

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Randy Baez, Associate Planner

DATE: November 18, 2021

SUBJECT: **Project Name: Victoria Market Alcohol Special Use Permit;** Planning and Zoning Permit No. 21-510-02 (Special Use Permit - Alcohol): Located at 600 South Victoria Avenue Suites 700-800 (APN: 185-0-170-105).

- 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 15301 (Existing Facilities); and
 - b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-510-02 (Special Use Permit - Alcohol), subject to certain findings and conditions.
 - 2) **Project Description and Applicant:** A request for approval of a Special Use Permit (SUP) to sell beer, wine, and distilled spirits for off-sale consumption (Alcohol Beverage Control (ABC) License Type 21¹) at an exiting 2,326 square-foot commercial suite within a 16,770 square-foot building for a proposed convenience store/market on a 1.1-acre site located at 600 South Victoria Avenue, Suites #700 & 800 (APN: 185-0-170-105) within the General Commercial - Planned Development (C-2-PD) zone (Attachment A). Alcohol sales shall be limited to 6:00 a.m. to 11:00 p.m. daily. The project is exempt from environmental review pursuant to Section 15301 (Existing Facilities), Class 1 of the California Environmental Quality Act (CEQA) Guidelines. For purposes of this staff report, the foregoing project description shall be referred to as the “**Project**”. Filed by Waseem Farhat, Designated Agent, on behalf of property owner Robert & Susan Werner, TR, 11595 Bellagio Road, Los Angeles, CA 90049.
- Please see the reduced Project plans (Attachment B) for more details.
- 3) **Existing & Surrounding Land Uses:** The 1.1-acre Project site is currently developed with a 16,770 square-foot shopping center located within the General Commercial - Planned Development (C-2-PD) zoning district. The Project site is surrounded by a mixture of

¹ ABC License Type 21 (Off-Sale General) (Package Store) Authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

commercial, residential, and agricultural uses. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated below in Exhibit A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Shopping Center
North	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Drive-through Restaurant
South	Residential Low (RL)	Single Family Residential - Planned Development (R-1-PD)	Single-Family Residential
East	Residential Medium (RM)	Garden Apartment - Planned Development (R-3-PD)	Multiple-Family Residential
West	Agriculture (AG)	County of Ventura (CNTY)	Agricultural

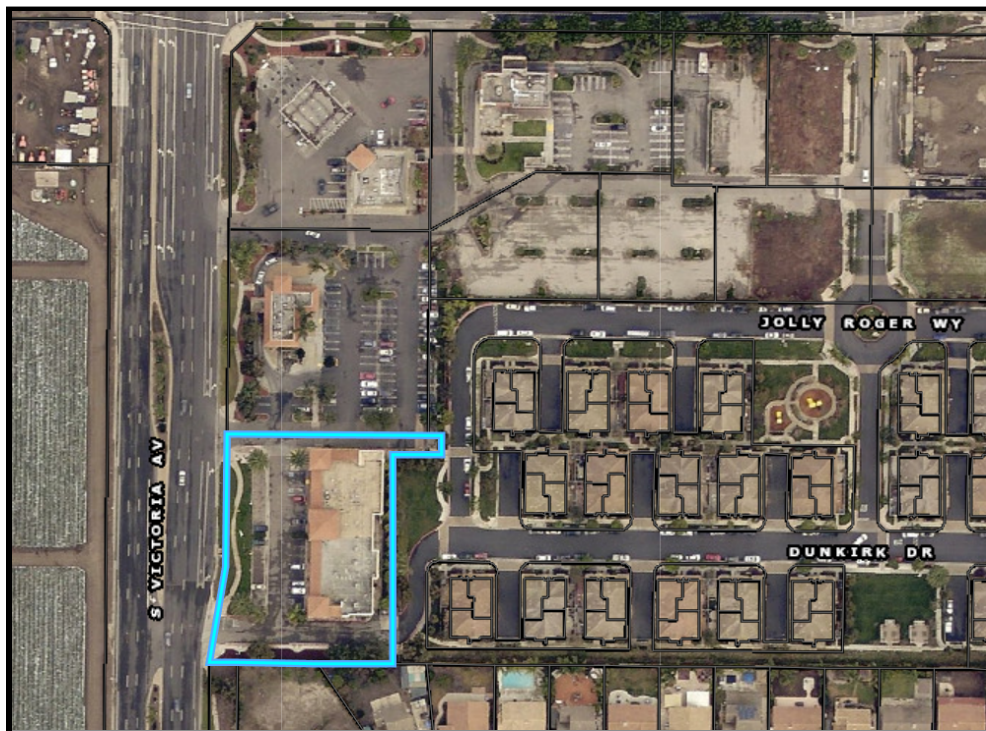


Exhibit A

- 4) Background Information:** The project area is part of the Rancho Victoria Plaza retail project (Special Use Permit No. 1488) approved in 1993 as a shopping center with two anchor stores and a total of 210,000 square-feet of retail space and 950 parking spaces. On September 2, 1999, the Planning Commission recommended approval of PZ No. 99-5-77 (Resolution No. 99-40) for a Tentative Subdivision Map and adopted Resolution No. 99-39 approving Major Modification No. 99-7-02 to reduce the project to 137,050 square-feet of commercial retail uses and adopted Architectural Design Guidelines, a Master Sign Program, and MND No. 99-18. The City Council subsequently adopted Resolutions approving the Tentative Map and upholding approval by the Planning Commission. The Major Modification resulted in construction of the El Pollo Loco, ARCO station, Jack in the Box, and the subject multi-tenant building located at 600 South Victoria Avenue.

On October 6, 2005, the Planning Commission adopted Resolution No. 2005-71 approving Major Modification No. 05-550-02 to SUP No. 1488 for 49,000 square-feet of commercial retail uses, 105 residential units, and adopted MND No. 05-09. The Planning Commission also adopted Resolutions 2005-69 and 2005-70 that recommended approval of General Plan Amendment No. 04-620-9 and Tentative Subdivision Map No. 04-300-19. The City Council subsequently adopted Resolutions approving the General Plan Amendment and Tentative Subdivision Map, and upholding the approval by the Planning Commission. The 105 residential units were constructed (southerly of Jolly Roger Way), but the commercial portion of the project, adjacent to Fifth Street, was never constructed, resulting in the subject vacant 6-acre site.

On April 15, 2008, the Planning Manager approved Minor Modification No. 07-140-35 to Major Modification No. 05-550-02 and SUP No. 1488 for reduction in commercial square footage to 48,886 square-feet among nine buildings. This request was never built.

On February 17, 2011, the Planning Commission adopted Resolution No. 2011-04 recommending approval of PZ No. 10-300-03 (Tentative Subdivision Map) to create 14 commercial parcels plus one common lot, and adopted Resolution No. 2011-05 approving PZ No. 10-500-07 (Special Use Permit) to construct 14 buildings with a total of 53,016-square-foot for retail and office uses. That project never was constructed.

5) Environmental Determination:

In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for off-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, Staff has

determined that there is no substantial evidence that the Project will have a significant effect on the environment and recommends that the Planning Commission accept the Notice of Exemption (Attachment C).

6) Analysis:

- a) **General Discussion:** The Applicant proposes to operate a new 2,326 square-foot convenience store/market within an existing 16,770 square-foot multi-tenant commercial building with an associated parking lot and related site improvements. The project includes a request to sell beer, wine, and distilled spirits for off-site consumption (ABC License Type 21) from 6:00 a.m. to 11:00 p.m. daily.

Proposed tenant improvements include installing walk-in-coolers, updating flooring, shelving, and other miscellaneous interior modifications. A new camera and alarm system will also be installed and will meet or exceed the Police Department requirements.

In accordance with the C-2-PD zone, the ability to sell alcohol for off-site consumption is subject to approval of a SUP by the Planning Commission.

- b) **General Plan & Zoning Consistency:** The 2030 General Plan designation for the site is Commercial General (CG) and the zoning designation is for General Commercial - Planned Development (C-2-PD). General Plan Policy ICS-19.2 encourages Police Department review of development projects. The Project was reviewed by the Police Department and their recommendations are incorporated into the conditions of approval. Therefore, this Project is consistent with Policy ICS-19.2.

The Project is proposed in the General Commercial - Planned Development (C-2-PD) zone district. In accordance with Oxnard City Code (OCC) Section 16-136 (Related Uses within the C-2 zone), the sales of alcoholic beverages for consumption off-site are permitted through the approval of a Special Use Permit. Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

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

Location	Same type within 350 feet?	Same type within 1,000 feet?	Likely to Cause Police problem?	Undue concentration as defined in Resolution No. 11,896 or Business and Professions Code Section 23958.4?
500 South Victoria Avenue.	No	Yes (Type 21)	No, as conditioned	No (City or State)
490 South Victoria Avenue	No	Yes (Type 21)	No, as conditioned	No (City or State)
3623 West Fifth Street	No	No (Type 47)	No, as conditioned	No (City or State)

Concentration of Alcohol Outlets:

According to the Police report, there are no establishments of the same type located within 350 feet and only two establishments of the same ABC License Type 21 (Arco AM PM and Circle K) within 350 and 1,000 feet of the subject property. There is another establishment located between 350 feet and 1000 feet of the subject property (Genmai Sushi) that currently operates with a ABC License Type 47² (On-Sale General - Eating Place²). The Police Department has determined that as there are no other similar alcohol establishments within 350 feet of the applicant's site, there is no undue concentration by City standards.

In the case of the applicant site, as seen in the next section, the annular crime rate is far below the average annular citywide rate and below the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are two off-sale licenses within the applicant's census tract. According to the ABC, six off-sale licenses are allowed within this census tract. Based on the above findings, there is not an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

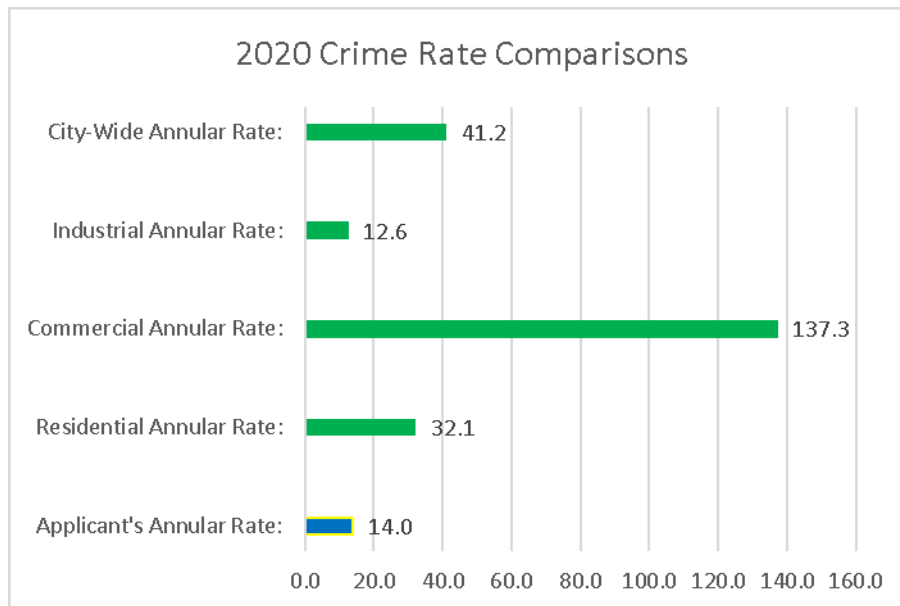
Crime Statistics:

For comparison purposes, the Police Report analyzes the average number of Part I³

² ABC License Type 47 (On-Sale General - Eating Place) (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

³ Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.

crimes and Part II⁴ crimes that occur per reporting district (grid) during a selected twelve month period. In the case of this report, all calculations are based on statistics from 2020. The citywide annular average of Part I and Part II crimes per grid was 41.2. The average number of Part I and II crimes occurring within 1,000 feet annular area of this proposed convenience store/market was 14 during the same twelve month time period. This is 10% of the average for commercial properties citywide; therefore, the local crime rate is very low compared to other parts of the City. This is best illustrated in the graph below:



Police Department Input:

The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem other than scavengers and homeless rummaging through trash bins and loitering in and around trash enclosures.

Community Input:

Several nearby business operators were contacted and interviewed regarding this business' request to sell alcohol. Those operators contacted were supportive of the new business and their plan to sell alcoholic beverages.

The Neighborhood Chairperson was contacted and briefed concerning the project and had no objection to the business selling alcoholic beverages.

⁴ Part II crimes include: vandalism, weapons possession, sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct.

Conclusion:

If approved, the applicant's business will operate in a well-established neighborhood commercial center in an area with a low crime rate. Since there are no ABC Licenses of the same type within 350 feet, it can be considered that there is no undue concentration by City standards. As shown in the crime rate table above, the crime in the area is below the city wide rate. Also, there exist only two off-sale licenses within the applicant's census tract. According to the ABC, six off-sale licenses are allowed within this census tract. . Therefore, there is no undue concentration of alcohol establishments under the standards established by the State of California within the meaning of section 23958.4(a)(1) of the Business and Professions Code. Furthermore, based on all the factors examined in this review, there is no presumption of undue concentration.

Based on the nature of the facility and the factors included within the Police report (crime statistics, the assessment from the Beat Coordinator, and the input from the community), the Police Department finds there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the sales of alcohol for off-site consumption will have little, if any adverse impact on area crime or demand for policing services. Several conditions of approval have been incorporated into the draft Resolution of approval (Attachment F) in order to mitigate Police Department concerns in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

- 7) Community Workshop and Public Input:** This Project is located within the Sea View Estates Neighborhood. On October 8, 2021, the Applicant mailed notices of the Community Workshop meeting to all property owners within the Sea View Estates Neighborhood. The Applicant also provided notice on the Project site with a brief description of the project and contact information. The Community Workshop was held on October 18, 2021. No members of the community were present at the Community Workshop for this item. Staff received one email from a member of the community before the meeting and was opposed to an additional alcohol outlet in the neighborhood. The email is provided in Attachment G.

Consistent with public noticing requirements, the Planning Commission hearing was advertised in the newspaper, with an on-going site posting, and by mail to property owners within 300 feet of the subject property. To date, Staff has not received any additional concerns or public comments regarding the proposed Project.

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

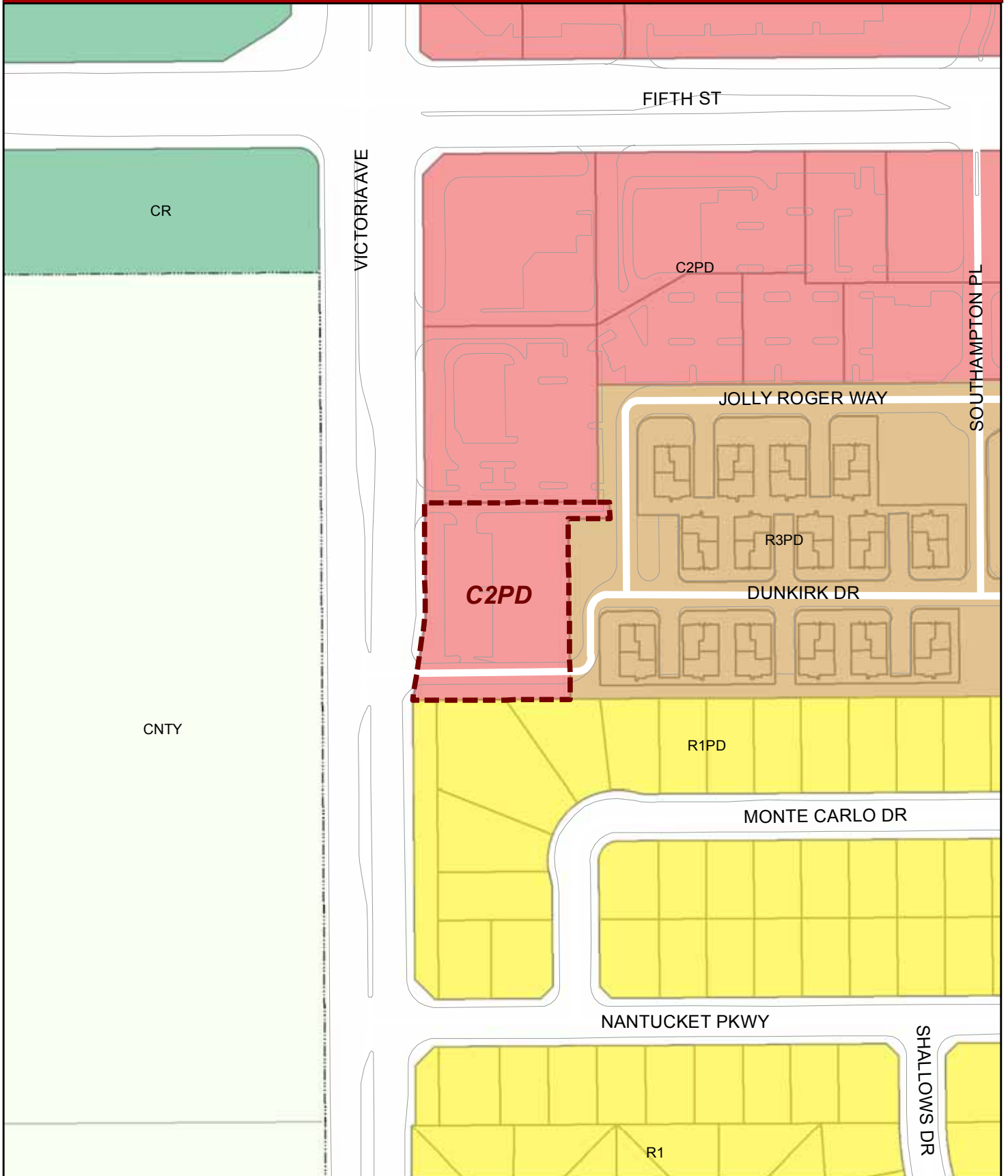
to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Police Department Report
- E. City Council Resolution No. 11,896
- F. Draft Resolution of Approval PZ 21-510-02 (Special Use Permit - Alcohol)
- G. Email Received
- H. Staff Presentation

A. Maps
(Vicinity, General Plan, Zoning, Aerial)

Zoning/Specific Plan Map



Oxnard Planning

Septemebr 9, 2021

PZ 21-510-02
Location: 600 S Victoria Ave
APN: 1850170105
Victoria Market

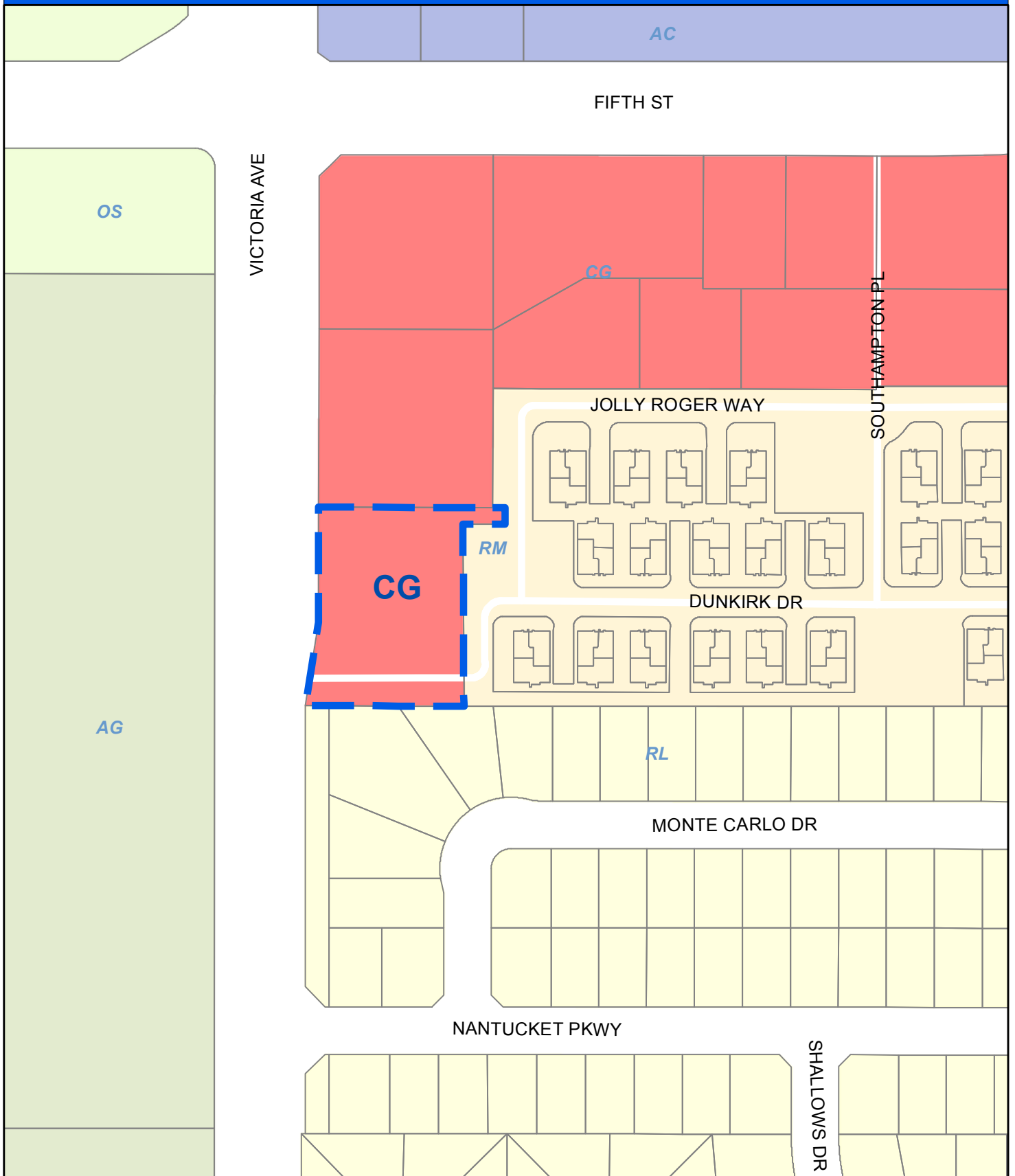
0 2550 100 150 200 Feet

Zoning/Specific Plan Map



1:2,000

2030 General Plan Land Use Map



Oxnard Planning
September 9, 2021

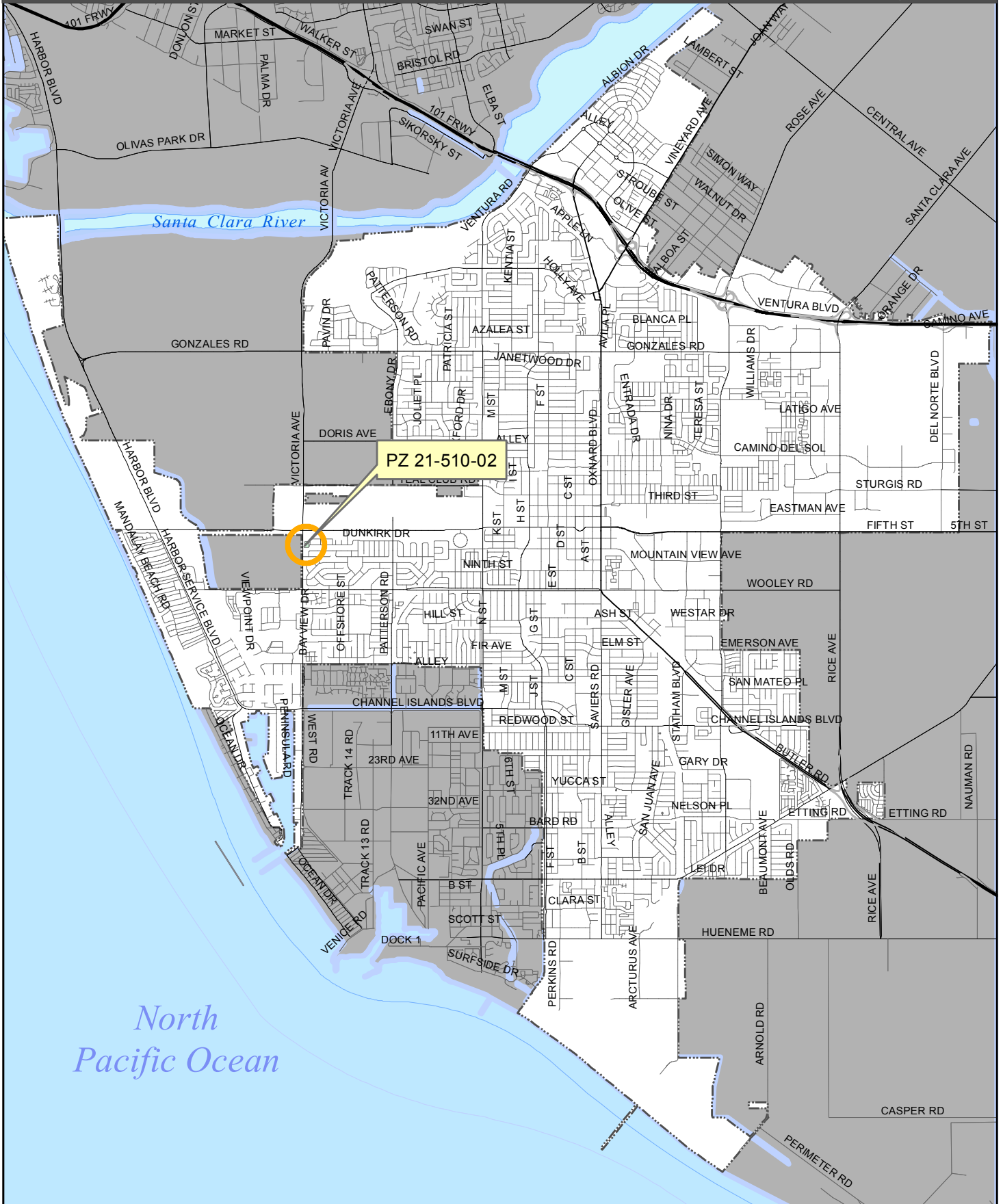
PZ 21-510-02
Location: 600 S Victoria Ave
APN: 1850170105
Victoria Market
0 50 100 200 Feet

2030 General Plan Land Use Map



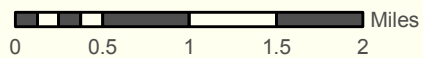
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Vicinity Map



PZ 21-510-02
Location: 600 S Victoria Ave
APN: 1850170105
Victoria Market

Vicinity Map

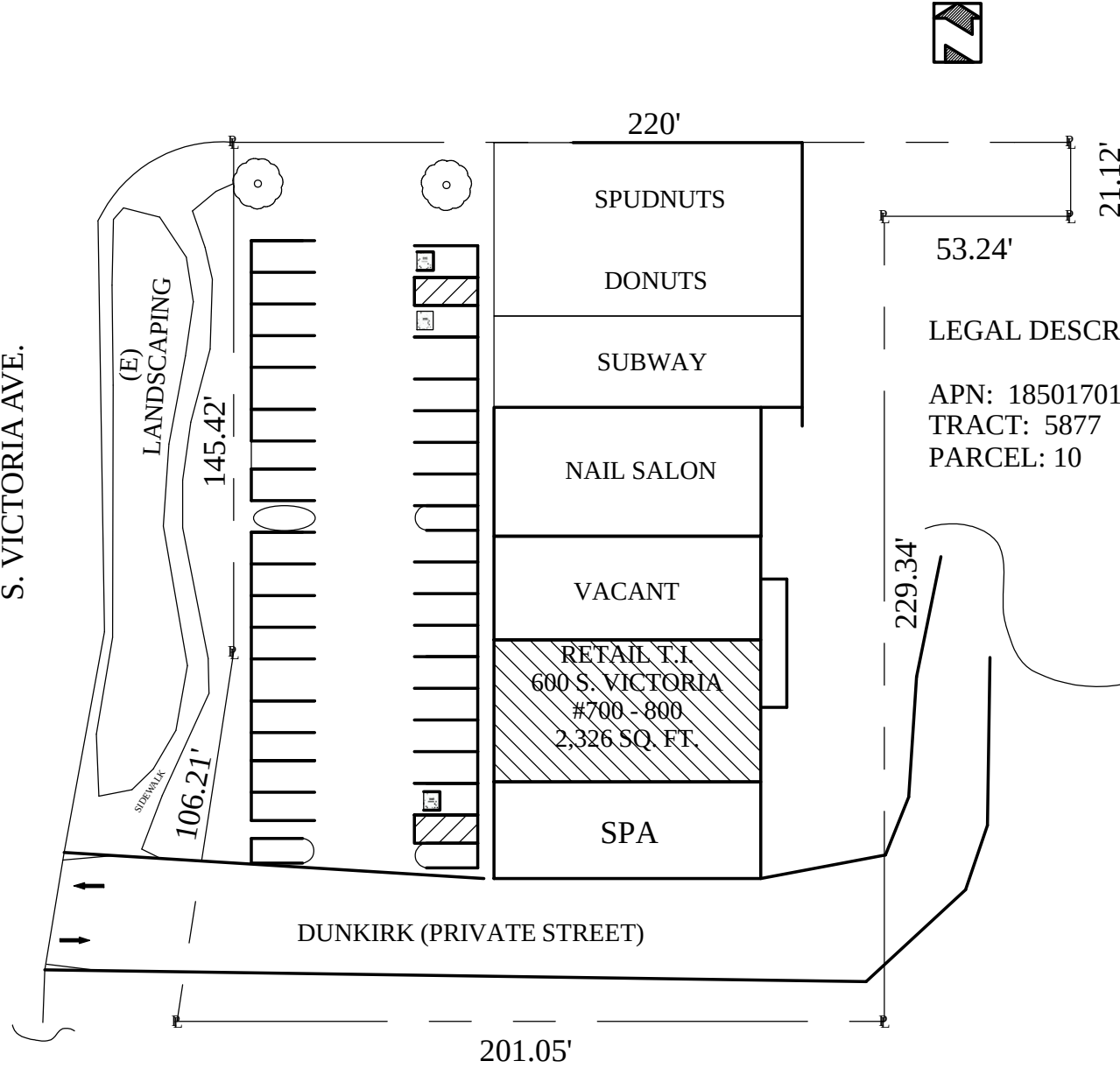


1:70,000



B. Reduced Project Plans

S. VICTORIA AVE.



SITE PLAN
1/64" = 1'

PLANS BY:

PATRICK E. PANZARELLO
CONSULTING SERVICES
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(818) 310-8589
PatrickPanzarello@gmail.com

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600 S. VICTORIA AVE. SUITE 700 - 800, OXNARD, CA 93035

APPLICANT: WASEEM FARHAT
(586) 873 - 2090

7/5/21

A - 1

C. Notice of Exemption

NOTICE OF EXEMPTION

Project Description: **Victoria Market Alcohol Special Use Permit;** Planning and Zoning Permit No. 21-510-02 (Special Use Permit - Alcohol): A request for approval of a Special Use Permit (SUP) to sell beer, wine, and distilled spirits for off-site consumption (Alcohol Beverage Control (ABC) License Type 21 - Off-Sale General) at an existing 2,326 square-foot commercial suite within a 16,770 square-foot building for a proposed convenience store/market on a 1.1-acre site located at 600 South Victoria Avenue, Suites #700 & 800 (APN: 185-0-170-105) within the General Commercial (C-2-PD) zone. Alcohol service would be provided between the hours of 6:00 a.m. to 11:00 p.m. daily. Filed by Waseem Farhat, Designated Agent, on behalf of property owner Robert & Susan Werner, TR, 11595 Bellagio Road, Los Angeles, CA 90049.

Finding:

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

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

Supporting Reasons: In accordance with Section 15301, Class 1 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for off-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is categorically exempt from the provisions of CEQA, there is no requirement to prepare an environmental document, and they hereby authorize and direct the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

(Date)

Scott Kolwitz
Planning and Environmental Services Manager

D. Police Department Report



Police Department

Jason Benites, Chief of Police

September 7, 2021

To: Scott Kolwitz, Planning Division Manager
Randy Baez, Associate Planner

From: Alex Arnett, Patrol Support Division Commander
Scott Swenson, Safer Neighborhoods and Alcohol Compliance Specialist

Subject: Victoria Market, 600 S. Victoria Ave., Suites 700 & 800
PZ 21-510-02, Alcohol SUP Review (ABC Type 21)

Site Information:

The applicant site is in an existing shopping center located at the southeast corner of Victoria Avenue and Fifth Street within the Sea View Estates Neighborhood. The applicant plans to operate a neighborhood market and offer for sale beer, wine and spirits under an ABC Type 21¹ License and operate 6 A.M. to 11 P.M. daily.

Concentration, Crime and Policing Services

Concentration of retail alcohol outlets and crime can have a significant impact on public safety and the delivery of police services. The State of California² and the City of Oxnard³ have established standards to weigh concentration factors, and, when appropriate, mitigations to address those factors. The below charts identify nearby retail alcohol establishments.

Alcohol outlets located within 350 Feet

¹ Type 21 Off Sale Beer, Wine & Spirits – (Package Store) Authorizes the sale of beer, wine and spirits for consumption off the premises where sold. Minors are allowed on the premises.

² Concentration Standards for the State of California: §23958.4 Business and Professions Code

³ Concentration Standards for the City of Oxnard: Council Resolution 11,896

#	Business Name	Address	A B C T y p e	O n / O f - S a l e	Premise	Alcohol	Alc oh ol H ours *
	None						

*Alcohol hours reflect period the business is permitted to serve alcohol under State law or by established City conditions.

Alcohol outlets located between 350 Feet and 1000 Feet

#	Business Name	Address	A B C T y p e	O n / O f - S a l e	Premise	Alcohol	Alc oh ol H ours *
1	Arco AM PM	500 So. Victoria Ave.	21	Y	Off	Gas Station	Beer Wine Spirits 7a-1:45a
2	Circle K	490 So. Victoria Ave.	21	Y	Off	Gas Station	Beer Wine Spirits 7a-1a
3	Genmai Sushi	3623 W. Fifth St.	47	Y	Both	Restaurant	Beer Wine Spirits 7a-1a

City Council Resolution 11,896 establishes that there is undue concentration if there exists an alcohol establishment of a similar type within 350 feet of the applicant site. As noted on the chart above, there are no markets with alcohol licenses within 350 feet of the applicant site. This establishes that there is not an undue concentration under City standards.

State standards for undue concentration are established under Business and Professions Code Section 23958.4.

- (a) For purposes of Section 23958, "undue concentration" means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:
- 1) The applicant premises are located in a crime reporting district⁴ that has a 20 percent greater number of reported crimes, as defined in subdivision c, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.
 - 2) As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises is located.

⁴ Oxnard P.D. does not collect crime data based on reporting districts. For the purposes of concentration of alcohol establishments, the crime stats are compared by 1000-foot annular areas.

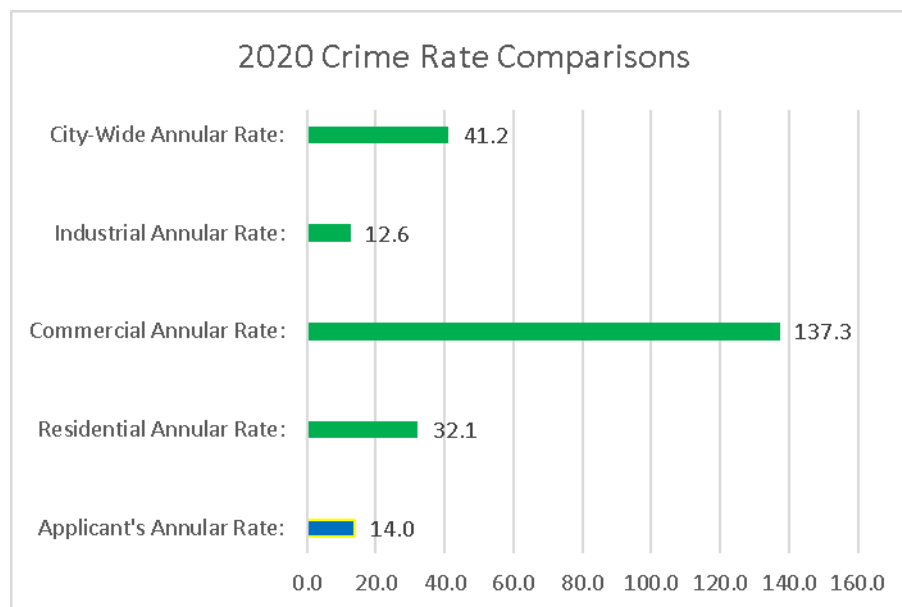
- 3) *As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.*

In the case of the applicant site, the annular crime rate is far below the average annular citywide rate and below the standard established in 23958.4(1) B&P. Currently there are two off-sale licenses within the applicant's census tract. According to the ABC, six off-sale licenses are allowed within this census tract. Based on the above findings, there is not an undue concentration under the provisions of California Business and Professions Code Section 23958.4

Crime Statistics Review:

For comparison purposes the Police Department calculates the average number of Part I⁵ and II⁶ crimes that occurred during a selected 12-month period. In the case of this report, all calculations are based on statistics from 2019. The average city-wide, annular average of Part I and II crimes is 41.2.

The average number of Part I and II crimes in the applicant's 1000 feet annular area is 14. This is 10 % of the average for commercial properties citywide and can be best illustrated in the graph below:



Police Department Input:

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

⁶ Part II crime include other assaults, forgery & counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, prostitution & commercialized vice, sex offenses, drug abuse violations, gambling, offenses against family and children, driving under the influence, liquor laws, drunkenness, disorderly conduct, vagrancy, all other offenses not specifically identified as Part I or Part II, except traffic violations.

The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem other than scavengers and homeless rummaging through trash bins and loitering in and around trash enclosures.

Community Input

Businesses:

Several nearby business operators were contacted and interviewed regarding this business' request to sell alcohol. Those operators contacted were supportive of the new business and their plan to sell alcoholic beverages.

Area Residents:

The Neighborhood Chairperson was contacted and briefed concerning the project and had no objection to the business selling alcoholic beverages.

Conclusion

The applicant's business will be in a well-established neighborhood commercial center in an area with a low crime rate.

Concentration, Public Convenience and Necessity

As previously discussed, there is no undue concentration of alcohol establishments under the standards established by the State of California or the City of Oxnard.

As previously discussed, the site of the proposed establishment is within an area of the City where there is not an "undue concentration" of alcoholic beverage establishments within the meaning of section 23958.4(a)(1) of the Business and Professions Code, and, as described in City Council Resolution 11,896.

Summation

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the service of alcoholic beverages at this business will have little, if any adverse impact on the community or policing services.

Police Operating Conditions Off-Sale Retail

Training

1. Permittee and all sellers or servers shall complete an approved course in Responsible Beverage Sales and Service (RBSS) (available through the ABC website for the LEAD Program at www.abc.ca.gov/education/lead-training) within sixty (60) days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department. (PL/PD)
2. Each permittee shall maintain a record of their employees who have successfully completed the required Responsible Beverage Service Training and make that record available to any representative of the Oxnard Police Department upon demand.

Operations

3. The Police Chief or designee may immediately suspend operation of the use(s) approved by this permit pending a hearing on the suspension or revocation of this permit if the Chief determines that there have been significant violations of the conditions associated with the use(s) and/or Alcoholic Beverage Control (ABC) license and/or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions responded to that is associated with the operation of this use for which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing regarding the revocation of the permit by the Community Development Director to be held no more than 30 days after the suspension begins.
4. Additionally, violations of this permit which can lead to permit suspension can include, but not limited to:
 - a) Failure to provide required operational documentation within 30-days when requested by mail or email. This would include, but not limited to quarterly food/alcohol sales, copies of security guard credentials, and proof of servers completion of RBS Training.
 - b) Repeated violations of a specific condition within this document or successor documents or permits.
 - c) Evidence of service of alcoholic beverages to minors.
 - d) Repeated failure to maintain a staff of servers trained in approved Responsible Beverage Service. (PD)

e) Sales to habitual drunkards per section 25602(a) Business and Professions Code.

5. There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

Security

6. A Security Plan shall be submitted to specialprojects@oxnardpd.org and approved 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 and support equipment.
 - 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.).
7. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall be operated 24-hours a day to monitor, at a minimum, the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
- a) Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
 - b) Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - c) Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
 - d) The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e) The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.

- f) Recorded images shall bear a date and time stamp that cannot be altered.
 - g) At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
 - h) A monitor near the customer entrance shall be mounted from the ceiling. The bottom edge of the monitor shall be 7-feet above the floor. Its placement shall provide customer's images upon entry into the business.
 - i) During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)
8. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.
9. Permittee shall install a dual technology electronic intrusion detection system capable of differentiating between human and non-human motion. (burglary alarm). (PD)
10. A copy of these conditions must be maintained on the premises and made available upon the demand of any representative of the Oxnard Police Department at all times. (PL/PD)
11. Permittee shall provide the Oxnard Police Department an email address for a responsible party for the business. This may be the owner, manager or other party who can respond to inquiries for the business. Permittee shall submit an email address to: specialprojects@oxnardpd.org . In the submission, identify the business name, the contact person's name and their role in the business.
12. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee. (PD)
13. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as

defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

14. Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)
15. The permittee shall maintain areas for which the business has reasonable control around the premises free of litter and graffiti.
16. The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons in or about the area. (PL/PD)
17. No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors and any pay phones installed inside shall be blocked from incoming calls. (PL/PD)
18. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)
19. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)
20. Other than for emergency purposes, there shall be only one means of customer ingress and egress. (PD)
21. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)

22. Sales displays shall be no taller than 48-inches except those displays around the interior perimeter of the store. Displays, banners, signs and other materials shall not interfere with clear sightlines in and out of windows or obscure the view of the sales area from the cashier's station.
23. Coolers and other sales displays shall not be located near entry or exit points and shall be clearly visible to employees from the cashier's station.
24. Each point of sale device shall be equipped to require the input of a customer's date of birth or the scan of an approved form of identification to document the customer's age on any transaction involving alcoholic beverages or tobacco.
25. Alcohol sales shall be limited to 6 a.m. to 11 p.m. If the business operates during hours beyond 6 a.m. to 11 a.m. all displays and refrigerators containing alcoholic beverages shall be secured with an approved locking system during the hours when alcohol sales is prohibited to prevent customer access to these products.
26. There shall be no advertising of alcoholic beverages visible from outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)
27. The permittee shall post prominent, permanent signs indicating that loitering, open containers, and/or the consumption of alcoholic beverages is prohibited. These signs shall be posted in the parking lot and other adjacent areas under Permittee's reasonable control, including exterior common walkways and corridors. (PD)
28. There shall be no amusement machines or video devices maintained on the premises at any time. (PD)
29. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be sold alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)
30. There shall be no self-service displays of any type of tobacco or vaping product including, but not limited to cigarettes, cigars and smokeless tobacco. (PD)
31. Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the

day as the amounts exceed allowable levels in the register (typically \$50-200). (PD)

32. Permittee shall install height gauges at all exit doors. (PD)

33. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

34. Employees involved in the sale of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report for work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances.

SPECIAL POLICE CONDITIONS

35. Single sales of alcoholic beverages shall be restricted as listed below:

- a. Other than specialty beers and micro-brews, beer, malt beverages and wine coolers in containers of 64oz in volume or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities. The sale of mass-produced, low priced beer or malt liquor in single servings is prohibited (PD)
- b. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles (Port, Sherry, Saki, Marsala, Madeira, Muscat and Vermouth are permitted). (PD)
- c. The prohibited alcoholic beverages in subsections a & b of this condition may be permitted if the applicant and/or business owner provides sufficient justification through their business model and proposed product line that the sales of certain "single sales" beverages will not have an adverse impact on youth, persons with alcohol abuse issues, or the community as a whole and the Chief of Police supports the justification. This prohibition may be waived by the Chief of Police on an annual (calendar year) basis through an administrative letter described herein. The Chief's administrative letter shall specifically approve product lines describing the product by name, serving size and minimum price point for the product.

36. The permittee shall participate, when requested and reasonable, in programs and efforts of the Oxnard Police Department to inform and educate the patrons of alcohol establishments on the dangers of driving under the influence of alcohol or drugs. (PD)
37. The permittee's internet presence shall be consistent with these conditions. Any site or internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that conflict with the provisions set forth in this permit and/or the ABC license. (PD)
38. Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)
39. Windows shall remain clear of signage, posters, advertisements or any other item that interferes with clear sightlines into the business. No display or other object near, on or adjacent to the windows shall appear above 48-inches above the floor.
40. Permittee shall ensure that the trash enclosure that serves the business is maintained in a clean and orderly condition and that it is locked during times when it is not being accessed by employees.

E. City Council Resolution No. 11,896

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 11.896

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

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

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

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

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

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

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

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

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

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

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

1. City Council Resolution No. 8597 is repealed.

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

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

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

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

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

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

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

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

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

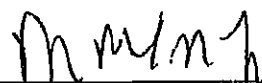
4. All of the procedures and other matters contained in section 34-146 et seq. of the City Code apply to applications for special use permits to sell alcoholic beverages at retail.

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

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

NOES: None.

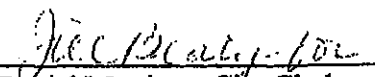
ABSENT: None.



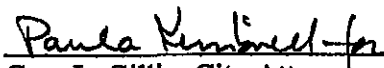
Dr. Manuel M. Lopez, Mayor

ATTEST:

APPROVED AS TO FORM:



Daniel Martinez, City Clerk



Gary L. Gillig, City Attorney

F. Draft Resolution of Approval PZ 21-510-02
(Special Use Permit - Alcohol)

RESOLUTION NO. 2021 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-510-02 (SPECIAL USE PERMIT - ALCOHOL), TO ALLOW A PROPOSED CONVENIENCE STORE (VICTORIA MARKET) TO SELL BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION (ALCOHOL AND BEVERAGE CONTROL LICENSE TYPE 21) WITHIN AN EXISTING 2,326 SQUARE-FOOT TENANT SPACE WITHIN A LARGER 16,770 SQUARE-FOOT, MULTI-TENANT BUILDING ON A 1.1-ACRE PROPERTY, LOCATED AT 600 SOUTH VICTORIA AVENUE SUITES 700-800 (APN: 185-0-170-105) WITHIN THE GENERAL COMMERCIAL - PLANNED DEVELOPMENT (C-2-PD) ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY WASEEM FARHAT ON BEHALF OF PROPERTY OWNER ROBERT & SUSAN WERNER, TR, 11595 BELLAGIO ROAD, LOS ANGELES, CALIFORNIA 90049.

WHEREAS, on July 2, 2021, Waseem Farhat, (the “**Applicant**”) on behalf of property owner Rober & Susan Werner, submitted a request to sell beer, wine, and distilled spirits for off-site consumption (Alcohol Beverage Control (ABC) License Type 21¹) 6:00 a.m. to 11:00 p.m. (midnight) daily from a proposed 2,326 square-foot convenience store building within a 16,770 square-foot multi-tenant commercial building on a 1.1-acre developed shopping center located at 600 South Victoria Avenue Suites 700-800 (the “**Project**”); and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider the Applicant’s request to approve Planning and Zoning Permit No. 21-510-02 (Special Use Permit - Alcohol), filed by Waseem Farhat in accordance with Section 16-530 through 16-553 of the Oxnard City Code and City Council Resolution No. 11,896; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 1 Categorical Exemption (Section 15301). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

¹ ABC License Type 21 (Package Store) Authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

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 Commercial General (CG) and within the General Commercial - Planned Development (C-2-PD). The Project is surrounded by commercial, residential and agricultural development. The project site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

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

The proposed Special Use Permit request for alcohol is consistent with the 2030 General Plan and the Oxnard City Code and is compatible with the physical scale and character of other commercial development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General Plan and the 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 Special Use Permit request for alcohol will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the commercial, residential and agricultural character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by commercial, residential and agricultural development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

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

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

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

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

As described in the Staff Report, the subject site is within the General Commercial Planned Development (C-2-PD) zoning district, with a 2030 General Plan designation of Commercial General (CG). The proposed 2,326 square-foot convenience store and request to sell beer, wine, and distilled spirits for off-site consumption (ABC License Type 21) 6:00 a.m. to 11:00 p.m. daily is consistent with the General Plan and zoning designation. The ability to sell alcohol for a convenience retail store/market is subject to approval of Special Use Permits by the Planning Commission pursuant to Oxnard City Code (OCC) Section 16-136. Therefore, the proposed sale of alcohol is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

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

As described in the Staff Report, the Project will allow the sale of beer, wine, and distilled spirits for off-site consumption from a proposed convenience store. According to the Police report, there are no establishments of the same type located within 350 feet of

the subject property. There are two establishments located between 350 feet and 1,000 feet of the subject property (Arco AM PM and Circle K) that currently operate with a ABC License Type 21 (Off-Sale General), and there is one establishment located between 350 feet and 1,000 feet of the subject property (Genmai Sushi) that currently operates with ABC License Type 47 (Off-Sale General).

The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards.

In the case of the applicant site, as seen in the next section, the annular crime rate is far below the average annular citywide rate and below the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are two off-sale licenses within the applicant's census tract. According to the ABC, six off-sale licenses are allowed within this census tract. Based on the above findings, there is not an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

The Project will be subject to conditions of approval as recommended by the Oxnard Police Department Alcohol SUP Report to prevent aggravation of policing issues. Therefore, as conditioned, the proposed sale of alcohol will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health safety or general welfare. The Project will not aggravate policing issues when properly regulated through the imposition of and compliance with the conditions of approval. Based on these factors, this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. As such, this Project meets this finding.

- 3) The site for the proposed use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required by the conditions of approval.**

As described in the Staff Report, the proposed alcohol (beer, wine and distilled spirits) sales will occur entirely within an existing building that is adequate for the proposed sales. The proposed project does not require exterior changes to the site. The recommended conditions of approval do not require changes to the site. Therefore, the site for the proposed alcohol sales is adequate in size and shape to accommodate all items required by the conditions of approval. As such, this Project meets this finding.

- 4) The site for the proposed use will be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The project site is currently served by existing infrastructure which includes South Victoria Avenue and Ventura Boulevard, which connects to Highway 101. The proposed

sale of alcohol is not anticipated to generate significant traffic that would require improvements to infrastructure. Therefore, the site for the proposed alcohol sales will be served by highways adequate in width and improved as necessary to carry project-generated traffic. As such, this Project meets this finding.

5) The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

The project site is currently served by adequate sewerage, water, fire protection and storm drainage facilities. The proposed alcohol sales will not generate significant impacts that would require additional facilities. Therefore, the site for the proposed alcohol sales will be provided with adequate sewerage, water, fire protection, and storm drainage facilities. As such, this Project meets this finding.

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

As described in the Staff Report, the commercial building has a below-average crime rate when compared to other parts of the City. The Project will not create, or significantly aggravate police problems within 1,000 feet of the location for which the Special Use Permit is requested, as discussed in the Staff Report and Oxnard Police Department Alcohol SUP Report. Based on the crime statistics, the input from the community and the Beat Coordinator, there is no reason to oppose this application. As such, this Project meets this finding.

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

As described in the Staff Report, and Oxnard Police Department Alcohol SUP Report, there are no establishments of the same type located within 350 feet of the subject property. There are two establishments located within 1,000 feet of the subject property (Arco AM PM and Circle K) that currently operate with a ABC License Type 21 (Off-Sale General), and there is one establishment located between 350 feet and 1,000 feet of the subject property (Genmai Sushi) that currently operates with ABC License Type 47 (Off-Sale Beer & Wine). The Police Department has determined that based on

the proximity of the businesses listed, there is not an undue concentration under the established City Standards.

The annular crime rate is far below the average annular citywide rate and below the standard established in the California Business and Professions Code Section 23958.4(1). Currently there are two off-sale licenses within the applicant's census tract. According to the ABC, six off-sale licenses are allowed within this census tract. Based on the above findings, there is not an undue concentration under the provisions of California Business and Professions Code Section 23958.4.

This Finding is further supported by the fact that the project will be in a well-established, well-maintained commercial center where the crime rate is below the average for other parts of the City. Therefore, this Project meets this finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (allowing the sales of alcohol) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15301 (Class 1) of the State CEQA Guidelines pertaining to projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The Project involves a request to sell alcohol for off-site consumption within an existing multi-tenant commercial building and will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment. The Planning and Environmental Services Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 21-510-02 (Special Use Permit - Alcohol), subject to the attached conditions of approval.

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

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

CONDITIONS OF APPROVAL FOR LAND USE PERMITS

Note:

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated November 18, 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 Modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).
3. By commencing any activity related to the Project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein (CA, *G-5*).
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. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail (CA, G-7).
6. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, G-8).
7. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, G-10).
8. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the Project property (FD, G-12).
9. Applicant shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the Project property, except as provided in a permit issued by the Fire Chief (FD, G-13).
10. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the Oxnard City Code (CA, G-14).

PLANNING DIVISION SPECIAL CONDITIONS

11. This permit shall automatically be void 12 months from the date of issuance of the Certificate of Occupancy of the proposed building, unless the Applicant has received a License Type 21 from the State Department of Alcoholic Beverage Control to sell alcoholic beverages on the Project property (PL).
12. Unless the use is inaugurated no later than 12 months from the date of issuance of the Certificate of Occupancy of the proposed building and is diligently pursued thereafter, this approval will expire pursuant to the Oxnard City Code Section 16-553.

POLICE DEPARTMENT CONDITIONS - TRAINING

13. Permittee and all servers or servers shall complete an approved course in Responsible Beverage Sales and Service (RBSS) (available through the ABC website for the LEAD Program at www.abc.ca.gov/education/lead-training) within sixty (60) days of license granting and/or date of employment. The permittee is responsible for maintaining records showing servers have completed the required training and shall submit this documentation upon request by the Oxnard Police Department. (PL/PD).
14. Each permittee shall maintain a record of their employees who have successfully completed the required Responsible Beverage Service Training and make that record available to any representative of the Oxnard Police Department upon demand.

POLICE DEPARTMENT CONDITIONS - OPERATIONS

15. The Police Chief or designee may immediately suspend operation of the use(s) approved by this permit pending a hearing on the suspension or revocation of this permit if the Chief determines that there have been significant violations of the conditions associated with the use(s) and/or Alcoholic Beverage Control (ABC) license and/or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions responded to that is associated with the operation of this use for which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing regarding the revocation of the permit by the Community Development Director to be held no more than 30 days after the suspension begins.

Additionally, violations of this permit which can lead to permit suspension can include, but not limited to:

- a. Failure to provide required operational documentation within 30-days when requested by mail or email. This would include, but not limited to quarterly food/alcohol sales, copies of security guard credentials, and proof of server's completion of RBS Training.
 - b. Repeated violations of a specific condition within this document or successor or permits.
 - c. Evidence of service of alcoholic beverages to minors.
 - d. Repeated failure to maintain a staff of servers trained in approved Responsible Beverage Service. (PD)
 - e. Sales to habitual drunkards per section 25602(a) Business and Professions Code.
16. There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

POLICE DEPARTMENT CONDITIONS - SECURITY

17. A Security Plan shall be submitted to specialprojects@oxnardpd.org and approved 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 and support equipment.
 - b. The Security Plan shall include a chart 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.).
18. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall be operated 24-hours a day to monitor, at a minimum, the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
 - a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
 - b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
 - d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
 - f. Recorded images shall bear a date and time stamp that cannot be altered.
 - g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
 - h. A monitor near the customer entrance shall be mounted from the ceiling. The bottom edge of the monitor shall be 7-feet above the floor. Its placement shall provide customer's images upon entry into the business.
 - i. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)
19. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.
20. Permittee shall install a dual technology electronic intrusion detection system capable of differentiating between human and non-human motion. (burglary alarm). (PD)

21. A copy of these conditions must be maintained on the premises and made available upon the demand of any representative of the Oxnard Police Department at all times. (PL/PD)
22. Permittee shall provide the Oxnard Police Department an email address for a responsible party for the business. This may be the owner, manager or other party who can respond to inquiries for the business. Permittee shall submit an email address to : specialprojects@oxnardpd.org. In the submission, identify the business name, the contact person's name and their role in the business.
23. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee. (PD)
24. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)
25. Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)
26. The permittee shall maintain areas for which the business has reasonable control around the premises free of litter and graffiti.
27. The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PL/PD)
28. No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors and any pay phones installed inside shall be blocked from incoming calls. (PL/PD)
29. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)
30. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)

31. Other than for emergency purposes, there shall be only one means of customer ingress and egress. (PD)
32. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)
33. Sales displays shall be no taller than 48-inches except those displays around the interior perimeter of the store. Displays, banners, signs and other materials shall not interfere with clear sightlines in and out of windows or obscure the view of the sales area from the cashier's station.
34. Coolers and other sales displays shall not be located near entry or exit points and shall be clearly visible to employees from the cashier's station. (PD)
35. Each point of sale device shall be equipped to require the input of a customer's date of birth or the scan of an approved form of identification to document the customer's age on any transaction involving alcoholic beverages or tobacco.
36. Alcohol sales shall be limited to 6:00 a.m. to 11:00 p.m. If the business operates during hours beyond 6:00 a.m. to 11:00 p.m. all displays and refrigerators containing alcoholic beverages shall be secured with an approved locking system during the hours when alcohol sales are prohibited to prevent customer access to these products.
37. There shall be no advertising of alcoholic beverages visible from outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)
38. The permittee shall post prominent, permanent, signs indicating that loitering, open containers, and/or the consumption of alcoholic beverages is prohibited. These signs shall be posted in the parking lot and other adjacent areas under Permittee's reasonable control, including exterior common walkways and corridors. (PD)
39. There shall be no amusement machines or video devices maintained on the premises at any time. (PD)
40. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be sold alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)
41. There shall be no self-service displays of any type of tobacco or vaping product including, but not limited to cigarettes, cigars and smokeless tobacco. (PD)

42. Permittee shall have drop-safes installed or establish other responsible cash handling procedures to allow employees to deposit daily receipts throughout the day as the amounts exceed allowable levels in the register (typically \$50-200). (PD)
43. Permittee shall install height gauges at all exit doors. (PD)
44. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)
45. Employees involved in the sale of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report for work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances.

POLICE DEPARTMENT SPECIAL CONDITIONS

46. Single sales of alcoholic beverages shall be restricted as listed below:
 - a. Other than specialty beers and micro-brews, beer, malt beverages and wine coolers in containers of 64oz in volume or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities. The sale of mass-produced, low priced beer or malt liquor in single servings is prohibited. (PD)
 - b. No wine shall be sold with an alcoholic content of greater than 15% by volume except for “Dinner Wines” which have been aged two years or more and maintained in corked bottles (Port, Sherry, Saki, Marsala, Madeira, Muscat and Vermouth are permitted). (PD)
 - c. The prohibited alcoholic beverages in subsections a & b of this condition may be permitted if the applicant and/or business owner provides sufficient justification through their business model and proposed product line that the sales of certain “single sales” beverages will not have an adverse impact on youth, persons with alcohol abuse issues, or the community as a whole and the Chief of Police supports the justification. This prohibition may be waived by the Chief of Police on an annual (calendar year) basis through an administrative letter described herein. The Chief’s administrative letter shall specifically approve product lines describing the product by name, serving size and minimum price point for the product.
47. The permittee shall participate, when requested and reasonable, in programs and efforts of the Oxnard Police Department to inform and educate the patrons of alcohol establishments on the dangers of driving under the influence of alcohol or drugs. (PD)

48. The permittee's internet presence shall be consistent with these conditions. Any site or internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that conflict with the provisions set forth in this permit and/or the ABC License. (PD)
49. Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)
50. Windows shall remain clear of signage, posters, advertisements or any other item that interferes with clear sightlines into the business. No display or other object near, on or adjacent to the windows shall appear above 48-inches above the floor.
51. Permittee shall ensure that the trash enclosure that serves the business is maintained in a clean and orderly condition and that it is locked during times when it is not being accessed by employees.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of November, 2021, by the following vote:

Deirdre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 18th day of November 18, 2021, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

G. Email Received



Baez, Randy <randy.baez@oxnard.org>

Re: [Ask Planning Action] Community Workshop - Item # 3 - Victoria Market1 message

Lai, Dee <dee.lai@oxnard.org>

Mon, Oct 18, 2021 at 11:36 AM

To: Curtis Sanchez <curtis@afriat.com>

Cc: "Baez, Randy" <randy.baez@oxnard.org>, "Dobrowalski, Jay" <jay.dobrowalski@oxnard.org>, "Kolwitz, Scott" <scott.kolwitz@oxnard.org>

Hi Curtis,

Thank you for your email. I have forwarded it to the planners to follow up with you.

Regards,

Dee Lai | Administrative Secretary III**Community Development Department**

214 S C Street | Oxnard, CA 93030

O: 805.385.7878

www.oxnard.org**We welcome you back to the Service Center!**

Our doors are opened to the public from 8:00 a.m. to NOON, Monday through Thursday and on our open Fridays. Online services remain available through our online portal at www.oxnard.org/planning

- General inquiries should be sent via email to Planning@oxnard.org.
- For [new applications](#), email us at planning@oxnard.org. Large projects can be shipped with prior authorization. Smaller projects may be submitted via email.
- For existing applications, contact your assigned Case Planner by direct email.

When visiting the Service Center, please wear a mask and observe social distancing guidelines until further notice.

On Mon, Oct 18, 2021 at 11:32 AM Curtis Sanchez <curtis@afriat.com> wrote:

Re: Community Workshop of 10/18/2021 - Item # 3 - Victoria Market

To Whom It May Concern:

I am the property owner for the residence located at [3050 Taffrail Lane](#) in Oxnard. I received notice from Victoria Market about this Community Workshop and I am sending this e-mail in response to that notice. The Special Use Permit to sell alcohol should be denied. There are already many convenience stores in this neighborhood that are selling alcohol, such as the AM-PM Mini Market at ARCO gas station, the convenience store at the Mobil Oil gas station, Von's Supermarket on Victoria Ave and CVS drugs on Ventura Road to just name a few. I am fearful that another market like this will bring an additional criminal element to the area. I would like state for the record that I am opposed to this proposed

convenience store/market receiving a permit to sell alcohol.

Thank you,
Curtis Sanchez, Property Owner

--

Curtis Sanchez
Afriat & Sanchez Trust
[5523 Stansbury Ave.](#)
Sherman Oaks, CA 91401
(818) 904-9104

H. Staff Presentation

City of Oxnard Planning Commission

November 18, 2021

Victoria Market Alcohol Special Use Permit
600 South Victoria Avenue #700-800
PZ 21-510-02
(Special Use Permit - Alcohol)

Applicant: Waseem Farhat

Project Description

A request for approval of a Special Use Permit (SUP) to sell beer, wine, and distilled spirits for off-sale consumption (Alcohol Beverage Control (ABC) License Type 21) at an existing 2,326 square-foot commercial suite within a 16,770 square-foot building for a proposed convenience store/market.

Alcohol sales are requested between 6:00am and 11:00pm daily.

Background

- 1993:** The Rancho Victoria Plaza retail center was approved, with 2 anchor stores and a total of 210,000 square feet of retail space.
- 1999:** PZ No. 99-7-02 (Major Modification) was approved to reduce the project to 137,050 square feet of commercial and retail uses.
- 1997:** Building permits were issued for the construction of the Project site.

Project Location



Project Site

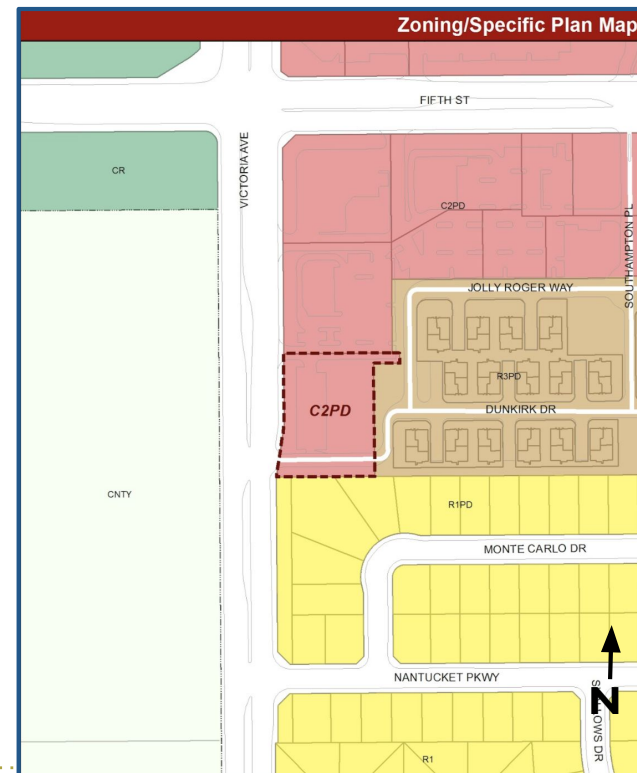


Land Use and Zoning

2030 General Plan:
Commercial General (CG)



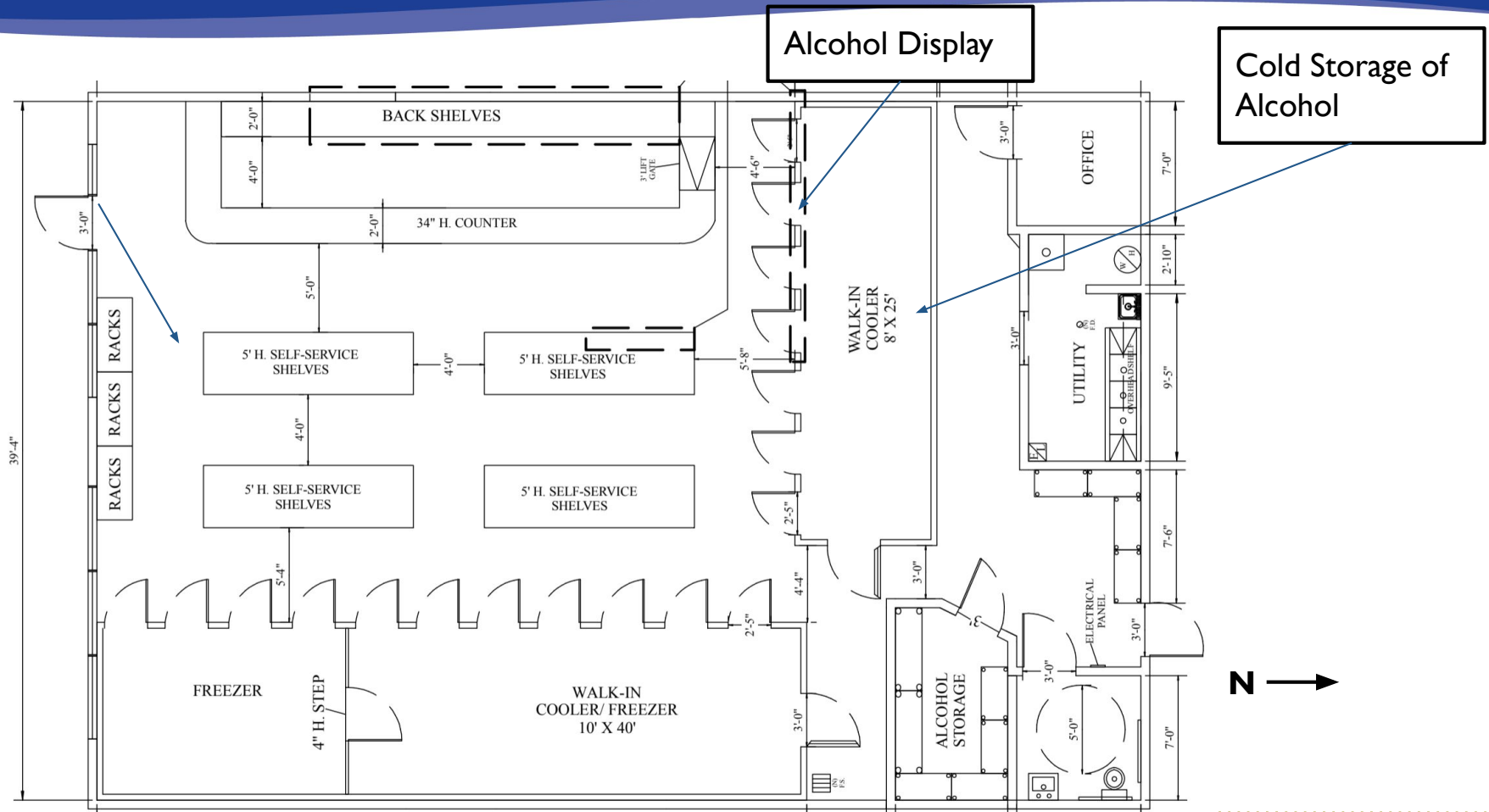
Zoning Designation:
General Commercial - Planned
Development (C2-PD)



Surrounding Land Uses

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Shopping Center
North	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Drive-through Restaurant
South	Residential Low (RL)	Single Family Residential - Planned Development (R-1-PD)	Single-Family Residential
East	Residential Medium (RM)	Garden Apartment - Planned Development (R-3-PD)	Multiple-Family Residential
West	Agriculture (AG)	County of Ventura (CNTY)	Agricultural

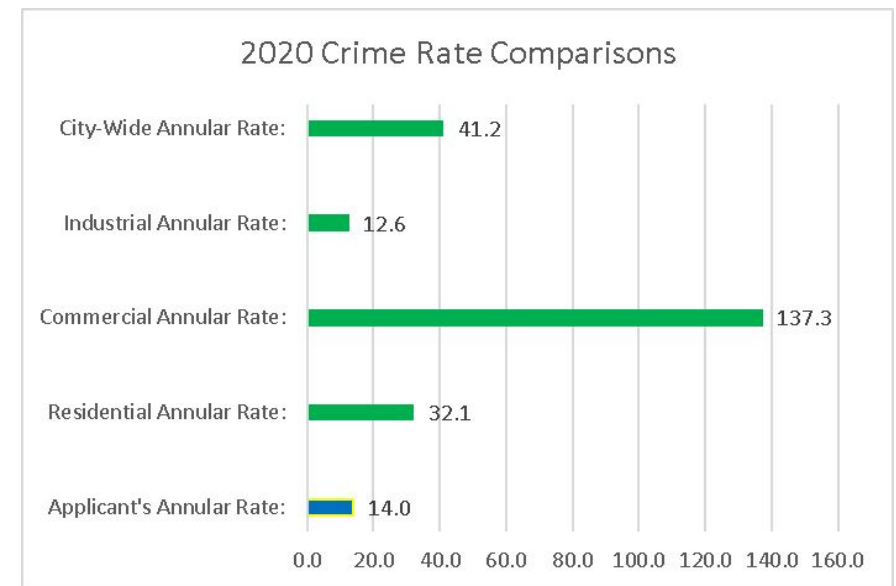
Restaurant Floor Plan



Police Report Summary

Crime:

- The crime rate within 1,000 feet of the site is 10% of the average for commercial properties citywide.
- Site is not considered to be a policing problem. No safety concerns noted by Beat Coordinator or neighboring businesses.



Police Department Review

Reviewed application per CC Resolution No. 11,896

Concentration:

- I. There are 3 establishments located within 1,000 feet of the Project site that sell alcoholic beverages.
 - Arco AMPM (off-sale)
 - Circle K (off-sale)
 - Genmai Sushi (on-sale)

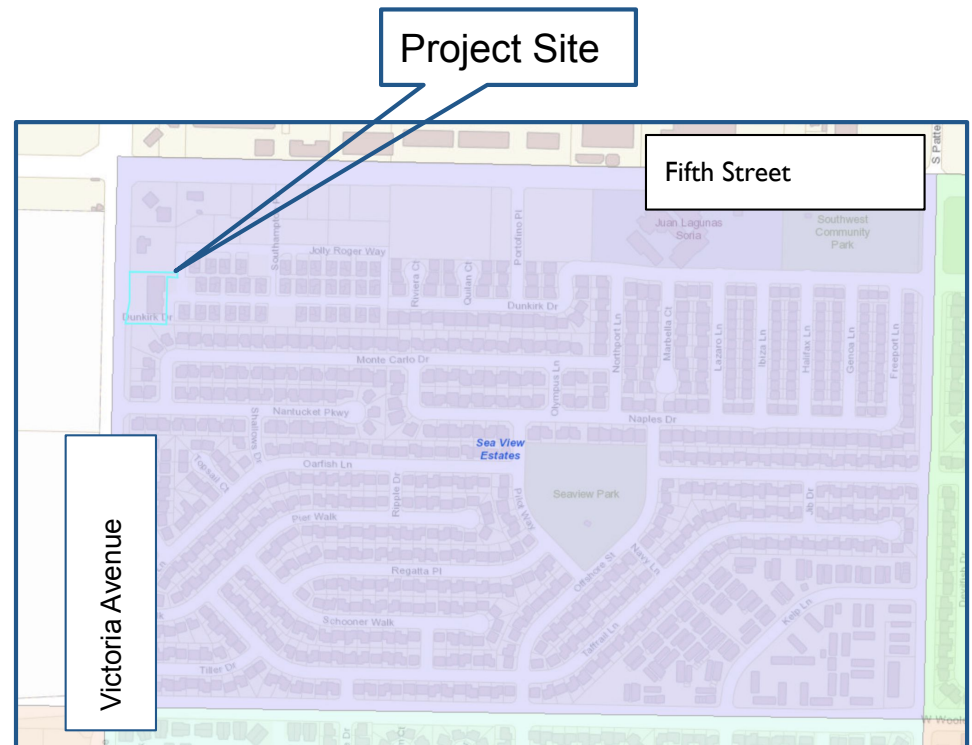
Findings:

- Crime rate around site is below commercial average.
- Not an undue concentration per City standards (1,000 feet).
- Not an undue concentration per State standards (census tract).
- Had an undue concentration been found, a Finding of public convenience or necessity would be required.

Community Input

Community Input:

- A Community Workshop was conducted on October 18, 2021. Notices were provided to the Sea View Estates Neighborhood.
- Nearby business operators and the Chairperson for the Sea View Estates Neighborhood were contacted regarding this application and proposed operations.

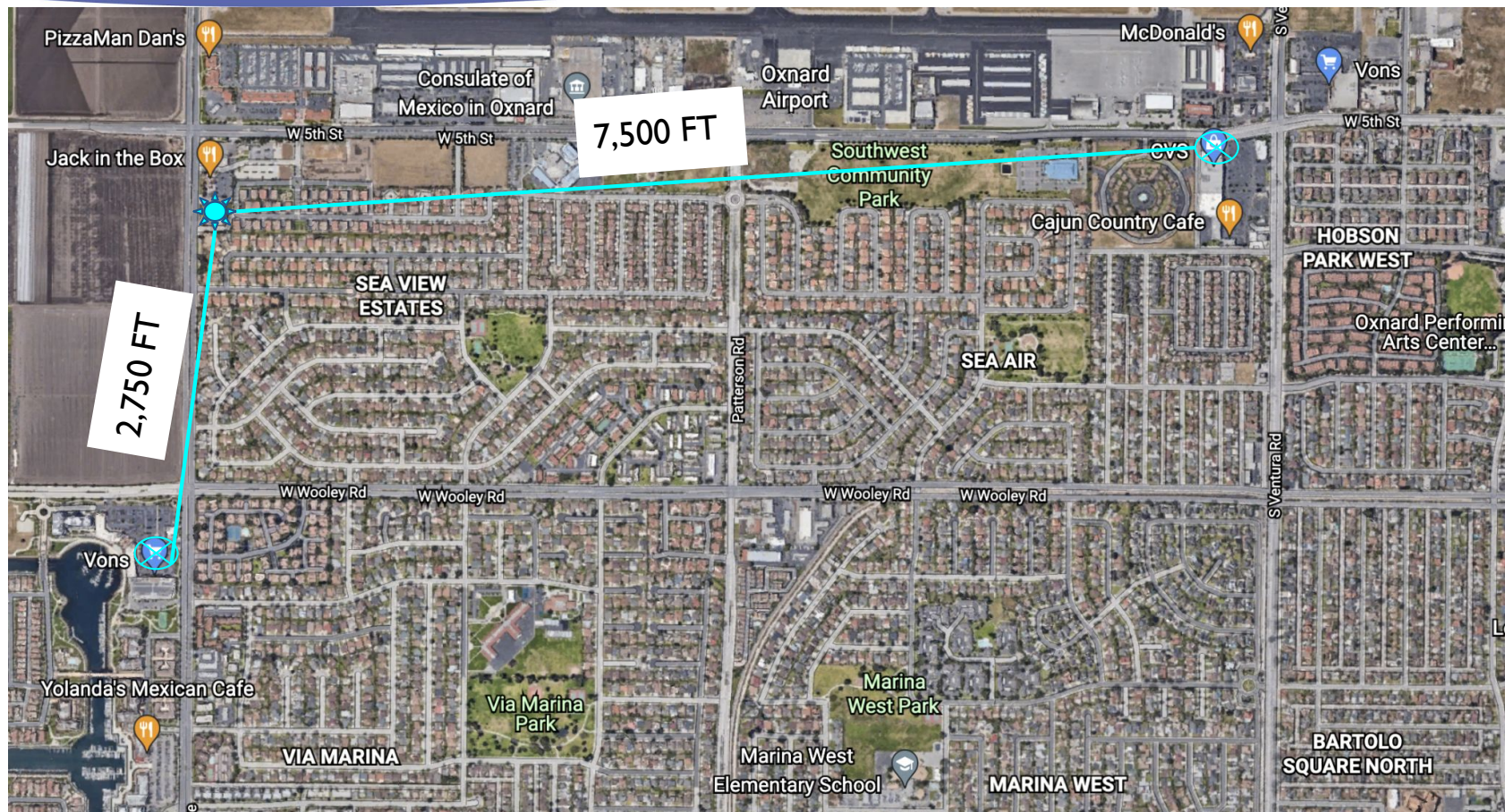


Community Input (cont'd)

Community Input:

- One email (Attachment G) was received in opposition to the project.
There are already many stores in this neighborhood that are selling alcohol.
 - AM-PM Mini Market at ARCO gas station,
 - the convenience store at the Mobil Oil gas station (Circle K),
 - Von's Supermarket on Victoria Avenue. and
 - CVS drugs on Ventura Road.
- Concern that this will bring an additional criminal element to the area.
- I am opposed to this proposed convenience store/market receiving a permit to sell alcohol.

Community Input (cont'd)



Select Recommended Conditions of Approval

- CofAs #13 and #14:

Permittee and all sellers or servers and their immediate supervisors shall complete a course in Responsible Beverage Service (RBS) approved by the Chief of Police within sixty days of license granting and/or date of employment...

- CofA #18:

Video surveillance system required

- CofA #36:

Alcohol sales shall be limited to 6:00 a.m. to 11:00 p.m.

Environmental Review

Exempt from California Environmental Quality Act (CEQA) (Section 15301 “Existing Facilities”)

- Project does not require physical development.
- Does not trigger thresholds in City CEQA Guidelines or Exceptions to the Exemptions.
- A Notice of Exemption will be filed.

Public Comment

- Notice of PC hearing posted on-site
- Notice of PC hearing sent to surrounding property owners
- To date, one public comment regarding project opposed to an additional alcohol outlet in the neighborhood

Staff Recommendation

That the Planning Commission

- a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-510-02 (Special Use Permit - Alcohol), subject to certain findings and conditions.



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Isidro Figueroa, Principal Planner

DATE: November 18, 2021

SUBJECT: **Project Name: Portofino Place;** PLANNING AND ZONING (PZ) PERMIT 19-500-04 a request for a Special Use Permit for the construction of 90, two-story condominium dwelling units and associated site improvements on a 7.61-acre site located along the south side of Fifth Street at the intersection of Portofino Place (south of the Oxnard Airport) (APNs: 185-0-221-025, 185-0-221-265, and 185-0-223-015); a General Plan Amendment to change the land use designation from Business Research Park (BRP) to Residential Medium (RM) (PZ 20-620-02); a Zone Change from Business Research Park to Multiple-Family (R-2) (PZ 20-570-02), and a Tentative Subdivision Map (Tract No. 6064) for condominium purposes (PZ 20-300-02).

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

- a) Adopt Resolution 2021-XX recommending that the City Council adopt an Addendum to previously adopted Mitigated Negative Declaration (MND) 2004-11; and
- b) Adopt Resolution 2021-XX recommending that the City Council approve Planning and Zoning Permit No. 20-620-02 (General Plan Amendment) to change the land use designation of the project site from Business Research Park (BRP) to Residential Medium (RM), and
- c) Adopt Resolution 2021-XX recommending that the City Council approve Planning and Zoning Permit No. 20-570-02 (Zone Change) to change the zoning of the project site from Business Research Park to Multiple-Family (R-2), and
- d) Adopt Resolution 2021-XX recommending that the City Council approve Planning and Zoning Permit No. 20-300-02 (Tentative Subdivision Map for Tract No. 6064), subject to certain findings and conditions, and
- e) Adopt Resolution 2021-XX Approving Planning and Zoning Permit No. 19-500-04 (Special Use Permit – Residential), subject to certain findings and conditions.

2) Project Description and Applicant: A request for a Special Use Permit (PZ 19-500-04) for the construction of 90, two-story condominium dwelling units with attached 2-car garages, 222 total visitor parking spaces, a common swimming pool and playground, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements on a 7.61-acre site located along the south side of Fifth Street at the intersection of Portofino Place (south of the Oxnard Airport)

(APNs: 185-0-221-025, 185-0-221-265, and 185-0-223-015) (Attachment A). The project includes a General Plan Amendment request to change the 2030 General Plan land use designation of the project site from Business Research Park (BRP) to Residential Medium (RM) (PZ 20-620-02), a Zone Change to change the zoning of the project site from Business Research Park to Multiple-Family (R-2) (PZ 20-570-02), and a Tentative Subdivision Map (Tract No. 6064) for condominium purposes and to combine three existing lots into two lots (PZ 20-300-02). An Addendum to the Mitigated Negative Declaration (MND 2004-11) that was prepared for the 2004 Dunkirk Drive Project will be considered by the Planning Commission at the public hearing for the Portofino Place project. For the purposes of this staff report, the foregoing project description shall be referred to as the “**Project.**” Filed by the Law Office of K.M. Neiswender, P.O. Box 1225, Blue Jay, CA 92317(the “**Applicant**”).

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

- 3) Existing & Surrounding Land Uses:** The Project area is a rectangular 7.61-acre, flat site that is bisected by Portofino Place. The western half of the Project site has a land area of approximately 4.88 acres and the easterly half has a land area of 2.73 acres and both sections are vacant and undeveloped. The project site is surrounded by Fifth Street and industrial uses to the north of the project site. The Oxnard Airport is located immediately to the north of the industrial land uses. Juan Lagunas Soria Elementary School is located to the east of the project site. A recently constructed car wash business is located to the west of the project site. The Project site is surrounded immediately to the south by a 41 single-family residential subdivision and a 101 multiple-family subdivision.

The table below provides uses, City General Plan designations, and zoning. Attachment A includes a regional location and vicinity map, an aerial photo of the project site and surrounding area, and an Oxnard General Plan and zoning designation map.

LOCATION	GENERAL PLAN DESIGNATION	ZONING DESIGNATION	EXISTING LAND USE
Project Site	Existing: Business Research Park Proposed: Residential Medium	Existing: Business and Research Park (BRP) Proposed: Multiple-Family (R-2)	Vacant
North	Airport Compatible	Light Manufacturing/ Planned Development (M-1-PD)	Industrial/ Oxnard Airport
East	School	Community Reserve (C-R)	Juan Lagunas Soria Elementary School

South	Open Space Residential Low/ Residential Medium	Single-Family/Planned Development (R-1-PD) & Garden Apartment/ Planned Development (R-3-PD)	Residential Subdivisions
West	Commercial General	General Commercial/Planned Development (C-2-PD)	Carwash

- 4) Background Information:** The Project site is located south of the Oxnard Airport, at the southwesterly and southeasterly corners of Fifth Street and Portofino Place, within the Sea View Estates Neighborhood, and is part of a larger 17-acre project site that has been developed in phases. Prior to 2004, the 17-acre project site had a 2020 General Land Use designation of Business Research Park (BRP) and was zoned BRP. In 2004, the Council approved a General Plan Amendment and Zone Change to designate 7.885 acres of the 17-acre project site as residential. At that time, just south of the subject site, Council approved a Tentative Subdivision Map and Special Use Permit for the construction of a 41 single-family residential subdivision. Based on the 2004 project approval, the 2020 General Plan land use designation and zoning for the remaining 7.61 acres was to be changed to Commercial General and General Commercial (C-2) through a separate General Plan Amendment and Zone Change application, but the applicant did not proceed with the application and it remained BRP.

On March 19, 2019, a Pre-Application (PZ 18-600-02) was presented to the City Council requesting that City Council review and provide preliminary comments on:

- A Pre-Application to construct a 90-unit residential project, inclusive of an office/gym/pool building; associated parking spaces; and children's play area; and
- The applicant's request to pay the City's affordable housing in-lieu fee instead of constructing the affordable housing units onsite.

The Pre-Application process allows City Council members an opportunity to make individual comments concerning a future development project. The Council's preliminary comments may be helpful for the applicant to refine the proposal or to determine whether entitlement should be pursued for a formal proposal. Comments provided by the Council on a Pre-Application do not constitute a decision or endorsement of the proposal. In accordance with State Law, no formal direction or decision making will take place until such time as a formal application has been filed and has undergone appropriate environmental review and evaluation for consistency with adopted City plans and policies and public notice has been provided. Input provided by the Council will help inform the Applicant's decision to proceed through the entitlement process.

At the meeting, the majority of the City Council members generally found the residential project to be acceptable at the site. However, the majority of discussion centered on the affordable housing in-lieu fee request. The City Council collectively commented that the fees were too low and residential projects should include affordable housing units onsite given the affordable housing in-lieu fee. The City Council had not previously supported developers'

request to pay the affordable housing in-lieu fees based on the lower affordable housing in-lieu fee payments, and instead the City Council directed applicants to construct the affordable units onsite.

On June 2, 2020, the City Council adopted Ordinance No. 2980, which updated affordable housing requirements for new developments and affordable housing in-lieu fee payments. The City's previous Inclusionary Housing Ordinance was last updated in 2006 and established fees that were considerably lower. The applicant has elected to provide the required affordable housing units onsite instead of requesting the affordable housing in-lieu fee payment which would total a maximum of approximately \$3,240,000.

5) Environmental Determination: In 2004, an MND (No. 04-11) was prepared to evaluate the 2004 Dunkirk Drive Project which consisted of commercial development on a 7.6-acre portion of the project site as well as residential development on an adjacent 10-acre property to the south of the site ("original project"). The 10-acre residential development involved the construction of 41 single family residences and the remaining 7.6-acre development involved the development of three commercial lots along 5th Street. A Tentative Tract Map (Tract No. 5640) was proposed to create the 44 lots (41 residential and 3 commercial) and included the construction of Portofino Place, portions of Dunkirk Drive, and two cul-de-sacs (Riviera Court and Quilan Court). The original project required a General Plan Amendment to change the land use designations for the site at that time from Business Research Park (BRP) to Low Residential (RL) for the 10-acre residential component, and from BRP to General Commercial (CG) for the remaining 7-acre commercial area. A Zone Change from Business and Research Park (BRP) to Single-Family Residential (R-1) and General Commercial (C-2) was also required for the original project. A Special Use Permit was proposed to entitle the proposed RL land use. Potential environmental impacts associated with the project were identified throughout the MND, along with applicable mitigation measures where necessary. There were no Significant and Unavoidable Impacts identified in the 2004 MND. The General Plan Amendment from BRP to RL and the Zone Change from BRP to R-1 were approved for the 10-acre residential component of the original project. The Tentative Tract Map and Special Use Permit for the residential development were also approved. The 41 residential units were completed in 2006 along with all required infrastructure.

The Initial Study and Mitigated Negative Declaration (MND 2004-11) from 2004 determined that the project would not have a significant impact if the mitigation measures described in the MND were incorporated into the project.

An environmental consultant, under the supervision of Planning Division staff, has prepared Addendum No. 1 to the approved Final MND 2004-11 to evaluate potential environmental impacts of the proposed Project (see Attachments C and D). Addendum No. 1 to the Final MND 2004-11 was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code § 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency.

Addendum No. 1 is appropriate pursuant to CEQA Guidelines § 15164 since only minor changes and additions to Final MND 2004-11 are necessary to address the Project changes and no circumstances exist calling for the preparation of an additional CEQA document pursuant to CEQA Guidelines § 15162 and 15163.

The Addendum reviews the potential impacts on the sixteen environmental issues studied in the previously adopted IS/MND. The Addendum compares the environmental effects of the current proposed project to the effects of the project approved in 2004. The mitigation measures identified in the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project which are applicable to, and incorporated into the project are listed below for reference.

Section 15164(d) (“Addendum to an EIR or Negative Declaration”) of the CEQA Guidelines states: “The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project”. The Final MND 2004-11, as updated by, and inclusive of, the Addendum, concludes that the proposed project would not create any new significant impacts or increase the severity of impacts beyond those identified in the previously adopted Final MND 2004-11. Consistent with State Law, Addendum No. 1 does not require public circulation because it does not provide significant new information that changes the Final MND 2004-11 in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect.

All mitigation measures included in the adopted Final MND 2004-11 and Addendum No. 1 have been included as conditions of approval in the project Resolutions.

Air Quality

C-1: Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such times as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.

C-2: During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.

C-3: 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.

C-4: 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.

C-5: During construction, Developer shall control dust by the following activities:

- 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.

- 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.

C-6: During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.

C-7: 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.

C-8: Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from adjacent roadways.

Cultural Resources and Tribal Cultural Resources

E-1: 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.

E-2: 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 monthly report to the Planning Division summarizing the activities during the reporting period. 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 the final building permit signature.

Geology and Soils

F-1: Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated into the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.

Land Use and Planning

G-2: Prior to the issuance of building permits, the Developer shall file a Form 7460, "Notice of Proposed Construction with the Federal Aviation Administration (FAA), and provide a copy to the Planning Division that enables the FAA to review the development for any hazard to airport/aviation operations.

Noise

K-1: The applicant shall provide a notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along West Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and helicopter flight path along West Fifth Street.

There was only one mitigation measure identified in MND 2004-11 that does not apply to the current project.

G-1: Developer shall submit plans to the Community Development Department that clearly indicate that home construction along the northern residential boundary shall be no closer than 400 feet from the centerline of the proposed widening of West Fifth Street.

The mitigation measure is no longer warranted because the City has no plans to widen West Fifth Street. Additionally, the City's adopted Capital Improvement Plan (2021-2026) does not identify any proposals to widen West Fifth Street or any segment of road near the project vicinity. As such, MND 2004-11 mitigation measure G-1 does not apply to this project and is not included in the Project Resolutions.

6) Analysis:

- a) **General Discussion:** As discussed below, the Project has been found to be consistent with both the 2030 General Plan and the Oxnard City Code (OCC).

The Planning Commission is the decision maker for Special Use Permit pursuant to OCC Section 16-531. The Planning Commission makes recommendations to the City Council for Tentative Subdivision Maps (OCC Section 15-40), Zone Changes and General Plan Amendments (OCC Section 16-581).

The project is seeking approval of a condominium map to construct 90 residential units,

inclusive of attached two-car garages; a 3,281 square-foot recreational building; swimming pool, and associated amenities and site improvements. There will be 6 unit types that provide variation to the square-footage and interior layouts.

Unit Type	Total Living Floor Area (Square Feet)	Number of Bedrooms	Unit Quantity
A	1,441 sq. ft.	2	12
	1,482 sq. ft.	3	12
B	1,441 sq. ft.	2	13
	1,482 sq. ft.	3	13
C	1,467 sq. ft.	2	4
	1,482 sq. ft.	3	4
D	1,441 sq. ft.	2	5
	1,508 sq. ft.	3	5
E	1,467 sq. ft.	2	7
	1,482 sq. ft.	3	7
F	1,441 sq. ft.	2	4
	1,508 sq. ft.	3	4

4

Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Additionally, the project has been reviewed by the Development Advisory Committee, including City Departments and outside agencies. Through this multi-Department review, it was determined that the Project would have no significant impact on the public health, safety, or welfare.

b) General Plan Consistency: The City's 2030 General Plan land use designation for the project site is BRP. A General Plan Amendment (GPA) is proposed to change the land use designation from BRP to Residential Medium. A corresponding zone change is also proposed to change the zoning from Business Research Park to Multiple-Family (R-2). According to Section 3.5 of the 2030 General Plan, the existing BRP land use designation allows uses such as:

- Administrative, executive, and/or corporate offices which are a part of a predominantly industrial operation, including governmental offices and facilities;
- Adult businesses (except adult motels);
- Adult day care facilities;

- Agricultural, limited to growing of crops;
- Distribution, warehousing, and wholesaling;
- Garment manufacturing; laboratories (research only);
- Manufacture and assembly of electrical and electronic instruments;
- Product assembly plants and production facilities primarily engaged in final or partial assembling;
- Research and development, experimental or developmental laboratories;
- Clinical laboratories and uses including associated incidental and outpatient clinics; and
- Trade schools, public and private schools and colleges.

The proposed GPA to Residential Medium and corresponding Zone Change will allow the property to be developed with the proposed 90-unit condominium project (with a density of 12 units per acre), which is allowable under the R-2 development standards on approval of a Special Use Permit (OCC Section 16-42).

With approval of the Zone Change to R-2 zone (Multiple-Family), the project would be consistent with the amended 2030 General Plan land use map and land use designations and standards (Goals and Policies, Sections 3.3 and 3.5).

West Fifth Street at this location is a designated scenic corridor which requires a landscaped buffer of at least 30 feet. The project has been designed to include a 30-foot landscape buffer along the totality of the West Fifth Street frontage.

Consistency with 2030 General Plan policies is defined by the relationship between the policies (Goals and Policies, Section 3.6 and Chapters 4 through 8, inclusive) 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).

The project's consistency review with 2030 General Plan policies is included as Attachment E and finds the project consistent with General Plan policies.

- c) **Conformance with Zoning Development Standards:** If the GPA request to change the land use designation from BRP to Residential Medium is approved, the proposed project would be developed under the Multiple-Family (R-2) zone district.

In accordance with the OCC Section 16-42(C), the proposed 90-unit condominium project is permitted with approval of a Special Use Permit (SUP). The applicable development standards for the project are identified within the R-2 section found under OCC Chapter 16, Division 3 (R-2 Multiple-Family Zone). A complete zoning

conformance analysis is provided as Attachment F.

The project is seeking approval of a condominium map to construct 90 residential units, inclusive of attached two-car garages; a 3,281 square-foot recreational building; swimming pool, and associated amenities and site improvements which are conditionally permitted within the R-2 zoning with approval of a Special Use Permit, pursuant to Section 16-42(C) of the Oxnard City Code (OCC). Pursuant to OCC Section 16-43, the maximum allowed height of any building is two stories, not to exceed 25 feet. The project has been designed with structures with various heights and levels but not to exceed two stories and the maximum allowed height of 25 feet. Based on OCC Section 16-44, the maximum density allowed is based on a minimum lot area of 3,500 square feet per dwelling unit. The project proposes to construct 90 units, which is below the maximum allowed density of 94 units. The density of the proposed development is similar to the multi-family residential development adjacent to the project area.

In addition to the R-2 development standards, City Council Resolution No. 7658 provides **advisory** standards that are intended to encourage amenities that enhance the livability of condominiums but are **not mandatory** (Attachment E). The amenities contained within City Council Resolution No. 7658 include minimum dwelling size; number of bedrooms; distance to parking spaces; private patios; storage; common areas; and security. While a developer is not required to provide all of the amenities within City Council Resolution No. 7658, the project has been designed to include all of the amenities with the exception of the required dimensions for private patios. City Council Resolution No. 7658 recommends that every unit include private patios with minimum dimensions of 10 feet by 10 feet (land area= 100 square feet). However, the project is designed for every unit to have private patios with various dimensions with some units having private patios that are not designed with the minimum dimensions identified in City Council Resolution No. 7658. However, the land area of the project's private patios ranges from 450 to 1,530 square feet which exceeds the minimum land area of 100 square feet provided by private patios designed under City Council Resolution No. 7658. A complete analysis of the project's compliance with City Council Resolution No. 7658 is provided as Attachment H.

OCC Chapter 16, Division 2 outlines development standards for attached dwelling units for any new attached multi-family residential project of six or more units. The attached dwelling unit development standards are required for structures that contain six or more units. The project proposes 45 duplex structures for a total of 90 residential units under a condominium map. As such, the attached dwelling unit development standards do not apply to this project because there are no proposed structures that contain six or more units. The project is designed to meet the R-2 development standards and meets all but one of the advisory standards identified within City Council Resolution No. 7658 as discussed in detail in the previous paragraph.

The project's compliance with the City's Affordable Housing Ordinance is discussed below in Section "j."

d) *Tentative Tract Map:* Tentative Map No. 6064 is requested for subdividing the existing 7.61 project site (three parcels) for condominium purposes into two lots.

- Lot 1 will be improved with 60 units, gated entry, swimming pool and playground area, parking and associated site improvements.
- Lot 2 will be improved with 30 units, gated entry, recreational building, parking and associated site improvements.

Even though the subdivision is bisected by Portofino Place, tract conditions as outlined in the Project approval documents will be applied to both lots as one entity and the subdivision will be governed by a single homeowner's association. Residents will have access to both lots and enjoy amenities offered throughout the project site.

The proposed subdivision is consistent with the Subdivision Map Act, City Code Chapters 15 (Subdivisions) and 16 (Zoning Ordinance). The R-2 zoning and 2030 General Plan allow one unit per 3,500 square feet, which equates to 94 dwelling units on the property, specifically, multi-family units. The proposed subdivision, inclusive of the 90 condominiums, swimming pool and playground, recreational building, property/private walls; 7-foot entry gates, landscaping, parking, sidewalks are consistent with the policies and provisions of the 2030 General Plan because the proposed land use, and density of the project is of a multi-family use, which is an allowed use pursuant to the Residential Medium land use designation identified in the 2030 General Plan.

e) *Site Design:* The site plan follows the parcel's rectangular shape bisected by Portofino Place. Access to the condominium project will be primarily off of Fifth Street and Portofino Place. The project has been designed to be consistent with 2030 General Plan policy CD-9.5 which requires to maintain a landscaped buffer corridor of at least 30 feet along designated scenic corridors which Fifth Street is designated as a scenic corridor. Lot 1 is designed to contain 60 condominium units and Lot 2 will contain 30 condominium units. The perimeter property boundary walls are designed to meet the maximum allowed height and will screen parking and other onsite improvements. Parking will be contained within each unit's attached 2-car garage and each unit will provide 2 visitor parking spaces on the unit's driveway. Parking will not be allowed on the private streets. The 42 visitor surface parking spaces will be distributed throughout both lots and screened by the perimeter walls. A 3,281 square-foot recreational building is contained within Lot 2 and a swimming pool and playground area are located within Lot 2. The project will be governed as a single entity by a homeowner's association and all amenities will be available to residents of both lots as this development is bisected by Portofino Place.

f) *Oxnard Airport:* As detailed in the Final MND 2004-11, the modified project site is located in the Oxnard Airport Sphere of Influence, which limits the structural coverage to 25 percent. The proposed project is designed to not exceed the 25 percent allowable site

coverage. Additionally, the modified project would be required to implement Mitigation Measures G-2 and K-1 of the Addendum MND 2004-11 to avoid conflicts with airport compatibility requirements by providing necessary buffers as well as filing with and undergoing review by the Federal Aviation Administration. The modified project would also be required to comply with all zoning, land use, and development regulations applicable to the project site. With implementation of Mitigation Measures G-2 and K-1 from the 2004 MND and compliance with applicable regulations, the modified project would not result in new or substantially more severe significant impacts associated with applicable land use, habitat conservation, or natural community conservation plans, or dividing an established community. As such, no additional mitigation measures would be required for the proposed project.

Mitigation Measure G-1: Prior to the issuance of building permits, the Developer shall file a Form 7460, "Notice of Proposed Construction with the Federal Aviation Administration (FAA), and provide a copy to the Planning Division that enables the FAA to review the development for any hazard to airport/aviation operations.

Mitigation Measure K-1: The applicant shall provide a notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along West Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and helicopter flight path along West Fifth Street.

- g) Circulation and Parking:** Access to the proposed project will be primarily from driveways established from Portofino Place off of Fifth Street. Two additional driveways will be created to Fifth Street but will be gated and controlled to right turn in and out only with emergency access only. Fifth Street westbound traffic would utilize the existing dedicated left turn pocket to access Portofino Place. Eastbound traffic on Fifth Street will be able to access the project site.

Based upon trip generation estimates from the Institute of Traffic Engineers (ITE) the proposed 90 dwelling units of the project may generate approximately 665 vehicles a day with 51 AM and 62 PM vehicles respectively. Total exiting AM and entering PM vehicles during these peak hours are approximately 40 vehicles resulting in less than 1 vehicle per minute average. The addition of these vehicles throughout the day and during the peak periods are not anticipated to exacerbate current conditions at the primary access intersection of 5th Street and Portofino Place. Additional access to/from the project site will be accommodated through access to the south of the project and distribution of project traffic along Dunkirk to other signalized access points on Patterson Road. It is not anticipated that the additional project traffic added to Portofino Place will require upgrade of traffic control at the intersection with 5th Street.

The City's Traffic Engineer has conditioned the project to provide for offsite improvements such as:

- Project driveways to Fifth Street will be maintained as right turn in and out only and gated at all times.
- The Developer shall construct two (2) traffic calming devices on Portofino Place. One will be installed south of Fifth Street and the other between the main project driveway and Dunkirk Drive to reduce the likelihood of excessive vehicle speeds. Final design shall be subject to approval of the City Traffic Engineer and City Engineer. Final design shall include; a) a speed feedback sign and 2) asphalt speed cushions in both directions to suppress speeds to a 25 MPH design speed objective.
- Prior to occupancy, the project shall install an EMTRAC system at the intersection of Fifth Street and Patterson Road as required by the Fire Department subject to approval of the City Traffic Engineer.
- To enhance pedestrian safety along Fifth Street, the Developer shall retrofit the existing street lights along the project frontage with 4000k LED lights. Lighting upgrades shall be completed prior to occupancy.
- All internal drive aisles shall be designed and maintained as Fire Lanes for parking regulatory and enforcement purposes.
- The Developer shall install traffic control signage, markings, and other traffic control devices along Portofino Place and Fifth Street subject to approval of the City Traffic Engineer.

Since adoption of the 2004 MND the CEQA statute and guidelines have been revised to require evaluation of impacts on the local transportation and circulation system on the basis of vehicle miles traveled (VMT). The City of Oxnard has not adopted any specific significance thresholds related to VMT. The Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) provides guidance on analyzing VMT impacts in light of SB 743. The total VMT associated with commercial development under the original project as well as the residential development under the modified project was estimated using CalEEMod. Based on the CalEEMod analysis, the commercial development under the original project would result in annual VMT of 5,172,230. The modified project would result in substantially reduced annual VMT of 1,812,497, or an average daily VMT of 4,966 (annual VMT divided by 365 days per year). The close proximity to schools and retail businesses promote shorter trip lengths for vehicles with the infill nature of the proposed project.

Therefore, the modified project would result in a **net overall decrease in VMT** than development of the project site under the Dunkirk Drive, Tract Number 5640 Project, resulting in a less than significant transportation impact. Therefore, the proposed project would not create a new significant transportation impact related to VMT that is not identified in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts related to increases in VMT, and no such measures are required for the modified project.

Parking: The project meets the requirements for all parking standards as listed in the following table:

**PORTOFINO PLACE CONDOMINIUMS PROJECT
 PARKING COMPLIANCE**

		OCC Requirement (reference. only)	Provided	Complies?
Resident parking				
45	2 bedroom	2 garage spaces	90 garage spaces	Yes
45	3 bedrooms	2 garage spaces	90 garage spaces	Yes
Total Resident Parking		180 garage spaces	180 garage space	Yes
Visitor Parking		60 spaces	222 spaces	
Motorcycle Parking		None Required	6 motorcycle	
Total Parking		240 spaces	408 spaces	
Bicycle Parking		12 bicycle parking	12 bicycle parking	Yes, as conditioned

Each residential unit is designed with an attached 2-car garage on the ground floor. Each unit will contain two parking spaces on the driveway since parking on the private streets will not be allowed. The project is required to provide 60 parking spaces; however the project will provide 222 visitor parking spaces.

- h) Building Design:** The Project has been designed to incorporate architectural elements found in Craftsman-style architecture on all 90 dwelling units. The proposed height, at two stories and 25 feet maximum, complies with the requirements of the R-2 zone. Adjacent multi-family dwellings in the adjacent residential tracts range from single to multi-family subdivisions with one and two stories high, and the placement of the proposed structures will not have a towering effect on adjacent 1- and 2-story residences.

The residential units incorporate elements that are consistent with the architecture of surrounding residences. Given that the residences within the Sea View Estates represent an eclectic variety of architectural types with no single or dominant architectural style, the Craftsman-style architecture is fitting for the neighborhood. As the predominant features displayed on the exterior of the residence, the proposed project incorporates

earth tone colors, vinyl windows, gable roof design, balconies, wood post, porcelain tile and fiberglass doors. The proposed construction materials are consistent with the materials used in the construction of surrounding residences. Additionally, the absence of non-glaring material and obtrusive equipment on the proposed roof, allows for the project to blend with the existing environment without making the roof line a dominant feature.

The 3,281 square-foot recreational building has been designed to be consistent with the Craftsman-style architecture theme. The recreational building has been designed to incorporate earth tone stucco finish to the exterior elevations; vinyl window trim; balconies, French doors; and a trellis. The inclusion of the above-mentioned design materials will facilitate the recreational building blending with the proposed 90 townhome units and providing a consistent design theme throughout the project site.

- i) **Landscaping and Open Space:** The Zoning Ordinance requires a minimum of 30% of the lot area be provided for interior yard space (IYS - or public open space); on this project, this represents 96,572 square feet. The project will provide slightly over 34%, which will be 115,660 square feet. The common open space includes on-site amenities such as a common swimming pool and playground, a 3,281 square-foot recreation building, and private patio decks and landscaped walkways and open space.

There are currently 91 existing trees on the project site which will remain and be integrated within the proposed landscaping plan. The proposed plant palette consists of drought-tolerant species in compliance with City landscape standards and water consumption regulations. The project proposes to incorporate 152 additional trees into the project. The proposed tree palette is characterized by low water tolerant species such as the Catalina Ironwood, Marina Madrone, Island Oak, and Naked Coral Tree. The project also proposed the installation of ground coverings that are characterized by low water tolerant species such as Red Yucca, Natal Plum, Black Lace Elderberry and Island Bush Poppy.

- j) **Affordable Housing:** On May 19, 2020, the City Council adopted Resolution No. 15,330, which adopted the Affordable Housing In-Lieu Fee Nexus Study (Study) and updated Affordable Housing In-Lieu Fees. Additionally, on June 2, 2020, the City Council adopted Ordinance No. 2980, which updated affordable housing requirements for new developments and Affordable Housing In-Lieu Fee payments. The City's previous Inclusionary Housing Ordinance was last updated in 2006 and established fees that were considerably lower. The City Council had not previously supported developers' request to pay the Affordable Housing In-Lieu Fees based on the lower Affordable Housing In-Lieu Fee payments, and instead the City Council directed applicants to construct the affordable units onsite.

The project is subject to the City's inclusionary Ordinance No. 2980 that requires a project with 10 or more residential units to set aside 10 percent of the units as affordable to low income households as defined in California Health and Safety Code Section 50079.5. The project complies with this requirement by designating 9 units (10% of 90

units) distributed throughout the project as low income affordable. The project has been conditioned to offer three (3) three-bedroom units and two (2) two-bedroom units for rent or sale to households with annual incomes at or below fifty percent (50%) of AMI for Ventura County. Additionally, two (2) two-bedroom units and two (2) three-bedroom units must be offered for rent or sale to households with annual incomes at or below eighty percent (80%) AMI for Ventura County. Prior to offering the Affordable Units for rent, the Developer and Owner must submit to the Housing Director the proposed rental amounts for the affordable rental units for review and approval.

The City's Inclusionary Housing Ordinance has two sets of requirements for rental and for sale projects. The project is proposing a Tentative Subdivision Map for the purposes of a condominium map where the developer will retain sole ownership of the development and will offer the units for rent. Since the development is seeking a Tentative Subdivision Map for the purposes of a condominium project, the existing project is required to provide the required number of affordable units based on a for-sale project even though the developer intends to operate the project as a for-rent development. City staff and the developer negotiated a tentative agreement (subject to City Council approval) in order to create a specific mechanism for the developer or successor to comply with the City's Inclusionary Housing Ordinance. The agreement outlines specific steps to be followed before the developer sells one or more of the parcels of the project to a third party. The agreement intends to protect future tenants and creates an orderly process that ensures that the affordable units are offered to the families the units are intended to shelter whether it is a rental or for-sale unit. The agreement is included in the staff report as Attachment I.

- k) **Development Impact Fees:** The City requires development connection and/or impact fees to be collected as part of any new development to pay a proportional share of providing public services and improvements to new development. The proposed project will be required to pay impact fees for wastewater, water system, water service and meter, storm drain, Traffic (City and County), Growth Requirement Capital Fee, Quimby (park), Park and Recreation Fee, Mobility Fee, Public Art Program Fee, Utility Undergrounding In-Lieu Fee, and General Plan maintenance connection and/or impact fees. Although the project is not required to construct a public park or dedicate land for a public park, the developer will be required to pay the applicable Quimby Fee prior to issuance of any building permits. A fee estimate, based upon current fees, is attached for reference (Attachment J).

- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on December 18, 2019, February 24, 2021 and May 12, 2021. The DAC process led to changes in the project reflected in the attached plans dated November 11, 2021), including the inclusion of affordable housing units on the project site. Conditions of approval are incorporated in the attached Resolutions for the Tentative Subdivision Map

(Attachment N) and the Special Use Permit for the 90-unit residential dwellings (Attachment O).

- 8) Community Workshop and Public Input:** This Project is located within the Sea View Estates Neighborhood. The applicant mailed notices of the Community Workshop meeting to all property owners within the Sea View Estates Neighborhood, and the project was presented at the April 20, 2020 Community Workshop. Members of the public raised questions regarding the installation of a traffic signal at the intersection of Portofino Place and Fifth Street, airport compatibility, traffic gridlock during school hours, new traffic travelling through Dunkirk Drive and adequate parking. The majority of the Community Workshop participants felt the project was adequate at the site, but were concerned about the potential impact this project might have on existing traffic conditions. Staff received a petition critical of the project from a member of the community. The petition is provided in Attachment P.

Consistent with public noticing requirements, the Planning Commission hearing was advertised in the newspaper, with an on-going site posting, and by mail to property owners within 300 feet of the subject property. To date, Staff has not received any additional concerns or public comments regarding the proposed Project.

- 9) Appeal Procedure:** The requested actions for the General Plan Amendment, Zone Change and Tentative Subdivision Map are recommendations to the City Council in accordance with OCC Sections 16-581 (Change of Boundaries and Uses), and 15-40 (Subdivisions). In accordance with OCC Section 16-544 the Planning Commission's action on Special Use Permit for the 90 unit condominium development 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. All aspects of this project shall not become effective unless and until the City Council approves the General Plan Amendment, Zone Change, and Tentative Subdivision Map.

Attachments:

- A. Vicinity, General Plan, and Zoning Maps and Aerial Photo
- B. Reduced Tentative Subdivision Map No. 6064, and Project Plans
- C. Addendum No. 1 to Final MND 2004-11
- D. Final MND 2004-11
- E. General Plan Consistency Analysis
- F. Zoning Compliance Table (R-2)
- G. City Council Resolution No. 7658
- H. City Council Resolution No. 7658 Consistency Table
- I. Affordable Housing Agreement
- J. Estimated Development Impact Fees
- K. Resolution (Addendum to Final MND 2004-11)

Portofino Place; PZ Nos. 19-500-04 (SUP); 20-300-02 (TSM); 20-570-02 (ZC); 20-620-02 (GPA)

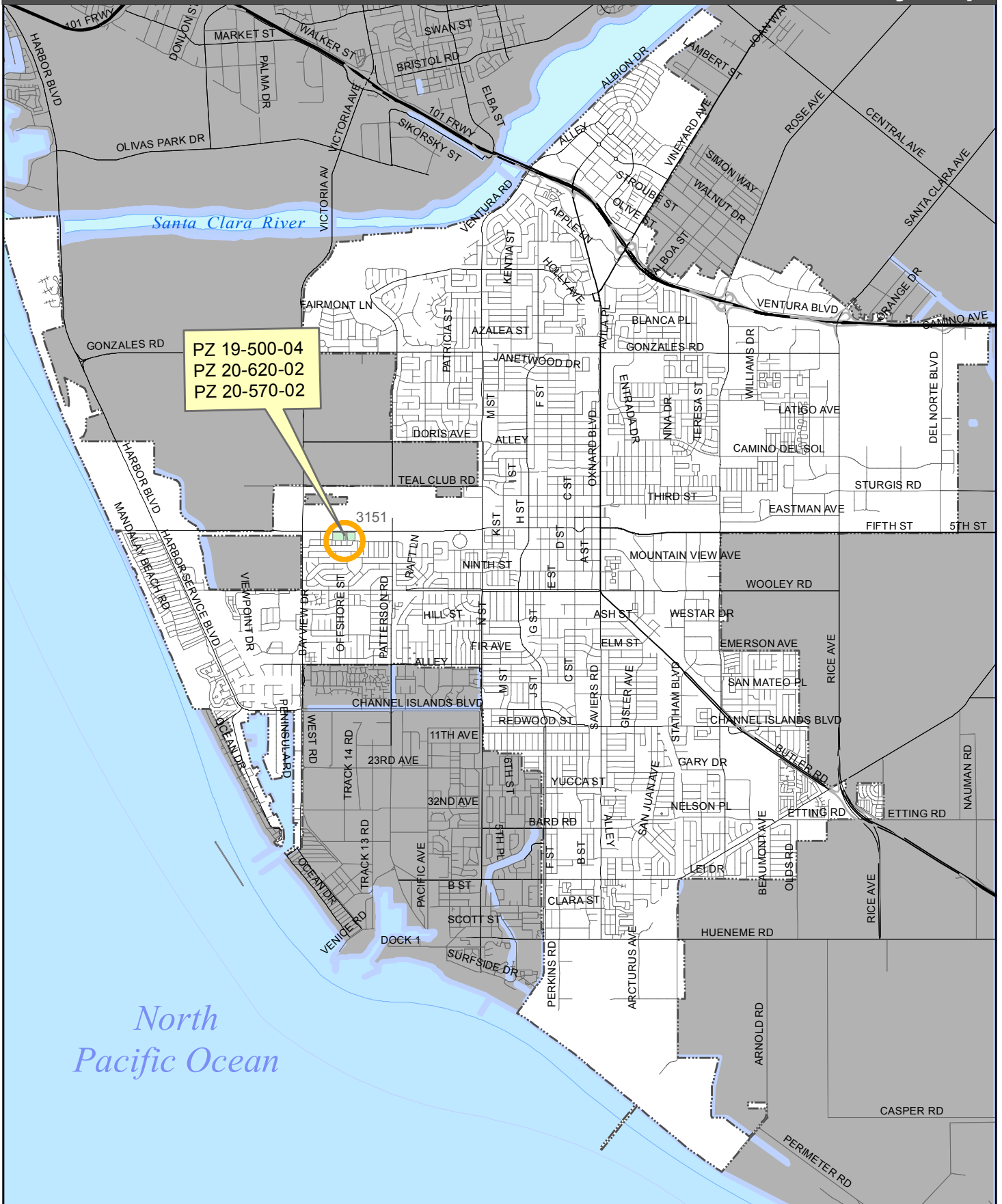
Planning Commission Hearing Date: November 18, 2021

Page 18 of 18

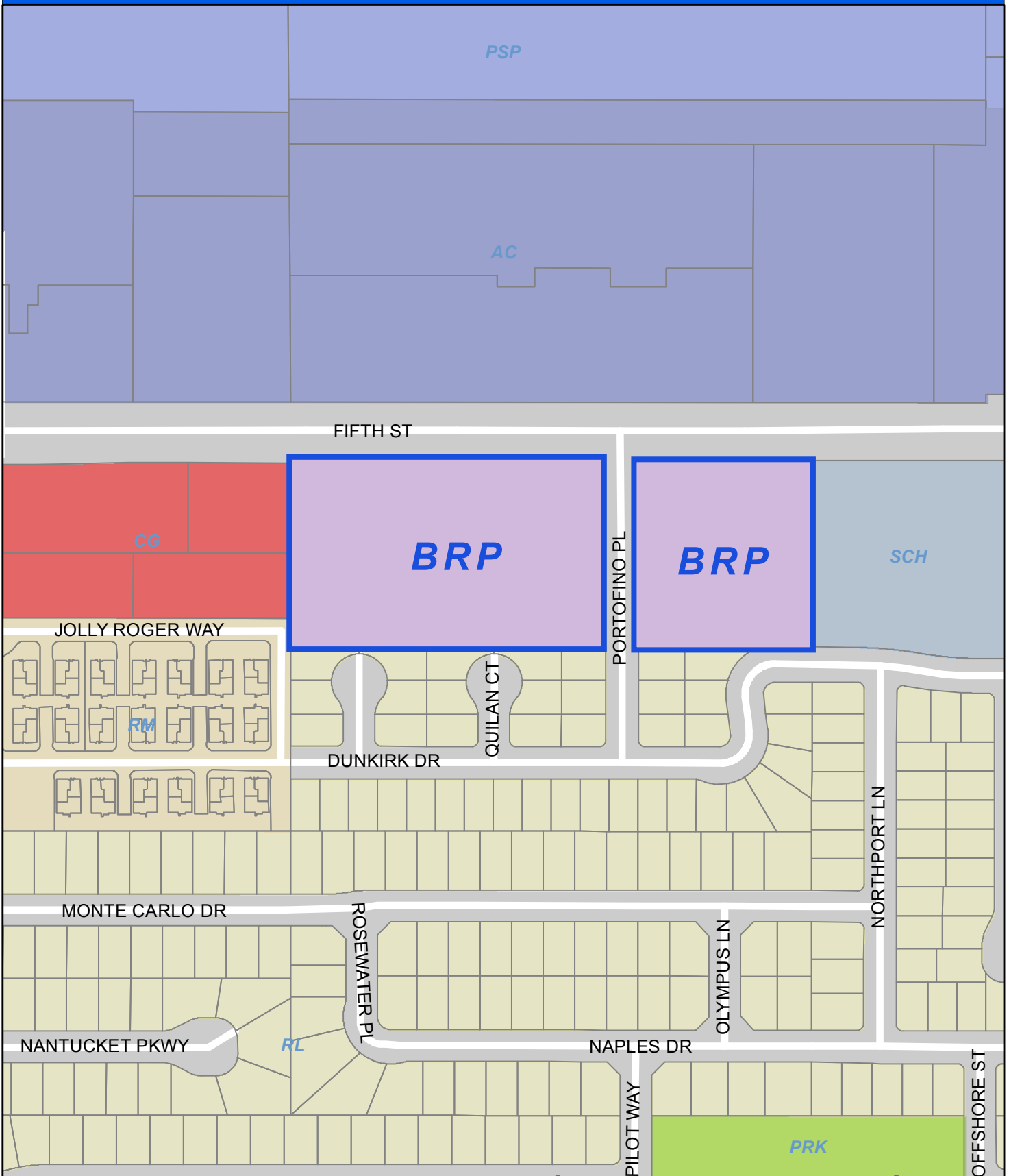
- L. Resolution (General Plan Amendment)
- M. Resolution (Zone Change)
- N. Resolution (Tentative Subdivision Map)
- O. Resolution (Special Use Permit)
- P. Petition Received
- Q. Staff Presentation

A. Vicinity, General Plan, and Zoning Maps and Aerial Photo

Vicinity Map

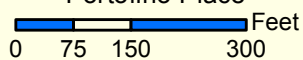


2030 General Plan Land Use Map



Oxnard Planning
November 2, 2021

PZ 19-500-04, 20-620-02, 20-570-02)
Location: Fifth & Portofino
APN: 185022102, 185022126, 185022301
Portofino Place

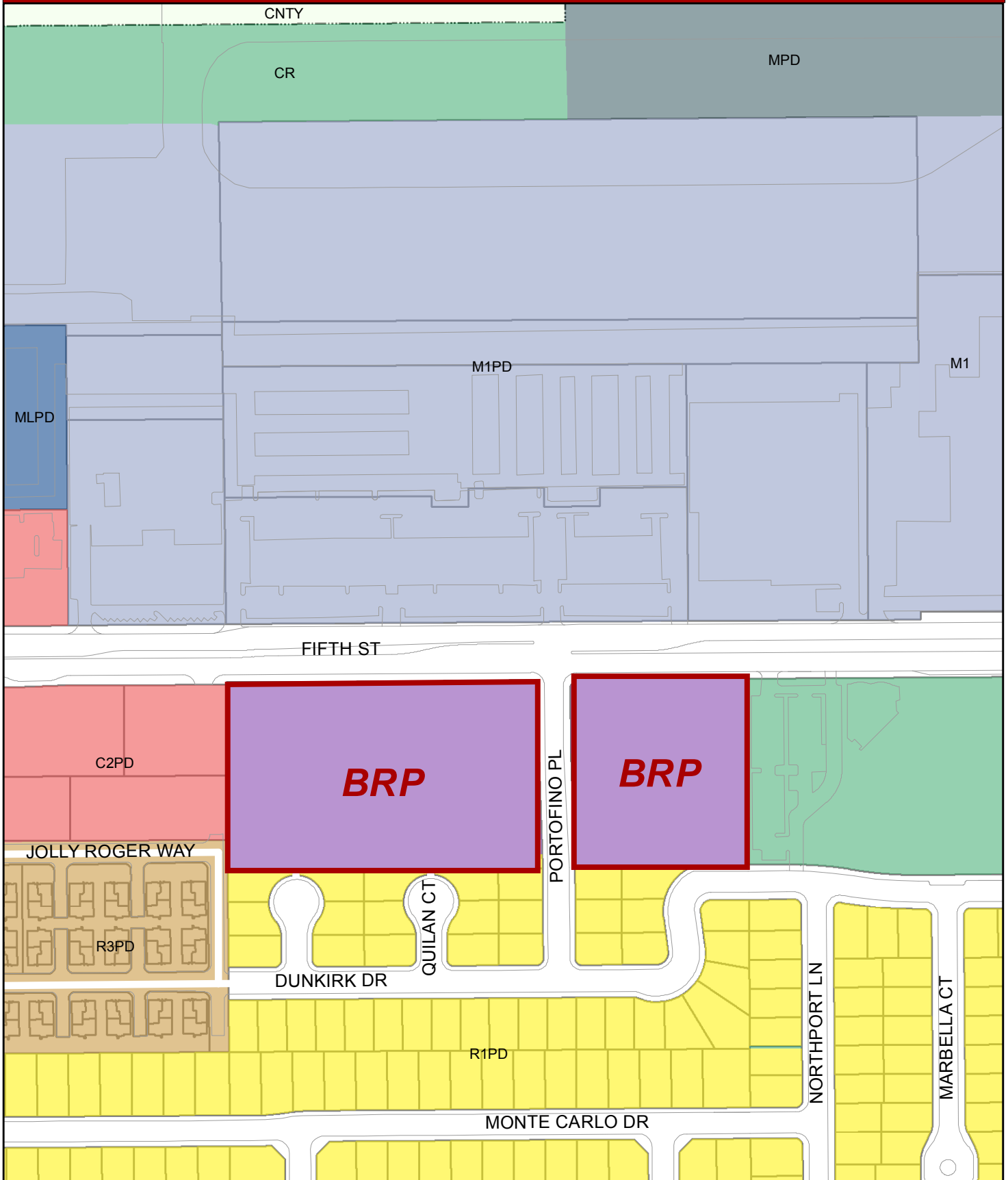


2030 General Plan Land Use Map



1:3,000

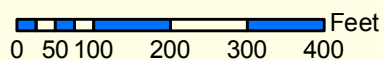
Zoning/Specific Plan Map



Oxnard Planning

October 12, 2021

PZ 20-200-18
Location: 613 S C Street
APN: 2020133020

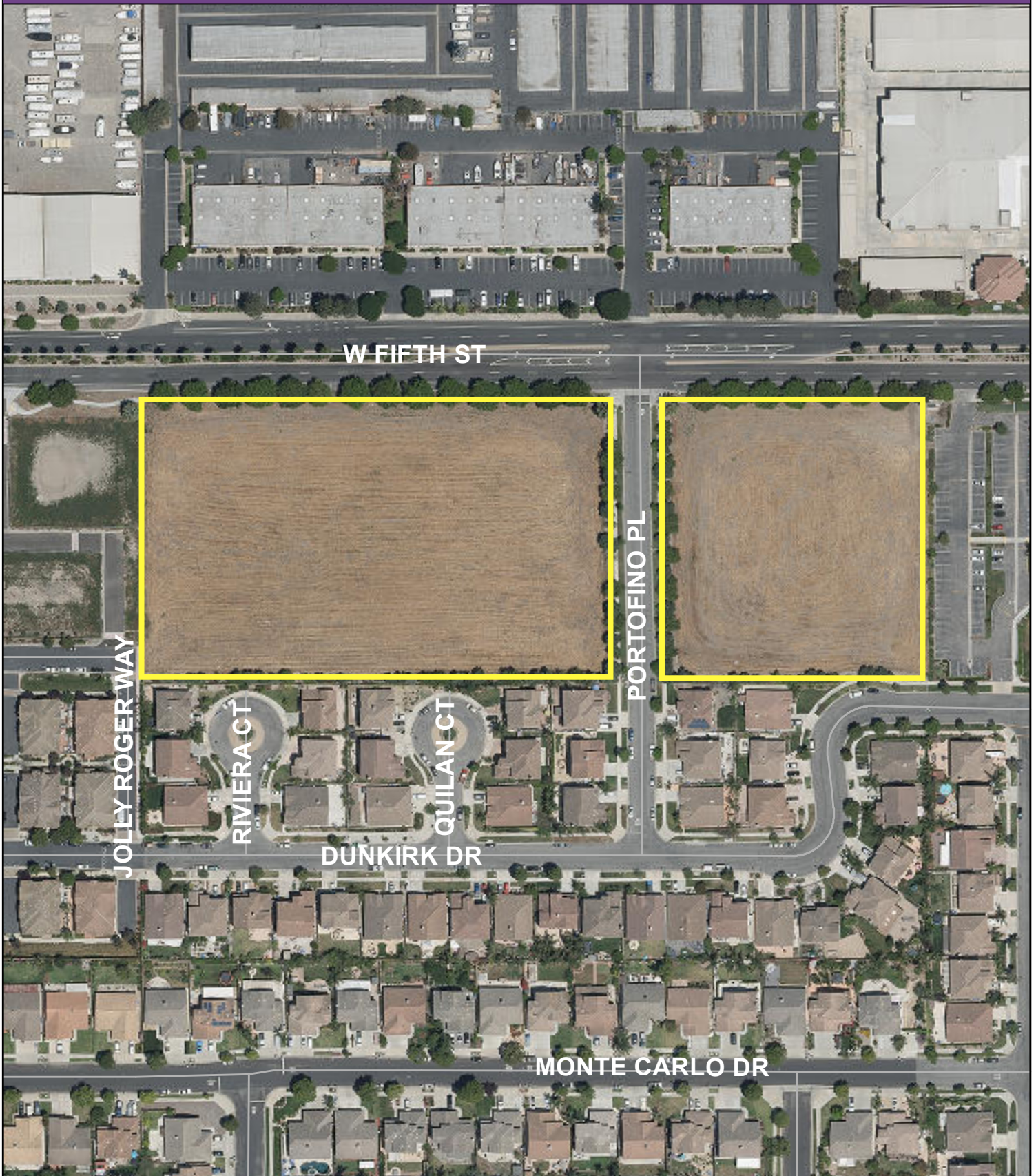


Zoning/Specific Plan Map



1:3,000

Aerial Map



CITY OF
OXNARD
CALIFORNIA

Oxnard Planning
November 2, 2021

PZ 19-500-04, 20-620-02, 20-570-02
Location: Fifth & Portofino
APN: 185022102, 185022126, 185022301
Portofino Place

0 37.5 75 150 225 300 Feet

Aerial Map



B. Reduced Tentative Subdivision Map
No. 6064, and Project Plans

Portofino Place

Oxnard, California

PROGRAM SUMMARY

SITE DATA

LOT	UNIT COUNT
PARCEL 'A': 4.07 ACRES 177,289.2 SF	58
PARCEL 'B': .81 ACRES 35,283 SF	32
PARCEL 'C': 2.73 ACRES 118,918.8 SF	90
7.61 ACRES 331,491.6 SF	

FOOTPRINT DATA PER STRUCTURE

UNIT	PLAN	FOOTPRINT (SF)	TOTAL	GARAGE	FF LIVING	SF LIVING	TOTAL LIVING	END CAP	TOTAL LIVING	SUN DECK	TOTAL GROSS SF
3BR	3 BR/ 3 BA	849	38,205	433 (19,918)	416 (18,720)	1060 (47,700)	1476 (66,420)	10 (100)	1486	10 (450)	156,158
2BR	2 BR/ 2 BA	849	38,205	433 (19,918)	416 (18,720)	997 (44,865)	1413 (63,585)	10 (100)	1423	34 (1,530)	150,788
			76,410							(63,685)	307,246

SITE BUILDING COVERAGE

UNIT	PLAN	FOOTPRINT (SF)	TOTAL
3BR	3 BR/ 3 BA	849	38,205
2BR	2 BR/ 2 BA	849	38,205
			76,410

AMENITY STRUCTURES (SF)	TOTAL
COMMUNITY CENTER: 850	1900
AMENITY STRUCTURES	76,410
LIVING UNITS	78,110 (23.56%)
PROPOSED	82,872 (25%)
ALLOWED*	

*COUNTY OF VENTURA
DEPARTMENT OF AIRPORTS, OVERLAY

PARKING

GARAGE	GUEST (DRIVEWAY)	GUEST (OFF STREET)	TOTAL
90	90	STANDARD 35	222
2.0 PER UNIT	2.0 PER UNIT	HANDICAP 7	4.93 PER UNIT
		TOTAL 42	

OTHER
MOTORCYCLE 6
BICYCLE 8

UNIT TYPE COUNT

UNIT	NUMBER OF UNITS
INLINE A	12
INLINE B	14
RH END CAP A	5
RH END CAP B	5
LH END CAP A	5
LH END CAP B	4
TOTAL	45

UNIT SIZE	QUANTITY
3BR	45
2BR	45

SITE ACCESS

AUTOMOTIVE: 2 EAST, 2 WEST
PEDESTRIAN: 4 EAST, 4 WEST

MAIL CLUSTER BOX LOCATIONS

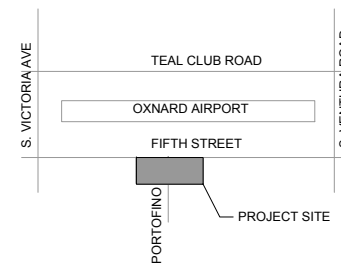
USPS STANDARD 16: 2 EAST, 4 WEST
REQUIRED: 90 PROVIDED: 96

CIVIL ENGINEERING SHEET INDEX

1 of 6	TENTATIVE CONDOMINIUM MAP
2 of 6	TENTATIVE CONDOMINIUM MAP
3 of 6	PRELIMINARY UTILITY PLAN
4 of 6	PRELIMINARY GRADING & DRAINAGE PLAN
5 of 6	PRELIMINARY BASIN DETAILED GRADING PLAN
6 of 6	PRELIMINARY FILTERTERRA TREATMENT SIZING & DETAILS
F-1	PRELIMINARY FIRE ACCESS PLAN
SS-1	SANITARY SEWER STUDY

ARCHITECTURAL SHEET INDEX

CVR	COVER SHEET
A 1.0	ARCHITECTURAL SITE PLAN
A 1.1	CONDOMINIUM OVERLAY
A 1.2	COLOR PALETTE SCHEDULE
A 1.3	GATE DETAIL
A 2.1	FLOOR PLAN INLINE A
A 2.2	ELEVATION INLINE A
A 2.3	FLOOR PLAN INLINE B
A 2.4	ELEVATION INLINE B
A 2.5	FLOOR PLAN LH END CAP A
A 2.6	ELEVATION LH END CAP A
A 2.7	FLOOR PLAN LH END CAP B
A 2.8	ELEVATION LH END CAP B
A 2.9	FLOOR PLAN RH END CAP A
A 2.10	ELEVATION RH END CAP A
A 2.12	ELEVATION RH END CAP B
A 2.11	FLOOR PLAN RH END CAP B
L-1	CONCEPTUAL PLANTING PLAN
L-2	CONCEPTUAL PLANTING PLAN
L-3	CONCEPTUAL PLANTING PLAN
L-4	TREE TABULATION CHART & PLAN



VICINITY MAP

CLIENT:
PORTOFINO, LLC
888 LA COLETA ROAD
SANTA BARBARA, CA 93117

PROJECT TITLE:
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL &
FIFTH STREET
OXNARD, CA

SHEET TITLE:
PROJECT
PROGRAM
SUMMARY

DATE	BY	REVISION

DRAWN/CHECK BY: JCM
DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:

CVR

OF 17 SHEETS

TENTATIVE TRACT NO. 6064
LOTS 1 & 2
FOR
CONDOMINIUM PURPOSES
PORTOFINO PLACE TOWNHOMES
APN'S 185-0-221-025, 185-0-221-265, & 185-0-223-015

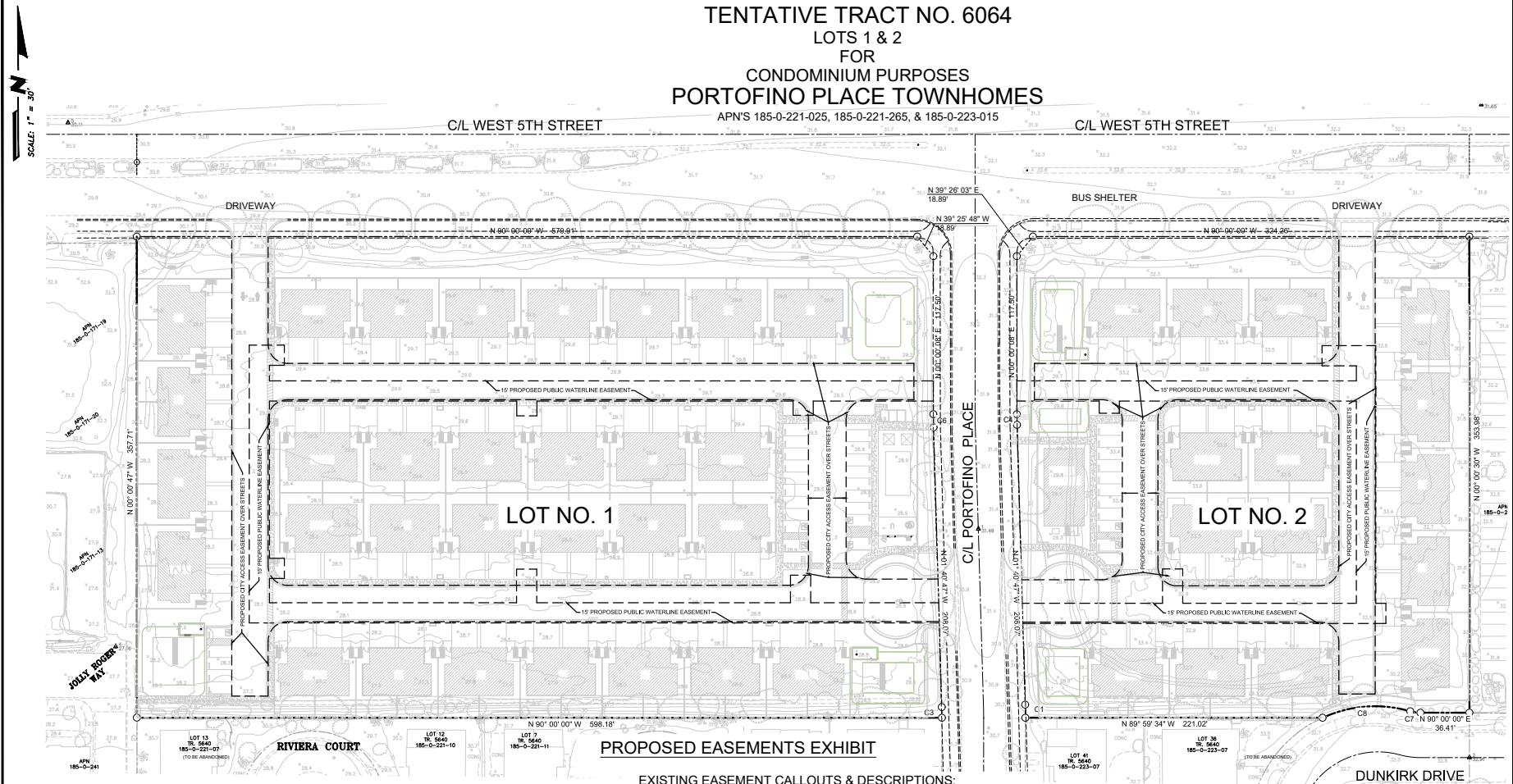


CLIENT

PROJECT TITLE
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
WEST 5TH STREET
OXNARD, CALIFORNIA

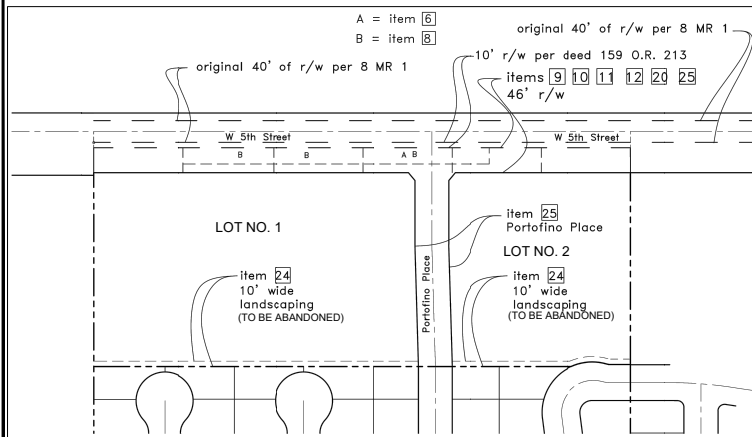
SHEET TITLE
TENTATIVE
CONDOMINIUM
MAP



PROPOSED EASEMENTS EXHIBIT

EXISTING EASEMENT CALLOUTS & DESCRIPTIONS:

- 6.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: Marlon L. Sweetland
Purpose: Water pipeline
Recording Date: September 2, 1959
Recording No: Book 1774, Page 565, Official Records
- Affects: Solid land and is shown hereon within 5th Street Right of Way.
- 8.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: Thomas E. Laubacher, et al
Purpose: Water pipelines
Recording Date: May 29, 1963
Recording No: Book 2330, Page 532, Official Records
- Affects: The North 30 feet of a portion of solid land lying with 5th Street Right of Way and is shown hereon.
- 9.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: County of Ventura
Purpose: Public road and/or highway
Recording Date: January 19, 1965
Recording No: Book 2712, Page 590, Official Records
- Affects: The Northerly 46 feet of a portion of solid land lying with 5th Street Right of Way and is shown hereon.
- 10.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: County of Ventura
Purpose: Public road and/or highway
Recording Date: January 19, 1965
Recording No: Book 2712, Page 592, Official Records
- Affects: The Northerly 46 feet of a portion of solid land lying with 5th Street Right of Way and is shown hereon.
- 11.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: County of Ventura
Purpose: Public road and/or highway
Recording Date: January 19, 1965
Recording No: Book 2712, Page 598, Official Records
- Affects: The Northerly 46 feet of a portion of solid land lying with 5th Street Right of Way and is shown hereon.
- 12.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: County of Ventura
Purpose: Public road and/or highway
Recording Date: February 25, 1965
Recording No: Book 2736, Page 170, Official Records
- Affects: A portion of solid land lying with 5th Street Right of Way and is shown hereon.
- 20.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: City of Oxnard
Purpose: Public streets, public utility, and slope purposes
Recording Date: May 24, 2004
Recording No: 144087, Official Records
- Affects: A portion of solid land and is shown hereon lying with 5th Street Right of Way.
- 24.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: City of Oxnard
Purpose: Landscaping
Recording Date: April 12, 2005
Recording No: 87408, Official Records
- Affects: A portion of solid land and is shown hereon.
- 25.** Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document:
- Granted To: City of Oxnard
Purpose: Public street and public utilities
Recording Date: April 12, 2005
Recording No: 87408, Official Records
- Affects: A portion of solid land and is shown hereon as Portofino Place.
- and Re-Recording Date: May 11, 2006
and Re-Recording No.: 101559, Official Records



EXISTING EASEMENTS EXHIBIT

DRAWN/CHECK BY: MT / RP
DATE: 7/08/2021
JOB NO.: 2007.001

SHEET NUMBER
2 OF **6**



PORTOFINO PLACE

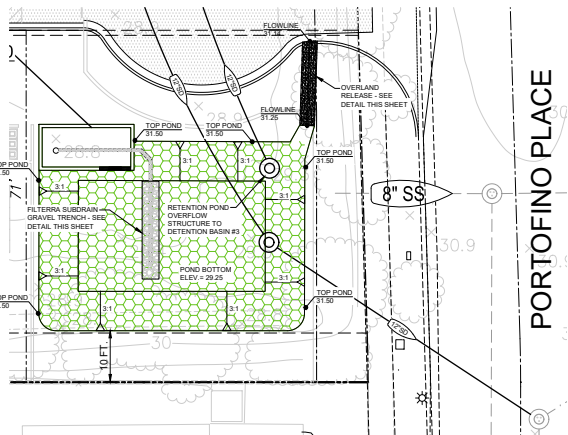
BASIN A DETAIL

PORTOFINO PLACE

BASIN #1 DETAIL

PORTOFINO PLACE

BASIN #3 DETAIL



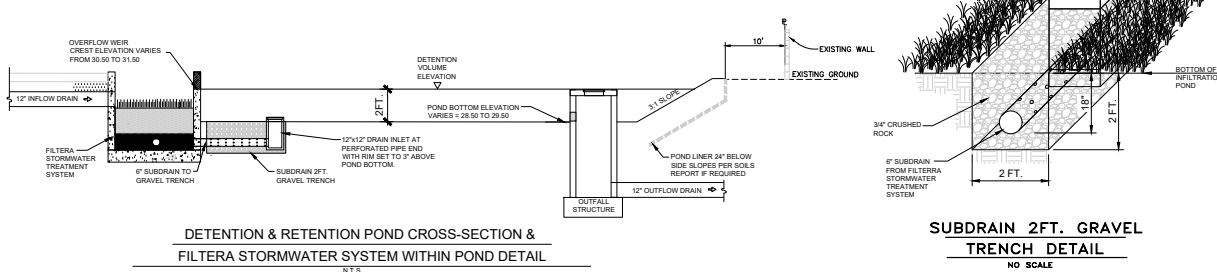
BASIN B DETAIL

PORTOFINO PLACE

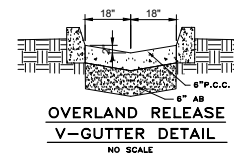
BASIN #2 DETAIL

JOLLY ROGER WAY

BASIN #4 DETAIL



SUBDRAIN 2FT. GRAVEL TRENCH DETAIL



OVERLAND RELEASE V-GUTTER DETAIL

LEGEND:

- 12" D EXISTING DRAIN LINE
- 12" D NEW DRAIN INLET ON NEW DRAIN LINE
- 31.48 PROPOSED GUTTER FLOWLINE GRADE
- 0.5% PROPOSED STREET GUTTER SLOPE
- R- PROPOSED GRADING RIDGE
- FF+ 32.80 PROPOSED UNIT FINISHED FLOOR ELEVATION
- 31.48 PROPOSED CURB&GUTTER PER CITY PLATE 111
- PROPOSED SIDEWALK
- PROPOSED PRIVATE STREET ASPHALT
- PROPOSED DETENTION BASIN



CLIENT

PROJECT TITLE
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
WEST 5TH STREET
OXNARD, CALIFORNIA

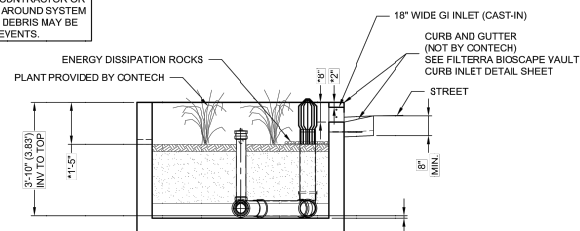
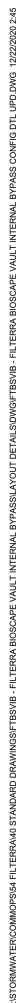
SHEET TITLE
TENTATIVE
CONDOMINIUM
MAP

PRELIMINARY
BASIN
DETAILED
GRADING
PLANS

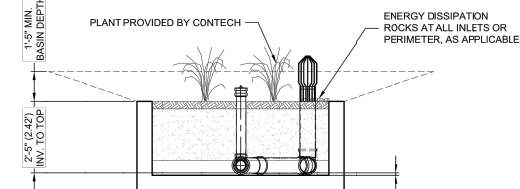
DATE	BY	CHKD

DRAWN/CHK BY: MT / RP
DATE: 7/08/2021
JOB NO.: 2007.001

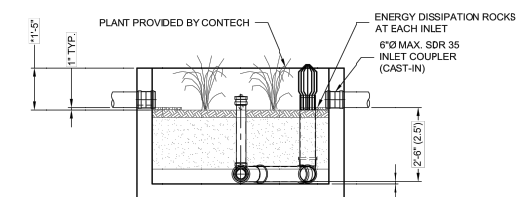
SHEET NUMBER
5 OF 6



SECTION A-A
GREEN INFRASTRUCTURE INLET - TOP FLUSH WITH TOP OF CURB. NOT INTENDED FOR SIDEWALK APPLICATIONS



SECTION A-A
BASIN - CURB INLET OR PIPE INLETS OPTIONAL



SECTION A-A
PIPE INLET

INTERNAL PIPE CONFIGURATION MAY VARY DEPENDING ON VAULT SIZE.

FTBSVIB CONFIGURATION								
(OPTIONS: BASIN "B", GREEN INFRASTRUCTURE INLET "I", PIPE INLET "P", SLOTTED THROAT INLET "T")								
MEDIA BAY SIZE	VAULT SIZE (L x W)	LONG SIDE INLET DESIGNATION	SHORT SIDE INLET DESIGNATION	AVAILABILITY	MAX. OUTLET / BYPASS PIPE DIA.	MAX. BYPASS FLOW (CFS)	UNDERDRAIN PIPE DIA. (PERF)	MIN. NO. OF INLET PIPES (F-ONLY)
4 x 4	4 x 4	FTBSVIB0404	FTBSVIB0404	ALL	6" SDR 35	1.42	4" SDR 35	1
6 x 4	6 x 4	FTBSVIB0604	FTBSVIB0406	N/A CA	8" SDR 35	1.89	4" SDR 35	1
6.5 x 4	6.5 x 4	FTBSVIB06504	FTBSVIB0406S	CA ONLY	8" SDR 35	1.89	4" SDR 35	1
7.83 x 4.5	7.83 x 4.5	FTBSVIB07804S	FTBSVIB045078	DE,MD,NJ,PA,VA,WV ONLY	8" SDR 35	1.89	4" SDR 35	1
8 x 4	8 x 4	FTBSVIB0804	FTBSVIB0408	N/A	8" SDR 35	1.89	4" SDR 35	1
6 x 6	6 x 6	FTBSVIB0606	FTBSVIB0606	DE,MD,NJ,PA,VA,WV	8" SDR 35	1.89	4" SDR 35	1
8 x 6	8 x 6	FTBSVIB0806	FTBSVIB0608	ALL	10" SDR 35	2.37	4" SDR 35	1
10 x 6	10 x 6	FTBSVIB081006	FTBSVIB0610	ALL	10" SDR 35	2.37	6" SDR 35	2
12 x 6	12 x 6	FTBSVIB081206	FTBSVIB0612	ALL	10" SDR 35	2.37	6" SDR 35	2
13 x 7	13 x 7	FTBSVIB1307	FTBSVIB0713	ALL	10" SDR 35	2.37	6" SDR 35	2
14 x 8	14 x 8	FTBSVIB1408 ¹	N/A	ALL	10" SDR 35	2.37	6" SDR 35	3
16 x 8	16 x 8	FTBSVIB1608 ¹	N/A	N/A OR, WA	10" SDR 35	2.37	6" SDR 35	3
15 x 9	15 x 9	FTBSVIB1509 ¹	N/A	OR, WA ONLY	10" SDR 35	2.37	6" SDR 35	3
18 x 8	18 x 8	FTBSVIB1808 ¹	N/A	CA, L CONTECH	10" SDR 35	2.37	6" SDR 35	3
20 x 8	20 x 8	FTBSVIB2008 ¹	N/A	CALL CONTECH	10" SDR 35	2.37	6" SDR 35	4
22 x 8	22 x 8	FTBSVIB2208 ¹	N/A	CALL CONTECH	10" SDR 35	2.37	6" SDR 35	4

¹UTILITIES (2) CURB OPENINGS WITH MIN 1" SPACING

N/A = NOT AVAILABLE

†UTILIZES (2) CURB OPENINGS WITH MIN 1' SPACING

N/A = NOT AVAILABLE

BASIN #1

BASIN #2



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FILTERRA BIOSCAPE VAULT INTERNAL BYPASS (FTBSVIB) CONFIGURATION DETAIL



CLIENT

PROJECT TITLE
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
WEST 5TH STREET
OXNARD, CALIFORNIA

SHEET TITLE

TENTATIVE
CONDOMINIUM
MAP

PRELIMINARY FILTERRA TREATMENT SIZING & DETAILS

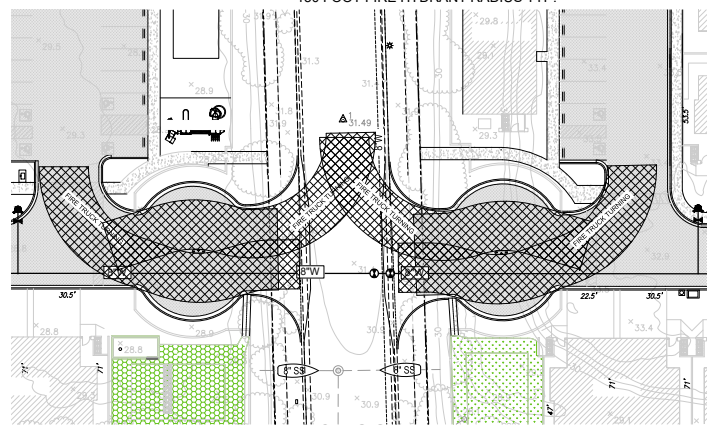
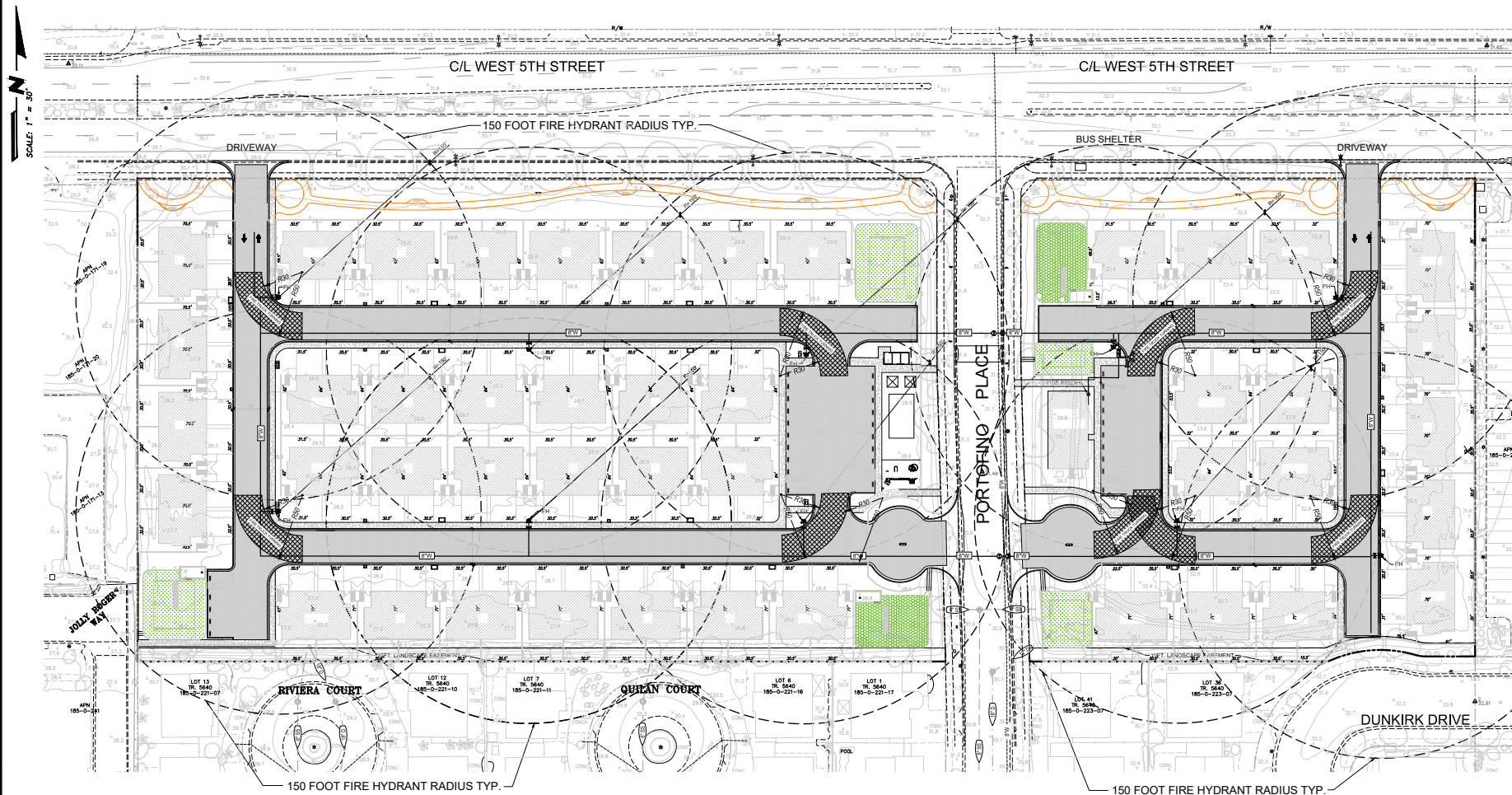
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DATE: 7/08/2021

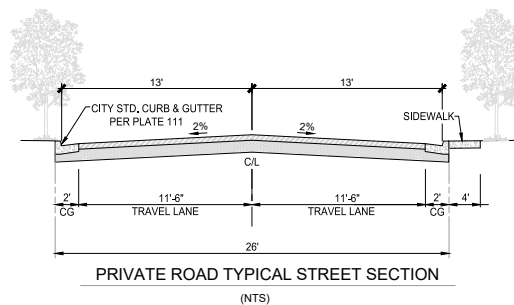
JOB NO.: 2007.001

SHEET NUMBER



FIRE ACCESS PLAN

SCALE: 1" = 30'



LEGEND	
PROPOSED	EXISTING
WATER LINE	WATER LINE
WATER VALVE	WATER VALVE
WATER SERVICE & METER BOX	WATER SERVICE & METER BOX
FIRE HYDRANT ASSEMBLY	FIRE HYDRANT ASSEMBLY
R.P. BACKFLOW PREVENTER	R.P. BACKFLOW PREVENTER
CURBSTONE	CURBSTONE
RIGHT OF WAY LINE	RIGHT OF WAY LINE
PROPERTY LINE	PROPERTY LINE
EASEMENT LINE	EASEMENT LINE



CLIENT

PROJECT TITLE
PORTOFINO PLACE
TOWNHOMES

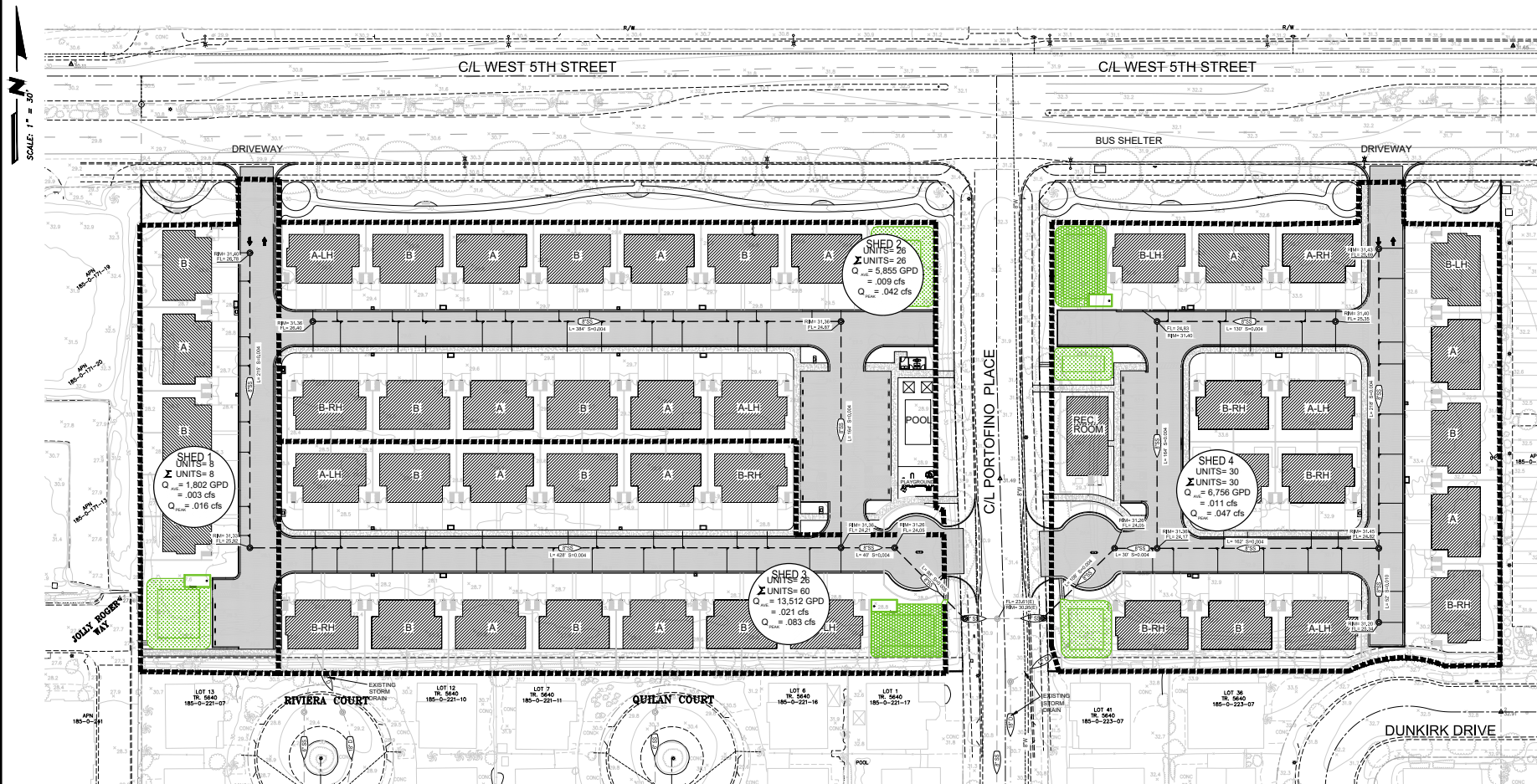
PORTOFINO PL. &
WEST 5TH STREET
OXNARD, CALIFORNIA

SHEET TITLE
FIRE ACCESS
PLAN

DRAWN/CHECK BY: MT / RP
DATE: 7/08/2021
JOB NO.: 2007.001

SHEET NUMBER

F-1



SANITARY SEWER STUDY

SCALE: 1"= 30'

SEWER SHED FLOW DATA:

SHED	TOTAL UNITS	AVE. FLOW CALCULATION	AVE. FLOW	PEAKING FACTOR	PEAK FLOW
1	8	8 UNITS x 225.2 GPD/UNIT	.003 cfs	$2.0 \times (0.003)^{0.822}$	0.016 cfs
2	26	26 UNITS x 225.2 GPD/UNIT	.009 cfs	$2.0 \times (0.009)^{0.822}$	0.042 cfs
3	60	60 UNITS x 225.2 GPD/UNIT	.021 cfs	$2.0 \times (0.021)^{0.822}$	0.083 cfs
4	30	30 UNITS x 225.2 GPD/UNIT	.011 cfs	$2.0 \times (0.011)^{0.822}$	0.047 cfs

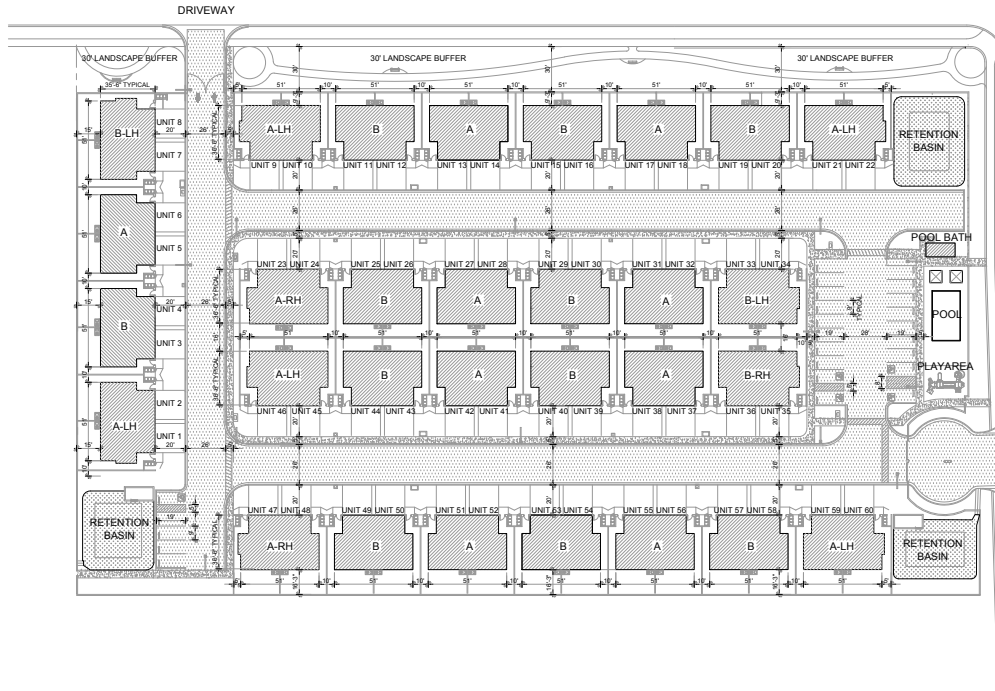
*NOTE: PER PLATE 44 OF THE SEWER DESIGN STANDARDS FOR THE CITY OF OXNARD, 225.2 GPD/UNIT IS THE ASSUMED AVERAGE FLOW RATE FOR A DUPLEX UNIT - THIS IS THE FLOW USED IN THE ABOVE CALCULATIONS.

[illegible][illegible]

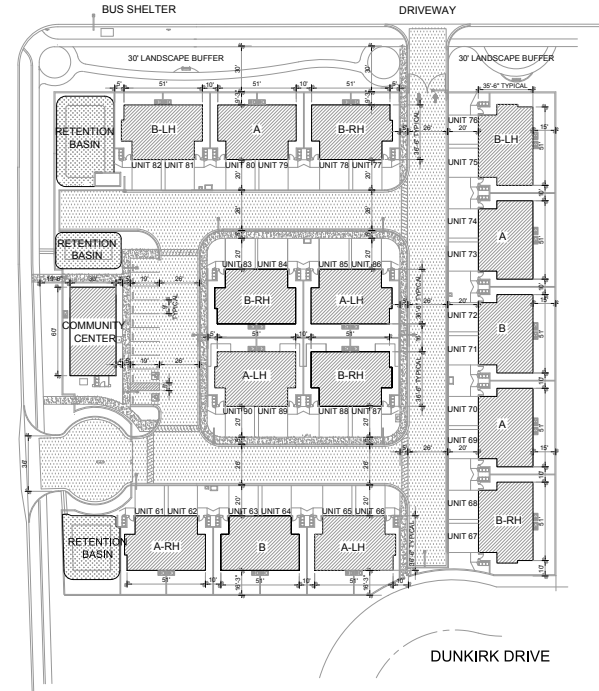
PROJECT:	PORTOFINO PLACE OXNARD, CALIFORNIA
SHEET TITLE:	ELECTRICAL SPECIFICATIONS, ABBREVIATIONS, SHEET INDEX, SYMBOL LIST, PRIOR TO COMMENCING WORK

C/L WEST 5TH STREET

C/L WEST 5TH STREET



C/L PORTOFINO PLACE



PROGRAM SUMMARY

SITE DATA

LOT			UNIT COUNT
PARCEL 'A':	4.07 ACRES	177,289.2 SF	} 58
PARCEL 'B':	.81 ACRES	35,283 SF	
PARCEL 'C':	2.73 ACRES	118,918.8 SF	32
	7.61 ACRES	331,491.6 SF	90

SQUARE FOOT DATA PER STRUCTURE

UNIT	PLAN	FOOTPRINT (SF)	TOTAL	GARAGE	FF LIVING	SF LIVING	TOTAL LIVING	END CAP	TOTAL LIVING	SUN DECK	TOTAL GROSS SF
3BR	3 BR/ 3 BA	849	38,205	433 (19,918)	416 (18,720)	1060 (47,700)	1476 (66,420)	10 (100)	1486	10 (450)	156,158
2BR	2 BR/ 2 BA	849	38,205	433 (19,918)	416 (18,720)	997 (44,865)	1413 (63,585)	10 (100)	1423	34 (1,530)	150,788
			76,410								307,246

SITE BUILDING COVERAGE

UNIT	PLAN	FOOTPRINT (SF)	TOTAL
3BR	3 BR/ 3 BA	849	38,205
2BR	2 BR/ 2 BA	849	38,205
			76,410

AMENITY STRUCTURES (SF)	TOTAL
COMMUNITY CENTER: 850	1900
AMENITY STRUCTURES LIVING UNITS PROPOSED ALLOWED*	76,410
	78,110 (23.56%)
	*82,872 (25%)

*COUNTY OF VENTURA
DEPARTMENT OF AIRPORTS, OVERLAY

PARKING

GARAGE	GUEST (DRIVEWAY)	GUEST (OFF STREET)	TOTAL SPACES 394	BICYCLE PARKING
90	90	STANDARD 27	4.3 SPACES PER UNIT	PER "CITY OF OXNARD BICYCLE & PEDESTRIAN PLAN"
2.0 PER UNIT	2.0 PER UNIT	HANDICAP 7		1 RACK SPACES PER 33 AUTO SPACES
TOTAL 180	TOTAL 180	TOTAL 34		394/33=11 STALLS PROVIDED
				4 EA 5 LOOP BIKE RACKS (TTL 20)

UNIT TYPE COUNT

UNIT	QUANTITY
INLINE A	12
INLINE B	13
RH END CAP A	3
RH END CAP B	5
LH END CAP A	8
LH END CAP B	4
TOTAL	45
UNIT SIZE	QUANTITY
3BR	45
2BR	45

SITE ACCESS

AUTOMOTIVE: 2 EAST, 2 WEST
PEDESTRIAN: 4 EAST, 4 WEST

MAIL CLUSTER BOX LOCATIONS

USPS STANDARD 16: 2 EAST, 4 WEST
REQUIRED: 90 PROVIDED: 96

CLIENT:
PORTOFINO, LLC
20014 GOLDEN ROAD
SANTA BARBARA, CA 93107

PROJECT TITLE:
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
FIFTH STREET
OXNARD, CA

SHEET TITLE:
SITE PLAN
OVERLAY

DATE	REVISION	BY

DRAWN/CHK BY: JCM
DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:
A 1.0

OF 17 SHEETS

NO.	DATE	BY

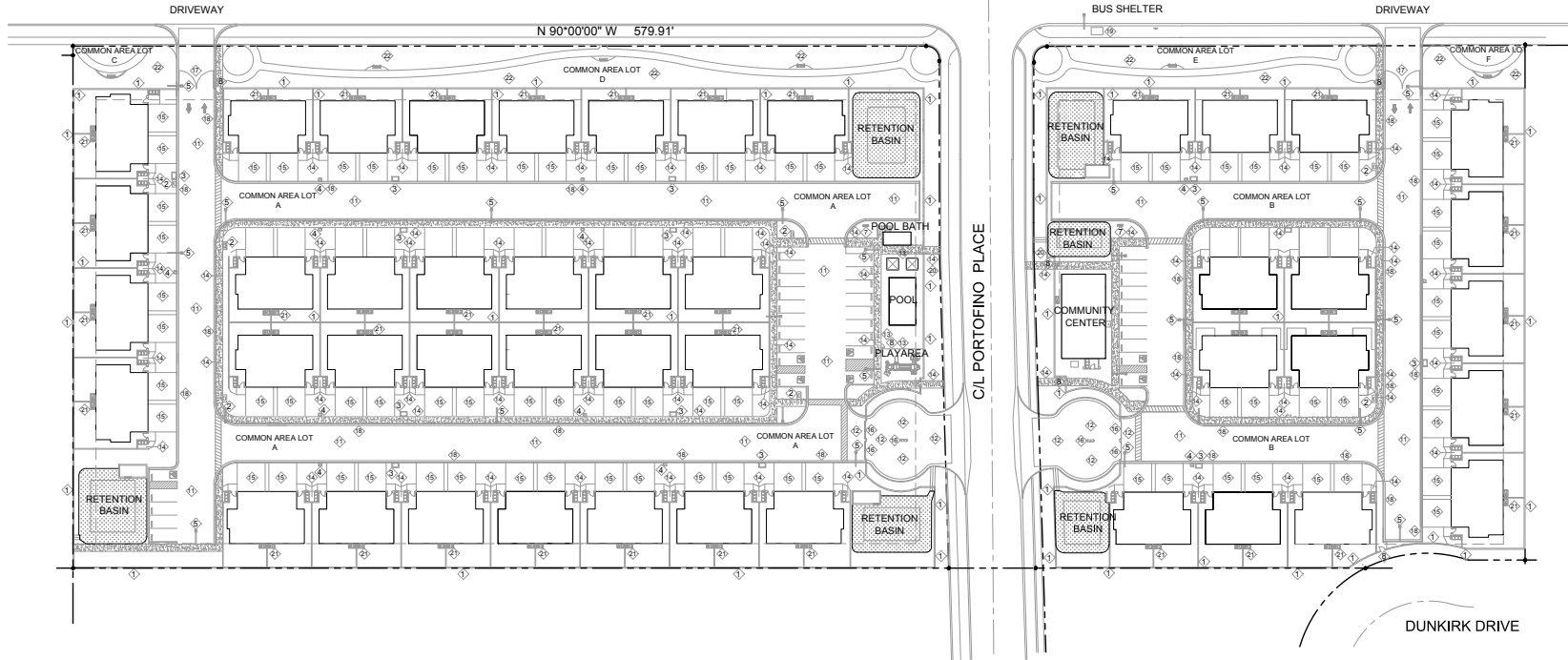
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DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:
A 1.1

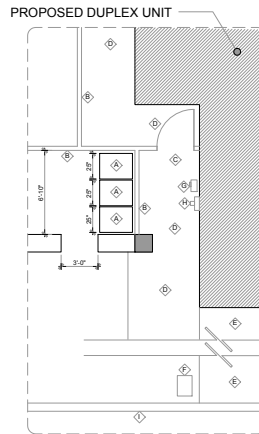
OF 17 SHEETS

C/L WEST 5TH STREET

C/L WEST 5TH STREET



TYPICAL UNIT UTILITIES



KEYNOTES

- ① 120 LITER CART, 37" X 19" X 21"
- ② 80" SLUMPSTONE WALL
- ③ 60" PORCH ENTRY GATE
- ④ CONCRETE WALK
- ⑤ CONCRETE DRIVEWAY
- ⑥ WATER METER
- ⑦ GAS METER
- ⑧ ELECTRICAL METER
- ⑨ CURB AND GUTTER

SITE PLAN

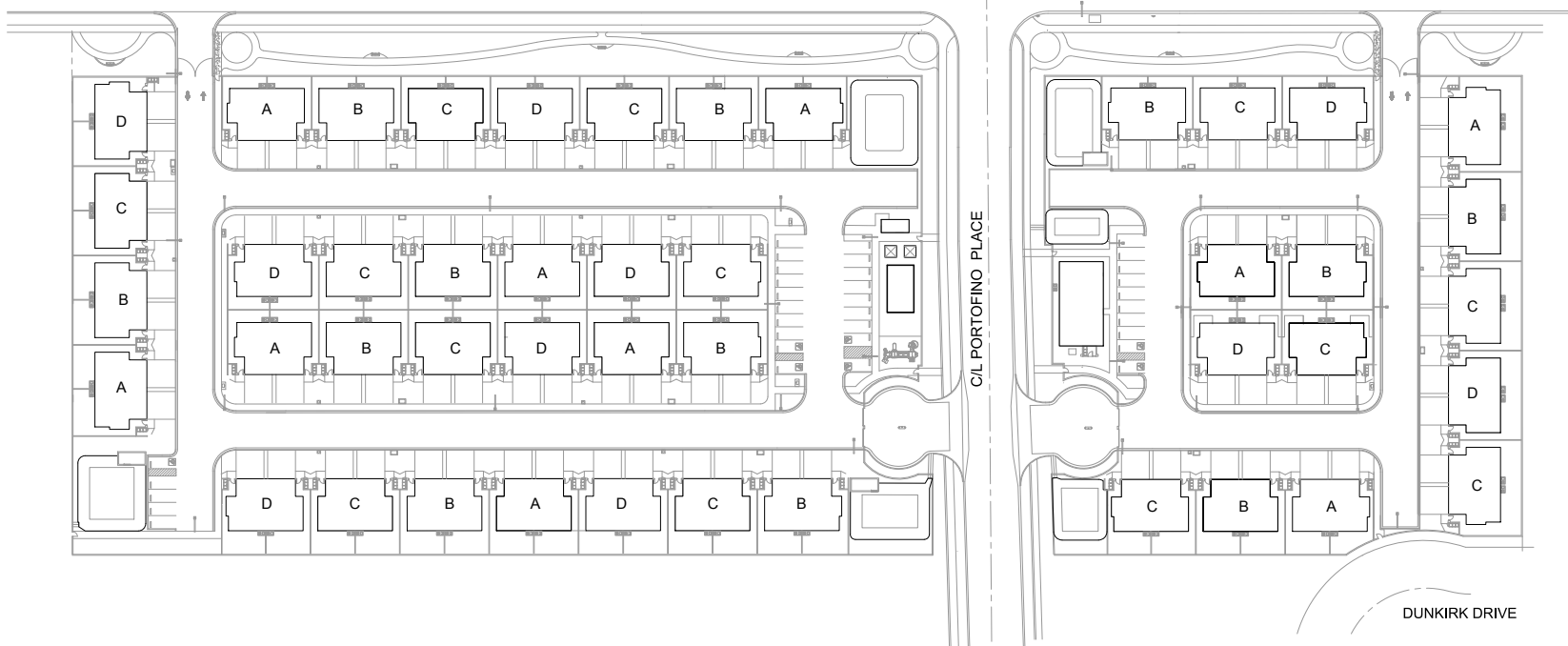
KEYNOTES

- ① 6" HIGH SLUMPSTONE WALL WITH CAP
- ② SALSBUURY CLUSTER (MAIL) BOX 10A USPS APPROVED
- ③ TRANSFORMER
- ④ FIRE HYDRANT, 4" X 4-1/2" X 2-1/2" JONES J-4065
- ⑤ CREE LIGHTING RSW SERIES-2LGLED
- ⑥ 850 SF OFFICE & POOL BATHS
- ⑦ 5 LOOP WAVE STYLE BIKE RACK, 2 EACH, U-LINE H-3544GALV
- ⑧ WROUGHT IRON PEDESTRIAN ACCESS GATE WITH PUSH BUTTON COMBO ACCESS, 36" X 60" WITH VERT. PICKETS AT 4" OC. PAINTED KELLY MOORE PASO VERDE
- ⑨ ASPHALT RIGHT OF WAY
- ⑩ PAVESTONE PANORAMA SERIES TAVERNA PAVERS
- ⑪ 6" WROUGHT IRON FENCE
- ⑫ BROOM FINISHED CONCRETE AT ALL SIDEWALKS, WALKWAYS AND AT ALL GARBAGE/RECYCLE LOUNGES
- ⑬ BROOM FINISHED CONCRETE DRIVEWAY TYPICAL
- ⑭ CLICK-2-ENTER ELECTRIC ENTRY GATES WITH KNOX SWITCH
- ⑮ ELECTRIC AUTOMATIC EXIT GATES
- ⑯ NO PARKING SIGN EVERY 100' IN TRAFFIC PATTERN
- ⑰ BUS SHELTER
- ⑱ BACKFLOW PREVENTORS
- ⑲ AIR CONDITION UNITS TYPICAL
- ⑳ 30' LANDSCAPE BUFFER

DATE	BY	REV

C/L WEST 5TH STREET

C/L WEST 5TH STREET



EXTERIOR FINISH SCHEDULE

COLOR SCHEME A

1. Siding & Garage – Kelly Moore Paseo Verde
2. Accent & Trim – Sherwin Williams SW7767 – High Reflective White
3. Roofing – Eagle Roofing Bel Air Brown Gray Range
4. Composite Roof Alternative – Owens Corning – Oakridge Sand Castle
5. Glazed porcelain Tile-Ember Wood

COLOR SCHEME B

6. Stucco & Garage – Sherwin Williams – SW7015 Repose Gray
7. Accent & Trim – Sherwin Williams SW7765 – High Reflective White
8. Roofing – Eagle Roofing Bel Air Brown Gray Range
9. Composite Roof Alternative – Owens Corning – Oakridge Driftwood
10. Glazed porcelain Tile-Shadow Wood

COLOR SCHEME C

11. Stucco & Garage – Sherwin Williams – SW7018 – Dovetail
12. Accent & Trim – Sherwin Williams SW7014 – Elder White
13. Roofing – Eagle Roofing Topanga -4576
14. Composite Roof Alternative – Owens Corning – Oakridge Teak
15. Glazed porcelain Tile-Pewter Wood

COLOR SCHEME D

17. Siding & Garage – Sherwin Williams – SW6422 – Shagreen
18. Accent & Trim – Sherwin Williams SW8917 – Shell White
19. Roofing – Eagle Roofing Concord Blend - 4602
20. Composite Roof Alternative – Owens Corning – Gray
21. Glazed porcelain Tile-Coffee Wood

CLIENT:
PORTOFINO, LLC
800 LA SALLE ROAD
SANTA BARBARA, CA 93117

PROJECT TITLE:
PORTOFINO PLACE
TOWNHOMES

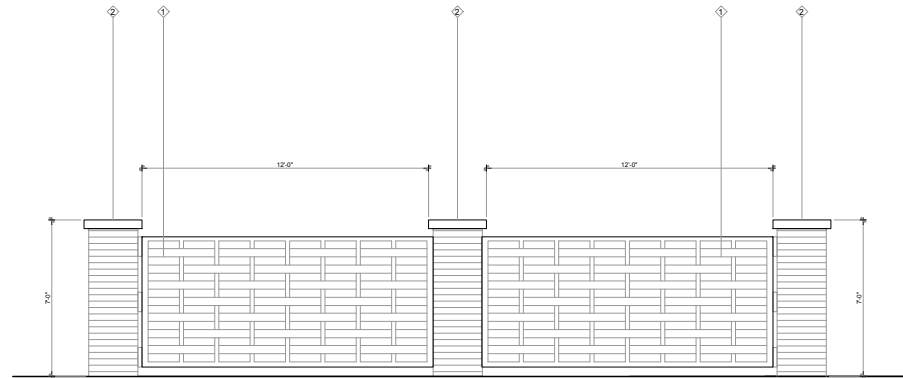
PORTOFINO PL. &
FIFTH STREET
ENRRADE
DETAIL

SHEET TITLE:
ENTRY
GATE
DETAIL

REV.	DATE	BY

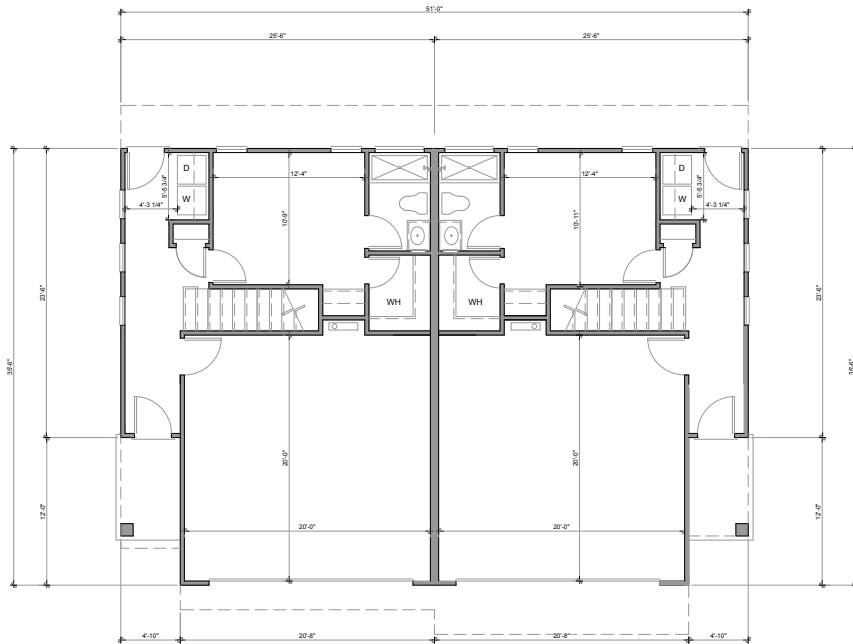
DRAWN/CHK BY: JCIJM
DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:
A 1.3
OF 17 SHEETS



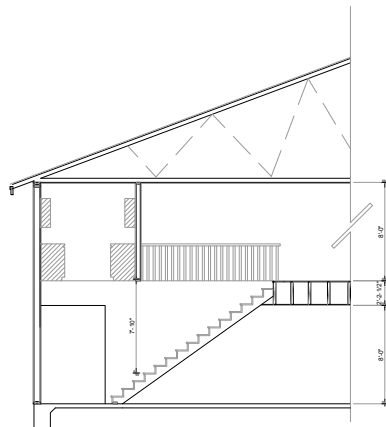
PROPOSED TYPICAL GATE DETAIL

- ① METAL GATE COLOR KELLY MOORE PASO VERDE
- ② GLAZED PORCELAIN TILE EMBER WOOD

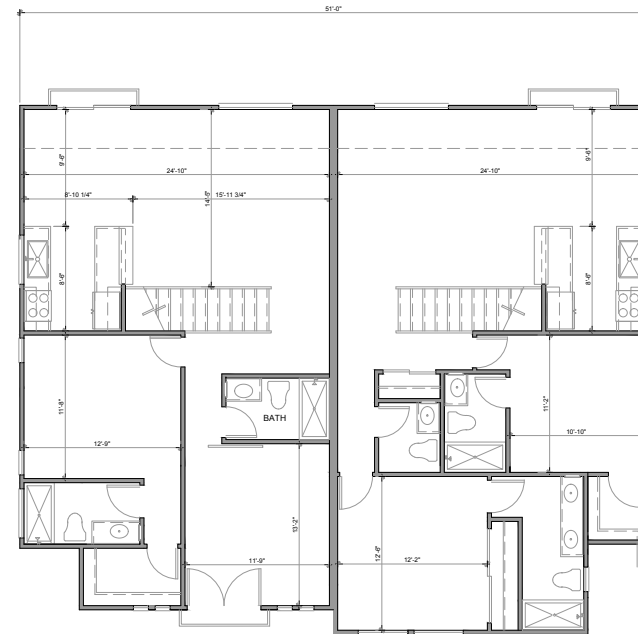


FIRST FLOOR PLAN

FF LIVING: 401 SF
 GARAGE : 427 SF
 TOTAL: 828 SF



TYPICAL SECTION STAIR

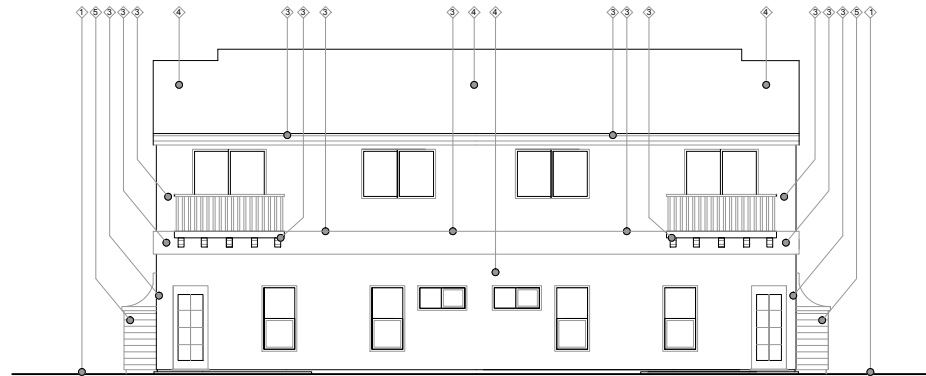


UPPER FLOOR PLAN

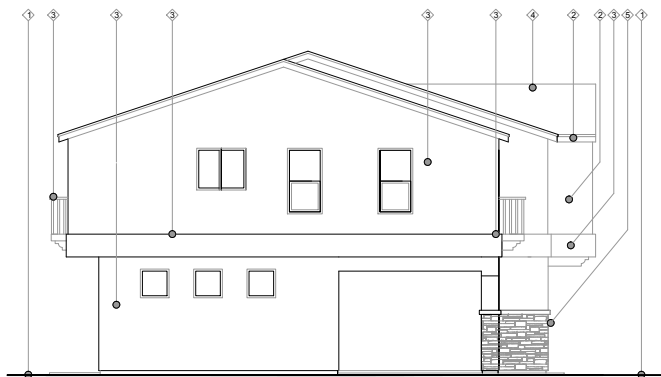
UNIT A
 FF LIVING: 401 SF
 SF LIVING: 1021 SF
 TOTAL: 1421 SF

UNIT B
 FF LIVING: 416 SF
 SF LIVING: 1061 SF
 TOTAL: 1477 SF

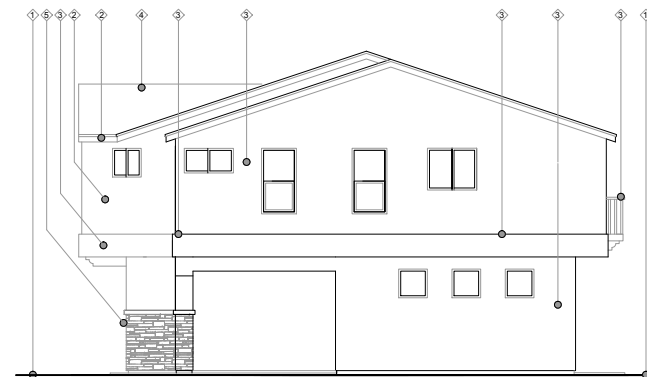
NO.	DATE	BY



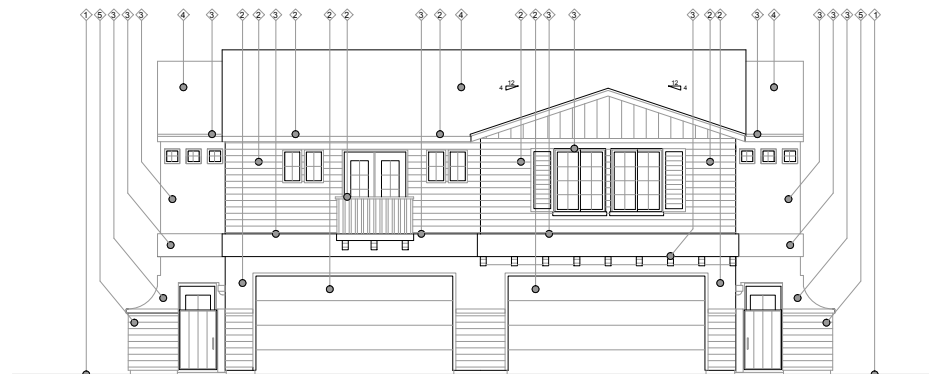
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION

KEYNOTES

- ① FINISHED GRADE
- ② FASCIA, ACCENT COLOR AS SPECIFIED
- ③ BODY COLOR AS SPECIFIED
- ④ ASPHALT ROOF ROOFING, COLOR AS SPECIFIED
- ⑤ PORCELAIN TILE AS SPECIFIED

NOTE: ALL WINDOW AND DOORS TO BE WHITE VINYL
NOT LABELED FOR CLARITY
NOTE: FOR COLOR SPECIFICATIONS AND SCHEDULE
REFER TO SHEET A 1.2 FOR COLOR PALETTE

TOP OF RIDGE	10'-4"
TOP PLATE SF	11'-0"
SECOND FF	11'-0"
TOP PLATE FF	10'-4"
FINISHED FLOOR	10'-4"

CLIENT
PORTOFINO, LLC
800 LA GALLERIA ROAD
SANTA ANA, CA 92707

PROJECT TITLE
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
FIFTH STREET
OXNARD, CA

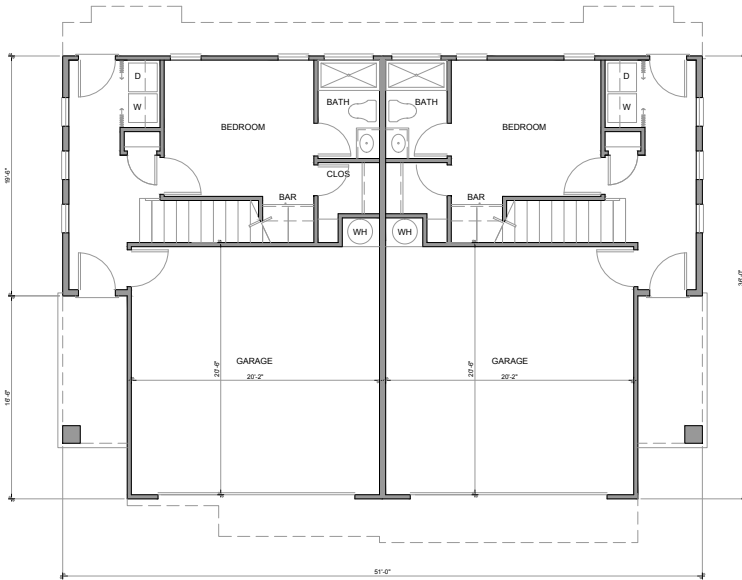
SHEET TITLE
PLAN A
ELEVATION

DATE	REVISED	BY

DRAWN/CHK BY: JGJM
DATE: 7/26/2021
JOB NO: 2007.001

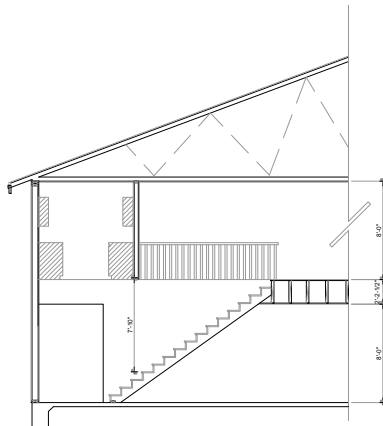
SHEET NUMBER:

A 2.2
OF 17 SHEETS



ENTRY FLOOR PLAN

FF LIVING: 416 SF
 GARAGE : 433 SF
 TOTAL: 849 SF



TYPICAL SECTION STAIR



UPPER FLOOR PLAN

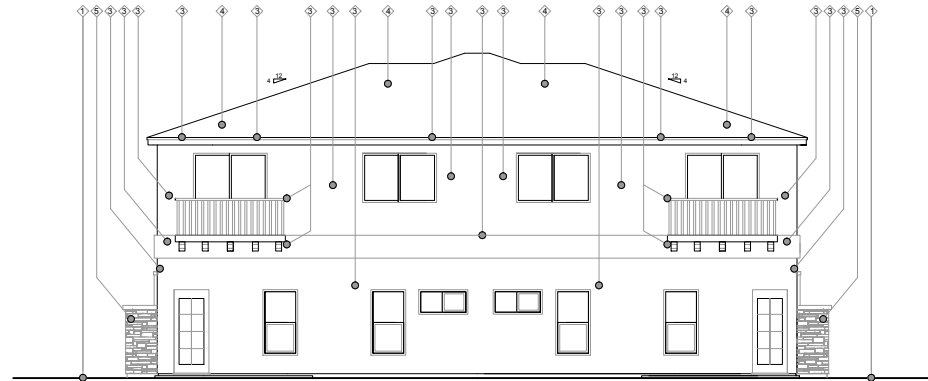
2 BEDROOM OPTION

FF LIVING: 416 SF
 SF LIVING: 997 SF
 TOTAL: 1413 SF

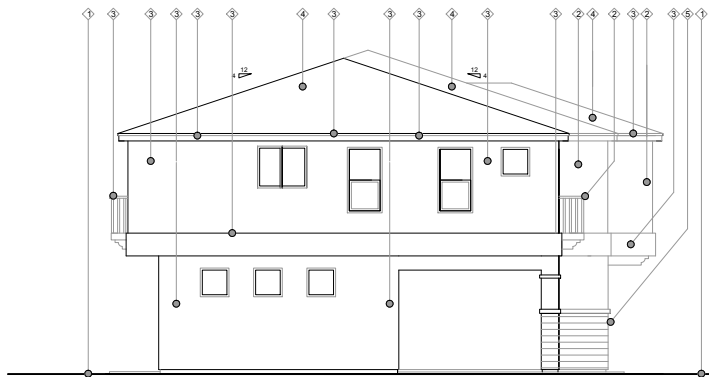
3 BEDROOM OPTION

FF LIVING: 416 SF
 SF LIVING: 1060 SF
 TOTAL: 1476 SF

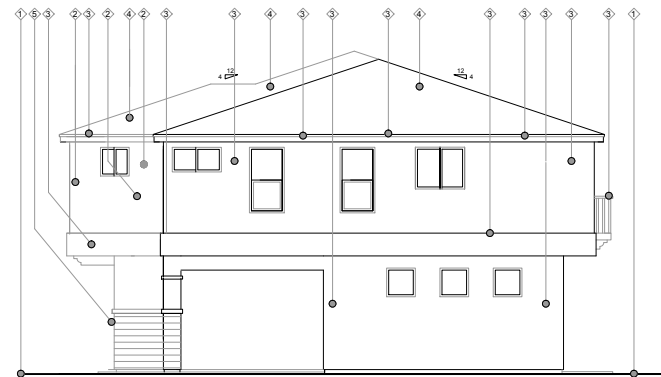
DATE	REVISION	BY



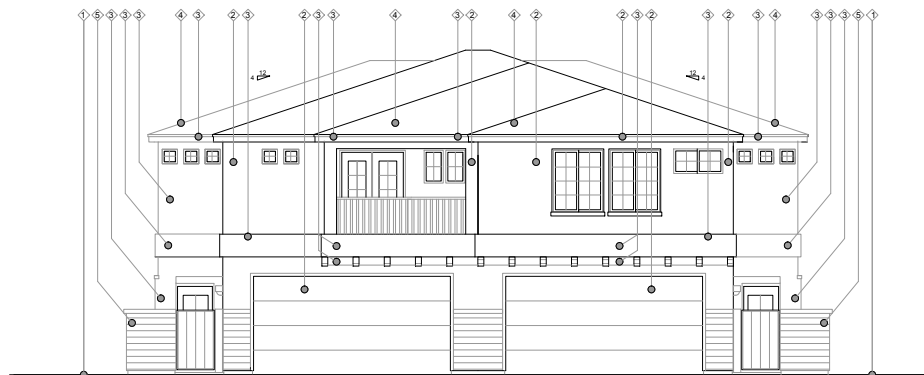
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION

TOP OF RIDGE	128'-0"
TOP PLATE SF	119'-2"
SECOND FF	111'-0"
TOP PLATE FF	109'-1"
FINISHED FLOOR	105'-0"

CLIENT:
PORTOFINO, LLC
8800 LA GALLERIA ROAD
SANTA BARBARA, CA 93117

PLAN A
ELEVATION

PROJECT TITLE:
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
FIFTH STREET
OXNARD, CA

SHEET TITLE:
PLAN B
ELEVATION

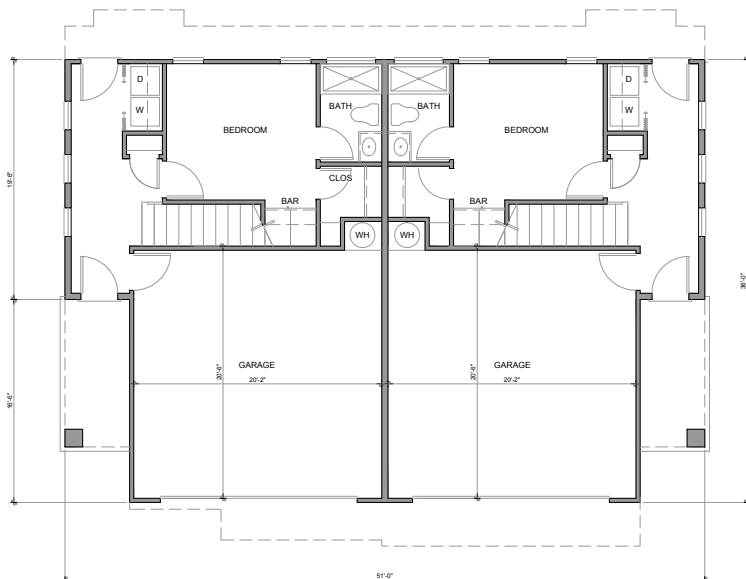
DATE	BY	CHKD

DRAWN/CHK BY: JCM
DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:

A 2.4
OF 17 SHEETS

NO.	REV.	DATE



ENTRY FLOOR PLAN

FF LIVING: 416 SF
GARAGE: 433 SF
TOTAL: 849 SF

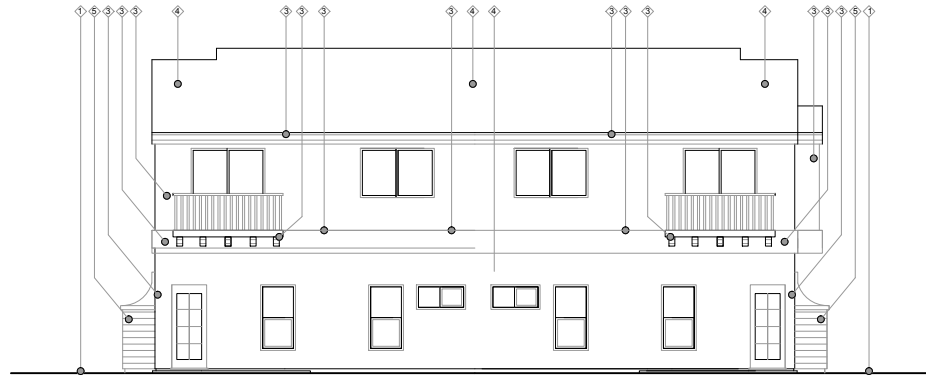


UPPER FLOOR PLAN

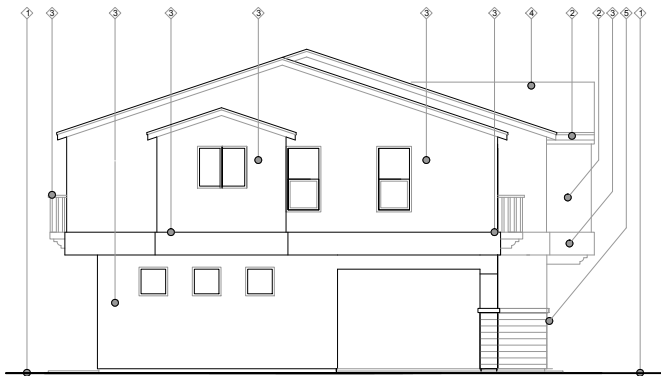
2 BEDROOM OPTION

FF LIVING: 416 SF
SF LIVING: 997 SF
TOTAL: 1413 SF

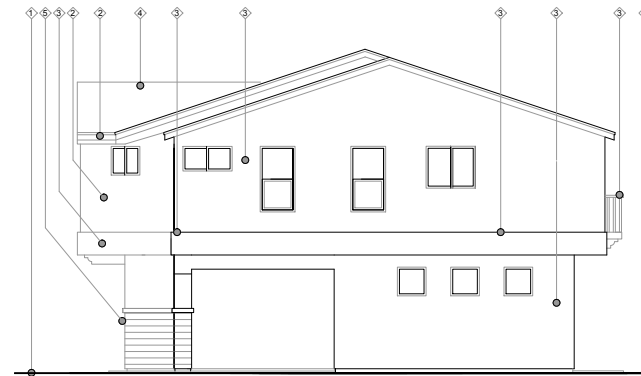
FF LIVING: 416 SF
SF LIVING: 1060 SF
TOTAL: 1476 SF



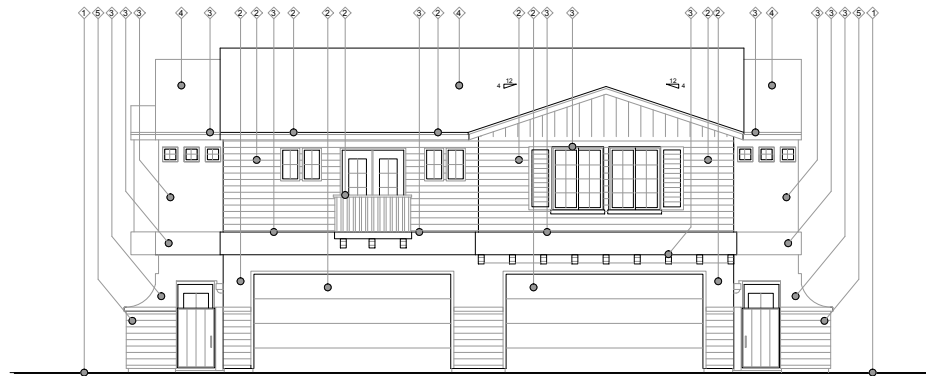
REAR ELEVATION



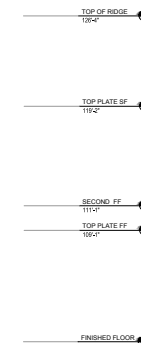
LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

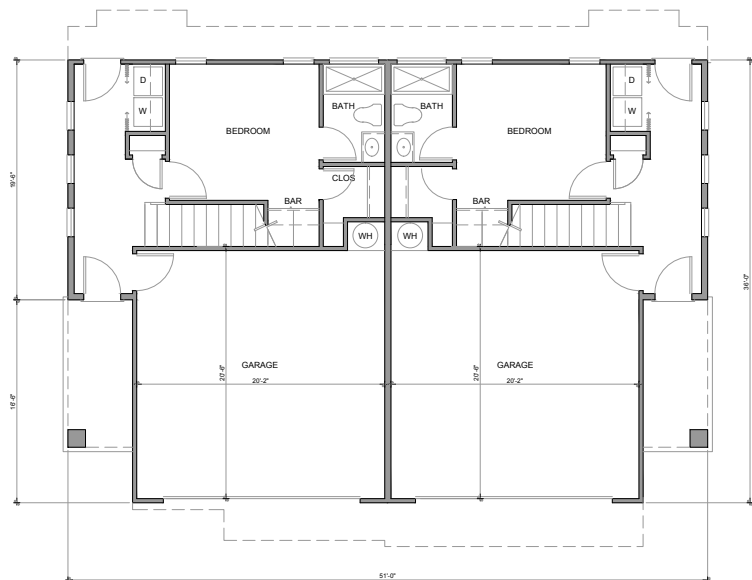


STREET ELEVATION



DATE	REV	BY

DATE	DESCRIPTION	BY

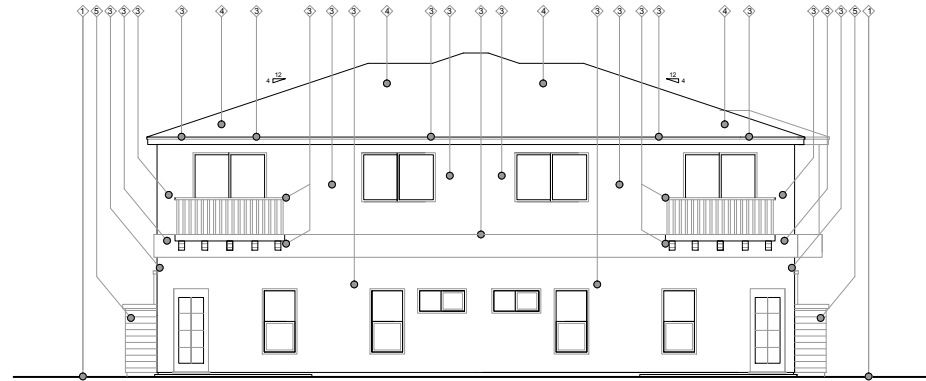


2 BEDROOM OPTION

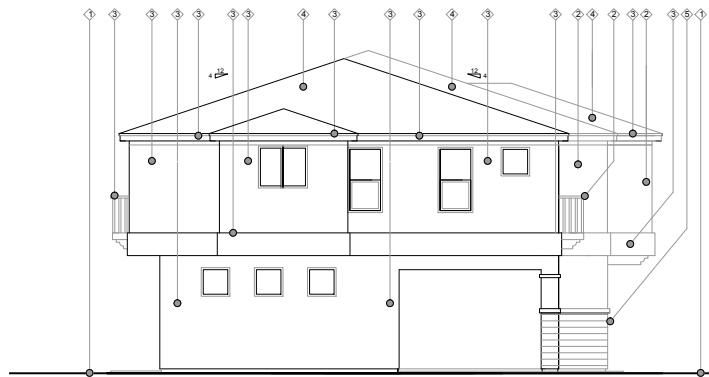
FF LIVING: 416 SF
SF LIVING: 997 SF
TOTAL: 1413 SF

3 BEDROOM OPTION

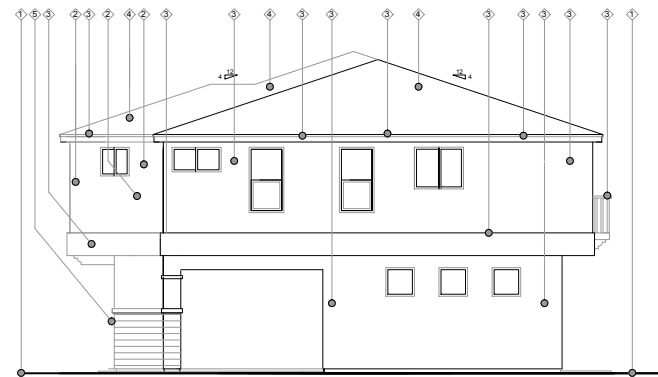
FF LIVING: 416 SF
SF LIVING: 1060 SF
TOTAL: 1476 SF



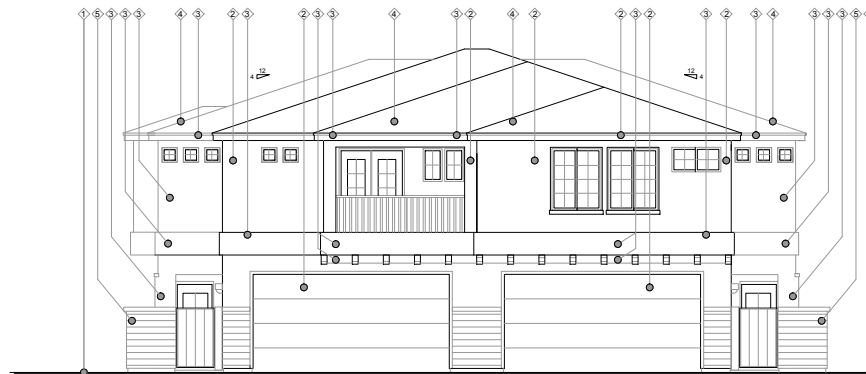
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION

TOP OF RIDGE	133'-10"
TOP PLATE SF	119'-2"
SECOND FF	111'-4"
TOP PLATE FF	108'-4"
FINISHED FLOOR	100'-0"

CLIENT
PORTOFINO, LLC
888 LA GUESTA ROAD
SANTA BARBARA, CA 93107

PROJECT TITLE
PORTOFINO PLACE
TOWNHOMES

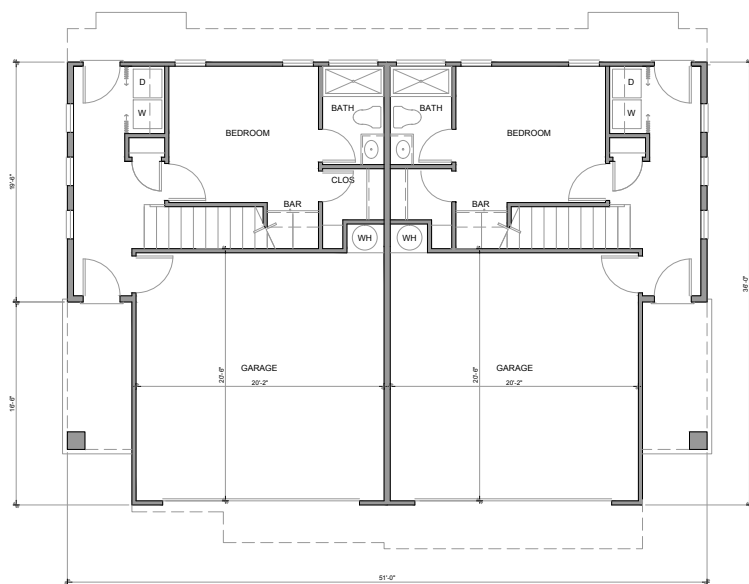
PORTOFINO PL. &
FIFTH STREET
OXNARD, CA

SHEET TITLE:
PLAN B
ELEVATION (L)

DATE	BY	CHK

DRAWN/CHK BY: JGJM
DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:
A 2.8
OF 17 SHEETS



ENTRY FLOOR PLAN

FF LIVING: 416 SF
GARAGE: 433 SF
TOTAL: 849 SF



UPPER FLOOR PLAN

2 BEDROOM OPTION

FF LIVING: 416 SF
SF LIVING: 997 SF
TOTAL: 1413 SF

3 BEDROOM OPTION

FF LIVING: 416 SF
SF LIVING: 1060 SF
TOTAL: 1476 SF

CLIENT:
PORTOFINO, LLC
888 LA GUESTA ROAD
SANTA BARBARA, CA 93107

PROJECT TITLE:
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
FIFTH STREET
OXNARD, CA

SHEET TITLE:
FLOOR PLAN A
RIGHT

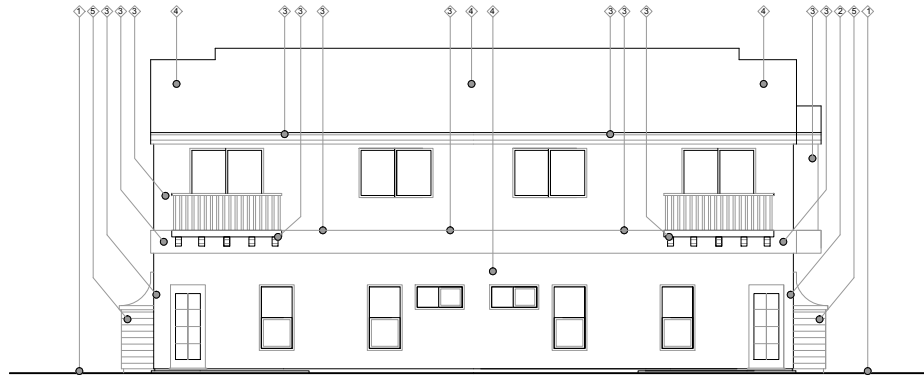
REV	DATE	BY

DRAWN/CHK BY: JCM
DATE: 7/26/2021
JOB NO: 2007.001

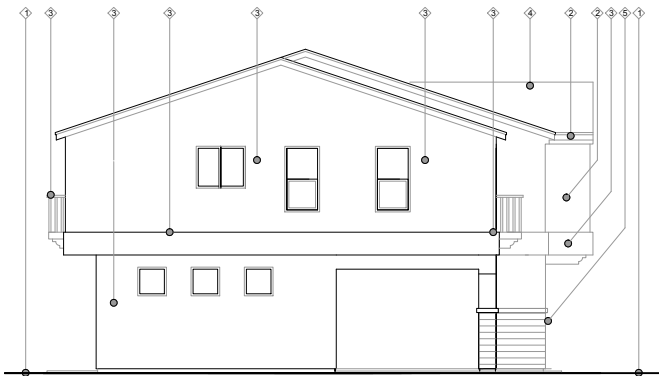
SHEET NUMBER:

A 2.9
OF 17 SHEETS

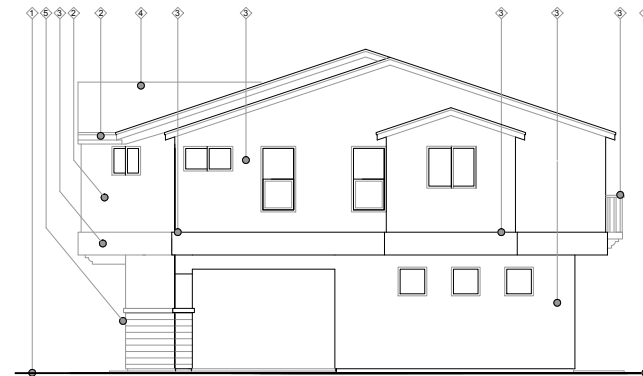
DATE	REV	BY



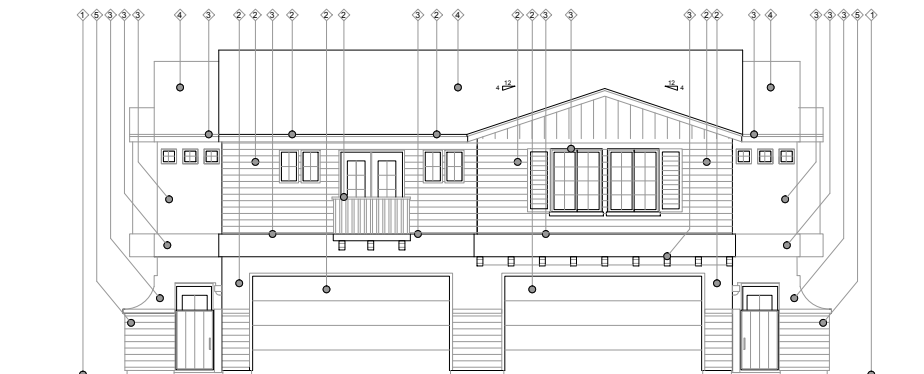
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION

TOP OF RIDGE	130'-4"
TOP PLATE SF	119'-2"
SECOND FF	119'-0"
TOP PLATE FF	118'-1"
FINISHED FLOOR	118'-0"

CLIENT:
PORTOFINO, LLC
1001 LA GULF ROAD
SANTA BARBARA, CA 93117

PROJECT TITLE:
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL &
FIFTH STREET
OXNARD, CA

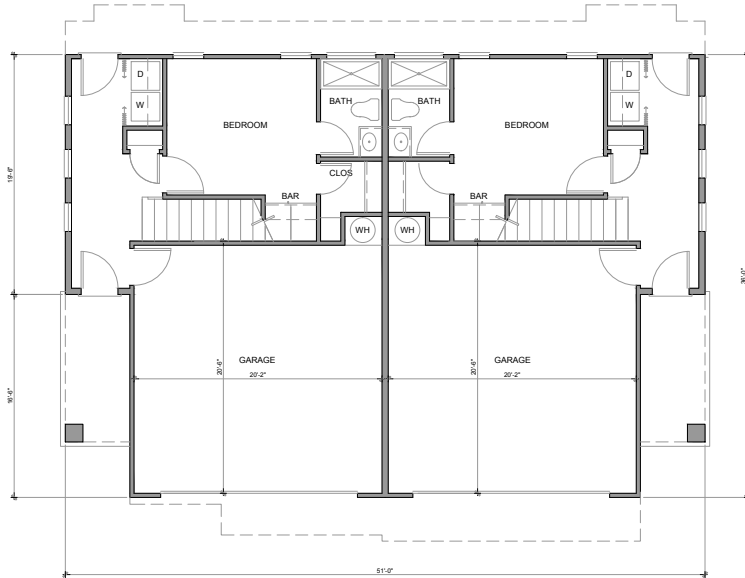
SHEET TITLE:
FLOOR PLAN B
RIGHT

DATE	REVISION	BY

DRAWNCHK BY: JGUM
DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:

A 2.11
OF 17 SHEETS

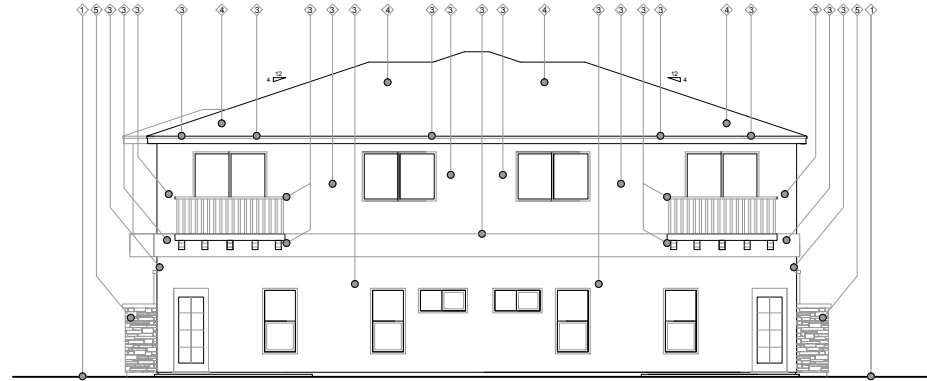


2 BEDROOM OPTION

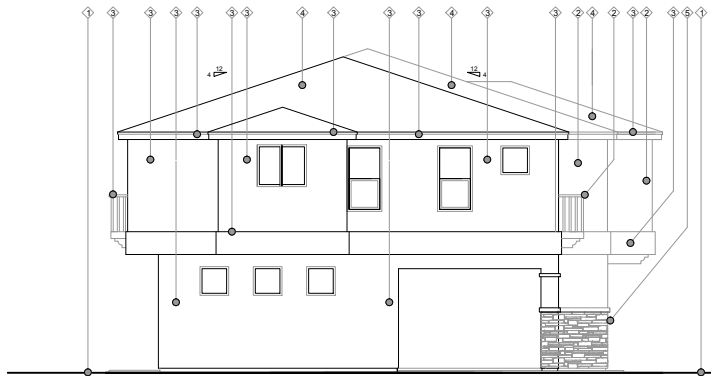
FF LIVING: 416 SF
SF LIVING: 997 SF
TOTAL: 1413 SF

3 BEDROOM OPTION

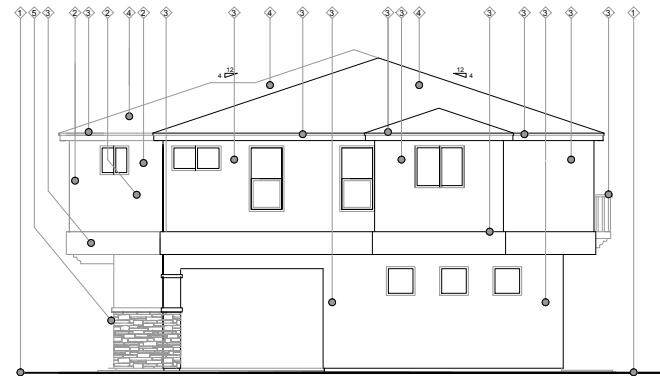
FF LIVING: 416 SF
SF LIVING: 1060 SF
TOTAL: 1476 SF



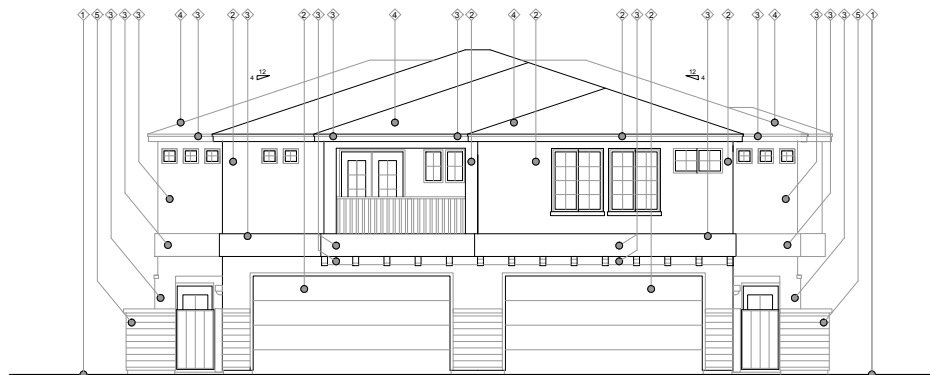
REAR ELEVATION



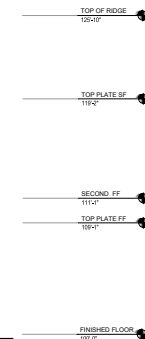
LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION



CLIENT:
PORTOFINO, LLC
6800 LA GLOTTA ROAD
SANTA BARBARA, CA 93117

PROJECT TITLE:
PORTOFINO PLACE
TOWNHOMES

PORTOFINO PL. &
FIFTH STREET
OXNARD, CA

SHEET TITLE:
PLAN B
ELEVATION (R)

NO.	DATE	BY	CHK
1			
2			
3			
4			
5			

DRAWN/CHK BY: JCJM
DATE: 7/26/2021
JOB NO: 2007.001

SHEET NUMBER:

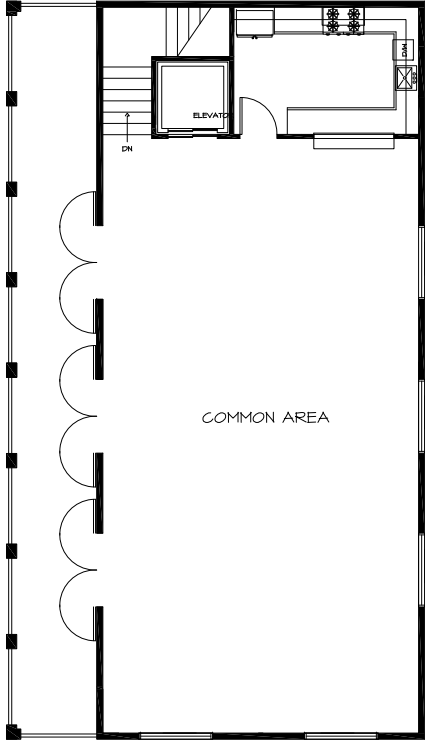
A 2.12

OF 17 SHEETS

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V:\2021 Projects\A21076 - CA, Portofino Place\Design Review\Portofino_Beam.dwg Was Last Modified by Toshihiro Akiyama on August 10, 2021 at 3:54pm

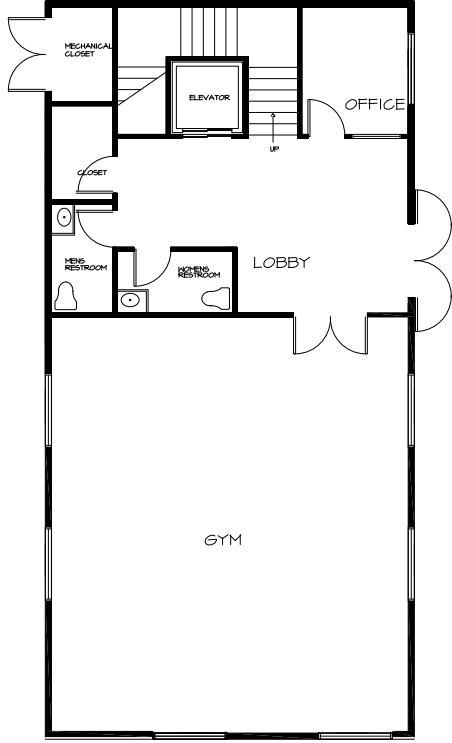
1 FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



2 SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



PROJECT NUMBER
A21076
SHEET NUMBER
A2.13
FLOOR PLAN

NUMBER	REVISION DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		

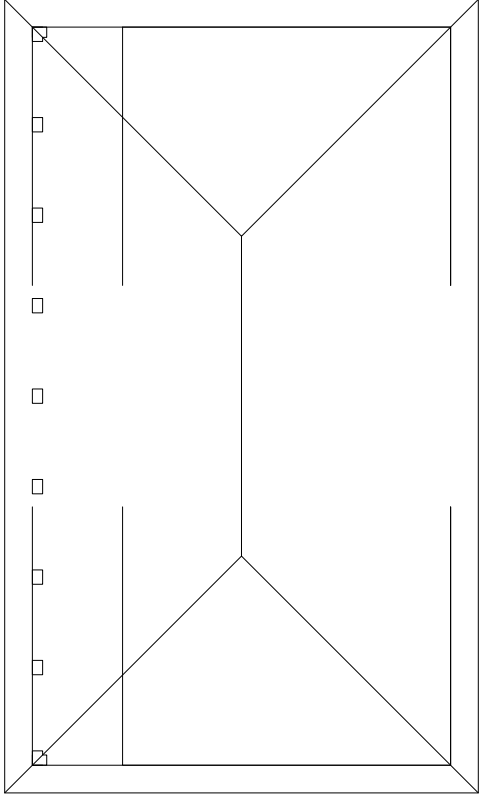
PORTOFINO PLACE
PORTOFINO PLACE & W. 5TH STREET
OXNARD, CA 93030

WESTAR ARCHITECTS
ARCHITECTS AND ENGINEERS
1011 EAST OXNARD STREET, SUITE 200
OXNARD, CA 93030
TEL: 805.461.1111 FAX: 805.461.1112
WWW.WESTARCHITECTS.COM

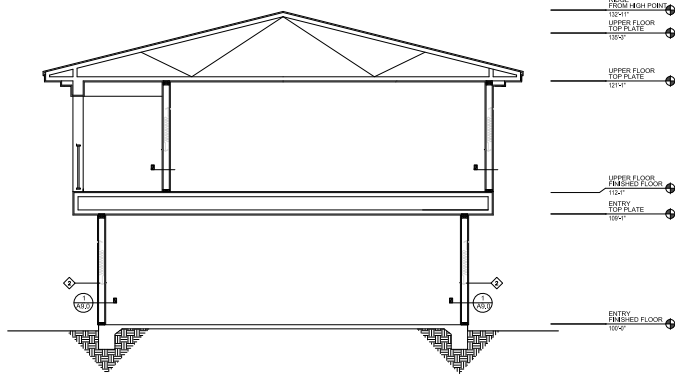
SEA

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V:\2021 Projects\A21076 - CA, Portofino Place\Design Review\Portofino_Building Was Last Modified by Toshihiro Akiyama on August 10, 2021 at 3:54pm

1 ROOF PLAN
SCALE: 1/4" = 1'-0"

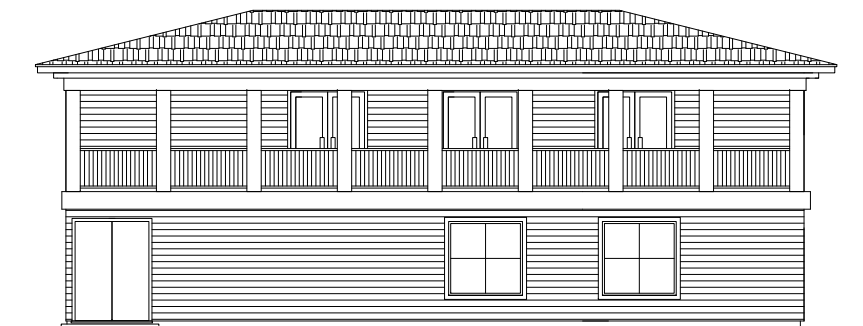


2 BUILDING SECTION
SCALE: 1/4" = 1'-0"



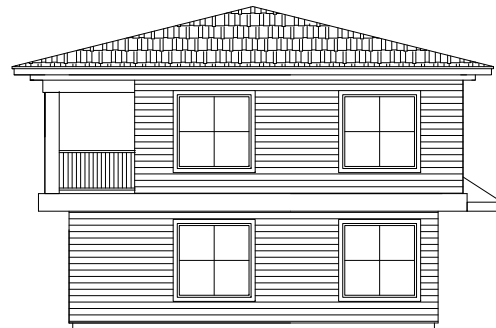
PORTOFINO PLACE PORTOFINO PLACE & W. 5TH STREET OXNARD, CA 93030		WESTAR ARCHITECTS ARCHITECTS AND ENGINEERS 1111 EASTMAN STREET, SUITE 100, OXNARD, CA 93030 (805) 321-1111 www.westararchitects.com	
A2.14 ROOF PLAN AND BUILDING SECTION		PHASE - ENTITLEMENT PACKAGE	
PROJECT NUMBER A21076	DATE 07/26/2021	REVISION DESCRIPTION	DATE
SHEET NUMBER			

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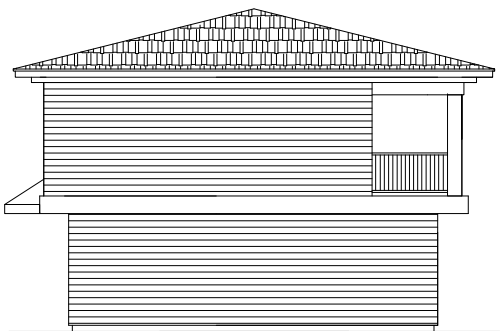
3 EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"



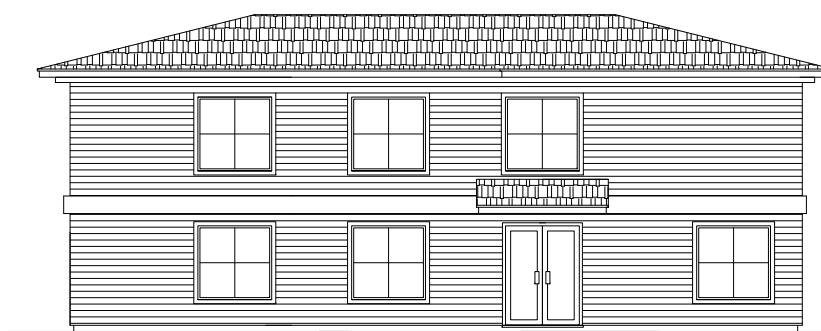
4 EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"



1 EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"



2 EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"

-
- Diagram illustrating the height of a building section, showing the upper floor top plate and the upper floor finished floor.
- Labels and dimensions:
- EDGE FROM HIGH POINT: 35'-0"
 - UPPER FLOOR TOP PLATE: 135'-0"
 - UPPER FLOOR TOP PLATE: 12'-0"
 - UPPER FLOOR FINISHED FLOOR: 10'-0"
 - ENTRY TOP PLATE: 105'-0"
 - ENTRY FINISHED FLOOR: 100'-0"

PROJECT NUMBER		SHEET NUMBER		NUMBER	REVISION DESCRIPTION	DATE
200706CA		200706CA				
DRAWN BY		CHECKED BY		1		
JMI		JMI		2		
ISSUE DATE		07/26/2001		3		
SCALE		AS NOTED		4		
				5		
				6		
				7		

A2.15

ELEVATIONS

PORTOFINO PLACE

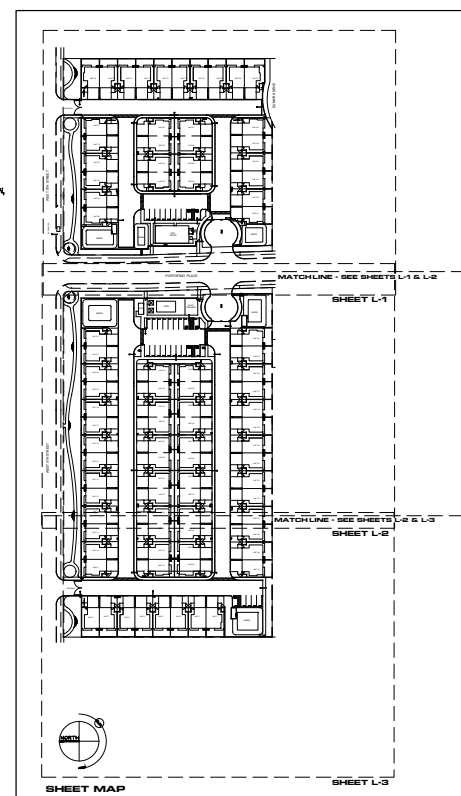
PORTOFINO PLACE & W. 5TH STREET
OXNARD, CA 93030

CONSULTANT



WESTAR ARCHITECTS

PHASE - ENTITLEMENT PACKAGE



SEE SHEET L-3 [THIS SHEET] FOR THE MAWA & ETWU WATER BUDGET CALCULATION IN REGARD TO COMPLIANCE WITH THE CITY'S LANDSCAPE & IRRIGATION ORDINANCE.

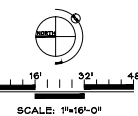
SHEET INDEX	
SHEET	TITLE/CONTENTS
L-1	PLANTING PLAN, SHEET INDEX & MAP
L-2	PLANTING PLAN, PLANT SYM. LEG. & HYDROZONE MAP
L-3	PLANTING PLAN, PLANT IMAGES & MWEL0 REQUIREMENTS.
L-4	TREE TABULATION CHART & PLAN.

NOTE: SEE SHEET L-2 FOR PLANT SYMBOL LEGEND

PLANTING PLAN

GROUND COVERS

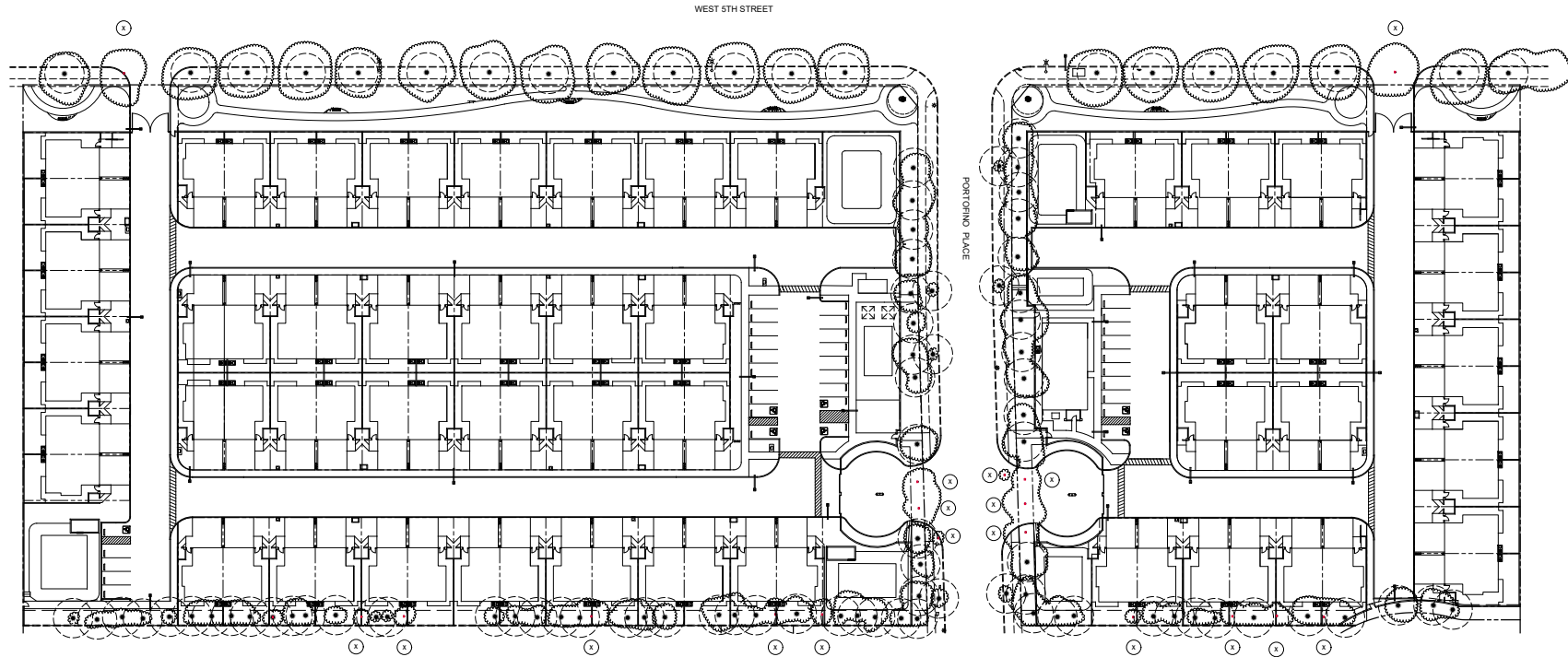
	SHREDDED REDWOOD BARK MULCH, 3" DEEP LAYER WITH PRE-EMERGENT HERBICIDE. (34,123 s.f. LANDSCAPE AREA)
	2" THICK, POROUS DECOMPOSED GRANITE (D.G.) PAVING, WITH WEED BARRIER.
	INSTALL 1/2" POROUS CRUSHED GRANITE GRAVEL, 2" DEEP LAYER WITH WEED BARRIER.

[illegible]

CASEY J. PATTERSON
LANDSCAPE ARCHITECT
 10659 REALITO AVENUE,
 ATASCADERO, CALIFORNIA 93422

TITLE **PLANTING PLAN** PROJECT **PORTOFINO PLACE
3400 BLOCK, WEST FIFTH STREET
OXNARD, CA**

SCALE:
1"=16'-0"
DATE:
8/09/21
JOB NO:
SHEET NO.
L-1
(1 of 4)



TREE TABULATION CHART		
SYMBOL	ITEM	QUANTITY
	EXISTING TREES, SHOWING CANOPY WITH APPROX. TRUNK LOCATIONS	115
	EXISTING TREES TO BE REMOVED, SEE TREE REPLACEMENT CALC. [ON SITE TREES = 15, OFF SITE TREES 3]	18
	EXISTING TREES TO REMAIN, PRESERVE & PROTECT [ON SITE TREES = 71, OFF SITE TREES 26]	97

TREE QUANTITY REQ. CALC.	
ITEM	QUANTITY
REQUIRED REPLACEMENT MITIGATION TREES (ONE FOR ONE, 2" DBH)	25
REQUIRED TREES ALONG PERIMETER PROPERTY LINES (#0 O.C., 3,286 L.F. PROPERTY LINES)	62
REQUIRED TREES ALONG INTERIOR, FRONT PROPERTY LINES OF UNITS (#0 O.C., 2,818 L.F. PROPERTY LINES)	70
TOTAL REQUIRED TREES:	157

EXISTING TREES ON SITE (COUNTS TOWARD REQUIRED TREES)	71
PROPOSED NEW TREES, SEE CONCEPTUAL PLANTING PLANS	103
PROPOSED NEW TREES, PRIVATE YARDS	48
<u>TOTAL EXISTING & PROPOSED TREES:</u>	<u>223</u>

C. Addendum No. 1 to Final MND 2004-11



Portofino Place Project

Addendum to Mitigated Negative Declaration for the 2004 Dunkirk Drive, Tract Number 5640 Project

prepared by

City of Oxnard

Planning Division

214 South C Street

Oxnard, California 93030

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prepared with the assistance of

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November 2021



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Table of Contents

Addendum to the Mitigated Negative Declaration for the 2004 Dunkirk Drive, Tract Number 5640 Project.....	1
1. Introduction.....	1
2. Previous Environmental Review	2
3. Project Description (Modified Project).....	3
4. Other Public Agencies Whose Approval is Required	10
5. Impact Analysis	10
Aesthetics and Urban Design	11
Agricultural Resources	15
Air Quality	17
Biological Resources.....	21
Climate Change and Greenhouse Gas Emissions	23
Cultural Resources	29
Energy	31
Geology and Soils	33
Hazards and Hazardous Materials	35
Hydrology and Water Quality	39
Land Use and Planning.....	43
Mineral Resources.....	45
Noise	47
Population, Education and Housing.....	49
Public Services and Recreation	51
Transportation and Circulation	55
Tribal Cultural Resources	59
Utilities	61
Wildfire.....	63
Cumulative Impacts.....	65
6. Determination.....	67
References	69

Tables

Table 1 Comparison of Permitted and Conditional Permitted Uses by Zoning4

Table 2 Comparison of Development Standards by Zoning.....7

Table 3 Comparison of Construction and Operational Emissions Generation.....19

Table 4 SB 32 Scoping Plan Emissions Sector Targets25

Table 5 SB 32 Locally-Appropriate Project-Specific Threshold26

Table 6 Comparison of Estimated GHG Emissions during Construction26

Table 7 Comparison of Combined Annual GHG Emissions27

Figures

Figure 1 Regional Location8

Figure 2 Modified Project Site9

Appendices

Appendix A Applicable Mitigation Measures from the 2004 MND for the Dunkirk Drive, Tract
Number 5640 Project

Appendix B California Emissions Estimator Model (CalEEMod Version 2020.4.0) Output

Addendum to the Mitigated Negative Declaration for the 2004 Dunkirk Drive, Tract Number 5640 Project

1. Introduction

This document is an Addendum to the Mitigated Negative Declaration (MND) that was prepared and adopted for the Dunkirk Drive, Tract Number 5640 Project in August of 2004.

This Addendum has been prepared in accordance with relevant provisions of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA Guidelines as implemented by the City of Oxnard. According to Section 15164(b) of the State CEQA Guidelines, an addendum to a negative declaration is the appropriate environmental document in instances when “only minor technical changes or additions are necessary or none of the conditions described in Section 15261 calling for the preparation of a subsequent EIR or negative declaration have occurred.” Section 15162(a) of the State CEQA Guidelines states that no subsequent EIR (or negative declaration) shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The changes to the original Dunkirk Drive, Tract Number 5640 Project by the Portofino Place Project (modified project) that are being proposed are minor and would not create potentially significant environmental impacts beyond those already identified in the Dunkirk Drive, Tract Number 5640

Project Mitigated Negative Declaration (2004 MND). Also, the modified project would not substantially increase the magnitude or severity of significant impacts that were previously identified. This Addendum does not require public circulation because it does not provide significant new information that changes the 2004 MND in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the modified project or a feasible way to mitigate or avoid such an effect.

This Addendum includes this introduction, a description of the modified project, and a comparison of the impacts for all environmental issue areas listed in the City of Oxnard CEQA Guidelines.

The City of Oxnard shall consider this Addendum with the 2004 MND prior to making a decision on the modified project. The MND is available for review on the City's website and at the Planning & Environmental Services Division of the City of Oxnard Community Development Department, located at 214 South C Street, Oxnard, California 93030.

2. Previous Environmental Review

In 2004, an MND (No. 04-11) was prepared to evaluate commercial development on a 7.6-acre portion of the project site as well as residential development on an adjacent 10-acre property to the south of the site ("original project"). The 10-acre residential development involved the construction of 41 single family residences and the remaining 7.6-acre development involved the development of three commercial lots along 5th Street. A Tentative Tract Map (Tract No. 5640) was proposed to create the 44 lots (41 residential and 3 commercial) and included the construction of Portofino Place, portions of Dunkirk Drive, and two cul-de-sacs (Riviera Court and Quilan Court). The original project required a General Plan Amendment to change the land use designations for the site at that time from Business Research Park (BRP) to Low Residential (RL) for the 10-acre residential component, and from BRP to General Commercial (CG) for the remaining 7-acre commercial area. A Zone Change from Business and Research Park (BRP) to Single-Family Residential (R-1) and General Commercial (C-2) was also required for the original project. A Special Use Permit was proposed to entitle the proposed RL land use. Potential environmental impacts associated with the project were identified throughout the MND, along with applicable mitigation measures where necessary. There were no Significant and Unavoidable Impacts identified in the 2004 MND. The 2004 MND identified Potentially Significant Impacts, which could be reduced to Less Than Significant Impacts with Mitigation Incorporated, in the areas of air quality, cultural resources, geology and soils, hazards and hazardous materials, and noise. All mitigation measures identified in the 2004 MND that are applicable to the proposed Portofino Place Project are listed in Appendix A of this addendum.

The General Plan Amendment from BRP to RL and the Zone Change from BRP to R-1 were approved for the 10-acre residential component of the original project. The Tentative Tract Map and Special Use Permit for the residential development were also approved. The 41 residential units were completed in 2006 along with all required infrastructure.

Existing 2030 General Plan Land Use Designation

The General Plan Amendment from BRP to CG was not approved for the commercial component of the original project, which encompasses the site of the current modified project. Accordingly, the lots included in the modified project currently have a General Plan land use designation of BRP and are undeveloped.

Existing Zoning

The Zone Change from BRP to C-2 also was not approved for the commercial component of the original project. The lots included in the modified project are currently zoned BRP.

3. Project Description (Modified Project)

The proposed Portofino Place Project (modified project) involves a modification to the 2004 Dunkirk Drive, Tract Number 5640 Project (original project) that would replace the commercial component of the original project with 90 condominium units on the project site. The 7.6-acre site of the proposed condominium units is located at the corner of 5th Street and Portofino Place in the City of Oxnard and includes Assessor Parcel Numbers (APN) 185-0-221-025, 185-0-221-265, and 185-0-223-015. The proposed 90 units would provide 130,005 square feet of living area. The project also includes development of a 3,281 square-foot recreation building as well as entry gates and private roads for circulation within the project site.

The modified project requires a General Plan Amendment to change the existing land use designation from BRP to Low-Medium Residential (RLM), a Zone Change from BRP to Multi-Family Residential (R-2), a Tentative Condominium Map to create two lots and new roads, and a Special Use Permit to entitle the project. The proposed R-2 zoning would provide for an allowable density of one unit per 3,500 square-feet, or a total of 94 units on the project site (4 more than the 90 units proposed).

Table 1 summarizes the differences between the permitted and conditionally permitted uses under the existing and proposed zoning. Table 2 compares the development standards under the existing and proposed zoning.

Table 1 Comparison of Permitted and Conditional Permitted Uses by Zoning

Use Type	Existing Zoning – BRP	Proposed Zoning – R-2
Permitted Uses		
Residential	None	- Multiple-family dwelling units, either in separate buildings or combined in one or more main building - Congregate living health facilities of no more than six beds - Farmworker housing - Large family day care homes - Residential care facilities for the elderly serving no more than six persons - Accessory dwelling units - Single-family dwelling - Conventionally built single-family dwellings of a permanent character - Supportive housing - Short-term rentals
Other	- Administrative, executive, and/or corporate offices which are a part of a predominantly industrial operation, including governmental offices and facilities - Administrative, financial, professional, medical, and general office services - Adult businesses, except adult motels - Adult day care facilities - Agricultural, limited to growing of crops - Aircraft sales - Ambulance base facilities - Auction houses - Book binding - Business furniture, supplies, and equipment sales - Cafeterias accessory to permitted uses for the convenience of persons employed on the premises - Coffee shops, cafes - Computer and business machine sales and service - Corporate training and professional development facilities including ancillary outdoor activities - Distribution, warehousing, and wholesaling - Electronic and computer repair - Employment agencies - Florists	- Accessory buildings, including other uses customarily incidental to a permitted use - Adult day care facilities serving no more than six adults - Babysitting - Childcare centers serving no more than six children - Grounds, private greenhouses and horticultural collections, flower and vegetable gardens and fruit trees, not grown expressly for profit - Off-street parking - Signs - Small residential health or care facilities - Storage, incidental to permitted uses, provided such storage is contained within an accessory building - Traditional bed and breakfast

Use Type	Existing Zoning – BRP	Proposed Zoning – R-2
	▪ Garment manufacturing ▪ General office, including legal, professional, medical, consulting, or similar ▪ Laboratories, research only ▪ Manufacture and assembly of electrical and electronic instruments, devices, and components ▪ Medical product sales ▪ Photographic studios and services ▪ Printing shop, lithographing, photocopying, blueprinting, and publishing ▪ Product assembly plants and production facilities primarily engaged in final or partial assembling of packaging of premanufactured, treated, or fabricated components, materials, or products ▪ Radio or television broadcasting station ▪ Research and development, experimental or developmental laboratories ▪ Research, development, and clinical laboratories and uses including associated incidental and outpatient clinics ▪ Restaurants and delicatessens ▪ Stationery and office supplies ▪ Trade schools, public and private schools and colleges, dance, and performing arts studios	
Conditionally Permitted Uses*		
Residential	▪ None	▪ Condominiums ▪ Congregate living health facilities of more than 15 beds ▪ Convents serving no more than 15 persons ▪ Residential care facilities for the elderly serving no more than 15 persons ▪ Residential stock cooperatives and community apartments ▪ Those related uses listed in the R-1 zone ▪ Senior and/or senior assisted living residential facility

Use Type	Existing Zoning – BRP	Proposed Zoning – R-2
Other	▪ Alcohol sales: on-site, off-site, and wine tasting ▪ Assisted living residential facility ▪ Breweries, microbrew (less than 60,000 barrels) ▪ Breweries, craft (more than 60,000 barrels, less than 2 million barrels) ▪ Children’s day care facility serving more than 15 children ▪ Churches ▪ Commercial and retail uses ▪ Distribution ▪ Manufacturing ▪ Retail ▪ Testing ▪ Commercial recreational and entertainment uses, such as batting cages, gymnasiums, boxing gyms, escape rooms, bowling alleys, skating rinks, and similar recreational uses ▪ Convenience markets and drugstores ▪ Day care facilities accessory to industrial uses ▪ Day care facilities (over 12 children) as a principal use ▪ Drive-through services ▪ Energy generation, distribution, storage, and support facilities, including electrical and gas utilities ▪ Medical: hospitals and medical centers ▪ Motels, hotels, and convention facilities ▪ Public service uses - communications, fire and police, water, and other governmental or public facilities ▪ Specialized commercial retail centers oriented toward major transportation elements such as freeways, expressways, and other major transportation corridors. Specialized commercial uses include promotional, discount, factory outlet, and off-price shopping centers, as well as centers that are tourist-oriented or oriented to other specialized markets. Specialized commercial uses may also include general commercial uses in special or unique settings ▪ Vehicle rental agencies ▪ Vehicle service stations ▪ Wine tasting with or without cafes	▪ Adult day care facilities serving no more than 15 adults ▪ Childcare centers serving no more than 15 children ▪ Emergency shelters for families ▪ Private or parochial schools, except those of a correctional nature or those intended for the mentally retarded or insane ▪ Public or private parks and playgrounds ▪ Public schools, elementary, junior high, high school, colleges
*Allowable with Special Use Permit (SUP) or Development Design Review Permit (DDR), as specified in Section 16-163 of the Oxnard City Code		

Table 2 Comparison of Development Standards by Zoning

Project Characteristics	BRP Development Standards	R-2 Development Standards
Lot Area and Density	20,000 square feet minimum	3,500 square feet minimum per dwelling unit, with no more than six units per building; 7,000 square feet minimum for lots containing more than one unit.
Lot Width	Interior lots – 100 feet minimum Corner lots – 150 feet minimum	50 feet minimum
Front Yard Setback	30 feet; 40 feet when adjacent to designated thoroughfare	25% of the lot depth (not to exceed 60 feet, but not less than 25 feet)
Side Yard Setback	Equal to height of building unless otherwise permitted by a Special Use Permit	10% of the lot width (not to exceed five feet, but not less than three feet)
Rear Yard Setback	20 feet	25% of the lot depth
Height	35 feet; additional height may be allowed with approval of a Special Use Permit	Two stories, not to exceed 25 feet
Lot Coverage*	25%	25%
Parking**	Varies by use type	Varies by use type

* Project site located within traffic pattern zone of the Oxnard Airport, limiting the overall development density to a maximum of 25 percent structural coverage of the site.

** Parking requirements for specific use types are detailed in Section 16-622 of the Oxnard City Code.

Surrounding Land Uses and Setting

The lots included in the modified project lie within the traffic pattern zone of the Oxnard Airport, limiting the overall development density to a maximum of 25 percent structural coverage of the site. The modified project would be consistent with this density restriction. The project site is bounded on the north by multi-tenant industrial uses and a storage facility, Juan Lagunas Soria Elementary School to the east, residential development to the south, and properties zoned General Commercial – Planned Development and currently under development to the west.

Figure 1 shows the regional location of the project site within the City of Oxnard and Figure 2 shows the modified project site location.

Figure 1 Regional Location



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★ Project Location

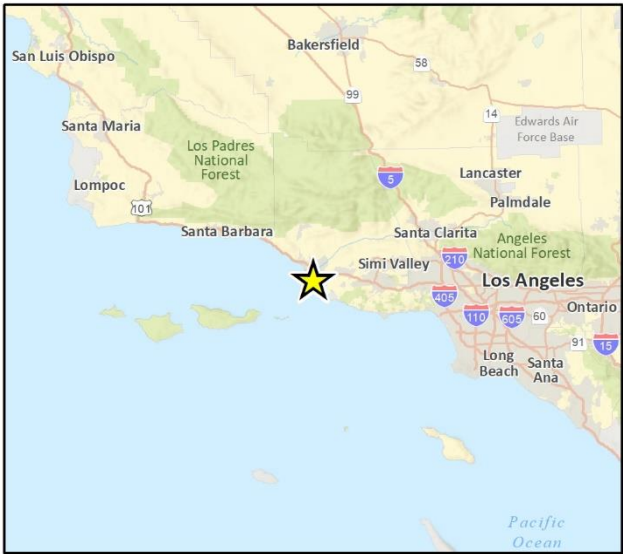


Fig 1 Regional Location

Figure 2 Modified Project Site



4. Other Public Agencies Whose Approval is Required

The modified project would be required to be filed with and undergo review by the Federal Aviation Administration pursuant to the requirements of Mitigation Measure G-2 of the 2004 MND, which is applicable to development of the project site.

5. Impact Analysis

The modified project was reviewed in relation to the 2004 MND and current baseline environmental conditions in this Addendum, which considers all issues on the City's Initial Study (IS) Checklist. The proposed Portofino Place Project would result in generally the same development footprint as what was analyzed in the 2004 MND and would be subject to applicable federal, state, and local regulatory measures. For all issue areas, this Addendum concludes that that modified project would not result in new or substantially more severe impacts than those identified in the 2004 MND. This Addendum also concludes that none of the conditions that trigger the need to prepare a Subsequent Environmental Impact Report or Negative Declaration would occur. The Addendum also expands upon the analysis in the 2004 MND for several issues that have undergone recent legislative or other updates. These include air quality, climate change and greenhouse gas emissions, energy, hazards and hazardous materials, noise, recreation, transportation and circulation, tribal cultural resources, and wildfire.



City of Oxnard CEQA Initial Study Checklist Issue Topics

Aesthetics and Urban Design		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project have a substantial adverse effect on a scenic vista such as an ocean or mountain view from an important view corridor or location as identified in the 2030 General Plan or other City planning documents?	Discussion 1-3, Section A. Aesthetics	No	No	No
2.	Would the modified project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, or route identified as scenic by the County of Ventura or City of Oxnard?	Discussion 1-3, Section A. Aesthetics	No	No	No
3.	Would the modified project substantially degrade the existing visual character or quality of the site or its surroundings such as by creating new development or other physical changes that are visually incompatible with surrounding areas or that conflict with visual resource policies contained in the 2030 General Plan or other City planning documents?	Discussion 1-3, Section A. Aesthetics	No	No	No
4.	Would the modified project add to or compound an existing negative visual character associated with the project site?	Discussion 1-3, Section A. Aesthetics	No	No	No

Aesthetics and Urban Design				
	Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
5. Would the modified project create a source of substantial light or glare that would adversely affect day or nighttime views in the area?	Discussion 4, Section A. Aesthetics	No	No	No

Discussion

The lots comprising the modified project site have a General Plan land use designation of Business Research Park and zoning of Business and Research Park (BRP) and are currently undeveloped. The modified project site is located in an urban area and surrounded by a variety of uses, including industrial facilities, a storage facility, an elementary school, residential development, and properties currently undergoing development for commercial activity. The modified project site is surrounded by existing development, parking areas, and roadways that provide lighting and potential sources of glare on the site.

According to the 2004 MND, development facilitated by the Dunkirk Drive, Tract Number 5640 Project would be consistent with surrounding urban uses and would not result in either impacts to scenic vistas or scenic resources or impacts related to light and glare. However, the changed use under the modified project is analyzed further below to determine the level of impacts to the aesthetics and urban character of the project area in comparison the development of the project site under the Dunkirk Drive, Tract Number 5640 Project.

1-2) The proposed residential development does not constitute the type of urban landscape considered an important aesthetic resource in the City's 2030 General Plan. Therefore, changes to the appearance of the modified project site from surrounding public viewpoints, primarily surrounding roadways, due to the modified project would not result in an adverse effect on a scenic vista. The modified project site is not located within view of any natural scenic resources within the City including beaches, coastline, agricultural areas, and parks. Therefore, development of the modified project site would not have a substantial adverse effect on any identified scenic vistas.

The modified project site is not visible from any designated State Scenic Highways. According to Section 5.3.2 of the Background Report for the 2030 General Plan, 5th Street between Mandalay Beach Road and Revelon Slough, from which the modified project site is visible, is included in the City's designated Scenic Highway/Roadway System. According to 2030 General Plan Goal CD-9.4, View Corridor Preservations, a landscaped buffer corridor of at least 30 feet deep is required along designated scenic corridors and other major transportation corridors. Views of the modified project site from 5th Street are dominated by the existing landscape trees along the perimeter of the site. Views from 5th Street also include partial views of the undeveloped site, which contains ruderal vegetation, as well as partial views of the properties that are developed with urban uses surrounding the site. The modified project would involve two-story condominium units of height similar to existing, adjacent residences and the commercial uses evaluated in the 2004 MND for the project site. No scenic resources that would be blocked or adversely impacted by the modified project are prominently visible on or through the modified project site from 5th Avenue. Therefore,

the modified project would not result in a substantial damage to scenic resources within a state or local scenic route.

In summary, the modified project would not result in new or substantially more severe impacts to scenic vistas or other scenic resources when compared to the commercial uses evaluated in the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project. The 2004 MND does not include any mitigation measures for potential impacts to scenic vistas or scenic resources, and none are required for the modified project.

3-4) The proposed condominium units would be a maximum of two stories and would provide front, rear, and side setbacks, consistent with the underlying commercial zoning for the site. The proposed units would be designed to complement the urban character of surrounding uses. The proposed development would also include parking and landscaping features around the new buildings to enhance the site's visual character and would be subject to the City's design review process to ensure consistency with the City's goals, policies, and design guidelines. The modified project would be visually compatible with the character and quality of the surrounding urban development and consistent with City visual resource policies. Therefore, the modified project would not result in new or substantially more severe impacts to scenic quality or character of the project area when compared to the previously approved BRP uses or commercial uses that were evaluated in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts to scenic quality or character, and none are required for the modified project.

5) New sources of lighting associated with the modified project would include security and street lighting similar to that of the surrounding development and would be required to comply with Section 16-320 of the Oxnard City Code, which specifies on-site lighting requirements that are applicable in all zones of the City. The modified project would also be developed in a location that is surrounded by existing development and not unusually prominent in views from surrounding roadways or other public viewpoints. The modified project would not include any sources of high-intensity lighting. As a standard condition of approval, all proposed lighting would be subject to the City's review and approval process, which includes the preparation of a photometric plan for the modified project. The photometric plan has been prepared in conformance with City standards for the project. Due to the existing ambient light conditions in the surrounding area and compliance with the City's lighting requirements and review processes, the modified project would not create a source of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, the modified project would not result in new or substantially more severe impacts related to light and glare when compared to the previously approved BRP uses or commercial uses evaluated in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts related to light and glare, and none are required for the modified project.

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Agricultural Resources		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	Discussion 1-3, Section B. Agricultural Resources	No	No	No
2.	Would the modified project conflict with existing zoning for agricultural use or an existing Williamson Act contract?	Discussion 1-3, Section B. Agricultural Resources	No	No	No
3.	Would the modified project involve other changes in the existing environment that, due to their location or nature, could result in conversion of off-site farmland to non-agricultural use?	Discussion 1-3, Section B. Agricultural Resources	No	No	No

Discussion

The project site and surrounding area is not used for agricultural purposes. The project site and properties surrounding the site are not zoned for agricultural use and are not included in a Williamson Act Contract. As discussed in the 2004 MND, the City of Oxnard 2020 General Plan designates the modified project site for urban use and the site is within the City's Urban Restriction Boundary.

1-3) Impacts to agricultural resources as a result of development on the modified project site would be the same as impacts of the Dunkirk Drive, Tract Number 5640 Project evaluated in the 2004 MND. The project would not result in any new or substantially more severe impacts to agricultural resources. The 2004 MND does not include any mitigation measures for potential impacts to agricultural resources and none are required for the modified project.

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Air Quality		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project conflict with or obstruct implementation of the Ventura County AQMP?	Discussion 1-4, Section C. Air Quality	No	No	No
2.	Would the modified project violate a federal or state air quality standard or contribute substantially to an existing or projected air quality standard violation?	Discussion 1-4, Section C. Air Quality	No	No	No
3.	Would the modified project result in a cumulatively considerable net increase of any criteria in excess of quantitative thresholds recommended by the VCAPCD)?	Discussion 1-4, Section C. Air Quality	No	No	No
4.	Would the modified project expose sensitive receptors to pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants?	Discussion 1-4, Section C. Air Quality	No	No	No
5.	Would the modified project create objectionable odors affecting a substantial number of people?	Discussion 5, Section C. Air Quality	No	No	No

Discussion

The modified project site is located in the South Central Coast Air Basin (SCCAB), which includes all of Ventura, Santa Barbara, and San Luis Obispo counties. The SCCAB is currently a nonattainment area for both the federal and State standards for ozone and the State standard for PM₁₀.

Project-generated emissions were estimated for the development of the modified project site under the Dunkirk Drive, Tract Number 5640 Project as well as the modified project based on the proposed land use assumptions and vehicle emissions factors using the California Emissions Estimator Model (CalEEMod; Version 2020.4.0). CalEEMod data output is included in Appendix B. The changes to air quality emissions resulting from development of the commercial development in comparison to the proposed condominium project are detailed in the discussions of construction and operational impacts below.

According to the 2004 MND, development facilitated by the Dunkirk Drive, Tract Number 5640 Project would potentially result in short-term impacts to air quality as a result of grading and other project construction activities. The 2004 MND for the Dunkirk Drive, Tract Number 5640 Project did not evaluate the components of the redevelopment project on an individual basis. Accordingly, the changed use and development density under the modified project is analyzed further below to

determine the level of impacts to air quality in comparison the development of the project site under the Dunkirk Drive, Tract Number 5640 Project.

1) According to the Ventura County Air Quality Assessment Guidelines (Ventura County Air Pollution Control District [VCAPCD] 2003), a project must conform to the local general plan and must not result in or contribute to an exceedance of the County's projected population growth forecast in order to be consistent with the AQMP. Based on the California Department of Finance (DOF) 2021 population and housing estimates, the City had a total population of 204,675 people and an average household size of 3.86 persons in January 2021. Based on the average household size, the 90 proposed residential units included in the modified project would accommodate approximately 348 people. This would result in a total population of 205,023 people in the City. VCAPCD's AQMP utilizes regional population and employment forecasts developed by the Southern California Association of Governments (SCAG). SCAG's 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy growth forecast projects a population of 237,300 people in the City in 2040. The total population in the City with implementation of the modified project would not exceed SCAG's most recent growth projections for the City. As such, the growth forecast is also within the population growth parameters considered in the AQMP. Therefore, development of the modified project would not obstruct implementation of the AQMP or attainment of State or federal air quality standards or otherwise result in a new or more severe impact or mitigation measures when compared to the Dunkirk Drive, Tract Number 5640 Project evaluated in the 2004 MND.

2-3)

Construction Emissions

The modified project would generate temporary construction emissions. The primary source of reactive organic gases (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), and sulfur oxides (SO_x) emissions is from internal combustion of construction equipment exhaust and on-road haul-truck trips, while the majority of particulate matter emissions occur as a result of fugitive dust emissions generated during grading and excavation activities. Primary sources of PM₁₀ and PM_{2.5} emissions are clearing activities, excavation and grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed earth surfaces. VCAPCD's Air Quality Assessment Guidelines recommend significance thresholds for projects proposed in Ventura County. Under these guidelines, projects that generate more than 25 pounds per day (lb/day) of ROG or NO_x individually and cumulatively jeopardize attainment of the federal ozone standard and thus have a significant adverse impact on air quality. However, VCAPCD's 25 lbs/day thresholds for ROG and NO_x do not apply to construction emissions because construction emissions are not permanent. Nevertheless, for construction impacts, the VCAPCD recommends imposition of mitigation if emissions of either pollutant exceed 25 lb/day. The VCAPCD requires minimizing fugitive dust through various dust control measures as documented in Rule 55.

Construction emissions were estimated for the original commercial development and the modified project based on the land uses included in each and vehicle emissions factors using CalEEMod (refer to Appendix B). A comparison of the estimated construction and operational emissions are shown in Table 3.

Table 3 Comparison of Construction and Operational Emissions Generation

	Maximum Emissions (lb/day)		VCAPCD Threshold	Threshold Exceeded?
	ROG	NO _x		
Original Commercial Development				
Construction	38.6	33.1	N/A	No
Operations	10.5	8.7	25 lb/day	No
Modified Project				
Construction	67.9	33.1	N/A	No
Operations	5.7	3.2	25 lb/day	No

Source: CalEEMod output, Appendix B

As shown in Table 3, the modified project would result in higher emissions of ROG from construction and lower emissions of ROG and NO_x from project operation than the commercial development included in the original project. Neither the approved nor modified project would result in emissions exceeding VCAPCD thresholds.

As with the commercial development included in the original project, the modified project would be required to implement applicable standard VCAPCD emissions control measures, including construction equipment controls, such as minimizing idle time, maintaining equipment engines, using alternatively fueled equipment, and minimizing the number of pieces of equipment operated simultaneously. Additionally, construction activities would be required to adhere to the VCAPCD Rule 50 for Opacity and Rule 51 for Nuisance. As determined for the original project in the 2004 MND, compliance with the required VCAPCD measures would reduce potential air pollutant emissions associated with construction. The modified project would also be subject to Mitigation Measures C-1 through C-8 from the 2004 MND, which include additional requirements and specifications to further reduce air pollutant emissions from construction activities.

Operational Emissions

Operational emissions associated with the modified project would be generated by both stationary and mobile sources as a result of normal operations of a residential development. Stationary emissions would be generated by the consumption of natural gas for space and water heating equipment. Mobile emissions would be generated by vehicles traveling to and from the modified project site. Project-generated operational emissions were estimated based on the proposed land use assumptions and vehicle emissions factors using CalEEMod. As shown in Table 3, modified project operation would generate up to 5.7 lb/day of ROG and 3.2 lb/day of NO_x. These emissions would not exceed the VCAPCD significance thresholds of 25 lb/day and are lower than operational emissions from the original project. The modified project would not result in new or substantially more severe impacts to air quality when compared to development of the modified project site under the 2004 Dunkirk Drive, Tract Number 5640 Project.

With regard to determining the significance of the modified project's contribution to air quality violations, the VCAPCD neither recommends quantified analyses of cumulative operational emissions nor provides methodologies or threshold of significance to be used to assess cumulative construction or operational impacts. Instead, the VCAPCD recommends that a project's contribution to cumulative impacts should be assessed utilizing the same significance criteria as those for project

specific impacts. Therefore, if implementation of the modified project would generate operational emissions that exceed the VCAPCD-recommended daily thresholds for project-specific impacts, then the modified project would also cause a cumulatively considerable increase in emissions for those pollutants for which SCCAB is in nonattainment. As previously discussed, operational daily emissions associated with the modified project would not exceed VCAPCD significance thresholds and the modified project would not result in cumulatively considerable increase in emissions for which SCCAB is in nonattainment.

In summary, with implementation of Mitigation Measures C-1 through C-8 from the 2004 MND, the modified project would not result in new or substantially more severe impacts to air quality beyond those identified in the 2004 MND.

4) Construction of the modified project would result in temporary emissions of diesel particulate matter (DPM), which consists of exhaust $PM_{2.5}$ and PM_{10} and is a Toxic Air Contaminant (TAC). The modified project would be required to comply with the California Air Resources Board (CARB) Airborne Toxic Control Measures' anti-idling measure, which limits idling to no more than five minutes at any location for diesel-fueled commercial vehicles, as well as the required and applicable Best Available Control Technology and the In-Use Off-Road Diesel Vehicle Regulation to avoid and/or reduce emissions of DPM associated with project construction to the maximum extent possible. Given that the modified project consists of a residential development, it would not include unique sources of substantive TAC emissions identified by the VCAPCD- or CARB-siting recommendations. Therefore, the modified project would not expose sensitive receptors to pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for TACs and would not exacerbate existing environmental conditions associated with DPM emissions at the site from heavily trafficked roadways in the vicinity of the modified project site. The 2004 MND included mitigation for potential impacts to air quality as a result of construction on the project site. However, with implementation of the required CARB DPM control measures, no additional mitigation measures would be required for modified project.

5) Land uses likely to produce objectionable odors include agriculture, chemical plants, composting operations, dairies, fiberglass molding, landfills, refineries, rendering plants, rail yards, and wastewater treatment plants. The modified project would not involve development or operation of any of these types of uses. Potential activities that may emit odors during project construction activities include the use of architectural coatings and solvents and the combustion of diesel fuel in on- and off-road equipment. VCAPCD Rule 74.2 would limit the amount of ROGs in architectural coatings and solvents. In addition, project construction activities would be required comply with the applicable provisions of the CARB Air Toxics Control Measure regarding idling limitations for diesel trucks. Through mandatory compliance with VCAPCD rules and CARB idling limitation, construction activities would not create objectionable odors affecting a substantial number of people. Therefore, the modified project would not result in new or substantially more severe impacts related to odors when compared to the Dunkirk Drive, Tract Number 5640 Project evaluated in the 2004 MND. No mitigation was required in the 2004 MND and none would be required for the modified project.

Biological Resources		Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
	Where Impact Was Analyzed in the 2004 MND			
1. Would the modified project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Discussion 1-6, Section D. Biological Resources	No	No	No
2. Would the modified project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations adopted by the California Department of Wildlife and Wildlife or U.S. Fish and Wildlife Service?	Discussion 1-6, Section D. Biological Resources	No	No	No
3. Would the modified project have a substantial adverse effect on federally protected waters of the U.S. as defined by Section 404 of the federal Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, and coastal wetlands) through direct removal, filling, hydrological interruption, or other means?	Discussion 1-6, Section D. Biological Resources	No	No	No
4. Would the modified project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Discussion 1-6, Section D. Biological Resources	No	No	No

Biological Resources		Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
	Where Impact Was Analyzed in the 2004 MND			
5. Would the modified project conflict with any local policies or ordinances protecting biological resources?	Discussion 1-6, Section D. Biological Resources	No	No	No
6. Would the modified project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Discussion 1-6, Section D. Biological Resources	No	No	No

Discussion

The lots comprising the modified project site are currently undeveloped and located in an urban area of the City of Oxnard. According to the 2004 MND, no known special status plant or animal species, sensitive natural communities, or wildlife corridors are present on or in the immediate vicinity of the project site.

1-6) Biological conditions on the project site have not changed since the analysis of the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. No candidate, sensitive, or special status species are known to inhabit the modified project site. The City of Oxnard 2030 General Plan does not identify environmentally sensitive habitat, wetlands, riparian corridors, or migratory corridors on, or within the vicinity of, the project site. No native plant communities or areas of unique or sensitive habitat identified in local, regional, or state habitat conservation plans are located within the vicinity of the project site. Development on the modified project site would also be subject to the same uniformly applied conditions of approval for the Dunkirk Drive, Tract Number 5640 Project for removal of any trees from the project site, requiring the economic appraisal value of the trees removed be put back into new upgraded tree sizes for the project in addition to meeting the City's minimum tree size of 24" box. Therefore, the project would not result in new or substantially more severe impacts to biological resources than those determined in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts to biological resources and none are required for the modified project.

Climate Change and Greenhouse Gas Emissions	Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1. Would the modified project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No
2. Would the modified project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with the state goal or reducing greenhouse gas emissions in California?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No
3. Would the modified project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No

Discussion

The 2004 MND did not address greenhouse gas (GHG) emissions and climate change, because these checklist questions were not included in Appendix G of the State CEQA Guidelines or the City's IS Checklist at the time the MND analysis was prepared. Therefore, the analysis below determines the level of impacts for the modified project relative to the most current GHG emissions targets and with consideration of the development envisioned for the project site under the original project.

1-3) In response to an increase in man-made GHG concentrations over the past 150 years, California has implemented Assembly Bill (AB) 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the Statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels) and the adoption of regulations to require reporting and verification of statewide GHG emissions. In 2016, the governor signed Senate Bill (Senate Bill) 32 into law, which requires the State to further reduce GHGs to 40 percent below 1990 levels by 2030. SB 32 is an extension of AB 32. The other provisions of AB 32 remain unchanged.

On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 GHG emissions reduction target established by SB 32. To meet reduction targets, the 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, as well as implementation of policies such as SB 350 and SB 1383. SB 350, the Clean Energy and Pollution Reduction Act of 2015, has two objectives: to increase the procurement of electricity from renewable sources from 33 percent to 50 percent by 2030 and to double the energy efficiency savings in electricity and natural gas final end uses of retail

customers through energy efficiency and conservation. Adopted in September 2016, SB 1383 requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants and requires CalRecycle, in consultation with ARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills. The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies.

The 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally-appropriate quantitative thresholds consistent with a statewide per capita goal of six metric tons (MT) CO₂e by 2030 and two MT CO₂e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals are appropriate for plan-level analyses (city, county, subregional, or regional level), but not for specific individual projects because they include all emissions sectors in the State. In the United States, most of the emissions of human-caused GHG emissions come from burning fossil fuels for energy use in transportation and electricity generation (U.S. Energy Information Administration 2017); therefore, per capita GHG emissions reduction goals would be expected to result in corresponding reductions in per capita energy consumption.

A project-specific efficiency threshold can be calculated by dividing statewide GHG emissions by the sum of statewide jobs and residents. However, not all statewide emission sources would be affected by the proposed land use (e.g., agriculture and industrial). Accordingly, consistent with the concerns raised in the Golden Door (2018) and Newhall Ranch (2015) decisions regarding the correlation between state and local conditions, the 2030 statewide inventory target was modified with substantial evidence provided to establish a locally-appropriate, evidence-based, commercial project-specific threshold consistent with the SB 32 target.

To develop this threshold, the local planning area was first evaluated to determine emissions sectors that are present and would be directly affected by potential land-use changes. The Agricultural and Industrial Sector source emissions (i.e., oil, gas, and hydrogen production; refineries; general fuel use; and mining operations) would not be directly affected by the proposed residences; therefore, these sectors were removed from the State 2030 emissions forecast to retain a more conservative locally-appropriate target. Additionally, Cap and Trade emissions reductions occur independent of any local jurisdictional land use decisions and were also excluded from the locally-appropriate target. After removing Agricultural, Industrial, and Cap and Trade emissions, the remaining emissions sectors with sources in the planning area were summed to create a locally-appropriate emissions total for a residential project in Oxnard. This locally-appropriate emissions total is divided by the statewide 2030 service person population to determine a locally-appropriate, project-level threshold of 3.2 MT of CO₂e per service population that is consistent with SB 32 targets, as shown in Table 4 and Table 5.

Table 4 SB 32 Scoping Plan Emissions Sector Targets

GHG Emissions Sector ¹	2030 State Emissions Target (MMT) ¹	Locally Appropriate ²	Project Specific	Major Sources ³
Residential and Commercial	38	Yes	Yes	Natural gas end uses, including space and water heating of buildings
Electric Power	53	Yes	Yes	Electricity uses, including lighting, appliances, machinery and heating
High GWP	11	Yes	Yes	SF ₆ from power stations, HFCs from refrigerants and air conditioning ⁴
Recycling and Waste	8	Yes	Yes	Waste generated by residential, commercial, and other facilities
Transportation	103	Yes	Yes	Passenger, heavy duty, and other vehicle emissions
Industrial	83	No	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations do not occur substantially within the City and would not be allowed under the proposed RRSP amendments ⁵
Agriculture	24	No	No	Enteric fermentation, crop residue burning, and manure management do not occur substantially within the City and would not be allowed under the proposed RRSP amendments
Cap and Trade Reductions	-60	No	No	Reductions from facilities emitting more than 10,000 MT CO ₂ e per year ⁶
Scoping Plan Target (All Sectors)	260	No	No	All emissions sectors
Locally Inapplicable Sector (Industrial)	-83	No	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations ⁵
Locally Inapplicable Sector (Agriculture)	-24	No	No	Enteric fermentation, crop residue burning, and manure management
Locally Inapplicable Sector (Cap and Trade)	60	No	No	Reductions from facilities emitting more than 10,000 MT CO ₂ e per year ⁶
2030 Locally Applicable Emissions Sectors	213	Yes	Yes	Emissions applicable to the local planning area

MMT = million metric tons

¹ All State targets in MMT CO₂e. See the 2017 Climate Change Scoping Plan, page 31 for sector details (CARB 2017).

² Locally-appropriate is defined as having significant emissions in Scoping Plan Categorization categories within the planning area.

³ See CARB GHG Emissions Inventory Scoping Plan Categorization for details, available at: <https://www.arb.ca.gov/cc/inventory/data/data.htm>

⁴ SF₆ is used primarily as an insulator in electrical substations while HFCs can be found in many residential and commercial refrigeration and air conditioning units. HFCs are in the process of being phased out through 2036 in most developed countries.

⁵ The majority of this sector is not applicable to the local planning area, and any potential applicable subsectors cannot be disaggregated due to CARB accounting methods. Therefore, the entire sector has been removed to ensure a more conservative target.

⁶ Cap and Trade is excluded as reductions will occur independent of local project land use decisions and are therefore not locally appropriate.

Table 5 SB 32 Locally-Appropriate Project-Specific Threshold

California 2017 Climate Change Scoping Plan	California 2030 Population (persons) ¹	43,939,250
	California 2030 Employment Projection (persons) ²	23,459,500
	Service Population (persons)	67,398,750
Locally-Appropriate 2030 Project Threshold	2030 Locally-Appropriate Emissions Sectors (MT of CO ₂ e)	213,000,000
	2030 Service Population (persons)	67,398,750
	2030 Service Person Target (MT of CO ₂ e per Service Person)	3.2 ²

¹ California Department of Finance 2018

² Average of employment range projections under implementation scenario. See CARB 2017 Climate Change Scoping Plan Update, page 55 (CARB 2017).

³Total of 3.16 has been rounded up per Scoping Plan general methodology. Lead agencies may determine this threshold as they deem appropriate.

Construction of either the original project or the modified project would generate GHG emissions through the combustion of fossil fuels by heavy-duty construction equipment and through vehicle trips generated by construction workers, vendors, and residents traveling to and from the project site. Based on CalEEMod results, a comparison of the estimated GHG emissions from construction of the original and modified projects are shown in Table 6.

Table 6 Comparison of Estimated GHG Emissions during Construction

	Original Project Emissions (MT of CO ₂ e)	Modified Project Emissions (MT of CO ₂ e)
Construction Period	388.1	409.0
Amortized over 30 years	12.9	13.6

Notes: All emissions modeling was completed using CalEEMod. See Appendix B for modeling results. Some numbers may not sum exactly due to rounding.

New development on the modified project site would generate long-term GHG emissions from new vehicle trips (mobile emissions), combustion of natural gas and use of electricity (energy emissions), solid waste disposal, water use and wastewater generation, and consumer products, architectural coatings, and landscaping equipment (area emissions). Based on the San Diego Association of Governments estimated building area per employee for retail uses of 588 square feet per employee, the original potential 82,764 square foot commercial space would include an estimated 141 employees per day, which represents the assumed service population for the original project. Based on the DOF 2020 population and housing estimates, the City had an average household size of 3.86 persons in January 2021. Using the average household size, the 90 proposed residential units included in the project would accommodate approximately 348 people, which represents the assumed service population for the modified project. Table 7 provides a comparison of the combined construction, operational, and mobile GHG emissions associated with the original project and modified project.

Table 7 Comparison of Combined Annual GHG Emissions

Emission Source	Original Project Emissions (MT of CO₂e)	Modified Project Emissions (MT of CO₂e)
Construction	12.9	13.6
Operational		
Area	< 0.1	1.1
Energy	173.0	165.8
Solid Waste	43.7	30.2
Water	30.0	29.9
Mobile	1,774.6	607.6
Total Emissions	2,034.3	848.2
Service Population	141	348
Emissions per Service Population (MT CO₂e/SP/year)	14.4	2.4
Project-Specific Efficiency Threshold (MT CO ₂ e/SP/year)	3.2	3.2
Exceed Project-Specific Threshold?	Yes	No
See Appendix B for CalEEMod results. Some numbers may not sum exactly due to rounding.		

As shown in Table 7, combined annual GHG emissions from the modified development would be approximately 2.4 MT of CO₂e per service person per year, which would not exceed the locally-appropriate, project-specific threshold of 3.2 MT of CO₂e per service person per year or the estimated GHG emissions of approximately 14.4 MT of CO₂e per service person per year from the original project. Therefore, the modified project would not result in a potentially significant increase in GHG emissions.

In addition, the California Air Pollution Control Officers Association (CAPCOA) suggests making significance determinations on a case-by-case basis when no significance threshold has been formally adopted by a lead agency. This includes evaluating a project's sources of GHG emissions and considering project consistency with applicable emission reduction strategies and goals. The modified project would be consistent with the policies identified in the City's 2030 General Plan for addressing energy issues of climate change mitigation and adaptation, sea level rise, and energy conservation and generation by incorporating implementing features consistent with the latest requirements of the 2019 Building Energy Efficiency Standards. Additionally, the modified project's post-2020 GHG emissions trajectory is expected to follow a declining trend under anticipated future regulatory restrictions, consistent with the State's 2030 and 2050 and the goals of AB 32. The modified project would incorporate energy reduction and water conservation measures, identified in the City's 2030 General Plan, that reduce GHG emissions compared to a conventional project of similar size and scope. Additionally, GHG emissions reductions would be achieved through energy-efficient lighting, installation of low-flow appliances, and water conservation. Therefore, the modified project would not result in new or substantially more severe impacts associated with GHG emissions and conflicts with any applicable GHG reduction plan, policy, or regulation, when compared to those under development anticipated for the project site in the 2004 MND. The 2004

MND does not include any mitigation measures for potential impacts associated with GHG emissions and none are required for the modified project.

Cultural Resources		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?	Discussion 1-4, Section E. Cultural Resources	No	No	No
2.	Would the modified project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5?	Discussion 1-4, Section E. Cultural Resources	No	No	No
3.	Would the modified project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Discussion 1-4, Section E. Cultural Resources	No	No	No
4.	Would the modified project disturb any human remains, including those interred outside of formal cemeteries?	Discussion 1-4, Section E. Cultural Resources	No	No	No

Discussion

The lots comprising the modified project site are currently undeveloped and located in an urban area of the City of Oxnard. According to the 2004 MND, the modified project site is disturbed from previous agricultural activity and no known cultural or historic resources are present on the site.

1-4) Conditions related to historic buildings and structures on the modified project site have not changed since the analysis of the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND because no new historic structures or building have been identified. As determined in the 2004 MND, development of the modified project site could result in adverse effects to previously unidentified archaeological or ethnographic resources because such resources have potential to be encountered. The modified project would not result in additional site disturbance beyond what was evaluated for Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. Nevertheless, the modified project would be required, as applicable, to comply with Mitigation Measures E-1 and E-2 in the 2004 MND, requiring a Phase I cultural resources survey as well as Native American monitoring for subsurface grading, trenching, or construction activities to avoid impacts to cultural resources. As with the original project, implementation of these measures would reduce impacts to a less than significant level. The modified project would not result in any new or substantially more severe impacts to cultural resources than what was evaluated in the 2004 MND, nor would it require new mitigation measures.

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Energy		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the Modified Project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No
2.	Would the Modified Project require additional energy facilities, the provision of which may have a significant effect on the environment?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No
3.	Would the Modified Project be inconsistent with existing energy standards?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No
4.	Would the Modified Project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No

Discussion

Currently, there are no uses on the project site that require energy. The analysis in the 2004 MND predates updates to the State CEQA Guidelines requiring the evaluation of potential impacts related to energy consumption and resources and, therefore, did not address such impacts. Additional analysis is included below to determine the level of potential energy-related impacts and in comparison to the analysis in the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project.

1-4) The California Energy Code provides energy conservation standards for all new commercial buildings constructed in California. The California Energy Code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances. The California Energy Code provides guidance on construction techniques to maximize energy conservation and minimum efficiency standards for a variety of building elements, including appliances, heating and cooling equipment, and insulation for doors, pipes, walls and ceilings.

As with the development of commercial uses under the original Dunkirk Drive, Tract Number 5640 Project, the proposed condominium units would involve the use of energy during construction and operation. Energy use during the construction phase would be primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. Temporary grid power may also be provided to construction trailers or electric construction equipment. Long-term operation of the project would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems.

While operation of the modified project would result in the consumption of natural gas, increasingly efficient building features and automobile engines are expected to offset the project's energy demand. The modified project would also be subject to energy conservation requirements in the California Energy Code (Title 24, Part 6, of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (CALGreen; Title 24, Part 11 of the California Code of Regulations). Adherence to Title 24 requirements would ensure that the modified project is consistent with current energy standards and would not result in wasteful and inefficient use of non-renewable resources due to building operation. Therefore, the modified project would not result in new or substantially more severe potential impacts related to energy demand and use compared to development of the original project. No mitigation was required in the 2004 MND and none would be required for the modified project.

Geology and Soils		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	Discussion 1-4, Section F. Geology and Soils	No	No	No
	a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist or based on other substantial evidence of a known fault?				
	b. Strong seismic groundshaking that cannot be addressed through compliance with standard Code requirements?	Discussion 1-4, Section F. Geology and Soils	No	No	No
2.	Would the modified project be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements?	Discussion 1-4, Section F. Geology and Soils	No	No	No
3.	Would the modified project be located on expansive soil, creating substantial risks to life or property that cannot be addressed through compliance with standard Code requirements?	Discussion 1-4, Section F. Geology and Soils	No	No	No
4.	Would the modified project expose people or structures to inundation by seiche or tsunami?	Discussion 1-4, Section F. Geology and Soils	No	No	No
5.	Would the modified project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?	Discussion 1-4, Section F. Geology and Soils	No	No	No

Discussion

Oxnard is in an area that has a high potential for seismic ground shaking. While there are no known active faults within the City limits, active and potentially active faults are present in the surrounding region and may extend into the subsurface beneath the City. In addition, the City of Oxnard 2030 General Plan Background Report identifies the project site as being located in an area marked by high potential for seismic ground shaking and moderate to low potential for liquefaction. The proposed project is not located near the coastline, creeks, or drainage courses. Therefore, the area is not prone to inundation by seiche or tsunami.

1-5) Geological conditions on the modified project site have not substantially changed since the analysis of the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. The condominium units proposed as part of the modified project would be in the same location as the development evaluated in the 2004 MND. Accordingly, the proposed development would be subject to the conditions of Mitigation Measure F-1 from the 2004 MND requiring a site-specific soils investigation by a licensed geotechnical engineer and incorporation of construction techniques or other measures identified from the geotechnical evaluation to prevent significant liquefaction/ compressible soils impacts. These measures would minimize and/or avoid risks to life and property associated with geologic and soil hazards. The modified project would not rely on dredging or other maintenance activity by another agency that is not guaranteed to continue. Therefore, with implementation of Mitigation Measure F-1 from the 2004 MND, the modified project would not result in new or substantially more severe significant impacts relative to geological and soils conditions. No additional mitigation measures would be required.

Hazards and Hazardous Materials		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Discussion 1-4, Section G. Hazards and Hazardous Materials	No	No	No
2.	Would the modified project create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?	Discussion 1-4, Section G. Hazards and Hazardous Materials	No	No	No
3.	Would the modified project emit hazardous substances or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school in quantities or a manner that would create a substantial hazard?	Discussion 1-4, Section G. Hazards and Hazardous Materials	No	No	No
4.	Would the modified project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a substantial hazard to the public or environment?	Discussion 1-4, Section G. Hazards and Hazardous Materials	No	No	No
5.	Would the modified project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Discussion 7, Section G. Hazards and Hazardous Materials	No	No	No

Discussion

The modified project site is currently vacant, but surrounded by various industrial, commercial, school and residential uses. The evaluation of the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND determined that development on the project site would not result in impacts or would have less than significant impacts related to hazardous materials emissions and handling, and emergency response.

1-4) Rincon Consultants, Inc. performed a Soil Vapor Assessment for the modified project in August 2020 to assess the potential groundwater contamination and identify potential adverse effects from a nearby, former aerospace facility (“Pneumo Abex” or “Abex” facility). A groundwater contamination plume was identified under the modified project site as a result of industrial activities conducted at the Abex facility located approximately 270 feet away from 5th Street and Portofino Place (project site). Facility operations and chemical handling and disposal practices at Abex resulted in contamination of local groundwater with trichloroethene (TCE) and other chlorinated volatile organic compounds (CVOCs). The VOC plume follows the groundwater flow direction southwest from the Abex site and extends under Juan Lagunas Soria School, which is located adjacent to the eastern boundary of the modified project site. Soil remediation at the Abex site began in 1995 and groundwater remediation, which is ongoing, began in 1999.

In 2008, a Soil Vapor Supplemental Site Investigation was conducted at the adjacent school. TCE was not detected in any soil vapor samples, including those from a soil vapor probe at the property line of the school and the project site. All other CVOCs were either below the California Human Health Screen Levels or not detected. The Department of Toxic Substances Control (DTSC) reviewed the 2008 investigation results and issued a no further action letter for the school in 2008. One groundwater sample was collected from the modified project site in 2018 and the TCE level was generally lower than samples collected at the school in 2008. Isoconcentration maps estimating total CVOCs in groundwater were presented in the most recent groundwater monitoring report for the school and show the groundwater CVOc plume extends through the modified project site. Estimates of total CVOcs concentrations based on these maps indicate CVOc levels within acceptable concentrations at the adjacent school.

Sespe Consulting, Inc. conducted a Phase I Environmental Site Assessment (ESA) of the modified project site in May 2020. This ESA included a review of previous groundwater monitoring well data from previous years and concluded that soil vapor testing was not likely to identify substantial concentrations of CVOcs in soil vapor. The highest groundwater plume concentrations of CVOcs have remained near the point of release at the Abex facility location and are not expected to migrate substantially. Based on the findings of investigations and review of data for the area, the Soil Vapor Assessment concludes that that CVOcs in soil vapor at the modified project site are unlikely to pose a risk to human health of construction workers or future occupants.

The proposed residential condominium development would not introduce any new or unique hazards or hazardous materials to the modified project site beyond that associated with commercial development of the site under the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. The modified project would not emit any known hazardous materials during or after construction.

The Oxnard Fire Department responds to hazardous materials incidents in the City. To minimize hazards and assist the business operators and the Fire Department in responding to emergencies involving hazardous materials, the City’s Certified Unified Permitting Agency (CUPA) requires compliance with the City’s hazardous materials regulations. With implementation of uniformly applied development policies that require oversight for on-site hazardous materials as well as compliance with all state and federal regulations governing the use, transport, and disposal of hazardous materials, the modified project would not result in new or substantially more severe significant impacts related to hazards or hazardous materials. The 2004 MND does not include any mitigation measures for potential impacts associated with hazardous materials and none are required for the modified project.

5) As with the Dunkirk Drive, Tract Number 5640 Project evaluated in the 2004 MND, the modified project would be designed to meet City engineering standards and City Fire Department standards to ensure fire apparatus can reach all parts of the site and no issues with emergency access would occur. A Fire Access Plan has been prepared for the modified project, which shows the turning templates around interior private roadways to meet the City of Oxnard turning requirements for roadway intersections. The entries off of Portofino Place provide for a 26-foot roadway access with 20-foot drive aisles entering the project site, passing through the entry gates, and exiting the project to meet the requirements of gated two-way traffic entries. The two emergency access gates and entries on 5th Street would be 26-foot standard road width entries. Continued application of standard safety requirements and ongoing City programs would maintain safe conditions and access to and from the modified project site. Therefore, the modified project would not result in new or substantial more severe impacts related to emergency access when compared to what was analyzed in the 2004 MND. Mitigation was not identified in the 2004 MND and the modified project would not require mitigation.

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Hydrology and Water Quality		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project cause a violation of any adopted water quality standards or waste discharge requirements?	Discussion 1-3,5,6, Section H. Hydrology and Water Quality	No	No	No
2.	Would the modified project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	Discussion 1-3,5,6, Section H. Hydrology and Water Quality	No	No	No
3.	Would the modified project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in on- or off-site flooding or exceed the capacity of existing or planned stormwater drainage systems?	Discussion 1-3,5,6, Section H. Hydrology and Water Quality	No	No	No
4.	Would the modified project place new structures within a 100---year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Discussion 7-10, Section H. Hydrology and Water Quality	No	No	No
5.	Would the modified project impede or redirect flood flows such that it would increase on- or off-site flood potential?	Discussion 7-10, Section H. Hydrology and Water Quality	No	No	No

Hydrology and Water Quality		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
6.	Would the modified project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Discussion 7-10, Section H. Hydrology and Water Quality	No	No	No
7.	Would the modified project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?	Discussion 7-10, Section H. Hydrology and Water Quality	No	No	No

Discussion

The lots comprising the modified project site are currently undeveloped and located in an urban area of the City of Oxnard. The modified project site is located outside of the 100-year flood plain, and is not located near the coastline, creeks, or drainage courses.

1-3) Hydrological conditions in the modified project site vicinity have not substantially changed since the analysis of the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. The modified project does not involve any changes that would result in additional site disturbance beyond what was evaluated for the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. Water quality impacts associated with the modified project would primarily be those associated with motor vehicles and landscape maintenance. The primary source of non-point contaminants would be oil, grease, and particulates emitted by motor vehicles. As applicable, development of the proposed residential development would be required to comply with National Pollutant Discharge Elimination System (NPDES) Permit issued by the Regional Water Quality Control Board as well as the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) to reduce potential development impacts to water quality. Furthermore, compliance with existing local, state, and federal regulations for the use of hazardous materials would minimize potential impacts to water quality as a result of the project.

A Drainage Report, Storm Drainage Study, Detention Pond Sizing and Water Quality Design report (Drainage Report) was prepared by Peabody Engineering in July 2021 for the modified project. According to the Drainage Report, there are two existing drainage stubs to the project at Riviera Court and Portofino Place that would be used to collect the drainage from the modified project along with a new drainage stub that would be installed in Portofino Place. The project also would have a piped drainage system in the private roadways that would collect drainage from curb and gutter drain inlets and convey the drainage to the four detention and two retention basins proposed on site. The proposed drainage features are designed to meet the hydrologic requirements of the City of Oxnard, peak flows requirements, and Ventura County standards for detention and water quality treatment. These features would also ensure that the project outflow does not exceed the existing capacity of the City drainage system that the project would be connected to.

The modified project would not result in new or substantially more severe significant impacts related to hydrology and water quality. The 2004 MND does not include any mitigation measures for potential impacts to hydrology and water quality, and none are required for the modified project.

4-7) The modified project site is located outside of the 100-year flood plain. Additionally, the project site is not located near the coastline, creeks, or drainage courses. Therefore, the modified project site not located in an area that is prone to risks associated with the 100-year floodplain or inundation by seiche, tsunami, or mudflow. As such, the modified project would not result in new or substantially more severe significant impacts associated with risks of flooding or inundation and no mitigation is required. The 2004 MND does not include any mitigation measures for potential impacts associated with risks of flooding or inundation, and none are required for the modified project.

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Land Use and Planning	Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1. Would the modified project conflict with an applicable land use plan, policy or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect?	Discussion 2, Section I. Land Use and Planning	No	No	No
2. Would the modified project involve land uses that are not allowed under any applicable airport land use compatibility plan?	Discussion 5-6, Section G. Hazards and Hazardous Materials	No	No	No
3. Would the modified project conflict with an applicable habitat conservation plan or natural community conservation plan?	Discussion 1,3, Section I. Land Use and Planning	No	No	No
4. Would the modified project physically divide an established community?	Discussion 1,3, Section I. Land Use and Planning	No	No	No

Discussion

The lots included in the modified project have a General Plan land use designation and zoning of BRP and are undeveloped. The General Plan land use and zoning of BRP have not been subject to a General Plan Amendment or Zone Change since the analysis of the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. The three lots included in the modified project lie within the traffic pattern zone of the Oxnard Airport, limiting the overall development density to a maximum of 25 percent structural coverage of the site.

1-4) The modified project requires a General Plan Amendment to change the existing land use designation from BRP to Low-Medium Residential (RLM), a Zone Change from BRP to Multi-Family Residential (R-2), a Tentative Tract Map to create 45 parcels and new roads, and a Special Use Permit to entitle the project. The proposed R-2 zoning would provide for an allowable density of one unit per 3,500 square-feet, or a total of 94 units on the project site (4 more than the 90 units proposed). The modified project does not include any proposed changes to the General Plan Land Use, Zoning or other modifications that that would result in development that would divide an established community or conflict with a habitat conservation plan or natural community conservation plan.

As detailed in the 2004 MND, the modified project site is located in the Oxnard Airport Sphere of Influence, which limits the structural coverage to 25 percent. The proposed condominium development would not exceed the 25 percent allowable site coverage. Additionally, the modified

project would be required to implement Mitigation Measure G-2 from the 2004 MND to avoid conflicts with airport compatibility requirements by undergoing review by the Federal Aviation Administration. Mitigation Measure G-1, which stipulated buffer requirements for residential development upon the previously proposed widening of 5th Street, is no longer warranted because the City no longer has plans to widen 5th Street. Additionally, the City's adopted Capital Improvement Plan (2021-2026) does not identify any proposals to widen 5th Street or any segment of road near the project vicinity. For these reasons, Mitigation Measure G-1 from the 2004 MND does not apply to the modified project. The modified project would also be required to comply with all zoning, land use, and development regulations applicable to the project site. With implementation of Mitigation Measure and G-2 from the 2004 MND and compliance with applicable regulations, the modified project would not result in new or substantially more severe significant impacts associated with applicable land use, habitat conservation, or natural community conservation plans, or dividing an established community. No additional mitigation measures would be required for modified project.

Mineral Resources		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project result in the loss of availability of a known mineral resource of value to the region or state?	Discussion 1,2. Section J. Mineral Resources	No	No	No
2.	Would the modified project result in the loss of availability of a locally important mineral resource recovery site delineated in the 2030 General Plan, specific plan or other land use plan?	Discussion 1,2. Section K. Mineral Resources	No	No	No

Discussion

The City of Oxnard has mineral/sand/gravel deposits primarily along the Santa Clara River Channel, along the United State Highway 101 freeway corridor, and along the eastern edge of the City extending west of Oxnard Boulevard. The modified project site does not currently provide mineral resources of value to the region nor serve as a mineral resource recovery site.

1-2) As discussed in the 2004 MND, the modified project site is located in an area with soils designated as MRZ-1 and MRZ-4. Neither of these designations indicate the presence of prime mineral resources. Therefore, development of the project in the same location as the original 2004 commercial project would not result in a new or substantially more severe impacts to mineral resources. The 2004 MND does not include any mitigation measures for potential impacts to mineral resources, and none are required for the modified project.

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Noise		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project generate or expose persons to noise levels in excess of standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?	Discussion 1-4,6, Section K. Noise	No	No	No
2.	Would the modified project generate or expose persons to excessive groundborne vibration or groundborne noise levels?	Discussion 1-4,6, Section K. Noise	No	No	No
3.	Would the modified project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?	Discussion 1-4,6, Section K. Noise	No	No	No
4.	Would the modified project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?	Discussion 1-4,6, Section K. Noise	No	No	No
5.	For a project located within the airport land use plan for Oxnard Airport or within two miles of Naval Base, Ventura County at Point Mugu, would the modified project expose people residing or working in the project area to excessive noise levels?	Discussion 5, Section K. Noise	No	No	No
6.	Would the modified project expose non-human species to excessive noise?	Discussion 1-4,6, Section K. Noise	No	No	No

Discussion

The modified project site is currently undeveloped and, thus, there are no current operations on the project site that produce noise in the project vicinity. The existing noise environment in the vicinity of the modified project site is characterized by urban noise sources including, commuter traffic, domestic noises, and office and light industrial operations. The 41 residential units included in the 2004 Dunkirk Drive, Tract Number 5640 Project, adjacent to the southern boundary of the modified project site were completed in 2006 along with all required infrastructure. These units have not

resulted in substantial changes to noise environment on or surrounding the project site since the evaluation of the Dunkirk Drive, Tract Number 5640 Project in the 2004 MND.

1-4) As with development of the project site under the 2004 Dunkirk Drive, Tract Number 5640 Project, development on the modified project site could expose existing uses to temporary construction noise. It is anticipated that construction of the proposed condominium units would generate noise levels similar to those generated by construction of the previously evaluated commercial development. Additionally, development on the project site would be subject to City Code limitations on construction hours of operation in order to avoid disturbance of sensitive receptors.

New sources of long-term noise generated by the residences associated with the modified project would include traffic and domestic noise similar to that of existing development on and surrounding the project site. However, the proposed residences would generate less operational noise and traffic than commercial uses proposed for development on the project site under the 2004 Dunkirk Drive, Tract Number 5640 Project.

The modified project would introduce a new noise-sensitive land use to the project site. However, the proposed condominium units would be set back from the major roadways in the vicinity of the project site, with intervening vegetation and landscaping reducing traffic noise experienced at the residences. The condominium units also would be required to be constructed to include sufficient noise attenuation to maintain interior noise levels to City standards for residential uses. This would typically require the use of such features as double-paned windows on all windows that are exposed to traffic noise, glazing area limitations, solid-core doors, and walls insulated in conformance with California Title 24 requirements. Therefore, the modified project would not result in a new or substantially more severe noise impact when compared to the development of the modified project site under the Dunkirk Drive, Tract Number 5640 Project. No mitigation was required in the 2004 MND and none would be required for the modified project.

5) The modified project site is located approximately 550 feet south of the Oxnard Airport. The project site is located outside of the 65 dBA CNEL airport noise contour, but within the helicopter overflight area. Fly-over events are too infrequent to influence the 24-hour weighted CNEL noise contours, resulting in general project compatibility with City General Plan noise criteria. However, future on-site residents could be exposed to intermittent increases in noise levels that could result in temporary nuisance. As a result, the modified project would be subject to Mitigation Measure K-1 from the 2004 MND, which requires notification of future homeowners of the nearby airport operations and potential nuisances. With implementation of Mitigation Measure K-1, the modified project would not result in new or substantially more severe impacts associated with airport noise and no additional mitigation measures would be required.

Population, Education and Housing		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project involve a General Plan amendment that could result in an increase in population over that projected in the 2030 General Plan that may result in one or more significant physical environmental effects?	Discussion 1-3, Section L. Population and Housing	No	No	No
2.	Would the modified project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?	Discussion 1-3, Section L. Population and Housing	No	No	No
3.	Would the modified project result in a substantial (15 single-family or 25 multi-family dwelling units – about one-half block) net loss of housing units through demolition, conversion, or other means that may necessitate the development of replacement housing?	Discussion 1-3, Section L. Population and Housing	No	No	No
4.	Would the modified project result in a net loss of existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means that may necessitate the development of replacement housing?	Discussion 1-3, Section L. Population and Housing	No	No	No
5.	Would the modified project cause an increase in enrollment at local public schools that would exceed capacity and necessitate the construction of new or expanded facilities?	Discussion 3, Section M. Public Services	No	No	No
6.	Would the modified project directly or indirect interfere with the operation of an existing or planned school?	Discussion 3, Section M. Public Services	No	No	No

Discussion

The modified project site is currently undeveloped and, thus, no uses exist on the project site that affect housing, population, or education in the project vicinity.

1-2) The modified project involves the development of residential condominium units in place of the commercial development evaluated as part of the Dunkirk Drive, Tract Number 5640 Project. Based on the DOF 2021 population and housing estimates, the City had a total population of 204,675 people and an average household size of 3.86 persons in January 2021. Using the average household size, the 90 proposed residential units included in the project would accommodate approximately 348 people. This would result in a total population of 205,023 people in the City upon project implementation. SCAG's 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy growth forecast projects a population of 237,300 people in the City in 2040. The total population in the City with implementation of the modified project would not exceed SCAG's most recent growth projections for the City. Therefore, the modified project would not result in new or substantially more severe impacts than the Dunkirk Drive, Tract Number 5640 Project from population growth. The 2004 MND does not include any mitigation measures for potential impacts related to population growth, and no such measures are required for the modified project.

3-4) The modified project would result in the development of 90 residential units in place of the commercial development evaluated as part of the Dunkirk Drive, Tract Number 5640 Project. The modified project would add to the City's housing stock, and extend existing residential development in the project area. Therefore, the modified project would not result in new or substantially more severe impacts than the Dunkirk Drive, Tract Number 5640 Project related to a substantial loss of housing. No mitigation was required in the 2004 MND and none would be required for the modified project.

5-6) The 2004 MND for the Dunkirk Drive, Tract Number 5640 Project noted that development on the project site would be served by the Oxnard Elementary School District and Oxnard Union High School District, and development on the site would be required to pay school fees to offset impacts to schools in the district. While the proposed condominium units would increase the population in the City and, therefore, increase demand on public schools, the applicant would be required to pay applicable school impact fees. Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998) states that payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, with the payment of school impact fees, the modified project would not result in new or substantially more severe significant impacts to schools beyond what was identified in the 2004 MND. No additional mitigation is required.

Public Services and Recreation		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project increase demand for fire protection service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	Discussion 1, Section M. Public Services	No	No	No
2.	Would the modified project increase demand for law enforcement service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	Discussion 2, Section M. Public Services	No	No	No
3.	Would the modified project increase the use of existing park facilities such that substantial physical deterioration of the facilities would occur or be accelerated or that new or expanded park facilities would be needed to maintain acceptable service levels?	Discussion 4, Section M. Public Services Discussion 1-2, Section N. Recreation	No	No	No
4.	Would the modified project increase the need for or use of existing library or other community facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	Discussion 5, Section M. Public Services	No	No	No

Discussion

The modified project site is currently undeveloped and, thus, no uses exist on the project site that affect public services and recreation in the area.

1) The modified project site is under the jurisdiction of the Oxnard Fire Department (OFD). The OFD fire station nearest to the modified project site is Station 1, located approximately 1.25 mile east of the site at 491 South K Street. Due to development limitations on the development density of residential uses on the modified project site as a result of the nearby Oxnard Airport, the modified project would not result in major increases in demand for OFD services when compared to the commercial development of the site under the Dunkirk Drive, Tract Number 5640 Project. The

change in demand would not be substantially different than that required for development under the original project nor would it affect the provision of fire protection given the location of the modified project site in an urbanized area of the City and within the current OFD service area. The proposed condominium development would also be required to meet all fire and building code provisions to the satisfaction of the OFD. The change in demand for OFD services would not result in the need for new or expanded facilities to maintain acceptable service levels, the construction of which may have significant environmental effects. Therefore, the modified project would not result in new or substantially more severe impacts to fire protection services or facilities beyond what was identified in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts to fire protection facilities and services, and no such measures are required for the modified project.

2) The modified project site is under the jurisdiction of the Oxnard Police Department (OPD) for law enforcement protection services. OPD operates from its police station located at 251 South C Street, approximately 1.8 miles northeast of the project site. The City is divided into four police districts, each of which is further divided into smaller response beats. The modified project site is located in Beat 21, which is part of the West District.

Due to development limitations on the development density of residential uses on the modified project site as a result of the nearby Oxnard Airport, the modified project would not result in major increases in demand for OPD services when compared to the commercial development of the site under the Dunkirk Drive, Tract Number 5640 Project. The change in demand would not be substantially different than that required for commercial development under the original project nor would it affect the provision of police protection given the location of the modified project site in an urbanized area of the City that is within the current OPD service area. Additionally, the residential condominium development would incorporate various security features, such as fencing, and street lighting, to minimize trespassing and other crime that could place an additional demand on OPD. The change in demand for OPD services would not result in the need for new or expanded facilities to maintain acceptable service levels, the construction of which may have significant environmental effects. Therefore, the modified project would not result in new or substantially more severe significant impacts to police protection services or facilities beyond what was identified in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts to police protection facilities and services, and no such measures are required for the modified project.

3-4) According to Section 4.5.1 of the Background Report for the 2030 General Plan, the City of Oxnard operates 50 existing park facilities located in the City Planning Area. In total, the City Planning Area contains approximately 828 acres of parkland, including a 362-acre public golf course. The nearest parks to the project site include Dunkirk Park, approximately 950 feet to the east of the site, and Seaview Park, approximately 900 feet to south of the site. The modified project does not involve any additional public recreational uses or permanent alterations of existing recreational or library facilities. The project would provide a 3,281 square-foot recreation building, pool, playground, and open space for use by residents of the new condominium units. The proposed condominium units would increase the population in the City, which may increase demand on nearby parks as well as City library facilities when compared to the commercial development of the site under the Dunkirk Drive, Tract Number 5640 Project. In accordance with the City's 2030 General Plan, the project applicant would be required to pay applicable developer fees to finance public facilities needed to offset any additional demand on parks and recreational facilities and library facilities. These developer fees would be assessed and determined by the City's Community Development Department through the plan check and permitting process prior to the issuance of

building permits. As such, the modified project would not result in an increased use of recreational or library facilities that would induce physical deterioration or require construction with a potential adverse effect on the environment when compared to what was analyzed in the 2004 MND. Therefore, the modified project would not result in new or substantially more severe impacts to parks or recreational facilities, or library facilities. No mitigation was required in the 2004 MND and none would be required for the modified project.

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Transportation and Circulation		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections) based on adopted City of Oxnard level of service (LOS) standards?	Discussion 1-3, Section O. Transportation/Traffic	No	No	No
2.	Would the modified project exceed, either individually or cumulatively, and LOS standard established by the Ventura County Congestion Management Program (CMP) for designated roads or highways?	Discussion 1-3, Section O. Transportation/Traffic	No	No	No
3.	Would the modified project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Discussion 1-3, Section O. Transportation/Traffic	No	No	No
4.	Would the modified project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Discussion 4-5, Section O. Transportation/Traffic	No	No	No

Transportation and Circulation		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
5.	Would the modified project result in inadequate emergency access?	Discussion 4-5, Section O. Transportation/Traffic	No	No	No
6.	Would the modified project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	Discussion 7, Section O. Transportation/Traffic	No	No	No

Discussion

The project site does not currently contain any uses or operations affecting the transportation and circulation system in the area.

1-2) According to the 2004 MND, development facilitated by the Dunkirk Drive, Tract Number 5640 Project would not result in deficiencies in the local circulation system. The evaluation in the 2004 MND determined that the development of residential development included in the Dunkirk Drive, Tract Number 5640 Project would result in a net increase in 456 trips per day. The evaluation in the 2004 MDN did not evaluate an increase in vehicle trips as a result of the development of commercial uses on the modified project site.

Since adoption of the 2004 MND the CEQA statute and guidelines have been revised to require evaluation of impacts on the local transportation and circulation system on the basis of VMT. Accordingly, the project's proposed change in land use within a portion of the 2004 Dunkirk Drive, Tract Number 5640 Project site is analyzed further below, incorporating the VMT estimates for the proposed project to determine the level of impacts to transportation and circulation in comparison the development of the modified project site under the Dunkirk Drive, Tract Number 5640 Project.

Per SB 743, the State CEQA Guidelines have been updated to incorporate vehicle miles traveled (VMT) as the primary metric for analyzing transportation impacts under CEQA. This update occurred after preparation of the 2004 MND so VMT is not specifically addressed in the prior analysis. However, because the Office of Planning and Research (OPR) has imposed a July 1, 2020 deadline for lead agencies to switch to use of the VMT metric, consideration of VMT is appropriate. The July 1, 2020 switch furthers the State's commitment to the goals of SB 375, AB 32, and AB 1358. Senate Bill 743 adds Chapter 2.7, Modernization of Transportation Analysis for Transit-Oriented Infill Projects, to Division 13 (Section 21099) of the Public Resources Code. Key provisions of SB 743 include reforming CEQA analysis for aesthetics and parking for urban infill projects and replacing the measurement of automobile delay with VMT as a metric that can be used for measuring environmental impacts. Under SB 743, the focus of the environmental impacts of transportation shift from driver delay to reduction of GHG emissions, creation of multimodal networks, and

promotion of a mix of land uses, and LOS standards become local policy thresholds as adopted among individual agencies.

The City of Oxnard has not adopted any specific significance thresholds related to VMT. OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) provides guidance on analyzing VMT impacts in light of SB 743. According to the Technical Advisory, a 15 percent lower per capita VMT than existing development is both generally achievable and is supported by evidence that connects this level of reduction to the state's emissions goals. As a result, this 15 percent per capita reduction target is recommended in the Technical Advisory as the threshold for VMT impacts. If the per capita VMT for a project would not be reduced compared to the City's VMT per capita by a factor of 15 percent, then VMT impacts would be considered significant. Furthermore, for a project that replaces existing VMT-generating land uses, the Technical Advisory states that the project would lead to a less-than-significant transportation impact if the replacement land use leads to a net overall decrease in VMT.

The total VMT associated with commercial development under the original project as well as the residential development under the modified project was estimated using CalEEMod. Based on the CalEEMod analysis (see Appendix B), the commercial development under the original project would result in annual VMT of 5,172,230. The modified project would result in annual VMT of 1,812,497, or an average daily VMT of 4,966 (annual VMT divided by 365 days per year). Therefore, the modified project would result in a net overall decrease in VMT than development of the project site under the Dunkirk Drive, Tract Number 5640 Project, resulting in a less than significant transportation impact.

Based on the DOF 2020 average household size of 3.86 persons, the 90 proposed residential units included in the project would accommodate approximately 348 people. Accordingly, the modified project would result in 4,105 miles per person per year or about 11.2 miles per person per day. This suggests an average commute distance of 5.6 miles (11.2/2). By comparison, the Southern California Association of Governments' 2016 Regional Transportation Plan/Sustainable Communities Strategy (SCAG's RTP/SCS) estimates the 2040 average work trip length at 15.5 miles and non-work trip length at 7.9 miles. Conservatively using the non-trip work length, this suggests an average of 15.8 miles (7.9 x 2) per resident per day¹. The 11.2 miles per resident per day for the project would be approximately 29 percent lower than this average, which exceeds the 15 percent reduction threshold that the OPR recommends for projects.

Based on the above, the project would generally reduce VMT on both a local and regional level by minimizing travel distances for new residents in the City. Although the 2004 MND does not address VMT, significant VMT impacts are not anticipated. Therefore, the current proposal would not create a new significant transportation impact related to VMT that is not identified in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts related to increases in VMT, and no such measures are required for the modified project.

3-6) The modified project would be designed to meet City engineering standards and City Fire Department standards to ensure fire apparatus can reach all parts of the site, and no safety issues have been identified. Furthermore, development of the modified project would be required to comply with all applicable 2030 General Plan policies intended to calm traffic and enhance the

¹ Typical trip rates for multi-family housing are approximately 6.6 trips/unit/day, which suggests between 2 to 4 work trips and the remainder as non-work trips. Considering this trip rate, the actual 2040 average trip length is likely even higher than the conservative estimate of 15.8 miles per resident per day, resulting in an even greater exceedance of the reduction threshold by the modified project than estimated.

walkability throughout the City. Implementation of these policies, in combination with continued application of standard safety requirements and ongoing City programs, would maintain safe conditions for pedestrians on the project site. Therefore, the modified project would not result in new or substantial increases in traffic hazards when compared to what was analyzed in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts from traffic hazards, and none are required for the modified project.

7) The Dunkirk Drive, Tract Number 5640 Project in the 2004 MND included conditions to provide pedestrian connections to access to South Coast Area Transit stops along 5th Street as well as dedication of land area sufficient to provide bike lanes and sidewalks along 5th Street in the modified project site vicinity. The modified project would not change or impair implementation of these alternative transportation improvements, or otherwise conflict with any other policies, plans, or programs supporting alternative transportation. Therefore, the modified project would not result in new or substantially more severe conflict with plans, policies, or programs for such facilities than what was analyzed in the 2004 MND. No mitigation was required in the 2004 MND and none would be required for the modified project.

Tribal Cultural Resources		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
Would the Modified Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
1.	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	Discussion 1-4, Section E. Cultural Resources	No	No	No
2.	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	Discussion 1-4, Section E. Cultural Resources	No	No	No

Discussion

Although not explicitly included in the adopted 2004 MND, a discussion of tribal cultural resources is included in this Addendum per the most recent version of the State CEQA Guidelines. Changes to the State CEQA Guidelines requiring analysis of tribal cultural resources took effect July 2015. Because the project's environmental review process was initiated prior to July 2015, analysis of impacts to tribal cultural resources is not required. The analysis below is included for informational purposes.

The lots comprising the modified project site are currently undeveloped and located in an urban area of the City of Oxnard. According to the 2004 MND, the modified project site is disturbed from previous agricultural activity and no known tribal cultural resources are present on the site.

According to the 2004 MND, development facilitated by the Dunkirk Drive, Tract Number 5640 Project could result in adverse effects to previously unidentified archaeological or ethnographic resources because such resources have potential to be encountered in the City. The 2004 MND determined that impacts to these resources would be less than significant level with mitigation requiring Native American monitoring for subsurface grading, trenching, or construction activities.

1-2) As determined in the 2004 MND, development of the project site could result in adverse effects to previously unidentified archaeological or ethnographic resources because such resources have

potential to be encountered in the City. The modified project would not result in additional site disturbance beyond what was evaluated for Dunkirk Drive, Tract Number 5640 Project in the 2004 MND. Nevertheless, the modified project would be required, as applicable, to comply with Mitigation Measures E-1 and E-2 in the 2004 MND, requiring a Phase I cultural resources survey as well as Native American monitoring for subsurface grading, trenching, or construction activities to avoid impacts to cultural resources. As with the original project, implementation of these measures would reduce impacts to a less than significant level. The modified project would not result in any new or substantially more severe impacts to tribal cultural resources than what was evaluated in the 2004 MND, nor would it require new mitigation measures.

Utilities		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would the modified project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?	Discussion 1-5, Section P. Utilities and Service Systems	No	No	No
2.	Would additional wastewater conveyance or treatment capacity be required to serve the modified project demand and existing commitments?	Discussion 1-5, Section P. Utilities and Service Systems	No	No	No
3.	Would the modified project generate solid waste that would exceed the permitted capacity of a landfill serving the City?	Discussion 6-7, Section P. Utilities and Service Systems	No	No	No
4.	Would the modified project conflict with federal, state, or local statutes or regulations related to solid waste?	Discussion 6-7, Section P. Utilities and Service Systems	No	No	No

Discussion

The lots comprising the modified project site are currently undeveloped and located in an urban area of the City of Oxnard. Currently, there are no uses on the project site that require utilities or energy.

1) The 2004 MND for the Dunkirk Drive, Tract Number 5640 Project determined that water would be supplied to development on the project site by Calleguas Municipal Water District (CMWD). The City's current water supply consists of imported surface water from the CMWD, groundwater from the United Water Conservation District (UWCD), and local groundwater from City wells.

As with the commercial development evaluated as part of the Dunkirk Drive, Tract Number 5640 Project, the proposed Portofino Place Project applicant will be required to obtain a "will serve" letter from the City of Oxnard Water Division to ensure that the Water Division has adequate water to serve the development. The modified project would also be subject to standard City conditions requiring all projects to provide drought-tolerant landscaping to reduce the amount of water consumed by the project. Therefore, the modified project would not result in new or substantially more severe impacts to water resources or facilities than the project analyzed in the 2004 MND. The 2004 MND does not include any mitigation measures for potential impacts to water resources or facilities, and no such measures are required for the modified project.

2) The 2004 MND for the Dunkirk Drive, Tract Number 5640 Project determined that commercial development of the modified project site would not result in impacts to wastewater facilities and services. The proposed residential condominium development on the modified project site would connect to the existing sewer system. The modified project would be required to comply with applicable County and City wastewater discharge limitations and requirements. Additionally, the applicant would be required to pay the City-required Sewer Connection Fees (SCF) and service charges that finance the operation and maintenance of the sewer system in the City. With payment of these fees and compliance with local wastewater regulations, the modified project would not result in new or substantially more severe impacts related to wastewater conveyance or facilities. The 2004 MND does not include any mitigation measures for potential impacts to wastewater conveyance or facilities, and none are required for the modified project.

3-4) As with the previously approved Dunkirk Drive, Tract Number 5640 Project, the modified project would be subject to standard conditions of approval requiring compliance with the City's recycling programs, which require solid waste recycling and disposal plans and reporting during construction and operation of the facility. With these provisions, the modified project would not result in new or substantially more severe impacts related to solid waste generation and disposal than the project analyzed in the 2004 MND. No mitigation was required in the 2004 MND and none would be required for the modified project.

Wildfire		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Modified Project:					
1.	Substantially impair an adopted emergency response plan or emergency evacuation plan?	Discussion 7, Section G. Hazards and Hazardous Materials	No	No	No
2.	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No
3.	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No
4.	Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	N/A; New CEQA checklist item added subsequent to 2004 MND	No	No	No

Discussion

The lots comprising the modified project site are currently undeveloped and located in an urban area of the City of Oxnard. The City and project site are not located in or near state responsibility areas or lands classified as very high fire hazard severity zones (California Department of Technology 2020).

The analysis in the 2004 MND predates updates to the State CEQA Guidelines requiring the evaluation of potential impacts related to wildfire and, therefore, did not address such impacts. Additional analysis is included below to determine the level of potential wildfire-related impacts for the modified project and in comparison to the analysis in the 2004 MND for the Dunkirk Drive, Tract 5640 Project.

1-4) The modified project would occur in the same location as development under the 2004 Dunkirk Drive, Tract 5640 Project, which is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. Additionally, the modified project would be required to implement all uniformly applied development standards to ensure emergency access to the site and avoid conflict with City emergency response and evacuation plans. Due to the location of the project site in a developed portion of the City away from state responsibility areas or lands classified as very high fire hazard severity zones and required compliance with emergency standards and plans, the project would not exacerbate wildfire risks or otherwise expose people or structures to significant risks associated with wildfire or post-fire conditions. Therefore, the modified project would not result in new or substantially more severe potential impacts related to wildfire compared to development of previously approved retail uses. The 2004 MND does not include any mitigation measures for potential impacts related to wildfire risks or emergency plans, and no such measures are required for the Modified Project.

Cumulative Impacts		Where Impact Was Analyzed in the 2004 MND	Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Is Preparation of a Supplemental or Subsequent MND Required?
1.	Would cumulative impact of the modified project in combination with the impacts of past, present, and reasonably foreseeable future projects exceed a City significance threshold?	Sections A. through Q. of 2004 MND	No	No	No
2.	If so, would the modified project's contribution to the significant cumulative impact be cumulatively considerable?	Sections A. through Q. of 2004 MND	No	No	No

Discussion

The modified project would not result in new or substantially more severe impacts compared to the previously approved project with implementation of mitigation measures discussed herein. The modified project is an urban infill project in an area planned for development under the 2030 General Plan and in the Dunkirk Drive, Tract Number 5640 Project. Cumulative citywide significant impacts were documented in the 2030 General Plan Program EIR and overriding considerations were adopted in 2011. Furthermore, the total population in the City with implementation of the modified project would be well within SCAG's most recent growth projections and forecasts for the City. The modified project would not contribute to any cumulative impacts nor require additional mitigation beyond that considered in the General Plan EIR.

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6. Determination

In accordance with Section 15164 of the State CEQA Guidelines, the City of Oxnard has determined that this Addendum to the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project is adequate to document changes or additions that have occurred in the project description since the 2004 MND was originally prepared. No new or more severe significant environmental impacts beyond those disclosed in the 2004 MND would occur as a result of the proposed Portofino Place Project and no additional mitigation would be required. The City has reviewed and considered the information contained in this Addendum in its consideration of the 2004 MND and finds that preparation of a subsequent negative declaration is not necessary.

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References

Please refer to the Additional References section in the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project, in addition to the reference listed below.

California Air Resources Board (CARB). November 2017. California's 2017 Climate Change Scoping Plan. Available at: <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan>

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Oxnard, City of. February 18, 2020. Oxnard, California Codified Ordinances, Chapter 16: Zoning Code. Available at: <https://www.oxnard.org/city-department/community-development/planning/planning-and-zoning-search/>

Oxnard, City of. October 2011. 2030 General Plan – Goals and Policies. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>

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San Diego Association of Governments. May 13, 2008. Building Area Per Employee By Business Type. Available at: <https://bt-wpstatic.freetls.fastly.net/wp-content/blogs.dir/2331/files/2016/11/Buildinga-Area-Per-Employee-by-Building-Type.pdf>

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Appendix A

Applicable Mitigation Measures from the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project

Applicable Mitigation Measures from the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project

The mitigation measures identified in the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project which are applicable to, and incorporated into, the project are listed in Table A-1 below for reference.

Table A-1 Mitigation Measures Identified in the 2004 MND for the Dunkirk Drive, Tract Number 5640 Project that are Applicable to the Project

Mitigation Measures	
Air Quality	
C-1	Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such times as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.
C-2	During smog season (May through October), developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.
C-3	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.
C-4	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.
C-5	During construction, Developer shall control dust by the following activities: ▪ 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. ▪ 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.
C-6	During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
C-7	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.

- C-8** Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from adjacent roadways.

Cultural Resources and Tribal Cultural Resources

- E-1** 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.

- E-2** 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 monthly report to the Planning Division summarizing the activities during the reporting period. 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.

Geology and Soils

- F-1** Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated into the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.

Land Use and Planning

- G-2** Prior to the issuance of building permits, the Developer shall file a Form 7460, "Notice of Proposed Construction" with the Federal Aviation Administration (FAA), and provide a copy to the Planning Division that enables the FAA to review the development for any hazard to airport/aviation operations.

Noise

- K-1** The applicant shall provide a notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along West Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and helicopter flight path along West Fifth Street.

Appendix B

California Emissions Estimator Model (CalEEMod Version 2020.4.0) Output

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Portofino Duplex Project (Modified Project)
Ventura County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Health Club	3.28	1000sqft	0.02	3,281.00	0
Condo/Townhouse	90.00	Dwelling Unit	7.58	130,205.00	350

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	31
Climate Zone	8			Operational Year	2023
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Lot acreage and square footage based on Project Description. Population based on 3.89 people per household (DOF 2020). Health Club land use represents proposed community building.

Construction Phase -

Vehicle Trips - Health Club land use represents proposed community building that would serve future residents and would not generate new trips.

Table Name	Column Name	Default Value	New Value
tblLandUse	LandUseSquareFeet	3,280.00	3,281.00
tblLandUse	LandUseSquareFeet	90,000.00	130,205.00
tblLandUse	LotAcreage	0.08	0.02
tblLandUse	LotAcreage	5.63	7.58
tblLandUse	Population	275.00	350.00

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

tblVehicleTrips	CC_TL	7.30	0.00
tblVehicleTrips	CC_TTP	64.10	0.00
tblVehicleTrips	CNW_TL	7.30	0.00
tblVehicleTrips	CNW_TTP	19.00	0.00
tblVehicleTrips	CW_TL	9.50	0.00
tblVehicleTrips	CW_TTP	16.90	0.00
tblVehicleTrips	DV_TP	39.00	0.00
tblVehicleTrips	PB_TP	9.00	0.00
tblVehicleTrips	PR_TP	52.00	0.00
tblVehicleTrips	ST_TR	20.87	0.00
tblVehicleTrips	SU_TR	26.73	0.00
tblVehicleTrips	WD_TR	32.93	0.00

2.0 Emissions Summary

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**2.1 Overall Construction****Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2382	2.0822	2.1782	4.0200e-003	0.2339	0.1033	0.3373	0.1021	0.0969	0.1990	0.0000	351.9405	351.9405	0.0745	4.4200e-003	355.1208
2023	0.7079	0.2646	0.3511	6.1000e-004	8.2500e-003	0.0129	0.0211	2.2100e-003	0.0121	0.0143	0.0000	53.4060	53.4060	0.0124	4.5000e-004	53.8491
Maximum	0.7079	2.0822	2.1782	4.0200e-003	0.2339	0.1033	0.3373	0.1021	0.0969	0.1990	0.0000	351.9405	351.9405	0.0745	4.4200e-003	355.1208

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2382	2.0822	2.1782	4.0200e-003	0.2339	0.1033	0.3373	0.1021	0.0969	0.1990	0.0000	351.9402	351.9402	0.0745	4.4200e-003	355.1205
2023	0.7079	0.2646	0.3511	6.1000e-004	8.2500e-003	0.0129	0.0211	2.2100e-003	0.0121	0.0143	0.0000	53.4059	53.4059	0.0124	4.5000e-004	53.8490
Maximum	0.7079	2.0822	2.1782	4.0200e-003	0.2339	0.1033	0.3373	0.1021	0.0969	0.1990	0.0000	351.9402	351.9402	0.0745	4.4200e-003	355.1205

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	1-1-2022	3-31-2022	0.5408	0.5408
2	4-1-2022	6-30-2022	0.5900	0.5900
3	7-1-2022	9-30-2022	0.5965	0.5965
4	10-1-2022	12-31-2022	0.5984	0.5984
5	1-1-2023	3-31-2023	0.9669	0.9669
		Highest	0.9669	0.9669

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.6092	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179
Energy	8.3800e-003	0.0718	0.0319	4.6000e-004		5.7900e-003	5.7900e-003		5.7900e-003	5.7900e-003	0.0000	164.8474	164.8474	8.5100e-003	2.3600e-003	165.7628
Mobile	0.3504	0.4282	3.2638	6.4800e-003	0.6826	5.2200e-003	0.6878	0.1823	4.8700e-003	0.1871	0.0000	597.8210	597.8210	0.0422	0.0291	607.5516
Waste						0.0000	0.0000		0.0000	0.0000	12.1998	0.0000	12.1998	0.7210	0.0000	30.2244
Water						0.0000	0.0000		0.0000	0.0000	1.9219	21.5070	23.4288	0.1992	4.8800e-003	29.8636
Total	0.9680	0.5077	3.9642	6.9800e-003	0.6826	0.0147	0.6973	0.1823	0.0144	0.1966	14.1216	785.2670	799.3886	0.9720	0.0364	834.5203

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.6092	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179
Energy	8.3800e-003	0.0718	0.0319	4.6000e-004		5.7900e-003	5.7900e-003		5.7900e-003	5.7900e-003	0.0000	164.8474	164.8474	8.5100e-003	2.3600e-003	165.7628
Mobile	0.3504	0.4282	3.2638	6.4800e-003	0.6826	5.2200e-003	0.6878	0.1823	4.8700e-003	0.1871	0.0000	597.8210	597.8210	0.0422	0.0291	607.5516
Waste						0.0000	0.0000		0.0000	0.0000	12.1998	0.0000	12.1998	0.7210	0.0000	30.2244
Water						0.0000	0.0000		0.0000	0.0000	1.9219	21.5070	23.4288	0.1992	4.8800e-003	29.8636
Total	0.9680	0.5077	3.9642	6.9800e-003	0.6826	0.0147	0.6973	0.1823	0.0144	0.1966	14.1216	785.2670	799.3886	0.9720	0.0364	834.5203

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/29/2022	2/11/2022	5	10	
2	Grading	Grading	2/12/2022	3/11/2022	5	20	
3	Building Construction	Building Construction	3/12/2022	1/27/2023	5	230	

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4	Paving	Paving	1/28/2023	2/24/2023	5	20
5	Architectural Coating	Architectural Coating	2/25/2023	3/24/2023	5	20

Acres of Grading (Site Preparation Phase): 15**Acres of Grading (Grading Phase): 20****Acres of Paving: 0**

Residential Indoor: 263,665; Residential Outdoor: 87,888; Non-Residential Indoor: 4,922; Non-Residential Outdoor: 1,641; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	1	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	66.00	10.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	13.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction**3.2 Site Preparation - 2022****Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0983	0.0000	0.0983	0.0505	0.0000	0.0505	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0159	0.1654	0.0985	1.9000e-004		8.0600e-003	8.0600e-003		7.4200e-003	7.4200e-003	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549
Total	0.0159	0.1654	0.0985	1.9000e-004	0.0983	8.0600e-003	0.1064	0.0505	7.4200e-003	0.0579	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Site Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816
Total	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0983	0.0000	0.0983	0.0505	0.0000	0.0505	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0159	0.1654	0.0985	1.9000e-004		8.0600e-003	8.0600e-003		7.4200e-003	7.4200e-003	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549
Total	0.0159	0.1654	0.0985	1.9000e-004	0.0983	8.0600e-003	0.1064	0.0505	7.4200e-003	0.0579	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Site Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816
Total	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816

3.3 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0708	0.0000	0.0708	0.0343	0.0000	0.0343	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0195	0.2086	0.1527	3.0000e-004		9.4100e-003	9.4100e-003		8.6600e-003	8.6600e-003	0.0000	26.0548	26.0548	8.4300e-003	0.0000	26.2654
Total	0.0195	0.2086	0.1527	3.0000e-004	0.0708	9.4100e-003	0.0802	0.0343	8.6600e-003	0.0429	0.0000	26.0548	26.0548	8.4300e-003	0.0000	26.2654

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693
Total	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0708	0.0000	0.0708	0.0343	0.0000	0.0343	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0195	0.2086	0.1527	3.0000e-004		9.4100e-003	9.4100e-003		8.6600e-003	8.6600e-003	0.0000	26.0547	26.0547	8.4300e-003	0.0000	26.2654
Total	0.0195	0.2086	0.1527	3.0000e-004	0.0708	9.4100e-003	0.0802	0.0343	8.6600e-003	0.0429	0.0000	26.0547	26.0547	8.4300e-003	0.0000	26.2654

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693
Total	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1792	1.6396	1.7182	2.8300e-003		0.0850	0.0850		0.0799	0.0799	0.0000	243.3115	243.3115	0.0583	0.0000	244.7688
Total	0.1792	1.6396	1.7182	2.8300e-003		0.0850	0.0850		0.0799	0.0799	0.0000	243.3115	243.3115	0.0583	0.0000	244.7688

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.7400e-003	0.0524	0.0162	2.0000e-004	7.0000e-003	5.8000e-004	7.5700e-003	2.0200e-003	5.5000e-004	2.5700e-003	0.0000	19.9862	19.9862	7.9000e-004	3.0000e-003	20.8994
Worker	0.0213	0.0156	0.1862	4.8000e-004	0.0559	3.3000e-004	0.0562	0.0148	3.0000e-004	0.0151	0.0000	44.3330	44.3330	1.5300e-003	1.3800e-003	44.7814
Total	0.0230	0.0681	0.2024	6.8000e-004	0.0629	9.1000e-004	0.0638	0.0169	8.5000e-004	0.0177	0.0000	64.3192	64.3192	2.3200e-003	4.3800e-003	65.6809

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1792	1.6396	1.7182	2.8300e-003		0.0850	0.0850		0.0799	0.0799	0.0000	243.3112	243.3112	0.0583	0.0000	244.7685
Total	0.1792	1.6396	1.7182	2.8300e-003		0.0850	0.0850		0.0799	0.0799	0.0000	243.3112	243.3112	0.0583	0.0000	244.7685

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.7400e-003	0.0524	0.0162	2.0000e-004	7.0000e-003	5.8000e-004	7.5700e-003	2.0200e-003	5.5000e-004	2.5700e-003	0.0000	19.9862	19.9862	7.9000e-004	3.0000e-003	20.8994
Worker	0.0213	0.0156	0.1862	4.8000e-004	0.0559	3.3000e-004	0.0562	0.0148	3.0000e-004	0.0151	0.0000	44.3330	44.3330	1.5300e-003	1.3800e-003	44.7814
Total	0.0230	0.0681	0.2024	6.8000e-004	0.0629	9.1000e-004	0.0638	0.0169	8.5000e-004	0.0177	0.0000	64.3192	64.3192	2.3200e-003	4.3800e-003	65.6809

3.4 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0157	0.1439	0.1624	2.7000e-004		7.0000e-003	7.0000e-003		6.5800e-003	6.5800e-003	0.0000	23.1805	23.1805	5.5100e-003	0.0000	23.3183
Total	0.0157	0.1439	0.1624	2.7000e-004		7.0000e-003	7.0000e-003		6.5800e-003	6.5800e-003	0.0000	23.1805	23.1805	5.5100e-003	0.0000	23.3183

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.0000e-004	3.9400e-003	1.3600e-003	2.0000e-005	6.7000e-004	2.0000e-005	6.9000e-004	1.9000e-004	2.0000e-005	2.1000e-004	0.0000	1.8241	1.8241	7.0000e-005	2.7000e-004	1.9074
Worker	1.8800e-003	1.3200e-003	0.0164	4.0000e-005	5.3200e-003	3.0000e-005	5.3500e-003	1.4100e-003	3.0000e-005	1.4400e-003	0.0000	4.0872	4.0872	1.3000e-004	1.2000e-004	4.1268
Total	1.9800e-003	5.2600e-003	0.0177	6.0000e-005	5.9900e-003	5.0000e-005	6.0400e-003	1.6000e-003	5.0000e-005	1.6500e-003	0.0000	5.9114	5.9114	2.0000e-004	3.9000e-004	6.0341

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0157	0.1439	0.1624	2.7000e-004		7.0000e-003	7.0000e-003		6.5800e-003	6.5800e-003	0.0000	23.1805	23.1805	5.5100e-003	0.0000	23.3183
Total	0.0157	0.1439	0.1624	2.7000e-004		7.0000e-003	7.0000e-003		6.5800e-003	6.5800e-003	0.0000	23.1805	23.1805	5.5100e-003	0.0000	23.3183

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.0000e-004	3.9400e-003	1.3600e-003	2.0000e-005	6.7000e-004	2.0000e-005	6.9000e-004	1.9000e-004	2.0000e-005	2.1000e-004	0.0000	1.8241	1.8241	7.0000e-005	2.7000e-004	1.9074
Worker	1.8800e-003	1.3200e-003	0.0164	4.0000e-005	5.3200e-003	3.0000e-005	5.3500e-003	1.4100e-003	3.0000e-005	1.4400e-003	0.0000	4.0872	4.0872	1.3000e-004	1.2000e-004	4.1268
Total	1.9800e-003	5.2600e-003	0.0177	6.0000e-005	5.9900e-003	5.0000e-005	6.0400e-003	1.6000e-003	5.0000e-005	1.6500e-003	0.0000	5.9114	5.9114	2.0000e-004	3.9000e-004	6.0341

3.5 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0269	20.0269	6.4800e-003	0.0000	20.1888
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0269	20.0269	6.4800e-003	0.0000	20.1888

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379
Total	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0268	20.0268	6.4800e-003	0.0000	20.1888
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0268	20.0268	6.4800e-003	0.0000	20.1888

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379
Total	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379

3.6 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.6772					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.9200e-003	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571
Total	0.6791	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Architectural Coating - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.7000e-004	2.6000e-004	3.2300e-003	1.0000e-005	1.0500e-003	1.0000e-005	1.0500e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8051	0.8051	3.0000e-005	2.0000e-005	0.8129
Total	3.7000e-004	2.6000e-004	3.2300e-003	1.0000e-005	1.0500e-003	1.0000e-005	1.0500e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8051	0.8051	3.0000e-005	2.0000e-005	0.8129

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.6772					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.9200e-003	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571
Total	0.6791	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**3.6 Architectural Coating - 2023****Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.7000e-004	2.6000e-004	3.2300e-003	1.0000e-005	1.0500e-003	1.0000e-005	1.0500e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8051	0.8051	3.0000e-005	2.0000e-005	0.8129
Total	3.7000e-004	2.6000e-004	3.2300e-003	1.0000e-005	1.0500e-003	1.0000e-005	1.0500e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8051	0.8051	3.0000e-005	2.0000e-005	0.8129

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.3504	0.4282	3.2638	6.4800e-003	0.6826	5.2200e-003	0.6878	0.1823	4.8700e-003	0.1871	0.0000	597.8210	597.8210	0.0422	0.0291	607.5516
Unmitigated	0.3504	0.4282	3.2638	6.4800e-003	0.6826	5.2200e-003	0.6878	0.1823	4.8700e-003	0.1871	0.0000	597.8210	597.8210	0.0422	0.0291	607.5516

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Condo/Townhouse	658.80	732.60	565.20	1,812,497	1,812,497
Health Club	0.00	0.00	0.00		
Total	658.80	732.60	565.20	1,812,497	1,812,497

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Condo/Townhouse	10.80	7.30	7.50	32.90	18.00	49.10	86	11	3
Health Club	0.00	0.00	0.00	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Condo/Townhouse	0.543528	0.058189	0.173108	0.133952	0.027894	0.007577	0.011427	0.006062	0.000688	0.000393	0.029232	0.000646	0.007304
Health Club	0.543528	0.058189	0.173108	0.133952	0.027894	0.007577	0.011427	0.006062	0.000688	0.000393	0.029232	0.000646	0.007304

5.0 Energy Detail

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	81.9412	81.9412	6.9200e-003	8.4000e-004	82.3639
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	81.9412	81.9412	6.9200e-003	8.4000e-004	82.3639
NaturalGas Mitigated	8.3800e-003	0.0718	0.0319	4.6000e-004		5.7900e-003	5.7900e-003		5.7900e-003	5.7900e-003	0.0000	82.9062	82.9062	1.5900e-003	1.5200e-003	83.3989
NaturalGas Unmitigated	8.3800e-003	0.0718	0.0319	4.6000e-004		5.7900e-003	5.7900e-003		5.7900e-003	5.7900e-003	0.0000	82.9062	82.9062	1.5900e-003	1.5200e-003	83.3989

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**5.2 Energy by Land Use - NaturalGas****Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	1.48549e+006	8.0100e-003	0.0685	0.0291	4.4000e-004		5.5300e-003	5.5300e-003		5.5300e-003	5.5300e-003	0.0000	79.2714	79.2714	1.5200e-003	1.4500e-003	79.7425
Health Club	68113.6	3.7000e-004	3.3400e-003	2.8000e-003	2.0000e-005		2.5000e-004	2.5000e-004		2.5000e-004	2.5000e-004	0.0000	3.6348	3.6348	7.0000e-005	7.0000e-005	3.6564
Total		8.3800e-003	0.0718	0.0319	4.6000e-004		5.7800e-003	5.7800e-003		5.7800e-003	5.7800e-003	0.0000	82.9062	82.9062	1.5900e-003	1.5200e-003	83.3989

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Condo/Townhouse	1.48549e+006	8.0100e-003	0.0685	0.0291	4.4000e-004		5.5300e-003	5.5300e-003		5.5300e-003	5.5300e-003	0.0000	79.2714	79.2714	1.5200e-003	1.4500e-003	79.7425
Health Club	68113.6	3.7000e-004	3.3400e-003	2.8000e-003	2.0000e-005		2.5000e-004	2.5000e-004		2.5000e-004	2.5000e-004	0.0000	3.6348	3.6348	7.0000e-005	7.0000e-005	3.6564
Total		8.3800e-003	0.0718	0.0319	4.6000e-004		5.7800e-003	5.7800e-003		5.7800e-003	5.7800e-003	0.0000	82.9062	82.9062	1.5900e-003	1.5200e-003	83.3989

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**5.3 Energy by Land Use - Electricity****Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	434909	77.1291	6.5100e-003	7.9000e-004	77.5270
Health Club	27133.9	4.8121	4.1000e-004	5.0000e-005	4.8369
Total		81.9412	6.9200e-003	8.4000e-004	82.3639

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Condo/Townhouse	434909	77.1291	6.5100e-003	7.9000e-004	77.5270
Health Club	27133.9	4.8121	4.1000e-004	5.0000e-005	4.8369
Total		81.9412	6.9200e-003	8.4000e-004	82.3639

6.0 Area Detail

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**6.1 Mitigation Measures Area**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.6092	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179
Unmitigated	0.6092	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0677					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.5213					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0201	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179
Total	0.6092	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**6.2 Area by SubCategory****Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0677					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.5213					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0201	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179
Total	0.6092	7.7100e-003	0.6684	4.0000e-005		3.7000e-003	3.7000e-003		3.7000e-003	3.7000e-003	0.0000	1.0917	1.0917	1.0500e-003	0.0000	1.1179

7.0 Water Detail**7.1 Mitigation Measures Water**

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	23.4288	0.1992	4.8800e-003	29.8636
Unmitigated	23.4288	0.1992	4.8800e-003	29.8636

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse	5.86386 / 3.69678	22.6851	0.1928	4.7200e-003	28.9138
Health Club	0.19399 / 0.118897	0.7438	6.3800e-003	1.6000e-004	0.9498
Total		23.4288	0.1992	4.8800e-003	29.8636

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**7.2 Water by Land Use****Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Condo/Townhouse	5.86386 / 3.69678	22.6851	0.1928	4.7200e-003	28.9138
Health Club	0.19399 / 0.118897	0.7438	6.3800e-003	1.6000e-004	0.9498
Total		23.4288	0.1992	4.8800e-003	29.8636

8.0 Waste Detail**8.1 Mitigation Measures Waste****Category/Year**

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	12.1998	0.7210	0.0000	30.2244
Unmitigated	12.1998	0.7210	0.0000	30.2244

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**8.2 Waste by Land Use****Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	41.4	8.4038	0.4967	0.0000	20.8201
Health Club	18.7	3.7959	0.2243	0.0000	9.4043
Total		12.1998	0.7210	0.0000	30.2244

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Condo/Townhouse	41.4	8.4038	0.4967	0.0000	20.8201
Health Club	18.7	3.7959	0.2243	0.0000	9.4043
Total		12.1998	0.7210	0.0000	30.2244

9.0 Operational Offroad

Portofino Duplex Project (Modified Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**Dunkirk Drive, Tract Number 5640 Project (Original Project)**

Ventura County, Annual

1.0 Project Characteristics**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Strip Mall	82.76	1000sqft	7.60	82,764.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	31
Climate Zone	8			Operational Year	2023
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - In Oxnard Airport traffic pattern zone, limiting density to max of 25% of 7.6-acre site.

Construction Phase -

Table Name	Column Name	Default Value	New Value
tblLandUse	LandUseSquareFeet	82,760.00	82,764.00
tblLandUse	LotAcreage	1.90	7.60

2.0 Emissions Summary

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**2.1 Overall Construction****Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2441	2.2574	2.2446	4.1200e-003	0.2059	0.1115	0.3174	0.0948	0.1046	0.1994	0.0000	360.5672	360.5672	0.0796	5.2400e-003	364.1184
2023	0.3964	0.1154	0.1689	2.7000e-004	1.6100e-003	5.8200e-003	7.4300e-003	4.3000e-004	5.4100e-003	5.8400e-003	0.0000	23.8187	23.8187	6.6700e-003	4.0000e-005	23.9964
Maximum	0.3964	2.2574	2.2446	4.1200e-003	0.2059	0.1115	0.3174	0.0948	0.1046	0.1994	0.0000	360.5672	360.5672	0.0796	5.2400e-003	364.1184

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2441	2.2574	2.2446	4.1200e-003	0.2059	0.1115	0.3174	0.0948	0.1046	0.1994	0.0000	360.5668	360.5668	0.0796	5.2400e-003	364.1180
2023	0.3964	0.1154	0.1689	2.7000e-004	1.6100e-003	5.8200e-003	7.4300e-003	4.3000e-004	5.4100e-003	5.8400e-003	0.0000	23.8187	23.8187	6.6700e-003	4.0000e-005	23.9964
Maximum	0.3964	2.2574	2.2446	4.1200e-003	0.2059	0.1115	0.3174	0.0948	0.1046	0.1994	0.0000	360.5668	360.5668	0.0796	5.2400e-003	364.1180

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	1-1-2022	3-31-2022	0.7225	0.7225
2	4-1-2022	6-30-2022	0.5899	0.5899
3	7-1-2022	9-30-2022	0.5964	0.5964
4	10-1-2022	12-31-2022	0.5956	0.5956
5	1-1-2023	3-31-2023	0.5078	0.5078
		Highest	0.7225	0.7225

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.3617	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003
Energy	8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	172.1533	172.1533	0.0140	1.8300e-003	173.0483
Mobile	1.4109	1.4086	10.8635	0.0189	1.9480	0.0160	1.9640	0.5201	0.0149	0.5350	0.0000	1,741.4287	1,741.4287	0.1547	0.0984	1,774.6298
Waste						0.0000	0.0000		0.0000	0.0000	17.6399	0.0000	17.6399	1.0425	0.0000	43.7021
Water						0.0000	0.0000		0.0000	0.0000	1.9448	21.5590	23.5038	0.2016	4.9400e-003	30.0145
Total	1.7735	1.4167	10.8710	0.0189	1.9480	0.0166	1.9646	0.5201	0.0155	0.5356	19.5848	1,935.1424	1,954.7272	1.4128	0.1052	2,021.3962

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.3617	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003
Energy	8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	172.1533	172.1533	0.0140	1.8300e-003	173.0483
Mobile	1.4109	1.4086	10.8635	0.0189	1.9480	0.0160	1.9640	0.5201	0.0149	0.5350	0.0000	1,741.4287	1,741.4287	0.1547	0.0984	1,774.6298
Waste						0.0000	0.0000		0.0000	0.0000	17.6399	0.0000	17.6399	1.0425	0.0000	43.7021
Water						0.0000	0.0000		0.0000	0.0000	1.9448	21.5590	23.5038	0.2016	4.9400e-003	30.0145
Total	1.7735	1.4167	10.8710	0.0189	1.9480	0.0166	1.9646	0.5201	0.0155	0.5356	19.5848	1,935.1424	1,954.7272	1.4128	0.1052	2,021.3962

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/1/2022	1/14/2022	5	10	
2	Grading	Grading	1/15/2022	2/11/2022	5	20	
3	Building Construction	Building Construction	2/12/2022	12/30/2022	5	230	

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4	Paving	Paving	12/31/2022	1/27/2023	5	20
5	Architectural Coating	Architectural Coating	1/28/2023	2/24/2023	5	20

Acres of Grading (Site Preparation Phase): 15**Acres of Grading (Grading Phase): 20****Acres of Paving: 0****Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 124,146; Non-Residential Outdoor: 41,382; Striped Parking Area: 0 (Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Grading	Excavators	1	8.00	158	0.38
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	26.00	14.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	5.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction**3.2 Site Preparation - 2022****Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0983	0.0000	0.0983	0.0505	0.0000	0.0505	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0159	0.1654	0.0985	1.9000e-004		8.0600e-003	8.0600e-003		7.4200e-003	7.4200e-003	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549
Total	0.0159	0.1654	0.0985	1.9000e-004	0.0983	8.0600e-003	0.1064	0.0505	7.4200e-003	0.0579	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Site Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816
Total	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0983	0.0000	0.0983	0.0505	0.0000	0.0505	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0159	0.1654	0.0985	1.9000e-004		8.0600e-003	8.0600e-003		7.4200e-003	7.4200e-003	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549
Total	0.0159	0.1654	0.0985	1.9000e-004	0.0983	8.0600e-003	0.1064	0.0505	7.4200e-003	0.0579	0.0000	16.7197	16.7197	5.4100e-003	0.0000	16.8549

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Site Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816
Total	2.8000e-004	2.0000e-004	2.4200e-003	1.0000e-005	7.3000e-004	0.0000	7.3000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.5758	0.5758	2.0000e-005	2.0000e-005	0.5816

3.3 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0708	0.0000	0.0708	0.0343	0.0000	0.0343	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0195	0.2086	0.1527	3.0000e-004		9.4100e-003	9.4100e-003		8.6600e-003	8.6600e-003	0.0000	26.0548	26.0548	8.4300e-003	0.0000	26.2654
Total	0.0195	0.2086	0.1527	3.0000e-004	0.0708	9.4100e-003	0.0802	0.0343	8.6600e-003	0.0429	0.0000	26.0548	26.0548	8.4300e-003	0.0000	26.2654

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693
Total	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0708	0.0000	0.0708	0.0343	0.0000	0.0343	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0195	0.2086	0.1527	3.0000e-004		9.4100e-003	9.4100e-003		8.6600e-003	8.6600e-003	0.0000	26.0547	26.0547	8.4300e-003	0.0000	26.2654
Total	0.0195	0.2086	0.1527	3.0000e-004	0.0708	9.4100e-003	0.0802	0.0343	8.6600e-003	0.0429	0.0000	26.0547	26.0547	8.4300e-003	0.0000	26.2654

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693
Total	4.6000e-004	3.4000e-004	4.0300e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9596	0.9596	3.0000e-005	3.0000e-005	0.9693

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1962	1.7958	1.8818	3.1000e-003		0.0930	0.0930		0.0875	0.0875	0.0000	266.4840	266.4840	0.0638	0.0000	268.0801
Total	0.1962	1.7958	1.8818	3.1000e-003		0.0930	0.0930		0.0875	0.0875	0.0000	266.4840	266.4840	0.0638	0.0000	268.0801

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.6700e-003	0.0804	0.0248	3.1000e-004	0.0107	8.8000e-004	0.0116	3.0900e-003	8.5000e-004	3.9400e-003	0.0000	30.6455	30.6455	1.2100e-003	4.6000e-003	32.0458
Worker	9.1800e-003	6.7400e-003	0.0803	2.1000e-004	0.0241	1.4000e-004	0.0243	6.4000e-003	1.3000e-004	6.5300e-003	0.0000	19.1278	19.1278	6.6000e-004	5.9000e-004	19.3213
Total	0.0119	0.0871	0.1052	5.2000e-004	0.0348	1.0200e-003	0.0359	9.4900e-003	9.8000e-004	0.0105	0.0000	49.7733	49.7733	1.8700e-003	5.1900e-003	51.3671

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1962	1.7958	1.8818	3.1000e-003		0.0930	0.0930		0.0875	0.0875	0.0000	266.4837	266.4837	0.0638	0.0000	268.0798
Total	0.1962	1.7958	1.8818	3.1000e-003		0.0930	0.0930		0.0875	0.0875	0.0000	266.4837	266.4837	0.0638	0.0000	268.0798

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Mitigated Construction Off-Site

Unmitigated Construction On-Site

[illegible]

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Paving - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

3.5 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0269	20.0269	6.4800e-003	0.0000	20.1888
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0269	20.0269	6.4800e-003	0.0000	20.1888

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379
Total	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0268	20.0268	6.4800e-003	0.0000	20.1888
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0103	0.1019	0.1458	2.3000e-004		5.1000e-003	5.1000e-003		4.6900e-003	4.6900e-003	0.0000	20.0268	20.0268	6.4800e-003	0.0000	20.1888

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379
Total	4.3000e-004	3.0000e-004	3.7200e-003	1.0000e-005	1.2100e-003	1.0000e-005	1.2200e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	0.9289	0.9289	3.0000e-005	3.0000e-005	0.9379

3.6 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.3836					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.9200e-003	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571
Total	0.3855	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Architectural Coating - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.4000e-004	1.0000e-004	1.2400e-003	0.0000	4.0000e-004	0.0000	4.1000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3096	0.3096	1.0000e-005	1.0000e-005	0.3126
Total	1.4000e-004	1.0000e-004	1.2400e-003	0.0000	4.0000e-004	0.0000	4.1000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3096	0.3096	1.0000e-005	1.0000e-005	0.3126

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.3836					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.9200e-003	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571
Total	0.3855	0.0130	0.0181	3.0000e-005		7.1000e-004	7.1000e-004		7.1000e-004	7.1000e-004	0.0000	2.5533	2.5533	1.5000e-004	0.0000	2.5571

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**3.6 Architectural Coating - 2023****Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.4000e-004	1.0000e-004	1.2400e-003	0.0000	4.0000e-004	0.0000	4.1000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3096	0.3096	1.0000e-005	1.0000e-005	0.3126
Total	1.4000e-004	1.0000e-004	1.2400e-003	0.0000	4.0000e-004	0.0000	4.1000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3096	0.3096	1.0000e-005	1.0000e-005	0.3126

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.4109	1.4086	10.8635	0.0189	1.9480	0.0160	1.9640	0.5201	0.0149	0.5350	0.0000	1,741.4287	1,741.4287	0.1547	0.0984	1,774.6298
Unmitigated	1.4109	1.4086	10.8635	0.0189	1.9480	0.0160	1.9640	0.5201	0.0149	0.5350	0.0000	1,741.4287	1,741.4287	0.1547	0.0984	1,774.6298

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Strip Mall	3,667.92	3,479.23	1690.79	5,172,230	5,172,230
Total	3,667.92	3,479.23	1,690.79	5,172,230	5,172,230

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Strip Mall	0.543528	0.058189	0.173108	0.133952	0.027894	0.007577	0.011427	0.006062	0.000688	0.000393	0.029232	0.000646	0.007304

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	163.3642	163.3642	0.0138	1.6700e-003	164.2070
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	163.3642	163.3642	0.0138	1.6700e-003	164.2070
NaturalGas Mitigated	8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	8.7890	8.7890	1.7000e-004	1.6000e-004	8.8413
NaturalGas Unmitigated	8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	8.7890	8.7890	1.7000e-004	1.6000e-004	8.8413

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**5.2 Energy by Land Use - NaturalGas****Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Strip Mall	164700	8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	8.7890	8.7890	1.7000e-004	1.6000e-004	8.8413
Total		8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	8.7890	8.7890	1.7000e-004	1.6000e-004	8.8413

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Strip Mall	164700	8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	8.7890	8.7890	1.7000e-004	1.6000e-004	8.8413
Total		8.9000e-004	8.0700e-003	6.7800e-003	5.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	8.7890	8.7890	1.7000e-004	1.6000e-004	8.8413

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**5.3 Energy by Land Use - Electricity****Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	921163	163.3642	0.0138	1.6700e-003	164.2070
Total		163.3642	0.0138	1.6700e-003	164.2070

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	921163	163.3642	0.0138	1.6700e-003	164.2070
Total		163.3642	0.0138	1.6700e-003	164.2070

6.0 Area Detail**6.1 Mitigation Measures Area**

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.3617	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003
Unmitigated	0.3617	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003

6.2 Area by SubCategory**Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0384					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3232					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	7.0000e-005	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003
Total	0.3617	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**6.2 Area by SubCategory****Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0384					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3232					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	7.0000e-005	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003
Total	0.3617	1.0000e-005	7.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.4800e-003	1.4800e-003	0.0000	0.0000	1.5800e-003

7.0 Water Detail**7.1 Mitigation Measures Water**

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	23.5038	0.2016	4.9400e-003	30.0145
Unmitigated	23.5038	0.2016	4.9400e-003	30.0145

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	6.13024 / 3.75725	23.5038	0.2016	4.9400e-003	30.0145
Total		23.5038	0.2016	4.9400e-003	30.0145

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**7.2 Water by Land Use****Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	6.13024 / 3.75725	23.5038	0.2016	4.9400e-003	30.0145
Total		23.5038	0.2016	4.9400e-003	30.0145

8.0 Waste Detail**8.1 Mitigation Measures Waste****Category/Year**

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	17.6399	1.0425	0.0000	43.7021
Unmitigated	17.6399	1.0425	0.0000	43.7021

Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**8.2 Waste by Land Use****Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	86.9	17.6399	1.0425	0.0000	43.7021
Total		17.6399	1.0425	0.0000	43.7021

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	86.9	17.6399	1.0425	0.0000	43.7021
Total		17.6399	1.0425	0.0000	43.7021

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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Dunkirk Drive, Tract Number 5640 Project (Original Project) - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**10.0 Stationary Equipment**

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

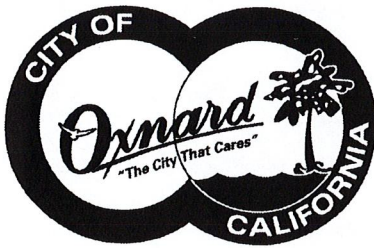
Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

D. Final MND 2004-11



Planning & Environmental Services Division
305 West Third Street
Oxnard, CA 93030
805/385-7858
FAX 805/385-7417

**INITIAL STUDY
MITIGATED NEGATIVE DECLARATION 04-11**

Dunkirk Drive by Fifth Street Land, LLC
Special Use Permit for a Planned Residential Group (04-500-1)
Tentative Subdivision Map for Tract No. 5640 (PZ 04-300-1)
Zone Change (PZ 04-570-1)
General Plan Amendment (PZ 04-620-2)

APN#'s 183-0-150-485, 183-0-150-495, 183-0-150-505,
183-0-150-515, 183-0-150-525, 183-0-150-535
August 11, 2004

Introduction

This *Initial Study* has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA)* of 1970, as amended, and the *CEQA Guidelines* as revised. *Section 15063(c)* of the *CEQA Guidelines* indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Oxnard) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
 - Focusing the EIR on the effects determined to be significant;
 - Identifying the effects determined not to be significant;
 - Explaining the reasons why potentially significant effects would not be significant; and
 - Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;

Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;

Eliminate unnecessary EIRs; and

Determine whether a previously prepared EIR could be used with the project.

The *Oxnard Threshold Guidelines - Initial Study Assessment* (February 1995) was used along with other information for preparing the *Initial Study* for this project.

The purpose of the *Threshold Guidelines* is to inform the public, project applicants, consultants and City staff of the threshold criteria and standard methodology used in determining whether or not a project (individually or cumulatively) could have a significant effect on the environment. Furthermore, the *Threshold Guidelines* provide instructions for completing the *Initial Study* and determining the type of environmental document required for individual projects.

Determining the significance of environmental impacts is a critical and often controversial aspect of the environmental review process. It is critical because a determination of significance may require that the project be substantially altered, or that mitigation measures be readily employed to avoid the impact or reduce it below the level of significance. If the impact cannot be reduced or avoided, an Environmental Impact Report (EIR) must be prepared. An EIR is a detailed statement that describes and analyzes the significant environmental impacts of a proposed project, discusses ways to reduce or avoid them, and suggests alternatives to the project, as proposed. The preparation of an EIR can be a costly and time-consuming process.

Determining the significance of impacts is often controversial because the decision requires staff to use their judgment regarding a subject that is not clearly defined by the law. The State CEQA *Guidelines* define the term "significant impact on the environment" as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. However, there is no iron-clad definition of what constitutes a substantial change because the significance of an activity may vary according to location.

To help clarify and standardize decision-making in the environmental review process, Oxnard has developed thresholds of environmental significance. Thresholds are measures of environmental change that are quantitative for subjects like noise, air quality, and traffic; and qualitative for subjects like aesthetics, land use compatibility, and biology. These thresholds are used in the absence of other empirical data to define the significance of impacts. For some projects, however, special studies and/or the professional judgment of City staff may enter into the decision-making process. Therefore, Oxnard's thresholds are intended to serve as guidelines, and to augment existing CEQA provisions governing the definition of significance.

The City's environmental thresholds will be periodically updated as new information becomes available, or as standards regarding acceptable levels of environmental change are reevaluated. For example, the air quality thresholds adopted by Oxnard were established through State and Federal legislation. These standards, and the methodology used to compute them, may change over time. When this occurs, the City will evaluate the data and, if necessary, modify the thresholds to reflect improved awareness.

When other agencies have jurisdiction over a given site, the project proponent will have to meet the design, mitigation, and monitoring requirements imposed by those agencies, as well as any additional requirements established by the City of Oxnard.

CITY OF OXNARD

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Dunkirk Drive, Tract Number 5640
2. Lead Agency Name and Address: City of Oxnard, Planning & Environmental Services Division, 305 West Third Street, Oxnard, CA 93030
3. Contact Person and Phone Number: Ashley Jackson, Associate Planner, 805.385.7882
4. Project Location: The 17 acre parcel is located east of Victoria Avenue, west of Patterson Road, north of Monte Carlo, and south of West Fifth Street. The property is within the City of Oxnard's Planning Area and is also located within the City's Urban Restriction Boundary (CURB).
5. Project Applicant Name and Address: 5th Street Land, LLC, 2800 28th Street, Suite 206, Santa Monica, California 90405.
6. General Plan Designation: The project site is currently designated as Business Research Park (BRP)
7. Zoning: The project site is zoned Business Research Park (BRP)
8. Description of Project: A proposal to subdivide a 17-acre site into 41 single-family residential lots and two commercial lots for future development. The land plan places the two commercial lots along W. Fifth Street, which provides an approximately 400 foot wide buffer separating proposed residential uses from vehicle traffic along W. Fifth Street and the activity of the Oxnard airport further to the north beyond the roadway. The site plan places homes adjacent to existing and planned residential uses located to the south, east, and west.

Direct access to the site is proposed via a new collector road from W. Fifth Street. An extension of Dunkirk Drive is proposed into the site that will provide for east-west access to the proposed homes. Future development to the west will be encouraged to extend Dunkirk Drive to the west.

Infrastructure improvements will include street and sidewalk development, power lines, sewer lines and other utilities. All improvements will be designed and constructed to the specifications and codes of the City.

A number of discretionary actions are needed to develop the property as proposed, including:

- General Plan Amendment (GPA),
- Zone Change (ZC),
- Tentative Tract Map,
- Planned Residential Group/ Special Use Permit to allow the lot configurations,

9. Surrounding Land Uses and Setting: The project site itself is presently vacant. Maintenance facilities and aircraft hangers associates with the Oxnard Airport are located north of the site across W. Fifth Street, while miscellaneous light industrial uses front along the roadway. To the south and east are single-family residential uses. Land to the west is zoned commercial and is currently vacant, although the City is reviewing a proposed residential project.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agricultural Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Geology/Soils |
| ☐ Hazards & Hazardous Materials | ☐ Hydrology/Water Quality | ☐ Land Use/Planning |
| ☐ Mineral Resources | ☐ Noise | ☐ Population/Housing |
| ☐ Public Services | ☐ Recreation | ☐ Transportation/Traffic |
| ☐ Utilities/Service Systems | ☐ Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Ashley JACKSON

Print Name

Date

8/23/04

ASSOCIATE PLANNER

Title

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used—Identify and state where they are available for review.
 - b. Impacts Adequately Addressed—Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures—For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

A. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (2020 General Plan, VIII - Open Space/ Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	☐	☐	☒	☐
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (2020 General Plan, VIII - Open Space/ Conservation Element; XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	☐	☐	☐	☒
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	☐	☐	☐	☒
4. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	☐	☐	☒	☐

Discussion:

- 1-3. The project site is flat and surrounded by urbanized uses. The City of Oxnard 2020 General Plan does not designate the project site or surroundings as a scenic resource. Roadways, including Fifth Street, Patterson Road and Victoria Road are designated as scenic highways as documented in the City's General Plan. Although development of the site would be noticeable along these roadways, all aspects of the project design are subject to review by the Development Advisory Committee (DAC). This committee has been established by the City of Oxnard to review proposed development with the City to ensure compliance with applicable development standards, code, and regulations. As the site vicinity is developed, introduction of the proposed project would be visually consistent with the surrounding urban uses and would not have a significant effect on any scenic vista or resources. **Therefore, no adverse visual impacts are expected to result from the proposed development.**
4. The proposed project would convert vacant land to urbanized use. It should be noted that the site is surrounded by similarly developed uses. Additionally, as mentioned above, all project design plans would be subject to review by the City's DAC. Consequently, development of the project would not introduce a substantial new source of light or glare that would be greater than light and glare sources that presently exists. **Therefore, with the inclusion of standard conditions of approval, the impacts to aesthetics are expected to be less than significant.**

Mitigation: No mitigation measures are required or proposed

B. AGRICULTURAL RESOURCES*

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	☐	☐	☒	☐
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	☐	☐	☒	☐
3. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	☐	☐	☐	☒

* In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.

Discussion:

1-3. According to the California Soil Conservation Divisions of Farmland & Open Space Resources (1970), soil on the project site is considered prime. No portion of the site is subject to a Williamson Act Contract. Although the site will convert vacant land regarded as prime agricultural soils, the City's 2020 General Plan designates the subject site for urban use, and the property is within the City's Urban Restriction Boundary, so converse of the property to developed uses would not result in development pressure on other agricultural land located within the City's planning sphere. **Therefore, no impacts to agricultural resources are anticipated.**

Mitigation: No mitigation measures are required or proposed

C. AIR QUALITY*

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	☐	☐	☐	☒
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	☐	☐	☒	☐
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	☐	☐	☒	☐
4. Expose sensitive receptors to substantial pollutant concentrations? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	☐	☐	☐	☒
5. Create objectionable odors affecting a substantial number of people? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	☐	☐	☐	☒

* Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Discussion:

- 1-4. The subject site is not considered to be in conflict with the Air Quality Management Plan. Nor is the project likely to create any objectionable odors.

Short-term impacts: Short-term impacts to air quality will likely result from grading and other construction activities associated with the project, such as earth-moving and heavy equipment vehicle operations. According to the Ventura County Air Pollution Control District (APCD), any combustion equipment onsite, which is rated at 50 horsepower or greater, must have either an APCD Permit to Operate (PTO), or be registered with the California Air Resources Board's (CARB) Portable Equipment Registration Program (PERP). Examples of such equipment include portable electrical generators and portable air compressors. The applicant is responsible for contacting APCD to verify compliance with any APCD permitting needs. The proposed project could potentially expose construction workers to pollutants and excessive amounts of airborne matter. Standard conditions of project approval, as recommended by the PACD, will be included to minimize such emissions and maximize dust suppression onsite. **With the inclusion of mitigation measures, impacts to short-term air quality would be reduced to less than significant.**

Long-term impacts: Anticipated long-term impacts of the proposed project will be attributed by the increase traffic associated with 41 new single-family dwelling-units in this area. The City's adopted threshold for Reactive Organic Compound (ROC) and Nitrogen Oxide (NOX) emissions is 25 pounds per day (ppd). Project-specific emissions have been calculated using the URBEMIS 2002 computer modeling program it is determined that the proposed residential project does not exceed the significance threshold of 25 ppd. No "buy-down" of emissions is required for this project. **Therefore, no adverse impacts associated with long-term effects on air quality are anticipated as a result of this project.**

5. The project proposes residential uses rather than industrial or manufacturing where objectionable odors are likely to occur. Typical odors generated by the project would be those associated with cooking activities. **Therefore, No adverse impacts associated with objectionable odors are expected.**

Mitigation: The following mitigation measures shall apply:

- C-1 Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such times as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.
- C-2 During smog season (may through October), developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.
- C-3 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.
- C-4 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 penetrate sufficiently to minimize fugitive dust during grading activities.
- C-5 During construction, Developer shall control dust by the following activities:
- 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.

- All graded and excavated material, exposed soils area, 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.

C-6 During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.

C-7 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.

C-8 Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways.

Monitoring: Planning staff will verify that all dust control measures (C1 through C-8) are included on the grading plans. The Building Official, or designee, will monitor all applicable measures in the field until construction is completed.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to air quality issues.

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	☐	☐	☐	☒
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	☐	☐	☐	☒

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	☐	☐	☐	☒
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	☐	☐	☐	☒
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	☐	☐	☐	☒
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2020 General Plan, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	☐	☐	☐	☒

Discussion:

1-6 The City of Oxnard's 2020 General Plan and 2020 General Plan EIR do not identify any species of plants or animals which are considered to be endangered, threatened, or sensitive on or adjacent to the subject property. Additionally, no wildlife corridors have been identified in the area. With regards to vegetation communities, the City of Oxnard's General Plan identifies three types of habitat that are considered significant and include: Riparian, Dunes Habitat, and Wetlands. These habitats exist on or near the Pacific Ocean or the Santa Clara River, and are not present on or in the vicinity of the subject property. **Therefore, no adverse impacts to biological resources are expected.**

Mitigation: No mitigation measures are required or proposed

E. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	☐	☐	☒	☐
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	☐	☐	☒	☐
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.12 - Aesthetic Resources)	☐	☒	☐	☐
4. Disturb any human remains, including those interred outside of formal cemeteries? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	☐	☒	☐	☐

Discussion:

- 1-4 The property is disturbed from previously agricultural activity. Neither the City of Oxnard 2020 General Plan nor the 2020 General Plan FEIR identify any cultural or historic resources on the subject property; however, the City lies entirely on the Oxnard Plain and is part of the California cultural area. Although recent nearby development has not revealed any cultural resources in the immediate vicinity, the nature of previously recorded and discovered archaeological and ethnographic resources in the area and the expressed concerns of the Native American community for the entire City warrant onsite monitoring during grading activities in the event an unexpected find occurs. Should cultural resources be unearthed during construction activities, they would be subject to proper procedures that will minimize the risk of destruction, as well as protect and preserve the cultural integrity of the resource. **With the inclusion of the mitigation measures, potential impacts to cultural resources will be less than significant.**

Mitigation: The following mitigation measures shall apply:

- E-1 Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the 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 and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental Services 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.

- E-2 Developer shall contract with a Native American monitor to be present during any subsurface grading, trenching or other construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities and findings. A copy of the contract for these services shall be submitted to the Planning and Environmental Services 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 permits.

Monitoring: Planning Staff will review the Native American monitoring contract prior to issuance of any building permits. Planning staff will ensure the monitoring reports are received prior to Planning Division inspection for final building permit sign-off. Development Services staff will monitor onsite construction activities, as necessary. .

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to cultural resources. **No further monitoring needed**

F. GEOLOGY AND SOILS

Would the project:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub. 42. (2020 General Plan, IX-Safety Element; FEIR 88-3, 4.8 - Earth Resources)
 - b. Strong seismic ground shaking? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)
 - c. Seismic-related ground failure, including liquefaction? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)
 - d. Landslides? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)

Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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☐	☐	☒	☐
☐	☒	☐	☐
☐	☒	☐	☐
☐	☐	☐	☒

F. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:				
2. Result in substantial soil erosion, or the loss of topsoil? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	☐	☐	☐	☒
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	☐	☐	☒	☐
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	☐	☐	☒	☐

Discussion:

1-4 The City, as with other jurisdictions in California, lies in a seismically active region. There are two seismic faults north and east of the site. Given the proximity of the site to these faults the site is susceptible to several types of earthquake-related risks. Through the implementation of standard construction techniques, adherence to the Uniform Building Code (UBC) potential impacts associated with seismically induced activities would be considered less than significant. The City's Development Services Division plan check process requires the submittal and approval of a soils, geologic and structural evaluation report prepared by a registered soils engineer and/or structural engineer for all new development.

According to the 2020 General Plan, the City of Oxnard is located in an area with high seismic ground shaking potential. The subject site is located in an area that has been identified as having a moderate to low potential for liquefaction (Figure IX-2). **With the inclusion of the mitigation measure, impacts to geology would be reduced to less than significant.**

Mitigation:

F-1 Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated in the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.

Monitoring: The Building Official will review the soils investigation report, and shall determine if any applicable recommendations are to be incorporated into the project.

Result After Mitigation: Upon implementation of the above mitigation measure, the project will not result in any residual significant adverse effects on the environment related to geophysical issues.

G. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (2020 General Plan, IX - Safety Element)	☐	☐	☒	☐
2. Create a significant hazard to the public or the environment through reasonably foreseeable up-set and accident conditions involving the release of hazardous materials into the environment? (2020 General Plan, IX - Safety Element)	☐	☐	☒	☐
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (2020 General Plan, IX - Safety Element)	☐	☐	☒	☐
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (2020 General Plan, IX - Safety Element)	☐	☐	☐	☒
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (2020 General Plan, IX - Safety Element)	☐	☒	☐	☐
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (2020 General Plan, IX - Safety Element)	☐	☐	☐	☒
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (2020 General Plan, IX - Safety Element; City of Oxnard Emergency Preparedness Plan and Response Manual)	☐	☐	☐	☒
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (2020 General Plan, IX - Safety Element)	☐	☐	☐	☒

Discussion:

- 1-4 The proposed project will create residential uses that do not transport or emit toxic chemicals or vapors. **Therefore, the risk associated with emissions or handling of hazardous materials is considered to be less than significant.**
- 5-6. The project site is located within the Oxnard Airport Sphere of Interest as determined by the General Plan. Since over 90% of all aircraft approaches to the Oxnard Airport are in an east to west direction over the City of Oxnard the project site is not located within most landing patterns. However, Section 36-5.4.0 of the City Code requires the preparation of an airport hazard risk assessment for new development proposed within the airport's sphere of influence. The Airport Land Use Commission and Oxnard Airport Authority reviewed the project and found it to be consistent with the airport land use plan, provisions of Federal Aviation Administration (FAA) Federal Aviation Regulations (FAR) Part 77 (obstruction clearance), provisions of FAR Part 150 (land use compatibility), the airport comprehensive land use plan (CLUP) and the airport master plan. The project is technically and legally compliant with the minimum standards relation to development in the vicinity of an airport. **Therefore, with the inclusion of the mitigation measures the impact would be reduced to less than significant.**
7. According the General Plan, W. Fifth Street is considered an evacuation route. The project is providing an access point off of W Fifth Street which will allow for ease of access for residents to evacuation routes as well as continuing Dunkirk Drive from the east to the west which will allow residents to access Patterson Road which leads south to Channel Islands, an additional evacuation route. In addition, the project applicant will make improvements including the introduction of additional traffic lands along this roadway to ensure smooth traffic flow. **Therefore, no significant impact is anticipated.**
8. Development of the property would not result in an increased wildfire risk. Site development would convert vacant land to an urban use. The site itself is located adjacent to a existing development and is not located in an area containing flammable brush, grass, or trees. **Therefore, no significant impact is anticipated.**

Mitigation:

- G-1 Developer shall submit plans the Development Services Division the clearly indicated that home constructed along the northern residential boundary shall be no closer than 400 feet from the centerline of proposed widened W. Fifth Street.
- G-2 Prior to issuance of building permits the developer shall file a form 7460, "Notice of Proposed Construction: with the Federal Aviation Administration (FAA), a provide a copy to the Planning Division, that enables the FAA to review the development for any hazards to airport /aviation operations.

Monitoring: Planning staff will verify the plans submitted clearly show a 400' buffer from the centerline of W. Fifth Street. Planning staff shall review form 7460 prior to issuance of building permits.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to hazards and hazardous material issues.

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/Conservation Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☒	☐
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/Conservation Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☐	☒
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☒	☐
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☒	☐
5. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☒	☐

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
6. Otherwise substantially degrade water quality? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☒	☒
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☐	☒
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☐	☒
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☐	☒
10. Inundation by seiche, tsunami, or mudflow? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	☐	☐	☐	☒

Discussion:

1-3,5,6. The project will replace vacant land with residential units creating less impervious surfaces. There are no surface water bodies or wetlands in the project vicinity which could be affected by the propose development. However, existing absorption rates, drainage patters, and runoff rates of the subject site are surrounding areas will be affected by the proposed project. In addition, development of the subject site with 41 residential units will place an increased demand on the City's water resources.

The project does not utilize or store hazardous materials as part of operational activity, so water quality impacts associated with project operation would be limited to those associated with motor vehicles and landscape maintenance. The primary source of contaminants would be oil, grease and particulates emitted by motor vehicles.

The project is subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) permit during both construction and operation. The applicant is required to comply with the permit requirements through incorporation of design features and use of best management practices (BMPs) appropriate and applicable to the project. The City of Oxnard will review all proposed project plans for compliance with NPDES requirements as part of the project review and approval process. The developer, as part of the development to the east, installed a stormdrain for this project. Based on the above, no impacts are anticipated with regard to water quality. **Therefore, no adverse impacts are expected of these risks.**

4. The project site is flat and surrounded by urban uses. No river or stream occurs in the project vicinity, so site development would not alter the course of such a waterway. **Therefore, no adverse impacts are expected of this risk.**
- 7-10. According to the 2020 General Plan, the project is not located in the 100-year flood zone or areas subject to tsunami or seiche areas. **Therefore, no adverse impacts are expected of these risks.**

Mitigation: No mitigation measures required or proposed.

I. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Physically divide an established community? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.1 - Land Use)	☐	☐	☐	☒
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (2020 General Plan; City adopted Specific Plans; Local Coastal Program; and Zoning Ordinance; FEIR 88-3, 4.1 - Land Use)	☐	☐	☒	☐
3. Conflict with any applicable habitat conservation plan or natural community conservation plan? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.1 - Land Use)	☐	☐	☐	☒

Discussion:

- 1,3. The project site is located adjacent to existing residential uses and is not the subject of a habitat conservation plan or program. The project itself represents residential development that would round out the boundary of the established residential community of Sea View Estates. **Therefore, the project would not physically divide an established community nor effect any habitat conservation planning and no significant impact is anticipated.**

2. California State Law (Government Code Section 65300) requires that each city prepare and adopt a comprehensive, long-term general plan for its future development. The general plan must contain seven elements, including land use, circulation, housing, conservation, open space, noise, and safety. In addition to these, state law permits cities to include optional elements in their general plans, thereby providing local governments with the flexibility to address the specific needs and unique character of their jurisdictions. The role of the general plan is to act as a "constitution" for development, the foundation upon which all land use decisions are based. It expresses community development goals and embodies public policies for the community.

As proposed, the project requires a General Plan Amendment to change the existing designations from Business Research Park (BRP) to Low Density Residential and General Commercial. The applicant is also requesting a zone change from Business Research Park to Single Family Residential, Planned Development/Planned Residential Group (R-1-PD) on a portion of the site. The northern +/- 7 acres will be zoned general commercial planned development (C2-PD).

The City of Oxnard has reviewed the proposed tract map against City Development and design guidelines which regulated permitted uses, development density, building heights, site and building design, transportation demand and neighborhood protections. The requested zone change and general plan amendment would allow for more compatible land uses with the existing and proposed residential to the east, south, and west of the project site. In addition the developer is relocating an easement from the southern boundary of the project site to the northern boundary of the proposed residential to create a buffer between the proposed residential and commercial. **Therefore, impacts to land use and planning do not require mitigation.**

Mitigation: No mitigation measures are required or proposed.

J. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	☐	☐	☐	☒
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	☐	☐	☐	☒

Discussion:

- 1,2. Aggregate (sand, gravel, and crushed rock) resources are located in several geographic within Ventura County. In the western Ventura County area, aggregate resources are almost exclusively located adjacent to, and in the Santa Clara River. In addition, there are aggregate resources present in the hills northwest of Moorpark and in the hills to the north and south of Simi Valley. The project site is located south of these mineral deposits on soil designated MRZ-1or MRZ-4. Neither of these zones are identified as containing prime aggregate resources and as a result of development, the proposed project would not impact potential or active mineral resources.¹ According to the Resources Appendix of the Ventura County General Plan, theoretically, there are adequate supplies of aggregate in the areas presently being mined, to meet the total projected demand of that mineral in the entire county through the year 2030.²

Development of the subject site would increase the rate of consumption of fuel and other energy sources. During construction, energy resources would be necessary for onsite building activities, equipment operations, and transport vehicles bringing supplies to the site and hauling waste and debris offsite. After construction, necessary energy resources might include gasoline for project vehicle trips, natural gas for heating and cooling, and electrical services for lighting. The proposal does not create any unique demand on the resources described above. **Therefore, no impacts on natural and mineral resources are expected**

Mitigation: No mitigation measures are required or proposed

K. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	☐	☐	☒	☐
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	☐	☐	☒	☐
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	☐	☐	☒	☐

1 Final Environmental Impact Report, City of Oxnard 2020 General Plan, Figure 4.8-5 June 1990.
 2 Ventura County General Plan, Resources Appendix, page 37, May 1988.

K. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	☐	☐	☒	☐
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	☐	☒	☐	☐
6. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	☐	☐	☐	☒

Discussion:

- 1-4, 6. The existing noise environment is characterized by urban noise sources, such as commuter traffic, domestic noises and office and light industrial operations. Development of 41 single-family residences onsite will increase the existing ambient noise levels. Although short-term noise generated by construction activities will occur, these levels are anticipated to be adverse but not significant. The City Ordinance limits construction activities to between the 7:00 am and 7:00 pm. **Therefore, significant impacts relating to these risks are not anticipated.**
5. The project site is just south of the Oxnard Airport. With respect to airport compatibility the project site is located outside of the 65 dB9A) CNEL aircraft noise contour. Thus the proposed residential development would not expose future occupants to significant noise levels associated with airport operations. In addition the project site is within the helicopter over flight area which would generate an instantaneous sound level that could represent a temporary annoyance to future occupants. However, the number of fly-over events is too infrequent to influence the 24-hour time weighted CNEL contours for airport operations, so the project is considered compatible with State and City General Plan noise criteria. **Therefore, with the inclusion of the following mitigation, impact associated with airport noise would be reduced to less than significant.**

Mitigation:

K-1 The applicant shall provide such notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street.

Monitoring: Planning staff shall have on file a copy of the disclosure prior to issuance of a Temporary Use Permit application.

Result After Mitigation: Upon implementation of the above mitigation measure, the project will not result in any residual significant adverse effects related to the noise levels at the project site.

L. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infrastructure)? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	☐	☐	☒	☐
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	☐	☐	☐	☒
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	☐	☐	☐	☒

Discussion:

- 1-3. The project site is currently vacant, consequently development of the project site would not remove existing homes, nor displace people. The proposed project would, however, result in the development of 41 additional single-family homes and two commercial lots totaling +/- 7 acres. Based on a person per household figure of 3.9 (pursuant the 2002 Department of Finance) the proposed project could result in a potential population growth of approximately 160 people. The new housing units are expected to add to the City's housing stock and shall be in accordance with the City's affordable housing requirements. The anticipated population growth has been analyzed as part of the EIR for the 2020 General Plan and is considered to be consistent with the City's General Plan. **Therefore, impacts to population growth and housing displacement are considered to be less than significant.**

Mitigation: No mitigation measures are required or proposed.

M. PUBLIC SERVICES*

Would the project result in substantial adverse physical impacts to the following:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Fire protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	☐	☐	☒	☐
2. Police protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	☐	☐	☒	☐
3. Schools? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	☐	☐	☒	☐
4. Parks? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	☐	☐	☒	☐
5. Other public facilities? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	☐	☐	☒	☐

* Include potential effects associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.

Discussion:

- 1 The project will include adequate fire hydrants, vehicular and pedestrian access, signage, addressable smoke detectors and all requirements of the Uniform Fire Code in order to minimize any potential impacts on Fire services. In addition, standard Fire Department conditions will be incorporated into the proposed project. **With the inclusion of standard Fire Department conditions, impact on fire services is considered to be less than significant.**

- 2 According to the 2020 General Plan, the current staffing ration of officers to population should be maintained to provided adequate police services as the City's population increases. The Cit will monitor the need for additional public facilities and/or personnel as part of the Five-Year Development Plan. Through this action, the City would ensure that police services are available to serve the proposed project and cumulative development. The increase in tax base generated by the project and cumulative projects would help fund the project's share of necessary police service expansion within the City. In addition the project must incorporate any Police Department design requirements (such as those pertaining to site access, site security, lighting, etc.) which will reduce demands for police protections service to the site and which will help ensure adequate public safety. **Therefore, impact on police services is considered to be less than significant.**
- 3 According to the 2020 General Plan, the proposed residential development will adversely impact existing schools. The Oxnard Elementary School District and the Oxnard Union High School District provide public education in the vicinity of the project. Occupancy of the 41 homes would generate additional students that would ultimately attend school in the two school districts. There is a proposal for the development of a new elementary school just northeast of the project site, which could help alleviate the impact on existing schools, however the proposed school is not yet approved. Prior to issuance of a building permit, the applicant will be required to pay the required school impact fee per unit in order to mitigate this impact. **With the inclusion of the required fees, impacts to schools are considered to be less than significant.**
- 4 There are no parks sites proposed in this development, however a park site is being development to the northeast at part of the build out of the 200 single family homes to the east of this project. Prior to issuance of building permits, the applicant will be required to pay the required Quimby fee per unit in order to mitigate this impact. **With the inclusion of the required fees, impacts to parks are considered to be less tan significant.**
- 5 The proposed project is part of the Calleguas Municipal Water District. The proposed project would contribute to the general wear and tear of various public facilities, including roadways, storm drainage system, and water and wastewater infrastructure. In order to address the project's share of wear and tear caused by the proposed project, the City requires developers of new projects to pay the following development fees: Planned Traffic Circulation System Facilities Fees (Traffic Impact); Planned water Facilities Fee; Planned Wastewater Facilities Fee; Planned Drainage Facilities Fee; and Growth Requirement Capital Fee. The existing Central Library and community center facilities will be sufficient to meet the future needs of the City as identified in the 2020 General Plan. **Therefore, impacts to other public facilities are considered to be less than significant.**

Mitigation: No mitigation measures are required or proposed.

N. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	☐	☐	☒	☐
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	☐	☐	☐	☒

Discussion:

- 1-2. The project site is currently vacant, therefore development of the project site would increase the resident population of the City and the associated demand for recreational opportunities. The developer is required to pay a Quimby fee to reduce the impacts associated with the proposed development prior to issuance of building permits. **Therefore, no adverse impacts to recreation facilities are expected.**

Mitigation: No mitigation measures are required or proposed.

O. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	☐	☐	☒	☐
2. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	☐	☐	☒	☐

O. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
3. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	☐	☐	☒	☐
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	☐	☐	☒	☐
5. Result in inadequate emergency access? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	☐	☐	☒	☐
6. Result in inadequate parking capacity? (Zone Ordinance - Parking Regulations and Parking Lot Design Standards)	☐	☐	☐	☒
7. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Bicycle Facilities Master Plan)	☐	☐	☒	☐

Discussion:

- 1-3. The residential project is anticipated to generate 456 total trips per day. Although the 2020 General Plan designated this site for Business and Research Park use, the proposed use, residential, generates a lower trip per day average than Business and Research or Commercial uses, therefore the 456 trips are considered to be insignificant compared with the amount of daily traffic already in this area or that which would be generated with Business and Research Park use. To address potential cumulative traffic impacts, the City of Oxnard and the County of Ventura have an agreement pertaining to cumulative traffic fees in which applicants are required to pay applicable City and County traffic fees at time of permit issuance. This is a standard condition of approval and will be included as part of the approval of this project. **Therefore, impacts to traffic levels are anticipated to be less than significant.**
- 4-5. The Development Advisory Committee (DAC), which contains representatives from a variety of City Departments including Public Works, Planning, Police, Fire, Traffic, and Parks reviewed this project for consistency with City codes and development standards. As part of the DAC review potential inadequate emergency access issues were resolved. The project includes a special condition from the Fire Department not allowing further development to the north of the proposed cul-d-sacs is access to be provided off the proposed cul-d-sacs. **Therefore, impacts to emergency access will be reduced to less than significant.**

6. The proposed project includes parking that meets the requirements by City Code. For each dwelling unit, a two-car garage (minimum interior clear dimensions 20' X 20') is required. Additional parking, such as for visitors, should be available on each individual driveway. As proposed, the development complies with the City's requirements for on-site parking. **Therefore, no impacts related to inadequate parking are anticipated.**
7. The project site is served by the South Coast Area Transit (SCAT) along W. Fifth. As part of this proposal the developer will provide pedestrian connection to access the existing transit stops. In addition the developer is dedicating land to the city for the widening and subsequent improvements along W. Fifth Street which will create bike lanes and sidewalks. The proposed project will not conflict with any policies supporting alternative transportation. Nor will the project create impacts to rail, waterborne or air traffic. **Therefore, no impacts to alternative transportation are anticipated.**

Mitigation: No mitigation measures are required or proposed.

P. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	☐	☐	☐	☒
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	☐	☐	☐	☒
3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	☐	☐	☒	☐
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	☐	☐	☒	☐

P. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
5. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	☐	☐	☒	☐
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	☐	☐	☒	☐
7. Comply with federal, state, and local statutes and regulations related to solid waste? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	☐	☐	☐	☒

Discussion:

- 1-5 The project will create additional demand one existing utilities and service systems. As stated previously, in Section H, the developer, as part of the development to the east, installed a stormdrain for this project. Water service to this area is currently provided by Calleguas Municipal Water District (CMWD). **Therefore, no adverse impacts to water service are expected.**
- 6-7. Standard conditions of approval will involve compliance with the City's recycling requirements, which will address the landfill and solid waste concerns. **Therefore, impacts to utilities and public services are expected to be less than significant.**

Mitigation: No mitigation measures and required or proposed.

Q. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐

Q. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
2. Does the project have impacts that are individually limited, but cumulatively considerable (<i>"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?</i>)?	☐	☐	☒	☐
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion:

No new significant adverse effects are expected to result from the proposed project. Mitigation measures are either incorporated into the project or made a part of the Mitigated Negative Declaration.

**SUMMARY OF MITIGATION MEASURES
INCORPORATED INTO THE PROJECT**

Air Quality

- C-1 Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.
- C-2 During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.
- C-3 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.
- C-4 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 penetrate sufficiently to minimize fugitive dust during grading activities.
- C-5 During construction, Developer shall control dust by the following activities:
 - 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.

- 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.
- C-6 During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
- C-7 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.
- C-8 Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways.

Cultural Resources

- E-1 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 and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental Services 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.

- E-2 Developer shall contract with a Native American monitor to be present during any subsurface grading, trenching or other construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities and findings. A copy of the contract for these services shall be submitted to the Planning and Environmental Services 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 permits.

Geology and Soils

- F-1 Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated in the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.

Noise

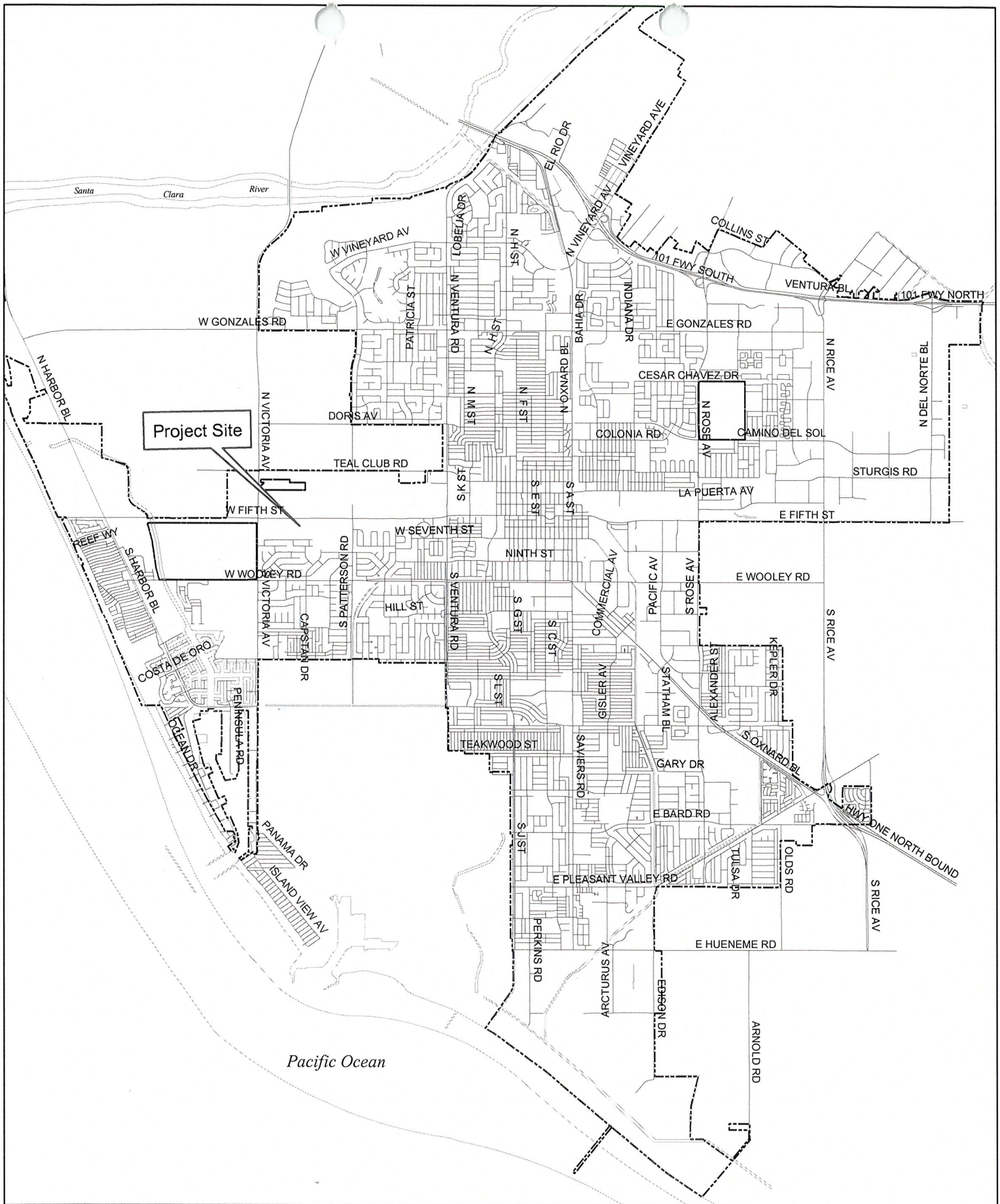
- K-1 The applicant shall provide such notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and a helicopter flight path along W. Fifth Street.

ADDITIONAL REFERENCES

1. California, State of, Air Resources Board, *URBEMIS 2002 Program*.
2. California, State of, Governor's Office, Office of Planning and Research, Office of Permit Assistance, *Hazardous Waste and Substances Sites - List Pursuant to AB 3750*, current edition.
3. California, State of, Office of Planning and Research, *California Environmental Quality Act Statutes*, Sacramento, California: January 1, 2002.
4. California, State of, Office of Planning and Research, *Guidelines for Implementation of the California Environmental Quality Act*, Sacramento, California: February 1, 2001.
5. California, State of, Office of Planning and Research, *Planning, Zoning and Development Laws*, November 2000.
6. City of Oxnard, *The Municipal Code of the City of Oxnard - Zoning Ordinance*, current edition.
7. City of Oxnard, Development Services Department, Planning Division, *and Zone & Land Use Maps*, current editions.
8. City of Oxnard, Fire Department, *Fire Protection Planning Guide*, January 1990.
9. Ventura County Air Pollution Control District, *Air Quality Management Plan*, current edition.
10. Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, October 2003.
11. Institute of Transportation Engineers, *Trip Generation Manual*, Seventh Edition, Washington, DC, 2003.
12. United States Federal Emergency Management Agency, National Flood Insurance Program, *FIRM Flood Insurance Rate Maps for the City of Oxnard*, October 1985.
13. City of Oxnard, Public Works Department, *Master Sewer Plan*, current edition.
14. City of Oxnard, Public Works Department, *Master Drainage Plan*, current edition.
15. City of Oxnard, Public Works Department, *Master Water Plan*, current edition.
16. California State University - Fullerton South Central Coastal Information Center, *California Historical Resources Information System*, Department of Anthropology, Fullerton, California.
17. Ventura County Airport Land Use Commission, *Oxnard Airport Master Land Use Plan*, 1990.
18. Ventura County Cultural Heritage Board, *Ventura County Historical Landmarks & Points of Interest-August 1991*, Ventura County Recreation Services.
19. Ventura County, Property Administration Agency, *Final Report: Cultural Heritage Survey, Phase I*, Oxnard and Santa Paula, 1981.

Environmental Impact Reports

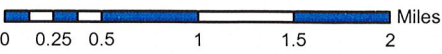
1. City of Oxnard, *FEIR for the Fifth and Patterson project (Tract 5340)*.



Pacific Ocean

Vicinity Map

PZ 04-500-1, 04-300-1, 04-570-1, 04-620-2



SITE PLAN

TRACT NO. 5640

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

LOT 1 THROUGH 6, INCLUSIVE, OF LICENSED LAND SURVEYOR'S MAP
FILED IN BOOK 23, PAGE 30 OF RECORD OF SURVEYS.

REVISED DATE: JUNE 30, 2004

GENERAL NOTES:

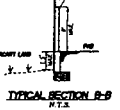
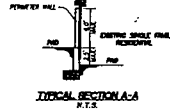
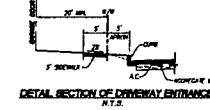
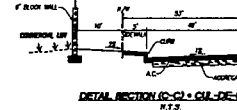
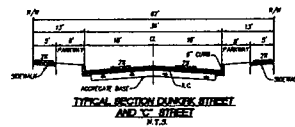
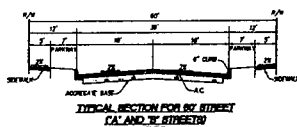
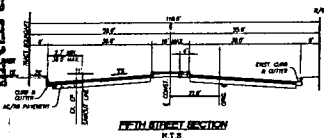
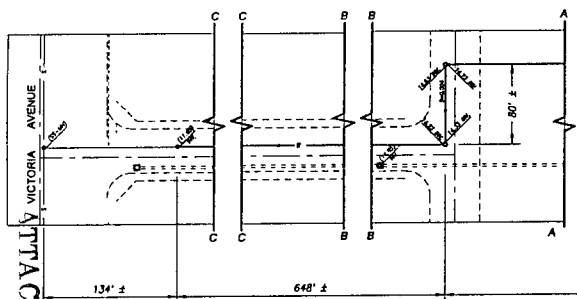
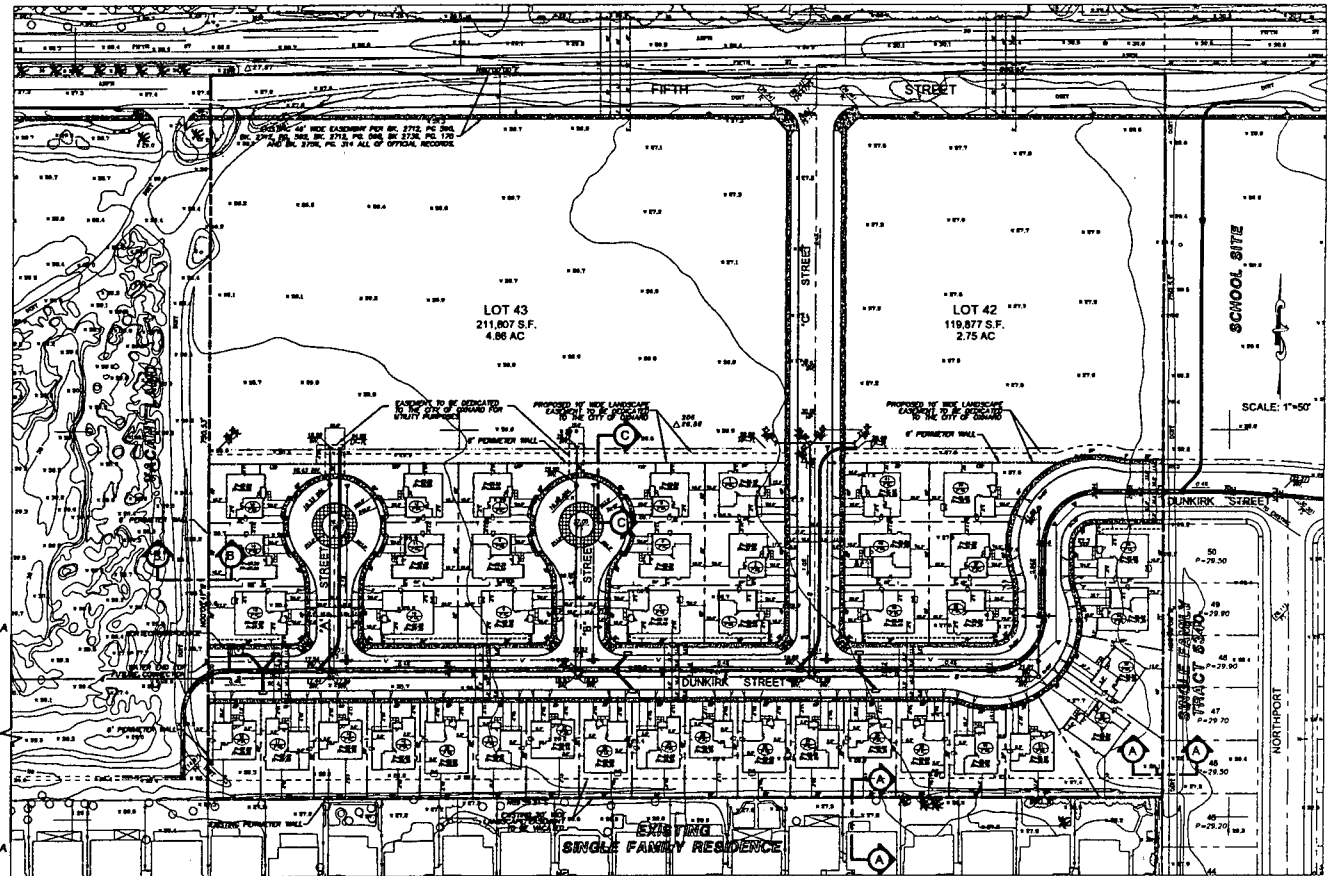
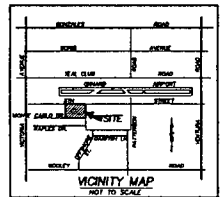
1. ALL PROPOSED UTILITIES SHALL BE PLACED UNDERGROUND.
2. THE DEVELOPER HEREBY RESERVES THE RIGHT TO FILE NEUTRAL FINAL MAPS.
3. ALL STREETS SHOWN HEREON SHALL BE PUBLIC STREETS AND SHALL BE DEDICATED TO THE CITY OF OXNARD.
4. ALL SANITARY SEWER AND STORM DRAINAGE SHOWN HEREON SHALL BE PUBLIC AND SHALL BE DEDICATED TO THE CITY OF OXNARD.
5. ALL PROPOSED WATER FACILITIES SHOWN HEREON SHALL BE PUBLIC AND SHALL BE DEDICATED TO THE CITY OF OXNARD.
6. COMPLIANCE WITH ALL STREET DRAINAGE AND DETENTION REQUIREMENTS SHALL BE DEPOSED TO THE SATISFACTION OF THE CITY OF OXNARD ENGINEERING DEPARTMENT.
7. UTILITIES SIZES AND LOCATION ARE PRELIMINARY AND SUBJECT TO CHANGE AT THE TIME OF FINAL ENGINEERING.
8. UTILITIES:
CABLE T.V. JONES INTERCABLE INC.
ELECTRIC 30 CALIF. EDISON CO.
GAS 30 CALIF. GAS CO.
SEWER/WATER CITY OF OXNARD
TELEPHONE GENERAL TELEPHONE

PROJECT SUMMARY

UNIT NO. 11 UNITS
PLAN 2 14 UNITS
PLAN 3 18 UNITS
MINIMUM LOT AREA 5,062
SINGLE FAMILY RESIDENCES 41 LOTS
TOTAL AREA 17.08 ACRES
EXISTING USE AGRICULTURE
PROPOSED ZONING R1 - PD
C-7
PROPOSED USE SINGLE FAMILY RESIDENCES
GENERAL COMMERCIAL

LEGEND:

TL TOP OF CURB
FL FLOW LINE
HP HIGH POINT
LP LOW POINT
OB GRADE BREAK
CL CENTER LINE
RW RIGHT OF WAY
SW SIDEWALK
PWY PARKWAY
AC ASPHALT CONCRETE PAVING



NO.	DATE	REVISIONS

DESIGNED BY:
FIFTH STREET LAND LLC.
3800 TWENTY SEVENTH ST.
SAN DIEGO, CA 92106
TEL: (619) 584-8888
OFFICE: 1000 LEXINGTON BLVD.



PREPARED BY:
3800 TWENTY SEVENTH DRIVE
ANN ARBOR, MI 48106
TEL: (734) 667-8888
FAX: (734) 667-8888
DATE: 06/30/04

SITE PLAN
TRACT NO. 5640
CITY OF OXNARD

PROJECT NO. 381
SHEET 1
OF 1

PAGE 65 OF 125

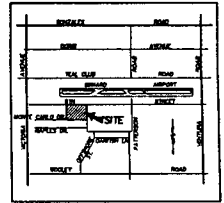
TENTATIVE MAP

TRACT NO. 5640

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

LOT 1 THROUGH 6, INCLUSIVE OF LICENSED LAND SURVEYOR'S MAP
FILED IN BOOK 23, PAGE 30 OF RECORD OF SURVEYS.

REVISED DATE: JUNE 30, 2004



LOCALITY MAP
NOT TO SCALE

LOT AREA TABLE:

LOT NO.	LOT AREA (S.F.)
1	3,003
2	2,431
3	2,383
4	2,376
5	2,377
6	2,381
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GENERAL NOTES:

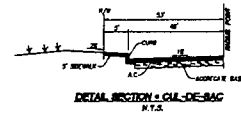
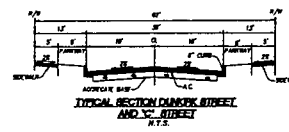
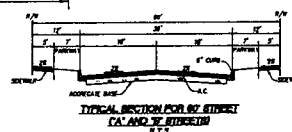
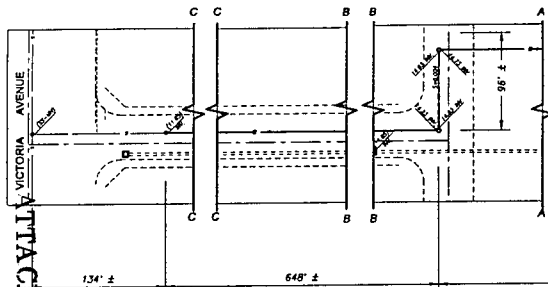
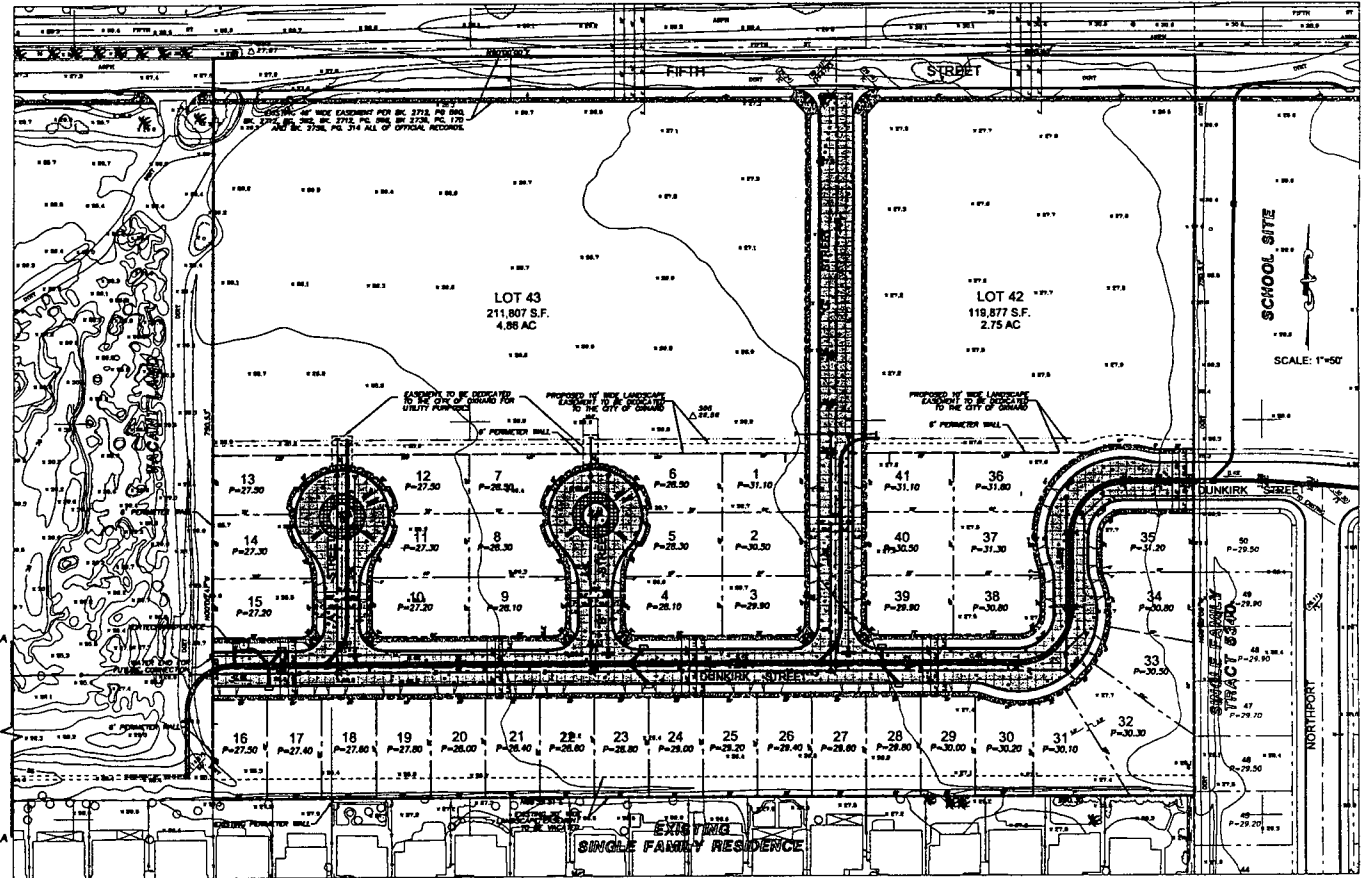
- ALL PROPOSED UTILITIES SHALL BE PLACED UNDERGROUND.
- THE DEVELOPER HEREBY RESERVES THE RIGHT TO FILE SEVERAL FINAL MAPS.
- ALL UTILITIES SHOWN HEREON SHALL BE PUBLIC UTILITIES AND SHALL BE DEDICATED TO THE CITY OF OXNARD.
- ALL SANITARY SEWER AND STORM SEWER SHOWN HEREON SHALL BE PUBLIC AND SHALL BE DEDICATED TO THE CITY OF OXNARD.
- ALL PROPOSED UTILITY FACILITIES SHOWN HEREON SHALL BE PUBLIC AND SHALL BE DEDICATED TO THE CITY OF OXNARD.
- COMPLIANCE WITH ALL STREET GRADING AND SECTION REQUIREMENTS WILL BE ENSURED TO THE SATISFACTION OF THE CITY OF OXNARD ENGINEERING DEPARTMENT.
- UTILITY SIZES AND LOCATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE AT THE END OF FINAL ENGINEERING.
- UTILITIES:
 - WATER: 12" DUCTILE IRON
 - ELECTRIC: 36" DUCTILE IRON
 - GAS: 36" DUCTILE IRON
 - SEWER: 36" DUCTILE IRON
 - STORM: 36" DUCTILE IRON

PROJECT SUMMARY:

DEVELOPER: JAMES W. WOODLAND DRIVE
 PLAN 1: 11 UNITS
 PLAN 2: 10 UNITS
 PLAN 3: 10 UNITS
 MINIMUM LOT AREA: 5,000 S.F.
 SINGLE FAMILY RESIDENCES: 41 LOTS
 TOTAL AREA: 17.00 AC.
 EXISTING USE: AGRICULTURE
 PROPOSED ZONING: R1 - PD
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 LOT 1 TO 41: SINGLE FAMILY RESIDENTIAL
 LOT 42 & 43: AGRICULTURE

ABBREVIATIONS:

TC: TOP OF CURB
 FL: FLOW LINE
 HP: HIGH POINT
 LP: LOW POINT
 GB: GRADE BREAK
 CL: CENTER LINE
 RW: RIGHT OF WAY
 SW: SIDEWALK
 PAVT: PAVEMENT
 AC: ASPHALT CONCRETE PAVING



NO.	DATE	REVISIONS

DEVELOPER:
FIFTH STREET LAND LLC.
 2800 TWENTY EIGHT ST.
 SANTA MONICA, CA 90405
 TEL: (310) 310-1000
 COUNTRY: PENNSYLVANIA, BLOCK 1



ENGINEER:
JAMES W. WOODLAND DRIVE
 10000 JAMES W. WOODLAND DRIVE
 SAN FRANCISCO, CA 94115
 TEL: (415) 774-0000
 FAX: (415) 774-0000

TENTATIVE MAP
 TRACT NO. 5640
 CITY OF OXNARD

PROJECT NO.	381
SHEET	1
OF	1



PLAN 1

PLAN 2

PLAN 3

SHEET INDEX

- SHEET 1 - PLAN 1 - FLOOR PLANS
- SHEET 2 - PLAN 1 - FRONT ELEVATIONS
- SHEET 3 - PLAN 1 - SIDE & REAR ELEVATIONS
- SHEET 4 - PLAN 2 - FLOOR PLANS
- SHEET 5 - PLAN 2 - FRONT ELEVATIONS
- SHEET 6 - PLAN 2 - SIDE & REAR ELEVATIONS
- SHEET 7 - PLAN 3 - FLOOR PLANS
- SHEET 8 - PLAN 3 - FRONT ELEVATIONS
- SHEET 9 - PLAN 3 - SIDE & REAR ELEVATIONS

DUNKIRK STREET

Oxnard, California



KTGY NO. 2003634



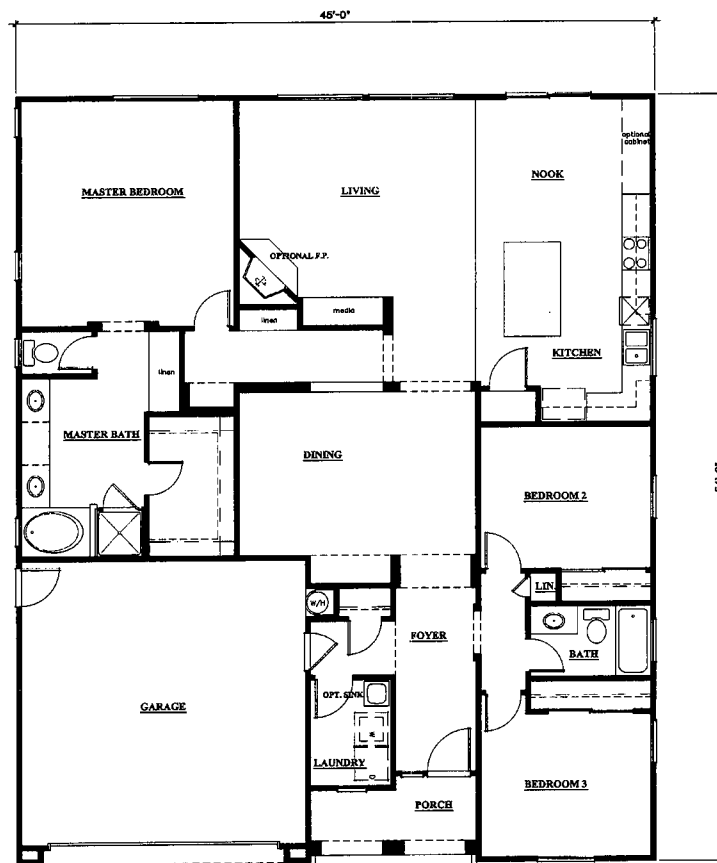
COMMUNITY DYNAMICS



12/29/2003

ATTACHMENT 5

PAGE 67 OF 125



FIRST FLOOR PLAN

GARAGE

430 SQ.FT.

PLAN ONE
1928 SQ. FT.
DUNKIRK STREET
Oxnard, California



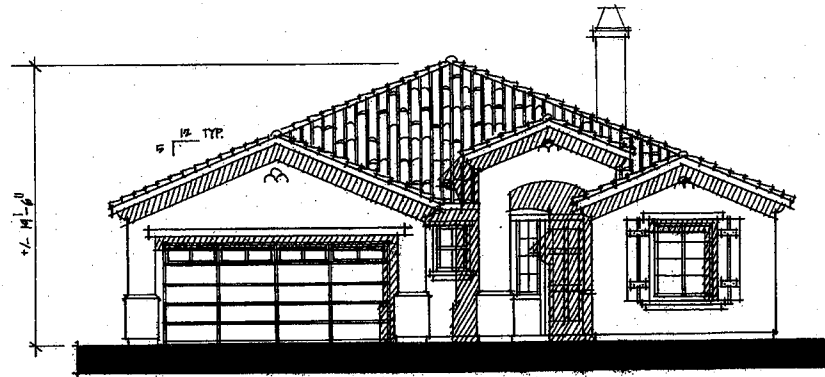
KTGY NO. 2003634

SHEET 1

COMMUNITY DYNAMICS



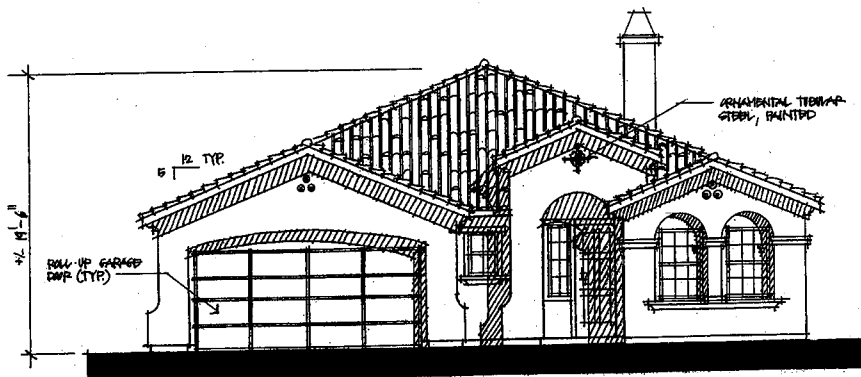
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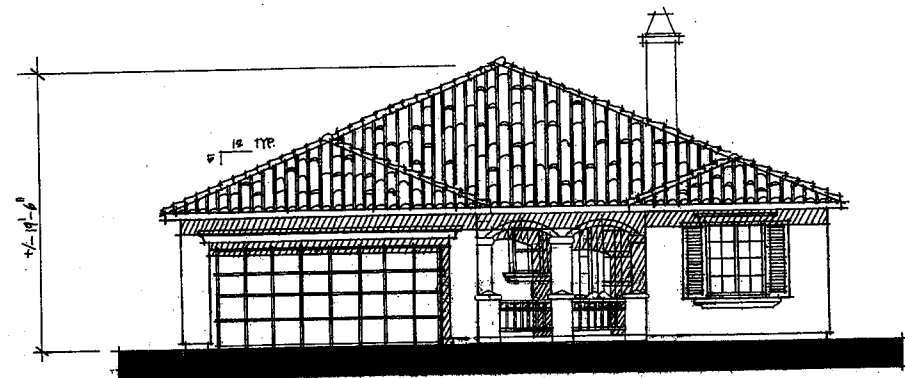
ELEVATION A

ELEVATION LEGEND

- Roof Material: Concrete "S" Tile
- Wood Fascia
- Stucco Exterior
- Stucco Over Trim at Doors & Windows
- Built up Stucco Wainscot Base
- Nesco Shutters
- Stucco Recess
- Roll Up Garage Doors
- Wood Posts and Wood Rail
- Painted Tubular Steel Rail
- Nesco Corbels
- Nesco Decorative Cable End Vents



ELEVATION B



ELEVATION C

PLAN ONE
DUNKIRK STREET
Oxnard, California

COMMUNITY DYNAMICS



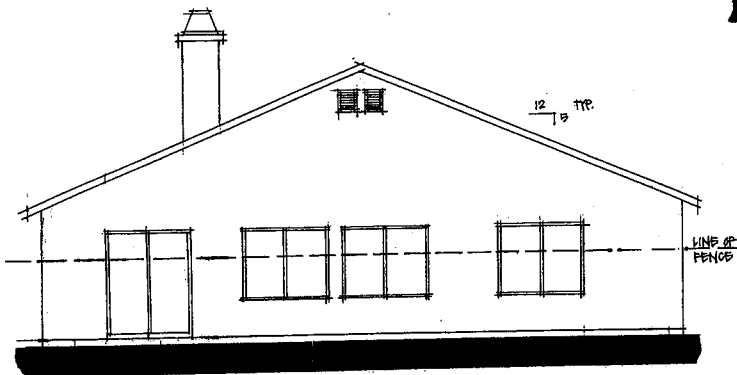
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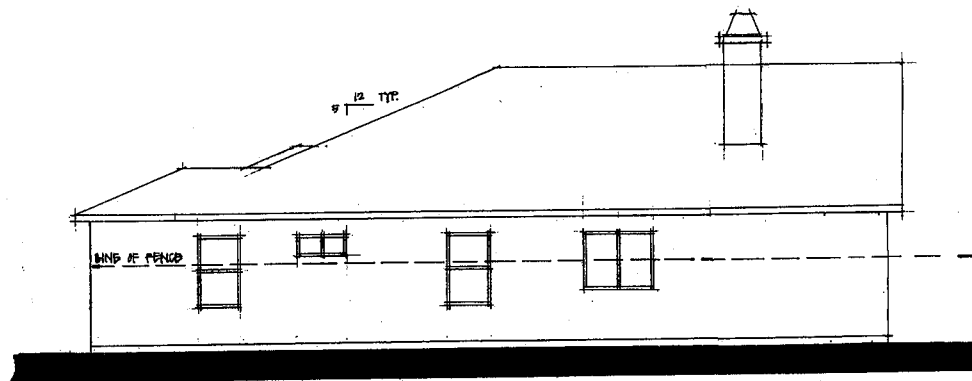
KTGY NO. 2003634

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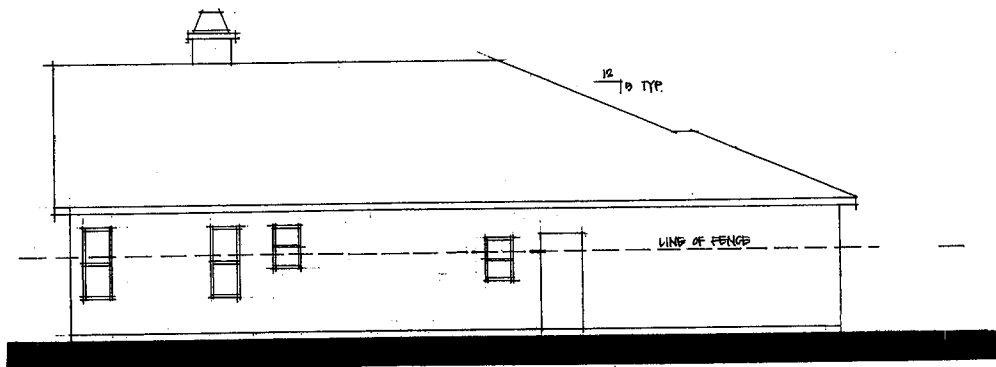
PAGE 69 OF 125
ATTACHMENT 5



REAR ELEVATION A



RIGHT SIDE ELEVATION A



LEFT SIDE ELEVATION A

PLAN ONE
DUNKIRK STREET
 Oxnard, California



KTGY NO. 2003634

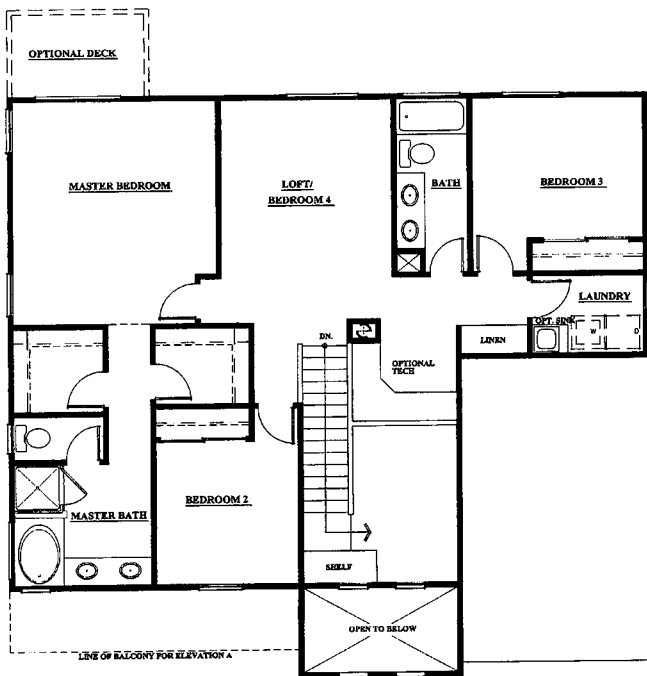
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12/29/2003

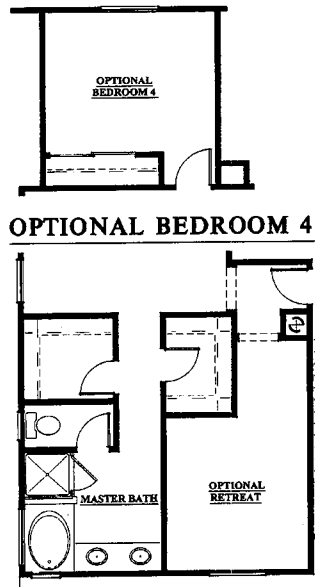
ATTACHMENT 5

PAGE 70 OF 135



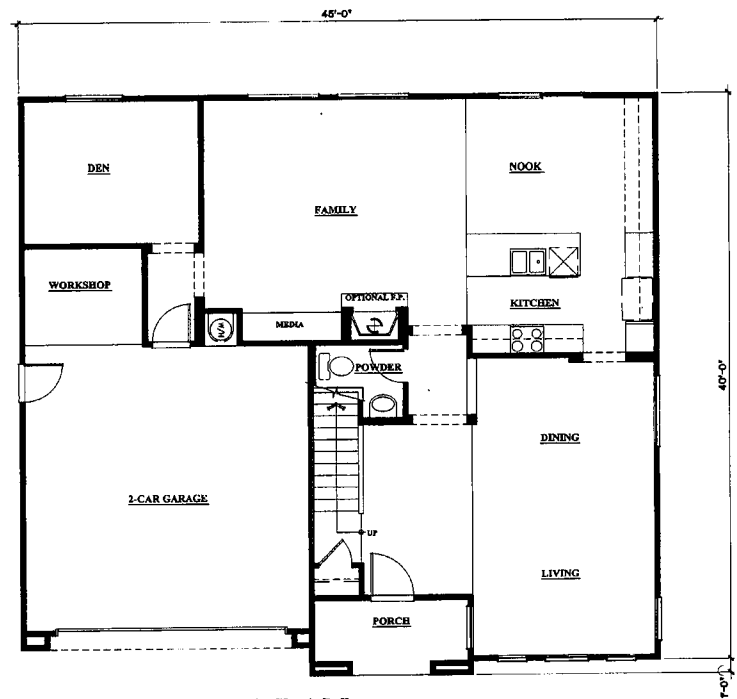
SECOND FLOOR PLAN

1198 SQ.FT.



OPTIONAL BEDROOM 4

OPTIONAL RETREAT

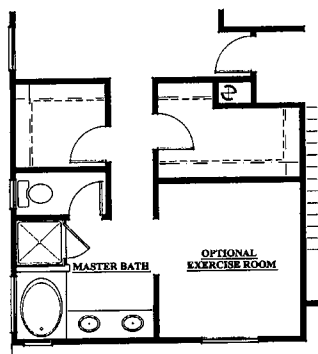


FIRST FLOOR PLAN

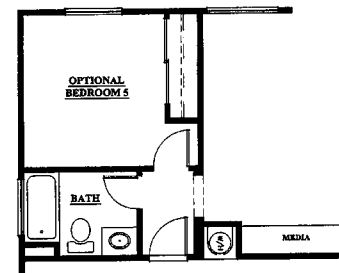
1236 SQ.FT.

GARAGE

475 SQ.FT.

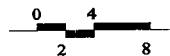


OPT. EXERCISE ROOM



OPT. BEDROOM 5

60 SQ.FT.



PLAN TWO
2434 SQ. FT.

DUNKIRK STREET
Oxnard, California

□

ELEVATION LEGEND

- Roof Material: Concrete "S" Tile
- Wood Fascia
- Stucco Exterior
- Stucco Over Trim at Doors & Windows
- Built up Stucco Wainscot Base
- Nesco Shutters
- Stucco Recess
- Roll Up Garage Doors
- Wood Posts and Wood Rail
- Painted Tubular Steel Rail
- Nesco Corbels
- Nesco Decorative Gable End Vents



ELEVATION A



ELEVATION B



ELEVATION C

PLAN TWO **DUNKIRK STREET** Oxnard, California



KTGY NO. 2003634

SHEET 5

COMMUNITY DYNAMICS



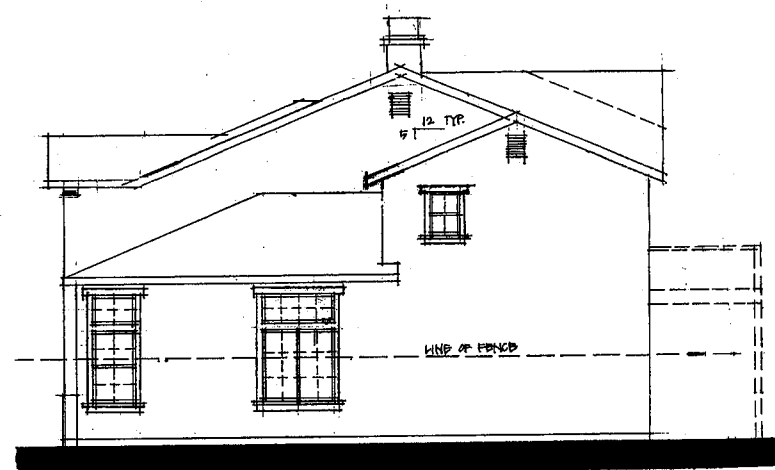
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ATTACHMENT 5

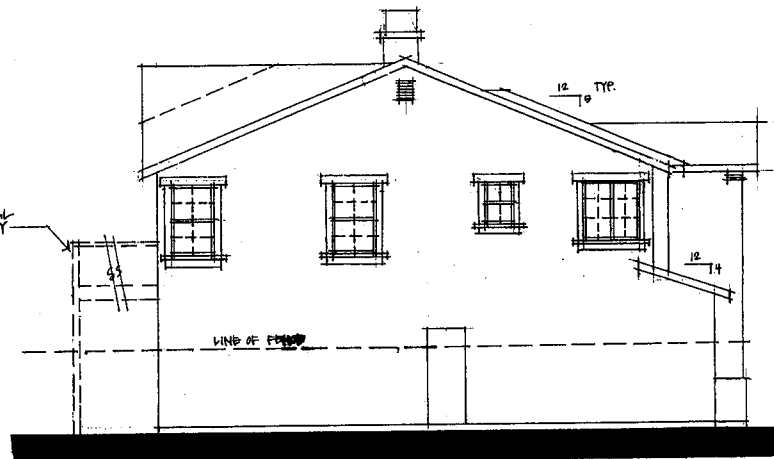
PAGE 72 OF 125



REAR ELEVATION B



RIGHT SIDE ELEVATION B



LEFT SIDE ELEVATION B

PLAN TWO
DUNKIRK STREET
 Oxnard, California



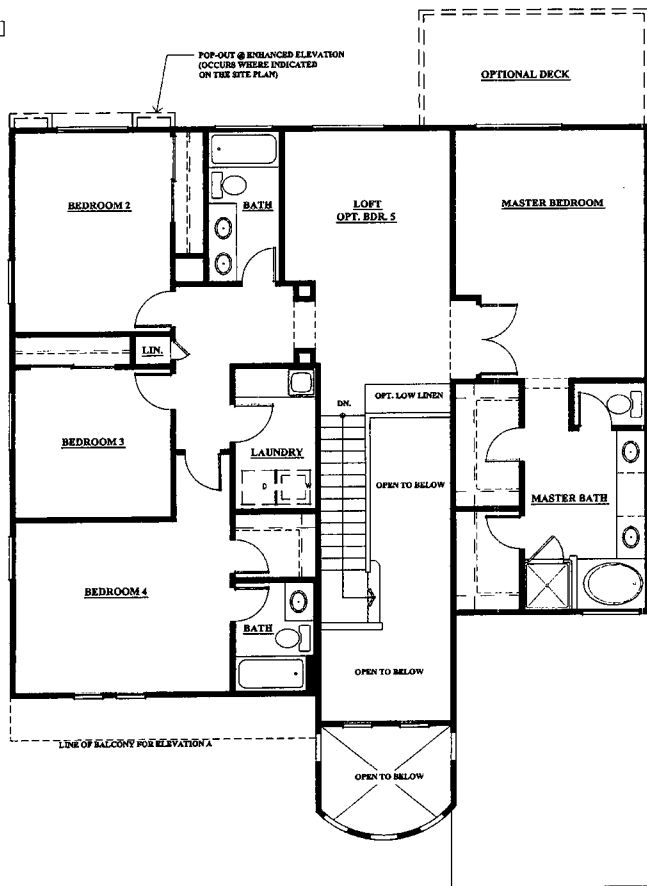
KTGY NO. 2003634

SHEET 6

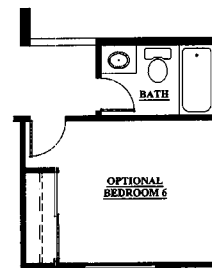
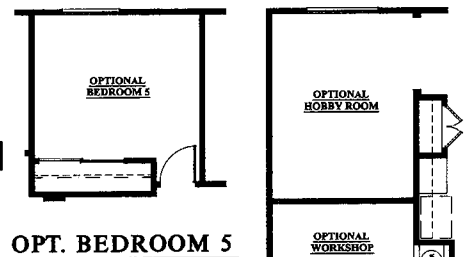


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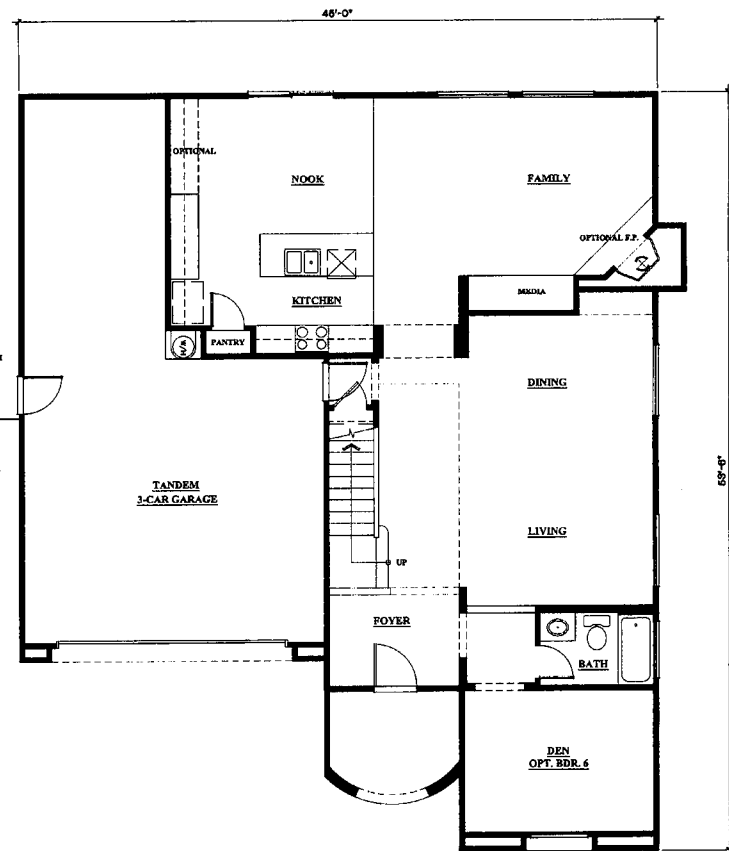
ATTACHMENT 5
 PAGE 73 OF 125



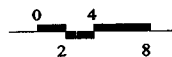
SECOND FLOOR PLAN
1532 SQ.FT.



OPT. BEDROOM 6



FIRST FLOOR PLAN
1339 SQ.FT.
GARAGE 635 SQ.FT.

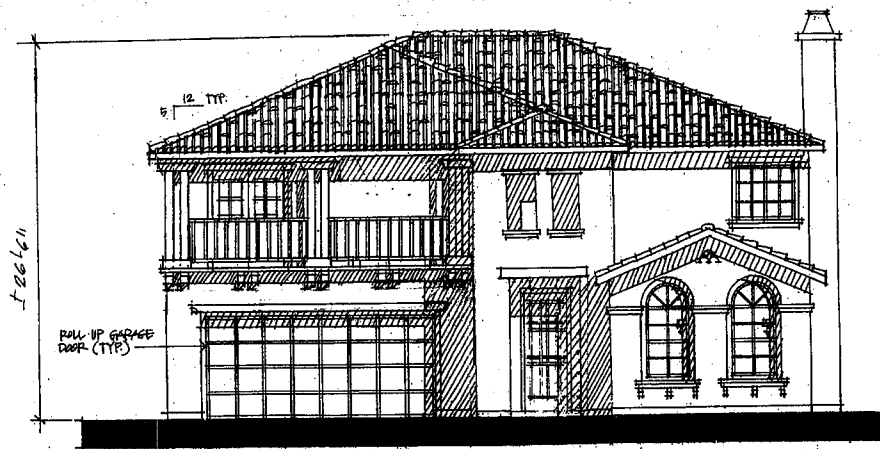


PLAN THREE
2871 SQ. FT.
DUNKIRK STREET
Oxnard, California



KTGY NO. 2003634

SHEET 7



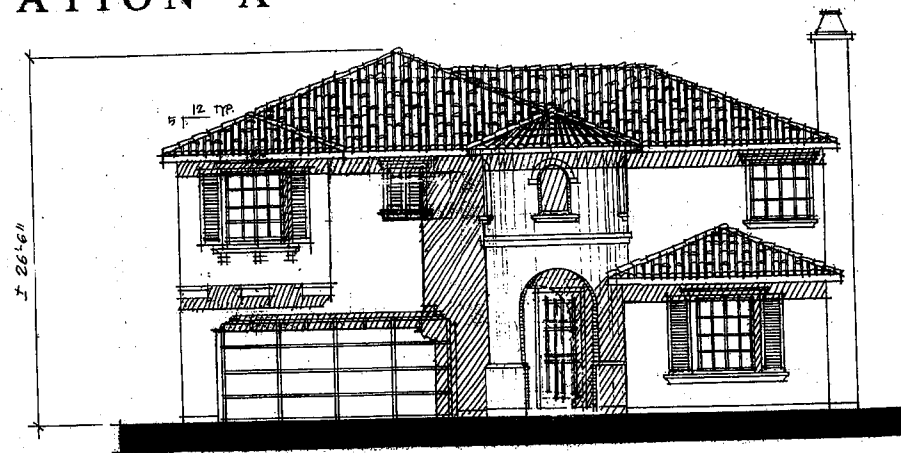
ELEVATION A

ELEVATION LEGEND

- Roof Material: Concrete "S" Tile
- Wood Fascia
- Stucco Exterior
- Stucco Over Trim at Doors & Windows
- Built up Stucco Wainscot Base
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- Nesco Decorative Gable End Vents



ELEVATION B



ELEVATION C

PLAN THREE
DUNKIRK STREET
Oxnard, California

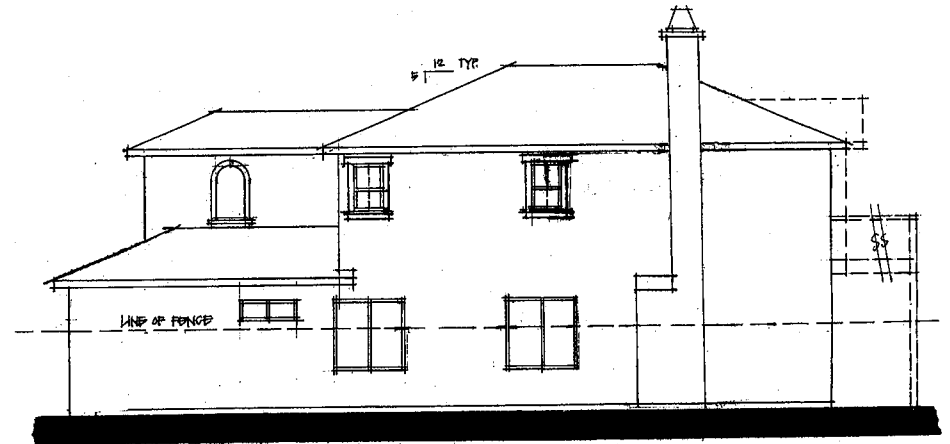


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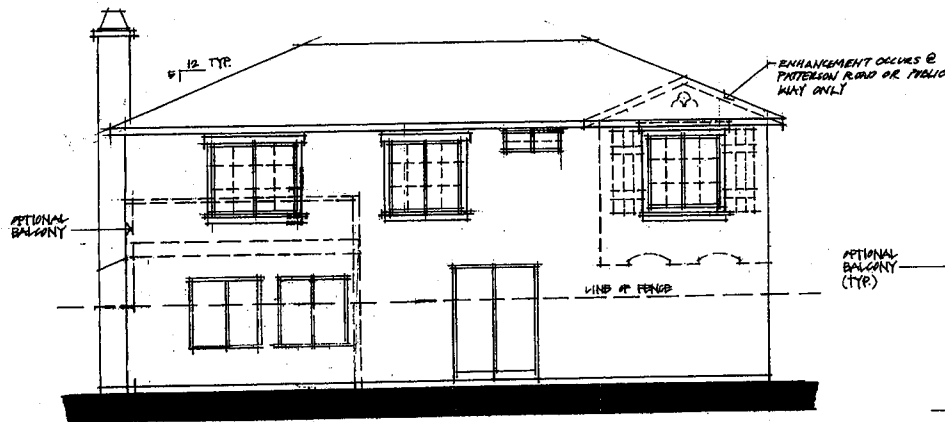
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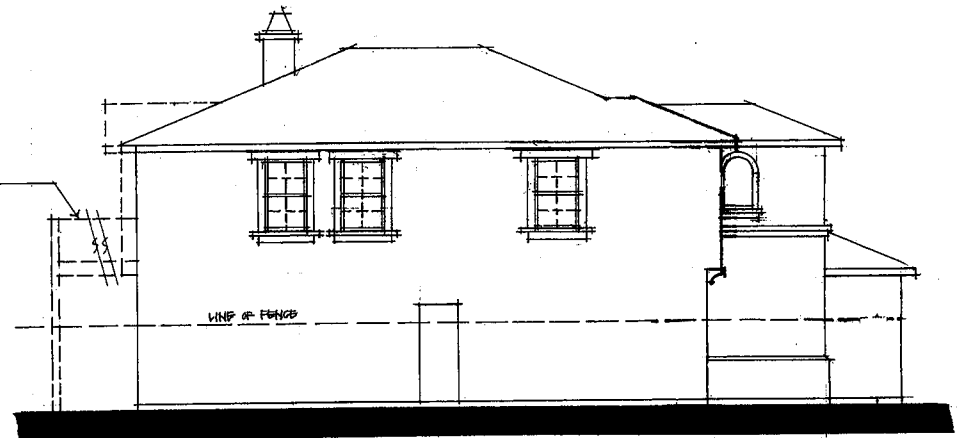
12/29/2003



RIGHT SIDE ELEVATION C



REAR ELEVATION C



LEFT SIDE ELEVATION C

PLAN THREE
DUNKIRK STREET
Oxnard, California



KTGY NO. 2003634

SHEET 9

COMMUNITY DYNAMICS



12/29/2003

ATTACHMENT

5

PAGE 76 OF 125

URBEMIS 2002 For Windows 7.4.2

File Name: <Not Saved>
Project Name: dunkirk
Project Location: Ventura County
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	2.10	0.52	0.72	0.02	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	5.94	9.73	77.09	0.07	7.03

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	8.04	10.25	77.81	0.09	7.03

URBEMIS 2002 For Windows 7.4.2

File Name: <Not Saved>
Project Name: dunkirk
Project Location: Ventura County
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Pounds/Day - Winter)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	2.05	0.51	0.22	0.00	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	6.98	12.60	88.19	0.07	7.03

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	9.03	13.12	88.41	0.07	7.03

URBEMIS 2002 For Windows 7.4.2

File Name: <Not Saved>
Project Name: dunkirk
Project Location: Ventura County
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

DETAIL REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES (Summer Pounds per Day, Unmitigated)					
Source	ROG	NOx	CO	SO2	PM10
Natural Gas	0.04	0.51	0.22	-	0.00
Wood Stoves - No summer emissions					
Fireplaces - No summer emissions					
Landscaping	0.06	0.01	0.50	0.02	0.00
Consumer Prdcts	2.01	-	-	-	-
TOTALS (lbs/day, unmitigated)	2.10	0.52	0.72	0.02	0.00

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	SO2	PM10
Single family housing	5.94	9.73	77.09	0.07	7.03
TOTAL EMISSIONS (lbs/day)	5.94	9.73	77.09	0.07	7.03

Does not include correction for passby trips.

Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2004 Temperature (F): 75 Season: Summer

EMFAC Version: EMFAC2002 (9/2002)

Summary of Land Uses:

Unit Type	Trip Rate	Size	Total Trips
Single family housing	11.13 trips / dwelling units	41.00	456.33

Vehicle Assumptions:

Fleet Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	56.10	2.70	96.80	0.50
Light Truck < 3,750 lbs	15.10	4.60	92.70	2.70
Light Truck 3,751- 5,750	15.60	2.60	96.20	1.20
Med Truck 5,751- 8,500	6.90	2.90	94.20	2.90
Lite-Heavy 8,501-10,000	1.00	0.00	80.00	20.00
Lite-Heavy 10,001-14,000	0.30	0.00	66.70	33.30
Med-Heavy 14,001-33,000	1.00	10.00	20.00	70.00
Heavy-Heavy 33,001-60,000	0.80	0.00	12.50	87.50
Line Haul > 60,000 lbs	0.00	0.00	0.00	100.00
Urban Bus	0.10	0.00	0.00	100.00
Motorcycle	1.60	87.50	12.50	0.00
School Bus	0.20	0.00	0.00	100.00
Motor Home	1.30	15.40	76.90	7.70

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	12.0	7.8	10.0	10.0	4.7	4.7
Rural Trip Length (miles)	15.0	10.0	10.0	15.0	15.0	15.0
Trip Speeds (mph)	40.0	40.0	40.0	40.0	40.0	40.0
% of Trips - Residential	27.4	17.7	54.9			

Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Area

Changes made to the default values for Operations



August 23, 2004

From: Loren Bloch
Fifth Street Land, LLC
2800 28th Street, Suite 206
Santa Monica, Ca 90405

To: Marilyn Miller, Planning & Environmental Services Manager
City of Oxnard
305 W. Third Street
Oxnard, Ca 90405

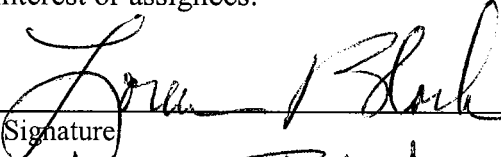
RE: Initial Study and Mitigated Negative Declaration #04-11
Planning and Zoning Permit Nos. PZ 04-500-1 (SUP), 04-300-1
(TSM), 04-620-2 (GPA), 04-570-1 (ZC)

Pursuant to Section 15070 (Negative or Mitigated Negative Declaration Process) of the State Guidelines implementing the California Environmental Quality Act, I/we, acting as agents for the property owner/developer, hereby agree to all of the following:

- 1) The draft initial study identifies potentially significant effects from the project, but the study also identifies mitigation measures that would avoid or mitigate the effects to a level where clearly no significant effects would occur;
- 2) The mitigation measures are hereby incorporated into the project prior to releasing the draft initial study and mitigated negative declaration for public comment;
- 3) I/we agree to the mitigation measures as necessary to avoid or mitigate significant effects that would otherwise arise from the project. I/we accept the mitigation measures included in the draft initial study and have resolved all questions and concerns regarding the mitigation measures;
- 4) If during the public comment period and/or decision-making process, substitute or additional mitigation measures are proposed, the appropriate process must take place for determining whether or not to substitute or apply additional measures;

- 5) This agreement is binding upon the applicant for this project and any successors in interest or assignees.

This acknowledgment is binding upon the applicant and any successors in interest or assignees:

 Signature	<u>8.23.04</u> Date
<u>Loren Block</u> Print Name	<u>Manager</u> Title



PLANNING & ENVIRONMENTAL SERVICES
305 WEST THIRD STREET
OXNARD, CALIFORNIA 93030

**NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
MND 04-11**

The City of Oxnard Planning and Environmental Services Division has reviewed an application on the following proposed project:

PLANNING & ZONING PERMIT NOS. 04-500-1 (Special Use Permit), 04-300-1 (Tentative Map for Tract No. 5640), 04-570-1 (Zone Change), and 04-620-2 (General Plan Amendment) are the necessary entitlements for development of 41 single family homes (8.36 acres) with the creation of two undeveloped commercial parcels (totaling 7.61 acres) within the Sea View Estates Neighborhood on the south side of W. Fifth Street (east of Victoria Avenue and west of Patterson Road).

The applicant also requests a zone change (PZ 04-570-1) on the subject properties, from Business and Research Park to General Commercial and Single Family Residential. An amendment to the City's General Plan (PZ 04-620-2) is included to bring the land use designations into conformance with the requested zone change. Filed by Fifth Street Land, LLC 2800 28th Street, Suite 206, Santa Monica, California, 90405.

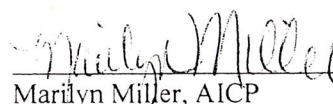
On the basis of an initial study, and in accordance with Section 15070 of the California Code of Regulations, the Planning and Environmental Services Division has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment, and that a mitigated negative declaration be adopted.

The proposed initial study identified as **Mitigated Negative Declaration No. 04-11**, is available for public inspection at the City of Oxnard, Planning and Environmental Services Division, 305 West Third Street, Oxnard, California, from 8:00 a.m. to 6:00 p.m., Monday through Thursday, and 8:00 a.m. to 5 p.m. every other Friday. The document may also be viewed online, from the City webpage. Please visit us at www.ci.oxnard.ca.us. Under "Government", select "City Departments" on the home page. Then select "Planning & Environmental Services" under the Development Services Department listing. Documents for public review are found under "Environmental Documents".

The public review period begins on Friday, August 27, 2004 and ends on Wednesday, September 15, 2004. The Planning Commission will consider this document at a later date, at a properly noticed public hearing. Any person wishing to comment on the intent of the Planning Commission of the City of Oxnard to adopt a mitigated negative declaration for the proposed project described above may file a written comment with the City of Oxnard Planning and Environmental Services program prior to 5:00 p.m. on the last day of the public review period. Persons aggrieved by the decision to adopt a mitigated negative declaration may appeal this decision to the City Council in accordance with the City Council resolution establishing environmental review procedures.

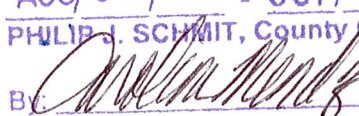
August 20, 2004

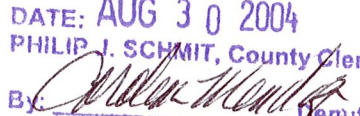
Date


Marilyn Miller, AICP

Planning & Environmental Services Manager

- cc: - Applicant
- County Clerk
- MND Distribution List
- Property Owners within 300 feet

POSTED
AUG 30 2004 - OCT 1 2004
PHILIP J. SCHMIT, County Clerk
By , Deputy

FILED
DATE: AUG 30 2004
PHILIP J. SCHMIT, County Clerk
By , Deputy

E. General Plan Consistency Analysis

ATTACHMENT E - City of Oxnard 2030 General Plan Consistency Analysis

Portofino Place

November 18, 2021 Planning Commission

Level I: Direct Applicability to a Proposed Policy, Project or Program

Level II: Related or Indirect Applicability to the Proposed Policy, Project, or Program

Level III: No or Distance Applicability to the Proposed Policy, Project, or Program.

All policies not listed are designated as Level III are deemed consistent with the 2030 General Plan.

General Plan Chapter Abbreviations Chapter:

SC: Sustainable Community	2
CD: Community Development	3
ICS: Infrastructure and Community Services	4
ER: Environmental Resources	5
SH: Safety and Hazards	6
MC: Military Compatibility	7
HE: 2013-2021 Mid-Cycle Housing Element	8

2030 General Plan		Level I	Level II	Rationale
Policy SC-3.1	<i>New Residential Development</i> Encourage incorporation of passive and active energy and resources conservation design and devices in new residential development and substantial remodels and/or expansions.		X	State “Green Building Energy Code” applies to all development and either requires, or requires that new residential structures be designed to accommodate, passive energy, solar panels, and natural ventilation features. Solar panels are included in the project.
Policy SC-3.8	<i>Require Use of Passive Energy Conservation Design</i> As part of the City and Community EAP’s, require the use of passive energy conservation by building material massing, orientation, landscape shading, materials, and other techniques as part of the design of local buildings, where feasible.		X	
Policy SC-3.9	<i>Promote Voluntary Incentive Programs</i> Promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings, including continued participation in the Ventura County Regional Energy Alliance (VCREA).		X	
Policy SC-3.12	<i>Encourage Natural Ventilation</i> Review and revise applicable planning and building policies and regulations to promote use of natural ventilation in new construction and major additions or remodeling consistent with Oxnard’s temperate climate.		X	

Policy CD-1.4	<i>Transportation Choices</i> Promote the application of land use and community designs that provide residents with the opportunity for a variety of transportation choices (pedestrian, bicycle, transit, automobile).	X		Project conditioned to install curbside bus stop on the southeast corner of Fifth Street.
Policy CD-1.5	<i>Housing Variety</i> Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single family units.	X		Project has 6 different floor plans with 45 units having 2 bedrooms and 45 units having 3 bedrooms.
Policy CD-1.6	<i>Public Facilities</i> Enhance resident quality of life by providing adequate space for schools, libraries, parks and recreation areas, as well as space for the expansion of public facilities to support the community's vision.		X	Project site has a pedestrian connection to the shopping center located to the west of the project site at the corner of Fifth St. and Victoria Ave. The Southwest Park is located directly east of the project site. Juan Lagunas Soria Elementary School is located adjacent to the project site.
Policy CD-1.7	<i>Compact Development</i> 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.		X	Project utilizes the entire parcel and has incorporated storm water retention.
Policy CD-3.1	<i>Neighborhood Preservation</i> Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission.	X		The project retains access to adjoining residential and commercial properties and site design creates compatible transition to adjoining residential and commercial uses.
Policy CD-2.1	<i>General Plan/Zoning Consistency</i> Amend the zoning code, zoning map, Coastal Land Use Program, and other land use regulations to make them consistency with the adopted and/or subsequently amended 2030	X		With approval of the General Plan Amendment and Zone Change the

	General Plan			project will be consistent with the 2030 General Plan and City's City Code (Zoning Ordinance).
--	--------------	--	--	--

Policy CD-3.3	<i>Innovative Redevelopment</i> Promote innovative design flexibility and possibly different residential densities in public and public/private redevelopment within existing neighborhoods through the use of alternative performance-oriented development standards, alternative development designs, development agreements, specific plans, mixed uses, and other development and planning techniques.	X		The project is designed to meet City Council Resolution No. 7658 with the exception of designing individual outdoor patios with the minimum dimensions of 10 feet by 10 feet which yields 100 square feet of land area. However, the land area of the project's private patios ranges from 450 to 1,530 square feet which exceeds the minimum land area of 100 square feet provided by private patios designed under City Council Resolution No. 7658.
Policy CD-8.1	<i>Limiting Development</i> Continue to limit development to those areas that can be served by existing or planned utilities, transportation, and service systems.	X		Project will be served by existing utilities with minimal impacts on City infrastructure and services.
Policy CD-8.2	<i>Services</i> Continue to ensure that public services and facilities are in place at the time of need or prior to the time new development occurs in order to avoid overloading existing urban service systems.	X		
Policy CD-8.5	<i>Impact Mitigation</i> Ensure that new development avoids or mitigates impacts on air quality, traffic congestion, noise, and environmental resources to the maximum extent feasible.	X		Addendum MND 2004-11 that the project would not

				have a significant impact if the mitigation measures described in the Addendum MND were incorporated into the project. Mitigation measures have been incorporated into the project Resolutions.
Policy CD-9.1	<i>Neighborhood Identity</i> Recognize, preserve, and improve the visual identity and character of existing neighborhoods. Infill development shall respect historic structures and be of compatible scale and character with historic areas.	X		Project is adjacent to existing residential subdivisions with similar density. There are no historic areas or resources on the project site or in the immediate vicinity.
Policy CD-10.1	<i>Human-Scale Development</i> In the evaluation of development proposals, require urban development on a human scale, by emphasizing the pedestrian experience over the movement and storage of vehicles.	X		Landscaped walkways,, play ground, and a recreational building designed to offer fitness options for residents. quality pedestrian areas. The majority of visitor parking will be contained within the individual unit's driveways with only 42 surface parking spaces integrated within the project site.

Policy CD-10.2	<i>Neighborhood Themes</i> In the evaluation of development proposals, require neighborhood themes and principles of design, such as neotraditional town planning, which include central parks, schools, and community and commercial facilities, strong pedestrian orientation and de-emphasis of automobile related elements in new development projects.	X		In addition to the R-2 development standards, City Council Resolution No. 7658 provides advisory standards that are intended to encourage amenities that enhance the livability of condominiums but are not mandatory. The proposed project complies with all of the advisory standards with the exception of the required dimensions for private patios. The project was designed to be similar to the neighboring communities with similar density.
Policy CD14.1	<i>Design Review Process</i> In the evaluation of development proposals, continue to ensure that public and private development projects comply with City design policies, plans, and guidelines.	X		Project was reviewed by the Development Advisory Committee that includes an architect and landscape architect on contract with the City. The applicant received public comments at a City Workshop where the applicant mailed notices of the Community Workshop meeting to all property owners within the Seaview Estates neighborhood.

Policy CD-14.2	<i>Development Advisory Committee (DAC) Function</i> Continue to require that a staff Development Advisory Committee review new development projects for consistency with the City's development policies and appropriateness for the proposed sites.	X		Project was reviewed by the Development Advisory Committee on three occasions and the current plan reflects the input provided by DAC.
Policy ICS-1.1	<i>Maintain Existing Service Levels</i> Maintain the high priority of providing services to residents and visitors, and prevent deterioration of existing service levels.		X	Project will be connected to and served by existing utilities with minimal impacts on City infrastructure.
Policy ICS-1.2	<i>Development Impacts to Existing Infrastructure</i> Review development proposals for their impacts on infrastructure (i.e., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	X		The project will pay a range of impact fees to the City, County, and school districts for various public facilities.
Policy ICS-1.3	<i>Funding for Public Facilities</i> Continue to utilize developer fees, public facilities fees, and other methods (i.e., grant funding or assessment districts) to finance public facility design, construction, operation, and maintenance.		X	
Policy ICS-1.4	<i>Infrastructure Conditions of Approval</i> New development should not be approved unless: • The applicant demonstrates adequate public services and facilities are available; • Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement; • Infrastructure improvements are consistent with City infrastructure master plans; and • Require infrastructure expansion needed for future development to be self-funding so current residents do not subsidize infrastructure needed for future growth.	X		Project will be connected to and served by existing utilities with minimal impacts on City infrastructure.
Policy ICS-2.6	<i>Reduction of Construction Impacts</i> Minimize and monitor traffic and parking issues associated with construction activities, require additional traffic lanes and/or other traffic improvements for ingress and egress for new developments for traffic and safety reason, where appropriate.	X		The Addendum to MND 2004-11 determined that project, similar to the original project analyzed by MND 2004-11 will not

				significantly impact levels of service at study intersections.
Policy ICS-8.3	<i>Completing Bicycle and Sidewalk Network</i> Prioritize plans for bicycle and pedestrian facilities that provide continuity, and close gaps in the city's existing bike path and sidewalk network.		X	The project will have Gold Coast Transit bus service. The project is conditioned to install curbside bus stop on the southeast corner of Fifth Street. The 30-foot scenic setback enhances the existing Fifth Street public sidewalk. All ADA requirements are provided.
Policy ICS-8.4	<i>New Development Requires Bicycle Improvements</i> Where designated, require proposed developments to include bicycle paths and / or lanes in their plan and to clearly indicate possible bicycling hazards such as speed bumps and storm drain inlet grates in parking lots.	X		
Policy ICS-8.5	<i>Public Sidewalks and Pedestrian Orientation</i> Consider and require where appropriate and feasible the enhancement of the pedestrian environmental as part of private development and public works projects, especially for public sidewalks.	X		
Policy ICS-8.6	<i>Americans with Disability Act (ADA) Handicap Requirements</i> Require installation of ADA compliant handicapped ramp curb-cuts and other ADA access with all new roadway construction and significant reconstruction of existing roadways, parking lots, plazas and pedestrian area, and parks.	X		
Policy ICS-9.2	<i>Development Has Adequate Parking</i> Review development proposals to encourage shared parking use and ensure adverse parking impacts are minimized or avoided.	X		The project provides more than the required parking as stipulated in the Oxnard City Code.
Policy ICS-10.2	<i>Oxnard Airport Compatible Land Use</i> <i>Continue to ensure that the land use and zoning adjacent to Oxnard Airport is compatible in order to minimize potential noise and safety problems.</i>	X		The project site is within the Oxnard Airport Sphere of Influence, which limits the structural coverage to 25 percent. The proposed project is designed to not exceed the 25 percent allowable site

				coverage. Additionally, the modified project would be required to implement Mitigation Measures G-1 and G-2 of the 2004 MND to avoid conflicts with airport compatibility requirements by providing necessary buffers as well as filing with and undergoing review by the Federal Aviation Administration. With implementation of Mitigation Measures G-2 and K-1 from the 2004 MND and compliance with applicable regulations, the modified project would not result in new or substantially more severe significant impacts associated with applicable land use, habitat conservation, or natural community conservation plans, or dividing an established community.
Policy ICS-11.7	<i>Water Wise Landscapes</i> Promote water conservation in landscaping for public facilities and streetscapes, residential, commercial and industrial facilities and require new developments to incorporate water conserving fixtures (low water usage) and water-efficient plants into new landscaping.	X		Project landscaping is conditioned to meet the City and State water-conservation requirements.

Policy ICS-11.10	<i>Water Supply Finding for Smaller Projects</i> Prior to approval of a discretionary proposed project not subject to a Water Supply Assessment pursuant to GC Section 66473.7, a finding shall be made ensure an adequate water supply for the proposed development.	X		Project would require less water than the light industrial uses currently allowed under the Business Research Park zoning.
Policy ICS-13.3	<i>Stormwater Detention Basins</i> Design stormwater detention basins to ensure public safety, to be either visually attractive or unobtrusive, provide temporary or permanent wildlife habitats, and recreational uses where feasible in light of safety concerns.	X		Project meets the City's stormwater requirements and incorporates LID features.
Policy ICS-13.4	<i>Low Impact Development</i> Incorporate low impact development (LID) alternatives for stormwater quality control into development requirements. LID alternatives include: (1) conserving natural areas and reducing imperviousness, (2) runoff storage, (3) hydro-modification (to mimic pre-development runoff volume and flow rate), and (4) public education.	X		
Policy ICS-14.3	<i>New Development Requirements</i> Continue to require developers and operators to employ practices that reduce the quantities of waste generated and promote resource recovery during construction, demolition, and operation.	X		Standard conditions of approval require compliance with City and State refuse recycling.
Policy ICS-17.4	<i>Service Extension</i> Coordinate with gas and electricity providers for the extension of gas and electrical facilities.	X		SCE and the Gas Company are included in the project review process.
Policy ICS-17.5	<i>Undergrounding of Utility Lines</i> Require undergrounding of utility lines in new development, except where it is not feasible due to electrical transmission load or other operational issues.	X		

Policy ICS-19.2	<i>Police Review of Development Projects</i> Continue to require the Police Department review proposed development projects and provide recommendations that enhance public safety.	X		The Oxnard Police Department reviewed and conditioned the project. Capital Project fees and property taxes contribute to maintenance and development of Police Department facilities and services.
Policy ICS-19.5	<i>Incorporating Security Design Principles</i> Encourage crime prevention and defensible space through design principles such as those employed through the National Crime Prevention Through Environmental Design program, Neighborhood Watch Program, and/or other appropriate methods to enhance public safety.	X		

Policy ICS-19.7	<i>New Development</i> Require new developments to fund a fair share extension of police services to maintain service standards, including personnel and capital improvement costs.	X		
Policy ICS-20.5	<i>Fire Services to New Development</i> Require new developments to fund a fair share extension of fire services to maintain service standards, including personnel and capital improvements costs.	X		The Oxnard Fire Department reviewed and conditioned the project. Capital Project fees and property taxes contribute to maintenance and development of Police Department facilities and services.
Policy ICS-20.7	<i>Adherence to City Standards</i> Ensure that water main size, water flow, fire hydrant spacing, and other fire facilities meet City standards.	X		
Policy ICS-20.8	<i>Development Review</i> Review new development applications to assess potential impacts to existing fire protection services and the need for additional and expanded services.	X		
Policy ICS-20.10	<i>Adequate Emergency Access and Routes</i> Require that new development provide adequate access for emergency vehicles, particularly firefighting equipment, and evacuation routes, as appropriate.	X		
Policy ER-6.1	<i>Incorporate Views in New Development</i> Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.	X		The 30 ft. setback along Fifth Street complies with the designation of Fifth Street as a scenic corridor.
Policy ER-6.6	<i>New Development Private Open Space</i> Ensure that new development incorporates open space areas that provide community and neighborhood identity, private quality exterior private open space for each housing unit, and minimize conflicting land uses and noise generators.	X		Project incorporates walkways, playground area, 3,281 recreation building inclusive of a gym, and a common swimming pool that are located away from Fifth Street traffic noise.
Policy ER-10.1	<i>Promote use of Native and Water Wise Plants</i> Promote the development of a native, drought-tolerant landscape character throughout the City that re-enforces a unified and cohesive landscape character and discourage plants that are invasive or problematic in other ways as determined by the City's landscape architect.	X		Project is conditioned to comply with City landscape standards that incorporate state requirements to be drought tolerant.

Policy ER-11.3	<i>Development Applicants to Conduct Research</i> Continue to require project applicants to have a qualified archaeologist conduct a record search at the South Central Coast Information Center located at California State University Fullerton and other appropriate historical repositories, conduct field surveys where appropriate, and prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports) prior to project approval.	X		Addendum for MND 2004-11 determined that the project would not have a significant impact if the mitigation measures described in the 2004 MND were incorporated into the project. The mitigation measures have been incorporated into the project's conditions of approval.
Policy ER-11.7	<i>Native American Remains</i> Continue to comply with State laws relating to the disposition of Native American burials consistent with the CEQA Guidelines (Section 15064.5) if human remains of possible Native American origin are discovered during project construction.		X	
Policy ER-14.4	<i>Emission Control Devices</i> Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, and VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.	X		
Policy ER-14.6	<i>Minimizing Dust and Air Emissions through Permitting Requirements</i> Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.	X		
Policy ER-14.7	<i>Mitigation Monitoring</i> Ensure that projects with identified air quality impacts in their respective EIRs are subject to effective mitigation monitoring as required by AB 3180.	X		
Policy SH-1.1	<i>Minimize Liquefaction Risk</i> Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.	X		Addendum for MND 2004-11 determined that the project would not have a significant impact if the mitigation measures described in the 2004 MND were incorporated into the project. The mitigation
Policy SH-1.3	<i>Building Code Standards</i> Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.	X		
Policy SH-1.4	<i>Soil, Geologic, and Structural Evaluation Reports</i> Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.	X		

Policy SH-1.5	<i>Required Geologic Reports</i> Continue to require the submission of a geological report for proposed development located in a potential liquefaction area.	X		measures have been incorporated into the project's conditions of approval.
Policy SH-1.7	<i>Soil Investigations</i> Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction techniques or other mitigation measures to prevent significant impacts upon the proposed development.	X		

Policy SH-5.3	<i>Sound Attenuation Measures</i> Promote, where feasible, alternative sound attenuation measures such as berms, heavy landscaping, resurfacing of noise walls to promote noise absorption as well as deflection, berms and landscaping, or location of buildings away from the roadway or other noise sources.	X		
Policy SH-6.2	<i>Limiting Construction Activities</i> Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.	X		
Policy SH-6.4	<i>New Development Noise Compatibility</i> Require that proposed development projects not generate more noise than that classified as "satisfactory" based on CEQA Thresholds of significance on nearby property.	X		
Policy SH-6.13	<i>Noise Acceptable for Open Windows and Patios</i> Continue to require noise analysis of proposed development projects as part of the environmental review process and require mitigation measures to reduce noise impacts to acceptable levels within outside activity areas and within residential structures without relying on mechanical ventilation, if feasible.	X		
Policy MC-4.4	<i>Affordable Housing</i> Promote the availability and development of off-base affordable housing to meet the needs of the military personnel and their families.	X		A condition of approval requires noticing Naval Base Ventura County Housing Service Center of the project and its anticipated sales prices.
Housing Element Policy G-2.3	<i>Adequate Infrastructure</i> Ensure that residential development sites have appropriate and adequate public and private services and facilities, including wastewater collection and treatment, potable and recycled water supply, utilities, parks, schools, and other neighborhood infrastructure.	X		Project will be connected to and served by existing utilities with minimal

				impacts on City infrastructure.
Housing Element Policy G-2.8	<i>Local Preference for Affordable Units</i> Require, when possible, by development agreement or condition of approval, local resident/worker preference for projects which include affordable housing units, density bonus units, and/or units utilizing Federal, State, or local funding.	X		A condition of approval requires an early advertisement to local residents in compliance with fair housing law.
Housing Element Policy G-5.6	<i>Adjusting Project Development Fees</i> Continue to consider alternative sources for and/or deferment of development impact and project reviews fees to enhance the financial feasibility of affordable projects, including the use of Affordable Housing Agreements.	X		The applicants paid all applicable fees under regular procedures.

F. Zoning Compliance Table (R-2)

Attachment F

Portofino Place Zoning ComplianceTable

90 CONDOMINIUM UNIT PROJECT

DEVELOPMENT STANDARDS FOR RESIDENTIAL USE: APPLY R-2 'MULTIPLE-FAMILY STANDARDS			
DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Max. building height (16-137)	2 stories at 25 ft.	Residential Units and Recreational Building designed at maximum 25 feet high	YES
Density (16-59)	1 unit /3,500 lot area = 94 units on 7.39 acres	90 Units	YES
Front yard setback 16-142, 16-60	25 ft from property line; 30 ft when abutting designated scenic corridors, per General Plan Policy CD-9.4. West 5th Street is identified as a Scenic Highway (Background Report, Section 5.3.2).	30 ft from Fifth Street measured from ultimate property line	YES
Side yard setback 16-142, 16-61	25% of depth of residential lot area not to be less than 3 feet and not to exceed 5 feet)	east side = 15 ft west side = 15 ft	YES
Rear yard setback 16-142, 16-62	16 feet (25% depth of residential lot area)	16'-3"	YES
Interior yard space 16-142, 16-63	30% of lot area, with min. dimension of 15 ft x 15 ft. May not include vehicle parking or circulation areas. 321,908 sf x 30% = 96,572.4 sf	Interior yard space of 115,024 sf = 34%	YES

Attachment F

Portofino Place Zoning ComplianceTable

Off-street parking: Residents (16-622) Visitor (16-622)	<u>Code-required parking</u> 90 x 2-car garage = 180 garage Visitor = 30 +60*0.5 = 60 visitor Total Required = 180 + 60 = 240 spaces	Project includes: 180 resident garage spaces 180 visitor surface spaces (driveways) 0 motorcycle spaces <u>34</u> parking lot visitor spaces 214 visitor spaces total Total: 394 parking spaces No tandem spaces proposed. No compact spaces proposed	YES
Motorcycle (16-264) Bicycle (16-623, 16-637 & Bicycle and Pedestrian Facilities Master Plan, Appendix pg. A-38)	No motorcycle spaces required Bicycle (per Bicycle & Ped. Master Plan, Appx pg. A-38), 0.05 spaces/bedroom, min. 2 spaces. 225 bedrooms x 0.05 = 11.25	0 Motorcycle Spaces provided 8 bicycle spaces provided. Project conditioned to provide 12 bicycle parking spaces	YES YES, AS CONDITIONED
Parking space sizes & design: Standard (16-636 & 16-638)	Full Size: 9 ft W x 19 ft L May overhang walkway provided 48 inch walkway unobstructed, may overhang 2 ft over landscape if planter min. 5 ft [16-616(C)] Compact: 8 ft W x 16 ft L; Max 25% of spaces w/admin relief Motorcycle: 4.5 ft W x 7 ft L	Standard Parking = 20 ft x 20 ft garage spaces & driveways. No compact spaces provided. No Motorcycle spaces provided	YES N/A N/A
Rooftop equipment	May not protrude above height of parapet.	No rooftop equipment proposed.	YES, AS CONDITIONED

Attachment F

Portofino Place Zoning ComplianceTable

Walls/Fences & Zone Wall (16-310)	<u>Front:</u> No fence or wall permitted in front setback. No chain link in front yard. <u>Side & Rear:</u> 8 ft maximum	6 ft wrought iron fence & 6 ft slumpstone walls with caps surrounding development, not within front setback	YES
Lighting (16-320)	Comply with Section 16-320 of the City Code. • Max 7 footcandles • A light source shall not shine upon any surface other than the area required to be lighted. • Parking lot fixtures shall be mounted on reinforced concrete pedestals or otherwise protected.	Partial Lighting Plan provided (Sheet L-03) for parking lots, walkways, drive aisles, open spaces: 25 ft pole height (pole is 22.5 ft and the base is 2.5 ft)	YES, w/condition for photometric review

G. City Council Resolution No. 7658

RESOLUTION NO. 7658

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
ADOPTING ADVISORY STANDARDS FOR NEW RESIDENTIAL CONDO-
MINIUMS.

WHEREAS, the City Council of the City of Oxnard has considered
standards for new residential condominiums; and

WHEREAS, said condominium standards are necessary for the promo-
tion of high quality residential development and for the provision of safe
and suitable housing for single family ownership within the City of Oxnard.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City
of Oxnard adopts advisory standards for new residential condominiums to
read as follows:

ADVISORY STANDARDS FOR NEW RESIDENTIAL CONDOMINIUMS

As permanent urban housing, the design of condominiums should go
beyond simply satisfying the need for shelter. Residential condominiums
should be designed with a high regard for amenities that enhance livability
and a sense of belonging. The provision of amenities can be achieved
through creative and innovative design and orchestration of all standards
included herein to promote a residential development of the highest quality.

These standards are advisory rather than mandatory, but they will
be used to evaluate condominium projects submitted for approval pursuant to
Section 34-112.2. Where the condominium development consists of townhouses,
built on individual lots that are contiguous with a parcel that is owned in
common, the standards included in the report "Cluster Subdivisions and
Single Family Townhouses" (Planning Department, City of Oxnard, August,
1971) will also be applied. Design features of critical concern include,
but shall not be limited to, the following:

1. Dwelling Units

The condominium owner, like an owner of a single family resi-
dence, requires a housing unit that can accommodate changing household
needs over time, including evolution of family size and personal interests.
"Efficiency" units and one-bedroom units cannot satisfy these long-term
needs.

- A. Housing units shall contain no fewer than two separate bed-
rooms.

- B. A housing unit shall not be smaller in area than 1,000 square feet.

Important to any permanent living situation is the resident's need for privacy. Privacy can be achieved through control of one's immediate environment in respect to unwanted physical, visual and audio intrusion.

Additionally, housing unit livability is enhanced through proper allocation and separation of living spaces. The following design criteria shall be approved in evaluating privacy of housing units:

- A. The arrangement of primary spaces (living, dining, kitchen, bath and bedrooms) and secondary spaces (family/recreation, storage rooms and garages) shall provide for privacy and efficiency.
- B. Stacked units shall be allowed except over another unit's garage, with the same sound attenuation and fire protection in accordance with paragraph 1.C.
- C. Common walls and floors shall have a sound rating of 52 STC minimum, when field measured, and provide a minimum of two-hour fire resistive protection.
- D. Plumbing shall be located within interior walls when at all possible, to minimize plumbing noise. Where this is not possible, all plumbing in common walls shall be wrapped to effectively reduce all noise transmission.
- E. Adequate space shall be provided in each unit for a washer, dryer, water heater, and where appropriate, a water softener.
- F. Trash enclosures shall be provided at each dwelling if centralized trash receptacles are not provided. The preferred location shall be in the garage. Pickup locations for trash receptacles shall be situated to allow collection vehicles to circulate continuously and not back up or make "Y" turns.

The number of units grouped together and overall densities shall be prescribed in the Oxnard General Plan, Section 34 of the Oxnard City Code (according to zone), Specific Area Plans, and the Local Coastal Program.

2. Parking

The standards for condominium parking shall be the same as the parking standards prescribed in Ordinance No. 1705, including the following:

- A. Parking at a ratio of two spaces in a garage per dwelling unit shall be provided. The preferred location shall be directly adjacent to the unit served, but in no case further than 50 feet from the unit served.
- B. Visitor parking spaces shall be provided at a ratio of one space per dwelling unit. The location of visitor parking should be convenient to all units and not further than 100 feet from any unit.
- C. When recreational vehicle parking is to be provided, it shall be provided at a ratio of one space per ten dwelling units. If parking for recreational vehicles is not to be provided, then the parking of such vehicles shall be prohibited by deed restriction.

3. Private Patios

It is felt that access to private outdoor areas, as an extension of indoor living areas, enhances residential livability. Therefore, each housing unit shall include private outdoor patio area(s) in the form of ground level patio(s) or upper story balconies, if directly accessible from a habitable room.

The following criteria shall be applied in the design of private outdoor patio areas to insure maximum usability:

- A. All ground level units of one or two stories shall have a ground level patio.
- B. Minimum outdoor patio area size requirements shall be as follows:
 - (1) Private patio areas shall not be less than 20 percent of gross floor area of the residence served.
 - (2) Where a required patio area is less than 200 square feet, the requirement shall be satisfied with one patio or balcony.

(3) Where a required patio exceeds 200 square feet, the requirement may be satisfied by two or more patio areas, provided that one of the patio areas does not measure less than ten feet in any dimension, and that second story balconies shall not be less than ten feet by ten feet.

- C. Patio areas shall be immediately adjacent and directly accessible to the unit served.
- D. Upper-story balconies shall be situated to minimize overlooking adjacent patio areas.
- E. All interior light standards adjacent to private patio areas shall be no more than six feet in height, except where the lighting serves formal recreation facilities, in which case lighting shall be located so as not to intrude into private patio areas.
- F. Private patio areas should be situated adjacent to common open areas, as opposed to common parking areas or streets.

4. Common Areas

Common areas are an important part of the condominium development, in that they provide areas for open space, internal pedestrian circulation, informal and formal recreation, and separation of buildings for free air movement, sunlight and visual amenity. The provision of common areas for these purposes in a multi-family development is held to be both desirable and necessary.

- A. Condominium developments of twelve or more units shall provide areas for formal and informal recreation for adults, and if appropriate, children.

(1) Formal recreational facilities shall include, but are not limited to, one or more of the following:

- (a) Swimming pool;
- (b) Jacuzzi/spa;
- (c) Tennis court(s);
- (d) Clubhouse with game room;
- (e) Sauna;
- (f) Barbecues; and
- (g) Picnic tables.

(2) Informal recreational areas, such as lawn area for non-permanent facilities, with minimum dimensions of 45 feet and an area of not less than 3,500 square feet, shall be provided.

(3) Areas shall be provided for children's recreational needs, including, but not limited to, one or more of the following:

- (a) Tot lot;
- (b) Jungle gym;
- (c) Swings; and
- (d) Slides.

B. All common areas shall be maintained by a Homeowners Association.

C. Common recreational facilities shall be situated to minimize noise disturbances to individual dwelling units.

D. Common areas shall be provided with lighting for night use.

E. All common areas shall be landscaped for aesthetics and buffering of private areas.

F. Centralized trash receptacles, when provided in lieu of individual trash receptacles, shall be located no further than 150 feet from the units served.

5. Pathways

Pathways for pedestrian circulation are an obvious requirement of a multi-unit development, but pathways can have a negative impact on the development and diminish livability if not carefully designed.

A. Pathways shall be provided in accordance with Items 4 and 5 of Planning Commission Resolution No. 5607, pertaining to parking standards.

6. Entrances

The multi-family development has three types of entrances, including vehicle/pedestrian entrances to the development, pedestrian entrances to the internal path network from parking areas, and private entrances to residences. Each of these requires special consideration.

A. In order to maximize identity, accessibility and security at unit entrances, the following design criteria shall be applied:

- (1) Major entrances to residences shall be separated from entrances of adjacent units to insure privacy, but they shall not be hidden to preclude casual surveillance.
- (2) Common stairways may be used for access to upper-story units, but landings shall be located to minimize disturbance of individual residences. Enclosed hallways shall not be used for primary access to residences.

7. Landscaping

The landscaping standards for residential condominiums shall be those delineated in Section 34-9.2 of the Oxnard City Code, with the addition of the following:

- A. All common outdoor areas not used for parking or permanent recreational facilities shall be landscaped in accordance with a plan prepared by a licensed Landscape Architect and submitted with or as part of the site plan.
- B. The use of trees, hedges and bushes to screen for privacy and undesirable views shall be encouraged, but such screening shall not be located so that vision in parking areas, interior circulation or common pathways is impaired.

8. Communication and Utility Terminals

To insure the capability of monitoring one's own consumption of resources (water, natural gas, electricity, etc.) and to reduce potential disturbances to neighboring units from servicing utilities, the following considerations shall be applied in the provision and location of communication and utility terminals:

- A. Each residence shall be constructed with separate utility systems and meters. (In order to reduce installation costs, it may be possible to common trench utility wires.)
- B. Individual utility meters, phone panels, mail boxes, and address directories shall be clustered for efficient access to residents and service persons.

9. Circulation

The standards for internal circulation within condominium

developments shall be those stated in Section 34-6 of the Oxnard City Code with the addition of the following:

- A. Private streets shall be 25 feet wide for fire lane purposes, when necessary for direct access to dwelling units.
- B. Interior streets shall be designed in such a manner as to reduce through traffic and paved area.
- C. Where streets change direction, adequate turning radii shall be provided to accommodate moving vans, service and emergency vehicles, and to insure that there are no blind corners.

10. Storage

Multiple family housing typically does not afford storage area for large objects (e.g. bicycles, lawn furniture, tools, etc.) as exists in side and rear yards of single family residences. Therefore, it is necessary to make special provisions for storage areas.

- A. A private storage area shall be provided for each residence, either attached to the residence with access to the outside, in a separate structure, or within the garage. Enlarging the garage to accommodate storage is most desirable.
- B. Ownership of storage areas, when separate from residences or garages, shall be transferred with the residence served when that residence is sold.
- C. Storage areas shall be located immediately adjacent to the unit served, whenever possible, and shall be lighted.
- D. Storage areas shall be completely enclosed, and shall not be less than 225 cu. ft., with a minimum width of four feet.

11. Site Planning

Between the parts of a condominium housing development (individual units, garages, parking, pathways, common areas, recreation facilities and adjacent development), relationships are created that can enhance or diminish residential livability. In order to maximize residential livability, the design of the condominium development shall reflect the following:

- A. The design of the development shall reflect variety in the

relationship of dwelling units to each other in regard to setbacks, building heights, and roof lines (e.g. differing roof levels, staggered setbacks, etc.).

- B. In no case shall the distance between buildings, measured at the ground, be less than the average height of the buildings.

12. Aesthetics

The condominium housing development will work well for residents and be an asset to the community if, in addition to its basic functioning, it is visually pleasing. Therefore, the development shall reflect the following considerations:

- A. The buildings should relate harmoniously to one another and to adjacent development in scale, theme, colors, textures and building materials.
- B. Complete architectural themes shall be encouraged, but architectural facades and discontinuous treatments (roof details, etc.) are to be avoided.
- C. Roof penetration shall be minimized by grouping plumbing vents and ducts together. Where mechanical equipment must be located on the roof, it shall be integrated into the design of the roof and/or screened from view.

13. Energy Efficiency

- A. Energy conservation measures shall be considered as a means of increasing thermal efficiency in the design of housing units and the orientation of buildings, and shall be used in conjunction with the requirements of the State Energy Code.
- B. To this end, building design shall maximize potential for sun exposure through building orientation. Buildings shall not be so close as to substantially limit available sunlight to adjacent buildings.

14. Buffers/Screening

In order to achieve privacy from noise and unwanted views, buffers in the form of fences, walls, wing-walls, staggered entrances, open space, and landscaping shall be provided between residences, groups

of residences, and undesirable abutting land uses.

While fences and walls serve well to screen unwanted views at the ground level, they do not work for higher levels. Trees shall be located to provide visual buffering to units above ground level.

- A. Adequate space shall be allocated for tree planting and shall not be less than 225 square feet.
- B. Trees used for visual screening shall be a minimum of 15 gallon in size, of a type that will grow fairly rapidly to a useful height, be appropriate to the local climate, and require low maintenance, as determined by the Parks Superintendent.
- C. Where noise barriers are recommended and would result in walls over seven feet high, berms or berm/walls should be used, rather than walls only.

15. Security

Personal security, both real and perceived, can be maximized in the condominium development by designing in accordance with the concept of defensible space.

- A. Defensible space shall be achieved in the design of development and shall include mechanical security measures, including lockable entrances, intercoms and buzzers, electric garage door openers, and similar features.

16. Handicap Facilities

Reduction of barriers to free movement is an important consideration in residential condominium developments, since this affects a large proportion of the population, including the very young, the very old and the physically handicapped, as well as persons temporarily handicapped or burdened in daily activities. The design of the condominium development shall, whenever possible, reduce barriers to free movement. The following criteria shall be reflected in condominium design:

- A. "Barrier-free" design shall be achieved by providing ramps to common facilities, including parking and recreation areas.

Resolution No. 7658
Page Ten

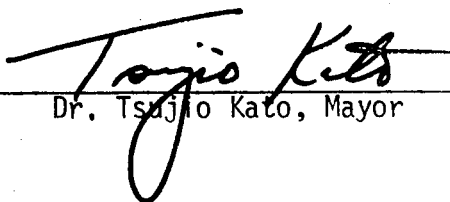
B. Elevators shall be provided in buildings of three or more stories, unless the third story is entirely comprised of second levels of residences which have entrances at the second story.

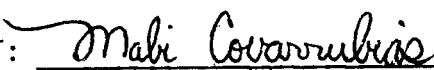
Passed and adopted this 29th day of May, 1979, by the following vote:

AYES: Takasugi, Kato, Lopez, Miller

NOES: None

ABSENT: Maxwell


Dr. Tsugio Kato, Mayor

ATTEST: 
Mabi Covarrubias
Deputy City Clerk

H. City Council Resolution No. 7658 Consistency Table

Attachment H
City Council Resolution No. 7658
Advisory Condominium
Standard Table

90 CONDOMINIUM UNIT PROJECT

ADVISORY DEVELOPMENT STANDARDS FOR CONDOMINIUM PROJECT : NOT MANDATORY			
DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Number of Bedrooms	Each unit shall have no fewer than 2 separate bedrooms	45: 2-bedroom units 45: 3-bedroom units	YES
Dwelling Size	Each unit shall not be smaller in area than 1,000 sq.ft.	Unit living square foot range: 1,413 to 1,476	YES
Distance to Parking Spaces	– Resident Parking: 50 ft. max. distance to spaces from the dwelling units they serve. – Visitor Parking: 100 ft. max. distance to spaces from the dwelling units they serve.	Resident parking spaces less than 50 feet to the units they serve; spaces are within same building as the unit served (attached garage located on first floor). Visitor spaces are within 100 ft.	YES
Private Patios	– Minimum outdoor patio area not less than 20% of GFA of the unit it serves. – Min. dimensions 10 ft. by 10 ft. – Immediately adjacent and direct access to the unit served. – Minimize overview to adjacent patios. – Lights not to exceed 6 ft. height. – Patios adjacent to common open areas used by residents.	– Min 20% – Min. 10' x 10' Sundecks are provided for each unit and range between 450 to 1,530 sq ft each. – Adjacent and accessible to each unit – Patios adjacent to common open space area	NO; HOWEVER, SUN DECKS ARE PROVIDED FOR EACH UNIT WITH GREATER LAND AREA THAN THE MINIMUM REQUIRED UNDER CITY COUNCIL RESOLUTION NO. 7658
Common Areas	– Formal: Jacuzzi, spa, clubhouse, barbecues, picnic tables, etc. – Informal: Lawn area with min. dimensions of 45 ft. and area not less than 3,500 sq.ft.	Pool/ Playground area recreational Building	YES

Attachment H

City Council Resolution No. 7658
Advisory Condominium
Standard Table

	– Children: Tot lot, jungle gym.		
Storage	– 1 private storage area per unit. – Minimum area: 225 cubic ft.(ft.³). – Minimum width: 4 ft.	– All units have storage areas within garages – Min. 225 ft.³ – Min. width 4 ft.	YES, AS CONDITIONED
Security	– Lockable entrances – Electric garage door openers – Similar features	– Gates & locks at entrances – Electric garage gate openers	YES
Handicap Accessibility	Elevators shall be provided in structures of 3 or more stories	All buildings required to be a maximum of 2 floors; Recreational Building has an elevator	N/A THERE ARE NO 3-STORY STRUCTURES PROPOSED OR ALLOWED

I. Affordable Housing Agreement

When recorded mail to:

City of Oxnard
300 W. Third Street, Suite 100E
Oxnard, CA 93030
Attn: City Clerk

APN _____

**AGREEMENT AFFECTING REAL PROPERTY
(DECLARATION OF RESTRICTIVE COVENANTS AND AFFORDABLE HOUSING
REQUIREMENTS)**

This Agreement Affecting Real Property (Declaration of Restrictive Covenants and Affordable Housing Requirements)(hereafter, “Agreement”) is made in Ventura County, California as of _____, 2021, by and between Portofino Place, LLC (the “Owner”) and the City of Oxnard, a California municipal corporation (“City”), and collectively with the Owner as the “Parties”.

RECITALS

A. Owner is the owner of the 7.6 acre property located at the corner of 5th Street and Portofino Place in the City of Oxnard, County of Ventura, State of California more fully described in Exhibit A, which is attached hereto and incorporated herein by this reference (the “Property”).

B. Owner has applied for four different planning entitlements (PZ No. 19-500-04 (Special Use Permit), PZ No. 20-300-02 (Tentative Subdivision Map), PZ No. 20-570-02 (Zone Change) and PZ No. 20-620-02 (General Plan Amendment)) that would allow for the development of 45 duplexes, consisting of 90 dwelling units, on the Property (hereinafter, the “Project”).

C. The City’s inclusionary housing ordinance has specific affordability requirements based upon the type of development – for-sale or for-rent. The City’s inclusionary housing ordinance requires for-sale projects with at least 10 or more units to reserve at least ten percent (10%) of all units to be sale to lower-income households (80% AMI), while the City’s inclusionary housing ordinance requires for-rent projects with at least 10 or more units to make available at least five percent (5%) of all units to very low income (50% AMI or below) households and five percent (5%) of all units to affordable lower-income (80% AMI) households.

D. While the Owner has indicated its intention to retain the title to all of the parcels within the Project and to make this a for-rent project, at such time as the final tract map has been recorded and the Owner has obtained the necessary approvals from the California Department of Real Estate, the Owner can sell individual parcels within the Project to third parties.

E. The Parties are entering into this Agreement in order to create a specific mechanism for Owner's compliance with the City's inclusionary housing ordinance while the Project remains under a single ownership and is a for-rent development, while outlining specific steps to be followed before the Owner sells one or more of the parcels of the Project to a third party.

NOW, THEREFORE, in consideration of the foregoing Recitals which are hereby incorporated into the operative provisions of this Agreement by this reference and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the City and Owner agree as follows:

1. Conditions of Approval. On behalf of itself and its successors and assigns, Owner agrees to be bound by the conditions of approval for the Project, which are attached hereto and incorporated herein by this reference as Exhibit B.
2. Inclusionary Housing Regulations. On behalf of itself and its successors and assigns, Owner agrees to be bound by the City's inclusionary housing regulations that exist as of the date of this Agreement.
3. For-Rent Development. On behalf of itself and its successors and assigns, Owner agrees that the Project shall be a for-rent development that shall comply with the City's inclusionary housing regulations that exist as of the date of this Agreement.
4. Conversion to For-Sale Development. For twenty (20) years from the date that the first dwelling unit within the Project is offered for-rent, the Owner agrees that individual parcels within the Project may not be sold, traded or exchanged without the prior written consent of the City of Oxnard, which consent may not be withheld once Owner puts in place specific procedures consistent with the City's inclusionary housing regulations to ensure that at least ten percent of the units in the Project will be sold to lower-income households (80% AMI) and that standard resale restrictions consistent with the City's existing inclusionary housing regulations will be imposed on such sales.
5. Disclosure of Restrictions of Agreement. For a period of twenty (20) years from the first dwelling unit is offered for-rent within the Project, the Owner agrees that if it conveys the entire Project to a third party or another legal entity, the Owner will first fully disclose to the new owner(s) the requirements of the Project approvals and this Agreement.
6. Covenants Running with the Land. All the obligations and covenants of Owner hereunder shall be binding upon the successors, assigns, heirs, transferees, and future owner(s) of the Property or any portion thereof as covenants running with the land pursuant to California Civil Code Section 1460 et. seq.

7. Legal Interpretation of Instrument. This Agreement shall be governed by the laws of the State of California with venue in Ventura County.
8. Entire Agreement; Amendment. This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, superseding all negotiations, prior discussions and preliminary agreements made prior to the date hereof. This Agreement may not be changed except in writing executed by both parties.
9. Authority to Execute Agreement. All individuals executing this and other documents on behalf of the parties certify and warrant that they have the capacity and have been duly authorized to so execute the documents on behalf of the entity so indicated.
10. Time is of the Essence. Time is of the essence of this Agreement and each and all of its provisions in which performance is a factor.
11. Severability Clause. Any provision of this Agreement, which shall prove to be invalid, void, or illegal, shall in no way affect, impair, or invalidate any other provision hereof and such other provisions shall remain in full force and effect.
12. Section Headings. The section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.
13. Counterparts. This Agreement and any modifications hereto may be executed in any number of counterparts with the same force and effect as if executed in the form of a single document.
14. Waiver. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought.
15. Assistance of Legal Counsel. All parties to this Agreement declare that, prior to the execution of this Agreement, they have informed themselves of sufficient relevant data, either through experts or other sources of their own selection, and have sought and obtained legal counsel, in order that they might intelligently exercise their own judgment in evaluating the contents of this Agreement and making the decision to execute it. The parties each represent and acknowledge that in executing this Agreement, they do not rely and have not relied upon any representation or statement not set forth herein made by any other party to this Agreement or their respective legal counsel with regard to the subject matter, basis or effect of this Agreement.

CITY:

Dated: _____ 2021

CITY OF OXNARD

By: _____

ATTEST:

Rose Chaparro, City Clerk

APPROVED AS TO FORM:

By: _____
Stephen Fischer
City Attorney

OWNER:

Dated: _____ 2021

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1, OF PARCEL MAP WAIVER NO. PZ 04-300-18, AS RECORDED ON FEBRUARY 25, 2005, AS INSTRUMENT NO. 2005-47645, IN THE COUNTY RECORDER OF SAID COUNTY BEING A PORTION OF PARCELS 1 THROUGH 6, INCLUSIVE, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 23, PAGE 30 OF RECORDS OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL OF THE OIL, GAS, HYDROCARBONS AND ASSOCIATED SUBSTANCES LYING IN AND UNDER THE LAND HEREINABOVE DESCRIBED AS RESERVED IN THE DEED FROM HELEN UNDERHILL, ET AL., RECORDED SEPTEMBER 2, 1959 AS INSTRUMENT NO. 34233 IN BOOK 1774, PAGE 574 OF OFFICIAL RECORDS.

BY DEEDS RECORDED MAY 29, 1963 IN BOOK 2330, PAGES 532, 530 AND 532 OF OFFICIAL RECORDS, ALL RIGHTS TO USE THE SURFACE AND THE SUBSURFACE TO A DEPTH OF 500 FEET BENEATH THE SURFACE OF LOTS 1, 2 AND 3 WERE RELEASED.

BY QUITCLAIM DEED RECORDED MARCH 12, 1964 IN BOOK 2498, PAGE 255 OF OFFICIAL RECORDS, ALL RIGHTS TO USE THE SURFACE AND THE SUBSURFACE TO A DEPTH OF 500 FEET BENEATH THE SURFACE OF LOTS 4, 5 AND 6 WERE RELEASED.

[PLOTTED EASEMENTS](#)

APN: 185-0-221-025, 185-0-221-265, 185-0-223-015

EXHIBIT B
UNCODIFIED ORDINANCE

CITY COUNCIL OF THE CITY OF OXNARD

UNCODIFIED ORDINANCE NO. 2980

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA, CONCERNING AFFORDABLE HOUSING REQUIREMENTS FOR NEW DEVELOPMENTS AND IN-LIEU AFFORDABLE HOUSING PAYMENTS

WHEREAS, the State of California has declared that the provision of affordable housing in all communities for all segments of the population is a matter of statewide importance and concern; and

WHEREAS, the State of California requires all cities and counties to adopt and implement a general plan which governs many of the overall land use and planning issues for the local agency to use as a guideline for future development, including affordable housing; and

WHEREAS, the City of Oxnard adopted the 2030 General Plan which includes several specific elements, including the Growth Management Element, the Land Use Element, and a Housing Element, which all contain certain goals, objectives and policies concerning affordable housing; and

WHEREAS, the 2030 General Plan Growth Management Element encourages the adoption of implementation measures which would promote a match between the price of housing and the household income of all Oxnard residents; and

WHEREAS, the 2030 General Plan Land Use Element requires a balanced community that meets the housing needs of all segments of the community and also provides for a balance between jobs and housing within the community; and

WHEREAS, the 2030 General Plan Housing Element contains a requirement that the City provide for a variety of housing types throughout the City which meet the needs of all economic segments of the community, including affordable housing units; and

WHEREAS, State law provides that legal actions may be brought to prohibit new residential housing if the 2030 General Plan Housing Element is not complied with; and

WHEREAS, the City Council has received an affordable housing report which found that low and very low income families, especially large and farm worker families, in the community are experiencing a housing shortage; and

WHEREAS, the City Council has stated in the 2030 General Plan and the Housing and Land Use Elements, that one of the major goals of the City is to achieve a balanced community with housing available for households of all income levels, so that the low and very low income families may have housing available at an affordable cost; and

WHEREAS, the affordable housing report further found that low and very low income families are living within the community in severely overcrowded housing and/or in housing that is not decent, safe and sanitary; and

WHEREAS, the affordable housing report further found that federal and state housing subsidy programs are not sufficient by themselves to satisfy all of the housing needs of low and very low income households, which has further exacerbated the availability of affordable housing; and

WHEREAS, the affordable housing report found that the housing shortage of new housing affordable to low and very low income families is detrimental to the public health, safety and welfare and that the City is required by California public policy to make available an adequate supply of housing for persons of all economic segments of the community, including low and very low income families; and

WHEREAS, the City Council finds that new residential development enjoys the benefits of public resources and City facilities and must participate in protecting and enhancing the public welfare by helping to meet the goals and objectives for affordable housing set out in the 2020 General Plan and its various elements; and

WHEREAS, the City Council finds that new residential development that does not include affordable housing on site reduces the limited inventory of real property in the city that may be used to develop affordable housing; and

WHEREAS, the City Council desires to establish a policy for the provision of affordable housing on a City-wide basis for all new development; and

WHEREAS, the City Council desires that a program exist to allow new residential development to provide an in-lieu affordable housing payment in place of providing affordable housing units on site, which in-lieu payment would allow other affordable housing goals and objectives to be met throughout the City; and

WHEREAS, based on the foregoing recitals, on April 20, 1999, the City Council adopted Resolution No. 11,570, establishing affordable housing requirements and in-lieu fees; and

WHEREAS, on October 5, 1999, the City Council adopted Resolution No. 11,645, amending Resolution No. 11,570, and on October 19, 1999, adopted Resolution No. 11,651, repealing Resolution No. 11,645; and

WHEREAS, on October 19, 1999, the City Council adopted Resolution No. 11,652, amending Resolution No. 11,570 to exempt certain projects there from; and

WHEREAS, on October 26, 1999, the City Council adopted Ordinance No. 2506, establishing the affordable housing requirements contained in Resolution Nos. 11,570 and 11,652 by ordinance; and

WHEREAS, on December 5, 2000, the City Council adopted Ordinance No. 2545, making certain adjustments to Ordinance No. 2506; and

WHEREAS, on March 5, 2002, the City Council adopted Ordinance No. 2594, providing a procedure to appeal application of Ordinance No. 2545, and any successor ordinance, on the basis that its application to a specific project was unconstitutional; and

WHEREAS, December 3, 2002, the City Council adopted Ordinance No. 2615, replacing Ordinance No. 2545; and

WHEREAS, on June 28, 2005, the City Council adopted Ordinance No. 2688, making adjustments to Ordinance No. 2615; and

WHEREAS, on July 18, 2006 the City Council adopted Ordinance No. 2721, making adjustments to Ordinance No. 2688; and

WHEREAS, the City Council now desires to amend Part 10 of Ordinance No. 2721 and make other minor adjustments thereto and reenact Ordinance No. 2721 as amended; and

WHEREAS, as this ordinance does not establish a new affordable housing program, but only makes certain adjustments to Ordinance No. 2721, the City Council finds that there is no possibility that adoption of this ordinance may have a significant effect on the environment; that the in-lieu Affordable Housing Payments adopted by this ordinance create government funding mechanisms that do not involve any commitment to any specific project and thus do not constitute a project, as defined by Section 15378(b)(4) of the State California Environmental Quality Act (CEQA) Guidelines; and that consequently adoption of this ordinance is not subject to CEQA.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. All recitals set forth hereinabove are found and determined to be true and correct and are incorporated into this ordinance by this reference.

Part 2. The findings and references to affordable housing that are contained in the 2020 General Plan, as set out in Attachment 1 to the staff agenda report on affordable housing, dated April 8, 1999, and the staff reports considered at the City Council meetings held on November 14, 2000, in connection with the adoption of Ordinance No. 2545, the staff report considered on January 29, 2002 in connection with the report of the ad hoc affordable housing committee, and the staff report dated July 20, 2004, all on file with the City Clerk, are incorporated by reference as findings in support of the affordable housing requirements set out in this ordinance.

Part 3. All new residential projects containing ten or more dwelling units to be offered for sale shall include a number of dwelling units equal to not less than 10% of the total number of dwelling units offered for sale in the project that shall be sold at an

affordable housing cost to persons and families of lower income, as defined in California Health and Safety Code Section 50079.5. Each such affordable dwelling unit shall have at least three bedrooms, provided that if a project contains at least ten two bedroom units, two bedroom affordable units may be provided in the same percentage ratio to all affordable units as the percentage ratio of two bedroom market rate units bears to the total number of market rate units in the project. For purposes of this ordinance, the term "units offered for sale" includes units classified as condominium units under California law.

Part 4. All new residential projects containing ten or more dwelling units to be offered for rent shall include a number of dwelling units equal to not less than 5% of the total number of dwelling units in the project offered for rent that shall be rented at an affordable rent to persons and families of very low income, as defined in California Health and Safety Code section 50105, and shall include an additional number of dwelling units equal to not less than 5% of the total number of dwelling units in the project offered for rent at an affordable rent to persons and families of lower income, as defined in California Health and Safety Code section 50079.5. If the number of bedrooms per unit varies within a project, the number of low and very low income units of each bedroom numbers must meet the requirements of this part 4, i.e., affordable units shall be proportionately distributed throughout the project by bedroom size.

Part 5. As used in this ordinance, the term "housing cost" includes the costs described in 25 California Code of Regulations section 6920, except that in determining housing cost under this ordinance the amount paid for maintenance and utilities will not be included. For purposes of calculating mortgage loan cost, a prevailing market interest rate for a fixed interest rate loan will be used. As used in this ordinance, the word "rent" has the meaning ascribed to such word in 25 California Code of Regulations section 6918. For purposes of this ordinance, "affordable housing cost or rent" shall mean:

- (a) With respect to a low income person or family, rent or housing cost not in excess of 30% of 80% of the Area Median Income for the Ventura County Metropolitan Statistical Area, adjusted for family size appropriate for the unit in question, as set forth in Section 6932 of Title 25 of the California Code of Regulations; and
- (b) With respect to a very low income person or family, rent or housing cost not in excess of 30% of 50% of the Area Median Income for the Ventura County Metropolitan Statistical Area, adjusted for family size appropriate for the unit in question, as set forth in Section 6932 of the Title 25 of the California Code of Regulations.

Prior to offering for sale or rental the first unit which the developer intends to qualify as an affordable unit under Part 3 or Part 4 of this ordinance, the developer shall submit to the City's Housing Director the proposed sale price or rental amount for all the affordable units and the dates upon which the affordable units will be offered for sale or rental, and thereafter, any other information requested by the City's Housing Director. The Housing

Director shall review the information submitted, and within 30 days of receipt of all requested information, shall determine whether the sales price or rental amount is affordable as provided in Parts 3 and 4. Thereafter, if the developer desires to increase the sales price or initial rental amount for any for sale affordable units, the developer must obtain the approval of the Housing Director. A developer may appeal a decision of the Housing Director made pursuant to this Part 5 within the time and following the procedures (including payment of the fee) set forth in the Oxnard City Code section 16-545 et seq. for appeal of a decision of the Planning Commission denying a special use permit.

Part 6. Not later than the date of application for the first building permit for a project that is subject to Part 3 or 4 of this ordinance, the developer shall cause to be recorded in the office of the Ventura County Recorder covenants approved in form and substance by the Housing Director. Such covenants shall identify the affordable dwelling units, restrict the qualifying income of purchasers and tenants of such units, specify the maximum housing cost for such units, and require that such units remain affordable for at least 20 years. The covenants shall provide that the developer shall require any purchaser of an affordable unit or project to execute a resale restriction agreement in form and substance satisfactory to the City's Housing Director, which resale restriction agreement shall provide for continuing affordability in the sale or rental of units for at least 20 years. The covenants shall run with the land. If the original developer or a subsequent owner complies with the covenants and/or resale restriction agreement by conveying the project or unit only to an eligible low or very low income transferee at an affordable cost as provided in this ordinance, the developer or such owner shall not be responsible for any violation of such covenants or resale restriction agreement by future transferees.

Part 7. Such affordable units shall be designed and constructed so as to be architecturally consistent with and qualitatively similar to other (unrestricted) units in the project. Generally, affordable units shall be dispersed throughout the project. As part of the developer's application for any land use approvals required for the project and prior to the date upon which the application is deemed complete, the developer shall submit to the City planning staff such documents and plans as planning staff determines are necessary and appropriate for the City to determine that the requirements of this ordinance have been met and that the design and placement of the affordable units will not affect the quality of the project or the affordable units, and will not result in discrimination on any legally prohibited basis. The City Council, Planning Commission, or other decision making person or body with final approval over the project shall make such determination. The determination of such decision making body shall be made exercising its sole, good faith, discretion.

Part 8. As part of the developer's application for land use approvals required for the project and prior to the date upon which the application is deemed complete, the developer of a project that is subject to this ordinance may request in writing that instead of providing such affordable housing within the proposed project, the developer shall provide such affordable housing on specified off-site land. The request shall be presented to the City Council, which shall determine in its sole discretion whether the land is suitable for affordable housing. If the City Council determines that the land is suitable, the developer shall enter into an agreement with the City to provide affordable housing on such land. The agreement shall provide for affordable units in a number not less than the number of on-site units required by this ordinance for the

project. The agreement shall contain conditions and provisions requiring the construction of such affordable units prior to or concurrent with construction of the project, unless the City Council determines in its sole discretion that such a condition is not necessary to ensure that the affordable units are constructed. The agreement may contain such other terms and conditions as the City Council determines are necessary or appropriate.

Part 9. The developer shall establish and at all times maintain a written list of Oxnard residents qualified to purchase or rent each of the affordable units. The developer shall offer the affordable units to qualified Oxnard resident buyers or renters on the waiting list first and give preference to them until there are no qualified Oxnard residents on the waiting list. At such time, the developer may make units available to all other prospective buyers or renters meeting the income limitations for such units.

10. A developer may, following the procedure set forth in this Part 10, make a written request that instead of providing such affordable housing units within the proposed project or off site, the developer make an in-lieu Affordable Housing Payment ("Payment") to the City's Affordable Housing In-Lieu Fee Fund.

(a) All projects for which the developer makes a request to make a Payment shall be subject to the City's pre-application process. During the pre-application process, the City Council shall determine whether a Payment may be made.

The City Council shall consider the following factors in determining whether to grant a request:

- a. the size, type and nature of the lots and homes and/or apartment buildings and units proposed for the development;
- b. the prices for which the developer plans to sell the market rate homes or rent market rate apartment units;
- c. the extent to which the proposed development may be designed or redesigned to allow the production of quality units at lower costs; and
- d. the extent to which City is meeting the affordable housing goals of its 2030 General Plan.

(b) If the request is granted, the Payment shall be calculated using the City's adopted affordable housing in-lieu fee schedule. The fee for each unit shall be paid when the developer pulls a building permit for each unit.

(c) Beginning on July 1, 2021, and every July 1st thereafter, the Housing Director shall adjust the Fee by the percentage increase or decrease for the prior twelve months as determined by the Engineering News Record Building Cost Index for the Los Angeles Region.

Part 11. If a developer's request to make a Payment is granted, the fee for each unit shall be paid when the developer pulls a building permit for each unit. Within 60 days after a developer's request to make a Payment is granted, the developer may request in writing that the City allow the developer to satisfy all or part of the Payment by dedicating specified off-site land to the City. With such request, the developer shall submit a written M.A.I. appraisal of the land. The City may require that the developer pay for an additional M.A.I. appraisal obtained by the City. The City Council shall determine the market value of the land, based on the appraisals provided or paid for by the developer and any other reliable data. The City Council shall also determine whether the land is suitable for affordable housing and meets the City's needs for sites for affordable housing. If the City Council so determines and the Mayor executes a certificate of acceptance for the land, the City shall apply the market value of the land to the Payment owed. If the market value of the land is less than the Payment, the developer shall pay the difference. If the market value of the land is more than the Payment, dedication of the land shall be deemed the equivalent of making the Payment, and the developer shall not be entitled to any payment for the excess market value. The developer shall deed to the City land so accepted before the developer applies for the first building permit for the project.

Part 12. As provided by Ordinance No. 2594, a developer may appeal to the City Council a decision of the Planning Commission requiring compliance with this ordinance, on the ground that such application of this ordinance to the developer's project results in an unconstitutional taking of property or that there is no reasonable relationship between the impact of the project and such requirements.

Part 13. All in-lieu Affordable Housing Payments shall be deposited in the City's Affordable Housing Trust Fund and used exclusively to provide affordable housing and affordable housing assistance to persons and families of lower and very low income.

Part 14. This ordinance does not apply to the following new residential projects of ten or more dwelling units:

- (a) Projects located in areas that are subject to a specific plan adopted by the City that requires such projects to provide as many or more affordable units for lower and very low income persons and families as does this ordinance.

Part 15. In a project that receives a density bonus pursuant to Government Code Section 65915 or 65915.5, the calculation pursuant to Part 3 or Part 4 of this ordinance of the number of dwelling units to be offered for sale or rent shall be based on the number of units before the density bonus is applied. Affordable units provided pursuant to this ordinance shall not be included in the calculation of affordable units provided pursuant to density bonus statutes, ordinances or resolutions.

Part 16. This ordinance shall be uncodified.

Part 17. This ordinance shall apply to applications for land use approvals that are filed on or after the effective date of this ordinance and to applications for land use approvals that have been filed but have not been accepted as complete as of the effective date of this ordinance.

Part 18. This ordinance replaces Ordinance No. 2721 as to applications for land use approvals described in Part 17. However, Ordinance No. 2721 is not repealed. If all or any part of this ordinance be declared invalid by the courts, and Ordinance No. 2721 be not declared invalid, Ordinance No. 2721 shall apply to the subjects addressed by the portions of this ordinance declared invalid, or, if this ordinance is declared invalid in its entirety, shall supplant this ordinance.

Part 19. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the City. Ordinance No. 2980 was first read on May 19th, 20 20, and finally adopted on June 2nd, 20 20 to become effective sixty days thereafter.

AYES: Councilmembers Basua, Flynn, Lopez, Madrigal, Perello and Ramirez.

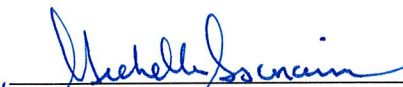
NOES: Councilman MacDonald.

ABSENT: None.

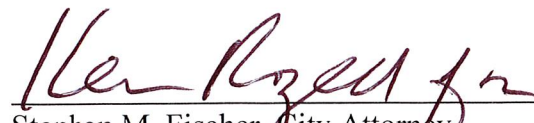
ABSTAIN: None.


Tim Flynn, Mayor

ATTEST:


Michelle Ascencion, City Clerk

APPROVED AS TO FORM:


Stephen M. Fischer, City Attorney

J. Estimated Development Impact Fees

DEVELOPMENT FEES

BUILDING AND ENGINEERING DEVELOPMENT SERVICES DEPARTMENT

Effective September 24, 2018

FEE CHARGES TABLE OF CONTENTS

<u>SUBJECT</u>	<u>PAGE NO.</u>
SECTION 1 – BUILDING AND ENGINEERING PROCESSING FEES	
PUBLIC / SITE IMPROVEMENT PLAN CHECK AND PROCESSING FEES	
A. Public Improvement/Site Improvement Plan Check Fees	1
B. Building and Engineering Planning Permit Processing Fees.....	1-2
C. Building and Engineering's Tract and Parcel Map Checking Fees.....	3
D. Building and Engineering's Grading Plan Checking Fees.	3
E. Building and Engineering's Special Services Fees.....	4
F. Additional Plan Review Fees.....	4
II. PUBLIC IMPROVEMENT/SITE INSPECTION FEES (Resolution 14,314)	
A. Public Improvement/Site Inspection Fees	4
B. Building and Engineering's Grading Inspection Fees.....	5
III. ENCROACHMENT PERMIT FEES (Resolution 14,314)	
A. General Single Encroachment and Site Improvement Permit	5
B. Annual Multiple Encroachment Permit	5
IV. MINOR ENCROACHMENT / SITE IMPROVEMENT FEES (Resolution 14,314)	
A. Accessible curb ramp (each)	6
B. Construction material in right-of-way (each 5 days of portion)	6
C. Construction of commercial driveway (each opening)	6
D. Construction of residential driveway (each opening)	6
E. Dock pilings (first pile)	6
F. Dock pilings (each additional pile)	6
G. Excavations-each location (100 square feet or less of excavated surface area - earthwork only).....	6
H. Excavations-additional (trenching over 100 square feet/per square foot).....	6
I. Fire flow test (each) Water Construction Inspection Personnel.....	6
J. Fire flow test (each) Water Personnel (Ord. 2859).....	6
K. Fire flow test (each) Water Usage (Ord. 2859, based on \$4.30 per HCF construction water usage).....	6
L. Fire flow test Construction Inspector.....	6
M. Fire flow test (additional same location, each).....	6

N.	Fire hydrant installation (no hot tap)	6
O.	Fireline back flow (no hot tap)	6
P.	Monitoring wells/borings in the right-of-way (traffic review of detour plan required on all thoroughfares).....	6
Q.	Monitoring wells/borings in the right-of-way – additional (each additional well/boring at same site).....	6
R.	Paving repair (100 square feet or less of excavated surface area)	6
S.	Paving repair-additional (paving over 100 square feet/per square foot).....	6
T.	Sewer tie-in (existing lateral, each)	6
U.	Sewer tie-in (new connection to main if less than 5' deep, each).....	6
V.	Sewer tie-in (new connection to main if more than 5' deep, each)	6
W.	Traffic detour inspection	6
X.	Tree trimming and/or stump removal per location (first day)	6
Y.	Tree trimming and/or stump removal per location (each additional day).....	6
Z.	Utility potholing (each)	6
AA.	Water main hot tap (each)	6
BB.	Water service installation 2" or smaller/each service, plus additional fee based on paving repair required.....	6
CC.	Water service Installation 3" or larger/each service, plus additional fee based on paving repair required.....	6
DD.	Inspections not listed (per hour).....	6
EE.	Encroachment Permit Plan Review (per hour) (Plans Examiner).....	6
V.	STREET CUT FEE (Resolution 14,314)	6
VI.	OVERSIZE LOAD AND OVERWEIGHT TRUCK PERMIT (Resolution 14,314 & 14,431)	
A.	Oversize Single Trip Encroachment Permit.....	7
B.	Oversize Annual Multiple Trip Encroachment Permit (where the same route and identically sized vehicle load is used).....	7
C.	Overweight Single Trip Encroachment Permit ¹	7
D.	Overweight Multiple Trip Encroachment Permit (where the same route is used.) ¹	7
E.	Inspections (as needed) billed at cost	7
VII.	REFUNDS (Resolution 14,314)	7
VIII.	MODEL BUILDING CODE SUBORDINATE (Resolution 14,314)	7
IX.	PLAN CHECKING, INSPECTION, AND OTHER BUILDING PERMIT PROCESSING SERVICE FEES (Resolution 14,314)	
A.	Model Code Fees	7-11
B.	Fee Refunds	12
C.	BUILDING PERMIT FEES (Tables 1-4)	12
X.	COPYING FOR CUSTOMERS (Resolution 12,200)	19
XI.	PERMIT CENTER IMPROVEMENT FEE (Resolution 12,976)	20

SECTION 2 – DEVELOPMENT IMPACT FEES

I.	SEWER CONNECTION FEE (Ordinance 2709)	
A.	The Treatment Facility Related Infrastructure Fee	21
B.	The Conveyance System Connection Fee	22
II.	WATER SYSTEM CONNECTION FEE (Ordinance 2624)	
A.	New, Expanded or Additional Service Connections	23
B.	Calculation of Charge and Fee	23
C.	Connections.....	24
D.	Meter Size Increase.....	24
E.	Water Service Connections	24
III.	WATER SERVICE AND METER CHARGE (Ordinance 2859)	
A.	In addition to the cost of administration and materials the rates for installing each new service and each new meter, which amount shall be paid in advance, shall be as follows:	25
B.	The rates for installing each new meter on a service, previously installed and paid for, shall be as follows in addition to the cost of materials:.....	25
C.	Request for relocation or abandonment of meters or service will be cost estimated in accordance with the following schedule:.....	25-26
IV.	STORM DRAIN FEE (Resolution 10,274)	26
V.	TRAFFIC IMPACT FEE (Resolution 10,673, 13,328, 13,600 & 13,890)	27
A.	Special Projects.....	28
VI.	GROWTH REQUIREMENT CAPITAL FEE - A.K.A., “GROWTH DEVELOPMENT FEE” (Resolution 10,275, 10,996 & 12,975)	
A.	Commercial Development Projects. A fee of \$0.60 for each square foot of covered space constructed is imposed on commercial development projects. The term “Commercial Development” includes, but is not limited to quasi-public facilities such as hospitals, day care centers, convalescent homes, cemeteries, etc.....	28
B.	Industrial Development Projects. A fee of \$0.60 for each square foot of covered space constructed, and a fee of \$0.04 for each square foot of uncovered space provided (excluding parking and landscape areas required by the City) are imposed on industrial development projects.....	28
C.	Residential Development Projects. A fee of \$1.16 for each square foot of covered space constructed (including garages and accessory structures, but excluding patios) is imposed on residential development projects.....	28
D.	Mobile Home Park Development Projects. A fee of \$1.75 for each square foot of mobile home pad constructed is imposed on mobile home park development projects.....	28
VII.	UNDERGROUNDING OF OVERHEAD UTILITY LINES (Ordinance 2207).....	29
VIII.	REFUSE CONTAINERS (RESIDENTIAL-Ordinance 2372, 2 & 4 CUBIC YARD COMMERCIAL CONTAINERS-Resolution 12,006): REFUSE TRUCK FEES (Resolution 12,200)	
A.	Residential Split Container Fee	29
B.	Residential Green Waste Container Fee	29

C.	Commercial 2-Cubic Yard Container Fee.....	29
D.	Commercial 4-Cubic Yard Container Fee.....	29
E.	Residential Split Container Truck Fee	29
F.	Residential Green Waste Truck Fee	29
G.	Commercial Front-End Loader Truck Fee	29
IX.	OTHER DEVELOPMENT FEES.....	29
A.	Other City fees that may be applicable:.....	29
B.	Non-City Fees that may be applicable:.....	30-31

Date of Previous Revision: July 1, 2016

CITY OF OXNARD
DEVELOPMENT SERVICES DEPARTMENT
FEES CHARGED DEVELOPERS
FEES REVISED September 24, 2018

SECTION 1 – BUILDING AND ENGINEERING PROCESSING
FEES Resolution No(s). 15,164 and 14,314

I. PUBLIC / SITE IMPROVEMENT PLAN CHECK AND PROCESSING FEES

A. Public Improvement/Site Improvement Plan Check Fees

1. Improvement plan processing fee shall be based on the City Engineer's estimate of the cost of the improvements according to the following table:

Cost of Improvements	Fee
\$0 - \$2,250	\$682.00
\$2,251 - \$75,000	\$682.00 + 3.05% of valuation over \$2,250
\$75,001 - \$450,000	\$2,882.00 + 2.48% of valuation over \$75,000
\$450,001 - \$12,000,000	\$12,164.00 + 1.26% of valuation over \$450,000
\$12,000,000+	\$158,271.00 + 1.10% of valuation over \$12,000,000

2. A Development Services "Improvement Plan Cost Estimate" Form estimating the cost of improvements for a project shall accompany such improvement plan at the time it is submitted by a Developer. Each cost estimate shall include a separate item for contingencies equivalent to 10 percent of the estimate of improvement costs. The City Engineer shall determine the estimate cost for the improvements of the proposed project, using the estimate submitted by the Developer to the extent that the City Engineer accepts such estimate as correct and reasonable.
3. The Fee for processing a permit to install or abandon a monitoring well or boring in the right of way is \$124.00.
4. The fee for review or processing of plans, permits, documents, or other items not covered above and for plan reviews beyond the third review shall be charged at an hourly rate of \$165 for a plans examiner and \$194 for a Civil engineer.

B. Building and Engineering Planning Permit Processing Fees

The fee for Development Services' review of applications for coastal development permits, special use permits, planned development permits, development design review (DDR) permits, and administrative permits made under Chapter 34 of the Oxnard City Code shall be as follows:

1. For Industrial-Commercial Development
 - Traffic Model Update \$320.18
 - Engineering Plan Review \$2,575.00
 - Traffic Engineering Plan Review \$1,535.00

2. For Residential Development
 - Traffic Model Update \$320.18
 - Engineering Plan Review \$1,800.00
 - Traffic Engineering Plan Review \$955.00
3. For Residential Development
 - Traffic Model Update \$320.18
 - Engineering Plan Review \$826.26
 - Traffic Plan Review \$506.09
4. For Commercial/Industrial and Residential Development:
 - a. If there is an EIR Traffic Review, applicant shall deposit \$6,000 against which the City will charge actual costs of modeling and review. The Development Services Manager shall approve, in advance, any charges in excess of deposit. Such approval shall require an additional deposit by applicant equal to the City Engineer's estimate of the remaining costs to process the review.
 - b. If there is a Traffic Study Review, applicant shall deposit \$4,000 against which the City will charge actual costs of modeling and review. If there is a Parking Study Review, applicant shall deposit \$1,000 against which the City will charge actual costs of modeling and review. The Development Services Manager shall approve, in advance, any charges in excess of the deposit. Such approval shall require an additional deposit by applicant equal to the City Engineer's estimate of the remaining costs to process the review.

A Traffic Study Review shall be required if the project meets one or more of the following criteria:

 - (1) Residential developments of 90 dwelling units or more;
 - (2) Commercial office projects of 45,000 square feet or more;
 - (3) Other commercial projects of 25,000 square feet or more;
 - (4) Fast food restaurant projects;
 - (5) Manufacturing projects of 60,000 square feet or more; or
 - (6) Any other project which the Traffic Engineer determines to need a traffic study to allow adequate review.
 - c. \$194 per hour for engineering review of EIR, Specific Plan, or Infrastructure Study;
 - d. For a major modification (Commercial or Industrial), \$1,285 per application;
 - e. For a major modification (Residential), \$1,285 per application;
 - f. For a minor modification (Commercial or Industrial). \$770 per application;
 - g. For a minor modification (Residential). \$515 per application;
 - h. For a pre-application (Commercial, Industrial or Residential), \$705 per review with this fee credited towards future fees for this same project.

C. Building and Engineering's Tract and Parcel Map Checking Fees

1. The fee for tentative maps and tentative parcel maps submitted pursuant to Chapter 27 of the Oxnard City Code is \$1,760.00 per map, plus \$145.00 per lot. If an approved tentative map is resubmitted for approval, the subdivider shall pay all fees applicable to a new tentative map.
2. The fee for engineering review of an Infrastructure Study is \$194.00 per hour.
3. The map checking fees for final maps and final parcel maps is deposit based, deposit is determined by staff with charges at the fully allocated hourly rates for all involved personnel plus any outside cost. Initial deposit shall be \$7000 plus \$50 per lot.
4. The fee for a waiver of parcel map submitted under Chapter 27 of the City Code is deposit based; deposit is determined by staff with charges at the fully allocated hourly rates for all involved personnel plus any outside cost. Initial deposit shall be \$3000 plus \$50 per lot.
5. The fee for review of an application for merger of contiguous parcels under common ownership submitted pursuant to Chapter 27 of the City Code is deposit based; deposit is determined by staff with charges at the fully allocated hourly rates for all involved personnel plus any outside cost. Initial deposit shall be \$3000 plus \$50 per lot.
6. The fee for review of an application for a lot line adjustment submitted pursuant to Chapter 27 of the City Code is deposit based; deposit is determined by staff with charges at the fully allocated hourly rates for all involved personnel plus any outside cost. Initial deposit shall be \$3000 plus \$50 per lot.

D. Building and Engineering's Grading Plan Checking Fees.

Grading plan checking fees shall be as follows:

50 cubic yards or less	\$65.00
51 - 100 cubic yards	\$97.00
101 - 200 cubic yards	\$143.00
201 - 300 cubic yards	\$190.00
301 - 400 cubic yards	\$235.00
401 - 500 cubic yards	\$279.00
501 - 600 cubic yards	\$324.00
601 - 700 cubic yards	\$373.00
701 - 800 cubic yards	\$420.00
801 - 900 cubic yards	\$466.00
901 - 10,000 cubic yards	\$492.00

\$492.00 for the first 10,000 cubic yards, plus \$34.11 for each additional 10,000 cubic yards or fraction thereof.

\$799.00 for the first 100,000 cubic yards, plus \$18.10 for each additional 10,000 cubic yards or fraction thereof.

\$980.00 for the first 200,000 cubic yards, plus \$7.95 for each additional 10,000 cubic yards or fraction thereof.

E. Building and Engineering's Special Services Fees

The fee for special services shall be paid based on an estimate of hours at the time of the request as follows:

1. Address Change (30 minutes)	\$62.00
2. Flood Hazard Letter (30 minutes)	\$62.00
3. Sewer and Water Availability Letter (30 minutes)	\$62.00
4. Review of Traffic Detour Plans (1 hour)	\$194.00
5. All other service requests - Non-Engineering – (research for building records, engineering records, engineering drawing originals, etc.), ¼ hour minimum or \$165.00 per hour, whichever is greater.	\$165.00 per hour
6. All other service requests – Engineering – (1/4 hour minimum Or \$194.00 per hour, whichever is greater)	\$194.00

F. Additional Plan Review Fees

In addition to the plan review fees described above, the following additional fees shall be applied as described below.

1. For the fourth and each subsequent submittal, an additional amount will be charged hourly.
2. Incomplete plans, plan changes, alterations to scope work, engineering time not covered by items or revisions to approved plan that require additional plan review shall be charged an additional plan review fee on an hourly basis.
3. Plan Reviews by Consultants or Third Parties, will be deposit based. The amount of deposit is determined by staff with charges at the fully allocated hourly rates for all involved personnel plus any outside costs.

II. PUBLIC IMPROVEMENT/SITE INSPECTION FEES

A. Public Improvement/Site Inspection Fees

Prior to the signing of the engineer's certificate by the City Engineer, the subdivider shall pay a construction inspection fee to the City. The fee shall be based on the City Engineer's estimate of the cost of improvements, excluding work for which a grading permit is required, and shall be the equivalent of:

Cost of Improvements	Fees
\$0 to \$35,000	5.83% of estimated cost of improvement
\$35,000 to \$150,000	\$2,041 plus 4.2% of estimated cost of improvement over \$35,000
Over \$150,000	\$6,848 plus 2.97% of estimated cost of improvement over \$150,000

B. Building and Engineering's Grading Inspection Fees

Grading inspection fees shall be as follows:

100 cubic yards or less	\$143.00
101 to 1,000 cubic yards	\$143.00 for the first 100 cubic yards, plus \$40.89 for each additional 100 cubic yards or fraction thereof.
1,001 to 10,000 cubic yards	\$511.00 for the first 1,000 cubic yards, plus \$34.11 for each additional 1,000 cubic yards or fraction thereof.
10,001 to 100,000 cubic yards	\$818.00 for the first 10,000 cubic yards, plus \$154.44 for each additional 10,000 cubic yards or fraction thereof.
100,000 cubic yards or more	\$2,208.00 for the first 100,000 cubic yards, plus \$86.35 for each additional 10,000 cubic yards or fraction thereof.

III. ENCROACHMENT PERMIT FEES

NOTE: Ordinance 1966 requires payment of a special review fee equal to the amount of the permit and inspection fee for work already commenced prior to obtaining a valid encroachment permit.

A. General Single Encroachment and Site Improvement Permit	\$125.00
B. Annual Multiple Encroachment Permit	\$580.00

Multiple permit fees apply if excavations do not exceed 100 square feet in area; a lateral with a maximum of 2 feet in width and the length of the roadway width dug at right angles to road centerline, and for all power and telephone poles, placing and replacing (locations shall be provided where practicable). In addition to the annual multiple permit, the following additional fees shall apply:

1. Each excavation under multiple permit	\$55.00
2. Each pole installation, removal or relocation	\$55.00

NOTE: In lieu of the above additional fees to the annual multiple permit, any franchise/public utility company will be billed on a quarterly basis for reimbursing the City all costs of actual inspection, administration, and related services performed by the City occasioned by or arising out of the franchise/public utility's encroachments in public right-of-way for construction and maintenance purposes.

IV. MINOR ENCROACHMENT / SITE IMPROVEMENT FEES

Minor encroachment or minor site improvement inspection fees are in addition to the general encroachment and site improvement permit fee; not applicable to annual permits.

A. Accessible curb ramp (each)	\$390.00
B. Construction material in right-of-way (each 5 days of portion)	\$155.00
C. Construction of commercial driveway (each opening)	\$860.00
D. Construction of residential driveway (each opening)	\$315.00
E. Dock pilings (first pile)	\$235.00
F. Dock pilings (each additional pile)	\$155.00
G. Excavations-each location (100 square feet or less of excavated surface area-earthwork only)	\$235.00
H. Excavations-additional (trenching over 100 square feet/per square foot)	\$1.17/sf
I. Fire flow test (each) Water Construction Inspection Personnel	\$92.95
J. Fire flow test (each) Water Personnel (Ord. 2859)	\$150.00
K. Fire flow test (each) Water Usage (Ord. 2859, based on \$4.30 per HCF construction water usage.)	\$100.00
L. Fire flow test Construction Inspector	\$155.00
M. Fire flow test (additional same location, each)	\$80.00
N. Fire hydrant installation (no hot tap)	\$470.00
O. Fire line back flow (no hot tap)	\$550.00
P. Monitoring wells/borings in the right-of-way (traffic review of detour plans required on all thoroughfares)	\$155.00
Q. Monitoring wells/borings in the right-of-way – additional (each additional well/boring at same site)	\$40.00
R. Paving repair (100 square feet or less of excavated surface area)	\$235.00
S. Paving repair-additional (paving over 100 square feet/per square foot)	\$1.17/sf
T. Sewer tie-in (existing lateral, each)	\$470.00
U. Sewer tie-in (new connection to main if less than 5' deep, each)	\$1,175.00
V. Sewer tie-in (new connection to main if more than 5' deep, each)	\$1,485.00
W. Traffic detour inspection	\$155.00
X. Tree trimming and/or stump removal per location (first day)	\$155.00
Y. Tree trimming and/or stump removal per location (each additional day)	\$155.00
Z. Utility potholing (each)	\$315.00
AA. Water main hot tap (each)	\$785.00
BB. Water service installation 2" or smaller/each service, plus additional fee based on paving repair required	\$785.00
CC. Water service Installation 3" or larger/each service, plus additional fee based on paving repair required	\$1,020.00
DD. Inspections not listed (per hour)	\$155.00
EE. Encroachment Permit Plan Review (per hour) (Plans Examiner)	\$165.00

V. STREET CUT FEE

Contractors making excavations within the City's paved right-of-way shall pay the City Street Cut Fee of \$5.07 per square yard of trench area. The Street Cut Fee shall be waived for those public utilities granted franchises by State statute or by a franchise agreement with the City, obligating the franchisee to make all repairs to City streets necessitated by the operations of the franchisee. For calculations the City will use \$0.5634438 per square foot.

VI. OVERSIZE LOAD AND OVERWEIGHT TRUCK PERMIT

Encroachment Permit Fees to apply for authorization to transport oversize and/or overweight trucks within the City of Oxnard shall be as follows:

A. Oversize Single Trip Encroachment Permit	\$15
B. Oversize Annual Multiple Trip Encroachment Permit (where the same route and identically sized vehicle load is used)	\$75
C. Overweight Single Trip Encroachment Permit ¹	\$16
D. Overweight Multiple Trip Encroachment Permit (where the same route is used.) ¹	\$90
E. Inspections (as needed) billed at Cost	\$/Hr

¹Overweight vehicles are limited to Hueneme Rd and Rice Ave.

VII. REFUNDS

The Development Services Manager may provide a refund of fees paid for services not provided. The City shall withhold from the refund an amount of \$61.97 for processing costs.

VIII. MODEL BUILDING CODE SUBORDINATE

If the fees established by this resolution are different from fees adopted as part of the model building code, the fees established by this resolution will prevail.

IX. PLAN CHECKING, INSPECTION, AND OTHER BUILDING PERMIT PROCESSING SERVICE FEES

The following fee schedule is adopted for Development Services plan checking, inspection, permit processing, and other services. As used herein, the word "Code" refers to Chapter 9, Articles I-X of the Code of the City of Oxnard. Hourly fees are based on one Building Inspector's time. When more than one Building Inspector is required, the fee shall be the total hourly cost to the City of Oxnard for each Building Inspector for each hour, or fraction of an hour, involved. Such cost includes employee salaries and benefits, equipment usage, and other operational costs, and administrative overhead. Inspections conducted outside normal business hours will be charged at one and one-half times the hourly rate.

A. Model Code Fees

1. Permit Fees. The fee for each permit shall be as set forth in the attached Tables 1 through 4. The total permit fee for each project shall not be less than an amount equal to ½ hour of an inspection time. The determination of value or valuation shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, and any other permanent equipment.

2. Plan Review Fees.

- a. **Building Plan Review Fee.** When a plan or other documents or data are required to be submitted for review by the Development Services Department, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fee for buildings or structures shall be 85 percent of the building permit fee, as shown in Table 1. This fee covers the first three submittals only. For the fourth and each subsequent submittal, an additional amount will be charged hourly, amount noted below.
- b. **Accessibility Plan Review Fee.** For projects required to comply with accessibility requirements of the California Building Code an additional plan review fee equal to 20% of the building permit fee shall be charged.
- c. **Electrical, Mechanical and Plumbing Plan Review Fee.** A plan review fee for electrical, mechanical, and plumbing submittals for commercial and industrial projects including tenant improvements shall be equal to 60 percent of the total permit fee as set forth in Tables 2, 3, and 4. The plan review fees specified in this resolution are separated from and in addition to the permit fees specified herein.
- d. **Consultant Plan Review Fee.** Where consultant or third party review services are utilized by the city, the plan review fees shall be charged at not less than the fee noted above. For any additional review services due to project changes, or special conditions, plan review fees shall be consultant cost plus 30%, but not less than the cost of city staff time required to process the work.
- e. **Special Projects Plan Review Fee.** For special projects, where determined to be necessary, plan review shall be deposit based. The total amount of charges shall not be less than the cost of plan review fees as determined above or the total cost of staff with charges at the fully allocated hourly rates for all involved personnel plus any outside costs.
- f. **Additional Plan Review Fee.** Incomplete plans, plan changes, alterations to scope work, engineering time not covered by items or revisions to approved plan so as to require additional plan review shall be charged an additional plan review fee on an hourly basis.
- g. **Hourly Charges.** The hourly plan review shall be at a rate of \$212.00/hr, with a minimum charge of ½ hr (1/4 hour for revisions.)

3. Prototype Plan Fee. When a single plan is submitted as a prototype for multiple structures in a single tract, the plan check fee for the prototype shall be the full fee as specified in Section 2 above. The plan check fee for succeeding identical structures shall be 50 percent of the plan check fee of the prototype structure. Any deviation from the prototype plan will require a full plan check fee.

4. Investigation/Enforcement Fees

- a. **Investigation Fee.** Whenever any work for which a permit is required by the Code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be at a rate shown in Section A2 above for plan check staff time and A14 below for inspection staff time and other associated costs, or equivalent to the amount of the permit fee (whichever is greater), as set forth in Tables 1 through 4. The payment of such investigation fee

shall not exempt any person from compliance with all other provisions of the Code and other laws of the City which may apply, or from any penalty prescribed by law.

- b. **Enforcement Fee.** An enforcement fee shall be required whenever enforced compliance of any violation of the Code requires more than the initial notice to comply. Additional enforcement efforts on the part of City staff, including notification letters, research, inspection time, administrative review, preparation of court documentation, microfilming of plans, copies of correction notices, or court time of Building Inspectors or Code Enforcement Inspectors, will all be calculated based upon the hourly fee rates contained in this resolution. Payment of such enforcement fee shall be made at the time permits are obtained or before further inspections will be made. The payment of such enforcement fee shall not exempt any person from compliance with all other provisions of the Code and other laws of the City which may apply, or from any penalty prescribed by law.
- c. **Reinspection Fee.** A reinspection fee may be assessed for each reinspection made when a portion of work for which the inspection is called is not complete, or when corrections called for are not made. Reinspection fees may also be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the Building Inspector, for failure to provide access on the date for which inspection is requested, or for deviation from plans requiring the approval of the Building Official. To obtain a reinspection, the applicant, upon notification by the Development Services Department, shall pay the reinspection fee in accordance with the hourly rates indicated in Tables 1 through 4. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.
5. **Certificate of Occupancy Fee.** No building structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until an application for a Certificate of Occupancy has been made and an inspection fee is paid to the Development Services Department for a compliance inspection of the building, or portion thereof, and a Certificate of Occupancy is granted by the Development Services Department. The amount of the inspection fee shall be as follows:

Occupancy Floor Area	Fee
Under 5,000 sq. ft.	\$92.95
5,001 to 10,000 sq. ft.	\$129.10
10,001 to 50,000 sq. ft.	\$149.76
50,001 to 100,000 sq. ft.	\$180.75
Each additional 5,000 sq. ft., or fraction thereof	\$31.50

6. **Report of Building Records Fee.** Upon application by the owner or his authorized agent, the following fee shall be paid to the Development Services Department for research and reporting of building permit records and other building data (e.g., height, area, type of construction, occupancy, etc.) for each building involved. For each address or building, a flat fee of \$45.00 shall be assessed, or the total hourly cost to the City, at a rate of \$73.02/hour, whichever is greater. This cost includes salaries and benefits of the employees involved, equipment usage and other operational costs, and indirect administrative costs.

7. **Imaging Fee.** For each set of plans, specifications, calculation, and support documents submitted for commercial, industrial, or residential buildings for which a permit is issued, an imaging fee of \$1.37 for each 11" x 17" sheet or smaller, and for each sheet larger than 11" x 17" a fee of \$1.67 shall be paid to the Development Services Department at the time the permit is issued. Imaging fees shall be limited to documents directly related to structural, fire, and life safety items.
8. **Document Copy Fee.** Upon application for copies of plans, specifications, and support documents, a fee shall be paid to the Development Services Department as follows:

Cost	Fee
Microfilm printer, first copy.....	\$7.20
Each additional copy.....	\$3.60
Microfiche printer, first copy.....	\$4.16
Each additional copy.....	\$2.38

9. **Moving of Building Permit Fee.** Before a moving of building permit is issued, the applicant shall pay the Development Services Department a moving of building permit fee equivalent to one percent of the estimated value of the building after relocation and rehabilitation.
10. **Pre-move Inspection Fee.** In addition to and before a moving of building permit is issued, a pre-move inspection fee shall be paid to the Development Services Department. The inspection fees referred to in Section 9-18 of the Code shall be based on the total square footage of the covered floor area of the building to be moved, as determined by the Building Inspector, and are as follows:

Building Use	Fee per Square Foot of Covered Floor Area
Residential.....	\$0.0961
Garage, Attached or Detached.....	\$0.0630
Commercial/Industrial.....	\$0.0961

11. **Energy Conservation Fee.** In addition to other fees specified herein, the fee for plan review and inspection of energy conservation systems in buildings, subject to State energy conservation standards, shall be as follows:

Building Use	Fee per Square Foot of Heated or Conditioned Area
Residential.....	\$0.062
Nonresidential.....	\$0.093

12. **Appeals Hearing Fee.** For each application for a hearing before a Building Code Appeals Board, established pursuant to provisions of the Code, a \$214.83 fee shall be charged for staff time involved in processing the application, attendance at Appeals Board hearings, and associated follow-up work.

13. Demolition Permit Fee. For the inspection of building demolition projects where a sewer cap, electrical disconnects, structural stability, public protection barriers, lot cleanup, or similar work is required, a \$147.00 fee shall be charged. For any accessory structures, block walls, interior walls, swimming polls, signs, or any structure that does not provide development credits, a \$88.20 fee shall be charged. The plan review fee for demolished buildings or structures shall be 85 percent of building permit fee as stated above.
14. Other Inspections Fees
 - a. Reinspection Fee – A reinspection fee, of \$147.00, (1 hr) may be assessed for each inspection or reinspection when:
 - such portion of work for which inspection is called is not complete or when corrections called for are not made;
 - the inspection record card is not posted or otherwise available on the work site;
 - the approved plans are not readily available to the inspector;
 - failure to provide access on the date for which inspection is requested; or
 - for deviating from the approved building plans without approval.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.
 - b. Inspections of other work or for which no fee is specifically provided shall be assessed at a minimum of \$147.00/hr with the minimum charge ½ hour.
 - c. Inspections outside of normal business hours - Minimum charge 2 hours at \$212.60/hr.
15. Permit Issuance Fee. For the issuance of each permit or revision, a \$45.00 fee, shall be charged. For the issuance of each supplemental permit for the same project on the same visit, a \$15.00 fee shall be collected.
16. Photovoltaic Systems Permit Fees.
 - a. Building permit fee for the installation of a photovoltaic system shall be calculated based on the construction valuation of the project not including the cost of the electrical components of the photovoltaic system.
 - b. Electrical Permit fee for the installation of a Photovoltaic system on for a commercial/industrial/multi-family dwellings buildings shall be charged as follows:

System Rating	Electrical Permit fee
0-100 kW	\$413.13
100-500 kW	\$413.13 plus \$1.31 for each kW above 100 kW
Greater than 500 kW	\$937.13 plus \$1.03 for each kW above 500 kW
	\$1,724.13 maximum
 - c. Electrical permit fee for a Photovoltaic system for single family dwellings residential structure shall be \$96.05
17. New Construction Permits for Electrical, Mechanical, or Plumbing Trades. Electrical, Mechanical, or Plumbing permits for new construction shall be calculated as:
 - a. Electrical 13% of the building permit fee;
 - b. Mechanical 7% of the building permit fee; and/or
 - c. Plumbing 13% of the building permit fee.

B. Fee Refunds

1. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
2. The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the Code. The City shall withhold from the original fee paid not less than \$61.97 to cover processing costs.
3. The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The City shall withhold from the original fee paid not less than \$61.97 to cover processing costs.
4. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the day of fee payment.

C. BUILDING PERMIT FEES

Table 1

Total Building Valuation	Fee (not inclusive of permit issuance fee)
\$1 to \$750	\$31.50
\$751 to \$3,000	\$31.50 plus 2.95% of valuation over \$750
\$3,001 to \$37,500	\$97.88 plus 1.240% of valuation over \$3000
\$37,501 to \$75,000	\$525.68 plus 0.880% of valuation over \$37,500
\$75,001 to \$150,000	\$855.68 plus 0.650% of valuation over \$75,000
\$150,001 to \$750,000	\$1,343.18 plus 0.470% of valuation over \$150,000
\$750,001 to \$1,500,000	\$4163.18 plus 0.410% of valuation over \$750,000
\$1,500,001 and up	\$7,238.18 plus 0.295% of valuation over \$1,500,000

Table 2

ELECTRICAL PERMIT FEES

System Fee Schedule

New Residential Buildings

The following fees shall include all wiring and electrical equipment in or on each building or other electrical equipment on the same premises constructed at the same time.

Fee (not
inclusive of
permit
issuance
fee)

For new multi-family residential buildings, apartments, condominiums and townhouses, having three or more living units, not including the area of garages, carports, and other noncommercial automobile storage areas constructed at the same time, per square foot.....	\$0.061
For new single- and two-family residential buildings, not including the area of garages, carports, and other minor accessory buildings constructed at the same time, per square foot	\$0.076
For residential property garages and carports, and attached or detached, per square foot.....	\$0.031
For other types of residential occupancies and alterations, additions, and modifications to existing residential buildings, use the Unit Fee Schedule contained in this table.	

Private Swimming Pools

For new, private, residential, in-ground swimming pools for single-family and multi-family occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, under water lighting, water pumping, and other similar electrical equipment directly related to the operation of a swimming pool, each unit	\$62.37
For other types of swimming pools, therapeutic whirlpools, spas, and alterations to existing swimming pools, use the Unit Fee Schedule contained in this table.	

Carnivals and Circuses

Carnivals and circuses or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays, and attractions

For electrical generators and electrically driven rides, each unit	\$30.93
For mechanical driven rides and walk-through attractions or displays having electric lighting, each unit.....	\$10.14
For a system of area and booth lighting, each unit.....	\$10.14
For permanently installed rides, booths, displays, and attractions, use the Unit Fee Schedule contained in this table.	

Temporary Power Service

For a temporary service power pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, each unit.....	\$30.93
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Fee (not
inclusive of
permit
issuance
fee)

For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, and Christmas tree sale lots, each unit.....	\$16.02
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Unit Fee Schedule

Receptacle, Switch, and Lighting Outlets

For receptacle, switch, lighting, or other outlets at which current is used or controlled, except services, feeders, and meters:

First 20, each unit.....	\$1.57
Additional outlets, each unit.....	\$0.96

Note: For multi-outlet assemblies, each five feet, or fraction thereof, shall be considered an outlet.

Lighting Fixtures

For lighting fixtures, sockets, or other lamp-holding devices:

First 20, each unit.....	\$1.57
Additional fixtures, each unit.....	\$0.96
For pole or platform-mounted lighting fixtures, each unit	\$1.57
For theatrical-type lighting fixtures or assemblies, each unit	\$1.57

Residential Appliances

For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room, console, or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding one horsepower (HP) in rating, each unit.....	\$6.24
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Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see section on Power Apparatus.

Fee (not
inclusive of
permit
issuance
fee)

Nonresidential Appliances

For nonresidential appliances and self-contained factory-wired appliances not exceeding one horsepower (HP), one kilowatt (kW), or one kilovolt ampere (kva) in rating, including medical and dental devices, or food, beverage, and ice cream cabinets; illuminated showcases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each unit \$6.24

Note: For other types of air conditioners and motor-driven appliances having larger electrical ratings, see Section on Power Apparatus.

Power Apparatus

For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heaters, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows:

Ratings in horsepower (HP), kilowatts (kW), kilovolt amperes (kva), or kilovolt amperes reactive (kvar): up to and including one, each unit	\$6.24
Over one, but not over 10, each unit	\$15.72
Over 10, but not over 50, each unit	\$30.93
Over 50, but not over 100, each unit	\$60.85
Over 100, each unit	\$95.33

Note:

1. For equipment or appliances having more than one motor, transformer, etc., the sum of the combined ratings may be used.
2. These fees include all switches, circuit breakers, contractors, thermostats, relays, and other directly related control equipment.

Busways

For trolley and plug-in type busways, each 100 feet	\$9.89
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Note: Additional fees will be required for lighting fixtures, motors, and other appliances that are connected to trolley and plug-in type busways. No fee is required for portable tools.

Signs, Outline Lighting, and Marquees

For signs, outline lighting systems, or marquees, supplied from one branch circuit, each unit.....	\$30.93
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	Fee (not inclusive of permit issuance fee)
For each additional branch circuit within the same sign, outline lighting system, or marquee, each unit	\$6.24
<u>Services</u>	
For services of 600 volts or less and not over 200 amperes in rating, each unit.....	\$38.54
For services of 600 volts or less and over 200 amperes to 1,000 amperes in rating, each unit.....	\$79.11
For services over 600 volts or over 1,000 amperes in rating, each unit	\$157.20
<u>Miscellaneous Apparatus, Conduits, and Conductors</u>	
For electrical apparatus, conduits, and conductors for which a permit is required, but for which no fee is herein set forth	\$23.33
Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs, or other equipment.	

Table 3

MECHANICAL PERMIT FEES

Unit Fee Schedule	Fee (not inclusive of permit issuance fee)
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 BTU/h	\$19.11
1. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, over 100,000 BTU/h	\$23.76
2. For the installation or relocation of each floor furnace, including vent	\$19.11
3. For the installation or relocation of each suspended heater, recessed wall heater, or floor-mounted unit heater, including vents	\$19.11
4. For the installation, relocation, or replacement of each appliance duct or vent system installed and not included in an appliance permit	\$9.81
5. For the repair of, alteration of, or addition to, each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by the Code	\$19.11
6. For the installation or relocation of each boiler or compressor up to and including three HP, or each absorption system up to and including 100,000 BTU/h.....	\$19.11
7. For the installation or relocation of each boiler or compressor over three HP, up to	\$35.63

Unit Fee Schedule

Fee (not
inclusive
of permit
issuance fee)

and including 15 HP, or each absorption system over 100,000 BTU/h, up to and including 500,000 BTU/h	
8. For the installation or relocation of each boiler or compressor over 15 HP, up to and including 30 HP, or each absorption system over 500,000 BTU/h, up to and including 1,000,000 BTU/h	\$46.48
9. For the installation or relocation of each boiler or compressor over 30 HP, up to and including 50 HP, or for each absorption system over 1,000,000 BTU/h, up to and including 1,750,000 BTU/h	\$71.27
10. For the installation or relocation of each boiler or refrigeration compressor over 50 HP, or each absorption system over 1,750,000 BTU/h	\$118.78
11. For each air-handling unit, up to and including 10,000 cubic feet per minute, including attached ducts	\$13.94
Note: This fee shall not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler, or absorption unit, for which a permit is required elsewhere in the Code of the City of Oxnard.	
12. For each air-handling unit over 10,000 cfm	\$23.76
13. For each evaporative cooler other than a portable type	\$13.94
14. For each ventilation fan connected to a single duct	\$10.07
15. For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit	\$13.94
16. For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$13.94
17. For the installation or relocation of each commercial or industrial-type incinerator..	\$97.09
18. For each appliance or piece of equipment regulated by the Code, but not classed in other appliance categories, or for which no other fee is listed.....	\$13.94
19. When Chapter 22 of the Uniform Mechanical Code (UMC) is applicable, permit fees for fuel/gas piping shall be as follows:	
a. For each gas piping system, up to and including four outlets	\$5.53
b. For each gas piping system of five or more outlet, each outlet	\$1.39
20. When Chapter 24 of the UMC is applicable, permits for process piping shall be as follows:	
a. For each Hazardous Process Piping (HPP) system, up to and including four outlets	\$9.04
b. For each piping system of five or more outlets, each outlet	\$1.86
c. For each Nonhazardous Process Piping (NPP) system, up to and including four outlets	\$3.61

Unit Fee Schedule		Fee (not inclusive of permit issuance fee)
d. For each piping system of five or more outlets, each outlet		\$0.93

Table 4

PLUMBING PERMIT FEES

Unit Fee Schedule		Fee (not inclusive of permit issuance fee)
1. For each plumbing fixture, trap, or set of fixtures on one trap (including water, drainage piping, and backflow protection therefore)		\$12.39
2. For each building sewer and each trailer park sewer		\$31.50
3. Rainwater systems per drain (inside buildings)		\$12.39
4. For each industrial waste sample well		\$25.30
5. For each private sewage disposal system		\$97.09
6. For each water heater and/or vent.....		\$16.01
7. For each industrial waste pretreatment interceptor, including its trap and vent, excluding kitchen-type grease interceptors functioning as a fixture.....		\$25.30
8. For installation, alteration, or repair of water piping and/or water treating equipment, each unit		\$6.30
9. For repair or alteration of drainage or vent		\$6.30
10. For each lawn sprinkler system on any one meter, including backflow protection devices therefore		\$19.11
11. For atmospheric-type vacuum breakers not included in Item 12 below:		
a. 1 to 5 units		\$16.01
b. Over 5, each unit.....		\$3.61
12. For each backflow protective device, other than atmospheric-type vacuum breakers:		
a. 2 inches or smaller.....		\$16.01
b. Over 2 inches.....		\$31.50
13. For each gas piping system, up to and including four outlets		\$6.30
14. For each gas piping system of five or more outlets, each outlet.....		\$1.60

Swimming Pool, Spa, and Hot Tub

Permit Issuance	Fee
Public pool	\$63.52
Private pool.....	\$42.35
Pool filling system, including backflow prevention, each unit	\$16.01
Each water heater and/or vent.....	\$16.01
Gas piping system, each unit.....	\$6.30
Replacing of piping	\$6.30
Miscellaneous replacements	\$6.30
Backwash receptor	\$6.30

X. COPYING FOR CUSTOMERS (Resolution 12,200)

Copies of imaged documents (Microfilm & C.D.)	
8½" x 11" and up to 11" x 17" per copy	\$1.85
Over 11" x 17" per copy	\$5.00

Copies on vellum (Reproducible)

8½" x 11" & 8½" x 14" per copy	\$2.00
11" x 17" per copy	\$3.00
18" x 24" per copy	\$3.50
24" x 36" per copy	\$6.00
30" x 42" per copy	\$8.50
36" x 48" per copy	\$11.00

Copies on Xerox Bond

8½" x 11" & 8½" x 14" per copy	\$1.00
11" x 17" per copy	\$2.00
18" x 24" per copy	\$2.50
24" x 36" per copy	\$5.00
30" x 42" per copy	\$7.50
36" x 48" per copy	\$10.00

If 10 or more reproducible copies of drawings 18" x 24" or larger are required, the requesting party shall make arrangements with a local, bonded blueprint/copy company to obtain the originals from the Development Services Department and have the copies made at the requesting party's expense.

For all documents, copies, drawings, reproducibles, etc. that require research to locate or retrieve, the Development Services Department shall charge a fee of \$18.00 minimum or \$72.00 per hour, whichever is larger for research along with the above copying fees.

- XI. PERMIT CENTER IMPROVEMENT FEE (Resolution No. 12,976)
A 5% surcharge shall be applied to all processing fees.

SECTION 2 – DEVELOPMENT IMPACT FEES

I. SEWER CONNECTION FEE (Ordinance No. 2709)

The treatment facility infrastructure fee shall be paid based upon the level of wastewater treatment required as represented by the three treatment elements: flow, biochemical oxygen demand (BOD), and suspended solids (SS). All fees shall be based upon a meter equivalency factor which provides an index to identify the service requirements. A meter equivalency factor of one (1) shall represent the volume of wastewater which would be generated by a single-family residence. Meters which are larger shall have a corresponding equivalency factor to illustrate the volume of wastewater generated as such equivalency factor compares to a single-family dwelling. The following table defines meter equivalency factors for various sized meters:

Meter Size	Meter Equivalency Factor
5/8", 3/4"	1
1"	2
1 1/2"	3
2"	5
3"	11
4"	17
6"	33
8"	53
10"	113
12"	180

A. The Treatment Facility Related Infrastructure Fee

Shall be paid based on the sum of the flow, BOD and SS charges, based upon the following schedule:

1. Flow Charges (Utilizing Equivalency Factors for Water Meter Size)

Volume	Rate
All Users Meter Equivalency Factor	x \$1,627

2. BOD Charges (Utilizing Equivalency Factors for Strength and Meter Size)

	Strength	Rate
Single-family residential	1 x Meter Equivalency Factor	x \$1,235
Non-formula commercial/industrial class users:		
Other	1 x Meter Equivalency Factor	x \$1,235
Commercial Laundry	1.6 x Meter Equivalency Factor	x \$1,235
Restaurants/Food Preparation	2 x Meter Equivalency Factor	x \$1,235
All formula users (Commercial/Industrial)	2 x Meter Equivalency Factor	x \$1,235

3. SS Charges (Utilizing Equivalency Factors for Strength and Meter Size)

	Strength	Rate
Single-family residential	1 x Meter Equivalency Factor	x \$936
Non-formula commercial/industrial class users:		
Other	1.3 x Meter Equivalency Factor	x \$936
Commercial Laundry	1 x Meter Equivalency Factor	x \$936
Restaurants/Food Preparation	3.2 x Meter Equivalency Factor	x \$936
All formula users (Commercial/Industrial)	3.4 x Meter Equivalency Factor	x \$936

B. The Conveyance System Connection Fee

For all connections to the wastewater conveyance system, the fee shall be determined by the size of the water needed to serve the facility, based on a charge of \$1,458 per water meter equivalency factor as indicated in the following schedule:

Water Meter Size	Equivalency Factor
5/8", 3/4"	1
1"	2
1 1/2"	3
2"	5
3"	11
4"	17
6"	33
8"	53
10"	113
12"	180

NOTE: When Developers of new subdivisions or other developments are conditioned by the City to build or install Master Planned Wastewater Conveyance System improvements, the City will provide them full credits towards the Conveyance System Connection Fee. Any excess funds due the Developer will be reimbursed per City of Oxnard Resolution No. 10,272.

Total Sewer Connection Fee (A + B) Based on 3/4" Water Service. For Larger Services, Multiply by Equivalency Factor:

Use		Treatment Fee	Conveyance Fee	Total Fee
Single-family Residence	=	\$3,798.00	\$1,458.00	\$5,256.00
Apartment	=	\$2,762.18	\$1,060.36	\$3,822.55
Mobile Home	=	\$2,186.73	\$839.45	\$3,026.18
Non-formula Commercial/Industrial	=	\$4,078.80	\$1,458.00	\$5,536.80
Commercial Laundry	=	\$4,539.00	\$1,458.00	\$5,997.00
Restaurants/Food Preparation	=	\$7,092.20	\$1,458.00	\$8,550.20
Formula Industrial User	=	\$7,279.40	\$1,458.00	\$8,737.40
<u>FOR ALL CONNECTIONS:</u>				

1. Oxnard Territory served by Port Hueneme effective 1-17-84.

Residential - \$3,000/D.U.

For Industrial or commercial property, the fee is \$3,500/Acre.

2. Fees for mobile home and apartment developments which can be served by a single meter shall be according to the following formula:

Mobile Homes - $1.9/3.3$ x number of mobile home spaces x basic residential $3/4$ " sewer connection fees (A + B). The regular sewer connection fee applicable to any meter(s) serving common facilities will also be charged (i.e., laundry room, clubhouse, etc.). For calculations the City will use 0.57575758 for the fraction $1.9/3.3$.

Apartments - $2.4/3.3$ x number of apartment units x basic residential $3/4$ " sewer connection fees (A + B). The regular sewer connection fee applicable to any meter(s) serving common facilities will also be charged (i.e., laundry room, clubhouse, etc.). For calculations the City will use 0.72727273 for the fraction $2.4/3.3$.

3. Meter Size Increase

Should an owner or user request any increase in the size of a water meter after the initial connection, an additional sewer and water connection charge shall be made in an amount equal to the difference between the current fee for the existing meter size and the current fee for the requested meter size. The fee shall be paid in advance of the installation of any new meter.

C. Connection Fees Credits (Ordinance No. 2494)

1. If a demolished structure is subsequently replaced, no additional sewer permit or sewer service connection fee is required if the building permit for the replacement structure is issued within five years of the date of destruction of the previous structure.
2. If the building permit is issued more than five years but less than ten years from the date of demolition, the service connection fee shall be reduced by 50%. If the building permit is requested for any replacement after ten years from the date of demolition, the full permit or service connection fee shall be required.

II. **WATER SYSTEM CONNECTION FEE (Ordinance No. 2624)**

A. New, Expanded or Additional Service Connections

All projects requiring new, expanded or additional service connections to the City of Oxnard's water system shall pay to the City the appropriate Capital Facility Charge and Water Resource Development Fee, as provided herein.

B. Calculation of Charge and Fee

The Capital Facility Charge and Water Resource Development Fee shall be paid based on the diameter of the meter installation, which is directly related to the volume of water required for the new, expanded or additional service connection. The fee shall be calculated based on a meter equivalency factor, which provides a standardized index to identify the volumetric service requirements. For expanded service, the payment shall equal the Capital Facility Charge and the Water Resource Development Fee for the expanded service connection, less the original planned water facilities fee paid for the existing connection.

C. Connections

For any new expanded or additional connection to the City water system, except fire line service, the following Capital Facility Charge and Water Resource Development Fee shall be paid in advance of the meter installation. New, expanded or additional connections for fire line service shall not be required to pay either the Capital Facility Charge or the Water Resource Development Fee.

Meter Size (inches)	Equivalency Factor	Capital Facility Charge (dollars)	Water Resource Development Fee (dollars)
¾"	1	\$341	\$2,792
1"	2	\$682	\$5,583
1½"	3	\$1,023	\$8,375
2"	5	\$1,706	\$13,958
3"	11	\$3,752	\$30,708
4"	17	\$5,799	\$47,458
6"	33	\$11,257	\$92,125
8"	53	\$18,080	\$147,958
10"	113	\$38,548	\$315,457
12"	180	\$61,404	\$502,498
Over 12"	TBD by Water Superintendent	TBD by Water Superintendent	TBD by Water Superintendent

D. Meter Size Increase

Should an existing customer request an increase in the size of a water meter that does not necessitate increasing the diameter of the existing service connection, a Capital Facility Charge and a Water Resource Development Fee shall be paid. The payment shall equal the Capital Facility Charge and the Water Resource Development Fee for the new, larger meter, less the original planned water facilities fee paid at the time of the connection of the existing meter. (Per Development Services Manager's Memo dated May 15, 2003, the following interpretation is used in the calculation of this fee "When a user requests an increase in the size of a water meter, an additional connection charge will be required in an amount equal to the difference between the current fee for the existing meter size and the current fee for the requested meter.) This charge and fee shall be paid before the installation of the new, larger meter.

E. Water Service Connections

Each premises shall have a connection. No water service connection shall serve more than one premises. For purposes of water connections, "premises" means any:

1. Detached single-family residence.
2. Apartment building (any building with two (2) or more leased dwelling units held under single ownership).
3. Residential condominium unit or residential stock cooperative unit.
4. Mobile home park, unless the spaces in that mobile home park are individually owned, in which case each space shall be a separate connection.
5. Office, commercial or industrial building, except office, commercial or industrial buildings with separately owned individual condominium or stock cooperative units, in which case each unit shall be a separate premises.
6. Irrigation system.
7. Unimproved lot or parcel.

The Public Works Director may waive certain above requirements per Section 22 - 21 of the City Municipal Code.

F. Connection Fees for Replacement Structures (Ordinance No. 2030)

1. If a demolished residential, commercial or industrial structure is subsequently replaced, no additional service connection fee is required if the building permit for the replacement structure is issued within five years of the date of demolition of the previous structure.
2. If the building permit is issued more than five years but less than ten years from the date of demolition, the service connection fee shall be reduced by 50%.
3. If the building permit is requested for any replacement structure after ten years from the date of demolition, the full service connection fee shall be required.

III. WATER SERVICE AND METER CHARGE (Ordinance No. 2859)

- A. In addition to the cost of administration and materials the rates for installing each new service and each new meter, which amount shall be paid in advance, shall be as follows:

Service and Meter Size	Costs January/1/13
¾"	\$1,500.00
1"	\$1,700.00
1½"	\$2,200.00
2"	\$2,500.00

- B. The rates for installing each new meter on a service, previously installed and paid for, shall be as follows in addition to the cost of materials:

Service and Meter Size	Costs
¾"	\$450.00
1"	\$525.00
1½"	\$925.00
2"	\$1,100.00

- C. Request for relocation or abandonment of meters or service will be cost estimated in accordance with the following schedule:

1. Relocate box laterally (not in paved area):

¾"	= \$440.00 + Abandonment Cost	\$560.00
1"	= \$615.00 + Abandonment Cost	\$735.00
1½"	= \$835.00 + Abandonment Cost	\$985.00
2"	= \$1,190.00 + Abandonment Cost	\$1,370.00
2. Relocate box from yard to sidewalk \$240.00
3. Relocate box from driveway to sidewalk \$300.00
4. Abandonment of services:

¾"	\$120.00
1"	\$120.00
1½"	\$150.00
2"	\$180.00

5. Relocation or abandonment of services will be done by Water Distribution personnel unless it is determined by the Water Manager that a contractor will be used and follow the proper Public Works procedures. A Public Works permit and inspection fee is required.
6. Credit for existing meter removed and replaced with a larger service and meter in the same location (Code Section 33-29):

Meter Size	Credit
¾"	\$235.00
1"	\$290.00
1½"	\$505.00
2"	\$715.00

IV. STORM DRAIN FEE (Resolution No. 10,274)

Low-density residential (single-family detached) and public land is \$10,645.00 per acre of gross area.

All other land uses, including medium and high density residential (over 6 dwelling units per acre of gross area), commercial and industrial is \$14,637.00 per acre of gross area.

"Gross Area" is defined as the area of the lots being developed, plus the area of on-site streets and alleys, plus the area up to the centerline of bordering streets and alleys.

EXEMPTIONS: The following areas are exempted from the Storm Drain Fee: Pacific Commerce Center (a.k.a., Northeast Industrial Assessment District, Rose/Santa Clara Specific Plan Area (a.k.a., Auto Center), Oxnard Town Center, and Hueneme Road Assessment District No. 83-1 (Tracts 3406, 3504, and 3544).

NOTE: When Developers of new subdivisions or other developments are conditioned by the City to build or install Master Planned Storm Drain System improvements, the City will provide them full credits towards the Storm Drain Fee. Excess funds due the Developer will be reimbursed per City of Oxnard Resolution No. 10,272.

Implementation of the Storm Drain Fee for Infill Development

The development which adds or replaces buildings will pay a proportion of the current fee on the entire lot gross area including the area up to the center line of the street and the alley. The proportion will be equal to the total impervious area after the new development, less the total impervious area before the new development, divided by the total impervious area after the new development. The formula is as follows:

$$\text{Proportion} = \frac{\text{Total After} - \text{Total Before}}{\text{Total After}}$$

V. TRAFFIC IMPACT FEE (Resolution No. 10,673, No. 13,328, No. 13,600 & No. 13,890)

Traffic Impact Contribution Application and Calculation

The *Development Services Department* shall apply and calculate the Traffic Impact contribution required pursuant to Resolution in the following manner:

The contribution shall be assessed of new development and redevelopment in the City which will generate additional average daily vehicular trips above that which can be reasonably associated with the current use of the property. In making this determination, the Department shall only consider changes in the land use designation of the property and/or additions to gross floor area.

The total current contribution required for additional average daily trips generated is \$730.00 per trip. In calculating the contribution required of any development, the Public Works director shall utilize professionally accepted trip generation data. The following guidelines have been prepared based upon statistical data collected and analyzed by the California Department of Transportation. This information has formed the basis of the trip generation estimates utilized in establishing the base contribution required under Ordinance 2163, and will govern unless the *Building and Engineer Manager* determines that the contribution required pursuant to the guidelines is not proportional to the traffic impact associated with any particular project as intended by Ordinance 2163.

NOTE: Ordinance No. 2284 provides that for all development projects, except residential, fast-food restaurants or neighborhood commercial, 50% of the amount by which planned traffic circulation facilities fees exceed credits for the provision of planned traffic circulation facilities must be paid prior to issuance of a building permit for a development project. The remaining amount must be paid prior to the sale or transfer of all or any part of the project or issuance of any temporary or permanent Certificate of Occupancy for all or any part of the project, whichever occurs first.

Land Use/Sub-Category	Units of Measure	Fees (\$) per Unit
Residential		
Single Family Detached	Dwelling Unit	\$8,030.00
Condominium/Townhouse Attached	Dwelling Unit	\$6,278.00
Apartments	Dwelling Unit	\$4,745.00
Mobile Home	Dwelling Unit	\$3,650.00
Senior Housing	Dwelling Unit	\$2,920.00
Commercial Industrial		
General Commercial – Services (including Daycare,) Office (includes Medical/Dental), Retail	Thousand Square Feet	\$7,899.00
Light Industrial	Thousand Square Feet	\$5,088.00
Automated Car Wash	Per Site	\$177,390.00
Self Service Carwash	Per Stall	\$21,462.00
Gas Station – with or without Convenience Market and/or Car Wash	Fueling Position	\$21,958.00
Hotel/Motel	Room	\$3,796.00
New Car Sales	Thousand Square Feet	\$5,030.00
Church	Thousand Square Feet	\$3,803.00
Warehouse	Thousand Square Feet	\$3,621.00

Food Service		
Restaurant - Sit Down or Take Out	Thousand Square Feet	\$13,789.00
Fast Food w/drive thru	Thousand Square Feet	\$76,059.00
Schools		
Elementary	Student	\$942.00
Middle School	Student	\$1,183.00
High School	Student	\$1,248.00
Traffic Study Case By Case	ADT	\$730.00
Central Business District Zone Factor – General Commercial or Services, Restaurant, and Office in the CBD zone -- - multiply by 0.56		

Outdoor dining without protection from the elements shall be calculated at 50%.

A. Special Projects

Traffic generation rates for developments and redevelopments not adequately represented above shall be determined according to the most similar and current designation for which the Institute of Transportation Engineers provides trip generation statistics or a project specific study acceptable to the *Development Services Manager*.

NOTE: When Developers of new subdivisions or other developments are conditioned by the City to build or install Master Planned Traffic Circulation System improvements, the City will provide them full credits towards the Traffic Impact Fee. Any excess funds due the Developer will be reimbursed per City of Oxnard Resolution No. 10,272.

VI. **GROWTH REQUIREMENT CAPITAL FEE - A.K.A., “GROWTH DEVELOPMENT FEE” (Resolution Nos. 10,275, 10,996 & 12,975)**

- A. Commercial Development Projects. A fee of \$0.60 for each square foot of covered space constructed is imposed on commercial development projects. The term “Commercial Development” includes, but is not limited to quasi-public facilities such as hospitals, day care centers, convalescent homes, cemeteries, etc.
- B. Industrial Development Projects. A fee of \$0.60 for each square foot of covered space constructed, and a fee of \$0.04 for each square foot of uncovered space provided (excluding parking and landscape areas required by the City) are imposed on industrial development projects.
- C. Residential Development Projects. A fee of \$1.16 for each square foot of covered space constructed (including garages and accessory structures, but excluding patios) is imposed on residential development projects.
- D. Mobile Home Park Development Projects. A fee of \$1.75 for each square foot of mobile home pad constructed is imposed on mobile home park development projects.

VII. UNDERGROUNDING OF OVERHEAD UTILITY LINES (Ordinance No. 2207)

Every subdivider, land developer, or property owner who proposes new construction or land development which is carried out entirely on ten (10) acres or more shall be required to cause all utility facilities, both on and adjacent to their property, to be placed underground. For information on reimbursements, waivers, exceptions, and other undergrounding requirements, refer to Ordinance No. 2207 "Underground Utilities."

All new building construction which adds new floor area in any part of the City with overhead utility service adjacent to the construction shall pay the undergrounding in-lieu fee:

City Wide Fee - \$0.1726 Per Square Foot

Oxnard Shores Area - \$1.1476 Per Square Foot, plus Citywide Fee¹

VIII. REFUSE CONTAINERS (RESIDENTIAL-Resolution No. 11660), 2 & 4 CUBIC YARD COMMERCIAL CONTAINERS-Resolution No. 12,006): REFUSE TRUCK FEES (Resolution No. 12,200)

A. Residential Split Container Fee	\$102.96
B. Residential Green Waste Container Fee	\$43.97
C. Commercial 2-Cubic Yard Container Fee	\$398.00
D. Commercial 4-Cubic Yard Container Fee	\$491.00
E. Residential Split Container Truck Fee	\$56.36
F. Residential Green Waste Truck Fee	\$47.09
G. Commercial Front-End Loader Truck Fee	\$297.52

IX. OTHER DEVELOPMENT FEES

A. Other City fees that may be applicable:

1. Air Quality Impact Fee / Air Pollution Impact Mitigation Fee - Contact Planning and Environmental Services Division at (805) 385-7858. (City of Oxnard Res. No. 9556.)
2. Quimby (Park) Fee - Contact Planning and Environmental Services Division at (805) 385-7858. (City of Oxnard Ord. No. 2683.)
3. Park Acquisition and Development Tax - Every person constructing a new dwelling unit in the city is taxed and shall pay to the city the following fee for each new dwelling unit (City of Oxnard Ord. No. 1421, 2031, Muni. Code Chapter 13 Article IV):
 - a. One or less bedrooms, \$150.00;
 - b. Two bedrooms, \$200.00; and
 - c. Three or more bedrooms, \$250.00
4. Public Art Program - Contact Planning and Environmental Services Division at (805) 385-7858. (City Council Resolution 14,124)
 - a. All new development shall be required to participate in the Public Art Program.
 - 1.) Public art shall be provided for projects governed by a specific plan or other equivalent master plan. Such public art shall be installed according to the conditions set forth in the Public Art Element of the respective specific plan or

¹ Oxnard Shores Zone is bounded by Harbor Boulevard on the east, Amalfi Way on the south, the shoreline on the west, and Fifth Street on the north.

master plan. If the project is to be constructed in phases, the conditions of approval shall specify when the artwork shall be installed.

- 2.) All new development, with the exception of attached and detached additions to residential dwelling units, shall pay a public art fee of \$0.20 per square foot of roofed building area. Such fee shall be paid prior to issuance of a building permit.
 - b. Definitions
 - 1.) "New development" means a new building on a vacant site, an addition to an existing building on a site, a new building on a developed site, or a change in land use type which requires a discretionary permit.
 - 2.) "Project governed by a specific plan" means a new building on a vacant site, an addition to an existing building on a site, a new building on a developed site, or a change in land use type which requires a discretionary permit in a specific plan area, or other master planned area in which a Public Art Element is an element of the specific plan or master plan.
 - c. The value of the artwork to be installed as part of a specific plan or master plan shall be specified by the Public Art Element of such plan.
5. Rose Avenue, Rice Avenue, and 101 Freeway Assessment Districts - Contact Development Services Division, Paul Wendt at (805) 385-7894.
 6. Affordable Housing requirements for new developments and in-lieu Affordable Housing payments (refer to City Council Ordinance No. 2545) - contact Housing Assistance Division, at (805) 385-8041.
 7. General Plan Maintenance Fee collected at time of permit by City of Oxnard Planning Division is equal to 0.24% of the Valuation of any building permit. Contact Planning at (805) 385-7858.

B. Non-City Fees that may be applicable:

1. Calleguas Municipal Water District ("CMWD") Capital Construction Charge - The Capital Construction Charge is a one-time payment to CMWD by builders to finance a portion of the construction costs for water facilities necessary to supply the additional demands created by the new development. Prior to issuance of a building permit or a water service for any new building, the applicant shall exhibit proof of compliance with Ordinance No. 14, as amended and effective July 6, 1995, of CMWD in the form of a "Proof of Payment - Authorization for Building Permits." Conditions set for water service by the City must be met by the developer in addition to the Capital Construction Charge. Additional information may be obtained at the CMWD Office, 2100 Olsen Road, Thousand Oaks (1/4-mile east of the overpass of the Route 23 Fillmore Freeway) or by calling (805) 579-7129. Office hours are 8:00 am to 4:30 pm weekdays.
2. Ventura County Flood Control Fee - Contact Ventura County Flood Control Department, at (805) 654-2083.

Note: All of the area west of Rice Avenue within the Pacific Commerce Center (a.k.a., Northeast Industrial Assessment District) is exempt of this fee.

3. Ventura County Traffic Mitigation Fee (In accordance with the "Reciprocal Traffic Mitigation Agreement" approved by the City of Oxnard and the County of Ventura on February 2, 1993) - Contact Ventura County Transportation Department, Planning and Traffic Division at (805) 654-2047.
4. Oxnard High School District Facilities Fee – (805) 385-2531

5. Elementary School District Facilities Fee
 - a. Hueneme School District – (805) 488-3588
 - b. Ocean View School District – (805) 488-4441
 - c. Oxnard School District – (805) 487-3918
 - d. Rio School District – (805) 485-3111
6. State of California - Strong Motion Instrumentation Program Fee (SMIP) – (California Public Resources Code Section 2700.) Group R occupancies, one to three stories in height, except hotels and motels, shall be assessed at the rate of ten dollars (\$13.00) per one hundred thousand dollars (\$100,000.00), with appropriate fractions thereof. All other buildings shall be assessed at the rate of twenty-one dollars (\$28.00) per one hundred thousand dollars (\$100,000.00), with appropriate fractions thereof. The fee shall be the amount assessed as noted above, depending on building type, or fifty cents (\$0.50), whichever is the higher. Revised July 1, 2014, SB861. Section 2705 Public Resources Code.
7. State of California – Green Building Code Development Fee (California Health and Safety Code Section 18931.6.) - Each city, county, or city and county shall collect a fee from any applicant for a building permit, assessed at the rate of four dollars (\$4.00) per one hundred thousand dollars (\$100,000.00) in valuation, with appropriate fractions thereof, but not less than one dollar (\$1.00).

Planning Division
Fee Schedule
Effective September 24, 2018



PLANNING PERMIT FEES	FEE AMOUNT	TYPE
Accessory Dwelling Unit Review	\$1,790.25	Fixed Fee
Annexation	\$15,750.00	Deposit
Adult Business Review	\$6,300.00	Deposit
CBD Design Review - Major	\$2,257.50	Fixed Fee
CBD Design Review - Minor	\$782.25	Fixed Fee
CBD Parklet Pilot Program (CBD-Minor Fee, DS Eng, Insp Fee)	\$1,353.45	Fixed Fee
CBD Sign (Over the Counter) Review	\$147.00	Fixed Fee
Certificate of Compliance	\$1,207.50	Fixed Fee
Coastal Administrative Modification	\$1,937.25	Fixed Fees
Coastal Development Review	\$7,113.75	Fixed Fees
Coastal Development Permit	\$9,450.00	Deposit
Coastal Emergency Permit	\$1,701.00	Fixed Fee
Coastal Exemption Determination	\$1,128.75	Fixed Fee
Coastal Plan Amendment	\$12,600.00	Deposit
Coastal Plan Consistency	\$3,150.00	Deposit
Coastal Variance	\$3,470.25	Fixed Fee
Cultural Heritage Review - Certificate of Appropriateness	Actual cost of service plus 15%	
Cultural Heritage Review - Public Hearing	\$2,100.00	Deposit
Density Bonus	\$4,798.50	Fixed Fee
Development Agreement	\$10,500.00	Deposit
Development Agreement - Amendment	\$10,500.00	Deposit
Development Agreement - Authorization	\$5,250.00	Deposit
Development Design Review	\$6,615.00	Fixed Fee
Development Design Review - SFD	\$1,674.75	Fixed Fee
General Plan Amendment	\$10,500.00	Deposit
General Plan Consistency	\$3,150.00	Deposit
Home Occupation Permit	\$84.00	Fixed Fee
Large Family Day Care	\$635.25	Fixed Fee
Major Modification	\$6,825.00	Deposit
Additional DS Eng	\$1,349.25	Fixed Fee
Maps		
Lot Line Adjustment	\$1,333.50	Fixed Fee
Additional DS-LLA (\$52.50 per parcel)	\$3,150.00	Deposit
Lot Merger	\$1,333.50	Fixed Fee
Additional DS - LM (\$52.50 per parcel)	\$3,150.00	Deposit
Final Map (FM)	\$1,254.75	Fixed Fee
Additional DS - paid separately and directly to DS (52.50/Lot)	\$7,350.00	Deposit
Parcel Map Waiver	\$4,005.75	Fixed Fee
Additional DS - PMW (\$52.50 per parcel)	\$3,150.00	Deposit
Tentative Map	\$8,400.00	Deposit
Additional Eng - TM/TP Map (per map/\$152.25 per lot)	\$1,848.00	Fixed Fee

PLANNING PERMIT FEES...CONTINUED	FEE AMOUNT	TYPE
Mills Act Agreement	\$1,575.00	Deposit
Mills Act Annual Inspection	\$341.25	Fixed Fee
Minor Modification	\$1,585.50	Fixed Fee
Additional DS Eng- Residential	\$540.75	Fixed Fee
Mobile Home Review	\$976.50	Fixed Fee
Planned Development Permit	\$8,400.00	Deposit
Pre-Application Review	\$3,785.25	Fixed Fee
Additional DS - Pre-Application	\$740.25	Fixed Fee
Pre-Zoning	\$4,252.50	Fixed Fee
Reasonable Accomodation	\$1,123.50	Fixed Fee
Residential Care Facility	\$1,674.75	Fixed Fee
Special Use Permit	\$8,400.00	Deposit
Special Use Permit - Alcohol	\$3,664.50	Fixed Fee
Special Use Permit - Minor	\$4,200.00	Deposit
Special Use Permit - Wireless	\$7,129.50	Fixed Fee
Specific Plan Amendment	\$7,350.00	Deposit
Specific Plan Review	\$10,500.00	Deposit
Street Naming/Renaming	\$3,927.00	Fixed Fee
Street Vacation	\$1,932.00	Fixed Fee
Additional DS - Eng. Review	\$3,150.00	Deposit
Temporary Use Permit - Security Deposit	\$787.50	Deposit
Temporary Use Permit - Tier 1	\$204.75	Fixed Fee
Temporary Use Permit - Tier 2	\$362.25	Fixed Fee
Temporary Use Permit - Tier 3	\$908.25	Fixed Fee
Time Extension (Administrative)	\$603.75	Fixed Fee
Variance	\$4,158.00	Fixed Fee
Vesting Tentative Map	\$12,600.00	Deposit
Wireless Administrative Permit	\$3,559.50	Fixed Fee
Zone Change	\$6,300.00	Deposit
Zone Clearance	\$115.50	Fixed Fee
Zone Text Amendment	\$9,450.00	Deposit
OTHER REVIEW AND SERVICE FEES	FEE AMOUNT	TYPE
Architectural Review (Third Party Review)	Actual cost of service plus 15%	
Deposit - City Attorney's Office, upon request	\$5,250.00	Deposit
Deposit - All Other Departments, upon request	\$5,250.00	Deposit
Landscape Review (Third Party Review)	Actual cost of service plus 15%	
Third Party Services	Actual cost of service plus 15%	
OTHER REVIEW AND SERVICE FEES... CONTINUE	FEE AMOUNT	TYPE
Pre-Submittal DAC Review (Fee Total: \$1,222.24)	\$616.39	Fixed Fee
Additional DS - Pre-DAC Traffic Review	\$200.55	Fixed Fee
Additional DS - Pre-DAC Eng. Review	\$203.70	Fixed Fee
Additional FD - Pre DAC Fire Marshal Review	\$201.60	Fixed Fee
ENVIRONMENTAL SERVICES	FEE AMOUNT	TYPE
CEQA Exemption	\$152.25	Fixed Fee
Environmental Impact Report Review	15% Initial Deposit of EIR Contract Value	
Initial Study/Negative Declaration	\$5,481.00	Fixed Fee
Mitigated Negative Declaration & Monitoring	\$10,500.00	Deposit
Fire Department EIR Review Fee	\$808.50	Fixed Fee

APPEAL FEES	FEE AMOUNT	TYPE
Appeal of Administrative Wireless Permit	\$2,273.25	Fixed Fee
Planning Appeal	\$1,921.50	Fixed Fee
Appeal of Planning Commission Wireless Decision	\$1,916.25	Fixed Fee
MISCELLANEOUS PLANNING FEES	FEE AMOUNT	TYPE
Additional Screen Check Review	25% of all Permit Fees submitted	
Copies		
Data on Compact Disc	\$5.25	Fixed Fee
Mail List Generation	\$404.25	Fixed Fee
Newspaper/Media Public Noticing	Actual cost of service plus 15%	
On-Site Posting (Per Sign)	\$316.25	Fixed Fee
Planning Staff, Hourly Rate	Hourly rate for all personnel involved plus any third party service costs	
Project Revision	50% of all Permit Fees submitted	
Zoning/Standard Form Letter	\$210.00	Fixed Fee
OTHER DEPARTMENT FEES (DEVELOPMENT ADVISORY COMMITTEE)	FEE AMOUNT	TYPE
Development Services (DS)		
Industrial/Commercial Plan Review	\$2,703.75	Fixed Fee
Residential Plan Review	\$1,890.00	Fixed Fee
Traffic (TR)		
Industrial/Commercial Traffic Plan Review	\$1,606.50	Fixed Fee
Residential Traffic Plan Review	\$1,002.75	Fixed Fee
Traffic Model Update Fee (Industrial/Commercial/Residential)	\$336.19	Fixed Fee
Fire Department (FD)		
Commercial	\$1,134.00	Fixed Fee
Industrial	\$950.25	Fixed Fee
Residential 1-7 SFD or 1-3 MFD	\$351.75	Fixed Fee
Residential 8-49 SFD OR 4+ MFD	\$1,060.50	Fixed Fee
Residential 50+ SFD	\$1,517.25	Fixed Fee
Police (PD)		
Development Plan Review	\$400.00	Fixed Fee
Alcohol Application Review	\$2,070.00	Fixed Fee

NOTES:

Fees effective as of September 24, 2018 (City Council Resolution Nos. 11,660, 12,906, 13,161, 14,314, 15,112, and 15,164). Some service fees above include a five percent Development Permit Center Improvement Surcharge fee (5% per CC Reso. 12,976).

Initial filing deposit represents the average anticipated cost to process the requested permit(s). Planning staff will request the applicant to deposit additional funds to cover the estimated additional processing costs. Additional funds may be requested when balance reaches 20% or below of the original filing deposit. Refunds to the applicant will be provided if the actual costs are less than the original deposit or any additional amount deposited by the applicant.

Rev. October 11, 2018



Oxnard Fire Department

360 W 2nd St • Oxnard, CA 93030

(805) 385-7722 • Fax (805) 385-8009



FIRE DEPARTMENT FEE WORKSHEET

Applicant _____ P.C.# _____

Business Address _____ Date _____

Complete all the following sections that are applicable and enter total fee amount and time on the next page. Enter amounts into computer and place this form into file.

SECTION 1 FIRE SPRINKLER SYSTEMS (includes pressure tests, hydros, rough and final) PERMIT SETUP – SCREEN 3

<i>New Systems</i>		<i>Existing Systems (alterations)</i>	
(All inspections for new and existing systems are included in this fee)			
1. 1 st 5,000 sq. ft.	\$630	1. 0-10 heads	\$407
2. # of 1,000 sq. ft. add.	_____ @ \$52 = _____	2. Additional heads	_____ @ \$5 = _____
3a. Standpipe, first outlet	_____ @ \$193 = _____	3. Standpipe outlets	_____ @ \$193 = _____
3b. Standpipe outlets, add'l	_____ @ \$64 = _____		
4. Add lines 1 through 4	_____	4. Add lines 1 through 4	_____
5. Total System	_____	5. Total	_____
No. of models _____	No. of houses (excluding models) _____		
Total Section 1 _____			

SECTION 2 UNDERGROUND WATER SUPPLY PERMIT SETUP - 3

<i>New Systems and Alterations/Addition to Existing Systems</i>	
1. Plan review fee	\$201
Total Section 2 _____	

SECTION 3 FIXED EXTINGUISHING SYSTEMS (includes hood systems, spray booths, halon) PERMIT SETUP - 3

<i>Hood and Duct Systems – New</i>		<i>Existing (alterations)</i>	
(Includes rough and final inspections for all systems - new and existing)			
1. Basic system	\$278	1. Basic system	\$278
<i>Spray Booths Systems – New</i>		<i>Existing (alterations)</i>	
(Includes all inspections for new and existing systems)			
1. Basic system (includes sprinklers)	\$342	1. Basic system (includes sprinklers)	\$278
<i>Halon Systems – New</i>		<i>Existing (alterations)</i>	
1. Basic system	\$278	1. Basic system	\$278
2. Detectors, each	_____ @ \$26 = _____	2. Detectors	_____ @ \$26 = _____
3. Manual pull stations	_____ @ \$26 = _____	3. Pull stations	_____ @ \$26 = _____
4. Annunciator panels	_____ @ \$64 = _____	4. Annunciators	_____ @ \$64 = _____
5. System activated devices	_____ @ \$26 = _____	5. System activated devices	_____ @ \$26 = _____
6. Subtotal	_____	6. Subtotal	_____
Total Section 3 _____			(Over)

SECTION 4 **FIRE ALARM** (includes detection systems)

PERMIT SETUP - SCREEN 3

New Installations (Includes all inspections for new and existing systems)		Existing Systems (alterations)	
1. Basic system	\$278	1. Basic system	\$258
2. Detectors, each _____ @ \$26 = _____		2. Detectors, each _____ @ \$26 = _____	
3. Manual pull stations _____ @ \$26 = _____		3. Pull stations _____ @ \$26 = _____	
4. Annunciators, keypads _____ @ \$64 = _____		4. Annunciators, keypads _____ @ \$64 = _____	
5. System devices-horns _____ @ \$26 = _____		5. System devices _____ @ \$26 = _____	
6. Subtotal _____		6. Subtotal _____	
Total Section 4 _____			

SECTION 5 **FIRE CODE PERMITS** Enter in APPLICATION MAINTENANCE 1

For permits required under Article 1 of the California Fire Code (includes, but not limited to, burn permits, open flame permits, tents, assembly occupancies, lumber yards, and temporary use permits)
(Outside normal working hours and weekend rate @ minimum 2 hours)

1. Permit	\$64
2. Inspection fee (if applicable, each visit)	\$129
Total Section 5 _____	Please pay this amount.

SECTION 6 **HAZARDOUS MATERIALS PERMITS** (contact CUPA Division)SECTION 7 **MISCELLANEOUS FEES** **PLAN REVIEW/INSPECTION** (APPLICATION MAINTENANCE 1)

1. Reinspection fee (minimum 1 hour paid prior to reinspection)	_____ @ \$129/hr. = _____
2. Inspections for which no fee is specified (C. of O., T.I., minimum 1 hour)	_____ @ \$129/hr. = _____
3. Inspections outside of normal working hours (minimum 2 hours)	_____ @ \$129/hr. = _____
4. Plan review for which no fee is specific (minimum 1 hour)	_____ @ \$120/hr. = _____
5. Additional plan review required by changes to approved plans (minimum 1 hour)	_____ @ \$120/hr. = _____
6. Consultation fee (outside of normal plan review)	_____ @ \$120/hr. = _____
7. Conduct searches of and provide written documentation of records (minimum 1 hour)	_____ @ \$129/hr. = _____
8. Reproduction cost (per page)	_____ @ \$.25/pg. = _____
9. Delinquent fees [10% past thirty (30) days] - enter fees	_____ 10% = _____
10. Development Advisory Committee (DAC) Review	
a. Commercial	\$1000 _____
b. Industrial	\$904 _____
c. Residential 1-7 single-family or 1-3 multifamily dwellings	\$337 _____
8-49 single-family or 4 or more multifamily dwellings	\$1010 _____
50 or more single-family dwellings	\$1443 _____
11. Environmental Impact Report Review	\$770 _____
12. Knox Box	\$281 _____
13. Click-To-Enter (minimum 1 hour)	\$129 _____
Total Section 7 _____	Please pay this amount (Next)

Plan review fee is 54% of the permit fee amount for each system. Add the review fee into the total amount on this sheet.

SECTION 8 LICENSE INSPECTION FEES (OVER THE COUNTER)

(Includes, but not limited to, community care facilities, daycare, high-rise inspections and State licenses)

1. Inspection fee (includes initial inspection and one follow-up inspection)		\$278
2. Reinspection fee (or annual inspection) (minimum 1 hour)	_____ @ \$129/hr. =	_____
3. New business license inspection 0-5k	\$91	_____
4. New business license inspection 5k-25k	\$163	_____
5. New business license inspection 25k-200k	\$210	_____
6. New business license inspection 200k	\$305	_____
Total Section 8	_____	

SECTION 9 ANNUAL INSPECTIONS

1. Kitchen Hood	\$129	_____
2. Spray Booth	\$95	_____
3. Licensed Care Facilities 7-25	\$115	_____
4. Licensed Care Facilities 26-50	\$210	_____
5. Licensed Care Facilities 50+	\$258	_____
6. State Mandated R1/R2 3-10	\$115	_____
7. State Mandated R1/R2 11-25	\$163	_____
8. State Mandated R1/R2 26-50	\$210	_____
9. State Mandated R1/R2 50+	\$305	_____
Total Section 9	_____	

SECTION 10 COST RECOVERY

1. Fire Suppression Personnel		
○ Shift Battalion Chief	_____ @ \$184/hr. =	_____
○ Captain	_____ @ \$89/hr. =	_____
○ Engineer	_____ @ \$77/hr. =	_____
○ Firefighter	_____ @ \$61/hr. =	_____
2. CUPA Personnel		
○ CUPA Manager	_____ @ \$150/hr. =	_____
○ Environmental Specialist/Inspector	_____ @ \$178/hr. =	_____
3. Other Staff		
○ Fire Marshal	_____ @ \$192/hr. =	_____
○ Captain	_____ @ \$145/hr. =	_____
○ Inspector	_____ @ \$129/hr. =	_____
○ Office Assistant	_____ @ \$81/hr. =	_____
4. Emergency Vehicles		
○ Fire Engine	_____ @ \$90/hr. =	_____
○ Fire Truck	_____ @ \$135/hr. =	_____
○ Haz Mat Apparatus	_____ @ \$75/hr. =	_____
Total Section 10	_____	(Next)

TOTAL SECTIONS 1 THROUGH 10 _____ **(Include the plan review fee for recording purposes)**

Use the space below to record all time spent on project (in quarter hours)

- | | | | | | | | | |
|--|---------|-------|----------|-------|--------------|-------|--------------|-------|
| 1. Plan review | (First) | _____ | (Second) | _____ | (Third) | _____ | (Additional) | _____ |
| 2. Inspection(s) | (Rough) | _____ | (Final) | _____ | (Other-note) | _____ | | |
| 3. Consultation (show dates and time) _____ | | | | | | | | |
| 4. Other (phone calls, research, photocopying) _____ | | | | | | | | |

TOTAL TIME _____	Inspector(s) _____
-------------------------	---------------------------



Fire / CUPA - 360 W. Second Street, Oxnard, CA 93030

TELEPHONE: (805) 385-7722 FAX: (805) 385-8009

FEE SCHEDULE

(Effective May 1, 2018)

	Category	Fee
Hazardous Materials Fee is based upon the maximum combined quantity of hazardous material(s) stored on-site on any given day.	Range #1 55 - 550 gallons of liquid, 500 - 5,000 pounds of solids, 200 - 1,500 cu. ft. of compressed gases	\$690.00
	Range #2 551 - 2,750 gallons of liquid, 5,001 - 25,000 pounds of solids, 1,501 - 10,000 cu. ft. of compressed gases	\$1,185.00
	Range #3 2,751 - 5,500 gallons of liquid, 25,001 - 50,000 pounds of solids, 10,001 - 20,000 cu. ft. of compressed gases	\$1,545.00
	Range #4 > 5,500 gallons of liquid, > 50,000 pounds of solids, > 20,000 cu. ft. of compressed gases	\$2,105.00
	Carbon Dioxide Compressed Gas for Carbonated Beverages	\$300.00
Hazardous Waste Fee is based on the total quantity of hazardous waste generated per year.	CESQG (for Conditionally Exempt Small Quantity Generators exempt from the Hazardous Material Program)	\$340.00
	CESQG "Silver Only"	\$225.00
	Range #1 < 5 tons	\$225.00
	Range #2 5 - 50 tons	\$450.00
	Range #3 >50 tons	\$900.00
Underground Storage Tank Fee	First Tank	\$675.00
	Each additional Tank	\$150.00
Aboveground Storage Tank Fee is based upon the combined maximum storage capacity of tanks and containers 55 gallons or larger and storing petroleum	Range #1 < 10,000 gallons	\$450.00
	Range #2 10,000 - 29,999 gallons	\$900.00
	Range #3 >30,000 gallons	\$1,200.00
Tiered Permitting Fee	PBR / CA - First unit	\$1,050.00
	Each additional unit	\$525.00
	CE - First Unit	\$375.00
	Each additional Unit	\$225.00
CalARP Facility Fee		\$1,850.00

Oxnard Fire / CUPA

FEE SCHEDULE (continued)

(Effective May 1, 2018)

	Category	Fee
Underground Storage Tank Plan Review / Inspection Fees	<i>UST Installation</i> - First Tank	\$4,505.00
	Each additional tank	\$750.00
	<i>UST Modification</i> - up to 8.0 hours	\$1,200.00
	Each additional hour	\$150.00
	<i>UST Closure</i> - First Tank	\$1,200.00
	Each additional tank	\$600.00
Aboveground Storage Tank Closure Plan Review / Inspection Fee	First Tank	\$300.00
	Each additional tank	\$75.00
Plan Check Fee	Each hour	\$150.00
Special Inspection / Consultation / Re-inspection Fee	Each hour	\$150.00

CITY OF OXNARD

INDUSTRIAL WASTEWATER DISCHARGE PERMIT REQUIREMENTS

Your company may be required to obtain an Industrial Wastewater Discharge Permit if your primary business falls within one of the following categories:

➤ ***Significant Industrial User.***

- A. A User subject to categorical pretreatment standards; or
- B. A User that:
 - 1. Discharges an average of 10,000 gpd or more of industrial wastewater to the system;
 - 2. Contributes a wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the system; or
 - 3. Is designated to have a reasonable potential for adversely affecting the City's system or to cause an interference or pass-through.

➤ ***Food Establishment***

➤ ***Vehicle Maintenance Facility***

➤ ***Commercial and Industrial Laundry***

Industrial Wastewater Discharge Permits are granted and renewed on an annual basis. All users classified as significant industrial wastewater users according to Chapter 25 shall be assessed a \$1,500 annual permit fee. All other industrial users shall be assessed a \$100 annual permit fee. In addition to the permit fee, new applicants shall be assessed a one time application processing fee of \$100

The Technical Services Program – Source Control will collect all initial fees after determining whether your company falls within one of the categories listed above or may be exempt. To assist you, you may make an appointment with an inspector by calling (805) 271-2202.

K. Resolution (Addendum to Final MND 2004-11)

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ADDENDUM TO MITIGATED NEGATIVE DECLARATION (MND) 2004-11 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION OF THE PROPERTY FROM BUSINESS RESEARCH PARK TO RESIDENTIAL MEDIUM, CHANGE THE ZONE FROM BUSINESS RESEARCH PARK TO MULTIPLE-FAMILY, AND ALLOW THE CONSTRUCTION OF 90, TWO-STORY CONDOMINIUM DWELLING UNITS EACH WITH ATTACHED 2-CAR GARAGES, 214 TOTAL VISITOR PARKING SPACES, COMMON SWIMMING POOL AND PLAYGROUND AREA, 3,281 SQUARE-FOOT RECREATION BUILDING, ENTRY GATES AND PERIMETER WALLS, PRIVATE ROADS, DETENTION BASINS, LANDSCAPING AND ASSOCIATED SITE IMPROVEMENTS ON A 7.61-ACRE SITE LOCATED ALONG THE SOUTH SIDE OF FIFTH STREET AT THE INTERSECTION OF PORTOFINO PLACE (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015). FILED BY THE LAW OFFICE OF K.M. NEISWENDER, P.O. BOX 1225, BLUE JAY, CA 92317, THE APPLICANT.

WHEREAS, the Law Offices of K.M. Neiswender filed entitlement applications with the City of Oxnard on November 7, 2019, General Plan Amendment (PZ 20-620-02), Zone Change (PZ 20-570-02), Special Use Permit (PZ 19-500-04), and a Tentative Subdivision Map (PZ 20-300-02); and

WHEREAS, if the aforementioned entitlement applications are collectively approved by the City of Oxnard, the project would be permitted to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) ("Project"); and

WHEREAS, the project was initially reviewed by the City Council as a Pre-Application (PZ 18-600-02) on March 19, 2019, where the City Council discussed the ability for the project to incorporate inclusionary housing on the project site instead of requesting to pay the affordable housing in-lieu fee payment; and

WHEREAS, the project applicant mailed notices to all property owners within the Sea View Estates neighborhood and presented the project at the April 20, 2020 Community Workshop; and

Whereas, on November 9, 2004, pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.: "CEQA") and the State Guidelines for Implementation of CEQA (14 Cal. Code Regs. § 15000 et seq.: "State CEQA Guidelines"), the City Council adopted a Mitigated Negative Declaration for The Dunkirk Drive Project (MND 2004-11); and

Whereas, the MND adequately addressed and mitigated the potential environmental impacts associated with the Dunkirk Drive project, which included a General Plan Amendment, Zone Change, Tentative Subdivision Map and Planned Residential

Group/Special Use Permit for commercial development on a 7.6-acre portion of the project site as well as residential development on an adjacent 10-acre property to the south of the site; and

Whereas, the MND was not legally challenged and thus is presumed valid in accordance with Public Resources Code section 21167.2 and section 15367 of the State CEQA Guidelines (Cal. Code Regs., Title. 14, § 15000 et seq.); and

Whereas, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

Whereas, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an MND has been approved, the Lead Agency is required to prepare an Addendum to a previously approved MND if some changes or additions to the MND are necessary but none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent MND have occurred; and

Whereas, the Planning Division evaluated the project by preparing an Addendum, and based on that Addendum, and all other information in the administrative record, has determined that none of the circumstances identified in State CEQA Guidelines Section 15162 have arisen as a result of the project, and that an Addendum to the Final MND 2004-11 for the Dunkirk Drive project is appropriate to analyze the reasonably foreseeable environmental impacts of the modified project; and

Whereas, Addendum No. 1 to Final MND 2004-11 is attached to the staff report in is incorporated by reference; and

Whereas, Addendum No. 1 to Final MND 2004-11 has been provided to and has been reviewed by the Planning Commission in connection with the previously approved MND 2004-11, which is available for inspection at City Hall and is posted on the City's website, and are incorporated herein by reference; and

Whereas, pursuant to State CEQA Guidelines section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be attached to the adopted MND 2004-11; and

Whereas, in accordance with CEQA, the Planning Commission considered the proposed Addendum to the previously adopted Final MND 2004-11, finds on the basis of the whole record before it (including the initial study and adopted mitigated negative declaration) that with Mitigation Monitoring/Reporting Program and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the Addendum to the previously adopted MND 2004-11 reflects the independent judgment of the City, and adopts the Addendum to the previously adopted MND 2004-11; and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on December 18, 2019, February 24, 2021 and May 12, 2021 and provided conditions of approval for the project; and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider adopting the Addendum to the MND 2004-11; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of the Addendum to the MND 2004-11; and

WHEREAS, the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this Resolution that were part of the approval process.

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. In recommending adoption of this Addendum to MND 2004-11, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act because an Addendum to the Mitigated Negative Declaration (MND 2004-11) that was prepared for the 2004 Dunkirk Drive Project was considered by the Planning Commission at the public hearing for the Portofino Place project. The Addendum to the Final MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. The Addendum is appropriate pursuant to CEQA Guidelines § 15164 since only minor changes and additions to the MND are necessary to address the Project changes and no circumstances exist calling for the preparation of a subsequent negative declaration pursuant to CEQA Guidelines § 15162 and 15163. With implementation of the MND 2004-11 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt an Addendum to MND 2004-11, attached to the staff report and incorporated by reference.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of November, 2021, by the following vote:

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 this 18 day of November, 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

L. Resolution (General Plan Amendment)

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT PZ 20-620-02 CHANGING THE LAND USE DESIGNATION OF THE SUBJECT PROJECT SITE (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) FROM BUSINESS RESEARCH PARK TO RESIDENTIAL MEDIUM IN THE 2030 GENERAL PLAN LAND USE DESIGNATION MAP. FILED BY THE LAW OFFICE OF K.M. NEISWENDER, P.O. BOX 1225, BLUE JAY, CA 92317, THE APPLICANT.

WHEREAS, the Law Offices of K.M. Neiswender filed entitlement applications with the City of Oxnard on November 7, 2019, General Plan Amendment (PZ 20-620-02), Zone Change (PZ 20-570-02), Special Use Permit (PZ 19-500-04), and a Tentative Subdivision Map (PZ 20-300-02); and

WHEREAS, if the aforementioned entitlement applications are collectively approved by the City of Oxnard, the project would be permitted to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) ("Project"); and

WHEREAS, the proposed General Plan Amendment would change the land use designation of the subject project site from Business Research Park to Residential Medium; and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application (PZ 18-600-02) on March 19, 2019, where the City Council discussed the ability for the project to incorporate inclusionary housing on the project site instead of requesting to pay the affordable housing in-lieu fee payment; and

WHEREAS, the Project applicant mailed notices to all property owners within the Seaview Estates neighborhood and presented the project at the April 20, 2020 Community Workshop; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission considered the proposed Addendum to a previously adopted Mitigated Negative Declaration (MND 2004-11) before making its recommendation, finds on the basis of the whole record before it (including the initial study and adopted MND 2004-11) that with the previously adopted Mitigation Monitoring/Reporting Program is included in MND 2004-11 document and incorporated by reference in this and related resolutions and permits and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the Addendum to the previously adopted MND 2004-11 reflects the independent judgment of the City, and recommends that the City Council adopt the Addendum to the previously adopted MND 2004-11; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve a Zone Change for the project site from Business Research Park to

Multiple-Family (R-2) (PZ 20-570-02), and a Tentative Subdivision Map (Tract No. 6064) for condominium purposes and to combine three existing lots into two lots (PZ 20-300-02)

WHEREAS, the Planning Commission is concurrently approving Special Use Permit (PZ 19-500-04) to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements subject to approval of the related actions as specified within the Special Use Permits conditions of approval, respectively; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended entitlements; and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider Planning and Zoning Permit No. 20-620-02 (General Plan Amendment) in accordance with the City's 2030 General Plan and Oxnard City Code; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the approval of a General Plan Amendment changing the 2030 General Plan land use map designation of the project site from Business Research Park to Residential Medium; and

WHEREAS, the pursuit of the General Plan Amendment is a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by providing housing opportunities for the residents of the City of Oxnard; and

WHEREAS, the proposed General Plan Amendment is consistent with the policies and directives in the 2030 General Plan and Zoning Ordinance to allow development to those areas that can be served by existing or planned utilities, transportation, and service systems. The proposed General Plan Amendment does not represent a significant change in the 2030 General Plan and Zoning Ordinance nor does it result in significant new environmental impacts that have not been previously evaluated; and

WHEREAS, the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the General Plan Amendment is internally consistent with all other provisions of the City of Oxnard 2030 General Plan

SECTION 3. The Planning Commission finds that the General Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the General Plan Amendment is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the proposed change in land use designation from Business Research Park to Residential Medium is the best use for the subject project site.

SECTION 6. The Planning Commission determines that the General Plan Amendment is in the best interests and welfare of the City and its residents.

SECTION 7. In recommending adoption of this Resolution for the General Plan Amendment, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act because an Addendum to the Mitigated Negative Declaration (Final MND 2004-11) that was prepared for the 2004 Dunkirk Drive Project was considered by the Planning Commission at the public hearing for the Portofino Place project. The Addendum to the Final MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City’s Environmental Review Guidelines. The City of Oxnard is the Lead Agency. The Addendum is appropriate pursuant to CEQA Guidelines § 15164 since only minor changes and additions to the MND are necessary to address the Project changes and no circumstances exist calling for the preparation of a subsequent negative declaration pursuant to CEQA Guidelines § 15162 and 15163. With implementation of the MND 2004-11 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

SECTION 8. Except as expressly amended herein, the 2030 General Plan Land Use Map shall remain in full force and effect and shall apply to the property affected by this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council approve a General Plan Amendment (PZ 20-620-02), which amends the City’s 2030 General Plan Land Use Map, in accordance with Exhibit “A” attached hereto and made a part of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of November, 2021, by the following vote:

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 this 18th day of November, 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

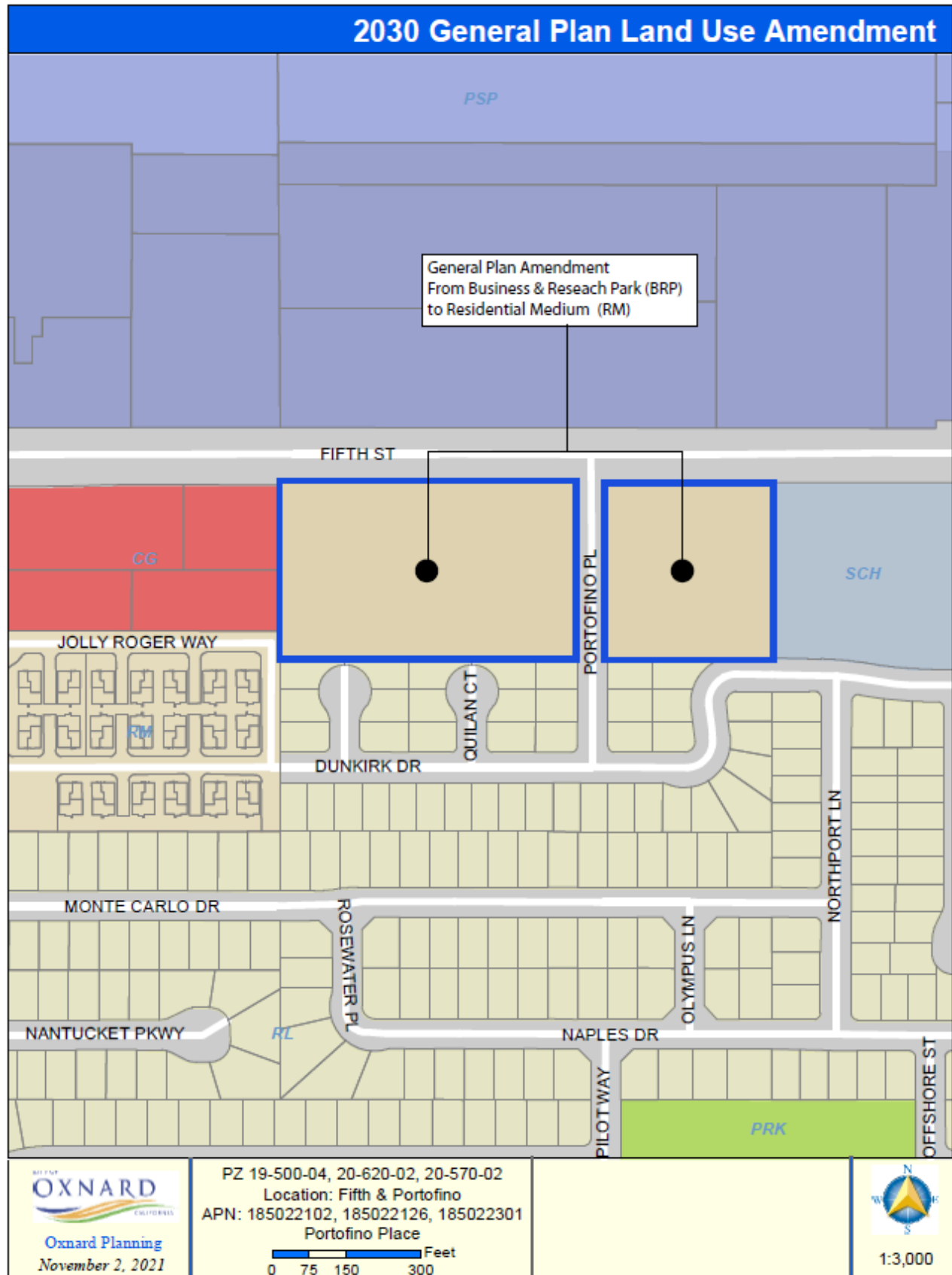
ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

EXHIBIT A



M. Resolution (Zone Change)

RESOLUTION NO. 2021- XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE ORDINANCE PZ 20-570-02 OF THE SUBJECT PROJECT SITE (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) FROM BUSINESS RESEARCH PARK TO RESIDENTIAL MULTIPLE-FAMILY. FILED BY THE LAW OFFICE OF K.M. NEISWENDER, P.O. BOX 1225, BLUE JAY, CA 92317, THE APPLICANT.

WHEREAS, the Law Offices of K.M. Neiswender filed entitlement applications with the City of Oxnard on November 7, 2019, General Plan Amendment (PZ 20-620-02), Zone Change (PZ 20-570-02), Special Use Permit (PZ 19-500-04), and a Tentative Subdivision Map (PZ 20-300-02); and

WHEREAS, if the aforementioned entitlement applications are collectively approved by the City of Oxnard, the project would be permitted to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) (“Project”); and

WHEREAS, the proposed Zone Change requests that the City’s Zoning Ordinance Map change the zoning of the subject project site from Business Research Park (BRP) to Residential Multiple-Family (R-2); and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application (PZ 18-600-02) on March 19, 2019, where the City Council discussed the ability for the project to incorporate inclusionary housing on the project site instead of requesting to pay the affordable housing in-lieu fee payment; and

WHEREAS, the Project applicant mailed notices to all property owners within the Seaview Estates neighborhood and presented the project at the April 20, 2020 Community Workshop; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission considered the proposed Addendum to a previously adopted Mitigated Negative Declaration (MND 2004-11) before making its recommendation, finds on the basis of the whole record before it (including the initial study and adopted MND 2004-11) that with the previously adopted Mitigation Monitoring/Reporting Program is included in MND 2004-11 document and incorporated by reference in this and related resolutions and permits and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the Addendum to the previously adopted MND

2004-11 reflects the independent judgment of the City, and recommends that the City Council adopt the Addendum to the previously adopted MND 2004-11; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve a General Plan Amendment requests that the General Plan Land Use Map change the land use designation of the subject project site from Business Research Park to Residential Medium (PZ 20-620-02), and a Tentative Subdivision Map (Tract No. 6064) for condominium purposes and to combine three existing lots into two lots (PZ 20-300-02)

WHEREAS, the Planning Commission is concurrently approving Special Use Permit (PZ 19-500-04) to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements subject to approval of the related actions within the Special Use Permits conditions of approval, respectively; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended entitlements; and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider Planning and Zoning Permit 20-570-02 (Zone Change) in accordance with the City's 2030 General Plan and Oxnard City Code; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the approval of a Zone Change amending the City's Zoning Ordinance Map to change the zoning of the project site from Business Research Park to Residential-Multiple Family; and

WHEREAS, the pursuit of the Zone Change is a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by providing housing opportunities for the residents of the City of Oxnard; and

WHEREAS, the proposed Zone Change is consistent with the policies and directives in the 2030 General Plan if the associated General Plan Amendment (PZ No. 20-620-02) is approved and the Zoning Ordinance to allow orderly development to those areas that can be served by existing or planned utilities, transportation, and service systems. The proposed Zone Change does not represent a significant change in the 2030 General Plan and Zoning Ordinance nor does it result in significant new environmental impacts that have not been previously evaluated; and

WHEREAS, the Applicant agrees that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this

resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Zone Change is internally consistent with all other provisions of the City of Oxnard 2030 General Plan if the corresponding General Plan Amendment (PZ No. 20-620-02) is adopted.

SECTION 3. The Planning Commission finds that the Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the Zone Change is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the proposed Zone Change from Business Research Park to Residential Multiple-Family (R-2) is the best use for the subject project site.

SECTION 6. The Planning Commission determines that the Zone Change is in the best interests and welfare of the City and its residents.

SECTION 7. In recommending adoption of this Resolution for the Zone Change, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act because an Addendum to the Mitigated Negative Declaration (Final MND 2004-11) that was prepared for the 2004 Dunkirk Drive Project was considered by the Planning Commission at the public hearing for the Portofino Place project. The Addendum to the Final MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. The Addendum is appropriate pursuant to CEQA Guidelines § 15164 since only minor changes and additions to the MND are necessary to address the Project changes and no circumstances exist calling for the preparation of a subsequent negative declaration pursuant to CEQA Guidelines § 15162 and 15163. With implementation of the MND 2004-11 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

SECTION 8. Except as expressly amended herein, the City's Zoning Ordinance Map

shall remain in full force and effect and shall apply to the property affected by this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council approve a Zone Change Ordinance, which amends the City's Zoning Ordinance Map, in accordance with Exhibit "B" attached hereto and made a part of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of November, 2021, by the following vote:

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 this 18th day of November 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

EXHIBIT A

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. XXXX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING A ZONE CHANGE ORDINANCE PZ 20-570-02, APPROVING APPROVE A ZONE CHANGE PZ 20-570-02 OF THE SUBJECT PROJECT SITE (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) FROM BUSINESS RESEARCH PARK (BRP) TO RESIDENTIAL MULTIPLE-FAMILY (R-2). FILED BY THE LAW OFFICE OF K.M. NEISWENDER, P.O. BOX 1225, BLUE JAY, CA 92317, THE APPLICANT.

WHEREAS, the Law Offices of K.M. Neiswender filed entitlement applications with the City of Oxnard on November 7, 2019, General Plan Amendment (PZ 20-620-02), Zone Change (PZ 20-570-02), Special Use Permit (PZ 19-500-04), and a Tentative Subdivision Map (PZ 20-300-02); and

WHEREAS, if the aforementioned entitlement applications are collectively approved by the City of Oxnard, the project would be permitted to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) (“Project”); and

WHEREAS, the proposed applicant requests that the City’s Zoning Ordinance Map change the zoning of the subject project site from Business Research Park (BRP) to Residential Multiple-Family (R-2); and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application (PZ 18-600-02) on March 19, 2019, where the City Council discussed the ability for the project to incorporate inclusionary housing on the project site instead of requesting to pay the affordable housing in-lieu fee payment; and

WHEREAS, the Project applicant mailed notices to all property owners within the Seaview Estates neighborhood and presented the project at the April 20, 2020 Community Workshop; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended entitlements; and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Oxnard held a public hearing, reviewed the request, and recommended that the City Council approve the requested Zone Change; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2021-XX recommending approval of a Zone Change for the subject project site; and

WHEREAS, the City Council is concurrently considering a General Plan Amendment requests that the General Plan Land Use Map change the land use designation of the subject project site from Business Research Park to Residential Medium (PZ 20-620-02), and a Tentative Subdivision Map (Tract No. 6064) for condominium purposes and to combine three existing lots into two lots (PZ 20-300-02)

WHEREAS, on _____ the City Council has held a public hearing and received and reviewed written and oral comments related to the proposed PZ No. 20-570-02; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of PZ No. 20-570-02 and the Zone Change to Residential Multiple-Family (R-2) as shown on Attachment A hereto; and

WHEREAS, the City Council finds that the Zone Change is consistent with the 2030 General Plan; and

WHEREAS, the pursuit of the Zone Change is a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by providing housing opportunities for the residents of the City of Oxnard; and

WHEREAS, the proposed Zone Change is consistent with the policies and directives in the 2030 General Plan if the associated General Plan Amendment (PZ No. 20-620-02) is approved and the Zoning Ordinance to allow orderly development to those areas that can be served by existing or planned utilities, transportation, and service systems. The proposed Zone Change does not represent a significant change in the 2030 General Plan and Zoning Ordinance nor does it result in significant new environmental impacts that have not been previously evaluated; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission and City Council considered the proposed Addendum to a previously adopted Mitigated Negative Declaration (Final MND 2004-11) before making its recommendation, finds on the basis of the whole record before it (including the initial

study and adopted MND 2004-11) that with the previously adopted Mitigation Monitoring/Reporting Program is included in MND 2004-11 document and incorporated by reference in this and related resolutions and permits and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the Addendum to the previously adopted MND 2004-11 reflects the independent judgment of the City, and recommends that the City Council adopt the Addendum to the previously adopted MND 2004-11; and

WHEREAS, the Applicant agrees, as a condition of adoption of this ordinance at the Applicant's own expense, to indemnify, defend, and hold harmless 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 this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

WHEREAS, the City Council of the City of Oxnard makes the following Findings:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The City Council finds that the Zone Change is internally consistent with all other provisions of the City of Oxnard 2030 General Plan if the corresponding General Plan Amendment (PZ No. 20-620-02) is adopted.

SECTION 3. The City Council finds that the Zone Change will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The City Council finds that the project site associated with the Zone Change is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The City Council determines that the proposed Zone Change from Business Research Park (BRP) to Residential Multiple-Family (R-2) is the best use for the subject project site.

SECTION 6. The City Council determines that the Zone Change is in the best interests and welfare of the City and its residents.

SECTION 7. The City Council finds and determines the project is in compliance with the California Environmental Quality Act because an Addendum to the Mitigated Negative Declaration (Final MND 2004-11) that was prepared for the 2004 Dunkirk Drive Project was considered by the Planning Commission at the public hearing for the

Portofino Place project. The Addendum to the Final MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. The Addendum is appropriate pursuant to CEQA Guidelines § 15164 since only minor changes and additions to the MND are necessary to address the Project changes and no circumstances exist calling for the preparation of a subsequent negative declaration pursuant to CEQA Guidelines § 15162 and 15163. With implementation of the MND 2004-11 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

SECTION 8. Except as expressly amended herein, the City's Zoning Ordinance Map shall remain in full force and effect and shall apply to the property affected by this Resolution.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

- Part 1. PZ No. 20-570-02 (Zone Change) is approved, as shown on the map attached hereto as Attachment A and incorporated herein by reference.
- Part 2. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. _____ was first read on _____, and finally adopted on _____, to become effective thirty days thereafter.

PASSED AND ADOPTED this ____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

John C. Zaragoza, Mayor

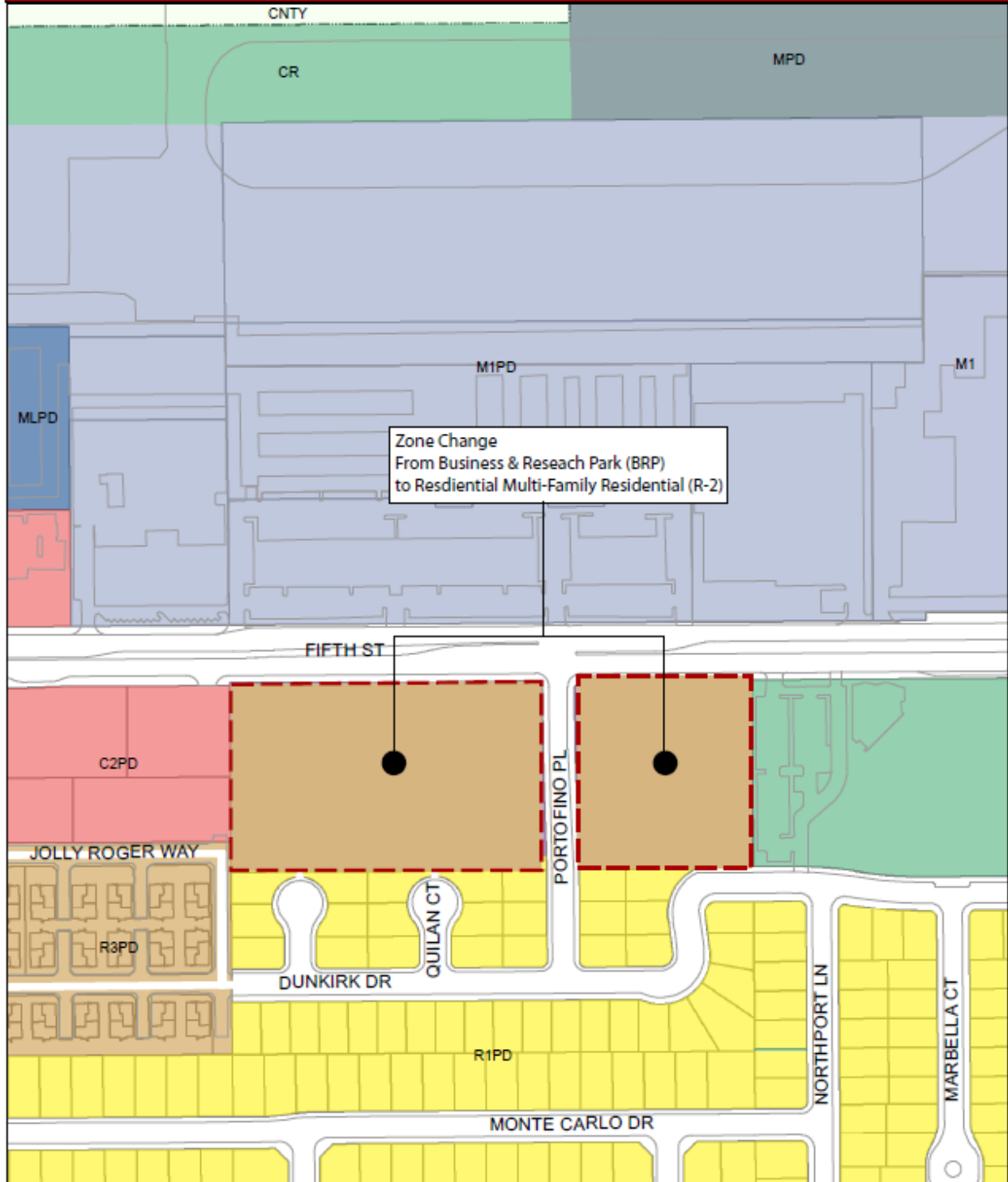
ATTEST:

Rose Chaparro, City Clerk

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

Zoning/Specific Plan Map



N. Resolution (Tentative Subdivision Map)

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT A RESOLUTION APPROVING PLANNING AND ZONING PERMIT NO. 20-300-02 (TENTATIVE SUBDIVISION MAP NO. 6064) TO SUBDIVIDE APPROXIMATELY 7.61 ACRES OF VACANT LAND INTO TWO RESIDENTIAL LOTS FOR CONDOMINIUM PURPOSES (90 CONDOMINIUM UNITS) AND ASSOCIATED INFRASTRUCTURE, LOCATED AT THE SOUTH SIDE OF FIFTH STREET AT THE INTERSECTION OF PORTOFINO PLACE (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY THE LAW OFFICE OF K.M. NEISWENDER, P.O. BOX 1225, BLUE JAY, CA 92317, THE APPLICANT.

WHEREAS, the Law Offices of K.M. Neiswender filed entitlement applications with the City of Oxnard on November 7, 2019, General Plan Amendment (PZ 20-620-02), Zone Change (PZ 20-570-02), Special Use Permit (PZ 19-500-04), and a Tentative Subdivision Map (PZ 20-300-02); and

WHEREAS, if the aforementioned entitlement applications are collectively approved by the City of Oxnard, the project would be permitted to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) (“Project”); and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Oxnard (“Planning Commission”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 20-300-02 (Tentative Subdivision Map) to subdivide a 7.61 acre property (three parcels) for condominium purposes into two lots (Lot 1 will be improved with 60 units, gated entry, swimming pool and playground area, parking and associated site improvements; Lot 2 will be improved with 30 units, gated entry, recreational building, parking and associated site improvements) located at the south side of Fifth Street at the intersection of Portofino Place (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) in the Oxnard Seaview Estates neighborhood in accordance with Section 16-531 of the Oxnard City Code; and

WHEREAS, the project was initially reviewed by the City Council as a Pre-Application (PZ 18-600-02) on March 19, 2019, where the City Council discussed the ability for the project to incorporate inclusionary housing on the project site instead of requesting to pay the affordable housing in-lieu fee payment; and

WHEREAS, the project applicant mailed notices to all property owners within the Sea View Estates neighborhood and presented the project at the April 20, 2020 Community Workshop; and

Whereas, on November 9, 2004, pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.: “CEQA”) and the State Guidelines for Implementation of CEQA (14 Cal. Code Regs. § 15000 et seq.: “State CEQA Guidelines”), the City Council adopted a Mitigated Negative Declaration for The Dunkirk Drive Project (MND 2004-11); and

Whereas, the MND adequately addressed and mitigated the potential environmental impacts associated with the Dunkirk Drive project, which included a General Plan Amendment, Zone Change, Tentative Subdivision Map and Planned Residential Group/Special Use Permit for commercial development on a 7.6-acre portion of the project site as well as residential development on an adjacent 10-acre property to the south of the site; and

Whereas, the MND was not legally challenged and thus is presumed valid in accordance with Public Resources Code section 21167.2 and section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.); and

Whereas, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

Whereas, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an MND has been approved, the Lead Agency is required to prepare an Addendum to a previously approved MND if some changes or additions to the MND are necessary but none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent MND have occurred; and

Whereas, the Planning Division evaluated the project by preparing an Addendum, and based on that Addendum, and all other information in the administrative record, has determined that none of the circumstances identified in State CEQA Guidelines Section 15162 have arisen as a result of the project, and that an Addendum to the Final MND 2004-11 for the Dunkirk Drive project is appropriate to analyze the reasonably foreseeable environmental impacts of the modified project; and

Whereas, Addendum No. 1 to Final MND 2004-11 is attached to the staff report in is incorporated by reference; and

Whereas, Addendum No. 1 to Final MND 2004-11 has been provided to and has been reviewed by the Planning Commission in connection with the previously approved MND 2004-11, which is available for inspection at City Hall and is posted on the City’s website, and are incorporated herein by reference; and

Whereas, pursuant to State CEQA Guidelines section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be attached to the adopted MND 2004-11; and

WHEREAS, in accordance with CEQA, the Planning Commission considered the proposed Addendum to a previously adopted Final MND 2004-11 before making its recommendation, finds on the basis of the whole record before it (including the initial study and adopted MND 2004-11) that with the previously adopted Mitigation Monitoring/Reporting Program is included in MND 2004-11 document and incorporated by reference in this and related resolutions and permits and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the Addendum to the previously adopted MND 2004-11 reflects the independent judgment of the City, and recommends that the City Council adopt the Addendum to the previously adopted MND 2004-11; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve a General Plan Amendment request that the 2030 General Plan Land Use Map change the land use designation of the subject project site from Business Research Park to Residential Medium (PZ 20-620-02), a Zone Change for the project site from Business Research Park to Multiple-Family (R-2) (PZ 20-570-02), a Tentative Subdivision Map (Tract No. 6064) for condominium purposes and to combine three existing lots into two lots (PZ 20-300-02), and a Special Use Permit (PZ 19-500-04) for the construction of 90, two-story condominium dwelling units and associated site improvements on a 7.61-acre site; and

Whereas, the Project has been reviewed by the Development Advisory Committee (DAC) on December 18, 2019, February 24, 2021 and May 12, 2021, and the DAC provided conditions of approval for the project that are incorporated within the recommended entitlements; and

WHEREAS, the Planning Commission has held a public hearing at which it received and considered oral and written testimony on Addendum to the previously adopted Mitigated Negative Declaration No. 2004-11 for the proposed project; and

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

WHEREAS, the comments of the Planning Commissioners, members of the public, and interested groups and agencies have been adequately responded to; and

WHEREAS, the Planning Commission finds after due study and deliberation that it is a reasonable exercise of the City's police powers to condition the project to ensure the continued health, safety, and welfare of the public by providing housing opportunities inclusive of 9 affordable low income housing units for the residents of the City of Oxnard; and

WHEREAS, the Planning Commission finds that the Tentative Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the Planning Commission finds that the Tentative Map, the proposed site, and the design and improvement of the development requested are consistent with the 2030 General Plan elements thereof; and

WHEREAS, the Planning Commission finds that the proposed site is suitable for the type and density of development requested and is not likely to cause substantial environmental damage, serious public health problems or conflict with any publicly acquired easements or access; and

WHEREAS, the Planning Commission finds that the proposed division of land complies with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

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

WHEREAS, the Planning Commission finds that the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt Addendum No. 1 to Final MND 2004-11 is based are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Tentative Subdivision Map is internally consistent with the provisions of the City of Oxnard 2030 General Plan

SECTION 3. The Planning Commission finds that the Tentative Subdivision Map will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the Project site associated with the Tentative Subdivision Map is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the residential project is the best use for the subject project site.

SECTION 6. The Planning Commission determines that the Tentative Subdivision Map is in the best interests and welfare of the City and its residents.

SECTION 7. In recommending adoption of this Resolution for the Tentative Subdivision Map, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act because an Addendum to the Mitigated Negative Declaration (Final MND 2004-11) that was prepared for the 2004 Dunkirk Drive Project was considered by the Planning Commission at the public hearing for the Portofino Place project. The Addendum to the Final MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. The Addendum is appropriate pursuant to CEQA Guidelines § 15164 since only minor changes and additions to the MND are necessary to address the Project changes and no circumstances exist calling for the preparation of a subsequent negative declaration pursuant to CEQA Guidelines § 15162 and 15163. With implementation of the MND 2004-11 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

SECTION 8. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

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

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

As described in the staff report, the project site currently has a 2030 General Plan land use designation of Business Research Park (BRP) and a zoning of Business Research Park (BRP). As part of this proposal, the project is concurrently requesting a General Plan Amendment to change the land use designation BRP to Residential Medium (RM) and a Zone Change from Business Research Park to Multiple-Family (R-2). If the aforementioned General Plan Amendment and Zone Change are approved, the proposed subdivision, inclusive of the 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site would be consistent with the policies and provisions of the 2030 General Plan because the proposed land use of the project is of a multi-family use, which is an allowed use pursuant to the Residential Medium (RM) land use designation of the 2030 General Plan Plan. The subject project site has an area of 7.61 acres which allows a maximum of 94 residential units; however, the project is requesting to construct 90 residential units. The project density at 90 residential units is equal to 12 units per acre which is consistent with the RM land use designation of 12 to 18 units per acre. The subdivision of the project site as proposed with 90 condominium units and associated site improvements would be consistent with the 2030 General Plan if the associated General Plan Amendment is approved. Additionally, the condominium units have been designed to meet the required development standards identified in the R-2 zone (Multiple-Family) and all of the advisory standards contained within City Council Resolution No. 7658 that are intended to encourage amenities that enhance the livability of condominiums with the exception of the required 10-foot by 10-foot dimensions for private patios; however, the land area of the project's private patios ranges from 450 to 1,530 square feet which exceeds the minimum land area of 100 square feet provided by private patios. Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. No specific plan is applicable to the subject site. Therefore, the project **does not** meet this finding which means the Project can be supported.

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

As described in the staff report, the design and improvement of the proposed development is consistent with applicable provisions of the City's 2030 General Plan because the proposed subdivision and development of the multi-family residential use supports the proposed development improvements, with the required infrastructure. Additionally, the proposed subdivision has been designed to meet the required minimum lot area and density identified in the R-2 zoning (Multiple-Family) as prescribed by the 2030 General Plan land use designation of Residential Medium. No specific plan is

applicable to the subject site. Additionally, the design and improvements of the project will provide for development that furthers the intent of the Housing Element to realize the potential of neighborhood improvements that increase housing opportunities in the Sea View Estates Neighborhood. As such, the project **does not** meet this finding which means the Project can be supported.

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

As described in the staff report, the site is physically suitable for the proposed type of development because the division of land includes a residential project that is consistent with the Multiple-Family (R-2) development standards and has been designed to be architecturally compatible with the character of the surrounding neighborhood. The site is physically suitable for the proposed type of development because the site is relatively level and an environmental assessment of the site did not find any soil or geologic conditions that would make the site physically unsuitable for development. The site is not subject to soil and/or geologic conditions indicating substrate instability. As proposed and conditioned, the project will be consistent with the 2030 General Plan land use designation of Residential Medium which the project is seeking a General Plan Amendment concurrent with the Tentative Subdivision Map, which requires residential uses to be designed pursuant to the R-2 development standards such as: parking, minimum lot area, density, side yard setback and height. The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the R-2 zone. Additionally, the project has been reviewed by the Development Advisory Committee and was determined that it would have no significant impact on the public health, safety, or welfare and the project plans have been reviewed by all applicable departments and outside agencies, which include the Oxnard Police and Fire Departments. Based on the aforementioned, this project **does not** meet this finding which means the Project can be supported.

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

As described in the staff report, the project is concurrently requesting a General Plan Amendment to change the land use designation BRP to Residential Medium (RM) and a Zone Change from Business Research Park (BRP) to Multiple-Family (R-2). The site is physically suitable for the proposed density of the development because the project is being designed to be in conformance with the density allowed under the 2030 General Plan land use designation of Residential Medium and the R-2 zoning. The subject project site has an area of 7.61 acres which allows a maximum of 94 residential units; however, the project is requesting to construct 90 residential units. The project density at 90 residential units is equal to 12 units per acre which is consistent with the RM land use designation of 12 to 18 units per acre. The site is physically suitable for the proposed density of development because it is located within a developed urban area and will be served by existing adequate public utilities as identified in the Addendum to the adopted

Mitigated Negative Declaration 2004-11. Additionally, there are no identified physical constraints that would prohibit development of the proposed residential project. Therefore, the project **does not** meet this finding, which means the Project can be supported.

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

As described in the staff report, the design of the proposed land division and parcel improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because it is located within a developed urban area of the City that contains no environmentally sensitive habitat and/or species as identified in Addendum No. 1 to Final MND 2004-11. The project site is not considered to be conducive to important biological resources or their habitat. Additionally, the project site does not have any natural standing bodies of water, riparian habitat, or other sensitive natural communities. Federally protected wetland communities are not thought or known to exist on the site and the project site is not located within a Biological Resources Area which is known or thought to meet habitat needs for plants and animals or promote wildlife migration or movement. Additionally, the project is not designated nor determined to be an Environmentally Sensitive Habitat Area. As such, the **project does not** meet this finding which means the Project can be supported.

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

As described in the staff report, the project would involve the construction 90, two-story condominium dwelling units, inclusive of 9 affordable units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements that are not anticipated to use or store large quantities of hazardous materials. However, potentially hazardous materials such as fuels, lubricants, and solvents would be used during grading and construction of the proposed project, but their use and disposal would be to applicable standards and law so as to not create environmental or health issues. The design of the subdivision is not likely to cause serious public health problems because, as indicated by Finding 2.a above, it would utilize existing adequate public utilities, namely water and sewer.

Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Additionally, the project has been reviewed by the Development Advisory Committee and was determined that it would have no significant impact on the public health, safety, or

welfare and the project plans have been reviewed by all applicable departments and outside agencies, which include the Oxnard Police and Fire Departments. Consequently, this project **does not** meet this finding, which means the Project can be supported.

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

As described in the staff report, the design of the proposed land division and parcel improvements will not conflict with easements, acquired by the public-at-large, for access through or use of property within the subdivision because, as conditioned, no buildings would be located in the area of the existing public utilities easements, all blanket easements or other easement that are no longer needed by the City shall be abandoned, and there is no need for new or additional easement(s) for the public-at-large. The project site is currently vacant. Additionally, the land division has been configured to continue to allow for Portofino Place, which currently bisects the parcel, to provide access to the residences in the Oxnard Sea View Estates Neighborhood which is accessed off of Fifth Street and Dunkirk Drive. As such, this project **does not** meet this finding which means the Project can be supported.

SECTION 9 This Resolution shall not become effective unless and until the City Council adopts the Addendum to Mitigated Negative Declaration 2017-04 and approves the associated General Plan Amendment (PZ No. 20-620-02), and Zone Change (PZ No. 20-570-02). If the City Council fails to approve the General Plan Amendment or Zone Change, then this Resolution shall become null and void and be of no further force and effect.

SECTION 10. Based on the findings set forth herein, the Planning Commission hereby recommends that the City Council approve Planning and Zoning Permit No. 20-300-02 (Tentative Subdivision Map), subject to the attached conditions of approval.

SECTION 11. The Secretary shall certify the adoption of this Resolution.

CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, G-1).
2. This permit is granted for the plans dated November 18, 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 modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, G-2)
3. This permit shall automatically become null and void 36 months from the effective date of the Zone Change (PZ No. 20-570-02) (30 days after the second reading of the Zone Change Ordinance Amendment is adopted), unless the Developer has diligently developed the proposed project, as shown by map recordation and / or 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 the Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)

PLANNING DIVISION STANDARD CONDITIONS

9. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL, *PL-29*)
10. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, *PL-33*)
11. 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*)

12. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles over 20 feet long in the project. (CE/PL, *PL-35*)
13. Developer shall pay Quimby 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*)
14. In accordance with City Council Ordinance No. 2980, or the ordinance in effect at the time building permits are issued, Developer shall provide 9 affordable units. (PL, *PL-37*)
15. Developer shall post in the sales office of the project the latest City planning documents and maps that may affect the project and adjacent properties. At a minimum, this information shall include the 2030 Oxnard General Plan and General Plan Land Use Map showing all adjacent properties, a copy of the ordinances regulating the zone, and any specific plan that may apply to the project. Such documents may be purchased at cost from the Planning Division Manager. Developer shall require that all purchasers sign an affidavit declaring that they have familiarized themselves with the planning documents. Developer shall make such affidavits and planning information available for review upon reasonable request of the Planning Division Manager. (PL, *PL-38*)
16. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, *PL-40*)

PLANNING DIVISION SPECIAL CONDITIONS

17. Developer shall provide electric 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 modified*)
18. This permit is granted subject to the approval of a Zone Change (PZ 20-570-02) for the project property. (PL)
19. This permit is granted subject to the approval of a General Plan Amendment (PZ 20-620-02) for the project property. (PL)
20. Street parking is prohibited to ensure that the private streets are at least 26 feet wide at all times to comply with Fire Department regulations.

21. Developer shall deposit \$2,000 for mitigation monitoring and reporting associated with the development project (PZ Nos. 19-500-04 and 20-300-02). Such funds shall be deposited prior to issuance of a grading permit or map recordation, whichever occurs first. Additional deposits shall be made to cover staff time required to monitor implementation of project conditions until the final Certificate of Occupancy is granted for the development.
22. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved.

Affordable Housing Conditions

23. Inclusionary housing requirements pertaining to the sale or rental of 10% of all units constructed as part of this development are subject to inclusionary housing requirements, as set forth in Ordinance 2980.
24. Based on the unit count proposed, 9 (10% of 90= 9) of the 90 units being developed must be Affordable Units.
25. Affordable Rental Units – Fifty percent (50%) of the affordable units offered for rent must be made available to very low-income households with incomes at or below fifty percent (50%) of the Area Median Income (AMI) for Ventura County, as set forth in the California Health and Safety Code 50105 and fifty percent (50%) of the affordable units must be offered for rent to low-income households with incomes at or below eighty percent (80%)AMI for Ventura County, as set forth in the California Health and Safety Code 50079.5. For purposes of determining tenant eligibility, Owner and Developer or Property Manager shall use the annual income limits for Low Income and Very Low-Income Households, respectively, published by the California Department of Housing and Community Development (HCD).
26. Affordable Rent (Low Income Units)– For Low Income Households, "Affordable Rent" shall be inclusive of a reasonable utility allowance and not exceed one- twelfth (1/12) times the product of thirty percent (30%) times eighty percent (80%) of Area Median Income (AMI) adjusted for family size appropriate to the Affordable Unit for households earning less than or equal to eighty percent (80%) of the AMI for the Ventura County Metropolitan Statistical Area as set forth in the sections 6918 and 6932 of Title 25 of the California Code of Regulations, unless another subsidy program is used, in which case the stricter requirement shall be applied. For purposes of calculating Affordable Rent, Owner and Developer or Property Manager shall use the Area Median Income for Ventura County for Low Income Households, published annually by the California Department of Housing and Community Development (HCD).
27. Affordable Rent (Very Low-Income Units) – For Very-Low Income Households, “Affordable Rent” shall be inclusive of a reasonable utility allowance and not exceed one- twelfth (1/12) times the product of thirty percent (30%) times fifty percent (50%) of area median income

adjusted for family size appropriate to the Affordable Unit for households earning less than or equal to fifty percent (50%) of the AMI for Ventura County Metropolitan Statistical Area as set forth in the sections 6918 and 6932 of Title 25 of the California Code of Regulations, unless another subsidy program is used, in which case the stricter requirement shall be applied. For purposes of calculating Affordable Rent, Owner and Developer or Property Manager shall use the Area Median Income for Ventura County for Very Low-Income Households, published annually by the California Department of Housing Community Development (HCD), as opposed to HCD's annual published income limits, which are used to determine tenant eligibility.

28. The Affordable Rental units must include: Three (3) three-bedroom units and two (2) two-bedroom units offered for rent or sale to households with annual incomes at or below fifty percent (50%) of AMI for Ventura County. Two (2) two-bedroom units and two (2) three-bedroom units must be offered for rent or sale to households with annual incomes at or below eighty percent (80%) AMI for Ventura County.
29. Prior to offering the Affordable Units for rent, the Developer and Owner must submit to the Housing Director the proposed rental amounts for the affordable rental units for review and approval.
30. Affordable Rental Units (Eligible Tenants) - All prospective tenants must be income-eligible to rent any of the Affordable Units. Developer shall maintain a copy of the selected tenant's rental application including information on household size, total Annual Income, rent to be charged, and the unit to be rented, including the unit's bedroom count and size (the "Application"). Upon request, the Developer shall provide the Application to the Housing Director to review the prospective tenant's eligibility for the unit to be rented. Income eligibility documentation for occupants of the affordable units must be made available by the Developer for review, upon request by the Housing Director. This provision applies throughout the duration of this Agreement and applies to any change in the tenancy of the Affordable Units.
31. Affordable Rental Units (Management Plan) - Prior to issuance of a certificate of occupancy, Developer and Owner 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, prepared by the Developer and Owner, for the operation and management of the Affordable Rental Units has been submitted to the Housing Department and approved by the Housing Director. Developer and owner 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.
32. Affordable Rental Units (Annual Report) - Owner shall maintain complete and accurate records pertaining to (1) the occupancy of each Affordable Unit, and (2) the maintenance, management, operation, preservation and repair of each Affordable Unit. Owner agrees to permit the Housing Director or designee to inspect and audit the books and records of Owner pertaining to the Affordable Units. In furtherance of this requirement, Owner shall require

tenants or property managers to submit to the Housing Director an annual report (the "Annual Report") in the format approved by the Housing Department and providing the specific information and documentation (including documentation from each tenant) reasonably required by the City and Housing Director to ensure that the Affordable Units are being rented to eligible tenants.

33. Affordable Rental Units (Compliance) - Upon City's request, Owner shall demonstrate that the Affordable Rental units are continually in compliance with the terms of Affordability Covenants and Conditions of Approval pertaining to Affordable Rental Units. Upon thirty (30) days' notice, City may perform an audit to determine compliance with the terms of this Agreement or any affordability restrictions placed on the property. Owner agrees to pay a reasonable fee, which may be adjusted from time to time, for the purpose of paying the actual costs associated with the City's obligation to monitor Owner's compliance with the affordability restrictions contained in this Agreement.
34. Affordable Units Offered for Sale: Ten percent (10%) of all units offered for sale must be made available for purchase to low-income households with incomes at or below eighty percent (80%) AMI for Ventura County, as set forth in the California Health and Safety Code 50079.5. For purposes of determining buyer eligibility, Owner and Developer shall use the annual income limits for Low-Income Households, published by the California Department of Housing Community Development (HCD).
35. Affordable Housing Cost for Affordable Units Offered for Sale: The term Affordable "Housing Cost" includes the costs described in Title 25 of the California Code of Regulations Section 6920, except that when determining affordable housing cost the amount paid for maintenance and utilities shall not be included. For purposes of calculating Affordable Housing Cost, Owner and Developer shall use the Area Median Income for Ventura County for Low Income Households, published annually by the California Department of Housing Community Development (HCD), as opposed to HCD's annual published income limits, which are used to determine buyer eligibility.
36. Affordable housing cost must include the sum of the following and may not exceed the product of thirty percent (30%) of eighty percent (80%) AMI for Ventura County as set forth in Part 5 (a) of Ordinance Number 2980:
 - (a) Mortgage loan payments
 - (b) Mortgage insurance payments
 - (c) Property taxes and assessments
 - (d) Homeowner association fees
 - (e) Insurance premiums
 - (f) Space rent
37. Affordable Units Offered for Sale: Must Include at least five (5) three-bedroom units and four (4) two-bedroom units.

38. Owner and Developer must record affordability covenants approved as to form by the Housing Director and City Attorney prior to submitting their first building permit application. Units shall remain affordable for at least 20 years from the date the first unit in the development is offered for rent or sale. Owner and Developer must contact the Housing Department for review and approval of affordability covenants prior to recordation.
39. Prior to offering any of the Affordable Units for sale or converting any of the Affordable Rental Units into Affordable Units offered for sale, within the initial 20 Year term of Affordability discussed in Condition No. 37, Developer and Owner must:
 - (a) Adhere to any applicable state and local laws, including but not limited to California Assembly Bill 1521, and applicable tenant relocation requirements for existing tenants of the Affordable Rental Units that may become displaced as result of the conversion from Affordable Rental Units to Affordable Units offered for Sale. This also includes, notification to tenants and prospective tenants 3 years prior to the termination of the lease of the Affordable Rental Units, as set forth in Government Code 65863.10 et seq. Adherence to any and all applicable state and local laws means those state and local laws effective at the time of the conversion.
 - (b) Submit to the Housing Director the proposed sale amounts, for review and approval, the proposed date the affordable units will be offered for sale, the location of the affordable units within the project, and any other information requested by the Housing Director. Thereafter, if the Developer and Owner desires to change the sales price or location of any of the affordable units, the Developer and Owner must obtain the approval of the Housing Director prior to offering any Affordable Unit for sale.
 - (c) Require any purchaser of an Affordable Unit in the development to execute a Resale Restriction Agreement for a minimum term equivalent to years remaining on the initial 20-year term of affordability covenants recorded by the owner and developer as part of Condition No 164. A separate Resale Restriction Agreement, to be executed between each buyer of an Affordable Unit and the City, must be approved as to form by the Housing Director and City Attorney prior to the sale of any Affordable Unit and must be recorded in the County Recorder's Office.
40. Owner and Developer must offer existing eligible tenants of the Affordable Rental Units the first opportunity to purchase an Affordable Unit offered for sale within the Development.
41. A City fee may be collected as necessary to enforce the provisions of the affordability covenants, and fees (paid by the owner/seller) to cover City costs associated with the sale of affordable units including the City's obligation of verification of proposed sale price applicable to the Affordable Units that are offered for sale; income eligibility of the prospective household or family to occupy Affordable Units that are to be sold, inspection of Affordable units that are offered for sale, and completion of a resale restriction agreement for all buyers of affordable units that are offered for sale. The City shall set these fees and adjust it as needed from time to time.

42. Prior to the purchase of an Affordable Unit, the buyer's eligibility for purchase of the Affordable Unit must be demonstrated to the Housing Director, the Housing Director must approve the eligibility of all buyers before they may purchase an Affordable Unit.
43. Affordable Rent and Affordable Housing Cost for 2-bedroom units will be based on a three-person household income and affordability calculations for 3-bedroom units will be based on a four-person household, as set forth in Health and Safety Code 52102(a)(1)(B) and 50052.5 (b)(h).
44. The Affordable Units must be designed and constructed to be architecturally consistent with and qualitatively similar to other unrestricted units in the project.
45. Developer is required to notify the Naval Base Ventura County Housing Service Center of the project and the unit's anticipated sales prices.
46. Developer is required to coordinate with the City of Oxnard's Housing Department to provide early advertisement to local residents in compliance with fair housing law.

Addendum Mitigated Negative Declaration 2004-11 Mitigation Measures

Developer shall comply with the mitigation measures identified in the Final Mitigated Negative Declaration (MND) 2004-11, as modified by Addendum No. 1 to Final MND 2004-11 associated with the development project (PZ Nos. 19-500-04 and 20-300-02).

Air Quality

47. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such times as new emission control devices or operational modifications are found to be effective, the Developer shall immediately implement such devices or operational modifications on all construction equipment. (MND, C-1)
48. During smog season (May through October), developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time. (MND, C-2)
49. 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-3)
50. 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-4)

51. 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-5)
52. 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-6)
53. 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-7)
54. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from adjacent roadways. (MND, C-8)
55. 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

56. 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)

57. 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 monthly report to the Planning Division summarizing the activities during the reporting period. 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 the final building permit signature. (MND, E-1)

Geology and Soils

58. Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated into the project. The Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits. (MND, F-1)

Land Use and Planning

59. Prior to the issuance of building permits, the Developer shall file a Form 7460, "Notice of Proposed Construction with the Federal Aviation Administration (FAA), and provide a copy to the Planning Division that enables the FAA to review the development for any hazard to airport/aviation operations. (MND, G-2)

Noise

60. The applicant shall provide a notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along West Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and helicopter flight path along West Fifth Street. (MND, K-1)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

61. 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)
62. 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)
63. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. The City shall promptly notify the Developer of any such claim, action or proceeding of which the City receives notice, and the City will cooperate fully with the Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. The City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve the Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
64. 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, the City may acquire them at the expense of the 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 the City issues a site improvement permit, the Developer shall dedicate all required easements to the City. (DS-19)
65. 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)
66. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)

67. Developer shall dedicate to the City all water rights for the project property by title sheet dedication on the final map or parcel map. (DS-39)
68. Prior to release of the final map or parcel map for recordation, the Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
69. Prior to release of the final map or parcel map for recordation, Developer shall post security satisfactory to the City Attorney guaranteeing that all survey monuments will be set as required by the Government Code and the City Code. (DS-57)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

70. Developer shall place existing overhead utility lines on and adjacent to the project underground in accordance with City Code in effect at the time City issues a grading/site improvement permit. The current City Code does not require the placement of lines conducting in more than 33kv underground. Prior to recordation of the final map or issuance the grading/site improvement permit, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation including the cost of any required pole relocation.(DS)
71. Developer shall process the final map associated with this permit concurrent with the site improvement plans for Planning and Zoning Permit 19-500-04. The final map shall be processed for recordation concurrent with the approval of the PZ 19-500-04 site improvement plans. (DS)
72. The final map shall indicate the vacation of existing City easements that are determined by the City Engineer to no longer be necessary, including but not necessarily limited to, the existing 10-foot landscape easement along the project's southern boundary. The vacation(s) shall be processed under section 66434(g) of the Subdivision Map Act. If easement vacations are required to be processed separately from the final map, the Developer shall be responsible for all costs associated with the vacation including, but not limited to, fees associated with the hearing(s), easement vacation document preparation, and review by the City. (DS)
73. Prior to recordation of the final map, Developer shall coordinate with Public Works Department Maintenance District No. 55 and pay all fees associated with the hearing, easement vacation document preparation, and review by the City to vacate the 10-foot landscape easement. Developer shall assign the landscape maintenance responsibility of the 10-foot landscape easement in perpetuity to the Homeowner's Association(s) (HOA). Developer may remove and replace the trees inside the easement in accordance with City

policy if permitted by the Community Development Planning Division and Public Works Department Maintenance District No. 55 as the result of vacationing the 10-foot landscape easement. (DS)

74. Developer shall coordinate with the Public Works Maintenance District No. 55 and acquire all maintenance responsibility for on-going landscaping and hardscape (sidewalk) maintenance along the project frontages on Portofino Place that are being maintained by the maintenance district. A Declaration of Covenants, Conditions, and Restrictions (CC&Rs) shall be prepared to legally bind all landscape and hardscape maintenance previously performed by the Maintenance District No. 55 to the HOA. Prior to final map recordation, Developer shall submit a copy of the CC&Rs to the City for review and approval. Final approved copy shall be recorded with the Ventura County Recorder's Office concurrent with the final map recordation. (DS)

TRAFFIC DIVISION SPECIAL CONDITIONS

75. Except for the proposed two driveways, the project shall dedicate all vehicle access rights to the City along West Fifth Street on the final map. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of November, 2021, by the following vote:

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 this 18th day of November 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

O. Resolution (Special Use Permit)

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-500-04 (SPECIAL USE PERMIT) TO ALLOW THE CONSTRUCTION OF 90, TWO-STORY CONDOMINIUM DWELLING UNITS EACH WITH ATTACHED 2-CAR GARAGES, 214 TOTAL VISITOR PARKING SPACES, COMMON SWIMMING POOL AND PLAYGROUND AREA, 3,281 SQUARE-FOOT RECREATION BUILDING, ENTRY GATES AND PERIMETER WALLS, PRIVATE ROADS, DETENTION BASINS, LANDSCAPING AND ASSOCIATED SITE IMPROVEMENTS ON A 7.61-ACRE SITE LOCATED ALONG THE SOUTH SIDE OF FIFTH STREET AT THE INTERSECTION OF PORTOFINO PLACE (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY THE LAW OFFICE OF K.M. NEISWENDER, P.O. BOX 1225, BLUE JAY, CA 92317, THE APPLICANT.

WHEREAS, the Law Offices of K.M. Neiswender filed entitlement applications with the City of Oxnard on November 7, 2019, General Plan Amendment (PZ 20-620-02), Zone Change (PZ 20-570-02), Special Use Permit (PZ 19-500-04), and a Tentative Subdivision Map (PZ 20-300-02); and

WHEREAS, if the aforementioned entitlement applications are collectively approved by the City of Oxnard, the project would be permitted to develop a 7.61 acre project site with 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) (“Project”); and

WHEREAS, on November 18, 2021, the Planning Commission of the City of Oxnard (“Planning Commission”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 19-500-04 (Special Use Permit) to allow the construction of 90 two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements on a 7.61-acre site located along the south side of Fifth Street at the intersection of Portofino Place (APNs: 185-0-221-025, 185-0-221-265, AND 185-0-223-015) in the Oxnard Seaview Estates neighborhood (the “Project”) in accordance with Section 16-531 of the Oxnard City Code; and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application (PZ 18-600-02) on March 19, 2019, where the City Council discussed the ability for the project to incorporate inclusionary housing on the project site instead of requesting to pay the affordable housing in-lieu fee payment; and

WHEREAS, the Project applicant mailed notices to all property owners within the Seaview Estates neighborhood and presented the project at the April 20, 2020 Community Workshop; and

Whereas, on November 9, 2004, pursuant to the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.: “CEQA”) and the State Guidelines for Implementation of CEQA (14 Cal. Code Regs. § 15000 et seq.: “State CEQA Guidelines”), the City Council adopted a Mitigated Negative Declaration for The Dunkirk Drive Project (MND 2004-11); and

Whereas, the MND adequately addressed and mitigated the potential environmental impacts associated with the Dunkirk Drive project, which included a General Plan Amendment, Zone Change, Tentative Subdivision Map and Planned Residential Group/Special Use Permit for commercial development on a 7.6-acre portion of the project site as well as residential development on an adjacent 10-acre property to the south of the site; and

Whereas, the MND was not legally challenged and thus is presumed valid in accordance with Public Resources Code section 21167.2 and section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.); and

Whereas, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

Whereas, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an MND has been approved, the Lead Agency is required to prepare an Addendum to a previously approved MND if some changes or additions to the MND are necessary but none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent MND have occurred; and

Whereas, the Planning Division evaluated the project by preparing an Addendum, and based on that Addendum, and all other information in the administrative record, has determined that none of the circumstances identified in State CEQA Guidelines Section 15162 have arisen as a result of the project, and that an Addendum to the Final MND 2004-11 for the Dunkirk Drive project is appropriate to analyze the reasonably foreseeable environmental impacts of the modified project; and

Whereas, Addendum No. 1 to Final MND 2004-11 is attached to the staff report in is incorporated by reference; and

Whereas, Addendum No. 1 to Final MND 2004-11 has been provided to and has been reviewed by the Planning Commission in connection with the previously approved MND 2004-11, which is available for inspection at City Hall and is posted on the City’s website, and are incorporated herein by reference; and

Whereas, pursuant to State CEQA Guidelines section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be attached to the adopted MND 2004-11; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Commission considered the proposed Addendum to a previously adopted Final MND 2004-11 before making its recommendation, finds on the basis of the whole record before it (including the initial study and adopted MND 2004-11) that with the previously adopted Mitigation Monitoring/Reporting Program is included in MND 2004-11 document and incorporated by reference in this and related resolutions and permits and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the Addendum to the previously adopted MND 2004-11 reflects the independent judgment of the City, and recommends that the City Council adopt the Addendum to the previously adopted MND 2004-11; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve a General Plan Amendment request that the 2030 General Plan Land Use Map change the land use designation of the subject project site from Business Research Park to Residential Medium (PZ 20-620-02), a Zone Change for the project site from Business Research Park to Multiple-Family (R-2) (PZ 20-570-02), a Tentative Subdivision Map (Tract No. 6064) for condominium purposes and to combine three existing lots into two lots (PZ 20-300-02); and a Special Use Permit (PZ 19-500-04) for the construction of 90, two-story condominium dwelling units and associated site improvements on a 7.61-acre site; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) on December 18, 2019, February 24, 2021 and May 12, 2021, and the DAC has prepared conditions of approval for the project that are incorporated within the recommended entitlements; and

WHEREAS, the Planning Commission has held a public hearing at which it received and considered oral and written testimony on Addendum to the previously adopted Mitigated Negative Declaration No. 2004-11 for the proposed project; and

WHEREAS, the comments of the Planning Commissioners, members of the public, and interested groups and agencies have been adequately responded to; and

WHEREAS, the Planning Commission finds after due study and deliberation that it is a reasonable exercise of the City's police powers to condition the project to ensure the continued health, safety, and welfare of the public by providing housing opportunities inclusive of 9 affordable low income housing units for the residents of the City of Oxnard; and

WHEREAS, the Special Use Permit is consistent with the policies and directives in the 2030 General Plan and Zoning Ordinance to allow development to those areas that can be served by existing or planned utilities, transportation, and service systems. If the associated General Plan Amendment (PZ 20-620-02) and Zone Change (PZ 20-570-02) requests are adopted, the proposed Special Use Permit will not represent a significant change in the 2030 General Plan and Zoning Ordinance nor does it result in significant new environmental impacts that have not been previously evaluated; and

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

WHEREAS, the Planning Commission finds that the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this resolution that were part of the approval process.

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt Addendum No. 1 to Final MND 2004-11 is based are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager.

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Special Use Permit is internally consistent with all other provisions of the City of Oxnard 2030 General Plan if the City Council approves a General Plan Amendment request that the 2030 General Plan Land Use Map change the land use designation of the subject project site from Business Research Park to Residential Medium (PZ 20-620-02), and a Zone Change amending the zoning for the project site from Business Research Park to Multiple-Family (R-2) (PZ 20-570-02).

SECTION 3. The Planning Commission finds that the Special Use Permit will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the Project site associated with the Special Use Permit is physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the residential project is the best use for the subject project site.

SECTION 6. The Planning Commission determines that the Special Use Permit is in the best interests and welfare of the City and its residents.

SECTION 7. In adoption of this Resolution for the Special Use Permit, the Planning Commission finds and determines the project is in compliance with the California Environmental Quality Act because an Addendum to the Mitigated Negative Declaration (Final MND 2004-11) that was prepared for the 2004 Dunkirk Drive Project was considered by the Planning Commission at the public hearing for the Portofino Place project. The Addendum to the Final MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public resources Code §§ 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City's Environmental Review Guidelines. The City of Oxnard is the Lead Agency. The Addendum is appropriate pursuant to CEQA Guidelines § 15164 since only minor changes and additions to the MND are necessary to address the Project changes and no circumstances exist calling for the preparation of a subsequent negative declaration pursuant to CEQA Guidelines § 15162 and 15163. With implementation of the MND 2004-11 mitigation measures, there is no substantial evidence that the proposed project will have a significant effect upon the environment.

SECTION 8. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

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

As described in the staff report, the project site currently has a 2030 General Plan land use designation of Business Research Park (BRP) and a zoning of Business Research Park (BRP). As part of this proposal, the project is concurrently requesting a General Plan Amendment to change the land use designation BRP to Residential Medium (RM) and a Zone Change from Business Research Park to Multiple-Family (R-2). If the aforementioned General Plan Amendment and Zone Change requests are approved by the City Council, the proposed subdivision, inclusive of the 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements at the subject project site would be consistent with the policies and provisions of the 2030 General Plan because the proposed land use of the project is of a multi-family use, which is an allowed use pursuant to the Residential Medium (RM) land use designation of the 2030 General Plan Plan. The subject project site has an area of 7.61 acres which allows a maximum of 94 residential units; however, the project is requesting to construct 90 residential units. The project density at 90 residential units is equal to 12 units per acre which is consistent with the RM land use designation of 12 to 18 units per acre.

Pursuant to OCC Section 16-43, the maximum allowed height of any building is two stories, not to exceed 25 feet. The project has been designed with structures with heights that do not exceed two stories and the maximum allowed height of 25 feet. Based on OCC Section 16-44, the maximum density allowed is based on a minimum lot area of 3,500 square feet per dwelling unit. The project proposes to construct 90 condominium units, which is below the maximum allowed density of 94 units. The project is required to provide 30% Interior Yard Space (IYS) pursuant to OCC Section 16-48. As designed, the project will provide over 97,024 square feet of IYS which equates to slightly over 30.2%, which is greater than the minimum 30% required by the Oxnard City Code. OCC Section 16-222(F) [Off-Street Parking], requires two garage spaces for the project and one visitor parking space for the first 30 units and 0.5 visitor space for the remaining spaces. As designed, the project will provide an attached two-car garage to each unit (180 required spaces) and 214 visitor parking spaces, which is more than the required 60 visitor parking spaces. Additionally, the project has been designed to meet all of the advisory standards contained within City Council Resolution No. 7658 that are intended to encourage amenities that enhance the livability of condominiums with the exception of the required 10-foot by 10-foot dimensions for private patios; however, the land area of the project's private patios ranges from 450 to 1,530 square feet which exceeds the minimum land area of 100 square feet provided by private patios. Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. As such, this project meets this finding.

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

As described in the staff report, the proposed project involves the development of an existing 7.61-acre project site with a condominium subdivision that proposes to include 90, two-story condominium dwelling units each with attached 2-car garages, 214 total visitor parking spaces, common swimming pool and playground area, 3,281 square-foot recreation building, entry gates and perimeter walls, private roads, detention basins, landscaping and associated site improvements. The project site currently has a 2030 General Plan land use designation of Business Research Park (BRP) and a zoning of Business Research Park (BRP). As part of this proposal, the project is concurrently requesting a General Plan Amendment to change the land use designation BRP to Residential Medium (RM) and a Zone Change from Business Research Park to Multiple-Family (R-2). If the aforementioned General Plan Amendment and Zone Change requests are approved by the City Council, the proposed subdivision would be consistent with the policies and provisions of the 2030 General Plan because the proposed land use of the project is of a multi-family use, which is an

allowed use pursuant to the Residential Medium (RM) land use designation of the 2030 General Plan. The surrounding uses are characterized by residential uses, which are predominantly multi and single-family residential units. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed project and improvements are not expected to have adverse effects or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare. Therefore, this project meets this finding.

- (3) **The site that is subject to the special use permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and all items required by the conditions of approval.**

As described in the staff report, and as conditioned, the project will meet the development standards of the R-2 zone (Multiple-Family Zone). The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the R-2 zone as stipulated in the Oxnard City Code. Additionally, the project has been designed to meet all of the advisory standards contained within City Council Resolution No. 7658 that are intended to encourage amenities that enhance the livability of condominiums with the exception of the required 10-foot by 10-foot dimensions for private patios; however, the land area of the project's private patios ranges from 450 to 1,530 square feet which exceeds the minimum land area of 100 square feet provided by private patios.

Additionally, the project has been reviewed by the Development Advisory Committee and was determined that it would have no significant impact on the public health, safety, or welfare and the project plans have been reviewed by all applicable departments and outside agencies, which include the Oxnard Police and Fire Departments. As such, this project meets this finding.

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

The project will be accessed from Fifth Street and the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service, as described in great detail in the Planning Commission Staff Report Sections 5 and 6 (g). As such, this project meets this finding.

- (5) **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

As described in the staff report, the Project is considered infill development that has been found to be consistent with anticipated development for this site. Furthermore, the project will be served by existing water mains along Fifth Street

and Portofino Place. Sewer connections serving the proposed parcel will be provided by an existing line on Fifth Street. In accordance with the Stormwater Quality Conditions of this Resolution, the Project's design will comply with stormwater control measures as required by the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit. As such, this project meets this finding.

SECTION 9. This Resolution shall not become effective unless and until the City of Oxnard City Council adopts the Addendum to Mitigated Negative Declaration 2017-04 and approves the associated General Plan Amendment (PZ No. 20-620-02), Zone Change (PZ No. 20-570-02), and Tentative Subdivision Map (PZ No. 20-300-03). If the City Council fails to approve the General Plan Amendment, Zone Change, or Tentative Subdivision Map (PZ No. 20-300-02) then this Resolution shall become null and void and be of no further force and effect.

SECTION 10. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 19-500-04 (Special Use Permit), subject to the attached conditions of approval.

SECTION 11. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Oxnard City Code Section 16-545.

SECTION 12. The Secretary shall certify the adoption of this Resolution.

CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, G-1).
2. This permit is granted for the plans dated November 18, 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 modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, G-2)
3. This permit shall automatically become null and void 36 months from the effective date of the Zone Change (PZ No. 20-570-02) (30 days after the second reading of the Zone Change Ordinance Amendment is adopted), unless Developer has diligently developed the proposed project, as shown by map recordation and / or the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer’s own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the “Notice of Land Use Restrictions and Conditions” form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)

9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, *G-9*)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, *G-10*)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)
14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

16. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, *PK-1*)
17. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)
18. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)
19. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result

in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)

20. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
21. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
22. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELO). (PK, PK-7.1)

RESIDENTIAL

23. Prior to the issuance of building permits for a residential development that includes any model houses, Developer shall obtain the approval of the Planning Division or designee for a low water-using landscape plan. Developer shall install low water-using landscape design and irrigation systems for at least one of the model houses in any cluster of two or more model houses, thereby demonstrating to prospective buyers the feasibility and aesthetic qualities of low water-using landscape design and irrigation systems. Developer shall provide appropriate signs, shown on the landscape plan, explaining that the model house utilizes a low water-using landscape and listing the plant materials used. (PK, PK-7)
24. Developer shall offer a low water-use front yard landscape option to buyers at no extra cost. Developer shall also provide low water-use landscape literature to each buyer. (PK, PK-8)
25. Developer's landscape plans for houses shall show, where appropriate, a typical landscape and irrigation treatment for north, south, east or west site orientation, for corner lots as well as internal lots. (PK, PK-9)
26. Within sixty days after a house is occupied, Developer shall install front yard and street side yard landscaping for that house. Developer shall provide proof of financial responsibility approved by the City Attorney to ensure faithful performance of this condition within the specified time. (PK/ PL, PK-10)
27. 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*)

28. At the close of escrow or at the time of occupancy of each dwelling unit, Developer shall review with and provide instructions to each buyer concerning the irrigation controller operation and the watering schedules. (PK, *PK-12*)
29. Developer shall install sod or other alternative drought tolerant and California native friendly landscaping in the lawn areas of all front yards and street side yards. (PK, *PK-13*)

WATER CONSERVATION

30. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)
31. 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*)
32. 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*)
33. 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)

LANDSCAPE SPECIAL CONDITIONS

34. Show locations of light standards on landscape plan and tree locations on lighting plan. Identify and resolve any conflicts. (PL)
35. Written confirmation shall be provided that the Landscape Architect or Architect has reviewed the civil engineer's construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PL)

36. Irrigation plan to be provided. Provide required water use calculations and water budget calculations for review. City "Statement of Compliance" signed by a California licensed Landscape Architect or Architect required. Confirm planting hydrozones. (PL)
37. At the time of plan check submittal, the Landscape Plan shall demonstrate that all plant material within a 30-foot triangle at the intersection of Portofino Place and any driveway shall be no more than three feet in height at maturity above curb level.

FIRE DEPARTMENT STANDARD CONDITIONS

38. 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*)
39. 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*)
40. 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*)
41. 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*)
42. 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*)
43. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
44. 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*)
45. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)

46. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, *F-9*)
47. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
48. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)
49. 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*)
50. 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*)
51. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)
52. 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. (FD, *F-16*)
53. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, *F-17*)

FIRE DEPARTMENT SPECIAL CONDITIONS

54. Areas designated by the Fire Marshal as Fire Lanes shall be identified by a red curb and signage per the California Department of Motor Vehicles.
55. Fire sprinkler coverage is required for:
 - a. Carport Canopies
 - b. Patios, overhangs or any other projections that are 48" or more from the structure.
 - c. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - d. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.

- 56. Ensure landscape trees do not block bedroom emergency window exits.
- 57. Provide a hydrant within 150-feet of all portions of the building exterior walls. Provide a plan with hydrants located and 150-foot radius circles at their center to demonstrate coverage.
- 58. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department for community buildings.
- 59. Gurney size elevators will be required.

POLICE DEPARTMENT CONDITIONS

- 60. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i. 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.
 - ii. 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 to keep light from shining directly up.
 - c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.
- 61. Exterior lighting of the site including parking areas shall be between 1 and 7-foot candles and shall be in harmony with the existing adjacent lighting scheme.

62. All exterior lighting shall operate from dusk to dawn.
63. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
64. 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.
65. Outdoor lighting instruments shall not be placed in close proximity of trees.
66. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This plan shall include all outdoor areas as well as the parking facility. 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 to specialprojects@oxnardpd.org and approved prior to the issuance of building permits.

Security Camera Systems

67. A security camera system shall be installed, and operated 24 hours a day, and maintained to monitor the activity in the common areas (recreation rooms and pool area) and the entry gates within the project 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 expected 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. Cameras shall be required at these locations to capture images of general activity: entry/exit gates, pool area, and playground area.
- m. Cameras shall be required to capture images of faces and upper body of persons of sufficient quality to be able to later make identification of who are entering: at vehicular gates, pedestrians at pedestrian entry gates, and entrances to pool and recreational room.
- n. A camera shall be dedicated to capture the license plate of vehicles entering each of the gated vehicle entrances.

Access Control Systems

- 68. 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: vehicle and pedestrian entry gates, pool and recreation room.
- 69. 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, for an individual user. The system shall have the capability to add or subtract an access instrument assigned to a particular residential unit, employee, or service provider.
- 70. The access control system shall include "Click-2-Enter" to provide access to all first responders to all semi-public areas of the site.
- 71. The access control system shall include a call system at the exterior of the site's gated entrances that allows guests to contact residents or the managers to request access. The

access control point at this entrance shall be enabled to be opened by a resident from their unit or from a remote digital device.

72. The access control system shall record each permitted access and the authorizing individual and the instrument/method used to facilitate the access.
73. “Click-To-Enter” access technology shall be installed at each pedestrian and vehicular entrance to a semi-public area to provide access to first responders.

Security Plan

74. A Security Plan shall be submitted to specialprojects@oxnardpd.org and approved 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 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.

Police/Site Management Cooperation

75. 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 is 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 of changes in site management and/or the dedicated email address by sending an email to specialprojects@oxnardpd.org.
76. 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.

Alarms

77. 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.

Landscape

78. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment.
79. Trees shall not be located where they would conflict with lighting instruments. Appropriate proximity is based on a tree's canopy size at twenty-year maturity. Trees shall be maintained so they do not interfere with lighting instruments through the life of the project. Tree canopies that overhang sidewalks and driving surfaces shall be maintained to provide sufficient clearance for pedestrians and vehicles.
80. CMU walls adjacent to or visible from a street shall be protected by landscaping elements to dissuade the application of graffiti. Creeping fig or similar climbing vines or a combination of vines and shrubs or hedging arranged to protect walls from vandals is required.
81. 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.
82. 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.

Site Management

83. Developer/owner/site management 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.
84. Graffiti shall be removed or painted over within 24-hours of application. Site management shall maintain and supply a paint to match the building's exterior color scheme.

Signage

85. 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 it is parked without the owner's permission. (PD)
86. 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.
87. 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.
88. Pool area signage & CC&Rs – Amplified music shall not be audible beyond the confines of the pool area.

Mail Delivery

89. Prior to the issuance of building permits, the developer shall contact the Oxnard Postmaster to ensure that the mail and parcel delivery system for the site will meet the requirements of the USPS.

INFORMATION TECHNOLOGY CONDITIONS

90. Pursuant to the City's Fiber Master Plan, the Developer will be required to provide plans for and include a connection to city fiber optic network infrastructure. This connection shall be established by installing fiber optic infrastructure to connect to conduit along the project's frontage on the south side of West Fifth Street according to city specifications. The fiber optic network infrastructure must be included in the project's master utility plans and installed prior to the granting of a certificate of occupancy.

PLANNING DIVISION STANDARD CONDITIONS

91. 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)
92. Any application for a minor modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, PL-2)
93. 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)
94. 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)
95. 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)
96. 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)
97. 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.
98. 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)

99. 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*)
100. Developer shall provide graphic site directories at principal access walkway points. (PL/B, *PL-10*)
101. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
102. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)
103. 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*)
104. 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*).
105. 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*)

RESIDENTIAL

106. 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*)
107. 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*)
108. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)

109. Prior to issuance of fine grading plans, Developer shall provide at least two types of driveway finishes or decorative designs. The details of the driveways shall be to the satisfaction of the Planning Division Manager. (PL, PL-22)
110. Railings and enclosures for patios and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, PL-24)
111. Walls separating the patio areas of different units shall be of solid construction, such as masonry, stucco, or wood over wood. Ground level patios shall be enclosed by walls not less than five feet high, except as otherwise approved by this permit. (PL/B, PL-25)
112. Additions and patio covers shall conform to the requirements of the R-2 zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, PL-27)
113. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Division for approval prior to issuance of building permits. (PL, PL-28)
114. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL, PL-29)
115. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, PL-30)
116. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, PL-33)
117. 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)

118. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles over 20 feet long in the project. (CE/PL, *PL-35*)
119. Developer shall pay Quimby 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*)
120. In accordance with City Council Ordinance No. 2980, or the ordinance in effect at the time building permits are issued, Developer shall provide 9 affordable units onsite. (PL, *PL-37*)
121. Developer shall post in the sales office of the project the latest City planning documents and maps that may affect the project and adjacent properties. At a minimum, this information shall include the 2030 Oxnard General Plan and General Plan Land Use Map showing all adjacent properties, a copy of the ordinances regulating the zone, and any specific plan that may apply to the project. Such documents may be purchased at cost from the Planning Division Manager. Developer shall require that all purchasers sign an affidavit declaring that they have familiarized themselves with the planning documents. Developer shall make such affidavits and planning information available for review upon reasonable request of the Planning Division Manager. (PL, *PL-38*)
122. All recreational vehicle parking spaces shall be designated by signs stating that the spaces are reserved exclusively for recreational vehicle parking. Developer shall prohibit the parking of recreational vehicles elsewhere in the project. (B, *PL-39*)
123. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, *PL-40*)

PLANNING DIVISION SPECIAL CONDITIONS

124. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved. (PL)
125. Applicant shall submit a check made out to the City of Oxnard in the amount to be determined for payment of outstanding discretionary permit and environmental processing fees associated with the development project. Funds shall be deposited prior to issuance of a grading permit. Additional funds to be paid when hours or contract planner hours exceeds deposited amounts (PL).
126. Developer shall comply with the mitigation measures identified in the Addendum/Mitigated Negative Declaration No. 2004-11 for the project. (PL)

127. Developer shall install toilets that have automatic flush sensors in all public restrooms. Such toilets shall be included on the plans submitted for a building permit and shall be maintained and in working order at all times. (PL)
128. Developer shall install individual mirrors above each sink in a common restroom to the satisfaction of the Planning Division Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL)
129. 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)
130. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
131. Developer shall develop the site with the street names, as approved by the Street Naming Committee. (PL)
132. This permit is granted subject to the City's approval of a tentative map (PZ 20-300-02) and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)
133. This permit is granted subject to the approval of a Zone Change (PZ 20-570-02) for the project property. (PL)
134. This permit is granted subject to the approval of a General Plan Amendment (PZ 20-620-02) for the project property. (PL)
135. 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)
136. 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)

137. 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)
138. The Developer shall adhere to any recommendations from the FAA for marking or lighting. (PL)
139. Standpipe systems required by the Fire Department shall be designed to be located within building areas, such as staircases or tuck under parking areas that will provide a visual screen. (PL)
140. At time of plan check review, roof top equipment provided on roofs shall be completely screened from all sides by a designed parapet or building element that extends above the height of the tallest part of such equipment. (PL)
141. Prior to issuance of site improvement permits, Developer shall provide a Phasing Plan for any proposed construction phasing. The phasing plans shall indicate site improvements, such as landscaping, parking and recreation equipment, that will be constructed concurrently with residential buildings in each phase. Phasing Plan is subject to review and approval of the Community Development Director or designee. (PL)
142. Community recreation uses/areas such as the common swimming pool, community fitness room and playground equipment shall be installed and ready for use within two months of the first tenant move-in. If the condominiums are developed in phases, the recreation equipment and play areas shall be constructed concurrently with building construction per the Phasing Plan, and ready for use prior to issuance of occupancy permits for buildings within the applicable Phase. (PL)
143. Developer shall provide bicycle parking consistent with the bicycle and Pedestrian Master Plan as outlined in Appendix Pg. A-38. A minimum of 12 short term bicycle parking spaces shall be provided. (PL)
144. Within each garage, Developer shall install a storage area of at least 225 cubic feet with a minimum width of 4 feet to be included within the garage area, but may not intrude into the minimum garage dimension (20 feet x 20 feet). (PL)
145. At time of plan check review, all wall mounted and ground mounted equipment, utilities and meters shall be identified on building elevations and landscape plans and shall be integrated into the building design or effectively screened with shrubs and/or vines, 5 gallon size minimum, to the satisfaction of the Planning Manager. (PL)
146. At time of plan check review, Applicant shall provide an Irrigation plan, required water use calculations and water budget calculations for review. Applicant shall also provide the

City's "Statement of Compliance" form signed by a California licensed Landscape Architect or Architect required. Confirm planting hydrozones.

147. Street parking is prohibited to ensure that the private streets are at least 26 feet wide at all times to comply with Fire Department regulations.
148. Remove bus stop turnout from current plans and add curbside bus stop on the southeast corner of Fifth Street and Portofino Place
 - a. Install 90'x10' bus stop landing area (fill curb strip)
 - b. Retrofit existing street light with LED lighting
149. Developer shall deposit \$2,000 for mitigation monitoring and reporting associated with the development project (PZ Nos. 19-500-04 and 20-300-02). Such funds shall be deposited prior to issuance of a grading permit or map recordation, whichever occurs first. Additional deposits shall be made to cover staff time required to monitor implementation of project conditions until the final Certificate of Occupancy is granted for the development.
150. Solar panels may be installed on the roof, but all other rooftop equipment is prohibited from being installed on the roofs within the development unless State Law allows the equipment. Ground mounted mechanical and/or electrical equipment is to be "pad-mounted" on the site and shall be completely screened from view from any public or private street. Methods of screening equipment shall be shown on plans when obtaining a permit. All ground mounted mechanical and/or electrical equipment is to comply with Oxnard City Code Chapter 7, Article XI Sound Regulations and Oxnard City Code's Noise regulations.

Affordable Housing Conditions

151. Inclusionary housing requirements pertaining to the sale or rental of 10% of all units constructed as part of this development are subject to inclusionary housing requirements, as set forth in Ordinance 2980.
152. Based on the unit count proposed, 9 (10% of 90= 9) of the 90 units being developed must be Affordable Units.
153. Affordable Rental Units – Fifty percent (50%) of the affordable units offered for rent must be made available to very low-income households with incomes at or below fifty percent (50%) of the Area Median Income (AMI) for Ventura County, as set forth in the California Health and Safety Code 50105 and fifty percent (50%) of the affordable units must be offered for rent to low-income households with incomes at or below eighty percent (80%)AMI for Ventura County, as set forth in the California Health and Safety Code 50079.5. For purposes of determining tenant eligibility, Owner and Developer or Property Manager shall use the annual income limits for Low Income and Very Low-Income Households, respectively, published by the California Department of Housing and Community Development (HCD).

154. Affordable Rent (Low Income Units)– For Low Income Households, "Affordable Rent" shall be inclusive of a reasonable utility allowance and not exceed one- twelfth (1/12) times the product of thirty percent (30%) times eighty percent (80%) of Area Median Income (AMI) adjusted for family size appropriate to the Affordable Unit for households earning less than or equal to eighty percent (80%) of the AMI for the Ventura County Metropolitan Statistical Area as set forth in the sections 6918 and 6932 of Title 25 of the California Code of Regulations, unless another subsidy program is used, in which case the stricter requirement shall be applied. For purposes of calculating Affordable Rent, Owner and Developer or Property Manager shall use the Area Median Income for Ventura County for Low Income Households, published annually by the California Department of Housing and Community Development (HCD).
155. Affordable Rent (Very Low-Income Units) – For Very-Low Income Households, "Affordable Rent" shall be inclusive of a reasonable utility allowance and not exceed one-twelfth (1/12) times the product of thirty percent (30%) times fifty percent (50%) of area median income adjusted for family size appropriate to the Affordable Unit for households earning less than or equal to fifty percent (50%) of the AMI for Ventura County Metropolitan Statistical Area as set forth in the sections 6918 and 6932 of Title 25 of the California Code of Regulations, unless another subsidy program is used, in which case the stricter requirement shall be applied. For purposes of calculating Affordable Rent, Owner and Developer or Property Manager shall use the Area Median Income for Ventura County for Very Low-Income Households, published annually by the California Department of Housing Community Development (HCD), as opposed to HCD's annual published income limits, which are used to determine tenant eligibility.
156. The Affordable Rental units must include: Three (3) three-bedroom units and two (2) two-bedroom units offered for rent or sale to households with annual incomes at or below fifty percent (50%) of AMI for Ventura County. Two (2) two-bedroom units and two (2) three-bedroom units must be offered for rent or sale to households with annual incomes at or below eighty percent (80%) AMI for Ventura County.
157. Prior to offering the Affordable Units for rent, the Developer and Owner must submit to the Housing Director the proposed rental amounts for the affordable rental units for review and approval.
158. Affordable Rental Units (Eligible Tenants) - All prospective tenants must be income-eligible to rent any of the Affordable Units. Developer shall maintain a copy of the selected tenant's rental application including information on household size, total Annual Income, rent to be charged, and the unit to be rented, including the unit's bedroom count and size (the "Application"). Upon request, the Developer shall provide the Application to the Housing Director to review the prospective tenant's eligibility for the unit to be rented. Income eligibility documentation for occupants of the affordable units must be made available by the Developer for review, upon request by the Housing Director. This provision applies throughout the duration of this Agreement and applies to any change in the tenancy of the Affordable Units.
159. Affordable Rental Units (Management Plan) - Prior to issuance of a certificate of occupancy, Developer and Owner 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, prepared by the Developer and Owner, for the operation and management of the Affordable Rental Units has been submitted to the Housing Department and approved by the Housing Director. Developer and owner 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.

160. Affordable Rental Units (Annual Report) - Owner shall maintain complete and accurate records pertaining to (1) the occupancy of each Affordable Unit, and (2) the maintenance, management, operation, preservation and repair of each Affordable Unit. Owner agrees to permit the Housing Director or designee to inspect and audit the books and records of Owner pertaining to the Affordable Units. In furtherance of this requirement, Owner shall require tenants or property managers to submit to the Housing Director an annual report (the "Annual Report") in the format approved by the Housing Department and providing the specific information and documentation (including documentation from each tenant) reasonably required by the City and Housing Director to ensure that the Affordable Units are being rented to eligible tenants.
161. Affordable Rental Units (Compliance) - Upon City's request, Owner shall demonstrate that the Affordable Rental units are continually in compliance with the terms of Affordability Covenants and Conditions of Approval pertaining to Affordable Rental Units. Upon thirty (30) days' notice, City may perform an audit to determine compliance with the terms of this Agreement or any affordability restrictions placed on the property. Owner agrees to pay a reasonable fee, which may be adjusted from time to time, for the purpose of paying the actual costs associated with the City's obligation to monitor Owner's compliance with the affordability restrictions contained in this Agreement.
162. Affordable Units Offered for Sale: Ten percent (10%) of all units offered for sale must be made available for purchase to low-income households with incomes at or below eighty percent (80%) AMI for Ventura County, as set forth in the California Health and Safety Code 50079.5. For purposes of determining buyer eligibility, Owner and Developer shall use the annual income limits for Low-Income Households, published by the California Department of Housing Community Development (HCD).
163. Affordable Housing Cost for Affordable Units Offered for Sale: The term Affordable "Housing Cost" includes the costs described in Title 25 of the California Code of Regulations Section 6920, except that when determining affordable housing cost the amount paid for maintenance and utilities shall not be included. For purposes of calculating Affordable Housing Cost, Owner and Developer shall use the Area Median Income for Ventura County for Low Income Households, published annually by the California Department of Housing Community Development (HCD), as opposed to HCD's annual published income limits, which are used to determine buyer eligibility.
164. Affordable housing cost must include the sum of the following and may not exceed the product of thirty percent (30%) of eighty percent (80%) AMI for Ventura County as set forth in Part 5 (a) of Ordinance Number 2980:
 - a. Mortgage loan payments

- b. Mortgage insurance payments
 - c. Property taxes and assessments
 - d. Homeowner association fees
 - e. Insurance premiums
 - f. Space rent
165. Affordable Units Offered for Sale: Must Include at least five (5) three-bedroom units and four (4) two-bedroom units.
166. Owner and Developer must record affordability covenants approved as to form by the Housing Director and City Attorney prior to submitting their first building permit application. Units shall remain affordable for at least 20 years from the date the first unit in the development is offered for rent or sale. Owner and Developer must contact the Housing Department for review and approval of affordability covenants prior to recordation.
167. Prior to offering any of the Affordable Units for sale or converting any of the Affordable Rental Units into Affordable Units offered for sale, within the initial 20 Year term of Affordability discussed in Condition No. 165, Developer and Owner must:
- a. Adhere to any applicable state and local laws, including but not limited to California Assembly Bill 1521, and applicable tenant relocation requirements for existing tenants of the Affordable Rental Units that may become displaced as result of the conversion from Affordable Rental Units to Affordable Units offered for Sale. This also includes, notification to tenants and prospective tenants 3 years prior to the termination of the lease of the Affordable Rental Units, as set forth in Government Code 65863.10 et seq. Adherence to any and all applicable state and local laws means those state and local laws effective at the time of the conversion.
 - b. Submit to the Housing Director the proposed sale amounts, for review and approval, the proposed date the affordable units will be offered for sale, the location of the affordable units within the project, and any other information requested by the Housing Director. Thereafter, if the Developer and Owner desires to change the sales price or location of any of the affordable units, the Developer and Owner must obtain the approval of the Housing Director prior to offering any Affordable Unit for sale.
 - c. Require any purchaser of an Affordable Unit in the development to execute a Resale Restriction Agreement for a minimum term equivalent to years remaining on the initial 20-year term of affordability covenants recorded by the owner and developer as part of Condition No 164. A separate Resale Restriction Agreement, to be executed between each buyer of an Affordable Unit and the City, must be approved as to form by the Housing Director and City Attorney prior to the sale of any Affordable Unit and must be recorded in the County Recorder's Office.

168. Owner and Developer must offer existing eligible tenants of the Affordable Rental Units the first opportunity to purchase an Affordable Unit offered for sale within the Development.
169. A City fee may be collected as necessary to enforce the provisions of the affordability covenants, and fees (paid by the owner/seller) to cover City costs associated with the sale of affordable units including the City's obligation of verification of proposed sale price applicable to the Affordable Units that are offered for sale; income eligibility of the prospective household or family to occupy Affordable Units that are to be sold, inspection of Affordable units that are offered for sale, and completion of a resale restriction agreement for all buyers of affordable units that are offered for sale. The City shall set these fees and adjust it as needed from time to time.
170. Prior to the purchase of an Affordable Unit, the buyer's eligibility for purchase of the Affordable Unit must be demonstrated to the Housing Director, the Housing Director must approve the eligibility of all buyers before they may purchase an Affordable Unit.
171. Affordable Rent and Affordable Housing Cost for 2-bedroom units will be based on a three-person household income and affordability calculations for 3-bedroom units will be based on a four-person household, as set forth in Health and Safety Code 52102(a)(1)(B) and 50052.5 (b)(h).
172. The Affordable Units must be designed and constructed to be architecturally consistent with and qualitatively similar to other unrestricted units in the project.
173. Developer is required to notify the Naval Base Ventura County Housing Service Center of the project and the unit's anticipated sales prices.
174. Developer is required to coordinate with the City of Oxnard's Housing Department to provide early advertisement to local residents in compliance with fair housing law.

Addendum Mitigated Negative Declaration 2004-11 Mitigation Measures

Developer shall comply with the mitigation measures identified in the Final Mitigated Negative Declaration (MND) 2004-11, as modified by Addendum No. 1 to Final MND 2004-11 associated with the development project (PZ Nos. 19-500-04 and 20-300-02).

Air Quality

175. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such times as new emission control devices or operational modifications are found to be effective, the Developer shall immediately implement such devices or operational modifications on all construction equipment. (MND, C-1)

176. During smog season (May through October), developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time. (MND, C-2)
177. 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-3)
178. 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-4)
179. 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-5)
180. 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-6)
181. 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-7)
182. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from adjacent roadways. (MND, C-8)
183. 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

184. 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)

185. 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 monthly report to the Planning Division summarizing the activities during the reporting period. 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-1)

Geology and Soils

186. Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. all recommendations of said report shall be incorporated into the project. developer shall submit the report to the Building Official for review and approval prior to issuance of building permits. (MND, F-1)

Land Use and Planning

187. Prior to the issuance of building permits, the Developer shall file a Form 7460, "Notice of Proposed Construction with the Federal Aviation Administration (FAA), and provide a copy to the Planning Division that enables the FAA to review the development for any hazard to airport/aviation operations. (MND, G-2)

Noise

188. The applicant shall provide a notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along West Fifth Street. The applicant shall provide such notice to each homebuyer and obtain signatures acknowledging the presence of the Oxnard Airport and helicopter flight path along West Fifth Street. (MND, K-1)

ENVIRONMENTAL RESOURCES DIVISION

189. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Plan” (“Plan”) to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.
190. Developer shall follow the approved “City of Oxnard C&D Environmental Resources Management & Recycling Plan” and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the “City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed” (“Work Completed Report”) and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility’s letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
191. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
192. Covenants, conditions and restrictions (“CC&Rs”) shall be developed for the project that require the homeowner’s association to make provisions to divert at least 50% of the material through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit a “City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a final inspection. The CC&Rs shall require the homeowner’s association to submit to the

Environmental Resources Division a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report" annually for approval on the anniversary date of the certificate of occupancy or at any such time that the facility's operational functions change significantly.

193. 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.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

194. Developer shall pay plan check and processing 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)
195. 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)
196. 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)
197. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)
198. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
199. 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)
200. Each structure shall be served by separate sewer and water services in accordance with City Code. (DS-8)
201. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)

202. Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
203. 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)
204. 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)
205. 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)
206. 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)
207. 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)
208. 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)

209. 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)
210. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
211. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
212. 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)
213. "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)
214. Prior to issuance of a grading/site improvement permit, developer shall obtain Development Services Director approval for any proposed construction phasing. The improvement plans (and associated phasing plans) shall clearly indicate any interim or off-site improvements required by City. (DS-28)
215. 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)
216. 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)
217. 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)

218. 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)
219. 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)
220. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
221. 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)
222. 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)
223. 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)
224. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)
225. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
226. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)
227. 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)

228. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
229. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)
230. Developer shall submit a street lighting plan as a part of the civil improvement plans. Developer shall install streetlights in accordance with the plan. (DS-60)
231. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)
232. 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)
233. Prior to issuance of building permits, Developer shall record a final map or parcel map. (DS-65)
234. Developer shall provide three City refuse containers for each lot or unit. An alternative number of containers may be approved by the Environmental Resources Division. (DS-67)
235. Developer shall construct a 9 foot by 3 foot level concrete pad for storage of three refuse containers in the side yard area or other location approved by the Development Services Manager that is out of view from the street. The storage location shall not be within the garage. Developer shall construct a paved path from the storage location to the street (or other assigned pickup area) that does not require entering the garage. All gates or doors along the path shall be constructed with a minimum of 36 inches of clear space to allow passage of the containers. Storage location and path shall be shown on the fine grading plans. (DS-68)
236. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
237. Developer's engineer shall submit written confirmation that the project landscape drawings comply with the landscape requirements of the Technical Guidance Manual for Stormwater Quality Control Measures for all landscape based stormwater quality best management practices. (DS-84)

- 238. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot paving material to clearly identify pedestrian areas. (DS-101)
- 239. 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 QUALITY

- 240. Developer shall design project to minimize degradation of stormwater quality by complying with the applicable sections of 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 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"). (DS-78)
- 241. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not necessarily be limited to, determination of site specific soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not necessarily be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS-81)
- 242. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, the Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by the City, the property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and the Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)
- 243. Developer's stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to clean on-site storm drains at least twice a year; once

immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning; 2) Requirement to maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system; 3) Requirement to label all on-site storm drain inlets with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS-83)

244. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs"). Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)
245. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)
246. 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-88)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

247. Developer shall process the final map for Tract 6064 (PZ 20-300-02) concurrent with the site improvement plans for this project. The final map shall be processed for recordation concurrent with approval of the site improvement plans for this project. (DS)
248. Developer shall upgrade the two existing curb ramps at the intersection of Portofino Place and West Fifth Street to the latest Americans with Disabilities Act (ADA) standards. (DS)

249. Developer shall design all slopes steeper than 5 (horizontal) to 1 (Vertical) with a minimum 24-inch wide level area (at both top and bottom of slope) where it adjoins a wall, fence, sidewalk, trail, curb or similar improvement. (DS)
250. All new driveway approaches shall be constructed to multi-family residential style per City standard plate 115. (DS)
251. Developer shall construct proposed pedestrian paths that cross private vehicular drive aisles of colored enhanced concrete or pavers. The color shall contrast with the parking lot asphalt to clearly identify pedestrian areas. (DS)
252. Onsite infrastructure improvements, including pavement, sidewalks, and underground utilities such as storm drainage and sanitary sewer systems, shall be privately owned and maintained. Systems that will be owned by the City, such as the water system, shall be clearly labeled as 'Public' on the project improvement plans. Developer shall design and construct all private improvements in accordance with public standards. Developer shall also provide evidence that maintenance costs for these shared facilities is provided for in a recorded agreement, CC&Rs, or similar document in a manner acceptable to the Community Development Director. (DS)
253. On and offsite sidewalks shall be a minimum of 5-feet wide. Where existing obstructions encroach into the sidewalk, such as at fire hydrants or light poles, the minimum walkway clearance shall be 4-feet wide. (DS)
254. Developer shall install fire hydrants in accordance with City standard plate 300 which requires hydrants be placed a minimum of 5-feet beyond curb return end of curb returns (ECRs) and beginning of curb returns (BCRs). (DS)
255. Developer shall locate water meters near the back of curb in accordance with City standard plates. (DS)
256. Developer shall dedicate a water easement to the City that encompasses the onsite water system as required by Public Works Standards and as directed by the City Engineer. The easement shall encompass all fire hydrants, water meters, water mains, and valves. Unless otherwise approved by the City Engineer, water service lines after the meters and privately-owned backflow devices shall be located outside of the water easement. Except where approved by the City Engineer for incidental crossings, all other utilities shall be located outside of the water easement. (DS)
257. Developer shall properly abandon all existing sewer and water laterals to the project site that are not proposed for use by the project. Abandonment shall extend to the point of connection with the main or to the nearest sewer manhole (Quilan Court and Riviera Court) if abandoning a portion of the sewer main unless directed otherwise by the City Engineer. These requirements shall be clearly indicated on the civil site improvement plans. (DS)

258. The sewer system shall be designed with sewer manholes, mains, and laterals located a minimum of 10-feet from all detention and retention basins. Sewer laterals coming off from the onsite private system shall be privately owned and maintained, including the connection at the public manhole located in Portofino Place. (DS)
259. Developer shall provide secure fencing around any infiltration or detention basin designed to contain stormwater at a depth greater than 18-inches. Walls and fences around the basin shall be set back a minimum of 2-feet from the top of slope. Developer shall design detention and retention basins with gates that can be accessed by maintenance vehicles. Final design is subject to approval of the City Engineer. (DS)
260. All detention or infiltration basin sites shall be provided with a minimum of two (2) signs identifying the use of the lot as a detention or infiltration basin. The signs shall have a minimum area of four (4) square feet and shall contain the following message: "WARNING This area has been designed as a storm water detention pond and is subject to periodic ponding to a depth of ____ inches." The material, design, size, and number of signs are subject to the review and approval of the City Engineer. Signs and posts shall be constructed of metal or other long-lasting material. Signage shall be oriented to be visible to residents of the project. All information regarding required detention basin signage shall be included on the grading/site improvement plans. (DS)
261. Developer shall provide a confirmation letter from the project geotechnical engineer approving the design and location of all project detention and infiltration basins that must include a minimum setback requirement of 8-feet from any structures. The letter shall confirm that the design conforms to the Geotechnical Engineer's recommendations for structural and geotechnical setbacks from ownership lines sufficient to protect adjacent owners from negative impacts. Developer shall provide calculations demonstrating that the proposed infiltration basin slopes will not negatively impact the structural integrity or foundation support of the adjacent existing block wall or residential homes. Developer shall install a 30 mils minimum geomembrane liner around all the detention and infiltration basins to a depth recommended by the geotechnical engineer. (DS)
262. Developer shall construct solid block walls between the detention and/or infiltration basins and an adjacent residential side or back yards that must be located 8-feet away. Any proposed tubular steel or other metal fencing shall be designed to have a minimum 30 year life. (DS)
263. The project drainage report shall be prepared to provide the following information to the satisfaction of the City Engineer; a) a set of calculations demonstrating that the required treatment flowrate for each basin is filtered through the Filterra Bioscape unit (or approved equal biofiltration device) before overflowing and bypassing treatment; b) provide hydraulic analysis demonstrating that the onsite storm drainage conduits will convey and route the required flow rates and detention volumes between the retention and detention basins up to the 10-year storm event; c) the design shall also include overflow structures that discharge flows up to a 10-year event within the conduits to the public drainage system; d) storms exceeding a 10-year event shall be conveyed to a public street in a safe

non-erosive manner away from the proposed onsite and nearby neighboring structures; and
e) demonstrate that drainage along the existing 10-foot landscape easement will be conveyed away from all structures and that no localized ponding will occur. (DS)

264. The project shall design the onsite drainage with detention facilities to limit the post-construction runoff rates to 10-year pre-development levels established by Tract 5640, DWG 05-18A, with the maximum 10-year flow rate of 4.24 cfs for Portofino Place and 7.1 cfs for Riviera Court. The detention basins shall be designed in accordance with Public Works standards and policies. The Developer shall provide a City standard Declaration of Restrictive Covenant for Detention Basin Perpetual Maintenance by the property owner prior to approval of the grading/site improvement plans. (DS)
265. Developer's geotechnical engineer shall perform percolation tests on the exposed bottom of all the infiltration basin(s) after all grading has been completed and no further compaction is expected. Geotechnical engineer shall provide the City with a written opinion that the exposed soil layer is suitable for the proposed infiltration facility based on review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. This requirement shall be clearly noted on the improvement plans. The report shall be reviewed and approved by the project civil engineer. (DS)
266. 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 the flow control structures discharging stormwater runoff offsite 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)
267. The surface retention basins shall be designed to include the landscaping and soil amendments per the TGM. (DS)
268. Prior to issuance of a site improvement permit, Developer shall provide (or update as appropriate) the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, Tract number, phase boundary and lot numbers. The City will assign all addresses. (DS)
269. Developer shall slurry seal Portofino Place from Dunkirk Drive to West Fifth Street after all street and utility improvements have been constructed. (DS)
270. Developer shall examine the as-built improvement plans DWG 05-18A from Tract 5640, and field verify all utilities in and around the project site and update the improvement plans accordingly. (DS)

- 271. Traffic calming devices and design measures are subject to review and approval of the City Traffic Engineer. (DS)
- 272. Developer shall not construct the dual sidewalk on Fifth Street. (DS)
- 273. Developer shall design the grading and drainage between the residential units and the existing wall along the southern property line to safely channel drainage away from the existing wall and proposed structures to the satisfaction of the City Engineer. The design must ensure there are no depressed undrained conditions. (DS)
- 274. Unless proven technically infeasible, the Developer shall construct the retaining wall at the property line to eliminate any gaps that would otherwise exist between the project site and the neighboring property. (DS)
- 275. Developer must acquire permission from the westerly property owner before making a pedestrian connection to Jolley Roger Way. (DS)

TRAFFIC CONDITIONS

- 276. To enhance pedestrian safety along Fifth Street, the Developer shall retrofit the existing street lights along the project frontage with 4000k LED lights. Lighting upgrades shall be completed prior to occupancy. (TR)
- 277. All internal drive aisles shall be designed and maintained as Fire Lanes for parking regulatory and enforcement purposes. (DS)
- 278. Project driveways to Fifth Street will be maintained as right turn in and out only at all times. (TR)
- 279. Prior to occupancy, the project shall install an EMTRAC system at the intersection of Fifth Street and Patterson Road as required by the Fire Department subject to approval of the City Traffic Engineer. (TR)
- 280. The Developer shall construct two (2) traffic calming devices on Portofino Place. One will be installed south of Fifth Street and other between the main project driveway and Dunkirk to reduce likelihood of excessive vehicle speeds. Final design shall be subject to approval of the City Traffic Engineer and City Engineer. Final design shall include; a) a speed feedback sign and 2) asphalt speed cushions in both directions to suppress speeds to a 25 MPH design speed objective (TR)
- 281. The Developer shall install traffic control signage, markings, and other traffic control devices along Portofino Place and Fifth Street subject to approval of the City Traffic Engineer. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 18th day of November, 2021, by the following vote:

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 this 18th day of November 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

P. Petition Received Q. Staff Presentation

PZ-19-500-04 Proposed Project at 5th Street & PortofinoPage 1 of

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- 4 Remove gates into cul-de-sacs to dissuade new residents from parking outside development.

Printed Name: <u>TINA M. PETERS</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Ed Peters</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Name: <u>Robert Heverley</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>LUIS GONZALEZ</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>GREG SACHSEAN</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Karla Brittain</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Phillip Brittain</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Pamela Sargue</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>

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Printed Name: <u>ARTURO PADILLA</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Brian Padilla</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Name: <u>Eric Padilla</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Melania Padilla</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Kevin Padilla</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Steven Padilla</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Urian Blancarte</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>LARRY BLANCARTE</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>

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Printed Name: John C. Martinez	Mobile Phone #: [REDACTED]
Signature: [Signature]	Email: [REDACTED]
Printed Name: Erin French	Mobile Phone #: [REDACTED]
Signature: [Signature]	Email: [REDACTED]
Name: Andrew French	Mobile Phone #: [REDACTED]
Signature: [Signature]	Email: [REDACTED]
Printed Name: Luis Chaves-Pardo	Mobile Phone #: [REDACTED]
Signature: Luis Chaves-Pardo	Email: [REDACTED]
Printed Name: Xiao Chaves	Mobile Phone #: [REDACTED]
Signature: Xiao Y Chaves	Email: [REDACTED]
Printed Name: Wendy Hernandez	Mobile Phone #: [REDACTED]
Signature: Wendy Hernandez	Email: [REDACTED]
Printed Name: RONALD HERNANDEZ	Mobile Phone #: [REDACTED]
Signature: Ronald Hernandez	Email: [REDACTED]
Printed Name: ROBERT REYES	Mobile Phone #: [REDACTED]
Signature: Robert Reyes	Email: [REDACTED]

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Printed Name: <u>Martha Reyes</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Maria Elena Martinez</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Name: <u>Eduardo Noyano</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Kevin Navarro</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>F. Javier Valencia</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Primitivo Garcia</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Patricia Moo</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Jocelyn Moo</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>

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Printed Name: Carlos Victoria	Mobile Phone #: [REDACTED]
Signature: <i>Carlos Victoria</i>	Email: [REDACTED]
Printed Name: Maria C. Magana	Mobile Phone #: [REDACTED]
Signature: <i>[Signature]</i>	Email: [REDACTED]
Printed Name: Alexandra Diaz	Mobile Phone #: [REDACTED]
Signature: <i>[Signature]</i>	Email: [REDACTED]
Printed Name: Jesus Victoria	Mobile Phone #: [REDACTED]
Signature: <i>[Signature]</i>	Email: [REDACTED]
Printed Name: Alexia Victoria	Mobile Phone #: [REDACTED]
Signature: <i>[Signature]</i>	Email: [REDACTED]
Printed Name: Judy Perkins	Mobile Phone #: [REDACTED]
Signature: <i>[Signature]</i>	Email: [REDACTED]
Printed Name: Pamela Guzman	Mobile Phone #: [REDACTED]
Signature: <i>[Signature]</i>	Email: [REDACTED]
Printed Name: Rosa Martinez	Mobile Phone #: [REDACTED]
Signature: <i>Rosa Martinez</i>	Email: [REDACTED]

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Printed Name: <u>ELISEO CISNEVOS</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Fernando Lopez</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Jeannette Vickery</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Guadalupe Tapia</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Anahi Tapia</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Yincheny Piao</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Andrea Tapia</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Yarely Navarro</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>Yarely Navarro</u>	Email: <u>[REDACTED]</u>

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PZ-19-500-04 Proposed Project 5th Street & Portofino

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Printed Name: Faith Collas	Phone#: [REDACTED]
Signature: Faith Collas	Email: [REDACTED]
Printed Name: John Collas	Phone#: [REDACTED]
Signature: John Collas	Email: [REDACTED]
Name: Steve Renard	Phone#: [REDACTED]
Signature: Steve Renard	Email: [REDACTED]
Printed Name: Anne Renard	Phone#: [REDACTED]
Signature: Anne Renard	Email: [REDACTED]
Printed Name: Theresa Davis	Phone#: [REDACTED]
Signature: Theresa Davis	Email: [REDACTED]
Printed Name: Mike Davis	Phone#: [REDACTED]
Signature: Mike Davis	Email: [REDACTED]
Printed Name: NOREEN EDNAVE	Phone#: [REDACTED]
Signature: Noreen Ednave	Email: [REDACTED]
Printed Name: Noreen Ednave	Phone#: [REDACTED]
Signature: Noreen Ednave	Email: [REDACTED]

PZ-19-500-04 Proposed Project 5th Street & Portofino

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Printed Name: <u>CHARLES MILLETT</u>	Phone#: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>FRANCISCO DIAZ</u>	Phone#: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Name: <u>50 Chang</u>	Phone#: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>John Diop</u>	Phone#: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Matthew Mou</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Larry Shaw</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Name: <u>Susan Muller Box</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>
Printed Name: <u>Paula Phinkett</u>	Mobile Phone #: <u>[REDACTED]</u>
Signature: <u>[Signature]</u>	Email: <u>[REDACTED]</u>

PZ-19-500-04 Proposed Project 5th Street & Portofino

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Printed Name: JOSE MARIA CAMPOS	Phone#:
Signature: <i>[Signature]</i>	Email: <i>[Redacted]</i>
Printed Name: Shane O'Neill	Phone#:
Signature: <i>[Signature]</i>	Email: <i>[Redacted]</i>
Name: <i>[Redacted]</i>	Phone#:
Signature: <i>[Signature]</i>	Email: <i>[Redacted]</i>
Printed Name: <i>[Redacted]</i>	Phone#:
Signature: <i>[Signature]</i>	Email: <i>[Redacted]</i>
Printed Name: Keith DOWNTON	Phone#: <i>[Redacted]</i>
Signature: <i>[Signature]</i>	Email: <i>[Redacted]</i>
Printed Name: NORA WITT	Phone#:
Signature: <i>[Signature]</i>	Email: <i>[Redacted]</i>
Printed Name: Shannon Pemberton	Phone#: <i>[Redacted]</i>
Signature: <i>[Signature]</i>	Email: <i>[Redacted]</i>
Printed Name:	Phone#:
Signature:	Email:
Name:	Phone#:

Q. Staff Presentation

Portofino Place

90, Two-Story Condominium Dwelling Units and Associated Site
Improvements on a 7.61-Acre

Planning and Zoning Permit Nos.
19-500-04 (Special Use Permit - Residential)
20-300-02 (Tentative Subdivision Map)
20-570-02 (Zone Change)
20-620-02 (General Plan Amendment)

South Side of Fifth Street at the Intersection of Portofino Place

Isidro Figueroa, Principal Planner
Scott Kolwitz, Planning Manager

Planning Commission Meeting
November 18, 2021

Portofino Place



Project Description - 1 of 3

- General Plan Amendment (PZ 20-620-02) to to change the land use designation of the project site from Business Research Park (BRP) to Residential Medium (RM)
 - RM allows 12-18 units per acre
- Zone Change (PZ 20-570-02) to change the zoning of the project site from Business Research Park to Multiple-Family (R-2)
 - R-2 allows condominium development with a Tentative Subdivision Map & Special Use Permit

Project Description - 2 of 3

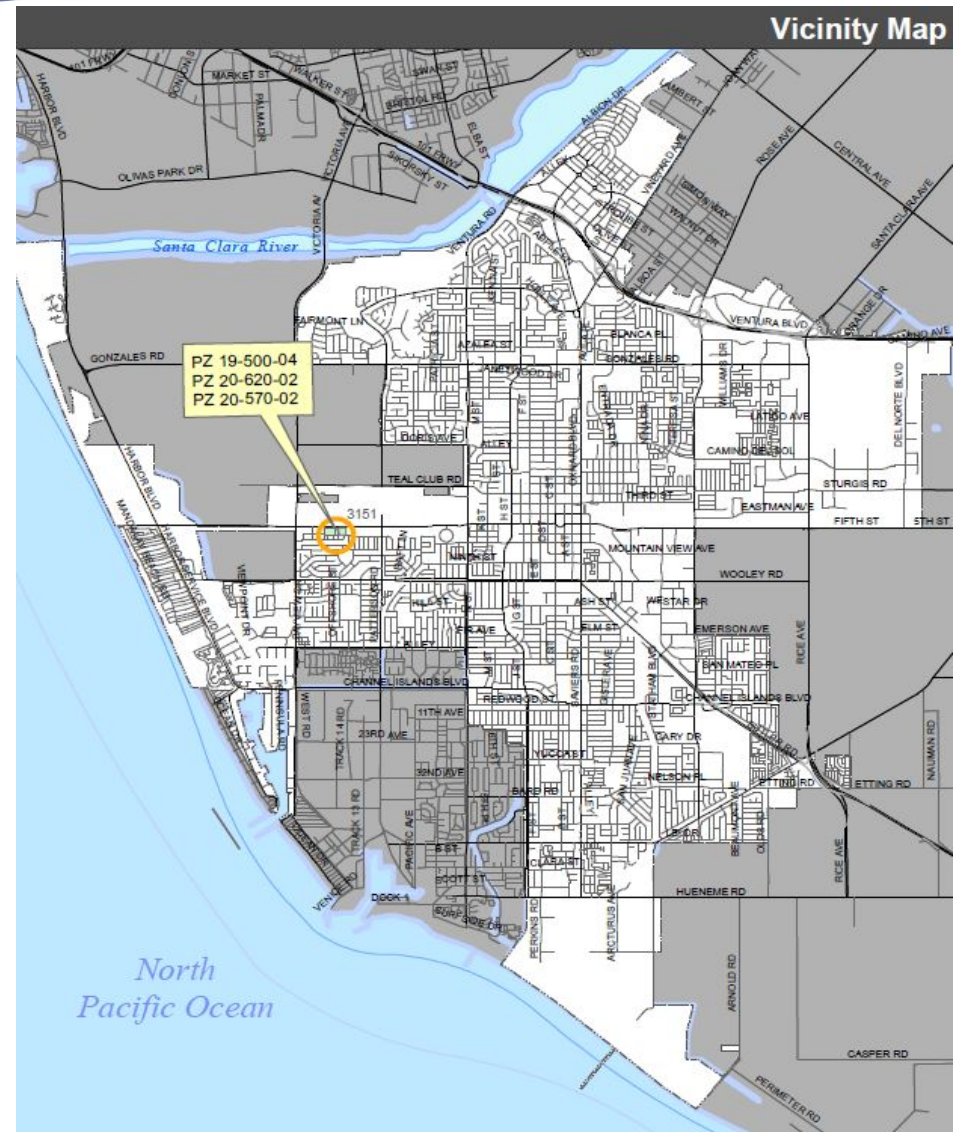
- Tentative Subdivision Map for Tract No. 6064 (PZ 20-300-02) to combine three existing parcels into one development with two lots for a condominium development on a 7.61-acre vacant site
 - Lot 1 will be improved with 60 units, gated entry, swimming pool and playground area, parking and associated site improvements.
 - Lot 2 will be improved with 30 units, gated entry, recreational building, parking and associated site improvements.

Project Description - 3 of 3

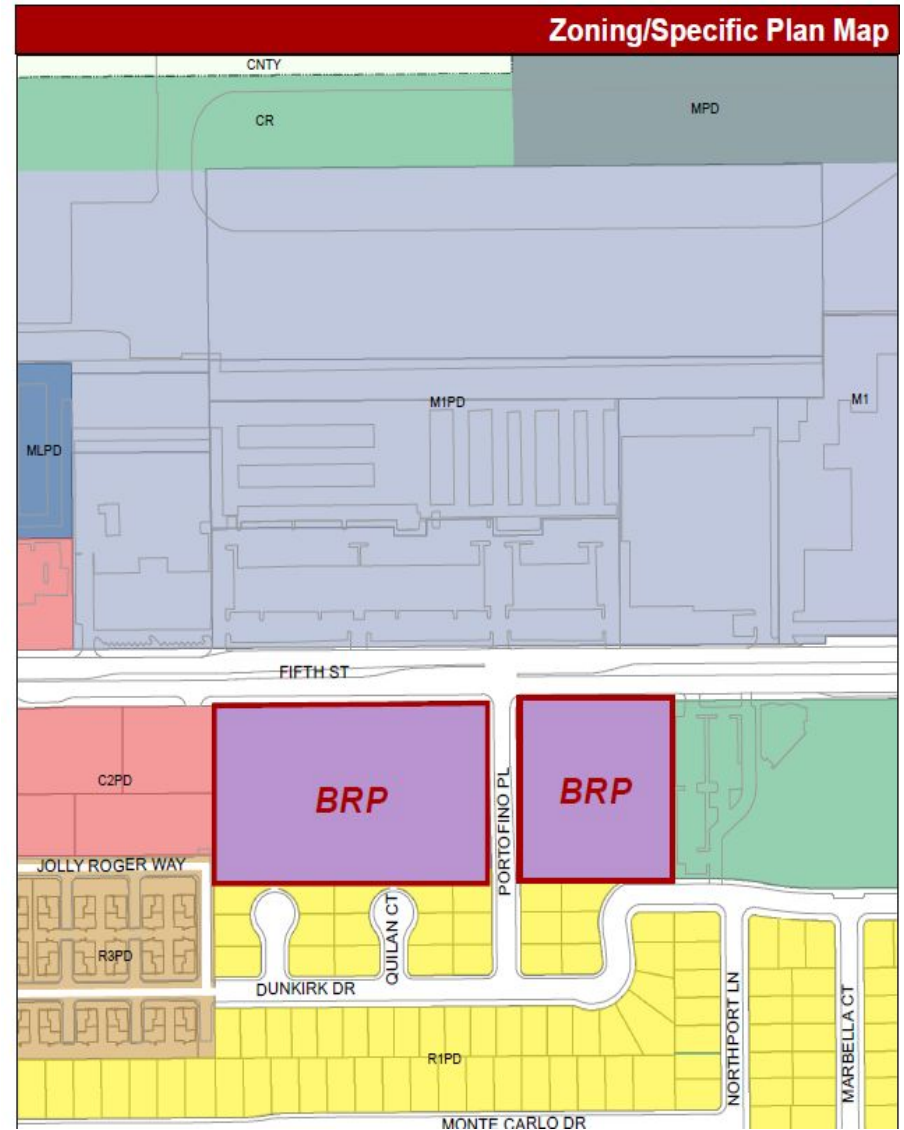
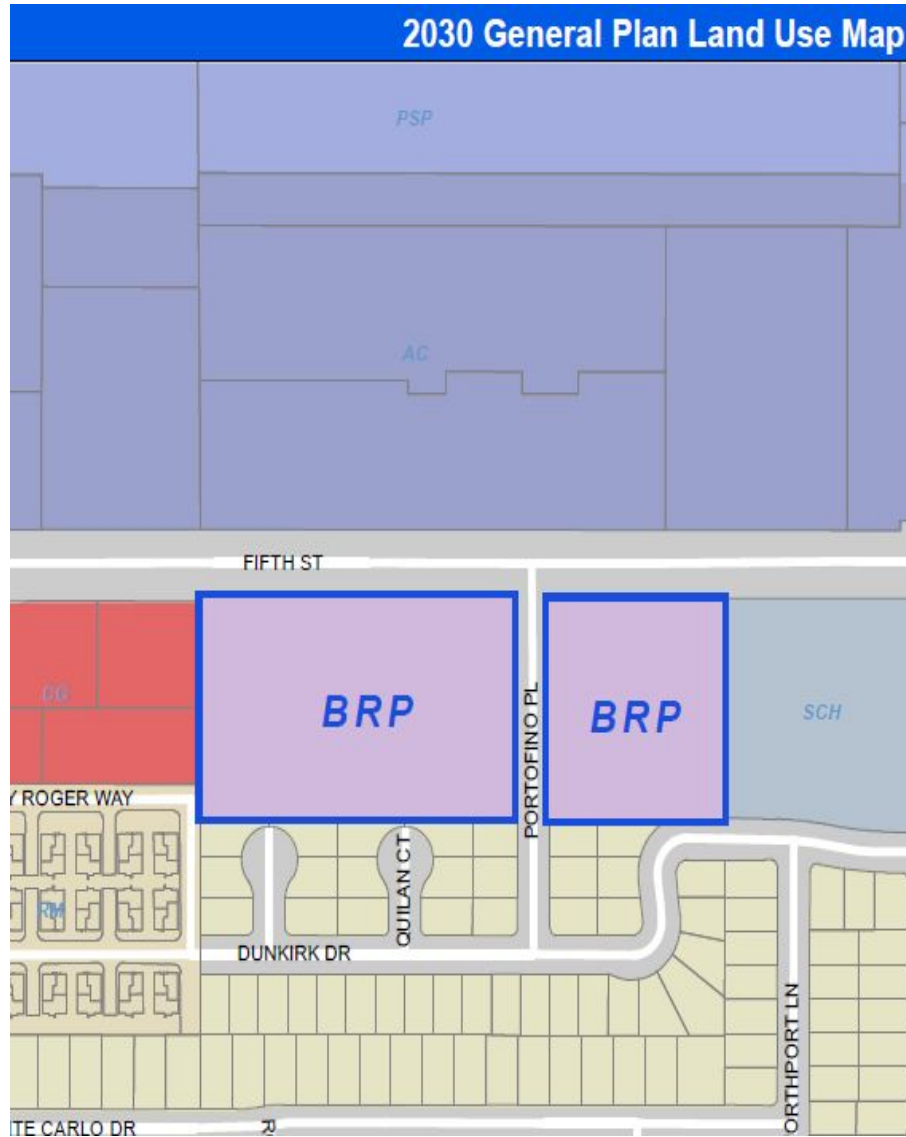
- Special Use Permit (PZ 19-500-04) for the development of
 - 90, two-story condominium dwelling units with attached 2-car garages,
 - 214 total visitor parking spaces,
 - a common swimming pool and playground,
 - 3,281 square-foot recreation building,
 - entry gates and perimeter walls,
 - private roads,
 - detention basins,
 - landscaping and
 - associated site improvements

Existing & Surrounding Land Uses

- South side of Fifth Street at intersection of Portofino Place within the Sea View Estates Neighborhood
- North: Industrial/ Oxnard Airport
- South: Residential Subdivisions
- West: Carwash
- East: Juan Lagunas Soria Elementary School



2030 General Plan & Zoning



Aerial Map



Aerial Map w/ Project



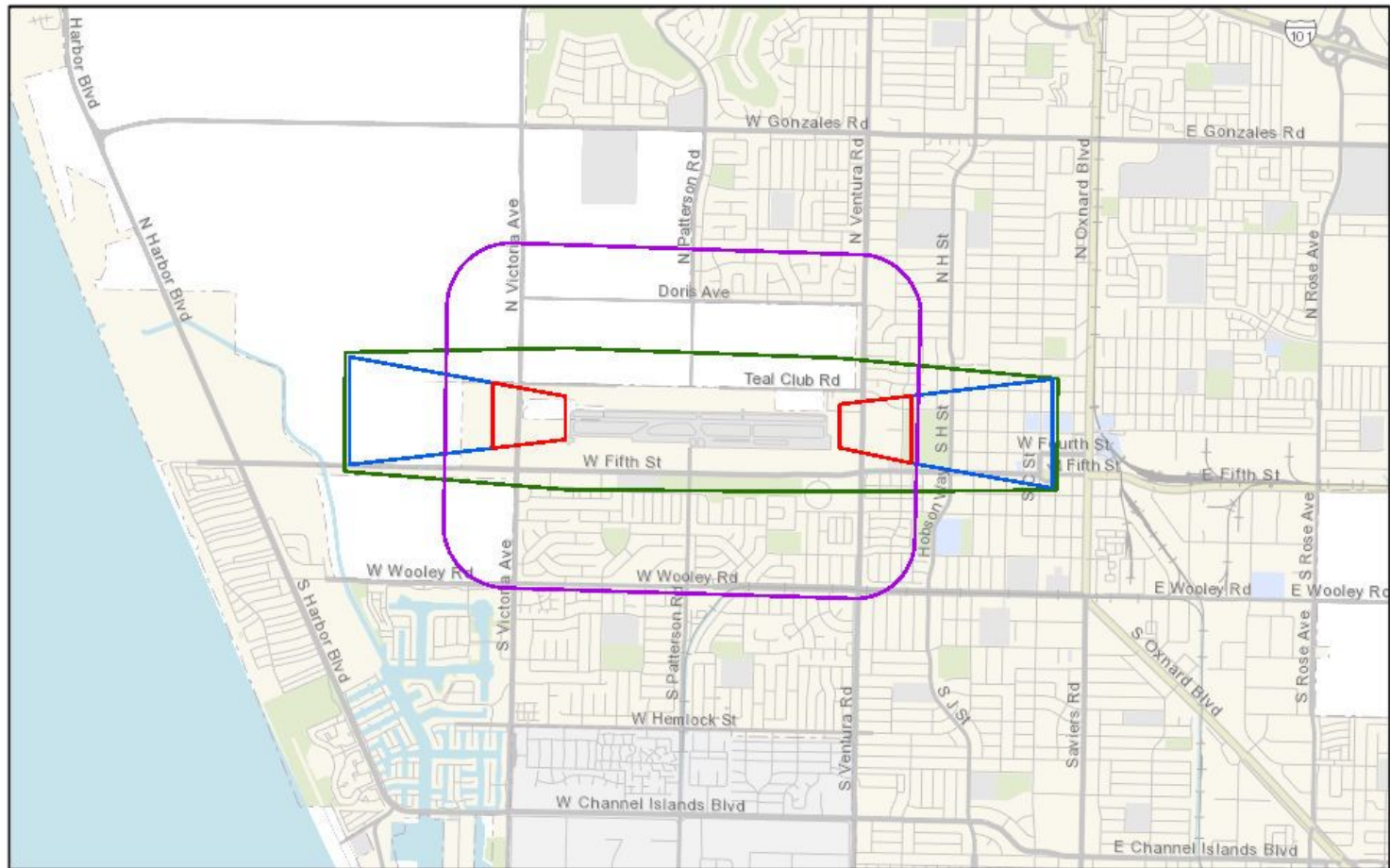
Background

- Project site part of a larger 17-acre project that has been developed in phases
- In 2004, the Council approved a General Plan Amendment and Zone Change to designate 7.885 acres of the 17-acre project as residential (north and directly adjacent to project site)
- Project site was to be changed to be inclusive of 3 parcels zoned Commercial General through a separate application but the applicant did not proceed and the site remained BRP
- A Mitigated Negative Declaration (2004-11) was found to be appropriate and adopted by the City Council
- Adopted MND 2004-11 found the project not to have a significant impact to the environment if the mitigation measures described in the MND were incorporated into the project

Background

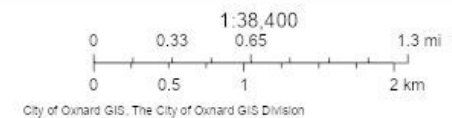
- March 19, 2019, the City Council reviewed a Pre-Application (PZ 18-600-02) for the project site that includes all of the components this project is requesting
- City Council reviewed and made general comments on the Pre-Application
 - Found the General Plan Amendment and Zone Change request for a residential project generally acceptable
 - Preferred affordable housing units built onsite
 - Discussed the need to update the affordable housing in-lieu fee payment because of the low payment amount
 - In general, the City Council did not prefer an affordable housing in-lieu fee payment option for residential projects because until the affordable housing in-lieu fee payment was updated

Oxnard Airport



November 9, 2021

- Airport Height Restriction Zone
- Airport Runway Protection Zone
- Airport Outer Safety Zone
- Airport Traffic Pattern Zone



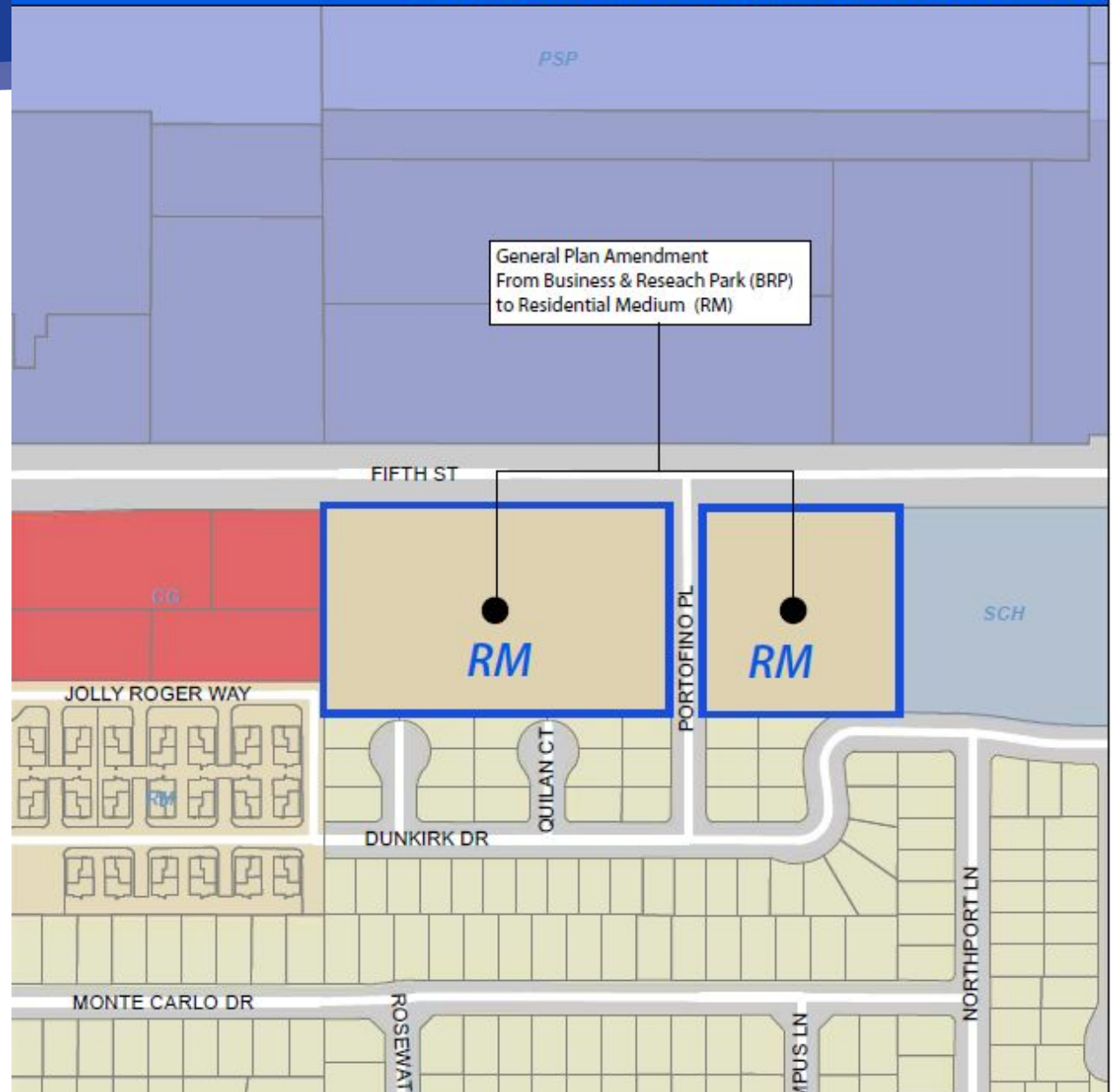
City of Oxnard
City of Oxnard GIS Division | The City of Oxnard GIS Division | City of Oxnard GIS

Oxnard Airport

- Project located within Oxnard Airport Sphere of Influence
- Limits the structural coverage to 25 percent and total height to 25 feet
- Project is designed to **not exceed** the 25 percent allowable site coverage and 25 feet maximum height limit
- Project required to implement Mitigation Measures G-2 and K-1 of the Addendum MND 2004-11 to avoid conflicts with airport compatibility requirements by providing necessary buffers as well as filing with and undergoing review by the Federal Aviation Administration.
 - **G-2:** File a Form 7460, “Notice of Proposed Construction with the Federal Aviation Administration
 - **K-1:** Provide a notice to potential homebuyers disclosing the presence of the Oxnard Airport and a helicopter flight path along West Fifth Street.

General Plan Amendment (GPA) Compliance

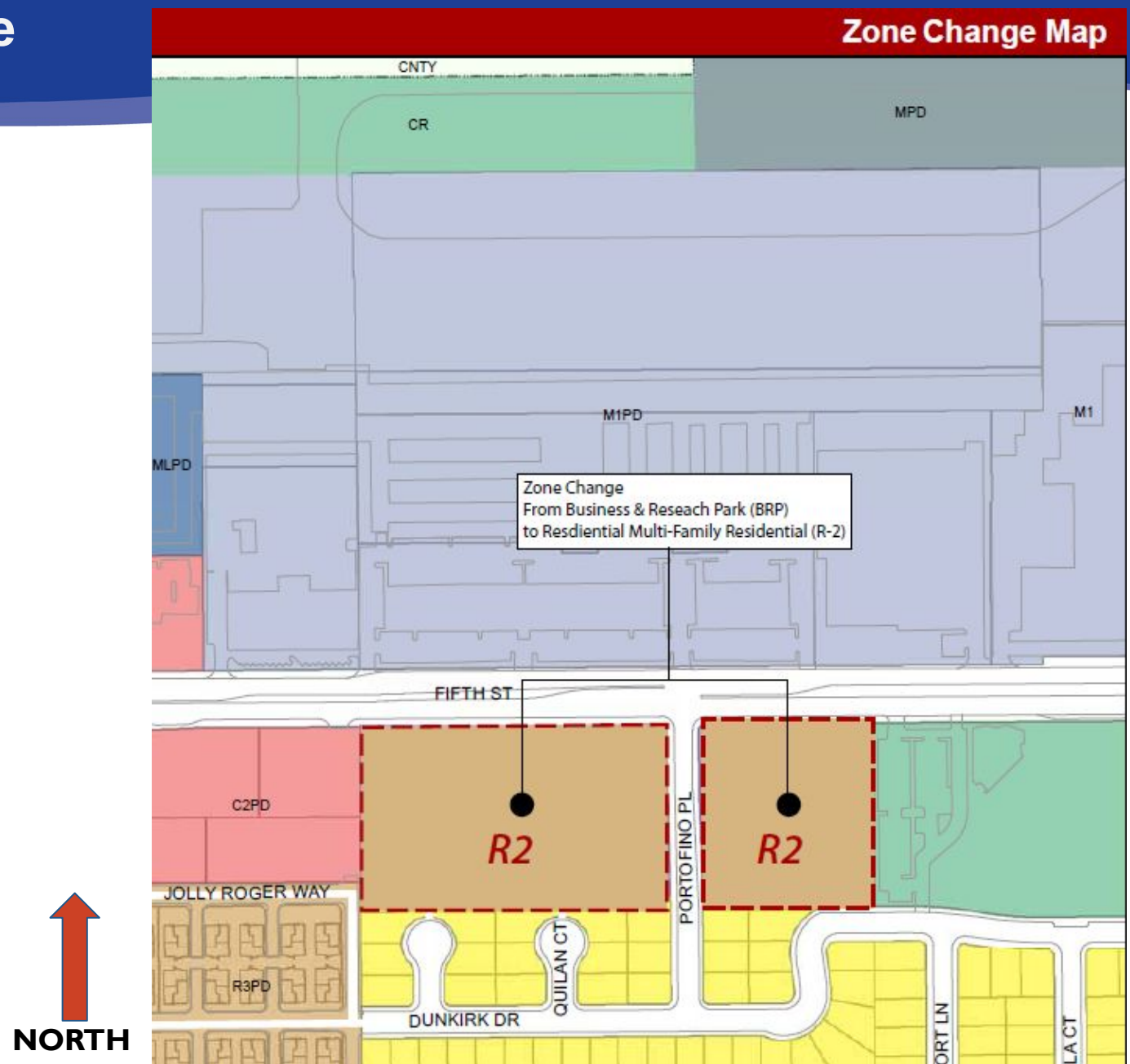
- GPA request is to change the general land use designation from Business Research Park to Residential Medium (RM) to allow for a residential project
- Project site is located on Fifth Street- a designated scenic corridor
 - Shall incorporate a required 30-foot landscaping buffer
- Project as designed complies with new RM land use designation
 - RM allows density of 12-18 units per acre (project at 12 units per acre)
 - Project is designed to meet 2030 General Plan residential policies
 - Project is designed not exceed the 25 percent allowable site coverage and structures are designed not to exceed 25 feet consistent with Oxnard Airport Sphere of Influence zone
 - Project will be served by existing utilities with minimal impacts on City infrastructure and services.
 - Amendment will not create internal inconsistencies within 2030 General Plan



Zone Change Compliance

- Zone Change request to change from BRP to Residential Multiple-Family (R-2) to be consistent with GPA request (RM)
- Project designed to meet R-2 development standards
 - Density allows 94 units but project proposes 90
 - Project provides attached 2-car garages to all units
 - Project provides 222 visitor parking spaces (60 required)
 - Project slight exceeds Interior Yard Sace (30%)
 - Project proposes 97,024 sq. ft. (96,572.4 sq. ft.)
 - All structures designed not to exceed two-stories & 25 feet
 - Project designed to meet all required setbacks
 - Must provide a 30-foot landscape buffer to Fifth Street
 - Project conditioned to provide 12 bicycle parking spaces
 - Project not required to comply with Attached Dwelling Unit development standards

Zone Change



Tract Map



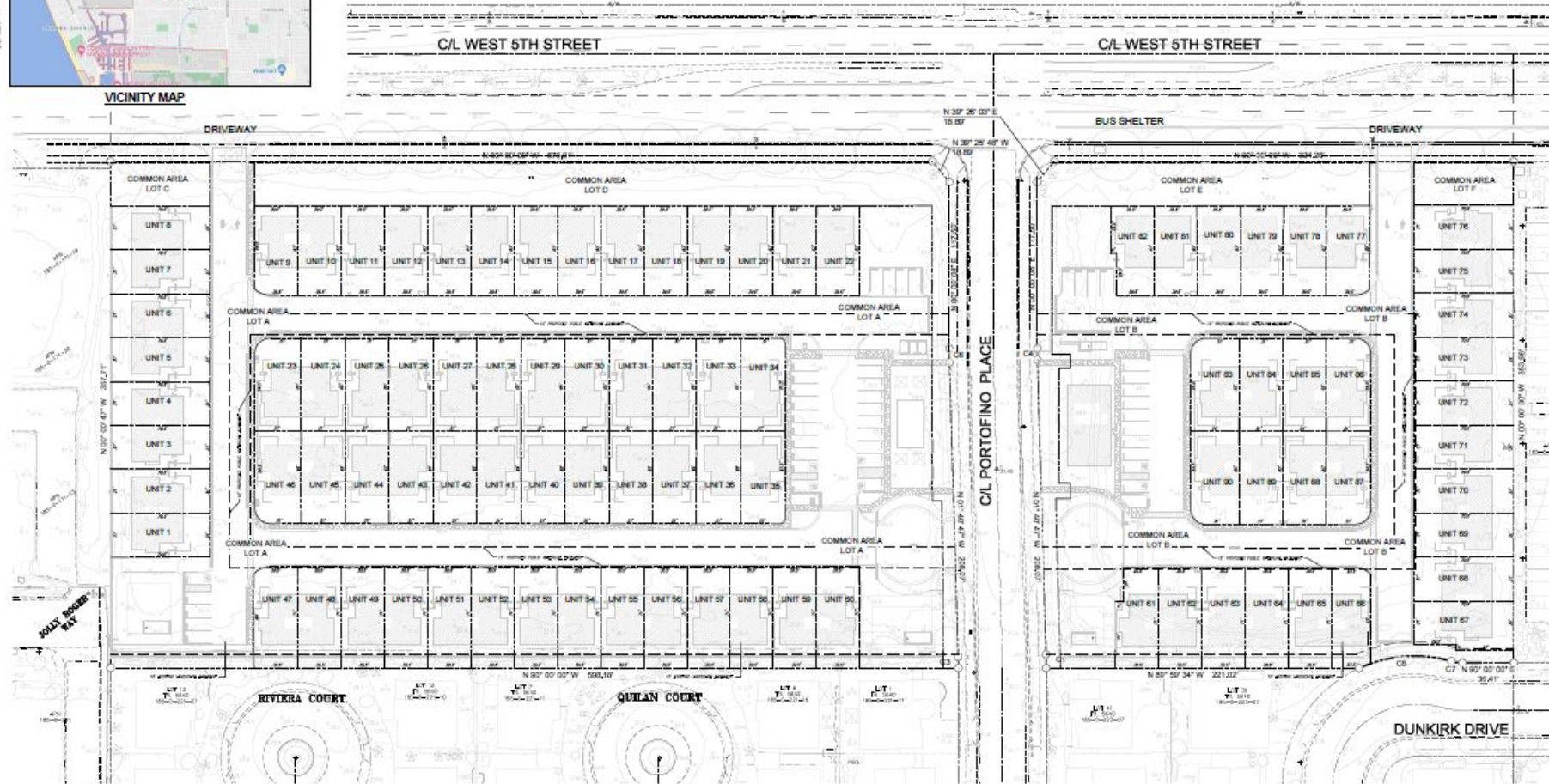
VICINITY MAP

PORTOFINO PLACE TOWNHOMES

TRACT NO. XXXX

A TENTATIVE CONDOMINIUM MAP FOR
CONDOMINIUM PURPOSES

APNs 185-0-221-025, 185-0-221-265, & 185-0-223-015



TENTATIVE CONDOMINIUM MAP FOR CONDOMINIUM PURPOSES

Parking and Circulation

- Existing project site bisected by Portofino Place
- Project conforms to parking requirement
 - 2-car attached garages required (180 total spaces)
 - 60 visitor parking spaces required (222 spaces provided)
 - No parking allowed on private streets
- Project accessed by Fifth Street
 - Each lot will have gated entry off of Fifth Street (right turn in/out with emergency access only)
 - Each lot has a gated entry off of Portofino Place
- Addendum MND 2004-11 analyzed vehicle miles travelled (VMT) as required by the California Environmental Quality Act
 - Commercial project: 5,172,230 VMT
 - Proposed project: 1,812,497 VMT

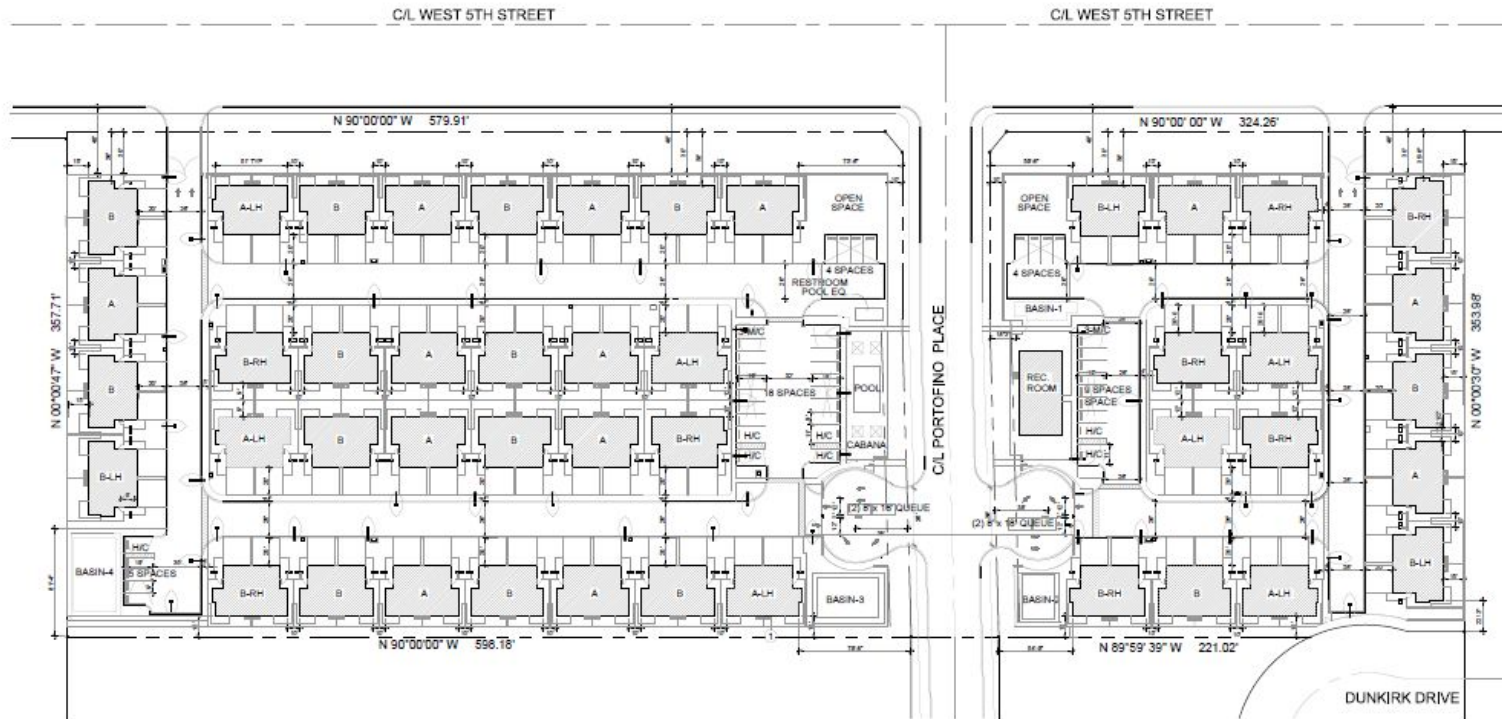
Parking and Circulation

- Fifth Street westbound traffic would utilize the existing dedicated left turn pocket to access Portofino Place
- Eastbound traffic on Fifth Street will be able to access the project site
- City Engineer has conditioned the project to provide for offsite improvements such as:
 - Pedestrian safety enhancement along Fifth St. by retrofitting existing street lights along the project frontage with 4000k LED lights.
 - Project shall construct two (2) traffic calming devices on Portofino Place- Fifth Street and Dunkirk Drive
 - All internal drive aisles shall be designed and maintained as Fire Lanes for parking regulatory and enforcement purposes.

Site Design

- Project designed based on existing project site configuration with no requests for any variances
- Existing project site bisected by Portofino Place
- Three access points off of West Fifth Street
- Parking all contained within lots and screened by property line wall and landscaping.
 - 30-foot landscaping buffer required along Fifth street frontage
- Architecture and landscaping similar to surrounding communities
 - Eclectic architecture style within Seaview Estates with no dominate style
- Project's density similar to surrounding communities of similar
- Project will be governed as a single entity by a homeowner's association and all amenities will be available to residents of both lots

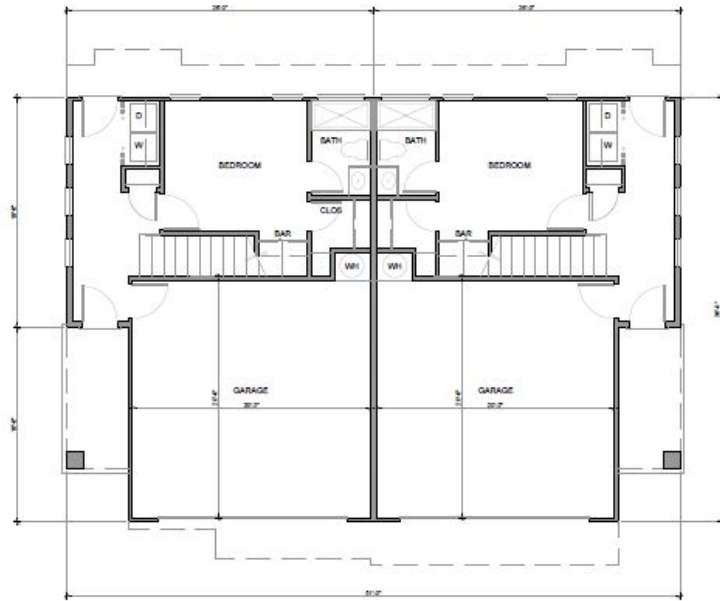
Site Plan



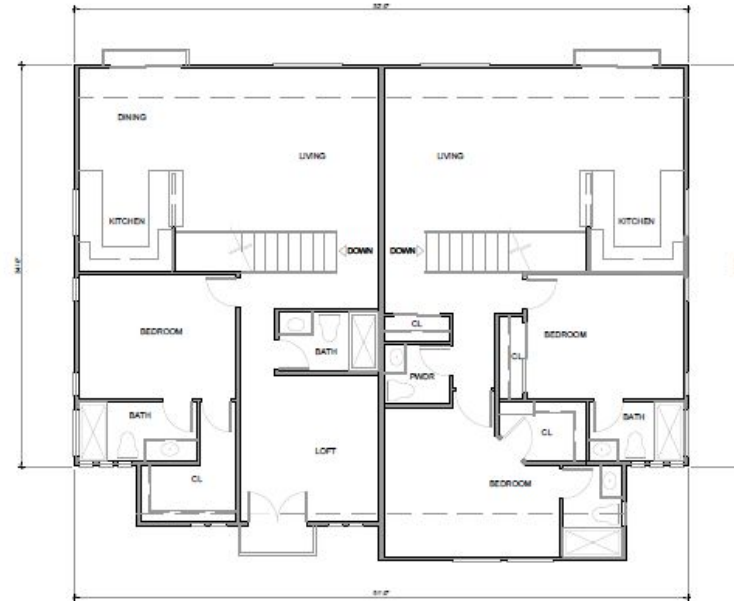
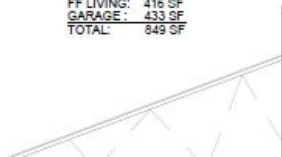
City Council Resolution No. 7658 Compliance

- Complies with all but one **advisory** standards identified under City Council Resolution No. 7658
 - Standards are intended to encourage amenities that enhance the livability of condominiums but are **not mandatory**
- Outdoor patio required dimensions: 10 ft. by 10 ft. = 100 sq. ft.
 - Project provides outdoor patio areas with various dimensions with some designed under the required 10 ft.x 10 ft. but range between 450 to 1,530 sq. ft. each (exceeding 100 sq. ft.)
- Project has been designed to integrate other advisory standards
 - Provides common areas: pool; playground; & 3,281 sq. ft. recreational building
 - Storage (contained outside of required garage dimensions)
 - Minimum livable area: 1,000 sq. ft. (1,413 to 1,476)
 - Security: gated community and secured entrances

Typical Floor Plan



FF LIVING: 416 SF
 GARAGE: 433 SF
 TOTAL: 849 SF



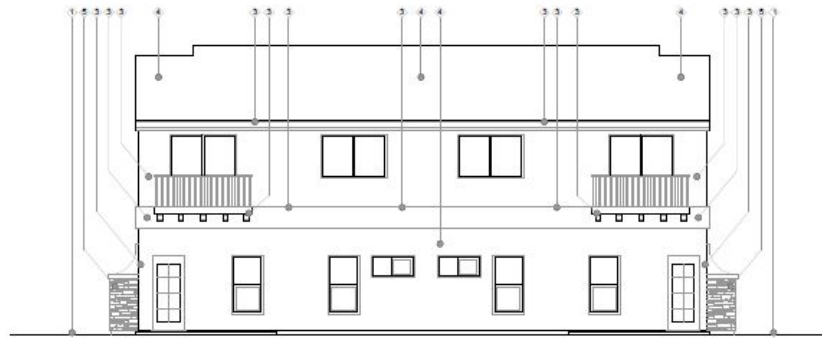
2 BEDROOM OPTION

FF LIVING: 416 SF
 SF LIVING: 997 SF
 TOTAL: 1413 SF

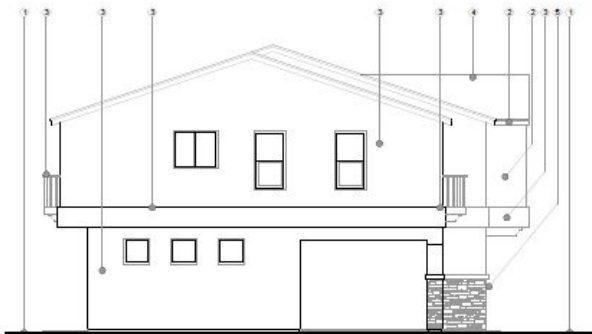
3 BEDROOM OPTION

FF LIVING: 416 SF
 SF LIVING: 1060 SF
 TOTAL: 1476 SF

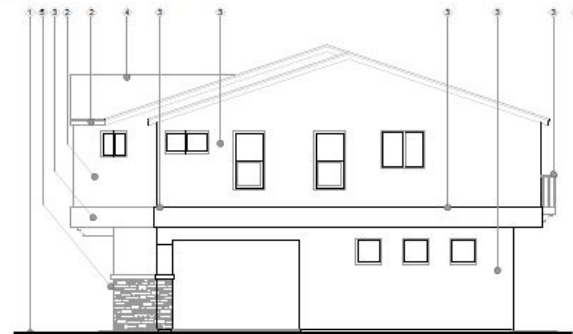
Architectural Elevation



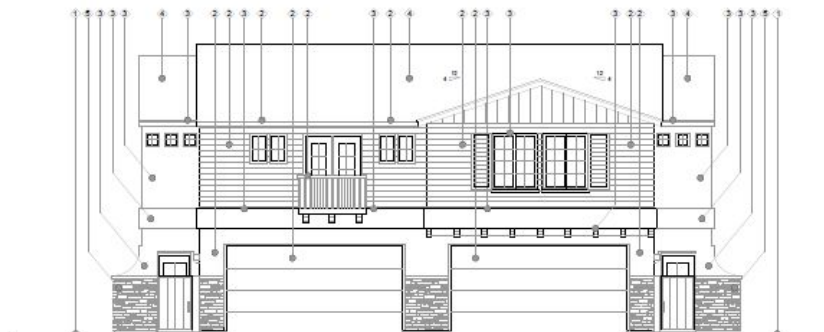
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION

KEYNOTES

- 1 FINISHED GRADE
- 2 KELLY MOORE PAGO VERDE
- 3 SHERRIN WILLIAMS HIGH REFLECTIVE WHITE
- 4 ROOFING: EAGLE SEL AIR BROWN GRAY RANGE
- 5 STONE: CORONADO HONEY LEDGE GREY QUARTZITE

NOTE: ALL WINDOW AND DOORS TO BE WHITE VINYL
NOT LABELED FOR CLARITY



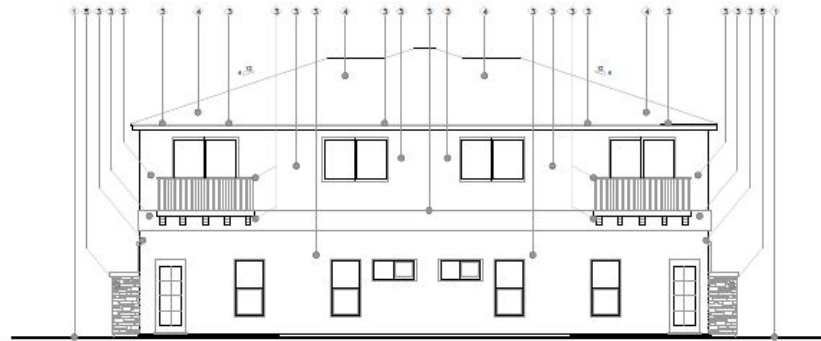
Portofino Place
Oxnard, California

PORTOFINO PLACE, LLC
ELEVATION 'A'
INLINE

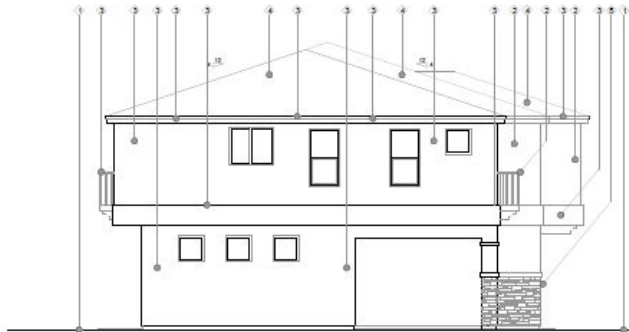
Graphic Scale: 1" = 4'-0"

DATE: 4/13/21

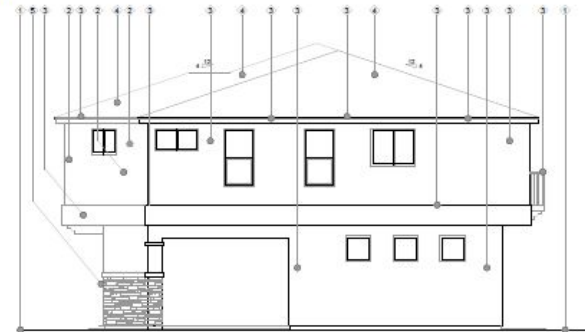
Architectural Elevation



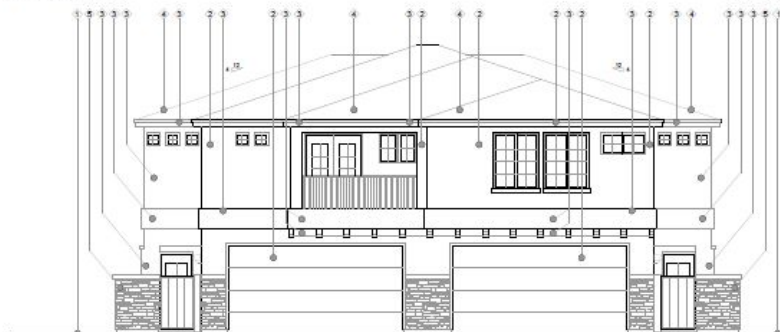
REAR ELEVATION



LEFT SIDE ELEVATION



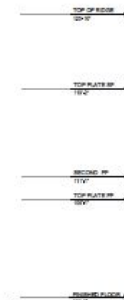
RIGHT SIDE ELEVATION



STREET ELEVATION

KEYNOTES

- 1 FINISHED GRADE
 - 2 SHERWIN WILLIAMS REPOSE GREY
 - 3 SHERWIN WILLIAMS HIGH REFLECTIVE WHITE
 - 4 ROOFING: EAGLE 36L AIR BROWN GRAY RANGE
 - 5 STONE: COROKADO HONEY LEDGE GREY QUARTZITE
- NOTE: ALL WINDOW AND DOORS TO BE WHITE VINYL.
NOT LABELED FOR CLARITY



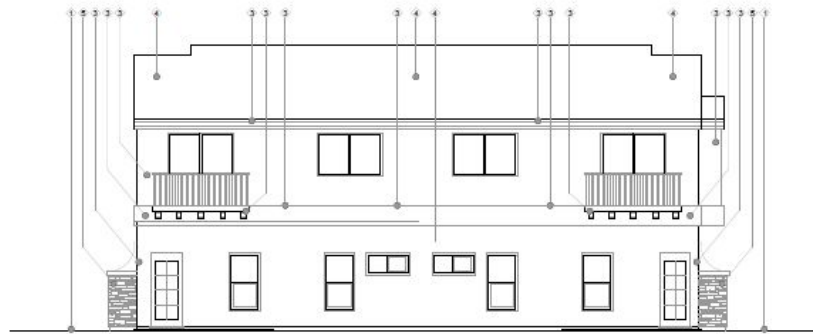
Portofino Place
Orland, California

PORTOFINO PLACE, LLC
ELEVATION 'B'

Graphic Scale 0' 5' 10'

DATE: 4/13/21
ANNEX: TRN

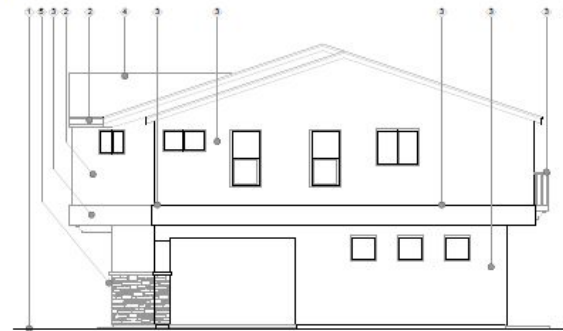
Architectural Elevation



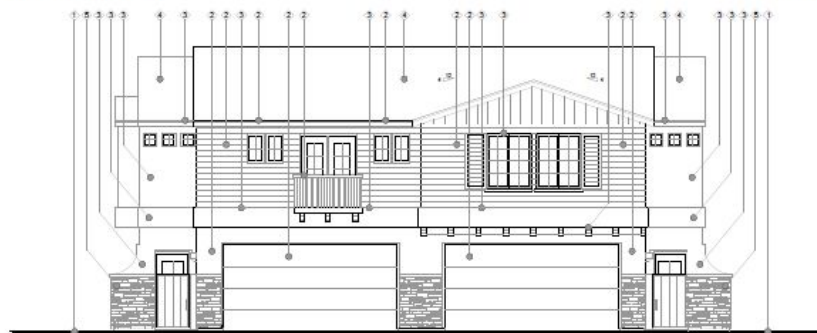
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



STREET ELEVATION

KEYNOTES

- 1 FINISHED GRADE
- 2 KELLY MOORE PASO VERDE
- 3 SHERWIN WILLIAMS HIGH REFLECTIVE WHITE
- 4 ROOFING: EAGLE BEL AIR BROWN GRAY RANGE
- 5 STONE: CORONADO HONEY LEDGE GREY QUARTZITE

NOTE: ALL WINDOW AND DOORS TO BE WHITE VINYL.
NOT LABELED FOR CLARITY



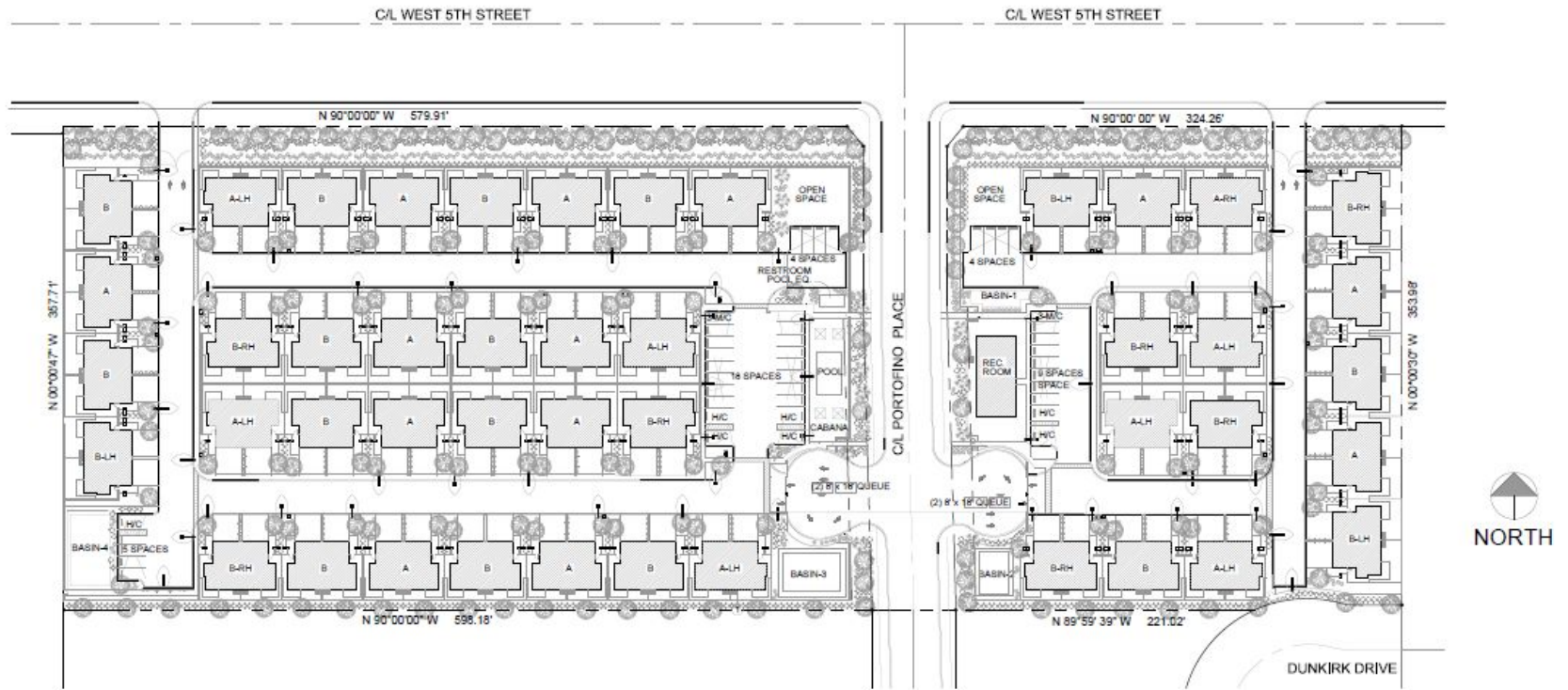
Portofino Place
Orland, California

PORTOFINO PLACE, LLC
ELEVATION 'A'
LH ENDCAP

Graphic Scale:

DATE: 4/13/21

Landscape



PLANT LEGEND

SYM.	COMMON NAME	BOTANICAL NAME	SIZE	SYM.	COMMON NAME	BOTANICAL NAME	SIZE	SYM.	COMMON NAME	BOTANICAL NAME	SIZE
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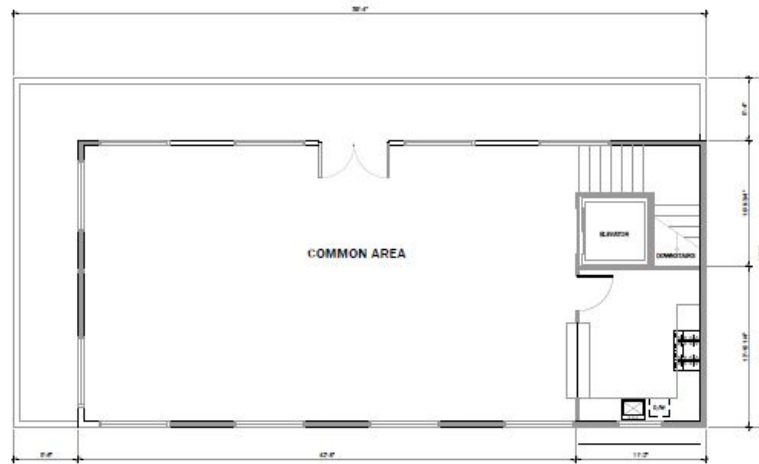
Landscape/ Common Areas

- Project is required to provide 30% (96,572.4 sq. ft.) Interior Yard Space (IYS)
 - Project provides approximately 115,660 sq. ft.
- Project is not proposing to remove any of the 91 existing trees onsite.
 - Project to provide an additional 152 trees
- Project proposes open spaces with walkways
- Private outdoor patio areas with land areas ranging between 450 to 1,530 sq. ft. each
- Common swimming pool
- Playground
- 3,281 sq. ft. recreational building
 - Includes gym
 - Lobby
 - Office

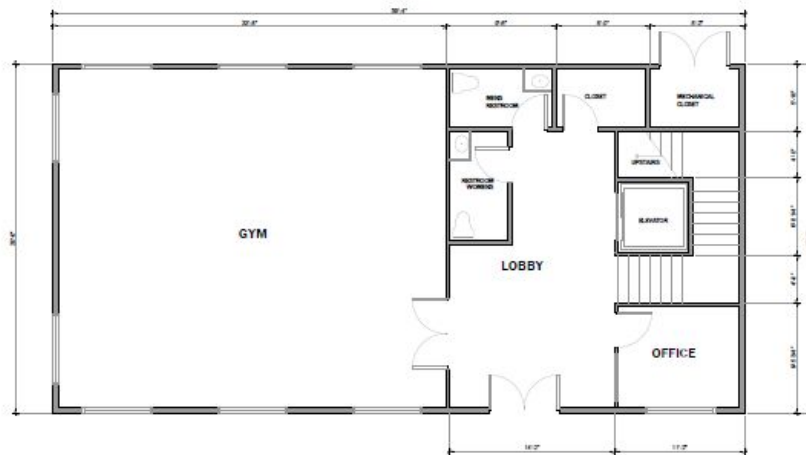
Recreational Building



Recreational Building Floor Plan



UPPER FLOOR PLAN



ENTRY FLOOR PLAN

Portofino Place
Oceanside, California

PORTOFINO PLACE, LLC
FLOOR PLAN A
REC ROOM

Graphic Scale

Recreational Building Elevation



Swimming Pool Area



Prior Environmental Review

- In 2004, an MND (No. 04-11) was prepared to evaluate
 - Commercial development on the project site
 - GPA/Zone change were required for commercial use
 - Residential development on an adjacent 10-acre property to the south of the site
- Project site was not identified in list of hazardous and cleanup sites complies pursuant to Gov't Code Section 65962.5
- Project site was found to be suitable for commercial development
- 10-acre adjoining site was found suitable for residential development.
- There were no Significant and Unavoidable Impacts identified in the 2004 MND if the mitigation measures described in the MND were incorporated into the project.
- Mitigation measures were incorporated into conditions of approval
- Developer constructed residential units but did not proceed with GPA/Zone Change for current project site

Current Environmental Review

- An Addendum to MND 2004-11 was prepared
- Addendum compares the environmental effects of the current proposed project to the effects of the original project
- Residential project being considered by the Planning Commission is a less intensive use than the commercial project analyzed in the previous MND
 - Less traffic volume.
- Addendum concludes that the proposed project would not create any new significant impacts or increase the severity of impacts beyond those identified in the previously adopted MND 2004-11
 - No new significant effects identified
- All mitigation measures included in adopted MND 2004-11 and the Addendum to MND 2004-11 have been included as conditions of approval in the Special Use Permit Resolution.

Current Environmental Review - Mitigation Measures

- Air Quality
 - Emissions and dust control
 - Street sweeping during construction
- Cultural Resources and Tribal Cultural Resources
 - Monitoring
- Geology and Soils
 - Geotechnical - liquefaction & compressible soil
- Land Use and Planning
 - FAA Notifications
- Noise
 - Airport Noise Disclosure

Inclusionary Ordinance

- Inclusionary Ordinance No. 2980 requires the project to set aside 10 percent of the units as affordable to low income households as defined in California Health and Safety Code Section 50079.5
 - Project will include the required 9 affordable units (10%) onsite
- Project has been conditioned to offer to:
 - Rent or sale to households with annual incomes at or below fifty percent (50%) of AMI for Ventura County
 - Three (3) three-bedroom units
 - Two (2) two-bedroom units
 - Rent or sale to households with annual incomes at or below eighty percent (80%) AMI for Ventura County.
 - Two (2) two-bedroom units
 - Two (2) three-bedroom units
- City and Developer have negotiated agreement to ensure units will be offered to appropriate households

Community Workshop

- April 20, 2020 Community Workshop
- All property owners within the Sea View Estates were mailed notices of the Community Workshop meeting
- The project was presented at the meeting
- Public Comments focused on:
 - Traffic along Fifth Street
 - Traffic generated by nearby school during the drop-off and pick-up
 - Traffic signal at the intersection of Fifth Street and Portofino Place
 - Airport proximity
 - Additional traffic to Dunkirk Drive
- Petition Received

Key Conditions of Approval - TTM

- **Condition 3:** Aligns 36-month expiration date to the City Council Zone Change effective date.
- **Conditions 10:** HOA establishment
- **Conditions 23-44:** Inclusionary Housing
- **Conditions 21, 45-58:** Addendum Mitigation Measures
- **Conditions 13, 22, 59:** Fee collection
- **Conditions 71-72:** Landscaping
- **Condition 73:** Driveways connect to Fifth Street

Key Conditions of Approval - SUP

- **Condition 3:** Aligns 36-month expiration date to the City Council Zone Change effective date.
- **Conditions 16-37, 102-103, 147:** Landscaping & Water Conservation
- **Conditions 38-59:** Fire requirements
- **Conditions 60-89:** Police requirements
- **Condition 90:** Fiber optics
- **Conditions 60-89:** Police requirements
- **Conditions 91, 106, 109, 113-114, 236:** Construction Quality

Key Conditions of Approval - SUP

- **Conditions 13, 104-105, 119, 124, 150, 237:** Fee collection
- **Conditions 151-172:** Inclusionary housing
- **Conditions 126, 173-186:** Addendum Mitigation Measures
- **Condition 135-:** Airport
- **Condition 274-279:** Driveways connect to Fifth Street

Next Steps

- Planning Commission renders a decision on the Special Use Permit request (PZ No. 19-500-04)
 - In accordance with Oxnard Municipal Code Section 16-544 the Planning Commission's action on Special Use Permit for the 90 unit condominium development may be appealed to the City Council within 18 days after the decision date
- Planning Commission will forward a recommendation on:
 - General Plan Amendment PZ No. 20-620-02
 - Zone Change PZ No. 20-570-02
 - Tentative Tract Map No. 20-300-02
 - Addendum MND 2004-11

Recommendation

That the Planning Commission:

- a) Adopt Resolution 2021-XX recommending that the City Council adopt an Addendum to previously adopted Mitigated Negative Declaration (MND) 2004-11; and
- b) Adopt Resolution 2021-XX recommending that the City Council approve Planning and Zoning Permit No. 20-620-02 (General Plan Amendment) to change the land use designation of the project site from Business Research Park (BRP) to Residential Medium (RM), and
- c) Adopt Resolution 2021-XX recommending that the City Council approve Planning and Zoning Permit No. 20-570-02 (Zone Change) to change the zoning of the project site from Business Research Park to Multiple-Family (R-2), and

Recommendation

That the Planning Commission:

- d)** Adopt Resolution 2021-XX recommending that the City Council approve Planning and Zoning Permit No. 20-300-02 (Tentative Subdivision Map for Tract No. 6064), subject to certain findings and conditions, and
- e)** Adopt Resolution 2021-XX Approving Planning and Zoning Permit No. 19-500-04 (Special Use Permit – Residential), subject to certain findings and conditions.

Questions

Available for questions:

- Staff
 - Community Development
 - Engineering
 - Traffic and Transportation
 - City Attorney
- Environmental Consultant
 - Rincon Consultants
- Applicant & Team



End of Presentation