



**COMMUNITY DEVELOPMENT DIRECTOR
STAFF REPORT**

TO: Community Development Director

FROM: Daniel Houck, Associate Planner

DATE: August 16, 2023

SUBJECT: Planning and Zoning (PZ) Permit No. 23-550-02 (Major Modification) to allow for a time extension for PZ Nos. 17-200-04 (Development Design Review) and 17-535-03 (Density Bonus); 30-Unit All-Affordable Housing Opportunity Program (AAHOP) Special Needs Housing and Continued Use of Garden City Farmworker Employee Housing, Located at 5600 and 5690 Cypress Road (APNs: 223-0-041-030 and 223-0-041-045)

1) Recommendation: That the Community Development Director (“**Director**”):

- a)** Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects); and
- b)** Adopt Resolution PZ 23-550-03 approving Planning and Zoning Permit No. 23-550-03, subject to certain findings and conditions.

2) Project Description and Applicant: A request for a time extension to finish diligently pursuing their previously approved entitlement that is set to expire on June 21, 2023 as a result of a previous one year time extension which was approved on April 14, 2022. The previously approved Development Design Review allows for the demolition of five of eight Garden City farmworker labor camp structures known as “Garden Acres” and will develop 29 studio and one-bedroom restricted Special Needs affordable units as well as one manager unit, for a total of 30 units between two apartment buildings. The approved project would also provide 23 parking spaces, landscaping, a perimeter wall and fencing, security lighting, and residential amenities. The farmworker employee housing use would continue in the three remaining existing structures with a maximum capacity of 77 beds, a manager’s unit, kitchen and dining room, and a garage. Replacement bathrooms and laundry would be located on the ground floor in the new Building A. Nine development standards related to projections into the front yard setback, rear yard setback, storage, minimum unit size, interior yard space, wall height, balconies, open space requirements, and parking lot design were waived, reduced, or modified. The project is located at 5600 and 5690 Cypress. The applicant is Lorenzo Castillo, Castillo Cypress, LLC, 418 West Third Street, Oxnard, CA 93030.

3) Existing & Surrounding Land Uses: The Project site is located in the Cypress Neighborhood just north of the Cypress Road/ Ventura Railroad crossing. The 5600 Cypress Rd. parcel (APN 223-0-041-030) is developed with eight structures mostly dating from the early 1950's. The 5690 Cypress Rd. parcel (APN 223-0-041-045) contains no structures and is primarily used as parking for employees of the Cypress Gardens farmworker labor housing. The Project site and surrounding 2030 General Plan and zoning designations and current land uses are listed below:

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Multiple Family Residential (R-2-AHP, 5600 Cypress Rd.) and Multiple Family Residential - Planned Development (R-2-PD-AHP, 5690 Cypress Rd.)	Residential Low Medium	Garden City Farmworker Labor Camp
North	Community Reserve (CR) and Multiple Family Residential (R-2)	Residential Low Medium	Commercial greenhouse agriculture
South and East	Limited Manufacturing - Planned Development (M-L-PD)	Limited Industrial	Ventura County RR, County Drainage Channel, Arcturus Industrial park
West	Multiple Family Residential - Planned Development (R-2-PD) and Garden Apartment - Planned Development (R-3-PD)	Residential Low Medium and Residential Medium	Apartments Cypress Trailer Mobile Home Park

4) Background Information:

The two planning applications were both approved; the Development Design Review through a director's hearing on May 31st, 2018 and the density bonus through the Planning Commission on June 21, 2018. The original project was set to expire on June 21, 2021. Pursuant to the Director Order No. 20-08, the combined Development Design Review Permit and Density Bonus permit was extended for one year, and was due to expire on June 21, 2022. Prior to the expiration of the permit, a time extension, PZ 22-180-01, was applied for on 3/29/22 to extend the expiration for both PZ 17-200-04 and PZ 17-535-03 to June 21, 2023. Per the time extension (22-180-01), any subsequent time extension requests shall be submitted to the Planning Division as a Major Modification to the approved permit, along with the necessary fees, and considered by the Community Development Director. As no building permits have been issued, on May 18th, 2023, a Major Modification was applied for to grant a second time extension. The application requested to extend the expiration eighteen (18) months for both approved permits to December 21, 2024. The project site is also currently in process to merge the two parcels (PZ 21-310-08).

5) Environmental Determination: In accordance with the California Environmental Quality Act (CEQA) Guidelines and Section 15332 (Class 32), infill projects that are consistent with the

General Plan and zoning; on less than five acres; on a site with no habitat value for endangered, rare, or threatened species; adequately served public utilities and services; and having no significant impacts on traffic, noise, air quality, and water may be found exempt from CEQA review. Staff inspected the property and found few trees, several small lawn areas, and large areas of hard compacted soil and gravel used largely for parking. The Project site has no value as habitat for endangered, rare or threatened species. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that the Community Development Director accept the Notice of Exemption (Attachment H) attached to the staff report.

6) Analysis:

a) **General Discussion:** The applicant is requesting a 18 month time extension, however consistent with City policy, time extensions are granted for one year. This is the third time extension, as one-year time extensions were previously granted under Director Order No. 20-08 and PZ 22-180-01. No further extensions shall be granted beyond this extension, if approved.

The project has a number of building permits in plan check, some of which were submitted in 2019 and some in 2021. The developer must diligently develop the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements to keep their entitlement without it expiring. If the project is not diligently developed, the applicant shall be required to acquire new permits and shall be subject to all regulations in effect at that time. The grading and public improvement plans were returned with comments in July of 2023 by both Building Division and the Planning Division.

b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the Project site is considered Residential Low-Medium (7-12 dwelling units/acre) which allows low-rise residential housing. While, the All Affordable Housing Opportunity Program (AAHOP) Additive Zone, was replaced with the Affordable Housing Permitted (AHP), the original project was developed under the AAHOP, so continues to comply with those regulations. The previous AAHOP designation on the property required that housing units developed on the site be 100% affordable to extremely low, very low-, or low-income households with the exception of a manager's unit. The AAHOP designation allowed a density of 24 dwelling units per acre. The Density Bonus permit allowed an additional 35 percent density calculated based on the allowed AAHOP density of 24 units per acre. With a density of 30 units per acre, the Project is found consistent with the General Plan land use designation with the density allowed by both the AAHOP designation that was on the property when the project was originally processed and the State Density Bonus. This would also be consistent with the regulations of the current Additive Zone and Density

bonus as it relates to overall density, as the current additive zone with density bonus would allow up to 45 dwelling units per acre. Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed Project.

POLICY	POLICY OR TITLE	EXPLANATION
CD-1.5	Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single-family units.	The Project would provide Farmworker Employee dormitory-style housing and small affordable units for qualifying Special Needs residents.
CD-8.1	Continue to limit development to those areas that can be served by existing or planned utilities, transportation, and service systems.	The proposed Project is surrounded by urban development, and the existing utilities running within Cypress Road adequately serve the proposed Project.
CD-14.1	In the evaluation of development proposals, continue to ensure that public and private development Projects comply with City design policies, plans, and guidelines.	The Project includes development and performance conditions recommended by the Development Advisory Committee (DAC) to ensure that the Project complies with City permitting expectations and policies.
ISC-1.2	Review development proposals for their impacts on infrastructure (e.g., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	The proposed Development and associated improvements would tie into existing infrastructure, which has the capacity to provide service to the existing labor camp and proposed residential dwellings. Water service would be transferred to the City from the Cypress Mutual Water Company.
ER-9.2	Enhance neighborhood diversity and reinforce the desirable elements of neighborhood character and quality through incorporation of design guidelines, use of landscape materials, and encouraging new developments to integrate historical and culturally significant elements into proposed Projects.	The proposed Project provides for a “green” wall and city-approved murals along its Cypress Road frontage that partially obscures the one-story labor camp structures. The second and third floors of the two new apartment buildings are similar in scale to the apartment buildings on the opposite side of Cypress Road.
ICS-8.5	Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of private development and public works Projects, especially for public	The proposed site design includes pedestrian and bicycle amenities with coordinated landscaping within the grounds of the complex.

	sidewalks.	
CD-3.4 CD-14.1 CD-14.2 CD-14.3 ICS-11.10 ER-9.4 ER-10.1	Neighborhood Quality of Life Design Review Process Development Advisory Committee Functions Quality of Design Water Supply Findings for Smaller Projects Human Scale Development Promote Use of Native and Water Wise Plants	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	Policies not listed as Class I or II	The Project does not conflict with Class III policies per General Plan, Chapter 9.

c) General Plan and Zone Designation Changes: A General Plan Amendment changed the land use designation of the parcel at 5690 Cypress Road from Limited Industrial to Residential Low Medium and rezoned both Project parcels to the corresponding R-2 zoning with the Planned Development “PD” and Affordable Housing Permitted “AHP” additive zones.

7) Development Advisory Committee: The Development Advisory Committee (DAC) reviewed and provided comments on the initial project on December 8, 2018. This Major Modification for a time extension, however, did not go through the DAC review process.

8) Community Workshop: With the nature of this project being solely for the time extension of the approved permit’s expiration date and nothing about the approved project changing, it was therefore not sent to a community workshop. The project went through community workshop previously three times during the project’s initial processing prior to approval on November 2, November 20, and December 6, 2017. At each of the three meetings, the Applicant presented the Project and then took questions from the audience. Members of the public, most of whom live in the immediate vicinity of the Project, principally focused on the following issues:

- That some of the current labor camp residents were not farmworkers, but recovering substance abusers. Residents from the Paseo Nuevo apartments across the street related several incidents of strangers on the property and drug and alcohol consumption by persons they believed were residents at Garden Acres.
- What would be the characteristics of the Special Needs apartment residents? Several persons asked if special needs included registered sex offenders.
- That adequate security measures and management be required for the facility.

Over the course of the three meetings, the Applicant agreed to the following management conditions that are included as DDR conditions of approval. They were:

- That only verifiable farmworkers would reside in the dormitory structure.

- That farmworkers and the special needs residents would participate in the Oxnard Police Departments “Crime Free Multi-Housing Program” that includes:
 - 8 hours of management training;
 - Crime free lease clause, eviction for arrest; and
 - Inclusion of design elements to include access controls, security lighting, and signage.

9) Appeal Procedure: In accordance with OCC § 16-525(B), the Community Development Director’s action of this Major Modification permit may be appealed to the Planning Commission within 10 days after the date of the director’s decision. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Letter Requesting Time Extension
- C. Reduced Project Plans
- D. May 31, 2018 Director Hearing Staff Report (PZ 17-200-04) (w/o Attachments)
- E. June 21, 2018 Planning Commission Staff Report (PZ 17-535-03) (w/o Attachments)
- F. Administrative Time Extension (April 14, 2022)
- G. Resolutions PZ No. 17-200-04 and 2018-16
- H. Notice of Exemption
- I. DDR Time Extension Resolution

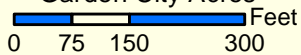
2030 General Plan Land Use Map



Oxnard Planning

July 6, 2023

PZ 23-550-02
Location: 5600, 5690 Cypress Rd
APN: 2230041030, 2230041040
Garden City Acres



2030 General Plan Land Use Map



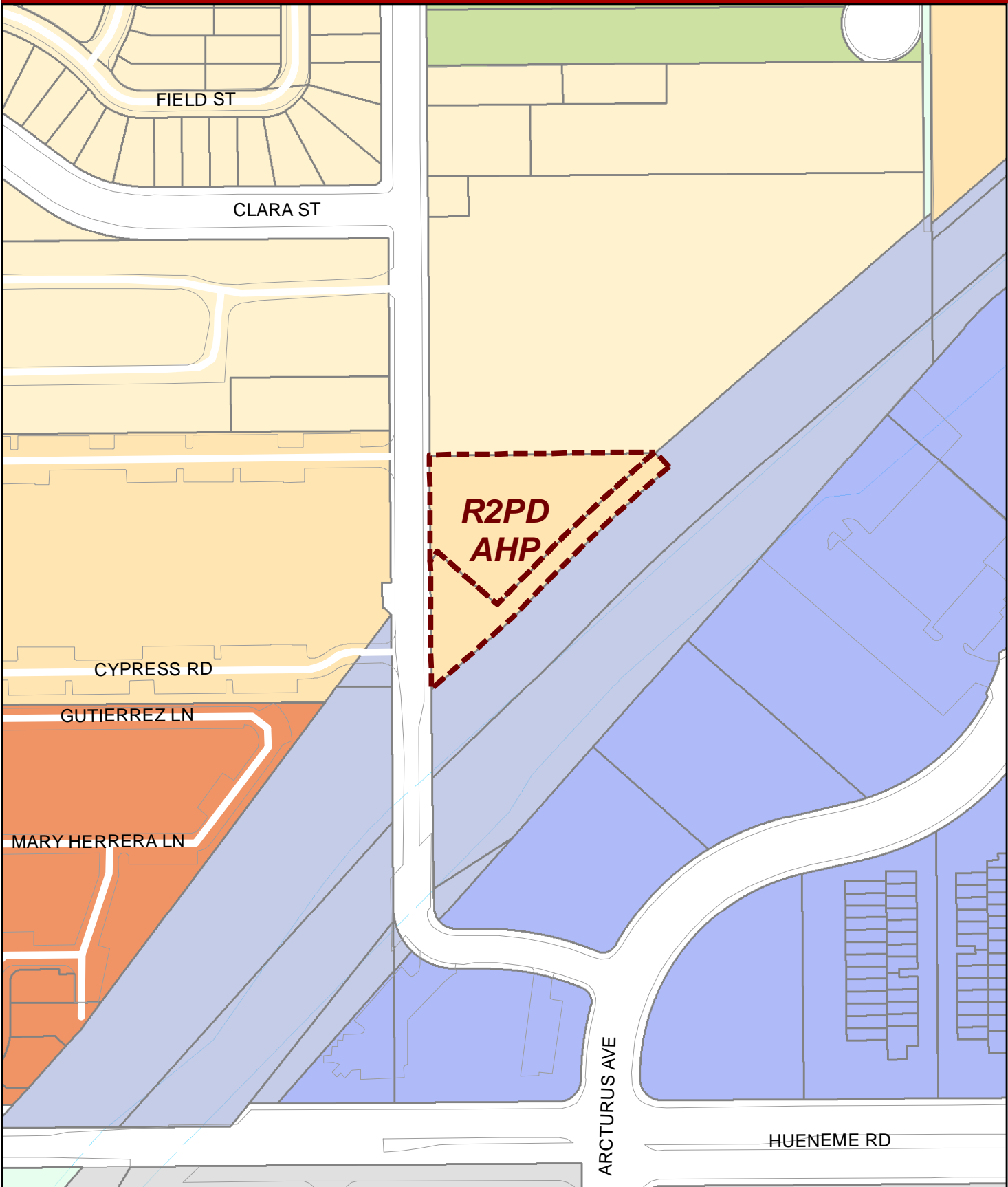
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Vicinity Map



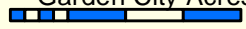
PZ 23-550-02





Oxnard Planning

July 6, 2023

PZ 23-550-02
Location: 5600, 5690 Cypress Rd
APN: 2230041030, 2230041040
Garden City Acres
 Feet
0 25 50 100 150 200

Zoning/Specific Plan Map



1:2,000

ATTACHMENT A

RE: PZ 17-200-04
Plan Check # 21-389, 21-390, 21-391

The purpose of this Major Modification is to request a modification to the DDR permit in order to extend the time by an additional eighteen months for the project to secure issuance of a grading, foundation or building permit and the construction of substantial improvements. Currently, based on the condition language (Condition # 3), the permit is set to expire on June 21, 2023. We hereby request that the expiration date be extended until December 21, 2024. We ask for an 18 month extension out of an abundance of caution, knowing full well that although the construction team is totally responsible to move forward expeditiously in submitting the plans, and responding in a timely fashion to all corrections called for by the City departments, we also understand that the Building and Safety and Public Works personnel may not always be able to complete their review as promptly as we might desire, due to the press of work, staff shortages and other conditions beyond their control. We understand that these projects take time to review, and that with the current City work load it is hard to predict how long it will take for us to complete the process in order to obtain the grading and building permits needed to start construction. My client requests this extension in good faith and for the sole purpose of being able to provide decent, safe, sanitary and affordable housing to those in need of housing who may also have special challenges in finding and securing housing that they can afford.

My client has worked diligently to comply with all the conditions of the permit, in order that the proper grading and building permits can be issued and construction of this Special Needs housing project can begin. He has met all but one of the conditions of approval, and we understand that the process for the lot merger/lot line adjustment has been approved, pending delivery to the City of the parcel maps to be recorded.

There have been a number of bumps in the road that have slowed down progress on this project, including a change in construction methods from stick built to GigaCrete, and of course COVID-19, and its ramifications upon our communities. One task that took an inordinate amount of time was the lot merger/parcel map, that required input and approval from several City departments. My client was very concerned about the slow pace, initially from the planner, and then from the Civil Engineer who was hired by Mr. Castillo to complete this task. Mr. Castillo communicated regularly with the responsible Civil Engineer, Scott Uhles, and Clara Magana at the City to push this process along. As of December 12, 2022, Ms. Magana notified Mr. Uhles that the requested corrections were completed, and he could submit the originals along with a more recent title report and a copy of the deeds granting the merged/adjusted lots to the respective owners. Apparently Mr. Uhles has not yet returned these items to the City, and Mr. Castillo is working to ensure that step is completed promptly.

My client did not understand how the civil plans fit into the review of the plans for the Building Permit and the Grading permit; nor did he realize that Mr. Uhles was the civil engineer for the

overall project, and that the plans required to secure the grading permit were still outstanding. Mr. Castillo now understands that the lot merger was not the only item that Mr. Uhles was responsible for or that was holding up the grading permit. As was recently explained to my client and I, the entire project runs on two tracks, with Building and Safety reviewing the plans for issuance of a Building permit for the construction of the buildings, including issuance of permits for the various trades, such as Electrical and mechanical, while Public Works reviews the Grading plans for issuance of the Grading Permit.

The entire construction team was surprised when we were informed by Ashley Golden that nothing had been done for three and one-half years on the Civil side of the project. She explained that the civil improvement plan submittal for the project originally came in for the first plan check on June 3, 2019, and was returned with corrections on July 19, 2019. According to the City's records the project plans were then submitted and rejected in March 2023, as an incomplete submittal, and then resubmitted on April 20, 2023. The City treated this submittal as a "first submittal due to no redline being submitted from the first plan check in 2019."

Based on review of Lauterbach's records, it appears that there was a first submittal on January 19, 2021, a second submittal on August 30, 2021, a third submittal on June 24, 2022, and then the fourth submittal on 4/20/23. Apparently, any misunderstanding may stem from the new plan check numbers that were issued to the project after the architects made adjustments to the plans to reflect the change in construction materials from wood to GigaCrete that occurred 2020.

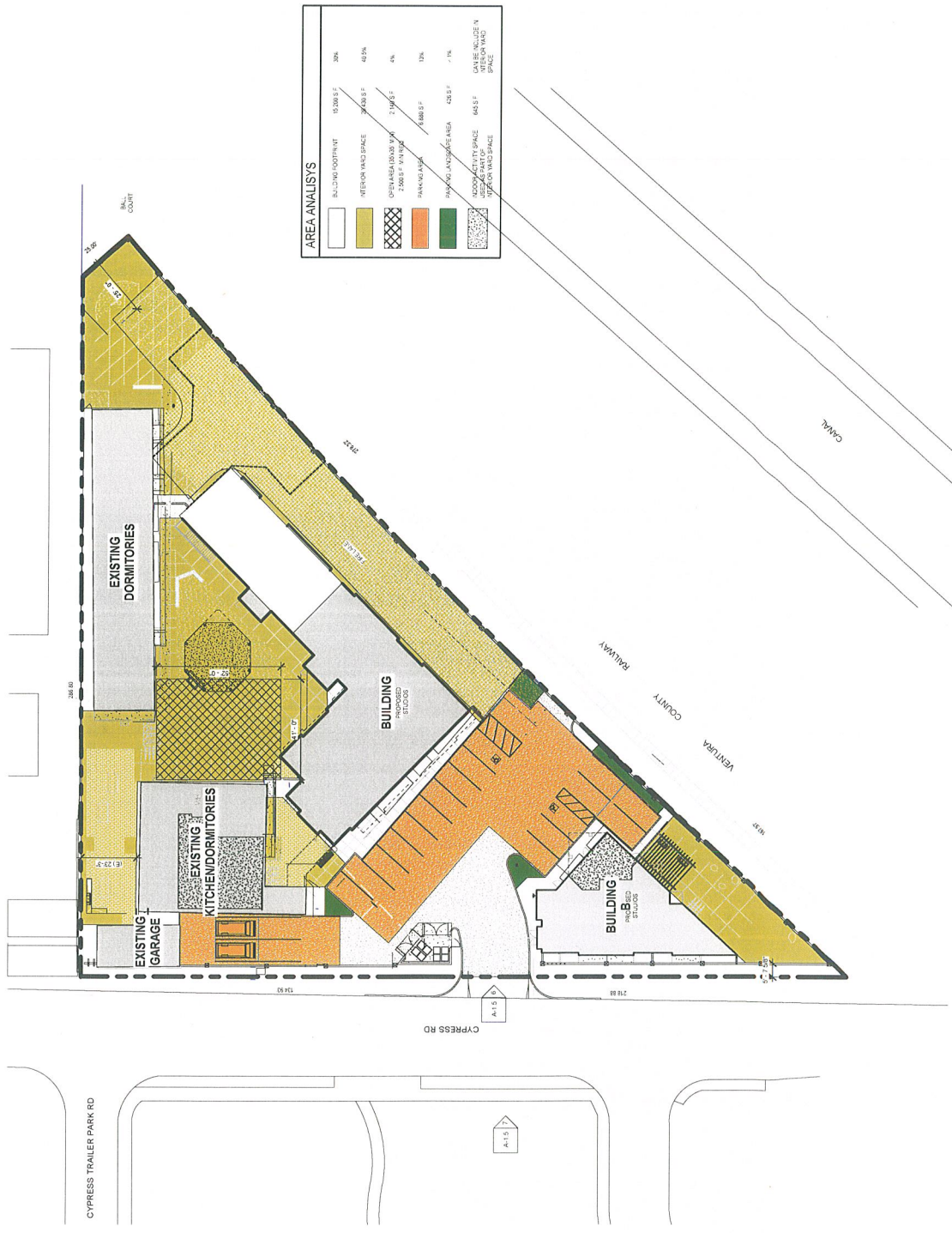
We totally understand any delay caused by the plans being misplaced or lost. But we just want to move forward, and I do not believe that it is fair or equitable for the client to be punished because somebody dropped the ball, especially when the housing project he hopes to build is meant to house the poorest of the poor.

We thank you for your courtesy and cooperation in processing this application and we trust that the City will not allow this affordable housing project to die.

Sincerely,



Barbara Macri-Ortiz,
Attorney for Lorenzo Castillo and Castillo Cypress, LLC



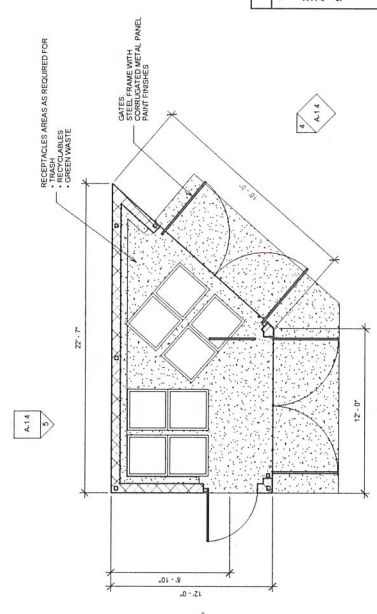
SITE DIAGRAM - ANALYSIS

CONCEPT MASTER PLAN
 GARDEN CITY LABOR CAMP
 7000 CYPRESS RD, OAKLAND, CA 94612

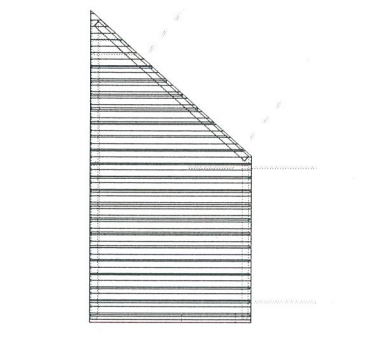


SITE PHOTOS

CONCEPT MASTER PLAN
GARDEN CITY LABOR CAMP
5966 CYPRESS RD, ONYAH, CA 95020



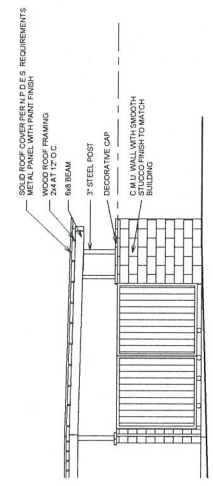
1 FLOOR PLAN
 1/4" = 1'-0"



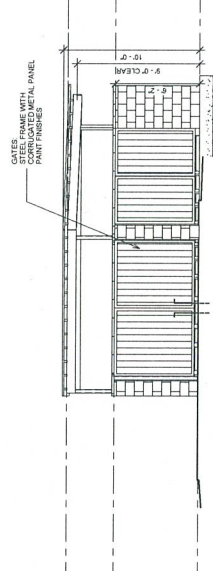
2 ROOF PLAN
 1/4" = 1'-0"

GENERAL NOTES

1. ALL EXTERIOR COLORS AND MATERIALS SHALL BE APPROVED BY THE DEPARTMENT OF COUNTY ENGINEERING.
2. GATES SHALL BE CORROSION RESISTANT METAL PANEL PAINT FINISHES.
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3 SOUTH
 1/4" = 1'-0"



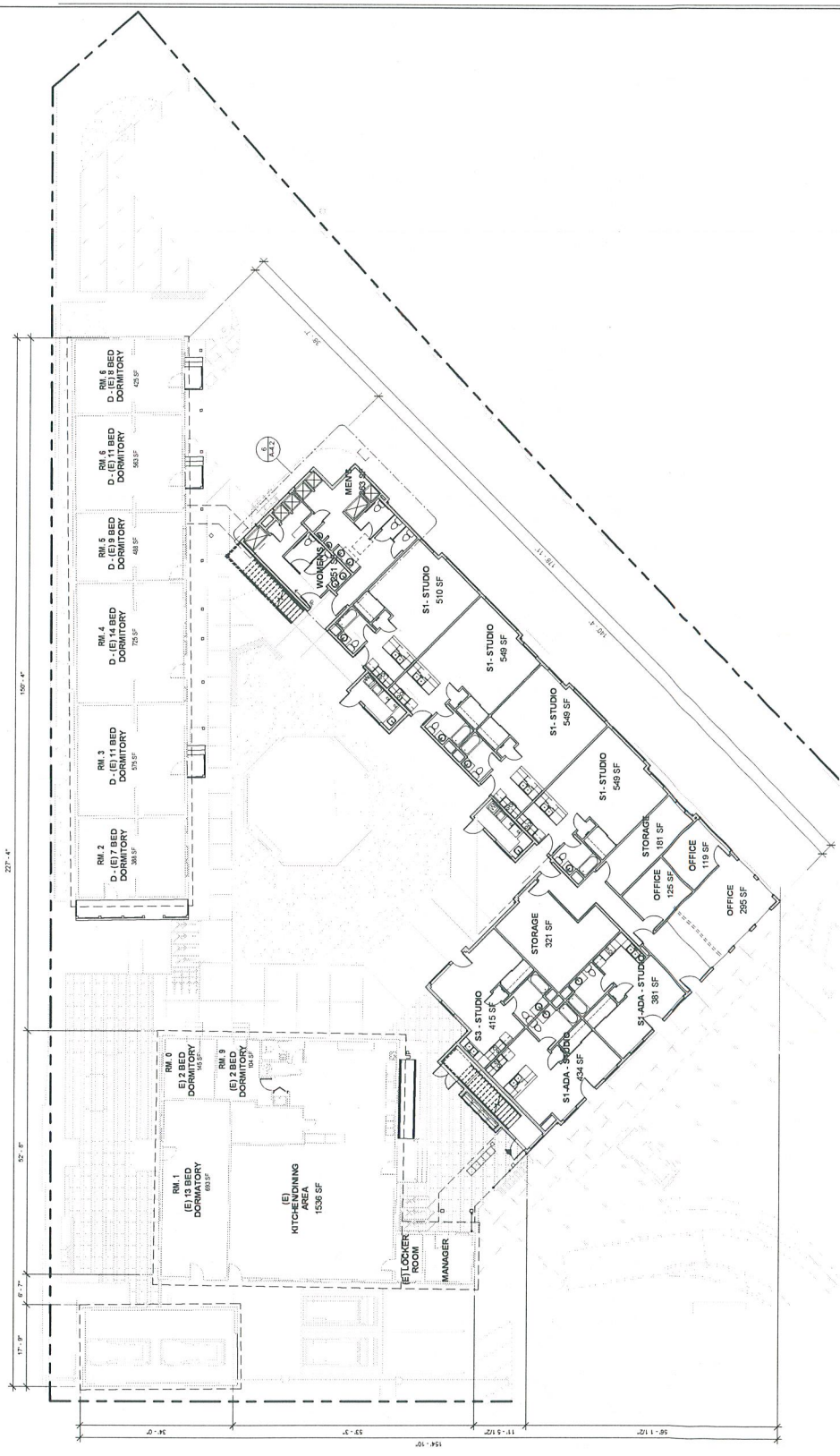
4 WEST
 1/4" = 1'-0"



5 EAST
 1/4" = 1'-0"

TRASH ENCLOSURE - PLAN AND ELEVATIONS

CONCEPT MASTER PLAN
 GARDEN CITY LABOR CAMP
 1488 CYPRESS RD. CHANES CA 93323



① FLOOR PLAN - FIRST - OVERALL
3/22/21 1/4"

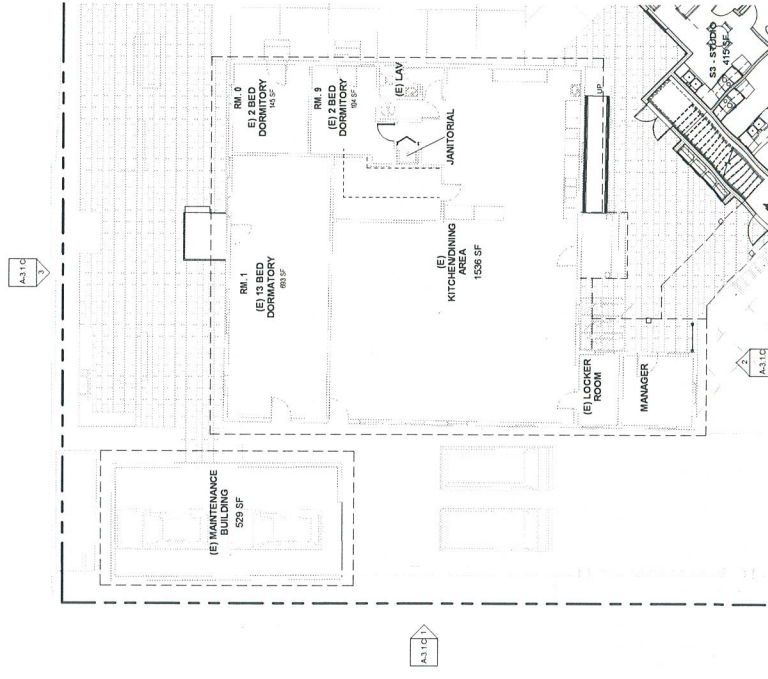


FLOOR PLAN - BUILDING A - OVERALL

CONCEPT MASTER PLAN
GARDEN CITY LABOR CAMP
SUNNYVALE, CALIFORNIA

FLOOR PLANS - BUILDING A - EXISTING KITCHEN/DORMITORIES

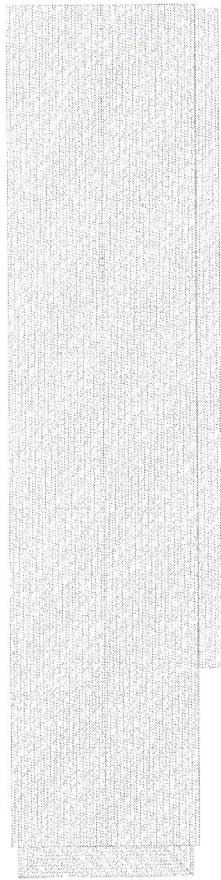
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GARDEN CITY LABOR CAMP
188 CYPRESS RD, OAKLAND, CA 94612



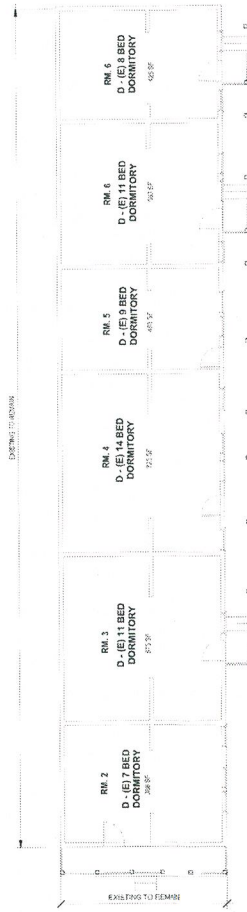
1 FLOOR PLAN
1/8" = 1'-0"

FLOOR PLANS - BUILDING A - EXISTING DORMITORIES

CONCEPT MASTER PLAN
GARDEN CITY LABOR CAMP
ARCHITECTURAL CONCEPTS

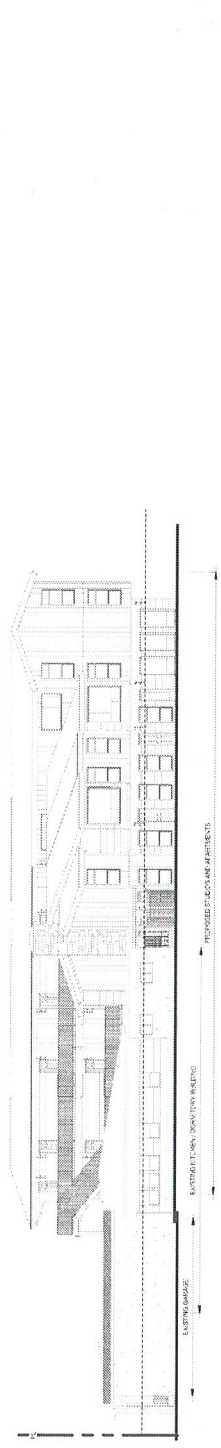


5. ROOF PLAN
1/8" = 1'-0"

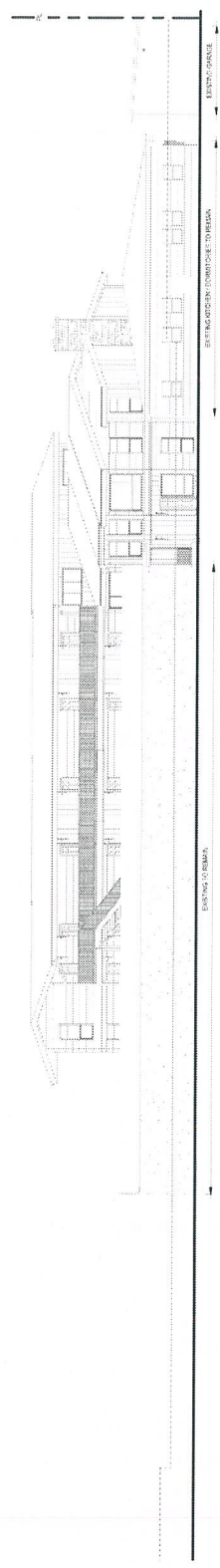


1. FLOOR PLAN - FIRST
1/8" = 1'-0"

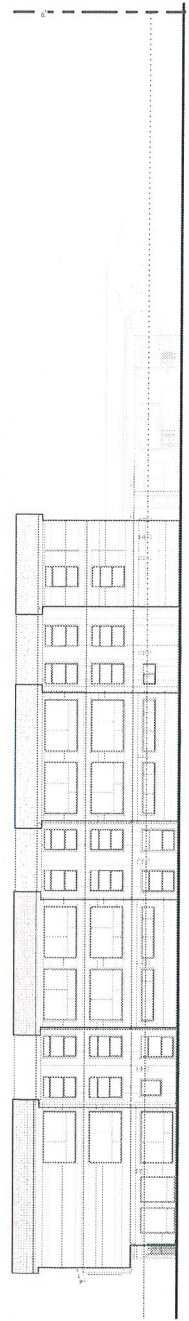




1 Overall - West
 3/32" = 1'-0"



2 Overall - North
 3/32" = 1'-0"



3 Overall - South-East
 3/32" = 1'-0"

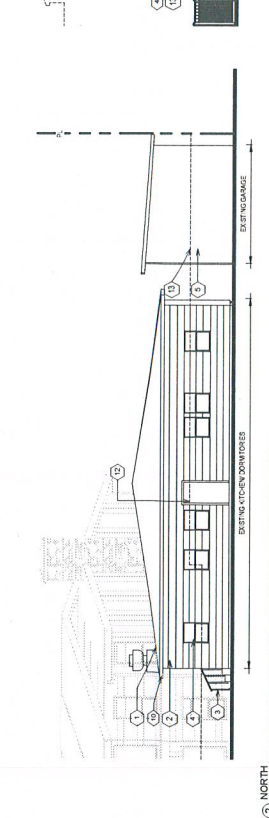
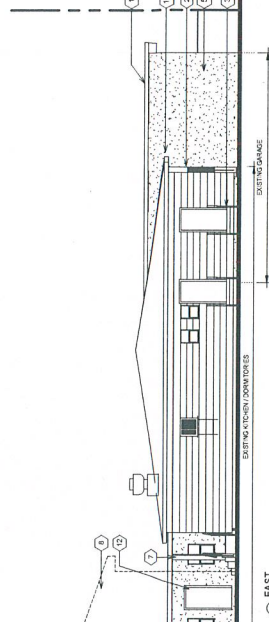
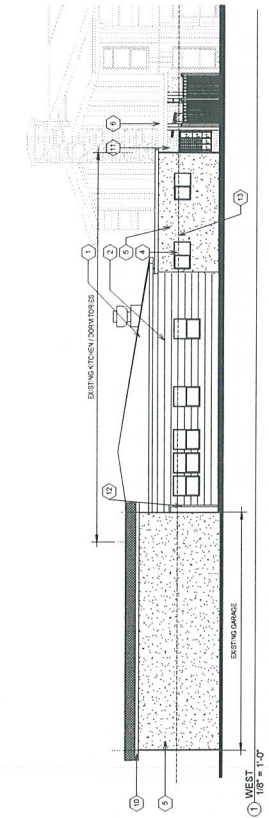
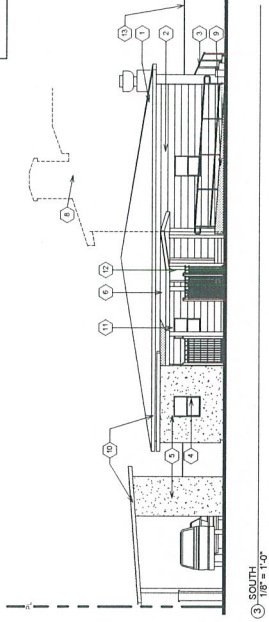
ELEVATIONS - BUILDING A - OVERALL

CONCEPT MASTER PLAN
 GARDEN CITY LABOR CAMP
 1000 PINE BLVD, SUITE 100
 HOUSTON, TEXAS 77057

ELEVATIONS - BUILDING A - EXISTING KITCHEN/DORMITORIES
 CONCEPT MASTER PLAN
 GARDEN CITY LABOR CAMP
 (SEE CORRESPONDING SHEETS FOR NOTES)

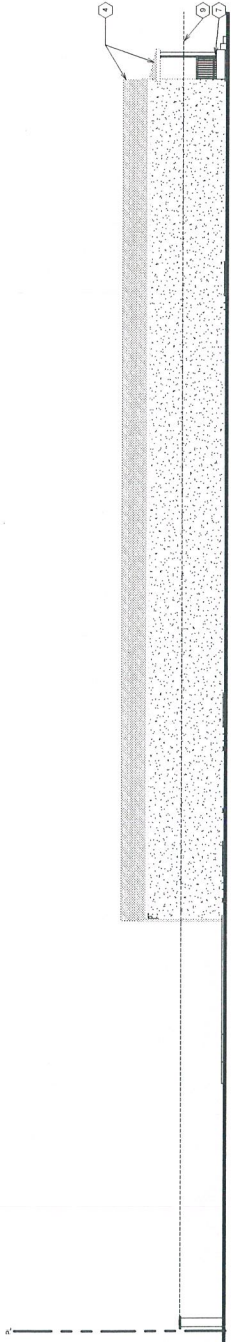
KEYNOTES

- 1 EXISTING CONCRETE ON PAVERS TO REMAIN
- 2 EXISTING WOOD Siding TO REMAIN PAINT
- 3 EXISTING STAIRS AND BAL. W/ TO REMAIN TYP
- 4 EXISTING WINDOW WINGS TO REMAIN TYP
- 5 EXISTING EXTERIOR BRICK FINISH PAINT
- 6 CONCRETE PAVING
- 7 EXISTING WOOD CLING PAINT
- 8 BUILDING W/ THE BRICKWORK AND W/ CLING FOR CLARITY
- 9 EXISTING W/ PAVERS TO REMAIN
- 10 EXISTING BRICK TO REMAIN PAINT
- 11 WOOD COLUMN PAINT
- 12 EXISTING WOOD TO REMAIN PAINT
- 13 PENETRATION LINE SHOWN DASHED

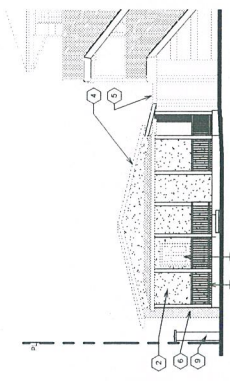


KEYNOTES

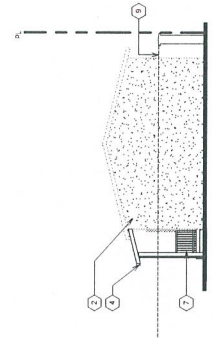
1	EXISTING STRACON PLANKS
2	EXISTING STEREO PATTERNS PAINTED
3	EXISTING BRICKWORK TO REMAIN
4	EXISTING BRICKWORK TO BE DEMOLISHED
5	EXISTING BRICKWORK TO BE REPAIRED
6	EXISTING BRICKWORK TO BE REPAIRED
7	EXISTING BRICKWORK TO BE REPAIRED
8	EXISTING BRICKWORK TO BE REPAIRED
9	EXISTING BRICKWORK TO BE REPAIRED
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18	EXISTING BRICKWORK TO BE REPAIRED
19	EXISTING BRICKWORK TO BE REPAIRED
20	EXISTING BRICKWORK TO BE REPAIRED



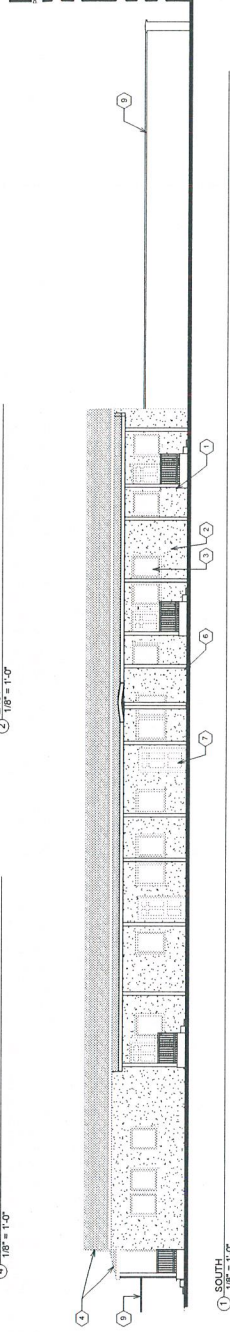
3 NORTH
1/8" = 1'-0"



4 WEST
1/8" = 1'-0"



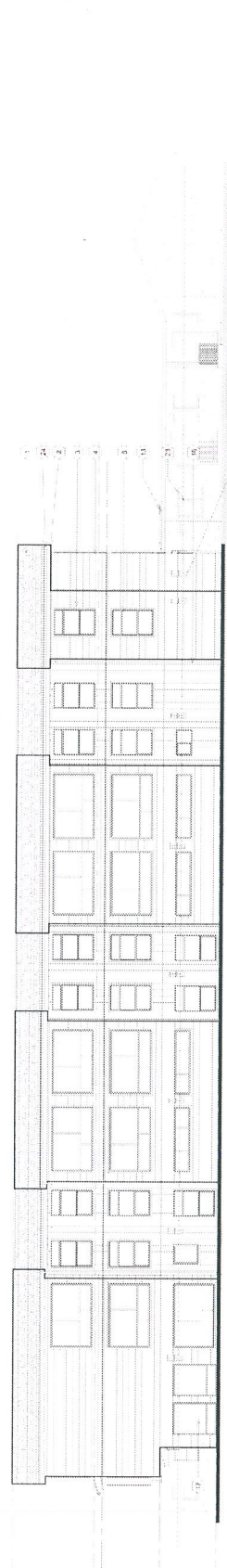
2 EAST
1/8" = 1'-0"



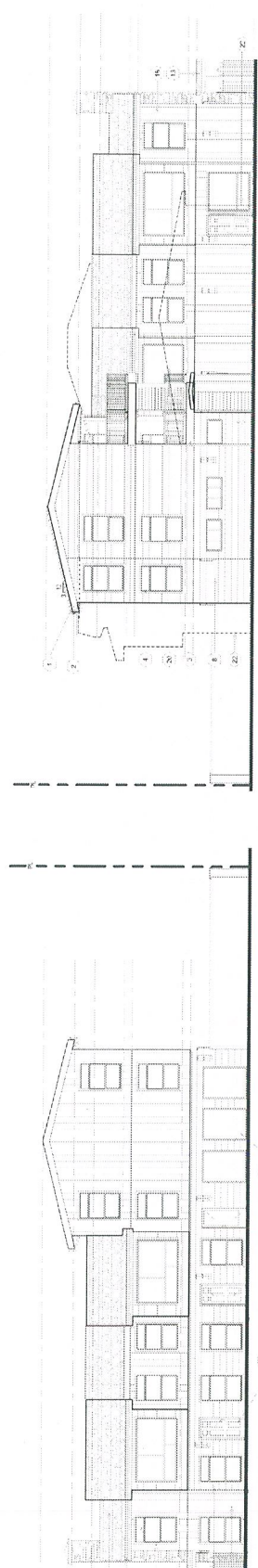
1 SOUTH
1/8" = 1'-0"

ELEVATIONS - EXISTING DORMITORIES

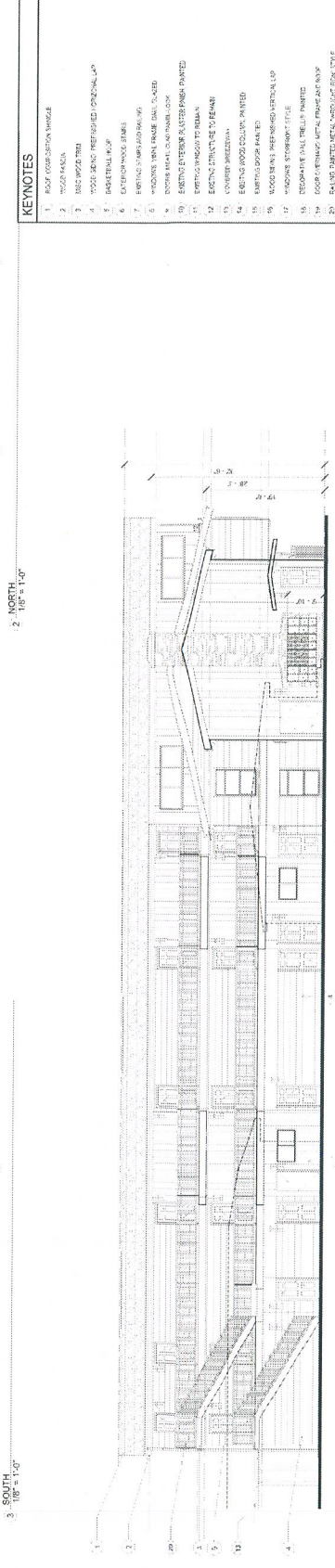
CONCEPT MASTER PLAN
GARDEN CITY LABOR CAMP
HMC CONTRACTING COMPANY, INC.



1. 04 - EAST
 1/8" = 1'-0"



3. SOUTH
 1/8" = 1'-0"



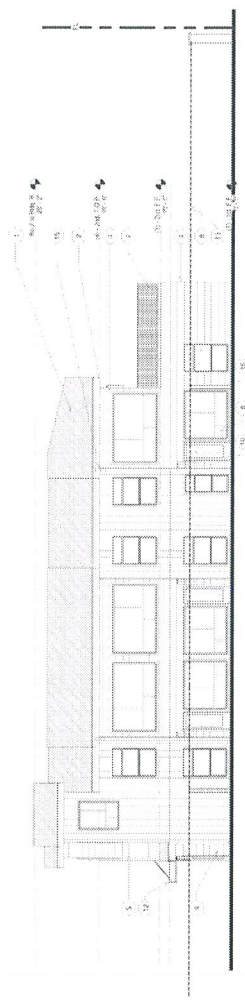
4. WEST
 1/8" = 1'-0"

- KEYNOTES**
1. ROOF TERRACE WEDGE
 2. WOOD PANELS
 3. WOOD BRICK
 4. WOOD SILL, REFLECTED ORIGINAL LAP
 5. BASKETBALL COURT
 6. EXTERIOR WOOD FINISH
 7. EXTERIOR WOOD FINISH
 8. WOODS, 20% SLAKE GALE, TOWER
 9. DOORS, METAL CLASH, METAL CLASH
 10. EXTERIOR WOOD FINISH, PAINTED
 11. EXTERIOR WOOD TO BRICK
 12. EXTERIOR STRUCTURE SYSTEM
 13. COVERED WALKWAY
 14. EXTERIOR WOOD COLOR, PAINTED
 15. EXTERIOR WOOD PAINTED
 16. WOOD BEAMS, REFLECTED ORIGINAL LAP
 17. WOODS, STORMWATER
 18. EXTERIOR WALL, METAL PAINTED
 19. EXTERIOR WOOD, METAL PAINTED
 20. EXTERIOR WOOD, METAL PAINTED
 21. WOOD COLOR WITH COLUMN BASE
 22. EXTERIOR WOOD, METAL PAINTED
 23. EXTERIOR WOOD, METAL PAINTED
 24. METAL CLASH AND DOWNSPOUT
 25. EXTERIOR WOOD

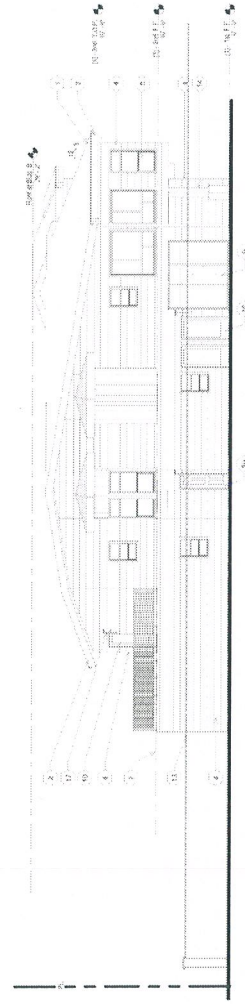
ELEVATIONS - BUILDING A - STUDIOS AND APARTMENTS

KEYNOTES

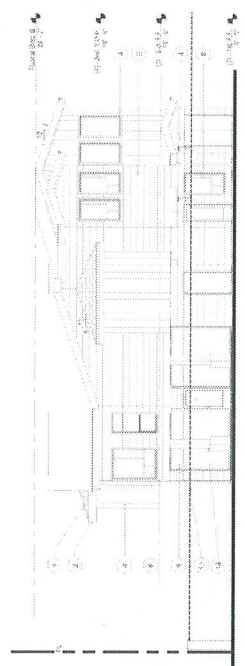
1. PLCP DOWNPOUR/STAIN
2. WOOD PANELS
3. WOOD TRIM
4. WOOD PRESERVATIVE/PAINT FINISHES
5. INSULATION (SHEATHING, ROOFING)
6. WOOD FRAMES
7. RAILING PANELS/METAL WOOD GRIP FINISH
8. STAIRS - WOOD FRAMES (HANDRAILS)
9. INTERIORS - STAINLESS STEEL
10. EXTERIOR METAL PANELS
11. ELECTRICAL EQUIPMENT ENCLOSURES
12. ELECTRICAL EQUIPMENT ENCLOSURES
13. FLOOR FINISHES (WOOD, TILE, POLISHED CONCRETE)
14. ROOFING (SHINGLES, METAL PANELS)
15. ROOFING (SHINGLES, METAL PANELS)
16. ROOFING (SHINGLES, METAL PANELS)
17. ROOFING (SHINGLES, METAL PANELS)
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99. ROOFING (SHINGLES, METAL PANELS)
100. ROOFING (SHINGLES, METAL PANELS)



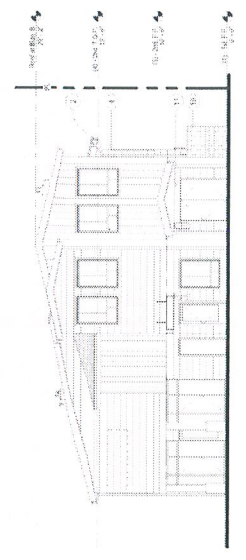
1. WEST (FROM STREET)
 1/8" = 1'-0"



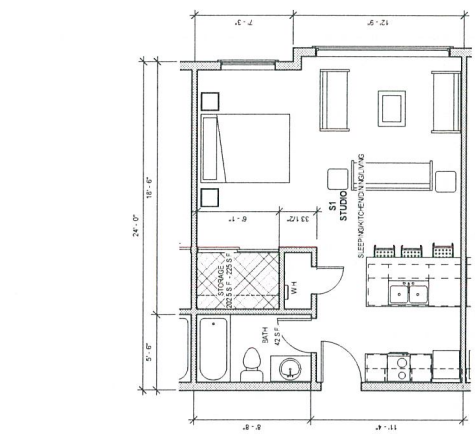
2. SOUTH-EAST
 1/8" = 1'-0"



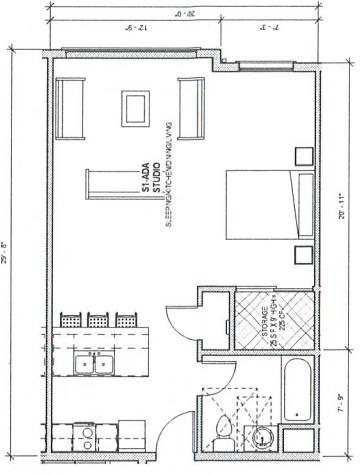
3. NORTH-EAST
 1/8" = 1'-0"



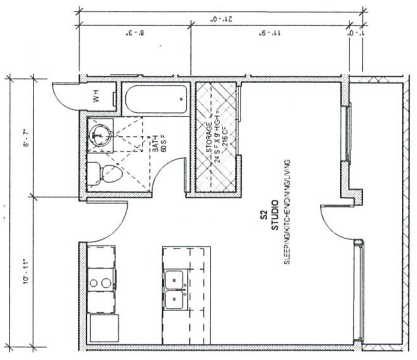
4. NORTH
 1/8" = 1'-0"



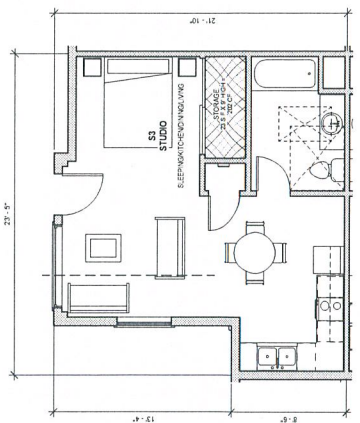
1 FLOOR PLAN - Studio S1
 1/4" = 1'-0"



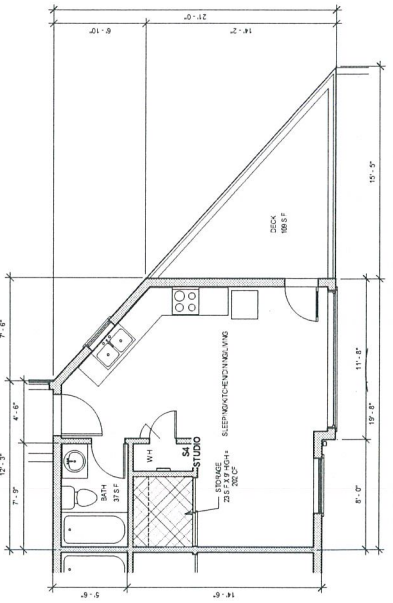
2 FLOOR PLAN - Studio S1-ADA
 1/4" = 1'-0"



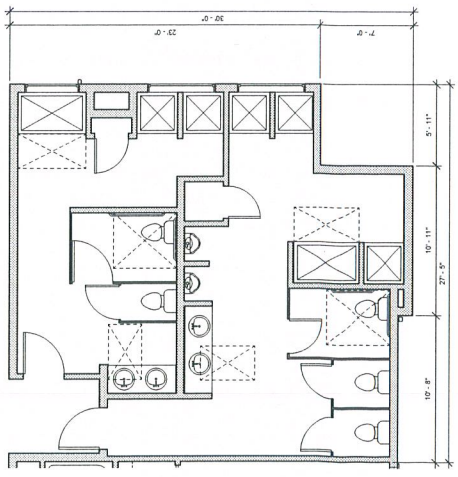
3 FLOOR PLAN - Studio S2
 1/4" = 1'-0"



4 FLOOR PLAN - Studio S3
 1/4" = 1'-0"



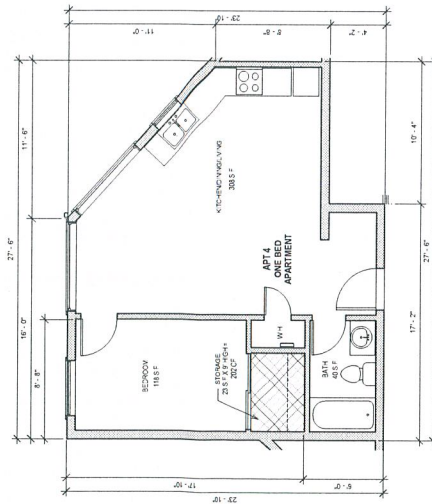
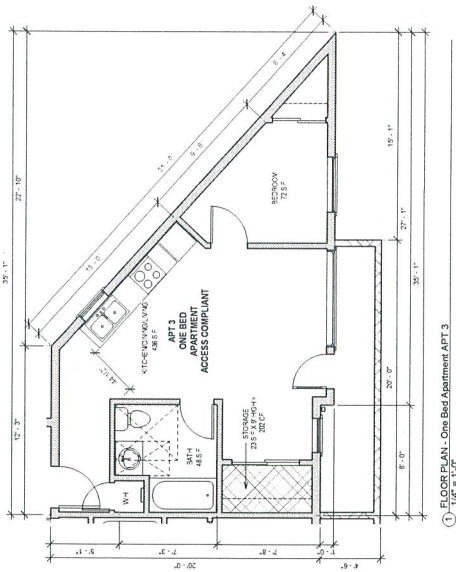
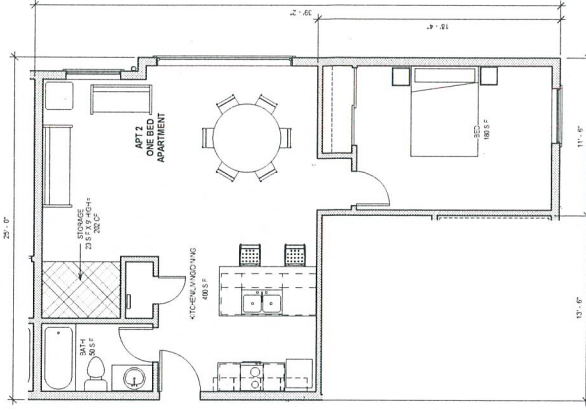
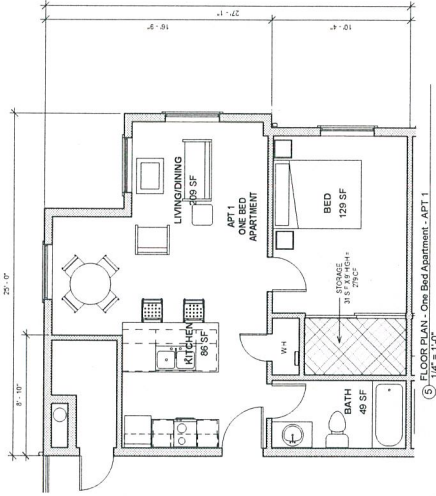
5 FLOOR PLAN - Studio S4
 1/4" = 1'-0"

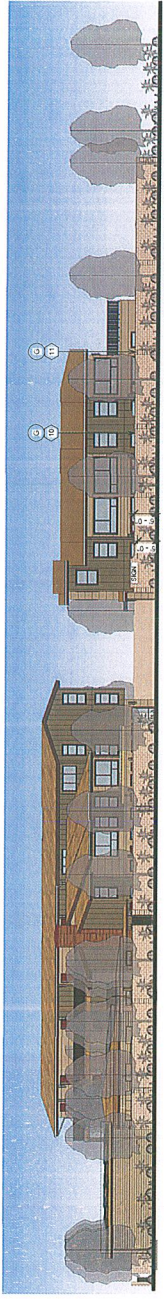


6 FLOOR PLAN - BATHROOMS
 1/4" = 1'-0"

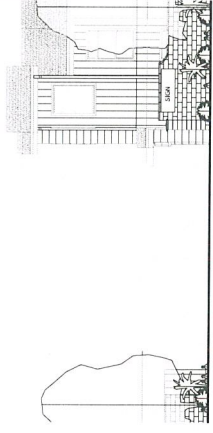
ENLARGED - ONE BEDROOM APARTMENTS

CONCEPT MASTER PLAN
 GARDEN CITY LABOR CAMP
(SEE COMMENTS ON SHEET CA-0001)

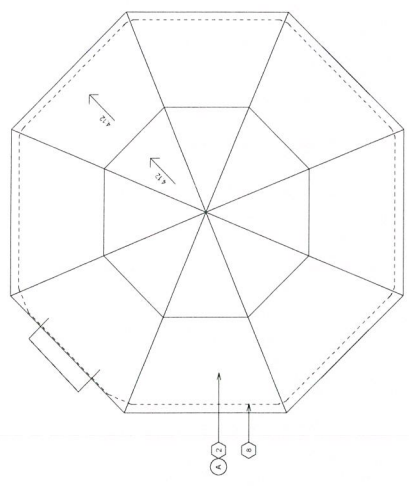




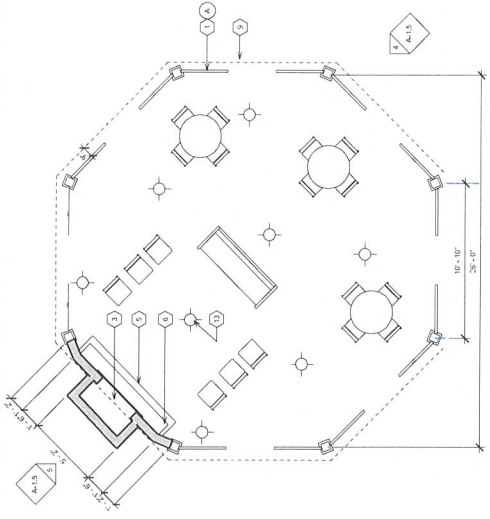
⑦ Street Elevation Color
1/16" = 1'-0"



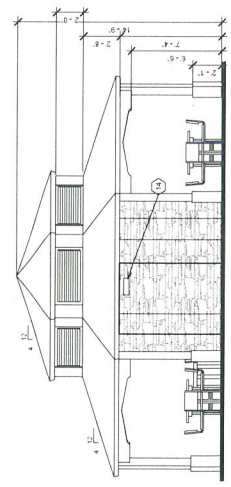
⑥ Site Entry
1/8" = 1'-0"



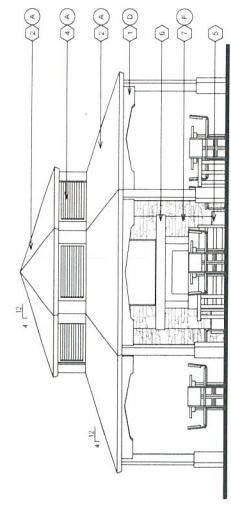
② GAZEBO - ROOF PLAN
1/4" = 1'-0"



① GAZEBO - FLOOR PLAN
1/4" = 1'-0"



⑤ Gazebo - 1
1/4" = 1'-0"



④ Gazebo - 2
1/4" = 1'-0"

KEYNOTES

- 1 STEEL FRAME EXTENSION GAZEBO DOUBLE TIER ROOF
- 2 METAL STANDING SEAM ROOF
- 3 PREFACE CONCEALED LINT
- 4 HIGH-ENT LOUVER WINDOW
- 5 1/2" HIGH CONCRETE HEARTH
- 6 WOOD MANTEL
- 7 CORONAADO STAIN VENEER-HONEY LEUGE
- 8 COLOR SHASTA
- 9 LINE OF WALL BELOW SHOWN DIMMED
- 10 LINE OF ROOF OVERHANG
- 11 FINISH PHOTO BELUMP BLOCK WALL SYSTEM WITH 2" CAP
- 12 FINISH PHOTO BELUMP BLOCK PLASTER WITH 2" CAP
- 13 FINISH METAL FENCE AND GATE
- 14 LIGHT FIXTURES
- 15 GAS PREFACE LENT

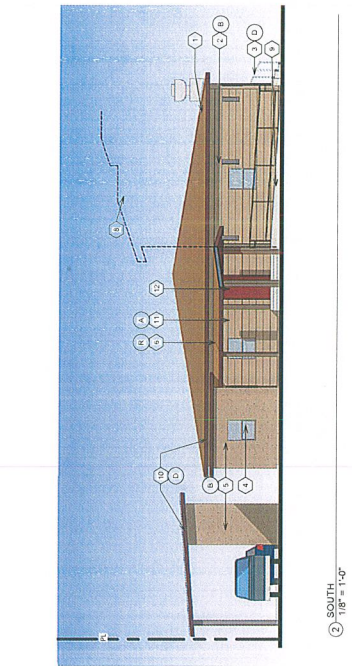
COLOR AND MATERIALS

- A "MANTLE" ANGELOS BLOCK
- B "RESERVED" MANTLE
- C "TUSCAN" MANTLE
- D "TRAMP" MANTLE
- E "MOUNTAIN" MANTLE
- F "MOUNTAIN" MANTLE
- G "MOUNTAIN" MANTLE
- H "MOUNTAIN" MANTLE
- I "MOUNTAIN" MANTLE
- J "MOUNTAIN" MANTLE
- K "MOUNTAIN" MANTLE
- L "MOUNTAIN" MANTLE
- M "MOUNTAIN" MANTLE
- N "MOUNTAIN" MANTLE
- O "MOUNTAIN" MANTLE
- P "MOUNTAIN" MANTLE
- Q "MOUNTAIN" MANTLE
- R "MOUNTAIN" MANTLE
- S "MOUNTAIN" MANTLE
- T "MOUNTAIN" MANTLE
- U "MOUNTAIN" MANTLE
- V "MOUNTAIN" MANTLE
- W "MOUNTAIN" MANTLE
- X "MOUNTAIN" MANTLE
- Y "MOUNTAIN" MANTLE
- Z "MOUNTAIN" MANTLE

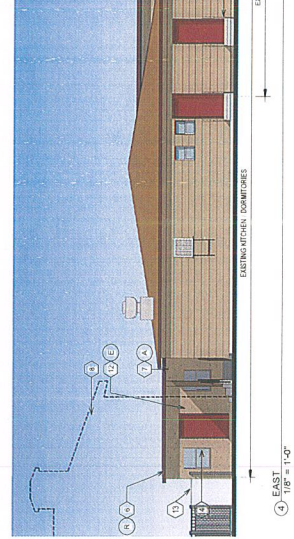
ELEVATIONS - BUILDING A - EXISTING KITCHENDORMS (COLOR)
 CONCEPT MASTER PLAN
 GARDEN CITY LABOR CAMP
 1000 CYPRESS RD. GARDEN, CA 94530

KEYNOTES	
1	EXISTING COMPOSITION SHINGLE ROOF TO REMAIN
2	EXISTING WOOD SIDING TO REMAIN. PAINT
3	EXISTING CLING AND PAINTS TO REMAIN. TYP
4	EXISTING WALKWAYS TO REMAIN. TYP
5	EXISTING EXTERIOR PLASTER FINISH. PAINT
6	CONCRETE BRICKWAY
7	EXISTING WOOD COLUMN PAINT
8	BUILDING IN THE BACKGROUND SHOWN DAMAGED FOR CLARITY
9	EXISTING RAMP AND PAVERS TO REMAIN
10	EXISTING FASCIA TO REMAIN. PAINT
11	WOOD COLUMN PAINT
12	EXISTING DOOR TO REMAIN. PAINT
13	PERIMETER FENCE LINE. SHOWN DASHED

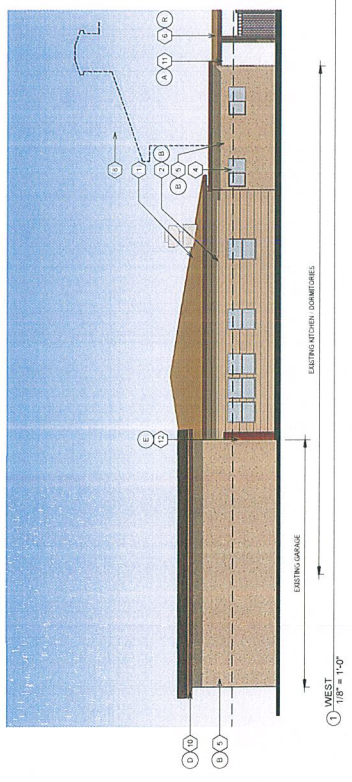
COLOR AND MATERIALS	
A	"MOUNTAIN SHADE" HARDY BOARD
B	"HEATHERED WOOD" SHEDDING BOARD AND EXTERIOR SHEDDING BOARD
C	"TUSCAN GOLD" HARDY BOARD
D	"TRAVERTINE" FACILE - C/CL/IN
E	"CASUAL SPICE" FACILE - C/CL/IN
F	"TAN" ANGLUOP PHOTO MURAL SYSTEM
G	"MISSION BROWN" CERTAINTEED LANDMARK



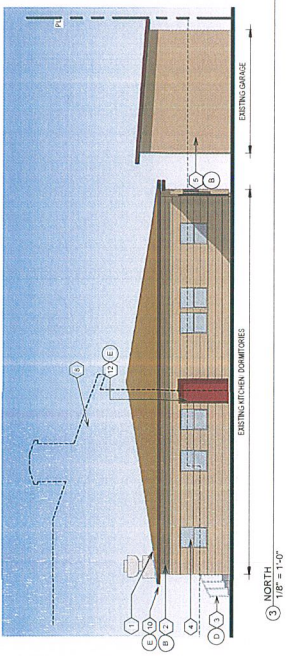
1 WEST
1/8" = 1'-0"



4 EAST
1/8" = 1'-0"



3 NORTH
1/8" = 1'-0"



2 SOUTH
1/8" = 1'-0"

ELEVATIONS - EXISTING DORMITORIES (COLOR)

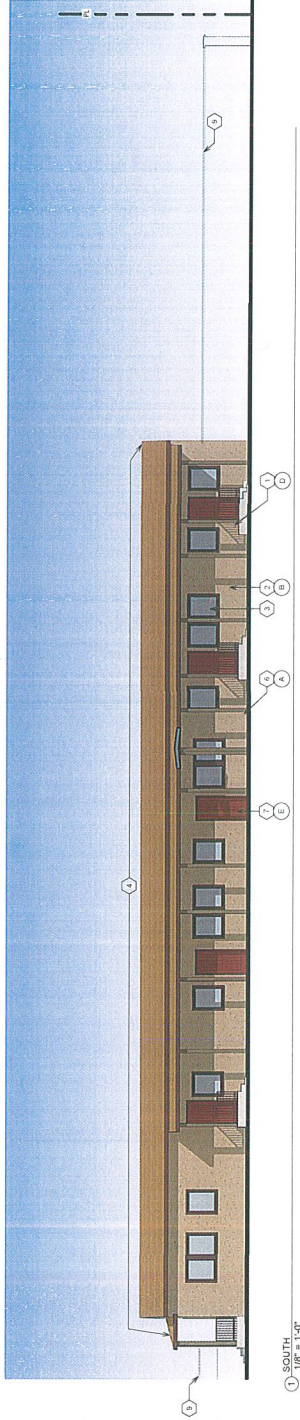
CONCEPT MASTER PLAN
 GARDEN CITY LABOR CAMP
 1500 CYPRESS BLVD, GARDEN CITY, CA 94545

KEYNOTES

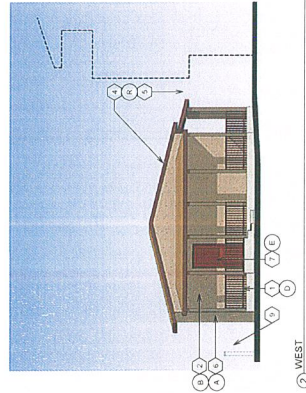
- 1 EXISTING STAIRS AND RAILING
- 2 EXISTING EXTERIOR PLASTER FINISH PAINTED
- 3 EXISTING WINDOW TO REMAIN
- 4 EXISTING STRUCTURE TO REMAIN
- 5 COVERED WALKWAY
- 6 EXISTING WOOD COLUMN PAINTED
- 7 EXISTING DOOR PAINTED
- 8 NEW SIGN IN FULL COORDINATION WITH EXISTING SIGNAGE
- 9 EXISTING ADJACENT FENCE (SHOWN DASHED)

COLOR AND MATERIALS

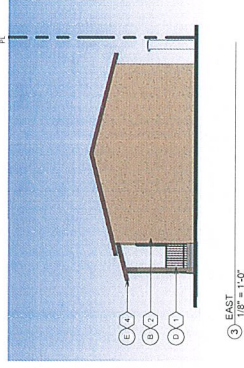
A	PAINTED WOOD SIGNAGE
B	PAINTED WOOD SIGNAGE
C	WEATHERED MASONRY
D	CONCRETE PLASTER - EXTERIOR
E	TRUSSEL PANELS OF HARDWOOD
F	PAINTED WOOD SIGNAGE
G	PAINTED WOOD SIGNAGE
H	PAINTED WOOD SIGNAGE
I	PAINTED WOOD SIGNAGE
J	PAINTED WOOD SIGNAGE
K	PAINTED WOOD SIGNAGE
L	PAINTED WOOD SIGNAGE
M	PAINTED WOOD SIGNAGE
N	PAINTED WOOD SIGNAGE
O	PAINTED WOOD SIGNAGE
P	PAINTED WOOD SIGNAGE
Q	PAINTED WOOD SIGNAGE
R	PAINTED WOOD SIGNAGE
S	PAINTED WOOD SIGNAGE
T	PAINTED WOOD SIGNAGE
U	PAINTED WOOD SIGNAGE
V	PAINTED WOOD SIGNAGE
W	PAINTED WOOD SIGNAGE
X	PAINTED WOOD SIGNAGE
Y	PAINTED WOOD SIGNAGE
Z	PAINTED WOOD SIGNAGE



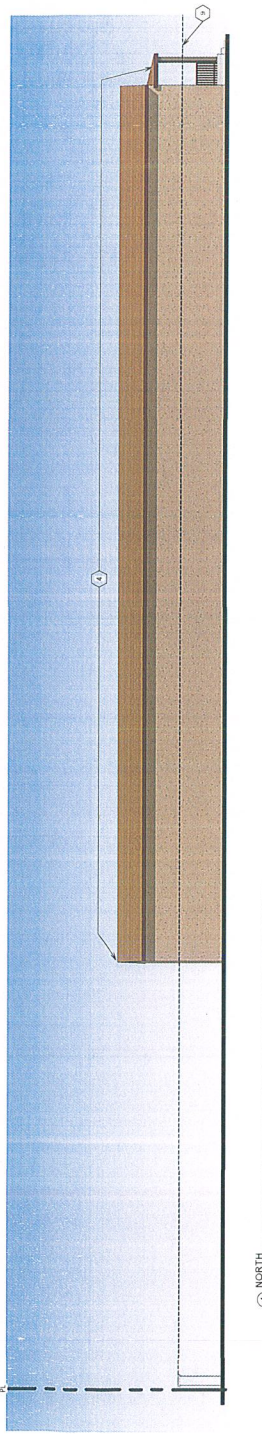
1 SOUTH
 1/8" = 1'-0"



2 WEST
 1/8" = 1'-0"



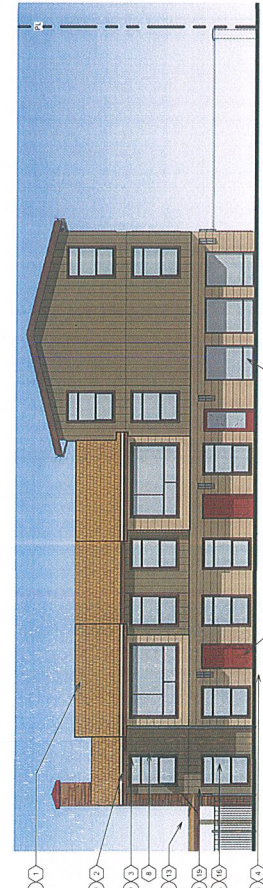
3 EAST
 1/8" = 1'-0"



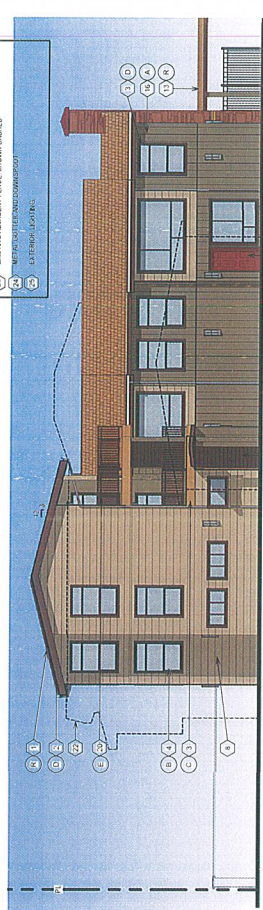
4 NORTH
 1/8" = 1'-0"



1. EAST
1/8" = 1'-0"

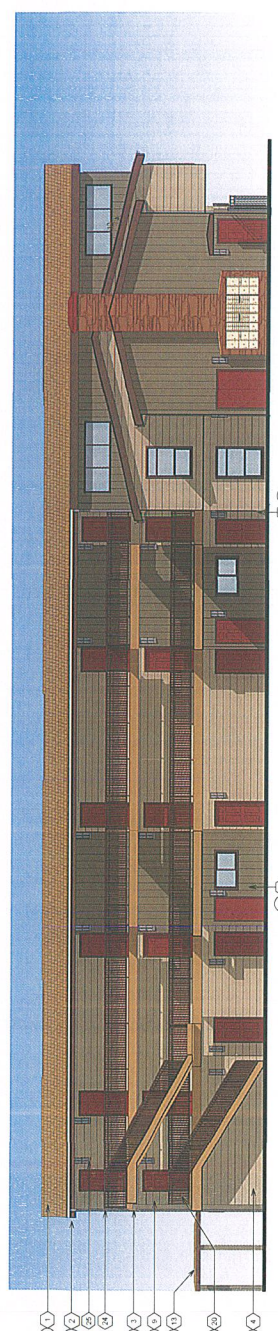


2. SOUTH
1/8" = 1'-0"



3. NORTH
1/8" = 1'-0"

- KEYNOTES**
- 1 ROOF COMPOSITE SHINGLE
 - 2 WOOD FASCIA
 - 3 WOOD TRIM
 - 4 WOOD SIDING - PREFERRED HORIZONTAL LAP
 - 5 BARKETTALL ROOF
 - 6 EXTERIOR WOOD STAIRS
 - 7 EXTERIOR STAIRS AND FILING
 - 8 WINDOWS - VINYL FRAME, DOUBLE GLAZED
 - 9 DOORS - METAL GLASS PANEL-LOOK
 - 10 EXTERIOR PLASTER FINISH PAINTED
 - 11 EXTERIOR WINDOW TO REMAIN
 - 12 COVERED BREASTWAY
 - 13 EXTERIOR WOOD COLUMN - PAINTED
 - 14 EXTERIOR DOOR - PAINTED
 - 15 WOOD SIDING - PREFERRED VERTICAL LAP
 - 16 WINDOW - SHUTTERED STYLE
 - 17 DECORATIVE WALL - TELLUS - PAINTED
 - 18 DOOR OVERHANG METAL FRAME AND ROOF
 - 19 PAILING - PAINTED METAL - THROUGHT RISK - STYLE
 - 20 WOOD COLUMN WITH COLUMN BASE
 - 21 BUILDING THE FOREGROUND SHOWN DASHED
 - 22 EXISTING ADJACENT FENCE - SHOWN DASHED
 - 23 METAL WATERFALL DOWNSPOUT
 - 24 EXTERIOR PLASTER



4. WEST
1/8" = 1'-0"

COLOR AND MATERIALS

- A "WANSBAM BASE" - HAZEL SLAND
- B "NEEDESSE NOZZ" - HAZEL SLAND AND GATEWAY - SLEIGHT FACTORY
- C "TUSCAN GOLD" - HAZEL SLAND
- D "TANNED" - FACILE - CLUSTIN
- E "SOLAR SPELT" - FACILE - CLUSTIN
- F "TRUNK" - AUGUSTUS PHOTO WALL - 100108
- G "WISSAN BROWN" - DEPARTED LANDMARK

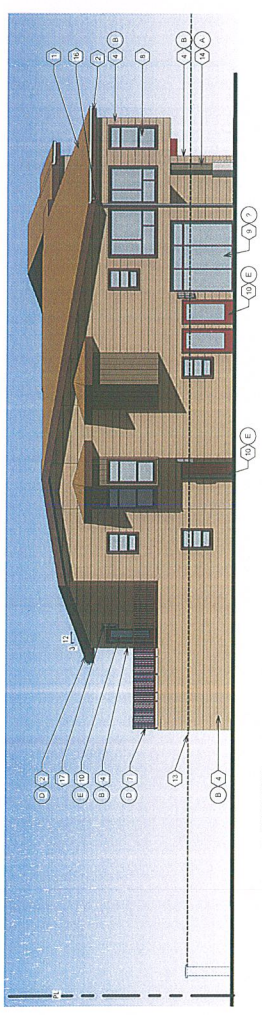
ELEVATIONS BUILDING A - STUDIOS AND APARTMENTS- COLOR

KEYNOTES

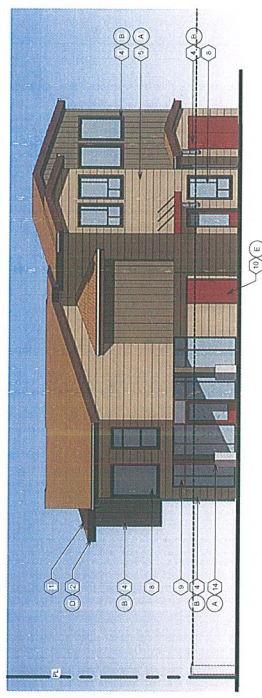
- 1 ROOF: COMPOSITE/PURPOSE
- 2 ROOF: ROOF
- 3 WOOD: WOOD TRIM
- 4 WOOD: SIDING - HORIZONTAL LAP, PREFINISHED
- 5 WOOD: SIDING - VERTICAL, PREFINISHED
- 6 WOOD: SIDING - VERTICAL, UNFINISHED
- 7 WOOD: SIDING - VERTICAL, UNFINISHED
- 8 WOOD: SIDING - VERTICAL, UNFINISHED
- 9 WOOD: SIDING - VERTICAL, UNFINISHED
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1 WEST (FROM STREET)
1/8" = 1'-0"



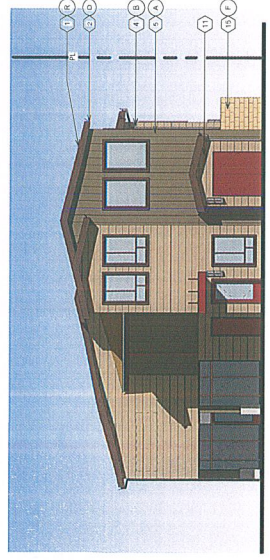
2 SOUTHEAST
1/8" = 1'-0"



3 NORTHEAST
1/8" = 1'-0"

COLOR AND MATERIALS

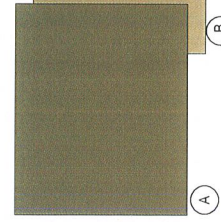
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HARBOR SIDING
- 2 WEAVERED BRIDGE
HARBOR SIDING
- 3 TUSCAN GOLD
HARBOR SIDING
- 4 HARBOR
FRANCE - CL207N
- 5 SOCIAL SPICE
FRANCE - CL45N
- 6 HARBOR
FRANCE - CL207N
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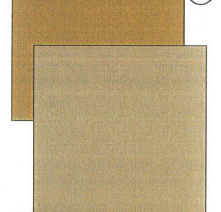
4 NORTH
1/8" = 1'-0"



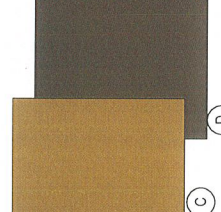
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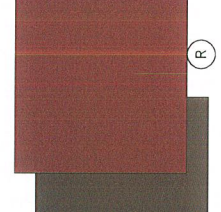
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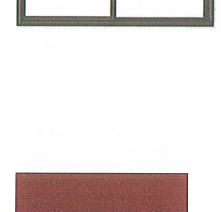
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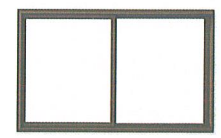
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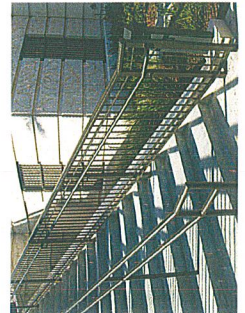


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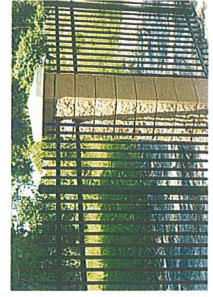


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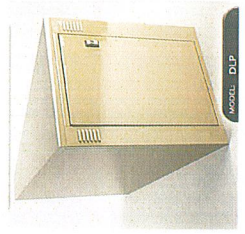
WINDOWS
LOW E CLEAR GLASS IN
BROWN VINYL FRAME



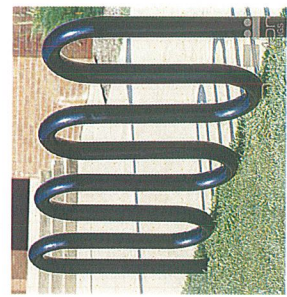
METAL RAILING AND GUARDRAILS
AT STAIRS, WALKWAYS AND DECKS



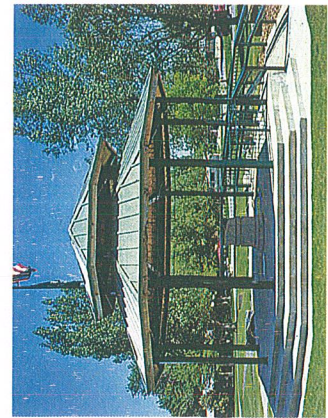
PERIMETER FENCE AND
PILASTER



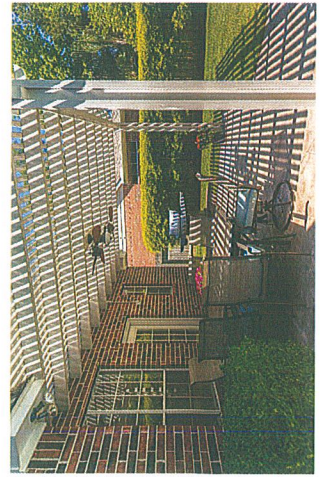
BIKE LOCKER



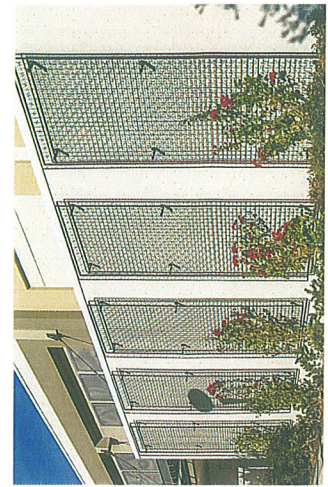
BIKE RACK



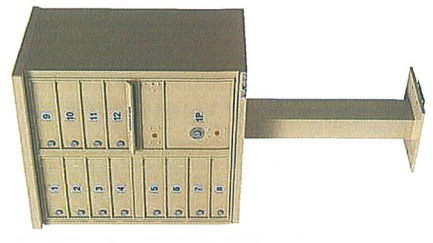
GAZEBO



TRELLIS



WALL TRELLIS



CLUSTER MAILBOX

MATERIAL SAMPLE BOARD

CONCEPT MASTER PLAN
GARDEN CITY LABOR CAMP
ARCHITECTURE: LORENZO CASTILLO



**DEVELOPMENT SERVICES DIRECTOR
STAFF REPORT**

TO: Development Services Director

FROM: Chris Williamson, Consultant Planner

DATE: May 31, 2018

SUBJECT: Planning and Zoning (PZ) Permit Nos. 17-200-04 (Development Design Review); 30-Unit All-Affordable Housing Opportunity Program (AAHOP) Special Needs Housing and Continued Use of Garden City Farmworker Employee Housing, Located at 5600 and 5690 Cypress Road

- 1) **Recommendation:** That the Development Services Director approve PZ No. 17-200-04 (Development Design Review), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** The development application (Project) proposes to demolish five of eight Garden City farmworker labor camp structures known as "Garden Acres" and develop 29 studio and one-bedroom restricted Special Needs affordable units and one manager unit, for a total of 30 units, in two apartment buildings and provide 23 parking spaces, landscaping, perimeter wall and fencing, security lighting, and resident amenities. The farmworker employee housing use would continue in the three remaining existing structures with a maximum capacity of 77 beds, a manager's unit, kitchen and dining room, and a garage. Replacement bathrooms and laundry would be located on the ground floor in the new Building A. Nine development standards related to projections into the front yard setback, rear yard setback, storage, minimum unit size, interior yard space, wall height, balconies, open space requirements, and parking lot design are waived, reduced, or modified. The project is located at 5600 and 5690 Cypress. The applicant is Lorenzo Castillo, Castillo Cypress, LLC, 418 West Third Street, Oxnard, CA 93030.
- 3) **Existing & Surrounding Land Uses:** The Project site is located in the Cypress Neighborhood just north of the Cypress Road/ Ventura Railroad crossing. The 5600 Cypress Rd. parcel (APN 223-0-041-030) is developed with eight structures mostly dating from the early 1950's. The 5690 Cypress Rd. parcel (APN 223-0-041-040) contains no structures and is primarily used as parking for employees of the Cypress Gardens farmworker labor housing. The Project site and surrounding 2030 General Plan and zoning designations and current land uses are listed below and shown in Attachment A:

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Multiple-Family AAHOP (R-2-AH)*	Residential Low Medium*	Garden City Farmworker Labor Camp
North	R-2-AH	Residential Low Medium	Commercial greenhouse agriculture
South and East	M-L-PD	Limited Industrial	Ventura County RR, County Drainage Channel Arcturus Industrial park
West	R-2-PD R-3-PD MH-PD	Residential Low Medium Residential Medium	Apartments Cypress Trailer Mobile Home Park

* The listed General Plan and Zoning designations are consistent with the 2030 General Plan and 2013-2021 Housing Element designation as AAHOP Site No. B-11. The existing R-3-PD-AH zoning on the 5600 Cypress Road parcel and M-1-PD on the 5690 Cypress Road parcel are inconsistent with the 2030 General Plan designation of Residential Low Medium for which the correct zoning is R-2. As the two parcels will be merged and both parcels are designated in the 2013-2021 Housing Element as an AAHOP site, the existing General Plan Industrial Limited use designation on the 5690 Cypress Road parcel will be changed to Residential Low Medium as part of the 2030 General Plan Consistency Program.

4) Background Information: After several pre-application meetings with staff regarding the proposed Project, the Applicant filed an AAHOP and Density Bonus application on April 20, 2017 pursuant to the 2006-2014 Housing Element in effect at that time. The Project plans are included as Attachment B. During Project review, three aspects of the Project required additional research and clarification:

- a) Use status of the 1950's era farmworker labor camp,
- b) Whether any of the existing structures were potentially of historical merit, and
- c) The appropriate parking requirement given the legal non-conforming use status coupled with the new Special Needs housing.

A 2009 Master's degree thesis titled "Housing Farmworkers: Assessing the Significance of the Bracero Labor Camps in Ventura County" (Attachment C, Chapter 6) provided detailed information on the structures and that the camp was relatively small and privately owned compared to other farmworker labor camps in the County that were larger and owned by growers associations. The Bracero guest worker program existed between Mexico and the United States between 1942 and 1965 to supply temporary agricultural labor during WWII.¹ Nine labor camps were already in use by 1951 with a capacity for 6,265 braceros of the 18 eventually developed (Attachment D). In Oxnard, four farmworker labor camps were built after the Bracero program formally ended with Mexico in 1948, including Garden City and the only other remaining labor camp in Oxnard, Camp Vanessa, located at 1700 West Fifth

¹ Zamudio-Gurrola, Susan (2009) "Housing Farm Workers: Assessing the Significance of the Bracero Labor Camps in Ventura County", University of Southern California, pgs. 129 to 153.

Street.² With this information and the fact that the labor camp is not listed as a historic landmark by the City, County, State, or Federal governments, staff concluded that there was insufficient evidence to initiate a historical evaluation.

With the assistance of the Applicant, staff located and reviewed credible information that the Garden City labor camp was established in about 1951 with Ventura County permit records beginning in 1955. The property was annexed to Oxnard in 1966 due to failure of the septic system although the property continued to receive its water from the Cypress Mutual Water Company. There are various City building permits for repairs and upgrades up to the present. The State Department of Housing and Community Development (HCD) last inspected the camp on April 17, 2017 and approved the kitchen, restroom and laundry buildings, and four dorm rooms with a capacity of 40 beds (Attachment E).

With this evidence that the labor camp was originally legally established in the County and is recognized and inspected annually as a labor camp by the HCD, staff requested a parking study to establish the number of parking spaces for the legal non-conforming labor camp use coupled with the parking requirements for Special Needs affordable housing units under Government Code (GC) 65915(p)(3)(C) of 0.3 spaces per unit, or nine spaces for the proposed 30 new units. The report found that the proposed 23 spaces would provide 14 spaces that are adequate for the camp's four part-time employees, resident manager, visitors, and nine (9) required spaces for the Special Needs Housing. This parking study and the Applicant represent that only farmworkers would reside in the dormitory-style rooms with a maximum capacity for 77 people, most likely H2A Temporary Agricultural workers who are transported by bus to and from Mexico and have no personal vehicles.³ Under the H2A program, Garden City and/or the employer or H2A agent would provide several vans for local transportation for the farmworkers to and from work sites and for local personal shopping. The parking study is included as Attachment F.

With these three issues resolved and documented, the application was deemed complete on September 27, 2017 and the Project proceeded to Development Advisory Committee (DAC) review on November 8, 2017.

- 5) Environmental Determination:** In accordance with the California Environmental Quality Act (CEQA) Guidelines and Section 15332 (Class 32), infill projects that are consistent with the General Plan and zoning; on less than five acres; on a site with no habitat value for endangered, rare, or threatened species; adequately served public utilities and services; and having no significant impacts on traffic, noise, air quality, and water may be found exempt from CEQA review. Staff inspected the property and found few trees, several small lawn areas, and large areas of hard compacted soil and gravel used largely for parking. The Notice of Exemption is included as Attachment G. The Project is subject to conditions of approval Nos. 55 to 58 and 69 to 75 that are equivalent to mitigations routinely applied to similar

² Correspondence from Barbara Macri-Ortiz to Chris Williamson, May 26, 2017.

³ The H2A program is described at < <https://www.uscis.gov/working-united-states/temporary-workers/h-2a-temporary-agricultural-workers>>

projects within a Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR). City Code requires that noise levels within housing units be at or below the same levels as would be required by a MND or EIR. With these conditions and code requirements, the Project is complying with environmental impact and exposure standards equivalent to having been reviewed by a MND or EIR.

6) Analysis:

- a) **General Discussion:** A farmworker is defined in the Oxnard City Code (OCC) as “An employee, also known as an agricultural worker, engaged in agricultural work/farming and any practices performed on a farm in conjunction with farming including cultivating and tillage of soil, the raising of animals and the preparation of agricultural products for market and or to carriers for transportation to market.” (OCC 16-10(A)(51). The Health and Safety Code (HSC) defines “special needs housing” as “...any housing, including supportive housing, intended to benefit, in whole or in part, persons identified as having special needs relating to the following: (A) Mental health. (B) Physical disabilities. (C) Developmental disabilities, including, but not limited to, intellectual disability, cerebral palsy, epilepsy, and autism. (D) The risk of homelessness. (2) Special needs housing shall also mean housing intended to meet the housing needs of persons eligible for mental health services funded in whole or in part by the Mental Health Services Fund, created by Section 5890 of the Welfare and Institutions Code.” (HSC 51312(b)(1, 2))

Attachment B, Project plans, depict the triangular shape of the parcel with staff determinations that the front yard fronts Cypress Road, the rear yard is along the Ventura County Railroad, and the only side yard is the north side of the property. Sheet A-1.1 depicts the eight existing structures of which five structures are proposed to be demolished and three structures are retained. The retained structures would allow up to 77 beds in a series of rooms and one bed within the manager’s office. The development of the 30 Special Needs apartments in two new structures would occur in the central and southern portions of the property with a parking lot located in the center area.

The Oxnard City Code establishes that the AAHOP approving body is the Development Services Director as a Development Design Review permit (OCC Section 16-181) and the Planning Commission for the Density Bonus (OCC 16-420F(E)). The Project is subject to Attached Dwelling Unit Development Standards (OCC §16-360 to 16-363) along with the City’s development and design standards for the R-2 Multiple-Family Zone (OCC 16-43 to 16-48).

The Density Bonus (PZ No. 17-535-03) is a companion permit that is tentatively scheduled for a Planning Commission hearing on June 7, 2018. Should the DDR be approved, the DDR permit will be referred to the Planning Commission pursuant to notice of review to allow for concurrent comprehensive review of a multi-entitlement project.

b) All Affordable Housing Opportunity Program (AAHOP): The 2013-2021 Mid-Cycle Housing Element Update identifies and analyzes the current and future housing needs within the City and continues AAHOP as the City’s primary program to foster development of safe and affordable housing at all income levels during the 2013 to 2021 planning period set by State legislation. For reference, the 2018 household income ranges for lower income affordable housing are shown below, based on the 2018 Ventura County median household income of \$96,000.⁴ Special Needs housing residents usually have disability income and would likely qualify as extremely or very low income. The Project proposes 24 studio and 6 one-bedroom apartments for which the rent would be limited to no more than 30 percent of the resident’s gross income. The preparation and recording of deed restrictions are a condition of approval that limit the Farmworker Employee housing to only farmworkers with certifiable local employment, and the Special Needs housing to only persons who qualify under applicable State law and are referred by various human service agencies and/or non-profit organizations. (Nos. 76 and 77). One unit is available for a resident manager who would not need to qualify as Special Needs.

Category	Persons in Household, 2018 Household Income Limits			
	1	2	3	4
Extremely Low	\$21,300	\$24,350	\$27,400	\$30,400
Very Low	\$35,500	\$40,600	\$45,650	\$50,700
Low	\$56,800	\$64,900	\$73,000	\$81,100

Division 7C of the Oxnard Municipal Code (OCC), Sections 16-420A to 16-420H), outlines the AAHOP program that allows or requires the following for qualifying projects:

- i) Granting one development standard concession (OCC 16-420F(D);
- ii) Ten (10) percent modification of numerical standards (OCC 16-420F(A, E);
- iii) Parking requirements equivalent to the State Density Bonus (OCC 16-410P):
 - (1) One space for one-bedroom unit,
 - (2) Two spaces for two or more bedroom units,
 - (3) No requirement for covered or garage parking, and
 - (4) No requirement for guest parking;
- iv) Requirement for three community group presentations (OCC 16-420F(J):
 - (1) Neighborhood in which Project is proposed,
 - (2) Inter-Neighborhood Council Organization,
 - (3) and Community Workshop

c) General Plan Consistency: The City’s 2030 General Plan land use designation for the Project site is considered Residential Low-Medium (7-12 dwelling units/acre) which allows low-rise residential housing. The AAHOP designation requires that housing units developed on the site be 100% affordable to extremely low, very low-, or low-income

⁴ <<https://www.huduser.gov/portal/datasets/il/il2018/2018summary.odn>>

households with the exception of a manager’s unit. The AAHOP designation allows a density of 24 dwelling units per acre. The Density Bonus permit allows an additional 35 per cent density calculated based on the allowed AAHOP density of 24 units per acre. With a density of 30 units per acre, the Project is found consistent with the General Plan land use designation with the density allowed by both the AAHOP designation and the State Density Bonus. 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-1.5	I	Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single-family units.	The Project would provide Farmworker Employee dormitory-style housing and small affordable units for qualifying Special Needs residents.
CD-8.1	I	Continue to limit development to those areas that can be served by existing or planned utilities, transportation, and service systems.	The proposed Project is surrounded by urban development, and the existing utilities running within Cypress Road adequately serve the proposed Project.
CD-14.1	I	In the evaluation of development proposals, continue to ensure that public and private development Projects comply with City design policies, plans, and guidelines.	The Project includes development and performance conditions recommended by the Development Advisory Committee (DAC) to ensure that the Project complies with City permitting expectations and policies.
ISC-1.2	I	Review development proposals for their impacts on infrastructure (e.g., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	The proposed Development and associated improvements would tie into existing infrastructure, which has the capacity to provide service to the existing labor camp and proposed residential dwellings. Water service would be transferred to the City from the Cypress Mutual Water Company.

ER-9.2	I	Enhance neighborhood diversity and reinforce the desirable elements of neighborhood character and quality through incorporation of design guidelines, use of landscape materials, and encouraging new developments to integrate historical and culturally significant elements into proposed Projects.	The proposed Project provides for a “green” wall and city-approved murals along its Cypress Road frontage that partially obscures the one-story labor camp structures. The second and third floors of the two new apartment buildings are similar in scale to the apartment buildings on the opposite side of Cypress Road.
ICS-8.5	I	Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of private development and public works Projects, especially for public sidewalks.	The proposed site design includes pedestrian and bicycle amenities with coordinated landscaping within the grounds of the complex.
CD-3.4 CD-14.1 CD-14.2 CD-14.3 ICS-11.10 ER-9.4 ER-10.1	II	Neighborhood Quality of Life Design Review Process Development Advisory Committee Functions Quality of Design Water Supply Findings for Smaller Projects Human Scale Development Promote Use of Native and Water Wise Plants	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	Policies not listed as Class I or II	The Project does not conflict with Class III policies per General Plan, Chapter 9.

- d) **General Plan and Zone Designation Changes:** A General Plan Amendment to change the 5690 Cypress Rd. parcel’s land use designation from Limited Industrial to Residential Low Medium and the rezoning of both Project parcels to the corresponding R-2 zoning with the “-AH” AAHOP additive is included in the City’s General Plan Consistency program that is in progress. A General Plan Amendment to a land use designation and/or zone change for a parcel identified in the City’s Housing Element for affordable housing does not need to be adopted in order for the Project permit to be approved.
- e) **Conformance with Zoning Development Standards:** In accordance with the City Code, the proposed residential apartment complex may be permitted with an approved DDR Permit and Density Bonus of 35 percent. The Project is found consistent with the applicable development standards with application of concessions, reductions, and waivers listed below and as applied in the following two tables.
1. AAHOP density, height, parking (OCC 16-420E(B), 16-420F(B), 16-410P),
 2. One AAHOP concession if over 16 units (OCC 16-420F(D)),

3. AAHOP 10 percent reduction in numerical standards (OCC 16-420F(E)),
4. Three Density Bonus concessions (OCC 16-410M and 16-410P), and
5. Housing Accountability Act (HAA) waivers (OCC 16-410O(E)).⁶

R-2, Division 3, OCCOCC Sections 16-40 through 16-50			
DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES?
Max. building height 16-43	2 stories, not to exceed 25 ft.	Building A, 3 stories (32'8") Building B, 2 stories (29'2")	YES AAHOP 16-420F(B)
Density 16-44	3,500 sf. per DU. No more than 6 units per building. No more than 1 unit on lots < 50 ft. avg. width or < 7000 sf.	0.92 acres for new use 0.92 X 24 X 1.35 = 29.8 Round up to 30 30 units proposed	YES AAHOP 16-420E(B)
Front yard setback (Cypress Rd) 16-45(B)	Setbacks may average 20 ft. provided the houses are staggered between 15 ft – 25 ft. & provided that there is a minimum 20 ft. measured at the center line of the driveway between the garage door and the front property line.	Building A at 45 ft. Building B at 10 ft. Existing garage is legal non-conforming distance (3' 8")	YES with AAHOP concession for Building B at less than required front yard setback
Side yard (north property line) 16-46(A)	10% of lot width, not less than 3 ft. or more than 5 ft.	Existing dormitory structure at 4.5 ft. from north parcel line is legal non-conforming.	YES
Rear yard (along RR line) 16-47	25% of lot depth, not to exceed 25 ft.	Building A at 26 ft. Building B at 23 ft.	YES, with AAHOP reduction to 23 ft. for Building B
Interior yard space (IYS) 16-48	30% of lot area, min. dimension of 15 ft. x 15 ft. Area open from ground to sky.	6,851 sf. lawn and hardscape, less 2,500 sf. for ADU area gives 4,351 sf. 4,351 / 40,075 (area for new use) = 10.9 %	YES Density Bonus concession #1 for less than 30% IYS
Accessory buildings 16-49	May be in required rear yard. Must be at least 6 ft. from main building. Only 1 story high.	Gazebo with fireplace	YES
Fences/hedges - front yard 16-308	Must be at least 50% open, and may not exceed 42 inches. Or if solid wall, then may not exceed 18 inches.	Six foot "green wall" with possibility of City-approved murals proposed at 5 ft. from property line and public sidewalk	YES. Density Bonus concession #2 for wall over 42 inches
Fences/hedges - side & rear yards 16-309	Not to exceed 7 ft. in height.	8 ft. wall along railroad/rear property line	YES Condition of Approval not to exceed 7 ft.

⁶ GC 65589.5(d) is the Housing Accountability Act which requires waiver of affordable housing design review standards unless findings are made that granting a waiver would have a specific adverse impact on public health or safety. OCC 16-410O(E) incorporates the waiver requirement.

Parking spaces Resident 16-622	1 space in a garage for each 1-bedroom unit, and 2 spaces in a garage for each unit with 2 -5 bedrooms. 3 garage spaces for 6 bedrooms; 4 garage spaces for 7 bedrooms, 5 garage spaces for 8+ bedrooms.	Legal non-conforming Farmworker Employee housing parking established as 14 spaces for employees and residents. Special Needs housing requires 0.3 spaces per unit. 0.3 X 30 = 9 parking spaces Total provided = 23 spaces	YES
Parking spaces Visitor 16-622	For 1 st 30 units, 1 visitor space for each unit, and 0.5 visitor spaces per unit thereafter.	None (Limited public parking is available along Cypress Road)	YES
Parking landscaping 16-641 (A) to (E)	5 feet along property line 10-foot wide strip along any street or alley. 5% of parking area. For every 10 spaces, 9 foot finger w/2 trees	End finger planter not provided where Fire Department requires access to fire lane.	YES, HAA waiver to not require planter Fire Dept. access to fire lane.

ATTACHED DWELLING UNIT STANDARDS

Division 2 Section 16-360 through 16-363

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Min. Dwelling Unit Size 16-362(A)	Studio: 150 sf. (HSC §17958.1) One bedroom: 450 sf.	STUDIO = 342 sf. (minimum) ONE BR = 431 sf. (minimum)	YES with 10% AAHOP reduction to 405 sf. for 1 BR.
Building Separation 16-362 (B)	Equal to the half the height of the taller structure unless otherwise determined by health and safety requirements during the DAC review process.	8 ft. between Building A and existing Kitchen structure	YES 8 ft. determined adequate by DAC review
Recreation Facilities (12 units or more only) 16-362 (C)	Include at least one of the following: Swimming pool, spa, tennis, basketball, or volleyball courts, BBQ/picnic area, recreation building, exercise course, children's play equipment, or other's as approved by PC	BBQ, ½ basketball court, gazebo with fireplace	YES
Open Area (12 units or more) 16-362 (D)	One "lawn area" of not less than 2,500 sf. with minimum dimension of not less than 35 ft.	Proposed area largely hardscape with gazebo. Central recreation area is 2,500 sf.	YES HAA waiver to allow hardscape to count as 'lawn'
Balconies & Patios 16-362 (F)	All 2 nd story units shall have at least one patio or balcony having a minimum dimension of 10 ft. by 10 ft.	No second-story balconies provided except for one second floor unit in Building B.	YES Density Bonus concession #3 for only one unit with a balcony.

Balcony Enclosure 16-362 (G)	All balconies and patios shall have railings or walls which provide at least 50% enclosure	50% open railing on the one unit's balcony/deck.	YES
Storage Areas 16-362(H)	Each unit shall have a storage area of at least 225 cubic ft. not to intrude into the minimum garage dimensions	Large closets provide at least 202.5 cubic feet (cf.)	YES AAHOP reduction 10% to 202.5 cf.
Utility Meters 16-362 (J)	Wall mounted meters shall be screened or integrated into the building design	Not shown on elevations.	YES with Condition of Approval.
Refuse Enclosures 16-362 (K)	Designed to reflect the major design elements or details of the residential units & provide pedestrian access.	Similar style with pitched roof and stucco walls, painted to match.	YES

In summary, the Project relies on the following for compliance with nine development standards not already allowed by the AAHOP status:

Allowed pursuant to AAHOP density, height, and parking regulations	<ul style="list-style-type: none"> a) Structure height is under 35 ft. b) Density at 30 units/acre with Density Bonus c) 1 parking space for efficiency and 1-bedroom units d) Maximum 2 spaces for 2 or more bedrooms units e) Covered or garage parking not required f) Visitor parking not required
AAHOP concession (1)	1) Building B at 10 ft, within front yard setback
AAHOP 10 percent reduction in numerical standards (3)	<ul style="list-style-type: none"> 2) Rear yard setback reduced to 23 ft. 3) Unit storage reduced from 225 cf. to 202.5 cf. 4) Reduction in one-bedroom minimum size to 431 sf.
Density Bonus concessions (3)	<ul style="list-style-type: none"> 5) Reduced Interior Yard Space from 30% to 10.9%. 6) Six foot wall in front yard setback. 7) No balconies except for one unit.
Housing Accountability Act (2)	<ul style="list-style-type: none"> 8) Removed finger planter for Fire Dept. access. 9) Allow hardscape for lawn in open space area.

Staff concurs with the Applicant that the seven AAHOP and Density Bonus development standards concessions, reductions, or waivers (Nos. 1 to 7) are necessary to feasibly achieve the AAHOP and Density Bonus density and a site design, unit sizes, and amenities designed for farmworker and Special Needs residents. Waiver No. 8 allows for the removal of a parking row end planter to enable Fire Department access to a required fire aisle, and Waiver No. 9 allows the gazebo and other hardscape open space amenities to count towards the open area requirement. The DDR resolution of approval is included as Attachment H.

- f) Site Design:** As described above, the property is triangular in shape with the three remaining Garden City structures (garage, kitchen/dining/manager structure, dormitory) located along the north edge of the property. Building A would be a three-story stucco structure with exterior second and third floor walkways containing 19 studios and 4 one-bedroom units. A separate 800 sf. men's and women's restrooms and showers facility for the dormitory residents would be located in close proximity to the dormitory structure. A 26 ft. wide fire lane separates Building A from the rear property line and railroad property and includes a turn-around area that doubles as a basketball half-court. Building B would be a two-story structure of similar design to Building A located at the southern "point" of the property and would contain five studio units, two one-bedroom units, and a 329 sf. community room that opens to an outdoor area under a trellis and with access to a secure children's play area.

Building A, the dormitory, and the kitchen/dining/manager structure form a courtyard within which a gazebo and outdoor fireplace with a Fire Department approved exhaust serve as an outdoor "mingle" area for residents. Bike racks and lockers are located in several areas throughout the Project. A roofed trash enclosure near the driveway access to Cypress Road would serve both the labor camp and 30 apartment units.

- g) Circulation and Parking:** The central parking lot that use the existing access to Cypress Road has 13 single spaces along a double-loaded drive aisle (two are ADA spaces), four tandem spaces near Building B, and six tandem spaces adjacent to the existing kitchen/dining/manager structure, for a total of 23 spaces. The tandem spaces would be utilized by up to four employees and farmworker vans. As state earlier, a parking study confirmed that 23 spaces should be adequate for the Farmworker Employee labor camp and the 30 Special Needs apartments. Conditions of approval establish a public record for the two uses and their respective parking requirements.

- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed and provided initial comments on December 8, 2018. The draft DDR conditions of approval contain standard and special conditions prepared by the DAC based on the resubmitted plans dated March 23, 2018.

- 8) Community Workshop:** In accordance with the AAHOP implementation requirements, the Applicant satisfied the necessary steps to reach out and provide Project information in the form of a presentation with visual aids at three different community meetings and public noticing process, respectively, as follows:

- November 2, 2017 Cypress neighborhood meeting at the property (Applicant worked with neighborhood chair for noticing)
- November 20, 2017 Community Workshop (Cypress neighborhood mailing 10 days prior, site posted)
- December 6, 2017 Inter-Neighborhood Council Organization membership meeting (INCO agenda notification process)

At each of the three meetings, the Applicant presented the Project and then took questions from the audience. Members of the public, most of whom live in the immediate vicinity of the Project, principally focused on the following issues:

- That some of the current labor camp residents were not farmworkers, but recovering substance abusers. Residents from the Paseo Nuevo apartments across the street related several incidents of strangers on the property and drug and alcohol consumption by persons they believed were residents at Garden Acres.
- What would be the characteristics of the Special Needs apartment residents? Several persons asked if special needs included registered sex offenders.
- That adequate security measures and management be required for the facility.



Over the course of the three meetings, the Applicant agreed to the following management conditions that are included as DDR conditions of approval. They are:

- That only verifiable farmworkers would reside in the dormitory structure.
- That farmworkers and the special needs residents would participate in the Oxnard Police Departments "Crime Free Multi-Housing Program" that includes:
 - 8 hours of management training;
 - Crime free lease clause, eviction for arrest; and
 - Inclusion of design elements to include access controls, security lighting, and signage.

9) Appeal Procedure: In accordance with OCC § 16-525(B), the Development Services Director's action of this DDR permit may be appealed to the Planning Commission within 10 days after the date of the director's decision. The companion Density Bonus permit is scheduled for the Planning Commission on June 21, 2018 and the DDR permit will be referred to the Planning Commission pursuant to notice of review to allow for concurrent comprehensive review of a multi-entitlement project. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Project Plans
- C. Housing Farmworkers Thesis, Chapter 6
- D. Ventura County Farmlabor Camp map
- E. HCD 2017 Inspection Report
- F. Parking study and followup correspondence
- G. Notice of Exemption
- H. DDR Resolution of Approval

Prepared by:	 EW
Approved by:	 KM

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Kathleen Mallory, Planning Manager

DATE: June 21, 2018

SUBJECT: Planning and Zoning Permit No. 17-535-03 (Density Bonus) for an All-Affordable Housing Opportunity Program (AAHOP) and Special Needs Housing Project Located at 5600 and 5690 Cypress Road

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning (PZ) No. 17-535-03 (Density Bonus), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** The density bonus application (Project) is a request to increase the allowed density on the Project site from 24 to 30 housing units per acre; this represents a 25% increase. The density bonus is coupled with a previously-approved AAHOP Development Design Review (DDR) permit. Together, the two permits entitle the proposed Project which would remove five existing structures within the “Garden City” farmworker labor camp and subsequently develop 24 studio and 6 one-bedroom Special Needs affordable units (one unit would be for an on-site manager) in two new multi-family apartment buildings. The project also includes 23 parking spaces to be utilized for the special needs and farmworker housing, landscaping, perimeter wall and fencing, security lighting, and resident amenities. The legal non-conforming Farmworker Employee use would continue in the three existing legal-non-conforming structures with a maximum capacity of 77 beds, a manager’s unit, kitchen and dining room, and garage structure. The Project is located at 5600 and 5690 Cypress Road. The applicant is Lorenzo Castillo, Castillo Cypress, LLC, 418 West Third Street, Oxnard, CA 93030.
- 3) **Existing & Surrounding Land Uses:** The Project site is located in the Cypress Neighborhood just north of the Cypress Road/ Ventura Railroad crossing. The 5600 Cypress Rd. parcel (APN 223-0-041-030) is developed with eight structures (3 remaining and 5 to be demolished) mostly dating from the early 1950’s. The 5690 Cypress Rd. parcel (APN 223-0-041-040) contains no structures and is used as parking for the Garden City farmworker housing. The Project site and surrounding 2030 General Plan and zoning designations and current land uses are included within the DDR staff report and its respective attachments (see Attachment A).
- 4) **Background Information:** The Applicant filed AAHOP and density bonus applications on April 20, 2017 pursuant to the 2006-2014 Housing Element in effect at that time. With

the assistance of the Applicant, staff located and reviewed information that the Garden City farmworker labor camp was established in 1951. The Project property was annexed to Oxnard in 1966. The State Department of Housing and Community Development successfully inspected the facility on April 17, 2017. Additional background information is included within the DDR staff report; see Attachment A.

5) DDR Permit and Development Context:

a) **DDR Permit:** The Oxnard City Code establishes that an AAHOP project be approved by a DDR permit and the approving body is the Development Services Director (“Director”) (OCC Section 16-181). The Planning Commission is the approving body for a project for which a density bonus permit is being requested (OCC 16-420F(E)). The Director held the AAHOP DDR public hearing on May 31, 2018 in accordance with OCC Section 16-420F(F) and approved AAHOP DDR permit No. PZ 17-200-004, contingent upon approval of this density bonus. The AAHOP DDR hearing was noticed in the same manner as a Planning Commission hearing. At the hearing, the Director took public comments. No members of the public attended or expressed concerns regarding the project. The applicant and applicant’s representatives attended and discussed various conditions of approval. City staff and the Applicant jointly agreed to a revised DDR Condition of Approval (No. 76) to limit the number of retired farmworkers who could reside in the Garden City Farmworker housing facility to a maximum of ten (10) farmworkers. The AAHOP DDR permit was not appealed and is final.

The AAHOP DDR Development Context is summarized below and within Attachment A. Consistent with Planning Department policy, Planning Staff filed a Notice of Review (see Attachment B) of the Director’s DDR approval to allow the Planning Commission to concurrently and comprehensively review both the density bonus permit with the DDR permit (herein referred to as a multi-entitlement project). The Planning Commission is not required to and does not have the legal authority to take action on the DDR permit.

b) **Development Context:** The property is triangular in shape with the three remaining Garden City structures (garage, kitchen/dining/manager structure, dormitory) located along the north edge of the property. Proposed new Building A will be a three-story stucco structure with exterior second and third floor walkways containing 19 studios and 4 one-bedroom units. A separate 800 square foot men’s and women’s restrooms and showers facility for the Garden City farmworker employee housing residents will be constructed on the ground floor of Building A. Proposed new Building B will be a two-story structure of similar design to Building A located at the southern “point” of the property and would contain five studio units, two one-bedroom units, and a 329 square foot community room that opens to an outdoor area under a trellis and with access to a secure children’s play area. Both new buildings will be deed-restricted for special needs residents. The Health and Safety Code (HSC) defines “special needs housing” as “...any housing, including supportive housing, intended to benefit, in whole or in part, persons identified as having special needs relating to the following: (A) Mental health. (B)

Physical disabilities. (C) Developmental disabilities, including, but not limited to, intellectual disability, cerebral palsy, epilepsy, and autism. (D) The risk of homelessness. (2) Special needs housing shall also mean housing intended to meet the housing needs of persons eligible for mental health services funded in whole or in part by the Mental Health Services Fund, created by Section 5890 of the Welfare and Institutions Code.” (HSC 51312(b)(1, 2)). Project plans, elevations, landscaping, and civil plans are included within the DDR staff report, Attachment A.

The central parking lot will utilize existing access to Cypress Road and provide 13 single spaces along a double-loaded drive aisle (two are ADA spaces), four tandem spaces near Building B, and six tandem spaces adjacent to the Garden City kitchen/dining/manager structure, for a total of 23 spaces. This parking spaces will be utilized for special needs and farmworker residents. The tandem parking spaces will be utilized by up to four employees and farmworker vans. A parking study, prepared by Associated Transportation Engineers and dated August 30, 2018 and approved by the City Traffic Engineer, confirmed that 23 spaces would be adequate for the Garden City employee housing and the 30 Special Needs apartments. The parking study is included within the DDR staff report, see Attachment A.

6) Environmental Determination: In accordance with the California Environmental Quality Act (CEQA) Guidelines and Section 15332 (Class 32), infill projects that are consistent with the General Plan and zoning; on less than five acres; on a site with no habitat value for endangered, rare, or threatened species; adequately served public utilities and services; and having no significant impacts on traffic, noise, air quality, and water may be found exempt from CEQA review. The Notice of Exemption is included within the DDR staff report, Attachment A.

7) Density Bonus Analysis:

a) Discussion: The Project is requesting six additional housing units above the 24 affordable units allowed by the 2013-2021 Housing Element AAHOP designation (2013-2021 Housing Element AAHOP site number B-11); this represents an increase of 25%.

Although the project is entitled to a 35% density bonus (OCC Section 16-410S(B)(A)(1)) and three development concessions because the project is 100% affordable, the applicant is only seeking approval of a 25% density bonus. Projects with a 35% density bonus are entitled to three zoning development standards concessions (OCC Section 16-410M(D)) which were conditionally approved by the AAHOP DDR permit. The three density bonus concessions requested are: 1) Reduced Interior Yard Space from 30% to 10.9% of the project site; 2) Construction of a six-foot wall within the front yard setback; and 3) Omission of balconies (except for the construction of a balcony on one unit within Building B). With approval of the requested density bonus, the Project meets applicable development standards. The entire zoning consistency analysis is included within the DDR staff report, see Attachment. Additionally, a Condition of Approval has been

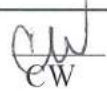

imposed requiring the merger of the existing two parcels in order to comply with OCC Section 16-410C(F) and the unit per acre allowance (30 du/acre). The resolution approving the requested density bonus is included as Attachment C.

b) General Plan and Zoning Consistency: The City's 2030 General Plan land use designation for the Project site is Residential Low-Medium (7-12 dwelling units/acre) which allows low-rise residential housing between 12 and 18 units per acre. The AAHOP designation allows a density of 24 dwelling units per acre which, coupled with a density bonus of 35%, sets the maximum allowed density at 33 units per acre. With a proposed density of 30 units per acre, the Project is consistent with the General Plan Residential Low-Medium AAHOP land use designation inclusive of the density bonus. A detailed General Plan policy consistency analysis is included within the DDR staff report, see Attachment A.

8) Appeal Procedure: In accordance with OCC Section 16-545, the Planning Commission's action on Planning and Zoning Permit No. 17-535-03 (Density Bonus) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. DDR staff report and attachments
- B. Planning Staff Prepared Notice of Review
- C. Density Bonus Resolution of Approval

Prepared by:  CW
Approved by:  KM

Development Services

Planning Division
214 South C Street
Oxnard, California 93030
(805) 385-7858
Fax (805) 385-7417



April 14, 2022

Lorenzo Castillo
Castillo Cypress, LLC
418 West Third Street
Oxnard, California 93030

Subject: Time Extension Request (PZ 22-180-01) for Planning and Zoning Permit Nos. 17-200-04 (Development Design Review Permit) and 17-535-03 (Density Bonus), Garden City Acres, at 5600-5690 Cypress Road

Dear Mr. Castillo:

The City has reviewed your request for a one-year time extension for the aforementioned project. Pursuant to the Director Order No. 20-08, the combined Development Design Review Permit and Density Bonus permit is due to expire on June 21, 2022. This letter serves as official approval of the one-year time extension request and the combined Development Design Review Permit (PZ 17-200-04) and Density Bonus permit (PZ 17-535-03) has been extended and will expire on June 21, 2023, unless diligently pursued (i.e., issuance of a building permit). Any subsequent time extension requests shall be submitted to the Planning Division as a Major Modification to the approved permit, along with the necessary fees, and considered by the Development Services Director. If you have any questions or need additional information, you may contact Juan Martinez at (805) 385-7556.

Sincerely,

A handwritten signature in black ink, appearing to be "Scott Kolwitz". The signature is written over a horizontal line that extends to the right.

Scott Kolwitz,
Planning and Environmental Services Manager

Attachments:

- Letter Requesting Time Extension dated March 22, 2022
- Development Design Review Permit 17-200-04 dated May 31, 2018
- Planning Commission Density Bonus Resolution 2018-16 dated June 21, 2018

cc: via email

- Mark S Pettit - mark.pettit@la-arch.com
- Barbara Macri-Ortiz - b.macriortiz@verizon.net

**Law Office of
BARBARA MACRI-ORTIZ
P.O. Box 6432
Oxnard, California 93031**

Telephone: (805) 486-9665

Facsimile: (805) 487-1409

E-mail: b.macriortiz@verizon.net

Via Email & Regular U.S. Mail to:

**vyto.adomaitis@oxnard.org; scott.kolwitz@oxnard.org;
jay.dobrowalski@oxnard.org; & juan.martinez@oxnard.org**

March 22, 2022

Mr. Vyto Adomaitis
Community Development Director
Mr. Scott Kolwitz
Planning & Environmental Services Manager
Mr. Jay Dobrowalski
Senior Planner
Mr. Juan A. Martinez
Associate Planner
Community Development Department
City of Oxnard
214 South C Street
Oxnard, CA 93030

***RE: REQUEST FOR ONE YEAR ADMINISTRATIVE TIME EXTENSION
Application NBR 21-00000389; 5690 Cypress Road; Castillo Cypress LLC***

Dear Gentlemen:

I represent Castillo Cypress LLC, and Lorenzo Castillo, the owner of the project subject to Application Number 21-00000389. I am writing this letter on behalf of my client.

The purpose of this letter is to formally request a one year administrative time extension to pull building permits for the construction of the proposed 30 unit Special Needs multifamily housing development located at 5690 Cypress Road, adjacent to the Garden City Labor Camp. This request is being made pursuant to Comment Number One on the

Letter to Messrs. Adomaitis, Kolwitz, Dobrowalski & Martinez

March 22, 2022

RE: **REQUEST FOR ONE YEAR ADMINISTRATIVE TIME EXTENSION**
Application NBR 21-00000389; 5690 Cypress Road; Castillo Cypress LLC

Page 2

Plan Review Corrections Report, dated December 2, 2021. That comment reads as follows:

“Development Design Review Permit 17-200-04 and Density Bonus Permit is scheduled to expire on June 21, 2022 per COVID - Director’s Order. If a building permit has not been issued 60-days prior to the permit’s expiration date, you will need to file for a one year administrative time extension.”

As Mr. Dobrowalski and Mr. Martinez are well aware, there are still a number of issues that are outstanding or are under review by City staff, including the lot merger application, approval of the noise study and items listed on the October 28, 2021 and December 2, 2021 Building and Safety/Planning Corrections Reports and the September 9, 2021, Fire Department Comment List that are being handled by the project architect, Lauterbach and Associates. Additionally, the project financing cannot be finalized until the City’s review process is completed. Thus, my client has informed me that it appears extremely unlikely that the project will be ready to pull a building permit by April 22, 2022, which is the date that is sixty days prior to the scheduled expiration of the DDR and DB permits.

I reviewed Oxnard’s Code and the Development Services and Planning Division materials on the City’s website but I was unable to find any guidance regarding to whom this request for a one year administrative time extension should be addressed and whether the City has any specific procedure that should be followed in order to secure the one year “administrative time extension.”

For this reason, and out of an abundance of caution, I am directing this request to each of you. Please let me know immediately, if this letter, in and of itself, is not sufficient to secure the administrative extension. Otherwise, I trust that this request will be granted promptly, and that the time to pull permits will be extended to June 21, 2023.

Thank you for your cooperation and assistance in this matter..

Sincerely,



Barbara Macri-Ortiz

Email copies: Lorenzo Castillo, Castillo Cypress, LLC; Lorenzo@exitcastillorealty.com
Rosy Hernandez, Lauterbach & Associates; rosy.hernandez@la-arch.com
Timothy Sales; timsales@ahs-socal.com

RESOLUTION NO. PZ 17-200-04

DEVELOPMENT DESIGN REVIEW

A RESOLUTION OF THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 17-200-04 (DEVELOPMENT DESIGN REVIEW) TO ALLOW THE CONSTRUCTION OF 30 SPECIAL NEEDS AFFORDABLE APARTMENTS IN TWO STRUCTURES WITH ASSOCIATED SITE IMPROVEMENTS IN CONJUNCTION WITH CONTINUED USE OF THE FARMWORKER HOUSING KNOWN AS "GARDEN CITY" WITH 77 BEDS, MANAGERS UNIT, KITCHEN AND DINING ROOM, REPLACEMENT BATHROOMS AND LAUNDRY FACILITIES, AND 23 PARKING SPACES ON THE PROPERTY LOCATED AT 5600 AND 5690 CYPRESS ROAD. FILED BY LORENZO CASTILLO, CASTILLO CYPRESS, LLC, 418 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on April 20, 2017, Designated Agent, Mark Pettit with Lauterbach & Associates Architects (the "**Applicant**" and/or "**Permittee**") submitted a request to allow construction of 29 Special Needs affordable apartments and one manager unit in two structures and associated site improvements on a portion of a two parcel property totaling 1.16 acres located at 5600 and 5690 Cypress Road (APNs 223-0-041-030 and 223-0-041-040); and

WHEREAS, the Applicant concurrently applied for a Density Bonus Permit (PZ No. 17-550-03) that allows the proposed 30 units based on the vacant portion of the combined parcels that is not allocated to the existing and continuing Farmworker Employee housing use historically known as the Garden City Labor Camp; and

WHEREAS, the Oxnard City Code (OCC) Section 16-410F(E) requires approval of a Density Bonus Permit by the Planning Commission and the approval of the Density Bonus Permit is nondiscretionary unless the City adopts written findings justifying the denial of the Density Bonus Permit; and

WHEREAS, the consideration of the concurrent Density Bonus Permit (Planning and Zoning Permit No. 17-535-03) is tentatively scheduled before the Planning Commission on June 21, 2018 and the approval of the present Design Development Review (DDR) Permit No. 17-400-04 is contingent on the approval of the Density Bonus Permit; and

WHEREAS, the General Plan land use designation for the parcel addressed as 5690 Cypress Road is Industrial Limited (ILM) and the zoning designation is "Light Manufacturing" (M-1), both of which are inconsistent with the designation of said parcel as All-Affordable Housing Opportunity Program (AAHOP) Site No. B-11 in the certified 2013-2021 Housing Element and said parcel is included in the General Plan consistency program currently in progress to change the General Plan designation to Residential Low-Medium and the zoning designation to "Multiple-Family Affordable Housing" (R-2-AH); and

WHEREAS, the zoning designation for the parcel addressed as 5600 Cypress Road of Garden Apartment Planned Development (R-3-PD) is inconsistent with the General Plan designation of said parcel of Residential Low-Medium for which the consistent zone designation is

“Multiple –Family” (R-2), and said parcel is included in the General Plan consistency program currently in progress to change the zoning designation to “Multiple–Family Affordable Housing” (R-2-AH); and

WHEREAS, on May 31, 2018, the Development Services Director of the City of Oxnard (“**Development Services Director**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 17-200-04 in accordance with AAHOP (OCC §16-420) and the Attached Dwelling Unit (ADU) Development Standards (OCC §16-360 to §16-363); and

WHEREAS, as an AAHOP Project, the Project is entitled by OCC Sections 16-420E(B), 16-420F(B), and 16-420E(C) and has requested development standards variations from applicable Multiple-Family (R-2), ADU, and parking standards for density, height, and resident parking and guest parking, respectively; and

WHEREAS, as an AAHOP Project, the Project is entitled by OCC Sections 16-420F(D) to one development standards concession from applicable Multiple-Family (R-2) and ADU development standards for Building B having a 10 foot front yard setback instead of a 20 foot setback; and

WHEREAS, as an AAHOP Project, the Project is entitled by OCC Sections 16-420F(E) to up to ten per cent (10%) reductions to numerical development standards variations from applicable Multiple-Family (R-2) and ADU development standards and applies this reduction to reducing the rear yard setback from 25 feet to 22.25 feet, reducing unit storage from 225 cubic feet to 202.5 cubic feet, and reducing the minimum size of a one-bedroom housing unit from 450 square feet to 415 square feet; and

WHEREAS, the Applicant has a concurrent application for Density Bonus Permit No. PZ 17-535-03 that entitles the Project to three development standards concessions and applies the concession to reduce the interior yard space requirement from 30% to 10.9 % of lot area, allowing a six-foot wall in the front yard setback instead of not to exceed 42 inches, and to remove the requirement for a balcony for 29 of the 30 proposed units; and

WHEREAS, City staff approves two Housing Accountability Act (GC 65589.5) waivers for removal of a required parking lot end planter to allow Fire Department access to a fire lane, and to allow a mostly-hardscape open space area to meet the requirement for 2,500 square feet of lawn; and

WHEREAS, the AAHOP, Density Bonus, and Housing Accountability Act development standards concessions, reductions, and waivers are necessary to feasibly achieve the AAHOP density with a site design, range of unit sizes, and amenities designed for continued use of the

Garden City Farmworkers Employee housing use and development of the 30 units of Special Needs affordable housing; and

WHEREAS, the housing needs of seasonal farmworkers and the Special Needs population, as defined by Health and Safety Code Section 51312(b), is a need identified in the 2013-2021 Mid-Cycle Housing Element and for which there are an inadequate number of existing or planned affordable units; and

WHEREAS, Section 15332 (Class 32) of Title 14 of the California Code of Regulations exempts infill projects from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act (CEQA) that are consistent with the General Plan and zoning; on less than five acres; on a site with no habitat value for endangered, rare, or threatened species; adequately served public utilities and services; and having no significant impacts on traffic, noise, air quality, and water.

NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF OXNARD:

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

- (1) **The proposed use in in conformance with the City of Oxnard 2030 General Plan, the 2013-2021 Mid-Cycle Housing Element, and other adopted standards.**
The Project is consistent with the 2030 General Plan land use designation of Residential Low-Medium (7-12 dwelling units/acre) - Affordable Housing. The AAHOP Site "B-11" designation was in effect when the project application was deemed complete. The Project affordable units are needed to meet the City's Regional Housing Needs Allocation for lower income and Special Needs housing. The General Plan Light Industrial (ILT) land use designation for 5690 Cypress Road is being changed to Residential Low-Medium (RLM) as part of the General Plan Consistency program in progress. The M-1 zone designation for 5690 Cypress Road and R-3 zone designation for 5600 Cypress Road are being changed to R-2-AH as part of the General Plan Consistency program in progress.

- (2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**
The proposed use is consistent with uses considered and permitted by the Multiple-Family Zone - Affordable Housing (R-2-AH) zone that is the consistent zone designation for the General Plan Residential Low-Medium - AAHOP designation. Construction activities, anticipated uses, and development design will be subject to

standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements are not expected to have adverse effects or be materially detrimental the adjacent uses, buildings or structures or to the public health, safety or general welfare.

- (3) **The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this Resolution.**

As proposed and conditioned, the project will meet the development standards of the Multiple-Family Zone - Affordable Housing (R2-AH) zone, parking and landscape design standards as described in Section 5(e) of the Development Services Director Staff Report. 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 for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.**

The project will be accessed from Cypress Road and the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service, as described in the Development Services Director Staff Report.

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

The Project is considered infill development that has been found to be consistent with anticipated development for this site. Furthermore, the Project will be served by existing water and sewer mains. 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.

SECTION 2. In accordance with Section 15332 (Class 32 "Infill") of the State CEQA Guidelines, projects involving certain infill projects in urban areas of less than five acres may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal is fully within City limits, has access to City utilities, and with incorporation of tree monitoring and management into the Project description has no impact on historic or endangered habitats. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment.

SECTION 3. Based on the findings set forth herein, the Development Services Director hereby approves Planning and Zoning Permit No. 17-200-04 (Development Design Review),

subject to the attached conditions of approval, including the subsequent approval of the Density Bonus Permit by the Planning Commission.

SECTION 4. The decision of the Development Services Director shall be final unless an appeal of the action is filed in accordance with the provisions of OCC Section 16-525(B).

**STANDARD CONDITIONS OF APPROVAL
 FOR LAND USE PERMITS**

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the architectural plans dated March 23, 2018, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Development Services Director for uses related to the Project’s AAHOP status, Density Bonus, and/or Special Needs housing. Otherwise, major modifications would be approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
5. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
6. Before placing or constructing any signs not otherwise exempt on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
7. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
9. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
10. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
11. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

12. 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 that are fully consistent

with the approved architectural plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)

13. 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)
14. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)
15. Prior to the issuance by the City of a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
16. 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)
17. Developer shall provide an automatic irrigation controller and a written seasonal watering schedule for all front yard and street side yard landscaping. The watering schedule shall include variations for seasonal changes, sun and shade exposure of plants, type of plants, duration and frequency of irrigation, and suggestions as to how to conserve water. As part of the landscape plan check submittal process, the Parks and Facilities Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, PK-11)

WATER CONSERVATION

18. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
19. 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)
20. 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)

FIRE DEPARTMENT STANDARD CONDITIONS

21. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
22. 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)
23. 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)
24. 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)
25. 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)
26. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
27. 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)
28. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
29. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)

30. 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)
31. 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)
32. Developer shall install in each new 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)
33. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, F-17)

FIRE DEPARTMENT SPECIAL CONDITIONS

34. 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.(FD)
35. 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. (FD)

POLICE DEPARTMENT CONDITIONS

36. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - 1) 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.
 - 2) Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
 - c) Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted.

No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected. (PD)

37. 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)
38. Lighting instruments shall be metal halide, LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).(PD)
39. 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)
40. All common area lighting shall operate from dusk to dawn.(PD)
41. Landscape elements shall be arranged and maintained to provide clear lines of sight and eliminate potential places of concealment. (PD)
42. Block walls on the site, including trash enclosures, shall have landscape elements in place that dissuades the application of graffiti. This also includes the public side of walls that face Cypress Road and the Railroad Right of Way. Creeping fig or similar plantings are suggested. Developer may also comply with this condition with City-approved murals. (PD)
43. Developer/owner shall inform owners and renters via tenant rules, of the provisions of Oxnard City Ordinance 7-100 through 7-106 as it applies to hosting loud parties or events. And, that should police respond to a disturbance multiple times, a service charge may be imposed. (PD)
44. Developer will enroll project in and comply with the Oxnard Police Department "Crime Free Multi-Housing Program" as applicable to this housing development. For enrollment information, contact the Crime Prevention Officer at (805) 385-8349.(PD)
45. Developer shall post all entrances in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)
46. A minimum of two signs, one visible from the public right of way and one near the manager's office shall list the manager's phone number and email address.(PD)
47. Bunkroom tenants shall be provided individual lockers to safely store personal belongings. These lockers shall allow each tenant to have their own lock to safeguard their items.(PD)

48. Security cameras shall be installed to monitor the common areas of the property. The camera system shall comply with these minimum standards:
- a) Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are expected for infra-red lighting.
 - b) Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - c) Cameras shall have low light capability and able to identify persons during hours of darkness.
 - d) The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e) The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
 - f) Recorded images shall bear a date and time stamp that cannot be altered.
 - g) Signage shall be posted near the primary public building entrance which states in 2" letters: "These premises are monitored by a security camera system".
 - h) One camera shall be dedicated to the driveway entrance and the focus shall capture vehicles and their license plate numbers.
 - i) One camera shall be dedicated to the gate entry near the mailboxes. This camera shall target the face and upper body of all persons entering the gate.
 - j) Other cameras shall be placed in common areas to monitor general activity.
 - k) If vending machines are located on the property a camera shall be placed to monitor its use.
 - l) Generally, camera installations shall be in domed housings.
 - m) No cameras shall be placed in bunkrooms or restrooms.(PD)

PLANNING DIVISION STANDARD CONDITIONS

49. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)
50. 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)
51. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Development Services Director and Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)
52. 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)

53. 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-S)
54. 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. (PL-S)
55. 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)
56. 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)
57. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)
58. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, PL-12)

59. 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).
60. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, PL-50)
61. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, PL-18)
62. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for both Farmworker Employee Housing and Special Needs residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, PL-19)
63. Light standards illuminating Building A and Building B walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving any recreational area shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, PL-30)
64. Developer shall pay Quimby Fees (fees for park acquisition and improvement) before issuance of building permits. The amount of the fee shall be calculated by the Planning Division, and verified by the Parks Division at the time of payment. (PK/B, PL-36)

PLANNING DIVISION SPECIAL CONDITIONS

65. Due to water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan in accordance with Government Code 65589.7(c). (PL, PL-15)
66. Prior to Planning Commission hearing, Applicant shall pay to the City any outstanding consultant invoices and/or staff time expenses for processing costs incurred as a result of processing the development project. (PL).
67. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its

- appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
68. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
 69. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (PL)
 70. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). (PL)
 71. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (PL)
 72. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (PL)
 73. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
 74. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of

the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (PL)

75. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing the activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature. (PL)

76. Prior to issuance of the first certificate of occupancy, Applicant shall prepare a document appropriate for recordation and acceptable to the City Attorney's office to restrict the use of the legal nonconforming Farmworker Employee Housing solely for farmworkers (including a maximum of ten retired farmworkers) and for no other use. In addition, the 29 special needs affordable housing units shall be restricted solely for the use of those individuals who qualify for special needs housing as defined by Health and Safety Code 51312(b) and for no other use. If the developer wishes to convert all or part of the Farmworker Employee Housing and/or special needs housing to another use, the Applicant or subsequent owners or lessees shall be required to comply with all applicable existing City regulations before the commencement of said new use(s).

Owner and/or subsequent management parties shall secure certification of agricultural employment or other documentary evidence of H2-A contract for those H2-A farm workers employed by agricultural employers or labor contractors who are housed at the camp. The term H2-A applies to the Temporary Agricultural Workers Program or any similar agricultural labor employment program authorized by the United States Citizenship and Immigration Services or other governmental agency. Owner and/or subsequent management parties shall also maintain a copy of one current and/or past pay stub or other documentation evidencing agricultural employment for each seasonal or domestic farm worker and for each retired farmworker residing in the Farmworker Employee Housing. These records shall be maintained for a period of three years and provided to the City, upon written request as a means to verify the farm worker status of all of the residents of the 77-bed farm worker housing facility. Records will be safeguarded for three years. (PL)

77. Prior to issuance of a demolition permit, Applicant shall revise site plans to indicate Farmworker Employee Housing employee parking is located in the four tandem and two garage spaces located north of the trash enclosure adjacent to the kitchen/dining structure. The plan shall number nine parking spaces (four tandem spaces adjacent to Building B, three spaces facing Building B, and two spaces directly in front of the Building A office) and apply

pavement legend script or signage of "Reserved Parking - 1" to "Reserved Parking -9" that are to be reserved for the use of the residents in Buildings A and B and their guests. The plan shall indicate in large pavement legend script "FIRE LANE - NO VEHICLES OR PARKING" between Buildings A and B at the access to the fire lane, approximately 20 feet east of the wall along the Ventura County Railroad. (PL)

78. Applicant and/or subsequent management parties shall enable customarily provided on-site medical and social services to the Building A and Building B residents as defined by Health and Safety Code 51312(b) and/or requested by qualified medical and social service providers.(PL)
79. Prior to a certificate of occupancy for Building A, Applicant and/or subsequent management parties shall consult with the Oxnard Fire Department to identify electric devices such as hotplates and space heaters that should be prohibited within the Farmworker Employee Housing rooms. The list shall be prominently displayed in the dining facility and included in the resident rules and tenancy agreements. (PL)
80. If any portion of the existing Farmworker Employee Housing use is occupied and/or there are employees on the premises during construction, the Applicant shall clearly demark construction areas and post clearly visible signage in English and Spanish that is visible at night with the intent to prevent access and possible accidental injury on or near an active work site. (PL)
81. Prior to issuance of a demolition permit, Applicant shall prepare a development phasing exhibit and plan that depicts the location and sequence for demolition and subsequent site improvements and construction of buildings. The plan shall include staging and lay down areas. The plan shall be approved by the Planning and Environmental Services Manager (PL)
82. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy of the Special Needs housing 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. (PL)
83. This permit is granted subject to approval of Planning and Zoning Permit No. 17-535-03, Density Bonus, by the Planning Commission. (PL)
84. Prior to issuance of first building permit, Applicant shall reduce the rear wall height to seven feet or provide documentation that the proposed eight foot height is necessary for railroad noise reduction. (PL)

ENVIRONMENTAL RESOURCES DIVISION

85. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.
86. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
87. 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.
88. Developer and operator shall provide recycling containers near the point of use in common areas for guests and residents to dispose of their recyclable waste (examples: indoors for newspapers and beverage containers; outdoors for beverage containers). Containers used exclusively for recycling shall be clearly identified as "recycling only" with clear icons or other graphics on each container appropriate to the container's content.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

89. 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)
90. 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)
91. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)
92. 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)
93. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)
94. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
95. 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)
96. Each structure shall be served by separate sewer and water services in accordance with City Code. (DS-8)

97. 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)
98. Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
99. Developer shall provide fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil site improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over onsite waterlines using standard City format. (DS-11)
100. Developer shall install on-site and off-site electric, laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Developer shall also install any cable, telephone and similar utility service laterals as may be deemed necessary by Developer 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)
101. 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)
102. 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 site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
103. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
104. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If

Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

105. 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)
106. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
107. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
108. 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)
109. 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)
110. 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)
111. 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)
112. 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)
113. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design

- criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
114. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
 115. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Development Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)
 116. 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)
 117. 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)
 118. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
 119. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. Developer may coordinate the fire flow tests required under this condition with the fire flow tests required under Condition 24, to avoid duplicate testing (DS-47)
 120. 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)
 121. 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)
 122. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS-69)

123. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
124. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

125. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, 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 Development Services Manager 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)
126. 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)
127. 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)
128. 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)

129. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

130. "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 36 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)
131. 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)
132. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)
133. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of the merger of all existing lots that are within the boundary of this project into a single legal lot. (DS)
134. Developer has provided preliminary information indicating that the project location meets the technical infeasibility criteria (high groundwater level) 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's engineer drainage report shall include a narrative explanation of this determination

along with the specific technical information and shall design the project to meet the bio-filtration requirements of the MS4 permit. If the City determines that the project is not eligible for technical infeasibility, 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)

135. Developer's drainage study shall include calculations demonstrating that the existing stormdrain lateral and catch basin in Cypress Road contain sufficient additional capacity for the proposed additional stormwater discharge from this project. (DS)
136. Developer's drainage report shall include a discussion of the existing stormwater runoff patterns of all adjacent properties including the railroad property. Developer is responsible for continued conveyance (or approved redirection) of any stormwater entering the property from adjacent properties. (DS)
137. Developer shall construct trash enclosure with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct other components of the trash enclosure in general accordance with the approved City Standard Plan on file with the Development Services Division except the interior dimensions. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning 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-79)
138. Developer shall locate all backflow devices as close to the public main as determined practical by the Development Services Manager. (DS)
139. Existing structures on this site are currently provided water service by the Cypress Mutual Water District. In accordance with City Code (Section 22-2), Developer proposes converting the project to water service provided by the City of Oxnard. All water service (domestic, irrigation, fire sprinkler, and onsite fire hydrants) for this project shall be sourced from the City of Oxnard including existing buildings. All existing meters and other appurtenances shall be upgraded to meet current City standards. Developer shall provide water system calculations demonstrating that the proposed onsite fire hydrant system is capable of meeting City fire flow requirements. Calculations are subject to approval of the Development Services Manager. (DS)
140. Prior to issuance of a site improvement permit, Developer shall provide the City Engineer with a written waiver from the Cypress Mutual water company for the loss of service area caused by this project being converted to service from City water. If Developer cannot obtain

such a waiver, Developer shall execute an undertaking in a form approved by the City Attorney to indemnify, defend and hold harmless City and its officers, and employees as to all claims for compensation resulting from City's encroachment into the service area of the mutual water company. (DS)

141. In accordance with City Code, each building shall be served by a separate water meter. (DS)
142. Due to the close (less than 10-feet) proximity of construction, Developer shall confer with representatives of the owner of the adjacent railroad tracks and comply with all railroad company recommendations regarding use of railroad safety flagmen to protect railroad operations during project construction. Prior to issuance of a grading/site improvement permit, Developer shall provide written recommendations from the railroad regarding recommended safety precautions. (DS)
143. Developer shall construct a minimum 7-foot wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. The 7-foot wide sidewalk accommodates a 2-foot vehicular overhang (17-foot parking space) and provides 5-feet of unobstructed pedestrian area. (DS)
144. Prior to issuance of a grading/site improvement permit, Developer shall provide (or update existing if appropriate) City Engineer with a 100-scale base map meeting City formatting standards for addressing purposes. The City will assign all addresses. (DS)
145. Developer shall install "No Parking" signs along the Cypress Road frontage of the project between the railroad tracks and the project driveway. The final location and number of signs to be approved by the Transportation Services Manager. (TR)
146. Developer shall paint approximately 30 feet of Cypress Road curb red north of the project driveway. (TR)
147. Developer shall replace one streetlight with a SCE-approved cobra-style LED light, and install a cobra type LED street lights on each of two other utility poles along the project frontage. Street lights are to be installed on existing utility poles. (TR)

PASSED, APPROVED, AND ADOPTED by the Development Services Director of the City of Oxnard on this 31st day of May, 2018.



Ashley Golden, Development Services Director

RESOLUTION NO. 2018-16 [PZ 17-535-03]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD ADOPTING A RESOLUTION APPROVING PLANNING AND ZONING PERMIT NO. 17-535-03 (DENSITY BONUS) TO AUTHORIZE A TWENTY-FIVE PERCENT DENSITY INCREASE OVER THE OTHERWISE MAXIMUM ALLOWED DENSITY AND THREE INCENTIVES TO PERMIT CONSTRUCTION OF 30 SPECIAL NEEDS AFFORDABLE (LOWER INCOME) APARTMENTS IN TWO STRUCTURES LOCATED AT 5600 AND 5690 CYPRESS ROAD (APN'S: 223-0-041-030 AND 223-0-041-040), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY LORENZO CASTILLO, CASTILLO CYPRESS, LLC, 418 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on June 21, 2018, the Planning Commission of the City of Oxnard ("**Planning Commission**") considered an application for Planning and Zoning Permit No. 17-535-03 (Density Bonus) filed by Lorenzo Castillo in accordance with Section 16-410F of the Oxnard City Code; and

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

WHEREAS, California Environmental Quality Act (CEQA) Guidelines and Section 15332 (Class 32) exempts the project from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act; and

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

WHEREAS, State Density Bonus Law Government Code Section 65915 and OCC Section 16-410M and 16-410O require that when a housing developer meets certain criteria for a Density Bonus, the local jurisdiction must grant one or more regulatory incentives or concessions unless the city makes a written finding that the concessions or incentives are not required in order to provide for affordable housing costs as defined by state law; and

WHEREAS, the Planning Commission finds that the Project meets all necessary criteria of Government Code Section 65915 and OCC Section OCC 16-410H to be considered eligible for incentives or concessions because the Developer has provided 30 lower income special needs residential units; and

WHEREAS, the proposed project is requesting three regulatory concessions: 1) reduced Interior Yard Space from 30% to 10.9% of the project site, 2) a six-foot wall in front yard setback, and 3) balconies not provided except for one unit in Building B; and

WHEREAS, the Planning Commission finds that the incentives or concessions are not contrary to any federal or state law.

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

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

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is statutorily exempt from CEQA pursuant to §21159.23, affordable housing projects on infill properties and categorically exempt from CEQA pursuant to CEQA Guideline Section 15332 (In-Fill Development), Class 32 of the State CEQA Guidelines.

- a) **§21159.23 Low-Income Housing Exemption: In accordance to Statute §21159.23(1)&(2)(c) of the State CEQA Guidelines, affordable housing projects may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA) if both of the following criteria are met:**

The project meets the requirements Statute §21159.23 because: (i) the Developer agrees to enter into an agreement in a form approved by the City Attorney ensuring the continued affordability of the four (4) Density Bonus units (low income) for a minimum term of 55 years; (ii) the Project meets all the requirements set forth by CEQA Section 21159.2; (iii) the project site is zoned for commercial purposes; (iv) the project site does not exceed 5 acres (0.91 acres); (v) the City of Oxnard has a density greater of 2,500 people per square mile; (vi) the project will not cause cumulative impacts or unusual circumstances because it is being developed consistent with the State's Density Bonus Law; (vii) the project meets the definition of residential units.

- b) **Section 15332 (In-Fill Development) A Class 32 categorical exemption under CEQA Guidelines Section 15332 consists of projects characterized as in-fill development meeting the conditions described below:**

The proposed Project meets the requirements of a Class 32 categorical exemption because it: (i) is consistent with the City of Oxnard 2030 General Plan designation and all applicable General Plan policies for the reasons set forth below; (ii) occurs within the City limits on a site of no more than five acres; (iii) is located on a site with no value as habitat for endangered, rare or threatened species; (iv) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (v) would be adequately served by all required utilities and public services.

SECTION 3. The Planning Commission hereby approves Planning and Zoning Permit 17-535-03 (Density Bonus Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of 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 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 March 23, 2018 (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)
4. 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)

5. Prior to issuance of the first certificate of occupancy, Applicant shall prepare a document appropriate for recordation and acceptable to the City Attorney's office to restrict the use of the legal nonconforming Farmworker Employee Housing solely for farmworkers (including a maximum of ten retired farmworkers) and for no other use. In addition, the 29 special needs affordable housing units shall be restricted solely for the use of those individuals who qualify for special needs housing as defined by Health and Safety Code 51312(b) and for no other use. If the developer wishes to convert all or part of the Farmworker Employee Housing and/or special needs housing to another use, the Applicant or subsequent owners or lessees shall be required to comply with all applicable existing City regulations before the commencement of said new use(s).

Owner and/or subsequent management parties shall secure certification of agricultural employment or other documentary evidence of H2-A contract for those H2-A farm workers employed by agricultural employers or labor contractors who are housed at the camp. The term H2-A applies to the Temporary Agricultural Workers Program or any similar agricultural labor employment program authorized by the United States Citizenship and Immigration Services or other governmental agency. Owner and/or subsequent management parties shall also maintain a copy of one current and/or past pay stub or other documentation evidencing agricultural employment for each seasonal or domestic farm worker and for each retired farmworkers residing in the Farmworker Employee Housing. These records shall be maintained for a period of three years and provided to the City, upon written request as a means to verify the farm worker status of all of the residents of the 77-bed farm worker housing facility. Records will be safeguarded for three years. (PL)

6. Prior to issuance of building permits, Developer shall enter into an agreement in a form approved by the City Attorney ensuring the continued affordability of 29 units which qualified the applicant for a Density Bonus. The agreement shall be recorded in the Office of the Ventura County Recorder. The term of the agreement shall be for a minimum of 55 years.
7. The agreement shall establish specific compliance standards and specific remedies available to the City of such compliance standards are not met. The agreement shall, among other things, specify the number of low income affordable units by number of bedrooms, standards for qualifying household incomes or other qualifying criteria, a required annual report, and monitoring fees. Developer hereby agrees to deposit funds for any staff time expended for preparation of the agreement and subsequent compliance with said agreement.
8. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)

9. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
10. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of the merger of all existing lots that are within the boundary of this project into a single legal lot. (DS)
11. All conditions of approval within Development Design Review Permit No. 17-200-04 are incorporated by reference.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of June, 2018.

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 21st day of June, 2018 and carried by the following vote:

AYES: Commissioner(s): Huber, Fuhring, Chua, Frank, Stewart

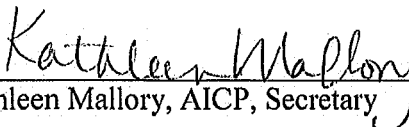
NOES: Commissioner(s):

ABSENT: Commissioner(s): Dozier, Sanchez

ABSTAIN: Commissioner(s):



Vincent Stewart, Chair


Kathleen Mallory, AICP, Secretary

RESOLUTION NO. PZ 17-200-04

DEVELOPMENT DESIGN REVIEW

A RESOLUTION OF THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 17-200-04 (DEVELOPMENT DESIGN REVIEW) TO ALLOW THE CONSTRUCTION OF 30 SPECIAL NEEDS AFFORDABLE APARTMENTS IN TWO STRUCTURES WITH ASSOCIATED SITE IMPROVEMENTS IN CONJUNCTION WITH CONTINUED USE OF THE FARMWORKER HOUSING KNOWN AS “GARDEN CITY” WITH 77 BEDS, MANAGERS UNIT, KITCHEN AND DINING ROOM, REPLACEMENT BATHROOMS AND LAUNDRY FACILITIES, AND 23 PARKING SPACES ON THE PROPERTY LOCATED AT 5600 AND 5690 CYPRESS ROAD. FILED BY LORENZO CASTILLO, CASTILLO CYPRESS, LLC, 418 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on April 20, 2017, Designated Agent, Mark Pettit with Lauterbach & Associates Architects (the “**Applicant**” and/or “**Permittee**”) submitted a request to allow construction of 29 Special Needs affordable apartments and one manager unit in two structures and associated site improvements on a portion of a two parcel property totaling 1.16 acres located at 5600 and 5690 Cypress Road (APNs 223-0-041-030 and 223-0-041-040); and

WHEREAS, the Applicant concurrently applied for a Density Bonus Permit (PZ No. 17-550-03) that allows the proposed 30 units based on the vacant portion of the combined parcels that is not allocated to the existing and continuing Farmworker Employee housing use historically known as the Garden City Labor Camp; and

WHEREAS, the Oxnard City Code (OCC) Section 16-410F(E) requires approval of a Density Bonus Permit by the Planning Commission and the approval of the Density Bonus Permit is nondiscretionary unless the City adopts written findings justifying the denial of the Density Bonus Permit; and

WHEREAS, the consideration of the concurrent Density Bonus Permit (Planning and Zoning Permit No. 17-535-03) is tentatively scheduled before the Planning Commission on June 21, 2018 and the approval of the present Design Development Review (DDR) Permit No. 17-400-04 is contingent on the approval of the Density Bonus Permit; and

WHEREAS, the General Plan land use designation for the parcel addressed as 5690 Cypress Road is Industrial Limited (ILM) and the zoning designation is “Light Manufacturing” (M-1), both of which are inconsistent with the designation of said parcel as All-Affordable Housing Opportunity Program (AAHOP) Site No. B-11 in the certified 2013-2021 Housing Element and said parcel is included in the General Plan consistency program currently in progress to change the General Plan designation to Residential Low-Medium and the zoning designation to “Multiple-Family Affordable Housing” (R-2-AH); and

WHEREAS, the zoning designation for the parcel addressed as 5600 Cypress Road of Garden Apartment Planned Development (R-3-PD) is inconsistent with the General Plan designation of said parcel of Residential Low-Medium for which the consistent zone designation is

“Multiple –Family” (R-2), and said parcel is included in the General Plan consistency program currently in progress to change the zoning designation to “Multiple–Family Affordable Housing” (R-2-AH); and

WHEREAS, on May 31, 2018, the Development Services Director of the City of Oxnard (“**Development Services Director**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 17-200-04 in accordance with AAHOP (OCC §16-420) and the Attached Dwelling Unit (ADU) Development Standards (OCC §16-360 to §16-363); and

WHEREAS, as an AAHOP Project, the Project is entitled by OCC Sections 16-420E(B), 16-420F(B), and 16-420E(C) and has requested development standards variations from applicable Multiple-Family (R-2), ADU, and parking standards for density, height, and resident parking and guest parking, respectively; and

WHEREAS, as an AAHOP Project, the Project is entitled by OCC Sections 16-420F(D) to one development standards concession from applicable Multiple-Family (R-2) and ADU development standards for Building B having a 10 foot front yard setback instead of a 20 foot setback; and

WHEREAS, as an AAHOP Project, the Project is entitled by OCC Sections 16-420F(E) to up to ten per cent (10%) reductions to numerical development standards variations from applicable Multiple-Family (R-2) and ADU development standards and applies this reduction to reducing the rear yard setback from 25 feet to 22.25 feet, reducing unit storage from 225 cubic feet to 202.5 cubic feet, and reducing the minimum size of a one-bedroom housing unit from 450 square feet to 415 square feet; and

WHEREAS, the Applicant has a concurrent application for Density Bonus Permit No. PZ 17-535-03 that entitles the Project to three development standards concessions and applies the concession to reduce the interior yard space requirement from 30% to 10.9 % of lot area, allowing a six-foot wall in the front yard setback instead of not to exceed 42 inches, and to remove the requirement for a balcony for 29 of the 30 proposed units; and

WHEREAS, City staff approves two Housing Accountability Act (GC 65589.5) waivers for removal of a required parking lot end planter to allow Fire Department access to a fire lane, and to allow a mostly-hardscape open space area to meet the requirement for 2,500 square feet of lawn; and

WHEREAS, the AAHOP, Density Bonus, and Housing Accountability Act development standards concessions, reductions, and waivers are necessary to feasibly achieve the AAHOP density with a site design, range of unit sizes, and amenities designed for continued use of the

Garden City Farmworkers Employee housing use and development of the 30 units of Special Needs affordable housing; and

WHEREAS, the housing needs of seasonal farmworkers and the Special Needs population, as defined by Health and Safety Code Section 51312(b), is a need identified in the 2013-2021 Mid-Cycle Housing Element and for which there are an inadequate number of existing or planned affordable units; and

WHEREAS, Section 15332 (Class 32) of Title 14 of the California Code of Regulations exempts infill projects from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act (CEQA) that are consistent with the General Plan and zoning; on less than five acres; on a site with no habitat value for endangered, rare, or threatened species; adequately served public utilities and services; and having no significant impacts on traffic, noise, air quality, and water.

NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT SERVICES DIRECTOR OF THE CITY OF OXNARD:

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

- (1) **The proposed use is in conformance with the City of Oxnard 2030 General Plan, the 2013-2021 Mid-Cycle Housing Element, and other adopted standards.** The Project is consistent with the 2030 General Plan land use designation of Residential Low-Medium (7-12 dwelling units/acre) - Affordable Housing. The AAHOP Site "B-11" designation was in effect when the project application was deemed complete. The Project affordable units are needed to meet the City's Regional Housing Needs Allocation for lower income and Special Needs housing. The General Plan Light Industrial (ILT) land use designation for 5690 Cypress Road is being changed to Residential Low-Medium (RLM) as part of the General Plan Consistency program in progress. The M-1 zone designation for 5690 Cypress Road and R-3 zone designation for 5600 Cypress Road are being changed to R-2-AH as part of the General Plan Consistency program in progress.
- (2) **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**
The proposed use is consistent with uses considered and permitted by the Multiple-Family Zone - Affordable Housing (R-2-AH) zone that is the consistent zone designation for the General Plan Residential Low-Medium - AAHOP designation. Construction activities, anticipated uses, and development design will be subject to

standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements are not expected to have adverse effects or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

- (3) **The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this Resolution.**

As proposed and conditioned, the project will meet the development standards of the Multiple-Family Zone - Affordable Housing (R2-AH) zone, parking and landscape design standards as described in Section 5(e) of the Development Services Director Staff Report. 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 for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.**

The project will be accessed from Cypress Road and the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service, as described in the Development Services Director Staff Report.

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

The Project is considered infill development that has been found to be consistent with anticipated development for this site. Furthermore, the Project will be served by existing water and sewer mains. 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.

SECTION 2. In accordance with Section 15332 (Class 32 "Infill") of the State CEQA Guidelines, projects involving certain infill projects in urban areas of less than five acres may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA). This proposal is fully within City limits, has access to City utilities, and with incorporation of tree monitoring and management into the Project description has no impact on historic or endangered habitats. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment.

SECTION 3. Based on the findings set forth herein, the Development Services Director hereby approves Planning and Zoning Permit No. 17-200-04 (Development Design Review),

subject to the attached conditions of approval, including the subsequent approval of the Density Bonus Permit by the Planning Commission.

SECTION 4. The decision of the Development Services Director shall be final unless an appeal of the action is filed in accordance with the provisions of OCC Section 16-525(B).

**STANDARD CONDITIONS OF APPROVAL
 FOR LAND USE PERMITS**

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the architectural plans dated March 23, 2018, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Development Services Director for uses related to the Project’s AAHOP status, Density Bonus, and/or Special Needs housing. Otherwise, major modifications would be approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
5. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
6. Before placing or constructing any signs not otherwise exempt on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
7. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
9. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
10. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
11. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

12. 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 that are fully consistent

with the approved architectural plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)

13. 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)
14. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)
15. Prior to the issuance by the City of a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
16. 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)
17. Developer shall provide an automatic irrigation controller and a written seasonal watering schedule for all front yard and street side yard landscaping. The watering schedule shall include variations for seasonal changes, sun and shade exposure of plants, type of plants, duration and frequency of irrigation, and suggestions as to how to conserve water. As part of the landscape plan check submittal process, the Parks and Facilities Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, PK-11)

WATER CONSERVATION

18. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
19. 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)
20. 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)

FIRE DEPARTMENT STANDARD CONDITIONS

21. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
22. 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)
23. 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)
24. 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)
25. 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)
26. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
27. 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)
28. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
29. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)

30. 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)
31. 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)
32. Developer shall install in each new 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)
33. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. The detector shall be hardwired with a battery backup. (FD, F-17)

FIRE DEPARTMENT SPECIAL CONDITIONS

34. 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.(FD)
35. 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. (FD)

POLICE DEPARTMENT CONDITIONS

36. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - 1) 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.
 - 2) Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
 - c) Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted.

No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected. (PD)

37. 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)
38. Lighting instruments shall be metal halide, LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).(PD)
39. 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)
40. All common area lighting shall operate from dusk to dawn.(PD)
41. Landscape elements shall be arranged and maintained to provide clear lines of sight and eliminate potential places of concealment. (PD)
42. Block walls on the site, including trash enclosures, shall have landscape elements in place that dissuades the application of graffiti. This also includes the public side of walls that face Cypress Road and the Railroad Right of Way. Creeping fig or similar plantings are suggested. Developer may also comply with this condition with City-approved murals. (PD)
43. Developer/owner shall inform owners and renters via tenant rules, of the provisions of Oxnard City Ordinance 7-100 through 7-106 as it applies to hosting loud parties or events. And, that should police respond to a disturbance multiple times, a service charge may be imposed. (PD)
44. Developer will enroll project in and comply with the Oxnard Police Department "Crime Free Multi-Housing Program" as applicable to this housing development. For enrollment information, contact the Crime Prevention Officer at (805) 385-8349.(PD)
45. Developer shall post all entrances in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)
46. A minimum of two signs, one visible from the public right of way and one near the manager's office shall list the manager's phone number and email address.(PD)
47. Bunkroom tenants shall be provided individual lockers to safely store personal belongings. These lockers shall allow each tenant to have their own lock to safeguard their items.(PD)

48. Security cameras shall be installed to monitor the common areas of the property. The camera system shall comply with these minimum standards:
- a) Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are expected for infra-red lighting.
 - b) Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - c) Cameras shall have low light capability and able to identify persons during hours of darkness.
 - d) The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e) The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
 - f) Recorded images shall bear a date and time stamp that cannot be altered.
 - g) Signage shall be posted near the primary public building entrance which states in 2" letters: "These premises are monitored by a security camera system".
 - h) One camera shall be dedicated to the driveway entrance and the focus shall capture vehicles and their license plate numbers.
 - i) One camera shall be dedicated to the gate entry near the mailboxes. This camera shall target the face and upper body of all persons entering the gate.
 - j) Other cameras shall be placed in common areas to monitor general activity.
 - k) If vending machines are located on the property a camera shall be placed to monitor its use.
 - l) Generally, camera installations shall be in domed housings.
 - m) No cameras shall be placed in bunkrooms or restrooms.(PD)

PLANNING DIVISION STANDARD CONDITIONS

49. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)
50. 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)
51. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Development Services Director and Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)
52. 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)

53. 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-S)
54. 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. (PL-S)
55. 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)
56. 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)
57. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)
58. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, PL-12)

59. 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*).
60. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, *PL-50*)
61. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, *PL-18*)
62. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for both Farmworker Employee Housing and Special Needs residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
63. Light standards illuminating Building A and Building B walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving any recreational area shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, *PL-30*)
64. Developer shall pay Quimby Fees (fees for park acquisition and improvement) before issuance of building permits. The amount of the fee shall be calculated by the Planning Division, and verified by the Parks Division at the time of payment. (PK/B, *PL-36*)

PLANNING DIVISION SPECIAL CONDITIONS

65. Due to water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan in accordance with Government Code 65589.7(c). (PL, *PL-15*)
66. Prior to Planning Commission hearing, Applicant shall pay to the City any outstanding consultant invoices and/or staff time expenses for processing costs incurred as a result of processing the development project. (PL).
67. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its

appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)

68. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
69. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (PL)
70. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). (PL)
71. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (PL)
72. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
73. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

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

74. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing the activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature. (PL)
75. Prior to issuance of the first certificate of occupancy, Applicant shall prepare a document appropriate for recordation and acceptable to the City Attorney's office to restrict the use of the legal nonconforming Farmworker Employee Housing solely for farmworkers (including a maximum of ten retired farmworkers) and for no other use. In addition, the 29 special needs affordable housing units shall be restricted solely for the use of those individuals who qualify for special needs housing as defined by Health and Safety Code 51312(b) and for no other use. If the developer wishes to convert all or part of the Farmworker Employee Housing and/or special needs housing to another use, the Applicant or subsequent owners or lessees shall be required to comply with all applicable existing City regulations before the commencement of said new use(s).

Owner and/or subsequent management parties shall secure certification of agricultural employment or other documentary evidence of H2-A contract for those H2-A farm workers employed by agricultural employers or labor contractors who are housed at the camp. The term H2-A applies to the Temporary Agricultural Workers Program or any similar agricultural labor employment program authorized by the United States Citizenship and Immigration Services or other governmental agency. Owner and/or subsequent management parties shall also maintain a copy of one current and/or past pay stub or other documentation evidencing agricultural employment for each seasonal or domestic farm worker and for each retired farmworker residing in the Farmworker Employee Housing. These records shall be maintained for a period of three years and provided to the City, upon written request as a means to verify the farm worker status of all of the residents of the 77-bed farm worker housing facility. Records will be safeguarded for three years. (PL)

76. Prior to issuance of a demolition permit, Applicant shall revise site plans to indicate Farmworker Employee Housing employee parking is located in the four tandem and two garage spaces located north of the trash enclosure adjacent to the kitchen/dining structure. The plan shall number nine parking spaces (four tandem spaces adjacent to Building B, three spaces facing Building B, and two spaces directly in front of the Building A office) and apply pavement legend script or signage of "Reserved Parking - 1" to "Reserved Parking -9" that are to be reserved for the use of the residents in Buildings A and B and their guests. The plan shall indicate in large pavement legend script "FIRE LANE - NO VEHICLES OR PARKING" between Buildings A and B at the access to the fire lane, approximately 20 feet east of the wall along the Ventura County Railroad. (PL)

77. Applicant and/or subsequent management parties shall enable customarily provided on-site medical and social services to the Building A and Building B residents as defined by Health and Safety Code 51312(b) and/or requested by qualified medical and social service providers.(PL)
78. Prior to a certificate of occupancy for Building A, Applicant and/or subsequent management parties shall consult with the Oxnard Fire Department to identify electric devices such as hotplates and space heaters that should be prohibited within the Farmworker Employee Housing rooms. The list shall be prominently displayed in the dining facility and included in the resident rules and tenancy agreements. (PL)
79. If any portion of the existing Farmworker Employee Housing use is occupied and/or there are employees on the premises during construction, the Applicant shall clearly demark construction areas and post clearly visible signage in English and Spanish that is visible at night with the intent to prevent access and possible accidental injury on or near an active work site. (PL)
80. Prior to issuance of a demolition permit, Applicant shall prepare a development phasing exhibit and plan that depicts the location and sequence for demolition and subsequent site improvements and construction of buildings. The plan shall include staging and lay down areas. The plan shall be approved by the Planning and Environmental Services Manager (PL)
81. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy of the Special Needs housing 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. (PL)
82. This permit is granted subject to approval of Planning and Zoning Permit No. 17-535-03, Density Bonus, by the Planning Commission. (PL)
83. Prior to issuance of first building permit, Applicant shall reduce the rear wall height to seven feet or provide documentation that the proposed eight foot height is necessary for railroad noise reduction. (PL)

ENVIRONMENTAL RESOURCES DIVISION

84. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be

diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

85. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
86. 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.
87. Developer and operator shall provide recycling containers near the point of use in common areas for guests and residents to dispose of their recyclable waste (examples: indoors for newspapers and beverage containers; outdoors for beverage containers). Containers used exclusively for recycling shall be clearly identified as "recycling only" with clear icons or other graphics on each container appropriate to the container's content.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

88. 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)
89. 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)

90. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)
91. 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)
92. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)
93. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
94. 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)
95. Each structure shall be served by separate sewer and water services in accordance with City Code. (DS-8)
96. 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)
97. Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
98. Developer shall provide fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil site improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over onsite waterlines using standard City format. (DS-11)

99. Developer shall install on-site and off-site electric, laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Developer shall also install any cable, telephone and similar utility service laterals as may be deemed necessary by Developer 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)
100. 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)
101. 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 site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
102. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
103. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
104. 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)
105. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
106. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

107. 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)
108. 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)
109. 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)
110. 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)
111. 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)
112. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
113. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
114. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Development Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

115. 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)
116. 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)
117. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
118. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. Developer may coordinate the fire flow tests required under this condition with the fire flow tests required under Condition 24, to avoid duplicate testing (DS-47)
119. 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)
120. 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)
121. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS-69)
122. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
123. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

124. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require

- regular replacement and/or cleaning, 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 Development Services Manager 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)
125. 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)
126. 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)
127. 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)
128. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect

current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

129. "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 36 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)
130. 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)
131. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)
132. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of the merger of all existing lots that are within the boundary of this project into a single legal lot. (DS)
133. Developer has provided preliminary information indicating that the project location meets the technical infeasibility criteria (high groundwater level) 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's engineer drainage report shall include a narrative explanation of this determination along with the specific technical information and shall design the project to meet the bio-filtration requirements of the MS4 permit. If the City determines that the project is not eligible for technical infeasibility, 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)
134. Developer's drainage study shall include calculations demonstrating that the existing stormdrain lateral and catch basin in Cypress Road contain sufficient additional capacity for the proposed additional stormwater discharge from this project. (DS)

135. Developer's drainage report shall include a discussion of the existing stormwater runoff patterns of all adjacent properties including the railroad property. Developer is responsible for continued conveyance (or approved redirection) of any stormwater entering the property from adjacent properties. (DS)
136. Developer shall construct trash enclosure with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct other components of the trash enclosure in general accordance with the approved City Standard Plan on file with the Development Services Division except the interior dimensions. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning 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-79)
137. Developer shall locate all backflow devices as close to the public main as determined practical by the Development Services Manager. (DS)
138. Existing structures on this site are currently provided water service by the Cypress Mutual Water District. In accordance with City Code (Section 22-2), Developer proposes converting the project to water service provided by the City of Oxnard. All water service (domestic, irrigation, fire sprinkler, and onsite fire hydrants) for this project shall be sourced from the City of Oxnard including existing buildings. All existing meters and other appurtenances shall be upgraded to meet current City standards. Developer shall provide water system calculations demonstrating that the proposed onsite fire hydrant system is capable of meeting City fire flow requirements. Calculations are subject to approval of the Development Services Manager. (DS)
139. Prior to issuance of a site improvement permit, Developer shall provide the City Engineer with a written waiver from the Cypress Mutual water company for the loss of service area caused by this project being converted to service from City water. If Developer cannot obtain such a waiver, Developer shall execute an undertaking in a form approved by the City Attorney to indemnify, defend and hold harmless City and its officers, and employees as to all claims for compensation resulting from City's encroachment into the service area of the mutual water company. (DS)
140. In accordance with City Code, each building shall be served by a separate water meter. (DS)
141. Due to the close (less than 10-feet) proximity of construction, Developer shall confer with representatives of the owner of the adjacent railroad tracks and comply with all railroad company recommendations regarding use of railroad safety flagmen to protect railroad operations during project construction. Prior to issuance of a grading/site improvement permit,

Developer shall provide written recommendations from the railroad regarding recommended safety precautions. (DS)

142. Developer shall construct a minimum 7-foot wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. The 7-foot wide sidewalk accommodates a 2-foot vehicular overhang (17-foot parking space) and provides 5-feet of unobstructed pedestrian area. (DS)
143. Prior to issuance of a grading/site improvement permit, Developer shall provide (or update existing if appropriate) City Engineer with a 100-scale base map meeting City formatting standards for addressing purposes. The City will assign all addresses. (DS)
144. Developer shall install "No Parking" signs along the Cypress Road frontage of the project between the railroad tracks and the project driveway. The final location and number of signs to be approved by the Transportation Services Manager. (TR)
145. Developer shall paint approximately 30 feet of Cypress Road curb red north of the project driveway. (TR)
146. Developer shall replace one streetlight with a SCE-approved cobra-style LED light, and install a cobra type LED street lights on each of two other utility poles along the project frontage. Street lights are to be installed on existing utility poles. (TR)

PASSED, APPROVED, AND ADOPTED by the Development Services Director of the City of Oxnard on this 31st day of May, 2018.



Ashley Golden, Development Services Director

RESOLUTION NO. 2018-16 [PZ 17-535-03]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD ADOPTING A RESOLUTION APPROVING PLANNING AND ZONING PERMIT NO. 17-535-03 (DENSITY BONUS) TO AUTHORIZE A TWENTY-FIVE PERCENT DENSITY INCREASE OVER THE OTHERWISE MAXIMUM ALLOWED DENSITY AND THREE INCENTIVES TO PERMIT CONSTRUCTION OF 30 SPECIAL NEEDS AFFORDABLE (LOWER INCOME) APARTMENTS IN TWO STRUCTURES LOCATED AT 5600 AND 5690 CYPRESS ROAD (APN'S: 223-0-041-030 AND 223-0-041-040), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY LORENZO CASTILLO, CASTILLO CYPRESS, LLC, 418 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on June 21, 2018, the Planning Commission of the City of Oxnard (“**Planning Commission**”) considered an application for Planning and Zoning Permit No. 17-535-03 (Density Bonus) filed by Lorenzo Castillo in accordance with Section 16-410F of the Oxnard City Code; and

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

WHEREAS, California Environmental Quality Act (CEQA) Guidelines and Section 15332 (Class 32) exempts the project from the requirement for the preparation of environmental documents imposed by the State California Environmental Quality Act; and

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

WHEREAS, State Density Bonus Law Government Code Section 65915 and OCC Section 16-410M and 16-410O require that when a housing developer meets certain criteria for a Density Bonus, the local jurisdiction must grant one or more regulatory incentives or concessions unless the city makes a written finding that the concessions or incentives are not required in order to provide for affordable housing costs as defined by state law; and

WHEREAS, the Planning Commission finds that the Project meets all necessary criteria of Government Code Section 65915 and OCC Section OCC 16-410H to be considered eligible for incentives or concessions because the Developer has provided 30 lower income special needs residential units; and

WHEREAS, the proposed project is requesting three regulatory concessions: 1) reduced Interior Yard Space from 30% to 10.9% of the project site, 2) a six-foot wall in front yard setback, and 3) balconies not provided except for one unit in Building B; and

WHEREAS, the Planning Commission finds that the incentives or concessions are not contrary to any federal or state law.

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

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

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is statutorily exempt from CEQA pursuant to §21159.23, affordable housing projects on infill properties and categorically exempt from CEQA pursuant to CEQA Guideline Section 15332 (In-Fill Development), Class 32 of the State CEQA Guidelines.

- a) §21159.23 Low-Income Housing Exemption: In accordance to Statute §21159.23(1)&(2)(c) of the State CEQA Guidelines, affordable housing projects may be found to be exempt from the requirements of the California Environmental Quality Act (CEQA) if both of the following criteria are met:**

The project meets the requirements Statute §21159.23 because: (i) the Developer agrees to enter into an agreement in a form approved by the City Attorney ensuring the continued affordability of the four (4) Density Bonus units (low income) for a minimum term of 55 years; (ii) the Project meets all the requirements set forth by CEQA Section 21159.2; (iii) the project site is zoned for commercial purposes; (iv) the project site does not exceed 5 acres (0.91 acres); (v) the City of Oxnard has a density greater of 2,500 people per square mile; (vi) the project will not cause cumulative impacts or unusual circumstances because it is being developed consistent with the State's Density Bonus Law; (vii) the project meets the definition of residential units.

- b) Section 15332 (In-Fill Development) A Class 32 categorical exemption under CEQA Guidelines Section 15332 consists of projects characterized as in-fill development meeting the conditions described below:**

The proposed Project meets the requirements of a Class 32 categorical exemption because it: (i) is consistent with the City of Oxnard 2030 General Plan designation and all applicable General Plan policies for the reasons set forth below; (ii) occurs within the City limits on a site of no more than five acres; (iii) is located on a site with no value as habitat for endangered, rare or threatened species; (iv) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (v) would be adequately served by all required utilities and public services.

SECTION 3. The Planning Commission hereby approves Planning and Zoning Permit 17-535-03 (Density Bonus Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of 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 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 March 23, 2018 (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)
4. 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)

5. Prior to issuance of the first certificate of occupancy, Applicant shall prepare a document appropriate for recordation and acceptable to the City Attorney's office to restrict the use of the legal nonconforming Farmworker Employee Housing solely for farmworkers (including a maximum of ten retired farmworkers) and for no other use. In addition, the 29 special needs affordable housing units shall be restricted solely for the use of those individuals who qualify for special needs housing as defined by Health and Safety Code 51312(b) and for no other use. If the developer wishes to convert all or part of the Farmworker Employee Housing and/or special needs housing to another use, the Applicant or subsequent owners or lessees shall be required to comply with all applicable existing City regulations before the commencement of said new use(s).

Owner and/or subsequent management parties shall secure certification of agricultural employment or other documentary evidence of H2-A contract for those H2-A farm workers employed by agricultural employers or labor contractors who are housed at the camp. The term H2-A applies to the Temporary Agricultural Workers Program or any similar agricultural labor employment program authorized by the United States Citizenship and Immigration Services or other governmental agency. Owner and/or subsequent management parties shall also maintain a copy of one current and/or past pay stub or other documentation evidencing agricultural employment for each seasonal or domestic farm worker and for each retired farmworkers residing in the Farmworker Employee Housing. These records shall be maintained for a period of three years and provided to the City, upon written request as a means to verify the farm worker status of all of the residents of the 77-bed farm worker housing facility. Records will be safeguarded for three years. (PL)

6. Prior to issuance of building permits, Developer shall enter into an agreement in a form approved by the City Attorney ensuring the continued affordability of 29 units which qualified the applicant for a Density Bonus. The agreement shall be recorded in the Office of the Ventura County Recorder. The term of the agreement shall be for a minimum of 55 years.
7. The agreement shall establish specific compliance standards and specific remedies available to the City of such compliance standards are not met. The agreement shall, among other things, specify the number of low income affordable units by number of bedrooms, standards for qualifying household incomes or other qualifying criteria, a required annual report, and monitoring fees. Developer hereby agrees to deposit funds for any staff time expended for preparation of the agreement and subsequent compliance with said agreement.
8. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)

9. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, G-3)
10. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of the merger of all existing lots that are within the boundary of this project into a single legal lot. (DS)
11. All conditions of approval within Development Design Review Permit No. 17-200-04 are incorporated by reference.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of June, 2018.

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 21st day of June, 2018 and carried by the following vote:

AYES: Commissioner(s): Huber, Fuhring, Chua, Frank, Stewart

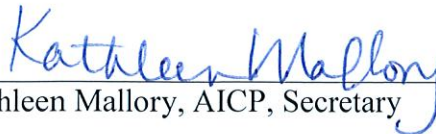
NOES: Commissioner(s):

ABSENT: Commissioner(s): Dozier, Sanchez

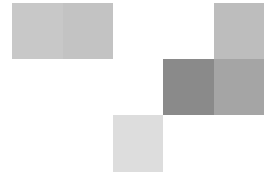
ABSTAIN: Commissioner(s):



Vincent Stewart, Chair



Kathleen Mallory, AICP, Secretary



NOTICE OF EXEMPTION

Project Description: PZ No. 23-550-02 (Major Modification) The project request is for a time extension to finish diligently pursuing permits for their previously approved entitlement that expires on June 21, 2023. The previously approved Development Design Review allows for the demolition of five of eight Garden City farmworker labor camp structures known as “Garden Acres” and will develop 29 studio and one-bedroom restricted Special Needs affordable units as well as one manager unit, for a total of 30 units between two apartment buildings. The approved project would also provide 23 parking spaces, landscaping, a perimeter wall and fencing, security lighting, and residential amenities. The subject site is located at 5600 and 5690 Cypress (Assessor’s Parcel Numbers 223-0-041-030 and 223-0-041-045). The applicant is Lorenzo Castillo, Castillo Cypress, LLC, 418 West Third Street, Oxnard, CA 93030.

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

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

Supporting Reasons: In accordance with the State CEQA Guidelines and Pursuant to Section 15332 (Class 32), infill projects that are consistent with the General Plan and zoning; on less than five acres; on a site with no habitat value for endangered, rare, or threatened species; adequately served public utilities and services; and having no significant impacts on traffic, noise, air quality, and water may be found exempt from CEQA review. Staff inspected the property and found few trees, several small lawn areas, and large areas of hard compacted soil and gravel used largely for parking. The Project site has no value as habitat for endangered, rare or threatened species. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment, the project is exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document.

(Date)

Joe Pearson II
Planning and Environmental Services
Manager

RESOLUTION NO. PZ 23-550-02

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NOS. 21-200-08 (DEVELOPMENT DESIGN REVIEW) TO ALLOW FOR A 12 MONTH TIME EXTENSION FOR PLANNING AND ZONING PERMIT NOS. 17-535-03 (DENSITY BONUS) AND 17-200-04 (DEVELOPMENT DESIGN REVIEW). LOCATED AT 5600 AND 5690 CYPRESS ROAD (APN'S: 223-0-041-030 AND 223-0-041-040), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY LORENZO CASTILLO, CASTILLO CYPRESS, LLC, 418 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on August 16, 2023, the Community Development Director of the City of Oxnard has considered an application for Planning and Zoning Permit No. 23-550-02 (Major Modification to Development Design Review 17-200-04 and Density Bonus 17-535-03) requesting a 18 month time extension, Filed by Lorenzo Castillo, Castillo Cypress, LLC, in accordance with Section 16-525 of the Oxnard City Code; and

WHEREAS, on May 31, 2018 the Development Services Director adopted Resolution 17-200-04 approving Development Design Review 17-200-04 and on June 21, 2018 the Planning Commission adopted Resolution 2018-16, granting approval of Planning and Zoning Permit 17-535-03 (Density Bonus), which together allow for the construction of 29 Special Needs affordable apartments and one manager unit in two structures with associated site improvements as well as the maintained use of three farmworker employee housing structures; and

WHEREAS, PZ 17-200-04 and 17-535-03 have an expiration date of June 21, 2021, prolonged to June 21, 2022 due to a department wide one year extension for projects as a result of the Coronavirus Pandemic. On April 14, 2022, in accordance with an administrative Planning Department policy, the Planning Manager administratively granted a one year time extension with the expiration of June 21, 2023; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 32 Categorical Exemption (Section 15332). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

The project site has a General Plan land use designation of Residential Low Medium and a zoning designation of Multiple Family Residential. The project is completely surrounded by urban development and a railway corridor. The project

site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

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

The proposed residential development of two new apartment buildings is consistent with previous residential development on the property, which will partially continue, as well as the General Plan and Oxnard City Code, and is also 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 proposed apartment buildings will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the urban character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is generally surrounded on three sides by residential and commercial development, and the project abuts the railway corridor and industrial development to the east. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site does not contain an existing or potential landmark, point of interest, or historic resource, 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 Community Development Director finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution and 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 COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD:

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

1. The proposed use is in conformance with the 2030 General Plan and other adopted policies of the City of Oxnard.
2. The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.
4. The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

SECTION 2. The Community Development Director, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15332 (Class 32) of the State CEQA Guidelines. This section pertains to projects characterized as in-fill development, meeting certain conditions. The Community Development Director has determined that there is no substantial evidence that the project will have a significant effect on the environment and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning and Environmental Services Division is hereby authorized and directed

to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Community Development Director of the City of Oxnard hereby approves a Major Modification to PZ Nos. 17-200-04 and 17-535-03, thus approving a one year time extension (expiration of June 21, 2024), subject to the attached conditions of approval.

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

CONDITIONS OF APPROVAL

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-I*) 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. Development Design Review 17-200-04 and Density Bonus 17-535-03 will have the expiration date extended to June 21, 2024, after which no additional time extensions will be granted for either permit as well as both permits will be deemed expired, necessitating a new planning entitlement for the project unless the Applicant 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)
2. Except as modified by this request, all permit conditions of Resolution No. PZ 17-200-04 (17-200-04 (Development Design Review) and Resolution No. 2018-16 (17-535-03 (Density Bonus)), shall remain in full force and effect. (PL)

Resolution No. PZ 23-550-02; Garden City Acres
Director Hearing Date: August 16, 2023
Page 5 of 5

PASSED AND ADOPTED by the Community Development Director of the City of Oxnard on this August 16, 2023.

Date

Maureen Tamuri,
Interim Community
Development Director