNA) process that will establish the RHNA Allocation for the forthcoming 2021-2029 Housing Element (6th Cycle), and summarize the City's compliance with the current 2013-2021 Housing Element (5th Cycle) that ends in October of 2021.

## **BACKGROUND**

### **2019 Housing Legislation**

On October 9, 2019, the Governor signed a number of housing-related bills designed to jumpstart housing production. Staff are continuing to analyze these bills to determine impacts to the City and need for adjustments to ordinances and development of, or modification to, housing and planning programs. A brief summary of the 2019 bills that may impact the City's housing policies is as follows:

1. SB 330 - Establishes the Housing Crisis Act of 2019, which will accelerate housing production in California by streamlining permitting and approval processes, ensuring no net loss in zoning capacity, and limiting fees after housing projects are approved.
2. AB 1763 - Creates more affordable housing by giving 100 percent affordable housing developments an enhanced density bonus to encourage development.
3. AB 116 - Removes the requirement for Enhanced Infrastructure Financing Districts (EIFDs) to receive voter approval prior to issuing bonds that would help finance public improvements in areas designed for housing development.
4. AB 1484 - Builds upon existing CEQA streamlining law and encourages moderate-income housing production.
5. AB 1255 - Requires cities and counties to report to the state an inventory of surplus lands in urbanized areas. The bill then requires the state to include this information in a digitized inventory with state surplus land sites.



6. AB 1486 - Expands Surplus Land Act requirements for local agencies, requires local governments to include specified information relating to surplus lands in their housing elements and annual progress reports (APRs), and requires the state Department of Housing and Community Development (HCD) to establish a database of surplus lands, as specified.
7. SB 6 - Requires the state to create a public inventory of local sites suitable for residential development, along with state surplus lands.
8. AB 1483 - Requires local jurisdictions to publicly share information about zoning ordinances, development standards, fees, exactions, and affordability requirements. The bill also requires HCD to develop and update a 10-year housing data strategy.
9. AB 1743 - Expands the properties that are exempt from community facility district taxes to include properties that qualify for the property tax welfare exemption, and limits the ability of local agencies to reject housing projects because they qualify for the exemption.
10. SB 196 - Enacts a new welfare exemption from property tax for property owned by a Community Land Trust (CLT), and makes other changes regarding property tax assessments of property subject to contracts with CLTs.
11. SB 113 - Authorizes State Attorney General, upon a finding of the court that a jurisdiction's housing element does not substantially comply with Planning and Zoning Law, to request that the court issue an order or judgment directing the jurisdiction to bring its housing element into substantial compliance.

The largest area where the State enacted new legislation to encourage housing production was through the creation of additional Accessory Dwelling Unit (ADU) regulations. ADUs has been identified as a way jurisdictions can help meet their RHNA Allocation housing goals and rapidly increase the State's affordable housing supply. State ADU regulations will supersede the City's ADU regulations; the Community Development Department is in the process of updating the City's ADU ordinance to reflect the new State laws.

12. AB 68 and AB 881 – The following are changes that now supersede the Oxnard City Code (OCC) to facilitate the development of more ADUs through administrative (“ministerial”) approval. Key ADU changes are as follows:
  - a. Does not allow lot coverage (FAR) or lot size standards;
  - b. No setback required for conversions of existing structures;
  - c. No more than 4 foot setback required on side and rear yards for all other ADU's;
  - d. OCC cannot require replacement of parking for garage or carport conversion;
  - e. Requires ministerial approval within 60 days unless part of a permit for the primary unit;
  - f. Removes requirement for owner-occupancy (expires January 1, 2025);
  - g. Requires a minimum efficiency unit ADU size and sets a minimum-maximum size of 850 sf for a studio ADU and 1,000 sf if there is more than 2 bedrooms;
  - h. No parking required for the ADU if located within a half-mile of a bus stop, within a historic district, part of the existing residence or converted accessory structure, or within one block of car share vehicles;
  - i. No fire sprinklers required for ADU unless required for primary residence;
  - j. Jurisdiction may not require correction of nonconforming zoning conditions as a condition of approval;
  - k. Allows an ADU and Junior ADU on the same lot and allows ADU's within multifamily structures; and

- l. Defines an ADU built with new primary unit as “new unit” for impact fee purposes;
14. AB 587 - Provides a narrow exemption for affordable housing organizations to separately sell a deed-restricted ADU from the primary units to eligible low-income homeowners.
15. SB 13 – Cannot require owner-occupancy of either the ADU or primary dwelling unit; cannot impose impact fees on ADU’s under 750 sf.
16. AB 671 - Requires local governments’ housing plans to encourage affordable ADU rentals and requires the State to develop a list of state grants and financial incentives for affordable ADUs.

The Planning Division is in the process of comprehensively evaluating all of the recently approved housing bills and mandates. A number of ordinances will be required to be updated and will be presented to the Planning Commission in the coming months in order to address State housing mandates. Further, the Commission will be involved in the update to the City’s Housing Element.

#### **Status of 2013-2021 Housing Element (5th RHNA Cycle)**

The City is currently within the 5th RHNA cycle which covers the timeframe 2013-2021. Within the SCAG region, 430,000 dwelling units were identified as needing to be constructed. SCAG identified that the City should construct 7,301 of the 430,000 dwelling units over the 2013-2021 RHNA period.

The City is required to submit an Annual Report to HCD to document compliance in constructing housing. In the 2018 report, the City demonstrated that it had constructed 5,244 of its total 7,301 dwelling units and with planned programs, AAHOP inventory, and ADU construction, the City was closely on target to meet its 5th RHNA cycle goals. The following Annual Report table identifies the City’s compliance with the 5th RHNA cycle as of December, 2018 <sup>1</sup>:

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<sup>1</sup> Annual Reports are required by April 1 for the previous year. Staff are beginning to update Table F-1 with data through the end of 2019.

**Table F-1 Comparison of Site Capacity and the Regional Housing Need Allocation (2018)**

|                     | A         | B                     | C                        | D = B+C        | E              | F                                        | G                                | H=E-F-G                          |
|---------------------|-----------|-----------------------|--------------------------|----------------|----------------|------------------------------------------|----------------------------------|----------------------------------|
| Income Group        | RHNA      | Units Built 2014-2018 | U/C or Approved Projects | Total Progress | Remaining RHNA | AAHOP Inventory Capacity/<br>Vacant Land | Projected ADU Capacity Thru 2021 | Surplus over Remaining RHNA Need |
|                     | Table D-1 | Table D-2             | Table D-3                |                | Table D-4      | Table S2-1 and Table S2-2                |                                  |                                  |
| Extremely Low       | 1,688     | 131                   | 40                       | 171            | 1,517          | 1,773                                    | 150                              | 148                              |
| Very Low            |           |                       |                          |                | 258            |                                          |                                  |                                  |
| Low                 | 1,160     | 671                   | 231                      | 902            | 126            | 250**                                    | --                               | 124                              |
| Moderate            | 1,351     | 375                   | 850                      | 1,225          | 156            | 500**                                    | --                               | 344                              |
| Above Moderate      | 3,102     | 408                   | 2076                     | 2,946          | 156            | 500**                                    | --                               | 344                              |
| Above Moderate DOF* |           | 462                   |                          |                |                |                                          |                                  |                                  |
|                     | 7,301     | 2,047                 | 3,197                    | 5,244          | 2,057          | 1,773                                    | 150                              | 616                              |

**The 2021-2029 Housing Element (6<sup>th</sup> RHNA Cycle)**

The City is currently in the 5<sup>th</sup> RHNA cycle which runs from 2013-2021.

The Housing Element is an element of the City's General Plan. Per Government Code Section 65583, a housing element must contain "...an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled program actions for the preservation, improvement, and development of housing." The Housing Element does not obligate the City to develop and/or fund the target number of affordable housing units, but does require the City to encourage, facilitate, identify opportunity development sites with a high level of approval certainty, and otherwise take steps towards meeting the goals by working with the private and non-profit housing developers and special populations service providers.

Every eight years, HCD establishes a target number of housing units in all four income categories (extremely low, low, moderate, and above moderate) and allocates these numbers to regional Metropolitan Planning Organizations (MPO) or Council of Governments (COG). The City of Oxnard is part of the Southern California Association of Government (SCAG) MPO which is directed by State law to develop a RHNA methodology for the 192 jurisdictions in SCAG's six counties. The RHNA utilizes existing and projected counts of population, households (occupied housing units), vacant units, and total housing units (occupied plus vacant units). The RHNA process begins at the state level with population projections (compiled by the Department of Finance - DOF), which are then configured into households by the four income categories at the county level by the Department of Housing and Community Development. On August 22, 2019, HCD determined that the 2021-2029 RHNA Allocation for the entire SCAG Region

would be 1.34 million housing units, about evenly divided between units needed to reduce overcrowding and high costs (i.e. existing need) and units needed for anticipated growth (i.e., projected need). This target housing unit number is about three times larger than SCAG's total 2013-2021 RHNA allocation.

The Planning Division has been actively involved in the SCAG's 2021-2029 RHNA process since 2018. Through Fall 2019, SCAG staff developed various methodologies to allocate the approximately 1.34 million housing units across the SCAG region. On November 7, 2019, the SCAG Regional Council approved a Final RHNA methodology. Coined the "4<sup>th</sup> Option", this methodology applied a highly technical formula considering existing and projected housing need. Projected need was based upon household growth between 2020 and 2030, as well as future vacancy and housing replacement need. Existing need, which is the remainder of regional need after projected need is calculated, is based upon household growth (2030 - 2045), transit accessibility (based on 2045 High Quality Transit Areas or Corridor (HQTAs) population), and job accessibility. The 4<sup>th</sup> Option also considered social equity and assigned a greater percentage (180%) adjustment to cities which have constructed affordable housing during the prior 5<sup>th</sup> RHNA cycle.

Sometime between January/February 2020 the final RHNA methodology will be approved by HCD and SCAG will be notified. Once a methodology is approved by HCD and the RHNA allocation are established for all 192 jurisdictions, an appeal process is available through July of 2020. After acting on appeals, the SCAG Regional Council is expected to adopt final RHNA allocations in October, 2020. All 192 jurisdictions are then given one year to complete our 2021-2029 Housing Element that demonstrates capacity for the 2021-2029 RHNA allocation. The City has negotiated a contract to hire a Housing Element consultant. Work will kick off in roughly March 2020 for this work effort.

The preliminary 6<sup>th</sup> cycle RHNA allocation transmitted to HCD for Ventura County was as follows:

#### 6th RHNA Cycle: SCAG Methodology Transmitted to HCD for Review

|                             | Very Low     | Low          | Moderate     | Above<br>Moderate | Totals        | % County<br>Total | Existing Need<br>(Units) |
|-----------------------------|--------------|--------------|--------------|-------------------|---------------|-------------------|--------------------------|
| Camarillo city              | 323          | 224          | 248          | 466               | 1,261         | 0                 | 603                      |
| Fillmore city               | 72           | 61           | 72           | 211               | 417           | 0                 | 51                       |
| Moorpark city               | 376          | 233          | 245          | 434               | 1,287         | 0                 | 604                      |
| Ojai city                   | 12           | 8            | 10           | 22                | 52            | 0                 | 5                        |
| Oxnard city                 | 1,836        | 1,069        | 1,535        | 4,089             | 8,529         | 0                 | 5,310                    |
| Port Hueneme city           | 25           | 15           | 18           | 66                | 125           | 0                 | 35                       |
| Ventura (city)              | 1,175        | 857          | 941          | 2,287             | 5,260         | 0                 | 3,577                    |
| Santa Paula city            | 100          | 98           | 120          | 333               | 651           | 0                 | 109                      |
| Simi Valley city            | 718          | 473          | 498          | 992               | 2,681         | 0                 | 1,345                    |
| Thousand Oaks city          | 722          | 486          | 523          | 846               | 2,578         | 0                 | 1,029                    |
| Unincorporated              | 314          | 223          | 247          | 463               | 1,247         | 0                 | 476                      |
| <b>Total Ventura County</b> | <b>5,673</b> | <b>3,747</b> | <b>4,457</b> | <b>10,209</b>     | <b>24,088</b> | <b>100%</b>       | <b>13,144</b>            |
| Percent of County           | 24%          | 16%          | 19%          | 42%               |               |                   | 55%                      |