Thursday, October 1, 2020
Planning Commission
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AGENDA



This meeting is held pursuant to the State Emergency Services Act, the Governor's Emergency Declaration, and Governor's Executive Order N-29- 20 to allow members of the City Council or staff to participate via teleconference.

Pursuant to the Ventura County Public Health Official's order and Governor's Executive Order N-33-20, all city buildings are temporarily closed to the public. The public is encouraged to view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online immediately following the meeting.

The public may provide comments to the Planning Commission via email at planning@oxnard.org no later than 3:00 p.m. on the day of the meeting. Please identify the meeting date and agenda item in the Subject line.

A telephone option for public comments is also available at this time due to the State of California "Stay At Home" order. Requests to speak must be submitted no later than 3:00 p.m. on the day of the meeting. Use the form on the city's website to submit your request: Oxnard.org/city-meetings, or call the Planning Division Office at (805) 385-7878, or email your request to planning@oxnard.org.

CITY OF OXNARD
PLANNING COMMISSION
AGENDA

REGULAR MEETING
Council Chambers, 305 West Third Street
Thursday, October 1, 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

1. APPROVAL OF MINUTES – September 17, 2020

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

F. PUBLIC HEARING

1. **Project Name: Village Specific Plan Amendment, Tentative Tract Map Revision & Development Agreement Amendment -** PLANNING AND ZONING PERMIT NOs**.** PZ 19-630-01 (Specific Plan Text and Map Amendment No. 2 to The Village Specific Plan), PZ 19-300-01 (Revision to Tentative Subdivision Map for Tract No. 5745) & PZ 20-670-02 (Second Development Agreement Amendment) and certification of Addendum to Final Environmental Impact Report (FEIR) No. 06-03 and Supplemental Environmental Impact Report (SEIR) 14-01: A request for:

a) Text and map amendments to The Village Specific Plan ("Wagon Wheel Specific Plan") to change the land use designation for Planning Areas (PA) 1 and 14 to Parks & Open Space (P/OS) and PA 6 to High Density (H); revise planning area boundaries; remove the Live/Work (L/W) land use, update the Land Use Table, reduce the maximum height for the High Rise (HR) to 100 feet; revise park amenities; and add an administrative process for reviewing minor modifications to The Village Specific Plan.
b) The Revisions to Tentative Tract Map (TTM) No. 5745 will swap the park and residential land uses on specific lots; create new lot numbers to accommodate flood protection; delineate flood protection improvements on Lot A and Wagon Wheel Road; realign the multi-use trail; revise the Ventura Road frontage; and realign the Highway 101 off-ramp. Several of the original tract conditions will also be updated to be consistent with the proposed Revised TTM and the current and proposed understanding of ownership and maintenance of the public improvements within The Village Specific Plan area.
c) The Development Agreement Amendment (DAA) will amend impact fees and authorize the Community Development Director to permit flexibility in construction timing based on progress made during construction, and update the solar energy requirement.
d) The project will be reviewed under an Addendum to Final Environmental Impact Report (FEIR) No. 06-03 and Supplemental Environmental Impact Report (SEIR) No. 14-01 for The Village Specific Plan.

Filed by Corey Harpole, Oxnard CRFL Partners, LLC, 64 Maxwell, Irvine, California 92618.

Project Planner: Heather Davis, Contract Planner

Recommendation:

That the Planning Commission:

a) Adopt Resolution 2020-XX recommending City Council approval of Planning and Zoning Permit No. 19-630-01 (Specific Plan Amendment No. 2 to The Village Specific Plan), subject to certain findings, and certification of an Addendum to FEIR No. 06-03 and SEIR No. 14-01; and
b) Adopt Resolution 2020-XX recommending City Council approval of Planning and Zoning Permit No. 19-300-01 (Revision to Tentative Subdivision Map for Tract No. 5745), subject to certain findings and conditions; and
c) Adopt Resolution 2020-XX recommending City Council approval of Planning and Zoning Permit No. 20-670-02 (Second Amendment to Development Agreement No. A-7122) for The Village Specific Plan.

G. CONTINUED PUBLIC HEARING

1. **Project Name: Verizon Danube** - PLANNING AND ZONING PERMIT NO. 18-530-01 (Special Use Permit) Request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the General Commercial, Planned Development Overlay (C-2-PD) zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101
   Project Planner: Jay Dobrowalski, Senior Planner

   Recommendation:
   That the Planning Commission approve an alternative version of the Project, located 50 feet northerly of the proposed location and with a maximum height of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303, and Approve Resolution 2020-XX for Planning and Zoning Permit No. 18-530-01, subject to certain findings and conditions.

H. STUDY SESSION/REPORTS

I. PLANNING COMMISSION BUSINESS

J. COMMUNITY DEVELOPMENT STAFF UPDATES

K. ADJOURNMENT

FUTURE MEETINGS

Thursday, October 15, 2020, 6:00 p.m., City Council Chambers

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

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
September 17, 2020
DRAFT

A. ROLL CALL

1. At 6:00 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Frank announced pursuant to Governor Newsom's Executive Order N-29-20, members of the Planning Commision or staff may participate in meetings via teleconference.

2. Chair Frank (via videoconference), Commissioners Chavez (via videoconference), Dozier (via videoconference), Fuhring (via videoconference) and Meyer (via videoconference) were present. Vice Chair Sanchez was absent.

3. Staff members present were: Scott Kolwitz, Planning & Environmental Services Manager; Jay Dobrowalski, Senior Planner; Scott Swenson, Neighborhood Safety & Alcohol Compliance Specialist; Ken Rozell, Chief Assistant City Attorney; Michelle Travis, Recording Secretary.

4. Chair Frank presided and called the meeting to order.

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

1. Commissioner Dozier led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - August 20, 2020

MOTION: Commissioner Chavez moved and Commissioner Fuhring seconded a motion to approve the minutes of August 20, 2020, as submitted.

VOTE: Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. Chair Frank recused herself. The motion carried 4:0:1:0:1[1].

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. The Planning Commissioners did not have any ex parte communications to report for Items F-1 or G-1.

[1] In Favor: Against: Absent: Abstain: Recused

F. CONTINUED PUBLIC HEARING

1. **Project Name: Verizon Danube** - Planning and Zoning (PZ) Permit No. PZ 18-530-01 (Special Use Permit). Request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the General Commercial, Planned Development Overlay (C-2-PD) zone. Pursuant to Oxnard City Code (OOC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101.
Project Planner: Jay Dobrowalski, Senior Planner.

Recommendation:
That the Planning Commission continue the Project to a date certain meeting of October 1, 2020.

The Planning Commissioners did not have any ex parte communications to report for Item F-1.

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

No public verbal comments were received in support of or against Item F-1.

No public written comments were received in support of or against Item F-1.

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

Discussion ensued among the Commissioners and staff.

MOTION: Chair Frank moved and Commissioner Dozier seconded a motion to continue the Project to a date certain, October 1, 2020.

VOTE: Chair Frank, Commissioners Chavez, Dozier, Fuhring and Meyer voted in favor. The motion carried 5:0:1:0:0[2].

G. PUBLIC HEARING

1. **Project Name: Mullin Automotive Museum Alcohol Sales -** Planning and Zoning (PZ) Permit No. PZ 20-510-04 (Special Use Permit - Alcohol). Request for approval of a Special Use Permit (SUP) to allow the sales of beer and wine for off-site consumption (Alcohol Beverage Control (ABC) License Type 20) within the the gift shop area (210 square-feet) within the existing automobile museum (45,052 square-feet) on a 1.74-acre

[2] In Favor: Against: Absent: Abstain: Recused

property located at 1421 Emerson Avenue (APN: 220-0-293-085) within the Limited Manufacturing, Planned Development Overlay (M-L-PD) zone. Alcohol sales is recommended between the hours of 8:00 a.m. to 10:00 p.m. daily. Filed by Designated Agent Laura M. Lawrence, on behalf of Property Owner Peter Mullin Family Trust, 2242 Purdue Avenue, Los Angeles, California 90064.
Project Planner: Jay Dobrowalski, Senior 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 2020-16 for Planning and Zoning Permit No. 20-510-04 (Special Use Permit - Alcohol), subject to certain findings and conditions.

The Planning Commissioners did not have any ex parte communications to report for Item G-1.

Senior Planner Jay Dobrowalski, provided a presentation outlining the request.

Alex Guillen, spokesperson for the Mullin Automotive Museum, and Laura Lawrence, Designated Agent, did not provide a presentation but were available for questions.

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

No public verbal comments were received in support of or against Item G-1.

No public written comments were received in support of or against Item G-1.

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

Discussion ensued among the Commissioners and staff.

MOTION: Commissioner Chavez moved and Commissioner Fuhring seconded a motion approve the **Mullin Automotive Museum Alcohol Special Use Permit** PZ No. 20-510-04 (Special Use Permit - Alcohol) 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 2020-16 for Planning and Zoning Permit No. 20-510-04 (Special Use Permit - Alcohol), subject to certain findings and conditions, as submitted.

VOTE: Chair Frank, Commissioners Chavez, Dozier, Fuhring and Meyer voted in favor. The motion carried 5:0:1:0:0[3].

[3] In Favor: Against: Absent: Abstain: Recused

H. STUDY SESSION/REPORTS

1. None

I. PLANNING COMMISSION BUSINESS

1. Commissioner Chavez expressed an interest in whether restaurants could have outdoor dining on their sidewalk. Scott Kolwitz stated that the City of Oxnard's Director of Emergency Services during the coronavirus emergency has issued Direct Orders that modified the City standards to allow expansion into the parking lot and reduce parking requirements. Restaurants could apply electronically to allow for this exemption. All Director Orders are published on the City's website: https://www.oxnard.org/coronavirus-director-orders/

J. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Scott Kolwitz, Planning & Environmental Services Manager announced:

i. The next Planning Commission meeting will be on October 1, 2020 in City Council Chambers.

ii. On October 22, 2020, at 6:00 p.m. Community Development staff will be hosting a Housing Element Update and Sites Inventory meeting. The public is invited and can receive an electronic link to the meeting via the Planning Department at the planning@oxnard.org email address.

K. ADJOURNMENT

1. At 6:38 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Thursday, October 1, 2020, 6:00 p.m., City Council Chambers

_____ ATTEST _____

Deirdre Frank,
Chair

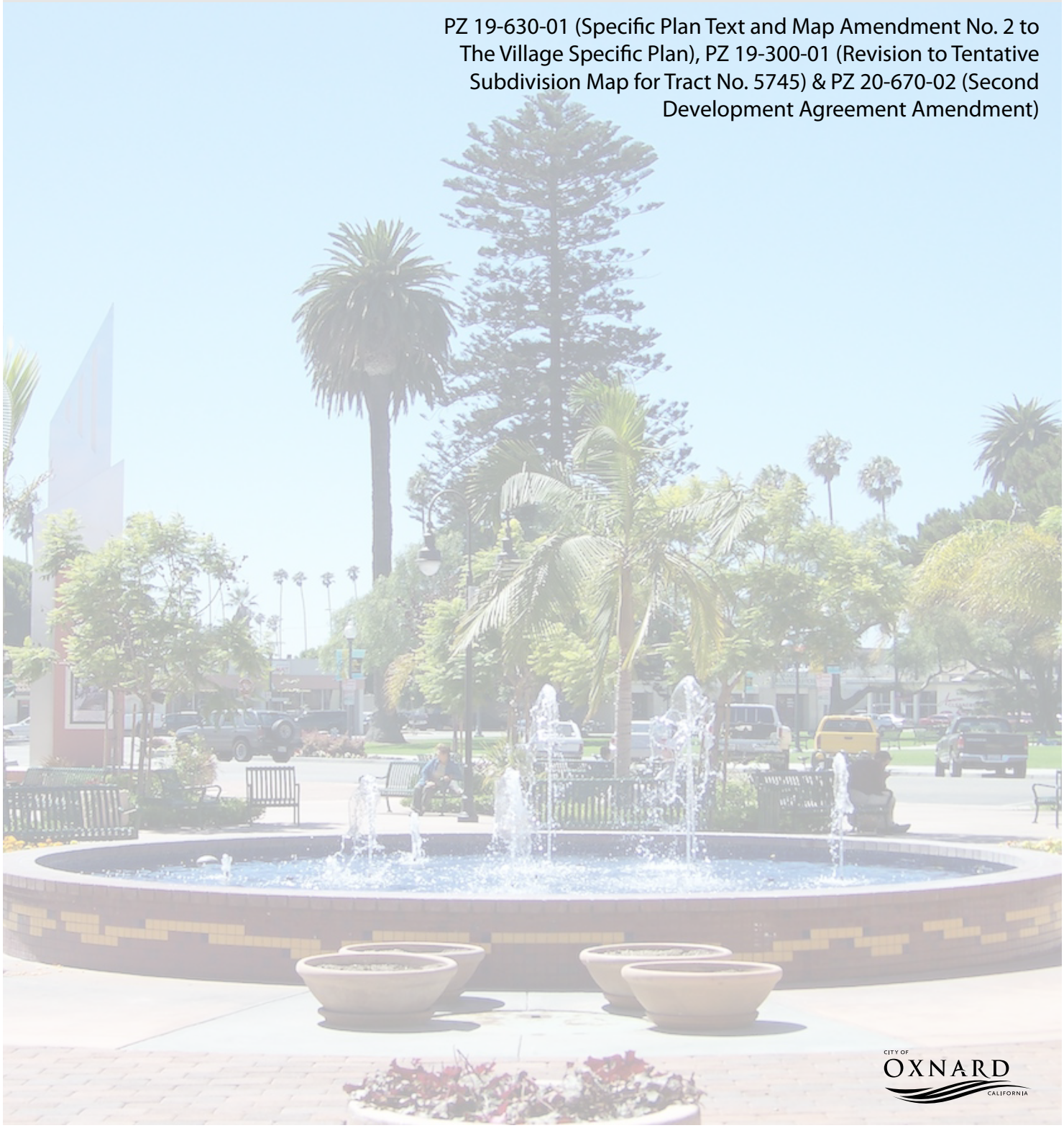
Scott Kolwitz,
Planning & Environmental Services Manager

Thursday, October 1, 2020
Planning Commission
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STAFF REPORT

PZ 19-630-01 (Specific Plan Text and Map Amendment No. 2 to The Village Specific Plan), PZ 19-300-01 (Revision to Tentative Subdivision Map for Tract No. 5745) & PZ 20-670-02 (Second Development Agreement Amendment)



CITY OF OXNARD CALIFORNIA

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Heather Davis, Contract Planner
Kathleen Mallory, AICP, Planning & Sustainability Manager

DATE: October 1, 2020

SUBJECT: **Project Name: Village Specific Plan Amendment, Tentative Tract Map Revision & Development Agreement Amendment;** Planning and Zoning Permit (PZ) No. 19-630-01 (Specific Plan Text and Map Amendment No. 2 to The Village Specific Plan), PZ No. 19-300-01 (Revision to Tentative Subdivision Map for Tract No. 5745), PZ No. 20-670-02 (Second Development Agreement Amendment) and certification of Addendum to Final Environmental Impact Report (FEIR) No. 06-03 and Supplemental Environmental Impact Report (SEIR) 14-01. Located in The Village Specific Plan area generally bounded by the Ventura Freeway (Highway 101) to the north, Oxnard Boulevard to the east, the Union Pacific Railroad (UPRR) and El Rio Drain to the south, and North Ventura Road and the Santa Clara River to the west

1) **Recommendation:** That the Planning Commission:

   a) Adopt Resolution 2020-XX recommending City Council approval of Planning and Zoning Permit No. 19-630-01 (Specific Plan Amendment No. 2 to The Village Specific Plan), subject to certain findings, and certification of an Addendum to FEIR No. 06-03 and SEIR No. 14-01; and
   b) Adopt Resolution 2020-XX recommending City Council approval of Planning and Zoning Permit No. 19-300-01 (Revision to Tentative Subdivision Map for Tract No. 5745), subject to certain findings and conditions; and
   c) Adopt Resolution 2020-XX recommending City Council approval of Planning and Zoning Permit No. 20-670-02 (Second Amendment to Development Agreement No. A-7122) for The Village Specific Plan.

2) **Project Description and Applicant:** The project consists of the following requested actions:
   a) A request for text and map amendments to The Village Specific Plan (AKA "Wagon Wheel Specific Plan") to change the land use designation for Planning Areas (PA) 1 and 14 to Parks & Open Space (P/OS) and PA 6 to High Density Residential (H); revise PA boundaries; remove the Live/Work (L/W) land use designation, update the Land Use Table, reduce the maximum height for the High Rise (HR) land use designation from 270

feet down to 100 feet; revise park amenities; and add an administrative process for reviewing Minor Modifications to The Village Specific Plan.

b) The Revisions to Tentative Tract Map (TTM) No. 5745 will swap the park and residential land uses on specific lots; create new lot numbers to accommodate flood protection; delineate flood protection improvements on Lot A and Wagon Wheel Road; realign the multi-use trail; revise the Ventura Road frontage; and realign the Highway 101 off-ramp. Several of the original tract conditions will also be updated to be consistent with the proposed Revised TTM and the current and proposed understanding of ownership and maintenance of the public improvements within The Village Specific Plan area.

c) The proposed Development Agreement Amendment (DAA) will amend impact fees, authorize the Community Development Director to permit flexibility in construction timing based on progress made during construction, and update the solar energy requirement.

d) In accordance with the California Environmental Quality Act (CEQA), an Addendum to FEIR No. 06-03 and SEIR No. 14-01 for The Village Specific Plan has been prepared.

For purposes of this Staff Report, the foregoing project description shall be referred to as the "Project." The project application was filed by Corey Harpole, Oxnard CRFL Partners, LLC (Oakwood Communities, Inc.), 64 Maxwell, Irvine, California 92618 (collectively referred to as the "Applicant" or "Developer.")

3) Existing & Surrounding Land Uses: The 62-acre Village Specific Plan site is located in the western portion of Ventura County, in the northwestern edge of the City of Oxnard, and is bounded by the Ventura Freeway (Highway 101) to the north, Oxnard Boulevard to the east, the Union Pacific Railroad (UPRR) and El Rio Drain to the south, and North Ventura Road and the Santa Clara River to the west. (see Attachment A: Maps)

The Village Specific Plan area is currently under active development. A portion of Wagon Wheel Road has been realigned and constructed from Oxnard Boulevard to Cactus drive, and a public park has been developed on Lots B & C. The 120-unit affordable housing apartment complex (Wagon Wheel Family Apartments) was completed and occupied in late 2014, and The Junction at Wagon Wheel mixed-use 219-unit apartment and commercial development was constructed in 2017. Development has started on Town Square mixed-use 448-unit apartment and commercial development, and several condominium buildings have been completed within Oxford Flats, Park Place and Mayfair neighborhoods. To date 1,097 dwelling units and 50,300 square feet of commercial space have been approved for development within six communities of The Village Specific Plan (Village Family Apartments, Wagon Wheel Junction, Oxford Flats, Park Place, Mayfair and Wagon Wheel Town Square). A maximum of 1,500 dwelling units may be developed within The Village Specific Plan; therefore future development projects will accommodate the remaining 403 dwelling units. Development projects have not been submitted yet for Lots A, 1, 2, 3, 6, 16 and 17, or Phase 2 of the Multi-Use Path (MUP). Remaining development is principally focused on the westerly portion of the project site.

The following table provides City General Plan designations, City zoning which governs the area. Additionally, the table identifies a general summary of existing land uses.

LOCATION	ZONING	2030 GENERAL PLAN	EXISTING LAND USE
Project Site	The Village Specific Plan	Specific Plan	Mixed Use commercial and apartment project, affordable apartment development.
North	C-2-PD	Commercial Regional (CR)	101 Freeway, North Oxnard Blvd. and RiverPark Community
East	C-2-PD	CR	Oxnard Boulevard, Esplanade Shopping Center
South	Single Family Residential (R1-8PD, R1PD) and Manufactured Home Planned Development (MHPD)	Residential Low (RL) density 3-7 du/ac and Factory Built (MHP) 1-7 du/ac	Union Pacific RailRoad, El Rio Drain and South Bank Neighborhood
West	County Unincorporated	County Unincorporated	Ventura Road and Santa Clara River

4) **Background Information:** In January 2009, the Oxnard City Council approved the entitlement permits for The Village Specific Plan to guide future development on the 62-acre project site. The Village Specific Plan provides infrastructure plans, guidelines, standards, and regulations for up to 1,500 dwelling units, 50,300 square feet of commercial development, and related roads, parking, and transit parking. The approval also included Development Agreement (DA) No. A-7122, which permits development over the next twenty years.

On July 28, 2015, the City Council approved TTM No. 5745 and the First Amendment to DA No. A-7122 for The Village Specific Plan. The TTM subdivided the Project site into 17 numbered lots and 19 lettered lots for development, public improvements, and open space to support continued redevelopment. The DA was amended to memorialize financial obligations for infrastructure, and amend payment terms and improvements necessary to support continued redevelopment of the Project site. The First DAA granted vested approval until July 28, 2035 and granted a reduction in several fees listed in the DA to offset the Developer's costs associated with construction of flood control improvements which were not envisioned or required during the original project entitlements. The flood protection improvements will benefit both the Wagon Wheel project and the South Bank neighborhood.

On March 1, 2016, the City Council approved Specific Plan Amendment (SPA) No. 1 to The Village Specific Plan to create a Transit Center Overlay (TCO) Zone within the Specific Plan Land Use plan which would allow Transit Center uses in PA 19, 20, & 21 of the Specific Plan.

On May 3, 2016, the City Council approved TTM No. 5968 to create a six lot map for condominium purposes, establishing Lots 4, 5, 7, 8, 9, and 10**.** Approval of this Map facilitated the future construction of 310 attached condominium residences in three neighborhoods (Oxford Flats, Park Place and Mayfair) within seven PA in the Specific Plan, allowing public improvements and open space in substantial conformance with the Specific Plan.

On July 19, 2016 City Council and the Community Development Commission Successor Agency adopted Final Subdivision Map 5745-1, which covered approximately 46.25 acres on the east side of The Village Specific Plan, including Lots 5, 7 thru 17, B, C, D, K, L, M, N, O, Q & R. Lots Final Map 5745-1 was recorded with Ventura County on October 20, 2016.

In September 2018 a Lot Line Adjustment (17-310-13) was approved to reconfigure lot lines between Lots 12, 13, 14 & Park Lot C to accommodate the Wagon Wheel Town Square mixed-use and residential development. The reconfigured lots were renumbered Lots 1, 2 and 3 of LLA of PZ 17-310-13, as shown on the proposed Revised TTM (see Attachment B).

5) Environmental Analysis: On September 18, 2008, the City Council certified FEIR No. 06-03 for The Village Specific Plan (State Clearinghouse No. 2006101099).

Due to changes in environmental conditions, on July 28, 2015 the City Council certified SEIR No. 2014-01 in association with TTM No. 5745 and changes in the environmental conditions since 2008. The SEIR focused on flood risk, which was a new condition as a result of the Federal Emergency Management Agency's (FEMAs) recent Santa Clara levee de-certification; water supply; air quality impacts and on-site grading and construction; and traffic and circulation impacts. Based upon the analysis contained in the SEIR for the TTM, all potential impacts were mitigated to a level of insignificance. The FEIR and SEIR contained mitigation measures for potential impacts and a Mitigation Monitoring and Reporting Program (MMRP) to track implementation of the mitigation measures. With imposition of mitigation measures from the 2008 certified Village Specific Plan FEIR and 2015 SEIR mitigation measures, impacts were determined to be fully mitigated.

The proposed project has been reviewed under an Addendum to FEIR No. 06-03 and SEIR No. 14-01 for The Village Specific Plan (Attachment C). According to Section 15164 of the California Environmental Quality Act (CEQA), an Addendum to a previously certified EIR is required when only minor technical changes or additions are necessary to previously approved EIR, and none of the conditions requiring a subsequent EIR have occurred. The proposed changes to the original specific plan, TTM and DA would not result in any new additional significant impacts, nor would they substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the

Project are within the envelope of impacts addressed in the Certified FEIR and SEIR and do not constitute a new or substantially increased significant impact. Based on this determination, the proposed Project does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

6) Analysis:

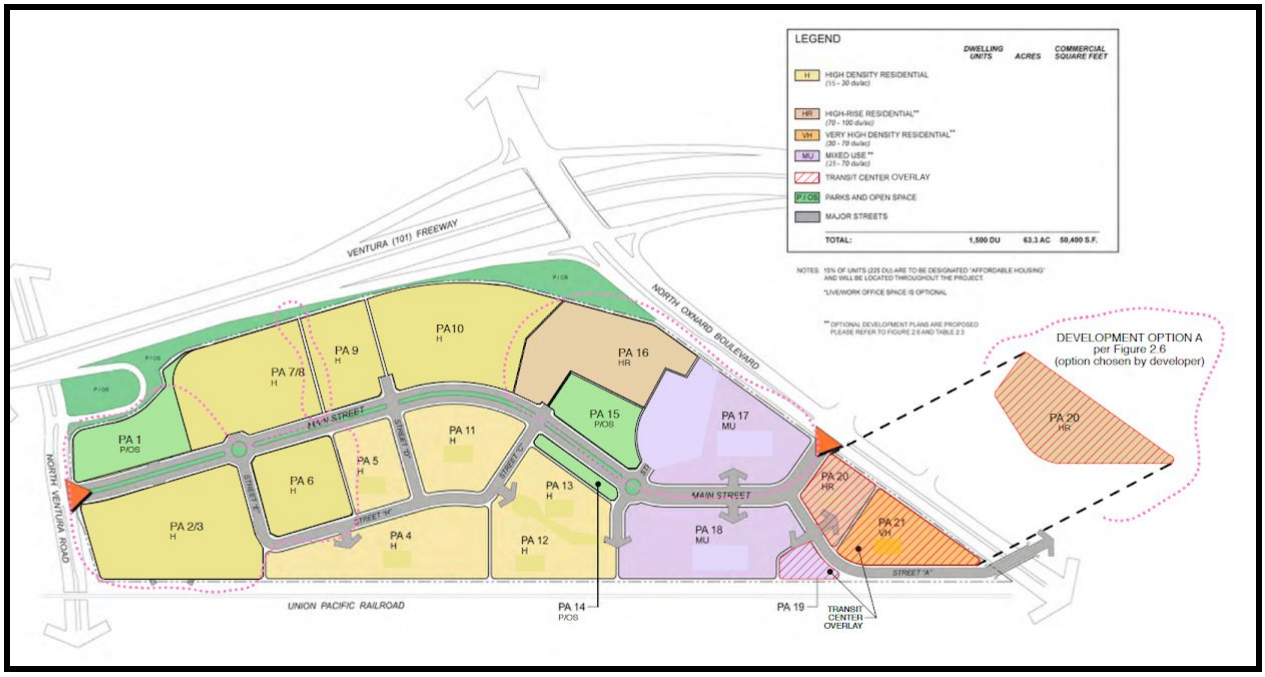
a) General Discussion: The Applicant is requesting text and map amendments to The Village Specific Plan, revisions to the existing TTM and conditions, and a DAA. The applications are being processed concurrently with the SPA so that a finding of consistency can be made between the revised TTM and the Specific Plan. The following is a summary of the requested revisions.

SPA No. 2
The Applicant has requested various changes to the Land Use Plan and text of The Village Specific Plan to facilitate ongoing development. The following is a summary of requested revisions. Further analysis of each request within the SPA, DAA and other aspects of the project are detailed in Section 6(h) of this staff report. The pages to be amended through this SPA are provided in Attachment D.

1. Revise the Specific Plan Land Use Plan Figure 2.1 (See below)
   - Switch the land uses for PA 1 & 6
     - Change the land use for PA1 from H to P/OS
     - Change the land use for PA6 from P/OS to H
   - Change land use for PA14 from L/W to P/OS
   - Merge PA 2 &3, PA 7 & 8, and PA 12 & 13
   - Merge PA 20 & 21 into PA 20, as permitted under Option A of the original specific plan, and designate as HR land use.
   - Reconfigure the layout for PA 9 & 10
   - Reconfigure the boundaries for PA 16, 17 & 15 to match LLA 17-310-13
   - Remove Streets B, G & F
   - Remove the L/W land use
2. Revise Table 2.2 Land Use Summary to be consistent with Option A and the above listed land use plan revisions.
3. Remove L/W land use category from the following sections: 2.2, 2.3, 4.2.2, 4.4, 6.9 and Tables 2.2 & 2.4
4. Add a note in Section 4.1.3 that an SPA will be required for development of Very High Density (VH) anywhere in the specific plan, since no PA is designated VH on Figure 2.1 Land Use Plan. (PA 20 and 21 will be merged into PA 20 under Option A chosen by the Developer, eliminating VH land use.)
5. Remove towers from Section 4.2.5 HR Residential
6. Reduce the maximum allowable Building Height on HR PA from 270 feet down to 100 feet max (Section 4.4.4). Remove reference to 20-25 stories in Section 7.2.3.5

7. Remove requirement for 2-car attached garage for H (Table 2.1 & Section 6.9.3) and subterranean garage in VH (Sections 4.2.3 & 6.9.3) and HR (Section 4.2.5).
8. Remove requirements for rooftop recreation and amenities on HR (Section 4.2.5 & 4.4.4).
9. Remove community center and pool amenities from conceptual park designs, add court play areas, dog park and exercise area amenities, and update conceptual graphics for Parks on Lots A, B & C (Section 5.4)
10. Add an Administrative process for an Administrative SPA to Section 8.7.2.

Proposed Land Use Plan, Village Specific Plan Figure 2.1



Revision to TTM No. 5745

The project includes revision to existing TTM No. 5745 to be consistent with the proposed SPA, and to facilitate future construction as outlined in The Village Specific Plan. All prior approvals will remain in effect, with the exception of specific conditions of approval, and this revised map will allow for the phased development of the specific plan.

The following is a summary of proposed Revision to TTM No. 5745:

1. Switch the locations of Residential Lot 1 and Park Lot A
2. Realigning the Ventura Road off-ramp so that it matches its existing configuration and loops onto Ventura Road (rather than through the subdivision).
3. Expand Residential Lot 6 from 2.15 acres to 3.57 acres, to include former off-ramp location.
4. Add new flood control lots F & E to accommodate flood protection
5. Delineate flood protection improvements on Lot A and Wagon Wheel Road

6. Realign the MUP to meet Ventura Road at Wagon Wheel Road rather than south of Lot 2.
7. Merge Former MUP Lot F & T with Residential Lots 2 & 3
8. Revise to South end of Ventura Road frontage (no bike path, 6' sidewalk)

The Applicant and staff are also requesting updates to several of the original tract conditions for the TTM No. 5745 (City Council Resolution 14,857) to be consistent with the proposed Revision to TTM No. 5745, the SPA, and the current and proposed understanding of ownership and maintenance of the public improvements within and adjacent to The Village Specific Plan. Staff has reviewed the requested revisions, made appropriate changes, and recommends approval of the updated conditions. Staff has also provided additional conditions applicable to the Revised TTM. The updated conditions are included in the resolution for the Revision to TTM No. 5745 (Attachment E).

Second DAA

The proposed DAA would be the Second Amendment to DA A-7122 between the City of Oxnard and Oxnard CRFL Partners, LLC, successor in interest to Oxnard Village Investments, LLC. The original DA A-7122 was approved on January 24, 2009. The First DAA, which was approved on July 28, 2015, amended DA A-7122 to incorporate financial provisions for storm water and flood protection improvements not foreseen when the project was originally approved.

For the Second DAA, the Applicant is requesting modifications to nine sections of DA No. A-7122 and the First DAA. At the May 19, 2020 City Council Hearing, the Council directed staff to work with the Developer on revisions to the DA to reduce the financial impacts of increased and new development impact fees on the project. In response, the Developer is requesting a fee lock and waiver of new fee increases approved by the City Council on May 19, 2020. The Developer would receive fee credits for improvement costs associated with construction of drainage, parks, MUP and pedestrian bridge improvements. The Developer is also requesting modifications that would allow flexibility in construction timing, and flexibility to install more energy efficient utilities. The following is a summary of DAA requests. A discussion on each item is provided in Section 6(i) of this staff report and the DAA text is provided in Attachment F.

1. Lock in Capital Growth Impact Fee rate in effect May 1, 2020 (DA Section 5)
2. Lock in the Traffic Impact Fee until July 1, 2028 [DA Section 7(d)(i)]
3. Waive the new Mobility Fee [DA Section 7(d)(ii)]
4. Waive increased Park Development Fee [DA Section 7(d)(iii)]
5. Waive storm drain fee [DA Section 7(d)(iv)]
6. Increase Credit towards Air Quality Fee (DA Section 15.2).
7. Authorize the Community Development Director to allow construction timing flexibility on the Ventura Road Pump System (DA Section 16.1)

8. Update Solar Energy requirement to accommodate current energy efficient technology (DA Section 16.5)
9. Authorize the Community Development Director to allow construction timing flexibility on the Storm Water and Flood Protection (Section 1 of DAA No.1)

b) General Plan Consistency: The City's 2030 General Plan land use designation for the subject site is Specific Plan with corresponding land use designations to support development of the approved Village Specific Plan. The proposed SPA to The Village Specific Plan and foreseeable development is consistent with the 2030 General Plan and the property's land use designations, as the revisions retain a similar land use balance of residential and park uses as the originally approved specific plan. The TTM Revision facilitates development of The Village Specific Plan project which is consistent with the General Plan. The proposed DAA renegotiates fees and development timing between Developer and the City, and does not conflict with General Plan land use, goals and policies. The project's consistency review with General Plan policies is included as Attachment G. The proposed project has been determined to be consistent with the General Plan and the property's land use designation.

c) Conformance with Zoning Development Standards: The proposed SPA would amend the locations of permitted land uses within The Village Specific plan, amend some PA boundaries, remove a land use category, reduce the maximum height for a land use, provide conceptual guidelines for parks within the specific plan, and add a process for reviewing Minor Modifications to specific plan. The potential future development is not part of this discretionary approval request. Future development within The Village Specific Plan will continue to be subject to review under a Design Development Review (DDR) Permit, and will be required to comply with The Village Specific Plan development standards and all mitigation measures identified in FEIR & SEIR.

According to California Government Code Section 65453, a specific plan may be amended as often as deemed necessary by the legislative body. Unlike General Plan amendments, specific plans are not limited to a set number of four amendments during a calendar year.

To summarize a few key SPA components, the Specific Plan Land Use Plan (Figure 2.1) designates PA 6 for park use and PA1 for H land use. The proposed SPA switches these two uses, with a similar resulting land area for the park on PA 1. (The new park on PA 1 will be 2.39 acres, which is slightly more than the 2.0 acres of the existing PA 6.) The new park will also accommodate a flood control berm and flood control easements. Residential construction on PA 6 would be permitted in the future with a DDR permit, and park improvements would be permitted on PA 1. PA 14 land use will be revised from L/W to park use, providing an amenity for the community and removing a development type that is no longer planned for the community. The 14 residential units originally allowed on PA14 will be transferred to other PA for development, which is permitted under Section 2.5.1 of The Village Specific Plan. The boundary revisions between PA

are generally between residential land uses to recognize boundaries of approved residential communities. The merging of PAs 20 and 21 into a single PA 20 recognizes Development Option A outlined in the original specific plan. The density for PA 20 also increases to HR to allow greater density within this PA near mixed use and transit amenities. To minimize potential height impacts of the HR land use, the maximum height will be reduced to 100 feet, and reference to towers will be eliminated from the HR land use description. The land use plan (Table 2.2) will be revised to accommodate the land use plan revisions.

An administrative process will also be added to the Administration and Implementation Chapter 8.0 of The Village Specific Plan to address internal conflicts within the document and allow minor changes to development standards. The administrative process would allow review by the Planning Manager or Community Development Director rather than requiring Council review for minor revisions. Allowable changes would be within 15% of numerical development standards or similar modifications in keeping with the spirit and intent of The Village Specific Plan FEIR and SEIR. For example, outdated storefront conceptual requirements could be reviewed by the Planning Manager rather than Council. Since the process would require the modification to be consistent with the FEIR and SEIR, the added process would not affect the findings or mitigations contained within the FEIR or SEIR.

With approval of the SPA, the proposed TTM Revision will be consistent with approved specific plan zoning and development standards. Pursuant to Section 15-35 of the Oxnard Municipal Code, approval of a TTM is required to subdivide the project area. The proposed TTM Revision is therefore necessary for subdivision and future development that will be consistent with the development standards within the specific plan.

The proposed DAA does not propose revisions to zoning development standards, but would authorize the Community Development Director to permit flexibility in construction timing based on progress made during construction. This revision would not conflict with existing or amended development standards within the Oxnard City Code or The Village Specific Plan.

d) Site Design: The amendment to The Village Specific Plan Land Use Plan and Revision to TTM No. 5745 will result in slight changes to the overall specific plan site design. The most noticeable change will be the relocation of the Neighborhood Park from PA 6 in the western center of the project to PA 1, which is located in the northwest corner of the project near the Highway 101 Ventura Road off-ramp. This revision will place future residential development further away from noise impacts associated with the freeway off-ramp and allow modification to flood control improvements on the western boundary of the project area. As shown on Cross Section G-G of the Revised TTM No. 5745 (Attachment B), the park on PA 1 will be designed with a low flood control berm near the center of the park rather than a flood control wall along Ventura Road that would be required if residential development was located on PA 1. The conceptual park design

for the Neighborhood Park on PA 1 is shown on Figure 5.9 of the proposed SPA (Attachment D). Conceptually, the park will include ball court play areas, exercise areas, a dog park, and turf areas. The MUP will link to the park from the east, providing off-street connectivity from the neighborhoods on the north side of the project area that front the MUP. Park Department review and approval of the park improvements will occur in the future.

The land use for PA 14 will also be revised to reflect park use rather than live/work. The revised park use on PA 14, which is continuous with The Village Green on PA 15, is shown Figure 5.8 of the proposed SPA (Attachment D).

Consistent with Option A shown on Figure 2.6 of the original Village Specific Plan, PAs 20 and 21 will be merged into a single PA that will allow a density of up to 100 dwelling units per acre. The SPA includes an amendment to the development standards to restrict the height of buildings on this PA to no more than 100 feet, rather than 270 feet currently allowed on HR designated parcels.

e) Circulation and Parking: The SPA and revised TTM will facilitate the future construction of circulation improvements, the MUP, and parking standards consistent with The Village Specific Plan.

Vehicle Circulation will be modified very little since approval. Streets B, G & F shown on Figure 2.1 of the original Village Specific Plan Land Use Plan will be removed as no longer applicable for circulation through PAs 7 to 10. The Oxford Flats condominium community on PAs 9 and 10 have been designed with driveways in the former street locations, and PA 7/8 is anticipated to be similarly designed.

The Village Specific Plan includes a Class I, 12-foot wide, MUP that extends from Ventura Road to Oxnard Boulevard and includes a pedestrian bridge of Oxnard Boulevard and an underpass under Hwy. 101 and Ventura Road. The MUP location shown on the approved TTM is proposed to be realigned on the Revised TTM to connect with Wagon Wheel Road between PA 1 and PA 7/8 and run parallel on the north side of Wagon Wheel Road to Ventura Road. This varies from the MUP route shown on the approved TTM, which continues south across Wagon Wheel Road, along the west side of PA 6 to the southern boundary of The Village Specific Plan and following the south side of PA 2 and 3 before meeting Ventura Road south of PA 2. The MUP location is shown on the Revised TTM (Attachment B) and a comparison graphic of the MUP locations is shown in the Addendum (Attachment C) under the Traffic analysis. The MUP revised route includes fewer roadway crossing, and is more compatible with planned flood control improvements.

A TCO land use designation approved under SPA No. 1 in 2016 that expanded the potential transit center location to PA 20. The Applicant has indicated that PA 20 will house the transit center on the first floor of the parking structure. Consistent with the

VSP, the transit center will include 50 designated transit parking spaces and bicycle parking consistent with the Oxnard Bicycle Master Plan. Since construction on PA 20 may not be completed for several years, and later than required under the approved tract conditions of approval, the Applicant has indicated a preference to accommodate a temporary transit center with 50 designated transit parking spaces on PA 17 until the permanent transit center has been completed on PA 20. The Town Square mixed-use retail and apartment project is presently under construction on PA 17. Tract Condition 52 has been revised per input from the City Traffic Engineer, Ventura County Transportation Commission, and the Applicant to accommodate the temporary and permanent transit center and ensure the transit spaces will be available for transit riders as part of a shared use (See Attachment E, Tract Condition 52).

The proposed realignment of the US 101 Ventura Road off-ramp reflects the off-ramp design originally planned for The Village Specific Plan in 2009 and reviewed in the FEIR. The existing TTM No. 5745 was approved in 2015 with an alternative US 101 Wagon Wheel off-ramp realignment, which exited US 101 southbound onto Wagon Wheel Road in the center of the project. The SEIR approved in 2015 evaluated that alternative US 101 Wagon Wheel Road off-ramp realignment and recognized that future Caltrans approval would be required for that realignment. The City also recognized a potential conflict between the off-ramp realignment and the MUP, and required as a condition further analysis of the conflict. The proposed US 101 Ventura Road off-ramp is closer to the original design, resolving the concerns with the Caltrans and MUP conflicts.

As part of the DAA, the fee lock for the Traffic Fee will be tied to bonding of the US 101 Ventura Road off-ramp prior to July 2022, and completion prior to July 2024.

f) Parks and Open Space: The approved Village Specific Plan identified 3.7 acres of parkland and 3.7 acres of open space. The proposed SPA will increase park area to include PA 14 (0.46 acres), increase the size of the Neighborhood Park on PA 1 from 2.0 acres to 2.39 acres, and decrease the size of PA 15 from 1.7 acres to 1.52, resulting in a net increase in total park acreage by 0.67 acres to a total of 4.37 acres. Open space, including perimeter and interior landscaping, will decrease from 3.7 acres to 2.22 acres. The difference in open space is predominantly due to designation of a few lots for flood control improvements, and merging a small triangle of open space into PA 7/8.

The proposed SPA provides alternative conceptual designs for The Village Green (PA 15) and the Neighborhood park (PA 1) as outlined in Section 5.4 of The Village Specific Plan. Updated Conceptual Park design for The Village Green and the Neighborhood park are provided in Figures 5.8 and 5.9 of the SPA. The SPA removes the community center and pool amenities from conceptual park designs, and adds court play areas, dog park and exercise area amenities. As discussed under Site Design Section 6(d) of this staff report, based on the Revised TTM, Park A on PA 1 will be designed with a flood control berm near the center of the park rather than a flood control wall along Ventura Road that would be required if residential development was located on PA 1. The proposed SPA and TTM

Revision therefore opens up views of the park from Ventura Road, improving aesthetic views of the project from Ventura Road.

Under Section 8 of the DA, the Developer is required to develop and dedicate to the City completed parks on Lots A, B & C of Tract 5745 in the Village Specific Plan. Upon acceptance of the parks, the City will grant the Developer Quimby fee credits for the value of the park, including land value, engineering and construction expenses associated with the development of the parks. The fee credits are then applied against Quimby fees due upon occupancy of each residential unit within the Wagon Wheel project. Paragraph 7(g) also required the formation of a community facilities district (CFD) for the purpose of funding the ongoing maintenance of public improvements such as parks. The Developer has completed park development on Lots B and C of the Specific Plan, totaling approximately 1.98 acres.

g) Tract Condition Revisions: The approved conditions for TTM No. 5745 included some inconsistent direction on the ownership and maintenance of public improvements in The Village Specific Plan. Additionally, over time the project evolved in understanding of what facilities would be owned and maintained by the City, CFD and the Homeowners Associate (HOA). Based on consultation with the Applicant, Public Works and the Special Districts Division, several Tract conditions were recommended for revision to clarify and amend the parties responsible for ownership and maintenance. The applicable conditions include 11, 23, 24, 26, 27 and 29 and 52. Under these conditions, the following changes will be made to ownership and/or maintenance:

- Caltrans freeway landscaping – **Tract Condition 11** requires the Developer to landscape the sloped Caltrans right-of-way between the PA and the 101 Freeway. This condition will be updated to specify that the Caltrans landscaping will be maintained by the HOA via a reimbursement agreement with the CFD. The City with the Special Districts Division is in the process of entering into a maintenance agreement with Caltrans for this understanding of landscape maintenance.

- MUP & Pedestrian Bridge – **Tract Conditions 23** stated that the MUP will be owned by the HOA, with an easement granted to the City. This condition has been revised to include the pedestrian bridge within the CFD and indicate City ownership of the MUP and pedestrian bridge. **Tract Condition 29** will be revised to state the MUP will be maintained by the Master HOA with a reimbursement agreement from the CFD. According to the DDR approval for the MUP, the pedestrian bridge will be maintained by the City with funds provided by the CFD.

- Transit Center – As discussed above under Circulation and Parking, SPA No. 1 expanded the potential transit center location to PA 20. The Applicant has indicated that PA 20 will house the permanent transit center on the first floor of a private parking structure, and temporary transit center on PA 17 until the permanent transit center has been completed on PA 20. **Tract Condition 24** has been expanded to

allow for the temporary and permanent Transit Center to be maintained by a private entity, and requires an access easement granted to the City for public transit center use and access to transit center amenities. **Tract Condition 52** has additionally been revised to require a land use restriction for the permanent transit center to include the minimum 50 designated parking spaces and transit center amenities.

- Caltrans Relinquishment Area – **Tract Condition 26** was removed as no longer applicable, and replaced with a condition for development, ownership and maintenance of the area identified on the Revised TTM as "Area of Proposed Caltrans Relinquishment." The area will be developed with a portion of the MUP, landscaping and irrigation and maintained by the HOA via a reimbursement agreement with the CFD. The area will be owned by the City, or by Caltrans with an encroachment permit. If Caltrans does not approve the relinquishment or encroachment, the Applicant will provide an easement on Lot 6 to the MUP.

- Lots N and O – **Tract Condition 27** will be revised to state that these two entry lots will be owned and maintained by the Master HOA with HOA funds, rather than CFD funds.

h) Village SPA No. 2: The Applicant has requested several revisions to the Land Use Plan and text of The Village Specific Plan. According to California Government Code Section 65453, a specific plan may be amended as often as deemed necessary by the legislative body. The following is a discussion of the requested revisions. The pages to be amended through this SPA are provided in Attachment D.

1. Revise Land Use Plan Figure 2.1. The Applicant is proposing the following revisions to The Village Specific Plan Land Use Plan:
   - Switch the land uses for PA 1 & 6
     - Change the land use for PA1 from H to P/OS, and reduce the PA size from 2.92 acres to 2.39 acres.
     - Change the land use for PA6 (2.0 acres) from P/OS to H
   - Change land use for PA14 (0.46 acres) from L/W to P/OS
   - Merge PA 2 &3, PA 7 & 8, and PA 12 & 13
   - Merge PA 20 & 21 into PA 20 as permitted under Option A of the original specific plan, and designate as HR land use.
   - Reconfigure the boundaries for PA 9 & 10 (Oxford Flats)
   - Reconfigure the boundaries for PA 16, 17 & 15 to match LLA 17-310-13
   - Remove Streets B, G & F

   Land Use Plan Analysis: Staff has evaluated the request and has determined that proposed amendment to the Land Use Plan would simplify the map to facilitate future development on PA 2/3, PA 6, PA 7/8, and PA 20, and improve consistency with existing development patterns. The larger, merged PA allows for more cohesive design within a development project, and simplifies City review of projects that otherwise would cross PA boundaries. As discussed earlier in this staff report, the

boundary revisions between PA 9 & 10 and PA 16 & 17 are generally between residential land uses to recognize boundaries of approved residential communities.

The merging of PA 20 & 21 into a single PA 20 recognizes Development Option A outlined in the original specific plan. The existing land use designations for PA 20 is HR, and PA 21 is VH. Under Option A in the approved specific plan, these two PA would merge into a single PA 20 and be designated VH. The proposed plan increases the density for PA 20 from VH to HR to allow greater density within this PA near mixed use and transit amenities. The target number of dwelling units that is planned for combined PA 20 is 205 dwelling units, which is consistent with the original target number of units under Option A in the approved Village Specific Plan (Figure 2.6). However, due to land use dedication for the MUP from PA 20, the adjusted size of the residential lots would only accommodate 175 units under the VH land use. Therefore the HR land use designation is preferred to accommodate the 205 units. As discussed further below under the HR development standard analysis, to minimize potential height impacts associated with the revision to HR land use, the maximum height will be reduced from 270 feet down to 100 feet, and reference to towers will be eliminated from the HR land use description. This represents an improvement to view impact, while retaining higher density in an appropriate location of the specific plan.

As discussed earlier under Site Design, the most noticeable change on the Land Use Plan will be the relocation of the Neighborhood Park from PA 6 in the western center of the specific plan over to PA 1 in the northwest corner of the specific plan near the Highway 101 Ventura Road off-ramp. This revision will place future residential development further away from noise impacts associated with the freeway off-ramp and allow modification to flood control improvements on the western boundary of the specific plan. As shown on Cross Section G-G of the Revised TTM No. 5745 (Attachment B), the park on PA 1 will be designed with a low flood control berm near the center of the park rather than a flood control wall along Ventura Road that would be required if residential development was located on PA 1.

The amended Land Use Map increased designated park space from 3.7 acres to 4.37 acres (see Parks and Open Space analysis in Section 6(f) of this staff report). This area will be improved by the Applicant, dedicated to the City in turnkey condition and maintained by the Master HOA with funds from the CFD. Under the City's DA, the Developer will receive full Quimby credits for land and improvement costs. Therefore the additional park area within the specific plan will not represent an additional cost to the City for improvements or maintenance.

Three streets (B, G & F) will also be removed under the proposed SPA as no longer applicable for circulation.

2. Revise Table 2.2 Land Use Summary. The Land Use Summary on Table 2.2 has been replaced in entirety (rather than strike through) to reflect the PA boundary changes and land use revisions proposed in the Land Use Plan Figure 2.1.

   Table 2.2 Analysis: Staff has evaluated the request and has determined that the revisions to the Land Use Summary Table 2.2 are consistent with the proposed Land Use Plan Figure 2.1 and the Revised TTM No. 5745. Table 2.2 replaces both the approved Tables 2.2 and 2.3 of the approved Village Specific Plan to reflect the Developers selection of development Option A outlined in the approved Village Specific Plan and shown on Figure 2.6.

   Consistent with the approved Village Specific Plan, FEIR, and DA, Table 2.2 retains a maximum number of 1,500 dwelling units and 50,300 square feet of commercial development within The Village Specific Plan. The number of dwelling units listed in each PA are target numbers that may be transferred between PA, provided that the total number of 1,500 dwelling units is not exceeded within the specific plan, and development within the PA does not exceed the maximum allowable density under the land use. Commercial square footage may similarly be transferred between the Mixed Use PA.

3. Remove L/W land use category. The L/W land use category will be removed from Figure 2.1, Tables 2.2 & 2.4, and Sections: 2.2, 2.3, 4.2.2, 4.4, and 6.9.

   L/W Analysis: Staff has evaluated the request and has determined that the removal of this land use category is consistent with the intent of The Village Specific Plan, beneficial for the residents within the specific plan, and will not reduce the amount of housing proposed within the specific plan.

   The Developer indicated that L/W development type was not economically viable or envisioned at this location. The 14 residential units originally allowed on PA14 will be transferred to other PA for development, which is permitted under Section 2.5.1 of The Village Specific Plan. A maximum of 1,500 units are still proposed as part of this SPA. .

   PA 14 land use will be revised from L/W to park use, which will provide an amenity for the community and increase the land size Village Green that was originally only planned on PA 15. The larger Village Green flanks each side of Wagon Wheel Road, providing improved aesthetics for residents and visitors to the project. PA 14 is also north of The Village Family Apartments, which are designated as affordable housing for lower income residents. Provision of a park on PA 14 rather than two story development provides connectivity between The Village Family Apartment and The Village Green.

4. Retain Very High (VH) Density land use. The VH land use development standards will be retained in The Village Specific Plan and a note will be added in Section 4.1.3 that an SPA will be required for development of VH anywhere in the specific plan.

   Very High Density Analysis: Staff has evaluated the request and has determined that the retention of the VH development standards would not conflict with planned development within the specific plan area.

   On the proposed Land Use Plan Figure 2.1, PA 20 and 21 will be merged into PA 20 under Option A chosen by Developer, eliminating VH land use category on any PA. Since the Land Use Plan and the Land Use Summary on Table 2.2 will no longer identify any VH PA, the VH designation could be removed from the Specific Plan. However, the Developer has requested that the VH development standards remain in place in the specific plan in the event that the VH land use is preferred in the future. Since a revision to the Land Use Plan would be required, a note will be added in Section 4.1.3 that informs the public and future Developers that a SPA will be required for development of VH anywhere in the specific plan.

5. High Rise Residential (HR) Development Standards: The development standards for the HR land use will be revised to limit building height. Reference to towers will be removed from Section 4.2.5, the maximum allowable Building Height will be reduced from 270 feet to 100 feet maximum in Section 4.4.4, and reference to 20-25 stories in Section 7.2.3.5 will be removed as no longer applicable. Only the maximum height will apply, rather than the bummer of stories.

   HR Analysis: Staff has evaluated the request and has determined that the revision will accommodate the originally planned number of units for the combined PA 20 while reducing impact to views.

   As discussed above under the Land Use Plan analysis in this section, the proposed plan increases the density for combined PA 20 from VH to HR to allow greater density within this PA near mixed use and transit amenities. This revision is necessary to allow the same number of dwelling units (205) originally planned for PA 20 under Option A of the approved Village Specific Plan. To minimize potential height impacts associated with the revision to HR land use, the maximum height for HR will be reduced from 270 feet down to 100 feet, and reference to towers will be eliminated from the HR land use description. This represents an improvement to view impact, while retaining higher density in an appropriate location of the specific plan.

   The height analysis within the FEIR/SEIR Addendum indicates a reduction in impact to view from the South Bank neighborhood to the south, as the towers with potential height of 270 feet will be eliminated from the original PA 20 location, and the maximum height will be revised to 100 feet. The maximum height under the VH land use is 60 feet, which would not be sufficient to accommodate the target 205 dwelling

units, required residential open space, associated residential parking, and transit center parking on the 2.5 acre PA 20. In comparison, the Wagon Wheel Junction on PA 18 was approved with a building height of 68'8", with tower elements up to 74'3". According to the view analysis, properties in the South Bank neighborhood fronting the El Rio drain are separated from PA 20 by the El Rio drain, the railroad and Spur Drive, or approximately 230 feet. Based on line of sight, a 100 foot structure on PA 20 would not be visible from these properties above the existing sound walls on the south side of El Rio drain.

6. Rooftop Amenities. The Village Specific Plan Section 4.4.4 will be revised to remove the requirement for rooftop recreation facilities on the roof of the parking structure. Reference to the rooftop recreation and amenities will also be removed from Section 4.2.5.

   Rooftop Amenities Analysis: Staff has evaluated the request and has determined that removing the requirement is in keeping with the spirit and intent of the Specific Plan. Removing the requirement would not impact the provision of recreation area for HR development, as Section 7.2.3.5(D) of The Village Specific Plan requires 6,000 sf of recreation space per HR PA. The requirement also hinders the Applicant's ability to provide additional parking on the top of the parking garage. As an example, PA 16 was approved for development under the HR development standards and included at-grade recreation courtyards totaling 6,963 sf and access to a shared 21,750 sf. recreation Area with a spa and Junior Olympic length pool. In keeping with the spirit and intent of The Village Specific Plan, a Minor Modification was approved for PA 16 to waive the rooftop recreation requirement in favor of the provided recreation, and to accommodate additional parking on the top of the parking garage.

7. Garage Requirement. The SPA will remove the requirement for an attached 2-car garage for residential units in the High Density Residential (H) specific plan land use designation (Sections 4.2.1, 6.9.3 & Table 2.1) and a subterranean garage in VH and HR specific plan designations (Sections 4.2.3, 4.2.5 & 6.9.3).

   Garage Requirement: Staff has evaluated the request and has determined that the removal of the requirements for these two parking types is consistent with the multi-family development in the project.

   The attached two-car enclosed garage was envisioned for townhouse style development in the H specific plan land use designation, whereas the H development standards allow for courtyard oriented building clusters and other multifamily residential designs, which can also be served with a common garage. Section 4.4.1 will still require two enclosed garage parking spaces for each dwelling within an H PA, but the parking spaces can be enclosed within a common garage.

Section 4.2.3 requires the provision of resident parking in two level subterranean parking garages, and Section 6.9.3 requires parking for VH to be provided by a subterranean or on-grade parking garage. Section 4.2.5 similarly requires partially underground and above ground parking structures for HR development. Subterranean parking can be expensive in comparison to structure parking, and may not be feasible on all sites. The subterranean requirements will be replaced with a parking structure (for VH), and an option to provide partially underground 'and/or' above ground parking structures (for HR). Parking will still be required for these developments, though subterranean parking will not be mandated.

8. Park Amenities. Section 5.4 will be revised to remove the community center and pool amenities from conceptual park designs. Illustrative pictures of a pool and community center will be removed from pages 5-12 and 5-14, and references to pool and community center will be removed from Sections 5.4.1, 5.4.2.1, 5.4.2.2, and Figures 5.8 & 5.9. Amenities including court play areas, dog park and exercise areas will be added to the Neighborhood Park description in Section 5.4.2.2 and Figures 5.8 & 5.9 will be updated to include conceptual graphics for Parks on Lots A, B & C.

   Park Amenities Analysis: Staff has evaluated the request and has determined that park amenity replacements are in keeping with the intent of The Village Specific Plan Parks and Open Space to "provide a variety of recreational opportunities primarily for residents of The Village…The Specific Plan's parks and recreation areas vary in size and function, and thus provide a range of amenities, including formal recreation centers, active children's play areas, pool terraces, active and passive turf areas, passive gathering places, and pedestrian and bicycle pathways." The Applicant is proposing to replace reference to pool and a community center within the remaining undeveloped park on Lot A with court play areas, dog park and exercise areas, which are in keeping with the above listed amenities.

   The conceptual park design for the approximately 2 acre Village Green illustrates the improvements that have been installed on PA 14 and 15. The Village Green was completed with two play structures, a volleyball court, picnic table, shade structures, meandering pathways and passive seating areas. To the north of PA 15, the Town Square mixed-use development was approved with 21,750 sf. recreation Area with a spa and Junior Olympic length pool that will be shared by residents on both PA 16 & 17 (Town Square) and PA 18 (Wagon Wheel Junction).

   The conceptual park design for the approximately 2.4 acre Neighborhood Park on PA 1 is shown on Figure 5.9 of the proposed SPA (Attachment D). The park will include court play areas, exercise areas, a dog park, and turf areas. The MUP will link to the park from the east, providing off-street connectivity from the neighborhoods on the north side of the specific plan that front the MUP.

9. Add an Administrative process. An administrative process will be added to The Village Specific Plan to Section 8.7.2. for Minor Modifications to the Specific Plan.

   Administrative Process Analysis: Staff has evaluated the request and has determined that an administrative process would be beneficial for streamlining correction of internal conflicts within the project and allow minor changes to development standards. Several California Cities (San Jose, Banning, Aliso Viejo, etc.) offer a similar process to allow administrative amendments to the Specific Plan to address changing construction conditions, clarification on a regulation that does not change the intent of the plan or regulation, correction of clerical or grammatical error, minor adjustments to PA boundaries, and other minor revisions. The administrative process would require review and approval by the Planning Manager or Community Development Director rather than requiring Planning Commission or City Council approval for minor revisions to the Specific Plan. Allowable changes would be within 15% of the cumulative numerical development standards or similar modifications in keeping with the spirit and intent of The Village Specific Plan FEIR and SEIR. Since the process would require the modification to be consistent with the FEIR and SEIR, the added process would not conflict with the findings or mitigations contained within the FEIR or SEIR.

i) DAA: The Applicant has requested modifications to DA No. A-7122 and the First DAA, which are collectively referred to as the Second DAA. The Developer is requesting a fee lock and waiver of new impact fee increases in the form of fee credits to offset the Developer's costs associated with construction of drainage, park, MUP and bridge improvements. The Developer is also requesting modifications that would allow flexibility in construction timing, and flexibility to install more energy efficient utilities. Under City Council Resolution 15,364, the current development impact fees are locked until July 19, 2021 for projects that received entitlement prior to July 19, 2020. The following is a discussion of the requested DAA modifications.

The Second DAA will have a net public benefit of assuring either bonding or full construction of Developer funded public improvements such as floodwalls, Ventura Road offramp, public parks, MUP, pedestrian bridge over Oxnard Boulevard, and the MUP extension beneath Highway 101 prior to buildout of the specific plan. The amendments are consistent with the FEIR Statement of Overriding Consideration. The Addendum to the FEIR and SEIR (Attachment C) is discussed in Section 5 of the staff report

1. Lock in Capital Growth Impact Fee rate (DA Section 5):

   A request to lock in the growth impact fees (aka "Growth Fees") to the rate in effect May 1, 2020. The Growth Fee funds facilities such as police and fire stations, city hall and community centers.

   - *Original DA Provision:* The original DA required the Developer to contribute the purchase price of a fire ladder truck for high-rise buildings in-lieu of capital grown fees, prior to issuance of the 750th building permit. This requirement was

replaced in the First DAA in 2015, instead requiring the Developer to pay the capital growth impact fee per dwelling in effect at the time that building permits are pulled. A cap of no more than $2,850,000 was set for this fee. The First DAA also required the Developer to pay a lump-sum payment of $300,000 to the City for design and construction of upgrades to the fire station. These provisions were required to satisfy the FEIR Mitigation PS-1(a) to provide funding for an additional ladder truck and upgrades to the existing fire station to accommodate the incrementally increased demands on Oxnard Fire Department.

- *Proposed DA Provision:* The amendment to Section 5 would lock in the existing growth fee of $1.16 per square foot for the remaining 774 units that have not been issued building permits yet.
- *Impact to the City:* Under the City's fee increase approved on May 19, 2020, this fee would increase the fee to $3,955 per dwelling unit. However, according to the Building Official, the Developer will reach the $2,850,000 cap before full buildout under the existing fee. Therefore the existing fee would cover the $2.85 million required under Mitigation PA-1(a), and the financial impact to the City would be zero.

2. Lock the City's Traffic Impact Fee rate [DA Section 7(d)(i)]:

A request to lock in the 2015 traffic impact fee (aka "Traffic Circulation Fee") for an additional 7 years until July 1, 2022, and ultimately until July 1, 2028 if the Developer completes the project floodwall and Ventura Road offramp by July 1, 2024. The City's traffic circulation fee provides funding for roadway improvements to maintain acceptable level of service for new development. This amendment would apply to the City's Traffic Circulation Fee and would not affect the County of Ventura Traffic Mitigation Fee. The Applicant initially received a $4 million traffic fee credit for demolition of the existing industrial buildings on the site, and the credit has been applied to the building permits issued to date. The Applicant's credits are almost exhausted. Therefore, although no traffic fees have been collected to date, the Applicant will be responsible for payment of fees on most of the remaining 774 units that have not been issued building permits yet.

- *Original DA Provision:* DA Section 7(d) originally only required the Developer to pay impact fees at the rate in effect at the time that permits are pulled. This provision was amended in the First DAA in 2015 to lock in the City's traffic impact fees for 5 years (until July 2021) to no more than 10% above the rate at the time of the first market rate residential building permit (2015). The fees had not changed until the recent City Council decision in May 2020.
- *Proposed DA Provision:* This amendment to Section 7(d) would lock the existing traffic circulation fee to $4,745 per multi-family apartment dwelling unit, $6,278 per 1-2 bedroom condominium, and $8,030 per 3-bedroom condominium for the remaining 774 units that have not been issued building permits yet; approximately $4.2 to $4.8 million. The lock is tied to the Developer's bonding and completion of the Ventura Road Offramp and Santa Clara River flood walls prior to July 2024.

- *Impact to the City:* Under the City's fee increase approved on May 19, 2020, this fee would increase to $7,574 per apartment dwelling unit, and $9,769 per 3-bedroom condominium. Based on an estimated 774 remaining dwelling units, the total cost of this amendment (difference between the prior fee and the new fee) is approximately $2.2 million in waived revenue.

3. Offset the new Mobility Fee [DA Section 7(d)(ii)]:

A request to waive the new Mobility fee until July 2021, and provide credit toward the Mobility fee for costs associated with construction of the MUP trail, Highway 101 underpass, and the pedestrian bridge over Oxnard Blvd. that haven't been used to offset other required fees. The Mobility fee was recommended in the City's 2011 Bicycle & Pedestrian Facilities Master Plan and is intended to support the City effort to improve the bicycle and pedestrian network.

- *Original DA Provision:* The Mobility fee is a new fee and therefore was not discussed in the DA.
- *Proposed DA Provision:* This amendment to Section 7 would waive or offset the new Mobility fee of $2,245 per multi-family dwelling unit for the remaining 774 units that have not been issued building permits yet. The Mobility fee waiver/credit would be tied to the Developer's completion (or bonding) of the MUP, underpass and Pedestrian Bridge improvements prior to the 1300th dwelling unit or by July 2024, whichever occurs sooner.
- *Impact to the City:* Under the City's fee increase approved on May 19, 2020, this new fee would have cost the Developer $2,245 per dwelling. Based on an estimated 774 remaining dwelling units, the total cost of this amendment is approximately $1,737,630 in waived revenue.

4. Waive the existing and increase in Park Development Fee [DA Section 7(d)(iii)]:

A request to waive current and future Park Development fees until July 2021, and provide credit toward the Parks fee for costs associated with construction of the MUP trail, Highway 101 underpass, and Parks A, B & C that have not otherwise been used to offset other required fees. The Parks Development fee funds park development costs and is not the same as the City's Quimby fee.

- *Original DA Provision:* DA Section 7(d) originally only required the Developer to pay impact fees at the rate in effect at the time that permits are pulled. Section 7(d) was amended in the First DAA in 2015 to lock in traffic impact fees, and did not discuss the Park Development Fee.
- *Proposed DA Provision:* This amendment to Section 7(d) would waive the existing Park Development fee of $250 per multi-family dwelling unit for the remaining 774 units that have not been issued building permits yet; approximately $193,500. It also waives and grants credits toward the approved increase in fee to $4,624 per multi-family dwelling unit. The Park fee waiver/credit would be tied to the Developer's completion (or bonding) of the MUP, MUP trail, U.S. Highway 101 underpass, and Parks A, B, & C improvements prior to the 1300th dwelling unit or by July 2024, whichever occurs sooner.

- *Impact to the City:* Under the City's fee increase approved on May 19, 2020, this fee would increase from $250 per dwelling to $4,624 per dwelling unit. The Applicant is requesting the current and future fee be waived/ credited. Based on an estimated 774 remaining dwelling units, the total cost of this amendment is approximately $3,578,976 in waived revenue. (Note: the Applicant also receives $3,842,545 in Quimby fee credit for appx. $5.2M for construction and land value of Parks A, B, & C.)

5. Waive Storm Drain Fee [DA Section 7(d)(iv)]:

   A request to waive all current and future City drainage fees ("Storm Drain Fees") relating to the project. The storm drainage fee provides funding for infrastructure required to mitigate the impacts of new development. Note, since the Applicant was responsible for paying for storm drain improvements, this fee was already waived from the start of the project. The amendment recognizes this existing waiver.

   - *Original DA Provision:* DA Section 7(d) originally only required the Developer to pay impact fees at the rate in effect at the time that permits are pulled. The First DAA did not address drainage fees.
   - *Proposed DA Provision:* This amendment to Section 7(d) would recognize the Applicant's existing waiver for Storm Drain fee. Since the Applicant is not responsible for paying the Storm Drain fee, this cost to the Applicant would continue to be zero.
   - *Impact to the City:* Since the City does not collect this fee from the Applicant, the financial impact to the City would be zero.

6. Grant Credit for Air Quality Fee (DA Section 15.2)

   A request to Re-Title Paragraph 15.2 as 'Off-Site Trail Improvements' and grant full credit towards Air Quality and Mobility fees for construction of the pedestrian bridge.

   - *Original DA Provision:* Section 15.2 is currently titled "Santa Clara River Trail." DA Section 15.2 originally required the Developer to pay up to $120,000 towards design costs for the Santa Clara River trail, and all costs associated with construction of the Santa Clara River Trail Improvements as specified by the Santa Clara River Master Plan. Section 15.2 was amended in the First DAA for the Developer to pay costs not to exceed the available Air Quality Fee credit for the Santa Clara River Trail or the MUP beneath Highway 101. The Air Quality fee credit was one half of the value of the land and costs incurred by the Developer for engineering and construction of the Santa Clara River Trail or MUP.
   - *Proposed DA Provision:* This amendment would add the off-site MUP pedestrian bridge over Oxnard Blvd. as an eligible trail improvement under this provision, and allow full credit for the value of the land and costs incurred by the Developer for engineering and construction of the pedestrian bridge. Existing Tract Condition 155 allows the Developer half Air Quality credit for improvements associated with the pedestrian bridge; the Applicant would like this increased to full credit. Therefore this increase in financial provision has been incorporated

into DA Section 15.2. The Applicant would receive full credit towards the Air Quality fee (aka "TDM fee" $592 per multi-family dwelling unit) and Mobility fees ($2,245 per multi-family dwelling unit) for the construction cost of the pedestrian bridge. The credit would be tied to the Developer's completion (or bonding) of the Pedestrian Bridge improvements prior to December 31, 2021.

- *Impact to the City:* The estimated cost of the pedestrian bridge improvement is $940,000. The amendment would allow the Applicant to credit the full cost of the bridge towards the Air Quality fee and Mobility fee. Therefore the total cost of this amendment is approximately $940,000 in waived revenue.

7. Ventura Road Pump System (DA Section 16.1)

   A request to authorize the Community Development Director to allow construction timing flexibility on construction of the Ventura Road Pump System. The intent of the added provision is to match the language in Tentative Tract 5745 Condition of Approval 120 (City Council Resolution 14,857) which allows the Development Services Director to provide additional time for construction of the Pump System improvements if the Director determines that the Developer has made progress and is diligently pursuing construction.

   - *Original DA Provision:* The Developer is required to install the Ventura Road pump system prior to occupancy of the 750th Dwelling unit to alleviate drainage flood control deficiency at Ventura Road near Highway 101.
   - *Proposed DA Provision:* Section 16.1 would retain the same requirement, but would allow the Community Development Director the authority to allow additional time if the Director determines that the Developer is making progress, up to 1,300 units. The Developer will be required to bond for the pump system improvements for additional time beyond 1,300 units.
   - *Impact to the City:* The provision authorizes the Community Development Director to grant timing flexibility under specific circumstances, and therefore does not impact the City.

8. Update Solar Energy requirement to allow current energy efficient technology (DA Section 16.5)

   A request to update the requirement for solar energy in for-sale dwelling units (Condominium units on Lots 1-10) to accommodate tankless water heaters and other energy efficient water heating systems, which exceed the energy efficiency of solar water heaters.

   - *Original DA Provision:* Section 16.5 Solar Energy requires the provision of solar hot water heater stub-outs and pre-wiring for solar panels in all for-sale dwelling units. The Developer is also required to offer buyers the option of installation of the solar panels.
   - *Proposed DA Provision:* Section 16.5 would retain the same requirement, but would allow the Developer to install tankless water heaters and other current, more highly efficient water heater technology. Since solar panel pre-wiring would be provided on all the for-sale dwelling units, the Developer would have the

flexibility to provide buyers with an option to install solar panels, or the buyers could arrange for a 3rd party to install the panels. In keeping with the FEIR Mitigation AQ-2(b), the Developer will continue to meet higher energy efficiency requirements 20% beyond Title 24 at FEIR adoption.

- *Impact to the City:* The provision allows the Developer to install a more energy efficient water heater than originally required under DA Section 16.5, and does not impact the City financially.

9. Storm Water and Flood Protection (Section 1 of First DAA)

   A request to authorize the Community Development Director to allow construction timing flexibility on construction of the Storm Water and Flood Protection improvements. The intent of the added provision is to match the language in Tentative Tract 5745 Condition of Approval 120 (City Council Resolution 14,857) which allows the Development Services Director to provide additional time for construction of the flood control improvements if the Director determines that the Developer has made progress and is diligently pursuing construction.

   - *Original DA Provision:* Since the planned Flood Protection was not part of the original project and DA in 2009, the requirement for the Developer to Participate in Storm Water and Flood Protection was added as Section 1 to the First DAA in 2015. Therefore the amendment would be applied to Section 1 to the First DAA. Under Section 1, the Developer is required to design and install flood protection improvements, including floodwalls, flood improvements & facilities, and storm water quality devices, prior to occupancy of the 544th Dwelling unit.
   - *Proposed DA Provision:* Section 1 of DAA No. 1 would retain the same requirement, but would allow the Community Development Director the authority to allow additional time if the Director determines that the Developer is making significant progress, up to 1,300 units. However, in keeping with the SEIR, the Developer will not be permitted occupancy for any structure that is not adequately protected from flooding.
   - *Impact to the City:* The provision authorizes the Community Development Director to grant timing flexibility under specific circumstances, and therefore does not impact the City financially.

7) Development Advisory Committee: The Development Advisory Committee (DAC) reviewed the proposed Revision to TTM No. 5745 and updates to existing tract conditions for TTM No. 5745 on August 7, 2019, and December 11, 2019. Since no development is proposed as part of the SPA or DAA, only the TTM Revision was reviewed by DAC pursuant to OCC 15-38. Conditions of approval have been imposed on the TTM. Revisions recommended by DAC have been incorporated into the map and updated conditions of approval.

8) Community Workshop: A Community Workshop on the SPA and Revision to TTM No. 5745 was held on August 19, 2019. Public notice signs were posted at the entrances to the property from Oxnard Blvd. and Ventura Road. Notifications were mailed to the South Bank

Neighborhood and Supervisor Zaragoza on behalf of El Rio Municipal Advisory Council (MAC), and the existing and occupied Cabrillo Oxnard Family Apartments and Wagon Wheel Junction Apartments were notified through postings of the Community Workshop notices in their community meeting rooms. Approximately 680 notices were mailed. Three members of the community attended this meeting, including one from the Neighborhood Council. There were no comments on the SPA or TTM Revision, but interest regarding the project density, flood improvements, and outdoor music. On April 30, 2020 the final language for the DAA was submitted and added to the project. Due to the amount of time since the August 2019 Community Workshop and the addition of the DAA, a second Community Workshop was held on June 15, 2020. The June 2020 Community Workshop was similarly noticed and was held online due to the COVID-19 meeting restrictions. One member of the public attended and expressed interest in the timing for the flood control improvements. The video from the online workshop was also posted on the City's website for members of the public to view separately. No follow-up concerns from the public were expressed.

9) **Appeal Procedure:** The requested actions for the Specific Plan Amendment, Revision to the Tentative Tract Map and Development Agreement Amendment are recommendations to the City Council, the decision-making body for a subdivision in accordance with Oxnard City Code Sections 16-575 (Change of Boundaries and Uses) and 15-40 (Subdivisions). As the Planning Commission does not take formal action, but recommends an action to the City Council, an Appeal procedure is not necessary. All aspects of this Project shall not become effective unless and until the City Council approves the Development Agreement and Tentative Subdivision Map. This matter will be considered by the City Council at their meeting on November 17, 2020.

Attachments:

A. Maps (Vicinity, General Plan, and Zoning Maps)
B. Revised TTM No. 5745
C. Addendum to FEIR & SEIR
D. Pages to be amended through this SPA
E. Resolution Recommending Approval for Revision to TTM No. 5745
   Exhibit A. Legislative Draft of Revised Conditions
F. Second DAA text
G. General Plan Consistency Chart
H. Resolution Recommending Approval for SPA No. 2 and Addendum
I. Resolution Recommending Approval for Second DAA

ATTACHMENT A

Vicinity, General Plan Maps, Specific Plan, Zoning

Vicinity Map



CITY OF OXNARD CALIFORNIA
Oxnard Planning
June 29, 2020

PZ 19-630-01, 19-300-01, 20-670-02
Location: Wagon Wheel
Wagon Wheel SPA/TTM/DAA

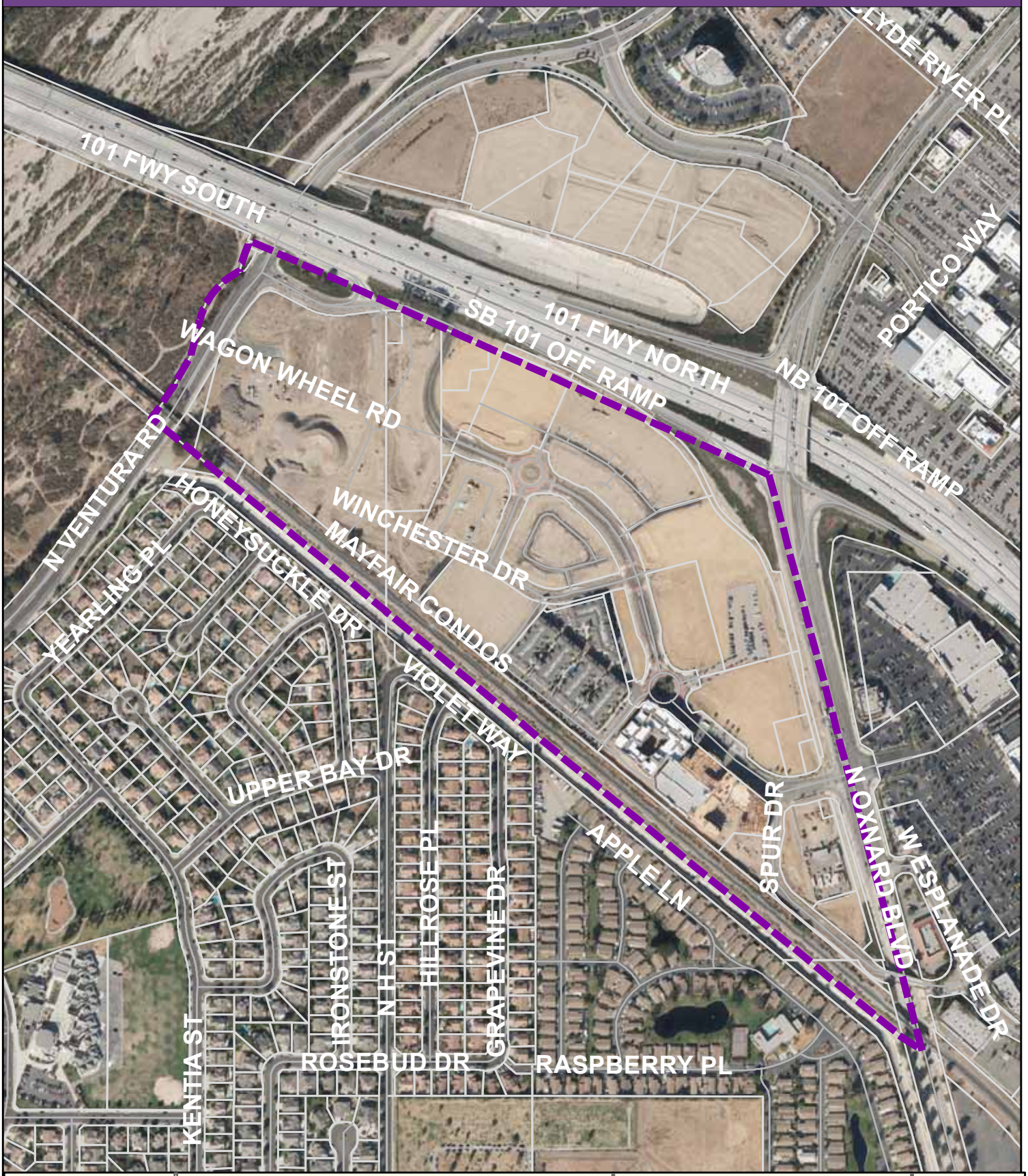
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

Aerial Map



OXNARD
CALIFORNIA

Oxnard Planning

October 23, 2019

PZ 19-630-01, 19-300-01, 20-670-02

Location: Wagon Wheel
Wagon Wheel SPA/TTM/DAA

Feet
0 155 310 620 930 1,240

Aerial Map

N
W E
S

2030 General Plan Land Use Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

June 29, 2020

PZ 19-630-01, 19-300-01, 20-670-02
Location: Wagon Wheel
Wagon Wheel SPA/TTM/DAA

Feet
0 150 300 600

2030 General Plan Land Use Map

N W E S

1:6,000

Zoning/Specific Plan Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

June 29, 2020

PZ 19-630-01, 19-300-01, 20-670-02
Location: Wagon Wheel
Wagon Wheel SPA/TTM/DAA

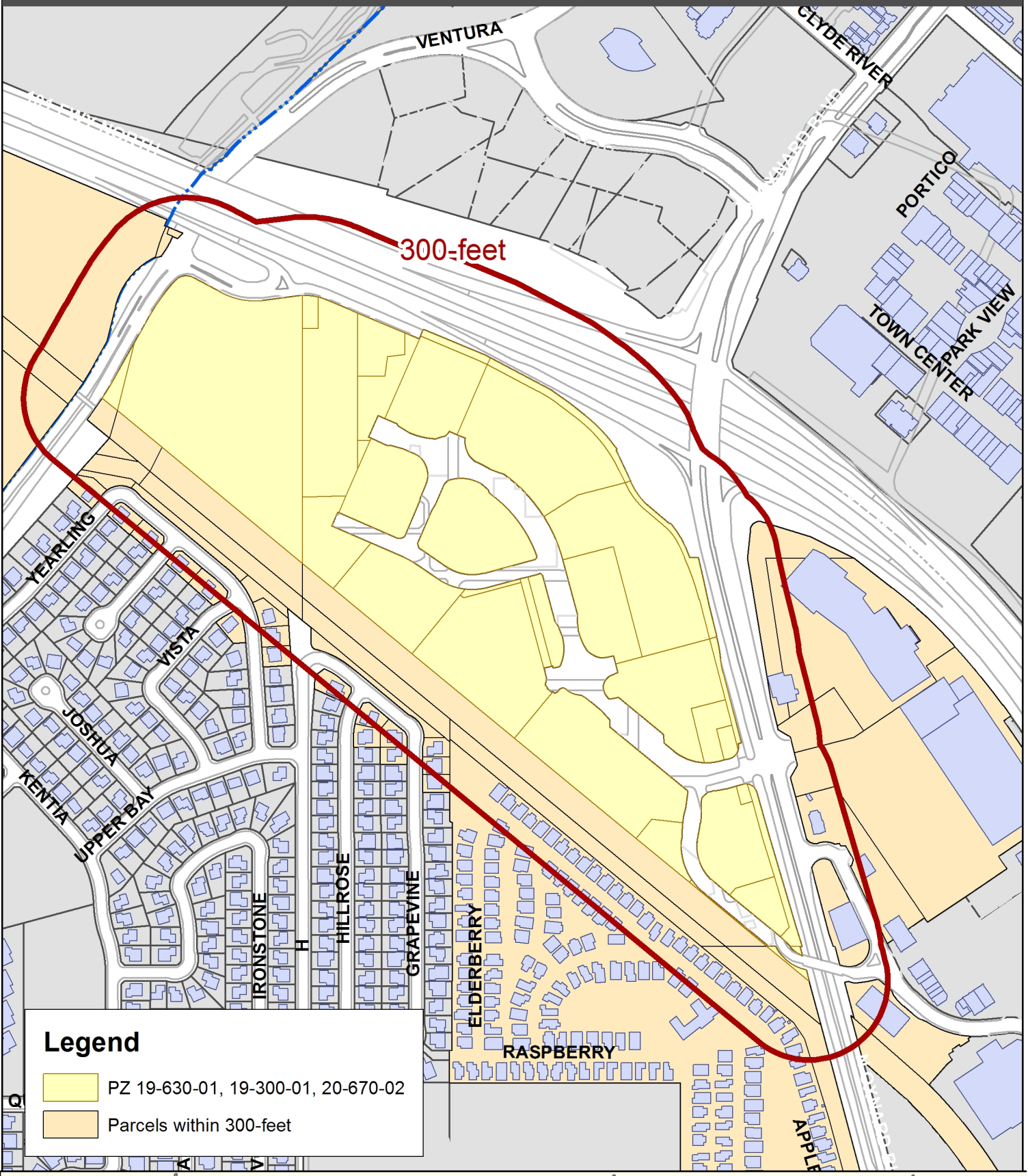
Feet
0 75150 300 450 600

Zoning/Specific Plan Map

N W E S

1:5,000

Radius Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

June 29, 2020

PZ 19-630-01, 19-300-01, 20-670-02
Location: Wagon Wheel
Wagon Wheel SPA/TTM/DAA

0 125 250 500 750 1,000 Feet

Radius Map

N W E S

ATTACHMENT B

Revised TTM No. 5745

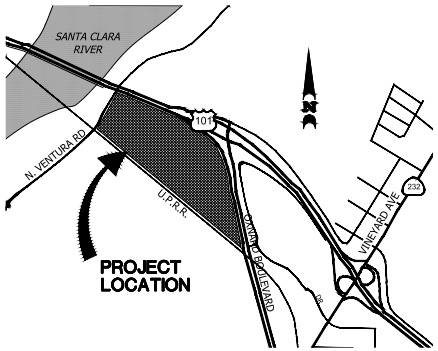
⚠ REVISED TENTATIVE TRACT NO. 5745

OXNARD VILLAGE

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

17 NUMBERED LOTS AND 16 LETTERED LOTS

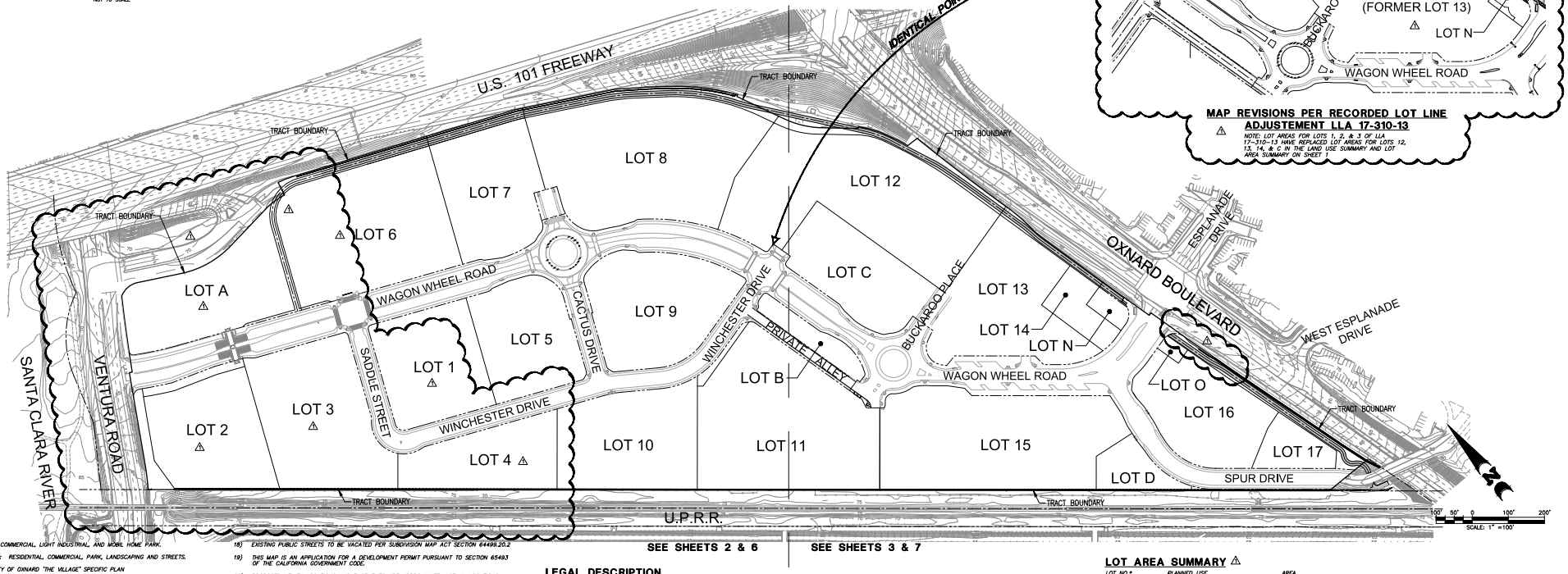
MARCH 2, 2020



VICINITY MAP
NOT TO SCALE

SHEET INDEX

SHEET	DESCRIPTION
1	TITLE SHEET
2	TENTATIVE TRACT MAP
3	TENTATIVE TRACT MAP
4	STREET SECTIONS
5	TENTATIVE MAP DETAILS
6	TENTATIVE MAP & EXISTING EASEMENTS/LOTS
7	TENTATIVE MAP & EXISTING EASEMENTS/LOTS



MAP REVISIONS PER RECORDED LOT LINE ADJUSTEMENT LLA 17-310-13

⚠ NOTE: LOT AREAS FOR LOTS 1, 2, & 3 OF LLA 17-310-13 HAVE REPLACED LOT AREAS FOR LOTS 12, 13, 14, & C IN THE LAND USE SUMMARY AND LOT AREA SUMMARY ON SHEET 1

SEE SHEETS 2 & 6

SEE SHEETS 3 & 7

NOTES

1) EXISTING LAND USE: COMMERCIAL, LIGHT INDUSTRIAL, AND MOBIL HOME PARK.
2) PROPOSED LAND USE: RESIDENTIAL, COMMERCIAL, PARK, LANDSCAPING AND STREETS.
3) EXISTING ZONING: CITY OF OXNARD "THE VILLAGE" SPECIFIC PLAN
4) ADJACENT LAND: NORTH: VENTURA FREEWAY; SOUTH: EXISTING RAILROAD AND EXISTING RESIDENTIAL; EAST: EXISTING SANTA CLARA RIVER; WEST: EXISTING ESPLANADE COMMERCIAL CENTER
5) SANITARY SEWER SERVICES PROVIDED BY THE CITY OF OXNARD. SANITARY SEWER SYSTEMS WILL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF OXNARD STANDARDS. SANITARY SEWER SYSTEMS SHOWN HEREON ARE TO BE PRIVATELY OWNED AND MAINTAINED.
6) DOMESTIC WATER SERVICES PROVIDED BY THE CITY OF OXNARD. DOMESTIC WATER SYSTEMS WILL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF OXNARD STANDARDS. DOMESTIC WATER SYSTEMS SHOWN HEREON ARE TO BE PUBLICLY OWNED AND MAINTAINED BY THE CITY OF OXNARD.
7) RECYCLED WATER SERVICES PROVIDED BY THE CITY OF OXNARD. RECYCLED WATER SYSTEMS WILL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF OXNARD STANDARDS. RECYCLED WATER SYSTEMS SHOWN HEREON ARE TO BE PUBLICLY OWNED AND MAINTAINED BY THE CITY OF OXNARD.
8) ALL PROPOSED UTILITIES ARE TO BE UNDERGROUND:
   GAS: THE GAS COMPANY
   ELECTRIC: SOUTHERN CALIFORNIA EDISON CO.
   TELEPHONE: GENERAL TELEPHONE
   CABLE TELEVISION: JONES INTERCABLE INC.
9) DRAINAGE SYSTEM WILL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF OXNARD STANDARDS. DRAINAGE SYSTEM SHOWN WITHIN PRIVATE STREETS ARE TO BE PRIVATELY OWNED AND MAINTAINED UNLESS SYSTEM CARRIES PUBLIC STORM DRAINAGE. STORM DRAIN SYSTEM ALONG THE UPRR EDGE IS INTENDED TO BE A PUBLIC STORM DRAIN SYSTEM OWNED AND MAINTAINED BY THE CITY OF OXNARD.
10) PROJECT SITE IS WITHIN THE RIO SCHOOL DISTRICT
11) STREET IMPROVEMENTS SHOWN HEREON SHALL MEET THE REQUIREMENTS OF THE CITY OF OXNARD STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION.
12) ALL SLOPES TO BE CONSTRUCTED AT A MAXIMUM SLOPE RATIO OF 2(H): 1(V) UNLESS OTHERWISE NOTED.
13) GRADING FOR THIS TENTATIVE TRACT MAP MAY BE ACCOMPLISHED IN MULTIPLE PHASES PURSUANT TO THE CITY OF OXNARD GRADING CODE.
14) STORM WATER FLOWS TRIBUTARY TO THE SITE SHALL BE INTERCEPTED AND CONVEYED AROUND, AND THROUGH THE SITE VIA THE PROPOSED STORM DRAIN AND WATER QUALITY SYSTEMS SHOWN HEREON.
15) ALL PROPOSED STORM DRAIN AND WATER QUALITY SYSTEMS SHOWN HEREON ARE PRELIMINARY. STORM DRAIN AND WATER QUALITY PLANS SHALL BE PREPARED PRIOR TO RECORDATION OF THE FINAL MAP(S).
16) ACCESS TO SITE IS PROPOSED VIA: VENTURA ROAD, OXNARD BOULEVARD, AND US 101 OFF-RAMP.
17) MULTIPLE FINAL MAPS MAY BE RECORDED FROM THIS TENTATIVE TRACT MAP PER SECTIONS 66452 AND 66453 OF THE STATE OF CALIFORNIA GOVERNMENT CODE (SUBDIVISION MAP ACT), AS AMENDED JANUARY, 2013.
18) EXISTING PUBLIC STREETS TO BE VACATED PER SUBDIVISION MAP ACT SECTION 64499.20.2
19) THIS MAP IS AN APPLICATION FOR A DEVELOPMENT PERMIT PURSUANT TO SECTION 65493 OF THE CALIFORNIA GOVERNMENT CODE.
20) PROPOSED UTILITY LOCATIONS AND EASEMENTS ARE APPROXIMATE. ACTUAL LOCATIONS AND EASEMENT WIDTHS SHALL BE REFLECTED ON THE FINAL MAP(S).
21) PRECISE LOCATION OF EASEMENTS, INCLUDING BUT NOT LIMITED TO PUBLIC UTILITIES, FIRE ACCESS PRIVATE UTILITY, AND INGRESS/EGRESS. SHALL BE SHOWN ON THE FINAL MAP(S).
22) ALL DIMENSIONS, LOTS AND ACREAGES SHOWN WITH AN ASTERISK (*) HEREIN ARE SUBJECT TO CHANGE BASED ON FINAL NEGOTIATIONS WITH THE STATE OF CALIFORNIA (CALTRANS) REGARDING THE DISPOSITION OF THE EXISTING AND FUTURE OFF-RAMP.
23) RECIPROCAL ACCESS EASEMENTS MAY BE REQUIRED BETWEEN ADJOINING PROPERTIES.
24) ALL PRIVATE ROADS SHOWN HEREIN WILL BE ACCOMPANIED BY AN ACCESS EASEMENT TO ALLOW GENERAL PUBLIC VEHICULAR AND PEDESTRIAN ACCESS.
25) SUBJECT TO CITY/CALTRANS APPROVAL FOR FINAL RAMP DESIGN. ⚠

LEGAL DESCRIPTION

BEING A PORTION OF SUBDIVISIONS 9 AND 10 OF RANCHO EL RIO DE SANTA CLARA O' LA COLONIA, ACCORDING TO THE PARTITION MAPS FILED IN THE OFFICE OF THE COUNTY CLERK OF VENTURA COUNTY, CALIFORNIA IN AN ACTION ENTITLED "THOMAS A. SCOTT, ET AL, PLTF'S VS. RAFAEL GONZALES, DEFT's."

EARTHWORK SUMMARY

	CUT	FILL
RAW CUT	35,199 CY	
RAW FILL		214,078 CY
TOTAL	IMPORT 178,880 CY	

ASSESSORS PARCEL NUMBERS

139-150-110	139-610-085
139-150-135	139-610-105
139-022-010	139-610-115
139-022-030	139-610-125
139-022-280	139-610-135
139-022-290	139-610-145
139-022-305	139-610-155
139-022-315	139-610-165
139-610-015	139-610-175
139-610-025	139-610-185
139-610-035	139-610-195
139-610-045	139-610-205
139-610-055	139-610-215
139-610-065	139-610-225
139-610-075	139-610-235
139-610-085	139-610-245

BENCH MARK

COUNTY OF VENTURA BENCH MARK DESIGNATED "A 570". NAVD 88 DATUM= 24.012M DISK STAMPED "A 570 1939" AT 3.6 MILES NORTH ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT OXNARD, AT CONCRETE BRIDGE 402.35 OVER U.S. HIGHWAY 101 AL BERNATE, IN THE TOP OF THE SOUTHWEST END OF THE NORTHWEST ABUTMENT, 7.0 FEET SOUTHWEST OF THE SOUTHWEST RAIL, AND ABOUT 1 FOOT LOWER THEN THE TOP RAIL.

LAND USE SUMMARY ⚠

LAND USE	ACRES	TOTAL ACRES
RESIDENTIAL LAND USES (LOTS 1-11, 16-17, & LOT 1 OF LLA 17-310-13)		35.31 ACRES ±
MIXED USE LAND USES (LOT 3 OF LLA 17-310-13, 15, & D)		9.10 ACRES ±
PARKS AND OPEN SPACE LAND USES		6.59 ACRES ±
– PARKS (LOTS A, B, & LOT 2 OF LLA 17-310-13)	4.37 AC±	
– OPEN SPACE (LOTS H, J THROUGH R)	2.22 AC±	
FLOOD PROTECTION IMPROVEMENT USES (LOTS E & F)		*0.37 ACRES ±
CIRCULATION LAND USES		10.72 ACRES ±
– PUBLIC STREETS	10.48 AC±	
– PRIVATE STREETS	0.24 AC±	
TOTAL		62.09 ACRES±

NOTE: ⚠ DIMENSIONS AND AREAS MARKED WITH AN ASTERISK "*" ARE SUBJECT TO CHANGE PENDING FINAL DESIGN AND APPROVAL OF FLOOD CONTROL SYSTEMS.

LOT AREA SUMMARY ⚠

LOT NO.*	PLANNED USE	AREA
LOT 1	RESIDENTIAL (FOR CONDO PURPOSES)	2.00 ACRES ±
LOT 2	RESIDENTIAL (FOR CONDO PURPOSES)	2.12 ACRES ±
LOT 3	RESIDENTIAL (FOR CONDO PURPOSES)	2.91 ACRES ±
LOT 4	RESIDENTIAL	1.63 ACRES ±
LOT 5	RESIDENTIAL	1.96 ACRES ±
LOT 6	RESIDENTIAL (FOR CONDO PURPOSES)	3.57 ACRES ±
LOT 7	RESIDENTIAL	2.15 ACRES ±
LOT 8	RESIDENTIAL	2.15 ACRES ±
LOT 9	RESIDENTIAL	2.48 ACRES ±
LOT 10	RESIDENTIAL	2.40 ACRES ±
LOT 11	RESIDENTIAL	2.05 ACRES ±
LOT 1 of LLA 17-310-13 (FORMER LOT 12)	RESIDENTIAL	3.29 ACRES ±
LOT 3 of LLA 17-310-13 (FORMER LOT 13)	MIXED USE	4.60 ACRES ±
LOT 15	MIXED USE	3.95 ACRES ±
LOT 16	RESIDENTIAL	1.93 ACRES ±
LOT 17	RESIDENTIAL	0.53 ACRES ±
LOT A	PARKS AND OPEN SPACE	3.39 ACRES ±
LOT B	PARKS AND OPEN SPACE	0.98 ACRES ±
LOT 1 of LLA 17-310-13 (FORMER LOT C)	PARKS AND OPEN SPACE	1.52 ACRES ±
LOT D	MIXED USE	0.55 ACRES ±
LOT E	FLOOD PROTECTION IMPROVEMENT	* 0.22 ACRES ±
LOT F	FLOOD PROTECTION IMPROVEMENT	* 0.15 ACRES ±
LOT H	PARKS AND OPEN SPACE	0.26 ACRES ±
LOT J	PARKS AND OPEN SPACE	0.18 ACRES ±
LOT K	PARKS AND OPEN SPACE	0.45 ACRES ±
LOT L	PARKS AND OPEN SPACE	0.40 ACRES ±
LOT M	PARKS AND OPEN SPACE	0.18 ACRES ±
LOT N	PARKS AND OPEN SPACE	0.16 ACRES ±
LOT O	PARKS AND OPEN SPACE	0.07 ACRES ±
LOT P	PARKS AND OPEN SPACE	0.40 ACRES ±
LOT Q	PARKS AND OPEN SPACE	0.04 ACRES ±
LOT R	PARKS AND OPEN SPACE	0.08 ACRES ±
STREETS (PUBLIC)	--	10.48 ACRES ±
STREETS (PRIVATE)	--	0.24 ACRES ±
TOTAL (DISTINCTIVE BORDER)		62.09 ACRES ±

SUBDIVIDER:

OXNARD CRFL PARTNERS, LLC
C/O LAKEWOOD COMMUNITIES
84 MAIN#1
IRVINE, CA 92618 ⚠
(949) 716-2000
CONTACT: CARL RENEZEDER

STATEMENTS OF OWNERSHIP:

WE, OXNARD CRFL PARTNERS, LLC , DO HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTIES COMPRISING THIS TENTATIVE TRACT MAP AND THAT WE HAVE CONSENTED TO THE SUBMISSION OF SAID MAP.

DATED THIS 20th DAY OF October 2015
BY: _____
PRINTED NAME: Carl H. Renezeder
TITLE: Managing Member

WE, CRFL FAMILY APARTMENTS, LP , DO HEREBY STATE THAT WE ARE THE OWNERS OF THE PROPERTIES COMPRISING THIS TENTATIVE TRACT MAP AND THAT WE HAVE CONSENTED TO THE SUBMISSION OF SAID MAP.

DATED THIS 20th DAY OF October 2015
BY: _____
PRINTED NAME: Carl H. Renezeder
TITLE: Managing Member

NO.	DATE	REVISIONS
⚠ 1	2/27/20	REVISED MUP, LOTS A, 1, 2, 3, 4, 6, 10. ADDED VIEWPORT TO SHOW RECORDED LLA LOTS 1, 2, & 3 FROM LLA 17-31-13. UPDATED APN'S, LAND USE SUMMARY, AND LOT AREA SUMMARY. ADDED NOTE 25. REMOVED OFF-RAMP, UPDATED MUP ALIGNMENT.

HUITT-ZOLLARS
Huitt-Zollars, Inc.
Three Corporate Park, Suite 200
Irvine, California 92614-8536
Phone (949) 988-5815 Fax (949) 988-5820
PREPARED UNDER THE SUPERVISION OF R.C.E. 64158 EXPIRES 08/30/20 DATE 03/02/20

DESIGNED BY HZ
DRAWN BY HZ
CHECKED BY AJL/MJH

REVISED TENTATIVE TRACT NO. 5745
OXNARD VILLAGE
MARCH, 2020 ⚠

OXNARD Development Services Department
APPROVED BY: _____ DATE

SHEET 1 OF 7 SHEETS
TITLE SHEET
JOB NO. R1901014.01

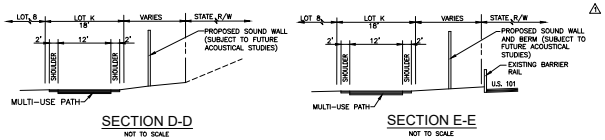
REVISED TENTATIVE TRACT NO. 5745

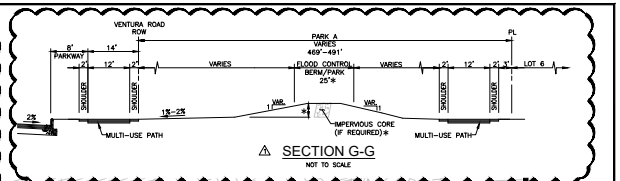
OXNARD VILLAGE

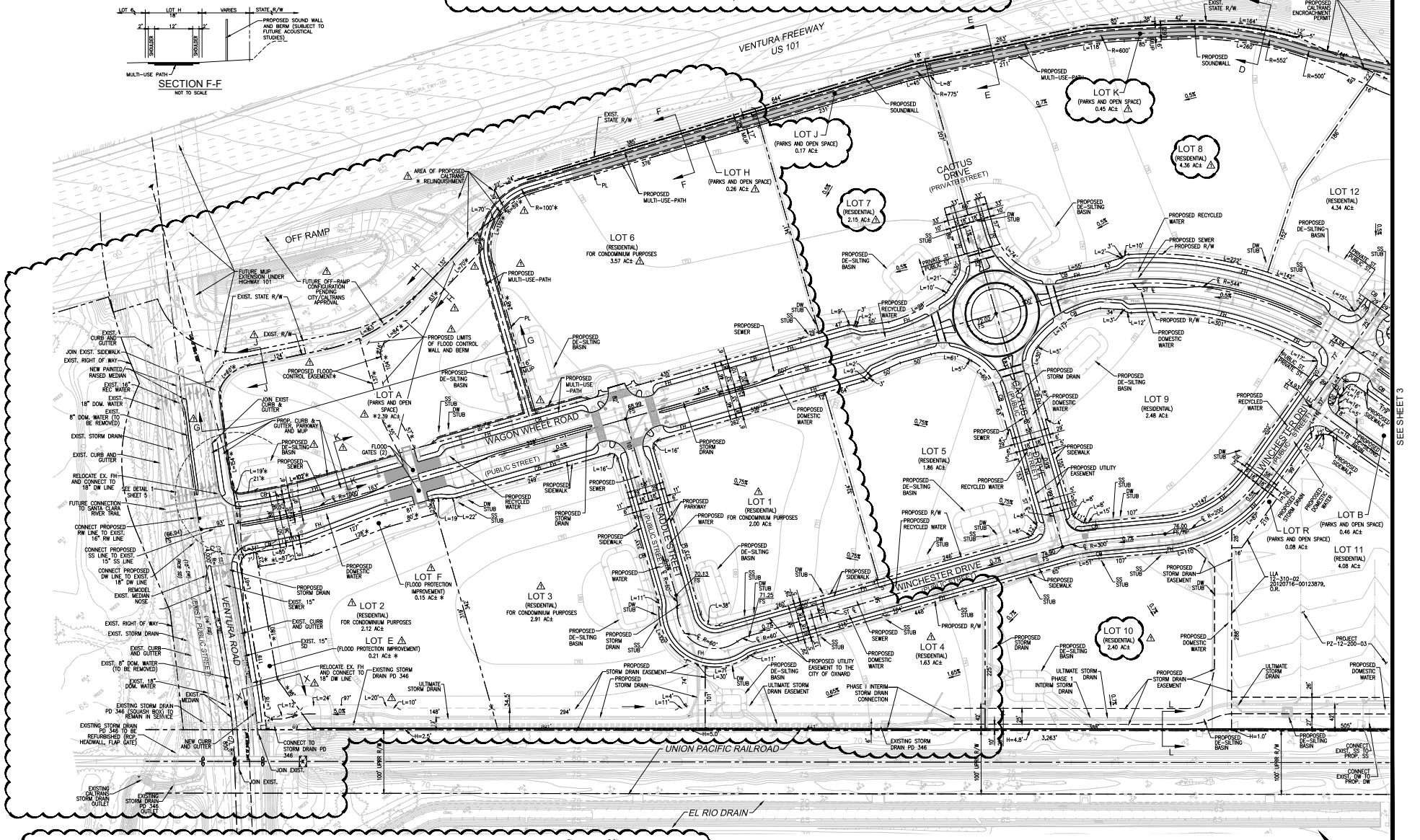
IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

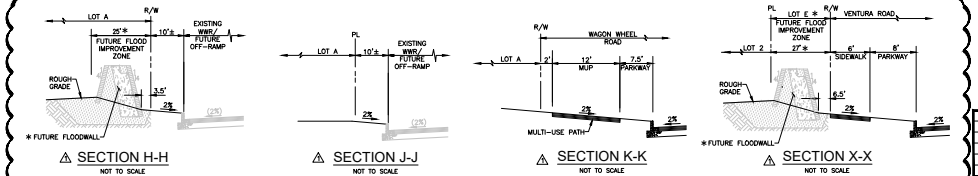
17 NUMBERED LOTS AND 16 LETTERED LOTS

MARCH 2, 2020









NOTE:
⚠ DIMENSIONS AND AREAS MARKED WITH AN ASTERISK '*' ARE SUBJECT TO CHANGE PENDING FINAL DESIGN AND APPROVAL OF FLOOD CONTROL SYSTEMS.

NO.	DATE	REVISIONS
⚠	2/27/20	REVISED MUP & LOTS A, 1, 2, 3, 4, 6, 10. ADDED FLOODWALL PARCELS.
		REMOVED OFF RAMP. REVISED SECTIONS G-G, H-H, J-J, K-K, & X-X

REGISTERED PROFESSIONAL ENGINEER — No. 69155 — Expires 09-30-20 — CIVIL — STATE OF CALIFORNIA

HUITT-ZOLLARS
Huitt-Zollars, Inc.
60 East Thousand Oaks Boulevard, Suite 200
Thousand Oaks, California 91360
Phone (805) 418-3600 Fax (805) 418-3610
PREPARED UNDER THE SUPERVISION OF — R.C.E. — EXPIRES — DATE
C49158 — 09/30/20 — 03/02/20

DESIGNED BY: HZ
DRAWN BY: HZ
CHECKED BY: AJL/MJH

REVISED ⚠ TENTATIVE TRACT NO. 5745
OXNARD VILLAGE
MARCH, 2020 ⚠

SCALE: 1" = 50'

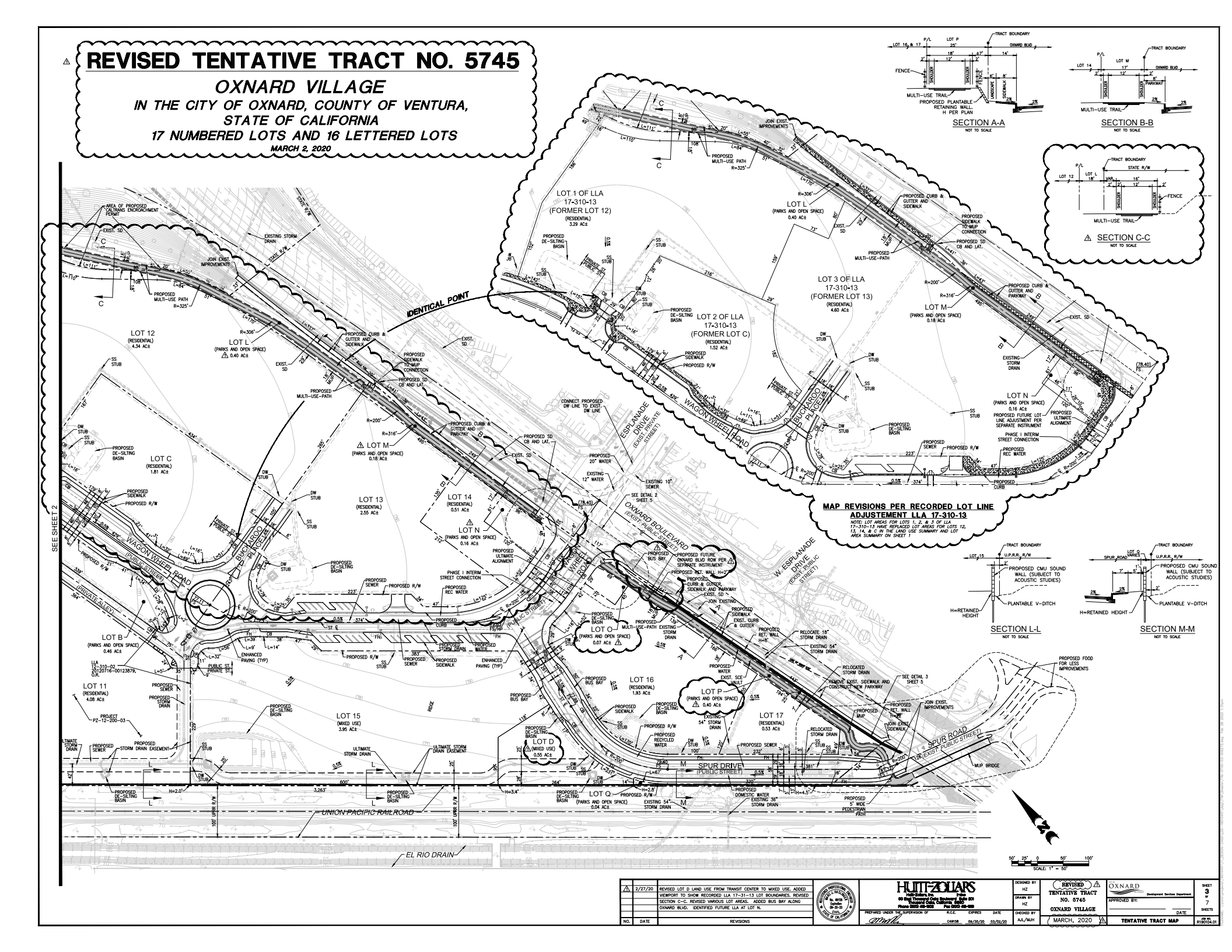
OXNARD — Development Services Department
APPROVED BY: _____ DATE _____
TENTATIVE TRACT MAP

SHEET 2 OF 7 SHEETS
JOB NO. R1901014.01

REVISED TENTATIVE TRACT NO. 5745

OXNARD VILLAGE

IN THE CITY OF OXNARD, COUNTY OF VENTURA,
STATE OF CALIFORNIA
17 NUMBERED LOTS AND 16 LETTERED LOTS
MARCH 2, 2020



NO.	DATE	REVISIONS
1	2/27/20	REVISED LOT D LAND USE FROM TRANSIT CENTER TO MIXED USE. ADDED VIEWPORT TO SHOW RECORDED LLA 17-31-13 LOT BOUNDARIES. REVISED SECTION C-C. REVISED VARIOUS LOT AREAS. ADDED BUS BAY ALONG OXNARD BLVD. IDENTIFIED FUTURE LLA AT LOT N.

HUITT-ZOLLARS
Huitt-Zollars, Inc.
60 East Thousand Oaks Boulevard, Suite 200
Thousand Oaks, California 91360
Phone (805) 418-5900 Fax (805) 418-5910

PREPARED UNDER THE SUPERVISION OF | R.C.E. | EXPIRES | DATE
C49158 | 09/30/20 | 03/02/20

DESIGNED BY: HZ
DRAWN BY: HZ
CHECKED BY: AJL/MJH

REVISED TENTATIVE TRACT NO. 5745
OXNARD VILLAGE
MARCH, 2020

OXNARD Development Services Department
APPROVED BY: _____ DATE _____

SHEET 3 OF 7 SHEETS
TENTATIVE TRACT MAP
JOB NO. R190104.01

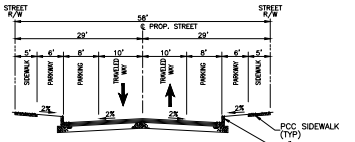
⚠ REVISED TENTATIVE TRACT NO. 5745

OXNARD VILLAGE

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

17 NUMBERED LOTS AND 16 LETTERED LOTS

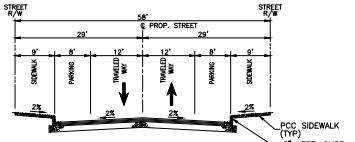
MARCH 2, 2020



NEIGHBORHOOD STREET

(SPUR DRIVE, BUCKAROO PLACE, WINCHESTER DRIVE CACTUS DRIVE, AND SADDLE STREET)

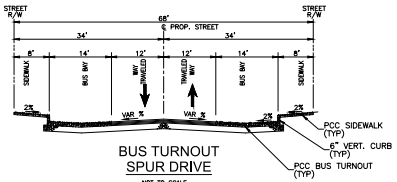
NOT TO SCALE
PUBLIC & PRIVATE STREET
T.I.=9.0



MODIFIED
NEIGHBORHOOD STREET

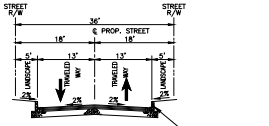
(SPUR DRIVE – AT BUS TURNOUTS)

NOT TO SCALE
PUBLIC STREET
T.I.=9.0



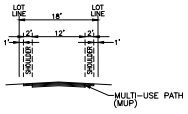
BUS TURNOUT
SPUR DRIVE

NOT TO SCALE
PUBLIC STREET
T.I.=8.0



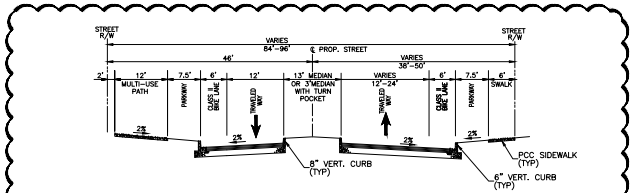
PRIVATE ALLEY

NOT TO SCALE
PRIVATE STREET
T.I.=7.0



MULTI-USE PATH

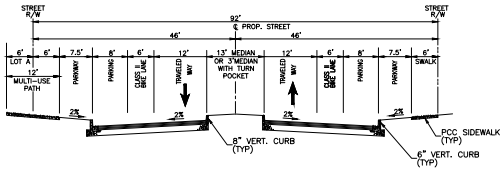
NOT TO SCALE



⚠ WAGON WHEEL ROAD

VENTURA ROAD TO FLOODGATE

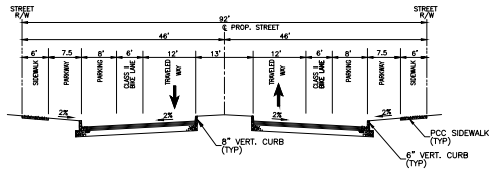
NOT TO SCALE
PUBLIC STREET
T.I.=10.5



⚠ WAGON WHEEL ROAD

FLOODGATE TO SADDLE STREET

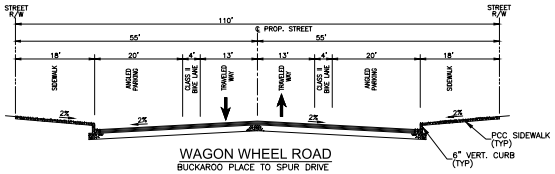
NOT TO SCALE
PUBLIC STREET
T.I.=10.5



WAGON WHEEL ROAD

SADDLE STREET TO BUCKAROO PLACE

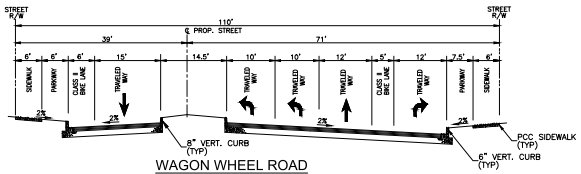
NOT TO SCALE
PUBLIC STREET
T.I.=10.5



WAGON WHEEL ROAD

BUCKAROO PLACE TO SPUR DRIVE

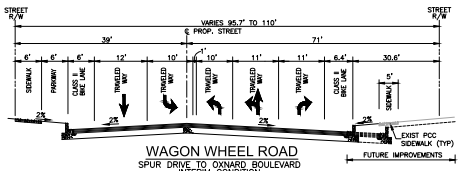
NOT TO SCALE
PUBLIC STREET
T.I.=10.5



WAGON WHEEL ROAD

SPUR DRIVE TO OXNARD BOULEVARD
ULTIMATE CONDITION

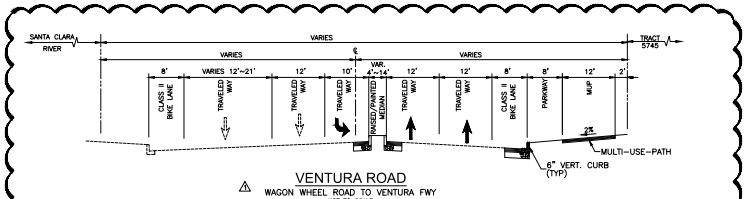
NOT TO SCALE
PUBLIC STREET



WAGON WHEEL ROAD

SPUR DRIVE TO OXNARD BOULEVARD
INTERIM CONDITION

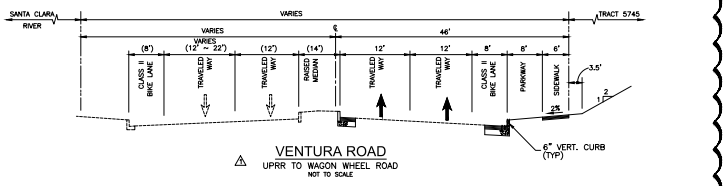
NOT TO SCALE
PUBLIC STREET
T.I.=10.5



⚠ VENTURA ROAD

WAGON WHEEL ROAD TO VENTURA FWY

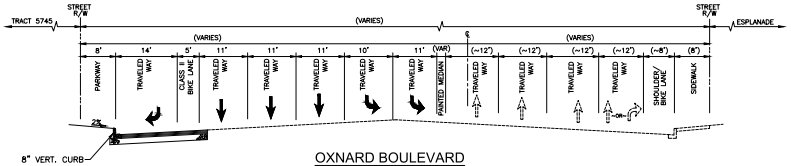
NOT TO SCALE



⚠ VENTURA ROAD

UPRR TO WAGON WHEEL ROAD

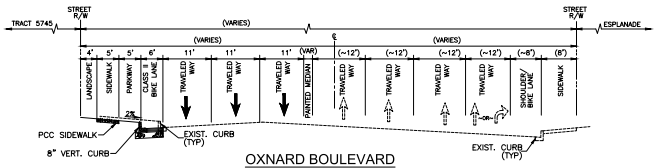
NOT TO SCALE



OXNARD BOULEVARD

US 101 TO WAGON WHEEL ROAD

NOT TO SCALE



OXNARD BOULEVARD

WAGON WHEEL ROAD TO UPRR

NOT TO SCALE

LEGEND

INDICATES NEW STRIPING ON NEW OR EXISTING STREET.

INDICATES EXISTING STRIPING ON NEW OR EXISTING STREET.

NO.	DATE	REVISIONS
⚠	2/27/20	REVISED TYPICAL SECTIONS

REGISTERED PROFESSIONAL ENGINEER — No. 49158 — Exp. 09-30-20 — CIVIL — STATE OF CALIFORNIA

HUITT-ZOLLARS
Huitt-Zollars, Inc.
60 East Timour Cole Boulevard, Suite 200
Timour Cole, California 93063
Phone (805) 418-3600 Fax (805) 418-3609

PREPARED UNDER THE SUPERVISION OF — R.C.E. — EXPIRES — DATE
49158 — 09/30/20 — 03/02/20

DESIGNED BY HZ
DRAWN BY HZ
CHECKED BY AJL/MJH

⚠ REVISED TENTATIVE TRACT NO. 5745
OXNARD VILLAGE
MARCH, 2020 ⚠

OXNARD — Development Services Department
APPROVED BY: _____ DATE _____

SHEET 4 OF 7 SHEETS

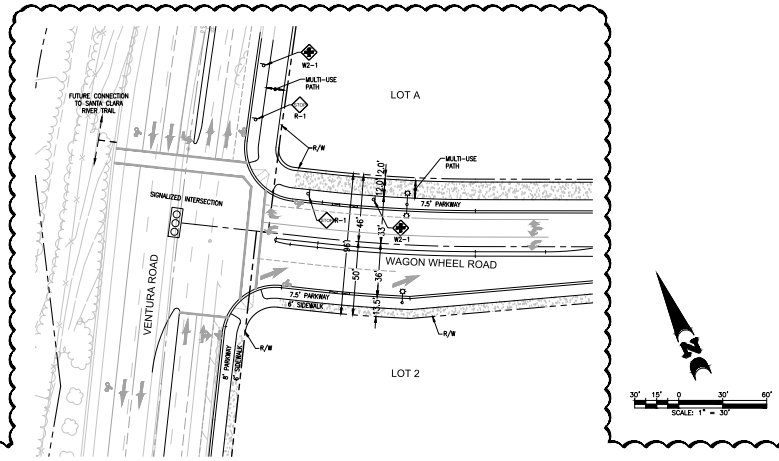
STREET SECTIONS

JOB NO. R1901104.01

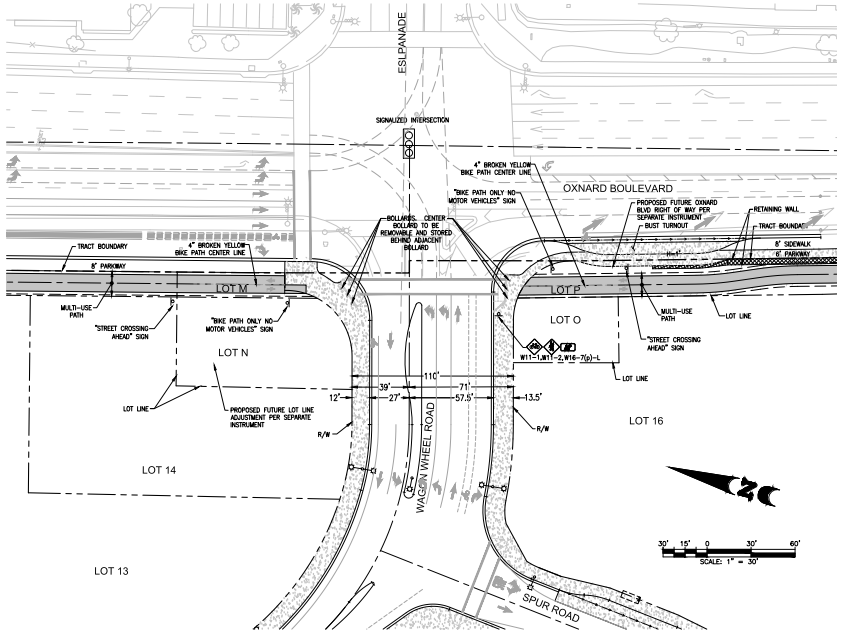
⚠ REVISED TENTATIVE TRACT NO. 5745

OXNARD VILLAGE

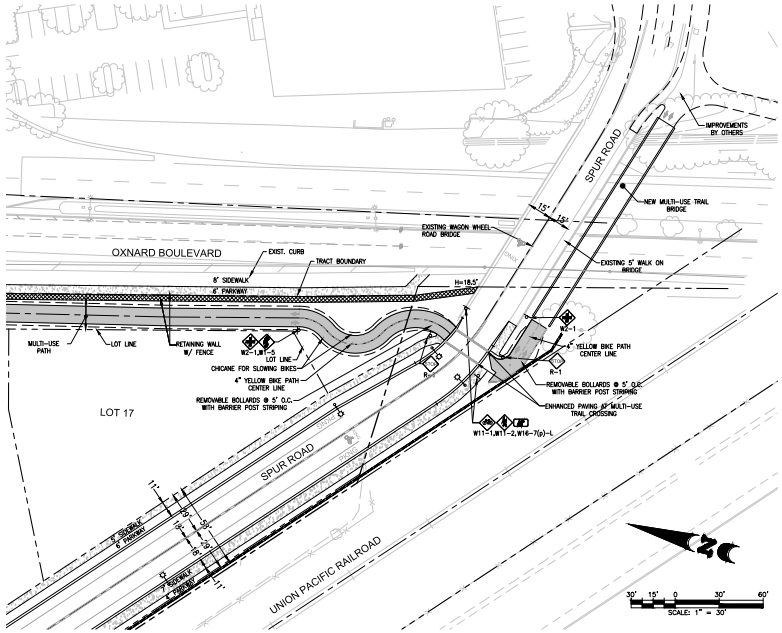
IN THE CITY OF OXNARD, COUNTY OF VENTURA,
STATE OF CALIFORNIA
17 NUMBERED LOTS AND 16 LETTERED LOTS
MARCH 2, 2020



WAGON WHEEL ROAD AND VENTURA ROAD
DETAIL 1 ⚠



WAGON WHEEL ROAD AND OXNARD BOULEVARD
DETAIL 2 ⚠



SPUR ROAD AND OXNARD BLVD
DETAIL 3 ⚠

NO.	DATE	REVISIONS
⚠ 1	2/27/20	RENUMBERED AND REVISED DETAILS TO APPLICABLE AREAS

HUITT-ZOLLARS
Huitt-Zollars, Inc.
60 East Timour Cole Boulevard, Suite 201
Timour Cole Center, Mall
Phone (805) 482-3502 Fax (805) 482-3510

PREPARED UNDER THE SUPERVISION OF — R.C.E. C49158 — EXPIRES 09/30/20 — DATE 03/02/20

DESIGNED BY HZ
DRAWN BY HZ
CHECKED BY AJL/MJH

REVISED ⚠ TENTATIVE TRACT NO. 5745
OXNARD VILLAGE
MARCH, 2020 ⚠

OXNARD — Development Services Department
APPROVED BY: _____ DATE _____

TENTATIVE MAP DETAILS

SHEET 5 OF 7 SHEETS
JOB NO. R1901014.01

REVISED TENTATIVE TRACT NO. 5745

OXNARD VILLAGE

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

17 NUMBERED LOTS AND 16 LETTERED LOTS

MARCH 2, 2020

EASEMENT INFORMATION

ITEM NUMBERS SHOWN HEREON CORRESPOND TO FIDELITY NATIONAL TITLE COMPANY AMENDED PRELIMINARY TITLE REPORT NO. 996-2300627-B-RH1, DATED MARCH 30, 2012.

NO RESPONSIBILITY FOR COMPLETENESS, ACCURACY OR CONTENT OF SAID REPORT IS ASSUMED BY THIS MAP.

26 AN EASEMENT FOR DRAINAGE STRUCTURES AND SLOPE PURPOSES IN FAVOR OF THE STATE OF CALIFORNIA RECORDED MARCH 30, 1934, IN BOOK 393, PAGE 373, OFFICIAL RECORDS (NOT LOCATABLE FROM RECORD).

27 AN EASEMENT FOR DRAINAGE PURPOSES IN FAVOR OF THE STATE OF CALIFORNIA RECORDED NOVEMBER 16, 1948, IN BOOK 847, PAGE 110, OFFICIAL RECORDS (NOT LOCATABLE FROM RECORD).

28 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED APRIL 14, 1949, IN BOOK 868, PAGE 5, OFFICIAL RECORDS.

29 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED MAY 11, 1949, IN BOOK 871, PAGE 565, OFFICIAL RECORDS (NOT LOCATABLE FROM RECORD).

30 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED JANUARY 18, 1952, IN BOOK 1044, PAGE 306, OFFICIAL RECORDS (NOT LOCATABLE FROM RECORD).

31 AN EASEMENT FOR ROAD PURPOSES IN FAVOR OF HELMS BAKERIES RECORDED MAY 5, 1953, IN BOOK 1130, PAGE 44, OFFICIAL RECORDS.

32 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED JUNE 23, 1953, IN BOOK 1141, PAGE 74, OFFICIAL RECORDS.

33 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA RECORDED JULY 1, 1953, IN BOOK 1142, PAGE 292, OFFICIAL RECORDS.

34 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED AUGUST 6, 1953, IN BOOK 1148, PAGE 413, OFFICIAL RECORDS.

35 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA RECORDED DECEMBER 17, 1953, IN BOOK 1174, PAGE 216, OFFICIAL RECORDS.

39 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA RECORDED APRIL 21, 1955, IN BOOK 1284, PAGE 32, OFFICIAL RECORDS.

40 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED JUNE 13, 1955, IN BOOK 1298, PAGE 427, OFFICIAL RECORDS.

41 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED JULY 1, 1955, IN BOOK 1303, PAGE 535, OFFICIAL RECORDS.

42 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED JULY 1, 1955, IN BOOK 1303, PAGE 546, OFFICIAL RECORDS.

43 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED FEBRUARY 14, 1956, IN BOOK 1376, PAGE 539, OFFICIAL RECORDS.

44 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED FEBRUARY 14, 1956, IN BOOK 1376, PAGE 540, OFFICIAL RECORDS (TITLE COMMITMENT HAS THE WRONG PAGE FOR THE DOCUMENT).

45 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED JUNE 28, 1956, IN BOOK 1419, PAGE 416, OFFICIAL RECORDS (NOT LOCATABLE FROM RECORD).

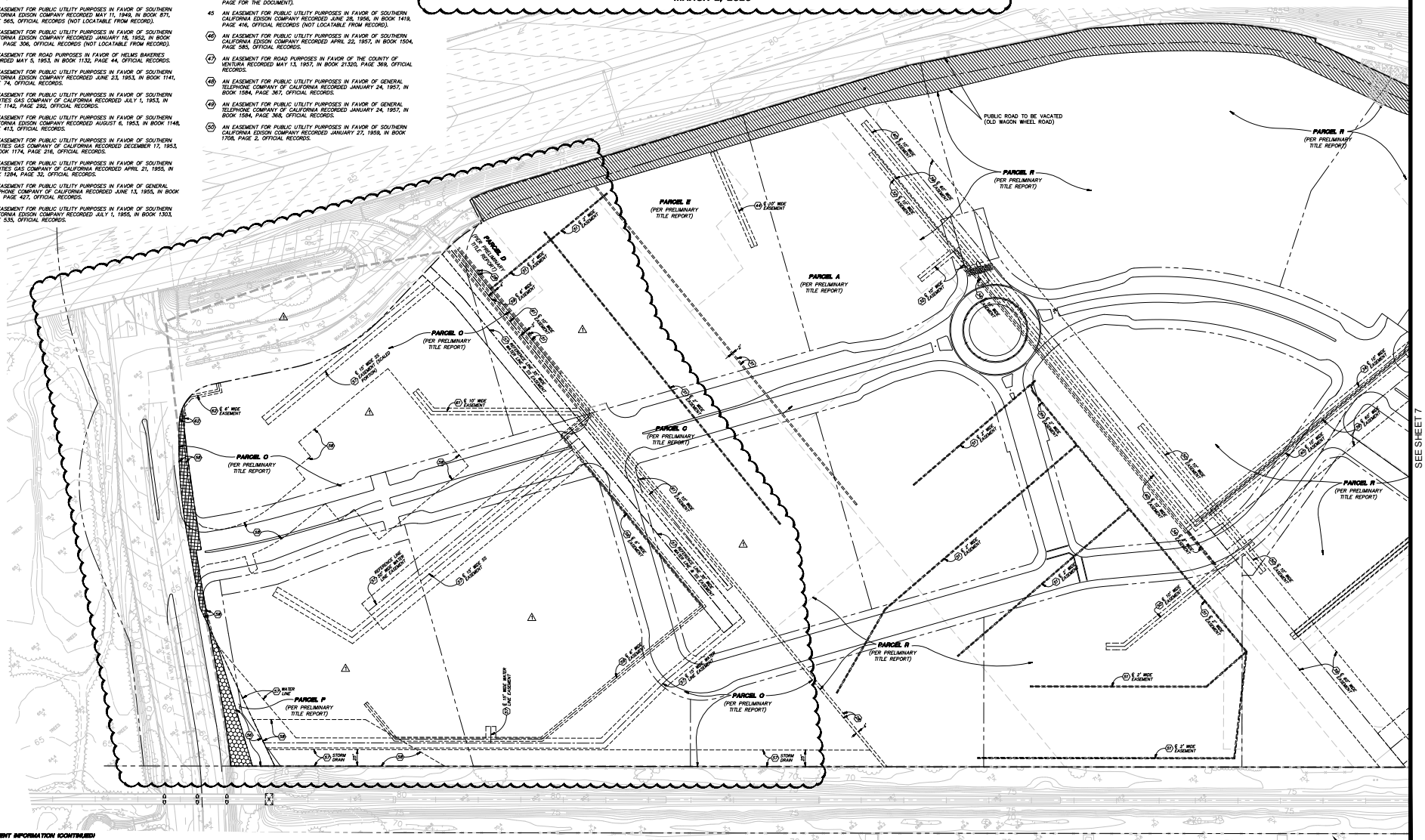
46 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED APRIL 22, 1957, IN BOOK 1504, PAGE 585, OFFICIAL RECORDS.

47 AN EASEMENT FOR ROAD PURPOSES IN FAVOR OF THE COUNTY OF VENTURA RECORDED MAY 13, 1957, IN BOOK 21320, PAGE 369, OFFICIAL RECORDS.

48 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED JANUARY 24, 1957, IN BOOK 1584, PAGE 367, OFFICIAL RECORDS.

49 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED JANUARY 24, 1957, IN BOOK 1584, PAGE 368, OFFICIAL RECORDS.

50 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED JANUARY 27, 1959, IN BOOK 1708, PAGE 2, OFFICIAL RECORDS.



EASEMENT INFORMATION (CONTINUED)

51 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED JULY 13, 1959, IN BOOK 1757, PAGE 32, OFFICIAL RECORDS.

52 AN EASEMENT FOR VEHICULAR, PEDESTRIAN AND EQUIPMENT INGRESS AND EGRESS PURPOSES AS RESERVED BY DOCUMENT RECORDED NOVEMBER 23, 1960, AS INST. NO. 46561, BOOK 1931, PAGE 411, OFFICIAL RECORDS.

53 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED DECEMBER 2, 1963, AS INST. NO. 76682, BOOK 2451, PAGE 334, OFFICIAL RECORDS (THE LEGAL DESCRIPTION FOR STRIP NO. 1 IS NOT LOCATABLE).

54 AN EASEMENT FOR STORM DRAIN PURPOSES IN FAVOR OF THE CITY OF OXNARD RECORDED MARCH 24, 1970, AS INST. NO. 14308, BOOK 3639, PAGE 265, OFFICIAL RECORDS.

55 AN EASEMENT FOR ROAD PURPOSES IN FAVOR OF VENTURA COUNTY RECORDED JUNE 6, 1974, AS INST. NO. 36992, BOOK 4271, PAGE 564, OFFICIAL RECORDS.

56 AN EASEMENT FOR FLOOD CONTROL PURPOSES IN FAVOR OF THE VENTURA COUNTY FLOOD CONTROL DISTRICT AS RESERVED IN DOCUMENT RECORDED JULY, 15, 1980, AS INST. NO. 063256, BOOK 5686, PAGE 893, OFFICIAL RECORDS.

57 EASEMENTS FOR STORM DRAIN, WATER LINE AND SANITARY SEWER PURPOSES IN FAVOR OF THE CITY OF OXNARD DEDICATED ON PARCEL MAP NO. 80-7, 31 PM 87-68 (A PORTION OF THE SANITARY SEWER EASEMENT AS SHOWN ON SAID PARCEL MAP DOES NOT HAVE THE NECESSARY INFORMATION TO PLOT CORRECTLY AND IS SHOWN AS SCALED FROM SAID PARCEL MAP.).

58 AN EASEMENT FOR FLOOD CONTROL PURPOSES IN FAVOR OF THE VENTURA COUNTY FLOOD CONTROL DISTRICT RECORDED AUGUST 11, 1980, AS INST. NO. 073969, BOOK 5707, PAGE 58, OFFICIAL RECORDS.

59 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON RECORDED AUGUST 15, 1980, AS INST. NO. 074363, BOOK 5708, PAGE 198, OFFICIAL RECORDS.

61 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED MARCH 25, 1982, AS INST. NO. 028735, OFFICIAL RECORDS.

62 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED APRIL 23, 1982, AS INST. NO. 038771, OFFICIAL RECORDS.

63 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED DECEMBER 30, 1983, AS INST. NO. 148561, OFFICIAL RECORDS.

64 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED DECEMBER 30, 1983, AS INST. NO. 148062, OFFICIAL RECORDS.

65 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA RECORDED FEBRUARY 28, 1984, AS INST. NO. 21323, OFFICIAL RECORDS.

66 AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY RECORDED DECEMBER 11, 1987, AS INST. NO. 87-197815, OFFICIAL RECORDS.

67 AN EASEMENT FOR PUBLIC SIDEWALK PURPOSES IN FAVOR OF THE CITY OF OXNARD RECORDED AUGUST 15, 1994, AS INST. NO. 94-134109, OFFICIAL RECORDS.

EXISTING EASEMENT NOTE

EXISTING EASEMENTS THAT FALL WITHIN PROPOSED ROAD RIGHTS-OF-WAY SHALL BE VACATED OR QUITCLAIMED PRIOR TO ACCEPTANCE OF SAID RIGHTS-OF-WAY BY THE CITY OF OXNARD.

LAND EXCHANGE NOTE

FOR LAND EXCHANGE INFORMATION SEE SHEET 7.

SCALE: 1" = 50'

NO.	DATE	REVISIONS
1	2/27/20	UPDATED BACKGROUNDS

HUITT-ZOLLARS
Huitt-Zollars, Inc.
Plano
60 East Rio Salado Parkway, Suite 800
Tempe, Arizona 85281
Phone (602) 490-0535 Fax (602) 490-0539

PREPARED UNDER THE SUPERVISION OF — R.C.E. 49158 — EXPIRES 09/30/20 — DATE 03/02/20

DESIGNED BY HZ | DRAWN BY HZ | CHECKED BY AJL/MJH

REVISED TENTATIVE TRACT NO. 5745
OXNARD VILLAGE
MARCH, 2020

OXNARD Development Services Department
APPROVED BY: _____ DATE _____

SHEET 6 OF 7 SHEETS

TENTATIVE MAP & EXISTING LOTS

JOB NO. R1901014.01

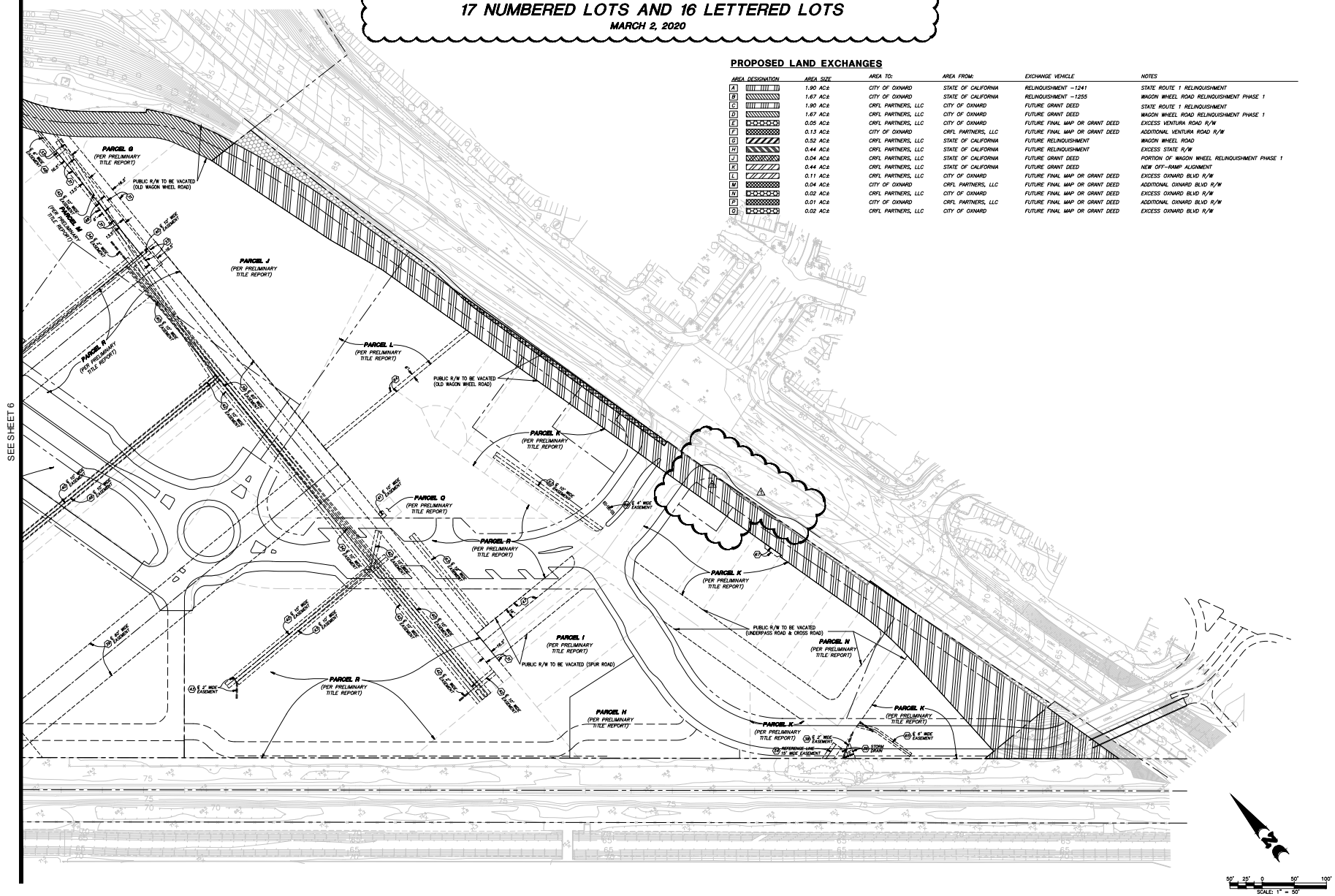
⚠ REVISED TENTATIVE TRACT NO. 5745

OXNARD VILLAGE

IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA

17 NUMBERED LOTS AND 16 LETTERED LOTS

MARCH 2, 2020



PROPOSED LAND EXCHANGES

AREA DESIGNATION	AREA SIZE	AREA TO:	AREA FROM:	EXCHANGE VEHICLE	NOTES
A	1.90 AC±	CITY OF OXNARD	STATE OF CALIFORNIA	RELINQUISHMENT -1241	STATE ROUTE 1 RELINQUISHMENT
B	1.67 AC±	CITY OF OXNARD	STATE OF CALIFORNIA	RELINQUISHMENT -1255	WAGON WHEEL ROAD RELINQUISHMENT PHASE 1
C	1.90 AC±	CRFL PARTNERS, LLC	CITY OF OXNARD	FUTURE GRANT DEED	STATE ROUTE 1 RELINQUISHMENT
D	1.67 AC±	CRFL PARTNERS, LLC	CITY OF OXNARD	FUTURE GRANT DEED	WAGON WHEEL ROAD RELINQUISHMENT PHASE 1
E	0.05 AC±	CRFL PARTNERS, LLC	CITY OF OXNARD	FUTURE FINAL MAP OR GRANT DEED	EXCESS VENTURA ROAD R/W
F	0.13 AC±	CITY OF OXNARD	CRFL PARTNERS, LLC	FUTURE FINAL MAP OR GRANT DEED	ADDITIONAL VENTURA ROAD R/W
G	0.52 AC±	CRFL PARTNERS, LLC	STATE OF CALIFORNIA	FUTURE RELINQUISHMENT	WAGON WHEEL ROAD
H	0.44 AC±	CRFL PARTNERS, LLC	STATE OF CALIFORNIA	FUTURE RELINQUISHMENT	EXCESS STATE R/W
J	0.04 AC±	CRFL PARTNERS, LLC	STATE OF CALIFORNIA	FUTURE GRANT DEED	PORTION OF WAGON WHEEL RELINQUISHMENT PHASE 1
K	0.44 AC±	CRFL PARTNERS, LLC	STATE OF CALIFORNIA	FUTURE GRANT DEED	NEW OFF-RAMP ALIGNMENT
L	0.11 AC±	CRFL PARTNERS, LLC	CITY OF OXNARD	FUTURE FINAL MAP OR GRANT DEED	EXCESS OXNARD BLVD R/W
M	0.04 AC±	CITY OF OXNARD	CRFL PARTNERS, LLC	FUTURE FINAL MAP OR GRANT DEED	ADDITIONAL OXNARD BLVD R/W
N	0.02 AC±	CRFL PARTNERS, LLC	CITY OF OXNARD	FUTURE FINAL MAP OR GRANT DEED	EXCESS OXNARD BLVD R/W
P	0.01 AC±	CITY OF OXNARD	CRFL PARTNERS, LLC	FUTURE FINAL MAP OR GRANT DEED	ADDITIONAL OXNARD BLVD R/W
Q	0.02 AC±	CRFL PARTNERS, LLC	CITY OF OXNARD	FUTURE FINAL MAP OR GRANT DEED	EXCESS OXNARD BLVD R/W

EXISTING EASEMENT NOTE

EXISTING EASEMENTS THAT FALL WITHIN PROPOSED ROAD RIGHTS-OF-WAY SHALL BE VACATED OR QUITCLAIMED PRIOR TO ACCEPTANCE OF SAID RIGHTS-OF-WAY BY THE CITY OF OXNARD

FOR EASEMENT INFORMATION (X) SEE SHEET 6.

NO.	DATE	REVISIONS
⚠ 1	2/27/20	UPDATED BACKGROUNDS

HUITT-ZOLLARS
Huitt-Zollars, Inc.
90 East Thousand Oaks Boulevard, Suite 206
Thousand Oaks, California 91360
Phone (805) 418-5600 Fax (805) 418-5610

PREPARED UNDER THE SUPERVISION OF C49158 EXPIRES 08/30/20 DATE 03/02/20

DESIGNED BY HZ
DRAWN BY HZ
CHECKED BY AJL/MJH

REVISED TENTATIVE TRACT NO. 5745
OXNARD VILLAGE
MARCH, 2020

OXNARD Development Services Department
APPROVED BY: _____ DATE _____

SHEET 7 OF 7 SHEETS

TENTATIVE MAP & EXISTING LOTS

JOB NO. R1901.04.01

ATTACHMENT C

Addendum to FEIR & SEIR

ADDENDUM No. 2
To Final Environmental Impact Report No. 2006-03, and
Supplemental Environmental Impact Report No. 2014-01
(SCH 2006101099)

The Village Specific Plan
Specific Plan Text and Map Amendment No. 2 to Village Specific Plan (PZ 19-630-01)
Revision to Tentative Subdivision Map for Tract No. 5745 (PZ 19-300-01)
Second Amendment to Development Agreement No. A-7122 (PZ 20-670-02)

Date: October 1, 2020

Prepared by the City of Oxnard
Planning Division
214 South C Street
Oxnard, California 93030

I. INTRODUCTION

This document is an Addendum to Final Environmental Impact Report (FEIR) No. 06-03 and Supplemental Environmental Impact Report (SEIR) No. 2014-01. The Addendum was prepared to summarize the site specific technical clarifications with respect to aesthetics, biology, flood zone, open space and traffic impacts associated with the proposed Specific Plan Amendment (SPA), Revisions to Tentative Tract Map No. 5745 (TTM), and Development Agreement Amendment (DAA). The EIR Addendum concluded that environmental impacts would remain less than significant upon compliance with the proposed Tract conditions of approval and Mitigation Measure in the FEIR and SEIR. No additional mitigation measures are required.

According to Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, an addendum to a previously adopted EIR is the appropriate environmental document in instances when no conditions exist that would trigger a subsequent EIR. There are three tests that determine if a subsequent EIR is required (Section 15162(a)). They are:

1. Substantial changes to the project lead to a substantial increase in the severity of previously identified environmental effects;
2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken;
3. New information of substantial importance that was not known or could not have been known at the time of the EIR adoption shows any of the following:
    a. The project will have effects not previously discussed,
    b. Significant effects previously examined will be substantially more severe than previously estimated,
    c. Mitigation measures previously found infeasible would now be feasible and would substantially reduce effects of the project, and/or

d. Different mitigation measures from those included in the EIR would substantially reduce effects.

The proposed project meets all of the three tests and therefore preparation of an Addendum is the appropriate environmental document. This Addendum does not require circulation but must be considered by the decision-maker along with the FEIR prior to making the decision regarding the proposed project.

II. PROJECT DESCRIPTION:

The proposed project involves a request for text and map amendments to The Village Specific Plan (VSP; a.k.a. 'Wagon Wheel') to change the land use designation for Planning Areas (PA) 1 and 14 to Parks & Open Space (P/OS) and PA 6 to High Density Residential (H); revise PA boundaries; remove the Live/Work (L/W) land use, update the Land Use Table, reduce the maximum height for the High Rise (HR) to 100 feet; revise park amenities; and add an administrative process for reviewing minor modifications to VSP. The Applicant is also proposing a revisions to TTM No. 5745, which will swap the park and residential land uses on specific lots; create new lot numbers to accommodate flood protection; delineate flood protection improvements on Lot A and Wagon Wheel Road; realign the multi-use path (MUP); revise the Ventura Road frontage; and realign the Highway 101 off-ramp. Several of the original tract conditions will also be updated to be consistent with the proposed Revised TTM and the current and proposed understanding of ownership and maintenance of the public improvements within the VSP area. The proposed DAA will amend impact fees, modify solar requirements and authorize the Community Development Director to permit flexibility in construction timing based on progress made during construction.

III. BACKGROUND:

In September 18, 2008, the City Council certified FEIR No. 06-03 for the VSP (State Clearinghouse No. 2006101099). The FEIR analyzed the potential impacts associated with the development of the 64-acre VSP project, which includes the development of up to 1,500 residential units, consisting of a combination of multi-family dwelling types. The project also included up to 50,300 square feet of commercial development, 6.3 acres of parks and open space, and related road, parking and transit parking. Multiple phases of project development were envisioned as part of the VSP.

In December 2012 Addendum No. 1 to FEIR No. 06-03 was prepared to address design standards applicable to PA 12 and 13 to achieve consistency with the specific plan's design standards. The Addendum reviewed geology and soils impacts, noise impacts and flood hazards specific to PA 12 and 13 and concluded that impacts would remain less than significant upon compliance with the mitigations within the FEIR and site specific conditions of approval.

On July 28, 2015 the City Council certified SEIR No. 2014-01 in association with TTM 5745 and due changes in the environmental conditions since 2008. The SEIR focused on documented flood risk; water supply; air quality impacts and on-site grading and construction; and traffic and

circulation impacts. Based upon the analysis contained in the SEIR for the TTM, all potential impacts were mitigated to a level of insignificance. The FEIR and SEIR contained mitigation measures for potential impacts and a Mitigation Monitoring and Reporting Program (MMRP) to track implementation of the mitigation measures. With imposition of mitigation measures from the 2008 certified Village Specific Plan FEIR and 2015 SEIR mitigation measures, impacts were determined to be fully mitigated.

IV. ENVIRONMENTAL IMPACT ANALYSIS

This section compares the effects of the proposed project to those of the overall VSP that was the subject of the previous CEQA document (FEIR No. 06-03 and SEIR 14-01, State Clearinghouse No. 2006101099). In accordance with Section 15131 of the State CEQA Guidelines, this analysis focuses on the specific physical environmental changes of the project.

Proposed Project Modification

The project Applicant is requesting amendment to the VSP and TTM to facilitate ongoing development, swap residential and park land uses on PA 1 and 6, delineate flood protection improvements, realign the MUP, remove unviable land uses and building types, simplify development standards to be consistent with approved projects within the VSP, remove inconsistencies between the VSP and the TTM, and internally within the VSP. The proposed DAA will waive or credit development impact fee increases recently approved by the City Council in May 2020 and allow flexibility in construction timing of the pump system, drainage and flood protection.

If approved, the amendments would change land use and design standards in several PA within the VSP, but would not increase the total project density above the approved maximum of 1,500 residential units and 50,300 square feet of commercial development, and would not significantly shift density within the project. This Addendum only addresses potential impacts with respect to aesthetics, biology, flood hazard, open space and traffic impacts. It is limited in its discussion of impacts because the proposed amendments would only minimally change the development characteristics of the VSP. All mitigation measures and the discussion of impacts in the FEIR and SEIR would not change and thus would still be applicable to the proposed project.

Aesthetics

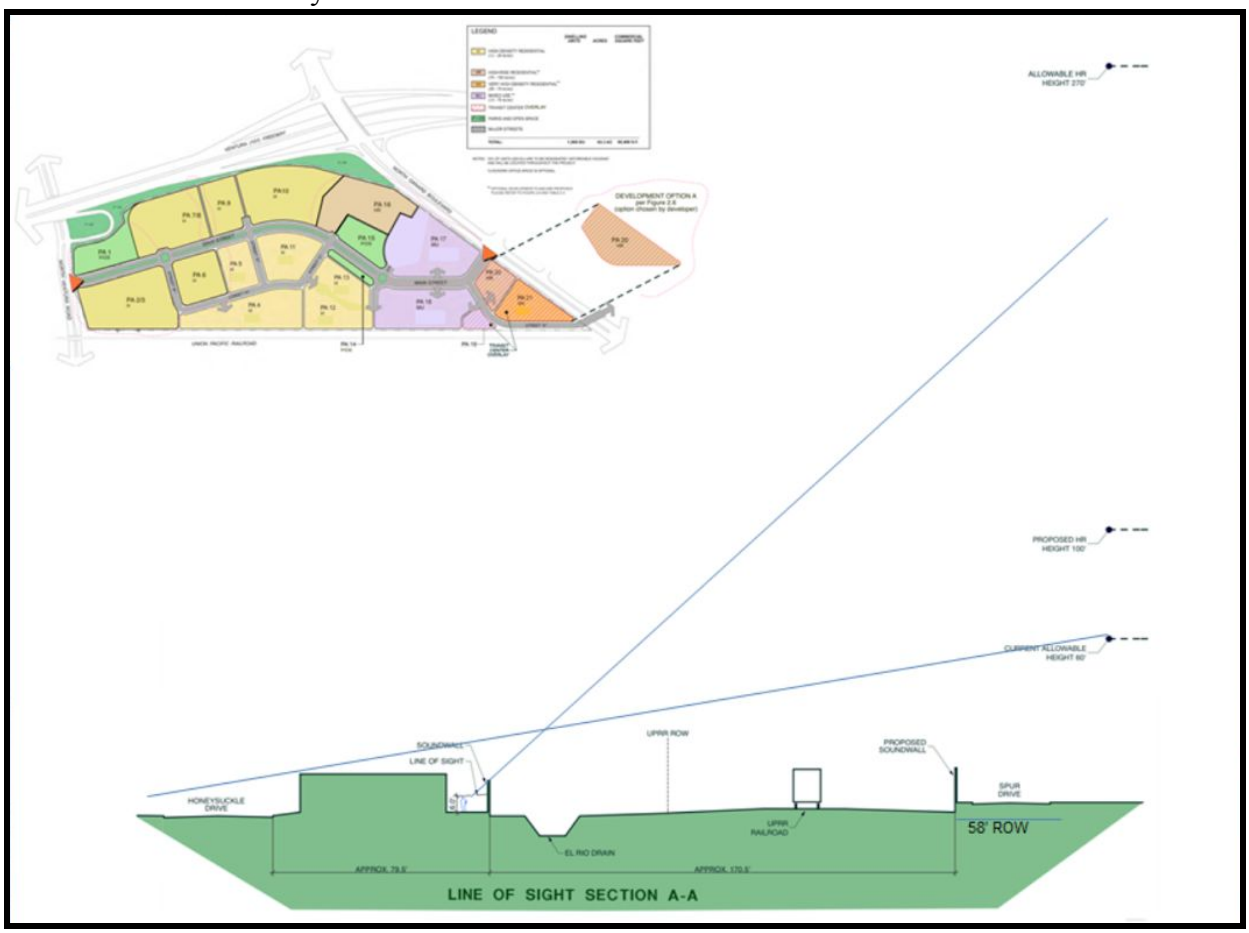
The following is a summary of changes proposed with the current project as it relates to aesthetics.

Under the proposed SPA, PA 20 and 21 will be merged into a single PA 20, as recognized in Development Option A outlined in the original VSP. The density for the former PA 21 will increase to High Rise (HR), consistent with former PA 20, to allow greater density of up to 100 dwelling units per acre within this PA near mixed use and transit amenities. This revision is necessary to allow the same number of dwelling units (205) originally planned for PA 20 under Option A of the approved VSP. To minimize potential height impacts of the HR land use, the SPA includes an amendment to the HR development standards to restrict the height of buildings to no more than 100 feet (VSP Section 4.4.4), rather than 270 feet currently allowed on HR

designated parcels, and removes reference to towers in the HR land use description (VSP Section 4.2.5). The SPA also removes reference to 20-25 stories in Section 7.2.3.5. The VSP land use plan (Table 2.2) will be revised to accommodate the land use plan revisions, with a target unit count of 205 dwelling units on merged PA 20.

The height analysis below demonstrates a reduction in impact to views from the South Bank neighborhood (located to the south of the VSP), as the towers with a potential height of 270 feet will be eliminated from the original PA 20 location, and the maximum height will be revised to 100 feet. The maximum height under the VH land use is 60 feet, which would not be sufficient to accommodate the target 205 dwelling units on the site and associated amenities, such as the required residential open space, residential parking, and transit center parking on the 2.5 acre merged PA 20. In comparison, the Wagon Wheel Junction project on PA 18 was approved with a building height of 68'8", with tower elements up to 74'3". According to the view analysis, properties in the South Bank neighborhood fronting the El Rio drain are separated from PA 20 by the El Rio drain, the railroad and Spur Drive, or approximately 230 feet. Based on line of sight analysis, a 100 foot structure on PA 20 would not be visible from these properties above the existing sound walls on the south side of El Rio drain.

PA 20 Line of Site Analysis:



The previously approved FEIR (2008) evaluated the aesthetic impact of three planned 25-story towers, (Impact AES-1 & AES-2). The FEIR found the towers to be consistent with the 2020 General Plan Community Design Element Policy No. 14, which identified the project area as suitable for high-rise development, and stated that "High-Rise development…shall be limited to the following areas: Financial Plaza/Oxnard Town Center/Wagon Wheel, Mandalay Bay Specific Plan Area, and Rice Avenue/Highway 101 Interchange." The FEIR impact analysis also noted "..because the view is already affected by the existing towers; the proposed towers would be in roughly the same location; and the vast majority of the mountain view would remain (due primarily to the intervening distance), the relatively small increment of additional obstruction would be less than significant." However, because of the magnitude of the proposed changes and the unique scale and density of the project, changes to the visual character of the site were considered significant and unavoidable.

The FEIR analysis indicated that glare from the high-rise structures would be especially visible to motorists on Highway 101 and some surrounding surface streets (AES-3), and therefore included the following mitigation:

AES-3(d) **Window Tinting.** Prior to the issuance of any building permits, the Applicant shall submit plans and specifications showing that building windows are tinted with an antireflective material in order to minimize glare.

This mitigation would continue to apply to 100-foot tall building(s) on PA20.

The FEIR additionally looked as shadows cast by the planned 25-story towers and determined that the towers would not cast shadows onto the existing offsite shadow-sensitive land uses, such as the residential neighborhood to the south. No mitigations were required.

Since the revised project includes elimination of the towers from the original project design and reduction in the maximum height of buildings in the HR zone from 270 feet down to 100 feet, impacts from the revised project would be reduced significantly from the approved project.

No changes to the Mitigation Measures are required and thus shall continue to apply to the proposed project.

Conclusion: The proposed project would not result in any new additional significant impacts to aesthetics, and would decrease the severity of previously anticipated significant impacts. No additional mitigation measures are required.

<u>Biology</u>

According to the Arborist Report (LA Johnny, February 23, 2020), the proposed project includes the removal of seventeen trees along the project frontage on Ventura Road and at the intersection of Spur Drive and Oxnard Boulevard. The trees include 15 eucalyptus trees along Ventura Road and a pepper tree and rose gum tree at Spur Drive. The trees along Ventura will be removed to accommodate a new traffic light and infrastructure, including a 12-foot wide MUP along the east side of Ventura Road. The pepper and rose gum trees will be removed for a new pedestrian

bridge over Oxnard Boulevard. The combined value of the trees is $19,500. The arborist determined that transplanting the trees was not feasible due to size of trees and chance of survival.

The FEIR outlined mitigations for removal of existing trees [Mitigation Measures BIO-2(a) to BIO-2 (d)]. The FEIR analysis concluded that with implementation of these measures, potential impacts to nesting birds and raptors would be reduced to a less than significant level. The full text of these mitigation measures are provided below.

BIO-2(a) **Nesting Bird Survey.** If tree removal is to occur during the bird breeding season (February 15- September 15), surveys shall be conducted prior to tree removal by a City-approved biologist (a person with a biology degree and/or established skills in bird recognition). Surveys shall occur within two weeks prior to initial tree removal. A copy of the contracts and reports for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits.

BIO-2(b) **Establishment of Appropriate Buffers.** In the event that nesting birds are observed within 250 feet of a construction area, species specific exclusion buffers shall be determined by a City-approved biologist, and construction timing and location adjusted accordingly until the nestlings have fledged.

BIO-2(c) **Construction During the Bird Nesting Season.** Construction activities that would have a direct impact on bird nesting areas such as large trees, shall be conducted between October and February when nesting birds are least likely to occur.

BIO-2(d) **Incorporation of Trees into Landscape Plan.** The project landscape plans shall include an inventory of mature trees that currently exist on the project site and shall include replacement of mature trees at a minimum of a 1:1 ratio. At maturity, landscape trees shall be of a comparable height and massing to the existing trees on the property so as not to diminish the bird nesting capacity of the property compared to current conditions. An arborist report shall be submitted, and the value of trees removed shall be added to the landscape plan to augment tree plantings.

The FEIR also discussed the aesthetic impact of tree removal. According to impact analysis AES-1, the proposed extensive landscaping on and at the borders of the site, including tall-stature trees, would offset the loss of the tall eucalyptus trees, scattered ornamental trees and other existing site landscaping, which is currently minimal.

Conclusion: Biologic impacts would remain less than significant with implementation of the above referenced existing mitigation measures and compliance with Tract condition of approval. No additional mitigation measures are required.

Flood Hazards

The Revisions to TTM No. 5745 will swap the park and residential land uses on specific lots; create new lot numbers E & F to accommodate flood protection; and delineate flood protection improvements on Lot A and Wagon Wheel Road. The new park will also accommodate a flood control berm and flood control easements.

Relocation of the Neighborhood Park from PA 6 in the western center of the specific plan over to PA 1 in the northwest corner of the specific plan near the Highway 101 Ventura Road off-ramp will facilitate flood control improvements on the western boundary of the project areas. As shown on Cross Section G-G of the Revised TTM No. 5745 (Appendix E), the park on PA 1 will be designed with a low flood control berm near the center of the park rather than a flood control wall along Ventura Road that would have been required if residential development was located on PA 1.

The SEIR (2015) was prepared predominately to address flood control improvements that were necessitated by changes in the environmental conditions since 2008. The FEMA flood mapping panels had been updated in 2010 to change much of the area to the south of the Project from flood Zone A to Zone X. In order to eliminate potential negative impacts on nearby properties, the SEIR specified that the Developer shall not construct improvements protecting the Project from Santa Clara River flooding until after (or concurrent with) flood protection improvements are constructed that protect existing development southerly of the Union Pacific Railroad tracks. The SEIR also addressed Ventura County Watershed Protection District (District) alternatives for floodwalls between Highway 101 and the UPRR that would provide full flood protection for the Specific Plan Area, thereby fully eliminating the exposure of structures and people to risks associated with 100-year floods. The SEIR specified that permits for development on the western portion of the VSP (Lots 1-10) will only be issued if the City determines the site is adequately protected from flooding at the time of permit issuance. To ensure compliance, the City of Oxnard included conditions 115 and 116 on TTM No. 5745 that required upon completion of construction of flood protection improvements along the Santa Clara River, the proposed onsite grading and associated storm drain system provide protection from flooding during a 1% chance (100-year) storm event and that those structures also comply with the requirements of OCC Chapter 18. These tract conditions ensured compliance with both OCC Chapter 18 and the National Flood Insurance Program. Based upon the analysis contained in the SEIR for the TTM, potential impacts were determined to be less than significant. The flood control improvements on the Revised TTM No. 5745 are consistent with Santa Clara River Levee System (SCR-3) Alternative Analysis for Reach 4, Alternatives II.C and II.D (RBP, March 2014) referenced in the SEIR.

The proposed Second DAA would add language to Section 1 of DAA No.1 to authorize the Community Development Director to allow timing flexibility on construction of the Flood Protection. The intent of the added provision is to match the language in Tentative Tract 5745 Condition of Approval 120 (City Council Resolution 14,857) which allows the Development Services Director to provide additional time if the Director determines that the Developer has made progress and is diligently pursuing construction. However, in keeping with the SEIR, the

Developer will not be permitted occupancy for any structure that is not adequately protected from flooding. The following text was included with the proposed DAA text addition to Section 1 of DAA No.1 to assure compliance OCC Chapter 18 and the National Flood Insurance Program:

> "Development shall not be permitted for occupancy of any structure that has not been demonstrated to the satisfaction of the City Engineer to be adequately protected from flooding as required by the regulations in effect at the time of issuance of grading permits, including (but not limited to) being protected from a 1% event as per the best available data."

No changes to the Mitigation Measures are required and thus shall continue to apply to the proposed project.

Conclusion: Flood zone impacts would remain less than significant upon compliance with the existing mitigation measures and tract conditions, and the proposed additional DAA text. No additional mitigation measures are required.

Open Space

The approved VSP identified 3.7 acres of parkland and 3.7 acres of open space. The project includes swapping the residential and park land uses on PA1 and PA6 and rerouting the MUP, resulting in changes to the acreage for parkland and open space areas. The following section reviews the impacts of the proposed SPA and TTM on acreage.

The FEIR Impact REC-1 calculated a need for 16.5 acres of park space for the net increase in 5,436 residents. The 2.6 acres initially planned (1.7 acre Village Green on Lot C and 0.9 acre Neighborhood Park on Lot A) in the VSP was not counted toward the park requirement because the City's park standard requires a minimum of 5 acres for a neighborhood park). Additionally, the planned 2.2 acres of pocket parks were not considered within the analysis because they didn't fit into any specific classification system established by the City (i.e., mini-parks, neighborhood parks, community playfields, community parks, and special purpose facilities). The park deficiency was considered a Class II, *significant but mitigable,* impact. Mitigation REC-1 recommended parkland dedication and/or payment of Quimby Fees based on the net shortage of parks and recreational space provided within the development.

The 2009 Development Agreement acknowledged the 7.4 acres of project parks and open space, established a Quimby Fee Credit and In-lieu fees and required the Developer to dedicate 4.41 acres for parks and recreation in turnkey condition (Section 8). Section 8 was amended in 2015. to require the Developer to dedicate 4.27 acres for parks and recreation in turnkey condition. The City granted full Quimby credit equal to the land value and costs incurred by the Developer for engineering and construction of the Parks on Lots A, B & C, and the MUP. The DA did not replace the FEIR mitigation; it allowed for a credit for land dedication and park improvements. Development and dedication of the Parks and MUP therefore would fulfill the mitigation REC-1.

The proposed SPA will increase park area to include PA 14 (0.46 acres; Park Lot B), increase the

size of the Neighborhood Park on PA 1 (Park Lot A) from 2.0 acres to 2.39 acres, and decrease the size of PA 15 (Park Lot C) from 1.7 acres to 1.52, resulting in a net increase in total park acreage by 0.67 acres to a total of 4.37 acres. Open space, including perimeter and interior landscaping, will decrease from 3.7 acres to 2.22 acres. The difference in open space is predominantly due to designation of a few lots for flood control improvements (Lots E, F & T), and merging a small triangle of open space into PA 7/8. Therefore the majority of this area will still be publicly enjoyed as common space, but will be developed with flood walls.

The amended Land Use Plan increases designated park space from 3.7 acres to 4.37 acres. This area will be improved by the Applicant, dedicated to the City in turnkey condition and maintained by the Master HOA with funds from the Community Facilities District (CFD). Therefore the project represents a net increase in park area and a decrease in impact to Parks and Recreation.

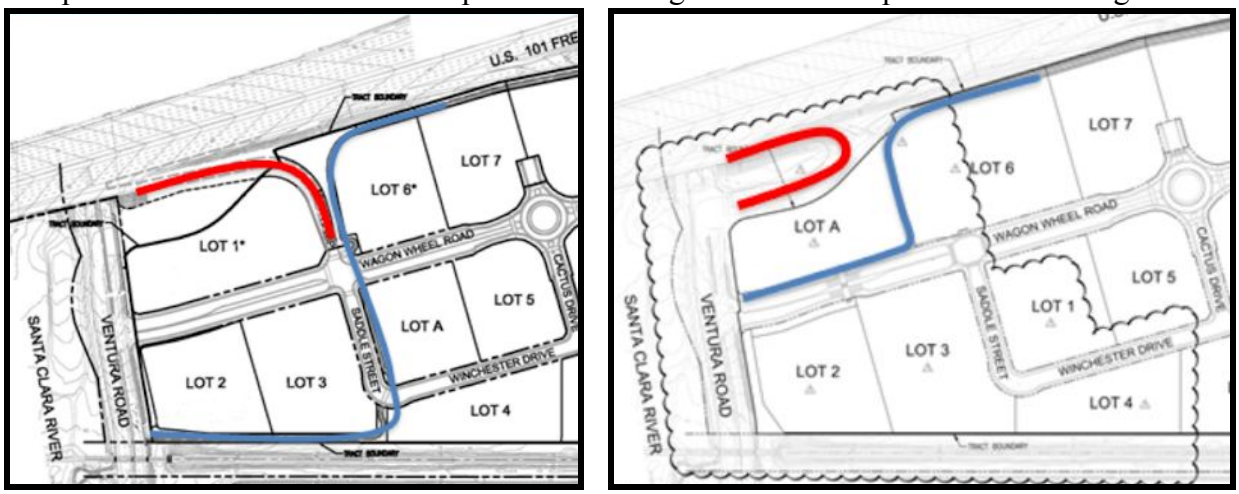
No changes to the Mitigation Measures are required and thus shall continue to apply to the proposed project.

Conclusion: Open Space impacts would remain less than significant after implementation of the above referenced mitigation measure REC-1 and DAA Section 8. No additional mitigation measures are required.

Traffic

The following is a summary of changes proposed with the current project as it relates to traffic/transportation. The Revised TTM proposes realigning the US 101 Ventura Road off-ramp similar to its existing configuration that loops onto Ventura Road (rather than through the subdivision).

Comparison of 2015 TTM Off-Ramp & MUP Configuration and Proposed TTM Configuration:



The proposed off-ramp realignment reflects the off-ramp design originally planned for the VSP in 2009 and reviewed in the 2008 FEIR. The existing TTM No. 5745 was approved in 2015 with an alternative US 101 Wagon Wheel off-ramp realignment, which exited US 101 southbound

onto Wagon Wheel Road in the center of the project (see above graphic on left). The 2015 SEIR evaluated the alternative US 101 Wagon Wheel Road off-ramp realignment and recognized that future Caltrans approval would be required for that realignment. The City also recognized a potential conflict between the off-ramp realignment and the MUP, and required as a tract condition further analysis of the conflict. The proposed US 101 Ventura Road off-ramp in the Revision to TTM No. 5745 is closer to the originally approved design reviewed in the FEIR, resolving the concerns with the Caltrans and MUP conflicts.

Since the proposed project reverts to the original off-ramp design analyzed in the FEIR, there would be no additional impacts related to traffic/transportation. No changes to the Mitigation Measures are required and thus shall continue to apply to the proposed project.

Conclusion: Impacts to traffic would remain less than significant after implementation of the above referenced mitigation measures. No additional mitigation measures are required.

V. DETERMINATION

On the basis of the evaluation contained in this document, there are no substantial changes to the project, no substantial changes in the circumstances under which the project is being undertaken, and no new information of substantial importance that was not known to the Lead Agency at the time the FEIR and SEIR were certified that trigger any of the conditions identified in Public Resources Code Section 21166 or State CEQA Guidelines Section 15162 which would require a subsequent or supplemental EIR. The proposed project would not result in any new additional significant impacts, nor would they substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Project are within the envelope of impacts addressed in the Certified FEIR and SEIR and do not constitute a new or substantially increased significant impact. Therefore, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, this Addendum has been prepared to document the changes and additions to the certified FEIR and SEIR for the project and to explain the Lead Agency's decision not to prepare a subsequent or supplemental EIR. In accordance with the State CEQA Guidelines (Section 15164) the City of Oxnard is issuing this Addendum.

Kathleen Mallory, AICP, LEED GA, MA, Date
Planning & Sustainability Manager

Attachment:
1: Technical Studies Completed for Proposed Project

LAJOHNNY

February 23, 2020

Oakwood Communities Inc.
Corey Harpole, Director of Development
5299 Wagon Wheel Road.
Oxnard, CA 93036

SUBJECT: Tree Report Concerning Wagonwheel Trees

Dear Mr. Harpole,

This letter size report and the attached oversized tree maps constitute the entire tree report. The report is required by City of Oxnard in connection with development of the site and the removal of seventeen trees worth a total of $19,500.

The report contains an appraisal based upon the formula in the most recent edition of the Guide for Plant Appraisal prepared by the Council of Tree & Landscape Appraisers.

The proposed improvements require removing 17 trees. Trees to remove include fifteen red ironbark eucalyptus growing beside Ventura Road and a pepper tree and a rose gum located where Spur Road crosses Oxnard Boulevard. The red ironbark will make way for new traffic lights and infrastructure, the pepper and rose gum will be removed for a new pedestrian bridge.

In the opinion of this arborist transplanting these trees is not feasible. Removal of the trees should not damage other trees on the site.

1. Submit this report to City of Oxnard for review and approval. Follow the City planner's instructions.
2. There are 17 trees to be removed with a combined value of $19,500. Consult with the City about mitigation for trees to be removed.
3. Consult with the City planner for any additional requirements or modifications to these recommendations.

If you have any questions, please let me know.



John Burke
L·A·**JOHNNY**
Landscape Architect & Registered Consulting Arborist

California Landscape Architect #5251
Registered Consulting Arborist #591 ASCA
Tree Risk Assessment Qualified April 2024
Tree Appraisal Qualified September 2024
Certified Consulting Arborist #WE-8327A ISA

Enclosures:

Arborist Report pdf file

Appendix A Tree Map oversize pdf file

Arborist Appraisal Report, Wagonwheel Oxnard, CA

5299 Wagon Wheel Road.

Prepared for:

Oakwood Communities Inc.

Corey Harpole, Director of Development

5299 Wagon Wheel Road.

Oxnard, CA 93036

Consulting Arborist:

LAJOHNNY

John Burke

10880 Del Norte Street #27

Ventura, California

805-754-9393

February 23, 2020

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SUMMARY

This letter size report and the attached oversized tree maps constitute the entire tree report. The report was commissioned by Oakwood Communities Inc. The report is required by City of Oxnard in connection with development of the site.

The report contains an appraisal based upon the formula in the most recent edition of the Guide for Plant Appraisal prepared by the Council of Tree Landscape Appraisers.

The proposed improvements require removing 17 trees worth a total of $19,500. Trees to remove include fifteen red ironbark eucalyptus growing beside Ventura Road and a pepper tree and a rose gum located where Spur Road crosses Oxnard Boulevard. The red ironbark will make way for new traffic lights and infrastructure, the pepper and rose gum will be removed for a new pedestrian bridge.

In the opinion of this arborist transplanting these trees is not feasible. Removal of the trees should not damage other trees on the site.

1. Submit this report to City of Oxnard for review and approval. Follow the City planner's instructions.
2. There are 17 trees to be removed with a combined value of $19,500. Consult with the City about mitigation for trees to be removed.
3. Consult with the City planner for any additional requirements or modifications to these recommendations.

INTRODUCTION/BACKGROUND

BACKGROUND

The report was commissioned by Oakwood Communities Inc. as a requirement of the City of Oxnard in connection with the development of the Wagonwheel site in Oxnard, CA. The report is to appraise the value of seventeen trees that must be removed to allow for development.

Fifteen of the trees are growing in a row beside Ventura Road in an area where traffic lights and other infrastructure need to be installed. The other two trees, a pepper tree and a eucalyptus grow beside Oxnard Boulevard where a new pedestrian bridge is to be built beside the Spur Road that crosses Oxnard Boulevard.

ASSIGNMENT

Prepare a tree report with supporting documents based on the plans provided and acceptable to the City of Oxnard, CA.

DELIVERABLES:

- Tree Report based on the latest edition of the Guide for Plant Appraisal.
- Photo documentation of each tree.
- Trunk Formula calculations for these seventeen trees.

ASSUMPTIONS AND LIMITS ON THE ASSIGNMENT

All seventeen trees need to be removed. The trees along Ventura Road have been identified with painted numbers and orange construction tape.

Scope for this report was defined by the City Planner and shown on the drawings that form the base for the tree maps.

EXCLUSIONS

- Cost of prints and copies
- Civil Surveys
- Permit submittals and Cost of permits
- Construction Monitoring or Observation

PURPOSE AND USE OF THE REPORT

This report is intended use by the City of Oxnard, the owner and the owner's design consultants and architects in order to obtain approval to develop the site.

OBSERVATIONS/SITE OBSERVATIONS

Observations were made on site on 2/20/2020.

SITE:

The first site, with fifteen street trees, is along the west side of Ventura Road. The second site with two trees is along Oxnard Boulevard where Spur Road crosses.

TREE ASSESSMENT:

Observations were made of 17 trees. The trees had already been mapped and tagged by the civil engineer. Each of the fifteen trees along Ventura Road were already designated 1 through 15 and marked with paint and tape. The two trees beside Oxnard Blvd were numbered 101 and 102.

To determine value the Guide for Plant Appraisal requires an appraiser to address up to twenty-seven data points. These items were all measured or addressed in the field and later recorded in the data base used to analyze the trees.

Replacement Value is to be determined by the most recent edition of the Guide for Plant Appraisal. That requires observations of up to 27 data points including the following:

1) Condition
    a) Health
        i) Vigor, Foliage, Pests, Disease, Roots, Trunk
    b) Structure
        i) Decay, Roots, Trunk, Crown, Site, History
    c) Form
        i) Typical/atypical, pruning, aesthetics, crown class
2) Functional Limitations (p. 62)
    a) Placement, superadequacy, Soil, Genetics, Water, other
3) External Limitations
    a) Laws, Water use limits, pests, changing climate

Data for each tree is listed in APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS.

Tree locations are shown in Appendix A Tree Map. A photo of each trees can be seen in Appendix E.

ANALYSIS/ INDIVIDUAL TREE ANALYSIS AND APPRAISAL

The data gathered in the field were recorded in the data base used to analyze the trees to determine the following:

CONDITION: HEALTH STRUCTURE FORM

Ratings for each tree can be looked up by tree number in the data base Appendix D.

FUNCTIONAL AND EXTERNAL LIMITATIONS

The *trunk formula* established a basic price for a large landscape tree and then depreciates the tree based on **Condition, Functional Limitations** and **External Limitations**. Observations were made for the common functional limitations shown in Table 5.2. (CTLA, 2019, p. 62) During analysis of the observations a percentage was assigned to each tree.

External limitations are those outside the control of the property owner. During analysis of the observations a percentage was assigned to each tree. (CTLA, 2019, p. 64)

DETERMINE APPRAISED VALUE

Value was determined based on the latest edition of the Guide for Plant Appraisal, 10th edition, second printing, 2019. Calculations for all trees can be seen in APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS. The total appraised value according to the trunk formula is $19,500.

TRANSPLANTING FEASIBILITY

In my opinion it would not be practical to transplant any of the protected trees. I do not believe any large tree mover would guarantee the survival of these trees.

DISCUSSION

CONDITION: HEALTH - STRUCTURE - FORM

Each tree varies. The fifteen Red Ironbark (*Eucalyptus sideroxylon*) are planted about ten feet apart and ten feet from the edge of the street. Normally these are large trees getting up to 90 feet tall and 60 feet wide. The tight spacing has constrained the size of the trees and suppressed many of the trees.

Branches have been removed from most of the taller trees. Most of the trees show the lopsided canopy development typical of overcrowding. Decay was present around a large 12" diameter wound at the base of tree #3.

The two trees to be removed along Oxnard Blvd. includes a large old Peruvian pepper tree (*Shinus molle*) on the west side and a Rose Gum (*Eucalyptus grandis*) on the east side.

Data for each is listed in numerical order in APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS

FUNCTIONAL AND EXTERNAL LIMITATIONS

The Guide includes the following description of functional limits (CTLA 2018, p. 62):

> Functional Limitations are factors associated with the interaction of a tree and its planting site and will affect plant condition, limit development, or reduce utility of the plant within the foreseeable future. These factors include site conditions, placement, and genetic limitations (Table 5.2) Functional limitations are considered incurable or costly and recurring.

Each tree was assessed for the six common functional limitations: Placement, superadequacy, Soil, Genetics, Water, other. Scores for each tree are listed in numerical order in APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS

External limitations are those factors outside the control of the property owner that will affect tree condition, limit growth, or reduce utility. Examples in the Guide include property lines, local ordinances, civil law, limits on irrigation, easements, utilities, pest infestations, changing climate.

Each tree was assessed for external limitations. Scores for each tree are listed in numerical order in APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS

DETERMINE APPRAISED VALUE

Value was determined based on the latest edition of the Guide for Plant Appraisal, 10th edition, second printing, 2019. Calculations for all 17 trees can be seen in APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS.

The Guide specifies the format for a tree appraisal report, that report is included as supporting documentation for this standard arborist report in APPENDIX D: Tree Appraisal Report .That report follows the standard set for tree appraisal reports as described in the latest edition of the Guide for Plant Appraisal (2019, Pp 112-114) This format brings tree appraisals in line with other professional appraisers.

The total appraised value according to the trunk formula is $19,500.

These trees can be removed without causing damage to other trees on the site.

CONCLUSIONS

The site improvements require removing 17 trees worth a total of $19,500. In the opinion of this arborist transplanting these trees is not feasible. The tree map shows the 17 trees. Calculations for all 17 trees can be seen in APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS.

RECOMMENDATIONS

1. Submit this report to City of Oxnard for review and approval. Follow the City planner's instructions.
2. There are 17 trees to be removed with a combined value of $19,500. Consult with the City about mitigation for trees to be removed.
3. Consult with the City planner for any additional requirements or modifications to these recommendations.

CERTIFICATION

PREMISES: Wagonwheel Development, Ventura Road and Oxnard Blvd

I, John Burke, CERTIFY to the best of my knowledge and belief:

1. That the statements of fact contained in this plant appraisal are true and correct.

2. That the appraisal analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and that they are my personal, unbiased professional analysis, opinions and conclusions.

3. That I have no present of prospective interest in the plants that are the subject of this appraisal, and that I have no personal interest or bias with respect to the parties involved.

4. That my compensation is not contingent upon predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.



Date: February 23, 2020

Landscape Architect & Registered Consulting Arborist

California Landscape Architect #5251
Registered Consulting Arborist #591 ASCA
Certified Consulting Arborist #WE-8327A ISA

GLOSSARY

Condition Rating	Tree Condition Rating is combination of health and structure expressed as a percentage.
International Society of Arboriculture	International non-profit organization headquarters in Champaign, IL. ISA promotes the professional practice of arboriculture and a greater public awareness of the benefits of trees USA. It has over 21,000 members across the globe.
Plant Replacement Cost	Materials and labor to replace damage plants. (CTLA, 2000, p. 79)
Regional Plant Appraisal Committee	A committee of experts convened by a chapter or other regional authority recognized by the International Society of Arboriculture for the purpose of providing information needed to appraise trees in a given region. For California the committee is organized by the Western Chapter of the International Society of Arboriculture.
Regional Supplement	An official companion publication to the CTLA Guide for Plant Appraisal. Contains regional information on Species Rating, Nursery Group and Replacement Tree Cost.
Replacement Cost Method	A cost approach to tree appraisal described in the CTLA Guide for Plant Appraisal. It is similar to the Trunk Formula Method. Palms are priced per trunk foot and assessed by Species, Condition, and Location.
Tree	A plant that produces wood (made by xylem cells).

.

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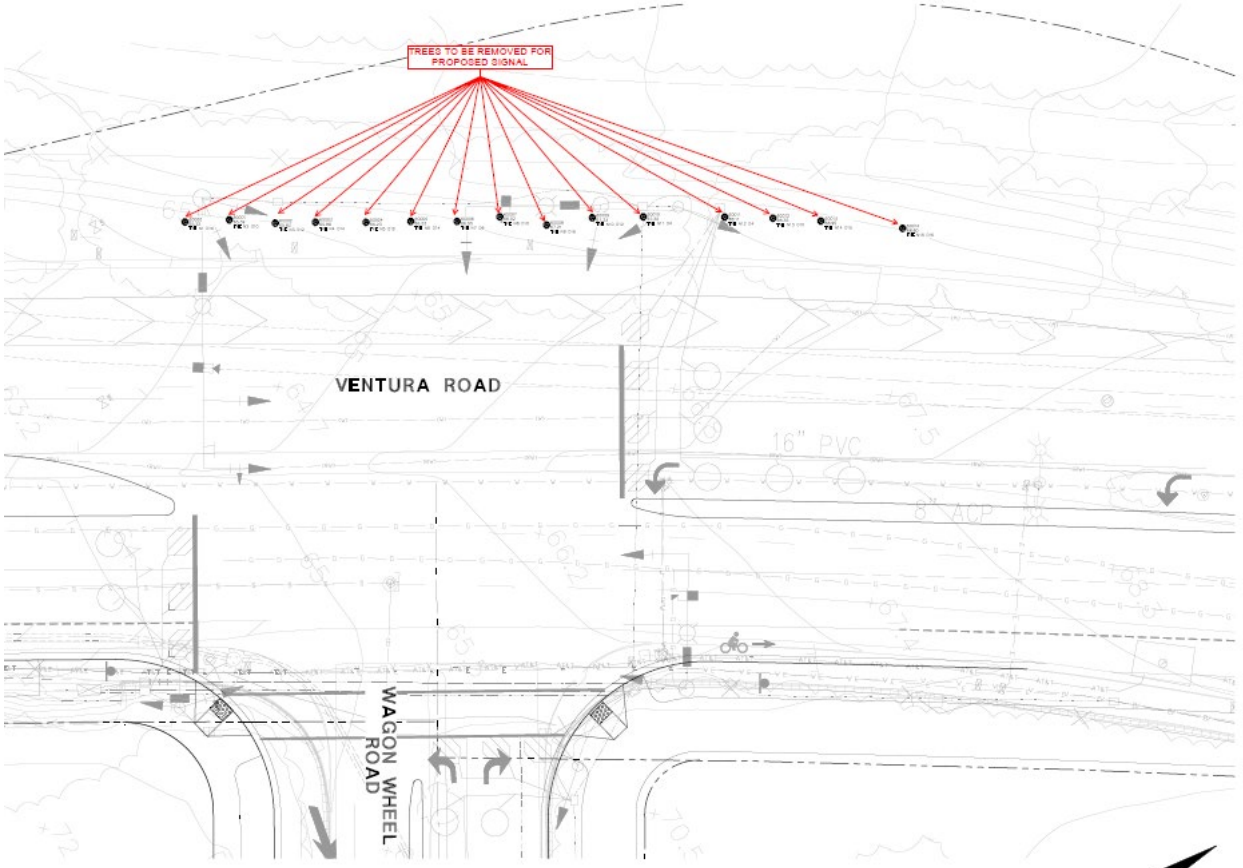
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APPENDIX A: TREE MAP REDUCED

THIS TREE MAP WAS CREATED BY HUITT-ZOLLARS CIVIL ENGINEERS

Tree Map shows the locations of trees to remove along Ventura Road. It is attached to this report as a full size pdf. Below is a reduced image to help orient the reader to the TREE LOCATIONS.



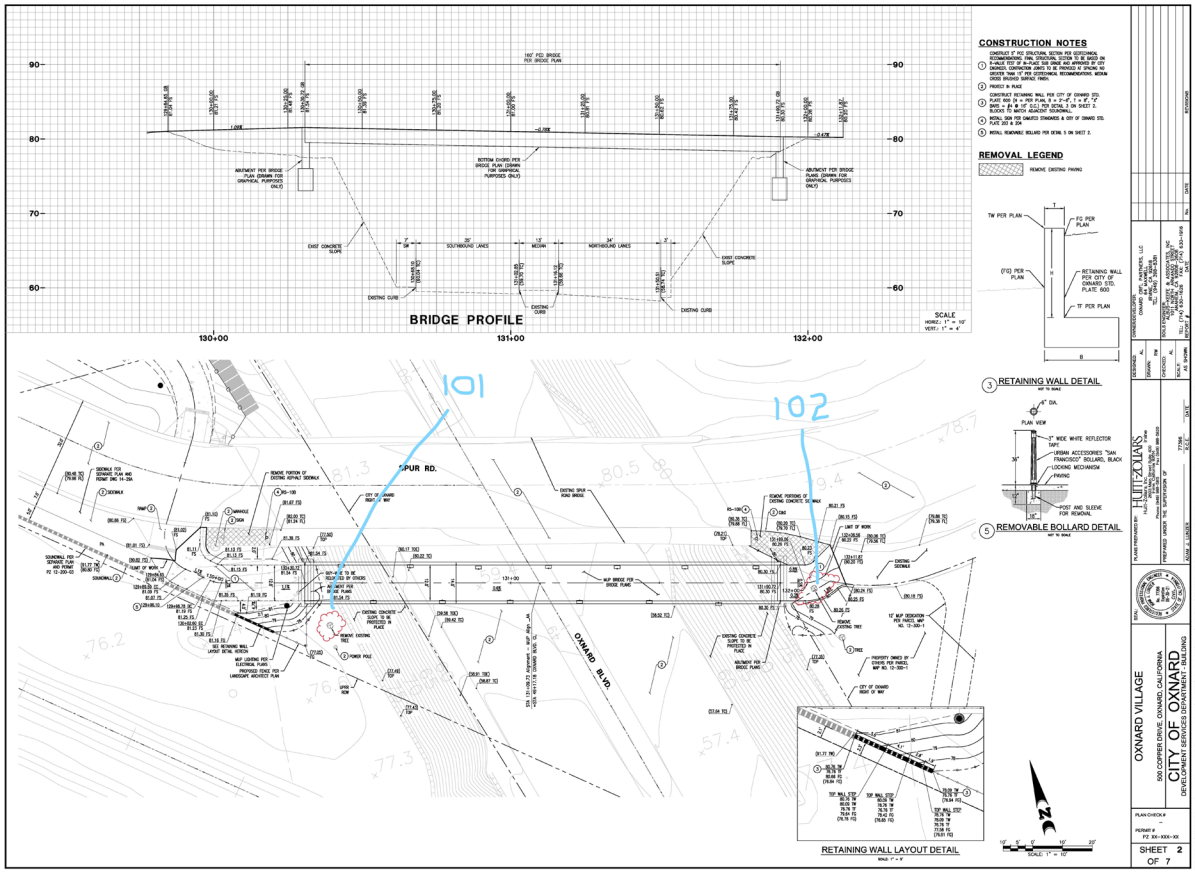
VENTURA ROAD
TREE LOCATIONS

Below is an aerial photograph showing the approximate locations of trees 1 - 15.



THIS TREE MAP WAS CREATED BY HUITT-ZOLLARS CIVIL ENGINEERS

Tree Map shows the locations of trees to remove for a new pedestrian bridge over Oxnard Blvd. It is attached to this report as a full size pdf. Below is a reduced image to help orient the reader to the TREE LOCATIONS.



Below is an aerial photograph showing the approximate locations of trees 101 - 102.



APPENDIX B: TREE PROTECTION PLAN NOT USED

APPENDIX C: TREE APPRAISAL REPORT

PROFESSIONAL APPRAISAL REPORT (USPAP 2016, AQ-11)

The report follows the Uniform Standards of Appraisal Practice, 2016-2017.

1. The report was commissioned by Oakwood Communities Inc
2. The report is required by City of Oxnard in connection with developing the site.
3. Fifteen trees are located in a row beside Ventura Road and two trees beside Oxnard Bouldevartd.
4. All seventeen trees were appraised.
5. The value of the trees is defined by ordinance as follows: "*The value of each tree based upon the formula in the most recent edition of the Guide for Plant Appraisal prepared by the Council of Tree Landscape Appraisers."* That is the **Trunk Formula Technique** as described in the 10th edition of the Guide for Plant Appraisal (2019). The trunk formula technique is a cost approach which estimates the cost of replacing mature landscape trees, trees too large to be commonly available in the nursery trade.
6. Date of inspection February 2020. Date of Appraisal report February 2020.
7. Scope of work included seventeen trees on site that require removal.
8. This appraisal analyzed data gathered during field inspections to determine trees condition, functional limitations and external limitations. This appraisal uses the Trunk Formula to establish the cost to reproduce each tree.
9. Use of property. The property is a large residential and commercial community.
10. A total of 17 protected trees were identified for removal with a combined value of $19,500. Details for each tree can be found in the trunk formula calculation spreadsheet Appendix E.
11. Assumptions: none
12. Certification: next page

Appraisal Certification

PREMISES: Wagonwheel development Oxnard, CA

I, John Burke, CERTIFY to the best of my knowledge and belief:

1. That the statements of fact contained in this plant appraisal are true and correct.

2. That the appraisal analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and that they are my personal, unbiased professional analysis, opinions and conclusions.

3. That I have no present of prospective interest in the plants that are the subject of this appraisal, and that I have no personal interest or bias with respect to the parties involved.

4. That my compensation is not contingent upon predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.



Date: February 23, 2020

Landscape Architect & Registered Consulting Arborist

California Landscape Architect #5251
Registered Consulting Arborist #591 ASCA
Certified Consulting Arborist #WE-8327A ISA

APPENDIX D: TREE DATA AND APPRAISAL CALCULATIONS

TREES 1 - 4

Subject Tree						
	Tree Number	1	2	3	4
		Red Ironbark	Red Ironbark	Red Ironbark	Red Ironbark
	Genus	Eucalyptus	Eucalyptus	Eucalyptus	Eucalyptus
	Species	sideroxylon	sideroxylon	sideroxylon	sideroxylon
	Ht	40	20	35	45
	Width	35	15	20	30
	Trunk Diameters:				
	diameter trunk 1	16.0	6.0	13.0	12.0
	multitrunk diameter 2		3.0		
	multitrunk diameter 3		4.0		
1	Equivalent SingleTrunk Diameter	16.0	7.8	13.0	12.0
	Multi		3		
2	Cross-sectional area	201	48	133	113
3	Condition Rating - Fair	65%	45%	40%	70%
	Health	Good	Fair	Fair	Good
	Structure	Fair	Poor	Poor	Fair
	Form	Poor	Poor	Poor	Fair
4	Functional Limitations-Moderate	50%	45%	35%	50%
	PLACEMENT-ROOT ZONE RESTRICTIONS	Y	Y	Y	Y
	Presence of large wounds	N	N	Y	N
	SUPERADEQUACY-SIZE	Y	Y	Y	Y
	GENETICS-FAILURE HISTORY	Y	Y	Y	Y
	WATER-TOO MUCH	N	N	N	N
	AGE-OVER HALF OF NATURAL LIFE SPAN	N	N	N	N
5	External Limitations - Minor	65%	65%	65%	65%
	LOCAL WATER LIMITS	Y	Y	Y	Y
	ADJACENT STREET	Y	Y	Y	Y
Replacement Tree					
6	Trunk Diameter	5.5	5.5	5.5	5.5
7	Cross-sectional area	23.75	23.75	23.75	23.75
8	Replacement Tree Cost	$ 3,700	$ 3,700	$ 3,700	$ 3,700
	Source	Plowboy	Plowboy	Plowboy	Plowboy
Computations					
9	Unit Tree Cost (RPAC)	$ 62.00	$ 62.00	$ 62.00	$ 62.00
10	Basic Repro. Cost (2x9)	$ 12,460	$ 2,969	$ 8,225	$ 7,008
11	Depreciated Cost (3x4x5x10)	$ 2,632	$ 391	$ 748	$ 1,594
Additional Costs					
	Cleanup				
	Installation				
	Aftercare				
12	Total Additional Costs	$ -	$ -	$ -	$ -
13	Total Reproduction Costs (11+12)	$ 2,632	$ 391	$ 748	$ 1,594
14	Rounded	$ 2,600	$ 400	$ 700	$ 1,600

TREES 5 - 8

Subject Tree						
	Tree Number		5	6	7	8
			Red Ironbark	Red Ironbark	Red Ironbark	Red Ironbark
	Genus		Eucalyptus	Eucalyptus	Eucalyptus	Eucalyptus
	Species		sideroxylon	sideroxylon	sideroxylon	sideroxylon
	Ht		30	45	20	20
	Width		20	20	10	15
		Trunk Diameters:				
		diameter trunk 1	7.0	11.0	5.0	5.0
		multitrunk diameter 2				3.0
		multitrunk diameter 3				
1	Equivalent SingleTrunk Diameter		7.0	11.0	5.0	5.8
		Multi				2
2	Cross-sectional area		38	95	20	27
3	Condition Rating - Fair		45%	65%	50%	50%
		Health	Fair	Good	Fair	Fair
		Structure	Fair	Good	Fair	Fair
		Form	Poor	Fair	Fair	Fair
4	Functional Limitations-Moderate		45%	50%	40%	40%
		PLACEMENT-ROOT ZONE RESTRICTIONS	Y	Y	Y	Y
		Presence of large wounds	N	N	N	N
		SUPERADEQUACY-SIZE	Y	Y	Y	Y
		GENETICS-FAILURE HISTORY	Y	Y	Y	Y
		WATER-TOO MUCH	N	N	N	N
		AGE-OVER HALF OF NATURAL LIFE SPAN	N	N	N	N
5	External Limitations - Minor		65%	65%	65%	65%
		LOCAL WATER LIMITS	Y	Y	Y	Y
		ADJACENT STREET	Y	Y	Y	Y
Replacement Tree						
6	Trunk Diameter		5.5	5.5	5.5	5.5
7	Cross-sectional area		23.75	23.75	23.75	23.75
8	Replacement Tree Cost		$ 3,700	$ 3,700	$ 3,700	$ 3,700
	Source		Plowboy	Plowboy	Plowboy	Plowboy
Computations						
9	Unit Tree Cost (RPAC)		$ 62.00	$ 62.00	$ 62.00	$ 62.00
10	Basic Repro. Cost (2x9)		$ 2,385	$ 5,889	$ 1,217	$ 1,655
11	Depreciated Cost (3x4x5x10)		$ 314	$ 1,244	$ 158	$ 215
Additional Costs						
	Cleanup					
	Installation					
	Aftercare					
12	Total Additional Costs		$ -	$ -	$ -	$ -
13	Total Reproduction Costs (11+12)		$ 314	$ 1,244	$ 158	$ 215
14	Rounded		$ 300	$ 1,200	$ 200	$ 200

TREES 9 - 12

Subject Tree						
	Tree Number		9	10	11	12
			Red Ironbark	Red Ironbark	Red Ironbark	Red Ironbark
	Genus		Eucalyptus	Eucalyptus	Eucalyptus	Eucalyptus
	Species		sideroxylon	sideroxylon	sideroxylon	sideroxylon
	Ht		45	20	10	10
	Width		30	20	10	5
		Trunk Diameters:				
		diameter trunk 1	14.0	8.0	4.0	2.5
		multitrunk diameter 2		8.0		
		multitrunk diameter 3				
1	Equivalent SingleTrunk Diameter		14.0	11.3	4.0	2.5
		Multi		2		
2	Cross-sectional area		154	100	13	5
3	Condition Rating - Fair		60%	35%	50%	55%
		Health	Good	Fair	Fair	Fair
		Structure	Fair	Poor	Fair	Fair
		Form	Fair	Poor	Fair	Fair
4	Functional Limitations-Moderate		50%	40%	35%	50%
		PLACEMENT-ROOT ZONE RESTRICTIONS	Y	Y	Y	Y
		Presence of large wounds	N	N	N	N
		SUPERADEQUACY-SIZE	Y	Y	Y	Y
		GENETICS-FAILURE HISTORY	Y	Y	Y	Y
		WATER-TOO MUCH	N	N	N	N
		AGE-OVER HALF OF NATURAL LIFE SPAN	N	N	N	N
5	External Limitations - Minor		65%	65%	65%	65%
		LOCAL WATER LIMITS	Y	Y	Y	Y
		ADJACENT STREET	Y	Y	Y	Y
Replacement Tree						
6	Trunk Diameter		5.5	5.5	5.5	5.5
7	Cross-sectional area		23.75	23.75	23.75	23.75
8	Replacement Tree Cost		$ 3,700	$ 3,700	$ 3,700	$ 3,700
	Source		Plowboy	Plowboy	Plowboy	Plowboy
Computations						
9	Unit Tree Cost (RPAC)		$ 62.00	$ 62.00	$ 62.00	$ 62.00
10	Basic Repro. Cost (2x9)		$ 9,539	$ 6,230	$ 779	$ 304
11	Depreciated Cost (3x4x5x10)		$ 1,860	$ 567	$ 89	$ 54
Additional Costs						
	Cleanup					
	Installation					
	Aftercare					
12	Total Additional Costs		$ -	$ -	$ -	$ -
13	Total Reproduction Costs (11+12)		$ 1,860	$ 567	$ 89	$ 54
14	Rounded		$ 1,900	$ 600	$ 100	$ 100

TREES 13 - 15

Subject Tree					
	Tree Number		13	14	15
			Red Ironbark	Red Ironbark	Red Ironbark
	Genus		Eucalyptus	Eucalyptus	Eucalyptus
	Species		sideroxylon	sideroxylon	sideroxylon
	Ht		30	35	35
	Width		20	30	20
		Trunk Diameters:			
		diameter trunk 1	6.0	16.0	16.0
		multitrunk diameter 2			
		multitrunk diameter 3			
1	Equivalent SingleTrunk Diameter		6.0	16.0	16.0
		Multi			
2	Cross-sectional area		28	201	201
3	Condition Rating - Fair		70%	70%	50%
		Health	Good	Good	Fair
		Structure	Fair	Fair	Fair
		Form	Poor	Fair	Fair
4	Functional Limitations-Moderate		45%	50%	50%
		PLACEMENT-ROOT ZONE RESTRICTIONS	Y	Y	Y
		Presence of large wounds	N	N	N
		SUPERADEQUACY-SIZE	Y	Y	Y
		GENETICS-FAILURE HISTORY	Y	Y	Y
		WATER-TOO MUCH	N	N	N
		AGE-OVER HALF OF NATURAL LIFE SPAN	N	N	N
5	External Limitations - Minor		65%	65%	65%
		LOCAL WATER LIMITS	Y	Y	Y
		ADJACENT STREET	Y	Y	Y
Replacement Tree					
6	Trunk Diameter		5.5	5.5	5.5
7	Cross-sectional area		23.75	23.75	23.75
8	Replacement Tree Cost		$ 3,700	$ 3,700	$ 3,700
	Source		Plowboy	Plowboy	Plowboy
Computations					
9	Unit Tree Cost (RPAC)		$ 62.00	$ 62.00	$ 62.00
10	Basic Repro. Cost (2x9)		$ 1,752	$ 12,460	$ 12,460
11	Depreciated Cost (3x4x5x10)		$ 359	$ 2,835	$ 2,025
Additional Costs					
	Cleanup				
	Installation				
	Aftercare				
12	Total Additional Costs		$ -	$ -	$ -
13	Total Reproduction Costs (11+12)		$ 359	$ 2,835	$ 2,025
14	Rounded		$ 400	$ 2,800	$ 2,000

TREES 101 AND 102

Subject Tree				
	Tree Number		101	102
			Peru Pepper	Rose Gum
	Genus		Shinus	Eucalyptus
	Species		molle	grandis
	Ht		35	70
	Width		35	25
		Trunk Diameters:		
		diameter trunk 1	30.0	14.0
		multitrunk diameter 2		
		multitrunk diameter 3		
1	Equivalent SingleTrunk Diameter		30.0	14.0
		Multi		
2	Cross-sectional area		707	154
3	Condition Rating - Fair		60%	70%
		Health	Good	Good
		Structure	Fair	Fair
		Form	Fair	Fair
4	Functional Limitations-Moderate		30%	45%
		PLACEMENT-ROOT ZONE RESTRICTIONS	Y	Y
		Presence of large wounds	N	N
		SUPERADEQUACY-SIZE	Y	Y
		GENETICS-FAILURE HISTORY	Y	Y
		WATER-TOO MUCH	N	N
		AGE-OVER HALF OF NATURAL LIFE SPAN	Y	Y
5	External Limitations - Minor		40%	40%
		LOCAL WATER LIMITS	Y	Y
		ADJACENT STREET	Y	Y
Replacement Tree				
6	Trunk Diameter		5.5	5.5
7	Cross-sectional area		23.75	23.75
8	Replacement Tree Cost		$ 3,700	$ 3,700
	Source		Plowboy	Plowboy
Computations				
9	Unit Tree Cost (RPAC)		$ 62.00	$ 62.00
10	Basic Repro. Cost (2x9)		$ 43,803	$ 9,539
11	Depreciated Cost (3x4x5x10)		$ 3,154	$ 1,202
Additional Costs				
	Cleanup			
	Installation			
	Aftercare			
12	Total Additional Costs		$ -	$ -
13	Total Reproduction Costs (11+12)		$ 3,154	$ 1,202
14	Rounded		$ 3,200	$ 1,200

APPENDIX E: TREE PHOTOGRAPHS

Pages 1 through 18 attached.

APPENDIX B: TREE PHOTOGRAPHS

1





2





3





4





5





6



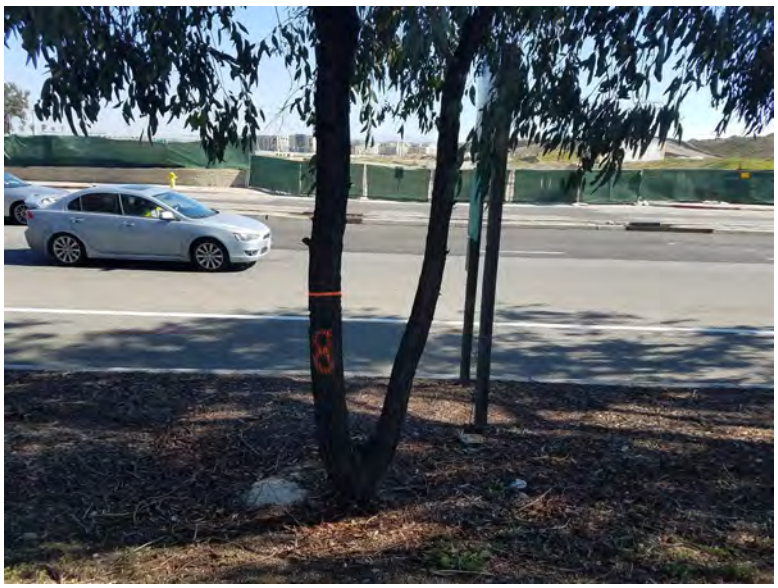


7





8





9





10





11





12





13





14





15





101





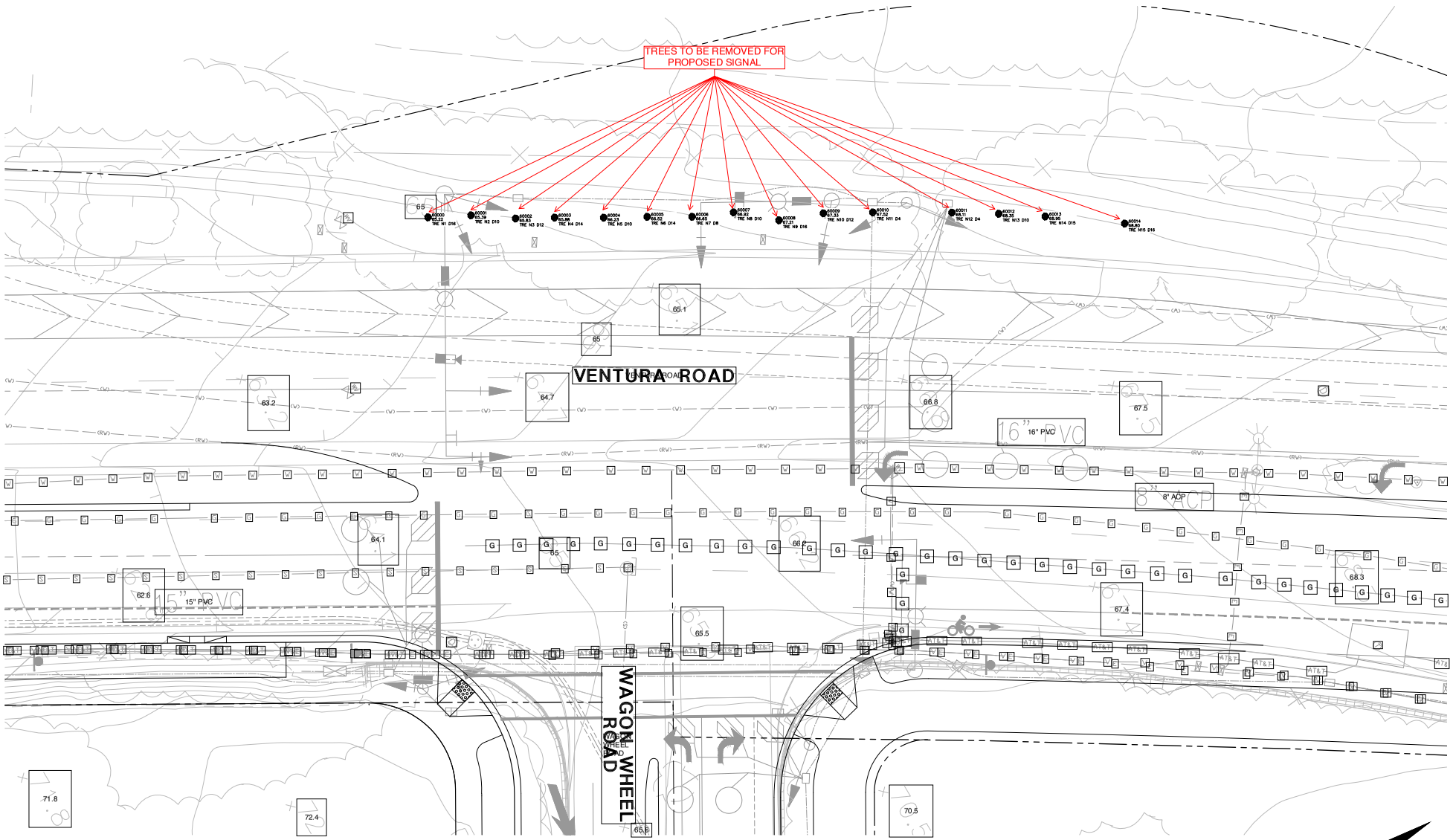
102





102





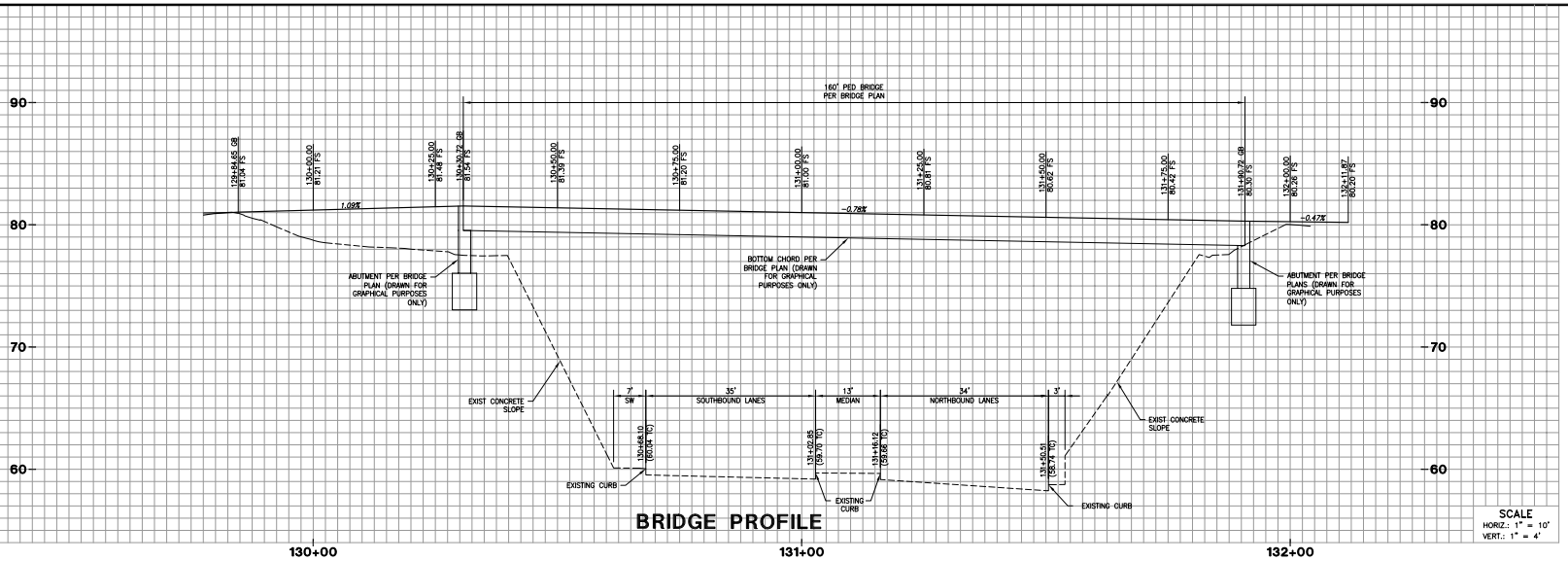
HUITT-ZOLLARS
Huitt-Zollars, Inc. Irvine
2603 Main Street
Suite 400
Irvine, California 92614
Phone (949) 988-5815 Fax (949) 988-5820

VENTURA ROAD TREE LOCATIONS

VENTURA ROAD TREE LOCATIONS

30' 15' 0' 30' 60'
SCALE: 1" = 30'

FILENAME: N:\0085-19\01 – Ventura Road Improvements\10 CADD & BIM\10.13 Civil\Sheets\CA110–Ventura Road Tree Exhibit.dwg Nov 18 2019 2:34pm



BRIDGE PROFILE

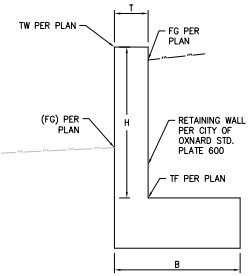
SCALE
HORIZ.: 1" = 10'
VERT.: 1" = 4'

CONSTRUCTION NOTES

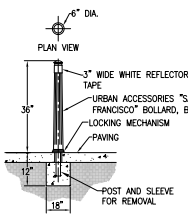
1. CONSTRUCT 5" PCC STRUCTURAL SECTION PER GEOTECHNICAL RECOMMENDATIONS. FINAL STRUCTURAL SECTION TO BE BASED ON R-VALUE TEST OF IN-PLACE SUB GRADE AND APPROVED BY CITY ENGINEER. CONTRACTION JOINTS TO BE PROVIDED AT SPACING NO GREATER THAN 15' PER GEOTECHNICAL RECOMMENDATIONS. MEDIUM CROSS BRUSHED SURFACE FINISH.
2. PROTECT IN PLACE
3. CONSTRUCT RETAINING WALL PER CITY OF OXNARD STD. PLATE 600 (H = PER PLAN, B = 2'-6", T = 8", "X" BARS = #4 @ 16" O.C.) PER DETAIL 3 ON SHEET 2. BLOCKS TO MATCH ADJACENT SOUNDWALL.
4. INSTALL SIGN PER CAMUTCD STANDARDS & CITY OF OXNARD STD. PLATE 203 & 204
5. INSTALL REMOVABLE BOLLARD PER DETAIL 5 ON SHEET 2.

REMOVAL LEGEND

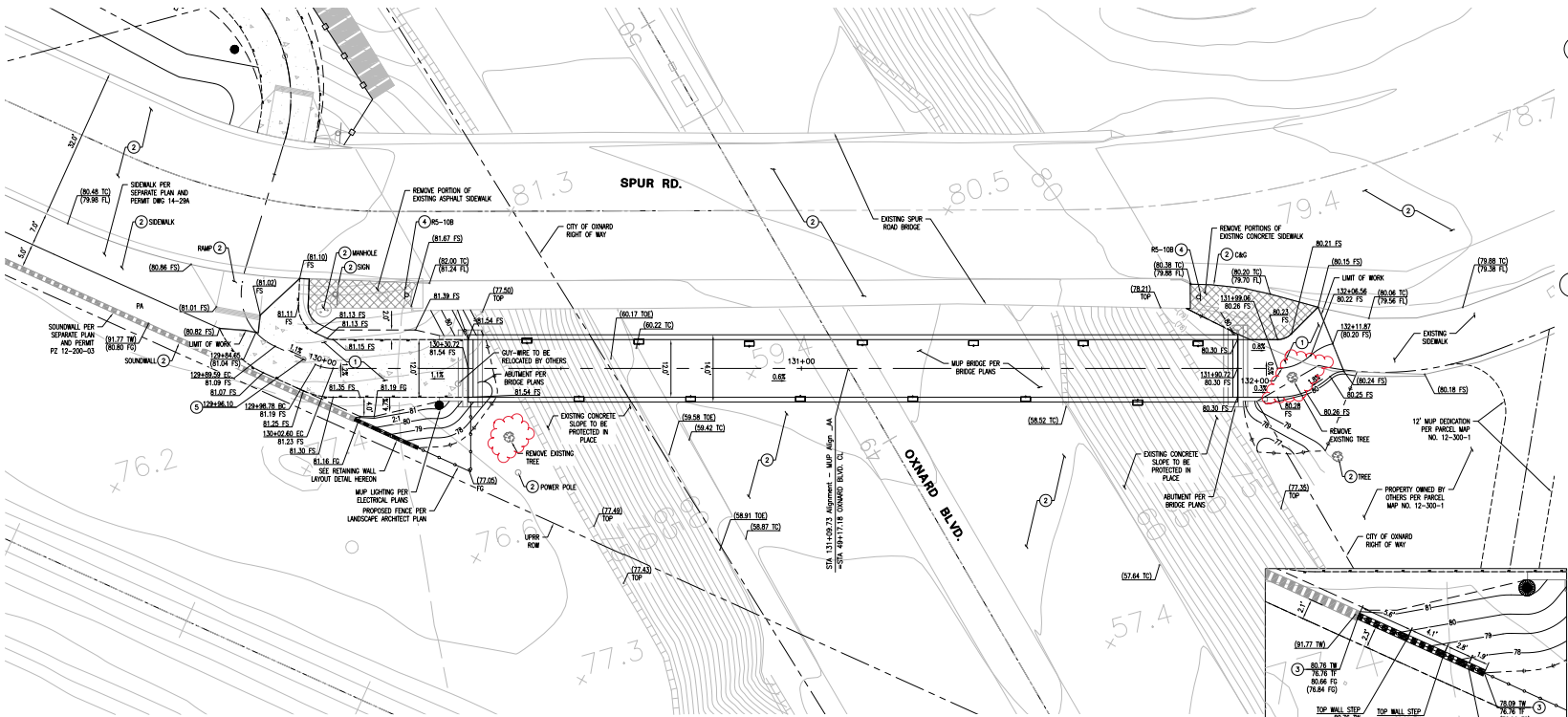
REMOVE EXISTING PAVING



3 RETAINING WALL DETAIL
NOT TO SCALE



5 REMOVABLE BOLLARD DETAIL
NOT TO SCALE



RETAINING WALL LAYOUT DETAIL
SCALE: 1" = 5'

SCALE: 1" = 10'

OWNER/DEVELOPER:
OXNARD DPFL PARTNERS, LLC
18 MACARTHUR PLACE
SUITE 110
IRVINE, CA 92612
TEL: (949) 398-8381

SOILS ENGINEER:
LEIGHTON AND ASSOCIATES, INC
17781 NORTH ARMANDO STREET
ANAHEIM, CA 92806
TEL: (714) 630-1926 FAX: (714) 630-1916

PLANS PREPARED BY:
HUITT-ZOLLARS
Huitt-Zollars, Inc.
2603 Main Street, Suite 600
Irvine, CA 92614-4270
Phone (949) 988-8086

PREPARED UNDER THE SUPERVISION OF

ADAM J. LUNZER — 77396 — R.C.E. — DATE

DESIGNED: AL
DRAWN: RW
CHECKED: AL
SCALE: AS SHOWN
REPORT # —
DATE

REVISIONS

No.	DATE

SEAL: REGISTERED PROFESSIONAL ENGINEER — ADAM J. LUNZER — No. 77396 — Signature — Date — STATE OF CALIFORNIA — CIVIL

OXNARD VILLAGE

500 COPPER DRIVE, OXNARD, CALIFORNIA

CITY OF OXNARD

DEVELOPMENT SERVICES DEPARTMENT - BUILDING

PLAN CHECK # –

PERMIT # PZ XX-XXX-XX

SHEET 2 OF 7

FILENAME: R:\X\3022268.01 – Oxnard Village – MUP Conceptual Design\10 CADD\10.1 AutoCAD\Sheets\MUP Bridge\3022680I_02_PG-01.dwg, LAST SAVED ON: Nov 11 2019 9:12am PLOTTED BY: RWALKER, ON: Nov 11 2019 9:12am, CFG:

ATTACHMENT D

Specific Plan Amendment Pages







April 2020

DRAFT 8.1 200312

An Amendment to

The Village

SPECIFIC PLAN

Specific Plan Amendment No. 2, PZ 19-630-01



City of Oxnard , CA

Prepared for:

Oxnard CRFL Partners /
Oakwood Communities
64 Maxwell, Irvine, CA 92618 (949) 719-9040

Consultants:
Di Cecco Architecture, Incorporated
~~Michael Baker International~~
Huitt Zollars
~~Gibson Transportation~~

2.1 INTRODUCTION

The Land Use Plan provides the basic coordinating elements of this Specific Plan and establishes some of the key development requirements. This Chapter establishes: (1) the proposed land uses for The Village Specific Plan; (2) the general mix, location, size, and total number of residential dwellings, and the size of the commercial uses; (3) the range of permitted uses within the Specific Plan; and (4) the degree of flexibility permitted during construction of the Specific Plan.

2.2 LAND USE CONCEPT

The Village Specific Plan proposes a mix of residential, commercial, recreational, and transit-oriented uses intended to serve a broad range of local and regional users without undermining the surrounding regional commercial market. Figure 2.1 - Land Use Plan and Figure 2.2 - Illustrative Site Plan establish the plan's conceptual spatial layout and mix of uses, to which all development standards proposed as part of this Specific Plan apply.

The Village Specific Plan envisions 1,500 total residential dwellings, approximately 50,400 square feet of ground floor commercial retail~~, and approximately 4,000 S.F. of optional office space within the live/work dwellings.~~

2.2.1 Planning Areas

Areas proposed for development within The Village Specific Plan are differentiated by "Planning Areas" and have been grouped according to form, function, and density. A total of 21 Planning Areas are proposed. They are divided into 7 individual categories, which are intended to allow a variety of uses. The proposed Planning Area categories include:

- **High Density Residential (H):** (15-30 DU/ acre)
- ~~**Live/Work (L/W):**(18-30 DU/ acre)~~
- **Very High Density Residential (VH):** (30-70 DU/acre)
- **Mixed Use (MU):** (25-70 DU/acre)
- **High Rise (HR):** (70-100 DU/gross acre)
- **Transit Center** Overlay **(TCO)**
- **Parks and Open Space (P/OS)**
- **Major Streets**

2.2.2. Location and Characteristics of Planning Areas:

Generally, the residential Planning Areas are spread throughout the Specific Plan in an orientation that creates a logical blend of stand-alone high density multi-family housing; high density mixed-use multi-family housing integrated with ground floor neighborhood commercial retail/office uses; very high density multi-family; and high rise multi-family. Each Planning Area and their representative characteristics are described in detail below.

High Density Residential (H):

The High Density Planning Areas are located in the western area of the Specific Plan. These neighborhoods consist of three-story townhouse and courtyard style building types connected by a network of pedestrian friendly streets. The streets are distinguished by broad sidewalks lined with street trees and landscaped parkways. These dwelling types either front onto a public street or are oriented around a landscaped courtyard. Parking is provided by traditional and tandem two-car garages accessed from an alley.

Please refer to Chapter 4.0 - Residential Development Plan, Chapter 5.0 - Landscape Development Plan, and Chapter 7.0 - Design and Architectural Standards and Guidelines for applicable development standards.

~~**Live/Work (L/W):**~~

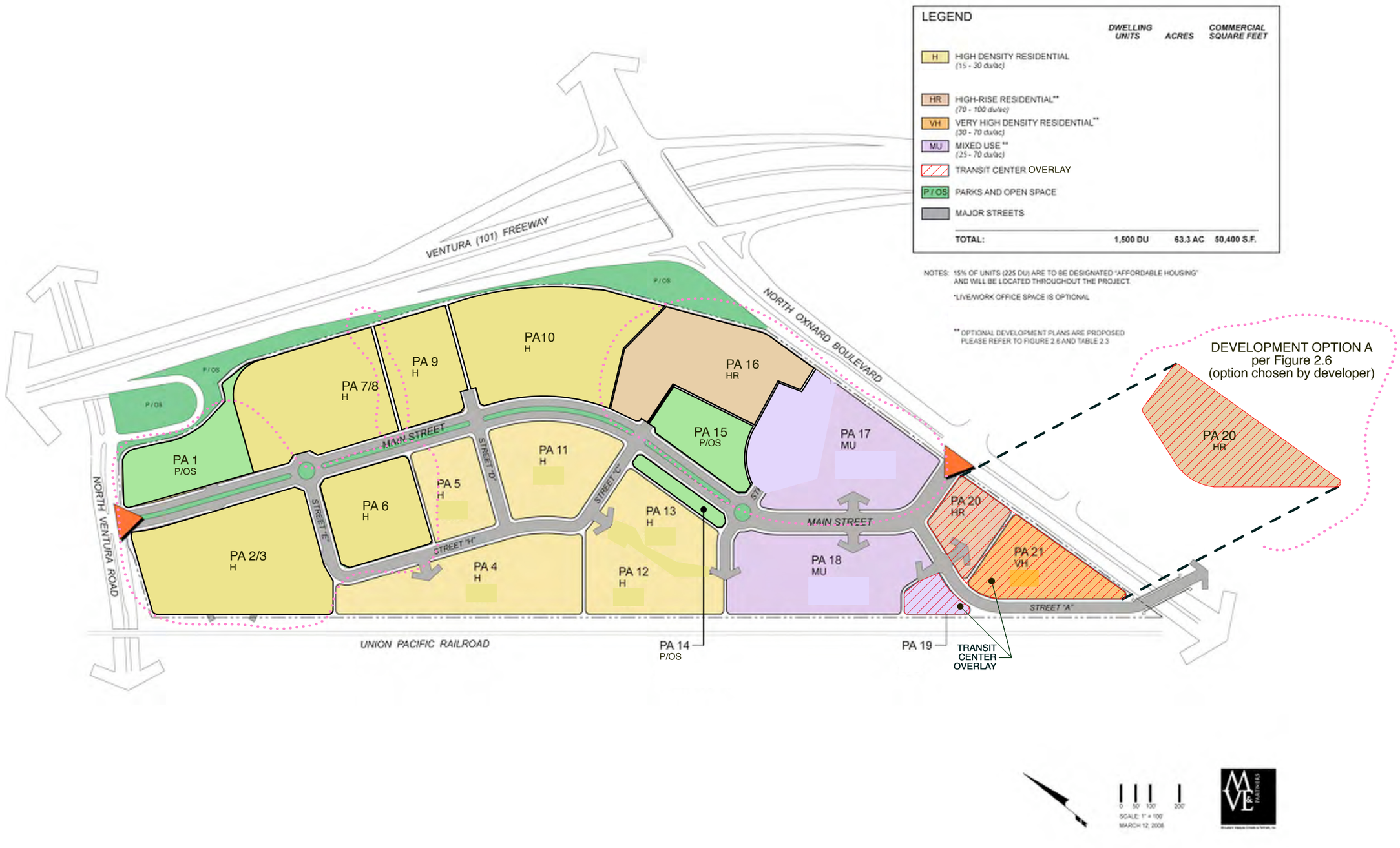
~~The Live Work Planning Area is located in the central area of the Specific Plan, south of the Village Green. This dwelling type has an architectural style and building footprint similar to the three-story townhouses located within the High Density Residential Planning Areas. However, this dwelling type permits the use of the ground floor as retail or office space. A total of 4,000 square feet of optional commercial space is allocated on the ground floor of the Live/Work Planning Area. Parking is provided by traditional two-car garages accessed from an alley.~~

~~Please refer to Chapter 4.0 - Residential Development Plan, Chapter 5.0 - Landscape Development Plan, and Chapter 7.0 – Design and Architectural Standards and Guidelines for applicable development standards.~~

Very High Density Residential (VH):

The Very High Density Residential Planning Area was part of the original Specific Plan approval. As part of the April 2020 Amendment, the area for this land use was removed but the design standards for this use remain.To allow this use in the future will require a Specific Plan Amendment and corresponding review of the environmental documents in place.

Please refer to Chapter 4.0 - Residential Development Plan, Chapter 5.0- Landscape Development Plan, and



Land Use Plan

2.3 LAND USE CONSISTENCY

All components of this Specific Plan are consistent with the City of Oxnard General Plan. To the extent possible, the Specific Plan used the General Plan Land Use Designation Map as a guide to establish the individual Planning Areas illustrated on Figure 2.1. However, the overall land use designation for The Village Specific Plan area reflected on the City's General Plan Land Use Map is a single land use termed "Specific Plan".

2.3.1 Planning Areas

The Specific Plan Area is comprised of 21 "Planning Areas" illustrated in Figure 2.1. They include:
PA-1 Parks/Open Space (P/OS)
~~PA-6: Parks/Open Space (P/OS);~~
PA 2 through 13: High Density Residential (H);
PA-14: Parks/Open Space (P/OS)
PA-15: Parks/Open Space; (P/OS)
PA-16: High Rise Residential (HR);
PA-17,18, &19: Mixed Use (MU);
PA-20: High Rise Residential (HR): and
~~PA-21: Very High Density Residential~~
Transit Center Overlay (TCO) applies to PA 19, 20 and 21 only;

Each Planning Area establishes a specific set of permitted land uses, target densities, square footage, and other development regulations. The Planning Areas are utilized and referred to throughout this Specific Plan as the basic components of development to which all standards, guidelines, and implementation measures apply.

2.4 LAND USE REGULATION

2.4.1 Summary

Section 2.2 and Figure 2.1 describe the character and location of the proposed Planning Areas within The Village Specific Plan.

2.4.2 Planning Area Specifications

Table 2.2 summarizes the gross acreage, target number of dwellings, target density ranges, and commercial square footages (if applicable) within each Planning Area.

2.4.3 Summary of Permitted Uses

Table 2.4 describes the range of permitted uses envisioned within The Village Specific Plan. Permitted Land Uses are entitled uses that, once reviewed by the Development Services Director as part of any formal construction design package, do not generally require discretionary review and approval by the Planning Commission and/or City Council for their inclusion as part of the Specific Plan.

Any proposed uses which are not listed in Table 2.4 may be included within The Village Specific Plan only after administrative approval by the City's Planning Manager, or if appropriate, by the Oxnard Planning Commission or City Council. For a more complete description of administrative review

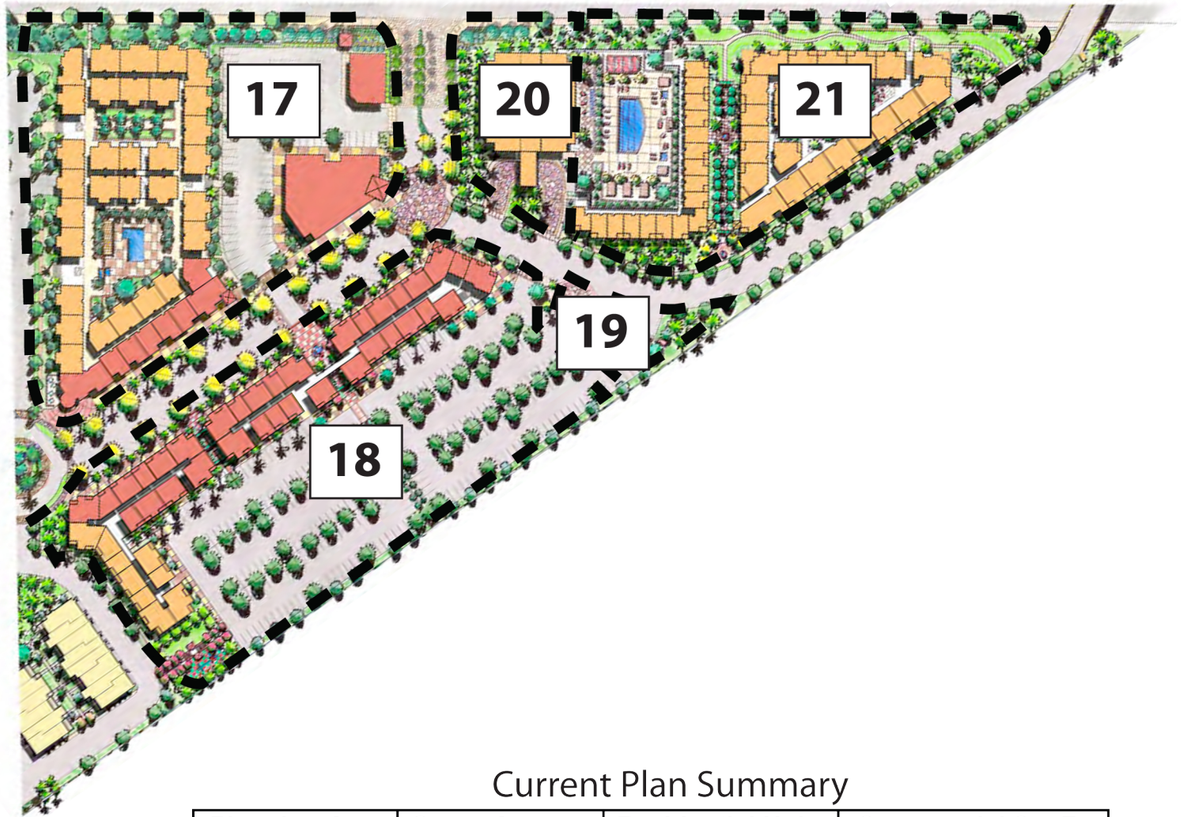
One of two development options may be developed within Planning Areas 17 through 21. They include:

- Current Development Plan: as shown in Figure 2.1, Figure 2.2, and in Table 2.2, Planning Areas 17 through 21 propose up to 503 for-sale residential units and up to 46,400 square of commercial uses with subterranean and surface parking; or

- Development Option A: as shown in Figure 2.6 and Table 2.2, Planning Areas 17 through 21 propose up to 662 rental residential units with slightly modified building configurations. Under this option, all of the multi-family residential units and ground-floor commercial retail spaces are wrapped around on-grade parking structures. Up to 50,400 square feet of commercial space is proposed under this development option. This option removes the 3rd high-rise tower and consolidates Planning Areas 20 and 21. A total of 238 residential units are proposed as part of Planning Area 17; a total of 219 residential units are proposed as part of Planning Area 18, and a total of 205 residential units are proposed as part of the consolidated Planning Area 20. Parking for Planning Areas 17 through 20 can be provided in above ground parking structures or in a combination of on-grade tuck under parking and surface parking as permitted by the City of Oxnard Planning Department. Note that total number of residential units proposed as part of Planning Area 16, High Rise, has been reduced from 304 units to 210 under this development option.

Figure 2.6 provides an illustrative side-by-side comparison of the development options described above. Tables 2.2 ~~and 2.3~~ provide a tabular comparison.

Current Development Plan
Planning Areas: 17, 18, 19, 20, 21



Current Plan Summary

Planning Area	Gross Acreage	Residential Units	Commercial Sq. Ft.
17	3.8	135	16,400
18	4.2	118	30,000
19	0.6	N/A	N/A
20	1.5	138	N/A
21	2.1	112	N/A
Totals	**12.2**	**503**	**46,400**

Option "A"
Planning Areas: 17, 18, 19, 20



Option "A" Summary

Planning Area	Gross Acreage	Residential Units	Commercial Sq. Ft.
17	4.6	238	34,200
18	4.0	219	16,100
19	.55	N/A	N/A
20*	2.5	205	N/A
Totals	**11.65**	**662**	**50,300**

*Note: Option "A" combines Planning Areas 20 and 21 as ~~Very Hie~~High Rise Residential, removes 3rd high-rise and reduces unit count from 304 to 205 for High Rise Tower located in PA 16.

Optional Development Plan

Table 2.2 Land Use Summary

Land Use		*Gross Acreage*	*Target Commercial SF**	*Target Unit Count Per Planning Area ***
High Density Residential				
Target Density	*(15-30 du/ac)*			
	Planning Area 2/3	5		117
	Planning Area 4	4		88
	Planning Area 5	1.9		33
	Planning Area 6	2		33
	Planning Area 7/8	3.6		48
	Planning Area 9	2.2		48
	Planning Area 10	4.4		96
	Planning Area 11	2.5		45
	Planning Area 12/13	4.1		120
	Subtotals	29.7		628
Transit Center Overlay				
Overlay on planning areas 19, 20, 21		NA		
Parks and Open Space				
Parks/Landscape Areas				
	Planning Area 1	2.39		
	Planning Area 14	0.46		
	Planning Area 15	1.52		
	Perimeter/Interior Landscaping	2.22		
	Subtotals	6.59		
Mixed Use Development Option "A"				
Target Density	*(25-70 du/ac)*			
	Planning Area 17	4.6	34200	238
	Planning Area 18	4	16100	219
	Planning Area 19	0.55		
	Subtotals	9.15	50300	457
High Rise Residential Development Option "A"				
Target Density	*(70-100 du/ac)*			
	Planning Area 16	3.3		210
	Planning Area 20	2.5		205
	Subtotals	5.8		415
Other				
Major Streets		10.5		
Flood Control / private drives		0.61		
	Subtotals	11.11		
TOTALS FOR SPECIFIC PLAN AREA		**62.35**	**50300**	**1500**
		acres	square feet	dwelling units

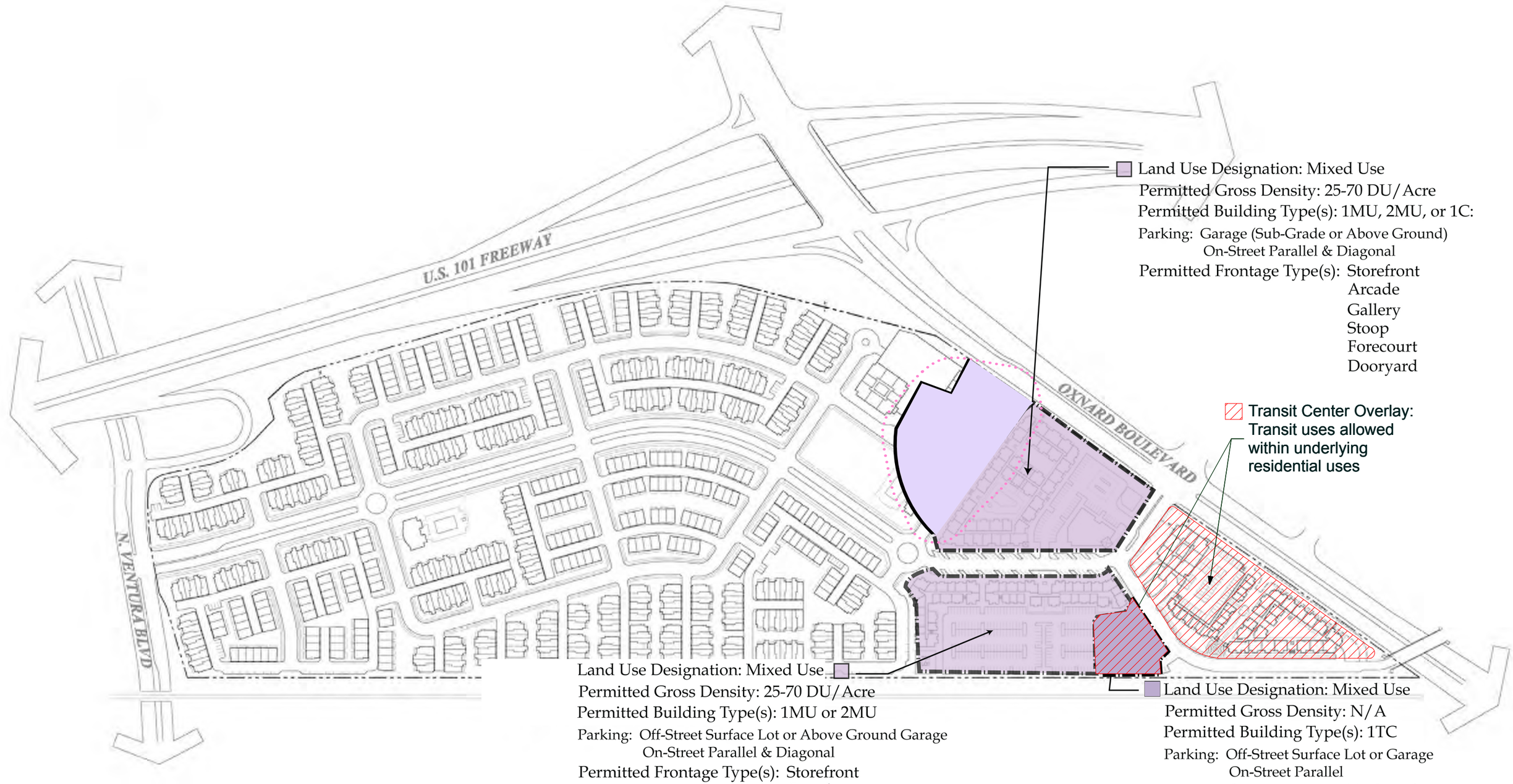
*Commercial square footage can be added or subtracted from each of the Mixed Use Planning Areas under the condition that the total commercial area within the Specific Plan does not exceed 50,300 square feet.

**Units can be added or subtracted from each Planning Area under the condition that the total number of units within the Specific Plan does not exceed 1500 and the maximum density for each Planning Area is not exceeded.

Note: This table replaces Tables 2.2 and 2.3. (Option A is shown on this Table 2.2.)

Table 2.4 Summary of Permitted Uses by Land Use Category

PLANNING AREA	ALLOWABLE USES
High Density Residential	▪ **Multi-Family Residential Dwellings at 15-30 DU/Acre** ▪ **Day care facilities or other civic related uses** ▪ **Churches**
~~Live/Work~~	~~▪ Multi-Family Residential Dwellings at 18-30 DU/Acre;~~ ~~Acceptable office/service uses include, but are not limited to:~~ ~~▪ Professional and administrative offices, including attorneys, engineers, architects, retail, day care facilities, insurance, real estate, and other lower intensity office uses that are not engaged in merchandizing of goods or products~~ ~~▪ Churches~~ ~~▪ Similar uses as determined acceptable by the Planning Manager of the City of Oxnard~~
Very High Density Residential	▪ **Multi-Family Residential Dwellings at 30-70 DU/Acre** ▪ **Day Care Facilities** ▪ **Churches**
High Rise Residential	▪ **Multi-Family Residential Dwellings at 70-100 DU/Acre** ▪ **Day Care Facilities** ▪ **Churches**
Mixed Use	▪ **Multi-Family Residential Dwellings uses at a density of 25-70 DU/acre** **<u>Acceptable office/service uses include, but are not limited to:</u>** ▪ **Professional and administrative offices, including medical, dental, attorneys, dry cleaner, transportation oriented uses (such as ~~segway~~ rentals, bicycle rentals, etc.) engineers, architects, insurance, real estate agents, churches, day care facilities, and other offices/services not engaged in merchandizing of goods or products** ▪ **Multi-Level Parking Structures** ▪ **Churches** ▪ **Banks; savings and loan associations and other financial institutions;** ▪ **Pharmacies engaged primarily in the merchandising of pharmaceutical medical supplies; and** **<u>Acceptable retail uses include, but are not limited to:</u>** **Antique store** **Grocery, Fruit or Vegetable Store** **Restaurants (including outdoor dining)*** **Apparel, clothing store, or boutique retail store** **Art studio or gallery** **Nightclub/Bar (limited to non-amplified live music)*** **Delicatessens and sandwich shops** **Electronics, television, and radio store,**



Mixed Use Regulating Plan

4.1 INTRODUCTION

4.1.1 Purpose

This Chapter describes the development regulations applicable to the High Density, Very High Density, ~~Live/Work,~~ and High Rise Planning Areas. These "form-based" regulations are intended to facilitate development of the Specific Plan's residential neighborhoods. Additional development standards are found in Chapter 2: Land Use Plan, Chapter 5: Landscape Development Plan, and Chapter 7: Design and Architectural Standards and Guidelines. All other standards not specifically addressed by this Specific Plan shall be governed by the City of Oxnard Zoning Ordinance and applicable sections of the Municipal Code.

4.1.2 Organization of the Residential Development Plan

This Chapter is organized into five sections, which describe the vision for the residential neighborhoods and the applicable development standards. Section 4.2 describes the desired character for each residential planning area. Section 4.3 describes the mandatory residential design elements for all residential uses. Sections 4.4 and 4.5 define the acceptable building and frontage types. Compliance with the standards and guidelines listed throughout this chapter will help ensure that development conforms to the desired urban design and architectural quality, and the appropriate building forms.

4.1.3 Applicability

The following Planning Areas are subject to these regulations:

- High Density Planning Areas: PA-1 through 5 and PA-7 through 13;
- Very High Density Planning Area: ~~PA-21,~~ Note: This building type requires a Specific Plan amendment to locate within the development plan. See 2.2.2
- ~~Live/Work Planning Areas PA-21, PA-22~~
- High Rise Planning Areas: PA-16 and PA-20.

4.2 DEVELOPMENT CHARACTER

Building types with European and local architectural styles and architectural styles found throughout Oxnard and Ventura County were used as inspiration for the Specific Plan's residential neighborhoods.

As such, a variety of higher density housing types ranging from three story townhouses to high rise condominiums are planned within walking distance of the mixed-use village core, mass transit, and recreational amenities. Tree-lined, pedestrian-friendly streets and pathways interconnect the neighborhood services with the residential neighborhoods, creating opportunities for continuous pedestrian activity and a reduction in automobile use.

The general characteristics of each residential dwelling type are described below.

4.2.1 High Density Residential (H)

The predominant building form within the High Density residential neighborhoods is the "brownstone" style townhouse typically found in larger American cities along the eastern seaboard. These dwelling types front onto public streets, private landscaped courtyards, or private parks.

Vehicle parking for residents of the High Density Residential Planning Areas is provided by an attached two-car garage (traditional and tandem) accessed from an alley. Additional guest parking is provided along Main Street, the surrounding neighborhood streets, and in designated off-street parking areas.

The High Density Residential Planning Areas encompass approximately 28.0 acres and are bordered on the north by the Ventura (101) Freeway, on the west by North Ventura Road, on the south by Union Pacific Railroad and on the east by the ~~Live/Work,~~ Mixed Use and High Rise Residential Planning Areas.

~~**4.2.2 Live/Work (L/W)**~~

~~The Live/Work Planning Area begins the transition from the High Density Residential Planning Areas to the higher density Mixed Use Planning Areas. A total of 14 Live/Work units front onto Main Street, opposite the Village Green.~~

~~The live-work building form is similar to the High Density dwellings; however, each live-work dwelling provides the owner with optional ground floor "flex-space" which can be used as a small commercial office/retail space or additional living space. Up to 4,000 square feet of optional workspace is permitted within the Live/Work Planning Area.~~

~~Vehicle parking for residents of the Live-Work dwellings is provided by a traditional two-car garage accessed from an alley. Additional guest parking is provided along Main Street and the surrounding neighborhood streets.~~

~~The Live/Work Planning Area encompasses approximately 0.6 acres.~~

4.2.3 Very High Density Residential (VH) (Subject to an S.P.A. See 2.2.2)

A courtyard building type is planned for the Very High Density Planning Area. The buildings ~~are up to four stories and~~ include stacked flats and stacked townhouses wrapped around ~~a~~ common courtyard s. Parking for residents is provided in ~~two level subterranean~~ structured parking garages. ~~Parallel parking along Street "A" provides additional guest parking. The buildings front Oxnard Boulevard and Street "A".~~

~~The Very High Density Residential Planning Area encompasses approximately 2.1 acres and is bordered on the east by Oxnard Boulevard, on the west and south by Street "A", and on the~~

~~north by High Rise Residential Planning Area 20.~~

As discussed in Chapter 2, an alternative development plan, Option "A," has been designed for the Very High Density Planning Area. As shown on Figure 2.6, Option "A" combines High Rise Planning Area 20 and Very High Density Planning Area 21. This new Planning Area (Planning Area 20) includes three and four-story stacked flats wrapped around an on-grade parking structure and on-street parking areas. Please refer to Table 2.2 and Figure 2.6 for additional information on this alternative development plan.

4.2.5 High Rise Residential (HR)

The High Rise Residential Planning Areas are designed to bring a new style of urban living to Oxnard. ~~Three towers are proposed, two in Planning Area 16 and one in Planning Area 20. The towers are designed to maximize views of the ocean and the mountains. The towers are envisioned as the ultimate urban living experience and include up to 442 residences with private balconies, rooftop recreation and amenities, and concierge service.~~

Parking for residents, guests, and related service personnel is provided by partially underground and/or above ground parking structures. Additional guest and service related parallel parking is available along Main Street, Street "B", Street "C", and Street "G".

Planning Area 16 encompasses approximately 3.3 acres; Planning Area 20 encompasses approximately ~~2.5~~ 4.5 acres.

An alternative development plan, Option "A," has been developed for High Rise Planning Area 20, as described in the Chapter 2. This optional development plans ~~removes the high-rise tower located in Planning Area 20~~ and reduced the number of residential units within Planning Area 16. Please refer to Table 2.2 and Figure 2.6 for additional information on this alternative development plan.

4.3 MANDATORY RESIDENTIAL DESIGN ELEMENTS

The following general design principles and specific development standards are applicable to the development of any residential project as part of this Specific Plan.

4.3.1 The Neighborhood Concept

The "neighborhood concept" within the context of The Village Specific Plan includes the following key elements which shall be used as a guide during the final design and development of each residential dwelling:

- All residential Planning Areas shall be designed as inter-connected neighborhoods;
- The size and configuration of neighborhoods shall ensure that housing, jobs, daily shopping

4.4 BUILDING TYPES



The High Density Residential, Live/Work, Very High Density Residential, and High Rise Planning Areas form the Specific Plan's residential neighborhoods. This section establishes specific building type standards for the residential Planning Areas.





The following building types are permitted within the residential Planning Areas:



- Building Type H: High Density Residential
- ~~Building Type L/W: Live/Work Residential~~
- Building Type VH: Very High Density Residential
- Building Type: HR: High Rise
- Building Type 1TC: Transportation *





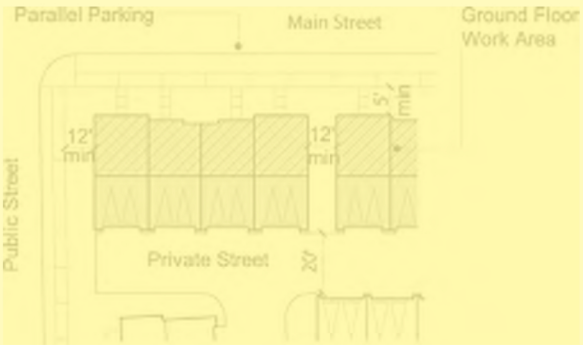
The following sections describe the requirements applicable to each building type. Figure 4.2 – Residential Regulating Plan illustrates the conceptual building configuration and type, density, block pattern, and frontage type for the residential Planning Areas.

* Building Type 1TC Transportation can only occur within the Transit Center Overlay

4.4.2 Building Type L/W: Live/Work



Illustrative Rendering



Typical Live/Work Configuration

Lot Frontage

BUILDING TYPE ELIMINATED IN ITS ENTIRETY

Lots front the public street and shall be served by a private lane at the rear.

Building Envelope

Lot Width: 20′ min.
Building Height: 46′ max. to top of parapet



Concept Rendering

Setbacks

Front: 5′ min. to 10′max.
Rear: 0′ min.
Side: 12′ min. at corner lots
Side Between Buildings: 12′min.

4.4.4 Building Type HR: High Rise





Typical Tower Configuration

Lot Frontage

Lots shall front a neighborhood street and shall be served by parking garage entry at the side of each lot.

Building Envelope

Lot Width: 100 feet min.
Building Height: 100'
max.



Concept Rendering

Setbacks - Planning Area 16

Front: 20' min. from "G" Street
Rear: 30' min. from Oxnard Blvd.
Side: 10' min. from 101 Freeway R.O.W.
Between Buildings: 80'min.

Setbacks - Planning Area 20

Front: 20' min. from "A" Street
Side: 10' min. from Main Street
Rear: 25' min. from Oxnard Boulevard

Building Orientation and Use

- Buildings types and frontages shall be in accordance with the Residential Regulating Plan (Figure 4.2).
- The main entrance to the towers shall be from a ground floor lobby fronting the street. Elevator access shall be provided from the subterranean portions of the parking structure and the ground level lobby to all levels of the building.
- The towers shall be offset to provide views from all sides of the buildings.
- ~~Private recreational facilities shall be provided on the roof of the parking structure.~~

Service Requirements

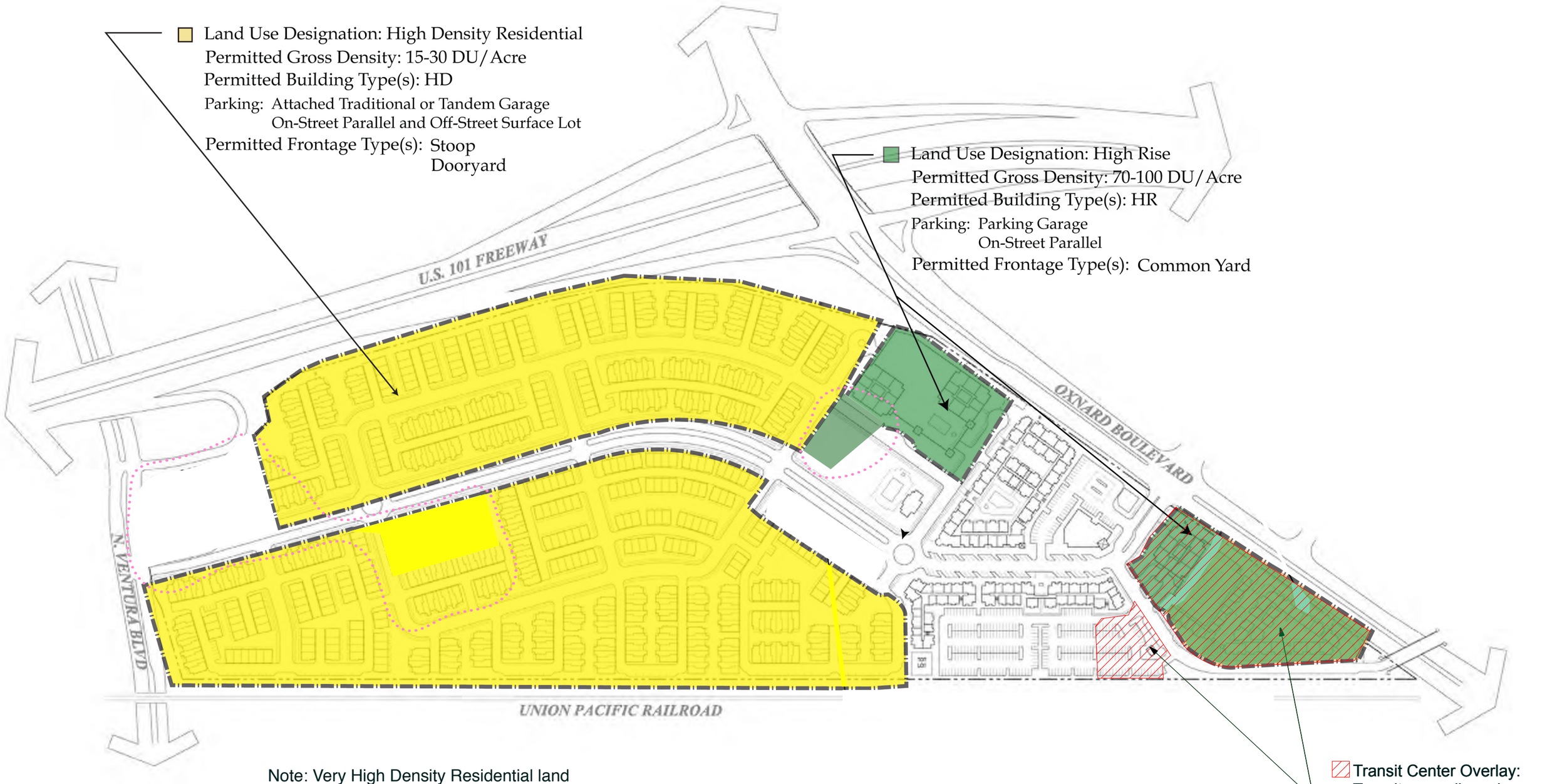
- Parking for service uses shall be located on the surrounding public streets.
- Access to the parking garages shall be from one of the streets at the sides of each lot (from Street "A", Street "B" or Street "C").
- Access to dry utility meters and other service functions shall be from the streets at the sides of the lot and shall be effectively screened.

Parking Requirements

- Each dwelling unit shall be provided with indirect access to two parking spaces within the parking garage. Note that some of the garage parking spaces may be shard as part of the Parking Management Program.
- Additional garage parking and on-street parallel parking spaces, as shown of Figure 6.4 Parking Plan, shall be provided to satisfy the requirement for visitor parking. Guest parking will also be provided within the Shard Parking District.

Trash Storage and Collection

- Trash storage shall be provided within an enclosed trash storage area within the parking garage. The building management company, or HOA, or other designated responsible party shall be responsible for moving the trash bins to and from an accessible street side location on trash pick up days.
- Interior trash and recycling disposal areas and/or chutes will be provided in a central location within each floor or within each residential unit. Trash from the chutes will be conveyed to a central trash compactor or bin located at the garage level. The Homeowners' Association shall be responsible for maintenance and upkeep of the internal trash disposal system.



Note: Very High Density Residential land use requires a Specific Plan Amendment to locate the use within this plan.

Residential Regulating Plan

5.4 CONCEPTUAL PARK DESIGNS

5.4.1 Introduction

With the exception of trails and sidewalks around the perimeter of the Specific Plan area, the plazas, squares and sidewalks along Main Street, and potentially a portion of The Village Green, recreational amenities within the Specific Plan are planned as privately maintained facilities for residents of The Village. As designed, the Village Green (Planning Area 15) and Neighborhood Park (Planning Area 6) provide the focal point for community recreation and include green-space, ~~community rooms, and pools.~~ The greenspace planned for the Village Green could be designated as a public park given its proximity to the public spaces planned within Mixed Use Planning Areas. A determination of public vs. private shall be made prior to recordation of the final map. Several privately maintained pocket parks, courtyards, and pathways are interspersed throughout The Village Specific Plan to provide more passive recreational opportunities for Village residents. Privately maintained terrace and courtyard recreational facilities are also proposed to serve residents of the High Rise, Very High Density Residential, and Mixed Use Planning Areas. These recreation facilities are designed as outdoor rooms and are planned to include formal sensory gardens, enhanced paving, fountains, pools, and barbeque areas.

5.4.2 Design Concepts for Each Park

Figures 5.8 through 5.12 illustrate the conceptual designs for parks and recreation areas. Each park design is intended to be privately maintained by the Homeowner's Association, except as noted above.







Illustrative Photos

The Village Green is envisioned as one of the central gathering places for residents and visitors of The Village. The turf area is designed to serve multiple functions. A central square is surrounded by lush landscaping, enhanced paving, and sculpted turf which provide opportunities for relaxation, outdoor gatherings,public art, and seasonal festivities such as ice skating, Christmas tree lighting, evening movies in the summer, and outdoor concerts. ~~The community center and pool will provide residents with opportunities for active community recreation, outdoor gatherings, and other pool side festivities.~~



Illustrative Photo





Village Green

The Neighborhood park is also envisioned as one of the central gathering places for residents of The Village. and the greater Oxnard community.

This park area is planned to include a court play area surrounded by lush landscaping, enhanced paving, and sculpted turf which will provide opportunities for relaxation, active play, and outdoor gatherings. ~~The community center, pool terrace, and pool will provide residents with opportunities for active community recreation and pool-side festivities.~~



Illustrative Photo





Key Map

Neighborhood Park

5.4.2.1 The Village Green

As depicted in Figure 5.8, the Village Green is designed as one of the primary gathering places for residents and visitors of the Specific Plan. The Village Green and its facilities occupy approximately 1.9 acres. ~~The pool house facility grounds are for the private use of the Village Specific Plan residents and will be maintained by the Homeowner's Association. The green-space adjacent to the west of the pool~~ Village Green and its amenities are a public recreational amenity for the enjoyment of the residents and the greater Oxnard community.

5.4.2.2 The Neighborhood Park

As depicted in Figure 5.9, the Neighborhood Park is designed as one of the primary gathering places for residents of the High Density Planning Areas. The park includes ~~a designated active play area, a pool,~~ court play areas, dog park, exercise areas and turf areas. The Neighborhood Park is approximately 2.3 acres. These facilities are proposed as a public recreational amenity for the enjoyment of the residents and the greater Oxnard community.

5.4.2.3 Pocket Parks

As depicted in Figure 5.10, the pocket parks are designed to provide more private gathering places within a comfortable 5-minute walk of each residential neighborhood. The pocket parks total approximately 2.24 acres. These facilities are for the private use of the residents and will be maintained by the Homeowner's Association.

5.4.2.4 Plazas, Paseos and Pathways

As depicted in Figure 5.11, the plazas, paseos, and pathways are designed to provide connections between neighborhoods. Within the mixed use areas, the passageways and plazas will be inviting and attractive spaces for congregation, dining, expansion of retail/commercial space (in the Mixed Use Planning Areas), and pleasing connections to Main Street or parking areas. A Class I bike/pedestrian pathway is proposed along the project's northern edge as an additional public recreational amenity. In addition, the northern most portions of the River Edge Trail will be constructed along the project frontage west of Ventura Road as a pubic recreational amenity. Interior paseos and trails will be privately maintained by the Homeowner's Association.

5.4.2.5 Private Terrace and Courtyard Recreation Areas

As depicted in Figure 5.12, approximately 1.65 acres are dedicated to private recreation terraces. These facilities are integrated into the building design of the High Rise, Very High Density and Mixed Use Planning Areas, and are proposed to serve the residents of these areas. Access to the facilities will be from either an elevator or private interior courtyard. These spaces are for the private use of the residents and will be maintained by the Homeowners' Association.

The shared parking areas have been established based upon the City of Oxnard Zoning Code requirement that shared parking spaces shall only be located within 500 feet of any use served. Thus, the shared parking areas are all located within 500 feet of the Mixed-Use, High Rise, TC Overlay and the Very High Density Residential Planning Areas. The shared parking spaces are distributed among on-street parallel and angled parking, off-street parking lots, and off-street parking structures. Figure 6.4 specifies the location of all shared and non-shared parking areas within the Specific Plan.

- **Parking Space Size:** The size of all parking spaces will comply with the standards established by the City of Oxnard Municipal Code.

- **Shared Parking Ratios**: Within the shared parking areas, residential parking demand ratios of 1.5 spaces per owner-occupied condominium unit and 1.2 spaces per unit for rental apartments were recommended by Nelson-Nygaard, as part of the Specific Plan's preliminary Shared Parking Study. A commercial parking demand ratio of 2.5 spaces/1,000 square feet of commercial development was recommended as part of this same study. The ultimate goal of the shared parking approach is to permit flexibility in the municipal parking standards in favor of a system where the private sector develops parking to meet only the needs of development without over-building parking supply. The preliminary Shard Parking Study prepared by Nelson-Nygaard and Associates concluded that approximately 1,728 parking spaces (including 154 "shared" spaces) will be needed within the Shared Parking District to meet the parking demand for residents, guests, shoppers, business owners, and their employees.

- **Non-Shared Residential Parking Ratios:** Within the High Density Residential ~~and Live/Work~~ Planning Areas (Planning Areas 4-13), an overall parking ratio of 2.5 spaces per residential unit was used to calculate the number of parking spaces required for both residents and guests. These non-shared spaces are provided in a combination of two-car garages for each residential unit plus on-street parallel parking, and off-street parking areas for guest parking. The total number of non-shared spaces available to the High Density Residential Planning Areas will likely exceed the City's standard parking requirements. Nevertheless, this Specific Plan permits the establishment of a residential permit parking program within the High Density Residential Planning Areas, if the City determines that spillover parking is creating parking shortages. Establishment of such a program would be subject to review and approval by the Planning Manager.

6.9.3 Parking Area Location, and Type

- **Parking Locations for High Density Residential Planning Areas:** Parking for the High Density Residential Planning Areas (PAs 2-13 ~~4~~) will be provided via ~~attached 2-car~~ enclosed garages for each residential dwelling accessed from an alley. On-street parking is prohibited within the alley. Guest parking for High Density Residential Planning Areas will be located within off-street surface parking areas and parallel on-street parking areas. Guest parking shall be located within an acceptable distance of the surrounding residences, per the City of Oxnard Zoning Ordinance. ~~Using a ratio of 2.75 spaces per unit, these Planning Areas will likely include approximately 1,867 parking spaces.~~

- ~~**Parking Locations for Live/Work Planning Area:** Parking for the Live/Work Planning Area (PA 14) will be provided via private 2-car garages accessed from an alley. On-street parking is prohibited within the alley. Guest parking is provided along Main Street. Using a ratio of 2.75 spaces per unit, this Planning Area will include approximately 38 parking spaces.~~

- **Parking Locations for Mixed-Use Planning Areas:** Parking for the Mixed-Use Planning Areas (PAs 17, and 18) will be provided in on-street and off-street surface parking areas, subterranean or on-grade garage parking, under a shared parking arrangement.

- **Parking Locations for Very High Density Planning Area:** Parking for the Very High Density Planning Area (PA 21) will be provided by a ~~subterranean or~~ structured parking ~~garage,~~ or a combination of on-grade tuck under and surface parking subject to review and approval by the City of Oxnard Planning Department. Any on-site tuck under and surface parking shall be appropriately screened from the street using landscaping and building forms. In either scenario, additional guest parking will be provided in on-street parking areas. On-street parking shall be subject to a shared parking management program.

- **Parking Locations for High Rise Planning Areas:** Parking for the High Rise Tower Planning Area (PA 16 and 20) will be located in two parking structures under a shared parking arrangement. The majority of resident and guest parking will be provided within the parking structures, and on neighboring streets under a shared parking arrangement.

~~Planning Areas 17-21 will likely include 1,728 parking spaces.~~

6.9.4 Parking Management Plan

A Shared Parking Management Plan will be prepared prior to issuance of building permits for any development project within the shared parking district as

~~7.2.3.2 *Live/Work Residential Design Guidelines*~~

~~Please refer to Section 7.2.3.1 above.~~

7.2.3.3 *Mixed Use Residential Design Guidelines*

Please refer to Section 7.1 for all applicable Mixed Use Design Guidelines.

7.2.3.4 *Very High Density Residential Design Guidelines*

Building form within the Very High Residential Planning Area consists of 4-story condominium flats over two levels of subterranean parking or wrapped around a parking structure.



Illustrative Rendering

A. Neighborhood Compatibility

1. Front building facades should include porches, projecting eaves and overhangs, and other traditional architectural elements that provide residential scale and help break up building mass.

2. Massing and orientation of dwellings shall be stepped back on the third and fourth stories to minimize visual impact.

3. Privacy of neighboring structures should be maintained, with windows on upper floors and balconies positioned so that they minimize the view into neighboring properties.

4. Sun and shade impacts on neighboring properties shall be considered.

5. Setbacks, where provided, should include privacy hedges, low walls or fences (no more than 3 feet in height), to provide separation from the sidewalk edge, and a sense of definition and enclosure.

6. Setbacks, where provided, should feature a balance of landscaping and paved area.

B. Paseos

1. Paseo connections to neighboring streets should be made wherever auto connections are infeasible due to project or site constraints.

2. Paseos should provide easy and direct access to building entries, common open space amenities and visitor parking areas.

3. Paseos should visually extend the street into an area for safe pedestrian use, with consistent street furnishings.

7.2.3.5 *High Rise Residential Design Guidelines*

Building forms within the High Rise Planning Areas consist of ~~20-25 story~~ towers with above ground structure parking.



Illustrative Rendering

A. Building Orientation

1. Buildings shall be setback a minimum of 10 feet from the property line.

2. Orient structures such that urban open spaces receive adequate direct sun and filtered daylight and are protected from excessive wind, building glare and shade.

3. Two or more towers shall be offset to maintain more distant views for all residents.

4. The primary building entry shall be oriented towards the public street. Parking and vehicle access should be located away from pedestrian entries, open space, and street intersections.

B. Building Design

1. Buildings should have a discernable treatment that differentiates the base, middle and top of all building facades.

2. Awnings and sunshade treatments are strongly encouraged for the south and west sides of the development in response to solar orientation.

3. The building entries should incorporate one or more of the following elements:

   - Increased ceiling height in lobby spaces
   - Distinctive doorways
   - Decorative lighting
   - Distinctive entry canopy
   - Projected or recessed entry bay
   - Building name and address integrated into the building façade
   - Artwork integrated into the façade or the sidewalk
   - A change in paving material, texture, or color within the property line
   - Distinctive landscaping, including plants, water features and seating
   - Ornamental glazing, railings, and balustrades

5. The tops of tall buildings shall be designed to provide visual interest to

3. Minor Deviation: Minor Deviations may be approved by the Planning Manager and shall require a minor modification permit. The following modifications fall within the parameters of a minor deviation:

   - Deviations within 15% of numerical development standards for setbacks, building height, building additions, lot coverage, lot area, lot width, lot depth, and parking requirements; and

   - Specific modifications of a similar nature to those listed within minor modifications, which are deemed by the Planning Manager and/or DAC to be in keeping with the spirit and intent of the Specific Plan, and are in conformance with the 2020 General Plan.

4. Major Deviations: Projects that do not qualify under the minor deviation procedure shall be considered major modifications. Major modifications require the submittal of a major modification permit application and would be considered by the Planning Commission. The following would fall under the parameters of a major deviation:

   - Deviations exceeding the 15% numerical standards for setbacks, building height, building additions, lot coverage, lot area, lot width and lot depth, and parking requirements.

5. Specific Plan Amendment: An amendment to the Specific Plan would be required when fundamental text and/or map changes or additions are proposed to the Specific Plan document. Examples of this include, but are not limited to, the reconfiguration of streets as illustrated on Figure 2.1, 2.2, or 5.2, changes in land use density, allowable land uses, substantial changes in the development standards, or a request to increase the total number of dwelling units above 1,500. A Specific Plan amendment requires final approval by the City Council.

6. Administrative Modifications to Specific Plan: Minor Modifications to the Specific Plan may be approved administratively by the Planning Manager if the Planning Manager or Community Development Director determine that the proposed modifications are minor in nature, in keeping with the spirit and intent of the previously approved Specific Plan environmental document. Administrative Modifications to the Specific Plan require the submittal of a Minor Modification permit application. The following are examples of changes that may be approved as Administrative Modifications:
   - Text changes to correct internal inconsistencies and conflicts within the Specific Plan;
   - Minor changes within 15% of numerical development standards; or
   - Similar modifications which the Planning Manager or Community Development Director deem to be minor in nature.

8.7.3 Plan Approval Process

The following review process is intended as a guide for all parties involved in reviewing and approving specific development proposals submitted as part of this Specific Plan. Although this guide could be applied to all properties, actions, and development applications within the Specific Plan Area, it is not meant to supersede all applicable review and approval procedures adopted by the City of Oxnard as part of the Zoning Ordinance and/or Municipal Code. They shall remain in full force and effect.

Step 1: Pre-Submittal Meeting

Project applicants should meet with City Planning Staff to verify how the Specific Plan applies to a particular project area and/or parcel and to clarify and/or answer questions of the potential applicant. Applicants are encouraged to consult with City Staff regarding proposed designs (site and buildings) prior to submittal of a formal development application and corresponding fee deposits.

Step 2: Formal Development Plan Submittal

The following documents shall be submitted with the City's development application and the corresponding fee deposits:

Tentative Tract Map identifying all blocks, thoroughfare types, lots for development or parks, the plotting of all building types for the various types of lots, and all required engineering information per the City of Oxnard Public Works Department.

Proposed submittals where building construction constitutes an integral part at the time of submittal shall have architectural plans identifying the following:

a) Proposed building types consistent with those represented in Chapters 3 and 4 in the Specific Plan. If building types are proposed that are not identified in the Specific Plan, such designs will be reviewed for compatibility by the Planning Manager .

b) Along with the selected building types, preliminary architectural floor plans, exterior elevations, colors and materials, infrastructure plans, and landscaping plans shall be submitted to the City for administrative review for consistency with the applicable provisions of this Specific Plan. Once the applicable development permit has been granted, the plans may be submitted for review and processing by the Building and Safety Department.

Step 3: Development Design Review Permit

The DAC shall review all applications and provide comments for consideration by the project applicant and verify condition compliance.

In the event that the application is not fully consistent with the applicable provisions of this Specific Plan or the conditions of approval, the applicant shall be informed of this in writing as to the specific reasons and be given the opportunity to address said item(s). Upon re-submittal, the committee shall review only those items deemed inconsistent with the Specific Plan and/or conditions of approval, unless the revisions made to the application resulted in a revision to any other portion of the application, in which case that portion may also be reviewed as part of the resubmitted application.

Step 4: Planning Commission and/or City Council Public Hearings

In the event that a project requires approval of a Special Use Permit (SUP) as defined in the Oxnard Zoning Ordinance, or a project requires modification, the project applicant shall submit a development application and all required supporting documentation to the Planning Department for review and consideration by the appropriate decision making body, as required by the City's Municipal Code.

In the event that project issues cannot be resolved during Development Design Review committee meetings, or if components of a particular development application require discretionary review and approval pursuant to the City of Oxnard Municipal Code, the City Staff shall prepare a report summarizing the proposed development and provide a recommendation for consideration by the Planning Commission. Upon consideration, the Commission may approve the request, continue the matter for more information, or deny the application due to reasons stated at the hearing.

In the event that a project requires a modification to the Development Agreement and/or Owner Participation Agreement, the project applicant shall submit a development application and all required supporting documentation to the Planning Department for review and consideration by the appropriate decision making body, as required by the City's Municipal Code.

8.7.3 Appeals

The Developer shall have the right to appeal any decision rendered by the DAC and/or the Planning Manager as part of Development Design Review to the Planning Commission. The Developer shall subsequently have the right to appeal any decision rendered by the Planning Commission to the City Council.

Figure 8.2 illustrates the expected review process governing future development of the Specific Plan.

ATTACHMENT E

Resolution For Revision to TTM

RESOLUTION NO. 2020-XX
[PZ 19-300-01 Revision to Tentative Tract Map No. 5745]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF PLANNING AND ZONING PERMIT NO. 19-300-01 (REVISION TO TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5745) FOR SUBDIVISION OF A 62 ACRE PARCEL LOCATED NEAR THE NORTHWESTERN EDGE OF THE CITY OF OXNARD, AND BOUNDED BY HIGHWAY 101 TO THE NORTH, OXNARD BOULEVARD TO THE EAST, THE UNION PACIFIC RAILROAD AND EL RIO DRAIN TO THE SOUTH, AND NORTH VENTURA ROAD TO THE WEST. FILED BY COREY HARPOLE, OXNARD CRFL PARTNERS, LLC, 64 MAXWELL, IRVINE, CALIFORNIA, 92618.

WHEREAS, on July 21, 2015, the City Council approved Planning and Zoning Permit 11-300-07 (Tentative Subdivision Map for Tract No. 5745), subject to conditions of approval; and

WHEREAS, Oxnard CRFL Partners, LLC. (collectively referred to as the **"Applicant"** or **"Developer"** in the record of proceedings) submitted a request for approval of a Revision to Tentative Tract Map (TTM) No. 5745, Specific Plan Amendment No. 2 (SPA), and Second Development Agreement Amendment (DAA) to The Village Specific Plan, located near the northwestern edge of the City of Oxnard, and bounded by Highway 101 to the north; Oxnard Boulevard to the east, the Union Pacific railroad and El Rio drain to the south, and North Ventura Road to the west (the **"Project"**); and

WHEREAS, on October 1, 2020, the Planning Commission of the City of Oxnard (**"Planning Commission"**) conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 19-300-01 (Revision to TTM No. 5745) to subdivide the Project in accordance with Section 15-40 of Oxnard City Code; and

WHEREAS, the Project was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, in September 2008 the City Council certified Final Environmental Impact Report (FEIR) No. 2006-03 (State Clearinghouse No. 2006101099). The FEIR was prepared to analyze potential impacts associated with the approval and the implementation of The Village Specific Plan and the anticipated build out of the 62-acre specific plan site; and

WHEREAS, in July 2015 the City Council certified Supplemental Environmental Impact Report (SEIR) No. 2014-01 for the TTM No. 5745 of The Village Specific Plan, to address changes in environmental conditions which were not known and could not have been known at the time the City certified FEIR No. 2006-03; and

WHEREAS, an EIR Addendum was prepared to summarize the site specific technical clarifications with respect to aesthetic, biology, flood zone, open space and traffic

impacts associated with the proposed TTM Revision and SPA. The EIR Addendum concluded that aesthetic, biology, flood zone, open space and traffic impacts would remain less than significant upon compliance with the proposed conditions of approval and Mitigation Measure in the FEIR and SEIR. No additional mitigation measures are required. The proposed conditions of approval would not result in any new significant impacts or increase the severity of any significant impact identified in the FEIR and SEIR.

WHEREAS, in accordance with Section 15164 of the California Code of Regulations, the Planning Division has determined that minor changes are proposed to the project for which an FEIR and SEIR were previously certified; and that an Addendum is the appropriate environmental document to evaluate the minor changes in the Project, and has prepared an Addendum thereto because the proposed changes to the original specific plan, TTM and DA would not result in any new additional significant impacts, nor would they substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Project are within the envelope of impacts addressed in the Certified FEIR and SEIR and do not constitute a new or substantially increased significant impact; and

WHEREAS, Staff has reviewed the requested revisions to TTM No. 5745 and revisions to associated Tract Condition No. 11, 20, 21, 23, 24, 25, 26, 27, 29, 32, 33, 51, 52, 57, 118, 119, 123, 155, 157, 159, 161, 162, 163, 166, 188, 193, and 200, made appropriate changes, added Tract Condition No. 203 to 209, and recommends approval of the revisions. The revised conditions of approval are attached hereto and incorporated herein by this reference. A legislative draft of the revised conditions of approval is attached hereto as **Exhibit A**; and

WHEREAS, Planning and Zoning Permit No. 19-300-01 (Revision to Tentative Tract Map for Tract No. 5745) was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations.

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

NOW, THEREFORE, the Planning Commission of the City of Oxnard resolves:

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 City Council finds:

(1) **That the proposed map is consistent with the City of Oxnard 2030 General Plan and any applicable specific plan.**

Revision to TTM No. 5745 is proposed to revise the subdivision of the approximately 62-acre Oxnard Village Specific Plan ("Specific Plan") by changing uses on specific lots; creating new lot numbers to accommodate flood protection; delineating flood protection improvements; realigning the multi-use trail; revising the Ventura Road frontage; and realigning the Highway 101 off-ramp. The Revised TTM No. 5745 is in substantial conformance with The Village Specific Plan as amended, which sets forth the following:

a. Location and extent of land uses within the Specific Plan Area:

The map boundary for TTM No. 5745 is coterminous with the boundary of the adopted Specific Plan. The lots are configured to be consistent with Scenario A of the adopted Specific Plan.

b. Location, extent, and general intensity of major components of public and private transportation, sewage, drainage, water, solid waste disposal, energy, and other essential facilities planned to support the land uses described in the Specific Plan:

TTM No. 5745 includes street, water, sewer and drainage improvements designed in substantial conformance with the adopted Specific Plan and planned to have sufficient capacity to support the type and intensity of land uses permitted by the adopted Specific Plan.

c. Criteria by which development would proceed, including Development Standards, Design Guidelines, and a phasing program:

The design of Revised TTM No. 5745 conforms to Development Standards in the Specific Plan as amended and the Design Guidelines applicable to the subdivision of land.

d. Program of implementation measures, including regulations, programs, public works projects, and financing measures:

Revision to TTM No. 5745 is proposed to subdivide the site in conformance with the adopted Specific Plan as amended, including the implementation measures. No changes to the implementation measures in the adopted Specific Plan are proposed or required.

(2) **That the design or improvement of the proposed subdivision is consistent with the City of Oxnard 2030 General Plan and any applicable specific plan.**

The proposed revision to the subdivision is in substantial conformance with the intent of The Village Specific Plan in terms of development sites, collector circulation and park space. Future development of the individual lots will occur in accordance with the development guidelines and subject to the administrative approval process as outlined in the Specific Plan.

(3) That the site is physically suitable for the type of development.

The physical suitability of The Village Specific Plan site for the type of development allowed by the adopted Specific Plan was evaluated in Environmental Impact Report 06-03, which was certified by the Oxnard Planning Commission in September 2008.

In January of 2009 the City Council of the City of Oxnard adopted an ordinance amending the City Zoning Map (PZ 06-570-05) designation to the Specific Plan, determining that the site is suitable for the uses proposed under the Specific Plan.

In July 2015, an SEIR was prepared to evaluated Tentative Tract Map 5745-1, including the grading plan, drainage, flood protection and street improvements, and determined that, with the incorporation of the mitigation measures identified in certified FEIR No. 2006-03 and SEIR No. 2014-01, the site is physically suitable for the type of development permitted by the adopted Specific Plan.

(4) **That the site is physically suitable for the proposed density of development.**

In January of 2009, the City Council of the City of Oxnard adopted an ordinance approving Planning and Zoning Permit 08-630-02 for the proposed development of the Specific Plan. Within the Specific Plan Land Use Chapter 2, density ranges are indicated per Planning Area within the Specific Plan boundary. The effects of the intensity of development permitted by the adopted Specific Plan was evaluated in certified FEIR No. 2006-03 and SEIR No. 2014-01. As discussed in the Addendum to FEIR No. 2006-03 and SEIR No. 2014-01, the SPA and Revision to the TTM do not change the maximum number of dwellings allowed in The Village Specific Plan. Based on the analysis in these environmental documents, the site is physically suitable for the density development permitted by the adopted Specific Plan.

(5) **That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor likely to substantially and avoidably injure fish or wildlife or their habitat.**

In September 2008, the Oxnard Planning Commission certified FEIR No. 2006-03 which analyzed potential impacts to fish, wildlife and their habitat. This FEIR included information from three site surveys for biological resources conducted between 1993 and 1995 and an additional survey conducted in 1999. All of these surveys determined that the site, which is developed with urban uses, contains ornamental vegetation and does not contain native vegetation or habitat and, for this reason, development of the site with the uses allowed by the adopted Specific Plan would not result in any substantial environmental damage nor be likely to substantially and avoidably injure fish or wildlife or their habitat. In addition, FEIR No. 2006-03 and Addendum determined the Specific Plan as amended would not result in indirect impacts on biological resources in the Santa Clara River, which is located west of the site and Ventura Road, that would cause substantial environmental damage nor likely to substantially and avoidably injure fish or wildlife or their habitat.

(6) **That the design of the subdivision or type of improvements is not likely to cause serious public health problems.**

The proposed Revision to the TTM subdivides the project site into development, open space and lots for public improvements such as streets. Potential public health problems were evaluated in certified FEIR No. 2006-03 and the air quality analysis was updated in the SEIR No. 2014-01. This analysis determined the improvements outlined in the Specific Plan would not cause any serious public health problems.

(7) **That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; provided, however, that approval may be granted if it is found that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to the ones previously acquired by the public.**

The location and disposition of all existing and future easements are identified on the Revised TTM document. No conflicts with public easements will result from the adoption of Revised TTM No. 5745 as proposed.

SECTION 2. Based on the findings set forth herein, the Planning Commission hereby recommends that the City Council approve Planning and Zoning Permit 19-300-01 (Revision to TTM No. 5745), subject to conditions of approval contained herein.

SECTION 3. In accordance with Section 15-25(B) of the Oxnard City Code, Applicant

may appeal the action of the Planning Commission in the manner provided by Government Code section 66452.5.

SECTION 4. The Secretary shall certify the adoption of this Resolution.

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STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

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

2. This permit is granted for the plans dated April 14, 2014, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions. (PL, *G-2*)

3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

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 shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder.

Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

6. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)

7. 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*)

8. 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*)

LANDSCAPE STANDARD CONDITIONS

9. Before the City accepts any medians and parkways from Developer, the on site landscaping must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, *PK-15*)

10. After Developer installs irrigation and landscape improvements on the project property or on Caltrans freeway right-of-way, but before the City's final acceptance thereof, Developer shall provide the Planning Division or designee with one set of mylar (minimum 3 mil) original drawings, which shall accurately reflect all "as-built" conditions. (PK, *PK-16*)

11. Developer shall provide landscape and irrigation improvements within Caltrans freeway right of way. These improvements shall be maintained by the HOA via a reimbursement agreement with Community Facilities District (CFD) No. 2018-01. The City will enter into a maintenance agreement with Caltrans which will provide maintenance of such improvements permanently or until such time as Caltrans assumes full maintenance responsibilities. The design of the landscape improvements shall be approved by both Caltrans and the Public Works Director or designee. (PK, *PK-17*) (Proposed Text Revision)

12. For all landscape areas, Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

13. At time of submittal to the Building and Engineering Division for plan check for any development within the project property, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, *PK-23*)

14. Developer shall include a note on all Landscape Plans submitted to the Building and Engineering Division for a building permit that "All landscaping and irrigation comply with Ordinance No. 2822", which adopted the City of Oxnard Landscape Water Conservation Standards. (PK, *PK-24*)

LANDSCAPE SPECIAL CONDITIONS

15. Prior to City approval of engineering improvement plans, and prior to the removal of the first tree on site (excluding PZ 12-300-03), Developer shall submit to the Project Planner an exhibit entitled "Tree Tabulation Chart". The Tree Tabulation Chart shall contain a listing of all existing trees on site which will be removed or have been removed, and shall refer to them by number as identified in the Arborist's Tree Report. The Tree Tabulation Chart shall clearly list the financial value of the trees to be removed or transplanted. The Chart shall contain the Arborist's economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) will be financially augmented on the site by provided upgraded landscaping/trees above the City's tree standard of 24" box (trees). The exhibit shall distribute the appraised value of the removed trees to public medians, parkways, entryways, public parks, and the roundabout. (PK)

16. Developer may submit phased median and parkway landscape and irrigation plans. Prior to submittal of phased improvement plans and/or phased final maps, Developer shall provide a landscape and irrigation phasing plan for review and approval by the Development Services Director and General Services Director. For each phase, as determined appropriate by the City, Developer shall submit four sets of median and parkway landscape and irrigation plans with submittal of the public improvement plans. The City shall approve these median and parkway landscape and irrigation plans concurrently with approval of the public improvement plans. Before the City issues a building permit, the irrigation plans must be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. Each phase of landscape and irrigation improvements and adjacent public improvements must be constructed and operational to the satisfaction of the City prior to final inspections and/or issuance of a certificate of occupancy for each specific phase. (DS/ PK)

17. Developer agrees that the project has aesthetic impacts arising from redevelopment of the project site, which the landscaping, park, and other public improvements for the project are intended to mitigate. Developer further agrees that the public improvements must be maintained in order to continue to mitigate such impacts. Construction of this project will necessitate the formation of a Community Facilities Maintenance District (CFD) and or Master Homeowner Association (Master HOA), excluding lot 11 whereby the expenses of maintenance and operation of the public improvements will be assessed upon the real property within the project.

18. Developer shall enter into an agreement with the City, in a form to be approved by the City Attorney, establishing this condition as a covenant running with the land, which will be recorded. Developer shall insert such covenant, in a form approved by the City Attorney, in each deed of real property in the project granted by Developer. Developer shall sell or grant no property in the project until after maintenance assessment district and or Master HOA has been formed and the property has been annexed into the maintenance assessment district and or Master HOA. Sale of phases of the project to merchant builders may be approved with the submittal of documentation acceptable to the General Service and Development Services Directors guaranteeing formation of the CFD and or Master HOA. Other arrangements guaranteeing construction and perpetual maintenance of the listed improvements at the expense of the property owners within the project may be approved as determined appropriate by the General Services and Development Services Directors.

19. In the event that an assessment district no longer exists or Developer desires to establish a master homeowner's association, Developer agrees to establish a master homeowners' association for the project as directed by the City, and to fund such maintenance of items listed in condition of approval number 21 of the subject resolution. Additional items may be funded at the mutual agreement between the City and the Developer. Before or during escrow for the sale of property within the project, Developer shall provide each buyer with a document disclosing, in large type, that the project property is subject to annual assessments for landscape maintenance, and stating the probable range of dollar amounts of such assessments for the next fiscal year. To confirm that the buyer has read the document, Developer shall require the buyer to sign the document. Developer shall retain all such documents for at least three years and shall allow the City to inspect and copy all such documents upon reasonable request. (PK/PL)

20. Prior to approval of the Final Map, Developer shall provide to the Community Development Director and the Special Districts Manager copies of the document entitled "Agreement" containing Developer's agreement to vote in favor of a CFD for the project, bearing the Ventura County Recorder's stamp, confirming that the document has been recorded in the Ventura County Recorder's Office. (PK, *PK-21*) (Proposed Text Revision)

21. Prior to approval of the Final Map, Developer shall provide the Community Development Director and the Special Districts Manager copies of a complete, detailed CFD master plan for all phases of the project and shall deposit $13,700 to pay for staff time, attorney time and the engineer's report necessary to prepare all documents and hold hearings to form the CFD and impose a rate and method of apportionment to levy a special tax on property within the project to pay the costs of maintaining the landscaping in the district. The CFD shall be structured so that the Developer and subsequent property owners pay the full costs of the operation and maintenance of any items eligible and accepted by the City. These may include: public parks; public landscaping; the Multi Use Path (MUP), including exercise equipment in the MUP area; the MUP bridge over Oxnard Blvd.; street lights; retaining walls, including the retaining wall on Oxnard Blvd. and Ventura Rd.; street trees; medians and sidewalks in and adjacent to the project; floodwalls, flood improvements, and

flood protection facilities; stormwater quality best management practices devices (such as storm water filters and grassy swales, etc.); and Caltrans landscape area(s). A Joint Community Facilities District with Caltrans may be needed as part of the CFD. (PK/PL) (Proposed Text Revision)

The Community Facilities District Master Plan shall be drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a CFD; (b) a homeowners association; (c) a Master HOA: and/or (d) the City. After Community Development Director approves such plan, Developer shall provide to the Community Development Director and the Special Districts Manager mylar (minimum 3 mil) original drawings of the maintenance district master plan. (PK/PL) (Proposed Text Revision)

22. The City shall agree to the Developers formation of a CFD and/or Master Homeowner Association on specific lots as follows: Lots A, B, C. If a Master HOA is formed, the City agrees to grant a maintenance easement to the Master HOA for the subject lots. The park acreage of these lots shall be permitted to meet a portion of the required Quimby park acreage. The MUP within any park area shall not be counted as Quimby park acreage. The park acreage in Lots A, B and C will be counted toward the Quimby requirement and non park acreage on MUP areas shall receive Quimby credit. (PK/PL)

23. The lots associated with the MUP and the pedestrian bridge shall be within the CFD (City) and/or Master Homeowner Association (HOA). The City agrees to grant a maintenance easement to the Master HOA. Based upon the design, location and amenities of the MUP lots, Quimby credit for the area shown on the approved TSM may be given as determined by the Community Development Director. Credit shall not be given for any area shown on the TSM cross section or on the TSM not determined necessary for the MUP nor for any additional design amenities required for uses other than the MUP. (PK/PL) (Proposed Text Revision)

24. The temporary and permanent Transit Center will be maintained through the CFD, Master HOA, or private entity and an access easement shall be granted to the City for public transit center use and access to transit center amenities as outlined in The Village Specific Plan. This area shall not be permitted to meet a portion of the required Quimby park acreage. (PK/PL) (Proposed Text Revision)

25. Lot Q shall be owned by the Master HOA, or may become part of Lot 16 at the City's direction, and an easement may be given to the City for the landscaping. Lot R may be merged with Lot 11. (PK/PL) (Proposed Text Revision)

26. Developer shall provide all improvements in the area identified on the TTM as “Area of Proposed Caltrans Relinquishment,” including the MUP, landscaping, and irrigation, and the area shall be maintained by the HOA via a reimbursement agreement with the CFD. Prior to submittal for Grading Permits for development on Lot 6, Developer shall provide evidence of relinquishment of the area by Caltrans, or evidence of issuance of a long term

encroachment permit (or similar document) issued by Caltrans for construction, maintenance and long-term use of Caltrans right-of-way for MUP purposes. If relinquishment or encroachment is not approved by Caltrans, Developer shall record an easement on Lot 6 to connect the MUP on Lot H with the MUP on Lot A. The easement shall accommodate the 12-foot wide paved MUP, 2-foot wide shoulder on each side, and any setback necessary to accommodate slope, signage or fencing. Lot 6 shall also accommodate a minimum 10-foot landscaped setback between any Buildings on Lot 6 and the edge of pavement of the MUP trail. Location of the easement shall be subject to approval by Community Development Director. Any necessary redesign of Lot 6 to accommodate the MUP easement shall be subject to review and approval by Planning Manager through a Minor Modification. (PL) (Proposed Text Revision)

27. Lot N and O and the entry element along Ventura Rd. will be owned and maintained by the Master HOA. This acreage shall be permitted to count towards the Developers total required public open space requirement; however, with the exception of MUP hardscape, these areas shall not count towards the Developers required Quimby obligation. (PK/PL) (Proposed Text Revision)

28. A Master HOA shall be formed, and remain in effect in perpetuity, to maintain, at a minimum, the soundwalls within the Project. The Master HOA shall maintain any other improvements not eligible for inclusion in the CFD.

29. All paving within public park areas and the MUP, and improvements to be maintained by the Master HOA with a reimbursement agreement with the CFD, must be constructed with a concrete base material (PK/PL). (Proposed Text Revision)

30. All fencing to be installed within public areas, as determined by the Development Services Director, shall meet City approved requirements and specifications and shall be approved by the Planning Manager and General Services Director prior to installation (PK).

31. Concurrent with submittal of site/lot construction drawings for Lots 8-16, Developer shall provide landscaping and irrigation, signage, and hardscape improvement plans for Lots B, C, N and O. These plans shall be approved by the Development Services and General Services Directors and shall be constructed by the Developer and accepted by the City prior final inspection for any unit on Lots 8-16. (PL/PK) .

32. When improvement drawings are submitted for the extension of Wagon Wheel Road to Ventura Road, Developer shall provide landscaping and irrigation, entry features, and hardscape improvement plans for entry landscape features off of Ventura Road and into the project area which will be constructed by the Developer on Lots A and 2. These plans shall be approved by the Community Development Director and Public Works Director and shall be constructed by the Developer and accepted by the City prior to final inspection for units on Lots 1 – 7. The Community Development Director may modify the requirement for

construction completion if alternative construction phasing is approved. (PK/PL) (Proposed Text Revision)

33. The overall design and placement of amenities along and within the MUP shall be to the satisfaction and approval of the Community Development Director and the Development Services Director. In order for the MUP to be counted as park acreage and for the Developer to receive Quimby credit, amenities shall include at minimum exercise equipment and stations, benches, lighting, gateway and directions signage, and a water station, or other amenities are approved by the Community Development Director. All such amenities shall be installed out of the 16 foot clear path of travel for the MUP (PK/PL). (Proposed Text Revision)

FIRE DEPARTMENT STANDARD CONDITIONS

34. Before the City issues building permits for any development within the project area, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)

35. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)

36. At all times during any phase of construction, Developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)

37. On the public improvement plans, Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)

38. For all development within the subdivision area, the turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)

FIRE DEPARTMENT SPECIAL CONDITIONS

39. For any development within the project area, Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide or as approved by the Fire Marshall. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD)

40. For each lot, Developers are on notice that they shall be required to obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy/final inspection. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS)

41. Developers of subsequent lots are put on notice that all structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD)

42. Developer shall design and construct access to the MUP to accommodate emergency vehicle access. Access to the MUP shall be at locations approved by the Fire Department. (FD)

43. For every Development Design Review (DDR) project within the project area, the developer shall provide a Fire Master Plan to the Fire Department for review and approval. Each Fire master Plan shall integrate with the other/previously approved Fire Master Plan (FD).

44. For every development project within the project area, there shall be two access points to all developed project locations at all times, in locations approved by the Fire Marshal. (FD)

PLANNING DIVISION STANDARD CONDITIONS

45. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)

46. Prior to recordation of the Final Map, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).

PLANNING DIVISION SPECIAL CONDITIONS

47. Developer shall pay Quimby Fees or any future DA Amendment fee (fees for park acquisition and improvement) before issuance of building permits per lot development or as provided for within Section 8.0 of the Development Agreement (Ord. 2803). The amount of the fee shall be calculated and verified by the Planning Division at the time of payment. (PK/PL)

48. In accordance with City Council Resolution No. 14,124, Developer shall participate in the City's Public Art Program by installing art in accordance with the Public Art Element of the subject specific or master plan. *(*PL)

49. The approved tentative map shall expire thirty-six (36) months after approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code or as otherwise approved as part of the Development Agreement (Ord. No. 2803) (PL)

50. The mitigation measures identified in FEIR 06-03 (The Village Specific Plan EIR) and SEIR 14-01 (Supplement – for The Village Specific Plan) shall be applicable to all development within the specific plan area. (PL)

51. Prior to issuance of a building permit for any development on Lot 16, Developer shall provide to the City for review and approval a permanent transit center site plan design which specifies: a) the amenities to be provided within the transit center; and b) how the center will comply with the cultural and other relevant mitigations as specified in the FEIR and SEIR. (PL) (Proposed Text Revision)

52. A Transit Center shall be fully constructed by the Developer and designated to the City of Oxnard for public transit center use. The Transit Center improvements and amenities shall be consistent with The Village Specific Plan and Development Agreement. Construction should proceed in two phases:
    a) Prior to issuance of the certificate of occupancy for the 600th unit, Developer shall provide a temporary transit center with a minimum of 50 parking spaces within Planning Area 17 of The Village Specific Plan. This temporary transit center use shall continue until the permanent Transit Center within Planning Area 20 has been fully constructed and designated to the City of Oxnard. The temporary transit center shall include a minimum of 50 designated parking spaces and a bicycle rack for 8 bicycle spaces. Developer shall install parking signs that identify the 50 parking stalls for transit center and commercial parking only on Monday to Friday, and prohibit overnight parking between the hours of 1:00 AM and 4:00 A.M. on Monday to Friday in these designated spots. The final sign design shall be subject to approval by the City Traffic Engineer. Parking shall be enforced in accordance with The Village Specific Plan Parking Management Plan.
    b) Before the City issues certificate of occupancy for Planning Area 20, Developer shall fully construct and designate to the City of Oxnard a permanent transit center within Planning Area 20 of The Village Specific Plan. The Developer shall also submit an original completed, signed and notarized notice of land use restriction with required fees to the Planning Manager prior to occupancy. The permanent transit center shall include a minimum of 50 designated parking spaces and applicable amenities identified in the Specific Plan, including bicycle parking for transit stations per the City of Oxnard Bicycle Master Plan Table A-4, Pg. A-38 of Appendix A, and applicable cultural and other relevant mitigations as specified in the FEIR and SEIR. Developer

shall install parking signs that identify the 50 parking stalls for transit center and commercial parking only on Monday to Friday, and prohibit overnight parking between the hours of 1:00 A.M. and 4:00 A.M. Monday to Friday in these designated spots. The final sign design shall be subject to approval by the City Traffic Engineer. Parking shall be enforced in accordance with The Village Specific Plan Parking Management Plan. (PL) (Proposed Text Revision)

53. Developer shall develop the site with street names as approved by the Street Naming Committee. (PL)

54. The permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Development Services Director. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)

55. The 2008 MMRP for FEIR (2006-03) and the 2015 MMRP for Final SEIR (2014-01) are incorporated herein and made conditions of approval associated with Tentative Tract Map No. 11-300-07.

COMMUNITY DEVELOPMENT SPECIAL CONDITION

56. In lieu of a City of Oxnard's Gateway Freeway Pylon Sign, the Developer proposed entry feature may be considered as fulfilling the monument sign requirements set forth in The Village Specific Plan. This determination and final City review and approval of the entry feature will be made by the Community Development Director. (PL)

DEVELOPMENT SERVICES CONDITIONS

57. Unless specified otherwise in the Development Agreement, 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) (Proposed Text Revision)

58. 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)

59. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible

with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)

60. Reserved.

61. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)

62. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

63. Developer shall place existing overhead utility lines on and adjacent to the project underground in accordance with City Code in effect at the time City issues a grading/site improvement permit. Before issuance of a site improvement permit, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation. (DS-13)

64. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code. Developer shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)

65. A California licensed civil engineer shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Submittal shall include, but not necessarily be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans, construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not approve a parcel map or final map nor issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

66. Prior to issuance of a site improvement permit, 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, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)

67. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no map, then at the time of public improvement plan approval. (DS-17)

68. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at 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 acceptance of all conditions thereof. (DS-18)

69. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)

70. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

71. 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)

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

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

74. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience

and safety of the general public because of inclement weather or any other cause, and the orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

75. Prior to approval of the final map or parcel map, 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)

76. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)

77. Developer shall retain a California licensed Civil Engineer to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of certified "as-built" plans is a condition of City's final acceptance of the project and release of any associated security. (DS-29)

78. All grading shall conform to City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)

79. Developer shall construct sufficient drainage facilities concurrent with rough grading operations to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way. (DS-31)

80. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)

81. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Development Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

82. Developer shall comply with Ventura County Watershed Protection District ("District") standards for all facilities affected by the project that are owned by or dedicated to the

District, and shall obtain the approval of the District on all improvement plans for such facilities. Before issuance of grading or site improvement permits, Developer shall obtain any necessary encroachment permits from the District. (DS-37)

83. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)

84. 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)

85. Developer shall install water mains, fire hydrants and water services in conformance with City standard plates, design criteria and specifications as directed by the City Engineer. (DS-41)

86. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)

87. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)

88. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy/final inspection, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)

89. Developer shall construct all street and road improvements in conformance with the City Code, the City's 2030 General Plan, and any applicable specific plan. (DS-48)

90. Street and road improvements shall conform to City standard plates, design criteria and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)

91. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)

92. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, "R" value tests of in-place soils, and approved traffic indices. (DS-53)

93. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)

94. Developer shall protect the stub ends of all streets planned for future continuation with warning barricades, redwood headers, berms, signs and/or reflectors as directed by the City Engineer. (DS-55)

95. Prior to release of the final map or parcel map for recordation, 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)

96. Prior to release of the final map or parcel map for recordation, 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)

97. Developer shall dedicate to City and improve streets abutting a park site to their full width in accordance with City standards. (DS-58)

98. Developer shall submit a street lighting plan as a part of the civil improvement plans. Developer shall install streetlights in accordance with the plan. (DS-60)

99. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)

100. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)

101. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

102. Developer, property owner or tenant shall participate in a Traffic Management Association (TMA) if one is formed and shall implement and participate in all programs and strategies established by the TMA. This condition shall be included in all leases and rental agreements for the project property. (TR-72)

103. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)

104. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)

105. In non-residential developments where fifty or more persons are employed, Developer shall include a transportation information center stocked with bus schedules, rideshare information, and related information on alternative methods of transportation. Developer or owner shall update such information at least once a month. (TR-77)

106. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

SPECIAL CONDITIONS:

Storm Water Quality Conditions:

107. Improvements within public right-of-way that are in substantial conformance with The Village Specific Plan are eligible to provide stormwater quality in accordance with the requirements of the July 2000 Municipal Separate Storm Sewer System ("2000 MS4") and associated 2002 Technical Guidance Manual for Stormwater Quality Control Measures ("2002 TGM") based on the exception criteria included in the 2010 MS4 permit and associated 2011 TGM. Such public improvements shall be designed to intercept and effectively prevent pollutants from discharging to the public storm drain system or other offsite conveyance systems. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of an infrastructure improvement permit. (DS)

108. Individual lot developments within this map shall minimize degradation of stormwater quality by complying with the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit for new development and redevelopment projects in effect at the time of Planning Department discretionary approval of lot development. (DS)

109. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations may include, but are not necessarily limited to, determination of site soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the applicable MS4 permit. Landscape architectural

recommendations shall include, but not necessarily limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS)

110. Prior to City acceptance of public infrastructure improvements containing stormwater quality facilities within the public right-of-way, Developer shall provide proof that maintenance costs associated with these stormwater quality facilities are funded by the property owners within the project via a Community Facilities District or similar perpetual funding mechanism. Development Services Director to approve amount of funding and funding mechanism. (DS)

111. Developer shall provide Stormwater Quality treatment for stormwater discharging from private property prior to acceptance into a public storm drain system or surface discharge into public right-of-way. (DS)

112. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs") implemented within this project. Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS)

113. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the applicable MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS)

114. Developer shall locate manufactured structural stormwater quality devices subject to periodic maintenance adjacent to a street or in other areas providing ease of access to facilitate maintenance. All access paths to devices shall be designed to accommodate heavy truck loadings as determined appropriate by the Development Services Manager. Type of device and installation location is subject to approval of the Development Services Manager. (DS)

Storm Drain Conditions:

115. Oxnard City Code Chapter 18 provides minimum standards for construction within an area of special flood hazard or areas known to be subject to flooding. Delineation of area(s) of special flood hazard is periodically revised by the Federal Emergency Management Agency ("FEMA") by issuance of revised Flood Insurance Rate Maps ("FIRM"). Developer acknowledges that FEMA is currently in the process of reviewing the FIRMs applicable to this project. (DS)

116. Prior to the issuance of a grading/site improvement permit for any lot within this development, Developer shall prepare a drainage report that includes drainage calculations demonstrating that upon completion of construction of flood protection improvements along the Santa Clara River, the proposed onsite grading and associated storm drain system provides protection from flooding during a 1% chance (100-year) storm event. The report is subject to approval by the Development Services Manager. (DS)

117. Developer shall construct flood protection improvements along the Ventura Road frontage of the project to provide protection from flooding by the Santa Clara River. Developer's engineering calculations for design of these flood protection improvements shall be based upon the water surface elevations, peak storm water flows (currently 250,000 cfs which is equivalent to a 1% chance (100-year) storm event plus approximately 10%) and other associated assumptions used by the Ventura County Watershed Protection District to design the nearby Santa Clara River Levee System (SCR-3) improvements. Developer shall process a Conditional Letter of Map Revision ("CLOMR") with FEMA prior to issuance of a permit for construction of the flood protection improvements and shall process a Letter of Map Revision ("LOMR"), if needed upon completion of flood protection improvements. (DS)

118. Developer shall maintain sufficient structural setbacks from the flood protection improvements ("Improvements") adjacent to Lot 2 sufficient in width to provide for complete reconstruction of the Improvements in the future. Developer shall construct an all weather access route within Lot 2 adjacent to the Improvements that provides for perpetual inspection and maintenance of the Improvements. Said access could be within parking area. Developer shall dedicate an easement to the City over the access route and maintenance area in a width and location acceptable to the City Engineer. (DS) (Proposed Text Revision)

119. Reserved (Proposed Text Revision)

120. Developer shall complete construction of the above referenced flood control improvements prior to the earlier of 1) Final Inspection for the 544th residential unit within the tract boundary; or 2) Completion of Reach 4 flood improvements by the Ventura County Watershed Protection District ("District"). If Developer proposes construction of flood control improvement prior to adjacent downstream District improvements, Developer shall provide hydraulic calculations demonstrating that the improvements protecting the project from Santa Clara River flooding (floodwall and/or grading) will not cause an increased

flooding risk to other properties due to a rise in the Santa Clara River Water Surface Elevation. The Development Services Director may provide additional time for construction of the flood control improvements if the Director determines that significant progress has been made and Developer has diligently pursued their construction. (DS)

121. Developer shall be responsible for all costs incurred by the City to hire a consultant to review documents and provide inspection services associated with compliance to FEMA rules and regulations for construction within areas of special flood hazard including the construction of improvements (e.g. flood walls, levees, and/or slope protection) to protect property from inundation. Consultant involvement shall also include review of CLOMR, LOMR, or any other processing of documents for FEMA approval. Developer shall deposit funds deemed adequate by the Development Services Director to cover the anticipated costs of consultant services concurrent with submittal of construction plans for improvements implementing flood protection. The City shall charge all staff time interacting with the consultant and administering the consultant contract to the deposit. Developer shall provide supplemental funds when the account balance drops below $15,000. Any funds left in the account upon completion of plan review and associated inspection shall be refunded to the developer. (DS)

122. Prior to the issuance a the first large scale grading permit, Developer shall submit a Drainage and Flood Control analysis demonstrating that the post-construction 10-year and 100-year rates of stormwater discharge for the site do not exceed the pre-development 10-year and 100-year rates in compliance with EIR mitigation measure HWQ-2. In addition to obtaining City approval of the analysis, Developer shall submit the report to the VCWPD for coordination in accordance with the requirements of mitigation measure HWQ-2. (DS)

123. Developer shall design and construct a Ventura Road storm drain pump system at the railroad undercrossing in accordance with the requirements of section 16.1 of the project Development Agreement (A-7122). The system shall be designed to mitigate flooding of Ventura Road during storm events up to a 10-year (10% chance) event with ponding not exceeding 6 inches in Ventura Road. These improvements shall be designed in conformance with Public Works standards and shall include, but not be limited to, a) soft start pumps: b) a redundant pump systems (preferably room at the site for 2 active pumps and a spare pump, if space permits); c) basin security around the pump system; d) site layout that provides access for maintenance via a crane. These improvements are to be constructed within the time frame specified in the Development Agreement. The Community Development Director may modify or eliminate this requirement if an alternative solution is designed that provides equal or greater protection. (DS) (Proposed Text Revision)

124. Developer is considering realignment of an existing 54 inch diameter storm drain line through proposed lots 16 and 17. Developer shall provide calculations demonstrating that the realignment will not result in a detrimental reduction in the hydraulic capacity or a

decrease in low flow velocities that would lead to an increase in the long term maintenance requirements of the storm drain line which may result from flattening the invert slope. If the storm drain is realigned, Developer shall evaluate the structural integrity of the drain from the connection at the El Rio Drain to the upstream limit of the realignment and repair or replace any deficiencies. The final design and extent of any realignment, including relocation of the connection to the El Rio Drain, is at the discretion of the Development Services Director. Developer shall provide evidence of an encroachment permit for all work within property under the jurisdiction of the Ventura County Watershed Protection District or UPRR. (DS)

125. Developer shall remove and/or relocate all sections of the existing storm drain system within Oxnard Boulevard along the project frontage that will be located within or under the proposed landscaped parkway. Implementation of this relocation shall occur prior to, or concurrent with, the improvements to the Oxnard Boulevard/Wagon Wheel Road intersection. (DS)

126. Prior to development of lots 1 through 10, Developer shall provide an evaluation (capacity and integrity) of the existing downstream storm drain system discharging into the Santa Clara River proposed for continued use by this development. The evaluation shall include, but not necessarily be limited to, the storm drain box under Ventura Road along with the downstream corrugated metal pipe, pipe anchors, headwall and flapgate. Developer shall repair or replace, as determined appropriate by the Development Services Director, all concerns raised during the evaluation process. All CMP (or similar materials) shall be completely removed and replaced with alternative pipe material approved by the Development Services Director. Construction of improvements deemed necessary by the Development Services Director shall occur prior to, or concurrent with, improvements to Ventura Road along the project frontage. (DS)

127. Developer shall provide proof of issuance of any required County, State, or Federal permits for construction or encroachment into the Santa Clara River prior to City approval of improvement plans related to Santa Clara River encroachment. (DS)

128. Developer shall dedicate a storm drain easement to the City over the proposed public storm drain line along the southern tract boundary (adjacent to the railroad tracks). Easement width shall comply with City requirements based on pipeline depth but in no case less than 25 feet wide unless specifically approved by the Development Services Manager. Developer acknowledges that future development of the lots encumbered by this easement will be required to provide access from public right-of-way to the easement for storm drain inspection, maintenance, and reconstruction. Placement of any improvements (including landscaping) within the easement must be compatible with required access and are subject to approval by the Development Services Manager. (DS)

129. Developer shall design project storm drain system to include installation of a manhole or other approved structure at the point of transition from public to private ownership.

Developer shall provide proof that maintenance costs associated with private facilities is included in the project CC&Rs as a Homeowner's Association responsibility as each lot develops. The Development Services Manager shall make the final determination regarding limits of City acceptance of storm drain easements for public storm drain maintenance. (DS)

130. Developer shall not construct detention or infiltration facilities within public right-of-way. If a detention or infiltration system is constructed as part of this subdivision, the system shall be located on private property and be privately maintained unless specific approval is obtained from a public agency accepting ownership and maintenance responsibility. Underground detention or infiltration systems shall be designed with a minimum 75-year life expectancy regardless of ownership. (DS)

131. Developer's engineer shall design interim and ultimate site grading to provide a secondary overflow path that will provide safe conveyance of stormwater if the underground drainage system becomes obstructed. (DS)

132. Reserved

133. Developer shall provide evidence with each phase of improvements that proposed construction does not negatively affect offsite drainage from the adjacent railroad or CalTrans properties. Developer shall intercept, convey, and provide stormwater treatment (if required by the current MS4 permit) for any offsite drainage that is currently directed towards this project. Stormwater treatment shall occur prior to discharge into a public stormwater system. (DS)

Wastewater Conditions:

134. Developer shall design and construct all private sewer system improvements within private lots, private streets or private alleys in accordance with public standards. If the private sewer system serves multiple lots, Developer shall create and convey appropriate utility easements. Developer shall also provide evidence that maintenance costs for these shared facilities is provided for in a recorded agreement, CC&Rs, or similar document in a manner acceptable to the Development Services Director. (DS)

135. If not already constructed by others, Developer shall complete construction of the wastewater line in Ventura Road (including installation of a new wastewater lift station) between the project and the existing Vineyard Avenue lift station prior to connection of any wastewater generation facilities to the Ventura Road wastewater main. Improvements shall be designed and constructed to their master planned capacity and located as directed by the Development Services Manager. The lift station may be designed in a phased manner (e.g. space allocated for future pumps) if determined appropriate by the Development Services Manager. (DS)

136. Design of the sewer lift station shall meet City design standards and policies including provision of an odor scrubber (or similar improvement) to mitigate potential odor issues as deemed appropriate by the by the City's Wastewater Superintendent. (DS)

137. Upon request by the City, Developer shall provide evidence that the project is in compliance with the reimbursement requirements of Section 4 of the Development Agreement (A-7122) by and between City and Developer. (DS)

Water Conditions:

138. Developer shall design and construct a water sampling station in a future phase of the project at a location approved by the City Water Superintendent. (DS)

139. Developer shall dedicate a waterline easement to the City over all portions of the domestic water distribution system (up to and including water meters) not within public right-of-way. Water easements shall be a minimum of 15 feet wide. Wider easements may be required where the water line is deeper than 8 feet or access is determined by the City to require a wider easement. (DS)

140. Developer's engineer shall provide detailed water system calculations (based on recent in-place fire hydrant flow tests) and plans for the project. The design of all proposed water improvements shall result in a well-interconnected water system. The required calculations and plans are subject to the approval of the Development Services Manager prior to the issuance of a site improvement/grading permit or recordation of a final map. (DS)

141. Developer shall reduce the length of the proposed 20 inch waterline in Wagon Wheel Road such that it ends approximately 10 feet beyond the proposed enhanced pavement required by the Specific Plan on the westerly leg of the Wagon Wheel/Oxnard Boulevard intersection. The end of the 20 inch waterline shall transition to join the existing 12 inch waterline. These improvements shall be constructed prior to, or concurrent with, construction of the Wagon Wheel/Oxnard Boulevard intersection improvements. (DS)

142. Developer shall install fire hydrants at locations (including both sides of streets with medians) within the project and along adjacent frontage roads as directed by the fire department with each phase of development. (DS)

Recycled Water Conditions:

143. Developer shall extend the length of the proposed 12 inch recycled waterline in Wagon Wheel Road such that it ends approximately 10 feet beyond the proposed enhanced pavement required by the Specific Plan on the westerly leg of the Wagon Wheel/Oxnard Boulevard intersection. These improvements shall be constructed prior to, or concurrent with, construction of the Wagon Wheel/Oxnard Boulevard intersection improvements. (DS)

144. Developer shall design all irrigation systems within the subdivision to be supplied from the project recycled water mains except for specific installations determined by the Development Services Director to be infeasible. Irrigation systems shall be designed in accordance with standard practice for recycled water systems including, but not limited to, use of purple pipe and marked sprinkler heads. Improvements shall include the installation of appropriate reclaimed water usage signage. (DS)

145. Developer's engineer shall provide detailed recycled water system calculations and plans for each phase of the project. The design of all proposed recycled water improvements shall result in a well-interconnected recycled water system. The required calculations and plans are subject to the approval of the Development Services Manager prior to the issuance of a site improvement/grading permit or recordation of a final map. (DS)

Street Conditions:

146. Developer acknowledges that the City of Oxnard and the Ventura County Watershed Protection District are coordinating the design of significant flood protection improvements along the Santa Clara River that have the potential to impact Ventura Road along the project frontage. Developer shall coordinate the design and construction of Ventura Road improvements (roadway and utilities) with the best available information regarding the proposed flood improvement design. (DS)
147. Developer shall furnish and install an illuminated bus shelter, bus bench, trash receptacle, and bicycle rack at each of the two proposed bus pull-out bays along Spur Drive south of Wagon Wheel Road at the time of construction of Spur Drive. The sidewalk shall be widened to 10 feet wide for a 30 foot long strip to provide additional room for installation of the bus shelter and other amenities. Bus stops and furniture shall comply with City of Oxnard standards. Final location, configuration and specifications of the bus stop furniture shall be approved by the City Traffic Engineer. (DS)

148. Prior to issuance of each improvement permit for roadway construction, Developer shall consult with Gold Coast Transit regarding modifications to routes or other Gold Coast Transit services that result in the need for additional bus stops, street furniture or other additional improvements on or adjacent to the site that would affect site improvement plans. Final determination of the scope of added construction requirements shall be at the discretion of the City Traffic Engineer. Roadway construction plans shall include construction of required modifications as appropriate with each phase of roadway construction. (DS)

149. Unless otherwise specified in "The Village" Specific Plan, Developer shall dedicate and improve to City standards all sidewalks, parkways, streets, and street appurtenances. City will name all streets in accordance with adopted City guidelines. (DS)

150. Developer shall design the northerly end of the private alley adjacent to lot 11 to provide an alley to street intersection substantially in conformance with City standard plate 115, section A-A. (DS)

151. Developer shall stripe both edges (double stripe) of all bike lanes that are adjacent to a parking lane. (DS)

152. Developer shall design pedestrian access ramps along both Wagon Wheel Road (not applicable at traffic circles) and Winchester Drive to align with the sidewalk and minimize the offset of the pedestrian path. (DS)

153. Developer shall construct a 6 foot wide sidewalk with an 8 foot wide parkway (measured from curb face) along the westerly side of Oxnard Boulevard between the railroad bridge and Wagon Wheel Road. Improvements shall be constructed concurrent with the retaining wall along lots 16 and 17. Developer shall construct temporary pedestrian improvements (minimum 6 foot unobstructed width) along the Oxnard Boulevard frontage of lots 16 and 17 concurrent with improvements to the Oxnard Boulevard/Wagon Wheel intersection. Final design of the interface between the back of sidewalk and proposed retaining wall shall be approved by the Development Services Director. (DS)

154. Street improvements plans shall include construction of enhanced paving, traffic calming, bulb-outs and other streetscape enhancements in substantial conformance with the "The Village" Specific Plan requirements. (DS)

155. Reserved (Proposed Text Revision)

156. Developer shall be responsible for extending the existing median on Oxnard Blvd., north and south of Spur Drive, South from the US 101 Freeway and North from the Oxnard Blvd. rail road tracks overcrossing to the Wagon Wheel Rd. intersection. Median improvements shall be identified on the engineering plans and shall be constructed and accepted by the City prior to final inspection for any unit on Lots 8-16. (PK/PL/DS)

Multi-Use Path ("MUP") Conditions:

157. Developer shall install a fence/barrier along the top of the Oxnard Boulevard retaining wall concurrent with retaining wall construction to provide fall protection. The fence/barrier shall not encroach into the one foot wide zone adjacent to the MUP shoulder. Fence/barrier aesthetics shall be coordinated with nearby improvements subject to approval of the Development Services Director. (DS) (Proposed Text Revision)

158. The MUP shall be redesigned to eliminate fencing between the MUP and the project to foster integration between the MUP and the adjacent projects as they are developed. Details of the MUP design shall be approved by the Development Services Director. (DS)

159. Developer shall extend the MUP along Ventura Road under Highway 101 to connect with the existing bicycle ramp that provides access to the trail over the Santa Clara River. The MUP shall be 10 feet wide and placed directly adjacent to the Ventura Road curb for the section under Highway 101. The Ventura Road curb under Highway 101 is to be reconstructed and offset by 2 feet into existing bike lane. Alternative designs (or other improvements) that comply with the intent of the City's Bicycle Master Plan may be approved by the Community Development Director. These improvements shall be constructed prior to, or concurrent with, the Ventura Road frontage improvements. Developer shall obtain a Caltrans permit for these improvements. (DS) (Proposed Text Revision)

160. Developer may submit a phasing plan for phased construction of the MUP for approval by the Development Services Director. The plan shall require at a minimum that; a) no lot adjacent to the MUP can be developed without concurrent construction of the adjacent section of the MUP; b) each phase of the MUP shall be constructed such that no dead-ends are created, however construction may include temporary sections to connect with nearby bike lanes; c) the number of construction phases shall be minimized; d) the landscaping, lighting, striping, signage, etc. shall be included with each phase of MUP construction; and e) the plan shall comply with all other construction timing requirements of these conditions of approval. (DS)

161. Reserved (Proposed Text Revision)

162. Developer shall design and install a MUP bridge over Oxnard Boulevard adjacent to the existing Wagon Wheel Road (future Spur Drive) Bridge. Final MUP bridge design shall include, but not necessarily be limited to,: a) a minimum clear width of twelve (12) feet; b) all weather surfacing; c) protective decorative railing; d) aesthetics that compliment surrounding improvements; e) appropriate lighting; and f) considerations for minimizing long term maintenance costs. The Community Development Director shall make the final determination regarding project compliance with these requirements. Design of the MUP bridge shall occur prior to, or concurrent with, any development on lots 12, 13, 14, 16 or 17. Improvements shall be constructed prior to final inspection of the 544th unit. Developer and the Community Development Director may negotiate alternative timing for MUP bridge construction if it is determined that additional offsite right-of-way is required. The Community Development Director may provide additional time for construction of the MUP bridge if the Director determines that significant progress has been made and Developer has diligently pursued their construction. (DS) (Proposed Text Revision)

163. Developer shall design and construct decorative MUP gateway entrances at the following locations: a) Spur Drive where the MUP separates from Spur Drive on the north side; b) Wagon Wheel Road adjacent to lot 6 where the MUP leaves Wagon Wheel Road. Final location of these gateways may be altered by the Community Development Director if the MUP layout is altered. Developer shall also design and install directional signage at each location where the MUP enters or exits the public right-of-way not provided with a

gateway entrance. Developer shall prepare preliminary designs for the decorative gateway entrances and directional signage for approval by the Community Development Director. (DS) (Proposed Text Revision)

164. Developer shall construct the MUP of enhanced pavement at all locations where the MUP crosses vehicular areas. The width of the enhanced pavement shall generally match the width of the adjacent MUP and the texture, color, and scoring shall be approved by the Planning & Environmental Services Manager. (DS)

165. Developer shall construct the MUP in conformance with the preferred design standards of the "Bicycle & Pedestrian Facilities Master Plan" and the "Santa Clara River Trail Master Plan" including associated appendices. These standards include, but are not limited to, vertical and horizontal curves radii, grades, construction materials, lighting, stopping sight distances, signage, and striping. Final approval of the design is subject to approval by the Development Services Director. (DS)

166. Developer shall design and construct the MUP to accommodate turning movements and vehicle loading associated with light maintenance trucks (pulling a trailer) and ambulances (Vehicle weight of approximately 10,000 lbs). The MUP shall be constructed of concrete. Final design is subject to approval of the Community Development Director and the Fire Marshall. (DS) (Proposed Text Revision)

167. Developer shall include convenient pedestrian, bicycle, and vehicular (light maintenance vehicles and ambulances only) access to the MUP in the design of all future projects along the MUP alignment. (DS)

Miscellaneous Conditions:

168. Developer shall remove or abandon in place (as approved by the Development Services Manager) all existing utilities (storm drain, water, wastewater, etc.) that will not be incorporated into the new project infrastructure. (DS)

169. Prior to the vacation of public right-of-way, Developer shall prepare plans and provide appropriate security to guarantee construction of utility, roadway, and other applicable alterations required in coordination with proposed vacation. (DS)

170. Final map shall effectuate the vacation of City owned right-of-way and utility easements that are no longer required due to street realignments or utility line relocations to the extent allowed under section 66445(j) of the Subdivision Map Act. The Development Services Director shall make the final determination of the limits of right-of-way and utility easements subject to vacation. Developer shall prepare a separate legal description (and pay all fees associated with processing) for any easement vacation not processed as a part of a final map. (DS)

171. Prior to the vacation of any existing right-of-way or public utility easement, Subdivder shall provide written evidence that the owners of public utilities (e.g. gas, electric, or cable) relying on existence of the right-of-way or easement have no objection to the vacation of the right-of-way or easement. (DS)

172. Subdivider's tentative map includes transfer of land relinquished to the City by Caltrans under Relinquishment Numbers 1255 and 1241. Tentative map also includes vacation of public right-of-way for existing streets and vacation of multiple existing public easements. Developer shall be responsible for all costs incurred by the City to hire a consultant to review the map(s) for compliance with the Subdivision Map Act and City Code. Subdivider shall deposit funds deemed adequate by the Development Services Director to cover the anticipated costs of consultant services concurrent with submittal of each final map. The City shall charge all time associated with administering the contract to this deposit. This deposit shall be in lieu of the standard map processing fee. Developer shall provide supplemental funds when the account balance drops below $3,000. Any funds left in the account upon completion of final maps and other survey documents shall be refunded to the Developer. (DS)

173. Prior to recordation of any map phase including land relinquished by the State of California to the City, subdivider shall implement conditions listed in the agreement between the City of Oxnard and the State of California for the relinquishment of portions of Wagon Wheel Road. The agreement is filed in the City Clerk's Office as Agreement A-7587. The Development Services Director, in coordination with the State of California, shall determine if agreement conditions have been met. (DS)

174. Subdivider shall dedicate rights of ingress and egress to Ventura Road and Oxnard Boulevard to the City of Oxnard from all private lots fronting along these roadways. Dedication shall occur on the map phase creating lots fronting these roadways. (DS)

175. Developer shall provide all right-of-way dedications proposed under this subdivision without any pre-existing easements or other encumbrances. (DS)

176. Developer acknowledges the existence of an easement for flood control purposes retained by the Ventura County Watershed Protection District in a document recorded as instrument No. 073969, at Book 5707, Page 58, of Official Records which affects development on the western portion of the project. Developer shall obtain quitclaim or other similar release of the easement prior to any grading that encroaches into the described land or any other activity (construction or otherwise) that affects the rights reserved under the easement. (DS)

177. Developer shall locate all slopes, retaining walls, or similar improvements on the lot containing the soil that the improvements support. (DS)

178. Developer shall design and construct all slopes steeper than 5 (horizontal) to 1 (vertical) with a minimum 2 foot wide level area (at both top and bottom of slope) adjacent to any wall, sidewalk, MUP shoulder, curb or similar improvement. (DS)

179. Prior to approval of each final map phase, Developer shall provide a 100-scale address map to the City Engineer for that phase. 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)

180. Prior to the issuance of a City construction permit, Developer shall provide proof of issuance of an appropriate encroachment permit for work within areas under the jurisdiction of other public agencies or for work that otherwise negatively affects such areas. (DS)

181. Developer shall list all grading and air quality related environmental mitigations measures on the grading plan cover sheet for all project phases. Developer shall cause all project contractors to comply with these mitigations during all phases of construction. (DS)

182. Developer may submit phased improvement plans corresponding to phased final maps. Prior to submittal of phased improvement plans and/or phased final maps, Developer shall provide a phasing plan for review and approval of the Development Services Manager. Each phase of the map shall be designed to continuously provide a minimum of two points of vehicular access to all developed portions of the project. Temporary improvements such as vehicle turnarounds, barricades, waterline blow-offs, and other improvements may be required as deemed necessary by the Development Services Manager. Phasing plans shall minimize inconvenience to the general public and Gold Coast Transit bus routes. (DS)

183. Developer shall provide and maintain a 5 foot wide (minimum) ADA compliant pedestrian path within the boundaries of this map that provides a convenient pedestrian connection from all new roadway improvements to the existing sidewalks on Oxnard Boulevard and Ventura Road. Developer shall install and maintain adequate street lighting along these pedestrian paths. (DS)

184. Prior to recordation of the first final map, Developer shall provide payment (for reimbursement to another developer) to the City for 15% of the design and construction cost for the widening (adding of a second left turn lane per EIR mitigation measure T-1(b) of the Highway 101 northbound off-ramp at Oxnard Boulevard. The project design and construction costs used in this calculation shall be increased above the actual costs based on application on the Local Agency Investment Fund (LAIF) rate received by the City on its short term investments starting from the date of the construction contract. The construction of these improvements was completed by the Riverpark Development. (DS)

185. Prior to recordation of the each phase of this subdivision, Developer shall provide evidence that project is in currant compliance with all requirements of the Development Agreement (A-7122) executed on January 27, 2009, and all approved amendments thereto. (DS)

186. Developer shall provide 48 inch (minimum) wide, gated, locked openings in the project soundwalls at sufficient intervals (generally 450 feet) to provide access to the backside of these facilities for maintenance purposes. Gate locations shall be indicated on both the civil and soundwall construction plans. Developer shall provide City with keys or other means of access to any gates providing access to areas maintained by City forces. (DS)

187. Prior to the issuance of a grading permit for lots adjacent Highway 101 and/or Oxnard Boulevard, Developer shall sample the soils for aerially deposited lead adjacent to highways and, if necessary, prepare an action plan in accordance with EIR mitigation measure HAZ-3. (DS)

Traffic Conditions:

188. Prior to the issuance of a final inspection for the first dwelling unit on Lot 1, 2, 3, 4, 5, 6, or 7 Developer shall construct Wagon Wheel Road from Buckaroo Place to Ventura Road. Developer shall design Wagon Wheel Road at Ventura Road to accommodate westbound U-Turn movements to allow residents to access the commercial center near the Wagon Wheel Road/Spur Drive intersection without leaving the project site. Construction plans for this section of Wagon Wheel Road shall be processed concurrent with the onsite improvement plans for development of the first of the listed lots. Alternative designs that provide equivalent access may be approved by the Development Services Director. (TR) (Proposed Text Revision)

189. Developer shall design and construct improvements to Ventura Road along the project frontage concurrent with design and construction of Wagon Wheel Road from Cactus Drive to Ventura Road. Ventura Road shall be designed to accommodate a 14 foot raised median (measured easterly from the existing westerly median curb southerly of the proposed Wagon Wheel Road intersection), two - 12 foot wide through lanes and an 8 foot wide bike lane in the northbound direction. The Wagon Wheel Road/Ventura Road intersection shall be designed with no transition through the intersection. Ventura Road shall be designed to accommodate an 8 foot wide bike lane, two variable width through lanes, and sufficient left turn lane capacity to accommodate the forecast left turning movements in the southbound direction at the Wagon Wheel intersection. Final design and lane configurations shall be approved by the City Traffic Engineer. (TR)

190. Developer shall design and construct a traffic signal at the Ventura Road and Wagon Wheel Road intersection concurrent with improvements to Ventura Road. Construction shall include battery back-up system, Emtrac vehicle pre-emption system, traffic loops, video detection system, pedestrian countdown timers and LED lighting as specified by the

City Traffic Engineer. Developer shall also install a Pan-Tilt-Zoom CCTV Camera system at this intersection. (TR)

191. Each phase of Wagon Wheel Road construction shall provide a roadway connection to Ventura Road. Roadway connection may be provided via a temporary roadway connecting new Wagon Wheel Road to existing Wagon Wheel Road or another temporary route approved by the City Traffic Engineer. Developer shall perform repairs (repair potholes, seal cracks, and other deteriorated pavement repairs) to existing roadway(s) used to provide the required vehicular route as determined necessary by the Development Services Director. (DS)

192. Developer shall install traffic signal conduits and pull boxes with each phase of Wagon Wheel Road construction from Buckaroo Place to Ventura Road. Specifications for conduits and pull boxes shall conform to City of Oxnard ITS standards. Location and size of conduits and pull boxes are subject to approved by the City Traffic Engineer. (TR)

193. Developer shall design and re-construct the Highway 101 off-ramp for a right turn only movement in compliance with Caltrans approval concurrent with design and construction of Wagon Wheel Road from Cactus Drive to Ventura Road. Developer shall process the off-ramp improvements through Caltrans and obtain all required permits. Final design of the off-ramp shall also be approved by the City of Oxnard Traffic Engineer. If additional right of way is needed that affects Lot A on the developer's property for the off-ramp improvements, this right of way shall be provided such that Lot A is not reduced in acreage from shown on the Tentative Tract Map. The Community Development Director may modify the requirements of this condition based on compliance with Caltrans requirements. (TR) (Proposed Text Revision)

194. Prior to design of Wagon Wheel Road from Cactus Drive to Ventura Road, Developer shall submit a traffic analysis evaluating the proposed Highway 101 off-ramp design. The analysis shall include an evaluation of the Wagon Wheel Road westbound left-turn storage capacity at Ventura Road in relation to the traffic turning movements forecast in the project traffic study. The traffic analysis shall also include a determination of the number of off-ramp lanes required to accommodate forecast off-ramp traffic at Wagon Wheel Rd. Developer shall submit 2 copies of the Traffic Analysis report to Traffic Engineering section concurrent with a deposit adequate to cover the anticipated costs to review the traffic analysis. The Development Services Director may modify the requirements of this condition based on compliance with Caltrans requirements. (TR)

195. Developer shall design the vehicular circulation within Lot 2 and 3 in a coordinated manner that provides lot 2 residents with direct vehicular access to and from Saddle Street facilitating left turn movements onto Wagon Wheel Road. Owners of lots 2 and 3 shall enter into a reciprocal access agreement upon development of the first of these lots regarding this requirement. (TR)

196. Developer shall design and construct the Cactus Drive/Wagon Wheel Road roundabout in compliance with the design considerations stipulated in the latest edition of the Technical Summary of Federal Highway Administration (FHWA) for Roundabouts and to the satisfaction of the City Traffic Engineer. (TR)

197. Developer shall design and construct Spur Drive at the connection with the west end of the bridge over Oxnard Boulevard with a minimum 135 foot centerline radius per AASHTO standards for Low-Speed Urban Streets. The design shall also accommodate a minimum 14 foot wide vehicular traveled way in each direction. Final design is subject to approval by the City Traffic Engineer. (TR)

198. Prior to certificate of occupancy/final inspection for any new development within the boundary of this map, Developer shall reconstruct Oxnard Boulevard in the southbound direction at the Wagon Wheel Road intersection to accommodate 2 left turn lanes, 3 through lanes, a 5 foot wide bike lane at the intersection (8 foot wide north of intersection) and 1 right turn lane in the southbound direction. Improvements to Oxnard Boulevard shall also include elimination of the existing painted medians near the Wagon Wheel intersection and replacing them with standard raised medians. Modification to the traffic signal system shall include, but not be limited to, installation of Emtrac vehicle pre-emption system, traffic loops, pedestrian countdown timers, and retrofitting the existing traffic signal HPSV luminaires with LED lighting and as specified by the City Traffic Engineer. Developer shall also install a Pan-Tilt-Zoom CCTV Camera system if not already installed under the City's ITS project. Improvements shall include upgrading of all existing street name signs at the intersection to current City standards. Intersection construction shall extend from the west side of Spur Drive to Oxnard Boulevard and shall include enhanced pavement and other requirements of the Oxnard Village Specific Plan. Developer shall obtain approval of plans for these improvements prior to, or concurrent with, issuance of the first grading/site improvement permit. Construction of these improvements at an early stage of development is being required in order to minimize the impact on the public that would be caused by delaying their construction until after significant occupancy of the site has occurred. (TR)

199. Concurrent with the improvements to the Oxnard Boulevard/Wagon Wheel Road intersection, Developer shall install pavement delineation from the southbound Highway 101 free-right off-ramp to the Oxnard Boulevard/Wagon Wheel Road intersection employing the "green bike" bike lane (8 foot minimum width) concept at locations determined appropriate by the City Traffic Engineer. Developer shall also install appropriate signage and striping on the east side of Oxnard Boulevard north of Wagon Wheel Road to convert the existing shoulder to a designated bike lane. Developer shall obtain Caltrans approval for all work within roadway Caltrans jurisdiction. (TR)

200. Developer shall improve the Oxnard Boulevard/Vineyard Avenue intersection to provide the following: a) two-10 foot left turn lanes, three-11 foot through lanes, a 4 foot-bike lane (at the intersection) and two-12 foot right turn lanes in the northbound direction; b) two-10 foot left turn lanes, three-11 foot through lanes, a shared through/right lane and an 8

foot-bicycle lane in the southbound direction; c) one-10 foot left turn lane, one-10 foot shared left/through lane, two-11 foot through lanes, a 4 foot bicycle lane (at the intersection) and one-12 foot right turn lane in the eastbound direction; and d) three-10 foot left turn lanes, one-11foot through lane, one-11 foot shared through/right turn lane and a 6 foot bicycle lane in the westbound direction. Improvements shall also include, but not necessarily limited to, modification to the traffic signal to include an Emtrac vehicle pre-emption system, traffic loops, pedestrian countdown timers and retrofitting the existing traffic signal HPSV luminaires with LED lighting. Developer shall install a Pan-Tilt-Zoom CCTV Camera system if not previously installed by others. The improvements shall include modification to the raised median, landscaping, irrigation and street lighting as required to accommodate these improvements. If right-of-way is not available to construct the bicycle lane in the southbound direction at the time of construction, developer shall construct 2-10 foot left turn lanes, 3-11 foot through lanes and 1-14 foot shared through/right lane in the southbound direction. Improvements shall include upgrading of all existing street name signs at the intersection to current City standards. Design of these improvements, including required length of all turn pockets, is subject to approval by the City Traffic Engineer. The improvements shall be constructed prior to the issuance of 400th residential unit final inspection within the project. The Community Development Director may modify or eliminate the requirements of this condition if the City obtains alternative funding and accepts construction responsibility (TR) (Proposed Text Revision)

201. Unless the City obtains alternative funding and accepts construction responsibility for Orchard Place/Oxnard Boulevard improvements, prior to the issuance of any future final inspection or certificate of occupancy within the boundary of this subdivision, Developer shall modify the Orchard Place/Oxnard Boulevard to provide the following: a) a traffic signal system that includes battery back-up system, Emtrac vehicle pre-emption system, traffic loops, video detection system, pedestrian countdown timers, LED lighting, and a Pan-Tilt-Zoom CCTV Camera compliant with the City's ITS system; b) reconstruction of the southbound approach to the intersection to provide 1-left turn lane, 3-through lanes (eliminating existing eastbound free-right), a bicycle lane (at the intersection) and a right turn lane; and c) construction of an extension of the existing raised median on Oxnard Boulevard to provide a standard northbound left-turn pocket at Orchard Place. Improvements shall also include re-striping of northbound Oxnard Boulevard at Orchard Place to accommodate 1-left turn lane, 2-through lanes, a bicycle lane (at the intersection) and a right turn lane. Construction plans for these improvements shall be processed concurrent with the development plans for any new development within the boundary of this map. The final design of these improvements is subject to approval of the City Traffic Engineer. (TR)

202. Unless the City obtains alternative funding and accepts construction responsibility for Oxnard Blvd improvements from Vineyard Avenue, north to Orchard Place, concurrent with modification to the Orchard Place/Oxnard Boulevard intersection, Developer shall construct curb, gutter and a seven (7) foot wide concrete sidewalk along westerly side of Oxnard Boulevard to create a continuous ADA compliant pedestrian pathway from

Vineyard Plaza on the south to the existing sidewalk northerly of Orchard Place. Construction plans for these improvements shall be processed concurrent with the development plans for any new development within the boundary of this map, and shall be constructed and accepted by the City prior to the 544th unit final inspection in the project. (TR)

203. Developer proposes to construct a portion of the Multi-Use Path ('MUP') near lot 6 within land currently owned by the State of California. Developer shall pay all costs and process all paperwork required to transfer ownership to the City. Property transfer shall occur prior to, or concurrent with, construction of this portion of the MUP. (DS)

204. Developer shall construct a bus pull-out (compliant with City Standard Plate 200) along southbound Oxnard Boulevard just south of the Wagon Wheel Drive intersection. Location and design details associated with the bus pull-out shall be approved by the City Traffic Engineer. The location of required street furniture shall be approved by the City Traffic Engineer, supplied and installed at the Developer's cost and shall include a bus shelter, solar lighting system, bench, trash receptacle, and bike rack within the Oxnard Blvd/Wagon Wheel public right of way. The bus pull-out shall be eligible for Transportation Demand Management fund reimbursement at 100% of all costs of construction, excluding the above mentioned bus shelter, solar lighting system, bench, trash receptacle, and bike rack. Timing for the installation of all improvements shall be to the satisfaction of Gold Coast Transit and the City Traffic Engineer. (DS)

205. Developer shall eliminate the City of Oxnard's interest (fee, easement, and/or right-of-way) in the triangular sliver of property between Lot A and the freeway offramp. Elimination of City interest may be accomplished by: a) transferring all interest to the State of California for reconstruction of the offramp; b) elimination of all right-of-way and transfer of fee ownership to the City for incorporation into Lot A; c) any other transfer that is acceptable to the City Engineer. (DS)

206. Developer shall provide maintenance vehicle access (curb cut or other approved measures) to the MUP from Wagon Wheel Road at the point where the MUP connects to Wagon Wheel Road near the property line between Lot A and Lot 6. (DS)

POLICE DEPARTMENT SPECIAL CONDITIONS

207. All access control systems that serve public or semi-public areas, whether for pedestrians or vehicles, shall have features which provide easy access by first responders. Areas to be included for such access shall include, but not be limited to: parking areas, common shared hallways, elevators, and stairwells used by residents to access residential units, pool areas and shared gyms. The methods of first responder access shall be by "click to enter technology", key card or passcode as approved by the Chief of Police or his or her designee. (PD)

208. **Comprehensive Security Camera System**. The cameras will be owned and maintained by either the Master HOA or the apartment entity where they are place.
    a) All security camera systems required under plans approved within the individual lot sites, and all supporting equipment regardless of whether the installation of equipment is on public or private property, shall be considered as part of the Comprehensive Security Camera System.
    b) Develop sustainable review process for replacing, if necessary, security camera equipment or systems on a five-year cycle. The five-year cycle starts on the date of Certificate of Occupancy or first date of permitted operation.
    c) The Master HOA shall establish an alpha-numeric system to identify each camera throughout the project area regardless of whether the installation of the equipment is on public or private property. This requirement does not apply to interior retail tenant spaces.
    d) The Master HOA shall ensure that any camera which provides views that include windows of private residences shall have the window digitally masked.
    e) Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
    f) Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
    g) Cameras shall have sufficient low light ability to clearly capture quality images.
    h) The video system shall utilize a Digital Video Recorder or a recording system that meets the current industry standard as of the date installed.
    i) The video system shall allow recording, live viewing and playback of recorded video for a period of not less than 30-days.
    j) Recorded images shall bear a date and time stamp that cannot be altered.
    k) Locations identified as “choke points” throughout the project area shall have cameras dedicated to the purpose of capturing head and upper body images of pedestrians. Whenever possible, cameras installations serving this purpose shall be mounted near 7-feet above the ground. The intent of this condition is to capture images of faces.
    l) Choke point cameras shall be located at public entrances to the MUP to capture the face and upper-body images of pedestrians.
    m) The camera system shall operate 24-hours a day, 7-days a week.
    n) The Camera System shall have the functionality to provide live feed remotely over the Internet.
    o) The Master HOA shall provide access to video records to the Oxnard Police Department in a timely manner upon request. (PD)

209. **Security Personnel**. Security personnel will be required under the Blanket Alcohol Special Use Permit, and will be funded by the Master HOA or other similar entity. The duties of these security officers, although tied to the concentration of alcohol establishments, shall also include patrol the entire project site to:
    a) Dissuade problem activities and call the police if appropriate
    b) Document site maintenance issues on private as well as public properties.
    c) Promptly address access control issues at parking structures and other semi-public areas.

d) Operate and monitor camera systems as appropriate.
e) Except as required under the Blanket Alcohol SUP, security personnel shall not be required during regular business hours as long as there is staff on-site to address items a-d.
f) Security personnel shall meet all credentialing requirement of the State of California and the City of Oxnard and shall be uniquely attired so as to be easily identifiable by the public and to police officers.
g) Security personnel shall work in partnership with the Oxnard Police Department in creating and maintaining a safe community. As part of that partnership, the Master HOA, security management and the Oxnard Police Department shall develop "Post Orders" for security personnel assigned to patrol the Oxnard Village community. (PD)

[SIGNATURES ON FOLLOWING PAGE]

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 1st day of October 2020 by the following vote:

_____
Deirdre Frank, Chair

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

_____
Scott Kolwitz, Secretary

EXHIBIT A

LEGISLATIVE DRAFT OF REVISED CONDITIONS

Exhibit A

LEGISLATIVE DRAFT OF REVISED CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP 5745

OCTOBER 1, 2020

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

All permit conditions of Planning and Zoning Permit No. 11-300-07 (Tentative Subdivision Map for Tract No. 5745) shall remain in full force and effect, except as replaced and appended by the following conditions.

LANDSCAPE STANDARD CONDITIONS

11. Developer shall provide landscape and irrigation improvements within Caltrans freeway right of way ~~and shall maintain~~. These improvements shall be maintained by the HOA via a reimbursement agreement with Community Facilities District (CFD) No. 2018-01. The City will enter into a maintenance agreement with Caltrans which will provide maintenance of such improvements permanently or until such time as Caltrans assumes full maintenance responsibilities. The design of the landscape improvements shall be approved by both Caltrans and the ~~General Services~~ Public Works Director or designee. (PK, *PK-17*)

LANDSCAPE SPECIAL CONDITIONS

20. Prior to approval of the Final Map, Developer shall provide to the ~~General Services~~ Community Development Director and the Special Districts Manager copies ~~a copy~~ of the document entitled "Agreement" containing Developer's agreement to vote in favor of a CFD for the project, bearing the Ventura County Recorder's stamp, confirming that the document has been recorded in the Ventura County Recorder's Office. (PK, *PK-21*)

21. Prior to approval of the Final Map, Developer shall provide the ~~Development Services Manager~~ Community Development Director and the Special Districts Manager copies of ~~with~~ a complete, detailed CFD master plan for all phases of the project and shall deposit $13,700 to pay for staff time, attorney time and the engineer's report necessary to prepare

all documents and hold hearings to form the CFD and impose a rate and method of apportionment to levy a special tax on property within the project to pay the costs of maintaining the landscaping in the district. The CFD shall be structured so that the Developer and subsequent property owners pay the full costs of the operation and maintenance of any items eligible and accepted by the City. These may include: public parks; public landscaping; the Multi Use Path (MUP), including exercise equipment in the MUP area; the MUP bridge over Oxnard Blvd.; street lights; retaining walls, including the retaining wall on Oxnard Blvd. and Ventura Rd.; street trees; medians and sidewalks in and adjacent to the project; floodwalls, flood improvements, and flood protection facilities; stormwater quality best management practices devices (such as storm water filters and grassy swales, etc.); and Caltrans landscape area(s). A Joint Community Facilities District with Caltrans may be needed as part of the CFD. (PK/PL)

The Community Facilities District Master Plan shall be drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a CFD; (b) a homeowners association; (c) a Master HOA: and/or (d) the City. After ~~General Services~~ Community Development Director approves such plan, Developer shall provide to the ~~General Services~~ Community Development Director and the Special Districts Manager ~~a~~ mylar (minimum 3 mil) original drawings of the maintenance district master plan. (PK/PL)

23. The lots associated with the MUP and the pedestrian bridge shall be within the CFD (City) and/or Master Homeowner Association (HOA). ~~If a Master HOA is formed, t~~The City agrees to grant a maintenance easement to the Master HOA. ~~Ownership of the MUP lots shall be by a Master HOA, and an easement shall be granted to the City, or as otherwise approved by the General Services Director.~~ Based upon the design, location and amenities of the MUP lots, Quimby credit for the area shown on the approved TSM may be given as determined by the ~~General Services~~ Community Development Director. Credit shall not be given for any area shown on the TSM cross section or on the TSM not determined necessary for the MUP nor for any additional design amenities required for uses other than the MUP. (PK/PL)

24. The ~~A parcel intended for the~~ temporary and permanent Transit Center will be maintained through the CFD, ~~or~~ Master HOA, or private entity and ~~owned by the City~~ an access easement shall be granted to the City for public transit center use and access to transit center amenities as outlined in the Village Specific Plan. This area shall not be permitted to meet a portion of the required Quimby park acreage. (PK/PL)

25. ~~Lot E and Lot F, at the City's direction, may become a part of Lot 3 and Lot 2 respectively.~~ Lot Q shall be owned by the Master HOA, or may become part of Lot 16 at the City's direction, and an easement may be given to the City for the landscaping. Lot R ~~shall~~ may be merged with Lot 11. (PK/PL)

26. ~~Lot T, at the City's direction, shall become part of Lot 2. If Lot T becomes part of Lot 2 Developer shall grant a maintenance easement to the City for flood protection improvements. (PK/PL) (Changed since PC Approval)~~

Developer shall provide all improvements in the area identified on the TTM as "Area of Proposed Caltrans Relinquishment," including the MUP, landscaping, and irrigation, and the area shall be maintained by the HOA via a reimbursement agreement with the CFD. Prior to submittal for Grading Permits for development on Lot 6, Developer shall provide evidence of relinquishment of the area by Caltrans, or evidence of issuance of a long term encroachment permit (or similar document) issued by Caltrans for construction, maintenance and long-term use of Caltrans right-of-way for MUP purposes. If relinquishment or encroachment is not approved by Caltrans, Developer shall record an easement on Lot 6 to connect the MUP on Lot H with the MUP on Lot A. The easement shall accommodate the 12-foot wide paved MUP, 2-foot wide shoulder on each side, and any setback necessary to accommodate slope, signage or fencing. Lot 6 shall also accommodate a minimum 10-foot landscaped setback between any Buildings on Lot 6 and the edge of pavement of the MUP trail. Location of the easement shall be subject to approval by Community Development Director. Any necessary redesign of Lot 6 to accommodate the MUP easement shall be subject to review and approval by Planning Manager through a Minor Modification. (PL)

27. Lot N and O and the entry element along Ventura Rd. will be owned and maintained by ~~a CFD and or~~ the Master HOA. This acreage shall be permitted to count towards the Developers total required public open space requirement; however, with the exception of MUP hardscape, these areas shall not count towards the Developers required Quimby obligation. (PK/PL)

29. All paving within public park areas and the MUP, and improvements to be maintained by the ~~via the City and within a CFD or~~ Master HOA with a reimbursement agreement with the CFD, must be constructed with a concrete base material (PK/PL).

32. When improvement drawings are submitted for the extension of Wagon Wheel Road to Ventura Road, Developer shall provide landscaping and irrigation, entry features, and hardscape improvement plans for entry landscape features off of Ventura Road and into the project area which will be constructed by the Developer on Lots ~~1~~ A and 2. These plans shall be approved by the ~~Development Services~~ Community Development Director and ~~General Services~~ Public Works Director and shall be constructed by the Developer and accepted by the City prior to final inspection for unit on Lots 1 – 7. The Community Development Director may modify the requirement for construction completion if alternative construction phasing is approved. (PK/PL)

33. The overall design and placement of amenities along and within the MUP shall be to the satisfaction and approval of the ~~General Services~~ Community Development Director and the Development Services Director. In order for the MUP to be counted as park acreage and for the Developer to receive Quimby credit, amenities shall include at a minimum exercise equipment and stations, ~~picnic tables and~~ benches, lighting, gateway and directions signage, and water station~~s~~, or other amenities are approved by the ~~General~~

~~Services~~ Community Development Director. All such amenities shall be installed out of the 16 foot clear path of travel for the MUP (PK/PL).

PLANNING DIVISION SPECIAL CONDITIONS

51. Prior to issuance of a building permit for any development on Lots ~~8 =~~ 16, Developer shall provide to the City for review and approval a permanent transit center site plan design which specifies: a) the amenities to be provided within the transit center; ~~b) the landscaping and irrigation to be installed;~~ and ~~c~~b) how the center will comply with the cultural and other relevant mitigations as specified in the FEIR and SEIR. (PL)

52. ~~Prior to issuance of the 600th unit final inspection and city acceptance of the public improvements on the parcel intended for the Transit Center, the~~ A Transit Center shall be fully constructed by the Developer and ~~dedicated~~ designated to the City of Oxnard for public transit center use. The Transit Center improvements and amenities shall be consistent with the Village Specific Plan and Development Agreement. Construction should proceed in two phases:
    a) Prior to issuance of the certificate of occupancy for the 600th unit, Developer shall provide a temporary transit center with a minimum of 50 parking spaces within Planning Area 17 of The Village Specific Plan. This temporary transit center use shall continue until the permanent Transit Center within Planning Area 20 has been fully constructed and designated to the City of Oxnard. The temporary transit center shall include a minimum of 50 designated parking spaces and a bicycle rack for 8 bicycle spaces. Developer shall install parking signs that identify the 50 parking stalls for transit center and commercial parking only on Monday to Friday, and prohibit overnight parking between the hours of 1:00 AM and 4:00 A.M. on Monday to Friday. The final sign design shall be subject to approval by the City Traffic Engineer. Parking shall be enforced in accordance with the Parking Management Plan.
    b) Before the City issues certificate of occupancy for Planning Area 20, Developer shall fully construct and designate to the City of Oxnard a permanent transit center within Planning Area 20 of The Village Specific Plan. The Developer shall also submit an original completed, signed and notarized notice of land use restriction with required fees to the Planning Manager prior to occupancy. The permanent transit center shall include a minimum of 50 designated parking spaces and applicable amenities identified in the Specific Plan, including bicycle parking for transit stations per the City of Oxnard Bicycle Master Plan Table A-4, Pg. A-38 of Appendix A, and applicable cultural and other relevant mitigations as specified in the FEIR and SEIR. Developer shall install parking signs that identify the 50 parking stalls for transit center and commercial parking only on Monday to Friday, and prohibit overnight parking between the hours of 1:00 A.M. and 4:00 A.M. Monday to Friday. The final sign design shall be subject to approval by the City Traffic Engineer. Parking shall be enforced in accordance with the Parking Management Plan. (PL)

DEVELOPMENT SERVICES CONDITIONS

57. Unless specified otherwise in the Development Agreement, 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)

SPECIAL CONDITIONS:

Storm Drain Conditions:

118. Developer shall maintain sufficient structural setbacks from the flood protection improvements ("Improvements") adjacent to Lot 2 sufficient in width to provide for complete reconstruction of the Improvements in the future. Developer shall construct an all weather access route within Lot 2 adjacent to the Improvements that provides for perpetual inspection and maintenance of the Improvements. Said access could be within parking area. ~~and construct access/maintenance routes to the Ventura Road frontage flood protection improvements to provide for perpetual maintenance.~~ Developer shall dedicate an easement to the City over the access route and maintenance area ~~the flood access/maintenance routes~~ in a width and location acceptable to the ~~Development Services Manager~~ City Engineer. (DS)

119. Reserved ~~Upon the Development Service Director's request, Developer shall enter into a fair share agreement with the City of Oxnard for funding of any improvements constructed by others (including, but not limited to, the City of Oxnard or the VCWPD) that provides flood protection for the project. (DS) . (Changed since PC Approval)~~

123. Developer shall design and construct a Ventura Road storm drain pump system at the railroad undercrossing in accordance with the requirements of section 16.1 of the project Development Agreement (A-7122). The system shall be designed to mitigate flooding of Ventura Road during storm events up to ~~a 25-year event~~ a 10-year (10% chance) event with ponding not exceeding 6 inches in Ventura Road. These improvements shall be designed in conformance with Public Works standards and shall include, but not be limited to, a) soft start pumps: b) a redundant pump systems (preferably room at the site for 2 active pumps and a spare pump, if space permits); c) basin security around the pump system; d) site layout that provides access for maintenance via a crane. These improvements ~~shall~~ are to be constructed within the time frame specified in the Development Agreement. The ~~Development Services~~ Community Development Director may modify or eliminate this requirement if an alternative solution is designed that provides equal or greater protection. (DS)

Street Conditions:

155. Reserved ~~Developer shall modify the existing Wagon Wheel Road (re-named Spur Drive) Bridge railing over Oxnard Boulevard to bring the bridge railing height and design into~~

~~compliance with current Caltrans standards for pedestrian protection. Proposed alterations shall be designed to complement the aesthetics of the existing railing and nearby fencing while enhancing pedestrian safety. The aesthetics of the bridge railing shall be subject to approval by the Planning & Environmental Services Manager. Improvements shall be constructed prior to final inspection of the 544th unit. The requirement for retrofitting the bridge railing may be eliminated by the Development Services~~ Community Development ~~Director if the MUP trail bridge proposed adjacent to the Spur Drive Bridge project is constructed to a width sufficient to accommodate pedestrians (in addition to bicycle traffic) and pedestrian traffic is eliminated from the Spur Drive Bridge. The cost of these improvements qualifies for half of the required Air Quality Fee credits.~~ (DS)

Multi-Use Path ("MUP") Conditions:

157. Developer shall install a fence/barrier along the top of the Oxnard Boulevard retaining wall concurrent with retaining wall construction to provide fall protection. The fence/barrier shall not encroach into the ~~18~~one foot wide zone adjacent to the MUP shoulder. Fence/barrier aesthetics shall be coordinated with nearby improvements subject to approval of the Development Services Director. (DS)

159. Developer shall extend the MUP along Ventura Road under Highway 101 to connect with the existing bicycle ramp that provides access to the trail over the Santa Clara River. The MUP shall be ~~14~~ 10 feet wide and placed directly adjacent to the Ventura Road curb for the section under Highway 101. The Ventura Road curb under Highway 101 is to be reconstructed and offset by 2 feet into existing bike lane. ~~Any alteration to the existing slope paving under Highway 101 shall include replacement, as determined appropriate by the Development Services Director, of the existing art in public places currently cast into the slope paving.~~ Alternative designs (or other improvements) that comply with the intent of the City's Bicycle Master Plan may be approved by the ~~Development Services~~ Community Development Director. These improvements shall be constructed prior to, or concurrent with, the Ventura Road frontage improvements. Developer shall obtain a Caltrans permit for these improvements. (DS)

161. Reserved ~~Concurrent with design of the proposed Highway 101 off-ramp, Developer shall provide an analysis of alternative MUP alignments (and associated costs) between Lot 6 and Ventura Road for consideration by the Development Services Director. Developer shall construct the alternative selected by the Director. (DS)~~

162. Developer shall design and install a MUP bridge over Oxnard Boulevard adjacent to the existing Wagon Wheel Road (future Spur Drive) Bridge. Final MUP bridge design shall include, but not necessarily be limited to,: a) a minimum clear width of twelve (12) feet; b) all weather surfacing; c) protective decorative railing; d) aesthetics that compliment surrounding improvements; e) appropriate lighting; and f) considerations for minimizing long term maintenance costs. The ~~Development Services~~ Community Development Director shall make the final determination regarding project compliance with these requirements. Design of the MUP bridge shall occur prior to, or concurrent with, any

development on lots 12, 13, 14, 16 or 17. Improvements shall be constructed prior to final inspection of the 544th unit. Developer and the ~~Development Services~~ Community Development Director may negotiate alternative timing for MUP bridge construction if it is determined that additional offsite right-of-way is required. The Community Development Director may provide additional time for construction of the MUP bridge if the Director determines that significant progress has been made and Developer has diligently pursued their construction. (DS)

163. Developer shall design and construct decorative MUP gateway entrances at the following locations: a) ~~Ventura Road where the MUP separates from Ventura Road; b)~~ Spur Drive where the MUP separates from Spur Drive on the north side; ~~c) Winchester Drive between lots 3 and 4 where the MUP separates from Winchester Drive;~~ and ~~d)~~ b) Wagon Wheel Road adjacent to lot 6 where the MUP leaves Wagon Wheel Road. Final location of these gateways may be altered by the ~~Development Services~~ Community Development Director if the MUP layout is altered. Developer shall also design and install directional signage at each location where the MUP enters or exits the public right-of-way not provided with a gateway entrance. Developer shall prepare preliminary designs for the decorative gateway entrances and directional signage for approval by the ~~Development Services~~ Community Development Director. (DS)

166. Developer shall design and construct the MUP to accommodate turning movements and vehicle loading associated with light maintenance trucks (pulling a trailer) and ambulances (Vehicle weight of approximately 10,000 lbs). The MUP shall be constructed of concrete. Final design is subject to approval of the ~~Development Services~~ Community Development Director and the Fire Marshall. (DS)

Traffic Conditions:

188. Prior to the issuance of a final inspection for the first dwelling unit on Lot 1, 2, 3, 4, 5, 6, or 7 Developer shall construct Wagon Wheel Road from Buckaroo Place to Ventura Road. Developer shall design Wagon Wheel Road at Ventura Road to accommodate westbound U-Turn movements to allow residents ~~of Lot 1~~ to access the commercial center near the Wagon Wheel Road/Spur Drive intersection without leaving the project site. Construction plans for this section of Wagon Wheel Road shall be processed concurrent with the onsite improvement plans for development of the first of the listed lots. Alternative designs that provide equivalent access may be approved by the Development Services Director. (TR)

193. Developer shall design and re-construct ~~a~~ the Highway 101 off-ramp for a right turn only movement in compliance with Caltrans approval ~~standards and specifications~~ concurrent with design and construction of Wagon Wheel Road from Cactus Drive to Ventura Road. Developer shall process the off-ramp improvements through Caltrans and obtain all required permits. Final design of the off-ramp shall also be approved by the City of Oxnard Traffic Engineer. If additional right of way is needed that affects Lot A on the developer's property for the off-ramp improvements, this right of way shall be provided such that Lot A is not reduced in acreage from shown on the Tentative Tract Map. The ~~Development~~

~~Services~~ Community Development Director may modify the requirements of this condition based on compliance with Caltrans requirements. (TR)

200. Developer shall improve the Oxnard Boulevard/Vineyard Avenue intersection to provide the following: a) two-10 foot left turn lanes, three-11 foot through lanes, a 4 foot-bike lane (at the intersection) and two-12 foot right turn lanes in the northbound direction; b) two-10 foot left turn lanes, three-11 foot through lanes, a shared through/right lane and an 8 foot-bicycle lane in the southbound direction; c) one-10 foot left turn lane, one-10 foot shared left/through lane, two-11 foot through lanes, a 4 foot bicycle lane (at the intersection) and one-12 foot right turn lane in the eastbound direction; and d) three-10 foot left turn lanes, one-11foot through lane, one-11 foot shared through/right turn lane and a 6 foot bicycle lane in the westbound direction. Improvements shall also include, but not necessarily limited to, modification to the traffic signal to include an Emtrac vehicle pre-emption system, traffic loops, pedestrian countdown timers and retrofitting the existing traffic signal HPSV luminaires with LED lighting. Developer shall install a Pan-Tilt-Zoom CCTV Camera system if not previously installed by others. The improvements shall include modification to the raised median, landscaping, irrigation and street lighting as required to accommodate these improvements. If right-of-way is not available to construct the bicycle lane in the southbound direction at the time of construction, developer shall construct 2-10 foot left turn lanes, 3-11 foot through lanes and 1-14 foot shared through/right lane in the southbound direction. Improvements shall include upgrading of all existing street name signs at the intersection to current City standards. Design of these improvements, including required length of all turn pockets, is subject to approval by the City Traffic Engineer. The improvements shall be constructed prior to the issuance of 400th residential unit final inspection within the project. The Community Development Director may modify or eliminate the requirements of this condition if the City obtains alternative funding and accepts construction responsibility (TR)

203. Developer proposes to construct a portion of the Multi-Use Path ('MUP') near lot 6 within land currently owned by the State of California. Developer shall pay all costs and process all paperwork required to transfer ownership to the City. Property transfer shall occur prior to, or concurrent with, construction of this portion of the MUP. (DS)

204. Developer shall construct a bus pull-out (compliant with City Standard Plate 200) along southbound Oxnard Boulevard just south of the Wagon Wheel Drive intersection. Location and design details associated with the bus pull-out shall be approved by the City Traffic Engineer. The location of required street furniture shall be approved by the City Traffic Engineer, supplied and installed at the Developer's cost and shall include a bus shelter, solar lighting system, bench, trash receptacle, and bike rack within the Oxnard Blvd/Wagon Wheel public right of way. The bus pull-out shall be eligible for Transportation Demand Management fund reimbursement at 100% of all costs of construction, excluding the above mentioned bus shelter, solar lighting system, bench, trash receptacle, and bike rack. Timing for the installation of all improvements shall be to the satisfaction of Gold Coast Transit and the City Traffic Engineer.

205. Developer shall eliminate the City of Oxnard's interest (fee, easement, and/or right-of-way) in the triangular sliver of property between Lot A and the freeway offramp. Elimination of City interest may be accomplished by: a) transferring all interest to the State of California for reconstruction of the offramp; b) elimination of all right-of-way and transfer of fee ownership to the City for incorporation into Lot A; c) any other transfer that is acceptable to the City Engineer. (DS)

206. Developer shall provide maintenance vehicle access (curb cut or other approved measures) to the MUP from Wagon Wheel Road at the point where the MUP connects to Wagon Wheel Road near the property line between Lot A and Lot 6. (DS)

POLICE DEPARTMENT SPECIAL CONDITIONS

207. All access control systems that serve public or semi-public areas, whether for pedestrians or vehicles, shall have features which provides easy access by first responders. Areas to be included for such access shall include, but not be limited to: parking areas, common shared hallways, elevators, and stairwells used by residents to access residential units, pool areas and shared gyms. The methods of first responder access shall be by "click to enter technology", key card or passcode as approved by the Chief of Police or his or her designee. (PD)

208. **Comprehensive Security Camera System**. The cameras will be owned and maintained by either the Master HOA or the apartment entity where they are place.
    a) All security camera systems required under plans approved within the individual lot sites, and all supporting equipment regardless of whether the installation of equipment is on public or private property, shall be considered as part of the Comprehensive Security Camera System.
    b) Develop sustainable review process for replacing, if necessary, security camera equipment or systems on a five-year cycle. The five-year cycle starts on the date of Certificate of Occupancy or first date of permitted operation.
    c) The Master HOA shall establish an alpha-numeric system to identify each camera throughout the project area regardless of whether the installation of the equipment is on public or private property. This requirement does not apply to interior retail tenant spaces.
    d) The Master HOA shall ensure that any camera which provides views that include windows of private residences shall have the window digitally masked.
    e) Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
    f) Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
    g) Cameras shall have sufficient low light ability to clearly capture quality images.
    h) The video system shall utilize a Digital Video Recorder or a recording system that meets the current industry standard as of the date installed.
    i) The video system shall allow recording, live viewing and playback of recorded video for a period of not less than 30-days.

j) Recorded images shall bear a date and time stamp that cannot be altered.
k) Locations identified as "choke points" throughout the project area shall have cameras dedicated to the purpose of capturing head and upper body images of pedestrians. Whenever possible, cameras installations serving this purpose shall be mounted near 7-feet above the ground. The intent of this condition is to capture images of faces.
l) Choke point cameras shall be located at public entrances to the MUP to capture the face and upper-body images of pedestrians.
m) The camera system shall operate 24-hours a day, 7-days a week.
n) The Camera System shall have the functionality to provide live feed remotely over the Internet.
o) The Master HOA shall provide access to video records to the Oxnard Police Department in a timely manner upon request. (PD)

209. **Security Personnel**. Security personnel will be required under the Blanket Alcohol Special Use Permit, and will be funded by the Master HOA or other similar entity. The duties of these security officers, although tied to the concentration of alcohol establishments, shall also include patrol the entire project site to:

a) Dissuade problem activities and call the police if appropriate
b) Document site maintenance issues on private as well as public properties.
c) Promptly address access control issues at parking structures and other semi-public areas.
d) Operate and monitor camera systems as appropriate.
e) Except as required under the Blanket Alcohol SUP, security personnel shall not be required during regular business hours as long as there is staff on-site to address items a-d.
f) Security personnel shall meet all credentialing requirement of the State of California and the City of Oxnard and shall be uniquely attired so as to be easily identifiable by the public and to police officers.
g) Security personnel shall work in partnership with the Oxnard Police Department in creating and maintaining a safe community. As part of that partnership, the Master HOA, security management and the Oxnard Police Department shall develop "Post Orders" for security personnel assigned to patrol the Oxnard Village community. (PD)

ATTACHMENT F

Second Development Agreement Amendment

RECORDING REQUESTED BY:

City of Oxnard

Request recording without fee. Record for benefit of City of Oxnard pursuant to Section 27383 of Government Code.

WHEN RECORDED MAIL TO:

City of Oxnard
305 West Third Street
Oxnard, California 93030
Attn: City Clerk

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

Agreement No. A-7122

THIS SECOND AMENDMENT TO DEVELOPMENT AGREEMENT (this "Second Amendment") is made in Ventura County, California as of _____, 2020, by and between the **CITY OF OXNARD,** a municipal corporation of the State of California ("City"); and **OXNARD CRFL PARTNERS, LLC,** a Delaware limited liability company, successor in interest to **OXNARD VILLAGE INVESTMENTS, LLC** ("Developer").

RECITALS

This SECOND AMENDMENT TO Development Agreement is made and entered into on the basis of the following facts and understandings of the parties hereto:

A. Developer is the owner of and is developing real property located in the City and more particularly described in Exhibit A attached hereto and incorporated herein by this reference ("Developer's Property"). City and Developer's predecessor in interest entered into a Development Agreement dated as of January 27, 2009, and recorded on March 10, 2009 as Instrument No. 20090310-00037202-0 in the Ventura County Recorder's Office (the "Original Agreement").

B. City and Developer amended the Original Agreement on July 28th, 2015 to incorporate provisions for storm water and flood protection. This Amendment was recorded on _____ 2015 as Instrument No. _____ in the Ventura County Recorder's Office (the "First Amendment").

C. Developer has taken certain actions to develop Developer's Property, but significant additional work will be needed in order to complete the Project.

D. Developer is seeking to amend the Original Agreement and First Amendment.

E. The Effective Date of this Amendment is specified in Section 3(j), below.

NOW, THEREFORE, in consideration of the foregoing Recitals, which are hereby incorporated into the operative provisions of this Amendment by this reference and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, City and Developer agree as follows:

Section 1. Additional Revisions.

The parties hereto agree to the additional revisions to the Original Agreement and First Amendment set forth in Exhibit b, which is attached hereto and incorporated herein by this reference.

Section 2. Standard Provisions.

(a) Entire Agreement. Except for the Original Agreement and the First Amendment, both of which this Second Amendment amends, this Agreement represents the entire agreement between the parties hereto with respect to the subject matter hereof and supersedes all prior agreements and understandings, whether oral or written, between the parties hereto with respect to the matters contained in this Amendment.

(b) Priority of Documents. In any case of conflict, this Amendment shall control over the Original Agreement, the First Amendment to Development Agreement and over the exhibits to this Amendment. The exhibits to this Amendment shall control over the Original Agreement.

(c) Section Headings. The section headings contained in this Amendment are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

(d) Counterparts. This Amendment and any modifications hereto may be executed in any number of counterparts with the same force and effect as if executed in the form of a single document.

(e) No Reliance on Other Parties. All parties to this Amendment declare that, prior to the execution of this Amendment, they have informed themselves of sufficient relevant data, either through experts or other sources of their own selection, and have sought and obtained legal counsel, in order that they might intelligently exercise their own judgment in evaluating the contents of this Amendment and making the decision to execute it. The parties hereto each represent and acknowledge that in executing this Amendment, they do not rely and have not relied upon any representation or statement not set forth herein made by any other party to this Amendment or their respective legal counsel with regard to the subject matter, basis or effect of this Amendment.

(f) Construction. The provisions of this Amendment shall be liberally construed to its purpose. The language of this Amendment shall be construed according to its plain meaning and shall not be construed for or against any party hereto, as each party hereto has participated in the drafting of this Amendment and has had its legal counsel review it. Whenever the context and construction so require, all words used in the singular shall be deemed to be used in the plural and vice versa.

(g) Successors and Assigns. This Amendment shall be binding on and shall inure to the benefit of the parties hereto and their respective legal representatives, successors and assigns.

(h) Governing Law. The validity and interpretation of this Amendment shall be governed by the laws of the State of California without giving effect to the principles of conflict of laws.

(i) Authority. Each party hereto certifies and warrants that all individuals executing this Amendment and other related documents on its behalf have the capacity and have been duly authorized to do so. Each party hereto shall also indemnify the other party to this Amendment and hold it harmless from all damages, costs, attorneys' fees, and other expenses, if a signatory is not so authorized.

(j) Effective Date. After this Amendment has been signed by authorized representatives of each of the parties hereto, this Amendment shall become effective on the date on which the ordinance approving this Amendment becomes effective under Government Code section 36937.

(k) Definitions. All terms not specifically defined in this Amendment shall have the meanings ascribed to them in the Original Agreement and the First Amendment to Development Agreement.

(m) Recording. City shall cause this Amendment to be recorded in the Official Records of the County within ten (10) days after the mutual execution of this Amendment, but failure to record shall not alter the rights of the parties hereto.

(n) Indemnity. In the event any legal action is instituted by a third party or other government entity or official challenging the validity of this Amendment, City and Developer agree to cooperate in defending such action, with Developer to indemnify City pursuant to Paragraph 25(m) of the Original Agreement.

[signatures on following page]

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties to this Amendment have each executed this Amendment as of the date first written above.

CITY:

CITY OF OXNARD, a public body, corporate and politic

Date:_____
Tim Flynn, Mayor

By: _____

ATTEST:

By: _____
Michelle Ascencion, City Clerk

APPROVED AS TO FORM:

By: _____
Stephen M. Fischer, City Attorney

DEVELOPER:

OXNARD CRFL PARTNERS, LLC,
a Delaware limited liability company

_____
_____

By: _____

Name: Carl Renezeder

Title: Authorized Signatory

By: _____

Title: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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Signature _____

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State of California)
County of _____)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

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State of California)
County of _____)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____

EXHIBIT A

DEVELOPER'S PROPERTY

[behind this page]

EXHIBIT B

REVISIONS TO ORIGINAL AGREEMENT AND FIRST AMENDMENT

[behind this page]

EXHIBIT B

REVISIONS TO ORIGINAL AGREEMENT AND FIRST AMENDMENT

Section 1. **Paragraph 5 of the Original Agreement is hereby deleted in its entirety and replaced with the following:**

5. Capital Growth Impact Fees. In connection with the Project, the Developer shall pay to City the capital growth impact fee on a per Dwelling Unit basis on or before issuance of a building permit for any Dwelling Unit, which is assessed at the rate in effect as of May 1, 2020 (the "Growth Fees"). The Developer's obligation to pay the Growth Fees set forth herein shall be limited to and shall not exceed the amount of $2,850,000. The parties agree that the Growth Fees and lump-sum payment specified below in this paragraph together fully satisfy the condition described in Mitigation Monitoring Measure No. PS-1(a) for one fire truck and associated fire station upgrade. On or prior to March 1, 2017, Developer shall pay to City an additional lump-sum payment in the amount reasonably requested by the City (not to exceed $300,000)."

Section 2. **Paragraph 7(d) of the Original Agreement is hereby deleted in its entirety and replaced with the following:**

7(d). Development Impact Fees In addition to the obligations set forth elsewhere in this Agreement, Developer shall be responsible for paying when due all Development Impact Fees in connection with development of the Project at the rates then in effect. Subject to all applicable laws then in effect, City shall have the right: (i) to charge and apply to the Property all Development Impact Fees and assessments as may be in effect at the time applicable to the Project; and (ii) to increase or otherwise modify any and all Development Impact Fees (including without limitation new categories of impact fees) applicable to the Project.

Notwithstanding any other provision or regulation relating to Development Impact Fees,

(i) the maximum amount of any traffic impact fees assessed shall be limited to no more than 10 percent (10%) above the rate then in effect on the date of issuance of the first building permit for a Dwelling Unit. The limitation set forth herein shall expire on July 1, 2022. If the Ventura Road Offramp and Floodwalls have been completed; or permits have been issued; or, at the sole discretion of the Community Development Director it is determined that (1) significant progress has been made but unanticipated permitting delays have occurred and (2) the projects have been bonded for by July 1, 2022, then the fee shall be locked until July 1, 2024. The fee lock will be further extended to July 1, 2028 if the Floodwall and Offramp construction are completed by July 1, 2024. After July 1, 2028, Developer shall pay the traffic impact fee then in effect on the date of issuance of a building permit for any Dwelling Unit.

(ii) Until July 19, 2021, the Project shall not be required to pay the Mobility Fee. Credits for the reasonable costs of design, engineering, land, and construction costs of the MUP trail, MUP extension beneath the Highway 101 Bridge on Ventura Road, and the Pedestrian Bridge over Oxnard Boulevard, not otherwise used to offset other required fees, shall be granted for the Mobility Fees, provided all such facilities are completed, or permits issued and have been bonded for by July 1, 2024, or before the Certificate of Occupancy is issued for the 1,300th dwelling unit, whichever occurs sooner. Credits shall be granted at 100% of the verified costs for facilities or portions thereof that have been completed and accepted by the City, and at rate of 50% of the bonded construction

costs for facilities or portions thereof that have not yet been constructed, but have been bonded for. At the sole discretion of the Community Development Director, where adequate justification has been provided by the Developer, credits used to offset the Mobility Fee may be increased above 50% of the bonded construction costs where the land value is not reflected in the bonded amounts, but in no case shall this credit exceed 100% of the construction costs that are bonded for. Notwithstanding any language in the Original Agreement, First Amendment and/or Second Amendment to the contrary, under no circumstances shall the Developer be entitled to a refund of the fee credits or a transfer to a third party of the fee credits obtained pursuant to this Section. The Developer shall provide all funding necessary for a mutually agreed upon third party consultants to verify all of the Developer's costs used to obtain fee credits.

(iii) Until July 19, 2021, the Project shall not be required to pay the Park Development Fee. Credits for the reasonable costs of design, engineering, land, and construction costs of the MUP trail, MUP extension beneath the Highway 101 Bridge on Ventura Road, and Parks A, B, and C, not otherwise used to offset other required fees, shall be granted for the Park Development Fee, provided all such facilities are completed, or have permits issued and have been bonded for by July 1, 2024, or before the Certificate of Occupancy is issued for the 1,300th dwelling unit, whichever occurs sooner. Credits shall be granted at 100% of the verified costs for facilities or portions thereof that have been completed and accepted by the City, and at rate of 50% of the bonded construction costs for facilities or portions thereof that have not yet been constructed, but have been bonded for. At the sole discretion of the Community Development Director, where adequate justification has been provided by the Developer, credits used to offset the Park Development Fee may be increased above 50% of the bonded construction costs where the land value is not reflected in the bonded amounts, but in no case shall this credit exceed 100% of the construction costs that are bonded for. Notwithstanding any language in the Original Agreement, First Amendment and/or Second Amendmentto the contrary, under no circumstances shall Developer be entitled to a refund of the fee credits or a transfer to a third party of the fee credits obtained pursuant to this Section. The Developer shall provide all funding necessary for a mutually agreed upon third party consultants to verify all of the Developer's costs used to obtain fee credits.

(iv) In consideration for Developer's construction of storm drain improvements, the City shall waive all City drainage fees relating to the Project. This waiver of payment of current and future City drainage fees shall remain in effect for the term of this Agreement, including any extensions of the Agreement, or the until initial buildout of the Project occurs, whichever occurs first.

Section 3. Paragraph 15.2 of the Original Agreement is hereby deleted in its entirety and replaced with the following:

15.2. Off-site Trail Improvements. Developer shall design a multi-use path extension beneath the Caltrans Highway 101 bridge on Ventura Road. Planning and design work on the multi-use path shall occur concurrently with planning and design work associated with Ventura Road improvement plans. Developer shall not receive Air Quality Fee Credit for the design of this improvement.

Notwithstanding any other provision to the contrary, City shall grant Air Quality Fee credit to Developer for the sum of the value of the land and costs reasonably incurred by Developer in connection with the engineering and construction of the Santa Clara River Trail or multi-use-path beneath the Caltrans Highway 101 Bridge on Ventura Road, and for the multi-use trail bridge over Oxnard Boulevard in an amount equal to 100% of the verified costs upon City's acceptance of said improvements, or at a rate of 50% of the bonded construction costs for said improvements. At the sole discretion of the Community Development Director, where adequate justification has been provided by the

Developer, credits used to offset the Air Quality Fee may be increased above 50% of the bonded construction costs where the land value is not reflected in the bonded amounts, but in no case shall this credit exceed 100% of the construction costs that are bonded for. Notwithstanding any language in the Original Agreement, First Amendment and/or Second Amendment to the contrary, under no circumstances shall Developer be entitled to a refund of the fee credits or a transfer to a third party of the fee credits obtained pursuant to this Section. The Developer shall provide all funding necessary for a mutually agreed upon third party consultants to verify all of the Developer's costs used to obtain fee credits.

Section 4. Paragraph 16.1 of the Original Agreement is hereby deleted in its entirety and replaced with the following:

16.1. Ventura Road Pump System. Prior to the 750th Dwelling Unit Certificate of Occupancy, Developer agrees to install a pump system or other improvements satisfactory to the City, to alleviate the existing drainage flood control deficiency at Ventura Road, near Highway 101. The Community Development Director may provide additional time for Improvements, up to 1,300th Dwelling Unit Certificate of Occupancy, if the Director determines that significant progress has been made and Developer has diligently pursued their construction. At his/her sole discretion, the Community Development Director may provide additional time for Improvements, above 1,300 units, if additional time is needed for permitting from outside agencies, and the pump system improvements have been bonded for.

Section 5. Paragraph 16.5 of the Original Agreement is hereby deleted in its entirety and replaced with the following:

16.5 Solar Energy. All for-sale dwelling units within The Village shall include solar hot water heater stub outs, or tankless water heaters in each unit or other acceptable high energy efficiency water heating, and the necessary pre-wiring to allow solar generated electricity. The Developer may also offer, as an option for the for-sale dwelling units, the installation of roof-mounted solar panels unless otherwise required to be installed by the energy efficiency standards for that building.

Section 6. Section 1 of the First Amendment to the Original Development Agreement is hereby deleted in its entirety and replaced with the following:

Section 1. Developer Participation in Storm Water and Flood Protection.
Developer shall proceed with design and construction of the flood protection improvements, which may include floodwalls, flood improvements and flood protection facilities and storm water quality best management practices devices, along the Ventura Road frontage of the Project identified as Alternative I-C in the RBF Study dated March 2014 (the "Flood Protection Improvements"), in conjunction with the County of Ventura Watershed Protection District (the "District"), to provide protection from flooding by the Santa Clara River. See, Exhibit B, which is attached hereto and incorporated herein by this reference. Developer agrees to fund or construct the Flood Protection Improvements. The Flood Protection Improvements, when constructed and accepted, shall be public improvements maintained and operated through the creation of a Financing District (as that term is defined in Paragraph 1.14 of the Original Agreement) in accordance with Paragraph 7(g) of the Original Agreement and applicable conditions of approval for Tract No. 5745. Developer's obligation in this respect is expressly conditioned upon being able to move forward with the construction of marketable residential units during the design and construction of the Flood Protection Improvements. Therefore, City expressly commits to issue building permits during the design of the Flood Protection

Improvements, FEMA review of any Developer submitted Conditional Letter of Map Revision and construction of the Flood Protection Improvements. Developer shall complete construction of the Flood Protection Improvements prior to the earlier of: (i) issuance of the certificate of occupancy for the 544th residential unit within the boundary of Tract No. 5745; or (ii) District's completion of Reach 4 flood protection improvements. The Community Development Director may provide additional time for Improvements, up to 1,300th Dwelling Unit Certificate of Occupancy, if the Director determines that significant progress has been made and Developer has diligently pursued their construction. Notwithstanding in language in this Section to the contrary, Developer acknowledges and agrees that the City shall not grant occupancy for any structure that has not been demonstrated to the satisfaction of the City Engineer to be adequately protected from flooding as of the date of the certificate of occupancy, including (but not limited to) being protected from a 1% event as per the best available data.

During construction of all residential units, Developer shall take all required actions necessary to protect the units from flooding in accordance with the then-current FEMA map for the Project. Developer agrees to indemnify, defend and hold harmless at Developer's expense, City, the City Council, and City's agents, officers, officials and employees from and against any claim, action or proceeding relating to damage from flooding alleged to have been caused by any action or inaction by City in its regulatory capacity. Such indemnity and defense obligation shall be governed by Paragraph 25(m) of the Original Agreement.

ATTACHMENT G

General Plan Consistency

Attachment G: General Plan Consistency

The General Plan Land Use Designation is guided by the Village Specific Plan (VSP). The 2030 General Plan incorporated by reference the VSP. Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are as follows:

I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).

II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).

III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	GENERAL PLAN POLICY OR TITLE	EXPLANATION
CD-1.2	I	***Infill Development, Priority to Mixed Use:*** Promote the efficient use of larger vacant parcels and vacant areas of the City by encouraging infill development, with a priority to mixed uses that reduce vehicle trips and GHG emissions and promote sustainable development goals and objectives.	The SPA, TTM & DAA facilitate future mixed use and residential development within a specific plan on infill property, as opposed to locating such development on farmland. The realigned MUP will also help reduce vehicle trips and GHG emissions.
CD-1.4 CD-7.6	I	***Transportation Choices:*** Promote the application of land use and community designs that provide residents with the opportunity for a variety of transportation choices (pedestrian, bicycle, transit, automobile). ***Connectivity:*** Provide connectivity to other activity nodes in the form of roadways, transit connections, and bicycle and pedestrian linkages that encourages non-vehicular travel modes. Urban villages should be considered major transit transfer points and have amenities oriented towards transit users.	The TTM realigns the MUP, improving bicycle and pedestrian access to the Santa Clara River trail, and connecting the trail with Oxnard Boulevard. Conditions of approval have also been updated to clarify ownership and maintenance of the transit center with dedicated 50 transit parking spaces in PA 20. Roads within the specific plan are designed to support bike use. Gold Coast Transit has bus stops within the project area.
CD-1.5	I	***Housing Variety:*** Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single family units	The project promotes development of the VSP, which includes approximately 1,500 apartments, condominiums and townhouses, on existing infill property.
CD-1.6 CD-8.8	1	***Public Facilities:*** Enhance resident quality of life by providing adequate space for schools, libraries, parks and recreation areas, as well as space for the expansion of public facilities to support the community's vision. ***Public Facility Service Areas:*** Provide appropriate service areas for existing and planned public facilities such as a museum, secondary and elementary schools, fire stations, branch libraries, community centers, parks, and Infrastructure utility for support facilities.	The project reverses the locations of planned residential and park lots, resulting in an increase in the size of the public Neighborhood Park. The SPA also removes community center and pool amenities from conceptual park designs, and adds court play areas, dog park and exercise area amenities.

POLICY	LEVEL	GENERAL PLAN POLICY OR TITLE	EXPLANATION
CD-1.9 CD-1.10	I	***Commute Reduction and Jobs-Housing Balance:*** Minimize the commuting distances between residential concentrations and employment centers by encouraging the development of mixed land uses in appropriate areas. And Consider the effects of land use proposals and decisions on efforts to maintain an appropriate jobs-housing balance ratio.	The Project facilitates future development of mixed use and residential development within the Wagon Wheel/VSP, which is in close proximity to the Topa office tower, Esplanade mall and other commercial businesses along Oxnard Blvd.
CD-5.2	I	***Compatible Land Use:*** Ensure adequate separation between sensitive land uses (residential, educational, open space, healthcare) to minimize land use incompatibility associated with noise, odors, and air pollutant emissions.	The project promotes development of the VSP, which involves mixed use and residential buildings, parking structures and public parks, which would generally be compatible with sensitive land uses to the south and existing commercial buildings to the east and north of the proposed facility.
CD-7.11	I	***Urban Village Open Space Areas/Parks:*** Park sizes and locations shall follow City standards and be within walking distance of a majority of the population.	The SPA & TTM relocate the neighborhood park on PA6 near the western center of the specific plan to PA1 in the northwest corner of the specific plan. The park would increase in size from 2.0 acres to 2.39 acres, and would still be located within walking distance of the majority of residences within the specific plan. Additionally, the park would be located at the western end of the MUP, and therefore easily accessible by residents via the MUP.
CD-9.6	I	**High Rise Development:** Ensure that high-rise buildings are sited and developed so as to mitigate and minimize impacts on adjacent neighborhoods.	The SPA would reduce the maximum building height from 270 feet down to 100 feet to minimize view impacts for the adjacent Southbank neighborhood. Project has been reviewed in an FEIR, SEIR and Addendum for aesthetic and compatibility impacts on adjacent residential neighborhoods. The FEIR determined the visual impacts of the three 25-story towers in the approved specific plan was significant and unavoidable due to height. The SPA would reduce the maximum height by 63%, reducing the visual impact. The FEIR also included mitigation that structures facing neighboring property use minimally reflective glass and materials that minimize reflective glare.

POLICY	LEVEL	GENERAL PLAN POLICY OR TITLE	EXPLANATION
ICS-1.3	II	***Funding for Public Facilities:*** Continue to utilize developer fees, public facilities fees, and other methods (i.e., grant funding or assessment districts) to finance public facility design, construction, operation, and maintenance.	Community Facilities District (CFD) has been created for the project area as a financing mechanism to fund construction, maintenance and operation of public areas within and directly adjacent to the VSP area. Future development on the site will also pay a range of required impact fees to the City, County, and school districts. The Specific plan, TTM conditions and DA addressed dedication of land for parks, the MUP, transit center parking, funding towards a fire station and other public facilities.
ICS-1.4		***Infrastructure Conditions of Approval*** New development should not be approved unless: • The applicant demonstrates adequate public services and facilities are available; • Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement; • Infrastructure improvements are consistent with City infrastructure master plans; and • Required infrastructure needed for future new development is self-funded.	The DA as amended ensures that the infrastructure needed for future development is self-funded.
ICS-8.3 ICS-8.4 ICS-8.5 ICS-8.14	I	***Completing Bicycle and Sidewalk Network:*** Prioritize plans for bicycle and pedestrian facilities that provide continuity, and close gaps in the city's existing bike path and sidewalk network. ***New Development Requires Bicycle Improvements:*** Where designated, require proposed developments to include bicycle paths and / or lanes in their plan and to clearly indicate possible bicycling hazards such as speed bumps and storm drain inlet grates in parking lots. ***Public Sidewalks and Pedestrian Orientation*** Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of private development and public works projects, especially for public sidewalks. ***Connecting Facilities*** Create a physical link for pedestrian and bicycle traffic between parks and recreation facilities as specified in the Bike and Pedestrian Master Plan.	The VSP and proposed TTM revision includes appropriate improvements for pedestrian and bicycle access, including an MUP, prominent sidewalks and sidewalk landscaping, and bicycle parking. Additionally, the TTM realigns the MUP, improving bicycle and pedestrian access to the proposed new park location and the Santa Clara River trail.

POLICY	LEVEL	GENERAL PLAN POLICY OR TITLE	EXPLANATION
CD-4.4 CD-14.1 CD-14.2 CD-14.3 ICS-11.10 ER-7.2 ER-10.1	II	Commercial Area Aesthetics. Design Review Process Development Advisory Committee Functions Quality of Design Water Supply Findings for Smaller Projects Design of Sound or Zone Walls Promote use of Native and Water Wise Plants	Future construction in the VSP will require approval of a DDR Permit. The Development Advisory Committee (DAC) review of a future development under a DDR would assure such project meet these Level II policies.
All others	III	All policies not listed above	N No or Distant Applicability to the Proposed SPA, TTM & DAA and foreseeable subsequent development

Based on the above analysis, the proposed SPA, TTM Revision, DAA and foreseeable development are consistent with the 2030 General Plan and the VSP.

ATTACHMENT H

Resolution for SPA No. 2

RESOLUTION NO. 2020-XX
[PZ 19-630-01 Specific Plan Amendment No. 2]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 19-630-01 (SPECIFIC PLAN AMENDMENT NO. 2 TO THE VILLAGE SPECIFIC PLAN) TO AMEND THE LAND USE PLAN AND TEXT WITHIN THE VILLAGE SPECIFIC PLAN, AND RECOMMENDING THAT CITY COUNCIL CERTIFY ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT NO. 06-03 AND SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT NO. 2014-01 FOR The Village SPECIFIC PLAN, LOCATED NEAR THE NORTHWESTERN EDGE OF THE CITY OF OXNARD, AND BOUNDED BY HIGHWAY 101 TO THE NORTH, OXNARD BOULEVARD TO THE EAST, THE UNION PACIFIC RAILROAD AND EL RIO DRAIN TO THE SOUTH, AND NORTH VENTURA ROAD TO THE WEST. FILED BY COREY HARPOLE, OXNARD CRFL PARTNERS, LLC, 64 MAXWELL, IRVINE, CALIFORNIA, 92618.

WHEREAS, in January 2009 The City Council approved the entitlements for The Village Specific Plan to guide future development on the 62-acre project site; and

WHEREAS, in March 2016, the City Council approved Specific Plan Amendment (SPA) No. 1 to The Village Specific Plan to create a Transit Center Overlay (TCO) Zone within the Specific Plan Land Use plan; and

WHEREAS, the Planning Commission of the City of Oxnard has considered the proposed map and text amendment to Sections 2.2, 2.2.1, 2.2.2, 2.3.1, 2.4.3, 2.5.3, 4.1.1, 4.1.3, 4.2.1, 4.2.2, 4.2.3, 4.2.5, 4.4, 4.4.2, 4.4.4, 5.4.1, 5.4.2.1, 5.4.2.2, 6.9.2, 6.9.3, 7.2.3.2, 7.2.3.5, and 8.7.2.1; Tables 2.2, 2.3 and 2.4; and Figures 2.1, 2.6, 3.5, 4.2, 5.8 and 5.9 of The Village Specific Plan to change the land use designation for Planning Areas (PA) 1 and 14 to Parks & Open Space and PA 6 to High Density; revise planning area boundaries; remove the Live/Work (L/W) land use, update the Land Use Table 2.2, reduce the maximum height for the High Rise; revise park amenities; and add an administrative process for reviewing minor modifications to The Village Specific Plan within the project area (herein referred to as the **"Project area"**); and

WHEREAS, in September 2008 the City Council certified Final Environmental Impact Report (FEIR) No. 2006-03 (State Clearinghouse No. 2006101099). The FEIR was prepared to analyze potential impacts associated with the approval and the implementation of The Village Specific Plan and the anticipated build out of the 62-acre specific plan site; and

WHEREAS, in July 2015 the City Council certified Supplemental Environmental Impact Report (SEIR) No. 14-01 for the Tentative Tract Map (TTM) for Tract No. 5745 of The Village Specific Plan, to address changes in environmental conditions which were not known and could not have been known at the time the City certified FEIR No. 06-03; and

WHEREAS, an EIR Addendum was prepared to summarize the site specific technical clarifications

with respect to aesthetic, biology, flood zone, open space and traffic impacts associated with the proposed TTM Revision, SPA and Development Agreement Amendment (DAA). The EIR Addendum concluded that aesthetic, biology, flood zone, open space and traffic impacts would remain less than significant upon compliance with the proposed Tract conditions of approval and Mitigation Measure in the FEIR and SEIR. No additional mitigation measures are required. The proposed conditions of approval would not result in any new significant impacts or increase the severity of any significant impact identified in the FEIR and SEIR; and

WHEREAS, in accordance with Section 15164 of the California Code of Regulations, the Planning Division has determined that minor changes are proposed to the project for which an FEIR and SEIR were previously certified; and that an Addendum is the appropriate environmental document to evaluate the minor changes in the Project, and has prepared an Addendum thereto because the proposed changes to the original specific plan, TTM and DA would not result in any new additional significant impacts, nor would they substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Project are within the envelope of impacts addressed in the Certified FEIR and SEIR and do not constitute a new or substantially increased significant impact; and

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

1. As outlined in Section 6(b) of the Planning Commission Staff report, the proposed Specific Plan Text and Map Amendment is in conformance with the 2030 General Plan and other adopted policies of the City of Oxnard;

2. As outlined in Section 6(c) of the Planning Commission Staff report, the proposed Specific Plan Text and Map Amendment is a logical refinement and internally consistent with the adopted Village Specific Plan; and

3. As determined in the Addendum to FEIR No. 06-03 and SEIR No. 14-01, the proposed Specific Plan Text and Map Amendment will not adversely affect or be materially detrimental to adjacent land uses, buildings or structures or to the public health, safety or general welfare;

4. As outlined in Section 6(c) of the Planning Commission Staff report, the proposed Specific Plan Text Amendment conforms to adopted City standards and constitutes good City planning.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, of the City of Oxnard recommends that the City Council (i) adopt an ordinance approving Planning and Zoning Permit No. 19-630-01 (Specific Plan Amendment No. 2 to Village Specific Plan) to amend Sections 2.2, 2.2.1, 2.2.2, 2.3.1, 2.4.3, 2.5.3, 4.1.1, 4.1.3, 4.2.1, 4.2.2, 4.2.3, 4.2.5, 4.4, 4.4.2,

4.4.4, 5.4.1, 5.4.2.1, 5.4.2.2, 6.9.2, 6.9.3, 7.2.3.2, 7.2.3.5, and 8.7.2.1; Tables 2.2, 2.3 and 2.4; and Figures 2.1, 2.6, 3.5, 4.2, 5.8 and 5.9 of The Village Specific Plan to change the land use designation for Planning Areas (PA) 1 and 14 to Parks & Open Space and PA 6 to High Density; revise planning area boundaries; remove the Live/Work (L/W) land use, update the Land Use Table 2.2, reduce the maximum height for the High Rise; revise park amenities; and add an administrative process for reviewing minor modifications to The Village Specific Plan, subject to mitigations listed in FEIR No. 06-03 and SEIR No. 14-01 for The Village Specific Plan (all amendments as identified within Exhibit A); (ii) certify Addendum to FEIR No. 06-03 and SEIR No. 2014-01 for The Village Specific Plan.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 1st day of October 2020 by the following vote:

_____
Deirdre Frank, Chair

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

_____
Scott Kolwitz, Secretary

EXHIBIT A

SPECIFIC PLAN AMENDMENT PAGES
(See Attachment D of Planning Commission staff report)

ATTACHMENT I

Resolution for Second DAA

RESOLUTION NO. 2020-XX
[PZ 20-670-02 Development Agreement Amendment]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT CITY COUNCIL ADOPT AN ORDINANCE APPROVING THE SECOND AMENDMENT TO DEVELOPMENT AGREEMENT NO. A-7122 (PLANNING AND ZONING PERMIT NO. 20-670-02) FOR PROPERTY NEAR THE NORTHWESTERN EDGE OF THE CITY OF OXNARD, AND BOUNDED BY HIGHWAY 101 TO THE NORTH, OXNARD BOULEVARD TO THE EAST, THE UNION PACIFIC RAILROAD AND EL RIO DRAIN TO THE SOUTH, AND NORTH VENTURA ROAD TO THE WEST. FILED BY COREY HARPOLE, OXNARD CRFL PARTNERS, LLC, 64 MAXWELL, IRVINE, CALIFORNIA, 92618

WHEREAS, the Planning Commission of the City of Oxnard (**"Planning Commission"**) has considered an application for Planning and Zoning Permit 20-670-02 (the **"Project"**), a proposed second amendment to Development Agreement No. A-7122 (Development Agreement) between the City and the Project proponent, Oxnard CRFL Partners, LLC (Oakwood Communities, Inc.); (collectively referred to **"Applicant"** or **"Developer"** in the record of proceedings); and

WHEREAS, the Second Development Agreement Amendment (DAA) shall include the following summary of updates. The DAA text is provided in Exhibit A to this Resolution:

1. Amend Section 5 of the Development Agreement to lock in the growth impact fees (aka "Growth Fees") to the rate in effect May 1, 2020; and
2. Amend Section 7(d)(i) of the Development Agreement to lock in the 2015 traffic impact fee (aka "Traffic Circulation Fee") for an additional 7 years until July 1, 2028; and
3. Amend Section 7(d)(ii) of the Development Agreement to waive the Mobility Fee; and
4. Amend Section 7(d)(iii) of the Development Agreement to waive current and future Park Development fees; and
5. Amend Section 7(d)(iv) of the Development Agreement to waive all current and future City drainage fees ("Storm Drain Fees") relating to the project; and
6. Amend Section 15.2 of the Development Agreement to re-title Paragraph 15.2 as 'Off-Site Trail Improvements' and Increase the Air Quality Credit to full credit for construction of the pedestrian bridge; and
7. Amend Section 16.1 of the Development Agreement to authorize the Community Development Director to allow construction timing flexibility on construction of the Ventura Road Pump System; and
8. Amend Section 16.5 of the Development Agreement to accommodate current energy efficient technology.
9. Amend Section 1 of the First Development Agreement Amendment to authorize the Community Development Director to allow construction timing flexibility on construction of the Storm Water and Flood Protection improvements, up to 1,300 dwelling units.

WHEREAS, on October 1, 2020, the Planning Commission conducted a duly noticed public hearing and received all written and oral evidence in favor of and in opposition to the Project,

considered applications for Planning and Zoning Permit No. 20-670-02 (Second Amendment to Development Agreement No. A-7122), 19-300-01 (Revision to TTM No. 5745), 19-630-01(Specific Plan Text and Map Amendment No. 2 to Village Specific Plan) and considered certification of Addendum to Final Environmental Impact Report (FEIR) No. 06-03 and Supplemental Environmental Impact Report (SEIR) 14-01; and

WHEREAS, in January 2009 the City Council approved Development Agreement (DA) No. A-7122 between the between the City of Oxnard and Oxnard CRFL Partners, LLC, successor in interest to Oxnard Village Investments, LLC; and

WHEREAS, in July 2015 the City Council approved the First Amendment to DA No. A-7122 to incorporate financial provisions for storm water and flood protection improvements not foreseen when the project was originally approved; and

WHEREAS, in September 2008 the City Council certified Final Environmental Impact Report (FEIR) No. 2006-03 (State Clearinghouse No. 2006101099). The FEIR was prepared to analyze potential impacts associated with the approval and the implementation of The Village Specific Plan and the anticipated build out of the 62-acre specific plan site; and

WHEREAS, in July 2015 the City Council certified Supplemental Environmental Impact Report (SEIR) No. 2014-01 for the TTM No. 5745 of The Village Specific Plan, to address changes in environmental conditions which were not known and could not have been known at the time the City certified FEIR No. 2006-03; and

WHEREAS, an EIR Addendum was prepared to summarize the site specific technical clarifications with respect to aesthetic, biology, flood zone, open space and traffic impacts associated with the proposed Project. The EIR Addendum concluded that aesthetic, biology, flood zone, open space and traffic impacts would remain less than significant upon compliance with the Tract conditions of approval and Mitigation Measure in the FEIR and SEIR. No additional mitigation measures are required. The proposed conditions of approval would not result in any new significant impacts or increase the severity of any significant impact identified in the FEIR and SEIR.

WHEREAS, in accordance with Section 15164 of the California Code of Regulations, the Planning Division has determined that minor changes are proposed to the project for which an FEIR and SEIR were previously certified; and that an Addendum is the appropriate environmental document to evaluate the minor changes in the Project, and has prepared Addendum No. 2019- thereto because the proposed changes to the original specific plan, TTM and DA would not result in any new additional significant impacts, nor would they substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Project are within the envelope of impacts addressed in the Certified FEIR and SEIR and do not constitute a new or substantially increased significant impact;

and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, of the City of Oxnard recommends that the City Council adopt an ordinance approving Planning and Zoning Permit No. 20-670-02 (Amendment No. 2 to Development Agreement No. A-7122) to amend Sections 7(d), 15.2, 16.1 and 16.5 of the original Development Agreement (2009) and Sections 1 of the First Development Agreement Amendment (2015) as shown in Exhibit B hereto attached.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 1st day of October 2020 by the following vote:

_____
Deirdre Frank, Chair

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

_____
Scott Kolwitz, Secretary

EXHIBIT A

SECOND DEVELOPMENT AGREEMENT TEXT
(See Attachment F of Planning Commission staff report)

Thursday, October 1, 2020
Planning Commission
Packet

PLAN

STAFF REPORT

PZ 18-530-01 (Special Use Permit)



CITY OF OXNARD CALIFORNIA

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Jay Dobrowalski, Senior Planner

DATE: October 1, 2020

SUBJECT: Project Name: Verizon Danube; Planning and Zoning Permit No. 18-530-01 (Special Use Permit); Property Located at 161 Ventura Boulevard

1) **Recommendation:** That the Planning Commission approve an alternative version of the Project, Planning and Zoning Permit No. 18-530-01 (Special Use Permit - Wireless), located 50 feet northerly of the proposed location and with a maximum height of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet, subject to certain findings and conditions.

2) **Project Description and Applicant:** A request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the C-2-PD zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101.

3) **Existing & Surrounding Land Uses:** The proposed project site is located next to an existing Public Storage facility located at 161 Ventura Boulevard (Attachment A). The following table describes the General Plan Land Use Designations, Zoning Designations, and existing land uses immediately adjacent to the site:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Public Storage facility
North	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Vallarta Supermarket shopping center

South	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	American Insurance and Clinicas medical facility
East	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Condominiums
West	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Mission Produce office building and Highway 101

4) **Background Information:** The project site is currently developed with a Public Storage self-storage facility. On November 4, 2003, City Council granted a Special Use Permit (Permit No. PZ 03-500-04) for the construction of a three-story, 88,810 square-foot self-storage facility. To date, no changes have been made to the self-storage facility.

On February 5, 2015, the Planning Commission granted a Special Use Permit (Permit No. PZ 14-530-04) for the construction of a 44-foot tall wireless communications facility designed as an architectural feature on the roof of the existing self-storage building. The wireless communications facility was never constructed, and the Special Use Permit consequently expired.

The proposed faux eucalyptus tree wireless communications facility is a complete redesign in lieu of the previously approved architectural feature wireless communications facility.

On December 5, 2019, the Planning Commission reviewed the proposed project and expressed concerns regarding potential project-related impacts to the following: removal of existing landscaping, visual impacts including alternative stealth designs, security fencing, radio frequency impacts to street light workers, and impacts to commercial trucks and other vehicles (Attachment B). In order to allow the applicant time to provide further details regarding the Planning Commission's concerns, the Planning Commission continued the item to January 9, 2020.

On January 9, 2020, the applicant requested that the item be continued to March 5, 2020 to allow the applicant more time to provide further information to address the Planning Commission's concerns. The Planning Commission continued the item as requested.

On March 5, 2020, the applicant requested that the item be continued to April 16, 2020 to allow the applicant more time to provide further information to address the Planning Commission's concerns. The Planning Commission continued the item as requested.

On April 16, 2020, the applicant requested that the item be continued to July 2, 2020 to allow the applicant more time to provide further information to address the Planning Commission's concerns. The Planning Commission continued the item as requested..

On July 2, 2020, the applicant requested that the item be continued to September 17, 2020 to allow the applicant more time to provide further information to address the Planning

Commission's concerns. The Planning Commission continued the item as requested with a condition that if the Planning Commission requested items were not submitted by August 10, 2020, which would allow staff time to prepare for the September 17, 2020 hearing, then the item would be removed from the Planning Commission calendar and any future Planning Commission hearing would require a new public notice.

Prior to August 10, 2020, the applicant submitted materials; however, the submitted information did not include all of the necessary and adequate information to address the Planning Commission's requests. Staff has had continuous discussions with the applicant team, but staff was unable to reach resolution with the applicant team to provide final action documents in order to be ready for the September 17, 2020 hearing. The Planning Commission's motion of July 2, 2020, directed that if the requested information was not submitted by August 10, 2020, which would allow staff time to prepare for the September 17, 2020 hearing, then the item was to be removed from the Planning Commission calendar. As the applicant submitted additional materials, staff recommended, and the Planning Commission granted, one final request to continue the hearing to the October 1, 2020 Planning Commission meeting in order to prepare a resolution for final action on the wireless communications facility request. In total, this item has been continued six times to allow the applicant time to submit information to address the Planning Commission's comments related to the proposed project.

5) **Environmental Determination:** In accordance with § 15303, Class 3 of the State CEQA Guidelines, projects involving "New construction or Conversion of Small Structures" may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal includes the construction of a stealth wireless communications facility within an approximately 596 square-foot lease area. The facility is designed as a faux eucalyptus tree and will not be prominently distinguishable from the surrounding development. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption.

   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 (Attachment C).

6) **Analysis:**

   a) ***General Discussion:*** The proposed project includes the construction of a 47-foot tall wireless communications facility designed as a faux eucalyptus tree and associated equipment within an equipment enclosure (Attachment D). The faux eucalyptus tree will be located on the southeastern corner of the property within a 380 square-foot lease area, and the equipment enclosure will be located on the southeastern side of the property adjacent to the Public Storage building within a 216 square-foot lease area (for a total of

596 square-feet of lease area).

Throughout 2019, the Planning Commission requested Planning staff to critically examine alternatives to project designs when deviations from development standards are requested. The proposed project includes two modifications to the C-2 zone standards: 1) an increase in maximum height and 2) a reduction of the rear setback. The proposed project is located adjacent to the Financial Square public right-of-way, and would be directly visible from the public street (Attachment E). The applicant could potentially shift the faux eucalyptus tree 10 feet west, away from the rear property line, to become fully compliant with the rear yard setback standard; however, the wireless facility would be more visible to the general public. Making the facility more visible to the general public would conflict with the purpose of the wireless communication facilities ordinance which seeks to minimize adverse visual impacts through careful design (such as the use of stealth facilities), siting, landscape screening, and other camouflaging techniques (Section 16-485(B)(4).

To minimize public visibility of the proposed development, staff recommends that the proposed development be located along the rear of the building, in a location approximately 50 feet further to the north of the original proposed location. In the originally proposed location, the proposed development would be directly visible along the entire length of Financial Square. In the recommended location, the proposed development would be directly visible from the public right-of-way for a much smaller portion (the easternmost 70 feet) of Financial Square. If the proposed development is located in the recommended location, then when it is viewed from some locations along Financial Square, the proposed faux eucalyptus tree would be better screened by the existing building, landscape trees along Financial Square, and the existing trash enclosure and landscaping along the rear of the building, adjacent to the private drive.

The proposed project includes an increase in height (from 35 feet to 47 feet) and a reduction of the required rear yard setback (from 15 feet to 10 feet). Pursuant to the City Code (§16-492 and §16-497), the Planning Commission may adjust the numerical standards of the C-2-PD zone by more than 25 percent. Thus, the Planning Commission may increase the height from 35 feet to 47 feet (34 percent adjustment) and reduce the required rear yard setback from 15 feet to 10 feet (33 percent adjustment). The applicant has submitted a letter from an engineering firm (Attachment F) stating that the construction of the proposed wireless communications facility requires a caisson with a diameter of at least 5 feet and 6 inches. In order to not undermine or interfere with the foundation of the existing self storage building, the caisson must be constructed at least 1 foot and 5 inches from the exterior wall of the building. Thus, the proposed wireless communications facility must be located at least 3 feet and 2 inches from the existing building. The applicant is unable to meet both the coverage objectives of the facility and the height restrictions of the C-2 zone at any location on the subject lot.

The proposed location of the faux eucalyptus tree is prominently visible from the Financial Square public right-of-way, and requires the removal of an existing landscape tree, which is approximately 30 feet tall, and replacement of the landscape tree with the proposed faux eucalyptus tree.

Planning staff, however, has identified an alternate location for the proposed facility that is located on the same project site but in a less prominently visible location and would also minimize the disturbance to the row of landscape trees along the Financial Square public right-of-way frontage (to avoid introducing one tree of another species) while meeting project coverage objectives.

The recommended location would be visible from the private easement in the rear of the building which leads to the adjacent parking area of the shopping center, but the recommended location would not be as prominently visible as the proposed location from the Financial Square public right-of-way (Attachment G). The recommended location would still require the removal of landscaping and a reduction to the rear yard setback requirement. The applicant team has informed staff that a faux-tree could be placed in the alternate location; however, the faux-tree would need to be taller than the proposed 47-foot tree. City staff has requested the applicant team to identify the minimum height required to meet coverage objectives of the facility and comply with the FCC exposure limits, but straightforward, internally consistent answers have not been provided by the applicant team as described below in this staff report. Based on Radio Frequency (RF) coverage maps submitted by the applicant, it appears that a broadcast height of 50 feet would achieve coverage (Attachment H). A broadcast center height of 50 feet would require the faux tree to be a maximum height of 57 feet (a 50 foot height broadcast center with additional height to allow for faux branches on the tops of the antennae).

Staff recommends that the Planning Commission approve a wireless communications facility with a maximum height of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet. The approval document has been written for the Planning Commission to be able to approve the proposed wireless communications facility in the staff recommended "stealthier" location along the eastern side of the building, with the exact location and height, not to exceed 69 feet, to be determined by the Planning Manager pursuant to Condition of Approval No. 24, for the height of the wireless facility to be as low as possible without exceeding the maximum FCC general and occupational public exposure limits on the roof of the adjacent self storage building as determined by the Planning Manager pursuant to Condition of Approval No. 25, and additional landscaping to be installed to screen the facility as determined by the Planning Manager and City's Landscape Architect pursuant to Condition of Approval No. 26.

The wireless communications facility includes an equipment enclosure adjacent to the existing self storage building to store the ancillary equipment. The ancillary equipment includes an emergency generator that will be used only when the wireless communications facility loses power during emergencies. The wireless communications facility will be unmanned, will operate 24 hours each day, and will require one vehicle trip per month for routine maintenance of the facility (Attachment I).

b) ***General Plan Consistency:*** The City's 2030 General Plan land use designation for the subject site is for Commercial General (CG) uses which allows retail centers and free-standing commercial uses along arterials. The proposed wireless communications facility is a free-standing commercial use located along Ventura Boulevard, which is an arterial roadway. Approval of this Special Use Permit has been determined to be consistent with the General Plan and the property's land use designation.

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

I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).

II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).

III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
ICS-18.4	**I**	**Telecommunications Service** Ensure residents and businesses have access to telecommunications services.	Construction of this facility will fill a significant gap in Verizon's coverage area of the city.
ICS-18.3	**I**	**Wireless Telecommunications** Encourage wireless providers to incorporate well-designed stealth techniques that disguise the facility from the point of view of nearby residents.	The proposed facility is located behind an existing three-story building to minimize visibility from the public right-of-way. The facility is designed as a eucalyptus tree to blend in with the nearby trees and disguise the facility from

			the view of the nearby condos located to the southeast of the site.
CD-3.4 **CD-4.4** **CD-14.1** **CD-14.3**	**II**	**Neighborhood Quality of Life** **Commercial Area Aesthetics** **Design Review Process** **Quality of Design**	The application review process led to changes in the project and/or conditions of approval that meet these Level II policies.
All others	**III**	All policies not listed above	No or distant applicability to the proposed project

c) ***Conformance with Zoning Development Standards:*** The proposed development is located in the General Commercial, Planned Development (C-2-PD) zone district. In accordance with the City Code, the proposed wireless communications facility may be permitted with an approved Special Use Permit. Applicable development standards of the C-2-PD zone have been compared with the proposed project and with the staff recommended project, as follows:

DEVELOPMENT STANDARD	C-2-PD ZONE STANDARD	APPLICANT PROPOSED	STAFF RECOMMEND	COMPLIES?
Maximum height	35 feet	47 feet	57 feet	Yes, with SUP approval pursuant to §16-497.
Front yard setback	10 feet	260 feet	260 feet	Yes
Side yard setback	5 feet	60 feet	60 feet	Yes
Rear yard setback	15 feet	10 feet	8 feet	Yes, with SUP approval pursuant to §16-497

In addition to being subject to the development standards of the C-2-PD zone, the proposed wireless communications facility is subject to the Wireless Communications Facilities development standards (§16-492). The development standards have been compared with the proposed project and with the staff recommended project, as follows:

DEVELOPMENT STANDARD	WIRELESS STANDARD	APPLICANT PROPOSED	STAFF RECOMMEND	COMPLIES?
Maximum height (§16-492.A)	35 feet, unless otherwise specified by PC	47 feet	57 feet	Yes, with SUP approval pursuant to §16-497.
Setbacks (§16-492.B)	Shall comply with C-2 zone, unless specified by PC	Rear yard setback reduced from 15 ft to 10 ft	Rear yard setback reduced from 15 ft to 8 ft	Yes, with SUP approval pursuant to §16-497.
Separation (§16-492.C)	None required for stealth facilities	Facility is stealth	Facility is stealth	Yes
Location (§16-492.D)	No restrictions for stealth facilities	Facility is stealth	Facility is stealth	Yes
Landscaping and Screening (§16-492.E)	Existing trees shall be preserved to the extent feasible	Project requires removal of existing, mature tree	Project requires removal of existing, mature tree	Yes, (not feasible to avoid tree removal)
Design (§16-492.F.1)	If within 500 ft of scenic highway, shall be stealth	Facility is 381 ft from Highway 101 and is stealth	Facility is 381 ft from Highway 101 and is stealth	Yes
Design (§16-492.F.3)	Equipment shall be located within enclosure	Equipment is located within enclosure	Equipment is located within enclosure	Yes (Condition #42)
Lights (§16-492.G)	Facility shall not be lighted	Facility is not lighted except	Facility is not lighted except	Yes (Conditions #20

	unless required by the FAA or for security and safety lighting	for maintenance and security lighting	for maintenance and security lighting	and #51)
Security (§16-492.H)	Emergency phone numbers shall be posted	Emergency phone numbers will be posted	Emergency phone numbers will be posted	Yes (Condition #38)
FCC Compliance (§16-492.I)	Radio Frequency emissions report required	Radio Frequency emissions report submitted	Radio Frequency emissions report submitted	Yes, (Conditions #34, and #36)
Co-location (§16-492.J)	A tower that is modified or rebuilt for co-location may not exceed 16 feet over the allowed height for the zone	Co-location is not proposed	Co-location is not proposed	N/A
Antennae Attached to Structures (§16-492.K)	Attached antennae shall be compatible with the structure, located to minimize their visibility.	Antennae is not attached to the structure	Antennae is not attached to the structure	N/A

d) ***Site Design:*** The applicant proposed wireless communications facility is designed as follows: the facility will be constructed on an engineered foundation adjacent to the

existing self storage building, generally located on the side of the building. The trunk of the tree will be covered in faux bark to resemble a eucalyptus tree. The eucalyptus tree leaves will extend from the trunk between the 15-foot height level and the 47-foot height level. At the 40-foot height level, three arrays will protrude from the trunk. Each array will have four 8-foot long panel antennas and four radios (for a total of 12 antennas and 12 radios). The equipment will be disguised within the eucalyptus tree leaves (Attachment D).

The staff recommended wireless communications facility is designed as follows: the facility will be constructed on an engineered foundation adjacent to the existing self storage building, generally located behind the building. The trunk of the tree will be covered in faux bark to resemble a eucalyptus tree. The eucalyptus tree leaves will extend from the trunk between the 15-foot height level and the 57-foot height level. At the 50-foot height level, three arrays will protrude from the trunk. Each array will have four 8-foot long panel antennas and four radios (for a total of 12 antennas and 12 radios). The equipment will be disguised within the eucalyptus tree leaves (Attachment I).

Both designs include ancillary equipment. The ancillary equipment will be constructed within an equipment enclosure designed to resemble the existing trash enclosure located behind the self storage building. The equipment enclosure will contain two equipment cabinets, an emergency generator, and other equipment. The equipment enclosure is designed with a chainlink fence as a roof to prevent unauthorized access. The ancillary equipment will not be directly visible from the street, as it will be screened by a stucco wall and corrugated metal gate designed to match the existing building. As conditioned, the proposed development will not be prominently distinguishable from the surrounding development.

e) ***Circulation and Parking (including impacts to commercial trucks and other vehicles):*** The existing Public Storage building has driveway access from Ventura Boulevard, Financial Square Road, and Danube Way. The proposed wireless communications facility will be accessed from Financial Square Road and a private easement in the rear of the building.

Per the revised plans, the branches of the faux tree do not extend over the sidewalk or in the case of the staff recommended location, over the curb along the adjacent driveway (Attachment I). Thus, there will be no impact to commercial vehicles travelling along Financial Square or the adjacent driveway located at the rear of the building.

The facility operator (Verizon) will use a designated parking space within the existing parking lot for a monthly maintenance inspection of the facility. The proposed communications facility will not impact existing circulation or access to the project site.

f) ***Height (including visual impacts and alternative stealth designs):*** The facility proposed by the applicant is designed with a maximum height of 47 feet. The maximum height of 47 feet is 12 feet above the maximum allowed height within the C-2-PD zone district (35 feet), and is a 34 percent increase in height. Per City Code (§16-497), the increase in maximum height must be approved by the Planning Commission. The applicant has submitted a series of propagation maps that demonstrate the performance of the proposed wireless communications facility at different heights (Attachment H). Currently the area around the Highway 101 and Vineyard intersection experiences a significant gap in cellular coverage. A tower with a broadcast center (also known as a RAD center) of 35 feet high would be ineffective as the signal would be blocked by the existing 35-foot high Public Storage building. At the proposed broadcast center height of 40 feet, the majority of the areas, but not all areas, can be covered. A 45-foot tall broadcast center would provide a negligible gain in coverage. Thus, the applicant settled upon a proposed 40-foot broadcast center height as the minimum height required to provide coverage for the area (Attachment J); however, at this height, the maximum emission level on the roof of the adjacent self storage building exceeds the FCC exposure limits (Attachment K).

The applicant has provided additional materials depicting a faux eucalyptus tree in the staff recommended location. The applicant team has consistently stated that the overall height of the wireless communication facility in the staff recommended location would need to be taller than 47 feet to avoid interference from the roof; however, the applicant team has not identified the minimum height required to meet coverage objectives of the facility and provide adequate distance above the roof of the adjacent self storage building to be compliant with the FCC exposure limits.

As it relates to the staff recommended location, the applicant has submitted a letter from an RF Design Engineer (Attachment L), additional propagation coverage maps, diagrams (Attachment H), and an unsigned narrative (Attachment M) claiming the need for the staff recommended design to be 77 feet tall, but these materials do not demonstrate why the 77-foot height is required. Staff has found the materials to be internally inconsistent.

- The supporting propagation coverage maps demonstrate that a 62-foot height or 50-foot height facility would provide comparable coverage and meet coverage objectives.
- The diagrams attempt to demonstrate required heights of a wireless facility based on line-of-sight and fresnel zones to provide service at a fixed location at the intersection of East Ventura Boulevard and Financial Square. These diagrams show coverage at various heights is available, albeit, with varying degrees of interference based on the adjacent building. These diagrams do not acknowledge that any antenna array placed at a single fixed location on the project site will experience interference with the building (while antennas installed as an

architectural feature behind a RF-transparent material, such as the project approved on this site in 2015, will not experience this interference). These diagrams do not account for the mobility of wireless devices traveling along East Ventura Boulevard, Financial Square, or other transportation routes, nor did these diagrams provide information regarding the interconnected network of cellular signals from other antennas as indicated by the RF coverage maps.

- The unsigned narrative briefly discusses that a 77-foot tall facility could provide opportunities for another wireless provider to co-locate on the facility. Generally speaking, co-located facilities require a separation distance of 10 feet from the bottom of one antenna to the top of the next antenna. The lower antenna would need to be located a sufficient distance from the ground, roof and streetlight and be compliant with FCC exposure limits. As antennas are typically 8 feet tall, the potential height of the faux tree proposed at the staff recommended location could potentially be 18+ feet lower (separation distance + antenna + FCC compliant distance) than the proposed 77-foot facility. This could potentially render the maximum height of the wireless telecommunications facility to be 59 feet or less.

In short, the application has failed to demonstrate the need for the 77-foot height at the staff recommended location.

The applicant team provided simulations depicting a 77-foot tall faux tree in the staff recommended location as seen from East Ventura Boulevard and also from the southern terminus of Financial Square (Attachment G). When viewed from East Ventura Boulevard, the faux tree is largely screened by the existing self storage building. The top portion of the faux tree is visible above the building. When viewed from Financial Square, the 77-foot tall tree appears disproportionately taller than the adjacent existing landscape trees. Thus, as described in the Landscaping and Open Space section below, the installation of trees with a comparable height and canopy to blend with the faux tree is recommended.

Staff asked the applicant about other possible designs such as a smokestack chimney or other architectural elements which could be integrated with the self storage building. The applicant's response indicates that no tall smokestacks or other architectural features that could be used as a basis for a design were observed. Per the applicant, the best visual integration with the surroundings is a faux tree.

Given the above considerations, the staff recommended wireless communications facility is designed with a maximum height of 57 feet (as measured to the top of the faux tree's canopy) with a 50 foot broadcast center height. The maximum height of 57 feet is 22 feet above the maximum height allowed within the C-2-PD zone district (35 feet), and is a 63% increase in height. As conditioned, the height of the wireless communications facility may be increased to a maximum of 69 feet, subject to the Planning Manager's discretion subject to a third party licensed subject matter expert review of further

information demonstrating the need for a taller height. A wireless communications facility with a maximum height of 69 feet (as measured to the top of the faux tree's canopy) would have a 62 foot broadcast center height. The maximum height of 69 feet is 34 feet above the maximum height allowed within the C-2-PD zone district (35 feet), and is a 97% increase in height.

Per City Code (§16-497), the increase in maximum height must be approved by the Planning Commission. The applicant has submitted a series of propagation maps that demonstrate the performance of the proposed communications facility at different heights (Attachment H). Staff acknowledges that currently the area around the Highway 101 and Vineyard intersection experiences a gap in cellular coverage. Staff also recognizes a tower with a broadcast center of 35 feet high would be ineffective as the signal would experience interference as the signal from the antennae would bounce off the adjacent building and back into its own projection. The applicant has demonstrated the majority of the areas can be covered at a broadcast center height of 40 feet, but the maximum emission level on the roof of the adjacent self storage building exceeds the FCC exposure limits. A 70-foot tall (or taller) broadcast center would provide an increase in coverage (e.g., the taller the broadcast center, the greater the coverage) and not exceed FCC exposure limits. However, the applicant team does not identify the minimum height to be compliant with FCC exposure limits while also meeting project objectives. Thus, Planning Staff recommends that the Planning Commission approve the proposed wireless communications facility in the staff recommended "stealthier" location along the eastern side of the building, with the exact location and height, not to exceed 69 feet, to be determined by the Planning Manager pursuant to Condition of Approval No. 24, for the height of the wireless facility to be as low as possible without exceeding the maximum FCC exposure limits as determined by the Planning Manager pursuant to Condition of Approval No. 25, and additional landscaping to be installed to screen the facility as determined by the Planning Manager and City's Landscape Architect pursuant to Condition of Approval No. 26.

g) *Landscaping and Open Space (including removal of existing landscaping):*
The existing Public Storage building features landscaping along all four sides of the building. As proposed, the construction of the proposed communications facility requires the removal of a tree along the southeastern corner of the building (almost the exact same location as the proposed facility), which will be replaced by the faux eucalyptus tree.

Planning Staff recommends that the wireless communications facility be located along the eastern side of the existing building, approximately 50 feet northerly of the proposed location. The recommended location is less prominently visible from the Financial Square right-of-way, and would retain the existing landscape trees along the Financial Square frontage. The recommended location would require the removal of 2-4 existing landscaping trees located behind the building (along the private drive) for the installation

of the faux eucalyptus tree and the two live eucalyptus-like trees.

As a result of comments expressed by the Planning Commission regarding screening the proposed wireless communications facility, the proposed project was reviewed by the Planning Division's contract landscape architect. The City's contract landscape architect suggested that a live evergreen tree be installed adjacent to the applicant proposed faux eucalyptus tree to blend the faux tree with the existing vegetation, which includes Mangolia and Pines. Specifically, the landscape architect recommended a Brisbane Box (Lopostemon conferta) tree, as it is a eucalyptus-like species with smooth bark, is drought tolerant, and can grow a large canopy. Staff recommends the project include the installation of one to two eucalyptus-like trees, such as Brisbane Box, to blend the faux eucalyptus with the surrounding deciduous trees so the faux tree is not prominently above the existing landscaping tree line. The installation of the faux tree and the live trees likely requires the removal of 2-4 existing landscaping trees due to the proximity of the existing landscaping. As conditioned, the exact number, location, and species of live trees to be installed will be determined by the Planning Manager in consultation with the City's Contract Landscape Architect.

The proposed equipment enclosure will be constructed along the eastern side of, and adjacent to, the building, and does not require the removal of landscape trees as the trees are located closer to the property line, and the equipment area will be located abutting the building between the building and the trees. However, staff recommends the installation of two live evergreen trees to blend the faux eucalyptus tree, and those trees will also partly screen the equipment area. The installation of the two evergreen trees requires the removal of landscape trees. Thus, the combination of existing and proposed landscaping along the eastern side of the building will partly screen the proposed equipment enclosure.

The existing landscape trees along Financial Square are approximately 35 feet tall. There are several trees in the area (e.g., across the Financial Square roadway, the adjacent condominium complex to the east, and across Ventura Boulevard to the north) that are 33, 62, 74, 81 and 85 feet in height (Attachment A). Thus, a 57-foot to 69-foot tall faux eucalyptus tree will be compatible with the surrounding landscaping.

h) ***Noise:*** The proposed wireless communications facility will generate noise from the equipment cabinet and the emergency generator both located within the equipment enclosure. The equipment cabinet will generate a slight humming noise similar to a personal computer, and will be audible only when adjacent to the cabinet. The emergency generator will generate noise at a sound level of approximately 65 dBA. The emergency generator will be used only during emergencies, and will be tested once a month. The permit is conditioned to limit testing to daytime hours (Attachment N). Pursuant to City Code [§16-188(C)], the emergency generator is exempt from noise limitations. The noise

from the equipment will be softened by the enclosure surrounding the equipment. The nearest noise sensitive use to the wireless communications facility is a residential condominium development approximately 140 feet to the east. Given typical sound attenuation levels, the noise from the equipment cabinet and generator will be significantly below allowed noise levels (65dBA, per City Code §7-185.A). Thus, the proposed wireless communications facility will not create significant noise impacts.

i) ***Health and Safety (including security fencing and radio frequency impacts to street light workers):*** The transmission of wireless radio signals are governed by operating standards of the Federal Communications Commission (FCC). The applicant submitted a Radio Frequency Compliance Report (Attachment K) evaluating the emissions of the proposed wireless communications facility and the staff recommended location.

As it relates to the security fencing, per the revised Radio Frequency Compliance Report, the staff recommended location would not be accessible to unauthorized persons. The applicant has not stated if the original design (47 feet tall) is similarly inaccessible to unauthorized persons.

The report demonstrates that based on predictive modeling, at ground level the maximum radio frequency emission of the applicant proposed design is estimated to be approximately 12% of the FCC general public exposure limit. The maximum emission level on the roof of the adjacent self storage building exceeds the FCC exposure limits. Thus, the Radio Frequency Compliance Report recommends the project be subject to a condition of approval to prevent unauthorized access to the roof areas, and to require the installation of warning signage near the roof area. The proposed facility is located approximately 21 feet from a 29-foot tall street light. The maximum exposure level for a person standing on top of the adjacent street light is 77% of the FCC limit.

The Radio Frequency Compliance Report concludes that at ground level, the maximum exposure of a 77-foot tall facility at the staff recommended location is approximately 3.7% of the public exposure limit. The maximum exposure level on the roof of the adjacent self storage building does not exceed the FCC exposure limits. The staff recommended location is located approximately 70 feet from the nearby street light. The maximum exposure level for a person standing on top of the nearby street light is 5.3% of the FCC exposure limit.

Thus, the staff recommended project is designed and conditioned to be compliant with the FCC exposure limits while the applicant requested project is not compliant with the FCC exposure limits.

7) **Community Workshop and Public Input:** The project site is located within the El Rio Neighborhood. Thus, the proposed project was presented to the neighborhood for public comment during a Community Workshop meeting. On April 4, 2019, the applicant mailed 1,210 notices of the Community Workshop meeting to all property owners within the El Rio Neighborhood. A notice of this meeting was posted on the project site with a brief description and contact information. The Community Workshop was conducted on April 15, 2019. The Community Workshop meeting was not attended by any members of the public. To date, staff has not received public comments regarding the proposed project.

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

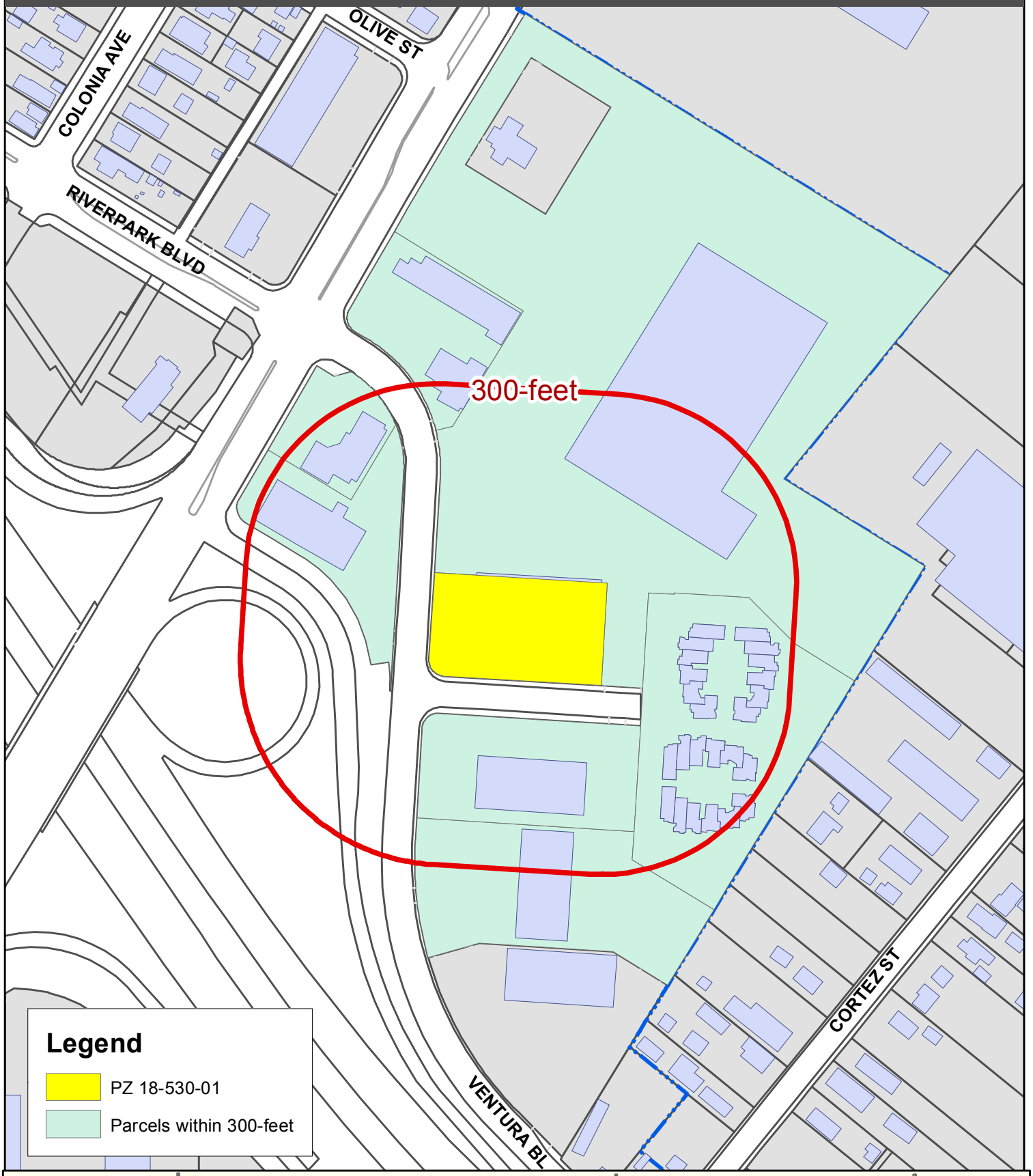
Attachments:

A. Maps (Vicinity, General Plan, Zoning, Tree Height)
B. Planning Commission Minutes from December 5, 2019
C. Notice of Exemption
D. Reduced Plans for Applicant Proposed Project
E. Visual Simulations for Applicant Proposed Project
F. Letter from Delta Groups Engineering dated February 14, 2019
G. Visual Simulations for Staff Recommended Project
H. Radio Frequency Coverage Maps
I. Reduced Plans for Staff Recommended Project
J. Letter from Verizon dated March 6, 2019
K. Radio Frequency Compliance Report dated August 28, 2020
L. Letter from Verizon dated July 20, 2020
M. Unsigned and Undated Narrative
N. Resolution for Project No. 18-530-01

ATTACHMENT
A

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

Radius Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

October 10, 2018

PZ 18-530-01
Location: 161 Ventura Blvd
APN: 1450232135
Verizon

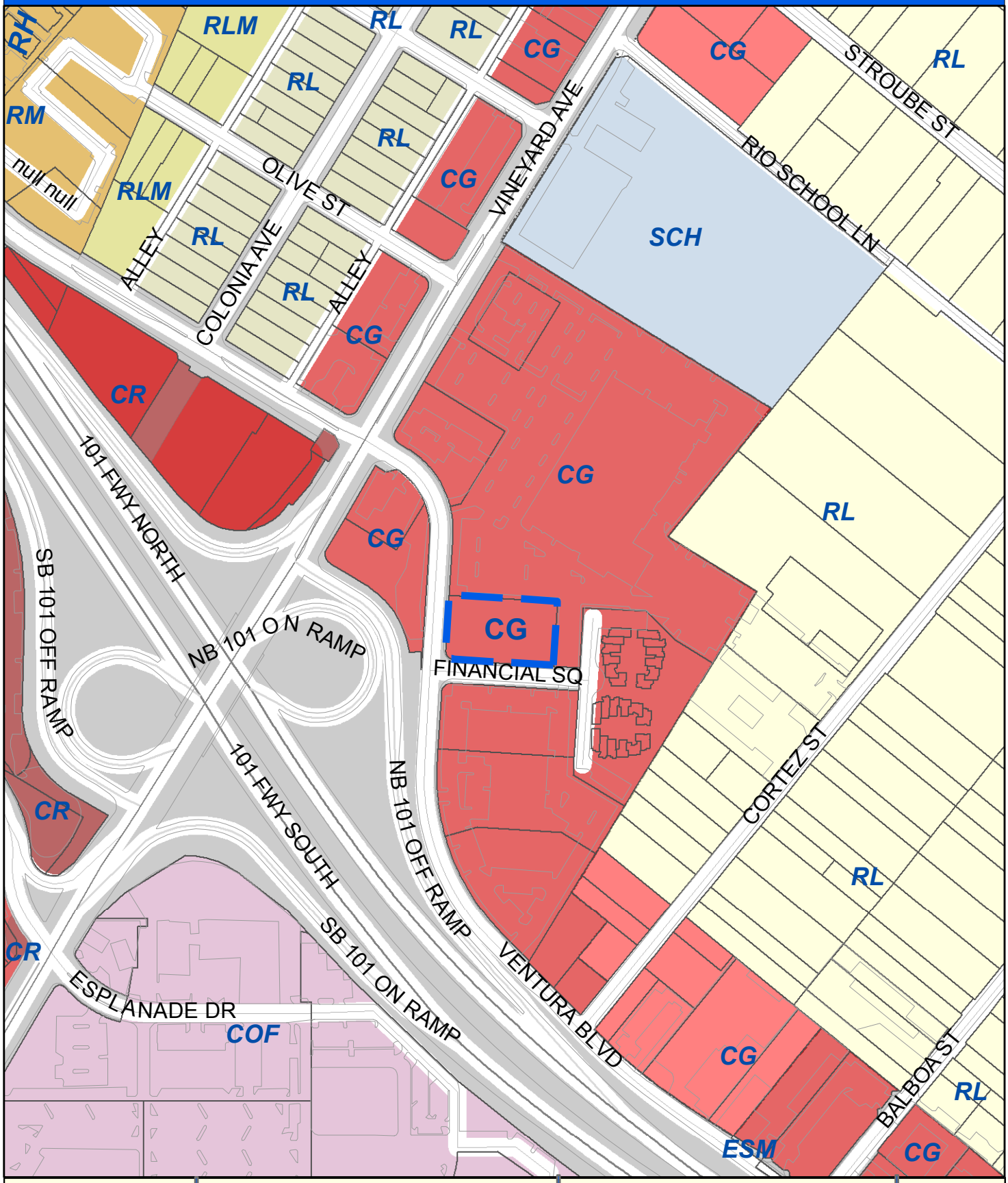
0 50 100 200 300 400 Feet

Radius Map

2010 Aerial

N W E S

2030 General Plan Land Use Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

October 10, 2018

PZ 18-530-01
Location: 161 Ventura Blvd
APN: 1450232135
Verizon

0 75 150 300 450 600 Feet

2030 General Plan Land Use Map

N W E S

1:4,000

Vicinity Map



CITY OF OXNARD CALIFORNIA Oxnard Planning *October 10, 2018*	PZ 18-530-01 Location: 161 Ventura Blvd APN: 1450232135 Verizon	**Vicinity Map** Miles 0 0.5 1 1.5 2	N 1:70,000


N VINEYARD AVE
VENTURA BLVD
NB 101 OFF RAMP
FINANCIAL SQ
DANUBE WAY
CORTEZ ST
101 FWY NORTH
101 FWY SOUTH
SB 101 ON RAMP
85'
81'
74'
47'
33'
62'

ATTACHMENT
B

PLANNING COMMISSION MINUTES
(DECEMBER 5, 2019)

MINUTES
OXNARD PLANNING COMMISSION
REGULAR MEETING
December 5, 2019

A. ROLL CALL

At 6:08 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Frank (arrived at 6:23 p.m), Vice Chair Chua, Commissioners Chavez, Dozier, Meyer, and Sanchez were present. Commissioner Fuhring was absent. Staff members present were Scott Kolwitz, Planning & Environmental Services Manager; Jay Dobrowalski, Senior Planner; Ken Rozell, Chief Assistant City Attorney; Michelle Travis and Dee Lai, Recording Secretaries. Vice Chair Chua presided and called the meeting to order.

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

Commissioner Meyer led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

None

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – November 21, 2019

MOTION: Commissioner Chavez moved and Commissioner Meyer seconded a motion to approve the minutes of November 21, 2019 as submitted.

VOTE: Vice Chair Chua, Commissioners Chavez, Dozier, Meyer and Sanchez voted in favor. Commissioners Fuhring and Chair Frank were absent. The motion carried 5:0:2:0:0[1].

2. Adoption of the 2020 Planning Commission Meeting Calendar

MOTION: Commissioner Dozier moved and Commissioner Chavez seconded a motion to adopt the 2020 Planning Commission Meeting Calendar with the edit to cancel the January 2, 2020 meeting and schedule a special meeting on January 9, 2020.

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

[1] In Favor: Against: Absent: Abstain: Recused
[2] In Favor: Against: Absent: Abstain: Recused

E. PUBLIC HEARING

1. **Project Name: Verizon Danube** - PLANNING AND ZONING PERMIT NO. 18-530-01 (Special Use Permit) Request to construct a 47-foot tall wireless communications facility designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the C-2-PD zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). The project is exempt from environmental review pursuant to Section 15303 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101.
Project Planner: Jay Dobrowalski, Senior Planner

Recommendation:
Approve the Project, as conditioned, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 (New construction or Conversion of Small Structures), and Approve Resolution 2019-XX for Planning and Zoning Permit No. 18-530-01 (Special Use Permit), subject to certain findings and conditions.

The Planning Commissioners did not have any ex parte communications to report for Item E-1.

Senior Planner, Jay Dobrowalski, provided a PowerPoint presentation outlining the request, and Jay Dobrowalski summarized Errata Memo No. 1 to Agenda Item E-1.

The applicant's representative, Scott Dunaway (President at D4 Communications, LLC), provided a PowerPoint presentation.

Vice Chair Chua opened the public comments portion of the public hearing.

No public verbal or written comments were received for Item E-1.

Vice Chair Chua closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff.

MOTION: Chair Frank moved and Commissioner Dozier seconded a motion to continue the **Verizon Danube project** PZ No. 18-530-01 (Special Use Permit) to a date certain of January 9, 2020, with the application to provide details (site plan, elevations, renderings, replacement/supplemental landscaping, minimum heights to meet coverage objectives, propagation maps) regarding the following project alternatives:

1. Staff recommended location. Specifically, provide details regarding foundation, property line constraints and solutions, fencing around the

facility to prevent unauthorized access, potential Radio Frequency (RF) impacts to street light workers, and potential impacts to commercial trucks and other vehicles. Consider alternative faux-tree design.

2. Applicant proposed location. Specifically, address concerns regarding proximity to street lighting and RF-exposure to street lighting maintenance workers, and fencing around the facility to prevent unauthorized access. Consider alternative faux-tree design.
3. Facade modification with wireless antennas and RF-transparent materials being added to the building facade.
4. Confirm which alternative off-site locations were explored, such as the Mission Produce building, that are not current options.

VOTE: Chair Frank, Vice Chair Chua, and Commissioners Chavez, Dozier, Meyer, and Sanchez voted in favor. Commissioner Fuhring was absent. The motion carried 6:0:1:0:0[3].

F. STUDY SESSION/REPORTS

None

G. PLANNING COMMISSION BUSINESS

None

H. PLANNING MANAGER COMMENTS

Scott Kolwitz, Planning & Environmental Services Manager, announced:

1. On December 3, 2019, the City Council:
    1. Approved a second first reading of the Short Term Rental (STR) Ordinance Amendments. The second reading of the Ordinance is scheduled for December 17, 2019. Staff is preparing the STR Coastal Commission application.
    2. Approved the Cannabis Retail Dispensaries as submitted to them (without a residential buffer).
    3. Continued the 2900 Saviers Road 7-Eleven project (PZ 18-500-12) to February 4, 2020, as requested by the applicant/appellant.
2. On December 17, 2019, the City Council will be hearing the Clinicas project that was appealed by the applicant. Clinicas is proposing to make the building smaller to be consistent with the City's parking regulations.
3. The December 19, 2019, Planning Commission meeting is cancelled. Per the Planning Commission's adopted 2020 calendar, the next meeting will be January 9, 2020.
4. There are two Planning Commissioner training opportunities in 2020:
    a. The League of California Planning Academy held from March 4, 2020 through March 6, 2020 in Sacramento; and
    b. The APA conference held from September 12, 2020 through September 15, 2020 in Riverside.

    Staff will be in contact with Planning Commissioners to gauge interest and availability.

[3] In Favor: Against: Absent: Abstain: Recused

I. ADJOURNMENT

At 7:32 p.m., the Planning Commission concurred to adjourn.

Deirdre Frank, Chair

ATTEST:

Scott Kolwitz, Planning & Environmental Services Manager

ATTACHMENT
C

California Environmental Quality Act
Notice of Exemption

OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030

CITY OF OXNARD CALIFORNIA

NOTICE OF EXEMPTION

Project Description: PZ No. 18-530-01 (Special Use Permit - Wireless) A request to construct a wireless communications facility with a maximum height of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet, designed as a faux eucalyptus tree with an associated equipment enclosure within a 596 square-foot lease area adjacent to an existing three-story self-storage facility on a 1.02 acre lot in the C-2-PD zone. Pursuant to Oxnard City Code (OCC) Section 16-497, the request includes an increase in height from 35 feet to 57 feet and a reduction to the rear yard setback from 15 feet to 8 feet in the C-2-PD zone. The project is located adjacent to the southeastern corner of the Public Storage facility at 161 Ventura Boulevard (APN: 145-0-232-135). Filed by Scott Dunaway ("Applicant"), 1114 State Street, Suite 234, Santa Barbara, California, 93101.

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

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

Supporting Reasons: In accordance with the State CEQA Guidelines and Section 15303, Class 3 of the State CEQA Guidelines, projects involving "the construction of new, small facilities or structures" may be found to be exempt from the requirements of CEQA. This proposal includes the construction of a stealth wireless communications facility within an approximately 596 square-foot lease area, which represents a small structure. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption.

(Date)

Scott Kolwitz
Planning and Environmental Services Manager

ATTACHMENT
D

REDUCED PLANS FOR APPLICANT PROJECT

verizon

DANUBE

MTX41 / BSC3

161 VENTURA BLVD.
OXNARD, CA 93036

OVERALL HEIGHT PER 1-A LETTER: 47'-0"

PROJECT TEAM

SITE ACQUISITION
D4 COMMUNICATIONS, LLC
1114 STATE STREET, SUITE 234
SANTA BARBARA, CA 93101
CONTACT: SCOTT DUNAWAY
PHONE: (805) 637-0339

PLANNING
D4 COMMUNICATIONS LLC
1114 STATE STREET, SUITE 234
SANTA BARBARA, CA 93101
CONTACT: SCOTT DUNAWAY
PHONE: (805) 637-0339

ARCHITECT:
DELTA GROUPS ENGINEERING, INC.
2362 McGAW AVE.
IRVINE, CA 92614
CONTACT: WILLIAM DESMOND
PHONE: (949) 622-0333
FAX: (949) 622-0331

SURVEYOR:
BERT HAZE AND ASSOCIATES, INC.
3188 AIRWAY AVENUE, SUITE K1
COSTA MESA, CALIFORNIA 92626
TEL: (714) 557-1567
FAX: (714) 557-1568

UTILITY COORDINATOR:
TRIAD GROUP
PLAZA CENTER
10900 NE 8TH ST., SUITE 1500
BELLEVUE, WA 98004
CONTACT: JON STEWART
PHONE: (425) 454-0282
FAX: (425) 454-5784

PROFESSIONAL ENGINEER:
DELTA GROUPS ENGINEERING, INC.
2362 McGAW AVE.
IRVINE, CA 92614
CONTACT: ALBERT TENG
PHONE: (949) 622-0333
FAX: (949) 622-0331

VERIZON WIRELESS SIGNATURE BLOCK

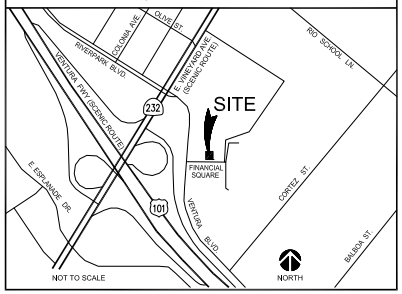
DISCIPLINE:	SIGNATURE:	DATE:
RE VENDOR:		
A&E VENDOR:		
A&E COORDINATOR:		
UTILITY VENDOR:		
RF:		
RE:		
CE:		
EE:		
TRANSPORT:		

PROJECT DESCRIPTION

THIS PROJECT IS A VERIZON WIRELESS UNMANNED TELECOMMUNICATION WIRELESS FACILITY. IT WILL CONSIST OF THE FOLLOWING:

- NEW VERIZON WIRELESS 8'-4"X 25'-0" (±216 SQ. FT.) EQUIPMENT LEASE AREA
- NEW VERIZON WIRELESS 18'-0"Ø (±254 SQ. FT.) ANTENNA LEASE AREA
- (1) NEW VERIZON WIRELESS 15KW DC STANDBY DIESEL GENERATOR W/ 54 GAL. TANK
- (2) NEW VERIZON WIRELESS EQUIPMENT CABINETS
- (12) NEW VERIZON WIRELESS 8' TALL PANEL ANTENNAS
- (12) NEW VERIZON WIRELESS RADIOS
- (3) NEW VERIZON WIRELESS RAYCAPS
- (1) NEW VERIZON WIRELESS GPS ANTENNA
- NEW VERIZON WIRELESS 7'-0" HIGH METAL ENCLOSURE
- NEW VERIZON WIRELESS 47'-0" HIGH ANTENNA STRUCTURE (MONOEUCALYPTUS)

VICINITY MAP



DRIVING DIRECTIONS

FROM: VERIZON OFFICE

TO: 161 VENTURA BLVD. OXNARD, CA 93036

1. HEAD SOUTHEAST TOWARD SAND CANYON TRAIL
2. TURN RIGHT ONTO SAND CANYON AVE
3. SLIGHT RIGHT TO MERGE ONTO I-405 N
4. TAKE THE EXIT ONTO US-101 N TOWARD VENTURA
5. TAKE THE VINEYARD AVE/CA-232 EXIT
6. TURN RIGHT ONTO CA-232 NE VINEYARD AVE
7. TURN RIGHT ONTO E VENTURA BLVD. DESTINATION WILL BE ON THE LEFT

PROJECT SUMMARY

APPLICANT/LESSEE

verizon
15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618
OFFICE: (949) 286-7000

ASSESSOR'S PARCEL NUMBER
APN: 145-0-232-135

APPLICANT'S REPRESENTATIVE
D4 COMMUNICATIONS LLC
1114 STATE STREET, SUITE 234
SANTA BARBARA, CA 93101
CONTACT: SCOTT DUNAWAY
PHONE: (805) 637-0339

PROPERTY OWNER:
OWNER: PUBLIC STORAGE
CONTACT: LORI KIND
ADDRESS: 701 WESTERN AVE., 1ST FLOOR GLENDALE, CA. 91201
TELEPHONE: (818) 244-8080, EXT. 1350

PROPERTY INFORMATION:
SITE NAME: DANUBE
SITE ADDRESS: 161 VENTURA BLVD. OXNARD, CA 93036
JURISDICTION: CITY OF OXNARD

CONSTRUCTION INFORMATION
OCCUPANCY: -
TYPE OF CONSTRUCTION: -
CURRENT ZONING: C2PD
NUMBER OF STORIES: 3 - STORY
ADA COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. MACHINERY SPACES ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS PER THE CBC SECTION 11B-203.5.

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

CODE COMPLIANCE

- 2019 CALIFORNIA ENERGY CODE
- 2019 CALIFORNIA BUILDING CODE
- 2019 CALIFORNIA ELECTRICAL CODE
- 2019 CALIFORNIA FIRE CODE
- 2019 CALIFORNIA GREEN BUILDING CODE
- 2019 CALIFORNIA MECHANICAL CODE
- 2019 CALIFORNIA PLUMBING CODE
- SHELTER IS STATE OF CALIFORNIA APPROVED AND INSPECTED, NOT FOR LOCAL INSPECTION.

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	6
C-1	TOPOGRAPHIC SURVEY	6
C-2	TOPOGRAPHIC SURVEY	6
A-1	OVERALL SITE PLAN	6
A-1.1	SITE PLAN	6
A-2	ENLARGED SITE PLAN, EQUIPMENT LAYOUT PLAN	6
A-2.1	BRANCHES AND ANTENNA LAYOUT	6
A-3	SOUTH AND EAST ELEVATIONS	6
A-4	NORTH AND WEST ELEVATIONS	6

CONSTRUCTION DRAWINGS

811 Know what's below. Call before you dig.
TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN CALIFORNIA (SOUTH), CALL DIG ALERT
TOLL FREE: 1-800-227-2600 OR www.digalert.org
CALIFORNIA STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	12/06/17	90% ZONING	TB
1	12/28/17	100% ZONING	JD
2	10/10/18	100% ZONING	JD
3	01/22/19	90% ZONING	JD
4	02/08/19	100% ZONING	JD
5	05/21/20	100% ZONING	TT
6	08/28/20	100% ZONING	TT

DELTA GROUPS ENGINEERING, INC.
CONSULTING ENGINEERS
2362 McGAW AVE., IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-417-2663
DGE JOB #116VW041A

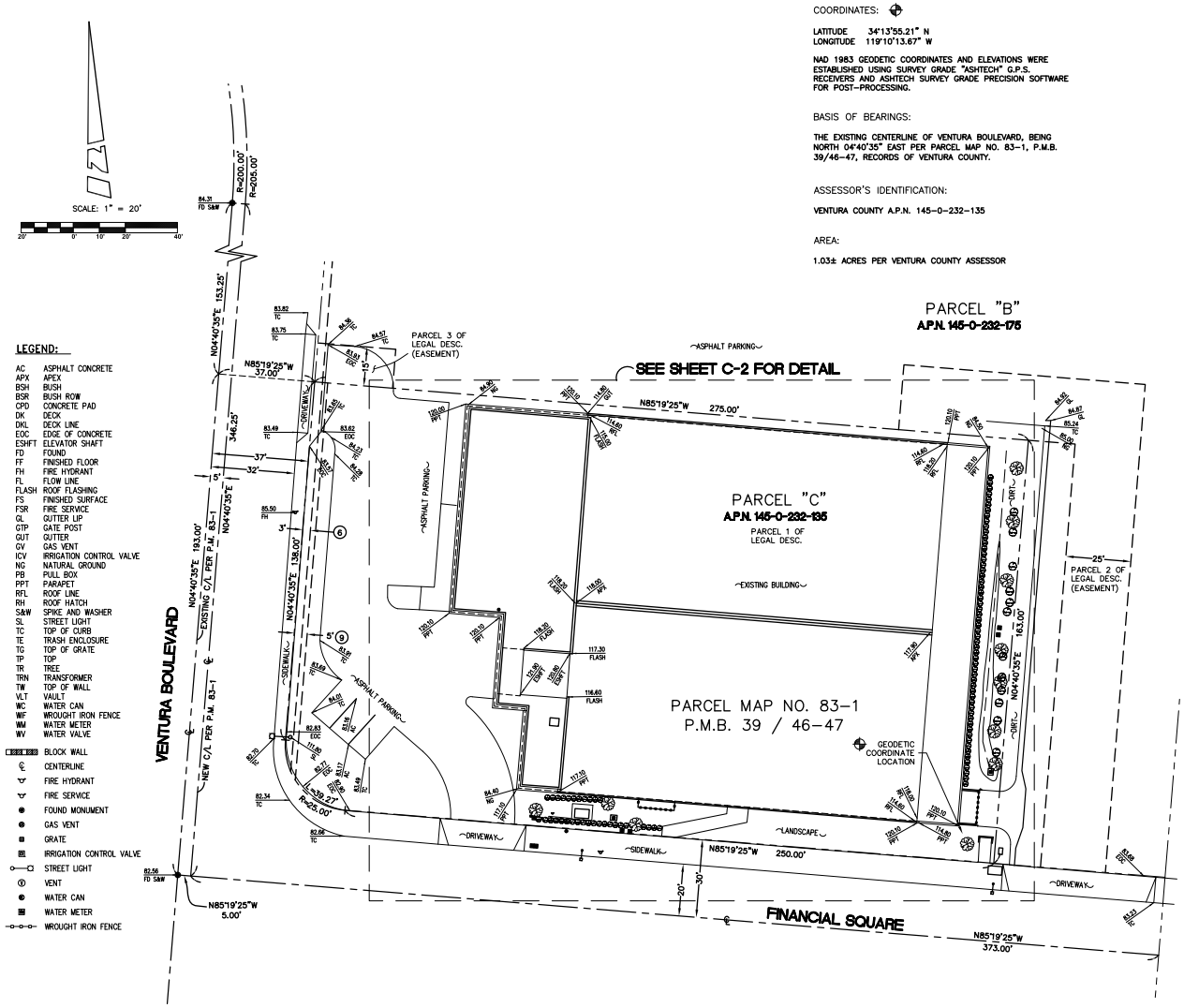
PROPRIETARY INFORMATION
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IRVINE, CA 92618

DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:
TITLE SHEET

T-1



LEGEND:

AC	ASPHALT CONCRETE
APX	APEX
BSH	BUSH
BSR	BUSH ROW
CPD	CONCRETE PAD
DK	DECK
DKL	DECK LINE
EOC	EDGE OF CONCRETE
ESHFT	ELEVATOR SHAFT
FD	FOUND
FF	FINISHED FLOOR
FH	FIRE HYDRANT
FL	FLOW LINE
FLASH	ROOF FLASHING
FS	FINISHED SURFACE
FSR	FIRE SERVICE
GL	GUTTER LIP
GTP	GATE POST
GUT	GUTTER
GV	GAS VENT
ICV	IRRIGATION CONTROL VALVE
NG	NATURAL GROUND
PB	PULL BOX
PPT	PARAPET
RFL	ROOF LINE
RH	ROOF HATCH
S&W	SPIKE AND WASHER
SL	STREET LIGHT
TC	TOP OF CURB
TE	TRASH ENCLOSURE
TG	TOP OF GRATE
TP	TOP
TR	TREE
TRN	TRANSFORMER
TW	TOP OF WALL
VLT	VAULT
WC	WATER CAN
WIF	WROUGHT IRON FENCE
WM	WATER METER
WV	WATER VALVE
	BLOCK WALL
	CENTERLINE
	FIRE HYDRANT
	FIRE SERVICE
	FOUND MONUMENT
	GAS VENT
	GRATE
	IRRIGATION CONTROL VALVE
	STREET LIGHT
	VENT
	WATER CAN
	WATER METER
	WROUGHT IRON FENCE

COORDINATES:

LATITUDE 34°13'55.21" N
LONGITUDE 119°10'13.67" W

NAD 1983 GEODETIC COORDINATES AND ELEVATIONS WERE ESTABLISHED USING SURVEY GRADE "ASHTECH" G.P.S. RECEIVERS AND ASHTECH SURVEY GRADE PRECISION SOFTWARE FOR POST-PROCESSING.

BASIS OF BEARINGS:

THE EXISTING CENTERLINE OF VENTURA BOULEVARD, BEING NORTH 04°40'35" EAST PER PARCEL MAP NO. 83-1, P.M.B. 39/46-47, RECORDS OF VENTURA COUNTY.

ASSESSOR'S IDENTIFICATION:

VENTURA COUNTY A.P.N. 145-0-232-135

AREA:

1.03± ACRES PER VENTURA COUNTY ASSESSOR

BENCH MARK REFERENCE:

U.S.G.S. BENCH MARK "BM 77"

UNITED STATES GEOLOGICAL SURVEY BENCH MARK "BM 77" AS SHOWN ON THE "OXNARD" 7.5 MINUTE QUADRANGLE MAP.

ELEVATION: 79.5 FEET A.M.S.L. (NAVD88) (DATUM VERIFIED IN FIELD TO BE WITHIN 1-A ACCURACY STANDARDS)

TITLE REPORT IDENTIFICATION:

FIDELITY NATIONAL TITLE INSURANCE COMPANY, REPORT OF TITLE NO. 26392852, DATED AS OF 12/18/2017.

EASEMENT NOTES:

EASEMENT(S) SHOWN HEREON ARE PER FIDELITY NATIONAL TITLE INSURANCE COMPANY, REPORT OF TITLE NO. 26392852, DATED AS OF 12/18/2017.

(6) GRANT OF EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED ON 01/15/1982, AS INSTRUMENT NO. 004226.

(9) GRANT OF EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED ON 07/25/1985, AS INSTRUMENT NO. 079121.

14 NOTICE OF LAND USE RESTRICTIONS AND CONDITIONS, RECORDED AS INSTRUMENT NO. 20150427-00062621-0. ***(NO PLOTTABLE ESMTS.)***

◯ DENOTES ITEM PLOTTED HEREON

LEGAL DESCRIPTION:

PARCEL 1:

PARCEL "C", IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP 83-1, FILED IN BOOK 39, PAGE 46 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID VENTURA COUNTY.

EXCEPT FROM A PORTION OF SAID LAND THE PROPORTIONATE SHARE OF ONE-HALF OF THE MINERALS, OIL, AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND, WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OR SUBSURFACE ABOVE A DEPTH OF 500 FEET MEASURED VERTICALLY FROM THE SURFACE OF SAID REAL PROPERTY AS RESERVED BY MARVIN BERKE IN A DEED RECORDED AUGUST 31, 1973 IN BOOK 4160, PAGE 975 OF OFFICIAL RECORDS AND AS RESERVED BY HURRLETT R. CITRIN AND HERBERT R. CITRIN, TRUSTEES OF THE CITRIN FAMILY TRUST IN DEED RECORDED AUGUST 31, 1973 IN BOOK 4160, PAGE 978 OF OFFICIAL RECORDS.

PARCEL 2:

AN EASEMENT OVER A PORTION OF PARCEL "B", IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP 83-1, FILED IN BOOK 39, PAGE 46 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, FOR RIGHT-OF-WAY AND INGRESS AND EGRESS PURPOSES OVER A STRIP OR PARCEL OF LAND 25 FEET WIDE, THE CENTERLINE OF SAID EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF FINANCIAL SQUARE AS SHOWN ON SAID PARCEL MAP FROM WHICH THE SOUTHEASTERLY CORNER OF PARCEL "B" BEARS SOUTH 85° 19' 25" EAST 35.50 FEET DISTANT; THENCE FROM SAID POINT OF BEGINNING AND LEAVING SAID NORTHERLY LINE, 1ST: NORTH 40° 40' 35" EAST 175.50 FEET; THENCE, 2ND: NORTH 85° 19' 25" WEST 80.50 FEET ALONG THE LINE PARALLEL WITH AND DISTANT NORTHERLY 12.50 FEET FROM THE NORTHERLY LINE OF PARCEL "C" AS SHOWN ON SAID PARCEL MAP 83-1.

PARCEL 3:

AN EASEMENT OVER A PORTION OF PARCEL "B", IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP 83-1, FILED IN BOOK 39, PAGE 46 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, FOR RIGHT-OF-WAY AND INGRESS AND EGRESS PURPOSES OVER A STRIP OR PARCEL OF LAND 15 FEET WIDE LYING ADJACENT TO AND IMMEDIATELY NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE SOUTHWESTERLY CORNER OF THAT PORTION OF PARCEL "B", ADJACENT TO VENTURA BOULEVARD; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL "B1" BEING THE NORTHERLY LINE OF PARCEL "C" AS SHOWN ON SAID PARCEL MAP, 1ST: SOUTH 85° 19' 25" EAST 30.00 FEET.

AND BEING THE SAME PROPERTY CONVEYED TO PUBLIC STORAGE, A MARYLAND REAL ESTATE INVESTMENT TRUST FROM OXNARD SELF STORAGE ASSOCIATES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY BY GRANT DEED DATED DECEMBER 14, 2012 AND RECORDED DECEMBER 24, 2012 IN INSTRUMENT NO. 20121224-00230118.

DATE OF SURVEY:

JUNE 04, 2014

LIVING PLANTS STATEMENT:

THE HEIGHTS AND ELEVATIONS FOR THE TREES, BUSHES AND OTHER LIVING PLANTS SHOWN HEREON, SHOULD BE CONSIDERED APPROXIMATE (+/-) AND ONLY VALID FOR THE DATE OF THIS SURVEY. THEY ARE PROVIDED AS A GENERAL REFERENCE AND SHOULD NOT BE USED FOR DESIGN PURPOSES.

SEE SHEET C-2 FOR SITE DETAILS

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	06/09/14	ISSUED FOR REVIEW	JA
0	06/09/14	ADDED TITLE INFO.	JA
1	12/06/17	REV. GEO. COORD. LOC.	CWW
2	12/21/17	REVISED TITLE INFO.	JA

BERT HAZE
AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVENUE, SUITE K1
COSTA MESA, CALIFORNIA 92626
714 557-1567 OFFICE
JN. 909.272

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED

verizon
15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

PROFESSIONAL LAND SURVEYOR
BERT HAZE
No. 7211
Exp. 3-31-18
STATE OF CALIFORNIA

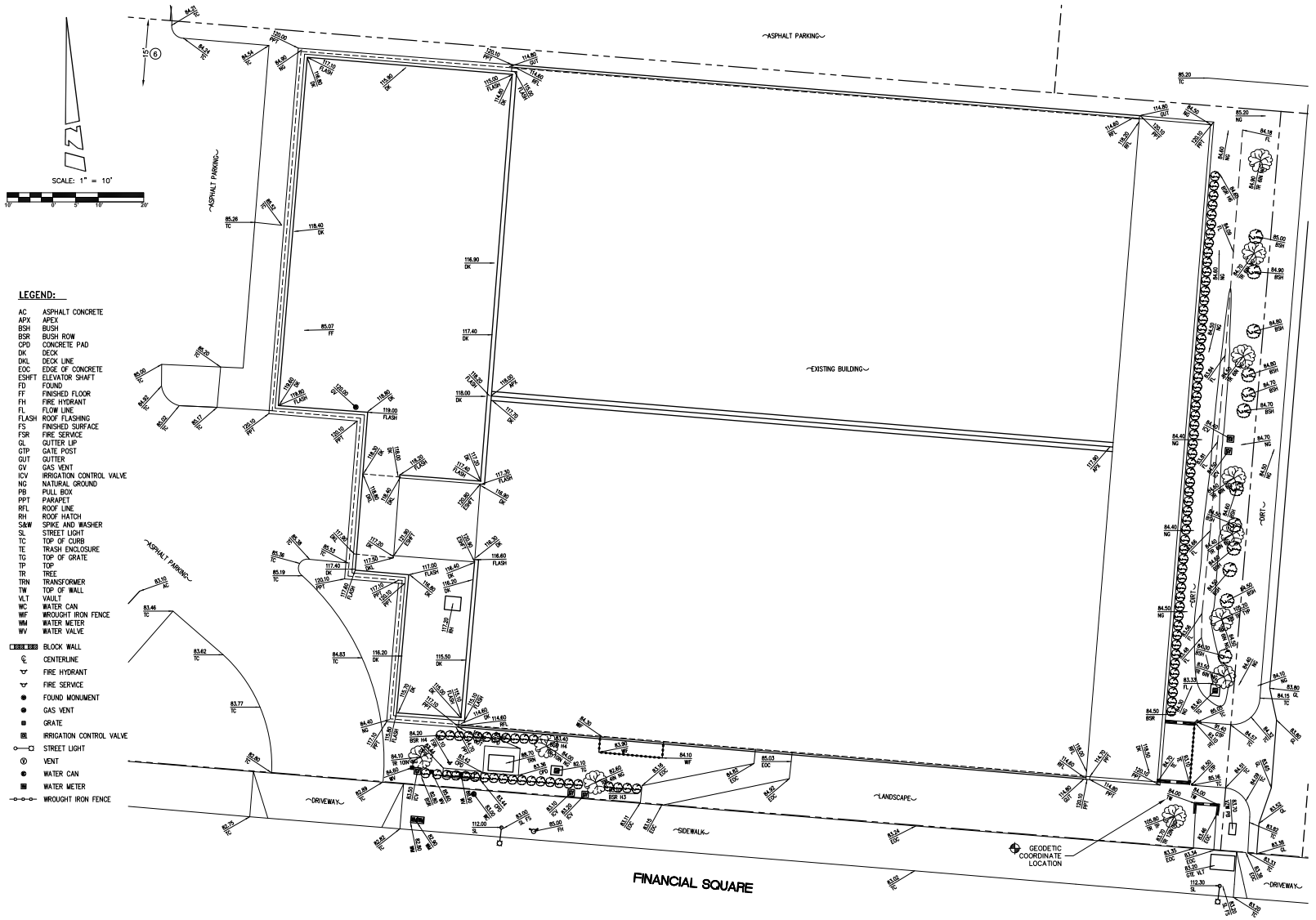
DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:

TOPOGRAPHIC SURVEY

C-1

WHEN THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36", SCALE WHICH IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES



SEE SHEET C-1 FOR BOUNDARY AND TITLE INFO.

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE WHEN IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	06/09/14	ISSUED FOR REVIEW	JA
0	06/09/14	ADDED TITLE INFO.	JA
1	12/06/17	REV. GEO. COORD. LOC.	CWW
2	12/21/17	REVISED TITLE INFO.	JA

BERT HAZE
AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVENUE, SUITE K1
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JN. 909.272

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verizon
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IRVINE, CA 92618

PROFESSIONAL LAND SURVEYOR
BERT HAZE
No. 7211
Exp. 3-31-18
STATE OF CALIFORNIA

DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

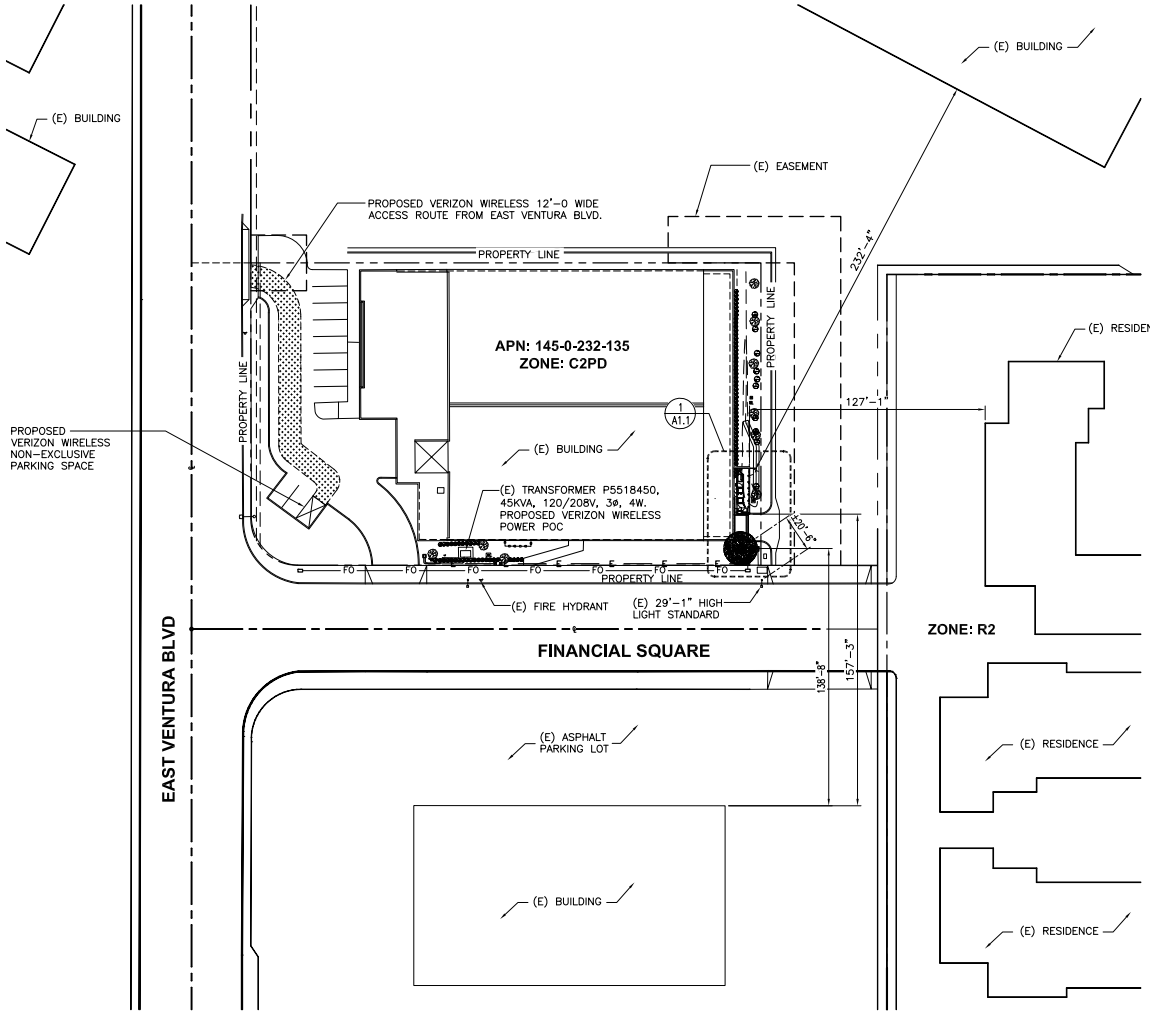
SHEET TITLE:
TOPOGRAPHIC SURVEY

C-2

NOTE:
NEW CONDUIT PATHWAYS SHOWN INCLUDE INSTALLATION OF APPROPRIATE SIZE AND TYPE HAND HOLES OR PULL BOXES, WHERE REQUIRED, WHETHER OR NOT SPECIFICALLY DEPICTED

NOTE:
THE GC TO SECURE/HARDEN THE SITE PER FIELD OPS DIRECTION USING MASTER KEYED HIDDEN SHACKLE PAD LOCK W/ HIGH SECURITY HASP

NOTE:
THERE ARE NO SIGNIFICANT HABITATS, WATERWAYS OR VEGETATION IN CLOSE PROXIMITY



OVERALL SITE PLAN

SCALE: 1 in = 30 ft

30' 15' 0' 15' 30' 60'

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	12/08/17	90% ZONING	TB
1	12/28/17	100% ZONING	JD
2	10/10/18	100% ZONING	JD
3	01/22/19	90% ZONING	JD
4	02/08/19	100% ZONING	JD
5	05/21/20	100% ZONING	TT
6	08/28/20	100% ZONING	TT

DELTA GROUPS ENGINEERING, INC.
CONSULTING ENGINEERS
2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-417-2883
DGE JOB #116VW041A

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED

verizon

15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

DANUBE

161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:

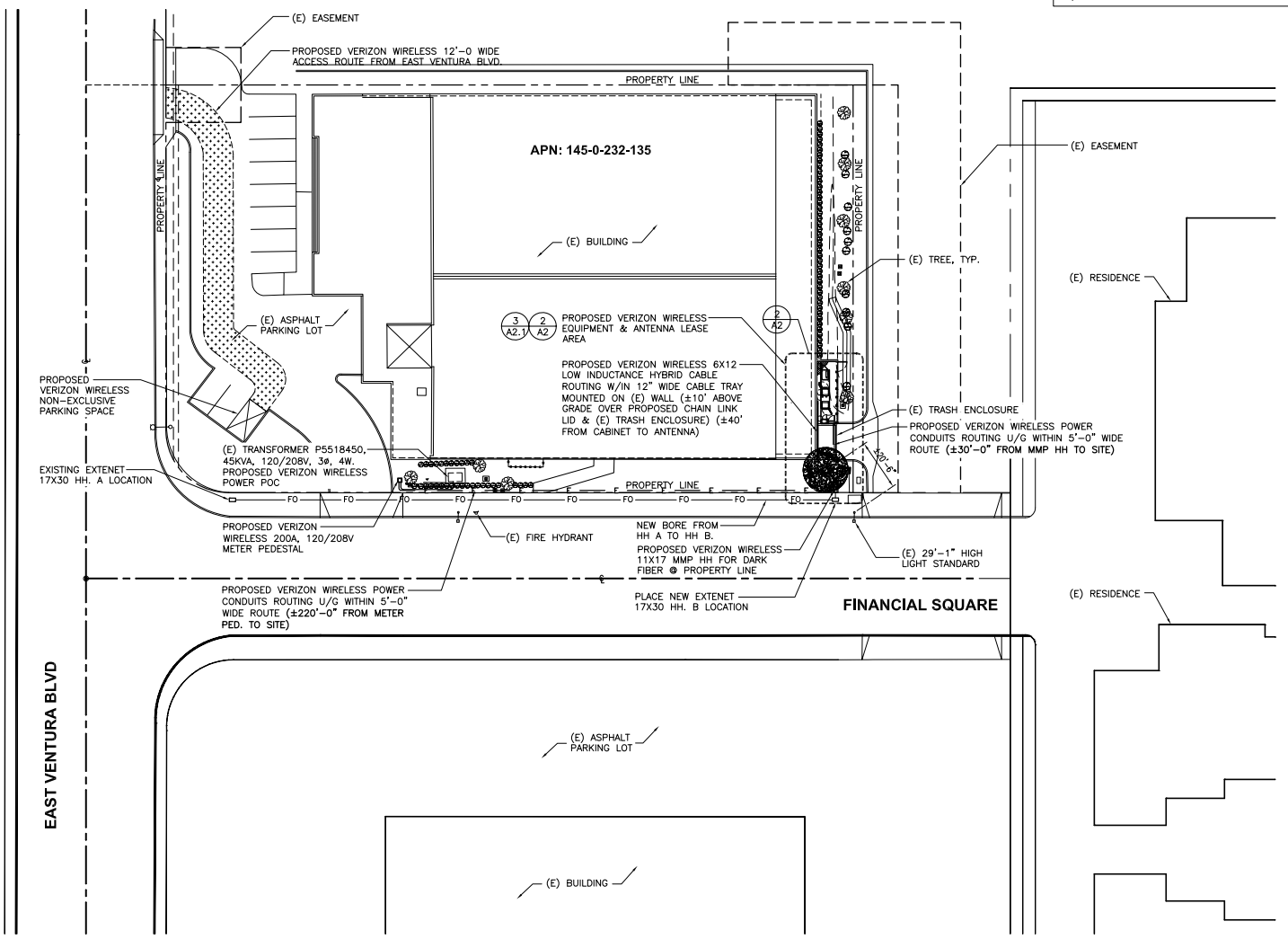
OVERALL SITE PLAN

A-1

NOTE:
THERE ARE NO SIGNIFICANT HABITATS, WATERWAYS OR VEGETATION IN CLOSE PROXIMITY

NOTE:
NEW CONDUIT PATHWAYS SHOWN INCLUDE INSTALLATION OF APPROPRIATE SIZE AND TYPE HAND HOLES OR PULL BOXES, WHERE REQUIRED, WHETHER OR NOT SPECIFICALLY DEPICTED

NOTE:
THE GC TO SECURE/HARDEN THE SITE PER FIELD OPS DIRECTION USING MASTER KEYED HIDDEN SHACKLE PAD LOCK W/ HIGH SECURITY HASP



SITE PLAN

SCALE: 1 in = 20 ft

20' 10' 0' 10' 20' 40'

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	12/08/17	90% ZONING	TB
1	12/28/17	100% ZONING	JD
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6	08/28/20	100% ZONING	TT

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IRVINE, CA 92618

DANUBE

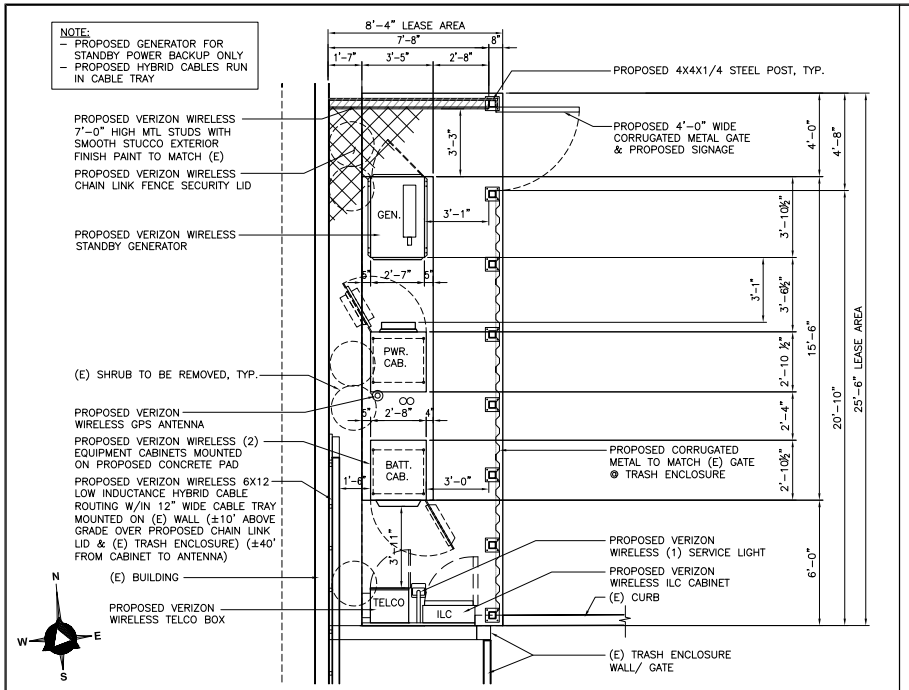
161 VENTURA BLVD.
OXNARD, CA 93036

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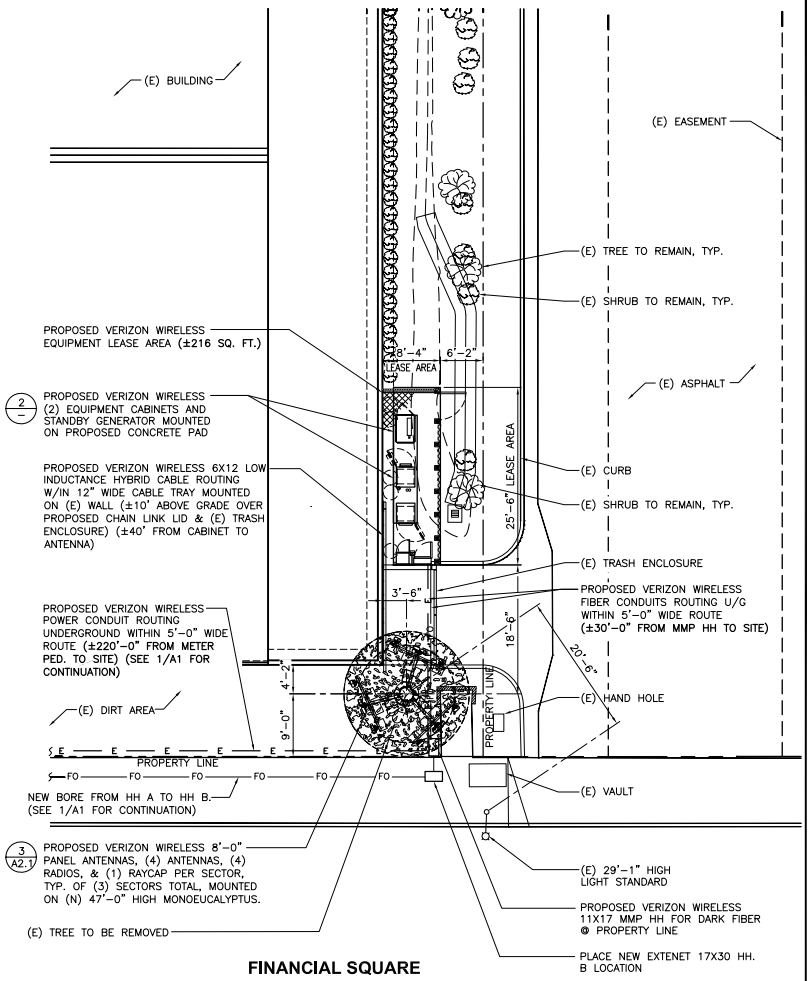
SITE PLAN

A-1.1

NOTE:
- PROPOSED GENERATOR FOR STANDBY POWER BACKUP ONLY
- PROPOSED HYBRID CABLES RUN IN CABLE TRAY



EQUIPMENT LAYOUT SCALE: 3/8" = 1'-0" 2



FINANCIAL SQUARE

ENLARGED SITE PLAN SCALE: 1/8" = 1'-0" 1

ISSUE STATUS

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0	12/06/17	90% ZONING	TB
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4	02/08/19	100% ZONING	JD
5	05/21/20	100% ZONING	TT
6	08/26/20	100% ZONING	TT

DELTA GROUPS ENGINEERING, INC.
CONSULTING ENGINEERS
2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-417-2663
DGE JOB #116VW041A

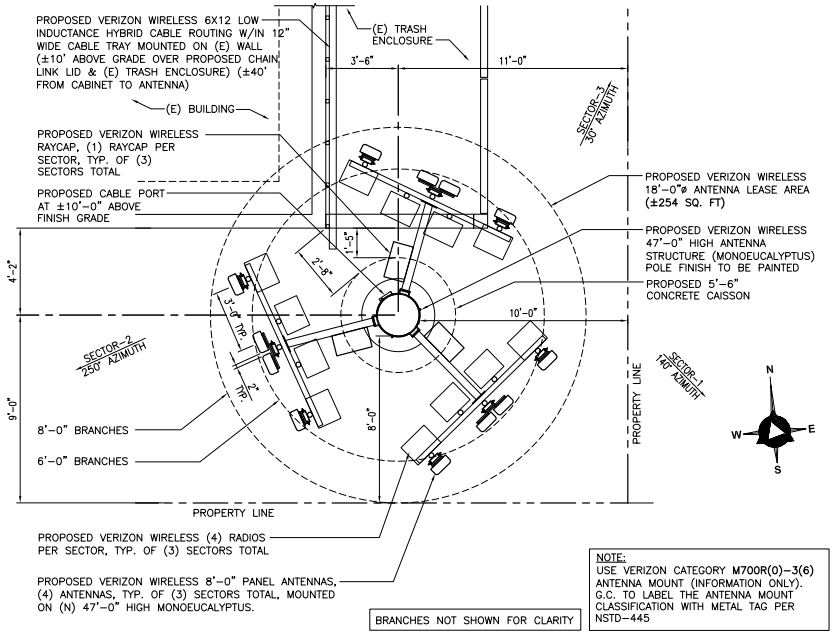
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15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

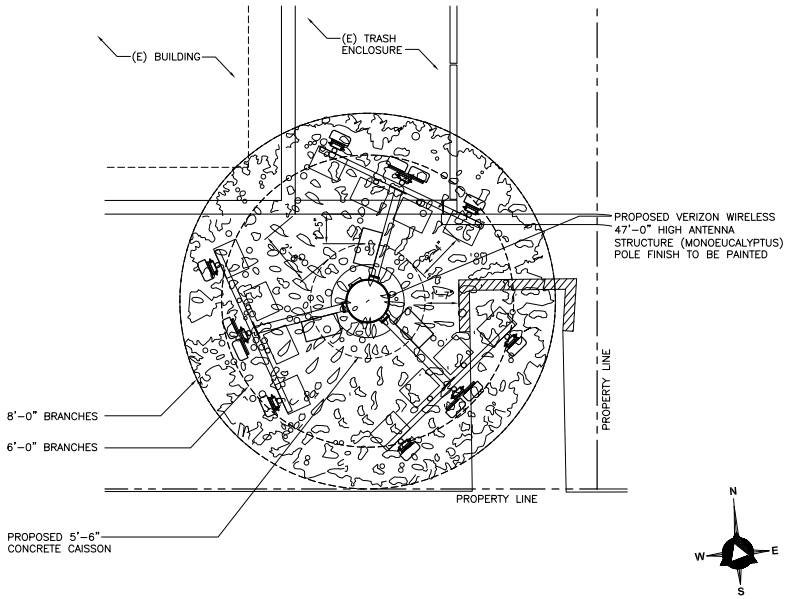
DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:
ENLARGED SITE PLAN, EQUIPMENT LAYOUT

A-2

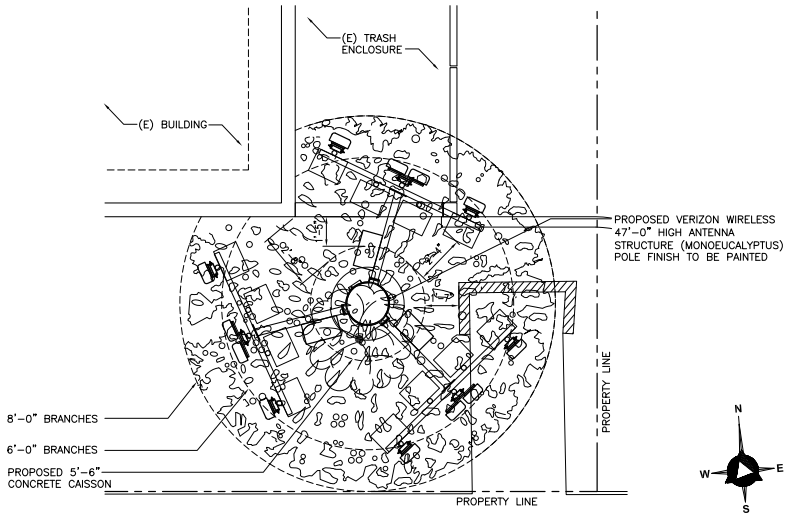


ANTENNA LAYOUT SCALE: 3/8" = 1'-0" 3



BRANCHES LAYOUT AT ANTENNAS LEVEL SCALE: 3/8" = 1'-0" 1

4



BRANCHES LAYOUT AT BUILDING LEVEL SCALE: 1/8" = 1'-0" 2

ISSUE STATUS

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TEL: 949-622-0333 FAX: 949-417-2663
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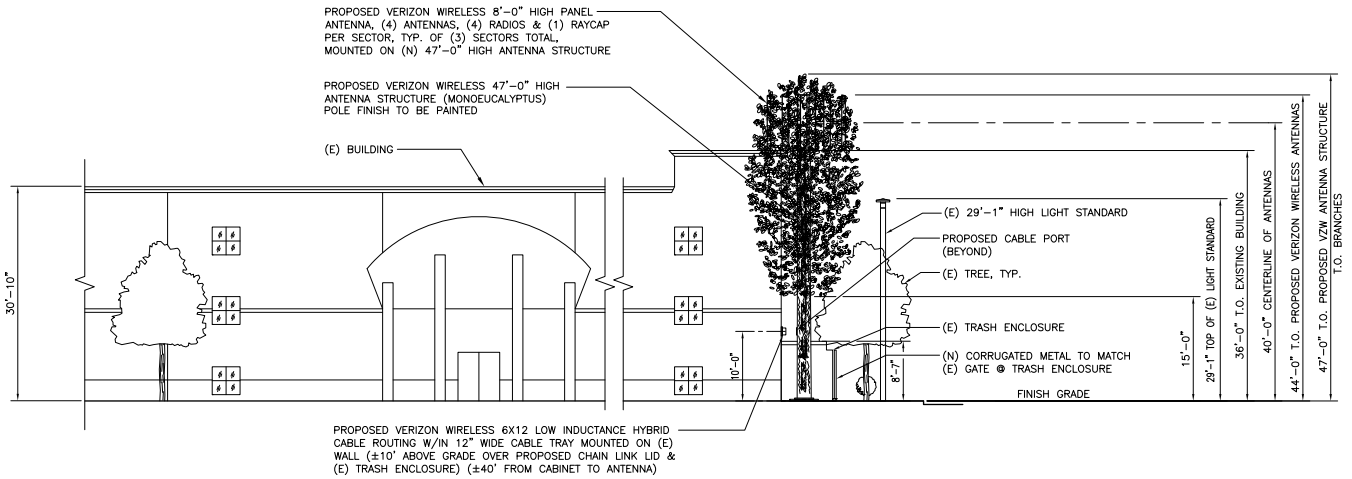
DANUBE

161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:

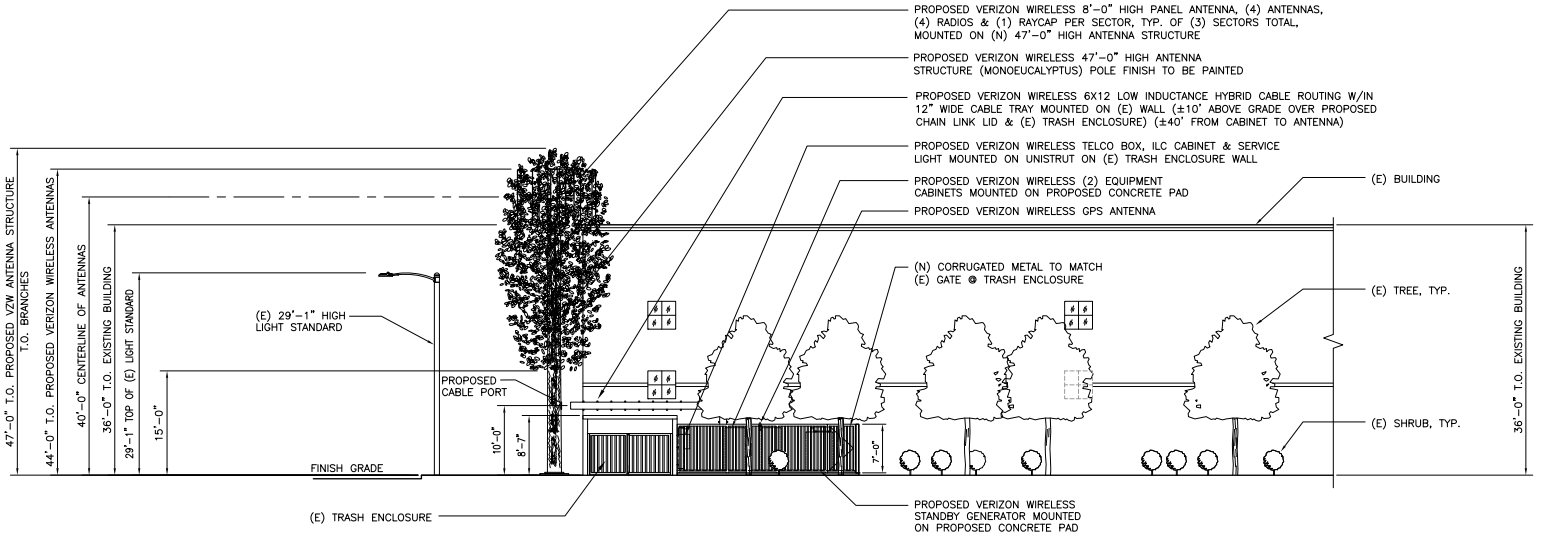
BRANCHES AND ANTENNA LAYOUT

A-2.1



SOUTH ELEVATION

SCALE: 1/8" = 1'-0" 0' 0' 4' 8' 16' **1**



EAST ELEVATION

SCALE: 1/8" = 1'-0" 0' 0' 4' 8' 16' **2**

ISSUE STATUS

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6	08/28/20	100% ZONING	TT

DELTA GROUPS ENGINEERING, INC.
CONSULTING ENGINEERS
2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-417-2663
DGE JOB #116VW041A

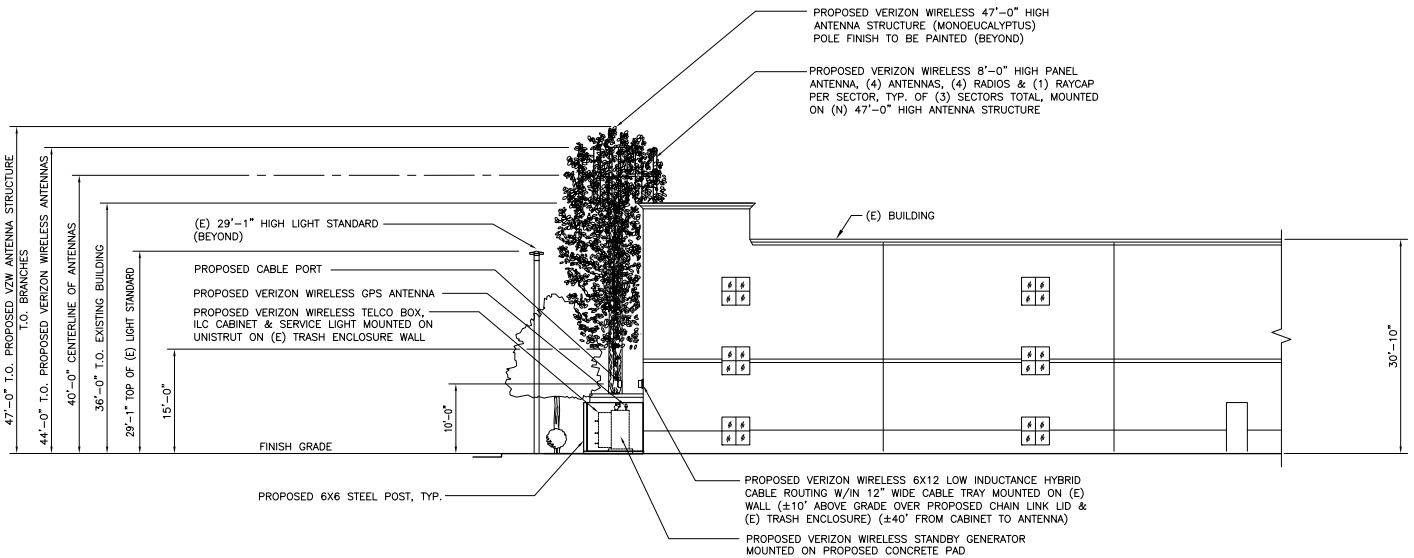
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15505 SAND CANYON AVENUE, D1
IRVINE, CA 92618

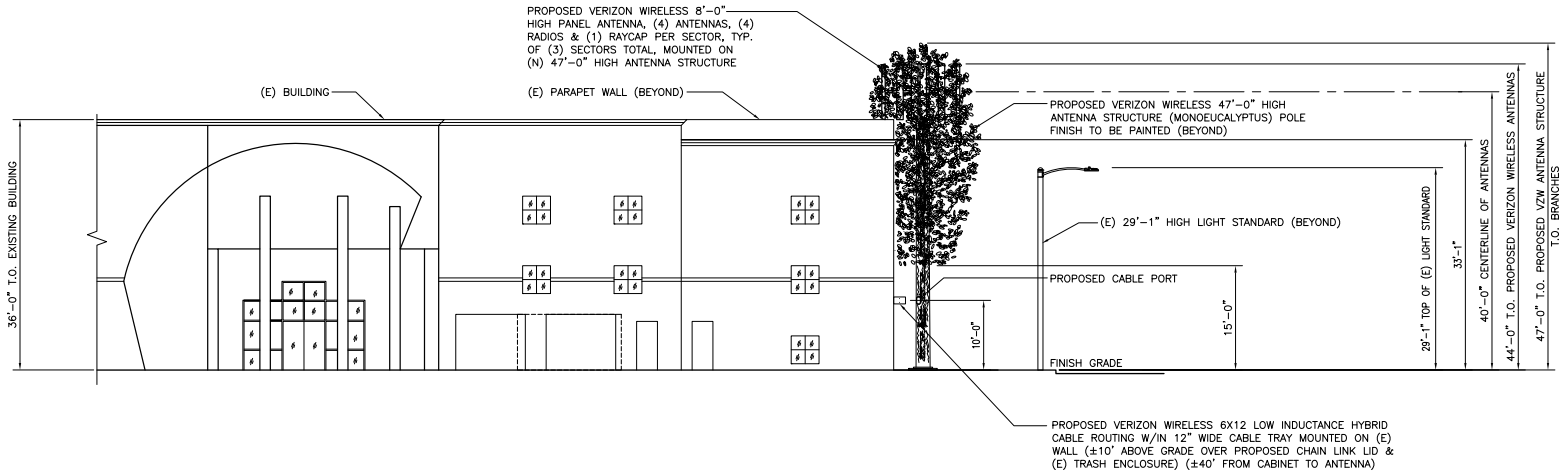
DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:
SOUTH AND EAST ELEVATIONS

A-3



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



WEST ELEVATION — SCALE: 1/8" = 1'-0" — 2

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6	08/28/20	100% ZONING	TT

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CONSULTING ENGINEERS
2362 McGAW AVE., IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-417-2663
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IRVINE, CA 92618

DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:
NORTH AND WEST ELEVATIONS

A-4

ATTACHMENT
E

VISUAL SIMULATIONS FOR APPLICANT PROJECT

NEW (12) VERIZON WIRELESS 8'–0" HIGH PANEL ANTENNAS MOUNTED ON NEW 47'–0" HIGH MONO–EUCALYPTUS

NEW VERIZON WIRELESS 47'–0" HIGH MONO–EUCALYPTUS



EXISTING
VIEW LOOKING NORTHEAST

PROPOSED
VIEW LOOKING NORTHEAST

verizon

DANUBE

MTX41 / BSC3
MACRO CELL EVOLUTION DESIGN
161 VENTURA BLVD.
OXNARD, CA 93036

MONO-EUCALYPTUS

NEW (12) VERIZON WIRELESS 8'–0" HIGH PANEL ANTENNAS MOUNTED ON NEW 47'–0" HIGH MONO–EUCALYPTUS

NEW VERIZON WIRELESS 47'–0" HIGH MONO–EUCALYPTUS



EXISTING
VIEW LOOKING NORTHWEST

PROPOSED
VIEW LOOKING NORTHWEST

verizon

DANUBE

MTX41 / BSC3
MACRO CELL EVOLUTION DESIGN
161 VENTURA BLVD.
OXNARD, CA 93036

MONO-EUCALYPTUS

NEW (12) VERIZON WIRELESS 8'-0" HIGH PANEL ANTENNAS MOUNTED ON NEW 47'-0" HIGH MONO-EUCALYPTUS (NOT VISIBLE FROM THIS VIEW)

NEW VERIZON WIRELESS 47'-0" HIGH MONO-EUCALYPTUS



EXISTING
VIEW LOOKING SOUTHEAST

PROPOSED
VIEW LOOKING SOUTHEAST

verizon

DANUBE

MTX41 / BSC3
MACRO CELL EVOLUTION DESIGN
161 VENTURA BLVD.
OXNARD, CA 93036

MONO-EUCALYPTUS

NEW (12) VERIZON WIRELESS 8'–0" HIGH PANEL ANTENNAS MOUNTED ON NEW 47'–0" HIGH MONO–EUCALYPTUS

NEW VERIZON WIRELESS 47'–0" HIGH MONO–EUCALYPTUS



EXISTING
VIEW LOOKING SOUTHWEST

PROPOSED
VIEW LOOKING SOUTHWEST

verizon

DANUBE

MTX41 / BSC3
MACRO CELL EVOLUTION DESIGN
161 VENTURA BLVD.
OXNARD, CA 93036

MONO-EUCALYPTUS

ATTACHMENT
F

LETTER FROM DELTA GROUPS ENGINEERING
DATED FEBRUARY 14, 2019

Delta Groups Engineering, Inc.

2362 McGaw Avenue, Irvine, CA92614 Tel: (949) 622-0333 Fax: (949) 622-0331

February 14, 2020

City of Oxnard
214 South 'C' Street
Oxnard, CA 93030

Subject: Proposed Verizon "Danube" Site
161 Ventura Boulevard
Oxnard, CA 93036

Re: Setback Modification Engineering Justification and Request for Approval

To Whom It May Concern,

This letter is being submitted under Municipal Code 16-497 as an engineering justification to allow for a modification from the standard(s) for the proposed Verizon Wireless "Danube" Cellular Communications Facility at the above-referenced address. This property is located within the C-2 zone.

Best practices in the industry would normally involve meeting the setback requirements for any project, but the site conditions are such that it is not possible for this facility to meet the defined setback. As a result, our only pragmatic engineering recourse is to seek approval for a modification from setback standards with a reasonable justification, as is allowed for wireless facilities under the Municipal Code.

The location of this proposed monoeucalyptus (i.e. a pole which is camouflaged to replicate a live eucalyptus tree), is driven by the RF design needs to meet the coverage objectives and also comply with the height limitation set forth by the city. We cannot achieve both at any other viable location on this parcel. As a result, this is the least intrusive design that we can proffer given the development constraints and the site conditions. The spatial constraints of the site and the dimensional needs of the new monoeucalyptus foundation (specifically, a minimum caisson diameter of 5'-6", as designed by the monoeucalyptus engineer) are the conditions that prevent us from meeting the setback.

This caisson must be drilled to a significant depth and this caisson cannot interfere with the existing building foundation without risk of undermining the building or disturbing the existing exterior wall footings. A mat foundation is not feasible in this instance, due to the adjacent building, thus a drilled pier is the only viable engineering solution. As a result, while it is placed as far from the property line as physically practical, its location falls short of the defined side yard setback, established as 10' from the property line along Financial Square as measured to the face of the pole structure, according to information furnished by the city. At present, the center of the concrete caisson foundation and, as a

result, the pole center, is situated 9'-0" from the property line along Financial Square, placing the pole face at approximately 8'-0" from the property line.

In addition to the 10' side yard setback, there is a 15' rear yard setback applicable to this property as measured from its eastern property line. The existing building is approximately 15' from this eastern property line at present; however, the proposed monotree location is 11'-0" from the pole center to the eastern property line (10'-0" as measured from the face of pole). As with the required side yard setback, the caisson placement required, given the building location, necessitates this reduced distance to the eastern property line.

As a "monotree" pole structure, the face of the pole will recede from the property line slightly as the elevation of the pole increases, further increasing the setback, but it is physically impossible to push the pole back an additional 2' from the property line due to the interference posed by the existing building. Please note, however, that the faux eucalyptus branching will be fabricated at varying lengths to meet the site conditions and will neither contact the building, maintaining a 3" clearance from the structure, nor encroach beyond the southern or eastern property line so as to project into--or in any way impede--the public right of way or create a public safety concern. The branches angled towards the southern property line in particular will be staggered in length and, as they are at varying orientations in an irregular radial pattern at their attachment points along the trunk of the monotree, will not result in a "flattened" appearance at the side of tree fronting the property line but will, instead maintain a natural profile.

Outdoor equipment cabinets and a standby generator are included in the facility design and these are also situated along the eastern facade of the structure in a narrow, linear arrangement north of the existing trash enclosure, which currently projects into the rear yard setback from the eastern facade to a point approximately 6'-8" from the property line. The equipment foundation supporting these Verizon facility components will extend to a point approximately 9'-7" from the eastern property line. An electrical panel that provides power to the equipment is to be installed upon the northern face of the trash enclosure, and is the closest component to the property line at a distance of 7'-5" from the property line. The equipment is fully screened and enclosed by a corrugated fencing enclosure that matches the existing corrugated metal gates at the trash enclosure. This equipment is necessary to operate the antennas on the monotree structure and the small, diesel standby generator provides back-up power to the facility. Such back-up power provisioning is intended to continue to operate the cell site in the event of a longer-term power outage, as might occur after a major earthquake or wildfire that cuts off power transmission to the area, or any similar event. This generator must be installed outdoors, hence the necessity for it being placed at grade within the rear yard setback. It is important to note this rear property line abuts a drive aisle leading to and from a commercial parking lot to the north, so there is no immediately adjacent habitable structure to the east of the property line and the proposed installation.

While setbacks do serve pragmatic purposes for establishing uniformity in architectural and engineering design development of properties, including such considerations as noise, light, massing of structures, desired streetscapes, pedestrian circulation, et cetera, unlike a habitable structure, this monotree does not increase vehicular or pedestrian traffic, does not add a building mass closer to the property line, and this property line from which we seek a modification to the setback standard is a commercial street frontage where the nearest adjacent development along this street frontage is a commercial structure across the street at a distance in excess of 137' from the face of the proposed monoeucalyptus trunk. To the east, the nearest habitable structure is at a distance of approximately 131' from the monotree.

As a result of the great distances to neighboring structures, the limited setback modifications associated with the placement of equipment and this faux tree have a negligible impact on the surrounding environment or the streetscape in this instance. To this latter point, this faux tree is placed within a landscape planter which fronts the southern elevation of the building along its entire length. As there are no setbacks established for landscape trees, if this monoeucalyptus were a live tree, its placement at the proposed location would be allowed without any restrictions, would not be deemed unusual, and the resulting visual environment would be very much the same as we are proposing. For a structure of this exceptional nature and in the specific location proposed, the additional few feet of setback, if it were able to be provided, would afford little, if any, benefit to the built environment or the streetscape.

In summation, for legitimate engineering reasons related to the site constraints and the required foundation system for a structure of this nature, this 10' setback from the southern property line along Financial Square and the 15' setback from the eastern property line abutting the commercial lot cannot be met and we seek a modification to the setback standard to accommodate the proposed facility, as is specifically allowed under Municipal Code 16-497 to accommodate unmanned wireless communications facilities such as this. Given the mitigating factors involved in a facility of this nature, as outlined above, we implore the city of Oxnard and its Planning Commission to give thoughtful consideration to this design proposal and grant the necessary modifications to the standards.

Should you have any questions concerning this matter, please do not hesitate to contact us. Thank you for your attention in this important matter. We greatly appreciate it.

Respectfully,

William C. Desmond
Vice President

Albert R. Teng, P.E.
President

ATTACHMENT
G

VISUAL SIMULATIONS FOR STAFF RECOMMENDED PROJECT



verizon

DANUBE

161 VENTURA BLVD.
OXNARD, CA 93036

MONO-EUCALYPTUS



PROPOSED VIEW
LOOKING NORTHWEST
FROM E. VENTURA BLVD
& FINANCIAL SQUARE



EXISTING
VIEW LOOKING NORTHWEST

verizon

DANUBE

161 VENTURA BLVD.
OXNARD, CA 93036

MONO-EUCALYPTUS

ATTACHMENT
H

RADIO FREQUENCY COVERAGE MAPS

Verizon Danube City Suggested Location Propagation Maps

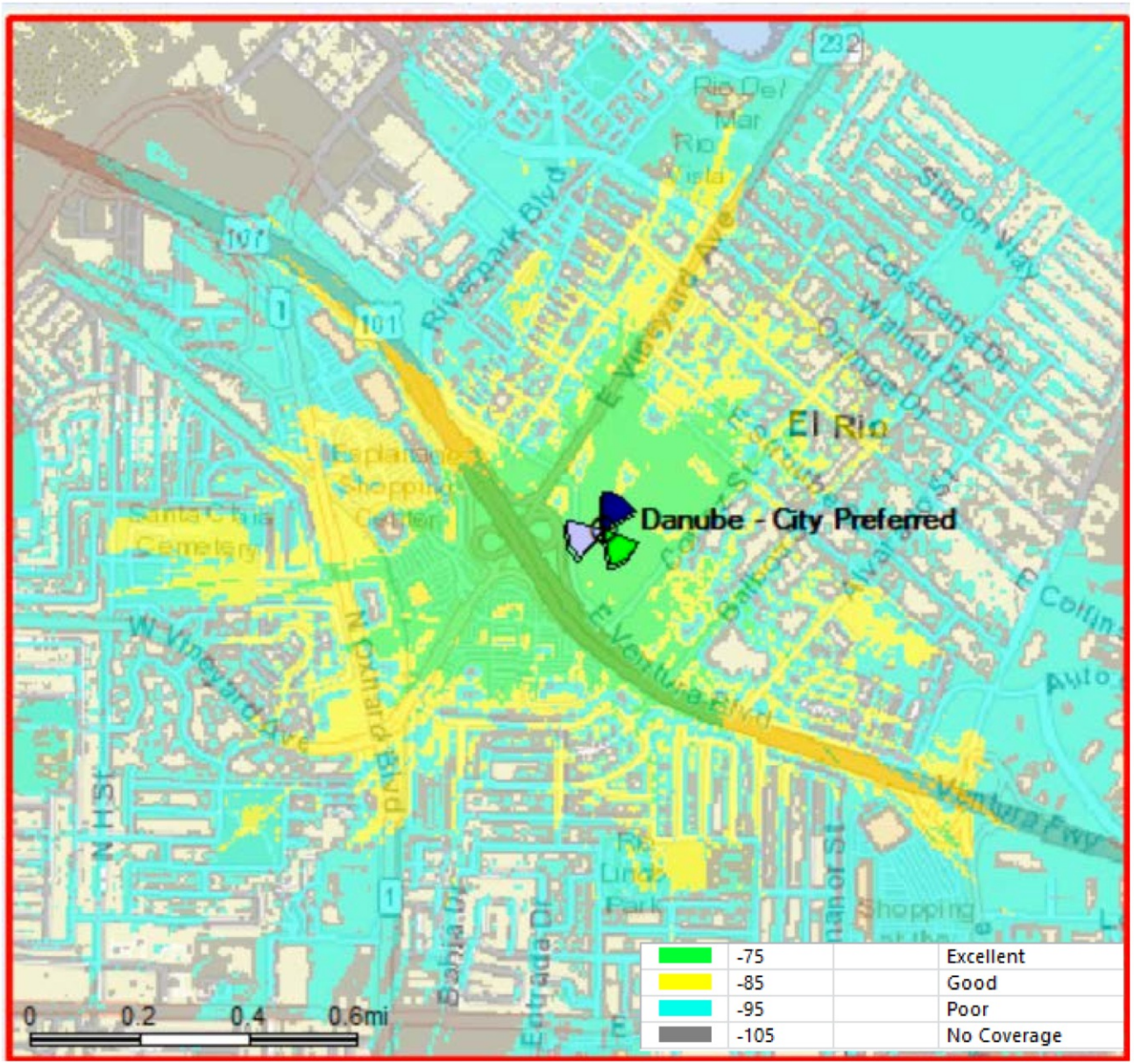
161 Ventura Boulevard Oxnard, CA 93036

September 8, 2020

verizon

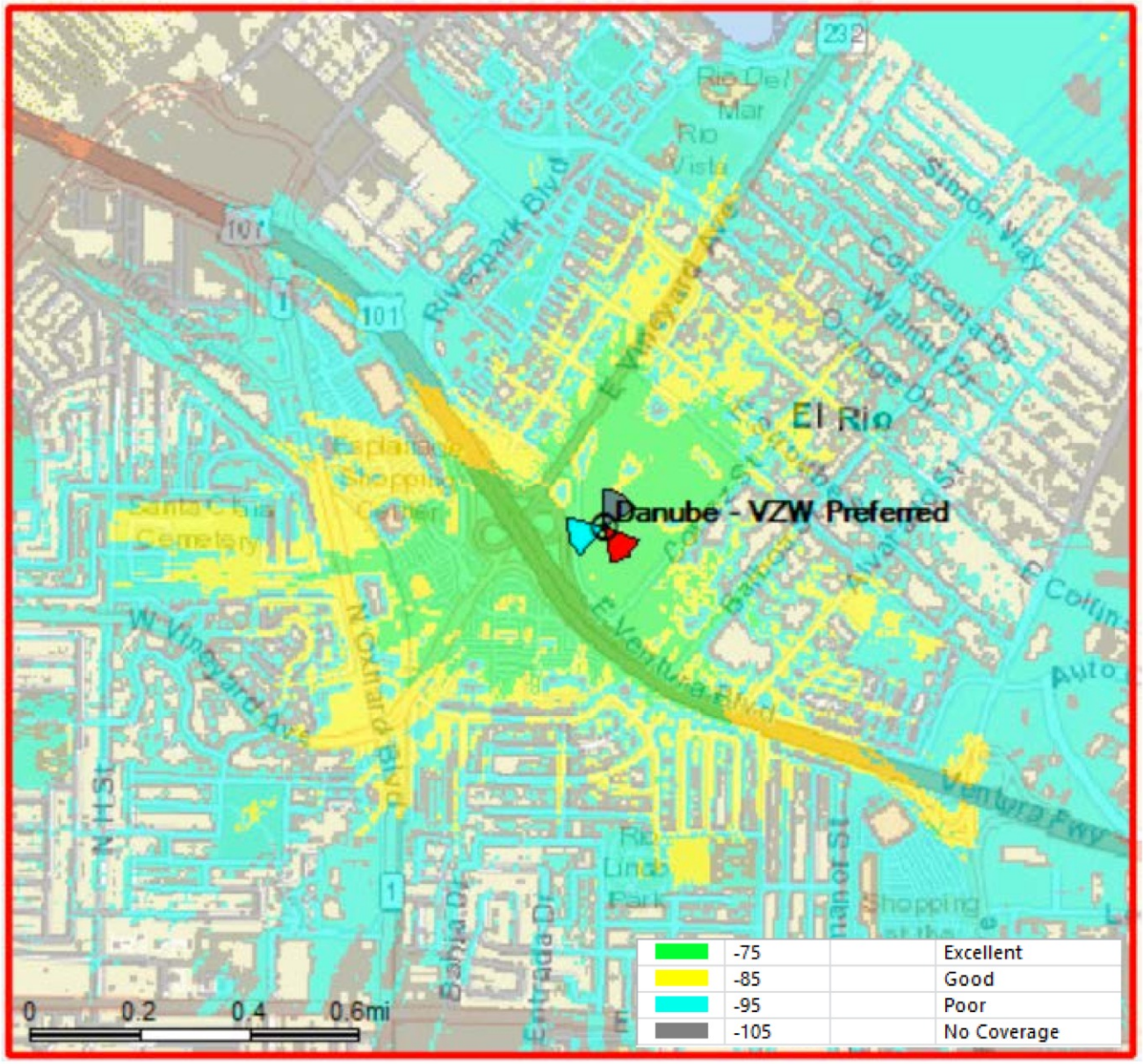
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City Preferred Location at 40’ RAD - Stand Alone Plot



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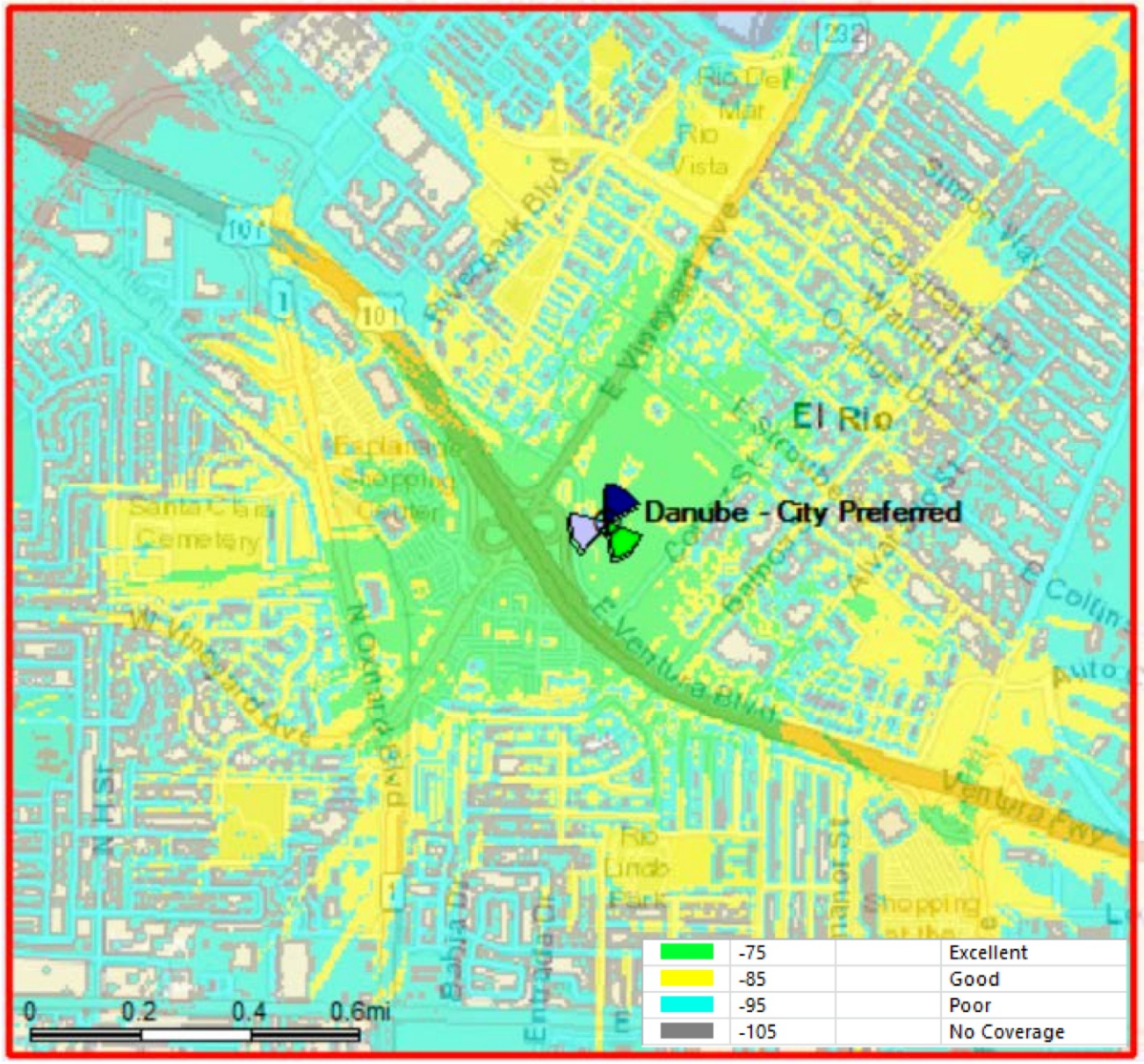
Verizon Preferred Location at 40’ RAD - Stand Alone Plot



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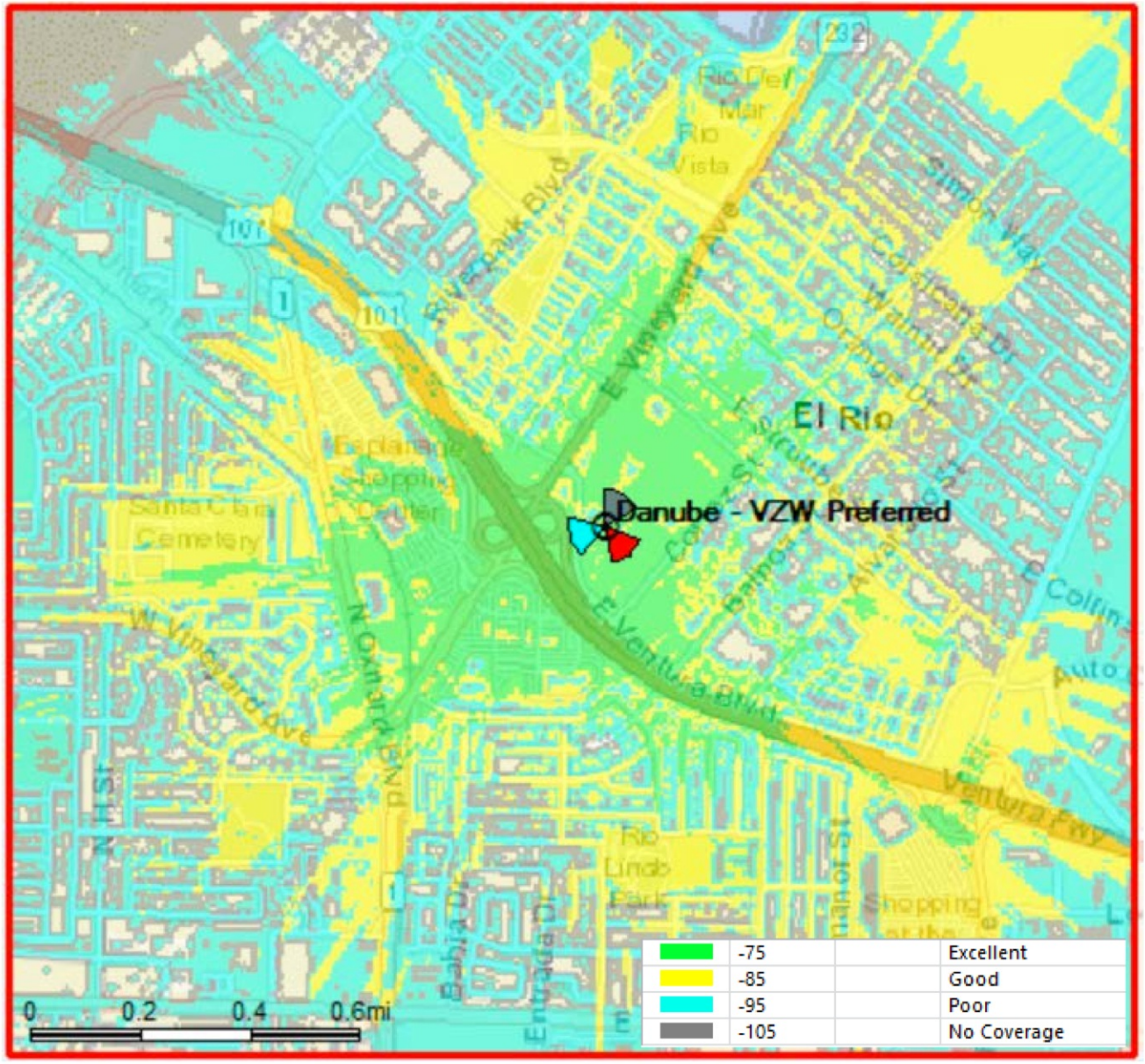
City Preferred Location at 50’ RAD - Stand Alone Plot



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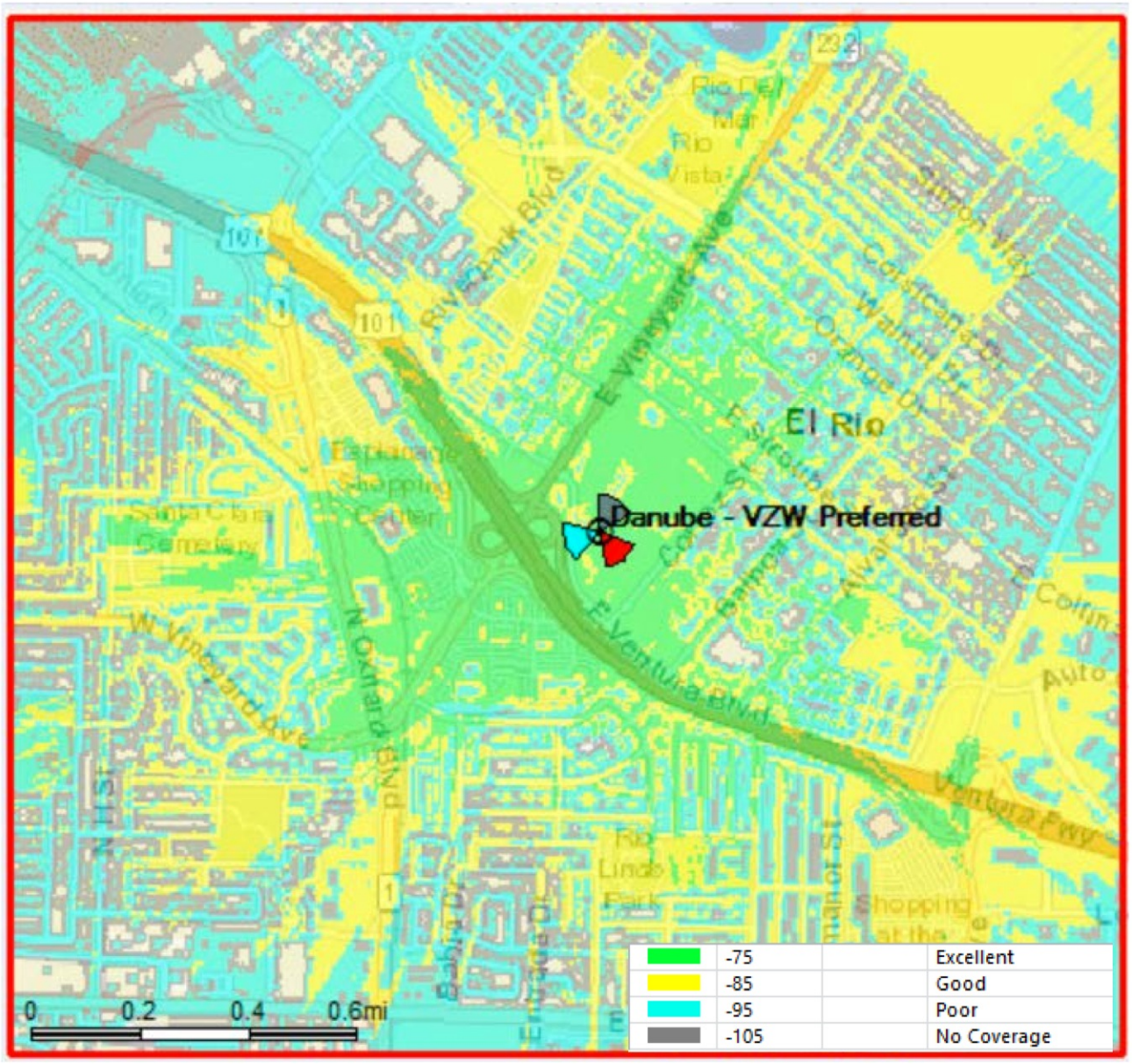
Verizon Preferred Location at 50’ RAD - Stand Alone Plot



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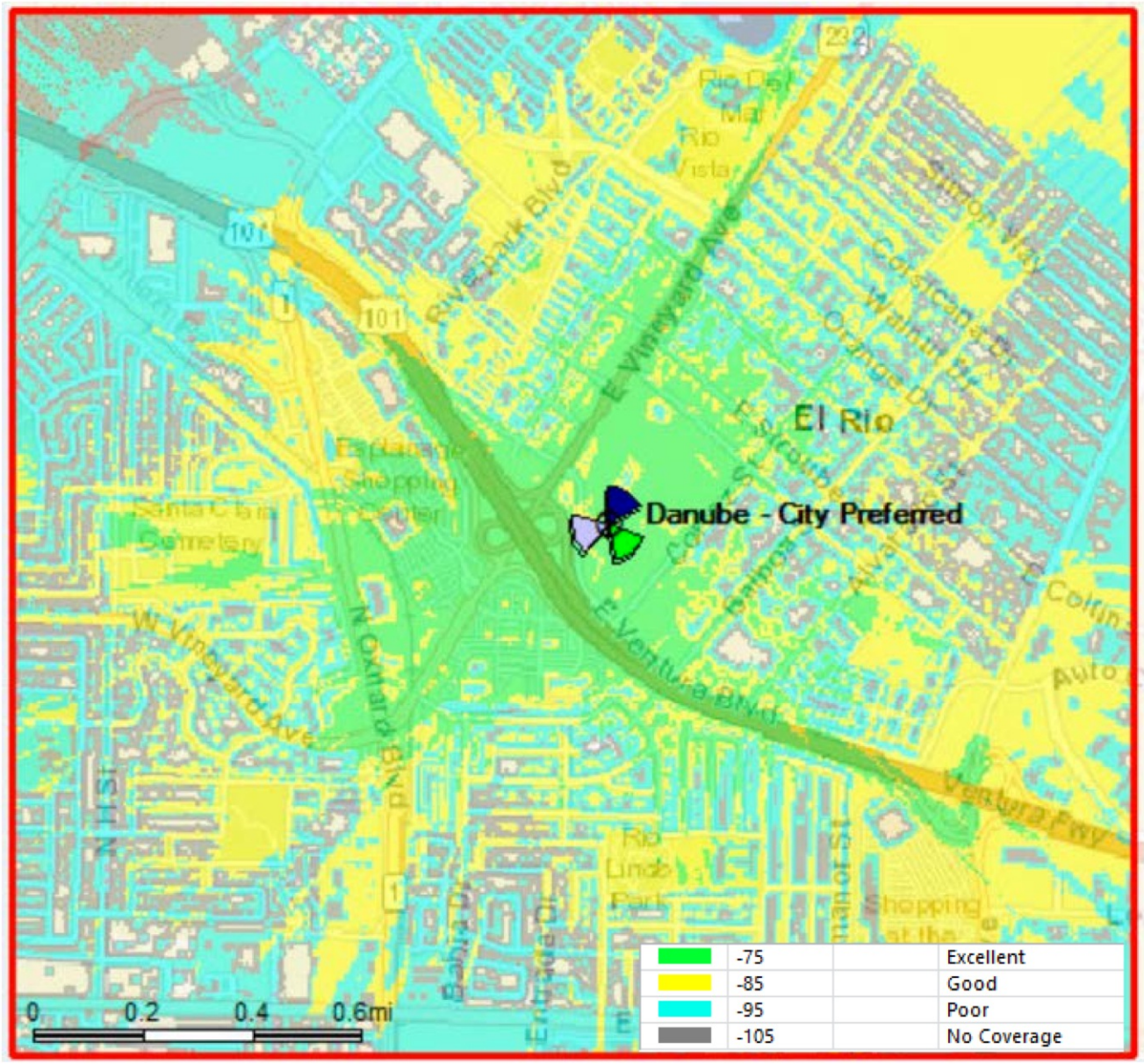
Verizon Preferred Location at 62’ RAD - Stand Alone Plot



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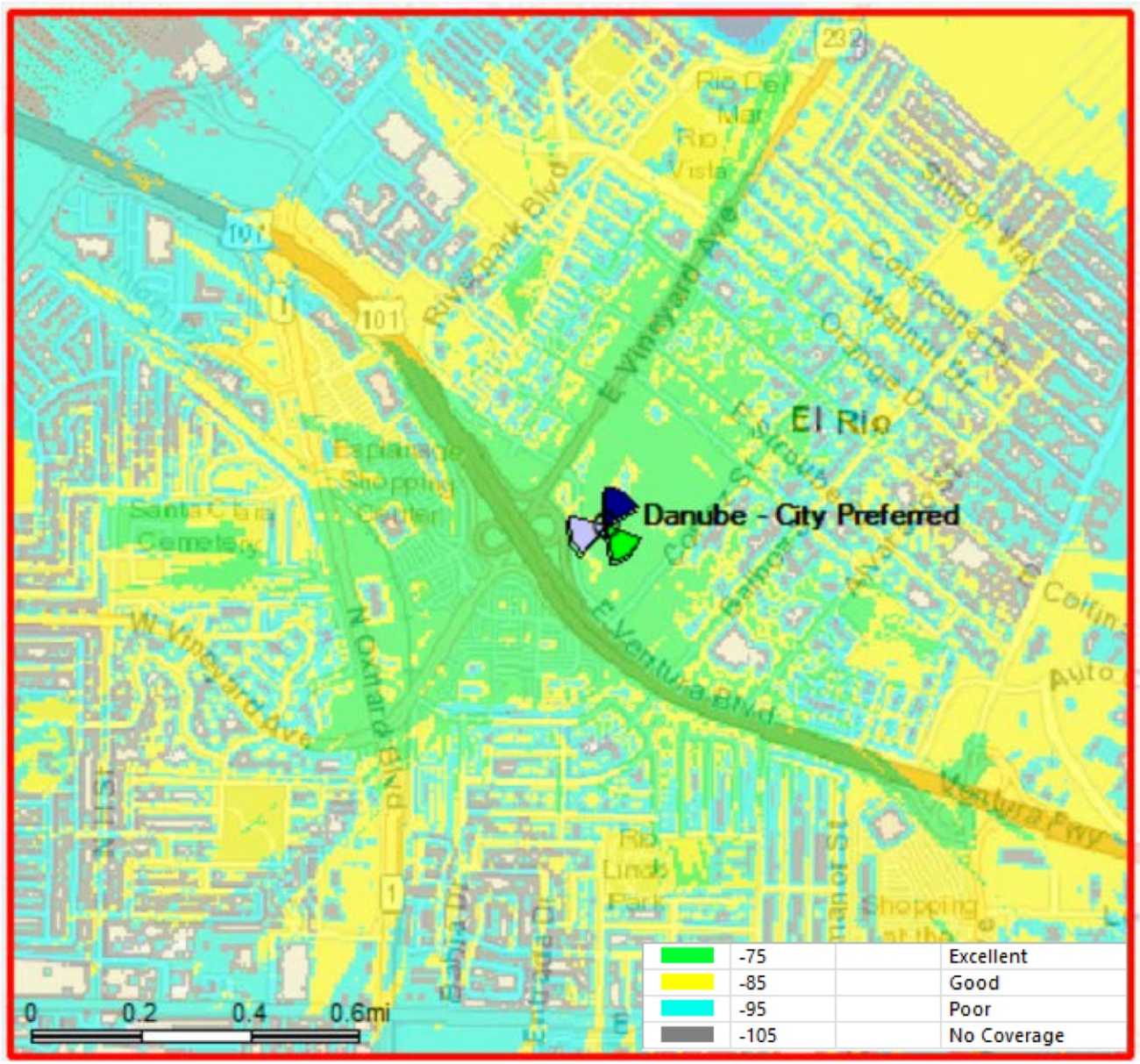
City Preferred Location at 62’ RAD - Stand Alone Plot



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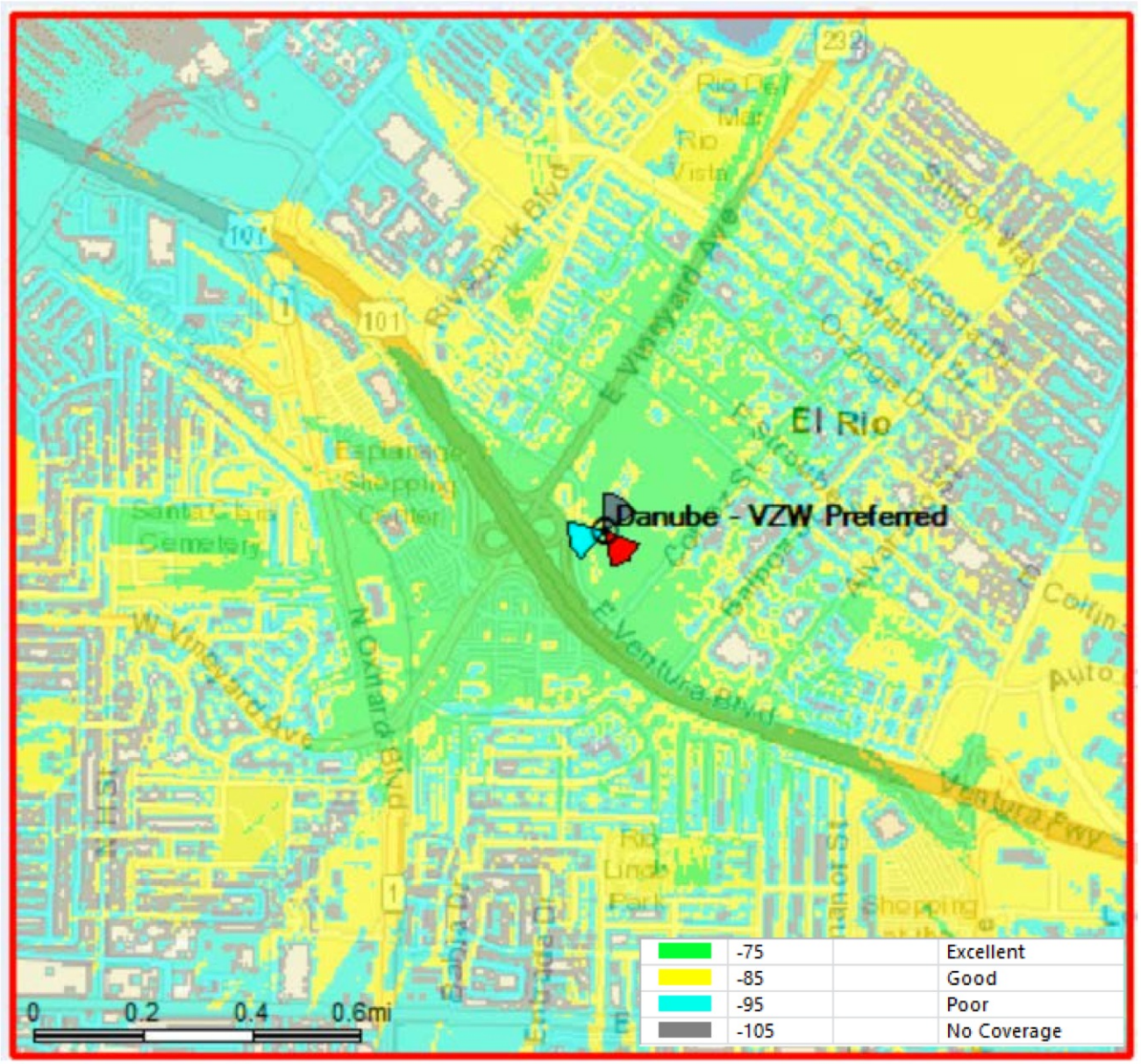
City Preferred Location at 70’ RAD - Stand Alone Plot



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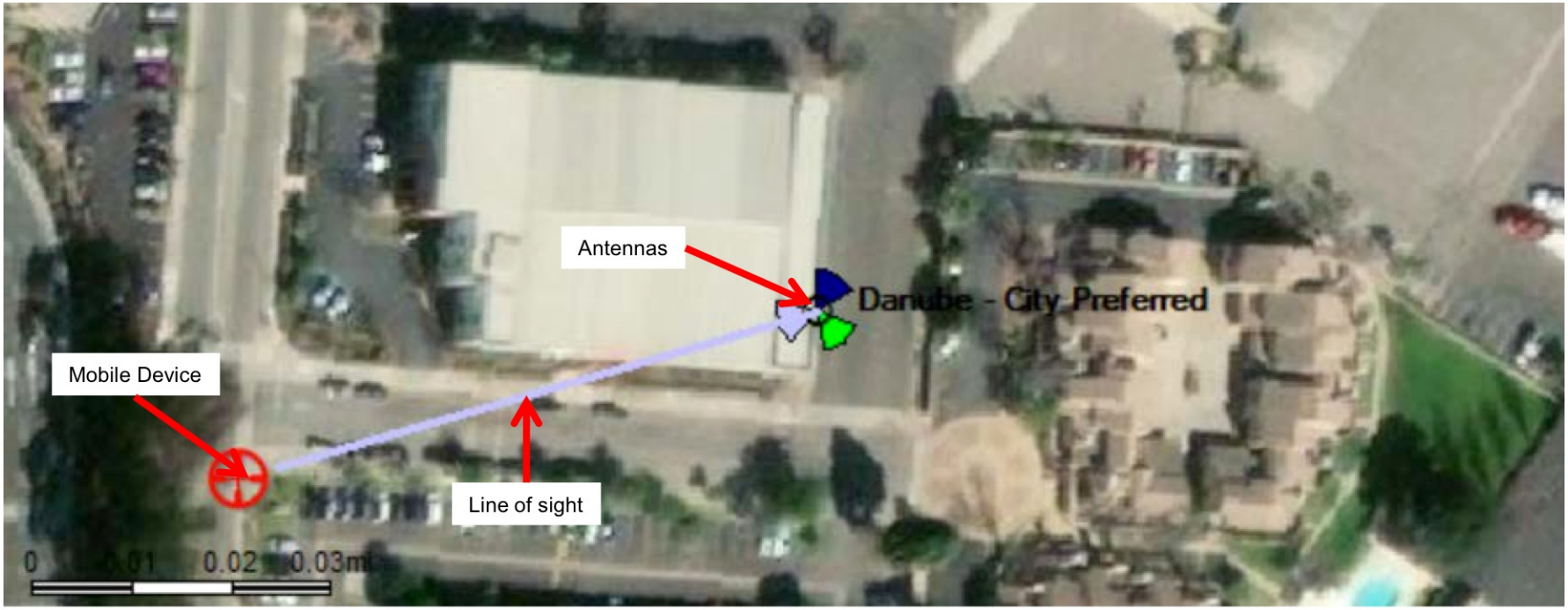
Verizon Preferred Location at 70’ RAD - Stand Alone Plot



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City Preferred Location

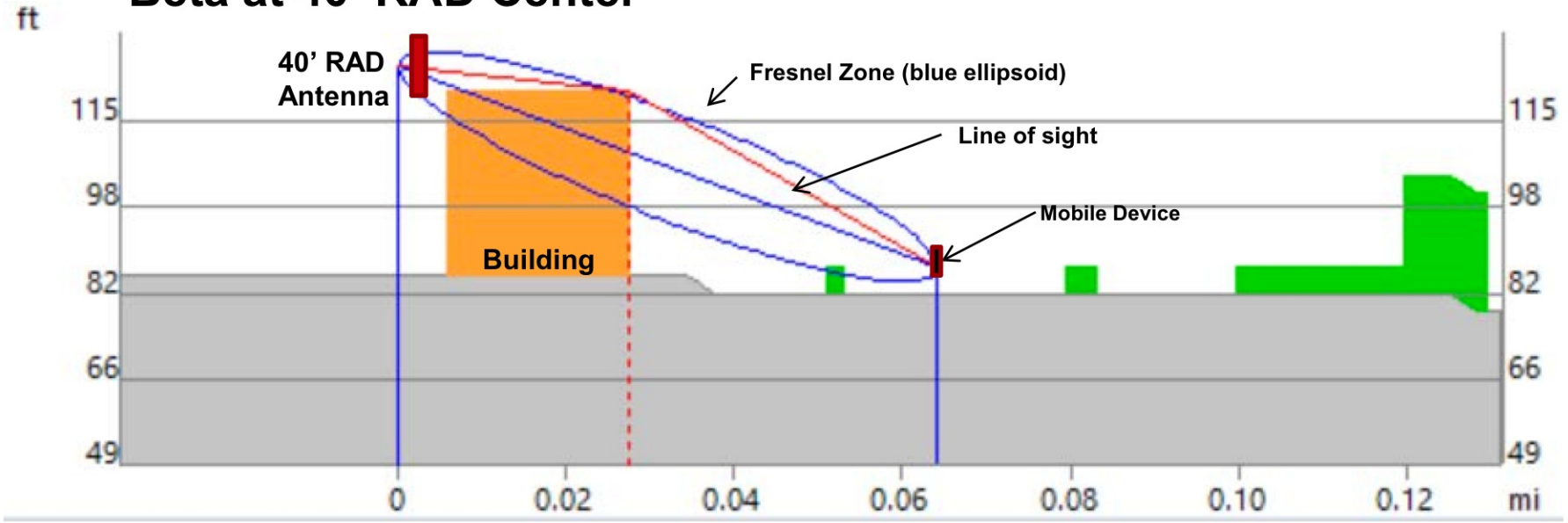


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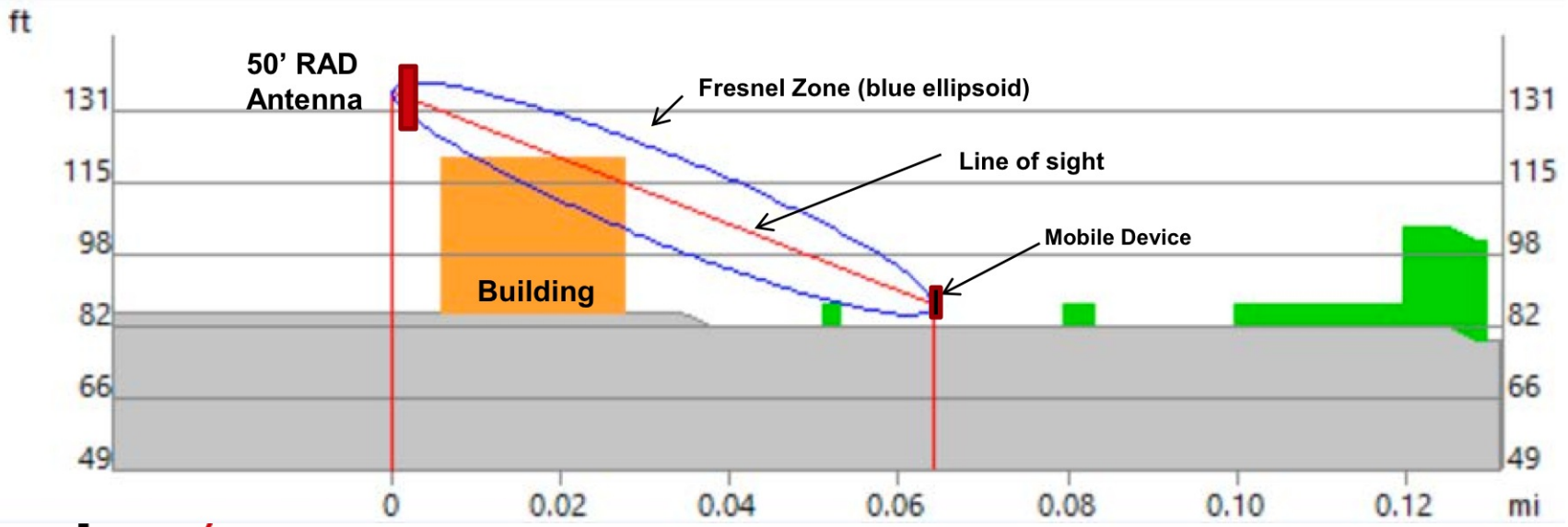
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City Preferred Location

Beta at 40’ RAD Center



Beta at 50’ RAD Center

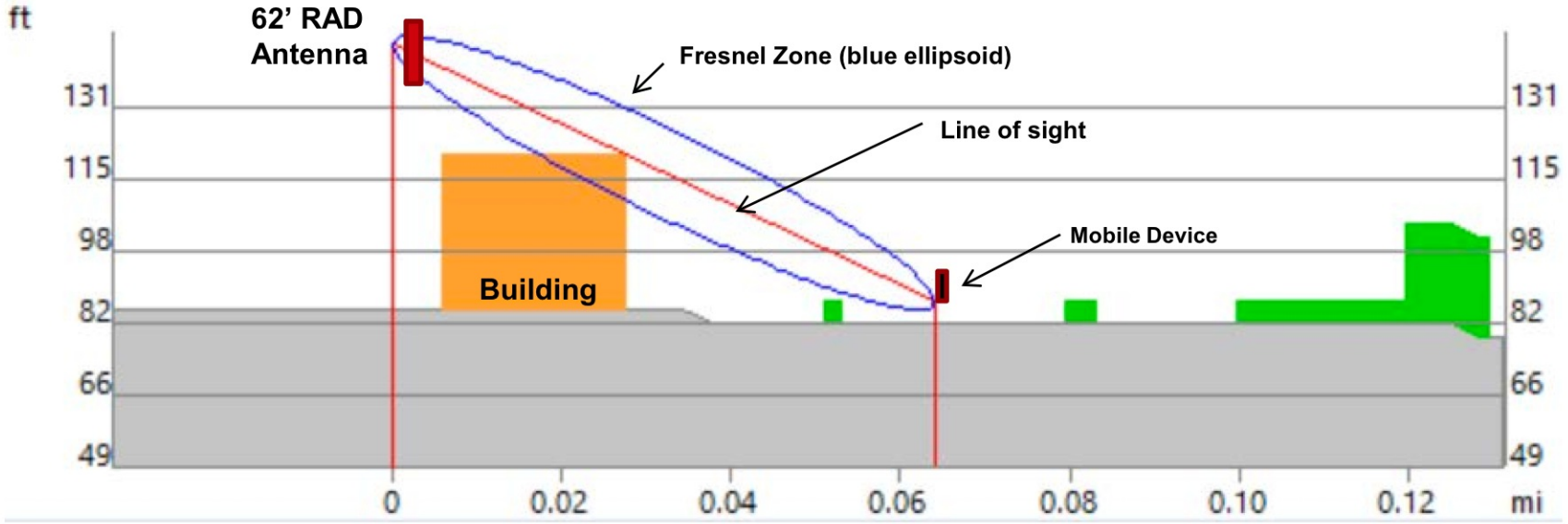


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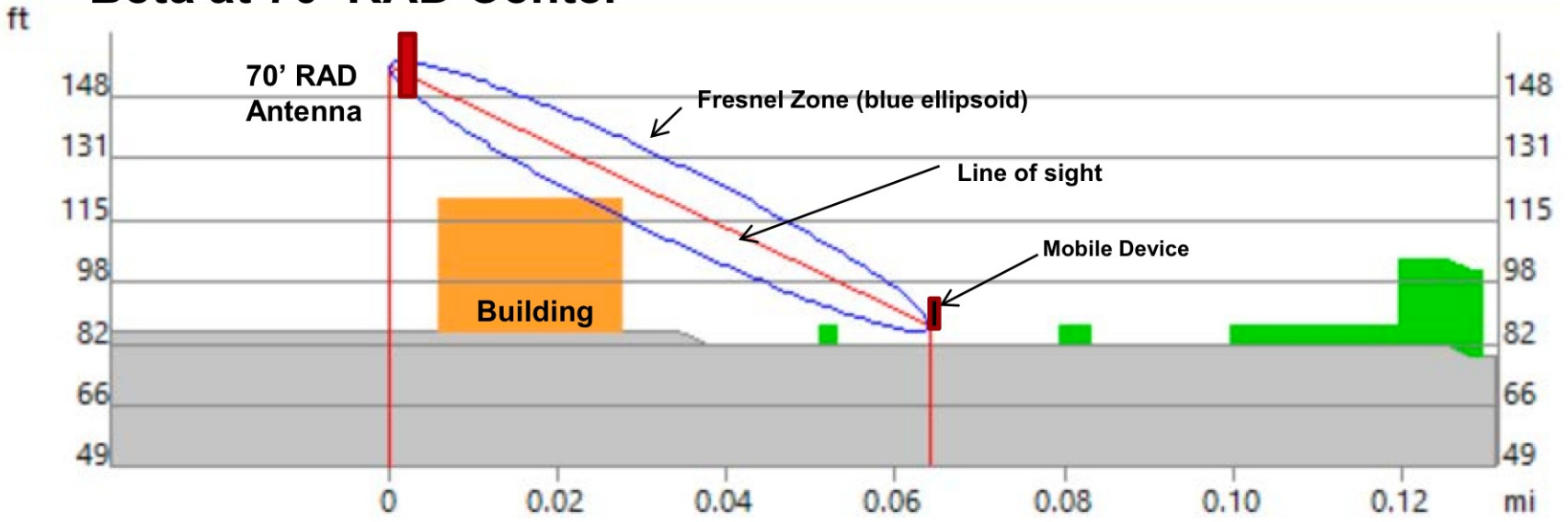
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City Preferred Location

Beta at 62’ RAD Center



Beta at 70’ RAD Center



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VZW Preferred Location

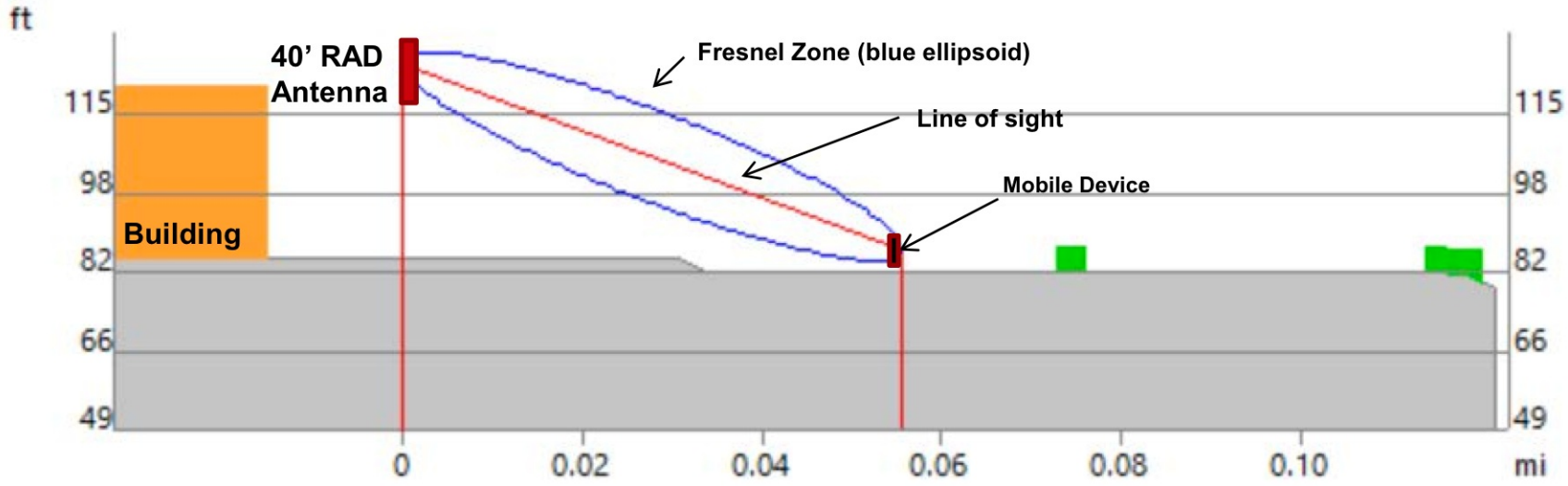


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VZW Preferred Location

Beta at 40’ RAD Center



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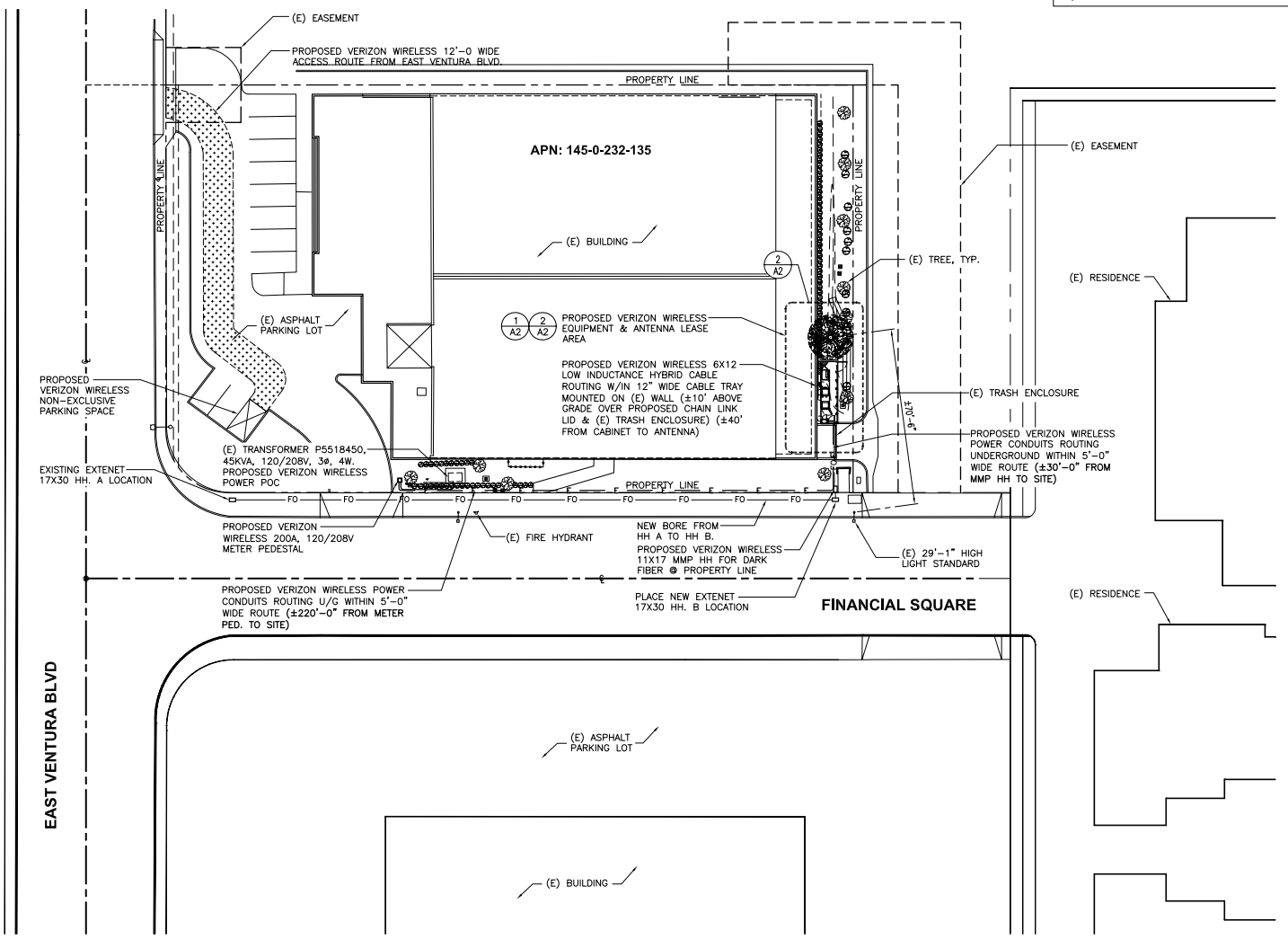
ATTACHMENT
I

REDUCED PLANS FOR STAFF RECOMMENDED PROJECT

NOTE:
THERE ARE NO SIGNIFICANT HABITATS, WATERWAYS OR VEGETATION IN CLOSE PROXIMITY

NOTE:
NEW CONDUIT PATHWAYS SHOWN INCLUDE INSTALLATION OF APPROPRIATE SIZE AND TYPE HAND HOLES OR PULL BOXES, WHERE REQUIRED, WHETHER OR NOT SPECIFICALLY DEPICTED

NOTE:
THE GC TO SECURE/HARDEN THE SITE PER FIELD OPS DIRECTION USING MASTER KEYED HIDDEN SHACKLE PAD LOCK W/ HIGH SECURITY HASP



ALTERNATIVE CONCEPT SITE PLAN

SCALE: 1 in = 20 ft

20' 10' 0' 10' 20' 40'

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	12/08/17	90% ZONING	TB
1	12/28/17	100% ZONING	JD
2	10/10/18	100% ZONING	JD
3	01/22/19	90% ZONING	JD
4	02/08/19	100% ZONING	JD
5	05/21/20	100% ZONING	TT
6	08/28/20	100% ZONING	TT

DELTA GROUPS ENGINEERING, INC.
CONSULTING ENGINEERS
2362 McGAW AVE. IRVINE, CA 92614
TEL: 949-622-0333 FAX: 949-417-2883
DGE JOB #116VW041A

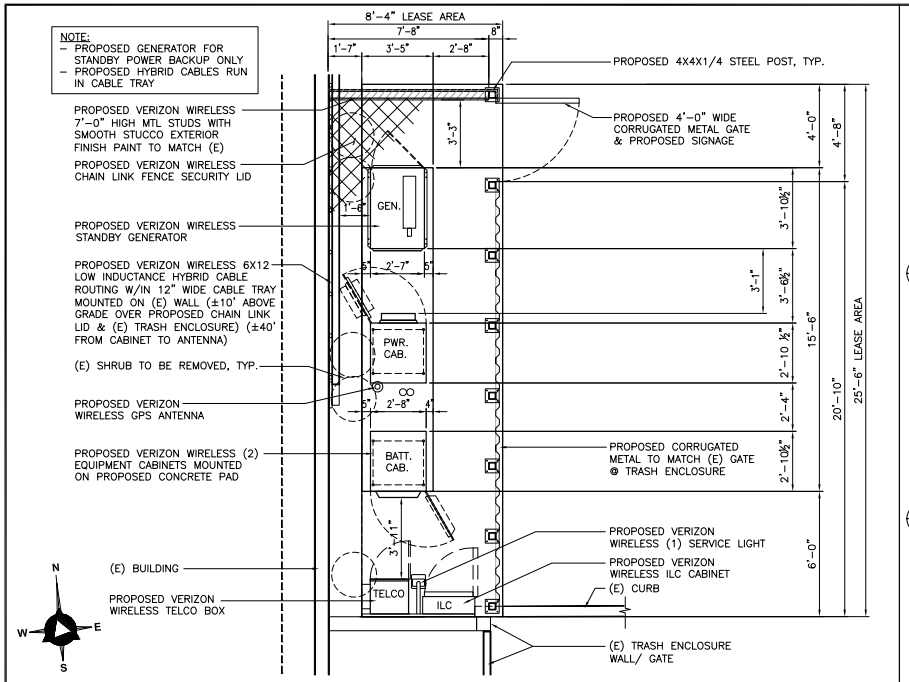
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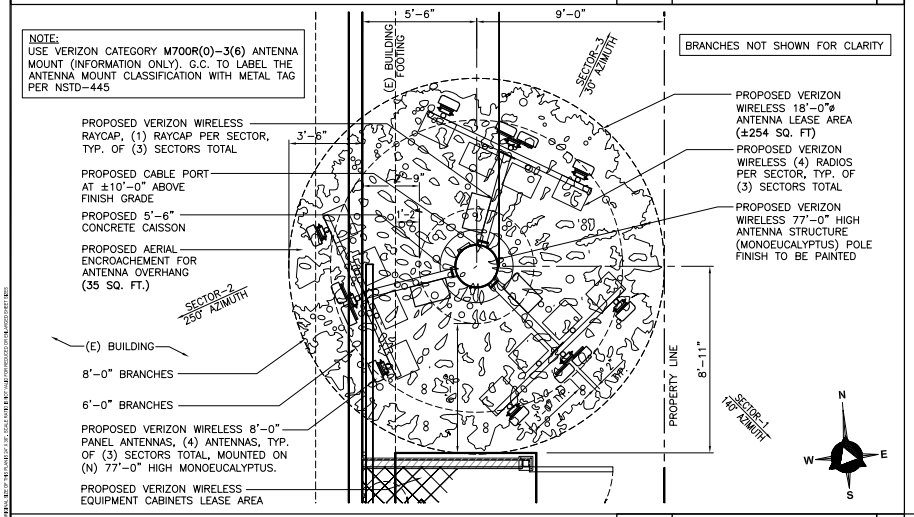
DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

SHEET TITLE:
ALTERNATIVE CONCEPT SITE PLAN

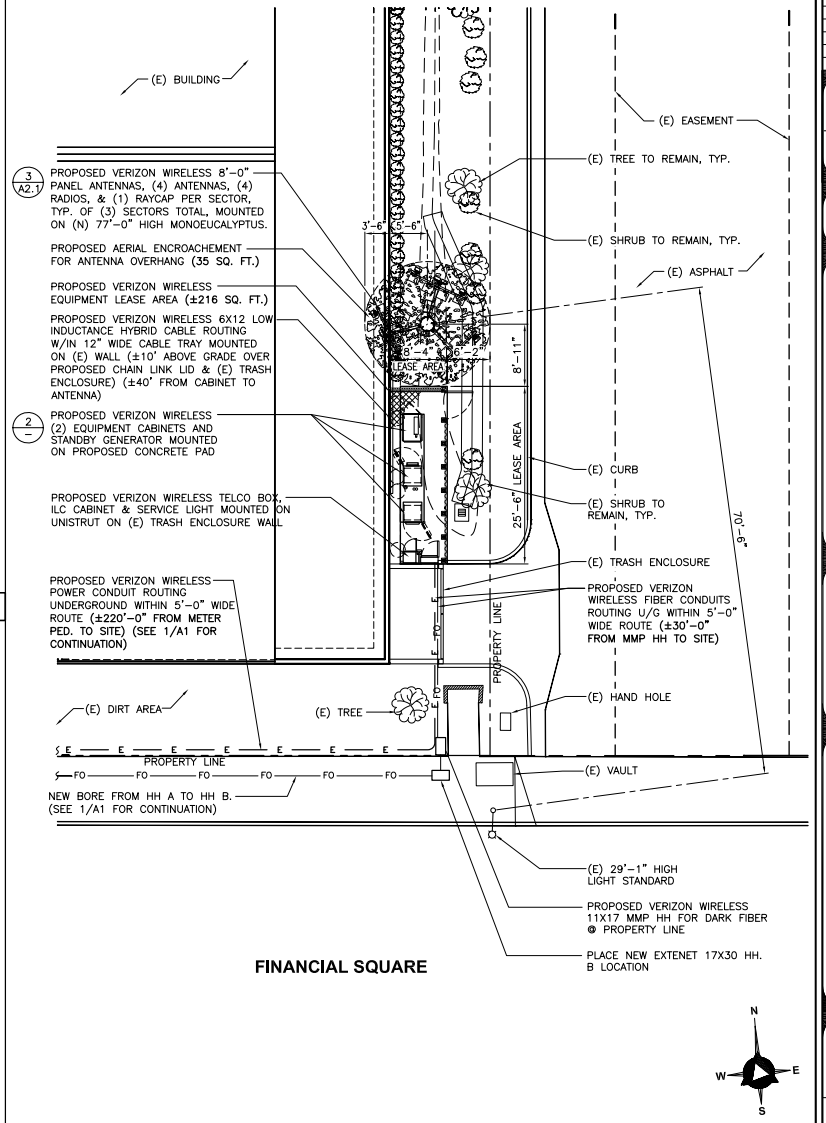
A-1.1



ALTERNATIVE CONCEPT EQUIPMENT LAYOUT SCALE: 3/8" = 1'-0" 2



ALTERNATIVE CONCEPT ANTENNA LAYOUT SCALE: 3/8" = 1'-0" 3



FINANCIAL SQUARE

ALTERNATIVE CONCEPT ENLARGED SITE PLAN SCALE: 1/8" = 1'-0" 1

ISSUE STATUS

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TEL: 949-622-0333 FAX: 949-417-2663
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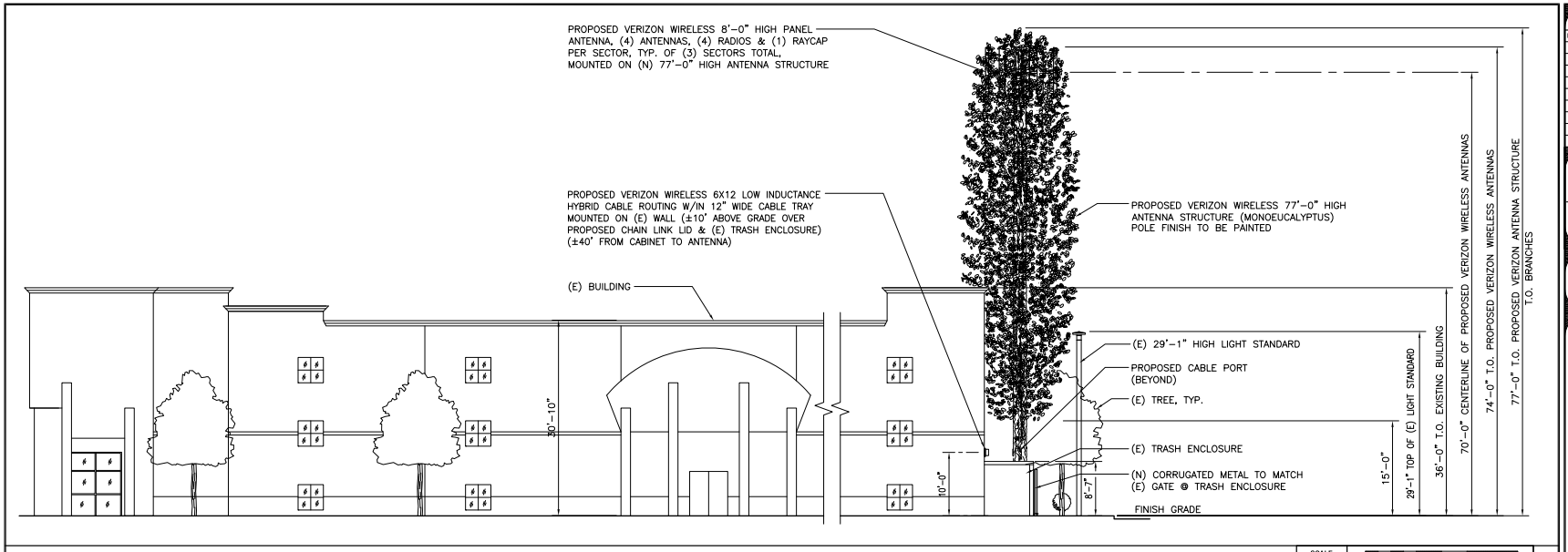
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DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

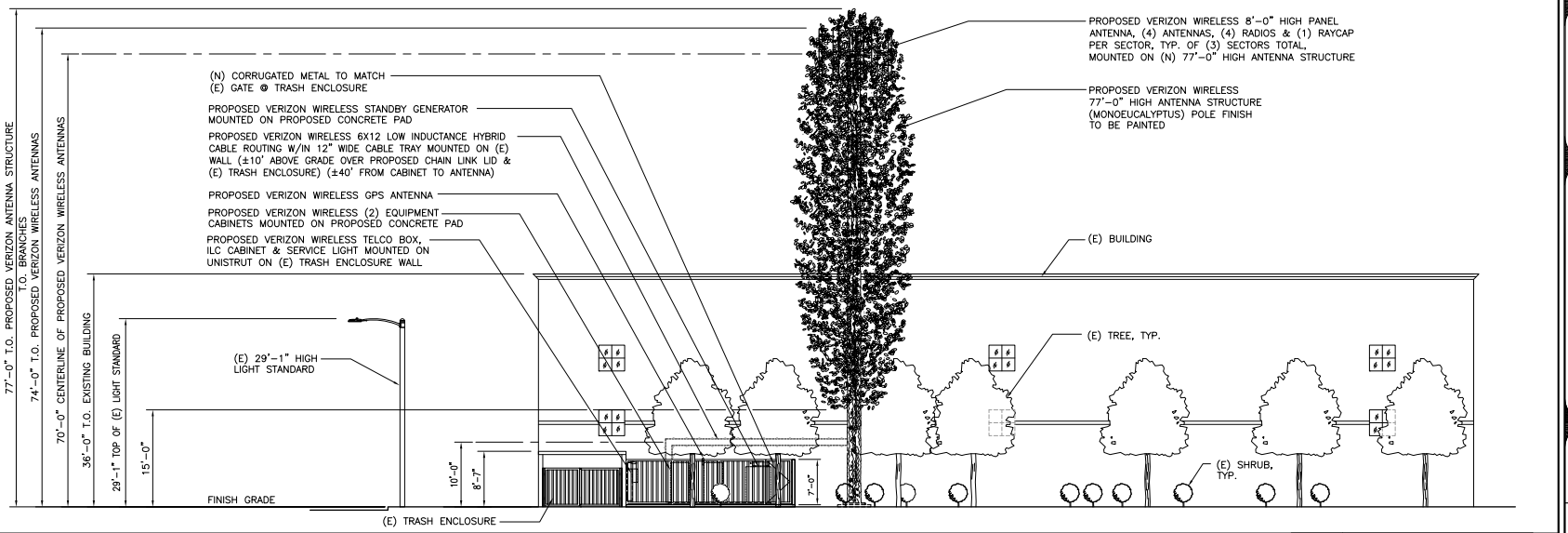
SHEET TITLE:
ALTERNATIVE CONCEPT ENLARGED SITE PLAN, EQUIPMENT LAYOUT & ANTENNA LAYOUT

A-2



ALTERNATIVE CONCEPT SOUTH ELEVATION

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



ALTERNATIVE CONCEPT EAST ELEVATION

SCALE: 1/8" = 1'-0" 2

ISSUE STATUS

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6	08/28/20	100% ZONING	TT

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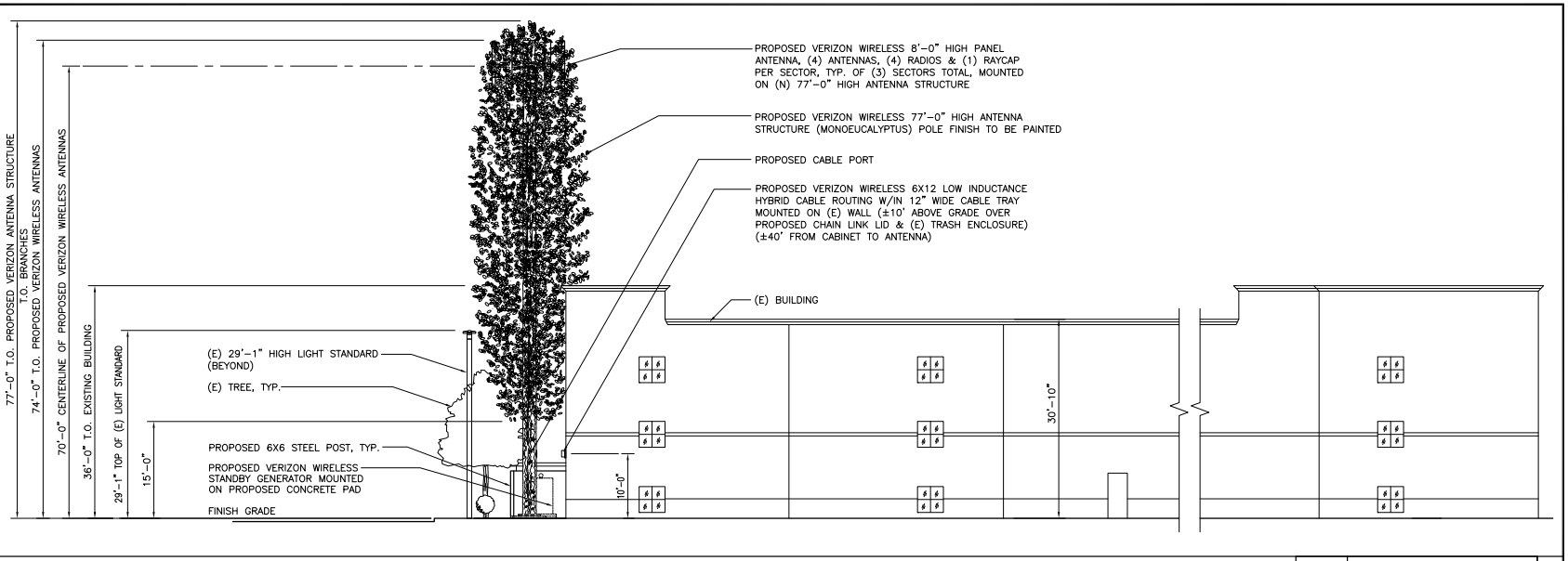
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DANUBE
161 VENTURA BLVD.
OXNARD, CA 93036

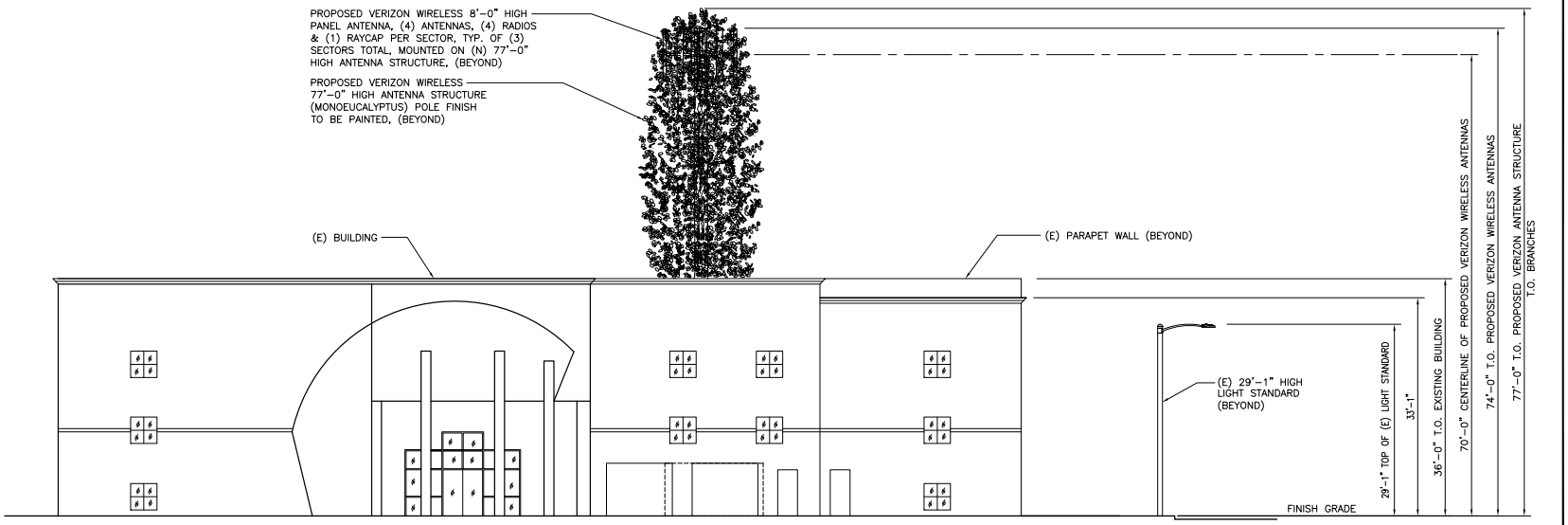
SHEET TITLE:
ALTERNATIVE CONCEPT SOUTH AND EAST ELEVATIONS

A-3



ALTERNATIVE CONCEPT NORTH ELEVATION

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



ALTERNATIVE CONCEPT WEST ELEVATION

SCALE: 1/8" = 1'-0" 2

ISSUE STATUS

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4	02/08/19	100% ZONING	JD
5	05/21/20	100% ZONING	TT
6	08/28/20	100% ZONING	TT

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TEL: 949-622-0333 FAX: 949-417-2663
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DANUBE
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OXNARD, CA 93036

SHEET TITLE:
ALTERNATIVE CONCEPT NORTH AND WEST ELEVATIONS

A-4

ATTACHMENT
J

LETTER FROM VERIZON WIRELESS
DATED SEPTEMBER 20, 2019

March 6, 2019

To: City of Oxnard, Planning Department

Subject: Statement in Support of Verizon Wireless's Proposed Telecommunications Facility "Danube" at 161 Ventura Blvd, Oxnard, CA.

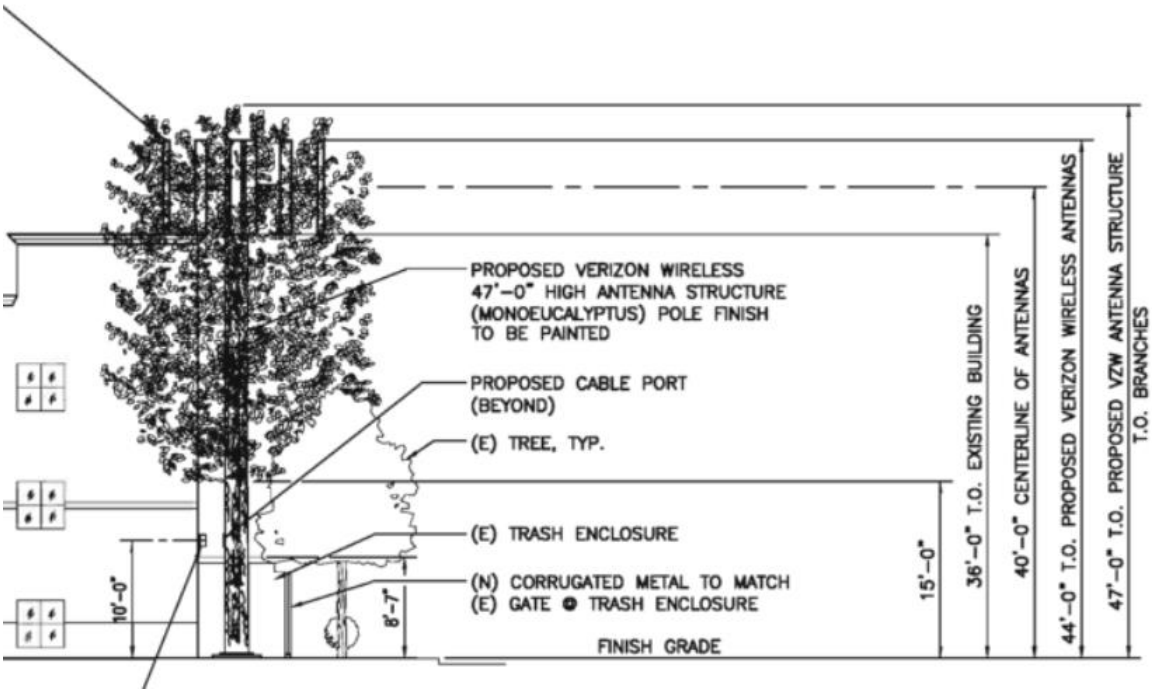
This letter is in reference to our proposed VZW telecommunications facility named "Danube" located at 161 Ventura Blvd, Oxnard CA. Verizon Wireless has identified a significant gap in its wireless services along Ventura Fwy. and Vineyard Ave. and surrounding area. This area is currently served by telecommunications site 'Nyland' about 1.0 miles NW of this location. As a result, coverage toward the center of the gap area is spotty and weak.
Coverage is the need for expanded service often requested by our customers or emergency services personnel. While this initially meant providing coverage in vehicles, as usage patterns have shifted this now means improving coverage inside of buildings.

Further, accelerated growth in voice and data usage by Verizon Wireless customers has increased the demand on these outlying facilities in a manner that compromises coverage at the fringes of their service areas and will lead to capacity exhaustion as early as 2015. Finally, new advanced wireless services (AWS) frequencies that are being placed in service by Verizon Wireless to meet capacity demands simply do not propagate the same distances of earlier generation technologies and require wireless facilities in closer proximity to customers than the existing facilities serving this area. Providing effective and reliable service/coverage to fill this gap is made difficult because of the topography and density of development in the area.

Based on our experience with the network, if the antenna centerline is below nearby ground clutter; In this case the 36' existing building located on the property RF signals will be blocked by these obstacles. We use a prediction tool that considers the terrain, vegetation, building types, and cell site specifics to show predictions of the existing coverage and what we expect to see with a given cell site. The prediction models make some assumptions such as that the antennas are above the nearby ground clutter (Buildings and vegetation). Once the antennas fall below the ground clutter the models become inaccurate and cannot tell that specific trees or buildings are blocking the RF signal. At this site location, the existing buildings will block the signals significantly if we go below requested height.

The proposed facility with a 40' Rad center of antennas is needed to gain the height above the 36' adjacent building. With the additional height, Rad Center 40', top of

Antenna 44’ and the top of the tree structure 47’, to allow for aesthetic tree foliage; this will allow for the antennas to propagate over the existing building. With a Rad center below the 40’ mark the building would significantly block necessary coverage.



The proposed site will be an integral part of VZW’s network of services and is designed to ameliorate complications introduced by the locationally dependent nature of cell sites. Eliminating or relocating a single cell site from the network can lead to gaps in the system and prohibit VZW from providing uninterrupted service to customers in the defined coverage area. Further, the elimination or relocation of a cell site will most often have a “domino” effect on other cell site locations and necessitate significant design changes or modifications to the network.

Respectfully submitted,

Emran Elyas
Southern California RF Engineering Department
Verizon Wireless

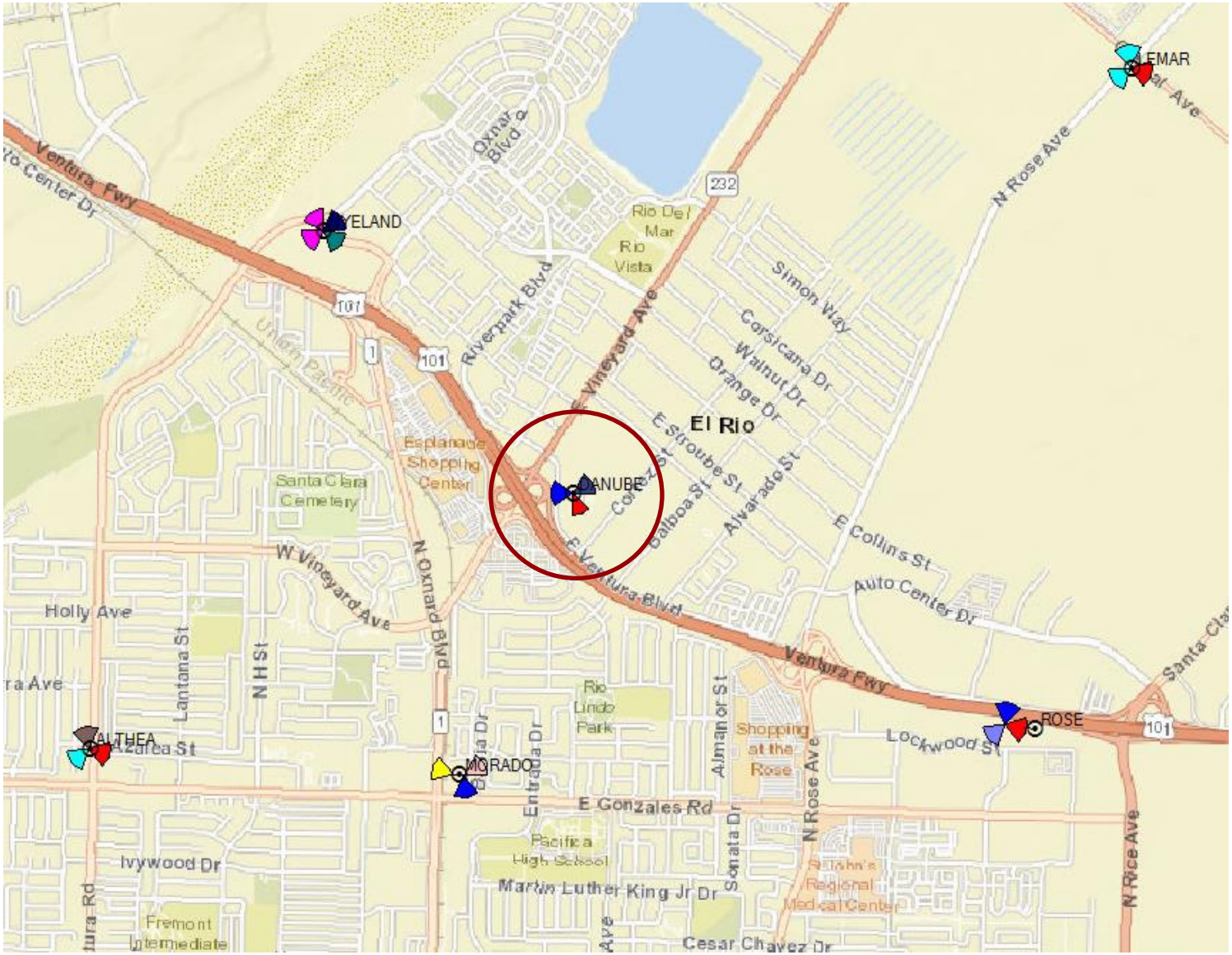
DANUBE Antenna Height Justification

161 Ventura Boulevard Oxnard, CA 93036
September 10, 2018

verizon

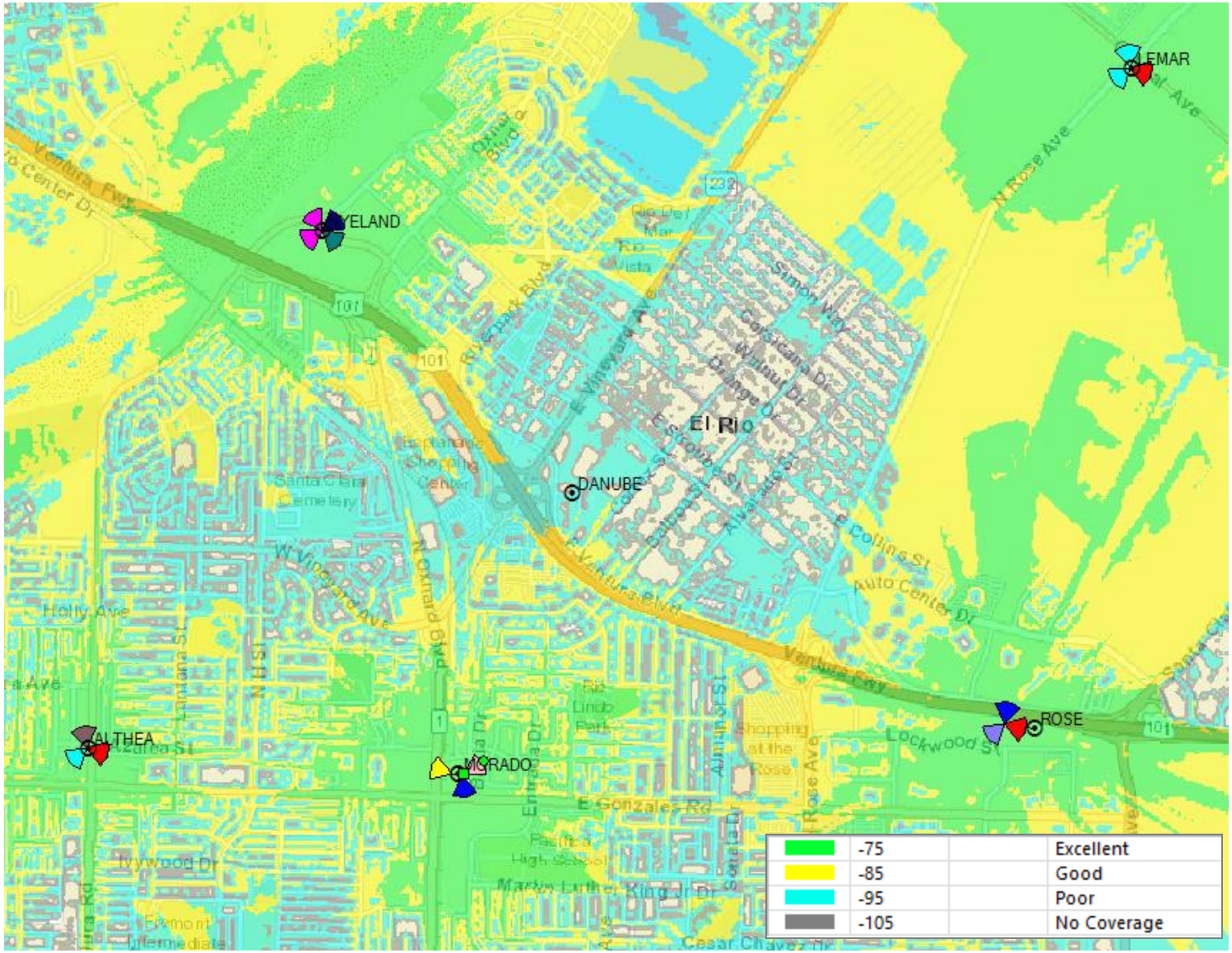
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Verizon Danube General Map



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Verizon Existing Coverage



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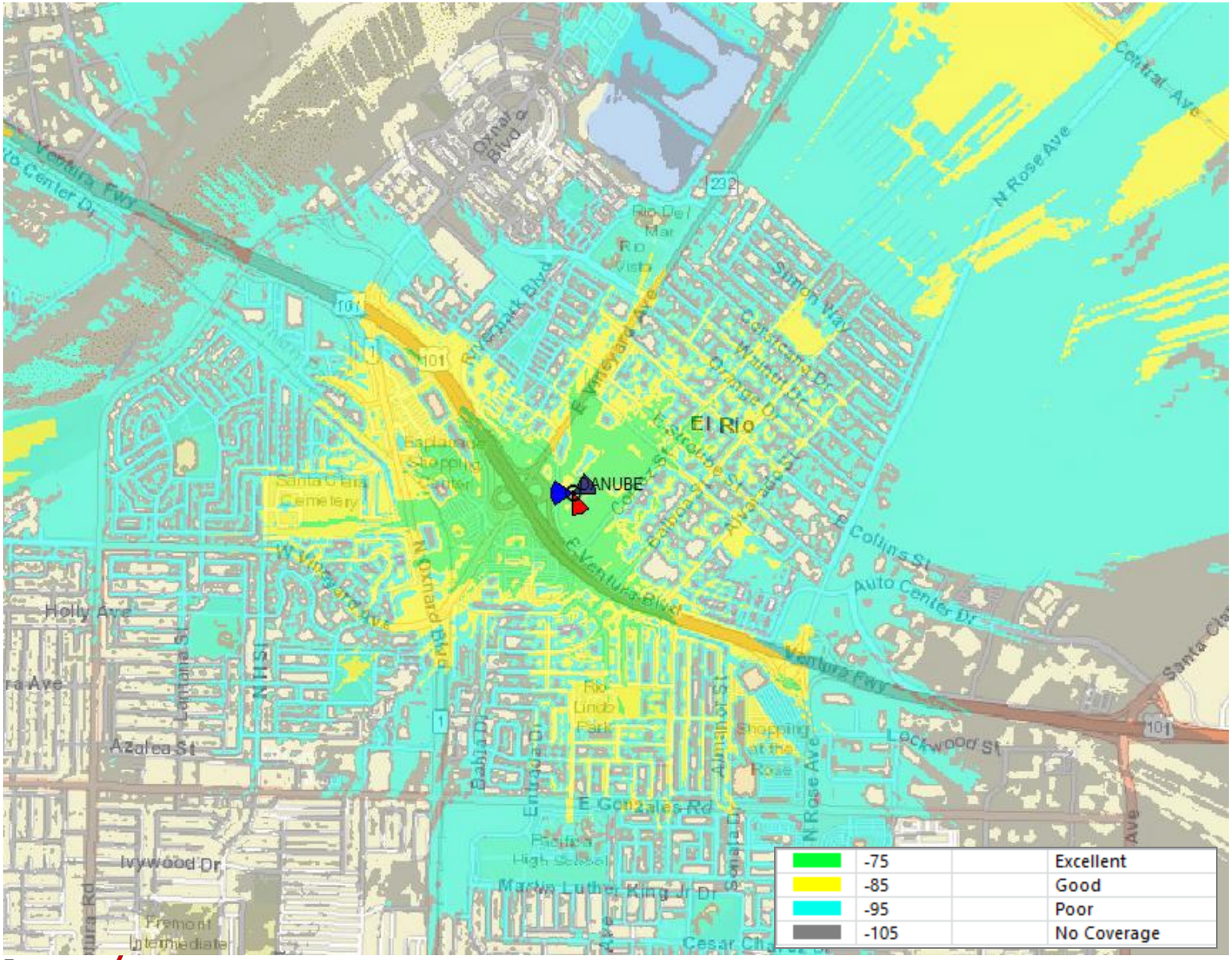
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Verizon Danube Coverage at 40’ RAD Center



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Verizon Danube Coverage Standalone at 40’ RAD Center



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ATTACHMENT
K

RADIO FREQUENCY COMPLIANCE REPORT
DATED AUGUST 28, 2020

Verizon Wireless • Proposed Base Station (Site No. 279247 "Danube")
161 Ventura Boulevard • Oxnard, California

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate the base station (Site No. 279247 "Danube") proposed to be located at 161 Ventura Boulevard in Oxnard, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

Executive Summary

Verizon proposes to install directional panel antennas on a tall pole to be sited next to the Public Storage facility located at 161 Ventura Boulevard in Oxnard. The proposed operation will, together with the existing base station nearby, comply with the FCC guidelines limiting public exposure to RF energy; certain measures are recommended to comply with FCC occupational guidelines.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. A summary of the FCC's exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive limit for exposures of unlimited duration at several wireless service bands are as follows:

Wireless Service Band	Transmit Frequency	"Uncontrolled" Public Limit	Occupational Limit (5 times Public)
Microwave (point-to-point)	1–80 GHz	1.0 mW/cm^2	5.0 mW/cm^2
Millimeter-wave	24–47	1.0	5.0
Part 15 (WiFi & other unlicensed)	2–6	1.0	5.0
CBRS (Citizens Broadband Radio)	3,550 MHz	1.0	5.0
BRS (Broadband Radio)	2,490	1.0	5.0
WCS (Wireless Communication)	2,305	1.0	5.0
AWS (Advanced Wireless)	2,110	1.0	5.0
PCS (Personal Communication)	1,930	1.0	5.0
Cellular	869	0.58	2.9
SMR (Specialized Mobile Radio)	854	0.57	2.85
700 MHz	716	0.48	2.4
600 MHz	617	0.41	2.05
[most restrictive frequency range]	30–300	0.20	1.0

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called "radios" or "channels") that are connected to the traditional wired telephone lines, and the passive antennas that

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send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. Figure 2 describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by Verizon, including zoning drawings by Delta Groups Engineering, Inc., dated May 21, 2020, it is proposed to install twelve CommScope Model NHH-65C directional panel antennas on a new pole, configured to resemble a eucalyptus tree, to be sited on the east side of the three-story Public Storage facility located at 161 Ventura Boulevard in Oxnard. The antennas would employ no downtilt and would be oriented in groups of four toward 30°T, 140°T, and 250°T. The maximum effective radiated power in any direction would be 18,000 watts, representing simultaneous operation at 5,790 watts for AWS, 5,070 watts for PCS, 3,600 watts for cellular, and 3,540 watts for 700 MHz service.

Two options are proposed for siting location and pole height: Option A is a 44-foot steel pole* sited at the southeast corner of the building with antennas at an effective height of about 40 feet above ground, and Option B is a 74-foot pole† at the east side of the building, about 49 feet north of the southeast corner, with antennas at an effective height of about 70 feet above ground.

* Foliage atop the pole puts the overall height at 47 feet.
† Foliage atop the pole puts the overall height at 77 feet.

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Located within view screen enclosures high on the sides of the five-story office building at least 400 feet to the northwest are similar antennas for use by another wireless carrier, assumed for the limited purpose of this study to be AT&T Mobility, with transmitting facilities as follows:

Service	Maximum ERP	Antenna Model	Downtilt	Height
AWS	2,100 watts	Andrew SBNH-1D6565A	2°	50 ft
PCS	5,300	Andrew SBNH-1D6565A	2	50
Cellular	1,600	Andrew SBNH-1D6565A	4	50
700 MHz	1,000	Andrew SBNH-1D6565A	4	50

Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed Verizon operation by itself is calculated to be, for Option A, 0.11 mW/cm^2, which is 12% of the applicable public exposure limit, and for Option B, 0.033 mW/cm^2, which is 3.7% of the applicable public limit. The maximum calculated cumulative level at ground, for the simultaneous operation of both carriers, is 14% and 5.0% of the public limit, for Options A and B, respectively. The maximum calculated cumulative level on the roof of the nearby building exceeds the FCC limits under Option A, as shown in Figure 3; it does not exceed the limits under Option B. The maximum calculated cumulative level at the second-floor elevation of any nearby residence‡ is 3.6% and 2.1% of the public exposure limit, for Options A and B, respectively. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels.

Recommended Compliance Measures

Option A

It is recommended that the roof access hatch of the Public Storage building be kept locked, so that the Verizon antennas cannot be approached by unauthorized persons. To prevent occupational exposures in excess of the FCC guidelines, it is recommended that appropriate RF safety training, to include review of the information in Figure 3, review of personal monitor use, and review of lockout/tagout procedures, be provided to all authorized personnel who have access to the roof or to the antennas, including employees and contractors of Verizon and of the property owner. No access in the yellow-shaded area or within 21 feet directly in front of the antennas themselves, such as might occur during certain maintenance activities, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. It is recommended that boundary lines be marked on the roof with blue and yellow paint to identify the area within which exposure levels are calculated to exceed the FCC public and occupational limits,

‡ Located at least 130 feet to the east, based on photographs from Google Maps.

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respectively, as shown in Figure 3. It is recommended that explanatory signs[§] be posted at the roof access hatch, on the roof, at the boundary lines, and on the pole at or below the antennas, readily visible from any angle of approach to persons who might need to work within that distance.

Option B

Due to their mounting location and height, the Verizon antennas would not be accessible to unauthorized persons, and so no measures are necessary to comply with the FCC public exposure guidelines.

Both Options

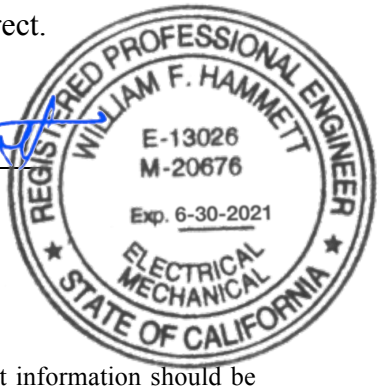
It is presumed that Verizon will, as an FCC licensee, take adequate steps to ensure that its employees or contractors receive appropriate training and comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that operation of the base station proposed by Verizon Wireless at 161 Ventura Boulevard in Oxnard, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need not for this reason cause a significant impact on the environment. For Option A, locking the roof access hatch is recommended to establish compliance with public exposure limits, and training authorized personnel, marking roof areas, and posting explanatory signs are recommended to establish compliance with occupational exposure limits.

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2021. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



William F. Hammett, P.E.
707/996-5200

June 22, 2020

§ Signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (*e.g.*, a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required.

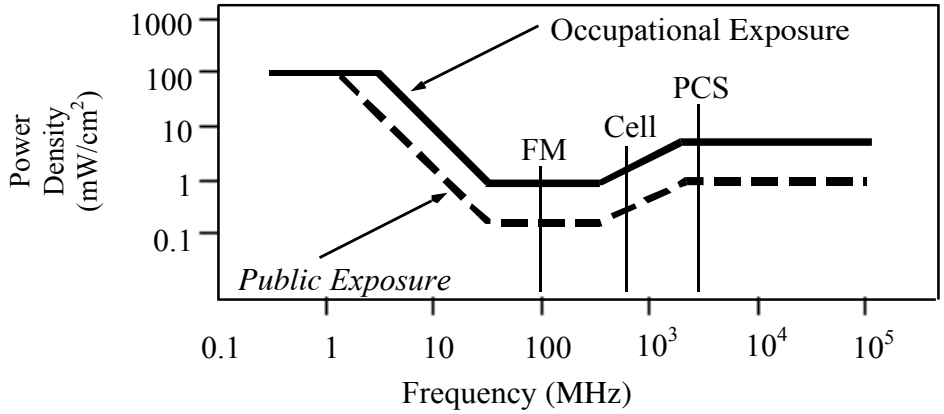
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FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency	Electromagnetic Fields (f is frequency of emission in MHz)					
Applicable Range (MHz)	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm^2)	
0.3 – 1.34	614	*614*	1.63	*1.63*	100	*100*
1.34 – 3.0	614	*823.8/ f*	1.63	*2.19/ f*	100	*180/ f^2*
3.0 – 30	1842/ f	*823.8/ f*	4.89/ f	*2.19/ f*	900/ f^2	*180/ f^2*
30 – 300	61.4	*27.5*	0.163	*0.0729*	1.0	*0.2*
300 – 1,500	$3.54\sqrt{f}$	*$1.59\sqrt{f}$*	$\sqrt{f}/106$	*$\sqrt{f}/238$*	f/300	*f/1500*
1,500 – 100,000	137	*61.4*	0.364	*0.163*	5.0	*1.0*



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has incorporated those formulas in a computer program capable of calculating, at thousands of locations on an arbitrary grid, the total expected power density from any number of individual radio frequency sources. The program allows for the inclusion of uneven terrain in the vicinity, as well as any number of nearby buildings of varying heights, to obtain more accurate projections.

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RFR.CALC™ Calculation Methodology

Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

Near Field.
Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$, in mW/cm^2,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm^2,

where θ_{BW} = half-power beamwidth of antenna, in degrees,
P_{net} = net power input to antenna, in watts,
D = distance from antenna, in meters,
h = aperture height of antenna, in meters, and
η = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

Far Field.
OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$, in mW/cm^2,

where ERP = total ERP (all polarizations), in kilowatts,
RFF = three-dimensional relative field factor toward point of calculation, and
D = distance from antenna effective height to point of calculation, in meters.

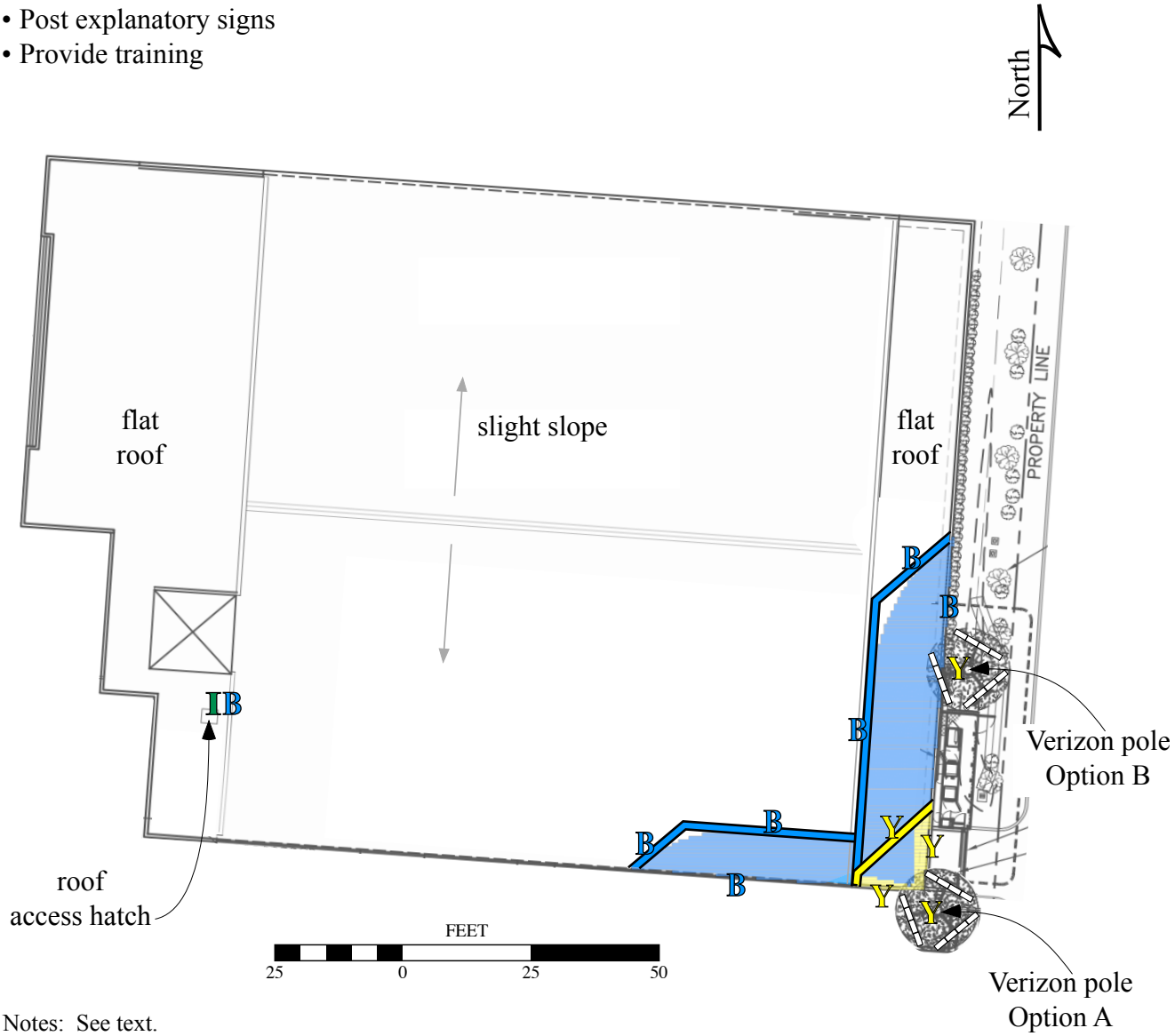
The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula is used in a computer program capable of calculating, at thousands of locations on an arbitrary grid, the total expected power density from any number of individual radio frequency sources. The program also allows for the inclusion of uneven terrain in the vicinity, as well as any number of nearby buildings of varying heights, to obtain more accurate projections.

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Verizon Wireless • Proposed Base Station (Site No. 297247 "Danube")
161 Ventura Boulevard • Oxnard, California

Calculated RF Exposure Levels for Option A
(All Levels Less Than FCC Public Limit for Option B)

Recommended Compliance Measures for Option A
- Lock roof access hatch
- Mark boundaries as shown
- Post explanatory signs
- Provide training



Notes: See text.
Base drawings by Delta Groups Engineering, Inc., dated May 21, 2020.
Calculations performed according to OET Bulletin 65, August 1997.

Legend:	Less Than Public	Exceeds Public	Exceeds Occupational	Exceeds 10x Occupational
Shaded color	blank			
Boundary marking	N/A			
Sign type	I - Green INFORMATION	B - Blue NOTICE	Y - Yellow CAUTION	O - Orange WARNING

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ATTACHMENT
L

LETTER FROM VERIZON WIRELESS
DATED JULY 20, 2020

verizon

July 20, 2020

Planning Department, City of Oxnard:

This letter provides additional and updated radio frequency (RF) information about the proposed Verizon telecommunications facility named "Danube" proposed to be located at 161 Ventura Boulevard in the City of Oxnard.

Verizon Wireless has identified a deficiency in its wireless service capacity and coverage in this part of the City and surrounding area, which includes a segment of Highway 101, a segment of State Route 232, the surrounding commercial areas and residential neighborhoods, and the surrounding street network. The deficiency in service was based on modeled propagation maps and traffic data from neighboring sites. Due to the lack of another nearby telecommunications facility in the area, network capacity, voice quality and data services are adversely impacted and degraded.

Attachment 1 to this letter is a vicinity map that illustrates the site location and surrounding Verizon network wireless facilities around the proposed site. Wireless service, data processing capacity, and signal quality from the neighboring sites such as "Nyeland", "Morado" and "Rose" do not provide adequate or reliable network capacity and coverage to the freeway segments, commercial areas, residential neighborhoods and street networks around the Danube location. The poor network capacity and signal quality in this area degrades the user experience by providing poor voice quality, slow data speeds, unreliable network access and frequent dropped calls. The Verizon Danube site was strategically placed to resolve the network capacity and coverage deficiencies, and to improve network reliability for the Verizon customers in the area. Additionally, the requested top height of the antennas at 44 feet above grade (47 feet for the top of the faux tree) is needed to overcome buildings and vegetation around the proposed site to provide an adequate capacity and coverage footprint for the Danube facility.

Services Provided

The Danube site will provide LTE voice and data services aimed at providing new voice and data processing services, as well as improving voice quality, data speeds, and network access to users in the area. Additionally, the site provides E911 services which increase connectivity and reliability for mobile users calling for emergency services.

According to Caltrans traffic trip data, the nearby segment of Highway 101 at Rose Avenue has between 136,000 to 146,000 average daily traffic trips to be served by the Danube facility. That same traffic trip data states that the nearby segment of State Route 232 (East Vineyard Avenue) has about 23,000 average daily traffic trips to be served by the Danube facility (See

https://dot.ca.gov/programs/traffic-operations/census, at the Excel materials "2018-AADT (XLSX).)

Coverage Gap vs Capacity Needs

There are two main drivers that prompt the need for a new cell site. One is coverage and the other is capacity. The Danube facility is needed to address both capacity and coverage needs for Verizon's area wireless network.

Coverage is the need to expand wireless service into an area that either has no service or bad service. The request for service often comes from customers or emergency personnel. Expansion of service could mean improving the signal levels in homes, residences and buildings.

Verizon Wireless uses the RF prediction tool Atoll to model and predict coverage. Coverage plots presented in this letter where generated using Atoll and estimates Verizon's expected coverage in the area given the configuration (height, location, antenna type, etc) of the sites in the study. Building materials, thickness of walls, topography and terrain, and varying types and sizes of vegetation can affect the accuracy of the RF model's predicted coverage signal strength. The level of coverage shown on **Attachments 2-4** of this letter are estimates of predicted wireless signal coverage for the Danube site. As shown in **Attachments 3 and 4**, the Danube site improves coverage in the area.

Colors shown in the legend of coverage maps attached to this letter are: (1) green represents the strongest modeled signal that should provide in-building coverage for homes and structures, (2) yellow represents the modeled signal strength that should provide in-vehicle coverage, (3) light blue represents the modeled signal strength that would provide outdoor coverage, and (4) gray represents no coverage. Verizon's network objective is to provide in-building coverage.

Capacity is the amount of wireless resources a cell site has to handle customer data demands. Cell sites have a limited amount of resources to handle voice calls, data connections, and data volume. When these limits are reached, the user experience quickly degrades. The degradation affects voice quality and data speeds. This could mean customers may no longer be able to make/receive calls or be able to browse the internet. It could also mean that webpages will be very slow to download.

Location. A good capacity cell site needs to be in the center of the user population which ensures even traffic distribution around the cell. A typical cell site is configured in a pie shape, with each slice (aka. sector) holding 33% of the resources. Optimal performance is achieved when traffic is evenly distributed across the 3 sectors.

Network Facility Spacing

Also, wireless facilities in Verizon's need to be adequately spaced. They can't be too far from other network facilities or a gap in coverage will exist. Locating the proposed Danube facility where it is currently proposed will provide Verizon with the needed ability to "hand-off" or transition its area network RF signal and data processing for customers traveling between the Nyeland, Morado and

Rose facilities. (See **Attachment 1** for locations of these other Verizon facilities.) Locating the Danube facility where it is currently proposed will allow Verizon to make a proper "hand-off" of the RF signal between these other area network sites.

Nor can wireless facilities in a network be located too close to each other. If one wireless base station is sited too close to another facility, then then it would cause significant RF interference with the signal path and strength of the other facility. In that case, mobile phones in Verizon's network would be confused about which cell site to connect to. This interference caused by the competing facility signals would result in poor call connectivity, poor call quality, dropped calls and slow data processing speeds in the area. Typically, Verizon wireless facilities need to be located about 1/3 to 1/2 mile away from each other to prevent signal interference.

Network Capacity Issues

Currently, the existing Verizon facilities Nyeland and Morado near the proposed Danube site are experiencing data processing capacity stresses and degradation due to existing customer demands, and are "at capacity." "At capacity" means that a site has exhausted all of its resources to reliably support voice calls and data usage. Customers/users in the area have degraded service now. This means that customers in the area will routinely experience poor voice quality, dropped calls, poor service and very slow data processing speeds. Installation of the Danube site therefore will add network capacity to substantially improve data delivery speeds and voice quality/reliability for customers in the area.

The Danube facility is strategically placed to provide capacity to relieve stresses experienced at the Nyeland and Morado nearby sites, as well as to improve poor signal quality that reduces voice quality and network access. The area includes freeway segments with significant daily traffic volumes, commercial areas, and many homes and street segments that will benefit from the improved signal quality and capacity. This Danube site allows us to provide these network coverage signal and data processing improvements for residents and vehicle users in the area. Also, the facility will provide the height we need in order to provide capacity relief.

When a cell site serves a mobile/device in poor conditions, it must use up more time and spectrum resources to try and deliver the user content reliably. This uses up the limited physical resources quickly and can deprive other users connected to the site from gaining access to those resources impacting user experience for all customers in the area. Currently, Verizon has modified its adjacent facilities near the Danube site in an effort to maximize the available capacity; however, increased demand for voice and data services has already outstripped the capacity of other facilities that serves the area. The area requires a dominant signal provided by a site that can provide a strong signal above the background network noise and interference levels. The Danube site is the feasible solution to provide the required signal level and quality to effectively offload stresses from the neighboring sites.

The next two maps show existing and future facility capacity capabilities in the area network. **Attachment 5** to this letter shows the existing gap in Verizon's area network capacity without Danube. This map show that both Nyeland (purple sector aimed to the east) and Morado (light pink

sector aimed to the northeast) have very large service areas around the Danube location, which is why they are experiencing capacity stresses. **Attachment 6** shows the improvements in area network capacity that will be achieved with the Danube site, with the new dominant Danube sectors aimed west and north now covering a significant area formerly served by Nyeland, and the Danube sector aimed southeast now covering a significant area formerly served by Morado.

Alternative Location for the Facility on the Current Property.

The current proposed location of the Danube facility at the proposed location (at the southeast corner of the building) will not have any shadowing effect caused by the adjacent storage building because (1) all sectors are aimed away from the building and to the intended coverage objectives, and (2) the area to the northwest of the proposed location is covered by another existing Verizon facility (Lemar). With the main beamwidth of the antennas aimed away from the building, and toward the coverage objectives of Highway 101 and areas west and east of the site, the Danube facility will not encounter interference from the adjacent building. Some peripheral RF signal from the Danube facility will extend to the north around or over the building.

Moving the facility to an alternate location about 40 feet to the north along the east wall of the building will result in significant shadowing or signal interference effects unless the facility height is increased or raised to 77 feet high (74 feet top of antennas). As shown on **Attachments 7 – 9**, Danube's Beta sector signal (which is aimed to the southwest to offload the capacity issues with the Nyeland and Morado facilities) would have to cross about 116 feet of the roof of the building. The signal would be blocked or shadowed if the facility was at 47 feet high (44 feet top of antennas) because the main beamwidth of the antenna would be aimed across the roof and related parapets. The building parapet height is at 36 feet. That means the bottom of the Beta sector antennas would be the same height as the parapet and the antenna signal will therefore beam directly into the roof and cannot cover its intended objectives. Danube's Beta sector signal with 44-foot top of antennas would also likely experience passive intermodulation (PIM), which occurs when the main beamwidth of an antenna sector is close to metallic elements, such as sheet metal roofing, metal flashing and metal frames, which are often found within buildings such as the one adjacent to the site. PIM will reduce signal strength and will cause dropped calls and poor data processing speeds.

For the Danube Beta sector signal to avoid interference or shadowing by the adjacent roof, and for the sector to meet its coverage and capacity objectives, the facility height must be increased or raised to 77 feet high (74 feet top of antennas).

Emergency 911 Services

As more of our voice calls move from CDMA to LTE, maintaining good LTE coverage becomes more important for E911. CDMA is Verizon's 3G technology mostly used for voice calling and small data usage. LTE is 4G technology focusing more on high-speed data transfer and, more recently, voice calling. In order to provide better call quality, voice calling, in the near future, will primarily be made using LTE. Also, upcoming phones will start being released as LTE-only. If an area has poor or no LTE coverage, the likelihood of placing an E911 call is greatly impacted. The user would likely experience call issues such as dropped calls and audio gaps and may even not be

able to make a call. During emergencies where multiple users need to make a call, the network would be clogged due to the lack of resources.

Telecommunications networks are recognized to be integral to the use of the 911 emergency system. As of 2018, **over 80% of all Emergency 911 calls originated from wireless devices**, and that percentage will continue to increase. (National Emergency Number Association, Enhancing 9-1-1 Operations With Automated Abandoned Callback & Location Accuracy (Motorola Solutions) (August 23, 2018). One of the main reasons that many people own a wireless phone is the ability to call 911 for help in an emergency.

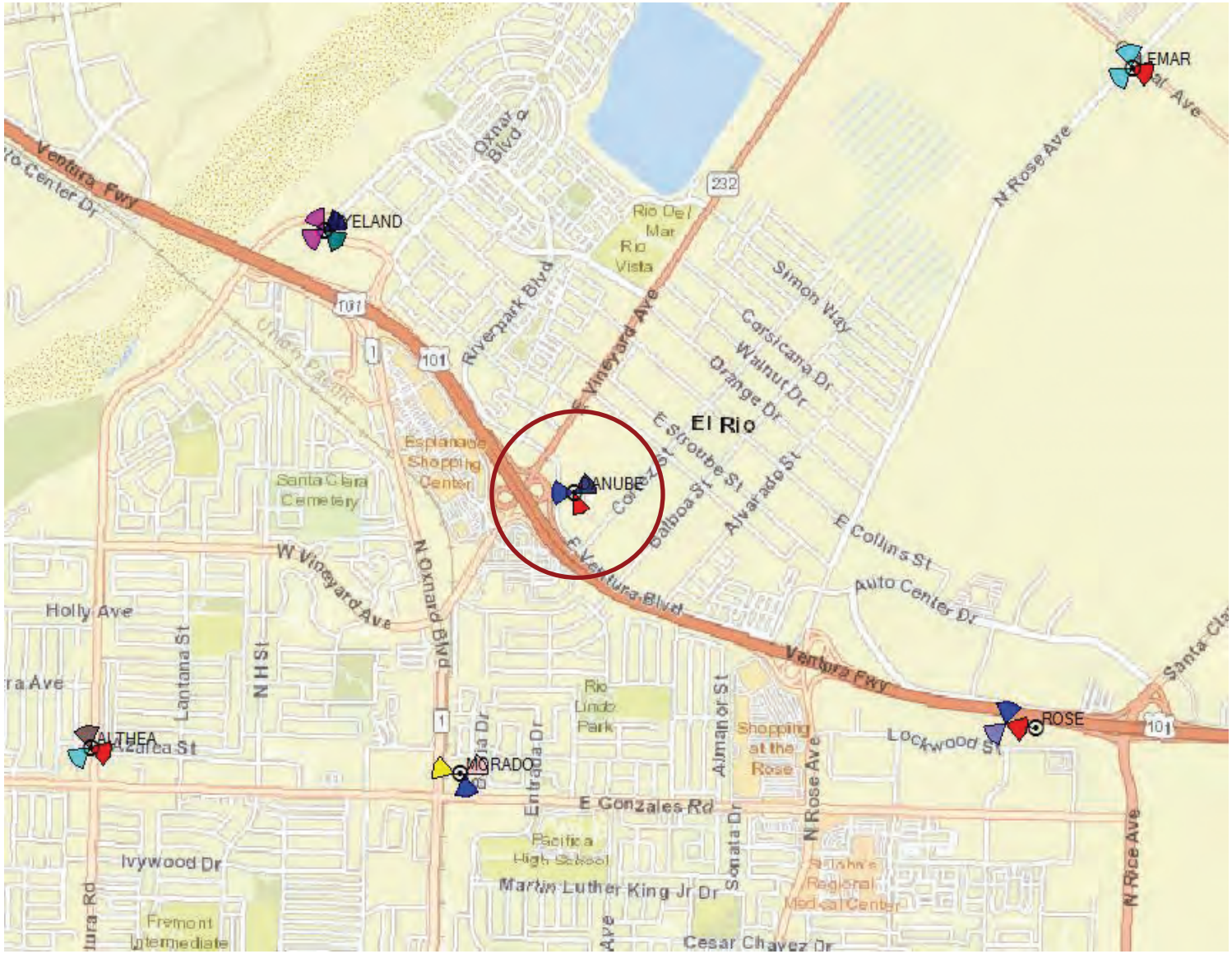
Summary

As a RF Design Engineer with over twenty three (23) years of experience with multiple telecommunications carriers here in the United States and abroad, including Verizon, I have spent that time working in California, Illinois, Louisiana, and overseas in the Philippines, Trinidad & Tobago, and Jamaica markets where I designed and analyzed siting considerations for over 1,000 telecommunications facility sites. I received my BS Electronics Communication Engineering Technology from the Technological University of the Philippines.

After analyzing the traffic & performance data, coverage plots and local knowledge of the area, it is my professional judgement that the current location and design of the Danube project is vital for improving the network reliability, service and performance to the surrounding area of the City.

Regards,
Anthony Cruz
/s/
RF Design Engineer
Verizon Wireless – Southern California

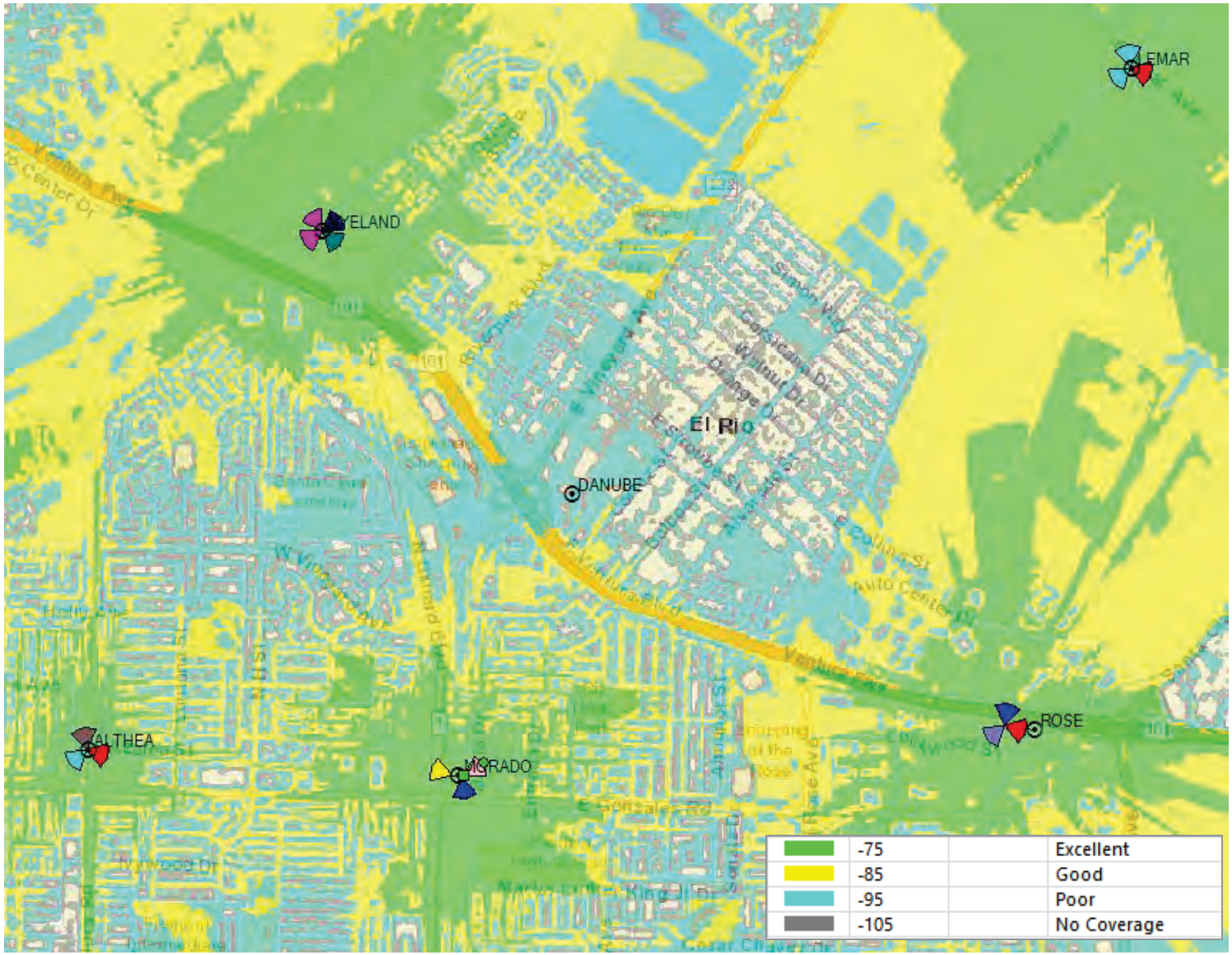
Verizon Danube General Map



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Verizon Existing Coverage



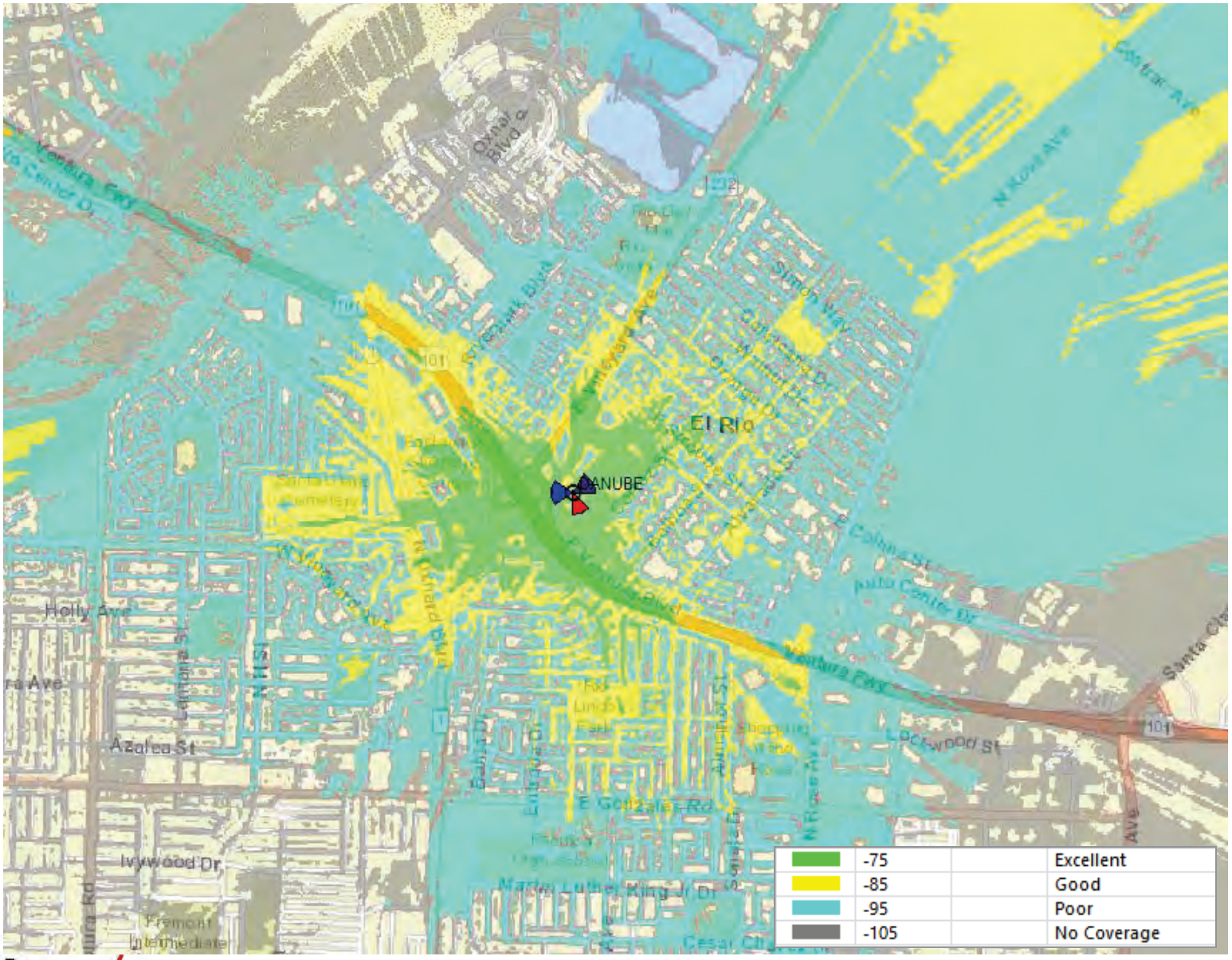
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Verizon Danube Coverage at 40’ RAD Center



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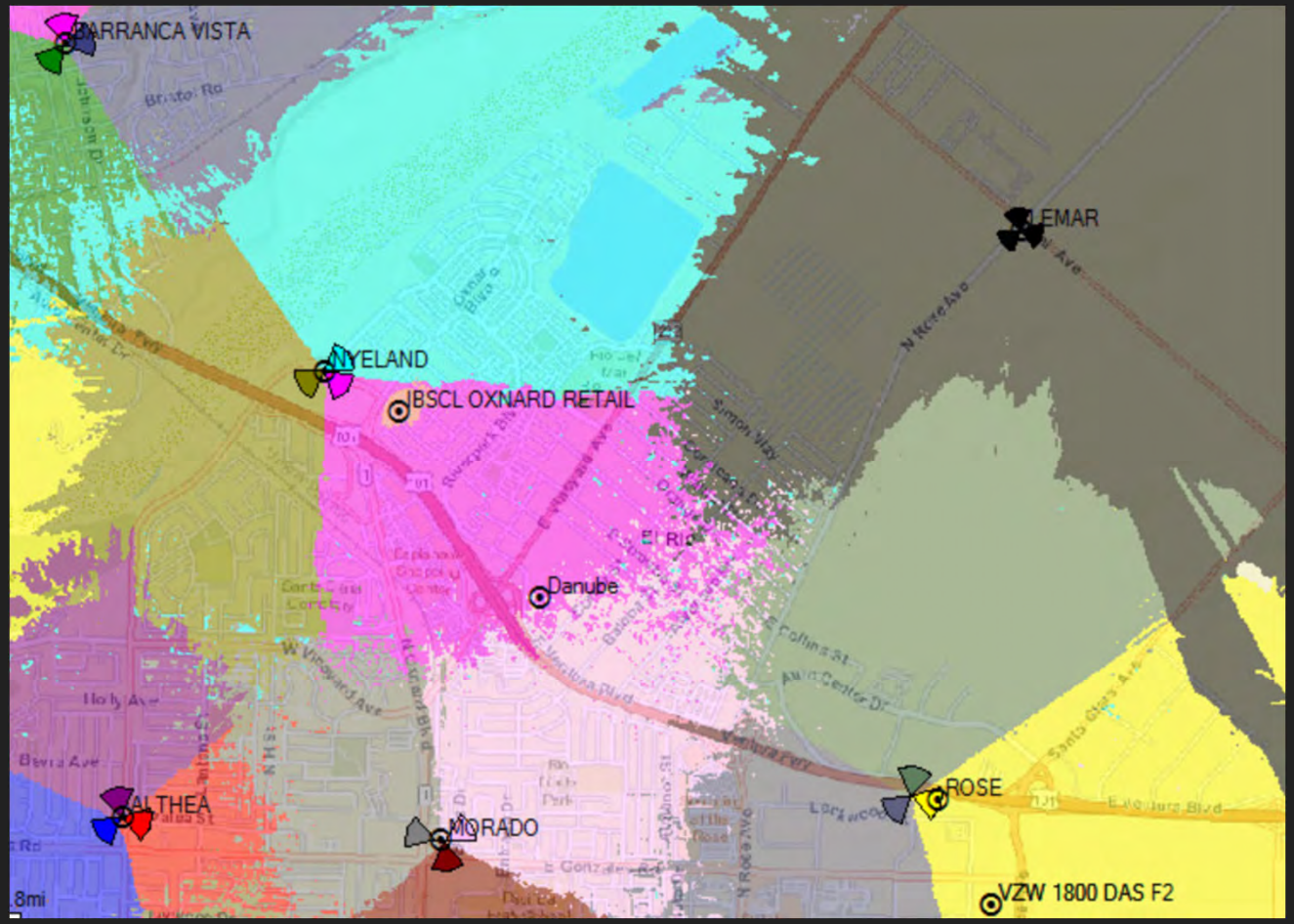
Verizon Danube Coverage Standalone at 40’ RAD Center



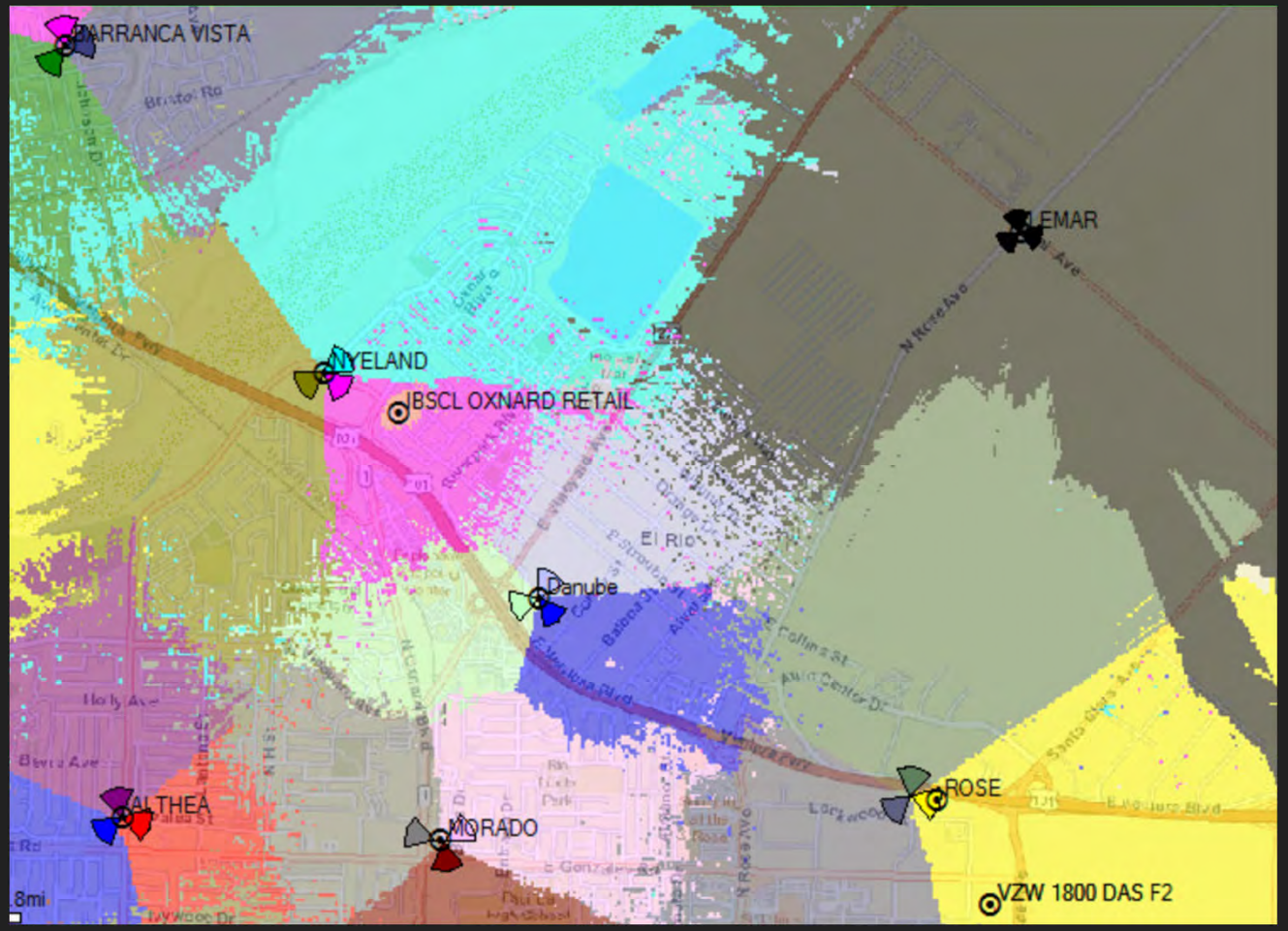
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LTE 700 Existing Dominance Plot



LTE 700 With Danube VZW Location



Verizon Danube Alternative Location



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Shadowed Beta Sector of the Building Roof

Attachment 8



Beta sector will still be at 250º azimuths and 8 foot antennas. Smaller antennas have wider Vertical Beamwidth and will elevate the shadowing. Close proximity with metal roof may cause PIM issues.

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Clearance from the roof

To have ample clearance from the roof, we need to have a **70' RAD Center** at the alternative tower location.

Antenna Information	
Antenna Model:	NHH-65C-R2B
Antenna Size:	8-0'
Vertcial Beamwidth	9°
Half Vertical Beamwidth	4.5°
Maximum Downtilt	10°
Θ	14.5

tanΘ = x/y	
Clearace from roof to bottom of Antenna (X)	30'-0"
Set Back from Antenna to Edge of the roof (Y)	116'-0"
Parapet Height (AGL)	36-0'
Minimum RAD Center	**70'-0"**
Tip of Antenna	74'-0"

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ATTACHMENT
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UNSIGNED AND UNDATED NARRATIVE

Alternative Location for the Facility on the Current Property.

The current proposed location of the Danube facility at the proposed location (at the southeast corner of the building) will not have any shadowing effect caused by the adjacent storage building because (1) all sectors are aimed away from the building and to the intended coverage objectives, and (2) the area to the northwest of the proposed location is covered by another existing Verizon facility (Lemar). With the main beamwidth of the antennas aimed away from the building, and toward the coverage objectives of Highway 101 and areas west and east of the site, the Danube facility will not encounter interference from the adjacent building. Some peripheral RF signal from the Danube facility will extend to the north around or over the building.

Moving the facility to an alternate location about 40 feet to the north along the east wall of the building will result in significant shadowing or signal interference effects unless the facility height is increased or raised to 77 feet high (74 feet top of antennas). As shown on Danube Alternative Location RF Justification Supplemental Attachments pages 10 through 16, Danube's Beta sector signal (which is aimed to the southwest to offload the capacity issues with the Nyeland and Morado facilities) would have to cross about 116 feet of the roof of the building. The signal would be blocked or shadowed if the facility was at 47 feet high (44 feet top of antennas) because the main beamwidth of the antenna would be aimed across the roof and related parapets. The building parapet height is at 36 feet. That means the bottom of the Beta sector antennas would be the same height as the parapet and the antenna signal will therefore beam directly into the roof and cannot cover its intended objectives. Danube's Beta sector signal with 44-foot top of antennas would also likely experience passive intermodulation (PIM), which occurs when the main beamwidth of an antenna sector is close to metallic elements, such as sheet metal roofing, metal flashing and metal frames, which are often found within buildings such as the one adjacent to the site. PIM will reduce signal strength and will cause dropped calls and poor data processing speeds.

For the Danube Beta sector signal to avoid interference or shadowing by the adjacent roof, and for the sector to meet its coverage and capacity objectives, the facility height must be increased or raised to 77 feet high (74 feet top of antennas).

In addition to all of the above, in order to accommodate a potential collocator on the proposed wireless facility at the alternate location, the 77' height would be likely necessary to allow for proper spacing between two carriers on the same facility (taking into account factors like equipment, needed rad centers for both carriers and avoidance of interference, among other factors.)

ATTACHMENT
N

RESOLUTION FOR PZ 18-530-01
(SPECIAL USE PERMIT - WIRELESS)

RESOLUTION NO. 2020 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 18-530-01 (SPECIAL USE PERMIT - WIRELESS) FOR CONSTRUCTION OF A COMMUNICATIONS FACILITY WITH A MAXIMUM HEIGHT OF 50 FEET, WHICH MAY BE INCREASED, SUBJECT TO PLANNING MANAGER DISCRETION, TO A MAXIMUM OF 69 FEET, DESIGNED AS A FAUX EUCALYPTUS TREE AND ASSOCIATED EQUIPMENT ENCLOSURE WITH A MAXIMUM INCREASE IN HEIGHT FROM 35 FEET TO 69 FEET AND A REDUCTION IN THE REQUIRED REAR YARD SETBACK FROM 15 FEET TO 8 FEET LOCATED AT 161 VENTURA BOULEVARD (APN: 145-0-232-135), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY SCOTT DUNAWAY ON BEHALF OF VERIZON, 1114 STATE STREET, SUITE 234, SANTA BARBARA, CALIFORNIA, 93101.

WHEREAS, on March 8, 2018, Public Storage (the **"Applicant"** and/or **"Permittee"**) submitted a request to allow the construction a 47-foot tall communications facility designed as a faux eucalyptus tree with an associated equipment enclosure, located at 161 Ventura Boulevard (APN: 145-0-232-135); and

WHEREAS, on December 5, 2019, the Planning Commission of the City of Oxnard (**"Planning Commission"**) conducted a duly noticed public hearing to consider Applicant's request to approve Planning and Zoning Permit No. 18-530-01 (Special Use Permit - Wireless) to authorize the construction of a 47-foot tall communications facility designed as a faux eucalyptus tree with an associated equipment enclosure, located at 161 Ventura Boulevard (APN: 145-0-232-135) (the **"Project"**) in accordance with Section 16-530 through 16-553 of Oxnard City Code; and

WHEREAS, Section 16-497 authorizes the City to approve wireless projects in the C-2-PD zone for wireless communications facilities with an individual support tower and Section 16-497 of the Oxnard City Code authorizes the Planning Commission to approve wireless facilities in the C-2-PD zone an increase in height from 35 feet to 47 feet and a reduction to the rear yard setback from 15 feet to 10 feet via the issuance of a special use permit; and

WHEREAS, on December 5, 2019, the Planning Commission reviewed the proposed project and expressed concerns regarding potential project-related impacts to the following: removal of existing landscaping, visual impacts including alternative stealth designs, security fencing, radio frequency impacts to street light workers, and impacts to commercial trucks and other vehicles. In order to allow the applicant time to provide further details regarding the Planning Commission's concerns, the Planning Commission continued the item to January 9, 2020; and

WHEREAS, on January 9, 2020, the applicant requested that the item be continued to March 5, 2020 to allow the applicant more time to provide further information to address the Planning Commission's concerns. The Planning Commission continued the item as requested; and

WHEREAS, on March 5, 2020, the applicant requested that the item be continued to April 16, 2020 to allow the applicant more time to provide further information to address the Planning Commission's concerns. The Planning Commission continued the item as requested; and

WHEREAS, on April 16, 2020, the applicant requested that the item be continued to July 2, 2020 to allow the applicant more time to provide further information to address the Planning Commission's concerns. The Planning Commission continued the item as requested; and

WHEREAS, on July 2, 2020, the applicant requested that the item be continued to September 17, 2020 to allow the applicant more time to provide further information to address the Planning Commission's concerns. The Planning Commission continued the item as requested with a condition that if the Planning Commission requested items were not submitted by August 10, 2020, which would allow staff time to prepare for the September 17, 2020 hearing, then the item would be removed from the Planning Commission calendar and any future Planning Commission hearing would require a new public notice; and

WHEREAS, prior to August 10, 2020, the applicant submitted materials; however, the submitted information did not include all of the necessary and adequate information to address the Planning Commission's requests. Staff has had continuous discussions with the applicant team, but staff was unable to reach resolution with the applicant team to provide final action documents in order to be ready for the September 17, 2020 hearing. The Planning Commission's motion of July 2, 2020, directed that if the requested information was not submitted by August 10, 2020, which would allow staff time to prepare for the September 17, 2020 hearing, then the item was to be removed from the Planning Commission calendar. As the applicant submitted additional materials, staff recommended, and the Planning Commission granted, one final request to continue the hearing to the October 1, 2020 Planning Commission meeting in order to prepare a resolution for final action on the wireless telecommunications facility request.; and

WHEREAS, the Planning Commission expressed concerns regarding the applicant proposed project, the applicant has submitted supplemental information, and after review of the additional materials, staff recommends an alternative design of up to 57 feet, which may be increased to 69 feet subject to Planning Manager discretion, tall in a location approximtaly 50 feet north of the proposed location; and

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

Exemption (Section 15303). 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 to 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 has a General Plan land use designation of Commercial General and a zoning designation of General Commercial, Planned Development. The project is surrounded on all sides 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 wireless communications facility is consistent with the General Plan and 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 General Plan and the Oxnard City 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 wireless communications facility 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.

The transmission of wireless radio signals are governed by operating standards of the Federal Communications Commission (FCC). The applicant submitted a Radio Frequency Emissions Report evaluating the emissions of the proposed communications facility. The report demonstrates that based on predictive modeling, at ground level the maximum radio frequency emission for the staff

recommended location is estimated to be approximately 3.7% of the FCC general public exposure limit. Thus, the site is designed and conditioned to be compliant with the FCC exposure limits.

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; however, the property where the wireless facility is proposed is across the street from U.S. Highway 101, which is identified as a Scenic Highway in the City of Oxnard 2030 General Plan. The proposed facility is designed as a eucalyptus tree and has been conditioned to install and maintain additional eucalyptus-like trees allowing the wireless facility to blend in with the new on-site trees and existing adjacent trees to disguise the facility from the view of the highway located to the south of the project site. Therefore, the project will preserve and enhance the character of scenic highways, and publicly owned and utility rights-of-way.

(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. 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.**

As discussed in the Staff Report, the proposed use is located on property with a General Plan designation of Commercial General, which allows free-standing commercial uses along arterials. The proposed use involves the construction of a stealth wireless communications facility along Ventura Boulevard, which is an arterial roadway. The proposed wireless communications facility is consistent with applicable General Plan policies (see Staff Report Section 6.b). Allowing a single wireless communication facility designed with a maximum height of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet, will decrease the need for additional wireless communication facilities in more objectionable areas. Furthermore, the additional height will increase the quality of wireless coverage, providing a benefit to customers and emergency personnel in the vicinity. Allowing a single wireless communication facility designed as a faux eucalyptus tree with a reduction to the rear yard setback from 15 feet to 8 feet will result in a stealthier wireless communications facility as the wireless communications facility will not be as prominently visible from the public right-of-way. Thus, the proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.

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

As discussed in the Staff Report, the recommended wireless communications facility is designed with a maximum height of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet, as conditioned. The faux tree will be located in an area that is surrounded by existing trees and buildings of similar height. Thus, the proposed facility is designed to be compatible with surrounding uses. The construction and operation of the facility is required to comply with all applicable laws, including radio frequency (RF) emissions. Thus, the proposed wireless communications facility will not adversely

affect or be materially detrimental to the adjacent uses, buildings, or structures or to the public health, safety or general welfare.

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

As discussed in the Staff Report, the proposed wireless communications facility will be located within a 596 square-feet lease area of the 1.02-acre lot, which represents 1.3% lot coverage. The proposed facility is consistent with applicable City standards (see Staff Report Section 6.a through 6.i).

While the faux eucalyptus tree would be visible from the private easement in the rear of the building which leads to the adjacent parking area of the shopping center, as conditioned, the faux eucalyptus tree would not be prominently visible from Ventura Boulevard and the Financial Square public right-of-way; however, the project includes an increase in height (from 35 feet to a maximum of 57 feet, that may be increased subject to Planning Manager approval in consultation with a third party licensed subject matter expert, not to exceed a maximum of 69 feet, as conditioned) and a reduction of the required rear yard setback (from 15 feet required to 8 feet proposed) to locate the stealthier wireless communications facility in this location and to minimize the removal of existing landscaping. The faux tree will be largely screened by the adjacent self storage building. One to two live eucalyptus-like trees will be installed adjacent to the faux eucalyptus tree to blend the facility with the surrounding vegetation, as conditioned. The surrounding landscaping, including the installation of live trees and the trees across the street, are of sufficient height to blend the proposed faux tree into the treescape such that the proposed faux tree will not be prominently distinguishable. Pursuant to the City Code § 16-497, the Planning Commission may modify numerical standards of the C-2 zone if the commission finds that such modifications are consistent with the goals, principles and standards of the general plan and other adopted city policies and with the public welfare. The requested reduction in the required rear yard setback is consistent with the 2030 General Plan (outlined in the Staff Report dated October 1, 2020) and the public welfare, as the increased coverage provides a greater public safety benefit for customers and emergency services personnel. The project has been conditioned to require the faux eucalyptus tree to be installed approximately 50 feet north of the originally proposed location to minimize the public's view of the wireless facility consistent with the purpose of the wireless communication facilities ordinance, which seeks to minimize adverse visual impacts through careful design (such as the use of stealth facilities), siting, landscape screening, and other camouflaging techniques (Section 16-485(B)(4). Thus, the site for the proposed wireless communications facility is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards.

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

The proposed wireless communications facility site is located on a developed lot that has adequate vehicle access from Ventura Boulevard and Financial Square. The facility will be unmanned and will require one vehicle trip per month for routine maintenance. The facility will have the use of a non-exclusive parking space within the existing parking area of the Public Storage building. The required one vehicle trip per month represents a negligible impact to the roadway network. Thus, the proposed use will be served by adequate streets for the project-generated traffic.

(5) **The site that is subject to the special use permit shall be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

The project site is located on a lot that has been developed with a Public Storage building. The subject lot is currently served by utilities. The proposed project is an unmanned stealth wireless communications facility that does not require expansion of existing utilities. Thus, the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, § 15303 (Class 3) of the State CEQA Guidelines. These sections pertain to projects characterized as new, small facilities. The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to § 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 18-530-01 (Special Use Permit - Wireless), subject to the attached conditions of approval.

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

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

STANDARD CONDITIONS OF APPROVAL
FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

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

2. This permit is granted for the plans dated October 1, 2019, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)

4. 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. (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. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

8. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

9. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)

10. 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*)

11. 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*)

12. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

13. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Applicant shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)

14. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result

in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance. (PK, PK-4)

PLANNING DIVISION STANDARD CONDITIONS

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

16. Any application for a Minor Modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)

17. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)

18. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

19. 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*)

20. In order to minimize light and glare on the project property, all 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*)

21. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)

22. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).

23. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

PLANNING DIVISION SPECIAL CONDITIONS

24. In order to be less prominently visible from the Financial Square right-of-way, the proposed wireless communications facility shall be located on the eastern side of the existing building in a location that is approximately no less than 50 feet northerly of the proposed location at the southeastern corner of the building. The wireless communication facility shall be a maximum of 57 feet tall (as measured to the top of the faux tree's canopy). The wireless communications facility shall be constructed at a height less than 69 feet tall if comparable coverage can be provided as demonstrated in RF propagation maps, and other supporting documents, while meeting general project objectives. The exact location and height shall be reviewed and approved by the Planning Manager, in consultation with a third party licensed subject matter expert (third party review shall be paid by the applicant), prior to the applicant submitting construction plans to the Building & Engineering Division for plan check. See the related height-FCC exposure limits Condition No. 25.

25. In order to be compliant with the the maximum FCC general public and occupational exposure limits, the applicant shall prepare and submit a Radio Frequency Compliance Report that demonstrates, based on predictive modeling, the minimum height the wireless communications facility can be, at the location described in Condition No. 24, while being compliant with the FCC exposure limits as measured from the ground level adjacent to the facility, on the roof of the adjacent self storage building, and at the street light closest to the wireless communications facility. The exact height shall be reviewed and approved by the Planning Manager, in consultation with an independent third party licensed subject matter expert, prior to the applicant submitting construction plans to the Building & Engineering Division for plan check. The costs associated with the third party review, and an additional 15% administrative fee, shall be paid by the applicant. See the related height-aesthetics Condition No. 24.

26. In order to be less prominently distinguishable from the existing treescape in the vicinity, the proposed facility shall include the installation of one to two 24-inch box size eucalyptus-like trees such as Brisbane Box near the proposed faux eucalyptus tree. The exact number, location, and species of the 24-inch box size eucalyptus-like trees shall be determined by the Planning Manager in consultation with the City's Landscape Architect, which shall be paid for by the applicant. Prior to issuance of a building permit for the wireless communications facility, the Applicant shall obtain approval of a landscape and irrigation plan for the two 24-inch box size eucalyptus-like trees.

27. Prior to issuance of a building permit, Applicant shall submit specification sheets for the product to be used to create the stealth tree and will provide samples of the materials for review and approval by the Planning Manager.

28. Prior to issuance of a building permit, Developer shall revise plans for the wireless facility so that any warning or advisory signs required by the Federal Communications

Commission (FCC) will also be displayed in Spanish. Signs appearing in Spanish language shall be of identical form and format to the signs required by the FCC. (PL)

29. Pursuant to City Code Section 16-493, a wireless communications facility that has not operated for six continuous months shall be considered abandoned, the owner shall remove such facility at the owner's expense within 90 days of notice from the Planning Manager. If the wireless communications facility is not removed within 90 days of notification, the City may remove such facility at the owner's expense. If there are two or more users of a single wireless facility, this provision shall not become effective until all users cease using such facility for six continuous months. (PL/CA)

30. For the life of the permit, the operator of the facility shall ensure that screening elements are maintained and replaced as necessary to ensure the faux eucalyptus remains properly screened to the standards demonstrated in the approved plans and subject to the approval of the Planning Manager. The operator accepts that the City reserves the right to deny applications for antenna replacement or colocation if the proposal is not consistent with the screening and camouflage standards of the original approval. (PL)

31. Prior to issuance of a building permit, applicant shall submit plans to include notes stating the colors of all equipment (panel antennas, remote radio units, etc.) and conduit mounted on the communications facility. The colors shall mimic those of a eucalyptus tree, subject to the approval of the Planning Manager.

32. Operator shall remove any and all graffiti from the facility (including faux tree, equipment enclosure and related equipment) within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in the underlying colors and/or design, and shall not look like a paint patch.

33. The subject permit shall be for a 10 year time period from the date of its approval. If the lessee/operator/owner of the wireless facility wishes to continue operation as granted herein, a new application must be filed with the Planning Division. Said application must be filed no later than three months prior to the expiration of this permit and said application must be made on the appropriate forms and fees paid.

34. The wireless facility shall at all times comply with all applicable laws, regulations, and standards, inclusive of federal requirements regarding radio frequency (RF) emissions. If the City provides no less than 24-hour prior written notice of a request to inspect the facility for compliance with applicable law, the City and its agents shall promptly be granted such inspection rights.

35. The emergency generator shall be tested only during the hours of 7:00 a.m. to 6:00 p.m. from Monday through Saturday. The emergency generator shall not be tested on Sunday.

36. Within 6 months of final inspection the carrier shall provide a third party report confirming that the site is in compliance with all FCC regulations.

37. Existing vegetation, including trees, shrubs, grass and other ground cover, that is removed or damaged during construction, shall be replaced.

38. Entry-deterrent measures incorporated into the facility design to reduce the potential for trespass and injury shall be maintained throughout the life of the project.

39. No storage of mobile or immobile equipment not used in direct support of the wireless telecommunications facility shall be stored on the site unless repairs to the facility are being made.

40. The wireless telecommunications facility, in its entirety, shall be maintained in a good state of repair that remains consistent with the design of the original construction, at the sole expense of the applicant.

41. All cables, wires, sweeps, jumpers and other connectors shall be installed inside the mono-eucalyptus to the maximum extent feasible. All utilities servicing the facility shall be placed underground.

42. All externally mounted equipment and appurtenances shall be painted and textured to match and mimic natural eucalyptus tree colors. Applicant shall maintain all painted surfaces in good condition at all times. The project shall only use non-reflective materials and finishes.

43. The entire mono-eucalyptus shall be covered with three dimensional faux eucalyptus tree bark cladding and painted an appropriate bark color to resemble a live eucalyptus which shall be maintained in good condition at all times.

44. The mono-eucalyptus branch and leaf density and design shall properly camouflage the proposed antennas. Branches and leaves shall be placed to extend above, between and below antennas and appurtenances. Branch length shall vary as need to provide maximum camouflage of antennas and appurtenances. The antenna arrays shall be painted to camouflage them using a color mix (shade/light) given off by the leaves in daylight hours. Applicant shall maintain the leaves and camouflage paint in good condition at all times.

45. The mono-eucalyptus and other ground mounted equipment (to the extent technically feasible) shall be enclosed within an enclosure. The concrete walled enclosure shall be designed and painted to match the existing architectural style of the adjacent building exterior wall. This condition does not require the applicant to install electric meters, emergency shut-off switches or connectors for emergency backup power within the equipment enclosure.

46. The applicant shall install all ground-mounted equipment (other than the mono-eucalyptus) so that no portion protrudes above the equipment enclosure.

47. Applicant shall install and at all times maintain in good condition a "Network Operations Information" sign at all access points to the equipment area. The sign(s) required under this condition shall be installed so that a person can clearly see the sign as he or she approaches the access point when the gate is in both the open and closed position.

48. The Applicant shall install and at all times maintain in good condition an "RF Notice" and "Network Operations Information" sign on the base of the tower structure. Signs required under this condition shall be installed so that a person can clearly see the sign as he or she approaches the tower.

49. The applicant shall ensure that all signage complies with the FCC OET Bulletin 65 or ANSI C95.2 for color, symbol and content conventions. All such signage shall provide a working local or toll-free telephone number to its network operations center that reaches a live person who can exert transmitter power-down control over this site as required by the FCC.

50. No signs, other than required by the FCC or other regulatory agencies, are approved as part of this action. Signs or advertising is prohibited, unless it is part of the camouflage design or primary structure upon which the Wireless Telecommunications Facility is affixed.

51. Exterior lighting for Wireless Telecommunications Facilities shall be limited to the following:

    a) A manually-operated or motion-detector controlled light above any accessory structure which shall be kept off except when personnel are actually present at night.
    b) The minimum tower lighting required by FAA regulations.
    c) Lighting shall be shielded or directed to the greatest extent possible in such a manner as to minimize the amount of light that falls onto nearby properties, particularly residences.

[signatures on next page]

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 1st day of October, 2019.

Diedre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 1st day of October, 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary