



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Daniel Houck, Associate Planner

DATE: May 4, 2023

SUBJECT: **Project Name: Catamaran Duplex Parcel Map Waiver;** Planning and Zoning Permit Nos. 21-300-05 (Tentative Parcel Map for a Parcel Map Waiver) and 21-400-04 (Coastal Development Permit), located at 1001 Catamaran Street (APN: 196-0-031-065)

- 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 15315 (Minor Land Divisions); and
 - b) Adopt Resolution 2023-XX approving Planning and Zoning Permit Nos. 21-300-05 for a Parcel Map Waiver and 21-400-04 (Coastal Development Permit), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to divide a parcel for condominium purposes that has an existing two-story 4,728 square-foot duplex building. The Project is located at 1001 Catamaran Street within the Coastal Multiple-Family (R-2-C) zone within the Oxnard Dunes Neighborhood (Attachment A). For the purposes of this Staff Report, the foregoing project description shall be referred to as the “**Project.**” Filed by Arthur Tamazyan, on behalf of property owner TMZN Holding, LLC, 6735 Yucca Street, Unit 202, Los Angeles, California, 90028 (the “**Applicant**”).

Please see the tentative parcel map (Attachment B) for more details.

- 3) **Existing & Surrounding Land Uses:** The project site is developed with an existing 4,728 square-foot, residential duplex building, at Assessor’s Parcel Number of 196-0-031-065 and with the legal description of Lot 16, Tract 1567-1 as recorded in book 41, page 83 of Miscellaneous Records. The 7,915 square-foot (0.18 acre) lot is located in the Oxnard Dunes Neighborhood.

The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated on Attachment A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Vacant
North	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Single-family dwelling
South	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Apartment building
East	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Catamaran Street, residential duplexes
West	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential duplexes

4) Background Information:

- a) In 1964, the subject lot was created by Tract No. 1567-1; this map created 99 lots, drive lanes, and streets within the Dunes Neighborhood. Over the past 50+ years, the lots have been independently developed with mostly single and duplex dwelling units; some duplex developments have been subdivided for condominium purposes to accommodate home ownership opportunities. Additionally, when the tract map was approved in 1964, the City Council passed Resolution No. 3349 approving varying front yard setbacks for the entire tract from 25 feet to not less than 15 feet.
- b) On January 12, 1982, the City Council adopted Resolution No. 8289, establishing design and development standards for duplex residential structures within the Dunes Neighborhood.
- c) In 2019, a building permit was submitted to the Community Development Department, which resulted in a duplex being constructed.
- d) In 2021, a tentative parcel map application was submitted to split the parcel into two parcels for condominium purposes.

- 5) Environmental Determination:** In accordance with Section 15315 (Minor Land Divisions) of the State California Environmental Quality Act (CEQA) Guidelines, projects consisting “of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent” and, therefore, is exempt from the requirements of the CEQA. This proposal subdivides an existing developed lot into two parcels. No improvements or changes to the land use regulations are proposed as part of this Project. Any future development proposals would be required to comply with the 2030 General Plan and applicable development standards. All future proposals would also be subject to compliance with the State California Environmental Quality Act (CEQA) Guidelines. Therefore, staff has determined that the project is categorically

exempt and recommends that the Planning Commission accept the Notice of Exemption (see Attachment C).

6) Analysis:

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

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

Standard conditions of approval have been applied to include that all conditions of Planning and Zoning Permit No. 21-400-01 will remain in full force and effect.

- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is Residential Existing, a zone as part of the Coastal Land Use Plan allowing for residential uses and promoting residential infill development. The existing residential development and uses have not changed since the original infill development was approved. Furthermore, the subdivision has no effect on the uses allowed. No additional square footage is proposed and no improvements are required. Therefore, and through the the following policies, the project is in conformance with the General Plan land use designation for the property and with the Coastal Land Use Plan:

CD-1.5 Housing Variety: *Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single family units.*

H2.2 Balanced Opportunities: *Provide opportunities to the private and public sectors to produce housing that meets the needs of special needs, extremely low-, very low-, low-, moderate-, and above moderate-income housing to achieve a balanced community.*

As mentioned above, the Coastal Land Use Plan specifically outlines in Chapter II Section 2.3 that this area is suitable for residential development as well as that existing neighborhoods are designated for infill development. The recent development was and is compatible with these land uses and policies. The

subdivision for condominium purposes will not impact the development continuing to be compatible with its zoning designation and these policies..

- c) **Conformance with Zoning Development Standards:** The property as it exists was developed in compliance with the zoning and development standards in place when developed. No new development is proposed. Therefore, the project is in conformance with the Zoning designation for the property.
 - d) **Site Design:** The site is developed with a 4,728 square foot duplex building. The site design is similar to other existing duplex type developments within the Oxnard Dunes neighborhood. Pedestrian and vehicular entry will be provided from Catamaran Street. The side-by-side design of the homes are designed to face and front onto Catamaran Street with direct vehicular access from Catamaran Street. Each unit's front entry door will be on opposite sides from one another. The floor plan design of the two homes are the mirror images of each other with the first floor of each dwelling unit consisting of a family room, kitchen, dining area, full bathroom, and the garage. The second floor has three bedrooms and two full bathrooms. The tentative map will subdivide the duplex for condominium purposes.
 - e) **Circulation and Parking:** Vehicular access to the two dwelling units is via 16-foot wide curb cuts and driveway approaches from Catamaran Street. The driveway aprons along the street are consistent with the City's design and construction standards.
- 7) **Development Advisory Committee:** The proposed tentative parcel map and unit layout was forwarded to the Development Advisory Committee (DAC) for review. Due to the nature of the project, the DAC did not feel that the project needed to be reviewed before the full Committee, rather DAC members found any concerns could be addressed via conditions of approval. Each Department provided their project conditions which are included in the attached resolution.
- 8) **Community Workshop and Public Input:** The project is in a General Plan designated neighborhood, Oxnard Dunes. The proposed project had a Community Workshop on May 15, 2022.
- 9) **Appeal Procedure:** In accordance with Section 15-25 of the City Code, an appeal from the Planning Commission's action may be taken in the manner provided by Cal. Gov. Code Section 66452.5. In accordance with Section 17-58(J) of the City Code, the Planning Commission's action may be appealed to the City Council within 10 working days after the decision is made. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 10 working days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final

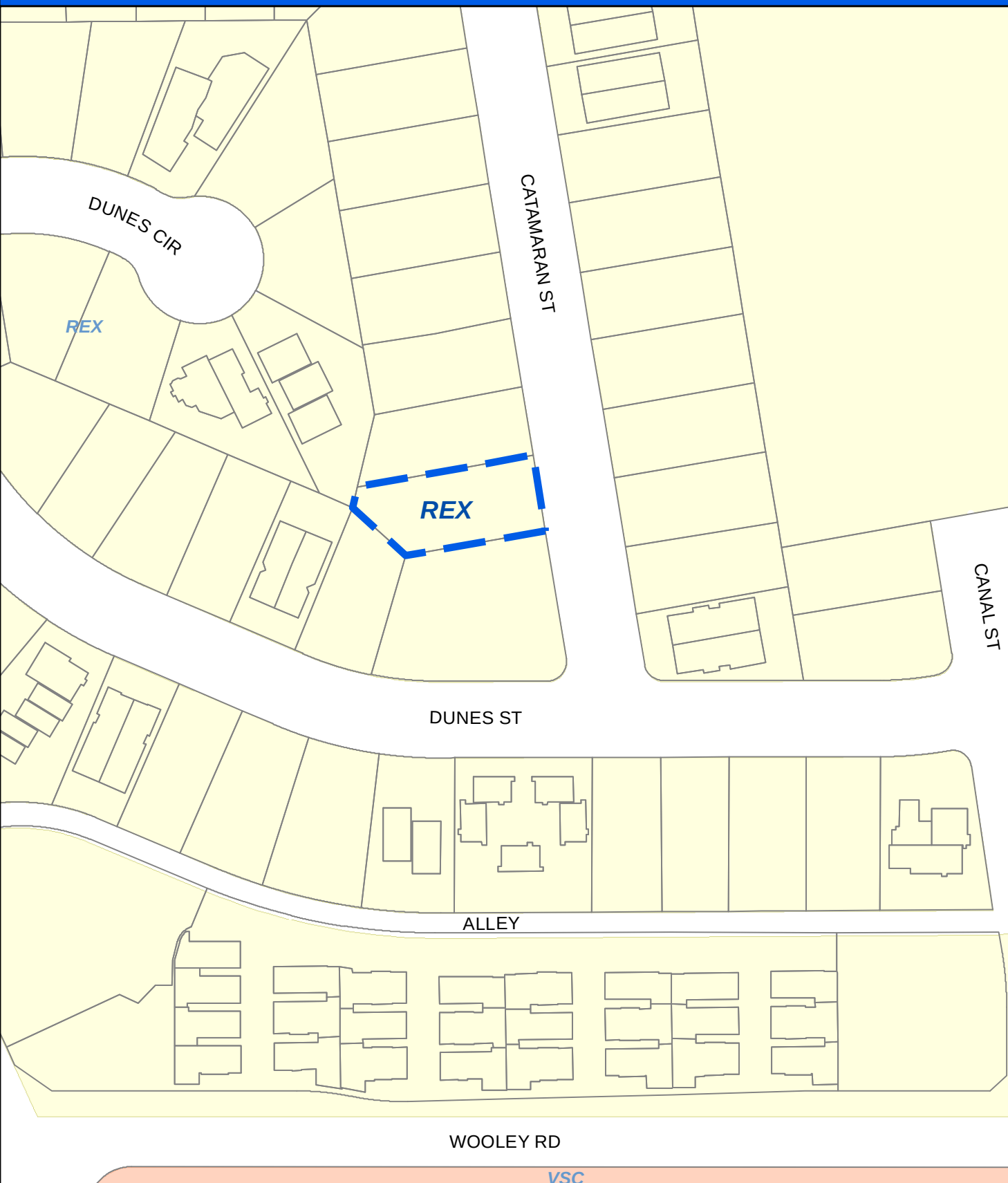
Attachments:

- A. Maps (Vicinity, Aerial, General Plan, Zoning, Radius)
- B. Tentative Parcel Map
- C. Notice of Exemption
- D. Resolution
- E. Staff Presentation

Vicinity Map



2030 General Plan Land Use Map





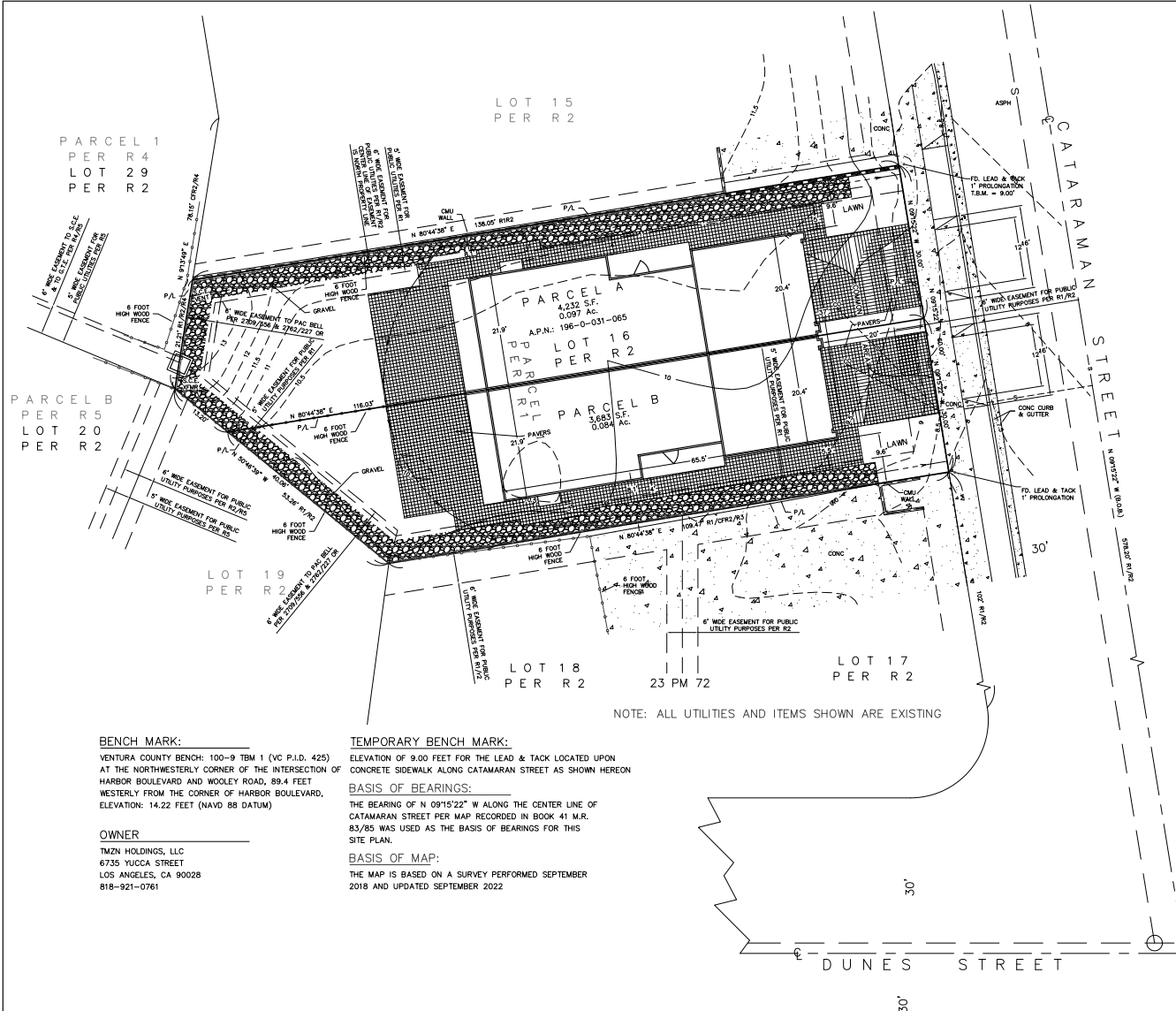


DUNES ST

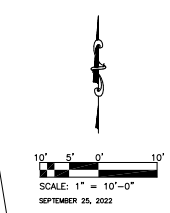
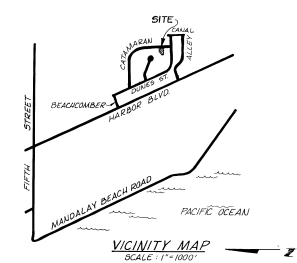
CATAMARAN ST

DUNES CIR





- LEGEND:**
- SPOT ELEVATION
 - CENTERLINE
 - CHAINLINE FENCE
 - CMU WALL
 - EASEMENT LINE
 - MAJOR CONTOUR
 - MINOR CONTOUR
 - PROPERTY LINE
 - SEWER LINE
 - WOOD FENCE
 - WOOD NOTES: FID. MON. AS NOTED
 - RECORD
 - R1
 - R2
 - R3
 - R4
 - R5
 - ASPHALT
 - ASSESSORS PARCEL NUMBER
 - BASIS OF BEARINGS
 - CALCULATED FROM
 - CENTERLINE
 - CLEAN OUT SEWER
 - CONCRETE
 - CONCRETE MASONRY UNIT
 - EDGE OF GUTTER
 - FINISHED FLOOR
 - FINISHED SURFACE
 - FLOORLINE
 - FOUND
 - GARAGE FLOOR
 - GENERAL TELEPHONE
 - MISCELLANEOUS RECORD
 - MONUMENT
 - PARCEL MAP
 - POWER POLE
 - PROPERTY LINE
 - SOUTHERN CALIFORNIA EDISON
 - TOP OF CURB
 - TOP OF WALL
 - TRANSFORMER



EXISTING USE = CONDOMINIUM
PROPOSED USE = CONDOMINIUM
SITE ADDRESS:
1001 SOUTH CATAMARAN STREET
OXNARD, CA 93035
A.P.N.: 196-0-032-085 (VENTURA COUNTY)
0.18 ACRES



BENCH MARK:
VENTURA COUNTY BENCH: 100-9 TBM 1 (VC P.I.D. 425)
AT THE NORTHWESTERLY CORNER OF THE INTERSECTION OF
HARBOR BOULEVARD AND WOOLLEY ROAD, 89.4 FEET
WESTERLY FROM THE CORNER OF HARBOR BOULEVARD,
ELEVATION: 14.22 FEET (NAVD 88 DATUM)

OWNER
TM2N HOLDINGS, LLC
6735 YUCCA STREET
LOS ANGELES, CA 90028
818-921-0761

TEMPORARY BENCH MARK:
ELEVATION OF 9.00 FEET FOR THE LEAD & TACK LOCATED UPON
CONCRETE SIDEWALK ALONG CATAMARAN STREET AS SHOWN HEREON

BASIS OF BEARINGS:
THE BEARING OF N 09°15'22" W ALONG THE CENTER LINE OF
CATAMARAN STREET PER MAP RECORDED IN BOOK 41 M.R.
83/85 WAS USED AS THE BASIS OF BEARINGS FOR THIS
SITE PLAN.

BASIS OF MAP:
THE MAP IS BASED ON A SURVEY PERFORMED SEPTEMBER
2018 AND UPDATED SEPTEMBER 2022

NOTE: ALL UTILITIES AND ITEMS SHOWN ARE EXISTING

TENTATIVE PARCEL MAP NO. 21-300-05
(FOR CONDOMINIUM PURPOSES)

IN THE CITY OF OXNARD
PARCEL 1 OF PARCEL MAP 80-02
AS PER MAP RECORDED IN BOOK 35, PAGES 88
OF MISCELLANEOUS RECORDS MAPS IN THE OFFICE OF THE COUNTY RECORDER,
COUNTY OF VENTURA, STATE OF CALIFORNIA

NOTICE OF EXEMPTION

Project Description: PZ Nos. 21-300-05 (Tentative Parcel Map) and 21-400-04 (Coastal Development Permit): A request to subdivide a parcel developed with a 4,728 square-foot two-story residential duplex building for condominium purposes located at 1001 Catamaran Street (APN: 196-0-031-065). The 7,915 square-foot lot will be divided into two parcels, resulting in a parcel of 4,232 square feet and one of 3,683 square feet. Filed by Arthur Tamazyan, on behalf of property owner TMZN Holding, LLC, 6735 Yucca Street, Unit 202, Los Angeles, California, 90028

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

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

Supporting Reasons: In accordance with CEQA Guidelines, §15315 (Class 15, Minor Land Divisions), projects consisting “of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.” Based on the above exemption and in accordance with CEQA, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment and hereby authorizes and directs the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

(Date)

Joe Pearson II, Planning and Environmental
Services Manager

RESOLUTION NO. NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING COASTAL DEVELOPMENT PERMIT (PLANNING AND ZONING PERMIT NO. PZ 21-400-04) AND THE TENTATIVE PARCEL MAP FOR A PARCEL MAP WAIVER (PLANNING AND ZONING PERMIT NO. PZ 21-300-05) TO SUBDIVIDE AN EXISTING 7,915 SQUARE FOOT DEVELOPED PARCEL INTO (2) TWO CONDOMINIUM PARCELS OF NET SIZES 4,232 SQUARE FEET AND 3,683 SQUARE FEET, SUBJECT TO CERTAIN CONDITIONS. THE PROJECT SITE (A.P.N. 196-0-031-065) IS LOCATED ON THE WEST SIDE OF CATAMARAN STREET WITHIN THE OXNARD DUNES NEIGHBORHOOD. FILED BY DESIGNATED AGENT ARTHUR TAMAZYAN ON BEHALF OF THE PROPERTY OWNER, TMZN HOLDINGS, LLC, 6735 YUCCA STREET #202, LOS ANGELES, CA 90028

WHEREAS, on November 19, 2021, Arthur Tamazyan (the “**Applicant**” and/or “**Developer**” and/or “**Permittee**”) submitted a request to subdivide a developed parcel located on the west side of Catamaran Street within the Oxnard Dunes Neighborhood (the “**Project**”); and

WHEREAS, said Tentative Parcel Map was referred to various public utility companies and City departments for recommendations, and

WHEREAS, the Planning Commission finds that the Coastal Development Permit and Tentative Parcel Map conform to the City’s 2030 General Plan and elements thereof; and

WHEREAS, the Project was reviewed against the California Environmental Quality Act (CEQA) and found to be exempt from further CEQA review per Section 15315 (Minor Land Division); and

WHEREAS, on May 4, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider Applicant’s request to approve Planning and Zoning Permit Nos. 21-400-04 (Coastal Development Permit) and 21-300-05 (Tentative Parcel Map for a Parcel Map Waiver) in accordance with Chapter 15 of the Oxnard City Code; and

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

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

SECTION 1. The Planning Commission, in accordance with Article 19 - Categorical Exemptions of the California Environmental Quality Act (CEQA), finds that the subdivision of the property may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA) since it could be considered a Minor Land Division, a “division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.” Therefore, the Planning Commission has determined that the project is categorically exempt from CEQA (CEQA Guidelines Section 15315 - Minor Land Divisions).

SECTION 2. This proposal subdivides a parcel with an existing duplex into two lots for condominium purposes, and which has the approval of the governing body as to street alignments and widths and the subdivision is compatible with the General Plan.

SECTION 3. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

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

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

The resulting parcels are consistent with the General Plan land use designation and zoning as discussed in Sections 6 (a) through and 6 (c), of the Planning Commission Staff Report. The Project site is currently developed, any future development would be required, to meet all applicable development standards. Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards.

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

The proposed development to subdivide the lot, for condominium purposes, is consistent with the 2030 General Plan, as discussed above in Finding 2(a). No physical improvements are proposed.

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

No physical improvements are currently proposed under this application. The resulting parcels will comply with the minimum size and dimension requirements for the R-2-C

zone and therefore can be found to be physically suitable for any future development allowed within the R-2-C zone.

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

No physical improvements are currently proposed under this application. The resulting parcels will comply with the density requirements for the R-2-C zone, 3,500 square feet per dwelling unit, and therefore can be found to be physically suitable for any future development allowed within the R-2-C zone.

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

The Project site is currently fully developed. The proposed parcel map waiver includes no physical development and would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no listed species are known or expected to occur at the project site and the developed 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 developed project site is not located within a Biological Resources Area which is known or thought to meet habitat needs for plants and animals or promote wildlife

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

The design of the subdivision or improvements are unlikely to cause serious public health problems as the design of the subdivision is not likely to cause serious public health problems because it would utilize existing adequate public utilities, namely water and sewer. No physical improvements are proposed.

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

The design of the subdivision does not conflict with easements, acquired by the public-at-large, for access through or use of property within the subdivision. There is no need for new or additional easement(s) for the public-at-large.

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

SECTION 4. 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 conditionally permitted within the subject (R-2-C) subzone and conforms with all of the applicable provisions of this chapter.**

As specified in Section 17-13 (C) (1) of the Oxnard City Code (OCC), a multi-family residential use is a conditionally permitted use in the R-2-C subzone with a Coastal Development Permit. The project site has a General Plan and Local Coastal Plan land use designation of Residential Existing (REX). As discussed in the staff report, the proposed Project complies with all the development standards of the R-2-C subzone, applicable provisions of Chapter 17 of the Oxnard City Code, and the Oxnard Dunes Neighborhood design and development standards adopted by City Council Resolution No. 8289. No physical changes are proposed to the existing duplex.

- (2) **The proposed use will not impair the integrity and character of the subject sub-zone.**

The Project design and use complies with the development standards of the R-2-C sub-zone related to setbacks, building height, interior yard space, and parking. The Project also complies with the design provisions of Section 17-46 (B) of the Oxnard City Code related to architectural design, building mass, lighting, color, and privacy. The Project also complies with the Oxnard Dunes Neighborhood design and development standards adopted by City Council Resolution No. 8289. Similar multi-family development exists in the neighborhood. As proposed and conditioned, the Project is not expected to negatively affect the integrity or character of the R-2-C sub-zone or immediate neighborhood. No physical changes are proposed to the existing duplex.

- (3) **The location and intensity of use of the subject site would be physically suitable and would protect and maintain adjacent coastal resources.**

The Project site is surrounded by existing urban development, mainly multi-family residential uses. The Local Coastal Program planned for this lot to be developed with multi-family uses. The lot is not adjacent to a beach public access way nor is it a beachfront lot. The lot is undeveloped and devoid of any coastal resources.

As discussed in the staff report, the proposed Project and use are consistent with uses considered and permitted by the Coastal Multiple-Family (R-2-C) zone, including the design standards. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building and Fire Codes. The existing use is compatible with existing surrounding uses and future development of the area. No physical changes are proposed to the existing Duplex.

- (4) **The proposed use would be compatible with the land uses presently on the subject site.**

The Project site is developed and the lot was previously created for multi-family, condos, townhouses and other residential land uses. The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the R-2-C zone requirements. No physical changes are proposed to the existing Duplex.

- (5) **The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.**

The proposed duplex is allowed in the R-2-C subzone. The surrounding lots are developed with residential development, and future uses on the adjacent R-2-C parcels include residential development.

As proposed and conditioned, the Project will meet the development standards of the Coastal Multiple-Family (R-2-C). The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the R-2-C zone requirements.

Therefore, the existing duplex is be compatible with the surrounding residential development and future land uses within the subzone and general area the proposed project is located. No physical changes are proposed to the existing duplex.

- (6) **There are adequate public services for the proposed use, including, but not limited to fire and police protection, water, sanitation and public utilities and services to ensure that the proposed use will not be detrimental to public health and safety.**

The Project is existing development that has access to existing public services. Planned uses on and surrounding the site have been previously considered by the City in that the neighborhood has the needed services and utilities in place to accommodate residential development including the proposed Project. The Project will be served by existing water and sewer mains along Catamaran Street. The surrounding development has adequate fire, police, water, sanitation, and utility services. The Project has been reviewed by the City of Oxnard's technical staff, which include the Oxnard Police and Fire Departments; staff has determined that the Project would have no significant impact on the public health, safety, or welfare. Additionally, and 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. Therefore, as proposed and as conditioned, there are adequate public services for the proposed use to ensure that the Project will not be detrimental to public health and safety. No physical changes are proposed to the existing duplex.

- (7) **The Proposed use will provide a type and level of public access consistent with the access policies and standards of the certified Oxnard Coastal Land Use Plan.**

Implementation of the Project will not affect existing public access to the beach as the subject site is not a beach-front lot nor is it located adjacent to a beach public access way. Therefore, present public access to the beach would remain unchanged by this Project.

- (8) **The proposed use will be appropriate in light of an established need, based upon the underlying goals and objectives of specific Oxnard Coastal Land Use Plan policies, applicable to the proposed location.**

The proposed Project would provide the City additional owner housing in the Coastal Zone. As indicated in Map 3 of the Oxnard Local Coastal Plan (LCP), the subject site is in the Oxnard Dunes Neighborhood, which is one of the Coastal Zone areas planned for residential development. The Project site is identified in both the LCP and the General Plan with a designation of Residential Existing. Continued construction of residential developments on undeveloped coastal lots indicates a market demand and active interest from individuals who desire to live near the beach. Therefore, the proposed use is appropriate in light of established need, based upon the goals and objectives in the LCP. No physical changes are proposed to the existing duplex.

(9) **The proposed use would be consistent with all the applicable policies of the certified Oxnard Coastal Land Use Plan.**

The project site is developed lot surrounded by existing residential development. No physical changes are proposed to the existing duplex. As discussed in the staff report, the Project complies with the zoning development standards and adheres to both General Plan and certified LCP policies for residential land uses.

SECTION 5. Based on the findings set forth herein, the Planning Commission hereby recommends the City Council approve Planning and Zoning Permit Nos. 21-400-04, Coastal Development Permit and 21-300-05, Tentative Parcel Map for a Parcel Map Waiver, subject to the attached conditions of approval.

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

CONDITIONS OF APPROVAL

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans on file with the Planning Division. The Final Map shall conform to these plans, except as otherwise specified in these conditions, or unless a minor

modification to the plans is approved by the Planning Manager or a major modification to the plans is approved by the Planning Commission. A major modification shall be required for substantial changes, including changes to the Project Conditions. (PL, G-2)

3. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
4. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit. If there is a conflict between the CC&Rs and this permit, this permit shall prevail. (CA, G-7)
5. Developer shall complete the "Notice of Land Use Restriction 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)

DEVELOPMENT SERVICES DEPARTMENT STANDARD CONDITIONS

6. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
7. 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)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

8. Prior to parcel map waiver recordation, Developer shall provide the City with a copy of the Project Covenants, Conditions, and Restrictions (CC&Rs). (DS)
9. Project CC&Rs shall incorporate language regarding maintenance responsibilities for each water service for each condominium unit. (DS)
10. Project CC&Rs shall incorporate language regarding easements and maintenance responsibilities for the shared portion of the sewer lateral that connects to the City's sewer main. (DS)
11. Project CC&Rs shall incorporate language regarding the easements and maintenance responsibilities for the shared subsurface, surface, and above-ground drainage conduit system that serves both units. (DS)
12. Project CC&Rs shall incorporate language regarding the landscape irrigation and maintenance responsibilities for each lot for the common landscape area. (DS)
13. Project CC&Rs shall incorporate language regarding the shared portion of the building that serves both condo units. (DS)
14. Prior to parcel map waiver recordation, Developer shall complete and close out the existing encroachment permit at the project site to the satisfaction of the City Inspector. (DS)

PLANNING DIVISION SPECIAL CONDITIONS

15. Approved Tentative Map for a Parcel Map Waiver shall expire thirty-six (36) months after its approval if a Certificate of Approval for the Parcel Map Waiver is not recorded with the Ventura County Recorder's Office. (PL)
16. Subdivider shall submit to Planning staff an application and exhibits required for the Certificate of Approval of Parcel Map Waiver. Planning staff shall prepare the Certificate of Approval for Parcel Map Waiver, and the Subdivider shall record the Certificate of Approval for Parcel Map Waiver with the Ventura County Recorder's Office. (PL)
17. 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.
18. All conditions of Coastal Development Permit 21-400-01 shall remain in full force and effect.
19. Developer agrees to comply with all conditions of this permit prior to the issuance of a Certificate of Approval.

20. The Subdivider shall submit an application to the Planning Division for the preparation of a Certificate of Approval of a Parcel Map Waiver. Once the Planning Division has processed the Certificate of Approval of a Parcel Map Waiver the Subdivider shall arrange to have said Certificate of Approval recorded with the Ventura County Recorder. (PL)

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Oxnard on this 4th day of May 2023:

Ronald Arruejo, 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 4th day of May 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Peason II, AICP, Secretary

PZ 21-300-05 & 21-400-04
Catamaran Parcel Map Waiver
&
Coastal Development Permit
1001 Catamaran Street

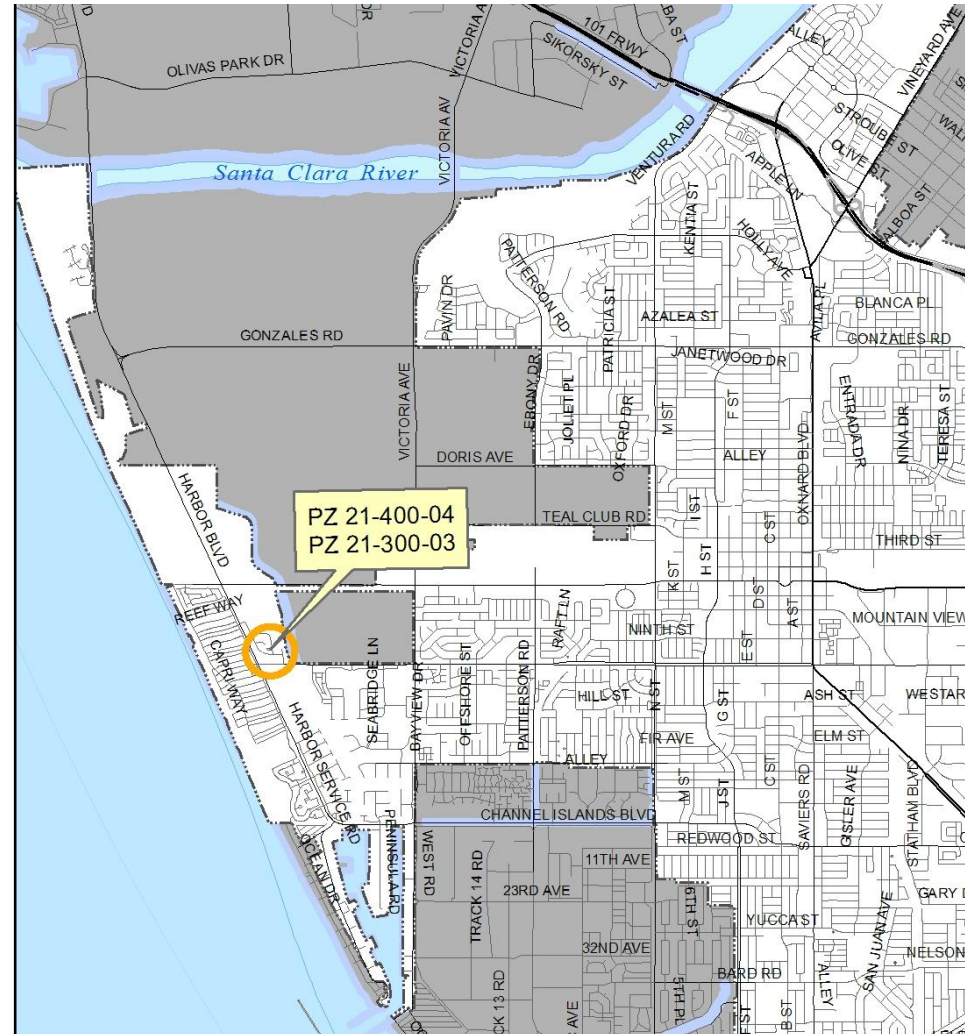
Planning Commission
Daniel Houck, Associate Planner

May 4, 2023



Project Description

- A request to divide a 7,915 Sq. Ft. parcel into two parcels for condominium purposes.
 - The building is located on a 0.18-acre site located at 1001 Catamaran (APN 196-0-031-065).
 - No additional square footage is proposed and no improvements are required.
- Filed by Arthur Tamazyran, TMZN Holdings LLC, 6735 Yucca Street #202, Los Angeles, CA 90028.



2030 General Plan & Zoning Maps



Residential Existing



Coastal Low Density Multi-Family

Existing Site

Subject Site: 1001 Catamaran Drive - Oxnard Dunes Neighborhood

Surrounding Uses:

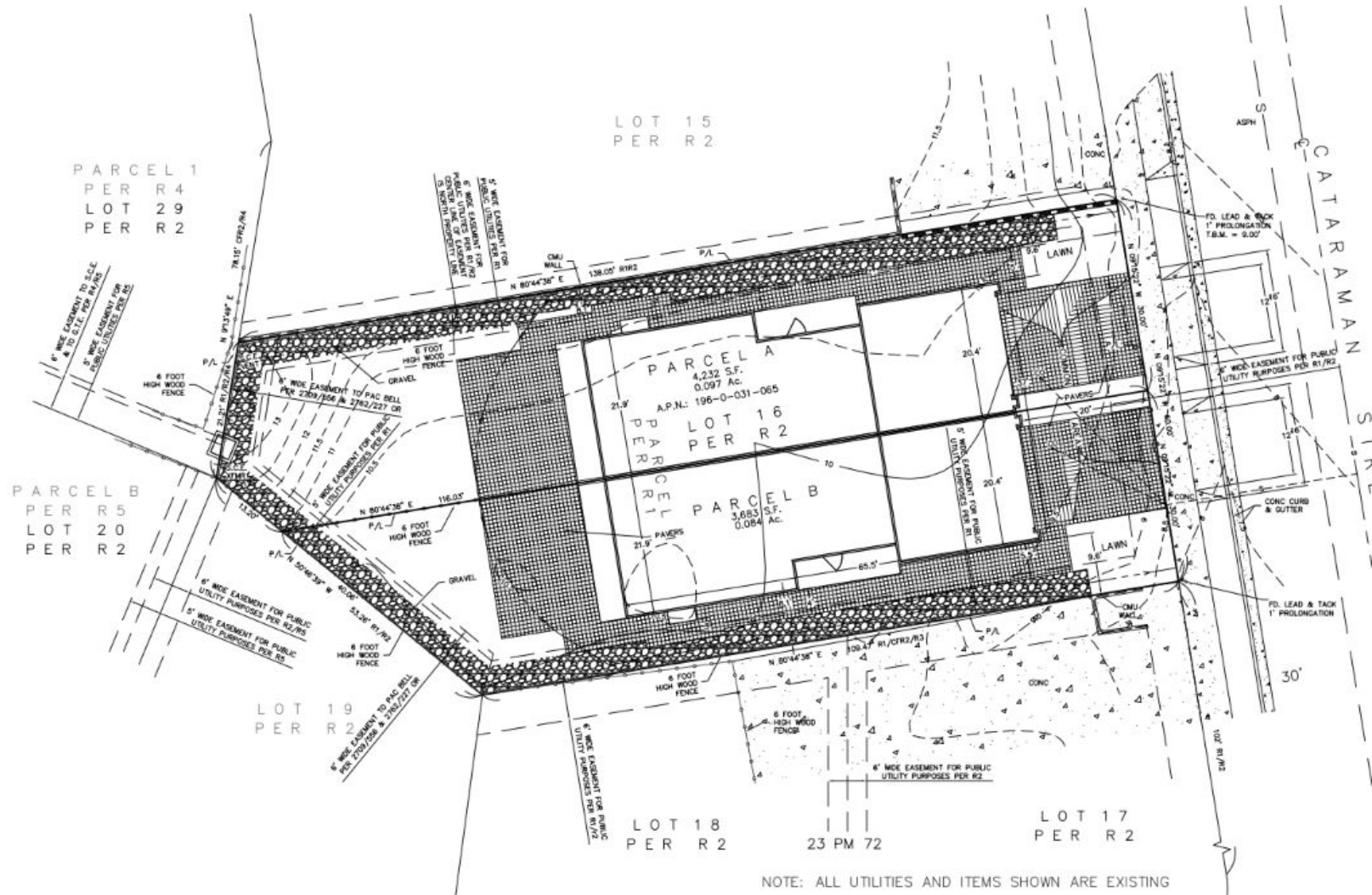
LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Vacant
North	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Single-family dwelling
South	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Apartment building
East	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Catamaran Street, residential duplexes
West	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential duplexes

Background

- PZ 21-400-01 (Coastal Development Permit) was approved by the Planning Commission June 3, 2021, and allowed for the construction of the existing duplex.
- At the time, the site was evaluated for, and found to be consistent with, parking, ADA access, circulation, fire access, storm water control and other development requirements.
- The Coastal Development Permit was issued with conditions of approval, all of which were and are still being adhered to by the existing development and property owner.



Tentative Map



Community Input

- The project is in the Oxnard Dunes General Plan neighborhood.
- The project went to a Community Workshop on May 16, 2022.
- Public notices sent for the Planning Commission hearing.
 - To date, staff has not received any comments or inquiry from the public

Conditions of Approval

There are 20 Conditions proposed for this project. Most are standard. The most significant conditions to highlight are:

Condition 8 states that Covenants, Conditions, and Restrictions be created for the condominiums, with conditions 9-13 outlining specific items to incorporate language for, such as easements and different maintenance responsibilities.

Condition 15 gives a 36 month expiration date to file a certificate of approval for the parcel map waiver.

Condition 18 states that all conditions of Coastal Development Permit 21-400-01 shall remain in full force and effect.

Environmental Review

- In accordance with Section 15315 (Minor Land Divisions, Class 15) of the State CEQA Guidelines, projects consisting of “the division of property in urbanized areas zoned for commercial use into four or fewer parcels” may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA).
- A Notice of Exemption will be filed.

Staff Recommendation

That the Planning Commission approve the Project, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15315 (Minor Land Divisions), and Adopt Resolution 2023-XX for Planning and Zoning Permit Nos. 21-300-05 (Parcel Map Waiver) and 21-400-04 (Coastal Development Permit, subject to certain findings and conditions.

End of Presentation

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Joe Pearson II, AICP, Planning Manager

DATE: May 4, 2023

SUBJECT: **Project Name: Casa Aliento Major Modification and Map;** Planning and Zoning Permit Nos. 23-550-01 (Major Modification to Planned Development Permit No. 78) and 22-300-04 (Tentative Parcel Map), Property Located at 1245-1255 North Oxnard Boulevard; APNs: 200-0-082-220 & 230.

1) 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 Sections 15301 (Existing Facilities) and 15315 (Minor Land Divisions); and
- b)** Adopt Resolution 2023-XX recommending the City Council Approve Planning and Zoning Permit No. 22-300-04 (Parcel Map), subject to certain findings and conditions; and
- c)** Adopt Resolution 2023-XX approving Planning and Zoning Permit Nos. 23-550-01 (Major Modification to Planned Development Permit No. 78), subject to certain findings and conditions.

2) Project Description and Applicant: The proposed project includes a development proposal to subdivide the existing 1.81 acre lot to create two parcels. Parcel 1 (0.58 Acres) will contain the existing Denny's restaurant and associated parking lot. Parcel 2 (1.23 Acres) will contain the approved Casa Aliento residential development and associated parking and open spaces areas. The project includes site improvements, which will consist of reconfiguration and expansion of the parking lot, minor frontage improvements, reconstruction of the Denny's trash enclosure to meet current standards, and associated landscape improvements. The project also includes a request for a administrative parking relief to decrease the number of required parking spaces on Parcel 1 (Denny's) from 47 to 44

spaces minimum and to allow for 11 compact parking spaces, in accordance with Section 16-561 of the Oxnard City Code (OCC). No new buildings are proposed. The property is zoned as General Commercial Planned Development (C-2-PD). The project has been deemed to be Categorically Exempt in accordance with Sections 15301 (Existing Facilities) and 15315 (Minor Land Divisions) pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines.

The Project site is located at 1245-1255 North Oxnard Boulevard (APNs: 200-0-082-220 & 230) within the General Commercial Planned Development (C-2-PD) zone district and within the Commercial General land use designation (Attachment A). For purposes of this staff report, the foregoing Project Description shall be referred to as the “Project”. Filed by Yianeth Saenz-Solis, Community Development Partners, 3416 Via Oporto - Ste 301 Newport Beach - California - 92663 (the “Applicant/Property Owner”).

- 3) Existing & Surrounding Land Uses:** The site is located north of Lockwood Street, south of the 101 Freeway, and west of North Rose Avenue.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	General Commercial Planned Development (C-2-PD)	Commercial General (CG)	Casa Aliento (Former Vagabond Inn)/Dennys
North	General Commercial Planned Development (C-2-PD)	Commercial General (CG)	Mitsubishi Dealership / RV Dealer
South	General Commercial -All Affordable Housing Opportunity Program (C-2-AH)	Commercial General (CG)	Automotive Dealership
East	Easement/ROW (ESM/RW) Community Reserve (C-R)	Open Space (OS) Garden Apartment Planned Development (R-3-PD)	Railroad Pacific Community - Sport Park Single Family Homes
West	Single Family Residential Planned	Residential Low (RL)	Apartment Complex Commercial

	Development (R-1-PD)		
--	-------------------------	--	--

- 4) Background Information:** On October 24, 1968, the Planning Commission approved Planned Development Permit No. 78, permitting the construction of a two-story, 70-unit motor hotel (21,573 square feet); a lobby-manager's apartment (1440 square feet); coffee shop (3,548 square feet) recreation, parking areas and related site improvements.

Pursuant to Assembly Bill (AB) 83 and 2020 California Health and Safety Code Section 50675.1.1, on April 29, 2021, the Permittee filed a Zone Clearance request to convert the hotel to a supportive housing apartment complex. Projects receiving money from the Coronavirus Relief Fund established by the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116-136), to acquire and/or rehabilitate hotels or motels to provide housing for individuals and families are not subject to discretionary review and are deemed consistent with the City's zoning and the 2030 General Plans.

On September 16, 2021, the Planning Division approved Zone Clearance No. 21-130-105 allowing the change in use to convert the 70 room hotel to a permanent supportive housing apartment complex. At the time, no additions or exterior site changes were proposed and the permittee was simply required to obtain building permits for interior tenant improvements for the conversion.

On January 23, 2023, the Planning Division approved a request for site modification to accommodate the conversion of the former Vagabond Inn into a 70 unit supportive housing complex with 69 very low income studio units and a one-bedroom manager's unit. The studio units will range between 261 square feet and 351 square feet in size; and the manager's unit will be approximately 665 square feet. The site improvements consisted of interior and exterior alterations that will consist of facade changes, new landscaping, a 900 square foot outdoor lounge and community garden area. The approval also included the ministerial review for a parking standard modification pursuant to State Density Bonus Law and OCC Section 16-410P. Pursuant to State Density Bonus Law (Government Code 65915(p)(4)), a city shall not impose any minimum vehicular parking requirement on a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code. Therefore, no parking is required for the Casa Aliento residential project.

5) Environmental Determination:

In accordance with Section 15301 (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. Also, in accordance with Section 15315 (Minor Land Divisions) of the CEQA Guidelines, projects consisting "of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels

when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent” may be found to be exempt from the requirements of CEQA. The project includes site improvements, which will consist of parking lot, frontage, trash enclosure, and landscape improvements to the existing development. No new buildings or uses are proposed. The Project also includes the subdivision of an existing developed lot into two parcels. All future proposals would also be subject to compliance with the State California Environmental Quality Act (CEQA) Guidelines. The project site is surrounded by urban uses. The project site has no value as habitat for endangered, rare, or threatened species. Additionally, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the exemption. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that the Planning Commission accept the Notice of Exemption (see Attachment E).

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 Major Modifications pursuant to OCC §16-561(A) and a recommending body on the Tentative Parcel Map pursuant to OCC §15-40. Therefore, the Project is being presented to the Planning Commission for a decision on the Major Modification and Recommendation on the Tentative Parcel Map.

- b) General Plan Consistency:** The City’s 2030 General Plan land use designation for the subject site is General Commercial (CG). The CG land use allows retail centers and free-standing commercial uses along arterials, and may also include office and other residential uses. The project complies with these land use determinations as the project would only allow for the subdivision of the existing lot and associated site improvement to the existing development and uses. Approval of the Project has been determined to be consistent with the General Plan and the property’s land use designation.

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

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).

III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD-1.2	II	In-fill development, priority to mixed use	The Project site is within a developed area of the City and qualifies as infill.
CD 4.2 & CD 9.2	I	Commercial Revitalization and Redevelopment	The development will improve an older development near Oxnard Blvd with a renovated commercial commercial site enhancements to the landscaped parking lot.
ER-10.1- & ICS-19.2	I	Promote use of Native and Water Wise Plants and Water Supply Findings for Smaller Projects	The Project is conditioned to incorporate native and water wise plants and is conditioned to comply with City's Landscape and Water Conservation Standards (Ordinance No. 2822) and applicable water conservation requirements of the State of California.
CD-5.2 SH-6.4	II	Compatible Land Use	The proposed building is consistent with the allowable Commercial General land uses and will be compatible with adjacent uses as designed, and is not anticipated to generate nuisances.
CD-15.6	II	Share of regional taxable sales	The Project will allow for the renovation of an existing site to allow for the continuation of the existing business, which will generate retail tax sales revenue to the City.
CD-14.1 CD-14.2	II	Design review process Development Advisory Committee (DAC) functions	The Development Advisory Committee (DAC) review process led to changes in the Project and/or conditions of approval that meet these Level II policies.
All others	III	All policies not listed above	No or Distant Applicability to the Proposed Project.

- c) *Conformance with Zoning Development Standards:*** The proposed development is located within the General Commercial, Planned Development (C-2-PD) zone district and is subject to the General Commercial (C-2) development standards.

The proposed project was evaluated for consistency with the C-2 development standards. As shown in Attachment F, the Project is designed to be consistent with the development standards.

Therefore, approval of this use is in conformance and consistent with the standards of the OCC.

- d) *Site Design:*** The proposed Casa Aliento parcel will have access via Glenwood Drive and Outer Oxnard Boulevard via existing driveways. The Glenwood Drive driveway will be fenced as an exit only driveway. The proposed Denny's parcel will be accessible via an existing driveway on Glenwood Drive and a new exit driveway on Glenwood Drive. The proposed and existing driveway will provide access to the site and allow for vehicle circulation around the sites. The majority of the improvements will occur on Parcel 1, which will contain the Denny's restaurant. The improvements will consist of parking lot improvements to expand the parking lot and fill in the existing pool area. The first driveway on Glenwood Drive will still function as the primary driveway. The improvements will also separate the circulation and parking areas from the Casa Aliento development on Parcel 2.

As previously stated in the background section, Casa Aliento received prior approval for many of the site improvements shown on the plans, including the revised open space and parking areas. The proposed improvements under the requested Major Modification includes the proposed fencing and parking lot improvements to separate the parking and access from the Denny's parcel. The proposed improvements will be required as part of the proposed parcel map.

While the Project focuses on parking lot and vehicular access improvements, pedestrian access improvements are also proposed. The existing driveways will be reconstructed to meet current City standards and accessibility requirements. A new sidewalk will be constructed along the frontage of Parcel 2, which will connect to the existing sidewalk to the north and a future sidewalk to the south, if that site is redeveloped in the future.

The proposed Denny's site will have a total of 44 parking spaces minimum, which is less than the required on-site parking requirement of 47 spaces. The on-site parking requirements for the proposed development is shown in the following table:

Parking Compliance

DEVELOPMENT	PARKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-622(F)	TOTAL PROVIDED
Existing Denny's	Non Fast Food: 1 space per 75 gsf. 3,523 gsf=47 spaces	44 spaces Minimum
Existing Casa Aliento	Multi-family: Studio and one bedroom = One garage space per unit 70 studio and one bedroom units=70 spaces Visitor Parking = One visitor space per unit which need not be covered for the first 30 units; after the 31st unit, 0.5 visitor space per unit required 50 visitor spaces required Total required parking = 120 spaces	42 spaces (0 spaces required pursuant to previously approved Density Bonus)

OCC Section 16-651(B)(4) allows the Planning Commission to grant administrative relief from the parking provisions of the OCC when a requirement is shown to be excessive. Pursuant to the OCC the applicant has provided a parking study prepared by a professional traffic engineer registered by the State, demonstrating that the required parking is excessive and showing the amount of parking that should be required for the proposed use (Attachment E). The study used ITE's Parking Generation Manual, 5th Edition to project peak parking demand. Based on the assessment, "parking demand is typically 33 vehicles or less throughout the week and 44 spaces on the weekend. Therefore it is projected that there will be sufficient capacity to meet peak parking demand for the Denny's restaurant.

Lastly, the project is requesting to be allowed to provide 11 of the provided parking spaces as compact parking spaces. While standard size spaces are required to be 9 ft (width) x 19 ft (length), compact parking spaces are required to have minimum dimensions of 8 ft (width) x 16 ft (length). Eleven of the proposed spaces are compact due to the width of the space being 12-inches short of the standard requirement of 9 ft in width. Given that the spaces comply with the standard length requirements and are still 8 feet in width, they will still be able to safely accommodate most vehicles in the same

manner as a standard space. Therefore administrative relief from this provision is included within the MJMD application.

The City finds that the proposed project, as conditioned, and in the context of the documentation provided and reviewed demonstrate that there is sufficient parking capacity, and loading facilities. Therefore, staff recommend approval of this MJMD application.

e) *Landscaping and Open Space:* The Project will result in minor changes in onsite landscaping. The landscaping in the pool and surrounding area will be removed. The majority of the new landscaping proposed under this application will be located on Parcel 1, in the new parking area of the Denny's restaurant. The project has been conditioned to provide a landscape plan as part of the project submittal for Civil and Building permits.

7) *Development Advisory Committee:* The Development Advisory Committee (DAC) reviewed this project on April 6, 2023. Recommendations of the DAC are included in the attached resolution(s).

8) *Community Workshop and Public Input:* The Project site is located within the Carriage Square Neighborhood. On April 17, 2023, the Project was presented to the public during the City's Community Workshop meeting. Notices were mailed out to property owners of the Carriage Square Neighborhood. During the meeting no public comments were received regarding the Project.

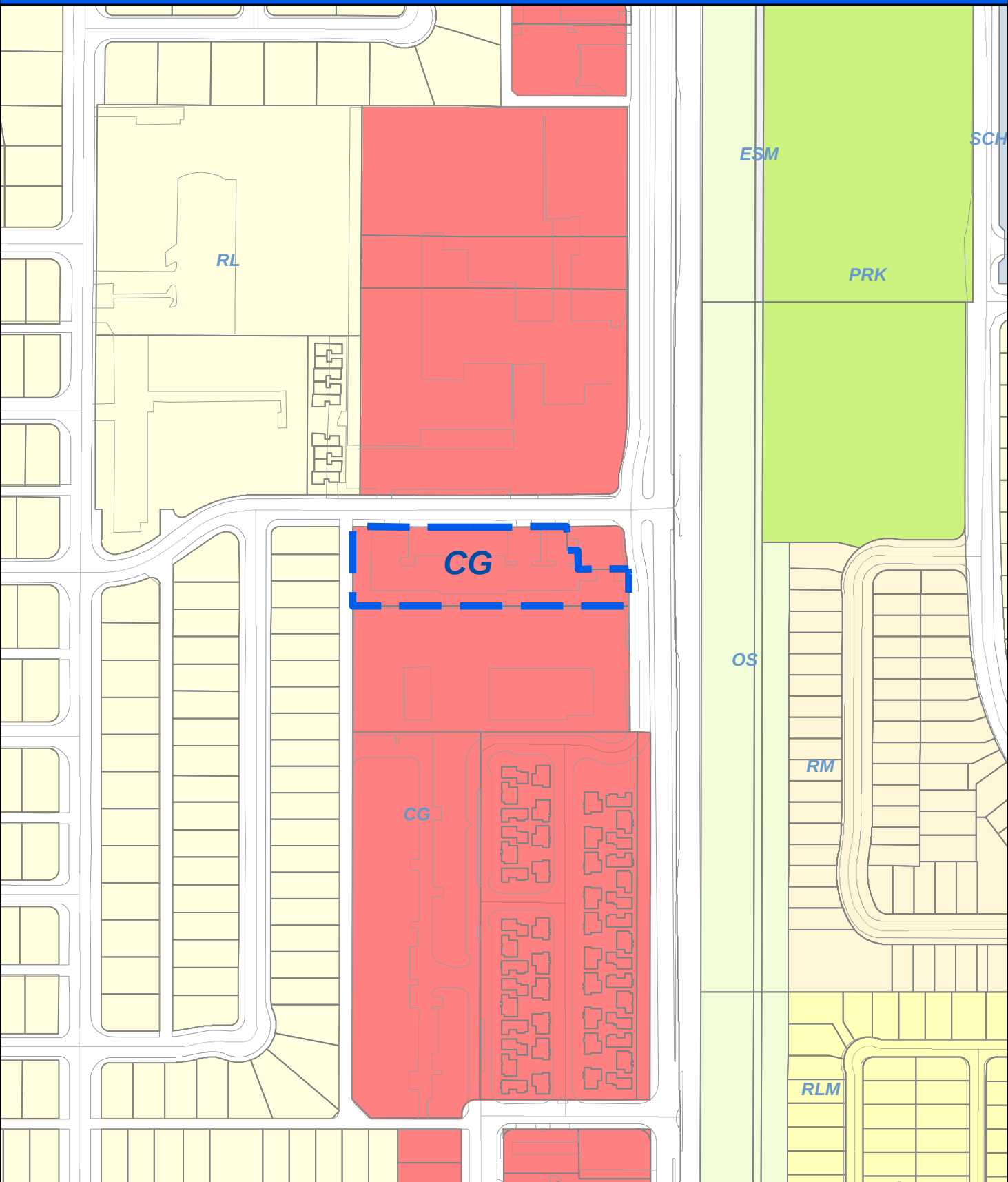
Consistent with public noticing requirements, the Planning Commission hearing was advertised in the newspaper, with an on-site posting, and by mail to property owners within 300 feet of the subject property. To date, Staff has not received any concerns or public comments regarding the proposed Project.

9) *Appeal Procedure:* In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. If an appeal is not filed within 18 working days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Parking Study
- D. Zoning Consistency Tables
- E. Notice of Exemption
- F. Draft Planning Commission Resolution (PZ 22-300-04)
- G. Draft Planning Commission Resolution (PZ 23-550-01)
- H. Staff Presentation

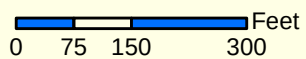
2030 General Plan Land Use Map



Oxnard Planning

March 28, 2023

PZ 23-500-001
Location: 1245 N Oxnard Blvd
APN: 200008222

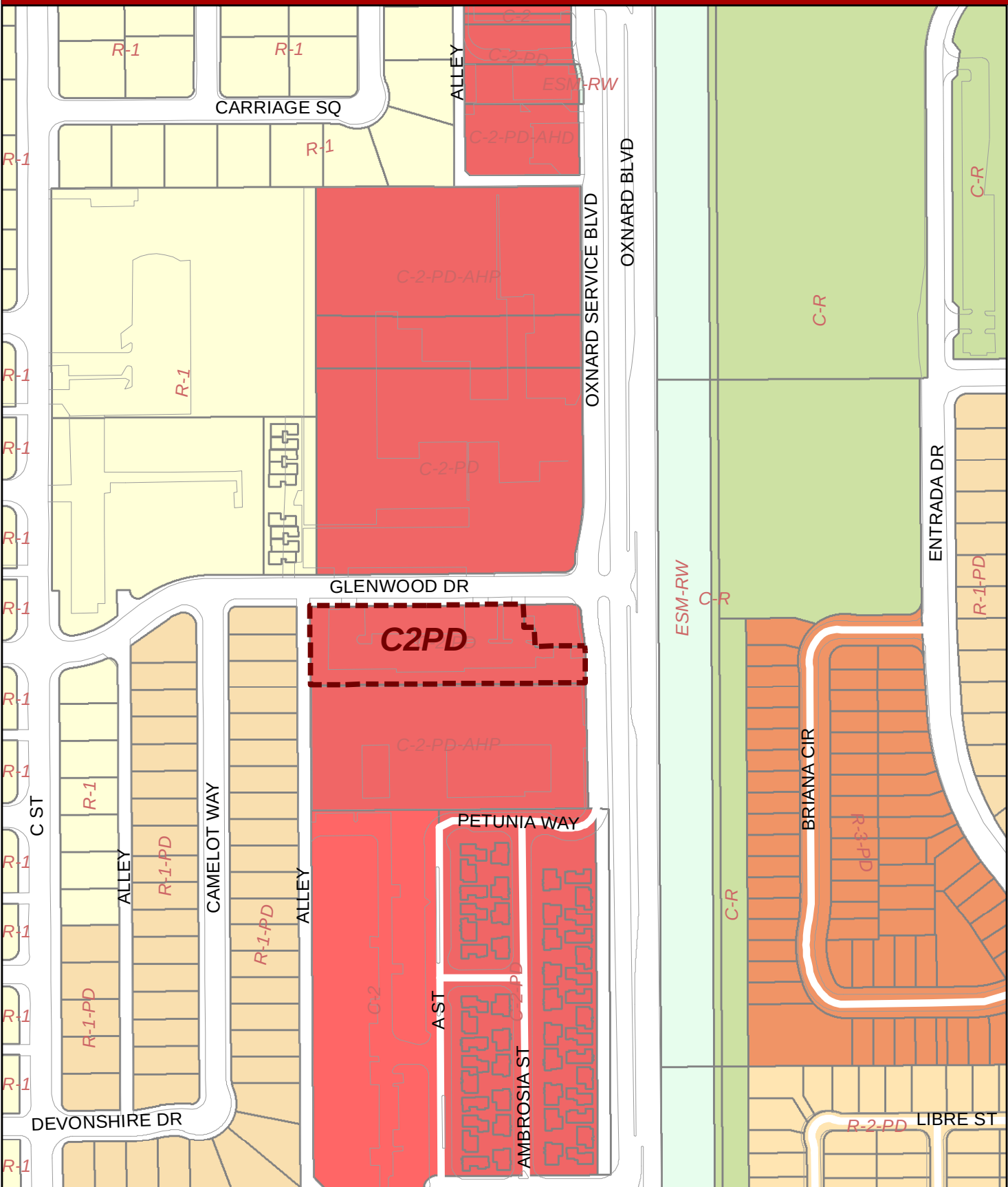


2030 General Plan Land Use Map



1:3,000

Zoning/Specific Plan Map





TENTATIVE PARCEL MAP NO. XXXXX

PROPOSED LAND USE

(C2 PD) GENERAL COMMERCIAL PLANNED DEVELOPMENT

EXISTING USE

1245 N OXNARD BOULEVARD - HOSPITALITY

1245 N OXNARD BOULEVARD - RESTAURANT

PROPOSED USE

1245 N OXNARD BOULEVARD - PERMANENT SUPPORTIVE HOUSING

1245 N OXNARD BOULEVARD - RESTAURANT

PROJECT DESCRIPTION

THE PROPOSED PERMANENT SUPPORTIVE HOUSING PROJECT CONSISTS OF RENOVATING 2 EXISTING, 1 - STORY MANAGERMENT BUILDING AND 2 - STORY RESIDENTIAL BUILDINGS AS WELL AS THE CONSTRUCTION OF A NEW PARKING LOT FOR DENNY'S.

PROPOSED DATE TO BE COMPLETED:

PUBLIC UTILITIES

SINCE THE EXISTING BUILDINGS WILL REMAIN, NO PUBLIC UTILITY IMPROVEMENTS OR NEW CONNECTIONS ARE ANTICIPATED.

BENCHMARK

THE CALIFORNIA SPATIAL REFERENCE CENTER C.O.R.S. "NVC0".

ELEVATION 242.3 FEET (NAVD 83)

BASIS OF BEARINGS

THE BEARINGS ARE BASED UPON THE CENTERLINE OF THE ALLEY ON THE WESTERLY SIDE OF THE SUBJECT PROPERTY. BEING NOTED: PER MAP RECORDED IN BOOK 6 PAGE 68 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCELS 1 AND 2 IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6, PAGE 68 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

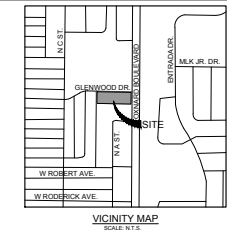
SURVEY INFORMATION

THESE PLANS AND THE ABOVE INFORMATION ARE BASED ON THE SURVEY BY ARMANDO D. DUPONT, CALIFORNIA PLS 7780 FOR AND ON BEHALF OF CALVADA SURVEYING INC. PROVIDED TO RM ON 10/04/2021

AGENCY CONTACT LIST

OWNER/DEVELOPER
COMMUNITY DEVELOPMENT PARTNERS
3416 VIA OPORTO, SUITE 301
NEWPORT BEACH, CA 92663
949-467-1344
CONTACT: REID BRODSHAW

CIVIL ENGINEER

WARE MALCOMB
815 WILSHIRE BLVD, SUITE 2190
LOS ANGELES, CA 90017
310-800-8078
CONTACT: KEITH MALLORY

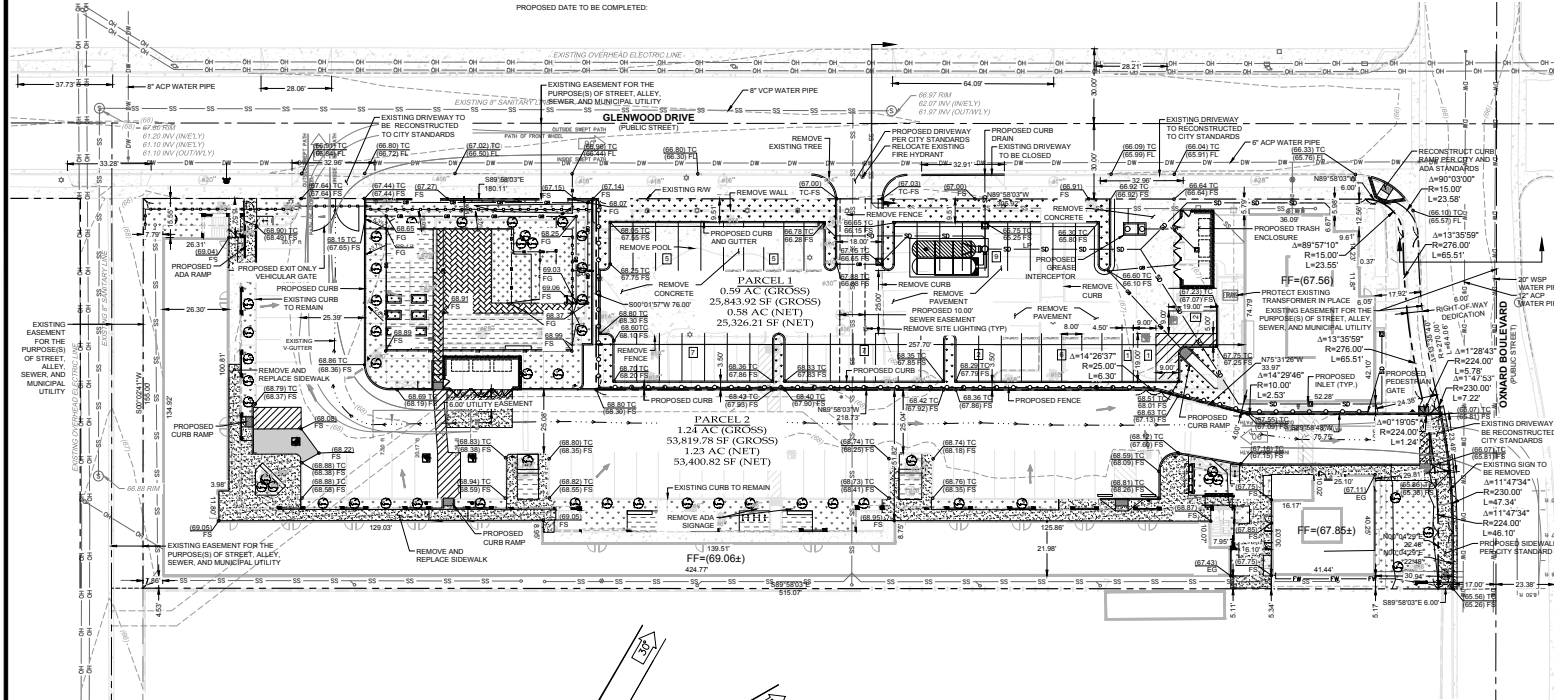
WARE MALCOMB
LEADING DESIGN FOR COMMERCIAL REAL ESTATE

915 Wilshire Blvd.
Los Angeles, CA 90017
P 310.803.8000
www.waremalcomb.com



FOR AND ON BEHALF
OF WARE MALCOMB

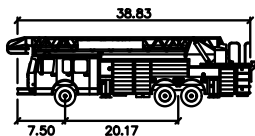
TENTATIVE PARCEL MAP
VAGABOND OXNARD
1245 N. OXNARD BOULEVARD
OXNARD, CA 92663



LEGEND	EXISTING TO REMAIN		EXISTING TO BE REMOVED		PROPOSED
	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	
BOUNDARY	---	BOUNDARY	---	BOUNDARY	---
EASEMENT	---	EASEMENT	---	EASEMENT	---
CENTERLINE	---	CENTERLINE	---	CENTERLINE	---
CONTOUR	---	CONTOUR	---	CONTOUR	---
CONTOUR	---	CONTOUR	---	CONTOUR	---
CURB / GUTTER	---	CURB / GUTTER	---	CURB / GUTTER	---
BUILDING	---	BUILDING	---	BUILDING	---
SIDEWALK	---	SIDEWALK	---	SIDEWALK	---
CURB RAMP	---	CURB RAMP	---	CURB RAMP	---
FENCE	---	FENCE	---	FENCE	---
SIGN	---	SIGN	---	SIGN	---
PAVEMENT	---	PAVEMENT	---	PAVEMENT	---
ORIGINAL	---	ORIGINAL	---	ORIGINAL	---
STORM DRAIN	---	STORM DRAIN	---	STORM DRAIN	---
STORM INLET	---	STORM INLET	---	STORM INLET	---
MANHOLE	---	MANHOLE	---	MANHOLE	---
SANITARY	---	SANITARY	---	SANITARY	---
WATER MAIN	---	WATER MAIN	---	WATER MAIN	---
FIRE HYDRANT	---	FIRE HYDRANT	---	FIRE HYDRANT	---
WATER VALVE	---	WATER VALVE	---	WATER VALVE	---
WATER METER	---	WATER METER	---	WATER METER	---
LIGHT POLE	---	LIGHT POLE	---	LIGHT POLE	---
GAS METER	---	GAS METER	---	GAS METER	---
OVERHEAD UTILITY	---	OVERHEAD UTILITY	---	OVERHEAD UTILITY	---

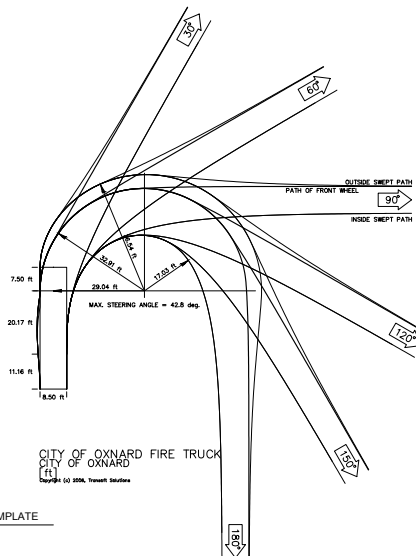
EARTHWORK QUANTITY ESTIMATE	
CUT (CY)	FILL (CY)
GENERAL	350
NET	300

NOTE: THE ESTIMATED QUANTITIES HEREON ARE ONLY FOR THE PURPOSE OF OBTAINING THE NECESSARY PERMITS. WARE MALCOMB DOES NOT GUARANTEE THE ACCURACY OF THE ESTIMATED QUANTITIES. THE CONTRACTOR SHALL PERFORM HIS OWN QUANTITY TAKEOFF BEFORE SUBMITTING A BID FOR ANY PORTION OF THE IMPROVEMENTS COVERED BY THESE PLANS.

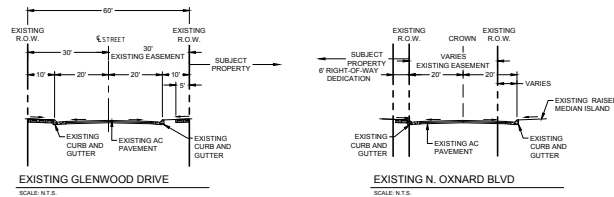


CITY OF OXNARD FIRE TRUCK

Width : 8.50
Track : 8.50
Lock to Lock Time : 8.00
Steering Angle : 44.00



OXNARD TRUCK TURN TEMPLATE
SCALE: N.T.S.



PARKING REQUIRED (ZONING CODE)			
PARCEL #	UNIT TYPE	PARKING REQ.	SF
PARCEL 1	RESTAURANT	1 STALL / 75 SF	3,523
PARCEL 2	PSH	0	0
TOTAL PARKING REQUIRED		47	

PARKING PROVIDED	
PARCEL #	UNIT TYPE
PARCEL 1	OPEN STANDARD STALLS (RESTAURANT)
PARCEL 1	COMPACT STALLS (RESTAURANT)
PARCEL 1	MOTOR CYCLE STALLS (RESTAURANT)
PARCEL 2	OPEN STANDARD STALLS (RESIDENTIAL)
PARCEL 2	RESIDENTIAL PARKING RATIO (PER UNIT)
PARCEL 1	OPEN ADA STALLS (RESTAURANT)
PARCEL 2	OPEN ADA STALLS (RESIDENTIAL)

IMPROVEMENTS TO PARCEL 2 ARE PART OF A SEPARATE MINOR MODIFICATION.



TENTATIVE PARCEL MAP NO. XXXXX

DESIGNED BY: JAM
DATE: 04/19/23
PLOT DATE: 04/19/23

SHEET
1.0

Sheet 1 of 1



MEMORANDUM

To: Yianeth Saenez-Solis, Community Development Partners
From: Tom Brown and Karen La
Date: February 3, 2023
Subject: Parking Study for Casa Aliento (1245 and 1255 Oxnard Boulevard)

Project Overview

Community Development Partners plans to redevelop the existing Vagabond Inn Motel into a permanent supportive housing site. The site's Denny's restaurant will remain as it is today. While the housing component of the project is not subject to minimum parking requirements, a few factors limit the proposed project from meeting the minimum requirement for the restaurant.

1. New City Zoning Code requirements for landscaping and site design will cause some reduction of the site's existing parking supply.
2. The future site will include a physical division of the property between the housing and the restaurant uses, preventing the restaurant from being able to access parking on the housing's portion of the site.

This combination of factors limits the potential on-site supply for the restaurant. While the proposal includes the redevelopment of the motel's pool facility to add more parking in service to the restaurant, the site will only accommodate 45 spaces within the area of the site accessible to the restaurant – two shy of the City's minimum parking requirement. As such, the City of Oxnard has requested a parking study to demonstrate that the proposed parking supply can sufficiently meet the projected parking demand.

Proposed Land Uses

Vagabond Inn Motel is located on 1245 Oxnard Boulevard and will be converted from a hospitality facility to permanent supportive housing, via renovation of the two existing buildings -- a 1-story management building and a 2-story residential building.

The existing, 3,523-GSF Denny's restaurant is located on 1255 Oxnard Boulevard and is to be maintained as is.

Proposed Parking Supply

The Project is proposed to make use of the site's the existing 87 spaces, which includes 42 spaces with 5 ADA spaces for the permanent supportive housing and 45 spaces with 2 ADA spaces for the Denny's restaurant.

Available Public Transit

Two bus stops are located within ½ mile radius of the project site. Both stops are located on C Street and are served by Gold Coast Transit Route 6.

City Parking Requirements

Permanent Supportive Housing

[Section 16.410P](#) of the Oxnard Municipal Code allows for a maximum of 0.5 per bedroom for permanent supportive housing when the development:

- Includes the maximum percentage of low- or very low-income provided for Section 16.410H.
- Is located within one-half mile of a major transit stop, defined¹ as follows:
 - Located on a “transit corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours”.
 - And... “all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor.”
- Has unobstructed access to the major transit stop from the develop. A development shall have unobstructed access to a major transit stop if a resident is able to access the major transit without encountering natural or constructed impediments.

However, the City has waived the parking requirements for the housing portion of the proposed project.

Restaurant

According to [Section 16.622](#) of the Oxnard Municipal Code, one parking space per 75 square feet of gross floor area for up to 6,000 square feet of gross floor area is required for non-fast-food restaurants. This results in a parking requirement of 47 spaces for the Denny’s restaurant component of the proposed project.

Summary

Figure 1 Parking Requirements and Proposed Parking Supply

Land Use	Parking Standard	Parking Required	Parking Provided
Permanent Supportive Housing	Maximum of 0.5 / bedroom	0 ²	42 including 5 ADA spaces
Restaurant	Minimum of 1 space / 75 SF	47	45 including 2 ADA spaces
All Uses	-	47	87

Parking Demand Generation Projections

This section analyzes projections of parking demand for the Denny’s restaurant component of the proposed project, to assess the sufficiency of the existing parking supply to accommodate peak parking demand conditions. Our analysis is based on industry-standard sources for parking and trip generation rates linked to land uses, as described below.

Key Data Sources

The Institute of Transportation Engineers (ITE) publishes a compendium of parking-generation rates assigned to a range of land use types, based on an expansive database from parking occupancy surveys. For purposes of this

¹ https://california.public.law/codes/ca_pub_res_code_section_21155

² The City of Oxnard has waived the housing requirements for the permanent supportive housing, but 42 spaces are provided on-site.

Parking Study for Casa Aliento Community Development Partners

memo, this widely recognized source for projecting parking demand for new developments was used. Specifically, we relied on rates published in ITE's [*Parking Generation Manual, 5th Edition*](#). It is worth noting that the parking occupancy surveys that inform the ITE manual's parking generation rates are largely completed in areas in which transit mode shares are minimum, and dependency on personal vehicles is high. The use of these ratios for parking-demand projections at the proposed site can therefore be considered as erring on the side of over-anticipating parking demand, given the level of transit proximity noted in the previous section.

Selected Land Use Category

The land use category selected from the set provided in the ITE manual is described below:

Land Use 932 High-turnover (sit-down) restaurant: *This land use consists of sit-down, full service eating establishments with a typical duration of stay of 60 minutes or less.*

Projecting Peak Parking Demand

The following parking-generation rates are identified for high-turnover restaurant uses in the Parking Generation Manual.

Figure 2 ITE Peak-Period Parking Generation Rates and Projected Peak Parking Occupancy

Peak Period	Peak Parking Demand per 1,000 SF of GFA	Projected Peak Parking Occupancy
Weekday	9.44	33
Weekend	12.28	44

The rate above shows that the peak-hour parking occupancy for the Denny's restaurant is 33 spaces during weekdays and 44 spaces during weekends.

Supply Sufficiency

Sufficiency at Peak Demand

The table below compares the projected range of peak-hour parking occupancy with the on-site supply of parking spaces that will be available for the exclusive use of Denny's customers.

Figure 3 Projected Occupancy Range Compared to Dedicated Parking Supply

Estimated Peak Parking Demand	Dedicated Restaurant Spaces	Remaining Capacity
33	45	12
44	45	1

Denny's customers will have access to an additional 12 spaces during the peak-hour of weekdays and one space during the peak-hour of weekends. Because the remaining capacity are calculated for peak-hours and ITE uses a conservative measure, we can assume that more parking spaces will be available during non-peak hours throughout the week.

Sufficiency Over Time

The *Parking Generation Manual* from ITE identifies a time-of-day distribution of parking demand, presented as a percent of the measure of peak parking demand, as summarized in the table below. This provides a useful overview of how often, and for how long, such demand peaks are expected to be generated by the proposed land use.

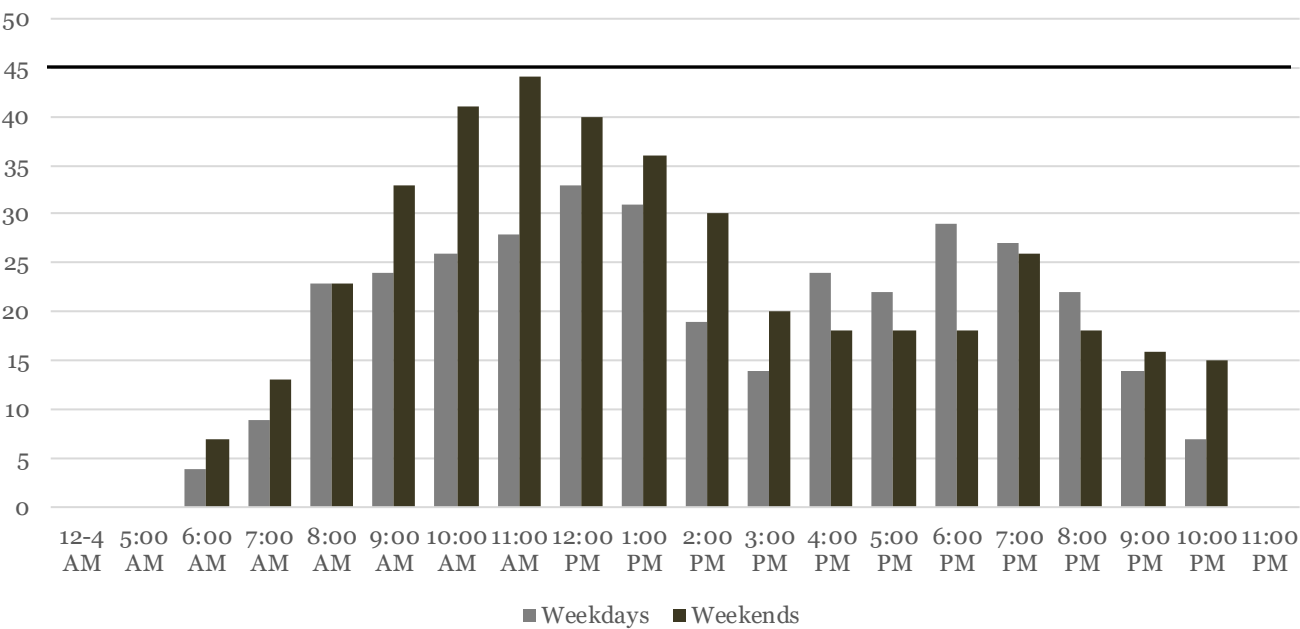
Parking Study for Casa Aliento
Community Development Partners

Hour	Demand as % of Peak			
	Adjusted Weekday	Remaining Spaces	Adjusted Weekends	Remaining Spaces
12:00 – 4:00 AM	0%	45	0%	45
5:00 AM	0%	45	0%	45
6:00 AM	10%	41	15%	38
7:00 AM	25%	36	28%	32
8:00 AM	68%	22	52%	22
9:00 AM	72%	21	75%	12
10:00 AM	77%	19	91%	4
11:00 AM	83%	17	100%	1
12:00 PM	100%	12	90%	5
1:00 PM	91%	14	80%	9
2:00 PM	56%	26	67%	15
3:00 PM	42%	31	45%	25
4:00 PM	42%	31	39%	27
5:00 PM	64%	23	40%	27
6:00 PM	87%	16	40%	27
7:00 PM	79%	18	58%	19
8:00 PM	65%	23	40%	27
9:00 PM	42%	31	35%	29
10:00 PM	21%	38	33%	30
11:00 PM	0%	45	0%	45

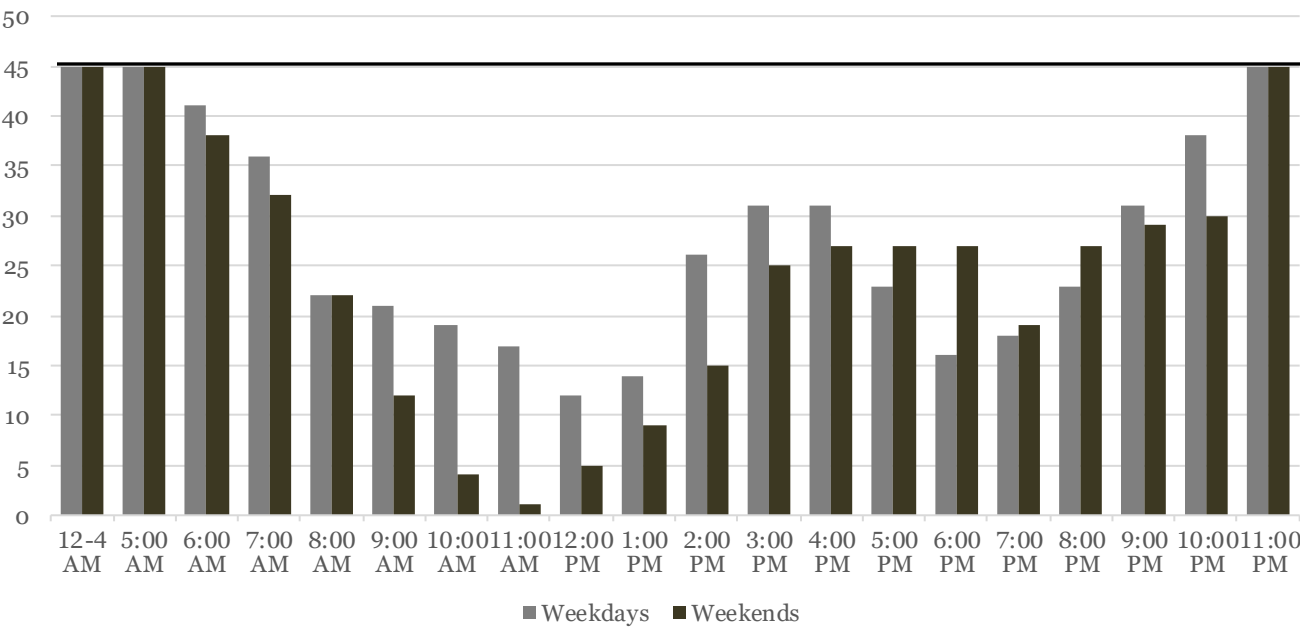
Using these “percent of peak” measures, and focusing on the projected peak parking occupancy measures of 33 spaces for weekdays and 44 spaces for weekends, patterns of parking sufficiency beyond demand-peaks can be projected for both weekdays and weekends. The charts below provide a visual overview of these patterns. As shown the peak-demand conditions that are the focused of Figure 3 can be expected for just an hour or two each week, with significant excess parking capacity likely to be experienced at most times on most days.

Parking Study for Casa Aliento
Community Development Partners

Projected Parking Demand



Surplus Dedicated Parking Spaces



Conclusion

The key findings from this analysis are summarized below:

Parking Study for Casa Aliento
Community Development Partners

- 42 spaces are provided for the housing portion of the project; however, it is not subjected to minimum parking requirements.
- Based on the Denny's restaurant square footage, weekday parking demand is projected to peak at 33 spaces, while weekend demand is projected to peak at 44 spaces.
- Community Development Partners plans to provide 45 spaces for the Denny's restaurant.
 - This is projected to be sufficient capacity to meet peak parking demand for a typical weekend.
 - Other than a few late-morning to early-afternoon hours on Saturdays, the proposed parking supply is projected to be well in excess of the restaurant's parking needs.
 - Further, given the proximity of the restaurant to two fixed-route bus stops, the demand projections in the above analysis likely under-anticipates the level of transit use among restaurant employees, increasing our confidence that the proposed supply is sufficient to meet demand generated by the site's restaurant operations.

Attachment D

Zoning Code Consistency Table for Casa Aliendo General Commercial (C-2) Zone

Development Standard	Requirement	Proposed	Complies?
16-137 Height Permitted	No building shall exceed two stories or 35 feet; provided, however, that additional stories may be approved by the issuance of a special use permit.	22 feet (Existing)	Yes
16-138 Lot Area Per Dwelling Unit	Every main residential building shall have a lot area of not less than 600 square feet per dwelling unit, except for hotels or apartment hotels that have no cooking facilities in any individual room, suite or apartment.	762.8 square feet is provided per unit.	Yes
16-142 Yard Requirements for Dwellings	(A) Buildings used exclusively for dwelling purposes shall comply with the front, side and rear yard regulations of the R-3 zone. (B) Buildings having commercial uses on the lower floor and residential uses on the upper floor or floors shall comply with the front, side and rear yard regulations of the C-2 zone for commercial floors and the R-3 zone for the residential floors.		Yes, Pursuant to Assembly Bill (AB) 83 and 2020 California Health and Safety Code Section 50675.1.1
	Front Yard (OCC 16-60) - 20 feet	30 feet (existing)	Yes, Pursuant to Assembly Bill (AB) 83 and 2020 California Health and Safety Code Section 50675.1.1
	Side Yard (OCC 16-61) - Side yards shall be five feet for one or two story buildings and shall be 7½ feet for 2½ story buildings. Street side yards shall be one-half the required front yard	4.5 feet Minimum (South) (existing) 15.55 feet Minimum (North)	Yes, Pursuant to Assembly Bill (AB) 83 and 2020 California Health and

		(existing)	Safety Code Section 50675.1.1
	RearYard (OCC 16-62) - 25 feet	7.86 feet (Existing)	Yes, Pursuant to Assembly Bill (AB) 83 and 2020 California Health and Safety Code Section 50675.1.1
DIVISION 2. ATTACHED DWELLING UNIT DEVELOPMENT STANDARDS			
Minimum dwelling size	1 bedroom: 450 sqft 2 or more bedrooms: 800 sqft	257 sq. ft. minimum (Studio)	Yes, Pursuant to Assembly Bill (AB) 83 and 2020 California Health and Safety Code Section 50675.1.1
Building Separation	Equal to the height of the taller structure	16 feet	
Recreation Facilities	12 units plus must provide an area with one of the following: pool, spa, courts, bbq, picnic, rec bldg, exercise courses, play equipment, etc.	Community garden and picnic area provided.	
Open Area	12 units or more must provide a lawn area of not less than 2500 square feet and minimum 35' x 35' dimension	1200 sq ft. (Existing)	
Distance from Garage	75' from garage to dwelling	Less than 75 feet where parking is provided.	
Balconies & Patios	All 2 nd story dwelling units shall have at least one patio or balcony with 10' x 10' dimensions	No balcony	
Balcony enclosures	Railings or walls to provide at least 50% enclosure	No balcony	
Storage Areas	Each unit to have 225 cubic feet	No storage area	

Attachment D

Zoning Code Consistency Table for Denny's Restaurant General Commercial (C-2) Zone

Development Standard	Requirement	Proposed	Complies?
16-137 Height Permitted	No building shall exceed two stories or 35 feet; provided, however, that additional stories may be approved by the issuance of a special use permit.	20 feet and 2 inches	Yes
16-138 Lot Area Per Dwelling Unit	Every main residential building shall have a lot area of not less than 600 square feet per dwelling unit, except for hotels or apartment hotels that have no cooking facilities in any individual room, suite or apartment.	Project does not include dwelling units.	Not applicable
16-139 Front Yard	There shall be a front yard of not less than ten feet.	17.9 feet	Yes
16-140 Side Yard	Side yards shall be not less than five feet. Where a lot zoned general commercial abuts another lot so zoned, no setback shall be required.	0 feet	Yes, abuts commercial zoned property.
16-141 Rear Yard	No rear yard setback shall be required of commercial structures of 16 feet in height or less, provided that there shall be no penetrations in the wall located on the zero property line. For buildings over 16 feet in height, a 15-foot rear yard setback shall be required. Buildings on properties which abut a public alley shall provide a ten-foot rear year setback.	257.7 feet	Yes
16-142 Yard Requirements for Dwellings	(A) Buildings used exclusively for dwelling purposes shall comply with the front, side and rear yard regulations of the R-3 zone. (B) Buildings having commercial uses on the lower floor and residential uses on the upper floor or floors shall comply with the front, side and rear yard regulations of the C-2 zone for commercial floors and the R-3 zone for the residential floors.	Project does not include dwelling units.	Not applicable
Off-street parking:	Non-Fast Food: 1 space per 50 gsf.	33 standard spaces	Yes, subject

Required (16-622) Rounding (16-620) Motorcycle (16-624) Bicycle (16-623, 16-637) Loading (16-644) Parking Aisle (16-639, Figure 5) [ADA requirements per State Title 24 Accessibility Code] Administrative Relief From Parking Provisions (16-651)	3,523 gsf = 47 <u>spaces</u> Bicycle (Five Spaces) = 5 Loading space for Hotels, motels, and restaurants = 1 space, (12 ft x 40 ft). 16-644(B)(1), "Loading zone requirements may be modified by the planning commission... based on the nature of the use... design characteristics of the project." Aisle Width for 90° parking = 25 ft	+ 11 compact spaces + 1 Motorcycle Space = 45 6 spaces No Change. Parking area to be used for loading during off hours.	to approval of administrativ e relief from parking. Yes Yes, subject to Planning Commission approval
Parking space sizes & design: Standard (16-636 & 16-638) Motorcycle (16-638) Loading (16-644)	Full Size: 9 ft W x 19 ft L may overhang 2 ft over landscape if planter min. 5 [16-616(C)] Compact: 8 ft W x 16 ft L; Max 25% of spaces w/admin relief (47 (Required Spaces per OCC) x .25 = 11.75 (maximum number of compact spaces allowed)) Motorcycle: 4 ft W x 7 ft L Loading: 12 ft W x 40 ft L (unless alternative approval).	Standard Parking = 9 ft x 19 ft min 11 Compact Spaces • 10 spaces 8 ft W x 19 ft L Motorcycle = 4.5 ft x 7 ft Loading Area - Standard Parking Space (legal nonconforming)	Yes, subject to approval of administrativ e relief from parking to allow for compact parking.

NOTICE OF EXEMPTION

Project Description: Casa Aliento Major Modification and Map; PZ Nos. 23-550-01 (Major Modification to Planned Development Permit No. 78) and 22-300-04 (Tentative Parcel Map): The proposed project includes a development proposal to subdivide the existing lot to create two parcels. Parcel 1 (0.58 Acres) will contain the existing Denny's restaurant. Parcel 2 (1.23 Acres) will contain the approved Casa Aliento residential development. The project includes site improvements, which will consist of parking lot, frontage, and landscaped improvements. No new buildings are proposed. The property is zoned as General Commercial Planned Development (C-2-PD). No new buildings are proposed. The Project also includes a request for the ministerial approval of a Density Bonus Permit to waive, reduce or modify development standards related to setbacks of existing structures. The project has been deemed to be Categorical Exempt in accordance with Sections 15301 (Existing Facilities) and 15315 (Minor Land Divisions) pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines.

The Project site is located at 1245-1255 North Oxnard Boulevard (APNs: 200-0-082-220 & 230) within the General Commercial Planned Development (C-2-PD) zone district and within the Commercial General land use designation (Attachment A). For purposes of this staff report, the foregoing Project Description shall be referred to as the "Project". Filed by Yianeth Saenz-Solis, Community Development Partners, 3416 Via Oporto - Ste 301 Newport Beach - California - 92663.

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

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

Supporting Reasons: In accordance with Section 15301 (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. Also, in accordance with Section 15315 (Minor Land Divisions) of the CEQA Guidelines, projects consisting "of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent" may be found to be exempt from the requirements of CEQA. The project includes site improvements, which will consist of parking lot, frontage, trash enclosure, and landscape improvements to the existing development. No new buildings or uses are proposed. The Project also includes the subdivision of an existing developed lot into two parcels. All future proposals would also be subject to compliance with the State California Environmental Quality Act (CEQA) Guidelines. The project site is surrounded by urban uses. The project site has no value as habitat for endangered, rare, or threatened species. Additionally, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the exemption. Therefore, staff has

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

(Date)

Joe Pearson II, AICP
Planning & Environmental Services Manager

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL APPROVE A TENTATIVE PARCEL MAP (PLANNING AND ZONING PERMIT NO. PZ 22-300-04) TO SUBDIVIDE A 1.81 ACRE SITE INTO TWO PARCELS (PARCEL 1 IS 0.58 ACRES, PARCEL 2 IS 1.23 ACRES) FOR A PROPERTY LOCATED AT 1245-1255 NORTH OXNARD BOULEVARD (APNS: 200-0-082-220 & 230) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY YIANETH SAENZ-SOLIS, COMMUNITY DEVELOPMENT PARTNERS, 3416 VIA OPORTO - STE 301 NEWPORT BEACH - CALIFORNIA - 92663 (THE “APPLICANT”).

WHEREAS, the Community Development Partners, LLC owns a 1.81 acre parcel located at 1245-1255 North Oxnard Boulevard (APNs: 200-0-082-220 & 230); and

WHEREAS, Yianeth Saenz-Solis, (the “**Applicant**” and/or “**Permittee**”) on behalf of , Community Development Partners filed an entitlement application with the City of Oxnard on November 8, 2022 for a Parcel Map (PZ No. 22-300-04); and

WHEREAS, on May 4, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has conducted a duly noticed public hearing and considered the Applicant’s request to approve Tentative Parcel Map (Planning and Zoning Permit No. 22-300-04) to subdivision a 1.81 acre lot into two lots for the existing Casa Aliento apartments and Denny’s restaurant to be located on two separate lots. The Denny’s would be located on a 0.58 acre lot (Parcel 1) and the Casa Aliento Apartments would be located on a 1.23 acre lot (Parcel 2). The project includes related site improvements in accordance with Chapter 15 of the Oxnard City Code; and

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

WHEREAS, the Planning Commission finds the Tentative Parcel Map, together with the provisions for its design and improvement, conforms to the City's 2030 General Plan and elements thereof; and

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit Nos. 23-550-01 (Major Modification to Planned Development Permit No. 78); 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 “Existing Facilities” Categorical Exemption (Section 15301) and Class 15 “Minor Land Divisions”

Categorical Exemption (Section 15315). Further, the project does not trigger any of the Exceptions to the Exemptions (15300.2):

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

The project site has a 2030 General Plan land use designation of Commercial General (CG) and a zoning designation of General Commercial, Planned Development (C-2-PD). The project site is currently developed within an existing apartment building and sit down restaurant. The project site is generally surrounded by other commercial urban 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 existing development includes an apartment project and a restaurant. The existing building is generally surrounded by other commercial urban development. The proposed project will not alter the development previously in operation on site. The proposed project includes site modifications which are intended to improve the site conditions for pedestrians including providing accessibility improvements to the existing driveways and sidewalk extension. As such, the proposed Project is consistent with the 2030 General Plan and Oxnard City Code and is compatible with the physical scale and character of allowable development in the project area. Any projects requiring discretionary approval would be analyzed with the General Plan 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 existing development includes an apartment project and a restaurant. The

existing building is surrounded by other commercial urban development. The proposed development is consistent with the development previously in operation on site. The proposed project includes site modifications which are intended to improve the site conditions for pedestrians including providing accessibility improvements to the existing driveways and sidewalk extension. The proposed site improvements will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The Project will not alter the urban development (commercial) character of the surrounding development and the property does not contain any unusual environmental characteristics as the property will generally be surrounded on all sides by urban 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 and does not include development which could result in damage to scenic resources within a highway designated as a state scenic highway. Thus, the proposed project will not result in damage to scenic resources within a highway designated as a state scenic resource.

- 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.

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

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

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

SECTION 1. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (subdivision of a lot and site improvements) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 and 15315 of the California Environmental Quality Act (CEQA) Guidelines. Under Section 15301 (Existing Facilities) 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. Also, under Section 15315 (Minor Land Divisions) of the CEQA Guidelines, projects consisting “of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent” may be found to be exempt from the requirements of CEQA. The project includes site improvements, which will consist of parking lot, frontage, trash enclosure, and landscape improvements to the existing development. No new buildings or uses are proposed. The Project also includes the subdivision of an existing developed lot into two parcels. All future proposals would also be subject to compliance with the State California Environmental Quality Act (CEQA) Guidelines. The project site is surrounded by urban uses. The project site has no value as habitat for endangered, rare, or threatened species. Additionally, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the exemption. The Planning & Environmental Services Manager is hereby authorized 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 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all

attachments thereto, the Planning Commission finds:

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

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

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

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

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

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

The site is currently developed and the proposed project will not significantly alter the use of the site. The site is physically suitable for the existing 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 suitable for the architectural design of the proposed development which is compatible with the character of the surrounding neighborhood

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

The site is physically suitable for the proposed density of development because it is located within a developed urban area and will be served by existing adequate public utilities. The C-2 zone does not have minimum parcel size or width requirements. The proposed development is designed and conditioned to meet all applicable development standards. Additionally, there are no identified physical constraints that would prohibit development of the proposed residential project.

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

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

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

The design of the subdivision or type of improvements is unlikely to cause serious public health problems as the Project includes development that is designed and conditioned to meet all applicable development standards. However, potentially hazardous materials such as fuels, lubricants, and solvents would be used during construction of the proposed site improvements, but their use and disposal would be subject to applicable standards and law so as to not create environmental or health issues. The design of the subdivision is not likely to cause serious public health problems because, as indicated by Finding 2.a above, it would utilize existing adequate public utilities, namely water and sewer.

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

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

The Planning Commission of the City of Oxnard finds that the proposed division of land complies with requirements established by the Subdivision Map Act and this chapter, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby recommends the City Council approve Planning and Zoning Permit No. 22-300-04 for a Tentative Parcel Map, subject to the attached conditions of approval.

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

CONDITIONS OF APPROVAL

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

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

GENERAL PROJECT CONDITIONS

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

2. This permit is granted for the plans dated May 4, 2023, (“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. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5).
5. Developer agrees, as a condition of adoption of this resolution, at Developer’s own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7).
7. Developer shall complete the “Notice of Land Use Restrictions and Conditions” form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
8. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14).

PLANNING DIVISION CONDITIONS

9. 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)
10. Approved tentative map for a Parcel Map shall expire thirty-six (36) months after its approval if a Certificate of Approval for the Parcel Map is not recorded with the Ventura County Recorder's Office. (PL)
11. All existing reciprocal access and parking agreements for the site with adjacent sites will remain in full force and effect and shall apply to Parcels 1 and 2 created by this Parcel Map. Said easements can only be vacated with the consent of all parties to include the City of Oxnard as the regulating authority. The easements cannot be vacated until alternatives are devised and approved by the City to accommodate parking and circulation on adjacent sites.
12. Subdivider shall establish a property owner's association and the association shall be responsible for the maintenance of parking, landscaping, lighting and other common areas and facilities held in common by the association and for the enforcement of CC&Rs related to property maintenance.
13. Subdivider shall submit to Planning staff an application and exhibits required for the Certificate of Approval of Parcel Map. Planning staff shall prepare the Certificate of Approval for Parcel Map, and the Subdivider shall record the Certificate of Approval for Parcel Map with the Ventura County Recorder's Office. (PL)
14. 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.

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

15. Developer shall process the Parcel Map PZ 22-300-04 associated with this permit concurrent with the required building and site improvement plans for Planning and Zoning Permit No 23-550-01. The City will not process the Parcel Map for recordation until the site improvement plans for the apartment complex (Casa Aliento) and the restaurant (Denny's) associated with PZs 23-550-01 are approved for permit issuance.

Site improvement permit issuance for both sites shall occur concurrently with the parcel map recordation. (DS)

16. The Parcel Map shall indicate the vacation of existing City or private easements that are determined by the City Engineer to no longer be necessary. The vacation(s) shall be processed under section 66445(j) of the Subdivision Map Act. If public easement vacations are required to be processed separately from the Parcel Map, 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)
17. Developer shall dedicate to the City of Oxnard additional right-of-way to the back of the existing and proposed sidewalk along the project frontage on North Oxnard Service Boulevard. If the right-of-way dedication is not feasible due to setback issues from the existing buildings or billboard/sign structures, a sidewalk easement may be dedicated instead, subject to review and approval by the City Engineer. (DS)
18. Developer shall dedicate to the City of Oxnard public right-of-way for any existing easements needed for streets and alley purposes. The existing easements shall be abandoned on the Parcel Map and replaced by the new right-of-way. (DS)
19. The Parcel Map shall show any private easements needed for a lot to cross utility lines over, under, and across on another lot. (DS)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

20. 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)
21. 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)
22. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's

fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)

23. 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)
24. 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)
25. 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)
26. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
27. 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)

(signatures on next page)

//

//

//

//

//

//

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 4th day of May 2023, by the following vote:

Ronald Arruejo, 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 4th day of May 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, AICP, Secretary

RESOLUTION NO. 2023 - XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NOS. 23-550-01 (MAJOR MODIFICATION TO PLANNED DEVELOPMENT PERMIT NO. 78) TO ALLOW FOR SITE IMPROVEMENTS TO AN EXISTING SITE INCLUDING PARKING LOT, FRONTAGE, AND LANDSCAPED IMPROVEMENTS ON A 0.58 ACRE LOT (PARCEL 1) AND A 1.23 ACRES LOT (PARCEL 2) PROJECT SITE AND ADMINISTRATIVE PARKING RELIEF TO DECREASE THE NUMBER OF REQUIRED PARKING SPACES ON PARCEL 1 FROM 47 TO 45 AND TO ALLOW FOR 11 COMPACT PARKING SPACES, LOCATED AT 1245-1255 NORTH OXNARD BOULEVARD (APNS: 200-0-082-220 & 230), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY YIANETH SAENZ-SOLIS, COMMUNITY DEVELOPMENT PARTNERS, 3416 VIA OPORTO - STE 301 NEWPORT BEACH - CALIFORNIA - 92663 (THE “APPLICANT”)

WHEREAS, the Community Development Partners, LLC owns a 1.81 acre parcel located at 1245-1255 North Oxnard Boulevard (APNs: 200-0-082-220 & 230); and

WHEREAS, Yianeth Saenz-Solis, (the “**Applicant**” and/or “**Permittee**”) on behalf of , Community Development Partners filed an entitlement application with the City of Oxnard on November 8, 2022 for a Parcel Map (PZ No. 22-300-04); and

WHEREAS, the Applicant filed an entitlement application with the City of Oxnard on March 9, 2023 for a Major Modification to Planned Development Permit No. 78 (PZ No. 23-550-01); and

WHEREAS, on May 4, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the proposed Project, to consider the Applicant’s request to approve Planning and Zoning Permit Nos. 23-550-01 (Major Modification To Planned Development Permit No. 78) to allow for site improvements to an existing site including parking lot, frontage, trash enclosure, and landscape improvements on a 0.58 acre lot (Parcel 1) and a 1.23 acres lot (Parcel 2) project site and administrative parking relief to decrease the number of required parking spaces on Parcel 1 from 47 to 45 and to allow for 11 compact parking spaces , in accordance with Section 16-561 of the Oxnard City Code (OCC) and to allow for a parking modification to allow for 1) a reduction in the amount of required parking spaces on Parcel 1 from 47 parking spaces to 45 parking spaces, and 2) a parking modification to allow for 11 of the parking spaces to be compact parking spaces in accordance with Section 16-651 of the OCC (the “**Project**”); and

WHEREAS, Sections 16-561, 16-651(B)(3) and 16-651(B)(4) of the OCC authorize the Planning Commission to approve a Major Modification and relief from parking requirements; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project meets the criteria set out in Sections 16-651(B)(3) and 16-651(B)(4) of the OCC; 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 permits; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof and the Oxnard City Code for the reasons set forth in the Planning Commission Staff Report; and

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit Nos. 22-300-04 (Tentative Parcel Map); 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 “Existing Facilities” Categorical Exemption (Section 15301) and Class 15 “Minor Land Divisions” Categorical Exemption (Section 15315). Further, the project does not trigger any of the Exceptions to the Exemptions (15300.2):

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

The project site has a 2030 General Plan land use designation of Commercial General (CG) and a zoning designation of General Commercial, Planned Development (C-2-PD). The project site is currently developed within an existing apartment building and sit down restaurant. The project site is generally surrounded by other commercial urban 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 existing development includes an apartment project and a restaurant. The existing building is generally surrounded by other commercial urban development. The proposed project will not alter the development previously in operation on site. The proposed project includes site modifications which are intended to improve the site conditions for pedestrians including providing accessibility improvements to the existing driveways and sidewalk extension. As such, the proposed Project is consistent with the 2030 General Plan and Oxnard City Code and is compatible with the physical scale and character of allowable development in the project area. Any projects requiring discretionary approval would be analyzed with the General Plan 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 existing development includes an apartment project and a restaurant. The existing building is surrounded by other commercial urban development. The proposed development is consistent with the development previously in operation on site. The proposed project includes site modifications which are intended to improve the site conditions for pedestrians including providing accessibility improvements to the existing driveways and sidewalk extension. The proposed site improvements will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The Project will not alter the urban development (commercial) character of the surrounding development and the property does not contain any unusual environmental characteristics as the property will generally be surrounded on all sides by urban 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 and does not include development which could result in damage to scenic resources within a highway designated as a state scenic highway. Thus, the proposed project will not result in damage to scenic resources within a highway designated as a state scenic resource.

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.

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

NOW, THEREFORE, BE IT RESOLVED 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 Special Use Permit Staff Report and all attachments thereto, the Planning Commission finds:

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.

As described in the Staff Report, the Project consists of the subdivision of the existing lot to create two parcels. Parcel 1 (0.58 Acres) will contain the existing Denny's restaurant. Parcel 2 (1.23 Acres) will contain the approved Casa Aliento residential development. The project includes site improvements, which will consist of parking lot, frontage, and landscaped improvements. No new buildings are proposed. The property is zoned as General Commercial Planned Development (C-2-PD), which is consistent with the 2030 General Plan land use designation of Commercial General.

As discussed in detail in the Planning Commission Staff Report Sections b, c, d, and e, the Project, as designed and conditioned, meets all applicable development standards with the approval of the Administrative Parking Relief under OCC 16-651(B)(3), "Compact parking spaces" to allow for 11 of the required parking spaces to be compact spaces, and OCC 16-651(B)(4), "Decrease in required parking spaces" to reduce the number of required parking spaces.

The subdivision and associated improvements do not change the land use of the subject site. The project site is not subject to a Specific Plan. Therefore, the proposed project is in compliance with the 2030 General Plan and other adopted policies of the City of Oxnard and 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, pursuant to the 2030 General Plan land use designation "Commercial General" and the General Commercial - Planned Development (C-2 PD) zoning district, the continued use of Parcel 1 as a Denny's and

Parcel 2 for the Casa Aliento Apartments, is an allowed use. The surrounding uses are characterized by commercial uses, which are predominantly commercial centers, other restaurants, auto dealerships, and residential uses. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Additionally, the redesign of the Project and the included conditions of approval, will minimize the potential for impacts to adjacent roadways and properties. Therefore, the proposed use and improvements, as conditioned, will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

- 3. The site that is subject to the Special Use Permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 16-532 (Conditions).**

As described in the Staff Report, the project as designed and conditioned meets the development standards of the General Commercial Planned Development (C2-PD) zone as described above in Finding Section 1(1). The Project will result in improved landscaping on the Denny's parcel. The majority of the new landscaping will be installed in the new parking area. As conditioned, the revised site landscaping will provide parkways and landscape areas throughout the parking lot that will feature low water use, native and regionally adapted plants including grasses, succulents, and trees. As conditioned the project will comply with the requirement of 1 tree for every 40 feet of property line. As such, the subject site is adequate in terms of size and as developed the development meets or exceeds City's design standards.

- 4. The site that is subject to the Special Use Permit shall be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

As described in the Staff Report, the proposed Casa Aliento parcel will have access via Glenwood Drive and Outer Oxnard Boulevard via existing driveways. The Glenwood Drive driveway will be fenced as an exit only driveway. The proposed Denny's parcel will be accessible via an existing driveway on Glenwood Drive and a new exit driveway on Glenwood Drive. The proposed and existing driveway will provide access to the site and allow for vehicle circulation around the sites. The majority of the improvements will occur on Parcel 1, which will contain the Denny's restaurant. The improvements will consist of parking lot improvements to expand the parking lot and fill in the existing pool area. The first driveway on Glenwood Drive will still function as the primary driveway. The improvements will also separate the circulation and parking areas from the Casa Aliento development on Parcel 2. As the site and uses are existing and consistent with the allowed uses in the C-2 zone, 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.

- 5. The site that is subject to the Special Use Permit shall be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

As described in the Staff Report, the existing development consists of the Denny's

restaurant and the Casa Aliento Apartments project. As the project is not proposing to change the currently permitted uses, the proposed Project improvements have been found to be consistent with anticipated development for this site. Furthermore, the Project will be served by existing City of Oxnard water and sewer mains and adequate Fire Protection will be provided as determined by the Development Advisory Committee. 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. The Project is consistent with the level of development identified under the General Plan and Oxnard City Code, and therefore are within the anticipated level of development. The project is not anticipated to result in any significant impacts to utilities and public services. Therefore, the site for the proposed use will be provided with adequate sewage, water, fire protection and storm drainage facilities.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (subdivision of a lot and site improvements) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 and 15315 of the California Environmental Quality Act (CEQA) Guidelines. Under Section 15301 (Existing Facilities) 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. Also, under Section 15315 (Minor Land Divisions) of the CEQA Guidelines, projects consisting "of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent" may be found to be exempt from the requirements of CEQA. The project includes site improvements, which will consist of parking lot, frontage, trash enclosure, and landscape improvements to the existing development. No new buildings or uses are proposed. The Project also includes the subdivision of an existing developed lot into two parcels. All future proposals would also be subject to compliance with the State California Environmental Quality Act (CEQA) Guidelines. The project site is surrounded by urban uses. The project site has no value as habitat for endangered, rare, or threatened species. Additionally, the project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the exemption. The Planning & Environmental Services Manager is hereby authorized 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 and the Staff Report and all attachments thereto, the Planning Commission hereby approves Planning and Zoning Permit No. 23-550-01 (Major Modification), 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

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated May 4, 2023, (“the plans”) on file with the Planning Division. The Project shall conform to the plans, except as otherwise specified in these conditions, or unless a Minor Modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).

3. This permit shall automatically become null and void 36 months from the date the City Council approves the Tentative Parcel Map (PZ No. 22-300-04), unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements (PL, G-3)..
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the Project or using any structure authorized by this permit, 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).
6. 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).
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. 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).
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 except as modified by the Administrative Parking Relief granted by the Planning Commission. (PL/B, G-9).
10. 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).
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be

handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)

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

15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

16. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)

17. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)

18. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)

19. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)

20. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)

21. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)

22. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELO). (PK, PK-7.1)

23. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves public improvement plans. Before the City issues a building permit, the irrigation plans must be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. (DS/ PK, PK-14)

24. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, PK-15)
25. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
26. 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)
27. 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)

LANDSCAPE SPECIAL CONDITIONS

28. At the time of landscape 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 the 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 which are to remain, be removed or be transplanted. The chart shall contain the arborist's economic appraisal value of all trees to be removed as well as a computation showing how the removed tree value was put back into new tree sizes for the project. The new tree sizes for the project shall be in addition to meeting the minimum tree size of 24" box. (example provided below) (PK)
29. Landscape plans need to be prepared by a California licensed Landscape Architect. (PK)
30. Landscape plant list to include WUCOLS information for all plants. (PK)
31. All hardware, equipment enclosures, trash enclosures, electrical vents, irrigation controllers, backflow devices, etc. shall be completely screened with shrubs and/or vines, 5-gallon size minimum. (PL, PK)
32. Landscape plan shall provide at least one tree planted for each 40 linear feet of property line and shall incorporate a low wall and/or landscape berm or hedge, an average of three feet high, capable of screening fronts of vehicles from Glenwood Drive.
33. Except as modified by this request, all permit conditions of Planned Development Permit No. 78 and Minor Modification PZ 21-140-10 shall remain in full force and effect.

PLANNING DIVISION SPECIAL CONDITIONS

34. Developer shall remove any and all graffiti from the project premises within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch.
35. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval of the Planning Manager. Such plan may 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)
36. Applicant shall screen, to the satisfaction of the Planning Manager, any HVAC equipment visible from the public right-of-way. Screening plants shall be consistent with other species on the property and a minimum size of five gallons. (PL)
37. Prior to submitting plans to Building and Engineering for Plan Check, the landscape planter along the southern property line shall be increased to 5 feet and the landscape planter along the northern property line shall be increased to a minimum of 10 feet adjacent to the parking lot on Parcel 1, to allow for a two foot overhang. The resulting paved parking spaces shall be 17 feet by 9 feet for the standard spaces and 17 feet by 8 feet for the compact parking spaces.
38. Prior to the submission of plans for Building and Engineering for Plan Check, the finger planters on the south side of Parcel one shall be widened to 9 feet in width measured from outside curb face to outside curb face.
39. All compact parking spaces shall be painted with the word "COMPACT" in 12-inch bold white letters at the entrance to each stall.
40. Prior to the issuance of building permits the applicant shall provide draft signage for the exit only driveways, informing drivers of the access limitations. Proposed signage shall include minimum 12-inch letters painted on the ground at the exits reading "Exit Only" and a ground sign consistent with OCC Section 16-608(H).
41. No alcohol use of any type is approved as a part of this action. A separate alcohol use request must receive a Special Use Permit approved by the City and Alcohol Beverage Control prior to inauguration of the use.
42. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property due to the construction of the Project, as directed by the City Inspector. (DS)
43. As part of the building plan check submittal that Developer shall incorporate plans for the new trash enclosure. The trash enclosure shall be designed to be compatible with the existing Denny's restaurant and shall include a roof and screens or other barriers between the roof and the walls to prevent access to the enclosure.

PLANNING DIVISION STANDARD CONDITIONS

44. 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*)
45. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by Resolution of the Community Development Director in all sets of construction documents and specifications for the project. (PL, *PL-3*)
46. Before the City issues building permits, Developer shall provide to the Planning Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Community Development Director. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
47. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, *PL-5*)
48. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
49. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. 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)
50. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
51. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)
52. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)
53. 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).

POLICE DEPARTMENT STANDARD CONDITIONS

54. The project shall comply 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 with a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
- c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

55. Graffiti shall be removed within 48-hours of application. (PD)

56. Exterior security lighting shall be on photocells and shall be on from dusk to dawn. Exterior lighting of the site including parking areas shall be between 1 and 7 foot candles and shall be in harmony with existing adjacent lighting scheme. (PD)

57. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature). (PD)

58. 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. (PD)

59. 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. (PD)

60. Creeping fig or similar climbing vine shall be used to dissuade the application of graffiti on CMU walls. This specifically includes trash enclosures, where adjacent to landscaped planters. (PD)

ENVIRONMENTAL RESOURCES DIVISION

61. A Construction and Demolition Waste Management Plan (ERDC-1) must be submitted to the Environmental Resources Division for review and approval prior to issuance of a building permit establishing a goal that at least 65% of the waste generated on the project will be diverted from the landfill.
62. After completion of construction and prior to a certificate of occupancy being issued, a Construction and Demolition Waste Management Report (ERDC-2) must be submitted that demonstrates that at least 65% of the waste generated on the project has been diverted from the landfill. This Report must also include legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities.
63. An Occupancy Plan must be submitted to the Environmental Resources Division prior to issuance of a certificate of occupancy. The Plan must clearly state how all three waste streams will comply with all applicable state laws, including AB 939, AB 341, AB 1826, and SB 1383, and any subsequent legislation adopted in the future, will be managed on site in perpetuity.
64. Any/all organic waste that is generated must be diverted from landfill disposal, as material of this type is not allowed in a trash dumpster. If landscaping is performed by an entity other than the City of Oxnard (i.e. self-haul or third party private hauler), the landscape service providers must be informed, in writing, of this condition and the property management must complete and submit an Alternative Services Certification annually.
65. Any new or renovated waste enclosures must be sized so that they can accommodate all three waste streams and meet minimum safety and operational requirements, including vehicle path of travel, employee access, and prevention of illegal dumping and/or vandalism. Use the City's approved Standard Plates, but modify dimensions accordingly.
66. 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.
67. 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.
68. The site plan shall be designed to accommodate a trash enclosures. The enclosure will need to be designed to accommodate two, 4-yard waste/recycle containers and a 2-yard organics container. The new waste enclosure(s) or modifications to existing enclosure shall be designed and constructed to include protection measures meeting City standard to withstand heavy day to day wear and tear. The location shall be approved by the Environmental Resources Services Manager or designee. (ER)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

69. 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)
70. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)
71. 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 Building and Engineering Division. (DS-3)
72. 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)
73. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)
74. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
75. 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)
76. 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)
77. Developer's site improvement plans shall include an on site sewer plan. (DS-10)
78. 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)
79. 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)

80. 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)
81. Prior to issuance of a site improvement permit, Developer shall provide to the Building and Engineering 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)
82. 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)
83. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If the Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the City Engineer issue a stop work order until such time as the graffiti is removed. (DS-20)
84. 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)
85. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
86. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
87. 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)

88. "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)
89. 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)
90. 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)
91. 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)
92. 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)
93. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
94. 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)
95. 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)
96. 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)
97. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

98. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
99. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
100. 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)
101. 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)
102. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
103. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

104. 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)
105. 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)
106. Using forms provided by the Building and Engineering 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, 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 City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the City Engineer approves the Plan and 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)

107. 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)
108. 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)
109. 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)
110. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare a Local Stormwater Pollution Prevention Plan ("Local SWPPP"). The Local SWPPP shall be developed and implemented in accordance with requirements of the Ventura Countywide MS4 Permit. The Local SWPPP shall be approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the Local SWPPP updated to reflect current site conditions and a copy of the Local SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-87)
111. 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)

112. 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)
113. 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 Building and Engineering Division prior to issuance of a building permit. (DS-105)

DEVELOPMENT DIVISION SPECIAL CONDITIONS

114. Outstanding building and site improvement permits associated with Planning and Zoning Permits processed prior to Planning and Zoning Permit No 23-550-01 shall be resolved and completed prior to the recording of the Parcel Map PZ 22-300-04. (DS)
115. Developer shall process the Parcel Map PZ 22-300-04 associated with this permit concurrent with the required building and site improvement plans for Planning and Zoning Permit No 23-550-01. The City will not process the Parcel Map for recordation until the site improvement plans for the apartment complex (Casa Aliento) and the restaurant (Denny's) associated with PZs 23-550-01 are approved for permit issuance. Site improvement permit issuance for both sites shall occur concurrently with the parcel map recordation. (DS)
116. The site improvements for the Casa Aliento and the Denny's associated with PZ 23-550-01 shall be prepared to meet the latest City Standards and Design requirements at the time of improvement plans submittal. Both projects shall be approved and commence construction at the same time. Failure to obtain the required site improvement permit for either project site shall prevent the City from processing the Parcel Map. (DS)
117. The existing monument sign for the Casa Aliento shall be removed with the site improvement permit. (DS)
118. The driveway and parking lot improvements for the Denny's shall allow the trash and public service vehicles to exit the site without the need to perform a backing-out maneuver. (DS)
119. If directed by the City Engineer or City Traffic Engineer, the new driveway approaches along Glenwood Drive shall allow two-way access for entrance and exit. (DS)
120. The existing driveway entrances along Glenwood Drive and North Oxnard Service Boulevard shall be reconstructed to City Standards. (DS)
121. The existing ADA curb ramp at the southwest corner of Glenwood Drive and North Oxnard Service Boulevard shall be reconstructed to ADA Standards for accessibility. The design is subject to review and approval of the City Traffic Engineer. (DS/TR)
122. The Casa Aliento project shall construct a new ADA pedestrian walkway to North Oxnard Service Boulevard. The new ADA pedestrian walkway shall connect to the existing onsite sidewalk/walkway. (DS)

123. ADA path of travel parallel to a vehicular way shall be elevated or protected by a barrier. (DS)
124. The Casa Aliento and Denny's projects shall comply with the latest applicable edition of the Building Code for ADA and Electric Vehicle (EV) parking stalls requirements at the time of building plan submittal. (DS)
125. Designated ADA and Electric Vehicle (EV) parking stalls shall be 19 feet deep or 18 feet with a 1-foot overhang. (DS)
126. Standard parking spaces shall be 9'x19' or 9'x17' plus two feet of overhang. Compact parking is not allowed, unless approved by the Planning Commission. The sidewalk affected by the overhang shall maintain a 5-foot unobstructed sidewalk. (DS)
127. Developer shall pave all motorcycle parking spaces with concrete in conformance with City Code. (DS)
128. Developer shall abandon all existing sewer, water, and storm drain laterals to the project site that aren't used by the project. (DS)
129. Each structure and lot shall be served by separate sewer and water services in accordance with City Code. In addition, each lot shall have its own water services for irrigation, domestic, and fire protection. Sharing sewer and water services between the two lots will not be permitted. (DS)
130. Developer shall construct a trash enclosure (to store three bins minimum) for the Denny's with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall provide a traffic-rated drainage inlet within the enclosure to catch all enclosure wash water. This drain shall connect to the sanitary sewer system via a grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Building and Engineering Division. Developer shall finish the trash enclosure to match the major design elements of the main structure, subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS)
131. Developer shall design the trash enclosure in substantial conformance with City standard plates for trash enclosures. The design shall include the architectural mesh, or an approved equal treatment, between the top of the wall and the ceiling to prevent unauthorized access. Developer shall construct the floor and a loading/service pad of the trash enclosure to be substantially level (2% max slope). An ADA path of travel shall connect the trash enclosure to the nearest sidewalk. (DS)
132. During the site improvement plan check, the Developer shall submit at least one (1) percolation test results within the general footprint of the proposed infiltration facility to validate the infiltration rate used in the sizing calculations. The infiltration test shall account for the Reduction Factor from the Los Angeles County "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration"

published in the Administrative Manual of the County of Los Angeles Department of Public Works. (DS)

133. Developer's Geotechnical Engineer shall perform percolation tests on the exposed bottom of all infiltration chambers immediately prior to facility construction and provide the City with an opinion that the exposed soil layer is suitable for the proposed infiltration facility based on the 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)
134. In the event that the construction of Casa Aliento and Denny's associated with this permit overlaps with the City's street improvement project at the time of construction, the two projects shall coordinate and collaborate and allow the City's street Improvement operations to take priority. The two projects, with respect to each project frontage, shall be required to pave any street sections along the project frontages in accordance with the City's proposed improvements if it does not allow the City's street paving to complete the work within the scheduled timeframe.
135. Developer shall prepare the improvement plans to use recycled materials to the extent feasible and cost-effective per Caltrans standard specifications adopted in 2018 for public streets and alleys, meeting the requirements of AB 2953. Recycled materials include: (1) Recycled base and subbase materials as set forth in Sections 25-1.02 and 26-1.02 of the Caltrans standard specifications. (2) Reclaimed asphalt pavement and other materials in asphalt as set forth in Section 39-2.02B of the Caltrans standard specifications. (3) Reclaimed aggregate, fly ash, returned plastic concrete, and other materials in concrete as set forth in Sections 90-1.02, 90-2.02, and 90-9 of the Caltrans standard specifications.

FIRE DEPARTMENT STANDARD CONDITIONS

136. 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)
137. 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)
138. 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)
139. 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)

140. The project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, *F-6*)
141. 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*)
142. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
143. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
144. 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*)
145. 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*)
146. 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*)

FIRE DEPARTMENT SPECIAL CONDITIONS

147. 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.
148. 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.
149. All drive overhangs shall be a minimum of 13 feet 6 inches.
150. All overhangs are required to be sprinklered.
151. Trash enclosure is required to be sprinklered.
152. FDC is required to be within 50-feet of the fire hydrant and not across drive aisles.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 4th day of May 2023.

Ronald Arruejo, 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 4th 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

Casa Aliento Major Modification and Map

Planning & Zoning Permit Nos.

- 23-550-01 (Major Modification),
- 22-300-04 (Parcel Map)

Applicant: Yianeth Saenz-Solis, Community Development Partners

Joe Pearson II, Planning and Environmental Services Manager

Planning Commission
May 4, 2023

Project Description

- A request for the following actions:
 - PZ 22-300-04 - Parcel Map
 - Subdivide the existing 1.81 acre project area
 - Create two lots with development:
 - 0.58 acre lot with Denny's restaurant
 - 1.23 acre lot with Casa Aliento Apartments

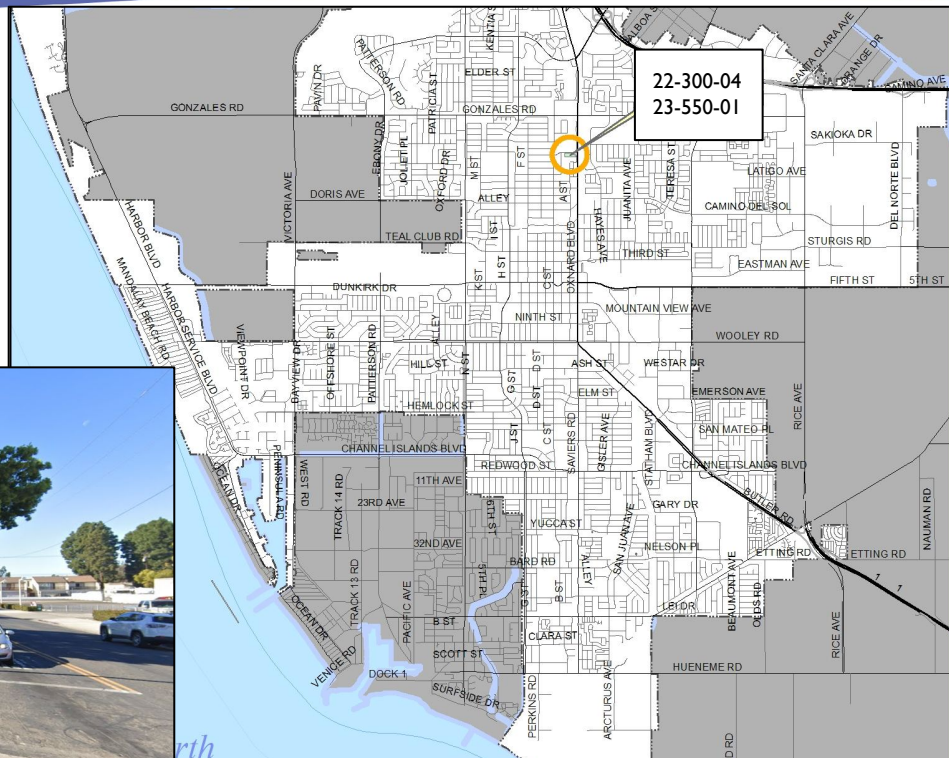
Project Description

- A request for the following actions: for a Major Modification (MJMD) (PZ 23-550-01) to Planned Development Permit No. 78, to allow for improvements to a existing development:
 - Parking lot improvements to expand Parcel I (Denny's) parking lot (44 spaces minimum).
 - Grant administrative parking relief to allow for a decrease in the number of parking spaces and to allow for up to 25 percent of the required parking spaces to be compact spaces.
 - Landscaping and infrastructure improvements.

Project Location

Subject Site: 1245-1255 North Oxnard Boulevard; APNs: 200-0-082-220 & 230

Existing Apartments and Dennys



Project Location



Project Location

Aerial-View

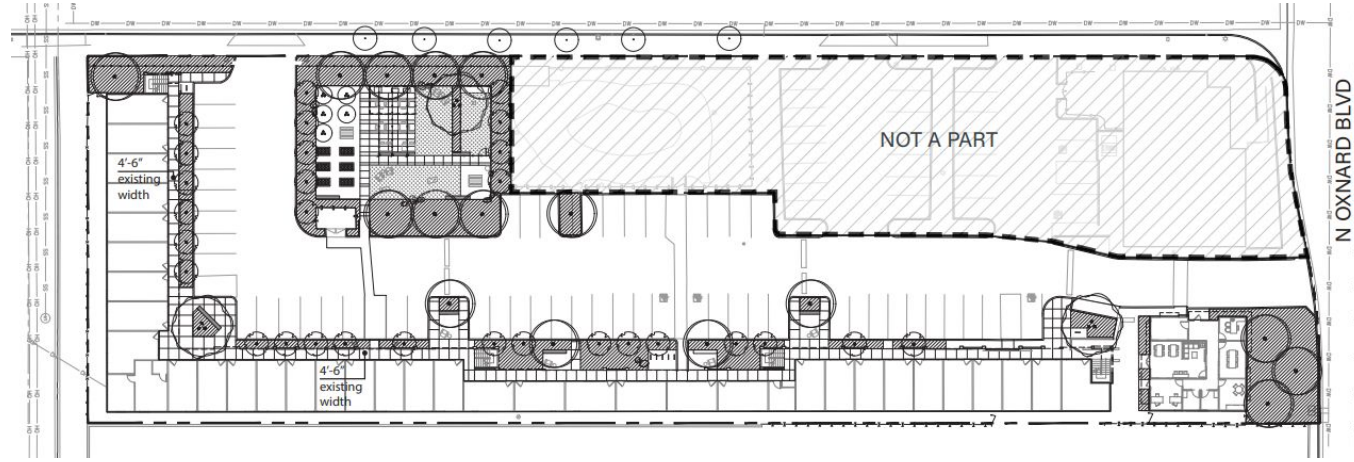


LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	General Commercial Planned Development (C-2-PD)	Commercial General (CG)	Casa Aliento (Former Vagabond Inn)/Dennys
North	General Commercial Planned Development (C-2-PD)	Commercial General (CG)	Mitsubishi Dealership / RV Dealer
South	General Commercial -All Affordable Housing Opportunity Program (C-2-AH)	Commercial General (CG)	Automotive Dealership
East	Easement/ROW (ESM/RW) Community Reserve (C-R)	Open Space (OS) Garden Apartment Planned Development (R-3-PD)	Railroad Pacific Community - Sport Park Single Family Homes
West	Single Family Residential Planned Development (R-1-PD)	Residential Low (RL)	Apartment Complex Commercial

Background

- On October 24, 1968, the Planning Commission approved Planned Development Permit No. 78, permitting the construction of a two-story, 70-unit motor hotel and a coffee shop.
- Pursuant to Assembly Bill (AB) 83 and 2020 California Health and Safety Code Section 50675.1.1, on April 29, 2021, the Permittee filed a Zone Clearance request to convert the hotel to a supportive housing apartment complex.
- On September 16, 2021, the Planning Division approved Zone Clearance No. 21-130-105 allowing the change in use to convert the 70 room hotel to a permanent supportive housing apartment complex.
- On January 23, 2023, the Planning Division approved a request for site modification to accommodate the conversion of the former Vagabond Inn into a 70 unit supportive housing complex with 69 very low income studio units and a one-bedroom manager's unit.
- The approval also included the ministerial review for a parking standard modification pursuant to State Density Bonus Law and OCC Section 16-410P. Pursuant to State Density Bonus Law (Government Code 65915(p)(4)), a city shall not impose any minimum vehicular parking requirement on a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code. Therefore, no parking is required for the Casa Aliento residential project.

Background (Casa Aliento (For Reference))

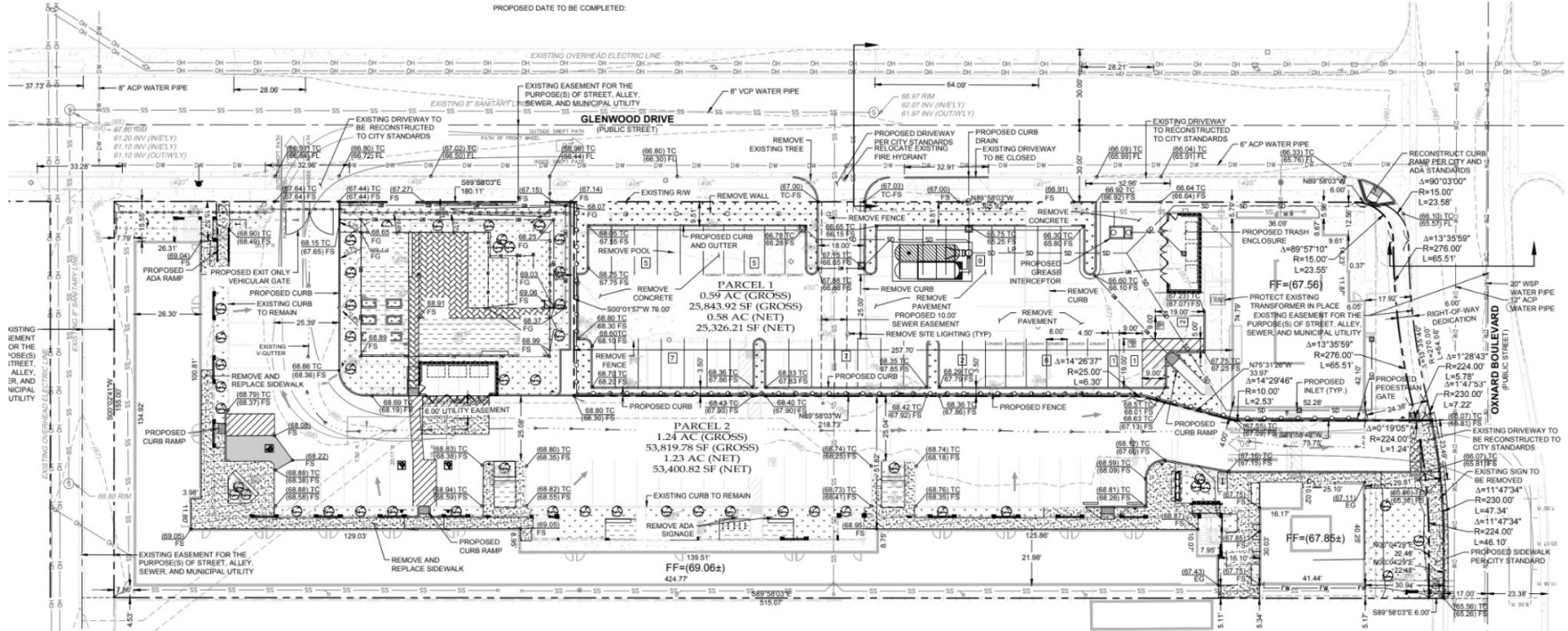


Proposed Site Plan/Parcel Map

CONSISTS OF RENOVATING 2 EXISTING, 1-STORY MANAGEMENT BUILDING AND 2-STORY RESIDENTIAL BUILDINGS, AS WELL AS THE CONSTRUCTION OF A NEW PARKING LOT FOR DENNY'S.

OFFICE OF THE CLERK OF SUPERIOR COURT, VENUE COUNTY, TEXAS

PROPOSED DATE TO BE COMPLETED:



General Plan Consistency

- The development of the proposed Project furthers many of the policies identified in the 2030 General Plan, as identified in the staff report. Some of the key policies are:
 - Community Development Policy 1.2 - Infill Development
 - Community Development Policy 9.2 - Revitalization and Redevelopment
 - Community Development Policy 14.1 & 14.2 - DAC Process
 - Infrastructure & Community Services Policy 8.1 & 8.5 - Improved Pedestrian Connections and Pedestrian Orientation

Zoning Code Compliance

- The Project is subject to the “General Commercial - Planned Development” (C-2-PD) zone district.
- Development tables were incorporated into the staff report showing and comparing applicable development standards for this project.
- Two variations from the standards are being requested:
 - A reduction in the required parking from 47 to 44 pursuant to the approval of a administrative parking relief under OMC 16-651(B)(4)
 - Allow for up to 25 percent of the required parking to be compact spaces pursuant to the approval of a administrative parking relief under OMC 16-651(B)(3)

-

Zoning Code Compliance

DEVELOPMENT	PARKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-622(F)	TOTAL PROVIDED
Existing Denny's	Non Fast Food: 1 space per 75 gsf. 3,523 gsf =47 spaces	44 spaces minimum (11 compact spaces)
Existing Casa Aliento	Multi-family: Studio and one bedroom = One garage space per unit 70 studio and one bedroom units=70 spaces Visitor Parking = One visitor space per unit which need not be covered for the first 30 units; after the 31st unit, 0.5 visitor space per unit required 50 visitor spaces required Total required parking = 120 spaces	42 spaces (0 spaces required pursuant to previously approved Density Bonus)

Environmental Review

- In accordance with Section 15301 (Existing Facilities) and 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development and on site signage may be found to be exempt from the requirements of CEQA. The project includes:
 - a. Subdivision of the project area to create two lots.
 - b. The project includes redevelopment of a existing center to allow for site improvements.
 - c. The overall proposed development site is located on a 1.81-acre site which is surrounded by urban uses.
 - d. The Project site will be adequately served by all required utilities and public services.
 - e. The Project site has no value as habitat for endangered, rare or threatened species.
 - f. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- No substantial evidence the project will have a significant effect on environment.
- A Notice of Exemption will be filed.

Select Recommended Conditions of Approval (PZ 22-300-04 and PZ 22-550-01)

- The permit is granted for 36 months.
- Developer shall process the Parcel Map associated with this permit concurrent with the site improvement plans. The Parcel Map shall be processed for recordation concurrent with the approval of the PZ 23-550-01 site improvement plans.
- Requires the dedication of a sidewalk and ADA driveway improvements.

Public Notice

- Notice of PC hearing was provided:
 - Newspaper,
 - On-site posting; and
 - Mailed to property owners within 300 feet.
- To date, no public comment has been submitted in support of the project.

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 Sections 15301 (Existing Facilities) and 15315 (Minor Land Divisions); and
- b) Adopt a Resolution recommending the City Council Approve Planning and Zoning Permit No. 22-300-04 (Parcel Map), subject to certain findings and conditions; and
- c) Adopt a resolution approving Planning and Zoning Permit No. 23-550-01 (Major Modification to Planned Development Permit No. 78), subject to certain findings and conditions.

