



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Joe E. Pearson II, Senior Planner

DATE: May 6, 2021

SUBJECT: **Project Name: Central Terrace Apartments;** Planning and Zoning Permit No. 20-535-01 (Density Bonus) for a property located at 217-235 East Sixth Street (APN: 201-0-213-110).

1) Recommendation: That the Planning Commission (“**Commission**”):

- a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development); and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 20-535-01 (Density Bonus), subject to certain findings and conditions.

2) Project Description and Applicant: The applicant is requesting the ministerial approval of a Density Bonus Permit (Density Bonus) to allow for three concessions pursuant to State Density Bonus Law and OCC Section 16-410L, and subject to the approval of the Planning Commission. The three concessions as follows:

- (1) Reduction of the rear ground floor setback from 5 feet to zero feet.
- (2) Reduction of the rear upper story setback for residential buildings from ten feet to zero feet.
- (3) Reduction of the required residential parking from 87 spaces to 29 residential spaces and reduction of the required commercial spaces from three (3) spaces to zero (0) spaces.

As a result of the requested concessions at least 15 percent of the units (14) must be rented at a level affordable to persons of families of very-low income. The applicant is proposing a 100 percent affordable housing project with all units, except for the managers unit, affordable to at least persons and families at the very-low income level, exceeding the Density Bonus and inclusionary ordinance requirements.

The proposed Density Bonus is related to the development of a 73,534 square foot 5-story mixed use apartment building with 87 residential units, 29 parking spaces (including two

ADA accessible spaces), a recreation room, 2,375 square-feet of non-residential (i.e. commercial or office) space, and a 2,068 square-foot courtyard on a 0.42-acre project site. Four (4) additional tandem spaces are being provided, however pursuant to the Oxnard City Code (OCC) they are not counted toward the required parking. Proposed development includes non-residential space, and parking on the ground level, with an additional 4 levels of residential units (for a 5 story building). The proposed building is designed with 86 one bedroom units and 1 two bedroom unit. All of the units open to the interior courtyard with seating and green space located in the middle of the second floor.

The Project is located at 217 East Sixth Street in the Downtown General (DT-G) zone (Attachment A). For purposes of this staff report, the foregoing project description shall be referred to as the “**Project**”. Filed by Luis Hernandez, of Many Mansions (“**Applicant**” and “**Owner**”), 1259 East Thousand Oaks Boulevard, Thousand Oaks, CA 91362.

Please see the reduced Project plans (Attachment B) for more details.

- 3) **Existing & Surrounding Land Uses:** The Project site is located on a vacant lot. The Project site is located near the northeast corner Sixth Street and Meta Street. The following table describes the General Plan Land Use Designations, Zoning Designations, and existing land uses of the Project site and properties immediately adjacent to the site, which are also illustrated in Attachment A:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Downtown (DT)	Downtown General (DT-G)	Vacant
North	Downtown (DT)	Downtown General (DT-G)	Vacant
South	Downtown (DT)	Downtown General (DT-G)	Ventura County Rescue Mission
East	Central Industrial Area (CIA)	Heavy Manufacturing (M-2)	Industrial/Railroad
West	Downtown (DT)	Downtown General (DT-G)	Single Family Residence

4) **Background Information:**

- a) By 1903, the subject property was developed with a single-story commercial structure (219, 221, 223, 233, and 235 East 6th Street) occupied by Oxnard Steam Laundry and a

single-story residential structure on the southwest portion. By 1906, the residential structure on the southwest portion was demolished. Oxnard Steam Laundry facility continued to expand to the northern portion of the subject property through at least 1938. By 1939, the subject property was demolished and subsequently redeveloped with five duplex structures (217, 219, 225, 225 1/2, 231, 231 1/2, 233, 233 1/2, 235, and 235 1/2 East 6th Street) on the south and eastern portions of the subject property. The site remained in this configuration through at least 2012. By 2016, all of the residential structures were demolished and the subject property has remained vacant land through the present.

- b) On July 30, 2019, the City Council adopted Ordinance No. 2963, which amended the Oxnard City Code Chapter 16, Division 10 and instituted a new "Downtown Code," and associated Zone Changes. The Downtown Code allows for a maximum development of 2,284 residential units and 3,025,370 square-feet of commercial space within the downtown area. The development allowed within the Downtown Code was evaluated in the 2030 General Plan Addendum No. 5, and it was determined to not result in any new significant impacts.
 - c) On April 21, 2021 pursuant to Oxnard City Code (OCC) Section 16-148, the Community Development Director approved a request for a Major Downtown Design Review Permit (DDR) to authorize the construction of a 73,534 square foot 5-story mixed use apartment building with 87 residential units, 29 parking spaces (including two ADA accessible spaces), a recreation room, 2,375 square-feet of non-residential (i.e commercial or office) space, and a 2,068 square-foot courtyard on a 0.42-acre project site. Four (4) additional tandem spaces are being provided, however pursuant to the OCC they are not counted toward the required parking. The approved development includes non-residential space, and parking on the ground level, with an additional 4 levels of residential units (for a 5 story building). The proposed building is designed with 86 one bedroom units and 1 two bedroom unit. All of the units open to the interior courtyard with seating and green space located in the middle of the second floor. The Resolution signed by the Director is found in Attachment C. As of the publication of this report, the approval of the DDR was not appealed and is final, subject to approval of the Density Bonus.
- 5) Environmental Determination:** In accordance with Sections 15332 (Class 32, In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of the CEQA.

This Project includes the construction of a mixed-use apartment building with non-residential space that is consistent with the General Plan land use designation of Downtown and the Downtown Code zoning designation of Downtown (DT-G). The ministerial Density Bonus request would allow for three concessions under State Density Bonus Law. The proposed development is located on a 0.42-acre project site which is surrounded by urban uses. The Project site will be adequately served by all required utilities and public services. The

Project site has no value as habitat for endangered, rare or threatened species. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply. 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 direct the Planning & Environmental Services Manager to file the Notice of Exemption (Attachment D) with the Ventura County Clerk pursuant to Section 15062 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of the project.

6) Density Bonus Permit Analysis:

- a) **General Discussion:** As discussed below, the Project has been found to be consistent with both the General Plan and the Downtown Code. The building, including the requested concessions, was found to be in accordance with the Downtown Code and the 2030 General Plan, as found in the Major Downtown Design Review permit Staff Report and Resolution approved by the Community Development Director (Attachment C).
- b) **Density Bonus:** As noted in the Project Description above, the Project includes an administrative request for concession and incentives pursuant to Section 65915(d) of the Government Code and OCC Section 16-410-L. Under the Government Code and OCC, if a development provides at least 24% of the total units for low income households, at least 15% for very low income households, or at least 30% for persons and families of moderate income households in a common interest development, then, the developer is eligible for up to three concessions or incentives. As proposed, the residential units will be designated as 100% affordable housing, which pursuant to Government Code Section 65915(d)(2)((D), would make the project eligible for up to four (4) concessions or incentives. The three concessions requested are as follows:
 - 1. Reduction of the rear ground floor setback from 5 feet to zero feet.
 - 2. Reduction of the rear upper story setback for residential buildings from ten feet to zero feet.
 - 3. Reduction of the required residential parking from 87 spaces to 29 residential spaces and reduction of the required commercial spaces from three (3) spaces to zero (0) spaces.

As the building height is limited due to the construction type, the applicant estimates that they could only develop a 52 unit project without the requested concessions. Due to fixed project costs (such as, but not limited to, land cost, due diligence studies, design and engineering), as well as hard costs (such as, but not limited to, the site work and the podium construction itself), economies of scale play an important factor in the financial feasibility for the project. Many costs are fixed, regardless of a specific unit count. Based on the applicants analysis, increasing the density from 52 units to 87 units creates a cost savings of approximately \$90,000 per unit, nearly 19% of the total estimated development costs. Therefore, the requested concessions would result in identifiable and

actual cost reductions.

Pursuant to Section 16-410F, the Density Bonus is non-discretionary and falls under the approving authority of the Planning Commission. The Density Bonus (PZ 20-535-01) is a companion permit to the DDR permit which was considered and approved by the Community Development Director on April 21, 2021. As conditioned, and in-compliance with state law the project shall provide 15 percent of the units for very-low income households and shall be granted three (3) concessions or incentives. The Resolution approving the requested Density Bonus permit is included as Attachment E.

- c) **Site Design:** The approved mixed use apartment and commercial / office building is designed as a vertical mixed use building, as described in the background section above. The proposed non-residential spaces will be located on the ground floor. The primary visitors entrance for the building will be located on Sixth Street. As currently proposed, the front portion of the building will consist of offices and storage areas (Attachment B).
- 7) **Development Advisory Committee:** The Project was reviewed by the Development Advisory Committee (DAC) on July 8, 2020. Conditions of approval from DAC are included in the attached Resolution.
- 8) **Community Workshop and Public Outreach:** The project site is located within the Five Points Northeast Neighborhood. On August 17, 2020, the project was presented to the public during a Community Workshop meeting. The meeting was attended by two members of the public to provide comments regarding the project. The primary concern was the availability of parking and the events sometimes held on Sixth Street by the Rescue Mission. As discussed above the parking is subject to a Density Bonus request. Also, if future events were held, City review would be required and access issues would be addressed at that time. Other than those concerns the comments were generally supportive of the project and indicated that the proposed project is a major improvement to the Downtown area.

Consistent with public noticing requirements, the Planning Commission hearing was advertised in the newspaper, with an on-site posting, and by mail to property owners within 300 feet of the subject property. To date, Staff has received one public comment letter regarding the proposed Project associated with the Major Downtown Design Review Permit (PZ 20-200-06), but Staff has not received any concerns or public comments regarding the proposed Density Bonus.
- 9) **Appeal Procedure:** In accordance with Section 16-545 of the OCC, 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. If an appeal to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

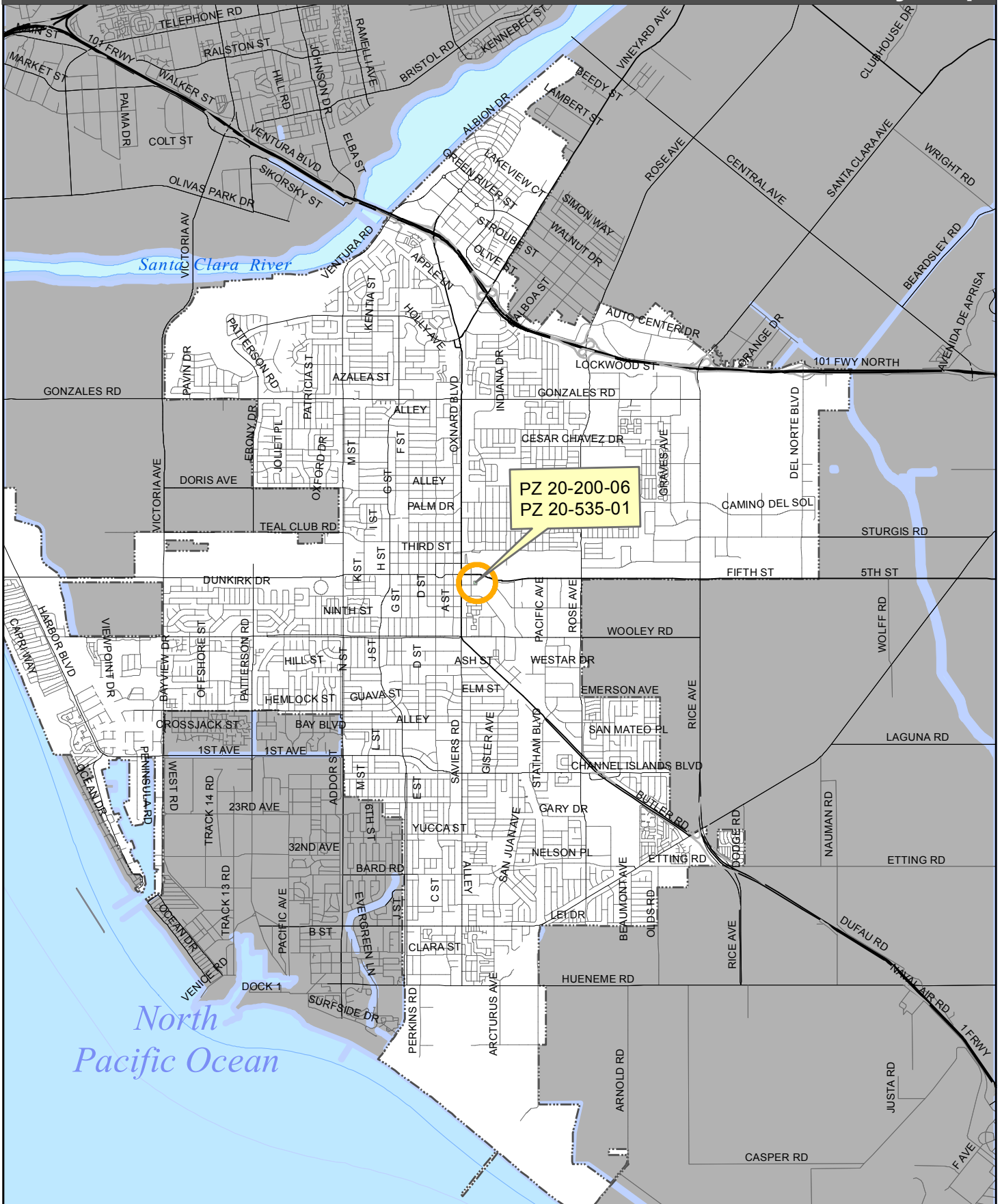
Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Community Development Director Staff Report and Resolution 20-200-06
- D. Notice of Exemption
- E. Density Bonus Permit Resolution
- F. Staff Presentation

ATTACHMENT A

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

Vicinity Map



2030 General Plan Land Use Map



Oxnard Planning
March 30, 2021

20-200-06, 20-535-01
Location: 217 E Sixth St
APN: 2010213110
Central Terrace

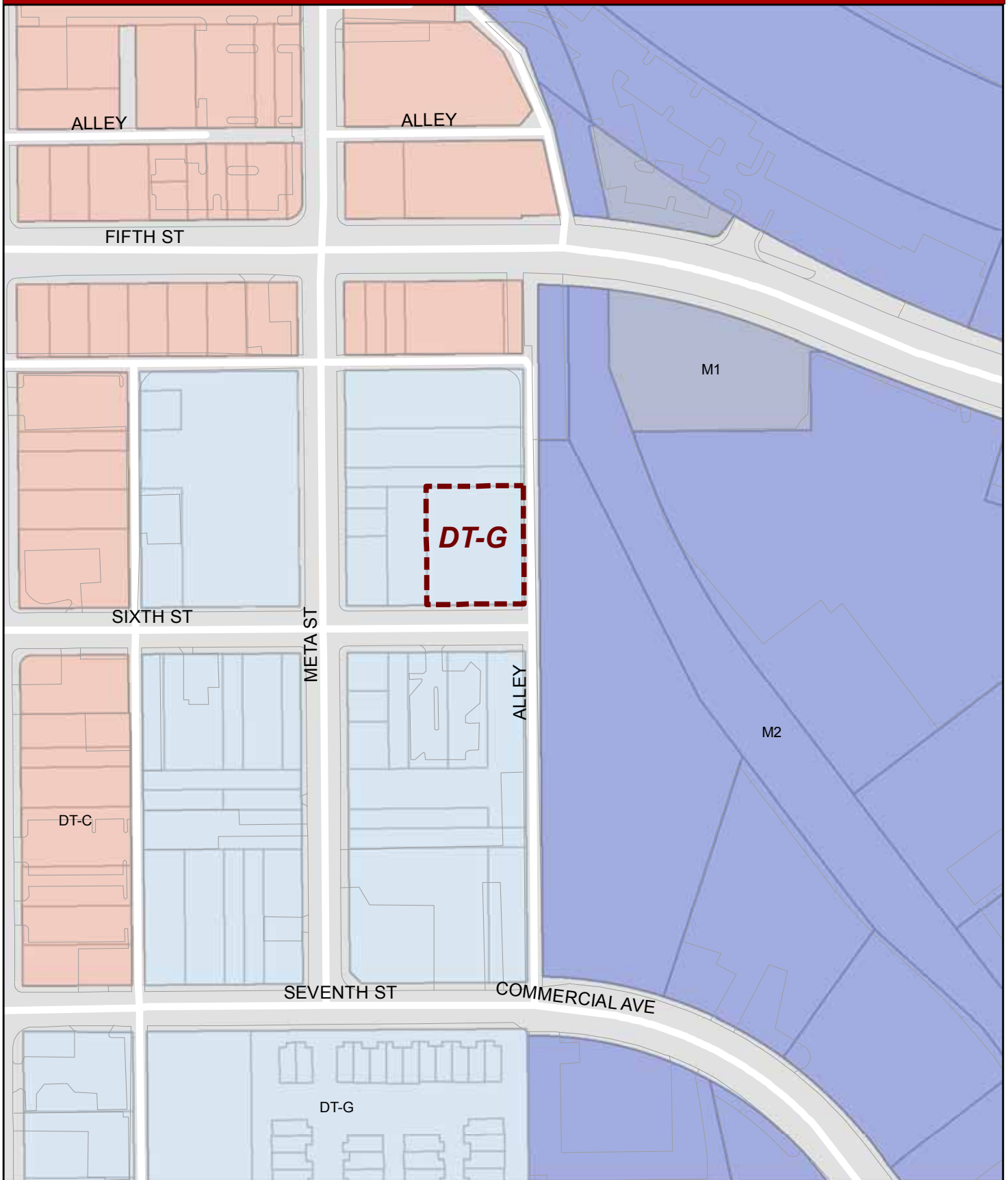
0 50 100 200 Feet

2030 General Plan Land Use Map



1:2,000

Zoning/Specific Plan Map



Oxnard Planning

March 30, 2021

20-200-06, 20-535-01
Location: 217 E Sixth St
APN: 2010213110
Central Terrace

0 25 50 100 150 200 Feet

Zoning/Specific Plan Map

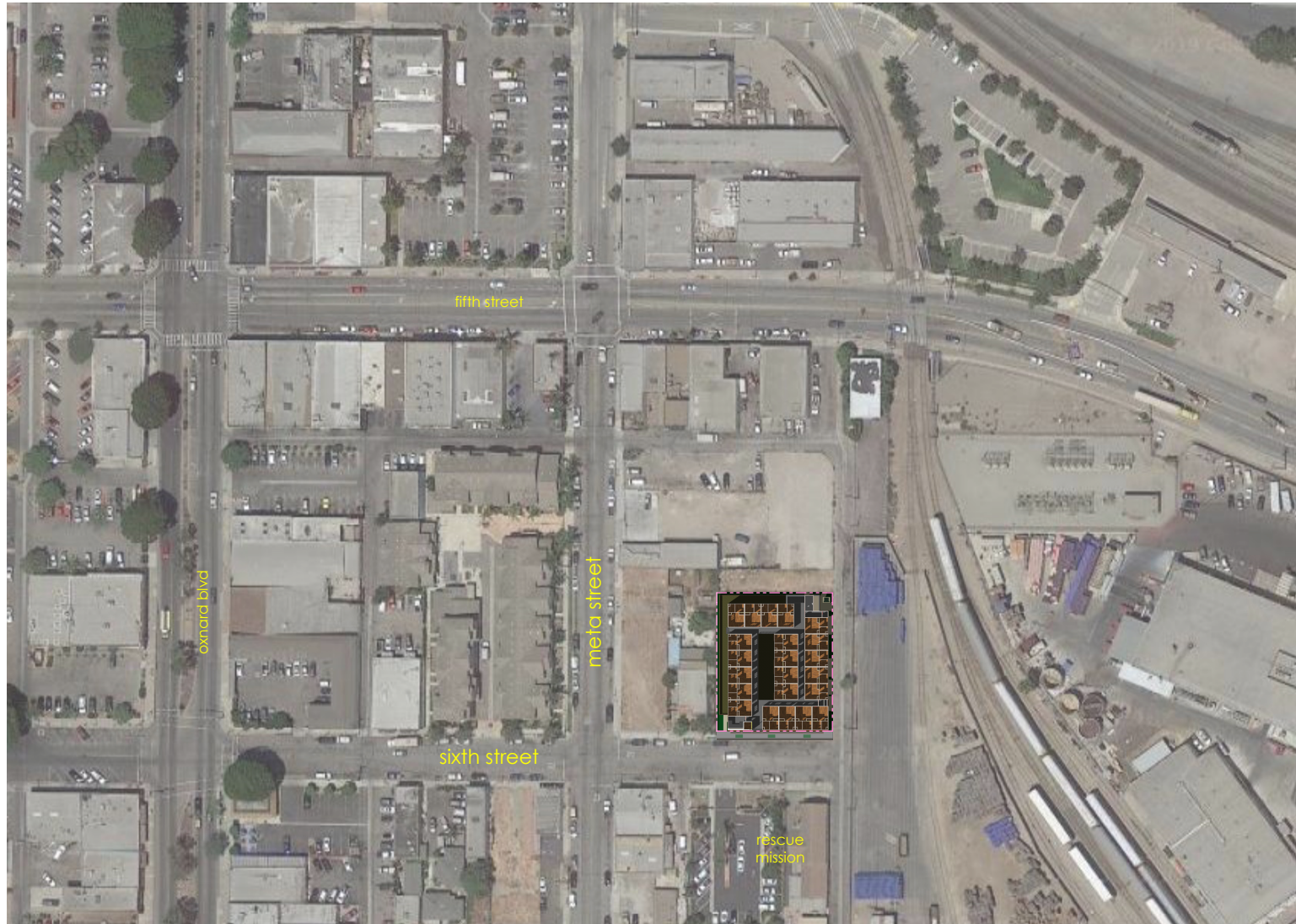


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ATTACHMENT B

REDUCED PROJECT PLANS



Central Terrace Apartments

217 E. Sixth Street
Oxnard, California

owner:
Many Mansions
contact: Luis Hernandez 805.496.4948

site information:
APN: 201-0-213-110
18,575 square feet / .42 acre
Zoning: ODC DT-G Downtown General

building information:
4 stories of affordable apartments over podium w/ elevator

parking: 12,977 sf
residential: 40,748 sf
circulation: 13,658 sf
common: 2,375 sf
landscape: 1,908 sf
utilities: 1,868 sf
total: 73,534 total sf

ground floor: 2,375 sf common space including offices, restroom, & kitchenette
floor 2: 18 - Unit A: 1 bedroom
1 - Unit B: 2 bedroom manager's
2 - Unit C: 1 bedroom
floors 3-5: 20 - Unit A: 1 bedroom per floor
2 - Unit C: 1 bedroom per floor
87 total dwelling units

parking: 33 stalls, including 2 disabled access

open space:
private: 2,068 sf courtyard on floor 2
not required per Downtown Code

Consultants

architecture:
DiCecco Architecture Inc.
887 Patriot Drive, Suite C
Moorpark, CA 93021
805.552.0088
contact: Mark Di Cecco AIA

civil engineering:
Encompass Consulting Group
533 N. Lantana Street, Suite 130
Camarillo, CA 93010
805.322.4443
contact: Triston J. Santos, PE

landscape architecture:
LA Group Design Works
24103 Ventura Blvd., Suite 201
Calabasas, CA 91302
818.251.9718
contact: Monica D'Angelo-Tomei

Sheet Index

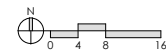
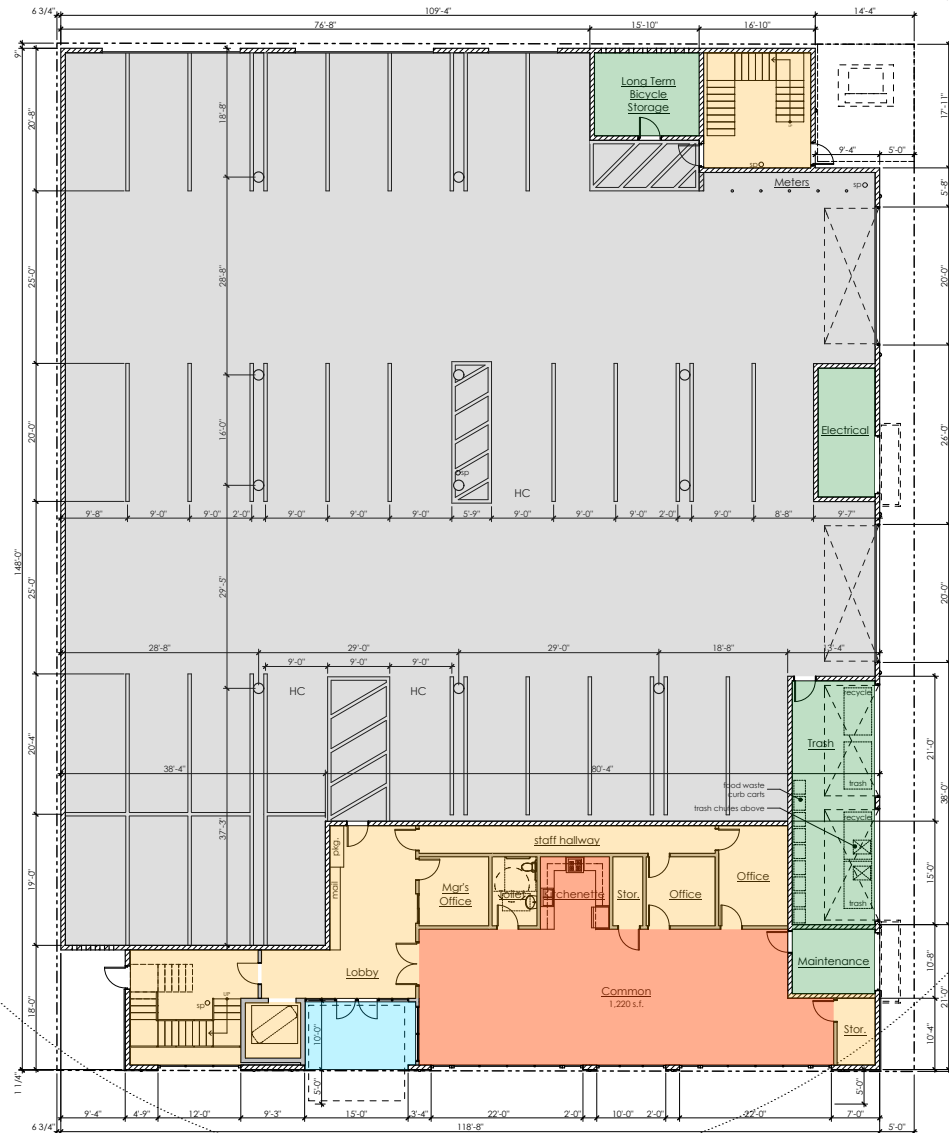
architecture:
EA.1 Cover
EA.2 Ground Floor
EA.3 Second Floor
EA.4 Third Floor
EA.5 Fourth Floor
EA.6 Fifth Floor
EA.7 Roof Plan
EA.8 Unit Plans
EA.9 Elevations
EA.10 Elevations
EA.11 Rendered Elevations
EA.12 Rendered Elevations
EA.13 Renderings
EA.14 Renderings
EA.15 Elevation Progression
EA.16 Material Board

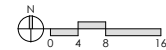
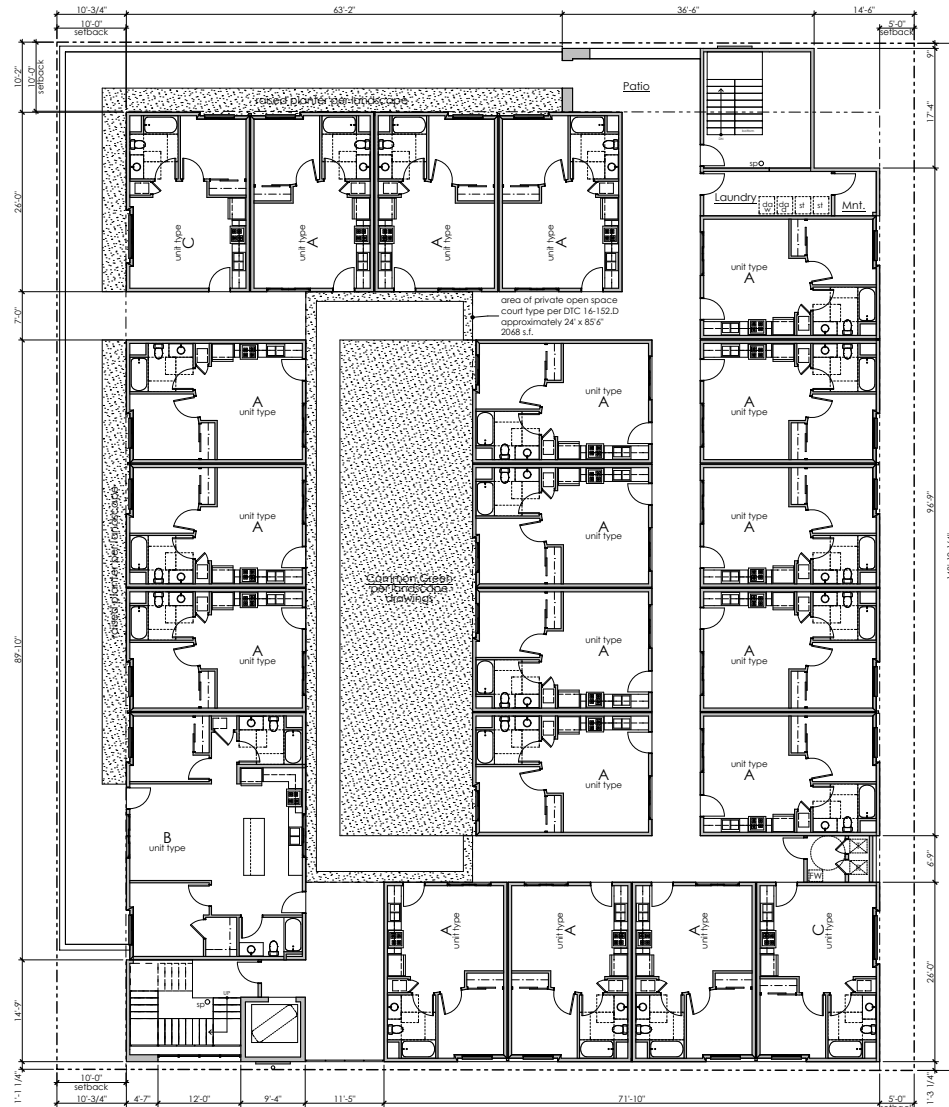
civil:
1 Conceptual Grading Plan
2 Fire Hydrant Exhibit

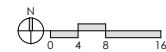
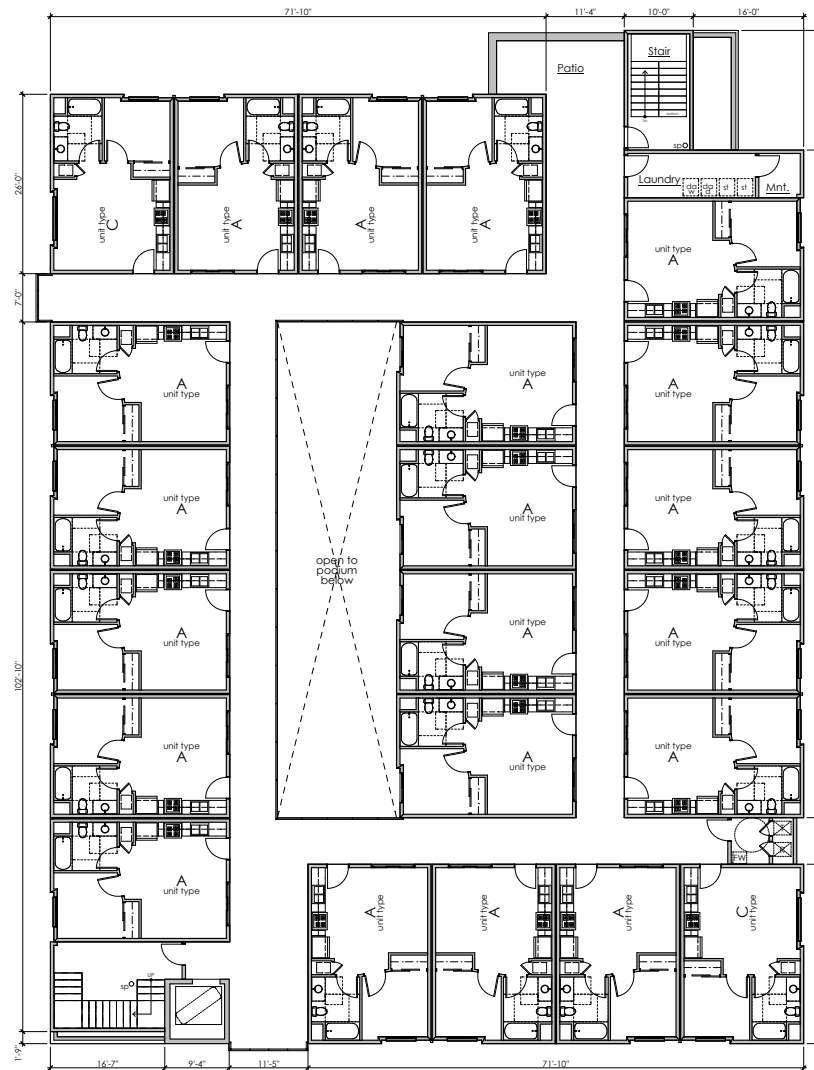
landscape:
L-1 Ground Plan
L-2 Podium Plan

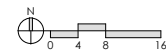
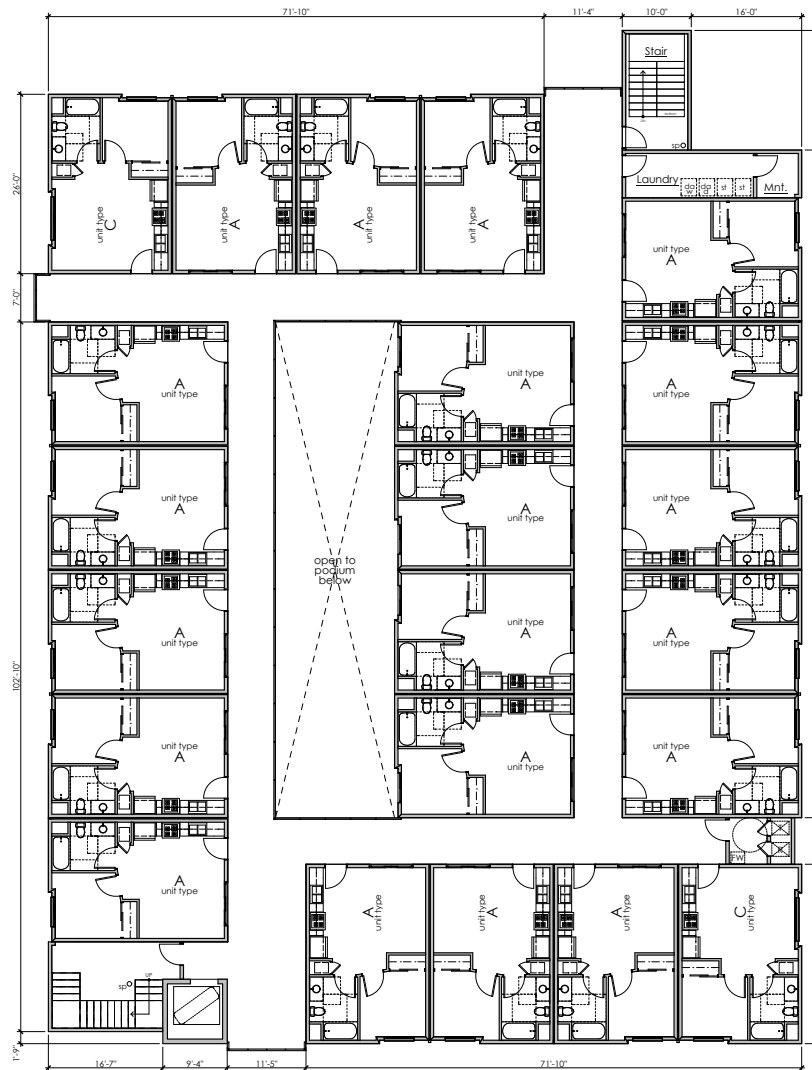
Central Terrace Apartments

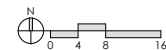
217 E. Sixth Street, Oxnard, CA

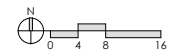
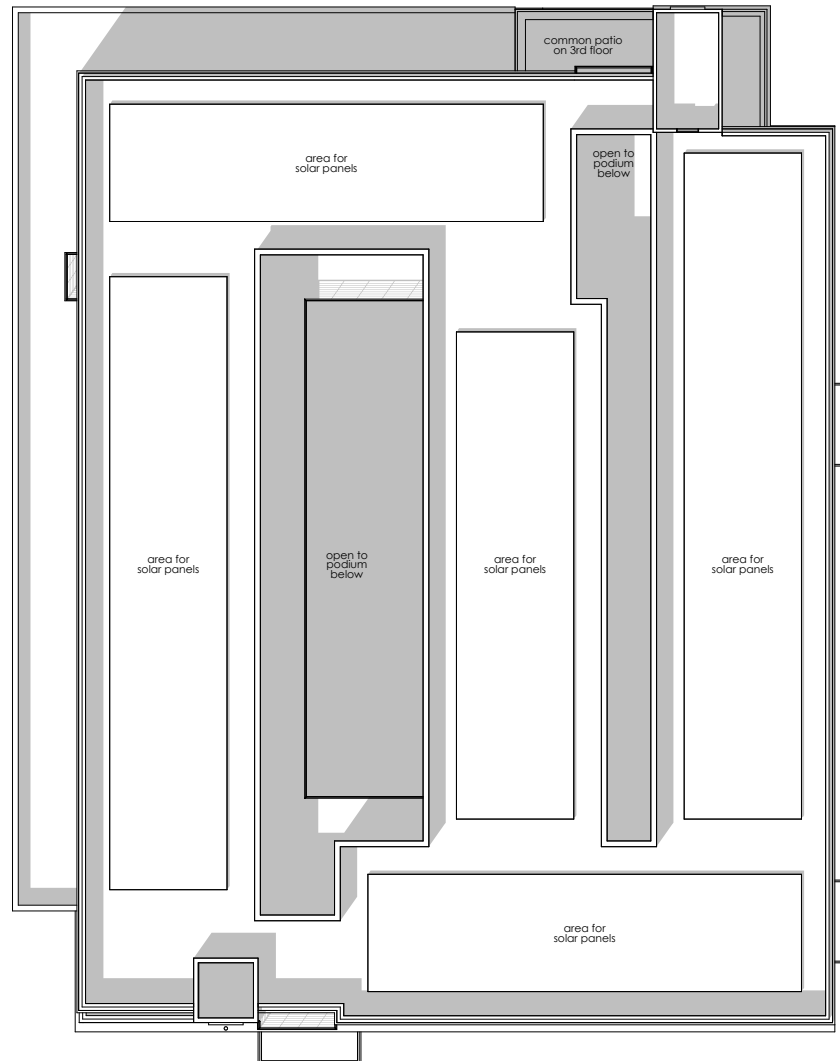


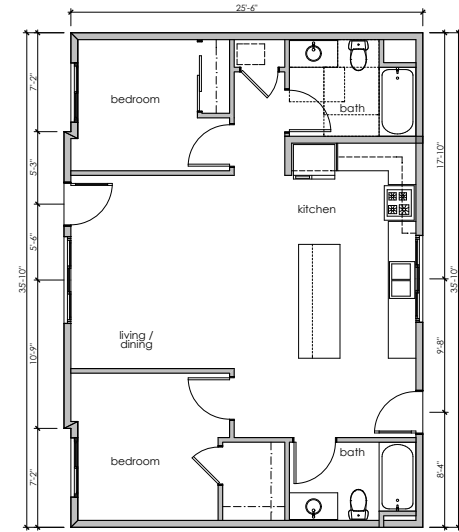




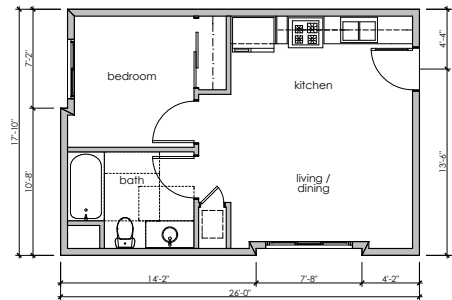




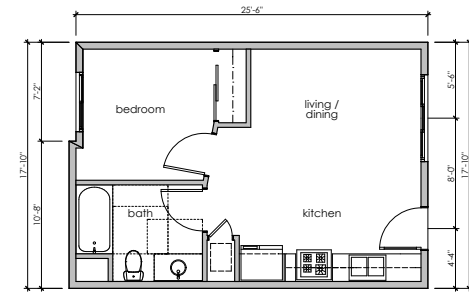




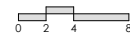
Unit B_924 sq. ft.

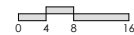
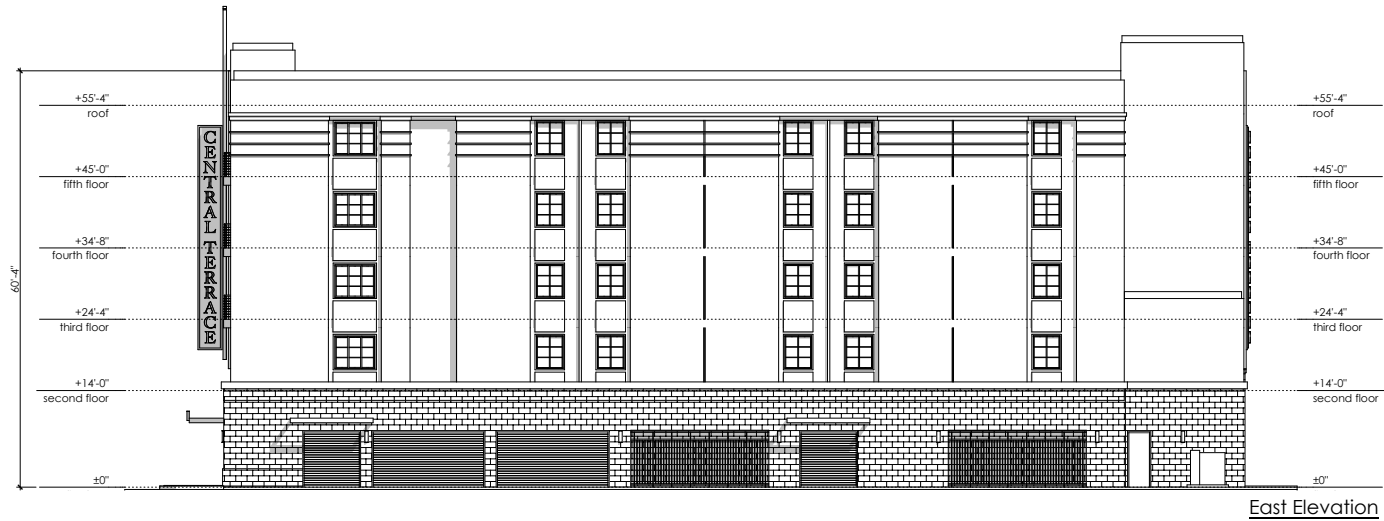


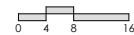
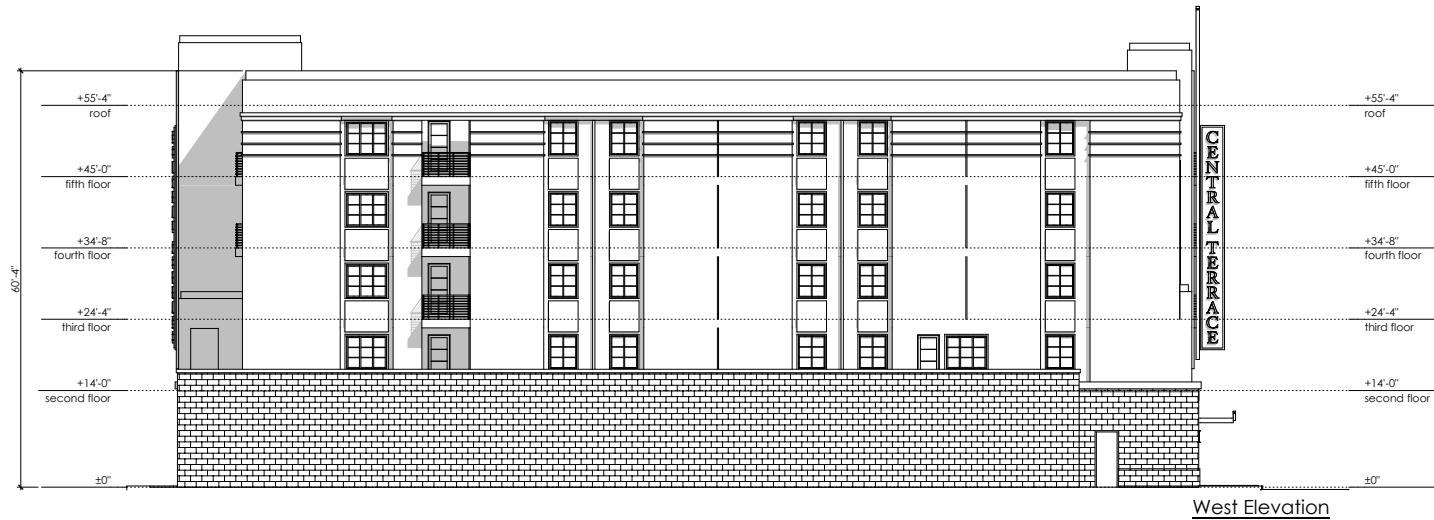
Unit C_456 sq. ft.



Unit A_460 sq. ft.









South Elevation



West Elevation



East Elevation



North Elevation

Rendered Elevations

8/19/20









stucco body
Merlex Glacier White
p-100



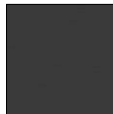
stucco accent color
Dunn Edwards
DE6375 Castlerock



accent trim
Dunn Edwards
DET535 Midcentury Gem



windows
Milgard Styleline
bronze



building signage
Dunn Edwards
DEA155 Arabian Red



storefront/panels
US aluminum
PPG black



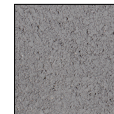
storefront glazing
sealed clear units
meet T24 requirements



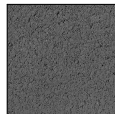
parking screens
Dunn Edwards
DE 187 Black

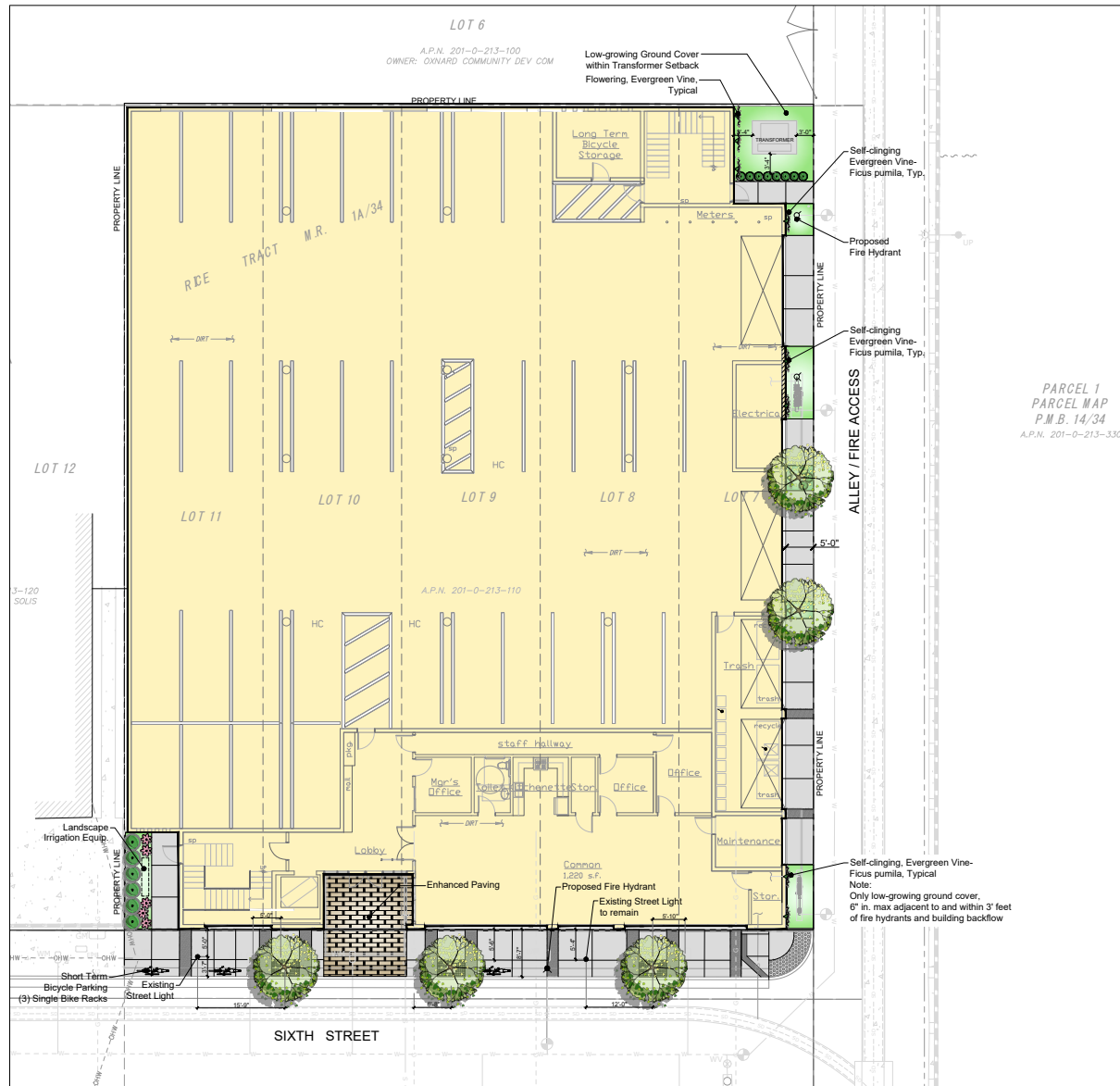


cmu podium wall
Angelus Block
Greystone



podium watertable
Angelus Block
Onyx Precision





PRILIMINARY PLANT LIST

TREES	
Acacia saligna / River Wattle	24" box
Pyrus calleryana / Chanticleer / Chanticleer Pear	24" box
Viburnum chinensis / Dogwood / Dogwood Water Gum	24" box
SHRUBS	
Argemone x 'Kanga Pink' / Dwarf Pink Kangaroo Paw	1 gal
Callisia macrocarpa / Natal Plum	5 gal
Chondrostemon tomentosus / Cape Rush	5 gal
Cleome integrifolia / Orange Bush Lily	5 gal
Coprosma repens / Miner Plant	5 gal
Cornus x 'Ray's Tangelina' / Orange Australian Fuchsia	5 gal
Croton retusus / Long Leaf Plant	1 gal
Dianella involuta / Little Red / Little Red Flax Lily	5 gal
Hebe x 'Barb's Coral' / Coral Coral Bell	5 gal
Juncus patens / California Gray Rush	5 gal
Manfreda domestica / Manzanillo	15 gal
Phoenix roebelinii / Pinyon Date Palm	5 gal
Phormium tenax / New Zealand Flax	15 gal
Podocarpus n. Maki/Kolumbar Shrubby Yew Pine	1 gal
Scaevola australis / Autumn Moor Grass	1 gal
VINES	
Dioscorea buccinatoria / Blood Red Trumpet Vine	5 gal
Ficus pumila / Creeping Fig	5 gal
Macfadyenae unguis-cati / Yellow Trumpet Vine	5 gal
GROUND COVERS	
Argemone repens / Carpet Bugle	Rate
Cerium xanthum / Sugar Plum / Crane's Bill	Rate
Phlegmaria tomentosum / Peppermint Geranium	Rate
Verbena peruviana / Peruvian Verbena	Rate
Vicia minor / Common Peavine	Rate

GROUND LEVEL

Scale: 1" = 1/8"

PREPARED FOR:
MANY MANSIONS
1423 E. Thousand Oaks Blvd.
Thousand Oaks, CA 91362
805.496.4948



1887 Patriot Drive, Suite C
Thousand Oaks, California 92021
805.555.0088
www.diccoarch.com

dicco architecture incorporated

L.A. Group Design Works, Inc.

CENTRAL TERRACE APARTMENTS

217-235 East Sixth Street, Oxnard, CA

CONCEPTUAL LANDSCAPE PLAN

LANDSCAPE NOTES:

1. LANDSCAPING WILL COMPLY WITH THE APPLICATION CITY OF OXNARD LANDSCAPE STANDARD.
2. THE LANDSCAPE AND IRRIGATION WILL COMPLY WITH THE CITY OF OXNARD WATER EFFICIENT LANDSCAPE ORDINANCE (CITY COUNCIL ORDINANCE NO. 2822) AND LANDSCAPE WATER CONSERVATION.
3. LANDSCAPE ARCHITECT SHALL PROVIDE THE CITY WITH WRITTEN CONFIRMATION THAT THEY HAVE REVIEWED THE CIVIL ENGINEERING CONSTRUCTION DRAWINGS AND THAT THE NPDES REQUIREMENTS ARE NOT IN CONFLICT WITH MEETING THE CITY'S LANDSCAPE REQUIREMENTS.



Rev: 08.20.2020
Date: 04.27.2020
JOB # 4671



L.A. GROUP

Design Works

Landscape Architecture
24013 Ventura Blvd., Suite 201
Calabasas, CA 91302
p 818.251.9718 / f 818.251.9719
email: DesignWorks@lagroupinc.net

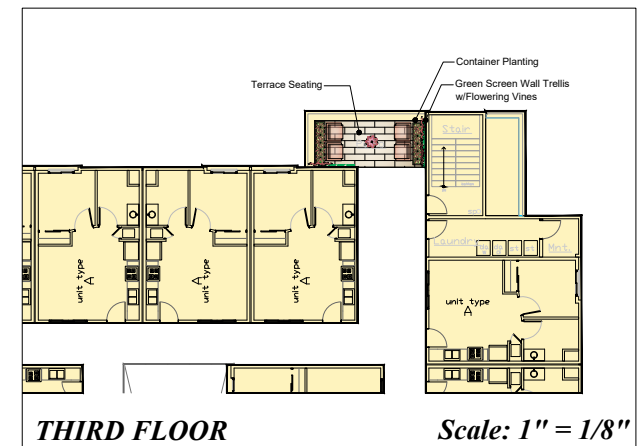
Landscape Architecture



SECOND FLOOR

Scale: 1" = 1/8"

PRILIMINARY PLANT LIST		
TREES		
<i>Acacia suberosa</i> / River Wattle	24" box	
<i>Pinus caleyana</i> 'Chanticleer' / Chanticleer Pear	24" box	
<i>Trochodendron araliifolium</i> / Elegant Water Gum	24" box	
PALMS		
<i>Alseodendron nemorosum</i> / Queen Palm	12" BTH	
SHRUBS		
<i>Argemone x 'Kanga Pink'</i> / Dwarf Pink Kangaroo Paw	1 gal	
<i>Carissa macrocarpa</i> / Natal Plum	5 gal	
<i>Chondrostygium baccatum</i> '15 Camp' / Cape Rush	5 gal	
<i>Clusia miniata</i> / Orange Bush Lily	5 gal	
<i>Coronaria repens</i> / Mirror Plant	5 gal	
<i>Cornus x 'Ray x Tangier'</i> / Orange Australian Fuchsia	5 gal	
<i>Crotona ovata</i> / Large Jade Plant	5 gal	
<i>Dianella revoluta</i> 'Lily Rev' / Little Rev Flax Lily	5 gal	
<i>Heathia x 'Santa Ana Cardinal'</i> / Cardinal Coral Bell	5 gal	
<i>Juncus patens</i> / California Gray Rush	5 gal	
<i>Nandina domestica</i> / Heavenly Bamboo	5 gal	
<i>Phoenix roebelinii</i> / Pigmy Date Palm	15 gal	
<i>Phoenix tchadai</i> / New Zealand Fan	5 gal	
<i>Scaevola autumnalis</i> / Autumn Moor Grass	1 gal	
VINES		
<i>Distylium buccinatum</i> / Blood Red Trumpet Vine	5 gal	
<i>Macfadyenae angustifolia</i> / Yellow Trumpet Vine	5 gal	
GROUND COVERS		
<i>Algeria repens</i> / Carpet Bugle	5 gal	
<i>Geranium incanum</i> / Sugar Plum / Crane's Bill	5 gal	
<i>Polemonium boreale</i> / Peppermint Geranium	5 gal	
<i>Veronica peruviana</i> / Peruvian Verbena	5 gal	
<i>Vincetoxicum</i> / Common Periwinkle	5 gal	



THIRD FLOOR

Scale: 1" = 1/8"

PREPARED FOR:
MANY MANSIONS
1423 E. Thousand Oaks, Blvd.
Thousand Oaks, CA 91362
805.496.4948



dai
307 Patriot Drive, Suite C
Woodland Hills, California 91367
818.552.0088
www.daiarchitecture.com

CENTRAL TERRACE APARTMENTS

217-235 East Sixth Street, Oxnard, CA

CONCEPTUAL LANDSCAPE PLAN

L.A. Group Design Works, Inc.

LANDSCAPE NOTES:

1. LANDSCAPING WILL COMPLY WITH THE APPLICATION CITY OF OXNARD LANDSCAPE STANDARD.
2. THE LANDSCAPE AND IRRIGATION WILL COMPLY WITH THE CITY OF OXNARD WATER EFFICIENT LANDSCAPE ORDINANCE (CITY COUNCIL ORDINANCE NO. 2822) AND LANDSCAPE WATER CONSERVATION.
3. LANDSCAPE ARCHITECT SHALL PROVIDE THE CITY WITH WRITTEN CONFIRMATION THAT THEY HAVE REVIEWED THE CIVIL ENGINEERING CONSTRUCTION DRAWINGS AND THAT THE NPDES REQUIREMENTS ARE NOT IN CONFLICT WITH MEETING THE CITY'S LANDSCAPE REQUIREMENTS.



Rev: 08.20.2020
Date: 04.27.2020
JOB # 4671



L.A. GROUP

Design Works

Landscape Architecture
24013 Ventura Blvd. Suite 201
Culver City, CA 91505
p 818.251-9718 / f 818.251-9719
email: DesignWorks@lagroupinc.net

Landscape Architecture

TREES



PYRUS CALLERYANA
'CHANTICLEER'



TRISTANIA LAURINA
'ELEGANT'

SHRUBS



ANGIOZANTHOS
'DWARF MAGENTA'



CARISSA M. 'TUTTLE'



CHONOROPETALUM
'TECHTORUM'



CLIVIA MINIATA



CORREA RAY'S 'TANGERINE'



CRASSULA OVATA



DIANELLA REVOLUTA



HEUCHERA X
'SANTA ANA CARDINAL'



JUNCUS PATENS



NANDINA DOMESTICA



PHORMIUM T. 'FIREBIRD'



PHORMIUM T. 'SEA JADE'



PHOENIX ROBELENI



PODOCARPUS M. 'MAKI'



SESLERIA AUTUMNALIS

GREEN SCREEN



Green Screens



BIKE RACK



Horseshoe Bike Rack / Avail. by: The Park Catalog

TREE GRATE



Market Street Tree Grate / Avail. by: Iron Smith / Size: 4' x 8'



VINES



DISTICTIS BUCCINATORIA



FICUS PUMILA



MACFADYENA UNGIS-CATI

GROUND COVER



AJUGA REPTANS



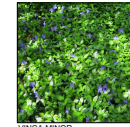
GERANIUM L. 'SUGAR PLUM'



PELARGONIUM TOMENTOSUM



VERBENA PERUVIANA



VINCA MINOR

PREPARED FOR:
MANY MANSIONS
1423 E. Thousand Oaks, Blvd.
Thousand Oaks, CA 91362
805.496.4948



dai
1837 Portofino Drive, Suite C
Thousand Oaks, California 92091
805.552.0988
www.dai-ecg.com

dicecco architecture incorporated

CENTRAL TERRACE APARTMENTS

217-235 East Sixth Street, Oxnard, CA

CONCEPTUAL LANDSCAPE PLAN

LANDSCAPE NOTES:

1. LANDSCAPING WILL COMPLY WITH THE APPLICATION CITY OF OXNARD LANDSCAPE STANDARD.
2. THE LANDSCAPE AND IRRIGATION WILL COMPLY WITH THE CITY OF OXNARD WATER EFFICIENT LANDSCAPE ORDINANCE (CITY COUNCIL ORDINANCE NO. 2850) AND LANDSCAPE WATER CONSERVATION.
3. LANDSCAPE ARCHITECT SHALL PROVIDE THE CITY WITH WRITTEN CONFIRMATION THAT THEY HAVE REVIEWED THE CIVIL ENGINEERING CONSTRUCTION DRAWINGS AND THAT THE NPDES REQUIREMENTS ARE NOT IN CONFLICT WITH MEETING THE CITY'S LANDSCAPE REQUIREMENTS.

Date: 08.20.2020
JOB # 4671

L-3



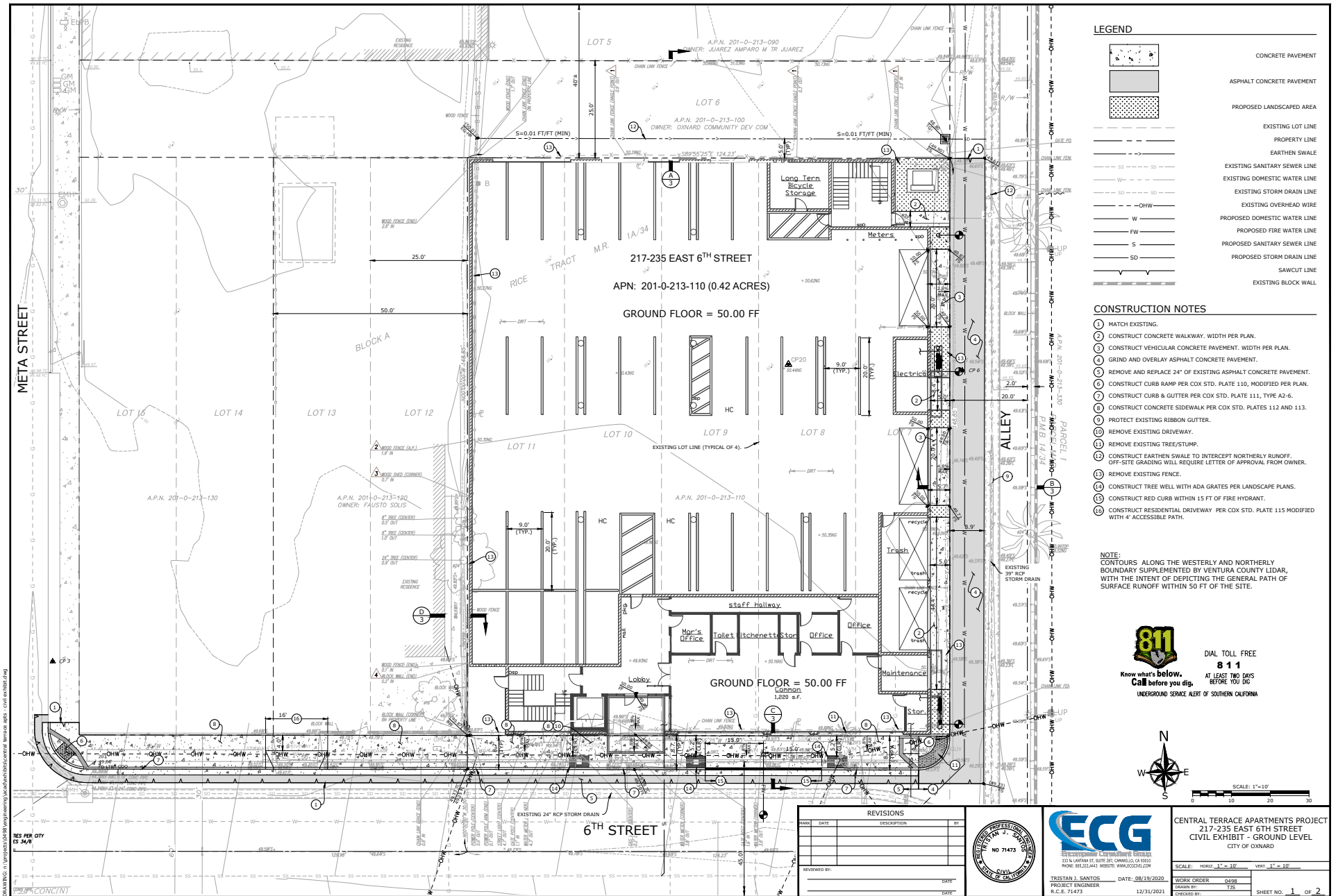
L.A. GROUP

Design Works

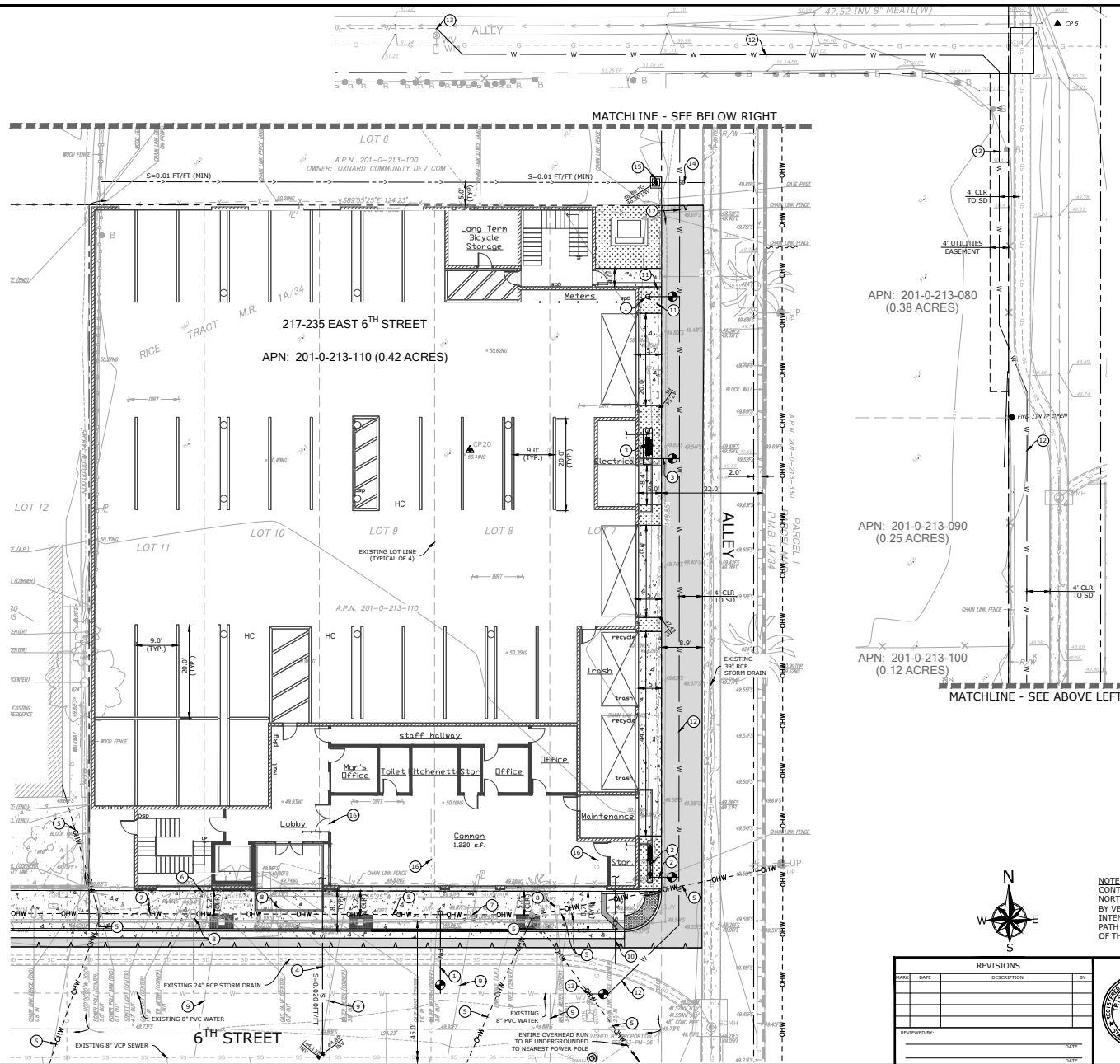
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Calabasas, CA 91302
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email: DesignWorks@lagroupinc.net

L.A. Group Design Works, Inc.

Landscape Architecture



Drawn by: J. Santos, P.E. 08/19/2020. Checked by: J. Santos, P.E. 08/19/2020. Project Engineer: J. Santos, P.E. 08/19/2020.



LEGEND

	CONCRETE PAVEMENT
	ASPHALT CONCRETE PAVEMENT
	PROPOSED LANDSCAPED AREA
	EXISTING LOT LINE
	PROPERTY LINE
	EARTHEN SWALE
	EXISTING SANITARY SEWER LINE
	EXISTING DOMESTIC WATER LINE
	EXISTING STORM DRAIN LINE
	EXISTING OVERHEAD WIRE
	PROPOSED DOMESTIC WATER LINE
	PROPOSED FIRE WATER LINE
	PROPOSED SANITARY SEWER LINE
	PROPOSED STORM DRAIN LINE
	SAWCUT LINE
	EXISTING BLOCK WALL

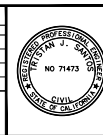
CONSTRUCTION NOTES

1. CONSTRUCT FIRE HYDRANT PER COX STD. PLATE 300. REMOVE EXISTING WATER SERVICE LATERAL.
2. CONSTRUCT DOMESTIC WATER SERVICE AND METER INSTALLATION PER COX STD. PLATE 310.
3. CONSTRUCT FIRE WATER LINE INSTALLATION PER COX STD. PLATE 311, WITH FIRE DEPARTMENT CONNECTION.
4. CONSTRUCT SANITARY SEWER HOUSE CONNECTION PER COX STD. PLATE 405 (6" & BELOW).
5. EXISTING OVERHEAD WIRES ALONG THE FULL PROPERTY FRONTAGE TO BE RELOCATED UNDERGROUND. COORDINATE WITH SOUTHERN CALIFORNIA Edison ALL RELOCATION OF EXISTING OVERHEAD WIRES, POWER POLE, AND APPURTENANCES.
6. PROTECT EXISTING GAS LINE AND APPURTENANCES.
7. PROTECT EXISTING STREET LIGHT.
8. REMOVE EXISTING WATER METER. REMOVE AND DISCONNECT SERVICE LINE AT THE MAIN.
9. REMOVE EXISTING SEWER LATERAL AND DISCONNECT SERVICE LINE AT THE MAIN.
10. CONSTRUCT 10" STORM DRAIN LINE WITH A MINIMUM 0.5% SLOPE. CONNECT TO EXISTING RCP STORM DRAIN.
11. CONSTRUCT TYPICAL BARRICADES FOR FIRE HYDRANT PER COX STD. PLATE 301, TYPE C.
12. CONSTRUCT 8" PVC WATER LINE PER COX STD. PLATE 602.
13. CONNECT TO EXISTING WATER LINE.
14. CONSTRUCT 12" STORM DRAIN LINE WITH A MINIMUM 0.5% SLOPE. CONNECT TO EXISTING RCP STORM DRAIN WITH JUNCTION STRUCTURE No. 3 PER COX STD. PLATE 523.
15. INSTALL 18"x18" DROP INLET WITH TEMPORARY CATCH BASIN INSERT.
16. REMOVAL OF EXISTING GAS LINE AND APPURTENANCES TO BE COORDINATED WITH GAS COMPANY.

NOTE:
CONTOURS ALONG THE WESTERLY AND NORTHERLY BOUNDARY SUPPLEMENTED BY VENTURA COUNTY LIDAR, WITH THE INTENT OF DEPICTING THE GENERAL PATH OF SURFACE RUNOFF WITHIN 50 FT OF THE SITE.



REVISIONS		
NO.	DATE	DESCRIPTION



CENTRAL TERRACE APARTMENTS PROJECT 217-235 EAST 6TH STREET CIVIL EXHIBIT - UTILITIES CITY OF OXNARD	
SCALE: HORIZ. 1"=10'	VERT. 1"=10'
WORK ORDER: 0498	DATE: 08/19/2020
DRAWN BY: TJS	PROJECT ENGINEER: TRISTAN J. SANTOS
CHECKED BY: J. Santos	DATE: 08/19/2020
DESIGNED BY: J. Santos	DATE: 08/19/2020
SHEET NO. 2 OF 3	

ATTACHMENT C

**APPROVED
DIRECTOR STAFF REPORT AND RESOLUTION
(20-200-06)**

**COMMUNITY DEVELOPMENT DIRECTOR
STAFF REPORT**

TO: Vyto Adomaitis, Community Development Director

FROM: Joe E. Pearson II, Senior Planner

DATE: April 21, 2021

SUBJECT: **Project Name: Central Terrace Apartments;** Planning and Zoning Permit Nos. 20-200-06 (Major Downtown Design Review Permit) and 20-535-01 (Density Bonus) to allow for the construction of a 5-story, 87-unit mixed use apartment building with 2,375 square-feet of non-residential space, located at 217-235 East Sixth Street (APN: 201-0-213-110).

- 1) **Recommendation:** That the Community Development Director (“**Director**”) finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development), and adopt a Resolution approving Planning and Zoning Permit Nos. 20-200-06 (Major Downtown Design Review Permit) subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request for a Major Downtown Design Review (DDR) Permit to authorize the construction of a 73,534 square foot 5-story mixed use apartment building with 87 residential units, 29 parking spaces (including two ADA accessible spaces), a recreation room, 2,375 square-feet of non-residential (i.e. commercial or office) space, and a 2,068 square-foot courtyard on a 0.42-acre project site. Four (4) additional tandem spaces are being provided, however pursuant to Oxnard City Code (OCC) they are not counted toward the required parking. Proposed development includes non-residential space, and parking on the ground level, with an additional 4 levels of residential units (for a 5 story building). The proposed building is designed with 86 one bedroom units and 1 two bedroom units. All of the units open to the interior courtyard with seating and green space located in the middle of the second floor.

The application also includes a ministerial request for a Density Bonus to allow for three concessions pursuant to State Density Bonus Law and OCC Section 16-410L, and subject to the approval of the Planning Commission. The three concessions as follows:

- (1) Reduction of the rear ground floor setback from 5 feet to zero feet.
- (2) Reduction of the rear upper story setback for residential buildings from ten feet to zero feet.
- (3) Reduction of the required residential parking from 87 spaces to 29 residential spaces and reduction of the required commercial spaces from three (3) spaces to

zero (0) spaces.

As a result of the requested concessions at least 15 percent of the units (14) must be rented at a level affordable to persons or families of very-low income. The applicant is proposing a 100 percent affordable housing project with all units, except for the managers unit, affordable at least to persons and family at the very-low income level, exceeding the Density Bonus and inclusionary ordinance requirements.

The Project is located at 217 East Sixth Street in the Downtown General (DT-G) zone (Attachment A). For purposes of this staff report, the foregoing project description shall be referred to as the “**Project**”. Filed by Luis Hernandez, of Many Mansions (“**Applicant**” and “**Owner**”), 1259 East Thousand Oaks Boulevard, Thousand Oaks, CA 91362.

Please see the reduced Project plans (Attachment B) for more details.

- 3) **Existing & Surrounding Land Uses:** The Project site is located on a vacant lot. The Project site is located near the northeast corner East Sixth Street and Meta Street. The following table describes the General Plan Land Use Designations, Zoning Designations, and existing land uses of the Project site and properties immediately adjacent to the site, which are also illustrated in Attachment A:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Downtown (DT)	Downtown General (DT-G)	Vacant
North	Downtown (DT)	Downtown General (DT-G)	Vacant
South	Downtown (DT)	Downtown General (DT-G)	Ventura County Rescue Mission
East	Central Industrial Area (CIA)	Heavy Manufacturing (M-2)	Industrial/Railroad
West	Downtown (DT)	Downtown General (DT-G)	Single Family Residence

4) **Background Information:**

- a) By 1903, the subject property was developed with a single-story commercial structure (219, 221, 223, 233, and 235 East 6th Street) occupied by Oxnard Steam Laundry and a single-story residential structure on the southwest portion. By 1906, the residential structure on the southwest portion was demolished. Oxnard Steam Laundry facility

continued to expand to the northern portion of the subject property through at least 1938. By 1939, the subject property was demolished and subsequently redeveloped with five duplex structures (217, 219, 225, 225 1/2, 231, 231 1/2, 233, 233 1/2, 235, and 235 1/2 East 6th Street) on the south and eastern portions of the subject property. The site remained in this configuration through at least 2012. By 2016, all of the residential structures were demolished and the subject property has remained vacant land through the present.

- b) On July 30, 2019, the City Council adopted Ordinance No. 2963, which amended the Oxnard City Code Chapter 16, Division 10 and instituted a new "Downtown Code," and associated Zone Changes. The Downtown Code allows for a maximum development of 2,284 residential units and 3,025,370 square-feet of commercial space. The development allowed within the Downtown Code was evaluated in the 2030 General Plan Addendum No. 5, and it was determined to not result in any new significant impacts.

- 5) **Environmental Determination:** In accordance with Section 15332 (Class 32, In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of the CEQA.

This Project includes the construction of a mixed-use apartment building with non-residential space that is consistent with the General Plan land use designation of Downtown and the Downtown Code zoning designation of Downtown (DT-G). The proposed development is located on a 0.42-acre project site which is surrounded by urban uses. The Project site will be adequately served by all required utilities and public services. The Project site has no value as habitat for endangered, rare or threatened species. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. 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 Community Development Director accept the Notice of Exemption (Attachment C) attached to the staff report.

6) Analysis:

- a) **General Discussion:** As discussed below, the Project has been found to be consistent with both the General Plan and the Downtown Code. In accordance with the Downtown Code, construction of the Project is subject to approval of a Major Downtown Design Review permit by the Community Development Director.
- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is Downtown (DT) uses which allows retail, commercial, government and residential uses in the urban context of the downtown area, regulated by form-based development and performance standards to encourage pedestrian-oriented design, diverse and high-quality housing choices and transit utilization. The proposed mixed use residential and commercial / office building includes commercial / office space on the

ground floor and residential units on the top four floors. The building includes limited parking on the ground floor that is consistent with pedestrian-oriented design. Approval of this Major Downtown Design Review 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
CD-19.1	I	Unique Downtown Identity Ensure that downtown Oxnard occupies a niche in the marketplace as a civic center supported by businesses, retail, residential components, arts, and entertainment.	Project is consistent with Downtown Code to provide mixed uses to revitalize downtown.
CD-19.2	I	Complementary Development Seek a complementary rather than competitive role with other areas of the City for the continued economic development of the City's downtown.	Project will provide needed housing opportunities to support economic development throughout the City.
CD-19.4	I	Revitalization and Redevelopment As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that are deteriorated or detract from the visual quality of the City.	Project is a mixed use in-fill development that will revitalize the Downtown area.
CD-1.2		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.	
CD-19.5	I	Attract Downtown Investment Encourage investors to purchase downtown property and help property owners lease space.	Project includes 87 residential units and 2,375 sq ft of non-residential (commercial / office) space that could be offered for lease.
CD-1.7	I	Compact Development Promote the use of development patterns that are more compactly built and use space in an efficient aesthetic manner as part of the community vision.	Project is designed as a podium style building for efficient use of space on the lot.
CD-8.1	I	Limiting Development Continue to limit development to those areas that can be served by existing or planned utilities, transportation, and service systems.	Project is in-fill development that will be served by existing services.
CD-18.1 CD-18.2	I	Attract New Business Identify and attract a range of commercial, retail and industrial businesses that are compatible with the community's business climate and not detrimental to the existing local economy and environment. Small Business Recognize the job creation potential of small business and promote entrepreneurial development and small business expansion.	Project includes non-residential (commercial / office) space that can be divided into small spaces for new startup businesses.
ICS-8.1	I	Improved Bicycle and Pedestrian	Project includes

ICS-8.5		Safety Promote safety by minimizing conflicts between automobiles, bicycles, and pedestrians with special attention to lighting resources on commercial corridors. 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.	improvements to the adjacent alleyway. The project will also provide sidewalk improvements and the provision of bike racks which will promote pedestrian and bicycle use.
ICS-11.7 ER-10.1	I	Water Wise Landscapes Promote use of Native and Water Wise Plants	The project is conditioned to install street trees to assist in screening the building. The trees require very little watering once established. The proposed shrubs and groundcovers in the landscape plan are all low water use plants.
CD-3.4 CD-10.1 CD-10.2 CD-14.1 CD-14.3	II	Neighborhood Quality of Life Human-Scale Development Neighborhood Themes 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.

As conditioned, the project is consistent with 2030 General Plan land use designation and the Goals and Policies.

c) **Conformance with Zoning Development Standards:** Pursuant to the Downton Code, the

proposed development is located in the Downtown General (DT-G) zone. In accordance with the Downtown Code, the apartment building may be permitted with an approved Major Downtown Design Review Permit (16-146.1.B). Applicable development standards of the Downtown General zone have been compared with the proposed project in Attachment D.

Pursuant to the Downtown Code, the maximum development potential is as follows:

Maximum Development Potential
(Table 16-145.2.J)

Residential	2,284 Units
Non-Residential	3,025,370 Gross Square-Feet

The project includes 87 residential units and 2,375 gross square-feet of non-residential development. Thus, the remaining maximum development potential in the Downtown area is as follows:

Remaining Maximum Development Potential

Residential	2,086 Units ¹
Non-Residential	3,002,387 Gross Square-Feet ²

- d) **Density Bonus:** As noted in the Project Description above, the proposed Project includes an administrative request for concession and incentives pursuant to Section 65915(d) of the Government Code and Oxnard City Code (OCC) Section 16-410-L. Under the Government Code and OCC, if a development provides at least 24% of the total units for low income households, at least 15% for very-low income households, or at least 30% for persons and families of moderate-income households in a common interest development, then, the developer is eligible for up to three concessions or incentives. As proposed, the residential units will be designated as 100% affordable housing, which pursuant to Government Code Section 65915(d)(2)(D), would make the project eligible for up to four (4) concessions or incentives. On site services will be provided by the operator to assist residents in a variety of ways. The Project will be conditioned to obtain Planning Commission approval of the Density Bonus request (PZ 20-535-01). As conditioned, and in-compliance with state law the project shall provide 15 percent of the units for very-low income households and shall be granted three (3) concessions or incentives.

- e) **Site Design:** The proposed mixed use apartment and commercial / office building is

¹ 2,284 available units less: Proposed 87 units (PZ 20-200-06); Approved 111 units; and Constructed 0 units.

² 3,025,370 available square feet less: Proposed 2,375 square feet (PZ 20-200-06); Approved 20,608 square feet; and Constructed 0 square feet.

designed as a podium building. The ground floor is lined with commercial / office space on the front (facing Sixth Street). The ground floor includes a parking area behind the commercial / office spaces which are completely screened from the street frontage. The top four floors include residential units. The entry to each unit faces the interior of the site. The middle of the second floor includes an outdoor common area with seating areas that are available for the enjoyment of all the residents. The floor plan is designed to include an open area in the middle to allow sunlight down to the second floor common area (Attachment B).

- f) **Circulation and Parking:** The proposed apartment building includes frontage on, and pedestrian access from, Sixth Street. The side of the building faces the adjacent alleyway. Vehicular access to the parking garage is provided from the alleyway, consistent with the Downtown Code. The ground floor vehicle access includes two vehicle drive aisles which allow access to a total of 33 vehicle parking spaces (27 standard spaces, 4 tandem spaces, and 2 ADA accessible spaces). However, the four (4) tandem spaces cannot be counted toward the required parking pursuant to the OCC Section 16-622. As a result, the Project is providing 29 required parking spaces. Pursuant to the Downtown Code, the proposed development must include a minimum of 0.5 spaces for each residential unit on-site, and must include payment of an in-lieu fee for a minimum of 50% of the required commercial parking and payment of an in-lieu fee for 0.5 to 0.99 spaces provided for each residential unit. The project includes a total of 29 spaces that count toward the required parking. As noted, in the project description the applicant is requesting a Density Bonus concession. If granted the concession would allow the applicant to eliminate the parking requirements for the project, however the applicant is providing approximately 0.3 spaces per unit. The proposed project is subject to a condition of approval that requires a Parking Management Plan to designate residential and non-residential parking spaces, and provide for the allocation of the residential spaces to residents. (Attachment E).
- g) **Building Design:** The proposed project includes the construction of a 5-story mixed use apartment and commercial / office building that has frontage on Sixth Street. The proposed building is designed as a podium style building (i.e., the parking is located on the ground floor, with other uses on the top four floors above the parking). The first floor is designed for commercial / office space and parking while the top four floors are designed for residential units. The ground floor is designed with commercial / office space along the front (facing Sixth Street). The parking area for both the commercial / office space and residential units is located on the ground floor behind the commercial / office space.

The commercial / office spaces are designed with Shopfront frontages. The Shopfronts feature full length windows. The first floor features a stone facade and the top four floors feature a smooth stucco facade. The residential floors feature vertically proportioned windows that are aligned over the ground floor Shopfronts. The building is designed as a flat roof structure.

The building features projections in the form of an awning over the entrance, window sills, balconies that simply project from the facade, and identification features will have the name of the development “Central Terrace” vertically integrated into the two elements on the northern and southern facades. The features help to break up the massing of the towers. The entrance to the building is emphasized with a recessed Common Entry and metal awning facade located generally in the center of the frontage. The Common Entry will serve as the entrance to both the residential units and commercial space. The vehicle entrance to the building is located off the alleyway, where two gated drive aisles lead directly into the parking area.

The 2,375 square-foot non-residential (commercial / office) space along the building frontage can be used as a large commercial / office space or multiple smaller tenant spaces. The residential units are designed as either 460 square-foot 1-bedroom and 1-bathroom units (86 units) or 924 square-foot 2-bedroom and 1-bathroom units (1 unit).

The top four floor plans for the building are generally the same, with the exception of the second floor which contains the two bedroom unit. The entrance of each apartment faces the interior of the building, where a courtyard is located. The second floor features a approximately 2,000-square foot landscaped courtyard and perimeter walkway on the north and west sides of the building for the use of all residents.

- h) Landscaping and Open Space:** The project site includes landscaping in the parkway along the front (facing Sixth Street) and the east side (facing the alleyway). The parkway on the front includes three new street trees that will provide canopy and shading to be consistent with the Oxnard Downtown Code. The side landscaping along the alleyway includes trees, and vines in planter pockets.

Pursuant to the Downtown Code, the project includes private open space. The second floor of the building includes a common area that will be landscaped with palm trees, accent trees, and shrubs. The common area includes bench seating, tables, and decorative hardscape.

- 7) Development Advisory Committee:** The Project was reviewed by the Development Advisory Committee (DAC) on July 8, 2020. Conditions of approval from DAC are included in the attached Resolution.
- 8) Community Workshop and Public Input:** The project site is located within the Five Points Northeast Neighborhood. On August 17, 2020, the project was presented to the public during a Community Workshop meeting. The meeting was attended by two members of the public to provide comments regarding the project. The primary concern was the availability of parking and the events sometimes held on Sixth Street by the Rescue Mission. As discussed above, the parking is subject to a Density Bonus request. Also, if future events were held, City review would be required and access issues would be addressed at that time. Other than those

concerns, the comments were generally supportive of the project and indicated that the proposed project is a major improvement to the Downtown area.

Consistent with public noticing requirements, the Community Director Hearing was advertised with an on-site posting and by mail to property owners within 300 feet of the subject property. To date, Planning Staff has not received any comments or inquiry from the public regarding the proposed project.

- 9) Appeal Procedure:** In accordance with Section 16-525 of the City Code, the Community Development Director's action may be appealed to the Planning Commission within 10 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. If an appeal to the Planning Commission is not filed within 10 working days of the Community Development Director's decision, the decision of the Community Development Director shall be considered final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Downtown Code Consistency Table
- E. Downtown Design Review Resolution

RESOLUTION NO. 20-200-06

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-200-06 (MAJOR DOWNTOWN DESIGN REVIEW PERMIT) FOR CONSTRUCTION OF A 5-STORY, 87-UNIT (100% AFFORDABLE PROJECT) MIXED USE APARTMENT BUILDING WITH 2,375 SQUARE FEET OF COMMERCIAL / OFFICE SPACE WITH 29 PARKING SPACES, LANDSCAPE AND INFRASTRUCTURE IMPROVEMENTS ON A 0.42-ACRE PROJECT SITE LOCATED AT 217-235 EAST 6TH STREET (APN: 201-0-213-110), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY LUIS HERNANDEZ, OF MANY MANSIONS, ON BEHALF OF PROPERTY OWNER MANY MANSIONS.

WHEREAS, on April 24, 2020, Luis Hernandez (the “**Applicant**” and/or “**Permittee**”), submitted a request to allow the construction a 5-story, 87-unit, mixed use affordable housing apartment building, located at 217-235 East 6th Street (APN: 201-0-213-110); and

WHEREAS, on April 21, 2021, the Community Development Director of the City of Oxnard (“**Director**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 20-200-06 (Major Downtown Design Review Permit) to authorize the construction of a 5-story, 87-unit mixed use apartment building with 29 parking spaces, 2,375 square-feet of commercial / office space, and a 2,068 square-foot courtyard on a 0.42-acre project site, located at 217-235 East 6th Street (APN: 201-0-213-110) (the “**Project**”) in accordance with Section 16-146.1 of the Oxnard City Code; and

WHEREAS, in accordance with City Council Ordinance No. 2980, of the 87 total units, 4 units are required to be affordable low-income units and 5 are required to be affordable very-low income units; and

WHEREAS, Section 16-146.1.B of the Oxnard City Code authorizes the Community Development Director to approve a new building within the Downtown area with the issuance of a Major Downtown Design Review Permit; 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 32 Categorical Exemption (Section 15332). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site has a General Plan land use designation of Downtown and a zoning designation of Downtown (DT-G). The project is mostly surrounded on all four sides by urban development (there is one vacant lot to the north of the project site). 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 mixed use apartment and commercial / office building is consistent with the General Plan, Downtown Code and Oxnard City Code and is compatible with the physical scale and character of allowable development in the project area. Any projects requiring discretionary approval would be analyzed with the General Plan, Downtown Code 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 mixed use apartment and commercial / office building 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 urban character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is generally surrounded on three sides by residential and commercial development, and the project abuts industrial development to the east. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site does not contain an existing or potential landmark, point of interest, or historic resource, as determined by the 2005 Historic Survey Area: Downtown Oxnard Historic Resources Survey Final report. Additionally, 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 COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD:

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

- (1) **The project represents high quality urban infill architecture and pedestrian-oriented design.**

This proposal includes the construction of a mixed-use apartment building with commercial / office space that is consistent with the General Plan land use designation of Downtown and the Downtown Code zoning designation of Downtown (DT-G).

The proposed mixed use building site is located at the end of a block on an infill lot adjacent to an alley. The ground floor of the building includes a common entry

providing pedestrian access to the commercial space and residential units from a shared lobby. The vertically proportioned shopfronts and upper story windows provide a human scale.

The building, as conditioned, includes projections on all sides to articulate the facades. The building includes metal awnings over the common entry and over the vehicular entrances. The upper floors of the building feature windows vertically stacked above the shop fronts to create a human element to the five story building.

Furthermore, the infill project site will take advantage of and be served by existing water and sewer lines found within the public rights-of-way located adjacent to the property. Stormwater systems are integrated into the project design. Lastly, measures to address potential air quality impacts have been incorporated into the conditions, which requires training for employees and residents, as well as alarm systems, and minor building features. Therefore, the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

The staff report contains a detailed discussion on the project's high quality urban infill architecture and pedestrian-oriented design in the Analysis subsections e (Site Design) and g (Building Design). Thus, the project represents high quality urban infill architecture and pedestrian-oriented design.

(2) The project will improve the human scale urban character of the surrounding built environment.

The proposed mixed use building, as conditioned, features a steady building line at the ground floor to define a walkable street. The Shopfronts on the ground floor are 14 feet high and include awnings over the public right of way. The common entry into the lobby areas are recessed from the building line, and provides sufficient space to provide for building traffic without impacting pedestrian movement in the right of way. The building features projections throughout the facades to convey a more human scale to the five story building. The building has openings in the facades to allow light and airflow into the center courtyard. The facade openings provide balcony areas for residents creating a more human scale to the building frontage as well as helping to break up the building massing.

The project includes private open space. The second floor of the building includes a common courtyard area that will be landscaped with palm trees, accent trees, and planters. The common area includes bench seating, tables, and decorative hardscape.

The staff report contains a detailed discussion on how the project will improve the human scale urban character of the surrounding built environment in the Analysis subsections e (Site Design), h (Landscaping and Open Space) and g (Building Design). Therefore, the project will improve the human scale urban character of the surrounding built environment.

(3) The project appropriately modulates the massing and facades of the building, employing materials and detailing that convey solidarity and permanence.

The proposed mixed use building, as conditioned, has a strong ground floor base element in the form of Shopfronts with a facade of CMU block and glass. The vertically proportioned window bays vary in width from 9 feet to 21 feet to modulate the ground floor. The top of the ground floor features a horizontal blue accent trim to maintain the organizational integrity of the facade. The upper floors (floors two through five) feature vertically proportioned windows. The building is topped with horizontal accents, including a blue accent which matches the accent that tops the ground floor. The horizontal accents help to visually differentiate the uses by creating a distinct base, middle, and top, while conveying a unified vision of a singular building.

The entrance to the building is emphasized with a recessed facade and awning located generally in the center of the frontage. The recessed entry and balconies on the upper floors modulates the frontage of the building. The building features projections in the form of awnings over the Shopfront, and alley side vehicle entries, as well as horizontal trims that simply project from the facade, and an identification sign on the corner of the top floor.

The project building includes materials that age well over time such as stone, stucco, and glass, that convey solidarity and permanence. The material and color changes reinforce the building massing and organization.

The staff report contains a detailed discussion on how the project appropriately modulates the massing and facades of the building, employing materials and detailing that convey solidarity and permanence in the Analysis subsections e (Site Design) and h (Building Design). Therefore, the project appropriately modulates the massing and facades of the building, employing materials and detailing that convey solidarity and permanence.

(4) The project represents simple, well-proportioned buildings with thoughtful detailing and good quality, durable materials.

The proposed building, as conditioned, features a simple design with a distinct ground floor made of CMU block and glass and upper floor windows of apartments stacked above them on a stucco facade. The project building includes

materials that age well over time such as CMU, stucco, and glass. The staff report contains a detailed discussion on how the project represents simple, well-proportioned buildings with thoughtful detailing and good quality, durable materials in the Analysis subsection g (Building Design). Therefore, the project represents simple, well-proportioned buildings with thoughtful detailing and good quality, durable materials.

(5) The project generally and/or substantially conforms to the Architectural Design Guidelines of Part 2 of this Code.

The proposed mixed use building, as conditioned, includes architectural projections in the form of awning that project into the right of way. The building has been designed in the Art Deco style. The primary and rear facades contain vertical projections above the roof line providing a vertical emphasis. The proposed building colors generally consist of smooth white stucco and a blue pastel color consistent with the Art Deco palettes. The building features Shopfronts on the ground floor that are made of clear glass in metal frames. The public and visitor building entrance to the upper floors are easily visible from the street and distinguishable by being located generally in the center of the facade. The ground floor CMU creates a strong base, with the lighter stucco and colors on top. The staff report contains a detailed discussion on how the project conforms to the Architectural Design Guidelines of Part 2 of the Downtown Code in the Analysis subsections e (Site Design), h (Landscaping and Open Space) and g (Building Design). Thus, the project substantially conforms to the Architectural Design Guidelines of Part 2 of the Downtown Code.

SECTION 2. The Community Development Director, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15332 (Class 32) of the State CEQA Guidelines. This section pertains to projects characterized as in-fill development, meeting certain conditions.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The project has a General Plan designation of Downtown (DT) and a zoning designation of Downtown General (DT-G). The project is consistent with the General Plan Designation, zoning designation and applicable policies and regulations.

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The project site is located within the downtown area of the City of Oxnard, within city limits. The project site is approximately 0.42 acres and is substantially surrounded by urban uses (see above Section 3).

- (c) The project site has no value as habitat for endangered, rare or threatened species.**

The project site was previously developed with commercial and residential in the past, however the site is currently vacant, as the prior structures have been demolished (see above Section 4). The project site has been previously disturbed, is substantially surrounded by urban development and thus is unlikely to be suitable habitat for endangered or threatened species.

- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The Downtown Code allows for a maximum development of 2,284 residential units and 3,025,370 square-feet of commercial space. The development allowed within the Downtown Code was evaluated in the 2030 General Plan Addendum No. 5, and it was determined to not result in any new significant impacts. The proposed project contains significantly less development than was previously evaluated and thus will not result in any significant effects relating to traffic, noise, air quality, or water quality.

- (e) The site can be adequately served by all required utilities and public services.**

The project site is located in Downtown, where all required utilities and public services are available. The Project is consistent with the level of development identified under the General Plan and Downtown Code, and therefore are within the anticipated level of development. The project is not anticipated to result in any significant impacts to utilities and public services.

The Community Development Director has determined that there is no substantial evidence that the project will have a significant effect on the environment and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Community Development Director hereby approves Planning and Zoning Permit No. 20-200-06 (Major Downtown Design Review Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Community Development Director shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-525 of the Oxnard City Code.

CONDITIONS OF APPROVAL

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

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 stamped approved April 21, 2021, ("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 Downtown Design Review Permit to the plans is approved by the Community Development Director ("Director"). Minor field changes may be granted for minimal changes to the extent of use or size of structures or of the design, materials or colors of structures or masonry walls, found to be in substantial conformance with the approved plans and the original intent of the Project. Substantial conformance shall be determined by the Planning and Environmental Services Manager.(PL, *G-2*)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

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

LANDSCAPE STANDARD CONDITIONS

15. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees, and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
16. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
17. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
18. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)
19. Prior to the issuance of a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
20. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
21. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELo). (PK, PK-7.1)
22. Developer shall provide an automatic irrigation controller and a written seasonal watering schedule for all front yard and street side yard landscaping. The watering schedule shall include variations for seasonal changes, sun and shade exposure of plants, type of plants, duration and frequency of irrigation, and suggestions as to how to conserve water. As part of the landscape plan check submittal process, the Parks and Facilities Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, PK-11)
23. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves 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. (DS/ PK, *PK-14*)
24. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, *PK-15*)
 25. 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*)
 26. Developer agrees that the project has aesthetic impacts arising from conversion of undeveloped land to developed land, which the landscaping improvements for the project are intended to mitigate. Developer further agrees that the landscaping improvements must be maintained in order to continue to mitigate such impacts. In order to provide for such maintenance, Developer has agreed to enter into an agreement with the City to cast a ballot in favor of formation of an assessment district to fund such maintenance and in favor of assessments on the project property. In the event that such an assessment district is not formed, Developer agrees to fund such maintenance. Before or during escrow for the sale of property within the project, Developer shall provide future buyers 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, *PK-18*)
 27. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)
 28. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, *PK-23*)
 29. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, *PK-24*)

30. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist's Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, 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) was put back into new tree sizes for the project that are in addition to meeting the City's minimum tree size of 24" box. (PK)

PLANNING DIVISION STANDARD CONDITIONS

31. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)
32. Any application for a Minor Downtown Design Review Permit to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)
33. 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)
34. 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)
35. 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)
36. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

37. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
38. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)
39. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)
40. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)
41. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)
42. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
43. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
44. 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*).

45. Developer shall provide elevators in structures of three stories or more, except where the third story consists entirely of upper levels of residence that have entrances at the first or second story. (PL/B, *PL-17*)
46. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, *PL-50*)
47. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, *PL-18*)
48. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
49. All drive lanes (alleys) shall be provided with independently metered lighting with automatic daylight sensors for dusk to dawn lighting within drive lanes. The maintenance and replacement of independently metered lighting (wall fixtures, light bollards) shall be the responsibility of the property owner. (PL)
50. Developer shall construct each dwelling unit with separate utility systems and meters. Developer shall paint utility meter panels to match structures upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (DS/B, *PL-34*)
51. Developer shall pay Park and Recreation Fees (fees for park acquisition and improvement) before issuance of building permits. The amount of the fee shall be calculated by the Planning Division, and verified by the Parks Division at the time of payment. (PK/B, *PL-36*)
52. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, *PL-41*)

53. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, *PL-43*)
54. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
55. Developer shall stripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL/B, *PL-49*)

PLANNING DIVISION SPECIAL CONDITIONS

56. This permit is granted subject to approval of Planning and Zoning Permit No. 20-535-01, Density Bonus, by the Planning Commission. (PL)
57. Landscape plans submitted to the Building and Engineering Division shall include the repair and installation of plantings in existing planter pockets along the east side of the alley adjacent to the Project site.
58. The property owner shall be responsible for creating and implementing a Parking Management Plan which shall consist of designating which tenant will use which parking space in order to assure that vehicle spaces correspond with on-site uses (i.e., residential or commercial). Parking spaces shall be physically demarcated with a space number, which shall be assigned to individual tenants through their rental lease agreement. The Parking Management Plan shall be submitted to the Planning Division for review and approval prior to the issuance of Certificate of Occupancy. The Parking Management Plan shall be used to calculate any applicable in-lieu parking fees.
59. Developer shall pay required in-lieu parking fee pursuant to the Downtown Code (Section 16-147.4.C.7.C). The in-lieu fee is required for a minimum of 50% of the required non-residential (commercial / office) parking spaces. The current in-lieu parking fee is \$10,000 per mitigated space and is tied to the Engineering News-Record (ENR) Construction Cost Index (CCI) for Los Angeles. The in-lieu parking fee is subject to fee adjustments adopted by the City Council.
60. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)

61. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval of the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
62. Applicant shall screen, to the satisfaction of the Planning Manager, any HVAC equipment visible from the public right-of-way. Screening plants shall be consistent with other species on the property and a minimum size of five gallons. (PL)
63. Prior to building permit issuance, the developer shall provide a public improvement plan which identifies, and includes, a connection to the city fiber optic infrastructure according to city specifications pursuant to the Fiber Network Master Plan as adopted by the City Council on May 5, 2020. Initial installation of fiber optic infrastructure shall be the responsibility of the Developer and shall occur at the time that roadways are constructed unless a mutually agreed upon process is determined in consultation with the City's Information Technology Department.
64. All dining establishments with cooking operations shall implement best management practices to minimize the potential release of food processing facility odors and smoke outside the building as could be detected at the property line. Such best practices could include changing operating practices, improving maintenance of cooking equipment, installing odor control equipment, and/or upgrading venting systems to control unnecessary, excessive and annoying odors or smoke which in the judgement of the City of Oxnard or the Ventura County Air Pollution Control District is determined to be a public nuisance or to be detrimental to the public health and welfare.
65. No alcohol use of any type is approved as a part of this action. A separate alcohol use request must receive a Special Use Permit approved by the City and Alcohol Beverage Control prior to inauguration of the use.
66. Developer shall record a notice to appear in all deeds of property within the project that the project is within or proximate to the Oxnard Airport Sphere of Influence and inhabitants may be affected by the airport and aircraft operations. Before the City issues building permits, Developer shall provide evidence of recordation of such notice with the Ventura County Recorder's Office. (PL)
67. Developer shall grant to the County of Ventura an avigation easement that includes the elements of the Federal Aviation Administration's (FAA) Model Avigation Easement. (PL)
68. Developer shall file with FAA a Form 7460, "Notice of Construction or Alteration," that enables the FAA to review the development for any hazards to airport/aviation operations. The FAA's review shall result in a finding of "no objection." (PL)

69. The Developer shall adhere to any recommendations from the FAA for marking or lighting. (PL)
70. The project is conditioned for the following details to be added to the construction plans to be consistent with the Downtown Code requirements. The construction plans shall include the following prior to the project being submitted for the initial plan check to Building and Engineering.
 - a. Window Recess
 - b. Exterior Lighting
 - c. Window Tint

Air Quality

71. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacturer's specifications. (MND, C-1)
72. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (MND, C-2)
73. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-3)
74. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (MND, C-4)
75. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-5)
76. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and

- excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)
77. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). ((MND, C-7)
78. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)
79. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)
80. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

Cultural Resources

81. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (MND, E-1)

82. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a weekly report to the Planning Division summarizing the activities during

the reporting period. The frequency of reports may be adjusted by the Planning Manager upon request in writing from the Developer. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature. (MND, E-2)

HOUSING DEPARTMENT CONDITIONS

83. If affordability covenants will be recorded against the property to satisfy other affordable housing requirements, that will require that at least five (5) 1-bedroom units in the development be offered for rent to households at or below 50% of the area median income (AMI) and a minimum of four (4) additional 1-bedroom units to be offered for rent to households at or below 80% AMI for a period of at least 20 years then the City of Oxnard's inclusionary housing requirement may be satisfied pending satisfaction of condition number # 84 below.
84. Prior to submitting their first building permit application, the owner/developer must submit for review and approval a copy of the recorded affordability covenants for the property and any other related information, as requested, to the Housing Director. Upon approval of the affordability covenants, the Housing Director will provide a letter to the owner/developer confirming approval of the affordability covenants. If the Housing Director does not approve the recorded affordability covenants then the owner/developer must satisfy conditions #86 through #94 prior to submitting their first building permit application.
85. If condition number #83 is not applicable to this project then the following conditions must be satisfied prior to the owner/developer submitting their first building permit application.
86. The affordable units must include: Nine (9) 1-bedroom units (Per section 4 of Ordinance 2980)
87. Based on the unit count proposed, nine (9) of the 87 units being developed must be affordable units. Applicant may elect to restrict units at a lower level of affordability but this is the minimum requirement.
88. The owner/developer must offer at least five (5) of the nine (9) affordable units for rent at or below 50% AMI and the additional four (4) units must be offered for rent at or below 80% AMI. (Per Section 4 and 5 of Ordinance 2980)
89. Prior to offering the affordable units for rent, the developer/owner must submit to the Housing Director the proposed rental amounts for the affordable units for review and approval.

90. Owner/Developer must record affordability covenants approved as to form by the Housing Director prior to submitting their first building permit application. Units shall remain affordable for at least 20 years. Applicant must contact the Housing Department for review and approval of affordability covenants prior to recordation.
91. The Affordable Housing Agreement shall, among other things, specify the number of affordable units by number of bedrooms, level of affordability, collection of City monitoring fee, and standards for qualifying household incomes or other qualifying criteria.
92. The affordable units must be designed and constructed to be architecturally consistent with and qualitatively similar to other unrestricted units in the project.
93. When determining the rent amount, the developer/owner must take into account that the rent may not be more than 30% of 80 % AMI for the 80% AMI units and the rent for the 50% AMI units, the rent may not be more than 30% of 50% AMI.
94. Prior to issuance of a certificate of occupancy, Applicant/Developer shall obtain a clearance form from the Housing Department certifying that the required number of affordable units are being provided at affordable rents and that a management plan for the operation and management of the affordable units has been approved by the Housing Department. Applicants/Developers shall provide a copy of the clearance form issued by the Housing Department to the project planner prior to issuance of the certificate of occupancy.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

95. 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)
96. 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)
97. 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)
98. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)

99. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
100. Before connecting the project to existing sewer and water service laterals, Developer shall inspect (pothole or video) existing lateral(s) and arrange for City staff to view inspection results. Developer shall make repairs to such facilities as determined necessary by City staff. Developer shall bring all existing water services into compliance with current City standards including removal of unused water or sewer laterals by disconnection at the main. (DS-7)
101. Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
102. Developer shall provide fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil site improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over onsite waterlines using standard City format. (DS-11)
103. 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)
104. 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)
105. 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)
106. 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)
107. 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)

108. 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)
109. 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)
110. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
111. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
112. 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)
113. "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)
114. 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)

115. 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)
116. 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)
117. Developer shall design all slopes steeper than 5 (horizontal) to 1 (vertical) with a minimum 18 inch wide level area (at both top and bottom of slope) where it adjoins a wall, fence, sidewalk, trail, curb or similar improvement. (DS-32)
118. 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)
119. 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)
120. 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)
121. 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)
122. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
123. 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)
124. 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)
125. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
126. 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)

127. Developer shall improve and upgrade the alley adjacent to the project property to City standards in effect at the time Developer submits grading or site improvement plans. (DS-66)
128. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
129. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
130. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare a Local Stormwater Pollution Prevention Plan ("Local SWPPP"). The Local SWPPP shall be developed and implemented in accordance with requirements of the Ventura Countywide MS4 Permit. The Local SWPPP shall be approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the Local SWPPP updated to reflect current site conditions and a copy of the Local SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-87)
131. 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)

STORMWATER SPECIAL CONDITIONS

132. Developer proposes to regrade the adjacent lot to the north to redirect stormwater runoff towards the alley. Developer shall make every effort to provide a positive drainage pattern on the adjacent lot without installation of a new private inlet. Any new connection to a public storm drain shall be constructed in accordance with City Standards. (DS)
133. Developer shall include in the project drainage report an evaluation of potential water depth resulting from surface water flow and/or blockage of the proposed drainage inlet on the adjacent northerly property. The calculated water depth shall be compared to the proposed finished floor elevation of the project and the need to provide special construction along the northerly side of the proposed structure. (DS)
134. Developer shall include in the project drainage report an evaluation of the existing drainage pattern of the lot to the west of the project. Developer shall construct all improvements determined by the City Engineer to be necessary to properly convey stormwater from the adjacent property that is altered by this project. Report shall also determine if any special construction is required along the westerly side of the proposed structure. (DS)
135. Developer shall design the project such that no roof drains discharge across a public sidewalk. (DS)

STORMWATER QUALITY CONDITIONS

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

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

137. 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)
138. Developer shall design the project such that no roof drains discharge across a public sidewalk. (DS)
139. Project as currently proposed has been determined by the City to be exempt from the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) for new development and redevelopment projects. Developer's engineer shall include a narrative explanation of this determination in the project drainage report. If the project is altered in any way that affects this determination, Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). Changes to the proposed project may result in a re-evaluation of the applicability of the MS4 permit as determined necessary by the City Engineer. (DS)
140. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") in all catch basins accepting stormwater runoff from any portion of this project that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures ("TGM"). (DS)
141. Developer shall analyze alternative alignments (both horizontal and vertical) for the proposed public water line in both alleys where the line is proposed. The alternative alignments shall attempt to provide a straight horizontal alignment in both alleys while meeting Health Department separation requirements and minimizing the need for vertical

- bends. The alternative designs shall also attempt to eliminate encroachment into private property. The final design is subject to approval of the City Engineer. (DS)
142. Developer shall grind and overlay (2-inch Minimum) the full width of the adjacent alley along the project frontage. The alley structural section shall conform to City standards. (DS)
 143. Developer shall grind and overlay (2-inch Minimum) the half width of the alley over the proposed water line extension for its full length. The final limits of reconstruction are subject to approval of the City Engineer. (DS)
 144. Developer shall remove and replace the curb, gutter, and sidewalk along the north side of Sixth Street (from Meta Street to the alley east of the project) to provide an approximately 43-foot curb to curb width and a 8.7-foot sidewalk as generally indicated on the Engineering Site Plan. Sidewalks shall be designed to provide a 5-foot wide (minimum) unobstructed ADA compliant path along the public sidewalk. Replacement shall include complete reconstruction of the disabled access ramp at the northeast corner of the intersection of Meta Street and Sixth Street. (DS)
 145. Project trash bin storage room shall be designed in general conformance with the dimensions, door configuration, and other standards found on the City's trash enclosure standard plates. The design, locking system and opening mechanism for the doors is subject to approval of the City's Refuse Division. (DS)
 146. Prior to issuance of a grading permit, Developer shall provide written permission from property owner(s) for any grading and/or drainage work proposed on adjacent properties. (DS)
 147. Developer shall place existing overhead utility lines underground generally as indicated on the Engineering Site Plan. Developer shall provide security to guarantee undergrounding in an amount and in a form acceptable to the City of Oxnard Financial Director. (DS)
 148. Developer shall properly abandon all existing sewer and water laterals currently extended to the site that will not be used in the final design. (DS)
 149. Developer will be required to install protective building features to address the potential ammonia release hazard from the adjoining properties. Protective building features shall include: 1) Windows and doors shall exceed NFRC maximum air infiltration ratings of .3cfm/f²; 2) Exterior wall underlayment sheathing (e.g. OSB) shall have taped joints; 3) Exterior walls shall have an air infiltration barrier (Dupont Tyvek or similar) with taped joints; and 4) Stucco exterior finish shall receive an elastomeric paint coating. Protective building features shall include 1) Master management monitored HVAC cutoff switch; and 2) Master management monitored visual alarm system activated by the presence of ammonia. The specific building features will be approved by the Building Official and Fire

Marshal prior to issuance of a building permit for this project and shall be installed prior to occupancy clearance. (DS)

150. Developer shall provide a transportation information center stocked with bus schedules, rideshare information and related information on alternative methods of transportation at the proposed building lobby along Sixth Street. Final location of the information center shall be approved by the City Traffic Engineer. (TR)
151. Developer shall install the proposed bike rack(s) close to the main entrance door of the proposed development along Sixth Street. Developer shall be responsible for the perpetual upkeep of the proposed bike rack(s) for the project. Final location shall be approved by the City Traffic Engineer. (TR)
152. Developer shall retrofit the three existing HPSV Acorn top fixtures along Sixth Street, between Meta Street and the alley, with new 4000K LED Acorn top fixtures. All street lighting shall be coordinated through Southern California Edison. Final specifications of the LED Acorn top fixtures shall be approved by the City Traffic Engineer. (TR)
153. Developer shall remove the palm trees within the alley along the project's frontage that poses safety concerns for the residents of the proposed development. Developer shall patch the pavement where the palm trees will be removed. (TR)

ENVIRONMENTAL RESOURCES DIVISION

154. A Construction and Demolition Waste Management Plan ("C&D Plan") must be submitted to the Environmental Resources Division for review and approval prior to issuance of a building permit. The C&D Plan shall provide that at least 65% of the waste generated on the project be diverted from the landfill.
155. After completion of construction and prior to a certificate of occupancy being issued, a Construction and Demolition Waste Management Report ("C&D Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities.
156. An Occupancy Plan ("Occupancy Plan") must be submitted to the Environmental Resources Division prior to issuance of a certificate of occupancy. The Occupancy Plan must clearly state how recyclable and organic material, including food waste, will be managed on site to be in compliance with applicable state laws (AB 939, AB 341, AB 1826, SB 1383); how property management staff will participate in the program; and how residents will be educated about the program and encouraged to participate. The Occupancy Plan must include what service provider(s) will manage/transport materials to appropriate facilities.
157. Any/all landscaping waste that is generated must be diverted from landfill disposal; material of this type is not allowed in a trash dumpster. If landscaping is performed by an

outside source, the landscape service providers must be informed, in writing, of this condition.

158. All bins requiring to be emptied must be made available on the appropriate service days. Environmental Resources Division staff will not access bins from the proposed waste room, they must be external to the building (and subsequently returned after being serviced).

FIRE DEPARTMENT STANDARD CONDITIONS

159. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)
160. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, *F-2*)
161. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)
162. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, *F-4*)
163. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, *F-5*)
164. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
165. At all times during 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*)
166. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)

167. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
168. 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.
169. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, *F-12*)
170. Developer shall install in each structure in the project a detection/alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, *F-13*)
171. Developer shall install in each structure in the project where automatic fire sprinklers are installed a system that automatically opens the skylights in areas affected by fire before the fire sprinklers are activated.
172. All signalized intersections shall be equipped with pre-emption equipment.
173. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed.
174. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup.
175. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.

FIRE DEPARTMENT SPECIAL CONDITIONS

176. Class I standpipe is required in each stairwell.
177. Alley shall be maintained without obstructions and a minimum clear width of 20 feet.
178. Stairwells shall be sized to allow a 20 foot Fire Department ladder.
179. All elevators are required to be Gurney size elevators.

180. Fire sprinkler coverage is required for:
- Patios, overhangs or any other projections that are 48" or more from the structure.
 - Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
181. Developer shall allow installation of public safety radio equipment in the tower, steeple, roof or other elevated portion of the building, at no cost to the developer. Such equipment shall not conflict with the architectural design of the building and shall comply with zoning and planning requirements and conditions.
182. Developer and operator shall prepare an occupant and worker training and response program in the event of ammonia release from nearby industrial uses for review and approval by the Oxnard Fire Department. The program shall include the following:
- Training for all new workers on operation and maintenance of HVAC cutoff system and alarm system.
 - Training for resident response protocols prior to or on their first day of occupancy.
 - Annual training requirement for both onsite employees and residents.

The program shall be provided for review and approval prior to issuance of a certificate of occupancy.

POLICE DEPARTMENT STANDARD CONDITIONS

183. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
- Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a

location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

- d) Exterior lighting of the site including parking areas shall be between 1 and 7 foot candles and shall be in harmony with existing adjacent lighting scheme.
- e) LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).

184. All exterior lighting shall operate from dusk to dawn.

185. Change the existing alley cobra head street light immediately east of the Project site to a LED flat lens.

186. Lighting instruments shall be full cut-off and installed so that light does not directly illuminate property outside the project site. Instruments shall not create glare for motorists or pedestrians.

187. The interior parking facility shall be illuminated between 5 and 15 foot-candles utilizing LED or similar luminaires with a spectrum 3,000K to 20,000K Correlated Color Temperature. Walls, ceilings and supporting posts or pillars shall be painted white or off-white to provide maximum reflectivity.

188. Outdoor lighting instruments shall not be placed in close proximity of parking lot trees. In the event outdoor lighting instruments and trees are in close proximity an additional sheet will be required illustrating light and tree placement showing trees with a 20-year maturity.

189. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This is to ensure that tree growth will not adversely impact future lighting and therefore site safety as the project matures. Luminaires used in the photometric calculations shall only include those instruments mounted 8-feet or more above the walking/driving surface. This plan shall be submitted and approved prior to the issuance of building permits.

190. A security camera system shall be installed and operated 24-hours a day to monitor the activity at the site. The system shall be designed to capture images of all persons and all vehicles that enter the site. Cameras shall also be distributed throughout the site to capture general activities. The camera system shall comply with these minimum standards:

- a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
- b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
- c. Cameras shall have low light capability to facilitate the later identification of persons involved in criminal or problem activities.

- d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
 - f. Recorded images shall bear a date and time stamp that cannot be altered.
 - g. All entry doorways to the premises shall be monitored by a camera or cameras that are strategically mounted to capture quality images of the heads and shoulders of persons who enter. Such cameras shall be mounted no higher than 7-feet above the floor/ground.
 - h. All vehicular entrances to the parking facilities shall be monitored by a camera or cameras that are placed to capture images of sufficient quality where the vehicle's license plate, make, model and color can be easily identified.
 - i. Cameras in domed casings are highly encouraged as their area of focus is not easily determined by a casual observer.
 - j. A camera shall be dedicated to capture an image of any person accessing the call system at the exterior of the primary entrance.
 - k. Site management shall provide in a timely manner any digital records of security camera or access control systems requested pursuant to a police investigation or for the periodic inspection of equipment required under these conditions.
 - l. Prior to the issuance of the Certificate of Occupancy the developer shall submit via specialprojects@oxnardpd.org one daytime and one nighttime still image generated from each camera monitoring a pedestrian or vehicular entrance to the site illustrating the image of a person or vehicle entering the site. The intent of this provision is to illustrate that each camera is properly mounted and focused to capture images required under subsections "g" and "h" of this condition.
191. The site shall be equipped with an access control system that shall restrict human and vehicle access to semi-public areas of the site. The areas considered "semi-public" shall include: parking areas restricted to residents, the building lobby, mailroom, shared hallways, laundry rooms, activity rooms, pool and physical fitness facilities.
192. The access control system shall utilize instruments such as cards, fobs, QR decals or other devices that can be individually programed to provide access as appropriate to the individual user. The system shall have the capability to add or subtract an access instrument assigned to a particular residential unit in the event of adding or subtracting a user.
193. The access control system shall include "Click-2-Enter" to provide access to all first responders to all semi-public areas of the site.
194. The access control system shall include a call system at exterior of the site's primary entrance that allows guests to contact residents or the managers to request access. The access control point at this entrance shall be enabled to open by a resident from their unit or from a remote digital device.

195. The access control system shall record each permitted access and the authorizing individual and the instrument/method used to facilitate the access.
196. A Security Plan shall be submitted prior to the issuance of building permits. The plan shall include:
 - a. The Security Plan Sheet that identifies the location of each security camera, camera recording/support equipment, all elements of an access control system, and any safe or secure room or rooms designed to maintain valuable assets or records.
 - b. The Security Plan shall include a chart shall identifying each camera by an alpha-numeric, the scope of their capture area, placement of the camera above the floor/ground, make and model of the instrument, type of camera (dome, PTZ, etc.).
 - c. The Security Plan shall identify any area which is served by an intrusion/burglary alarm system.
 - d. The Security Plan shall identify all the components of the access control system their location and a chart that identifies each instrument with an alpha-numeric with the device name, make and model.
197. Site management is encouraged to have an active and cooperative relationship with their neighbors and the Oxnard Police Department. To facilitate this effort these elements shall be established by the site management:
 - a. Site management shall establish a dedicated email address for the site (ie: acmeapartments@acme.com). Once the email address has been established, site management shall send an email to specialprojects@oxnardpd.org identifying the site address, management company, phone number, dedicated email address, and, the person managing the site.
 - b. A sign posted so it readable from the public right of way and placed at or near the primary entrance which identifies the management company name, phone number and the dedicated email address.
 - c. Site management shall participate in crime prevention programs designed for multi-unit residential housing facilities.
 - d. The property owner shall inform the Oxnard Police Department changes in site management and/or the dedicated email address by sending an email to specialprojects@oxnardpd.org.
198. Any digital records from the security camera system or access control system shall be made available to any representative of the Oxnard Police Department in a timely manner upon request related to any official police investigation. If requested, the site manager shall

upload or email any digital records at the request of a representative of the Oxnard Police Department.

199. Any intrusion alarm system installed at the site shall utilize motion and infrared technology to differentiate between human and non-human motion. The alarm system shall be compliant with Oxnard City Code 11-95 through 11-100.
200. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment.
201. Trees shall be maintained so that the canopies do not interfere with pedestrian or vehicular traffic and safe sightlines are maintained.
202. Block walls on the site, including trash enclosures, shall have landscape elements in place that dissuades the application of graffiti. Creeping fig or similar plantings are suggested.
203. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment and dissuade the application of graffiti. Through the life of the project, the property shall be maintained to address these issues.
204. Developer/owner shall inform owners and renters via CC&Rs, HOA, or tenant rules, the provisions of Oxnard City Ordinance 7-100 through 7-106 as it applies to hosting loud parties or events. And, that should police respond to a disturbance multiple times, a service charge may be incurred up to \$500.
205. Developer/owner/site management shall inform tenants of the provisions of Oxnard City Ordinance 7-100 through 7-106 as it applies to hosting loud parties or events. And, that should police respond to a disturbance multiple times, a service charge may be imposed.
206. Developer/owner/site management will enroll project in and comply with the Oxnard Police Department "Crime Free Multi-Housing Program" as applicable to this housing development. For enrollment information, contact the Crime Prevention Officer at (805) 385-8349.
207. Parking stalls shall be enumerated. However, the stall numbers shall not correspond to the residential unit assigned the stall.
208. Graffiti shall be removed or painted over within 24-hours of application. Site management shall maintain a supply a paint to match the building's exterior color scheme.
209. All vehicular entrances to the parking area shall be posted in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)

210. The property management firm responsible for managing the site shall post a minimum of two signs, each visible from the public right of way, identifying the management company's name, phone number and email address dedicated to the specific site.
211. A sign shall be posted at or near the primary entrance to the site that identifies the management company name, phone number and the email address dedicated to the site management office.
212. A sign shall be posted at each entrance to parking facility stating: "No loitering, trespassing or drinking alcoholic beverages. Pursuant to State Law & City Ordinance".
213. Mail and parcel delivery shall be in an area controlled by the building's access control system. This area shall also be monitored by the site's security camera system. This area shall have these features:
 - a. A Knox Box shall be installed to provide access for USPS to the lobby/mailroom area. The developer shall contact the Oxnard Postmaster for specific requirements.
 - b. A secure mailbox shall be provided for each residential unit.
 - c. A secure system for receiving parcel deliveries shall be established and maintained.
 - d. Site management shall provide rules in tenant agreements outlining the safe and secure management of parcel deliveries. These rules shall include, but are not limited to: management's role in mail and parcel delivery, size limitation for parcels, process for handling oversized parcels, and other mail and parcel related matters.(PD/USPS)

PASSED, APPROVED, AND ADOPTED by the Community Development Director of the City of Oxnard on this 21st day of April, 2021.

4-22-21

Date



Vyto Adomaitis
Community Development Director

ATTACHMENT D

NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

Project Description: Central Terrace Apartments; PZ No. 20-200-06 Major Downtown Design Review Permit (DDR) and PZ 20-535-01 Density Bonus Permit (DB): The project request is to permit the construction of a 5-story, 87-unit mixed use apartment building with 29 parking spaces, a recreation room, 2,375 square-feet of non-residential (i.e. commercial or office) space, and 2,068 square-foot courtyard on a 0.42-acre project site. Proposed development includes commercial space, and parking for the residential and commercial on the ground level, with an additional 4 levels of residential units (for a 5 story building). The proposed building is designed with 86 one bedroom units and 1 two bedroom unit. All of the units open to the interior courtyard with seating and green space located in the middle of the second floor. The ministerial Density Bonus request would allow for three concessions or incentives. The three concessions as follows:

- (1) Reduction of the rear ground floor setback from 5 feet to zero feet.
- (2) Reduction of the rear upper story setback for residential buildings from ten feet to zero feet.
- (3) Reduction of the required residential parking from 87 spaces to 29 residential spaces and reduction of the required commercial spaces from three (3) spaces to zero (0) spaces.

The project site is located at 217 East Sixth Street (APN: 201-0-213-110) within the Downtown land use designation and Downtown General (DT-G) zoning district. Filed by Luis Hernandez, of Many Mansions (“Applicant” and “Owner”), 1259 East Thousand Oaks Blvd., Thousand Oaks, CA 91362.

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 Sections 15332 (Infill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of the CEQA. This proposal includes the construction of a mixed-use apartment building with commercial space that is consistent with the General Plan land use designation of Downtown and the Downtown Code zoning designation of Downtown (DT-G), subject to the requested Density Bonus concessions. The proposed development is located on a 0.42-acre project site which is surrounded by urban uses. The Project site will be adequately served by all required utilities and public services. The Project site has no value as habitat for endangered, rare or threatened species. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the City of Oxnard has determined that there is no substantial evidence that the project will have a significant effect on the environment, the project is Categorically Exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document.

(Date)

Scott Kolwitz,
Planning & Environmental Services Manager

ATTACHMENT E

DRAFT RESOLUTION

**PZ 20-535-01
(DENSITY BONUS PERMIT)**

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-535-01 (DENSITY BONUS) TO AUTHORIZE A MINISTERIAL DENSITY BONUS TO ALLOW FOR THREE CONCESSIONS PURSUANT TO STATE DENSITY BONUS LAW (GOVERNMENT CODE 65915) AND OXNARD CITY CODE (SECTION 16-410L) LOCATED AT 217-235 EAST 6TH STREET (APN: 201-0-213-110), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY LUIS HERNANDEZ, OF MANY MANSIONS, ON BEHALF OF PROPERTY OWNER MANY MANSIONS.

WHEREAS, on April 24, 2020, Luis Hernandez (the “**Applicant**” and/or “**Permittee**”), submitted a request to allow the construction a 5-story, 87-unit, mixed use affordable housing apartment building and a ministerial approval of a Density Bonus Permit to allow for three concessions pursuant to State Density Bonus Law and Oxnard City Code (OCC) Section 16-410L (20-535-01) for a project located in the Downtown General (DT-G) zone at 217-235 East 6th Street (APN: 201-0-213-110); and

WHEREAS, on April 21, 2021, the Community Development Director of the City of Oxnard (“**Director**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 20-200-06 (Major Downtown Design Review Permit) to authorize the construction of a 5-story, 87-unit mixed use apartment building with 29 parking spaces, 2,375 square-feet of non-residential space, and a 2,068 square-foot courtyard on a 0.42-acre project site, located at 217-235 East 6th Street (APN: 201-0-213-110) (the “**Project**”) in accordance with Section 16-146.1 of the OCC; and

WHEREAS, on May 6, 2020, the Planning Commission of the City of Oxnard (“**Planning Commission**”) considered an application for Planning and Zoning Permit No. 20-535-01 (Density Bonus) filed by the Many Mansions requesting the ministerial approval of a Density Bonus Permit (Density Bonus) to allow for three oncessions pursuant to State Density Bonus Law (Government Code 65915) and Oxnard City Code Section 16-410L:

1. Reduction of the rear ground floor setback from 5 feet to zero feet.
2. Reduction of the rear upper story setback for residential buildings from ten feet to zero feet.
3. Reduction of the required residential parking from 87 spaces to 29 residential spaces and reduction of the required commercial spaces from three (3) spaces to zero (0) spaces; and

WHEREAS, in accordance with Section 16-410L of the OCC, the Project includes an administrative request for a Density Bonus permit for three concessions pursuant to Government Code Section 65915 (State Density Bonus Law), which allows for three concessions, when certain requirements are met. As a result of the request, 15% of the units, must be affordable at the Very-Low income level; and

WHEREAS, as a result of the request, the project shall be conditioned to enter into an agreement and record a restriction, requiring that 15% of the residential units be affordable at the Very-Low Income level in compliance with Section 65915.

WHEREAS, the Planning Commission has conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the proposed Project, to consider the Applicant's request to approve Planning and Zoning Permit No. 20-535-01 (Density Bonus) (the "**Project**"); and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project meets the criteria set out in California Government Code § 65915 to § 65918 and to the City's Density Bonus and Related Incentives and Concessions Program (Division 7A, OCC Section 16-410A to 16-410V, inclusive); and

WHEREAS, the Planning Commission finds that the Project meets all necessary criteria of Government Code Section 65915 to be considered eligible for the requested concessions; and

WHEREAS, the Planning Commission finds that the concessions are not contrary to any federal or state law; 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 32 Categorical Exemption (Section 15332). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2):

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

The project site is located within the 2030 General Plan land use designation of Downtown (DT) and within the Downtown General (DT-G) zoning designation. The project is surrounded on all four sides by urban development (there is one partially vacant lot to the north of the project site). 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 Density Bonus request is consistent with the General Plan, Downtown Code and OCC and is compatible with the physical scale and character of allowable

development in the project area. Any projects requiring discretionary approval would be analyzed with the General Plan, Downtown Code and the OCC 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 Density Bonus 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 urban development character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is generally surrounded on all sides by residential and commercial development, and the project abuts industrial development to the east. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site does not contain an existing or potential landmark, point of interest, or historic resource, as determined by the 2005 Historic Survey Area: Downtown Oxnard Historic Resources Survey Final report. Additionally, 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.

WHEREAS, Section 16-410R of the OCC authorizes the Planning Commission to approve an administrative Density Bonus request.

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

SECTION 1. The Planning Commission of the City of Oxnard hereby grants the three concessions listed above, subject to the conditions of approval listed below.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15332 (Class 32) of the State CEQA Guidelines. This section pertains to projects characterized as in-fill development, meeting certain conditions.

- (a) **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.**

The project has a 2030 General Plan designation of Downtown (DT) and a zoning designation of Downtown General (DT-G). The project is consistent with the General Plan Designation, zoning designation and applicable policies and regulations.

- (b) **The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The project site is located within the Downtown area of the City of Oxnard, within city limits. The project site is approximately 0.42 acres and is substantially surrounded by urban uses.

- (c) **The project site has no value as habitat for endangered, rare or threatened species.**

The project site was previously developed with commercial and residential uses in the past, however the site is currently a vacant lot, as the prior structures have been demolished. The project site has been previously disturbed, is substantially surrounded by urban development and thus is unlikely to be suitable habitat for endangered or threatened species.

- (d) **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The Downtown Code allows for a maximum development of 2,284 residential units and 3,025,370 square-feet of non-residential space. The development allowed within the Downtown Code was evaluated in the 2030 General Plan Environmental Impact Report (EIR) Addendum No. 5, and it was determined to not result in any new significant impacts. The proposed project contains significantly less development than was previously evaluated in the 2030 General Plan EIR Addendum No. 5 and thus will not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services.

The project site is located in Downtown, where all required utilities and public services are available. The Project is consistent with the level of development identified under the General Plan and Downtown Code, and therefore are within the anticipated level of development. The project is not anticipated to result in any significant impacts to utilities and public services.

The Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning and Environmental Services Division is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. The Planning Commission hereby approves Planning and Zoning Permit No. 20-535-01 (Density Bonus Permit), subject to the attached conditions of approval.

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

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

[CONDITIONS OF APPROVAL ON FOLLOWING PAGE]

CONDITIONS OF APPROVAL

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

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 stamped approved May 6, 2021, (“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 change to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”). A minor change may be granted for minimal changes to the extent of use or size of the rear ground floor setback, the rear upper story setback for residential buildings, and the required residential and commercial parking spaces, found to be in substantial conformance with the approved plans. Substantial conformance shall be determined by the Planning and Environmental Services Manager. A Minor Downtown Design Review Permit shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)
4. Applicant agrees, as a condition of adoption of this resolution, at Applicant’s own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations

taken, done or made prior to the approval of such resolution that were part of the approval process (CA, G-6).

5. 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. Prior to issuance of building permits, Developer shall enter into an agreement in a form approved by the City Attorney ensuring the continued availability of 15 percent of the units (14) must be rented at a level affordable to persons of families of very low income, which qualified the applicant for a Density Bonus. The agreement shall be recorded in the Office of the Ventura County Recorder. The agreement shall establish specific compliance standards and specific remedies available to the City of such compliance standards are not met. The agreement shall, among other things, specify the number of low income affordable units by number of bedrooms, standards for qualifying household incomes or other qualifying criteria, a required annual report, and monitoring fees. Developer hereby agrees to deposit funds for any staff time expended for preparation of the agreement and subsequent compliance with said agreement. The term of the agreement shall be for a minimum of 55 years.
7. Prior to offering the affordable units for rent, the Owner/Developer must submit to the Housing Director the proposed rental amounts for the affordable units for review and approval.
8. 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)
9. This permit shall automatically become null and void 36 months from the date of its issuance, unless the 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)
10. All conditions of approval within Major Downtown Design Review Permit No. 20-200-06 are incorporated by reference.
11. Prior to Building Permit issuance, the Permittee shall pay any outstanding processing fees in full.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on
this 6th day of May 2021.

Daniel Chavez Jr., 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 6th day of May 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

ATTACHMENT F

STAFF PRESENTATION

City of Oxnard Planning Commission May 6, 2021

Central Terrace Apartments Density Bonus
217-235 East Sixth Street
PZ 20-535-01 (Density Bonus Permit)

Applicant: Luis Hernandez, of Many Mansions, Applicant and Owner

Project Description (Density Bonus)

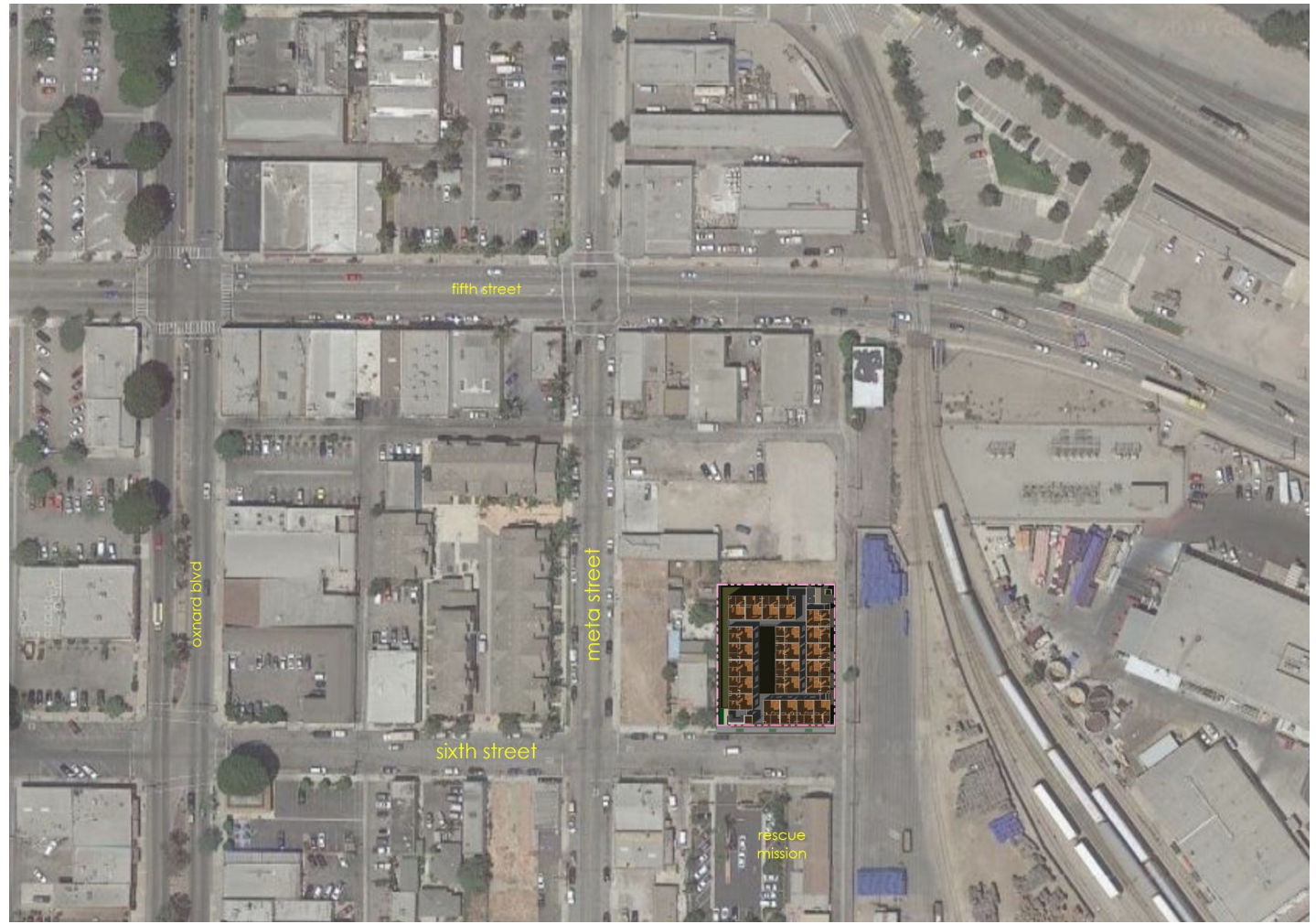
Requesting for a ministerial Density Bonus Permit (Density Bonus) to allow for three concessions pursuant to State Density Bonus Law and OCC Section 16-410L:

1. Reduction of the rear ground floor setback from 5 feet to zero feet.
2. Reduction of the rear upper story setback for residential buildings from ten feet to zero feet.
3. Reduction of the required residential parking from 87 spaces to 29 residential spaces and reduction of the required commercial spaces from three (3) spaces to zero (0) spaces.

Project Location

Subject Site: 217 East Sixth Street

Located within Downtown area



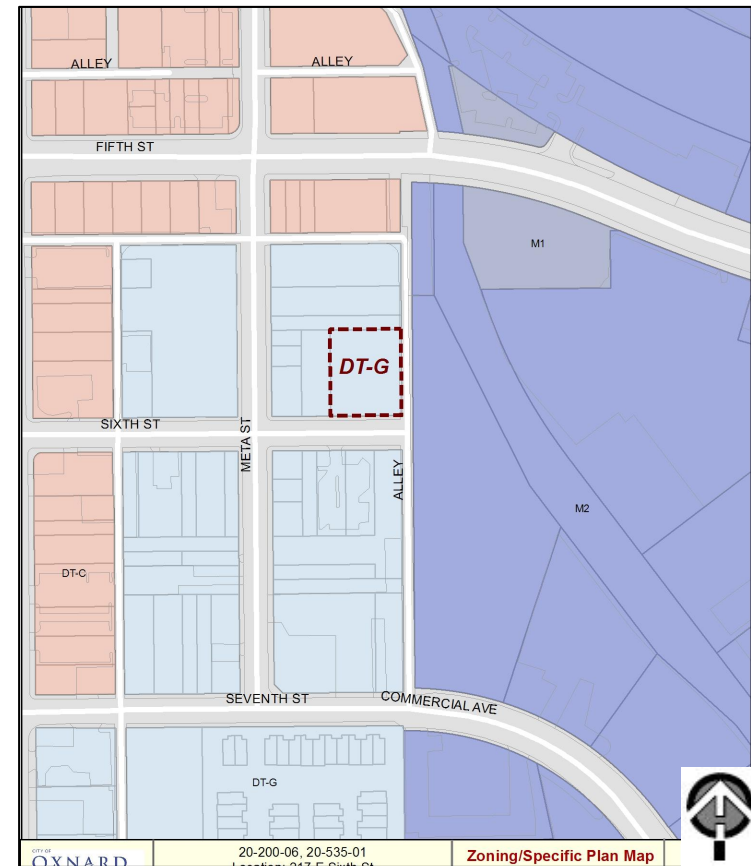
General Plan & Zoning Maps

General Plan Land Use Designation



Downtown (DT)

Zoning Designation



Downtown General (DT-G)

Existing Site

Subject Site: 241 West Second Street

Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Downtown (DT)	Downtown General (DT-G)	Vacant
North	Downtown (DT)	Downtown General (DT-G)	Vacant
South	Downtown (DT)	Downtown General (DT-G)	Ventura County Rescue Mission
East	Central Industrial Area (CIA)	Heavy Manufacturing (M-2)	Industrial/Railroad
West	Downtown (DT)	Downtown General (DT-G)	Single Family Residence

Background - Prior Development On the Project Site

- Originally developed with Commercial and residential in the early 1900's. Subsequently, five duplex were developed by 1939 and remained until they were demolished in 2016.



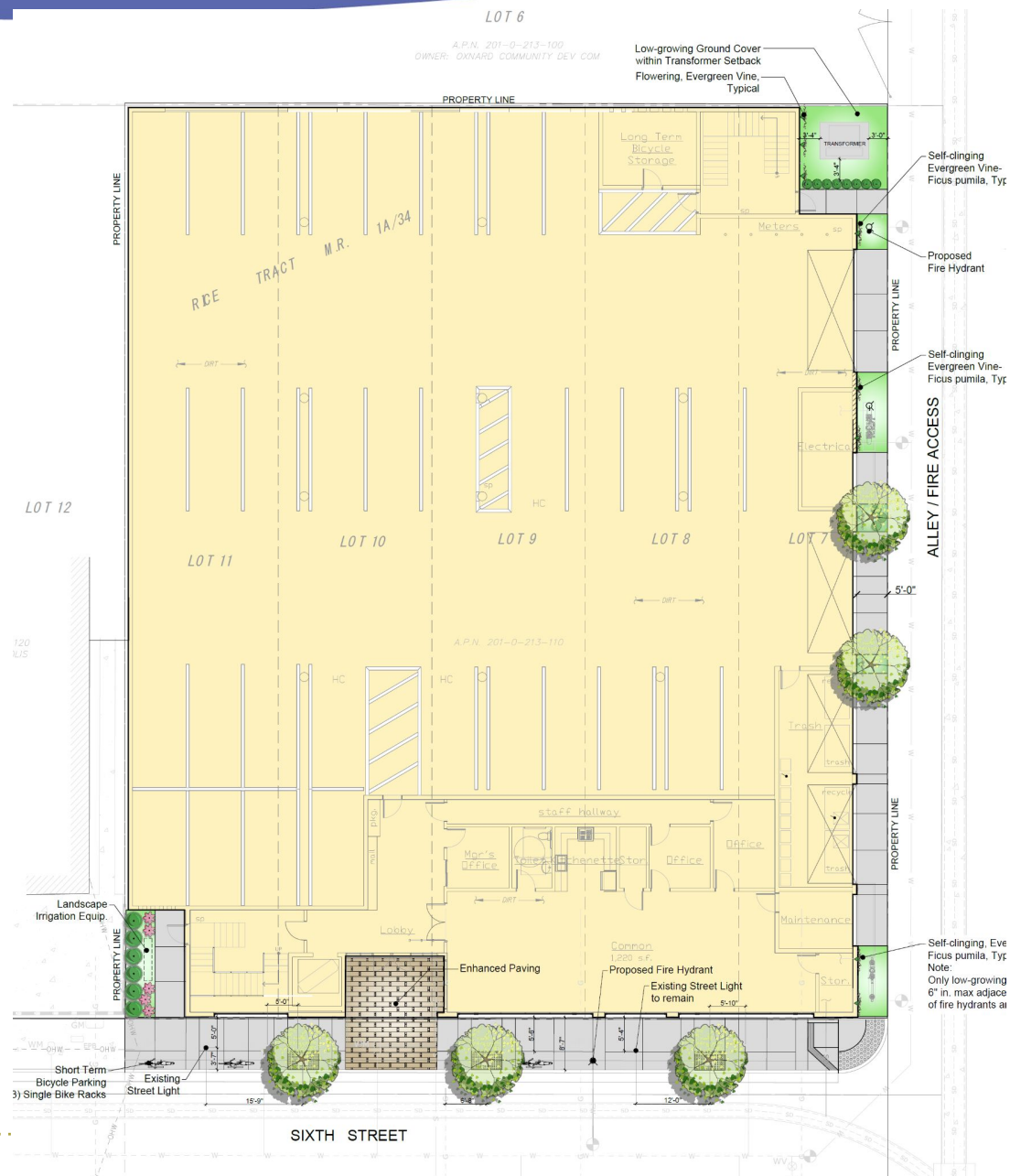
Background - Downtown Code

- On July 30, 2019, the City Council approved the Downtown Code.
 - It allows for a maximum development of 2,294 residential units and 3,025,370 square feet of commercial space.
 - Most approvals are under the Community Development Director authority.
 - The development allowed within the Downtown Code was evaluated in the 2030 General Plan Environmental Impact Report (EIR) Addendum No. 5, and it was determined to not result in any new significant impacts.

Background - Downtown Design Review Permit Approval

- On April 21, 2021, the Community Development Director held a noticed public hearing on a request for a Downtown Design Review Permit.
 - At the hearing the Community Development Director approved the DDR for the development of a 73,534 square foot 5-story mixed use apartment building with 87 residential units on a 0.42 acre lot.
 - Conditions of Approval included: a Parking Management Plan, 9 Affordable Units, Lighting and Security Plans, and Density Bonus approval.
 - If no appeals are filed, the approval of the DDR is final, subject to the ministerial approval of the Density Bonus.

Background - Downtown Design Review Permit Approval



Background - Downtown Design Review Permit Approval



THIRD FLOOR

Scale: 1" = 1/8"

[illegible]

Background - Downtown Design Review Permit Approval



Background - Downtown Design Review Permit Approval



West Elevation



East Elevation



North Elevation

Key Conditions of Approval

COA # 6:

Requires that the developer enter in to a agreement to ensure the required affordability levels and restrictions, pursuant to government code 65915 for 55 years.

COA # 10:

All Major Downtown Design Review Permit conditions incorporated by reference.

Environmental Review

- In accordance with Section 15332 (Class 32, In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of CEQA. The project includes:
 - The construction of a mixed use apartment building with non-residential space that is consistent with the General Plan designation of Downtown (DT) and zoning designation of Downtown General (DT-G).
 - A ministerial density bonus for a parking modification pursuant to state law.
 - The proposed development is located on a 0.42-acre site which is surrounded by urban uses.
 - The Project site will be adequately served by all required utilities and public services.
 - The Project site has no value as habitat for endangered, rare or threatened species.
 - The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- No substantial evidence the project will have a significant effect on environment.
- A Notice of Exemption will be filed.

Public Comments

- On August 17, 2020, the project was presented during a Community Workshop.
- Notices were mailed to property owners within the Five Points North East Neighborhood
- Attendance included 2 members of the public.
 - Comments regarding the building were generally supportive noting that the project is a good project and improvement to the Downtown area.
 - Concerns were expressed regarding the parking.
- Notice of the PC hearing was posted on-site and mailed to adjacent properties.
- To date, staff has received one public comment letter regarding the proposed Project associated with the Major Downtown Design Review Permit (PZ 20-200-06), but Staff has not received any concerns or public comments regarding the proposed Density Bonus.

Staff Recommendation

Recommendation: That the Planning Commission:

- a) Find the project Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development); and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 20-535-01 (Density Bonus), subject to certain findings and conditions.

End of Presentation

G. STUDY SESSION/REPORTS

Project Name: Elevator Regulations Discussion

MEMO



DATE: April 29, 2021

TO: Planning Commission

FROM: Jeff Pengilley, P.E., Assistant Community Development Director
Scott Kolwitz, Planning and Environmental Services Manager

SUBJECT: Elevator Regulations Discussion Agenda Item No: G.1

This Planning Commission requested staff to place a discussion item on a Planning Commission agenda describing when buildings are required to have elevators. This discussion item is to take place during the Planning Commission's "Study Session / Reports" portion on May 6, 2021.

The General requirements for elevators per the 2019 California Building Code:

- Privately Funded commercial buildings 3 stories or greater in height are required to have an elevator (CBC 11B-206.2.3).
- Privately Funded commercial buildings 2 stories in height are not required to have an elevator if the floor area does not exceed 3,000 sf. per story and the upper story does not contain the office of a healthcare provider (CBC 11B-206.2.3).
- Public commercial buildings are required to have an elevator.
- Residential Buildings 4 stories or greater are required to have an elevator (CBC 1009.2.1).
- Public Housing generally follows the requirements for Residential Buildings listed above, although public funding sources may impose more stringent elevator requirements.
- In general, buildings constructed without an elevator cannot have features and elements on the upper stories that are not similarly available on the ground floor.

Members of the public are welcome to provide comments on this item during the public comment portion of this item.

It is recommended that the Planning Commission receive and file this report.