

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Serena Gonzalez, Assistant Planner

DATE: October 19, 2023

SUBJECT: **Project Name: Appeal of 1215 Capri Way Amendment;** Appeal of the Community Development's Decision No. 23-400-01 (Coastal Development Permit) to deny a spa on the roof of a beachfront single-family residence located at 1215 Capri Way (APN 191-0-091-285; Lot 57 of Tract No. 4380).

1) Recommendation: That the Planning Commission:

- a) Find the Project to be Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 ("Projects Which are Disapproved"); and
- b) Adopt a Resolution denying the Appeal and upholding the Community Development Director's Denial of Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit).

2) Project Description and Applicant: The project consists of a request for a Coastal Development Permit (CDP) Amendment in order to remove the condition that prohibits a rooftop spa and allow for the placement of a spa on the existing roof deck of a beachfront single-family residence. The Project site is a 5,284 square-foot beachfront home located at 1215 Capri Way (APN 191-0-091-285; Lot 57 of Tract No. 4380), within the Oxnard Shores Neighborhood in the Beachfront Residential (R-BF) zoning district and the Coastal Zone. For the purposes of this Staff Report, the foregoing project description shall be referred to as the "**Project.**" Both the original application and appeal were filed by property owner Ben and Michelle Mandelbaum (the "**Appellant/Applicant**").

3) Background Information:

- a) On April 5, 1988, the City Council approved the Oxnard Shores Settlement Agreement to settle a dispute regarding public beach access within the Coastal Zone. On April 12, 1988, the City Council approved Tentative Subdivision Map for Tract No. 4380 and an associated Development Agreement. On October 17, 1989, Oxnard City Council approved Tract Map No. 4380, which created the subject lot. The Oxnard Shores Settlement Agreement was recorded on October 31, 1989 as Document No. 89-174512 of Official Records of Ventura County. The above actions established the seaward property lines for the parcels that were part of the Settlement Agreement, dedicated the land between these property lines and the mean high tide to the public for recreational

uses, and created vertical access paths to the beach. The beach access paths are spaced in such a manner that build-out of Tract No. 4380 would not preclude convenient public access to the beach. Additionally, Tract No. 4380 includes parcels to be used for beach access (Parcels P, Q, and R). The Settlement Agreement also established that owners of the lots within Tract 4380 shall have the right to develop lots into single dwelling units in accordance with the development standards outlined in the R-BF zone district.

- b) On October 4, 2018, the Director approved a 4,925 square-foot, two-story, single-family beachfront residence with an attached 864 square-foot three-car garage. Subsequent to the Director approval the Project was appealed to the Planning Commission and the California Coastal Commission (CCC). The appellant questioned whether the City had appropriately applied the setbacks on the seaward side of the project. The Planning Commission found that the project was in compliance with the 2030 General Plan and upheld the Director's decision on December 6, 2018. The subsequent appeal to the CCC, by the same appellant, was later withdrawn.
- c) On May 14, 2020, the Director approved Resolution No. 20-400-01, which approved a 5,284 square-foot, two story, single-family beachfront residence with an attached 797 square-foot three-car garage, 1,095 square feet of deck space and rooftop spa. While the project as proposed complied with all applicable regulations, due to concerns raised by a member of the public, the Director approved the residence with the condition that no spa was to be permitted on the rooftop deck, which was agreed to by the project developer at the time. Since that time the current property owners purchased and completed construction of the residence in 2022.

During the final inspection in July 2022, staff noted that the spa had been installed on the roof in conflict with the conditions. Staff directed the applicant to remove the spa, prior to final sign off, which the applicant's contractor agreed to do. However, following final sign off by City Staff the spa was returned to the roof, at which time a code enforcement case was opened in November 2022. In February 2023, the applicant began the process of working to amend the permit to allow for the rooftop spa.

- d) On August 24, 2023, the Director denied Resolution No. 23-400-01 due to the inability to make all the findings required to approve a Coastal Development Permit. The Director determined that pursuant to Oxnard City Code (OCC) SEC. 17-57(B)(4) the Project could not be approved because the use proposed would impair the integrity and character of the sub-zone in which it is located. This denied the appellant an amended CDP which was intended to remove the condition prohibiting a rooftop spa. Pursuant to Sections 17-58(F) and 17-58(I) of the Oxnard City Code ("OCC"), the action of the Director is final unless an appeal application to the Planning Commission is filed within 10 days after the action date.
- e) On August 30, 2023, the Appellant filed a timely Appeal application with the City (Attachment D).

Required Findings to Grant Coastal Development Permit

Pursuant to OCC Section 17-57, in order to grant a Coastal Development Permit, the following findings must be made:

- i. The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 17 of the Oxnard City Code.
- ii. The proposed use would not impair the integrity and character of the sub-zone in which it would be located.
- iii. The subject site in terms of location and intensity of use would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.
- iv. The proposed use would be compatible with the land uses presently on the subject property.
- v. The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.
- vi. There are adequate public services for the proposed use, including, but not limited to, fire and police protection, water, sanitation and public utilities and services to insure that the proposed use would not be detrimental to public health and safety.
- vii. The proposed use will provide a type and level of public access consistent with the access policies and standards of the Oxnard Coastal Land Use Plan.
- viii. The proposed use would be appropriate in light of an established need, based upon the underlying goals and objectives of specific Oxnard Coastal Land Use Plan (LCP) policies, applicable to the proposed location.
- ix. The proposed use would be consistent with all of the applicable policies of the certified Oxnard Coastal Land Use Plan.

4) Analysis/Discussion:

The Appellant has appealed the decision of the Director primarily because the Appellant believes Findings can be made to approve the Project. The Appellant's ground of appeal is noted below, verbatim, with staff's response following each ground of appeal:

Ground of Appeal 1: *“Approval of the revised Coastal Development Permit is fully supported in the Community Development Director Staff Report dated August 24, 2023. The Staff Report’s recommendation for approval of the application should be accepted.”*

Staff Response:

The staff report is a recommendation for the Community Development Director and is used as a guide to inform their final determination. Staff's opinion can be taken into consideration; however, if the Director finds reasoning that the project in question should not be approved they do not have to agree with what Staff has proposed.

According to OCC SEC. 17-57(C)(5), the Director must be able to make nine specific findings in order to approve a Coastal Development Permit. The second finding (ii) states that the proposed use would not impair the integrity and character of the subject sub-zone; however, the Director determined that the proposed modification would impair the integrity and character of the sub-zone, thus finding (ii) was unable to be made. Pursuant to OCC SEC. 17-25, the subject sub-zone is specifically designed for the development of single-family beachfront residences. The project site is a single-family residence that is generally surrounded by other single-family residences. However, as determined by the Director, the proposed request to allow for a rooftop spa at the front/street side of the property is generally not consistent with the existing neighborhood character and would be detrimental to the existing R-BF subzone character. Condition 65 of the previously approved Coastal Development Permit (PZ 20-400-01) prohibited a rooftop spa due to the location of the rooftop deck at the front of the home overlooking Capri Way, however it allowed for the placement of the spa in a way that is consistent with other homes in the sub-zone. While other spas including rooftop spas are located in the area, they are generally located in the center of the property or on the oceanside behind the structure of the building. The previously approved location of the spa allowed for the use of the site to be consistent with the other homes in the areas, while maintaining consistency with the character of the sub-zone. In conclusion, the Director could not make all the findings required to approve a Coastal Development Permit and therefore denied the new permit.

Appellant Supplemental Letter

On the afternoon of October 11, 2023, the attorney representing the appellant submitted a letter in support of the appeal (Attachment E). Due to the publishing deadlines City Staff was unable to provide responses to the letter as part of this staff report, however, City Staff will be prepared to provide responses to the letter prior to and at the Planning Commission hearing.

Conclusion:

The Appellant requests the Director's denial of the Project be overturned based on the one ground for appeal.

Based on the above Analysis/Discussion Section, Staff's response demonstrates the Appeal lacks merit, and the Director's determination on August 24, 2023 should remain unchanged. Thus, staff recommends that the Planning Commission find there is no merit to the Appellant's Grounds of Appeal, and the Appeal should not overturn the decision of the Director to deny the Project. Furthermore, the Planning Commission staff report, attachments, and the specific Findings outlined in the Planning Commission Resolution (Attachment F) provide substantial evidence in the record for the Planning Commission to conclude that not all of the required Coastal Development Findings found in OCC Section 17-57 have been made. Staff believes the

required Findings are well documented and the Planning Commission is in a position to deny the requested Coastal Development Permit.

Thus, staff recommends that the Planning Commission find there is no merit to the Appellant's Grounds of Appeal, deny the Appeal and uphold the decision of the Director to Deny the project with the specific Findings outlined in the Resolution (Attachment F). Pursuant to OCC Section 17-58(I), the decision of the Planning Commission is final, unless appealed to the California Coastal Commission within ten working days of the decision.

Attachments:

- A. Community Development Director Staff Report (with attachments)
- B. Public Comments Received For Director Hearing
- C. Community Development Director Resolution No. 23-400-01
- D. Appeal Application Received August 24, 2023
- E. Appellant Supplemental Letter dated October 11, 2023
- F. Draft Planning Commission Resolution
- G. Staff Presentation



**COMMUNITY DEVELOPMENT DIRECTOR
STAFF REPORT**

TO: Maureen Tamuri, Interim Community Development Director

FROM: Serena Gonzalez, Assistant Planner

DATE: August 24, 2023

SUBJECT: Project Name: Mandelbaum Residence; Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit) to allow for a spa on the roof of a beachfront single-family residence located at 1215 Capri Way (APN 191-0-091-285; Lot 57 of Tract No. 4380).

- 1) **Recommendation:** That the Community Development Director adopt a Resolution approving Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to allow for changes to a previously approved single-family residence.
 - a) The previously approved residence consists of a 5,284 square-foot, two story, single-family beachfront residence with an attached 797 square-foot three-car garage 1,095 square feet of deck space.
 - b) The applicant is currently requesting a new CDP in order to remove the condition that prohibits a rooftop spa and allow for the placement of a rooftop spa.

The Project site is a 5,284 square-foot beachfront home located at 1215 Capri Way, within the Oxnard Shores Neighborhood in the Beachfront Residential (R-BF) zoning district and the Coastal Zone. For the purposes of this Staff Report, the foregoing project description shall be referred to as the **"Project."** Filed by property owner Ben Mandelbaum (the **"Applicant"**).

- 3) **Authority:** Pursuant to Oxnard City Code Section 17-25(C)(1) Coastal Development Permits within the R-BF zone are subject to the approval of the Community Development Director.
- 4) **Existing & Surrounding Land Uses:** The subject property is a 5,600 square-foot lot currently developed with a single family home. The subject property has a Local Coastal Plan Land Use Designation of "Residential Existing" (REX) and a zoning designation of Residential Beachfront. The following table describes the Land Use and Zoning Designations of the Project site and existing land uses immediately adjacent to the site, which are also illustrated on the attached maps (Attachment A):

Location	Local Coastal Plan Land Use Designation	Zoning Designation	Existing Land Use
Project Site	Residential Existing (REX)	Residential Beachfront (R-BF)	Vacant

North	Residential Existing (REX)	Residential Beachfront (R-BF)	Single-family residence
South	Residential Existing (REX)	Residential Beachfront (R-BF)	Single-family residence
East	Mobile Home Park (MHP)	Mobile Home Park Coastal (R-B-1)	Capri Way, single-family residences
West	Recreation Area (REC)	Residential Beachfront (R-BF)	Public Beach

5) Background Information:

- a) On April 5, 1988, the City Council approved the Oxnard Shores Settlement Agreement to settle a dispute regarding public beach access within the Coastal Zone. On April 12, 1988, the City Council approved Tentative Subdivision Map for Tract No. 4380 and an associated Development Agreement. On October 17, 1989, Oxnard City Council approved Tract Map No. 4380, which created the subject lot. The Oxnard Shores Settlement Agreement was recorded on October 31, 1989 as Document No. 89-174512 of Official Records of Ventura County. The above actions established the seaward property lines for the parcels that were part of the Settlement Agreement, dedicated the land between these property lines and the mean high tide to the public for recreational uses, and created vertical access paths to the beach. The beach access paths are spaced in such a manner that build-out of Tract No. 4380 would not preclude convenient public access to the beach. Additionally, Tract No. 4380 includes parcels to be used for beach access (Parcels P, Q, and R). The Settlement Agreement also established that owners of the lots within Tract 4380 shall have the right to develop lots into single dwelling units in accordance with the development standards outlined in the R-BF zone district.
- b) On October 4, 2018, the Director approved a 4,925 square-foot, two-story, single-family beachfront residence with an attached 864 square-foot three-car garage. Subsequent to the Director approval the Project was appealed to the Planning Commission and the California Coastal Commission (CCC). The appellant questioned whether the City had appropriately applied the setbacks on the seaward side of the project. The Planning Commission found that the project was in compliance with the 2030 General Plan and upheld the Director's decision on December 6, 2018. The subsequent appeal to the CCC, by the same appellant, was later withdrawn.
- c) On May 14, 2020, the Director approved Resolution No. 20-400-01, which approved a 5,284 square-foot, two story, single-family beachfront residence with an attached 797 square-foot three-car garage, 1,095 square feet of deck space and rooftop spa. Due to concerns raised by a member of the public, the Director approved the residence with the condition that no spa was to be permitted on the rooftop deck, which was agreed to by the project developer. Since that time the developer completed construction of the residence in 2023. The current Applicant subsequently purchased the property and is requesting approval of the current Project pursuant to Section 17-57(l) of the Oxnard Coastal Zoning Ordinance. The prior appellant has been provided notice of the current Project, as an interested party.

- 6) **Environmental Determination:** In accordance with Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or

no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The project consists of minor alteration modifications to an existing building, the addition of a rooftop spa. No Exceptions to the Exemptions (Section 15300.2) apply to this project. Therefore, Staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

7) Analysis:

- a) **General Discussion:** In accordance with Section 17-25(C)(1) of the Coastal Zoning Ordinance and the Oxnard Shores Settlement Agreement, construction of the Project is subject to approval of a Coastal Development Permit by the Community Development Director.
- b) **Local Coastal Plan Consistency:** The proposed project's consistency with the Local Coastal Plan is discussed in the following table:

POLICY	DISCUSSION
Local Coastal Policy No. 3 (p. III-5): <i>All urban development shall be restricted to the area within the urban-rural boundary, as defined by Map 1 and the Land Use Map.</i>	The subject property is currently developed and is within an urban area as noted on Map 6 in the Coastal Land Use Plan. Furthermore, the Coastal Land Use Map specifically notes that urban residential uses are concentrated in the Oxnard Shores area (p. II-3). Therefore the Project is consistent with this policy.
Local Coastal Policy No. 6 (p. III-10): <i>...only uses permitted in areas designated on the land use map with the Resource Protection Zone.</i>	The subject property is not in an area that is designated as environmentally sensitive, there is not sensitive habitat or native vegetation on-site, and there are no wetlands in the vicinity of the proposed development. Therefore the Project is consistent with this policy.

- c) **Conformance with Coastal Zoning Development Standards:** The property is currently developed with a single family dwelling. The proposed project only consist of the modification of the previously approved conditions of approval and the addition of a roof top spa on the existing residences. The proposed project has been evaluated for consistency with applicable development standards of the Beachfront Residential (R-BF) zone, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLY?
Maximum building height (OCC 17-25(D)(2))	For lots wider than 33 feet wide, two stories, not to exceed 25 feet from the bottom of the lowest shore parallel horizontal structural member to the highest peak of roof.	Two stories at 25 feet from the bottom of the lowest shore parallel horizontal structural member to the highest peak of the roof. The rooftop spa does not add additional height to the building.	Yes

No other changes are proposed that would alter the **project's** compliance with applicable development standards as previously determined under Resolution No. 20-400-01

- d) **Site Design:** The proposed spa will be located on the eastern (street) facing side of the rooftop deck. The spa will be set back from the parapet a minimum of 10 feet on all sides and at a minimum of 15 feet from the property lines. The height of the proposed spa is 42 inches while the height of the parapet is 45 inches, so the spa will be screened from public view on all sides. This complies with the design standards set in SEC 17-46 (B)(5) which requires mechanical equipment to be screened from view.
- e) **Conformance with Nuisance Standards:** The proposed project has been evaluated for consistency with the City's Nuisance section of the code. It has been determined that the spa will comply with the regulations. SEC 7-185 (A) states that from 7am to 10pm the allowed decibel rating is 55 dBA and from 10pm to 7am 50 dBA. A letter from the spa manufacturer submitted by the applicant states that their model with the highest average noise was 59.6 dBA at one foot away. With a minimum setback of 15 feet from the property lines the decibel rating is 36.1 dBA therefore complying with the noise standards for the City.
- f) **Existing Building Design:** The five bedroom single-family dwelling features a modern architectural style with an exterior primarily composed of a white color stucco, limestone, and a natural color stained hardwood siding and louvered wood screen. The building is designed with a porch and a deck off the western (seaward) side and two decks off the eastern (street) side. The balconies feature clear glass guard rails and glass handrails. The windows feature minimal black framing, the walls are articulated with natural hardwood siding, select areas are screened with a louvered wood screen, and the breakaway panels are designed with open steel mesh. The use of glass on the west elevation results in a light façade which complements the pattern of the existing beach-facing homes. The building features a flat roof design, with a deck that has a solid white parapet wall around the top of the structure. On the deck sits an approximately 9 foot by 9 foot spa that is 42 inches tall which is screened from public view by the parapet. The use of varying materials, colors, and architectural embellishments make the building complementary to existing development in the vicinity of the project site. A walkway is provided along the south elevation from Capri Way to the front door.

8) Community Workshop and Public Input:

- a) For the project PZ 18-400-02, the applicant mailed notices to property owners within the Oxnard Shores Neighborhood regarding a Community Workshop to be held June 18, 2018 to gather public comments. On June 8, 2018, a notice of this meeting was posted on the project site with a brief description and contact information for the case planner and the applicant. During the June 18, 2018 Community Workshop, two interested members of the public were in attendance to ask questions about the proposed project. These questions pertained to the size and design of the proposed residence. During the Community Workshop, no one expressed opposition to the proposed project.
- b) For the previously approved CDP (PZ 20-400-01) given that the proposed project is rescinding and replacing an approved project involving less than 8 percent change to the square footage of the residence and minimal exterior changes, a second Community Workshop was not held; however, public noticing was provided for this Director hearing.

- c) For the current project the applicant mailed notices to property owners within the Oxnard Shores Neighborhood regarding a Community Workshop to be held June 19, 2023 to gather public comments. On June 7, 2023, a notice of this meeting was posted on the project site with a brief description and contact information for the case planner and the applicant. During the June 9, 2023 Community Workshop, several interested members of the public were in attendance to ask questions about the proposed project. These questions pertained to the conditions of the previously approved permit and the overall permitting process. Everyone that spoke was in opposition to the project due to concerns on privacy and lack of compliance by the property owners. There was one interested party that sent correspondence in favor of the project.
- 9) **Appeal Procedure:** In accordance with Section 17-58(I) of the City Code, the Community Development Director's decision may be appealed to the Planning Commission within ten working days following notice of the decision of the Director to the applicant and interested parties. Appeal forms may be obtained from the Planning Division's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the Planning Commission is not filed within 10 working days of the Community Development Director's decision, the decision of the Community Development Director shall be considered final and a Notice of Final Action shall be filed on the 11th working day with the California Coastal Commission (CCC).

Attachments:

- A. Maps (Vicinity, Aerial, Local Coastal Plan, Zoning)
- B. Reduced Project Plans
- C. CEQA Notice of Exemption
- D. Approved Resolution No. 20-400-01 (Previously Approved Coastal Development Permit)
- E. Draft Resolution No. 23-400-01



Vicinity Map

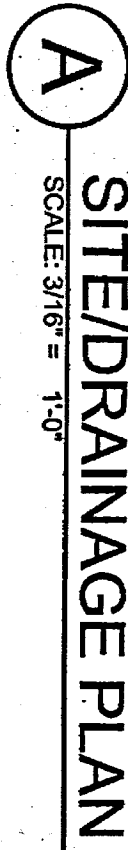


2030 General Plan Land Use Map



Zoning/Specific Plan Map





FEMA FLOOD ELEVATION CERTIFICATION INFO

- PRIOR TO FINAL INSPECTION A LICENSED SURVEYOR SHALL CERTIFY IN A FLOOD ELEVATION CERTIFICATION REPORT THAT:
- CERTIFY THAT THE BUILDING LOCATED AT 861 MANADAY BEACH RD. COMPLIES WITH THE REQUIREMENTS OF THE Oxnard City Code:
- a. IN THE REPORT THE FOLLOWING SHALL BE NOTED:
 1. THE FLOOD BASE ELEVATION.
 2. THE UNFINISHED FLOOR ELEVATION, THE FLOOR ELEVATIONS.
 3. THE AVERAGE HEIGHT OF THE ROOF.
 4. THE LOWEST AND HIGHEST SPOT OF THE BUILDING.
 - b. A SECTION PLAN SHALL ACCOMPANY THE REPORT NOTING MAJOR ELEVATION POINTS ON THE DRAWINGS.
-
- NOTES:
1. TO HANDLING WATER SURFACE PER PUBLIC WORKS PLATE 304 OR 305
 2. WATER WETTER (7' minimum) WITH ATTACHED INTERFERE
 3. TYPE "M" COVER OR P.V.C. PIPE (1 1/4" DIA.)
 4. TYPE "M" COVER PER
 5. TYPE "M" COVER PER
 6. DOUBLE CHECK RESISTANCE (SEE APPROVED) WITH BALL WATERS (TYPED BELOW ON APPROVED DRAW)
 - TEST COUPLER TO BE INSTALLED (TAPING AWAY FROM WELL

76

- [illegible]

NO GRADING REQUIRED FOR THIS PROJECT

A2.1

ARCHITECTS:

STATE OF CALIFORNIA
No. C-18513
Exp. 05/21

3-249435D

SHEET TITLE:

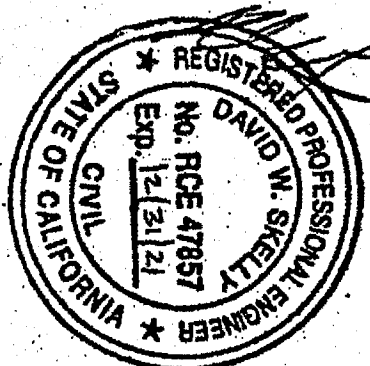
SITE/DRAINAGE PLAN

DRAWN BY: JM
DATE: 10/15/20
SHEET:

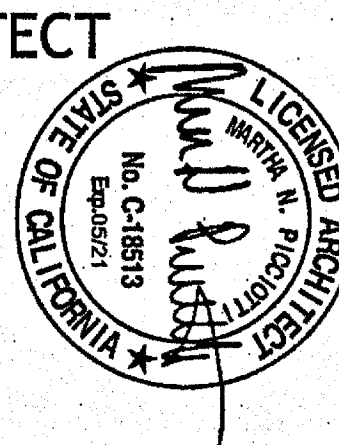
SITE PLAN KEYNOTES

#

- 1 PROPERTY LINE
- 2 SIDE SETBACK LINE
- 3 REAR SETBACK LINE
- 4 1st FLOOR FRONT SETBACK LINE
- 5 2nd FLOOR FRONT SETBACK LINE
- 6 LINE OF FACADE ABOVE
- 7 LINE OF 2nd FLOOR ABOVE
- 8 WOOD FRAMED STAIRS, STAIRS TO BE BREAK-AWAY. SEE FLOOR PLAN FOR RISE & RUN
- 9 GAS METER
- 10 SURFACE MOUNT 400AMP ELECTRICAL METER PANEL, W/ CONCRETE ENCASED ELECTRODE W/ ADJACENT PHONE & CABLE, FROM EXISTING UNDERGROUND PULL-BOXES
- 11 SCE PULL BOX, UNDERGROUND CONDUIT FROM PULL BOX TO HOUSE AND TERMINATE ABOVE GROUND ADJACENT TO HOUSE PILE, FASTEN TO PILE PER DETAIL 1/A&B.14
- 12 CABLE PULL BOX
- 13 PHONE PULL BOX
- 14 NEW 1" WATER METER W/ 1 1/2" WATER LINE AND SHUT-OFF VALVE @ HOUSE
- 15 NEW 4" ABS SEWER LATERAL, CONTRACTOR TO VERIFY LOCATION
- 16 NEW SNIER CLEANOUT
- 17 MAILBOX, SEE DETAIL 3/A&B.11, CONFIRM EXACT DESIGN W/ ARCHITECT
- 18 PILE PER PLAN, SEE A&Z FOR PILE LAYOUT PLAN
- 19 NEW CONCRETE DRIVEWAY
- 20 HARDSCAPE/PAVING CONSISTING OF PERMEABLE DRY-LAID PAVERS OVER A BED OF SAND & GRAVEL, SLOPE TO STREET 1/8" PER FT., PAYER DESIGN/STYLE PER OWNER
- 21 STUCCOED CMU PLANTER @ 18" MAX HEIGHT FROM GRADE
- 22 3"x3x3 3/16 STAINLESS ROOF OR DECK DOWNSPOUT TO TERMINATE @ HANDSCAPE
- 23 3" ABS PIPES FROM 2nd FLOOR DECK DRAIN, TERMINATE @ SPLASH BLOCK @ GRADE
- 24 NEW UNDERGROUND PE (POLYETHYLENE) GAS LINE W/ TRACER WIRE BURIED MIN. 18" BELOW FINISH GRADE



REVISIONS:	
NO	DATE:
1	6/26/20
2	10/15/20
3	N/A
4	N/A

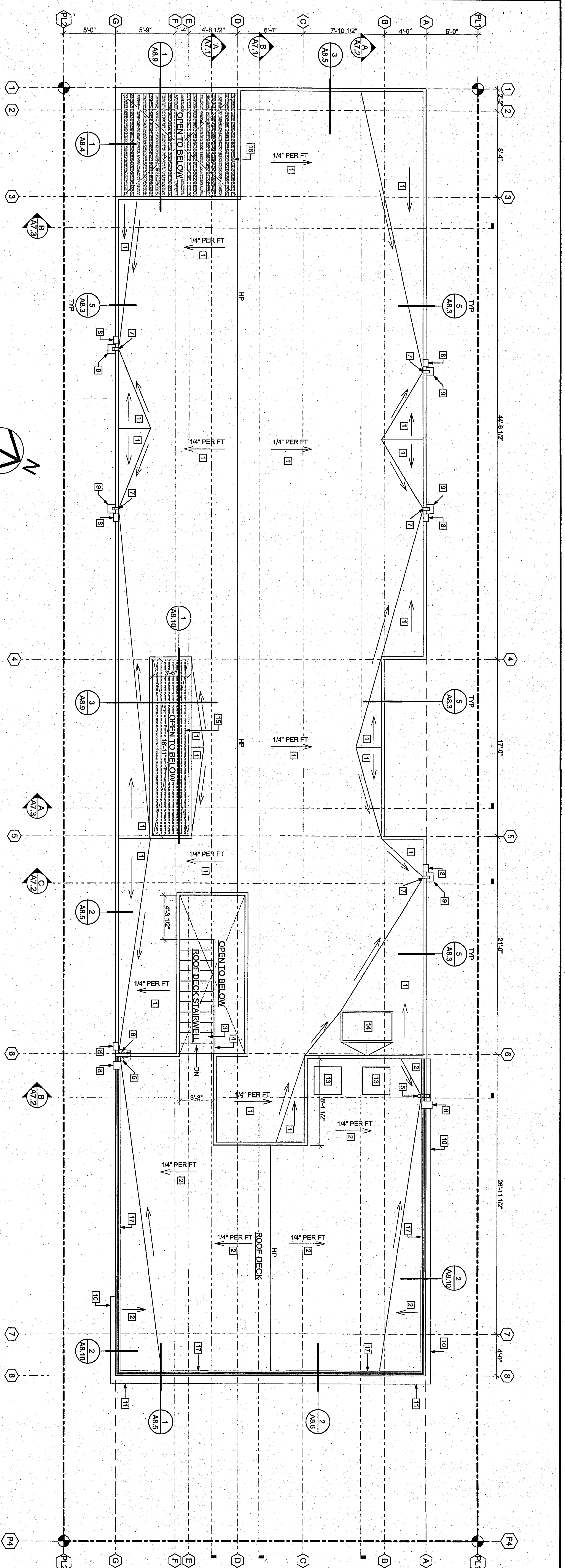


MARTHA PICCIOTTI ARCHITECT
LICENSE # C18513
404 NORTH CATALINA STREET
VENTURA, CA. 93001
TEL (805) 641-3221
EMAIL mpdesign@charter.net

SANDEFER RESIDENCE
FOR: JIM SANDEFER
1215 CAPRI WAY, LOT 57
OXNARD, CA 93035
PC#19-5271

ROOF & ROOF DECK PLAN

A4.1



ROOF & ROOF DECK PLAN

SCALE: 1/8" = 1'-0"

FLAT ROOF DECK DRAINAGE & DRAIN SIZE DETERMINATION

FLAT ROOF DECK AREA=800sf.
ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT=3" PIPE SIZE.
RAIN FALL RATE USED= 4" PER HOUR.
CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE, A MINIMUM OF ONE 3" DRAINSCUPPER IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200sf.
THE ACTUAL PROPOSED ROOF AREA IS 2430sf WITH A PROPOSED 2 SEPERATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPO) TABLE 1101.12 SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**											
SIZE OF DRAIN, LEADER, OR VERTICAL PIPING (square feet)		MAXIMUM ALLOWABLE HORIZONTAL PROTECTED ROOF AREAS AT VARIOUS RAINFALL RATES (square feet)									
Inches	gpm ¹	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)
2	2880	1440	960	720	575	480	410	360	320	290	260
3	5760	2880	1920	1440	1150	960	810	720	640	580	520
4	8640	4320	2880	2160	1725	1440	1215	1080	960	870	780
5	11520	5760	3840	2880	2250	1800	1515	1350	1200	1090	980
6	15360	7680	5120	3840	3000	2400	2015	1800	1620	1470	1330
7	19200	9600	6480	4860	3750	3000	2520	2205	1980	1790	1610
8	23040	11520	7920	5940	4500	3600	3015	2625	2340	2110	1900

Notes:
1. Maximum discharge capacity given (GPM) with approximately 7' to 10' (4' min) head of water at the drain.
2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in this table by the ratio of the actual rainfall rate to the listed rainfall rate.
3. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as the equivalent round pipe, except that the ratio of its side dimensions shall not exceed 3 to 1.

FLAT ROOF DRAINAGE & DRAIN SIZE DETERMINATION

ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT=3" PIPE SIZE.
RAIN FALL RATE USED= 4" PER HOUR.
CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE, A MINIMUM OF TWO 3" DRAINSCUPPER IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200sf.
THE ACTUAL PROPOSED ROOF AREA IS 2430sf WITH A PROPOSED 2 SEPERATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPO) TABLE 1101.12 SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**											
SIZE OF DRAIN, LEADER, OR VERTICAL PIPING (square feet)		MAXIMUM ALLOWABLE HORIZONTAL PROTECTED ROOF AREAS AT VARIOUS RAINFALL RATES (square feet)									
Inches	gpm ¹	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)
2	2880	1440	960	720	575	480	410	360	320	290	260
3	5760	2880	1920	1440	1150	960	810	720	640	580	520
4	8640	4320	2880	2160	1725	1440	1215	1080	960	870	780
5	11520	5760	3840	2880	2250	1800	1515	1350	1200	1090	980
6	15360	7680	5120	3840	3000	2400	2015	1800	1620	1470	1330
7	19200	9600	6480	4860	3750	3000	2520	2205	1980	1790	1610
8	23040	11520	7920	5940	4500	3600	3015	2625	2340	2110	1900

Notes:
1. Maximum discharge capacity given (GPM) with approximately 7' to 10' (4' min) head of water at the drain.
2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in this table by the ratio of the actual rainfall rate to the listed rainfall rate.
3. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as the equivalent round pipe, except that the ratio of its side dimensions shall not exceed 3 to 1.

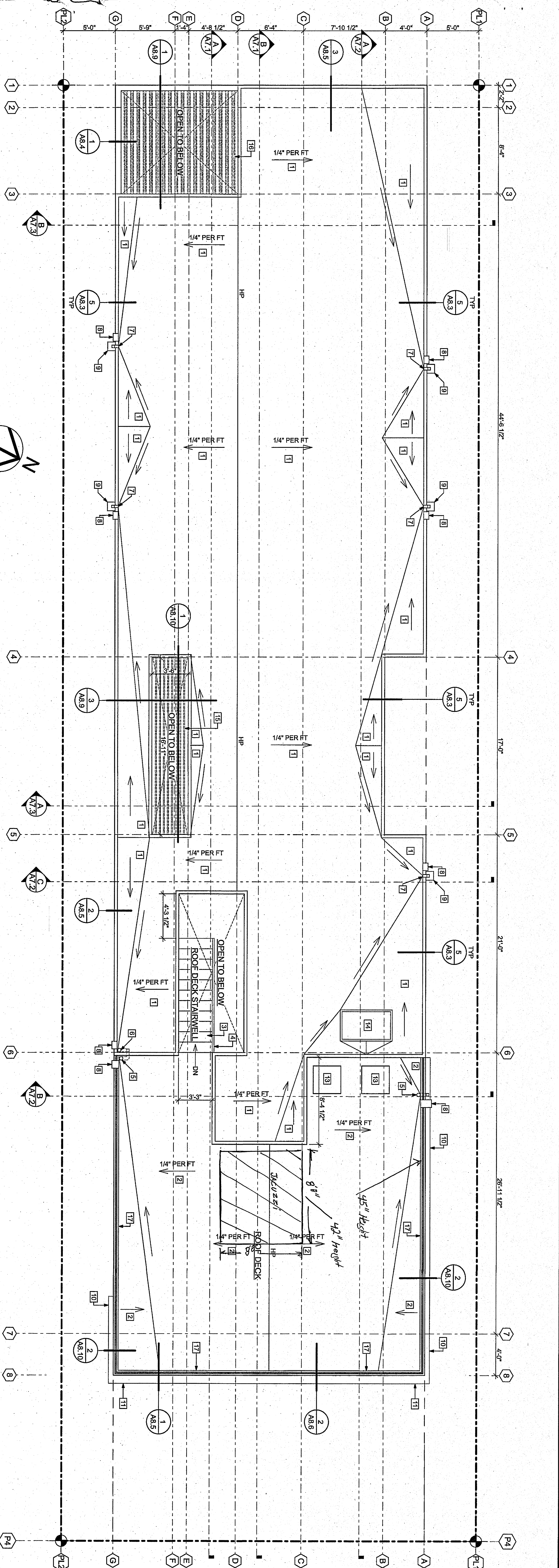
Existing

TYP ROOF PLAN NOTES

1. CLASS "A" SARNAPIL G410 ROOFING MEMBRANE (ICC# ESR-1157) OVER 1/4" DENSEDECK BOARD, SLOPE ROOF 1/4" PER FT MIN TO ROOF DRAINSCUPPERS. SEE TYP MFG DETAIL 3/A8.14
2. TILED DECK OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ERS-1757 (OR EQUAL), SLOPE MIN 1/4" PER FT TO DECK DRAIN
3. TILE STAIRS OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ERS-1757 (OR EQUAL), SLOPE TREAD MIN 1/4" PER FT, 12-R @ 7 5/8" / 11-T @ 12" FIELD VERIFY
4. GLASS STAIR RAILING, TOP OF HAND RAIL @ 36" ABOVE STAIR TREAD NOSING, SEE DETAIL
5. 4" DECK DRAIN, DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
6. 4" ROOF DRAIN, DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
7. 4"x4" 316 STAINLESS STEEL, SHEET METAL ROOF DRAIN SCUPPER, DIRECT FLOW TO LEADER HEAD & DOWNSPOUT AND TERMINATE @ HARDSCAPE
8. 4"x3" 316 STAINLESS STEEL, SHEET METAL OVERFLOW SCUPPER, SEE DETAIL 2/A8.11
9. 316 STAINLESS STEEL, SHEET METAL LEADER HEAD, SEE DETAIL 1/A8.11
10. 2x6 FRAMED FACADE, SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
11. 2x10 FRAMED FACADE, SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
11. 4"x9" COPPER OVERFLOW SCUPPER, SEE DETAIL 1/A8.3
13. AC CONDENSERS, SEE ELECTRICAL UTILITY PLAN, SEE ANCHORING DETAIL 155/SID6
14. 3'-0"x5'-0" FIXED SKYLIGHT ABOVE, BY VELUX, ICC ESR-4-108
15. 2x6 MANQUERAS SHADE BARS @ 7" OC (EQUALLY SPACED), SEE APPLICABLE DETAILS
16. 4x6 MANQUERAS SHADE BARS @ 7" OC (EQUALLY SPACED), SEE APPLICABLE DETAILS
17. 2x6 FRAMED DECK RAIL WALL W/ 1/2" TEMP GLASS RAILING ABOVE, TOP OF RAIL TO BE 42" ABOVE FIN DECK SURFACE, SEE FRONT ELEVATION FOR RAIL WALL HEIGHT
28. AC CONDENSERS, SEE ELECTRICAL UTILITY PLAN

1. ALL FLAT ROOFS SHALL HAVE GLASS "A" SARNAPIL ROOFING MEMBRANE (ICC# ESR-1157) OVER 1/4" DENSEDECK BOARD, SLOPE ROOF 1/4" PER FT MIN TO ROOF DRAINSCUPPERS. SEE TYP MFG DETAIL 3/A8.14
2. ALL ROOF DRAINS SHALL HAVE TILE OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ERS-1757 (OR EQUAL), SLOPE MIN 1/4" PER FT TO DECK DRAIN. ALL WALTER DRAINS SHALL BE AN UNVENTED ASSEMBLY & INSULATED W/ R30 INSULATION, SEE DETAIL 2/A8.8
3. ALL FLAT ROOF CEILING SHALL BE AN UNVENTED ASSEMBLY & INSULATED W/ R30 INSULATION, SEE DETAIL 2/A8.8. THE UNVENTED ENCLOSED RAFTER ASSEMBLY MEETS THE CRITERIA SET FORTH IN CRCI 800.6.
4. ALL STUCCO PARAPET WALLS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2x4 VENEERS GRADE TO PAPER, USE STAINLESS STEEL LATH AND CORNER METAL, SEE EXTERIOR ELEVATION FOR STUCCO LAYOUT AND FINISH.
5. ALL FASCIA, TRIMS AND BELLY BANDS SHALL BE PAINTED TRIM, USE "BOVAL" (TRU) EXTERIOR TRIM, (SOLID OR BUILT UP TO OBTAIN CAL. OUTLET DIMENSIONS)
6. ALL ROOF DRAINAGE SHALL BE COLLECTED VIA ROOF DRAINS OR 316 STAINLESS STEEL SHEET METAL SCUPPERS AND LEADER HEADS, DOWNSPOUTS TO DRAINAGE @ HARDSCAPE, DIRECT FLOW TO LANDSCAPING AND PUBLIC RIGHT-OF-WAY.

NOTE: ALL DIMENSIONS ARE TO FRAMING, UNLESS NOTED OTHERWISE.



ROOF & ROOF DECK PLAN

FLAT ROOF DECK DRAINAGE & DRAIN SIZE DETERMINATION

FLAT ROOF AREA=2400 SF
ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT 3" PIPE SIZE
RAIN FALL RATE USED= 4" PER HOUR

CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE, A MINIMUM OF ONE 3" DRAINSCUPPER IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200 SF.
THE ACTUAL PROPOSED ROOF AREA IS 8004 WITH A PROPOSED 2-SEPARATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPC) TABLE 1101.12

SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**

SIZE OF LEADER OR PIPE		MAXIMUM ALLOWABLE HORIZONTAL PROTECTED ROOF AREAS AT VARIOUS RAINFALL RATES (square feet)											
INCHES	FEET	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
2	30	2880	1440	960	720	575	480	410	360	320	290	260	240
3	92	8800	4400	2930	2200	1760	1470	1260	1100	980	880	800	730
4	192	18400	9200	6130	4600	3680	3070	2630	2300	2045	1840	1675	1530
5	360	34000	17000	11300	8650	6920	5765	4945	4325	3845	3460	3145	2880
6	563	54000	27000	17995	13500	10800	9060	7715	6750	6000	5400	4910	4500
8	1208	116000	58000	38660	29000	23200	19315	16570	14500	12890	11600	10545	9600

Notes:
1. Maximum discharge capacity, gpm (l/s) with approximately 1 1/2 inch (40 mm) head of water at the drain.
2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in the 1 inch per hour (25.4 mm/h) column by the desired rainfall rate.
3. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as its equivalent round pipe. Always list the actual dimensions of the pipe to be installed.

FLAT ROOF DRAINAGE & DRAIN SIZE DETERMINATION

FLAT ROOF AREA=2400 SF
ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT 3" PIPE SIZE
RAIN FALL RATE USED= 4" PER HOUR

CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE, A MINIMUM OF TWO 3" DRAINSCUPPERS IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200 SF.
THE ACTUAL PROPOSED ROOF AREA IS 2400 WITH A PROPOSED 2-SEPARATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPC) TABLE 1101.12

SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**

SIZE OF LEADER OR PIPE		MAXIMUM ALLOWABLE HORIZONTAL PROTECTED ROOF AREAS AT VARIOUS RAINFALL RATES (square feet)											
INCHES	FEET	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
2	30	2880	1440	960	720	575	480	410	360	320	290	260	240
3	92	8800	4400	2930	2200	1760	1470	1260	1100	980	880	800	730
4	192	18400	9200	6130	4600	3680	3070	2630	2300	2045	1840	1675	1530
5	360	34000	17000	11300	8650	6920	5765	4945	4325	3845	3460	3145	2880
6	563	54000	27000	17995	13500	10800	9060	7715	6750	6000	5400	4910	4500
8	1208	116000	58000	38660	29000	23200	19315	16570	14500	12890	11600	10545	9600

Notes:
1. Maximum discharge capacity, gpm (l/s) with approximately 1 1/2 inch (40 mm) head of water at the drain.
2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in the 1 inch per hour (25.4 mm/h) column by the desired rainfall rate.
3. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as its equivalent round pipe. Always list the actual dimensions of the pipe to be installed.

ROOF PLAN KEYNOTES #

- 1 CLASS "A" SARNIAFL G410 ROOFING MEMBRANE (ICC# ESR-1157) OVER 1/4" DENSDRUM BOARD, SLOPE ROOF 1/4" PER FT MIN TO ROOF DRAINSCUPPERS. SEE TYP MFG DETAIL 3/A8.14
- 2 TILED DECK OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ESR-1757 (OR EQUAL), SLOPE MIN 1/4" PER FT TO DECK DRAIN
- 3 TILE STAIRS OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ESR-1757 (OR EQUAL), SLOPE TREAD MIN 1/4" PER FT, 12-R @ 7 5/8" / 11-T @ 12" FIELD VERIFY
- 4 GLASS STAIR RAILING, TOP OF HAND RAIL @ 36" ABOVE STAIR TREAD NOSING, SEE DETAIL
- 5 4" DECK DRAIN, DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
- 6 4" ROOF DRAIN, DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
- 7 4"x4" 316 STAINLESS STEEL, SHEET METAL ROOF DRAIN SCUPPER, DIRECT FLOW TO LEADER HEAD & DOWNSPOUT AND TERMINATE @ HARDSCAPE
- 8 4"x6" 316 STAINLESS STEEL, SHEET METAL OVERFLOW SCUPPER, SEE DETAIL 2/A8.11
- 9 316 STAINLESS STEEL SHEET METAL LEADER HEAD, SEE DETAIL 1/A8.11
- 10 2x6 FRAMED FACADE, SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
- 11 2x10 FRAMED FACADE, SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
- 11 4"x6" COPPER OVERFLOW SCUPPER, SEE DETAIL 1/A8.3
- 13 AC CONDENSERS, SEE ELECTRICAL UTILITY PLAN, SEE ANCHORING DETAIL, 155SD06
- 14 3-0"x5-0" FIXED SKYLIGHT ABOVE, BY VELUX, ICC ESR-4108
- 15 2x6 MANGUERAS SHADE BARS @ 5' OC (EQUALLY SPACED), SEE APPLICABLE DETAILS
- 16 4x6 MANGUERAS SHADE BARS @ 7' OC (EQUALLY SPACED), SEE APPLICABLE DETAILS
- 17 2x6 FRAMED DECK RAIL WALL W/ 1/2" TEMP GLASS RAILING ABOVE, TOP OF RAIL TO BE 42" ABOVE FIN DECK SURFACE, SEE FRONT ELEVATION FOR RAIL WALL HEIGHT
- 28 AC CONDENSERS, SEE ELECTRICAL UTILITY PLAN

TYP ROOF PLAN NOTES

- 1-ALL FLAT ROOF SHALL HAVE CLASS "A" SARNIAFL ROOFING MEMBRANE (ICC# ESR-1157) OVER 1/4" DENSDRUM BOARD, SLOPE ROOF 1/4" PER FT MIN TO ROOF DRAINSCUPPERS. SEE TYP MFG DETAIL 3/A8.14
- 2-ALL ROOF DECKS SHALL HAVE TILE OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ESR-1757 (OR EQUAL), SLOPE MIN 1/4" PER FT TO DECK DRAIN, ALL VAULTED CEILING SHALL BE AN UNVENTED ASSEMBLY & INSULATED W/ R30 INSULATION, SEE DETAIL 2/A8.8
- 3-ALL FLAT ROOF CEILING SHALL BE AN UNVENTED ASSEMBLY & INSULATED W/ R30 INSULATION, SEE DETAIL 2/A8.8, THE UNVENTED ENCLOSURE RAFTER ASSEMBLY MEETS THE CRITERIA SET FORTH IN CRC, R808.5.
- 4-ALL STUCCO PARAPET WALLSCUPPERS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2 LAYERS GRADE TP PAPER, USE STAINLESS STEEL LATH AND CORNER METAL, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
- 5-ALL FASCO, TRIMS AND BELLY BANDS SHALL BE PAINTED TRIM, USE "BORAL" (TRU EXTERIOR TRIM), (SOLID OR BUILT-UP TO OBTAIN CAL. OUT DETAIL DIMENSIONS)
- 6-ALL ROOF DRAINAGE SHALL BE COLLECTED VIA ROOF DRAIN OR 316 STAINLESS STEEL, SHEET METAL SCUPPERS AND LEADER HEADS, DOWNSPOUT TO DISCHARGE @ HARDSCAPE, DIRECT FLOW TO LANDSCAPING AND PUBLIC RIGHT-OF-WAY.

NOTE:
ALL DIMENSIONS ARE TO FRAMING, U.N.O.

REVISIONS:
NO. DATE
1 6/26/20
2 10/15/20
3 N/A
4 N/A

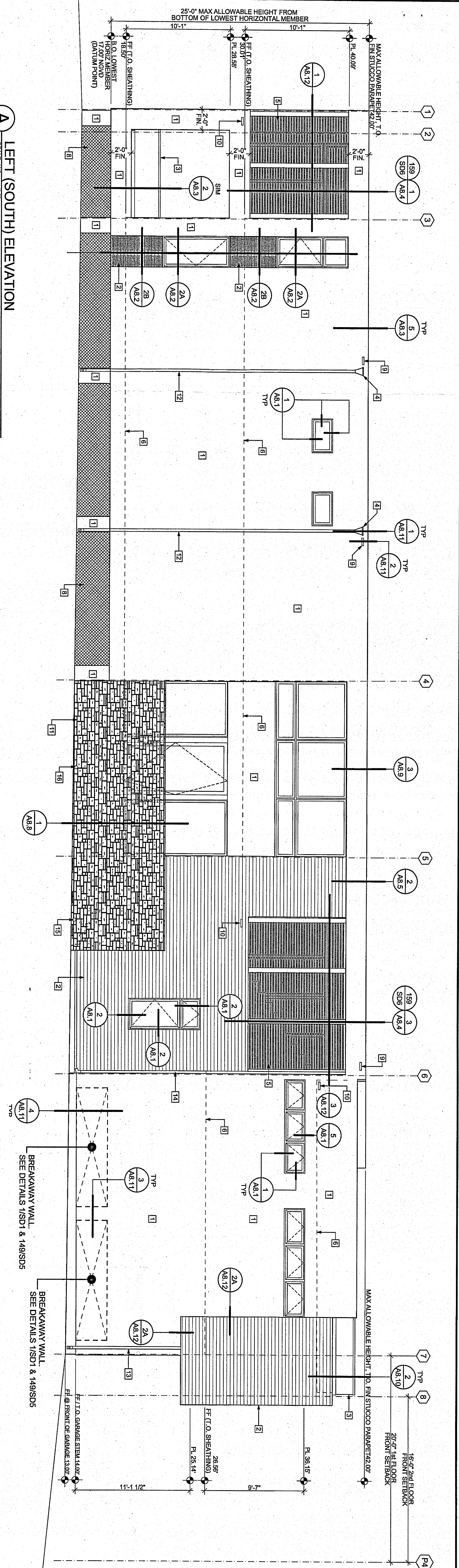
MARTHA PICCIOTTI ARCHITECT
LICENSE # C18513
404 NORTH CATALINA STREET
VENTURA, CA. 93001
TEL (805) 641-3221
EMAIL mpdesign@charter.net

DESIGN
PROJECT INFO
MARTHA PICCIOTTI ARCHITECT
No. C18513
6/26/21
STATE OF CALIFORNIA
LICENSED ARCHITECT
MARTHA PICCIOTTI
6/26/21

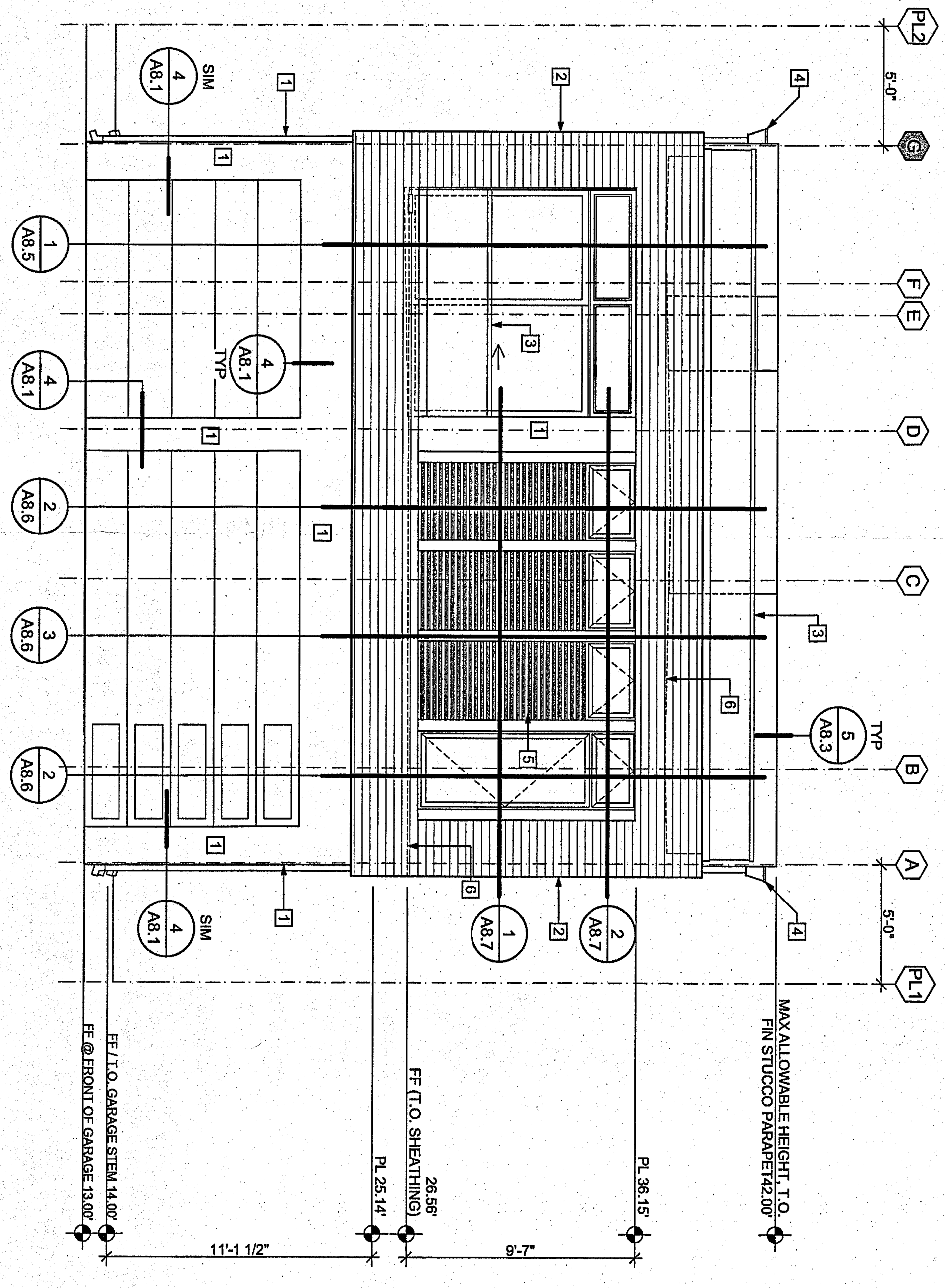
SANDEFER RESIDENCE
FOR: JIM SANDEFER
1215 CAPRI WAY, LOT 57
OXNARD, CA 93035
PC#19-5271

ROOF & ROOF DECK PLAN

DRAWN BY: JM
DATE: 10/15/20
SHEET: A4.1



A LEFT (SOUTH) ELEVATION
SCALE: 1/8" = 1'-0"



B FRONT (EAST) ELEVATION
SCALE: 1/8" = 1'-0"

- EXTERIOR ELEVATION KEYNOTES**
- 7/8" SMOOTH STUCCO OVER SS LATH OVER (2) LAYERS GRADE "P" PAPER
 - HORIZ 1x4 MANGUERAS T&G SIDING OVER TYVEK BUILDING WRAP
 - 1/2" TEMP GLASS GAURD RAIL SYSTEM, TOP OF RAIL CAP @ 42" ABOVE FIN DECK SURFACE
 - 3/16 STAINLESS STEEL LEADER HEAD, SEE TYP DETAIL 1/A8.11
 - MANGUERAS SHADE SCREEN WALL, SEE APPLICABLE DETAILS
 - LINE OF FF (TOP OF SHEATHING)
 - 1/2" TEMP GLASS GAURD RAIL SYSTEM, TOP OF RAIL CAP @ 36" ABOVE FIN STAIR TREAD NOSING
 - 3/16 STAINLESS STEEL DECORATIVE WIRE SCREENMESH, STYLE CHOSEN BY ARCHITECT
 - 3/16 STAINLESS OVERFLOW SCUPPER, SEE TYP DETAIL 2/A8.11
 - 3/16 STAINLESS OVERFLOW SCUPPER, SEE TYP DETAIL 2/A8.11, SIM
 - STONE VENEER, SEE TYP DETAIL 4/A8.12 FOR ATTACHMENT
 - 3"x3" SQ 3/16 STAINLESS DOWNSPOUT FROM ROOF DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 - 3"x3" SQ 3/16 STAINLESS DOWNSPOUT FROM DECK DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 - 3"x3" SQ 3/16 STAINLESS DOWNSPOUT FROM ROOF & ROOF DECK DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 - 15 3" ABS DRAIN PIPE, FROM ROOF DECK LANDING DECK DRAIN, TO TERMINATE @ HARDSCAPE
 - 16 3" ABS DRAIN PIPE, FROM ENTRY LANDING DECK DRAIN & PLANTER DRAINS, TO TERMINATE @ HARDSCAPE
 - EXTERIOR MOUNTED FIRE SPRINKLER BELL

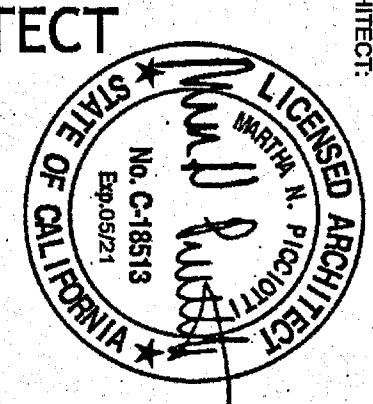
TYP CONSTRUCTION NOTES

- ALL FLAT ROOF CEILINGS SHALL BE AN "UNVENTED ASSEMBLY" & INSULATED W/ R30 INSULATION, SEE DETAIL 2/A8.8.
- ALL CEILINGS SHALL BE INSULATED W/ R30 BATT INSULATION, TYP U.N.O.
- ALL EXTERIOR WALLS SHALL BE INSULATED W/ R19 BATT INSULATION, TYP U.N.O.
- ALL INTERIOR FLOORS SHALL BE INSULATED W/ R30 BATT INSULATION, TYP U.N.O.
- ALL EXTERIOR STUCCO WALLS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2 LAYERS OF 1/2" X 1/2" MANGUERAS T&G SIDING OVER TYVEK BUILDING WRAP, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
- ALL EXTERIOR STUCCO WALLS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2 LAYERS OF 1/2" X 1/2" MANGUERAS T&G SIDING OVER TYVEK BUILDING WRAP, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
- ALL EXTERIOR WALLS W/ SIDING SHALL HAVE 1x4 MANGUERAS HORIZONTAL SIDING OVER TYVEK BUILDING WRAP. ALL PASTERERS SHALL BE STAINLESS STEEL.
- ALL INTERIOR WALLS @ GARAGE SHALL HAVE 5/8" GYP, TYP U.N.O.
- ALL INTERIOR WALLS @ GARAGE SHALL HAVE 5/8" GYP, TYP U.N.O.
- ALL CEILINGS SHALL HAVE (2) LAYERS 5/8" TYPE "X" GYP CEILINGS SHALL HAVE (2) LAYERS 5/8" TYPE "X"
- ALL CEILING HEIGHTS ARE MEASURED FROM TOP OF SLAB OR TOP OF SUB-FLOOR SHEATHING TO ROUGH FRAME CEILING AND/OR PLATE LINE.
- A MINIMUM VERTICAL CLEARANCE OF 2 FEET SHALL BE MAINTAINED UNDER THE WHEELS OF VEHICLES TRAVELING UNDER THE STRUCTURE.
- SUPPORT EQUIPMENT FOR THE RESIDENCE, SUCH AS WATER HEATERS, FURNACES AND ANY OTHER EQUIPMENT SHALL BE LOCATED ABOVE SLOAS NOT TO IMPEDE SHEET WATER.
- SEE ATTACHED FORM G-18, SHEET EN.1 SPECIFYING THE REQUIRED ENERGY RATED FOR WALL CEILING INSULATION WINDOW AREAS AND TYPES, ENERGY EFFICIENCY RATED FOR WALL CEILING INSULATION WINDOW AREAS AND TYPES, INSULATION AND HERS RATER VERIFICATION (FORM G-18 REQUIRED).

NOTED: SEE DETAIL 1/A8.11 FOR ATTACHMENT OF STONE VENEER TO EXTERIOR WALLS. SEE DETAIL 2/A8.11 FOR ATTACHMENT OF STONE VENEER TO EXTERIOR WALLS. SEE DETAIL 2/A8.11 FOR ATTACHMENT OF STONE VENEER TO EXTERIOR WALLS.

**SANDEFER RESIDENCE
FOR: JIM SANDEFER**
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TEL (805) 641-3221
EMAIL mpdesign@charter.net



NO.	DATE	REVISIONS
1	8/29/20	
2	10/15/20	
3	NA	
4	NA	

EXTERIOR ELEVATIONS

DRAWN BY: JM
DATE: 10/15/20

A6.1

NOTE:
ALL DIMENSIONS ARE TO FRAMING, U.N.O.

NOTICE OF CEQA EXEMPTION

Project Name: Mandelbaum Residence

Project Description: PZ No. 23-400-01 (Coastal Development Permit) - A request to allow for amendments to a previously approved single-family residence. The previously approved residence consisted of a 5,284 square-foot, two story, single-family beachfront residence with an attached 797 square-foot three-car garage, 1,095 square feet of deck space. The request would allow for a rooftop spa ("Project"). The Project site is a single-family home located at 1215 Capri Way within the Oxnard Shores Neighborhood in the Beachfront Residential (R-BF) zoning district. Filed by property owner Ben Mandelbaum.

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

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

Supporting Reasons: In accordance with Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The project consists of minor alteration modifications to an existing building, the addition of a rooftop spa. There are no exceptions found within Section 15300.2 that defeat the Exemption. The Community Development Director has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is categorically exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document.

(Date)

Joe Pearson II
Planning & Environmental Services Manager

RESOLUTION NO. PZ 20-400-01

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-400-01 (COASTAL DEVELOPMENT PERMIT), TO AUTHORIZE THE CONSTRUCTION OF A TWO-STORY 5,284 SQUARE-FOOT SINGLE-FAMILY RESIDENCE WITH AN ATTACHED 797 SQUARE-FOOT THREE-CAR GARAGE AND 1,095 SQUARE FEET OF DECK SPACE AND A ROOFTOP SPA ON A VACANT 5,600 SQUARE-FOOT LOT LOCATED AT LOCATED AT 1215 CAPRI WAY (APN: 191-0-091-285) WITHIN THE OXNARD SHORES NEIGHBORHOOD IN THE BEACHFRONT RESIDENTIAL (R-BF) ZONING DISTRICT AND WITHIN THE COASTAL ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PROPERTY OWNERS JAMES AND DORI SANDEFER.

WHEREAS, on December 18, 2019, James and Dori Sandefer (the “**Applicant**” and/or “**Developer**”) submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to construct a 5,284 square foot two-story, single-family house with an attached 797 square-foot three-car garage, 1,095 square feet of deck space, and associated amenities and infrastructure on a vacant 5,600 square foot ubeachfront lot, located at 1215 Capri Way; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 3 Categorical Exemption (Section 15303(a)). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

The project site is located within the 2030 General Plan/Local Coastal Plan land use designation of Residential Existing (REX) within the Residential Beachfront (R-BF) zone. The Project is surrounded by residential development to the north, south and east. 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 Coastal Development Permit request for construction of a 5,284 square foot, two-story, single-family house with associated amenities and infrastructure on a vacant 5,600 square foot beachfront lot is consistent with the 2030 General Plan, Local Coastal Plan and the Oxnard City Code and is compatible with the physical scale and character of other residential development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General, Local Coastal 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 Coastal Development Permit request for construction of a 5,284 square foot, two-story, single-family house with associated amenities and infrastructure on a vacant 5,600 square foot beachfront lot 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 residential character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by residential development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site is undeveloped and 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, on May 14, 2020, the Community Development Director of the City of Oxnard ("**Director**") conducted a duly noticed public hearing to consider an application for Planning and Zoning Permit No. 20-400-01 (Coastal Development Permit), filed by James Sandefer in accordance with 17-57(B)(5) of the Oxnard City Code; and

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

NOW, THEREFORE, BE IT RESOLVED that 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, the Community Development Director finds, after due study, deliberation and public hearing that the following circumstances exist:

1. **The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 17 of the Oxnard City Code.**

The proposed modification to the approved single-family beachfront residence is permitted in the R-BF sub-zone with a Coastal Development Permit, per Sections 17-57(I) and 17-25(C)(1). As discussed in the Staff Report, the project complies with all applicable provisions of Chapter 17 of the Oxnard City Code.

2. **The proposed use would not impair the integrity and character of the sub-zone in which it would be located.**

The subject sub-zone is specifically designed for the development of single-family beachfront residences. The project site is a vacant lot that is generally surrounded by single-family residences. The development will be compatible with existing single-family beachfront residences in the surrounding area, in regard to its size, bulk, scale, and use. Therefore, the project will not

impair the integrity and character of the R-BF sub-zone.

3. **The subject site in terms of location and intensity of use would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.**

The project site is comprised of an infill lot specifically intended for single-family beachfront development. As discussed in the Staff Report, the project meets all pertinent development standards, such as building height and protection of public beach access, and the project has been evaluated and designed in the context of threats from seismic activity, liquefaction, tsunami run-up, beach erosion, and storm wave runup. Therefore, the project is designed to protect and maintain adjacent coastal resources.

4. **The proposed use would be compatible with the land uses presently on the subject property.**

The project site is currently a vacant lot. The vacant lot is specifically intended for single-family beachfront development. Therefore, the proposed single family dwelling would be compatible with the land use presently on the subject property.

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

The proposed beachfront single family dwelling is allowed in the RB-F subzone. The surrounding lots are developed with single family dwellings. Allowed future uses on the adjacent RB-F lots include single-family dwellings. Therefore, the proposed single family dwelling will be compatible with the surrounding existing single-family beachfront development and future land uses within the subzone and general area in which the proposed project would be located.

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

The project site is an infill property that has access to public services. The proposed development would be compatible with surrounding development and would not require significant expansion of existing public services. The surrounding development has adequate fire, police, water, sanitation, and utility services. Therefore, there are adequate public services for the proposed use to ensure that the proposed use will not be detrimental to public health and safety.

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

The project site is located 136 feet to the south of an existing 24-foot wide public easement for access to the beach (Parcels Q and R, Tract 4380). The project will not impede public access to the beach. Therefore, the proposed project will provide public access consistent with the Oxnard Coastal Land Use Plan.

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

Continued construction of single-family residences on vacant beachfront lots indicates a market demand and active interest from residents who desire to live along the beach. The development is in the Oxnard Shores area, which the LCP designates specifically for urban residential uses. Therefore, the proposed use is appropriate in light of an established need, based upon the goals and objectives on the Oxnard Coastal Land Use Plan.

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

The project site is located on a vacant lot within a developed area. The project provides needed housing near the coast without endangering local resources. As discussed in the Staff Report (Section 6(b)), the proposed use is consistent with all of the applicable policies for single-family beachfront development in the certified Oxnard Coastal Land Use Plan.

SECTION 2. In accordance with Section 15303 (Class 3) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “new construction... of small structures” may be found to be exempt from the requirements of CEQA. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Upon approval of Planning and Zoning Permit 20-400-01, the Community Development Director of the City of Oxnard after conducting the public hearing hereby repeals Community Development Director Resolution No. 18-400-02, Coastal Development Permit No. 18-400-02, allowing the development of a 5,789 square-foot residence at 1215 Capri Way, and said Resolution shall be of no further force and effect.

SECTION 4. Based on the findings set forth herein, the Community Development Director hereby approves Planning and Zoning Permit 20-400-01 (Coastal Development Permit), subject

to the attached conditions of approval.

SECTION 5. 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 17-58(H) of the Oxnard City Code.

CONDITIONS OF APPROVAL

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated May 14, 2020, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor change to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager"). A minor change may be granted for minimal changes to the extent of use or size of structures or of the design, materials or colors of structures or masonry walls, found to be in substantial conformance with the approved plans. Substantial conformance shall be determined by the Planning and Environmental Services Manager. A Coastal Development Permit Amendment shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 24 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. A one time extension to this permit may be granted for a maximum of 12 additional months. The request for the extension shall be applied for prior to the expiration of the permit (PL, *G-3*)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Planning and Environmental Services Manager allows the Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning and Environmental Services Manager. (PL, G-8)
9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or

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

14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).
16. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, G-16)
17. The subject Coastal Development Permit shall not become effective until 10 working days have elapsed without appeal to the Planning Commission following the notice of the decision of the Director to the Developer. Such notice to the Developer shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, G-17)

LANDSCAPE STANDARD CONDITIONS

18. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Planning Division and obtain approval of such plans. (PK/DS, PK-2)
19. 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)
20. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance. (PK, PK-4)

21. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
22. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, PK-24)

LANDSCAPE SPECIAL CONDITIONS

23. Landscaping shall consist of (2) 8' brown trunk *Washingtonia robustas*, with 5 gallon (minimum) colorful shrubs and colorful ground covers which conform to City Landscape requirements. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

24. 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)
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. 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)
28. 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

29. Fire sprinkler coverage is required for:
 - a. Patios, overhangs or any other projections that are 48" or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.

30. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.

POLICE DEPARTMENT STANDARD CONDITIONS

31. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
- a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - ii. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.
32. 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.
33. Should an alarm system be installed, it shall be compliant with Oxnard City Code 11-95 through 11-100. Motion detection burglary or intrusion alarm systems shall utilize "Dual Technology" sensors capable of differentiating between human movement and non-human movement.
34. Lighted street address fixture is required.

PLANNING DIVISION STANDARD CONDITIONS

35. 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)
36. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Community Development Director in all sets of construction documents and specifications for the project. (PL, PL-3)
37. Before the City issues building permits, Developer shall provide to the Planning and Environmental Services Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)
38. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, PL-5)
39. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)
40. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)
41. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, PL-12)
42. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)

43. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
44. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
45. Developer shall 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*)
46. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
47. Developer shall provide automatic garage door opener for the garage. (PL/B, *PL-20*)
48. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
49. Additions and patio covers shall conform to the requirements of the R-BF zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, *PL-27*)
50. 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*)
51. All construction activities shall occur only between the hours of 7:00 am to 6:00 pm Monday through Saturday in accordance with Section 7-188(D) of the Oxnard City Code.

PLANNING DIVISION SPECIAL CONDITIONS

52. Developer shall not obstruct pedestrian or vehicular traffic on Capri Way or the associated sidewalk during construction and maintenance activities. (PL)
53. Developer shall maintain the construction site free of litter and the accumulation of construction debris. (PL)

54. Developer shall paint utility meter panels to match structures upon which it is located. Such panels shall be located to take advantage of screening (e.g., landscaping or other building elements) from public right of ways, to the maximum extent feasible.
55. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
56. Developer shall construct the improvements on driven pilings in accordance with Exhibit 6 of the settlement agreement in Oxnard Shores Oceanfront Lot Owners Association, et al. v. City of Oxnard, et al. (PL/DS)
57. Developer acknowledges and agrees to complete the following steps to mitigate the impacts associated with pile driving:
 - a. Developer shall distribute a written notice to all property owners within a 300-foot radius of the subject property informing them of the upcoming pile driving and providing the name and contact information for the Foreman and/or Developer. This notice shall be distributed no less than 60 days prior to pile driving. The City shall furnish an updated mailing list with a 300-foot radius in an electronic format to the Developer within two weeks of the Developer requesting the mailing list. The City will not charge additional fees for the updated electronic mailing list. The Developer will be responsible for the costs associated with mailing the notifications. The Developer shall furnish a copy of the pile driving notification and a signed statement confirming mailed notices were sent to all property owners who were on the City furnished updated mailing list to the City at the preconstruction meeting referenced below. Developer shall also provide Planning Manager and Deputy Building Official with a written notification confirming that the notice has been completed prior to issuance of a building permit;
 - b. Prior to issuance of a building permit, Developer shall coordinate and attend a preconstruction meeting with the Building and Engineering Division to verify and review all pile driving requirements. Attendees shall include the pile driving/drilling Foreman, Developer, Deputy Inspector, Deputy Building Official and Case Planner. The request for this meeting shall be made to the Building and Engineering Division by the Developer or their designee and include a minimum 72 hours notice in advance of the meeting;
 - c. Developer shall prepare and submit a predrilling and noise mitigation plan for approval during the plan review process. This plan shall consist of: 1) an identification of methods used to reduce the driving duration, force, and resulting vibration impacts to surrounding properties during pile driving; and 2) an identification of methods used to reduce the noise impacts to surrounding properties during pile driving, including detailed description of any noise

reduction techniques or equipment proposed, as verified by an acoustical report, technical report, or other objective data;

- d. Developer shall limit pile driving activities to the hours of 9:00 a.m. through 4:30 p.m., Monday through Friday; and
- e. Developer acknowledges that the approval of the Building Official is conditional and may be revoked immediately if the aforementioned requirements are not completed and strictly adhered to during construction. (PL/B, PL-50)

- 58. Developer shall provide breakaway panels painted to match the structure that cover approximately 50% of the linear area between the first floor of the structure and the sand below in order to screen the pilings. (PL)
- 59. Developer shall provide mailbox detail that is theme-coordinated with the architecture of the building, subject to approval by the Planning and Environmental Services Manager. (PL)
- 60. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
- 61. 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)
- 62. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)
- 63. Plans submitted by Developer with building permit applications shall include mailbox design with details that incorporate architectural design features that complement the building, subject to approval by the Planning and Environmental Services Manager. (PL)
- 64. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (PL)
- 65. The proposed hot tub shall be located on the first floor deck on the ocean side and shall be architecturally compatible with the deck. No spa or hot tub, subject to the requirement for Building Permits, shall be constructed on the roof deck. All equipment shall be subject to the sound regulations provided in Article XI of the Oxnard City Code. Revised plans showing the relocation of the hot tub shall be provided prior to the issuance of Building Permits.

66. The material used to construct the deck and balcony railing on the front elevation facing Capri Way shall be an opaque material.

ENVIRONMENTAL RESOURCES DIVISION

67. 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.
68. 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.
69. 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.
70. 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.

BUILDING AND ENGINEERING DIVISION STANDARD CONDITIONS

71. 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)

72. Developer shall protect building pads from inundation during a 1% chance (100year) storm. (DS-5)
73. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
74. 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)
75. 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)
76. 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)
77. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
78. 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)
79. 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)
80. 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)
81. Developer shall provide three City refuse containers for each lot or unit. An alternative number of containers may be approved by the Environmental Resources Division. (DS-67)

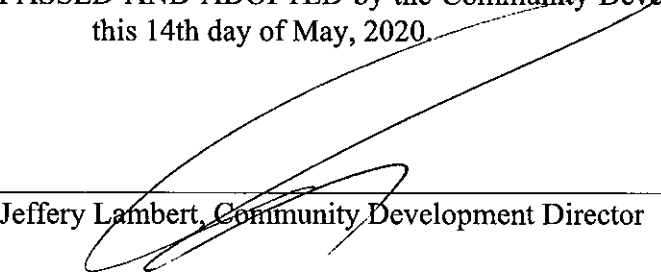
BUILDING AND ENGINEERING DIVISION SPECIAL CONDITIONS

82. Developer is hereby notified that the Federal Emergency Management Agency ('FEMA') is currently processing a revised Federal Insurance Rate Map ('FIRM') that is likely to significantly raise the Coastal Base Flood Elevation applicable to this property. It is

currently unknown when the revised FIRM will become effective but a draft version has been published by FEMA. Any rise in the Base Flood Elevation will affect the minimum allowed elevation of the finished floor for this structure. Revised minimum finished floor elevations will affect the ability of this structure to be constructed as approved by this permit when the revised FIRM becomes effective, unless the Developer has performed substantial work and incurred substantial liabilities in good faith reliance based upon the permit prior to the date that the revised FIRM becomes effective. (DS)

83. The Developer shall take sufficient precautions during construction to prevent ocean wave run-up from passing through the project site and into the street right-of-way. Failure to take adequate precautions will result in Developer being assessed street cleanup costs. (DS)
84. The Developer's architect and engineer shall provide written certification that the structure complies with all FEMA requirements. This shall include the filing of a FEMA "elevation certificate." (DS)
85. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property as directed by the Construction Services Inspector. (DS)
86. Driveway shall be designed and constructed in general conformance with City Standard Plate No. 115. (DS)
87. Developer shall construct a level concrete pad for storage of two refuse containers out of view of the public street. Developer shall provide a paved path from the storage location to the street curb. All gates or doors along the path shall be constructed with a minimum of 36 inches of clear space to allow passage of the City issued containers. (DS)

PASSED AND ADOPTED by the Community Development Director of the City of Oxnard on this 14th day of May, 2020.



Jeffery Lambert, Community Development Director

RESOLUTION NO. PZ 23-400-01

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD DENYING PLANNING AND ZONING PERMIT NO. 23-400-01 (COASTAL DEVELOPMENT PERMIT), TO AUTHORIZE THE ADDITION OF A ROOFTOP SPA TO A 5,284 SQUARE-FOOT TWO-STORY SINGLE-FAMILY RESIDENCE WITH A 1,095 SQUARE FOOT ROOFTOP DECK LOCATED AT 1215 CAPRI WAY (APN: 191-0-091-285) WITHIN THE OXNARD SHORES NEIGHBORHOOD IN THE BEACHFRONT RESIDENTIAL (R-BF) ZONING DISTRICT AND WITHIN THE COASTAL ZONE, SUBJECT TO CERTAIN FINDINGS. FILED BY PROPERTY OWNERS BEN AND MICHELLE MANDELBAUM.

WHEREAS, on February 21, 2023, Ben and Michelle Mandelbaum (the “**Applicant**” and/or “**Developer**”) submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to add an approximately 75 square foot, 42 inch tall spa to the rooftop deck. The site is a beachfront lot located at 1215 Capri Way and is currently developed with a 5,284 square foot two-story, single-family house that has a 1,095 square foot rooftop deck.

WHEREAS, on August 24, 2023, the Community Development Director of the City of Oxnard (“**Director**”) conducted a duly noticed public hearing to consider an application for Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit), filed by Ben Mandelbaum in accordance with 17-57(B)(5) of the Oxnard City Code; and

WHEREAS, on August 24, 2023, the Director also reviewed all of the information provided in the staff report and considered the testimony given at the public hearing, including all written communications to the Director, as well as other pertinent information; and

WHEREAS, on August 24, 2023, the Director deliberated the merits of the Project.

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

SECTION 1. Based on the entire record before the Director and all written and oral evidence presented, including the Staff Report and all attachments thereto, the Director finds, that they cannot make the following finding necessary for the proposed Coastal Development Permit::

2. **The proposed use would not impair the integrity and character of the sub-zone in which it would be located.**

The subject sub-zone is specifically designed for the development of single-family beachfront residences. The project site is a single-family residence that is generally surrounded by other single-family residences. However, the proposed request to allow for a rooftop spa at the front/street side of the property is generally not consistent with the existing neighborhood character and would be detrimental to the existing R-BF subzone character. Condition 65 of the previously approved Coastal Development Permit (PZ 20-400-01) prohibited a rooftop spa due to the location of the rooftop deck at the front of

the home overlooking Capri Way, however it allowed for the placement of the spa in a way that is consistent with other homes in the sub-zone. While other spas including rooftop spas are located in the area, they are generally located in the center of the property or on the oceanside behind the structure of the building. The approved location of the spa allowed for the use of the site consistent with the other homes in the areas, while being consistent with the sub-zone character. For the reasons stated above, this Finding cannot be met.

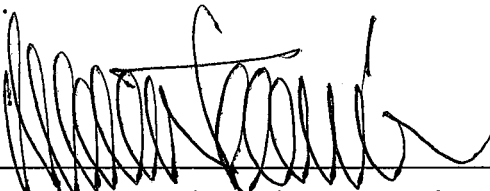
SECTION 2. Based on the finding set forth above, each of which provides a basis for denial, the Director hereby denies Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit) as the Director is unable to make all of the Findings required by Oxnard City Code Section 17-57(C)(5)(b) in order to grant a Coastal Development Permit.

SECTION 3. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 ("Projects Which are Disapproved") because the proposed Project is denied.

SECTION 4. Based on the findings set forth herein, the Community Development Director hereby denies Planning and Zoning Permit 23-400-01 (Coastal Development Permit).

SECTION 5. 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 17-58(H) of the Oxnard City Code.

PASSED, APPROVED, AND ADOPTED by the Community Development Director of the City of Oxnard on this 24th day of August 2023.



Maureen Tamuri, Interim Community
Development Director



5820 Canoga Avenue, Suite 300
Woodland Hills, CA 91367
T (818) 933-0200
F (818) 933-0222
www.gaineslaw.com

August 22, 2023

Via Email: planning@oxnard.org

Ms. Maureen Tamuri, AIA, AICP
Interim Community Development Director
City of Oxnard
214 South C Street
Oxnard, CA 93030

Re: 1215 Capri Way Amendment
CDP No. 23-400-01
Director Hearing Date: August 24, 2023
Support for Project Approval

Dear Ms. Tamuri,

This office represents Ben and Michelle Mandelbaum, the owners of the property located at 1215 Capri Way and applicants in the above-referenced matter. The application seeks to remove Condition of Approval No. 65 of Resolution No. 20-400-01, which approved a single-family home on the property in 2020. The home was approved with the condition that no spa was to be permitted on the rooftop deck. After construction of the home was complete, the Mandelbaums purchased the property. Consistent with many of the other homes in the vicinity, the Mandelbaums now desire to obtain a permit to install a spa on the rooftop deck. As such, the pending application was made to authorize removal of the subject condition. We have reviewed the Staff Report and agree with its findings and recommendation.

Eliminating the subject condition of approval is legally supported by the essential nexus/rough proportionality test of Nollan v. California Coastal Com. (1987) 483 U.S. 845 and Dolan v. Tigard (1994) 512 U.S. 375. Under Nollan and Dolan, there must be a direct and rational relationship between conditions imposed upon a property owner in connection with a development permit and the burden imposed on a legitimate state interest by the owner's proposed project. The spa proposed by the Mandelbaums complies with all City of Oxnard Coastal Zoning Development and Nuisance Standards and has no impact on neighboring property owners. As noted in the Staff Report, the spa will be screened from public view at all times. See the following video presentation:

https://drive.google.com/file/d/1fHaQQtek0QQNYBIcOprhpsfcWMss_A0f/view .

G&S/ 2685-001

Maureen Tamuri

August 22, 2023

Page 2

In addition, under the Equal Protection Clause, a city may not “deny to any person within its jurisdiction the equal protection of the laws.” U.S. Const., 14th Amend., § 1. The clause “is essentially a direction that all persons similarly situated should be treated alike.” Cleburne v. Cleburne Living Center, Inc. (1985) 473 U.S. 432, 439. Many of the homes in the vicinity of our clients’ property have been improved with rooftop spas like the one proposed by the Mandelbaums. There is simply no rational justification for treating our clients differently than their neighbors with respect to their desired spa.

The Mandelbaums have conducted substantial outreach, and their application is supported by dozens of the neighboring property owners. Attached to this letter are copies of petitions in support of the application that have been signed by over 40 of their neighbors.

Thank you for your time and consideration of this matter. As always, please do not hesitate to contact me at any time with any questions or comments that you may have.

Sincerely,

GAINES & STACEY LLP

Fred Gaines

By

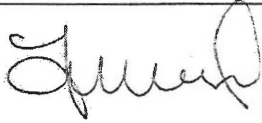
FRED GAINES

cc: Serena Gonzalez (Via Email: serena.gonzalez@oxnard.org)

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Erin Connors	Erin M Connors	1235 Capri Wy. Oxnard, CA 93035
Joe & Rick Van Gemert	Joe Van Gemert	5220 Sursumar Oxnard, CA 93035
Boin Suter		1259 Mandalay Beach Rd
Ivette Gomoll		5140 W. Woolley Rd Oxnard CA 93035
Diana Oplinger		5110 Whitecap Street Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

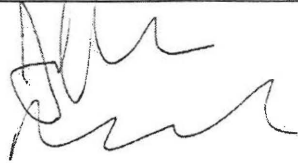
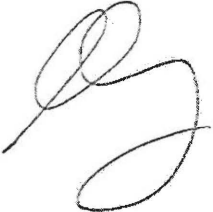
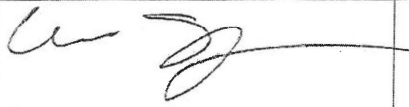
We support the approval of the permit requested by Ben and Michelle
Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way,
Oxnard.

Name	Signature	Address
Donald R. Gering HHR	Donald R. Gering	5232 TEAKWOOD WAY OXNARD CA,
WILLIAM HANDY BILL@WIGIOSA .COM	WVZV	1151 CAPRI WAY OXNARD CA 93035
David Grant	UD	1131 Capri Way 93035
DAVID E. ROTH		5340 MODERNA 93005
Luis Carmona		5224 Seabreeze 93005

Petition in Support of Ben and Michelle Mandelbaum's
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July 2023

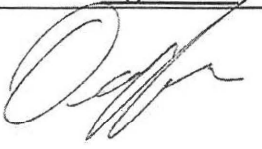
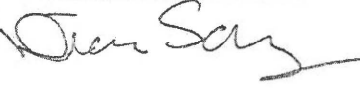
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<u>Name</u>	<u>Signature</u>	<u>Address</u>
Jeffrey Weiss Rita Weiss		1125 CAPRI WAY OXNARD, CA 93035
Carol Resnick Stewart Resnick		1130 Capri Way Oxnard, CA 93035
DAVID GILSONER 		1205 CAPRI WAY OXNARD, CA 93035
STEVEN HABELER 		1211 CAPRI WAY OXNARD CA 93035
Cassandra Schrey		1231 Capri way Oxnard CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

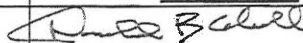
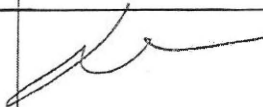
We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Dennis Reiffer		1231 Capri Way Oxnard Ca 93035
Shana T. Miller		1231 Capri Way Oxnard, CA 93035
Cecilia Elliott		1231 Capri Way Oxnard CA 93035
Diana Schrey		1231 Capri Way Oxnard Ca 93035
Bill Schrey		1231 Capri Way Ox Ca 93035

Petition in Support of Ben and Michelle Mandelbaum's
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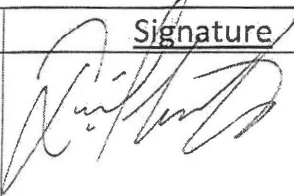
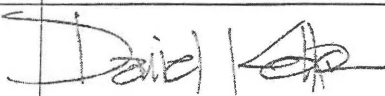
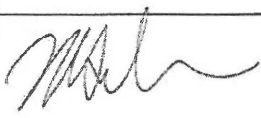
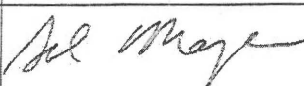
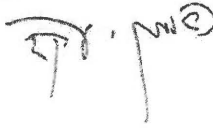
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<u>Name</u>	<u>Signature</u>	<u>Address</u>
Don Colwell		148 E. 1st, PE Hue. 93046
Deborah Graham		5140 Terramar Way. Oxnard 93035
Donna Avery	 818-426-7939	5207 Whitecap st Oxnard, CA 93035
Ron Avery		5207 Whitecap st Oxnard, CA 93038 93035
Kyle Rehder Jackie Rehder	 Jackie Rehder	5160 Terramar Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

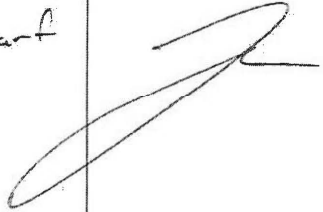
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Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way,
Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
David Schwartz		112 Ocean Dr. 93035
David Kollin		2591 Captains Ave Port Hueneme, CA 93041
MORRIS HUBERMAN		1430 MANDALY BEACH RD OXNARD, CA 93035
SOL MAIER		4168 OCEAN DR OXNARD, CA 93035
Paul Lutz		1400 Victoria Ave apt 118 OXNARD, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

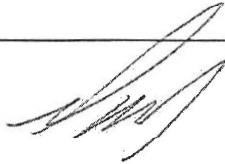
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<u>Name</u>	<u>Signature</u>	<u>Address</u>
Cindy Chapek		1145 Capri Way
Jonathan Scharf		5310 Breakwater Way
John E. Lucky HEMPHREY		1179 MANDALAY BEACH RD.
DAVE BANKERT	1244 Mandalay Beach Rd. Dave Bankert	

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

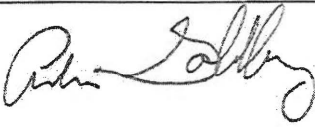
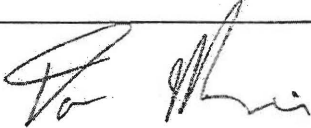
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<u>Name</u>	<u>Signature</u>	<u>Address</u>
Melissa Armstrong		5012 Marlin Wy Oxnard CA 93035
Dea Voss Jr		4490 Eastbourne Boulevard Oxnard Ca 93035
Kim Speth		5245 Nephtis Square Oxnard, CA 93035.
Kathy & Michael		5343 Reef Way Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Chaim Goldkorn		1420 Victoria Ave Apt 118 Oxnard, CA 93035
Abraham Freeman		876 Pacific Cove Dr Port Hueneme CA 93041
Dov Muehnik		4621 Sunlit Ln Oxnard, CA 93035 2860 Harbor Blvd Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

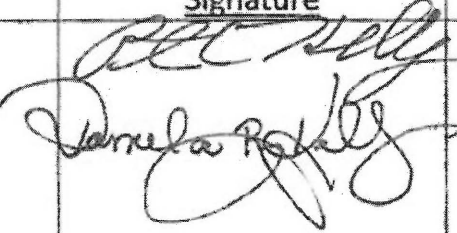
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Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
KATHY DELFINO		5120 W. Wooten Oxnard, CA 93035
CLIFFORD H. MAURER		5145 WHITBEAR ST OXNARD, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Peter Kelly Pamela Kelly		1225 Capri Way Oxnard, CA 93035

To: Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Way, Oxnard Shores Neighborhood

Permit No. 23-400-01 Coastal Development Permit

I am a resident of Oxnard and live at 1125 Capri Way. I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

Jeff and Rita Weiss

1125 Capri Way

Oxnard Shores

Fwd: [Ask Planning Action] Re: 1215 Capri Drive, Oxnard Shores Neighborhood

1 message

Loera, Miriam <miriam.loera@oxnard.org>
To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Mon, Aug 21, 2023 at 8:45 AM

Kind regards,

Miriam Loera | Administrative Services Specialist

Community Development Department

214 S C Street | Oxnard, CA 93030

O: 805-385-7878

Hablamos Español

www.oxnard.org



----- Forwarded message -----

From: **Yehudah Gene** <eivanov06@gmail.com>

Date: Sun, Aug 20, 2023 at 3:26 PM

Subject: [Ask Planning Action] Re: 1215 Capri Drive, Oxnard Shores Neighborhood

To: <Planning@oxnard.org>

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

I am a resident of Oxnard and live at [2970 Leeward Way Oxnard, CA 93035](#).

I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores.

A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community.

A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

Name : Yevgeniy Ivanov

Address : [2970 Leeward Way Oxnard, CA 93035](#)

--

Blessings for Success

Fwd: [Ask Planning Action] Hearing on Coastal Development Permit No. 23-400-01

1 message

Loera, Miriam <miriam.loera@oxnard.org>
To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Mon, Aug 21, 2023 at 8:46 AM

Kind regards,

Miriam Loera | Administrative Services Specialist

Community Development Department

214 S C Street | Oxnard, CA 93030

O: 805-385-7878

Hablamos Español

www.oxnard.org



----- Forwarded message -----

From: <peterkelly1225@gmail.com>

Date: Sun, Aug 20, 2023 at 12:25 PM

Subject: [Ask Planning Action] Hearing on Coastal Development Permit No. 23-400-01

To: <Planning@oxnard.org>

Cc: <pamelakelly129@gmail.com>, Ben Mandelbaum <ben@snp-rx.com>

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

My wife and I own the home at 1225 Capri Way, which is 2 houses south of the Mandelbaum's house. I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. I believe a number of other homes in this same neighborhood have rooftop jacuzzies, and I have heard no complaints about these. It is hard to understand why the Mandelbaum's have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

Best Regards,

Peter Kelly

Phone: 310-994-0430

Address: [1225 Capri Way, Oxnard, CA](#)

Fwd: [Ask Planning Action] Re 1215 Capri Dr Permit 23-400-01

1 message

Loera, Miriam <miriam.loera@oxnard.org>

Mon, Aug 21, 2023 at 8:46 AM

To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Kind regards,

Miriam Loera | Administrative Services Specialist

Community Development Department

214 S C Street | Oxnard, CA 93030

O: 805-385-7878

Hablamos Español

www.oxnard.org



----- Forwarded message -----

From: '**S BIENSTOCK**' via **Planning** <planning@oxnard.org>

Date: Sun, Aug 20, 2023 at 12:26 PM

Subject: [Ask Planning Action] Re **1215 Capri Dr** Permit 23-400-01

To: planning@oxnard.org <planning@oxnard.org>

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

I am a resident of Oxnard and live at [3417 Ocean Dr](#) . I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

Seth Bienstock

[3417 Ocean Dr](#)

Oxnard

Fwd: [Ask Planning Action] Permit No. 23-400-01

1 message

Loera, Miriam <miriam.loera@oxnard.org>
To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Mon, Aug 21, 2023 at 8:45 AM

Kind regards,

Miriam Loera | Administrative Services Specialist

Community Development Department

214 S C Street | Oxnard, CA 93030

O: 805-385-7878

Hablamos Español

www.oxnard.org



----- Forwarded message -----

From: **Morris Huberman** <morris.huberman@gmail.com>

Date: Sun, Aug 20, 2023 at 12:52 PM

Subject: [Ask Planning Action] Permit No. 23-400-01

To: <Planning@oxnard.org>

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

I am a resident of Oxnard and live at [1430 Mandalay Beach Rd.](#) I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. A number of other homes in this

same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

Name: Morris Huberman

Address: 1430 Mandalay Beach Rd.

Fwd: [Ask Planning Action] Serena Gonzalez, Assistant Planner

1 message

Solis, Rogelio <rogelio.solis@oxnard.org>

Wed, Aug 23, 2023 at 12:15 PM

To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Hello Serena,

Pleasure see below. Thank you.

Email: yoscharf@gmail.com

Best,

Roy Solis | Administration Services Technician

Community Development Department, Planning Division

214 S C Street | Oxnard, CA 93030

O: 805.385.7850

www.oxnard.org

The Community Development service counter has reopened to the public from 8:00 a.m. to 12:00 p.m., Monday through Thursday and 9:00 a.m. through 12:00 p.m. on alternating Fridays.

----- Forwarded message -----

From: **Jonathan Scharf** <yoscharf@gmail.com>

Date: Wed, Aug 23, 2023 at 10:11 AM

Subject: [Ask Planning Action] Serena Gonzalez, Assistant Planner

To: <Planning@oxnard.org>

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: [1215 Capri Way, Oxnard Shores](#) Neighborhood

Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

I am a resident of Oxnard and live 5310 Breakwater Way. I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints.

Please approve this reasonable request.

Jonathan Scharf

5310 Breakwater Way Oxnard Ca 93035

Fwd: [Ask Planning Action] 1215 Capri Way Permit No. 23-400-01 Coastal Development Permit

1 message

Solis, Rogelio <rogelio.solis@oxnard.org>

Wed, Aug 23, 2023 at 12:17 PM

To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Hi Serena,

Pleasure see below. Thank you.

Email: bill@wigiusa.com

Best,

Roy Solis | Administration Services Technician

Community Development Department, Planning Division

[214 S C Street | Oxnard, CA 93030](#)

O: 805.385.7850

www.oxnard.org

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----- Forwarded message -----

From: **William E Handy Jr** <bill@wigiusa.com>

Date: Wed, Aug 23, 2023 at 11:11 AM

Subject: [Ask Planning Action] 1215 Capri Way Permit No. 23-400-01 Coastal Development Permit

To: <Planning@oxnard.org>

Serena Gonzalez, Assistant Planner
City of Oxnard

Re: [1215 Capri way , Oxnard Shores](#) Neighborhood

Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

I am a resident of Oxnard and live at [1151 Capri Way](#). I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

William E Handy Jr

1151 Capri Way
Oxnard

**Fwd: [Ask Planning Action] Re: 1215 Capri Drive, Oxnard Shores
Neighborhood Permit No. 23-400-01 Coastal Development Permit**

1 message

Solis, Rogelio <rogelio.solis@oxnard.org>
To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Wed, Aug 23, 2023 at 12:18 PM

Hello Serena,

Pleasure see below. Thank you.
Email: chabadoxnardoffice@gmail.com
CC: chabadoxnard@gmail.com

Best,
Roy Solis | Administration Services Technician
Community Development Department, Planning Division
[214 S C Street | Oxnard, CA 93030](#)
O: 805.385.7850
www.oxnard.org

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----- Forwarded message -----

From: **Office: Chabad of Oxnard** <chabadoxnardoffice@gmail.com>
Date: Wed, Aug 23, 2023 at 11:24 AM
Subject: [Ask Planning Action] Re: 1215 Capri Drive, Oxnard Shores Neighborhood Permit No. 23-400-01 Coastal Development Permit
To: <Planning@oxnard.org>
Cc: Rabbi Dov Muchnik <chabadoxnard@gmail.com>

Serena Gonzalez, Assistant Planner
City of Oxnard

**Re: 1215 Capri Drive, Oxnard Shores Neighborhood
Permit No. 23-400-01 Coastal Development Permit**

Dear City Planning Director:

I am a resident of Oxnard and live at 4021 Sunset Lane. I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. My feeling is that a rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints.

I am friendly with the Mandelbaums and they are respectful and considerate neighbors.

Please approve this reasonable request.

Fwd: [Ask Planning Action] 1215 Capri Rooftop Jacuzzi Request

1 message

Solis, Rogelio <rogelio.solis@oxnard.org>

Wed, Aug 23, 2023 at 3:32 PM

To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Hey Serena,

Pleasure see below, all the way down . Thank you.

Email: zekarialeon@gmail.com

Best,

Roy Solis | Administration Services Technician

Community Development Department, Planning Division

214 S C Street | Oxnard, CA 93030

O: 805.385.7850

www.oxnard.org

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----- Forwarded message -----

From: **Leon Zekaria** <zekarialeon@gmail.com>

Date: Wed, Aug 23, 2023 at 3:05 PM

Subject: [Ask Planning Action] 1215 Capri Rooftop Jacuzzi Request

To: <Planning@oxnard.org>

We are in 100% support of the Mandelbaum's request to install a roof top Jacuzzi at 1215 Capri Way.

We think they will enjoy it, it will enhance value of the neighborhood and bother no one.

We live a few doors away at 1251 Capri Way.

Thank you

Fwd: [Ask Planning Action] Community Development Director Meeting 8_24_2023

1 message

Solis, Rogelio <rogelio.solis@oxnard.org>
To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Thu, Aug 24, 2023 at 8:22 AM

Hi Serena,

Please see below this letter in support of denial. Thank you.

Email: whagedohm@cirs.com

CC: kenneth.rozell@oxnard.org

Best,

Roy Solis | Administration Services Technician

Community Development Department, Planning Division

[214 S C Street | Oxnard, CA 93030](#)

O: [805.385.7850](tel:805.385.7850)

www.oxnard.org

The Community Development service counter has reopened to the public from 8:00 a.m. to 12:00 p.m., Monday through Thursday and 9:00 a.m. through 12:00 p.m. on alternating Fridays.

----- Forwarded message -----

From: <whagedohm@cirs.com>

Date: Wed, Aug 23, 2023 at 11:17 PM

Subject: [Ask Planning Action] Community Development Director Meeting 8_24_2023

To: <planning@oxnard.org>

Cc: Rozell, Kenneth <kenneth.rozell@oxnard.org>

Attached please find my comments for the Community Development Directors meeting on August 24, 2023, for the **1215 Capri Way Amendment** - Planning and Zoning Permit No.

23-400-01 (Coastal Development Permit).

Sincerely,

Walter Hagedohm

Oxnard Shores Resident

[5300 Whitecap Street](#)

[Oxnard, CA 93035](#)

818-522-7122



CDD Meeting 8_24_2023.docx

17K

Fwd: [Ask Planning Action] 1215 Capri Way - Response to Staff Report

1 message

Solis, Rogelio <rogelio.solis@oxnard.org>

Thu, Aug 24, 2023 at 8:23 AM

To: Serena Gonzalez <serena.gonzalez@oxnard.org>

Hey Serena,

Please see below this letter in support of denial. Thank you.

Email: dedelane@earthlink.net

CC: kenneth.rozell@oxnard.org

Best,

Roy Solis | Administration Services Technician

Community Development Department, Planning Division

214 S C Street | Oxnard, CA 93030

O: 805.385.7850

www.oxnard.org

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----- Forwarded message -----

From: **Diane Delaney** <dedelane@earthlink.net>

Date: Wed, Aug 23, 2023 at 11:33 PM

Subject: [Ask Planning Action] 1215 Capri Way - Response to Staff Report

To: <Planning@oxnard.org>, City Attorney Ken Rozell <kenneth.rozell@oxnard.org>

Hi Ken,

How are you?

I am attaching my response to the Staff Report regarding [1215 Capri Way](#). I did not have a direct email address for the CDD, Maureen Tamuri, would you please forward this to her. I am hoping that she will have enough time to read this prior to the meeting.

Thank you!!

Diane

Diane Delaney

805-657-0760

dedelane@earthlink.net



20230823 RESPONSE TO STAFF RPT 082323 1103pm.pdf

3095K

Dear Community Development Director Maureen Tamuri:

August 24, 2023

The following will detail my opposition for the third time to the permitting of a rooftop spa at the eastly side (rear deck) of the property at 1215 Capri Way which directly faces the bedrooms of my family's property.

Unfortunately, the Staff Report dated August 24, 2023, is inaccurate in many areas and does not detail, or omits, very important details that have occurred over the last few years with three different owners to bring a fair, reasonable and what I was led to believe a final resolution to this situation. I asked the Assistant Planner Serena on several occasions to meet prior to the issuance of the staff report so that the correct and extensive history was provided, but she disregarded those requests. This document will also serve to rebut the Mandelbaum's video and attorney letter which are filled with mistruths and omissions of facts.

Property History and Corrected Background Information:

On **10/26/17**, the subject vacant lot was purchased by **Buyer Lam** who submitted plans by Architect Picciotti to build a 4900 sq ft home with a rooftop jacuzzi. It came before a Community Workshop in 2018. There were discussions between the Lam's, their **Architect Martha Picciotti** and me as to the nuisance that would be created. The Lam's and Architect Picciotti ultimately agreed it would be a nuisance and voluntarily removed the jacuzzi from their plans. I was warned that if the Lam's changed their mind, they could later come back and request a permit for the jacuzzi if this was not conditioned in their building plans, but we had a good relationship, and I did not want to cause any delay to their project. Unfortunately, a beachfront neighbor appealed their project and the Lam's sold to **buyer/builder Sandefer** on **01/21/19** assuring me in an email that Sandefer was reputable and would follow and respect the plans without the rooftop jacuzzi (*1. See attached email dated Feb 24, 2019). **Buyer Sandefer** then resubmitted plans adding another 360 square feet and returning the rooftop jacuzzi to the original location. This was approved at a public hearing with the CDD on **05/20/20**, which bypassed the Community Workshop process.

On **June 3, 2020**, I appealed that decision to the Planning Commission (*2. please see my attached appeal – please note there was a beachfront appellant on other issues see Item 5b). On **June 8, 2020**, **Buyer Sandefer** emailed me to negotiate a compromise asking if I would drop all counts of my appeal, he would agree to remove the rooftop jacuzzi and relocate it to the ocean front deck as I would hear no noise from there (*3. see email thread with Sandefer dated **June 08, 2020 – June 16, 2020**).

I agreed but only if the city would ensure this matter would be resolved for future ownership, and the City also did not want to be revisiting this issue. After communicating with staff and consultants, I was reassured by the then **CD Director Jeff Lambert** that he had a way to 'memorialize this' (*4. see attached email thread dated **June 15, 2020**). After that email there were a few phone calls and emails to find the right language to prevent this from happening again, and everyone including the city agreed to the wording that is contained in items no. 65 and 66.

65. The proposed hot tub shall be located on the first-floor deck on the ocean side and shall be architecturally compatible with the deck. No spa or hot tub, subject to the requirement for Building Permits, shall be constructed on the roof deck. All equipment shall be subject to the sound regulations provided in Article XI of the Oxnard City Code. Revised plans showing the relocation of the hot tub shall be provided prior to the issuance of Building Permits.

66. The material used to construct the deck and balcony railing on the front elevation facing Capri Way shall be an opaque material.

On **June 23, 2020**, I withdrew my appeal (*5. Email attached) but continued to check with the Planning Department until **October 2020** to ensure that corrected plans had been submitted even questioning why a drain was left in at the jacuzzi location. I was informed by the planner it was a roof deck drain, and in **October 2020 Sandefer's** revised plans had been submitted.

On **October 7, 2020**, **Buyer Sandefer** listed the vacant lot describing in their listing remarks 'large beach side deck space'. (*6. MLS printout attached)

Buyer Mandelbaum purchased the vacant lot with the approved, corrected plans with **No Rooftop Jacuzzi** on **12-01-20** and recorded the sale on **12-28-20** and accepted the Notice of Restrictions and Conditions, including Items No 65 and 66, recorded with the County of Ventura Recorder's Office as Deed Restrictions. By that time neighbors had been notified by Sandefer that pilings would be going in January of 2021. *******It was incorrectly stated at Item 5) c) in the Staff Report that the developer (sic Sandefer) completed construction in 2023 and that the current Applicant (Mandelbaum) subsequently purchased the property implying he purchased already built. The Mandelbaum attorney also stated, 'after construction of the home was complete, the Mandelbaum's purchased the property'. Not true. (*7. Property Recording history attached).**

Buyer Mandelbaum initiated the building project with the same **architect Picciotti** and **builder Sandefer** and at some point, **developer/builder Voss** who is related by marriage to developer/builder Sandefer was subbed in as the builder.

The **Mandelbaum's and their builder Voss/Sandefer** ignored the plans and installed the rooftop deck in violation of their building permit. When the Planner went to final the project, he noted the violation and did not issue a Certificate of Occupancy (CO). Neighbors watched as a crane then removed the rooftop jacuzzi and stored it in the garage. Once the Mandelbaum's obtained their CO, to the astonishment of the neighborhood, they brought back the crane and put the jacuzzi back on the roof in complete disdain for the rules, the city, or their neighbors. Not only that, they then erected gates to block **public access** to the beach in violation of the Coastal Act – again deliberately done **after** they received their CO. They have not acted in good faith and should not be rewarded for their lack of honesty and integrity.

Now they seek a new CDP to have their way. This is not the correct use of the CDP process. It does not set a good precedent when one party can begin to unilaterally change the rules and agreements or allow one party with the most money to repeatedly ask for the same thing. There was negotiation and compromise by both parties, it was fair and just and done the way the system was made to work. Sadly, the assistant planner's take on this was that typically the person with the most money is the person that wins these issues.

As to **Item 8a) b)** that information is also incorrect and was part of my appeal that the City acted improperly when they failed to provide another Community Workshop due to public interest and objection (*****See 06-03-20 Appeal**).

As to **Item 8c)** – it is improper that the planner does not elaborate on the letters and comments that were sent in from various residents, including one from a previous Oxnard Community Development Director who stated:

“This Agenda item proposes to allow a Jacuzzi on the subject residential use. The City Building Permit for this property prohibits this use on the roof location requested. The property is located in the R-BF Beachfront Residential Sub-Zone. Based on provisions of the Coastal Zoning Ordinance 64 Code Section 37-1.4.9(2) "This Chapter shall not interfere with, abrogate or annul any easement, covenant or other agreement now in effect." This provision applies when the permit provides greater restrictions than the Coastal zone ordinance. The permit, as originally issued, fully complies with the City's Coastal Zoning Ordinance, and should remain as approved. Thank you for considering this information. Sincerely, Richard J Maggio

This correspondence should have been addressed. What is the purpose of a Community Workshop if all objections are not dealt with? In the future will the planners simply contend there were no objections like they did for the Sandefer approval.

My continued opposition to the Rooftop Jacuzzi is as follows:

1. Hot Tub Is a Noise Nuisance

The City has not considered the noise nuisance of **an unenclosed hot tub located on top of a roof deck** directly across from sleeping rooms on adjacent properties particularly my family's which is directly across from their deck.

Oxnard Municipal Code Sec. 7-185 regulates exterior sound standards and limits residential noise to 55 decibels and 50 dBA nighttime. Common hot tubs operate well above this level, and when you consider how much louder a person needs to speak in order to be heard above the running noise of the motor, several jets and the bubbling water, the noise

level can easily exceed the 55-decibel limit. In this instance the city has not taken into consideration that a **9 foot by 9-foot spa can seat 9 to 10 people** (*8. see attached).

In addition, having the hot tub located at the top of the structure allows the sound to travel greater distances and reverberate against the adjacent buildings creating a stadium effect. Hot tubs and Jacuzzis are some of the biggest causes of complaints among neighbors. Looking online, there are frequent complaints of the never-ending drone sound and vibration of motors and pumps which run 24/7. Over time, the mechanical parts become noisier with moisture and rust in the outdoor environment. Noise pollution has been correlated with an increased risk of cardiovascular disease and impacts emotional well-being and may increase the risk for cancers and other chronic diseases according to Dr. Mathias Basner, a professor at the University of Pennsylvania's School of Medicine.

The city has not properly evaluated the consistency with the City's Nuisance section of the Code as stated in **Item 7e)** of the Staff Report. The document submitted by the applicant admits that they do not have the means to adequately test spas. Additionally, spas were not tested outside in the special conditions that occur at the beach which include very windy, sound carrying conditions.

2. **Neighborhood Design and Precedent**

The subject property is located on a small, narrow street (Capri Way which is very different than Mandalay Beach Rd) appx 22' wide without sidewalks. The beachfront properties sit in close proximity to the inland properties. Unlike traditional subdivision design where lots run parallel to one another, inland properties in this area sit perpendicular to the back or garage side of the beachfront properties. This results in bedrooms and living areas facing the garages or backs of the beachfront properties.

Here, this design irregularity creates a conflict between the existing houses and the 1215 Capri Way residence with the rooftop deck and hot tub facing the bedrooms of the Delaney residence. After reviewing the existing houses on this narrow road of Capri Way on the beachfront, there is not a single **property with a rear deck and hot tub** in such close proximity to adjacent bedrooms. Better designed properties have spas sited toward the middle or front (ocean side) of the deck and below the highest roof line creating a sound break and privacy. (**As seen in applicant video and in last attachment)

In other municipalities, there are regulations intended to protect the health, safety, welfare, and aesthetic quality and to ensure that roof top decks and similar features are located, designed, and screened in a manner that is compatible with the small scale, resort and residential character of those communities. That roof top decks are permitted if a lot is contiguous to visually prominent open spaces (i.e., hillside, beach, golf course, etc.) that are contiguous to the building site. That the roof deck area shall be oriented toward public rights of way that are adjacent to the building site – meant and in order to protect the privacy of adjacent property owners. There was no true analysis that demonstrated the proposed deck and hot tub does not interfere with the privacy and quiet enjoyment of adjacent properties.

While this may not be specifically in the code, the intent of noise ordinances and good planning policies should prevent this condition from existing. Allowing the hot tub on top of the house in close proximity to adjacent neighbors sets a bad precedent and is an example of poor land use planning and compatibility. (***See example of Indian Wells planning ordinance** [https://library.qcode.us/lib/indian_wells_ca/pub/municipal_code/item/title_21-chapter_21_20-21_20_230#:~:text=230\(d\),residential%20character%20of%20the%20community](https://library.qcode.us/lib/indian_wells_ca/pub/municipal_code/item/title_21-chapter_21_20-21_20_230#:~:text=230(d),residential%20character%20of%20the%20community)).

3. **Privacy and Site Design**

The Staff Report indicates that the spa is 42 inches tall which is screened from view by the 45-inch parapet from all sides. This does not take into consideration that those sitting in the jacuzzi will be shoulders and head up to two feet above the jacuzzi, so there will be no privacy for those in the immediate vicinity, but most importantly, there will be no barrier for the sound produced from those using the jacuzzi especially 8 to 10 people.

Ironically, two separate instances of jacuzzi noise problems for others were presented to me in the last month. One where I live at The Colony where the spas are in-ground surrounded by concrete fencing, trees, vegetation and at some distance from units. There were noise complaints to such a degree that the Board enacted additional rules, one being no cell phone usage at the spas – why, because while the spas are noisy, people speaking over typical spa sounds created a nuisance to nearby properties located. Lucky for aggrieved neighbors there is an HOA that enforces noise nuisances. I am on the Oxnard Shores neighborhood council and recently received a call from a neighbor upset about a short-term rental that was loud at night - the biggest complaint was how loud they were when using the jacuzzi at night.

The Mandelbaum's have 5,500 square feet of living space on a 5,600 sq ft lot where they can place their spa on the west side of the property where it is already permitted. Our property is 2,200 square feet on a 3400 sq ft lot. We cannot relocate our bedrooms. The compromise of the jacuzzi being permitted on the front ocean side deck was a good one and should continue to be memorialized as stated by the previous Community Development Director

Summary:

My family and I acted in good faith and gave up our other appealable rights to go to the Coastal Commission which could have significantly reduced the buildable size of this property and taken time to resolve. It appears Sandefer and Mandelbaum's never intended to act in good faith, and they should not be rewarded for that.

The Planning Department, in the staff report and Community Development Workshop, did not adequately or accurately represent the effort and compromise, on both sides, that resulted in this agreement, or the intent of the previous CDD and neighbors to ensure this condition for the building permit was permanent.

The City has further failed to enforce Conditions 5, 14 and 15 of their CDP regarding the Mandelbaum violation seemingly abetting the violation.

I respect and enjoy working with Planning Department Staff, but they are not always right. I have been involved with groups representing the community's concerns with Fisherman's Wharf and the Short Term Rental ordinance where staff and the community interests did not initially line up nor did staff recognize their duties and authority. In this case, I believe Staff failed to adequately investigate, consider legalities and apply the principles of good planning.

There is nothing that requires the City to approve the applicant's request and I respectfully request that the Community Development Director rightly deny the Resolution approving Planning and Zoning Permit No. 23-400-01.

Thank you,

Diane Delaney - 805-657-0760

I incorporate herein my previous appeal, the recorded Community Workshop, comments there in, as well as all correspondence and comments previously sent in regarding this matter to be used in any future appeals.

PS – the Mandelbaum recorded video submitted yesterday is very hard to watch listening to outright lies and defamatory statements knowing the same misinformation has been repeated in the neighborhood that my family has lived in for over 50 years. This document refutes much of what was said.

Please know I never delayed either the Lam or Sandefer projects – all agreements were done amicably at their request and resolved within days. There were never any lengthy pauses caused by me or any fighting whatsoever. They submitted petition signatures, but what do any of those people know of the circumstances and legalities surrounding this issue and what were they told? These are not credible people.

From: donna lam <donnaflam@gmail.com>

Sent: Sunday, February 24, 2019 2:43 PM

To: Diane Delaney <dedelane@earthlink.net>

Subject: Re: Capri lot

Sorry we already sold it to a reputable builder who will follow the plans.

We couldn't take the contentious appeals by another neighbor and decided to sell the lot and buy a house already built,

The same plan will be built and you and your mother will be fine.

Sincerely . Donna Lam

Sent from my iPhone

On Feb 24, 2019, at 7:18 PM, Diane Delaney <dedelane@earthlink.net> wrote:

Hi Donna,

How are you?

We had been wondering about when you would begin construction, and yesterday I ran into a neighbor who thought you are now selling the lot in front of my mom's home. I'm sad to hear that as my family very much appreciated your efforts to reassure us about your plans.

If indeed you are selling, we may be interested in buying the lot from you if you would consider that. Would you please let me know, we could save all the realtor fees.

Thank you.

Diane

Diane Delaney

805-657-0760

dedelane@earthlink.net

APPEAL GROUNDS - REQUEST FOR APPEAL No. 20-400-01 by Diane Delaney for Delaney family
 June 03, 2020 (revised attachment)

1. Hot Tub Is a Noise Nuisance

The City has not taken into account the noise nuisance of an unenclosed hot tub located on top of a roof deck directly across from sleeping rooms on adjacent properties. Oxnard Municipal Code Sec. 7-185 regulates exterior sound standards and limits residential noise to 55 decibels. Common hot tubs operate well above this level, and when you consider how much louder a person needs to speak in order to be heard above the running noise of the motor and the bubbling water, the noise level can easily exceed the 55 decibel limit. In addition, having the hot tub located at the top of the structure allows the sound to travel greater distances and reverberate against the adjacent buildings creating a stadium effect. Hot tubs and Jacuzzis are some of the biggest causes of complaints among neighbors.

2. Neighborhood Design and Precedent

The subject property is located on a small, narrow street appx 22' wide without sidewalks. The beachfront properties sit in close proximity to the inland properties. Unlike traditional subdivision design where lots run parallel to one another, inland properties in this area sit perpendicular to the back or garage side of the beachfront properties. This results in bedrooms and living areas facing the garages or backs of the beachfront properties.

Here, this design irregularity creates a conflict between the existing houses and the proposed residence with the rooftop deck and hot tub facing each other. The vicinity and current design of clear glass panels used in screening the use, jeopardize each other's privacy and peace. After reviewing the existing houses on the beachfront, there is not a single property with a rear deck and hot tub.

In other municipalities, there are regulations intended to protect the health, safety, welfare and aesthetic quality and to ensure that roof top decks and similar features are located, designed and screened in a manner that is compatible with the small scale, resort and residential character of those communities. That roof top decks are permitted if a lot is contiguous to visually prominent open spaces (i.e., hillside, beach, golf course, etc.) that are contiguous to the building site. That the roof deck area shall be oriented toward public rights of way that are adjacent to the building site – meant and in order to protect the privacy of adjacent property owners. There was no analysis that demonstrated the proposed deck and hot tub does not interfere with the privacy and quiet enjoyment of adjacent properties.

While this may not be specifically in the code, the intent of noise ordinances and good planning principals should prevent this condition from existing. Allowing the hot tub on top of the house in such a close proximity to adjacent neighbors sets a bad precedent and is an example of poor land use planning and compatibility.

3. Failure to Do a New Community Workshop

The City should have done a Community Workshop considering that there were substantial changes to the project since it was last submitted and in which there had been compromises to the project. In the 2018 submittal, the applicant agreed to remove a controversial roof top spa which was seen as a

nuisance by neighbors and even by the applicant's architect who indicated she would not like to live next to that.

The project now came back with a new owner, and a larger property adding another 300 square feet, and adding back in the controversial roof top spa.

Additionally, since the previous appeal to the Planning Commission, the Coastal Commission ruling on a closely located property was issued regarding the string line, sea level rise, seawalls and coastal access.

The Community Workshop section of the Staff Report dated May 14, 2020 incorrectly states that there was no opposition to the project during the June 18, 2018 meeting, when members of the public, including myself, took issue with the proposal and the subsequent approval was even appealed to the Planning Commission.

A new Community Workshop would have allowed better engagement as to the past objections and appeals about the property and allow for further opportunities to engagement rather than having to go directly to another appeal regarding this property.

4. String Line, Coastal Access, Public Access, Seawall, Danger to Adjacent Properties

The development as proposed does not meet the policies of the Oxnard LCP when it comes to visual, public access and policies affecting beachfront development and erosion

The proposed development is located on a beachfront lot on Capri Way in Oxnard Shores, which is an area within Oxnard Shores that has a significant history of wave uprush and storm surge, and will be vulnerable to coastal hazards that will be exacerbated by future sea level rise. The seaward extent of the development approved by the Development Director was not the most landward feasible location and as such would not minimize the risks posed by the hazards affecting shoreline development, nor minimize impacts to public access and visual resources over the anticipated life of the development.

CCC staff has previously suggested on other beachfront lots that the project minimize seaward encroachment onto the sandy beach by siting the residence in a more landward location to ensure that the project is consistent with the LCP and relevant Coastal Act policies.

In CDP 17-400-04 for a residence on the beach on Capri Way the CCC which is a lot not subject to the settlement agreement the Coastal Commission determined that the extension to 140 ft would impact coastal erosion and allow the project to be vulnerable to coastal hazards. The Commission conditioned deleting all portions of the residence that extend beyond the 120ft. maximum seaward development line, except for a temporary deck that is easily removable will extend up to 10 ft. from the residential structure and that can be easily removed when it becomes threatened with damage or destruction from coastal hazards, or reinforcement, shoreline protective devices, or any other protective action is needed, so it will minimize hazard risks as well as avoid impacts to public access.

We ask that the subject property be also conditioned to not extend beyond the 120ft. maximum seaward development line. There are several older properties on Capri that will eventually be rebuilt, and it seems that the CCC has determined that 120ft is a reasonable line of development. While the City has not consistently applied a string line policy, it is a good idea, especially at this time with so much new knowledge about the potential for extreme sea level rise, to apply such a policy with the future of sea level rise, beach erosion, loss of sandy beach and the public's access to same or eventually there will not be a beach for the public to access in the future in the event that the mean high tide line continues to move further landward as it will.

In addition, the Commission required “that no future shoreline protective device will be constructed on site to protect the proposed development and to require the landowner to remove the development if a government agency orders that portions or all of the structures may not be occupied due to hazards or property ownership issues identified”.

We ask that such a condition be placed on the property that is that no future protective device may be constructed on the site.

5. Exceeds Maximum Height Limit

Sec. 17-25 allows lots wider than 33 feet, two stories, not to exceed 22 feet from the bottom of the lowest shore parallel horizontal structural member to the highest peak of roof. It goes on to state that in no case shall the top of the roof elevation exceed +47.0 feet NGVD.

The maximum height for this project should be 39 feet NGVD, not 42 feet. The maximum roof elevation of 47 feet NGVD does not apply to larger lots greater than 33 feet in width. Therefore, the height should be two stories of 22 feet in addition to the 17 feet NGVD.

Conclusion

We would request the following:

1. The hot tub removed from the roof and the project conditioned to restrict the installation in the future;
2. The project be conditioned not extend beyond the 120ft. maximum seaward development line; a condition of approval be added: “that no future shoreline protective device will be constructed on site to protect the proposed development and to require the landowner to remove the development if a government agency orders that portions or all of the structures may not be occupied due to hazards or property ownership issues identified”,
3. And the maximum height reduced to 39 feet NGVD.

On Jun 16, 2020, at 1:24 PM, Diane Delaney <dedelane@earthlink.net> wrote:

Hi Jim,

I am still dealing with a family emergency, but have communicated with Joe and Jeff. There are a couple of issues that I would like to speak with you about. Is it ok to call you maybe this afternoon or tomorrow afternoon.

Thank you, Diane Delaney 805-657-0760 dedelane@earthlink.net

From: Jim Sandefer [<mailto:sandefer@gmail.com>]

Sent: Monday, June 15, 2020 6:41 PM

To: Diane Delaney <dedelane@earthlink.net>

Subject: Re: 1215 Capri Way

Hi Diane, it's been over a week and we haven't heard back from you. Hope everything went well with your family emergency. Hope to hear from you soon. Sincerely, Jim

Sent from my iPhone

On Jun 9, 2020, at 10:41 AM, Diane Delaney <dedelane@earthlink.net> wrote:

Hi Jim and Dori,

Thank you for your email. I have a family emergency I am dealing with right now, but will get back to you in a day or two so that we may hopefully work things out. Diane

From: Jim & Dori Sandefer [<mailto:sandefer@gmail.com>]

Sent: Monday, June 08, 2020 5:49 PM

To: dedelane@earthlink.net

Subject: 1215 Capri Way

Diane, I'm in receipt of your appeal today from the City of Oxnard. We just want to start off by saying that we want to be good neighbors, and wanted to contact you personally to discuss this. When we obtained the lot and plans, we thought that the Spa location and roof deck were a nice feature, and with my severe arthritis (see attached prescription- just had my second hip replacement May 8th- knees are next) is a necessity for me. As per your comment on no other property has a rear deck and hot tub, our past house at 925 Mandalay Beach Rd., has one and the house at 905 MBR has one also. These units are self contained and are insulated to keep the heat in with all the equipment inside the module. I went to the Marquis Spa store in Camarillo to get info for sound output and they had no information for this and said they had never been asked for it before. I then asked for the factory number to call for sound info, they too had never been asked for this, and had no studies to give me. I can guarantee you that no noise could be heard at your house, even from the deck or open window. Besides the 80' to your house, the sound of the ocean is much louder.

As we said, we want to be good neighbors. As builders of many beach properties, we know that the building process can be a hardship to neighbors, we are aware of this and do our best to make this time as pleasant as possible. Since you feel so strongly about the possible noise of the spa on the rooftop deck, we will eliminate it. We would like to ask if you would have a problem if we put the spa on the ocean side deck? I think you would agree, that you would hear no noise from there.

We are asking you to pull your appeal with the city if we agree to take the spa off the street side deck. I feel bad that you had to pay approximately \$2600 to file this appeal, which shows you really do feel this will be a nuisance for you. I contacted Joe Pearson, the planner for our case, and he assured me that if the appeal is lifted by Tuesday afternoon, that the money paid would be refunded in full, as he has not started on it yet. Please call my cell at 805-207-4894 with any questions or comments you may have.

I hope this works out for both of us, Sincerely, James and Dori Sandefer

From: Lambert, Jeffrey <jeffrey.lambert@oxnard.org>
Sent: Monday, June 15, 2020 1:06 PM
To: Diane Delaney <dedelane@earthlink.net>
Cc: Pearson II, Joe <joe.pearson@oxnard.org>
Subject: Re: Appeal of Permit No. 20-400-01, 1215 Capri Way

Diane, I think we have a way of memorializing this; We'll get back to you shortly.

Jeff

On Mon, Jun 15, 2020 at 10:31 AM Diane Delaney <dedelane@earthlink.net> wrote:

Hi Joe and Jeff,

Mr. Sandefer has reached out to me wanting to come to a resolution regarding the hot tub, and I think we can make that work.

Would you please advise me as to the issue on the building height. The code I could find was 22' and your staff report says 25'.

Also, my understanding is that to make any resolution we come to a legal condition, we would still have to go to the Planning Commission – is that correct or is there another way to make that happen? I thought we had had the hot tub issue resolved with the last owner, so I don't want to have to go through this every time the property transfers title.

Thank you for your assistance on this – hope you are all healthy and safe and happily working back at the City.

Diane

Diane Delaney

805-657-0760

dedelane@earthlink.net

From: Pearson II, Joe <joe.pearson@oxnard.org>

Sent: Thursday, June 25, 2020 11:10 AM

To: Diane Delaney <dedelane@earthlink.net>

Cc: Lambert, Jeffrey <jeffrey.lambert@oxnard.org>; Scott Kolwitz <scott.kolwitz@oxnard.org>

Subject: Re: 1215 Capri Way - appeal

Hello Diane

Thank you for your confirmation. We have incorporated the changes into the approval. With regard to the refund, we will be retaining 10 percent of the appeal fee. The remaining portion of the appeal fee and noticing fees will be refunded back to you. Can you please confirm the address you would like the refund to be mailed to?

Please let me know if you have any questions.

Best,

Joe E. Pearson II

Senior Planner

On Tue, Jun 23, 2020 at 10:11 PM Diane Delaney <dedelane@earthlink.net> wrote:

Hi Joe and Jeff,

I am requesting a withdrawal of my appeal and return of my appeal fees subject to the below language in Joe's email of June 23, 2020, at 8:20am be formally included in the project approval.

Thank you for all your help and suggestions!!

Diane

Diane Delaney

Residential Closed
MLS# 00-20643452
DOM/CDOM: 55/55

1215 Capri Way, Oxnard, CA, 93035
 County: Ventura

List Price: \$2,800,000
Close Price: \$2,800,000
Public Report

Beds:	5	Sub-Type:	Single Family
Baths (FTHQ):	5 (5 0 0)		Residence
Year Built:	2021	Lot Size Acres:	0.1286
	Source:Builder	Lot Size Square Feet:	5,600
Living Area:	5,500	Lot Size Area:	5,600 Square Feet
Property Attached:	No	Zoning:	RBF
New Construction:	No	Parcel Number:	1910091285
Stories Total:	2	MLS Area:	VC32 - Oxnard - PH
Fireplace:	Yes		Beaches
Pool /Spa:	No / No		
View:	Yes		
HOA:	No		

Land only purchase. Extraordinary opportunity to purchase a new construction beach front home as it is being built. Sophisticated contemporary design of over 5500 square feet with unobstructed ocean views on Oxnard Shores best streets, Capri Way. 5 bedroom, 5 baths, with open floorplan kitchen, living, and dining room as well as additional retreat room, and gym area. **Large beach side deck space** and oversized 3 car garage complete this one of a kind ocean front dream home.

Entry Date: 10/07/2020 **Original List Price:** \$5,850,000
Listing Date: 10/07/2020 **Price:**
Contract Date: **Buyer Agency Comp:** 2.5%
On Market Date: 10/07/2020
Purchase Contract Date: 12/01/2020
Close Date: 12/28/2020

List Price/SqFt: \$509.09
Sold Price/SqFt: \$509.09

School District:
High School Other:

Appliances: Appliances: Yes; Dishwasher; Microwave; Refrigerator
Architectural Style: Contemporary
Fireplace Features: Living Room; Master Bedroom
Flooring: Wood
HOA Information: HOA: No
Heating: Heating: Yes; Central

Laundry: Laundry: Yes; Individual Room
Pool Features: None
Parking Spaces/Information: Total Parking Spaces: 6
Parking: Parking: Yes; Garage - Three Door
Room Type: Master Bathroom
Special Listing Conditions: Standard
Spa Features: None
View: Coastline; Ocean

Listing Courtesy of:

Diane Delaney CalDRE#:01094380
 RE/MAX Gold Coast-Beach Marina Office
 3541-B W. 5th St
 Oxnard, CA 93030
 805-657-0760
 805-382-9441
 805-657-0760
dedelane@earthlink.net

Information is deemed to be reliable, but is not guaranteed. © 2023 MLS and FBS. Prepared by Diane Delaney on Wednesday, August 23, 2023 7:46 PM. The information on this sheet has been made available by the MLS and may not be the listing of the provider.

LAST MARKET SALE & SALES HISTORY

7.

Recording Date	12/30/2020	Deed Type	Grant Deed
Sale Date	Tax: 12/07/2020 MLS: 12/28/2020	Owner Name	Mandelbaum Bentzion
Sale Price	\$2,800,000	Owner Name 2	Mandelbaum M
Document Number	230480	Seller	Sandefer James P & Dori
Sale Type	Full		
Recording Date	12/30/2020		
Deed Type	Grant Deed		
Sale Date	Tax: 12/07/2020 MLS: 12/28/2020		
Owner Name	Mandelbaum Bentzion		
Sale Price	\$2,800,000		
Owner Name 2	Mandelbaum M		
Document Number	230480		
Seller	Sandefer James P & Dori		
Sale Type	Full		

Recording Date	12/30/2020	02/08/2019	01/08/2018	09/28/1994	06/16/1994
Sale Date	12/07/2020	01/21/2019	10/26/2017		
Sale Price	\$2,800,000	\$2,400,000	\$2,400,000	\$427,500	\$310,000
Buyer Name	Mandelbaum 1998 Family Trust	Sandefer James P & Dori	Lam Nathan H & Donna F Family	Spoto Russell C & Michele H Trustees	Danielson Trust Company Fbo J Steven Eme
Seller Name	Sandefer James P & Dori	Lam N H & D F F/Tr	1987 Russell C S & Michel	Danielson Trust Company Fbo J Steve	Mahon Beatrice Virginia Est
Document Number	230480	12371	1713	155620	102891
Document Type	Grant Deed	Grant Deed	Grant Deed	Grant Deed	Grant Deed

Recording Date	12/30/2020
Sale Date	12/07/2020
Sale Price	\$2,800,000
Buyer Name	Mandelbaum 1998 Family Trust
Seller Name	Sandefer James P & Dori
Document Number	230480
Document Type	Grant Deed

Recording Date	02/08/2019
Sale Date	01/21/2019
Sale Price	\$2,400,000
Buyer Name	Sandefer James P & Dori
Seller Name	Lam N H & D F F/Tr
Document Number	12371
Document Type	Grant Deed

Recording Date	01/08/2018
Sale Date	10/26/2017
Sale Price	\$2,400,000
Buyer Name	Lam Nathan H & Donna F Family



The 9 to 10-Person Hot Tub:

Bullfrog Spas

10-Person Hot Tub Dimensions

A nine to ten-person spa falls into the large spa category. This matters because spas change significantly when they are intended to comfortably seat a large number of users. On average, the dimensions you're considering are going to be somewhere around **100 inches wide by 100 inches long.**

However, most [spas of this size](#) are rectangular rather than square, so in most cases you would need to subtract inches from one side and add to the other. For instance, 10 inches from the width makes the length 110 inches and the width 90 inches, and so on.



RECEIVED

SEP 05 2023

PLANNING DIVISION
CITY OF OXNARD



REQUEST FOR APPEAL
Community Development Department

Use this form to request an appeal of a decision rendered on one of the following type of permits: Administrative Wireless Permit; Discretionary Development Permit decision rendered by the Community Development Director; or a Discretionary Development Permit decision rendered by the Planning Commission.

After paying the required appeal fee to the Planning Division, submit the original request for appeal and two (2) copies along with verification that the appropriate appeal fee has been paid to the City Clerk's Office. To determine your appeal fee go to: oxnard.org/planning and click on planning handouts and applications or contact the Planning Division at (805) 385-7858.

I, Ben Mandelbaum, am requesting an appeal of a decision made by
Print name
the Interim Community Development Director that was made on August 24, 2023 regarding
State decision making body Date
PZ No. 23-400-01
Specify PZ No.

Check one of the following:

- ☐ **Appeal of a Decision Rendered on a Wireless Permit.** Pursuant to Section No. 16-488 (C) of the Oxnard City Code, I am submitting an appeal to the Secretary of the Planning Commission and I am paying the necessary fees to the Planning Division. I am filing this appeal within 10 days of the Planning Manager's decision on a wireless communications facility permit. I am requesting that this appeal be considered by the Planning Commission.
- ☒ **Appeal of a Decision Rendered on a Discretionary Permit - Community Development Director.** Pursuant to Section No. 16-525 (B) of the Oxnard City Code, I am submitting an appeal to the City Clerk and I am paying the necessary fees to the Planning Division. I am filing this appeal within 10 days of the Community Development Director's decision on a discretionary permit. I am requesting that this appeal be considered by the Planning Commission.
- ☐ **Appeal of a Decision Rendered on a Discretionary Permit - Planning Commission.** Pursuant to Section 16-545/17-58(J) of the Oxnard City Code, I am submitting an appeal to the City Clerk and I am paying the necessary fees to the Planning Division. I am filing this appeal within 18 days / 10 working days of the Planning Commission's decision on a discretionary permit. I am requesting that this appeal be considered by the City Council.

State the grounds, facts, and if known the code sections supporting your request: (Provide additional sheets if necessary)

Approval of the revised Coastal Development Permit is fully supported in the Community Development Director Staff Report dated August 24, 2023. The Staff Report's recommendation for approval of the application should be accepted.

X

Appellant Signature

August 30, 2023

Date

cc: City Attorney
Community Development Director
Project Planner
Applicant

OFFICE USE ONLY

Date Received:

Received By: CITY CLERK OXNARD

Contacted Dept/Division Rep:

SEP 6 '23 PM2:17



5820 Canoga Avenue, Suite 300
Woodland Hills, CA 91367
T (818) 933-0200
F (818) 933-0222
www.gaineslaw.com

October 11, 2023

VIA EMAIL planning@oxnard.org

Ronald Arruejo, Chair
Planning Commission
City of Oxnard
305 West Third Street
Oxnard, CA 93030

Re: 1215 Capri Way Amendment
CDP No. 23-400-01
Planning Commission Meeting – October 19, 2023
Support for Project Approval

Dear Chair Arruejo and Honorable Commissioners:

This office represents Ben and Michelle Mandelbaum, the owners of the property located at 1215 Capri Way and applicants in the above-referenced matter. The application seeks to remove Condition of Approval No. 65 of Resolution No. 20-400-01, which approved a single-family home on the property in 2020. The home was approved with the condition that no spa was to be permitted on the rooftop deck. After construction of the home was complete, the Mandelbaums purchased the property. Consistent with many of the other homes in the vicinity, the Mandelbaums now desire to obtain a permit to install a spa on the rooftop deck. As such, the pending application was made to authorize removal of the subject condition.

On August 18, 2024, Community Development staff issued a detailed recommendation for approval and provided the required approval Resolution. See a copy of the approval recommendation attached hereto. Despite the staff recommendation of approval, at the Director Hearing on August 24, 2023, the Interim Director denied the application on the grounds that other properties with rooftop spas in the vicinity are located toward the front or middle of the subject roofs. This finding is demonstrably false.

The Mandelbaums now appeal the Director's denial on the grounds that:

- 1) The finding in support of the Director's denial is not supported by the evidence in the record in this case;

- 2) There is no nexus between the project impacts and the condition the Mandelbaums seek to remove; and
- 3) The Director's refusal to remove the condition violates the Religious Institutionalized Persons Act ("RLUIPA").

For the reasons outlined below, the Mandelbaums request that the Planning Commission overturn the Director's denial and approve their application as originally recommended by Community Development staff.

A. The Mandelbaums' Request is Consistent with the Neighborhood and Should be Approved.

The Mandelbaums home is located within the Oxnard Shores Neighborhood. It is common for homes fronting the beach in this neighborhood to have rooftop decks because they do not have yards. Moreover, to provide security, safety and privacy, and to protect against offshore winds, the rooftop decks are often located streetside. As shown in the video presentation that can be accessed [here](#), there are at least 12 streetside decks with jacuzzis in the vicinity of the Mandelbaum home. The Director's finding otherwise is not supported by the evidence in this case and therefore constitutes an abuse of discretion. Bowman v. California Coastal Commission (2014) 230 Cal.App.4th 1146, 1150 [abuse of discretion established if agency findings not supported by "substantial evidence in light of the whole record."]

1. The Director's Denial is Arbitrary, Not Supported by the Evidence, and Illegal.

The Mandelbaums submitted extensive documentation showing that their proposed rooftop spa complies with all City of Oxnard Coastal Zoning Development and Nuisance Standards and has no impact on neighboring property owners. No substantial evidence was provided to show any unmitigated impacts of the proposed spa on the surrounding neighborhood whatsoever. See Gentry v. City of Murietta (1995) 36 Cal.App.4th 1359, 1417 ["[I]n the absence of a specific factual foundation in the record, dire predictions by nonexperts regarding consequences of a project do not constitute substantial evidence."]; Perley v. County of Calaveras (1982) 137 Cal.App.3d 424, 436-437 [unsubstantiated fears and desires of project opponents do not constitute substantial evidence].

2. There is No Nexus Between the Project and the Conditions of Approval.

Eliminating the subject condition of approval is legally supported by the essential nexus/rough proportionality test of Nollan v. California Coastal Commission (1987) 483 U.S. 845 and Dolan v. Tigard (1994) 512 U.S. 375. In order for a conditional of approval to meet constitutional requirements, 1) there must be a nexus between the development and the condition, and (2) there must be a "rough proportionality" between the nature and extent of the dedication or condition

and the impact of the proposed development. The former test is commonly referred to as the “Nollan test” and the latter test is commonly referred to as “the Dolan test,” after the cases articulating the rules. These tests are premised on the notion that a constitutional right—the right to be free from takings—cannot be impermissibly burdened such that parties are coerced into giving them up.

Here, the Director’s denial is not based on any evidence of impacts or a required nexus, but instead upon one neighbor’s concerns regarding hypothetical scenarios that have been proved false. The spa will be screened from public view at all times and the complaining neighbor has failed to provide any evidence of any impacts caused by the rooftop spa.

We are unaware of a single other property in the Oxnard Shores Neighborhood with a rooftop spa prohibition. As such, the condition also violates the Mandelbaums’ constitutional rights of equal protection. “The federal equal protection clause (U.S. Const., 14th Amend.) and its California counterpart (Cal. Const., art. I, § 7, subd. (a)) provide that persons who are similarly situated with respect to the legitimate purpose of a law must be treated alike under the law.” Las Lomas Land Co., LLC v. City of Los Angeles (2009) 177 Cal.App.4th 837, 857 (Las Lomas). Although “[e]qual protection challenges typically involve claims of discrimination against an identifiable class or group of persons[,] ... a plaintiff who does not allege membership in a class or group may state a claim as a ‘ “class of one.” ’ ” (*Id.*, quoting Village of Willowbrook v. Olech (2000) 528 U.S. 562, 564. A “class of one” claim requires a showing that “(1) the plaintiff was treated differently from other similarly situated persons, (2) the difference in treatment was intentional, and (3) there was no rational basis for the difference in treatment.” Las Lomas, at p. 858.

3. The Rooftop Spa Prohibition Substantially Burdens the Religious Exercise of the Mandelbaums.

In addition, the Director’s denial improperly burdens the religious exercise of the Mandelbaums in violation of federal law. The Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. §§ 2000cc, et seq. (“RLUIPA”) prohibits local government agencies from imposing or implementing land use regulations that impose a “substantial burden” on “religious exercise,” unless the imposition of the burden is demonstrated to be in furtherance of a compelling governmental interest and the least restrictive means of furthering that interest. RLUIPA broadly defines “religious exercise” to include “any exercise of religion, whether or not compelled by, or central to, a system of religious belief.” 42 U.S.C. § 2000cc-5(7)(b). The substantial burden provision is to be broadly construed in favor of a broad protection of religious exercise, to the maximum extent permitted by the terms of the act and the Constitution. 42 U.S.C. § 2000cc-3(g).

RLUIPA is implicated by the Director’s denial in this case, as the Mandelbaums presented extensive evidence at the Hearing Officer hearing that their religious practice requires upholding the value of modesty. Placement of the jacuzzi on the rooftop is required for privacy purposes, as it is only there that it is not visible from the street or the beach.

B. The Mandelbaum's Request is Widely Supported by Their Neighbors.

The Mandelbaums have conducted substantial community outreach and their application is supported by dozens of the neighboring property owners. Submitted with this letter are copies of the letters and petitions in support of the application that have been signed by more than 40 of the Mandelbaum's neighbors.

C. Conclusion.

The complaining neighbor is allowed to have a rooftop spa, yet argues vehemently that the Mandelbaums should be the only people in Oxnard who can't. This case presents a simple issue of fairness.

For all of the reasons presented in the application, at the Hearing Officer's public hearing, and as stated above, **we respectfully request that the Planning Commission overturn the Director's denial and approve the application.**

We believe that it is important to your consideration of this matter that you personally visit the site and see it for yourself. To arrange to visit the roof deck, please contact Mr. Mandelbaum directly at (323) 707-5225.

Thank you for your consideration and attention to this matter. As always, please do not hesitate to contact me at any time with any questions or comments you may have.

Sincerely,

GAINES & STACEY LLP

Fred Gaines

By

FRED GAINES

cc: All Planning Commission Members
Serena Gonzalez (Via Email)



**COMMUNITY DEVELOPMENT DIRECTOR
STAFF REPORT**

TO: Maureen Tamuri, Interim Community Development Director

FROM: Serena Gonzalez, Assistant Planner

DATE: August 24, 2023

SUBJECT: Project Name: Mandelbaum Residence; Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit) to allow for a spa on the roof of a beachfront single-family residence located at 1215 Capri Way (APN 191-0-091-285; Lot 57 of Tract No. 4380).

- 1) **Recommendation:** That the Community Development Director adopt a Resolution approving Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to allow for changes to a previously approved single-family residence.
 - a) The previously approved residence consists of a 5,284 square-foot, two story, single-family beachfront residence with an attached 797 square-foot three-car garage 1,095 square feet of deck space.
 - b) The applicant is currently requesting a new CDP in order to remove the condition that prohibits a rooftop spa and allow for the placement of a rooftop spa.

The Project site is a 5,284 square-foot beachfront home located at 1215 Capri Way, within the Oxnard Shores Neighborhood in the Beachfront Residential (R-BF) zoning district and the Coastal Zone. For the purposes of this Staff Report, the foregoing project description shall be referred to as the **"Project."** Filed by property owner Ben Mandelbaum (the **"Applicant"**).

- 3) **Authority:** Pursuant to Oxnard City Code Section 17-25(C)(1) Coastal Development Permits within the R-BF zone are subject to the approval of the Community Development Director.
- 4) **Existing & Surrounding Land Uses:** The subject property is a 5,600 square-foot lot currently developed with a single family home. The subject property has a Local Coastal Plan Land Use Designation of "Residential Existing" (REX) and a zoning designation of Residential Beachfront. The following table describes the Land Use and Zoning Designations of the Project site and existing land uses immediately adjacent to the site, which are also illustrated on the attached maps (Attachment A):

Location	Local Coastal Plan Land Use Designation	Zoning Designation	Existing Land Use
Project Site	Residential Existing (REX)	Residential Beachfront (R-BF)	Vacant

North	Residential Existing (REX)	Residential Beachfront (R-BF)	Single-family residence
South	Residential Existing (REX)	Residential Beachfront (R-BF)	Single-family residence
East	Mobile Home Park (MHP)	Mobile Home Park Coastal (R-B-1)	Capri Way, single-family residences
West	Recreation Area (REC)	Residential Beachfront (R-BF)	Public Beach

5) Background Information:

- a) On April 5, 1988, the City Council approved the Oxnard Shores Settlement Agreement to settle a dispute regarding public beach access within the Coastal Zone. On April 12, 1988, the City Council approved Tentative Subdivision Map for Tract No. 4380 and an associated Development Agreement. On October 17, 1989, Oxnard City Council approved Tract Map No. 4380, which created the subject lot. The Oxnard Shores Settlement Agreement was recorded on October 31, 1989 as Document No. 89-174512 of Official Records of Ventura County. The above actions established the seaward property lines for the parcels that were part of the Settlement Agreement, dedicated the land between these property lines and the mean high tide to the public for recreational uses, and created vertical access paths to the beach. The beach access paths are spaced in such a manner that build-out of Tract No. 4380 would not preclude convenient public access to the beach. Additionally, Tract No. 4380 includes parcels to be used for beach access (Parcels P, Q, and R). The Settlement Agreement also established that owners of the lots within Tract 4380 shall have the right to develop lots into single dwelling units in accordance with the development standards outlined in the R-BF zone district.
- b) On October 4, 2018, the Director approved a 4,925 square-foot, two-story, single-family beachfront residence with an attached 864 square-foot three-car garage. Subsequent to the Director approval the Project was appealed to the Planning Commission and the California Coastal Commission (CCC). The appellant questioned whether the City had appropriately applied the setbacks on the seaward side of the project. The Planning Commission found that the project was in compliance with the 2030 General Plan and upheld the Director's decision on December 6, 2018. The subsequent appeal to the CCC, by the same appellant, was later withdrawn.
- c) On May 14, 2020, the Director approved Resolution No. 20-400-01, which approved a 5,284 square-foot, two story, single-family beachfront residence with an attached 797 square-foot three-car garage, 1,095 square feet of deck space and rooftop spa. Due to concerns raised by a member of the public, the Director approved the residence with the condition that no spa was to be permitted on the rooftop deck, which was agreed to by the project developer. Since that time the developer completed construction of the residence in 2023. The current Applicant subsequently purchased the property and is requesting approval of the current Project pursuant to Section 17-57(l) of the Oxnard Coastal Zoning Ordinance. The prior appellant has been provided notice of the current Project, as an interested party.

- 6) **Environmental Determination:** In accordance with Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or

no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The project consists of minor alteration modifications to an existing building, the addition of a rooftop spa. No Exceptions to the Exemptions (Section 15300.2) apply to this project. Therefore, Staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

7) Analysis:

- a) **General Discussion:** In accordance with Section 17-25(C)(1) of the Coastal Zoning Ordinance and the Oxnard Shores Settlement Agreement, construction of the Project is subject to approval of a Coastal Development Permit by the Community Development Director.
- b) **Local Coastal Plan Consistency:** The proposed project's consistency with the Local Coastal Plan is discussed in the following table:

POLICY	DISCUSSION
Local Coastal Policy No. 3 (p. III-5): <i>All urban development shall be restricted to the area within the urban-rural boundary, as defined by Map 1 and the Land Use Map.</i>	The subject property is currently developed and is within an urban area as noted on Map 6 in the Coastal Land Use Plan. Furthermore, the Coastal Land Use Map specifically notes that urban residential uses are concentrated in the Oxnard Shores area (p. II-3). Therefore the Project is consistent with this policy.
Local Coastal Policy No. 6 (p. III-10): <i>...only uses permitted in areas designated on the land use map with the Resource Protection Zone.</i>	The subject property is not in an area that is designated as environmentally sensitive, there is not sensitive habitat or native vegetation on-site, and there are no wetlands in the vicinity of the proposed development. Therefore the Project is consistent with this policy.

- c) **Conformance with Coastal Zoning Development Standards:** The property is currently developed with a single family dwelling. The proposed project only consist of the modification of the previously approved conditions of approval and the addition of a roof top spa on the existing residences. The proposed project has been evaluated for consistency with applicable development standards of the Beachfront Residential (R-BF) zone, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLY?
Maximum building height (OCC 17-25(D)(2))	For lots wider than 33 feet wide, two stories, not to exceed 25 feet from the bottom of the lowest shore parallel horizontal structural member to the highest peak of roof.	Two stories at 25 feet from the bottom of the lowest shore parallel horizontal structural member to the highest peak of the roof. The rooftop spa does not add additional height to the building.	Yes

No other changes are proposed that would alter the **project's** compliance with applicable development standards as previously determined under Resolution No. 20-400-01

- d) **Site Design:** The proposed spa will be located on the eastern (street) facing side of the rooftop deck. The spa will be set back from the parapet a minimum of 10 feet on all sides and at a minimum of 15 feet from the property lines. The height of the proposed spa is 42 inches while the height of the parapet is 45 inches, so the spa will be screened from public view on all sides. This complies with the design standards set in SEC 17-46 (B)(5) which requires mechanical equipment to be screened from view.
- e) **Conformance with Nuisance Standards:** The proposed project has been evaluated for consistency with the City's Nuisance section of the code. It has been determined that the spa will comply with the regulations. SEC 7-185 (A) states that from 7am to 10pm the allowed decibel rating is 55 dBA and from 10pm to 7am 50 dBA. A letter from the spa manufacturer submitted by the applicant states that their model with the highest average noise was 59.6 dBA at one foot away. With a minimum setback of 15 feet from the property lines the decibel rating is 36.1 dBA therefore complying with the noise standards for the City.
- f) **Existing Building Design:** The five bedroom single-family dwelling features a modern architectural style with an exterior primarily composed of a white color stucco, limestone, and a natural color stained hardwood siding and louvered wood screen. The building is designed with a porch and a deck off the western (seaward) side and two decks off the eastern (street) side. The balconies feature clear glass guard rails and glass handrails. The windows feature minimal black framing, the walls are articulated with natural hardwood siding, select areas are screened with a louvered wood screen, and the breakaway panels are designed with open steel mesh. The use of glass on the west elevation results in a light façade which complements the pattern of the existing beach-facing homes. The building features a flat roof design, with a deck that has a solid white parapet wall around the top of the structure. On the deck sits an approximately 9 foot by 9 foot spa that is 42 inches tall which is screened from public view by the parapet. The use of varying materials, colors, and architectural embellishments make the building complementary to existing development in the vicinity of the project site. A walkway is provided along the south elevation from Capri Way to the front door.

8) Community Workshop and Public Input:

- a) For the project PZ 18-400-02, the applicant mailed notices to property owners within the Oxnard Shores Neighborhood regarding a Community Workshop to be held June 18, 2018 to gather public comments. On June 8, 2018, a notice of this meeting was posted on the project site with a brief description and contact information for the case planner and the applicant. During the June 18, 2018 Community Workshop, two interested members of the public were in attendance to ask questions about the proposed project. These questions pertained to the size and design of the proposed residence. During the Community Workshop, no one expressed opposition to the proposed project.
- b) For the previously approved CDP (PZ 20-400-01) given that the proposed project is rescinding and replacing an approved project involving less than 8 percent change to the square footage of the residence and minimal exterior changes, a second Community Workshop was not held; however, public noticing was provided for this Director hearing.

- c) For the current project the applicant mailed notices to property owners within the Oxnard Shores Neighborhood regarding a Community Workshop to be held June 19, 2023 to gather public comments. On June 7, 2023, a notice of this meeting was posted on the project site with a brief description and contact information for the case planner and the applicant. During the June 9, 2023 Community Workshop, several interested members of the public were in attendance to ask questions about the proposed project. These questions pertained to the conditions of the previously approved permit and the overall permitting process. Everyone that spoke was in opposition to the project due to concerns on privacy and lack of compliance by the property owners. There was one interested party that sent correspondence in favor of the project.
- 9) **Appeal Procedure:** In accordance with Section 17-58(I) of the City Code, the Community Development Director's decision may be appealed to the Planning Commission within ten working days following notice of the decision of the Director to the applicant and interested parties. Appeal forms may be obtained from the Planning Division's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the Planning Commission is not filed within 10 working days of the Community Development Director's decision, the decision of the Community Development Director shall be considered final and a Notice of Final Action shall be filed on the 11th working day with the California Coastal Commission (CCC).

Attachments:

- A. Maps (Vicinity, Aerial, Local Coastal Plan, Zoning)
- B. Reduced Project Plans
- C. CEQA Notice of Exemption
- D. Approved Resolution No. 20-400-01 (Previously Approved Coastal Development Permit)
- E. Draft Resolution No. 23-400-01



Vicinity Map

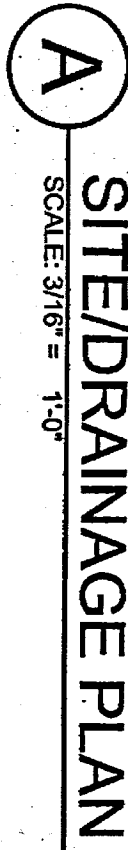


2030 General Plan Land Use Map



Zoning/Specific Plan Map





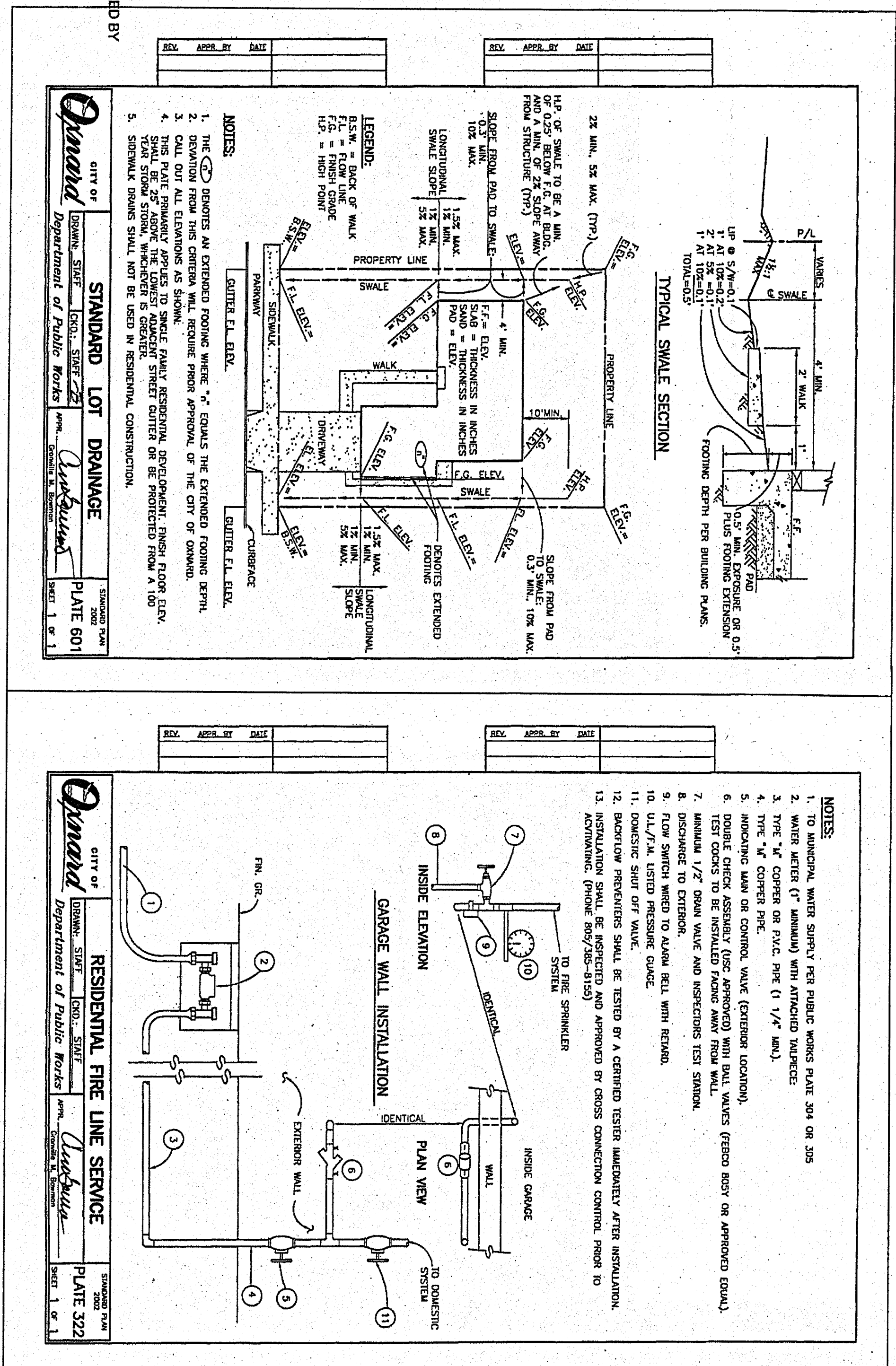
FEMA FLOOD ELEVATION CERTIFICATION INFO

- [illegible]

16

- [illegible]

- NO GRADING REQUIRED FOR THIS PROJECT**



- 1 PROPERTY LINE
- 2 SIDE SETBACK LINE
- 3 REAR SETBACK LINE
- 4 1st FLOOR FRONT SETBACK LINE
- 5 2nd FLOOR FRONT SETBACK LINE
- 6 LINE OF FACADE ABOVE
- 7 LINE OF 2nd FLOOR ABOVE
- 8 WOOD FRAMED STAIRS, STAIRS TO BE BREAK-AWAY. SEE FLOOR PLAN FOR RISE & RUN
- 9 GAS METER
- 10 SURFACE MOUNT 400AMP ELECTRICAL METER PANEL W/ CONCRETE ENCASED
- 11 ELECTRODE W/ ADJACENT PHONE & CABLE FROM EXISTING UNDERGROUND PULL BOXES
- 12 SCE PULL BOX UNDERGROUND CONDUIT FROM PULL BOX TO HOUSE AND TERMINATE
- 13 ABOVE GROUND ADJACENT TO HOUSE PILE, FASTEN TO PILE PER DETAIL 1/4B, 1/4
- 14 CABLE PULL BOX
- 15 PHONE PULL BOX
- 16 NEW 1" WATER METER W/ 1/2" WATERLINE AND SHUT-OFF VALVE @ HOUSE
- 17 NEW 4" ABS SOWER LATERAL, CONTRACTOR TO VERIFY LOCATION
- 18 NEW 8" ABS SOWER LATERAL, CONTRACTOR TO VERIFY LOCATION
- 19 MAILBOX, SEE DETAIL 3/4B, 1/1, CONFIRM EXACT DESIGN W/ ARCHITECT
- 20 PILE PER PLAN, SEE A2.2 FOR PILE LAYOUT PLAN
- 21 3" ABS PIPES FROM 1st FLOOR DECK DRAIN, TERMINATE @ SPLASH BLOCK @ GRADE
- 22 21 NEW CONCRETE DENWAWAY
- 23 HARDSCAPE/WALKS CONSISTING OF PERMEABLE DRY-LAID PATERS OVER A BED OF SAND
- 24 & GRAVEL, SLOPE TO STREET 1/8" PER FT. PAVEMENT DESIGN/STYLE PER OWNER
- 25 STUCCOED CMU PLANTER @ 18" MAX HEIGHT FROM GRADE
- 26 3"x3"x3/16 STAINLESS ROOF OR DECK DOWNSPOUT TO TERMINATE @ HARDSCAPE
- 27 3" ABS PIPES FROM 2nd FLOOR DECK DRAIN, TERMINATE @ SPLASH BLOCK @ GRADE
- 28 NEW UNDERGROUND PE (POLYETHYLENE) GAS LINE W/ TRACER WIRE BURIED MIN 18"
- 29 NEW U/F FINISH GRADE

3-20-61

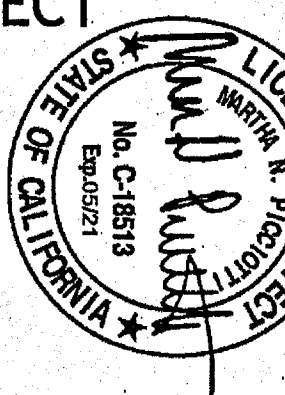
ST. LOUIS, MO. (AP) - A man who was arrested for a violation of a city ordinance on Monday was charged with a violation of a city ordinance on Monday.

1215 CAPRI WAY, LOT 57
OXNARD, CA 93035

PC#19-5271

NORTH CATALINA STREET
JRA, CA. 93001

TEL (805) 641-3221
EMAIL mpdesign@charter.net



REVISIONS:	
NO.	DATE
1	6/26/20
2	10/15/20
3	N/A
4	N/A
5	
6	
7	
8	
9	
10	

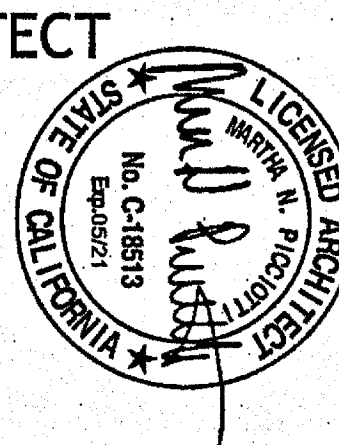
DRAWN BY: JM
DATE: 10/15/20

SITE/DRAINAGE PLAN

A2.1

NOTE:

REVISIONS:	
NO	DATE:
1	6/26/20
2	10/15/20
3	N/A
4	N/A

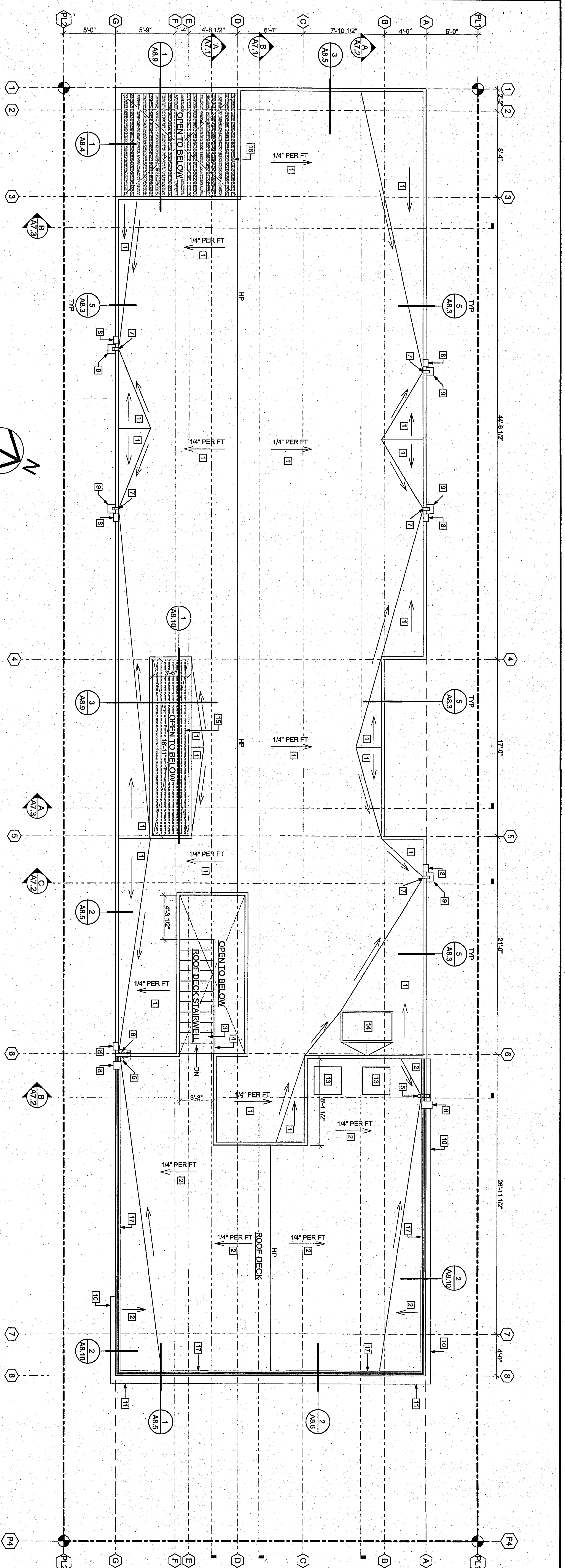


MARTHA PICCIOTTI ARCHITECT
LICENSE # C18513
404 NORTH CATALINA STREET
VENTURA, CA. 93001
TEL (805) 641-3221
EMAIL mpdesign@charter.net

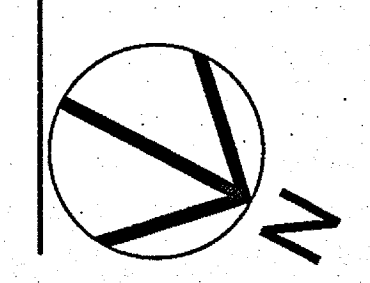
SANDEFER RESIDENCE
FOR: JIM SANDEFER
1215 CAPRI WAY, LOT 57
OXNARD, CA 93035
PC#19-5271

ROOF & ROOF DECK PLAN

A4.1



ROOF & ROOF DECK PLAN



FLAT ROOF DECK DRAINAGE & DRAIN SIZE DETERMINATION

FLAT ROOF DECK AREA=800sf.
ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT=3" PIPE SIZE.
RAIN FALL RATE USED= 4" PER HOUR.
CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE.
A MINIMUM OF ONE 3" DRAINSCUPPER IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200sf.
THE ACTUAL PROPOSED ROOF AREA IS 2430sf WITH A PROPOSED 2 SEPERATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPO) TABLE 1101.12 SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**											
SIZE OF DRAIN, LEADER, OR VERTICAL PIPE (inches)		MAXIMUM ALLOWABLE HORIZONTAL PROJECTED ROOF AREAS AT VARIOUS RAINFALL RATES (square feet)									
1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
2	30	2580	1440	960	720	575	480	410	360	320	290
3	92	8800	4400	2920	2200	1760	1470	1260	1100	980	880
4	192	18,400	9200	6130	4600	3680	3070	2630	2300	2045	1840
5	360	34,600	17,300	11,530	8630	6920	5765	4945	4325	3845	3460
6	563	54,000	27,000	17,995	13,500	10,800	9000	7715	6750	6000	5400
8	1208	116,000	58,000	38,660	29,000	23,200	19,315	16,570	14,500	12,850	11,600

Notes:
1. Maximum discharge capacity given (L/s) with approximately 7% and 1/4 inch head of water at the drain.
2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in this table by the ratio of the actual rainfall rate to the listed rainfall rate.
3. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as the equivalent round pipe, except that the ratio of its side dimensions shall not exceed 3 to 1.

FLAT ROOF DRAINAGE & DRAIN SIZE DETERMINATION

ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT=3" PIPE SIZE.
RAIN FALL RATE USED= 4" PER HOUR.
CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE.
A MINIMUM OF TWO 3" DRAINSCUPPER IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200sf.
THE ACTUAL PROPOSED ROOF AREA IS 2430sf WITH A PROPOSED 2 SEPERATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPO) TABLE 1101.12 SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**											
SIZE OF DRAIN, LEADER, OR VERTICAL PIPE (inches)		MAXIMUM ALLOWABLE HORIZONTAL PROJECTED ROOF AREAS AT VARIOUS RAINFALL RATES (square feet)									
1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
2	30	2580	1440	960	720	575	480	410	360	320	290
3	92	8800	4400	2920	2200	1760	1470	1260	1100	980	880
4	192	18,400	9200	6130	4600	3680	3070	2630	2300	2045	1840
5	360	34,600	17,300	11,530	8630	6920	5765	4945	4325	3845	3460
6	563	54,000	27,000	17,995	13,500	10,800	9000	7715	6750	6000	5400
8	1208	116,000	58,000	38,660	29,000	23,200	19,315	16,570	14,500	12,850	11,600

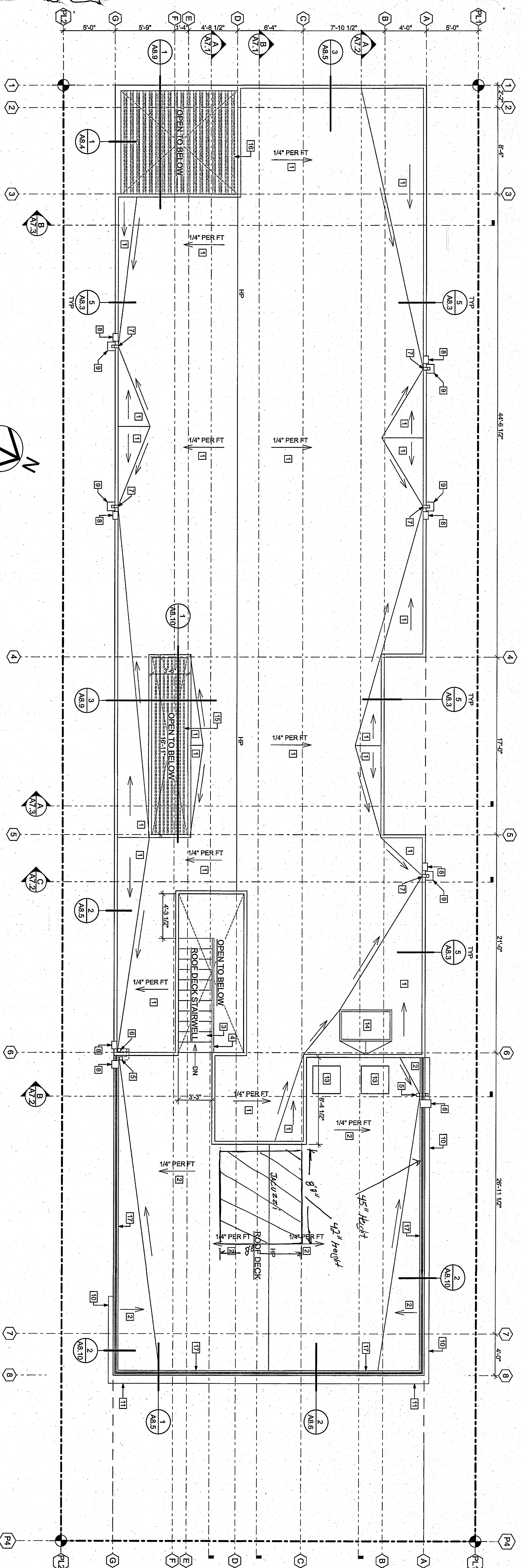
Notes:
1. Maximum discharge capacity given (L/s) with approximately 7% and 1/4 inch head of water at the drain.
2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in this table by the ratio of the actual rainfall rate to the listed rainfall rate.
3. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as the equivalent round pipe, except that the ratio of its side dimensions shall not exceed 3 to 1.

Existing

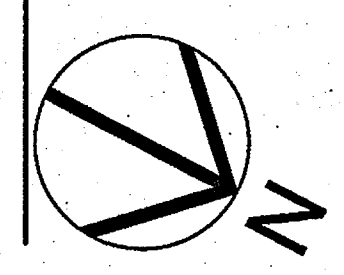
TYP ROOF PLAN NOTES

1. CLASS "A" SARNAPIL G410 ROOFING MEMBRANE (ICC# ESR-1157) OVER 1/4" DENSEDECK BOARD. SLOPE ROOF 1/4" PER FT MIN TO ROOF DRAINSCUPPERS. SEE TYP MFG DETAIL 3/A8.14
2. TILED DECK OVER WATERPROOFED DEX-O-TEX WATER PROOFING. ICC# ERS-1757 (OR EQUAL), SLOPE MIN 1/4" PER FT TO DECK DRAIN
3. TILE STAIRS OVER WATERPROOFED DEX-O-TEX WATER PROOFING. ICC# ERS-1757 (OR EQUAL), SLOPE TREAD MIN 1/4" PER FT, 12-R @ 7 5/8" / 11-T @ 12" FIELD VERIFY
4. GLASS STAIR RAILING. TOP OF HAND RAIL @ 36" ABOVE STAIR TREAD NOSING. SEE DETAIL
5. 4" DECK DRAIN. DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
6. 4" ROOF DRAIN. DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
7. 4"x4" 316 STAINLESS STEEL SHEET METAL ROOF DRAIN SCUPPER. DIRECT FLOW TO LEADER HEAD & DOWNSPOUT AND TERMINATE @ HARDSCAPE
8. 4"x3" 316 STAINLESS STEEL SHEET METAL OVERFLOW SCUPPER. SEE DETAIL 2/A8.11
9. 316 STAINLESS STEEL SHEET METAL LEADER HEAD. SEE DETAIL 1/A8.11
10. 2x6 FRAMED FACADE. SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
11. 2x10 FRAMED FACADE. SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
11. 4"x9" COPPER OVERFLOW SCUPPER. SEE DETAIL 1/A8.3
13. AC CONDENSERS. SEE ELECTRICAL UTILITY PLAN. SEE ANCHORING DETAIL 155/S/D6
14. 3'-0"x5'-0" FIXED SKYLIGHT ABOVE, BY VELUX. ICC ESR-4-108
15. 2x6 MANQUERAS SHADE BARS @ 5" OC (EQUALLY SPACED). SEE APPLICABLE DETAILS
16. 4x6 MANQUERAS SHADE BARS @ 7" OC (EQUALLY SPACED). SEE APPLICABLE DETAILS
17. 2x6 FRAMED DECK RAIL WALL W/ 1/2" TEMP GLASS RAILING ABOVE. TOP OF RAIL TO BE 42" ABOVE FIN DECK SURFACE. SEE FRONT ELEVATION FOR RAIL WALL HEIGHT
28. AC CONDENSERS. SEE ELECTRICAL UTILITY PLAN

NOTE: ALL DIMENSIONS ARE TO FRAMING, UNLESS NOTED OTHERWISE.



ROOF & ROOF DECK PLAN



FLAT ROOF DECK DRAINAGE & DRAIN SIZE DETERMINATION

FLAT ROOF AREA=2804. ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT 3" PIPE SIZE.

RAIN FALL RATE USED= 4" PER HOUR.

CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE, A MINIMUM OF ONE 3" DRAINSCUPPER IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200sf.

THE ACTUAL PROPOSED ROOF AREA IS 800sf WITH A PROPOSED 2-SEPARATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPC) TABLE 1101.12

SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**

MAXIMUM ALLOWABLE HORIZONTAL PROJECTED ROOF AREAS AT VARIOUS RAINFALL RATES

SIZE OF LEADER OR PIPE	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
inches	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
sq ft	30	2880	1440	960	720	575	480	410	360	320	290	260
3	92	8800	4400	2930	2200	1760	1470	1260	1100	980	880	790
4	192	18400	9200	6130	4600	3680	3070	2630	2300	2045	1840	1675
5	360	34600	17300	11530	8650	6920	5765	4945	4325	3845	3460	3145
6	563	54000	27000	17995	13500	10800	9000	7715	6750	6000	5400	4910
8	1208	116000	58000	38660	29000	23200	19315	16570	14500	12890	11600	10545

For 3 inches: 1 inch = 25 mm, 1 gallon per minute = 0.063 L/s, 1 inch per hour = 25.4 mm/h, 1 square foot = 0.0929 sq m

Notes:

- 1. Maximum discharge capacity, gpm (L/s) with approximately 1 1/2 inch (40 mm) head of water at the drain.
- 2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in the 1 inch per hour (25.4 mm/h) column by the desired rainfall rate.
- 3. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in the 1 inch per hour (25.4 mm/h) column by the desired rainfall rate.
- 4. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as its equivalent round pipe. Except that the ratio of its side dimensions shall not exceed 1 to 1.

FLAT ROOF DRAINAGE & DRAIN SIZE DETERMINATION

FLAT ROOF AREA=2804. ROOF SCUPPER & DOWNSPOUT SIZE OR EQUIVALENT 3" PIPE SIZE.

RAIN FALL RATE USED= 4" PER HOUR.

CROSS REFERENCING WITH TABLE 1101.12 BELOW (SEE OUTLINED AREAS), USING 3" PIPE AND A 4" PER HOUR RAINFALL RATE, A MINIMUM OF TWO 3" DRAINSCUPPERS IS REQUIRED FOR THE DRAINAGE REQUIREMENTS WITH A ROOF AREA OF 2200sf.

THE ACTUAL PROPOSED ROOF AREA IS 2430sf WITH A PROPOSED 6-SEPARATE 3" ROOF DRAINSCUPPERS.

2016 CALIFORNIA PLUMBING CODE (CPC) TABLE 1101.12

SIZING ROOF DRAINS, LEADERS, AND VERTICAL DRAINWATER PIPING**

MAXIMUM ALLOWABLE HORIZONTAL PROJECTED ROOF AREAS AT VARIOUS RAINFALL RATES

SIZE OF LEADER OR PIPE	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
inches	1 (in)	2 (in)	3 (in)	4 (in)	5 (in)	6 (in)	7 (in)	8 (in)	9 (in)	10 (in)	11 (in)	12 (in)
sq ft	30	2880	1440	960	720	575	480	410	360	320	290	260
3	92	8800	4400	2930	2200	1760	1470	1260	1100	980	880	790
4	192	18400	9200	6130	4600	3680	3070	2630	2300	2045	1840	1675
5	360	34600	17300	11530	8650	6920	5765	4945	4325	3845	3460	3145
6	563	54000	27000	17995	13500	10800	9000	7715	6750	6000	5400	4910
8	1208	116000	58000	38660	29000	23200	19315	16570	14500	12890	11600	10545

For 3 inches: 1 inch = 25 mm, 1 gallon per minute = 0.063 L/s, 1 inch per hour = 25.4 mm/h, 1 square foot = 0.0929 sq m

Notes:

- 1. Maximum discharge capacity, gpm (L/s) with approximately 1 1/2 inch (40 mm) head of water at the drain.
- 2. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in the 1 inch per hour (25.4 mm/h) column by the desired rainfall rate.
- 3. For rainfall rates other than those listed, determine the allowable roof area by dividing the area given in the 1 inch per hour (25.4 mm/h) column by the desired rainfall rate.
- 4. Vertical piping shall be round, square, or rectangular. Square pipe shall be sized to equivalent round pipe. Rectangular pipe shall have not less than the same cross-sectional area as its equivalent round pipe. Except that the ratio of its side dimensions shall not exceed 1 to 1.

ROOF PLAN KEYNOTES #

- 1 CLASS "A" SARNIAFL G410 ROOFING MEMBRANE (ICC# ESR-1157) OVER 1/4" DENDECK BOARD. SLOPE ROOF 1/4" PER FT MIN TO ROOF DRAINSCUPPERS. SEE TYP MFG DETAIL 3/A8.14
- 2 TILED DECK OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ERS-1767 (OR EQUAL), SLOPE MIN 1/4" PER FT TO DECK DRAIN
- 3 TILE STAIRS OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ERS-1767 (OR EQUAL), SLOPE TREAD MIN 1/4" PER FT, 12-R @ 7 5/8" / 11-T @ 12". FIELD VERIFY
- 4 GLASS STAIR RAILING. TOP OF HAND RAIL @ 36" ABOVE STAIR TREAD NOSING. SEE DETAIL
- 5 4" DECK DRAIN. DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
- 6 4" ROOF DRAIN. DIRECT FLOW TO DOWNSPOUT & TERMINATE @ HARDSCAPE
- 7 4"x4" 316 STAINLESS STEEL, SHEET METAL ROOF DRAIN SCUPPER. DIRECT FLOW TO LEADER HEAD & DOWNSPOUT AND TERMINATE @ HARDSCAPE
- 8 4"x6" 316 STAINLESS STEEL, SHEET METAL OVERFLOW SCUPPER. SEE DETAIL 2/A8.11
- 9 316 STAINLESS STEEL SHEET METAL LEADER HEAD. SEE DETAIL 1/A8.11
- 10 2x6 FRAMED FACADE. SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
- 11 2x10 FRAMED FACADE. SEE FRONT EXTERIOR ELEVATION FOR HEIGHT
- 11 4"x6" COPPER OVERFLOW SCUPPER. SEE DETAIL 1/A8.3
- 13 AC CONDENSERS. SEE ELECTRICAL UTILITY PLAN. SEE ANCHORING DETAIL 165/SD6
- 14 3-0"x5-0" FIXED SKYLIGHT ABOVE, BY VELUX, ICC ESR-4108
- 15 2x6 MANGUERAS SHADE BARS @ 5' OC (EQUALLY SPACED). SEE APPLICABLE DETAILS
- 16 4x6 MANGUERAS SHADE BARS @ 7' OC (EQUALLY SPACED). SEE APPLICABLE DETAILS
- 17 2x6 FRAMED DECK RAIL WALL W/ 1/2" TEMP GLASS RAILING ABOVE. TOP OF RAIL TO BE 42" ABOVE FIN DECK SURFACE. SEE FRONT ELEVATION FOR RAIL WALL HEIGHT
- 28 AC CONDENSERS. SEE ELECTRICAL UTILITY PLAN

TYP ROOF PLAN NOTES

- 1-ALL FLAT ROOF SHALL HAVE CLASS "A" SARNIAFL ROOFING MEMBRANE (ICC# ESR-1157) OVER 1/4" DENDECK BOARD. SLOPE ROOF 1/4" PER FT MIN TO ROOF DRAINSCUPPERS. SEE TYP MFG DETAIL 3/A8.14
- 2-ALL ROOF DECKS SHALL HAVE TILE OVER WATERPROOFED DEX-O-TEX WATER PROOFING, ICC# ERS-1767 (OR EQUAL), SLOPE MIN 1/4" PER FT TO DECK DRAIN. ALL VAULTED CEILING SHALL BE AN UNVENTED ASSEMBLY & INSULATED W/ R30 INSULATION. SEE DETAIL 2/A8.8
- 3-ALL FLAT ROOF CEILING SHALL BE AN UNVENTED ASSEMBLY & INSULATED W/ R30 INSULATION. SEE DETAIL 2/A8.8. THE UNVENTED ENCLOSURE RAFTER ASSEMBLY MEETS THE CRITERIA SET FORTH IN CRC, R808.5.
- 4-ALL STUCCO PARAPET WALLSCUPPERS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2 LAYERS GRADE TP PAPER. USE STAINLESS STEEL LATH AND CORNER METAL. SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
- 5-ALL FASCO, TRIMS AND BELLY BANDS SHALL BE PAINTED TRIM. USE "BORAL" (TRU EXTERIOR TRIM), (SOLID OR BUILT-UP TO OBTAIN CAL. DETAIL DIMENSIONS)
- 6-ALL ROOF DRAINAGE SHALL BE COLLECTED VIA ROOF DRAIN OR 316 STAINLESS STEEL, SHEET METAL SCUPPERS AND LEADER HEADS. DOWNSPOUT TO DISCHARGE @ HARDSCAPE. DIRECT FLOW TO LANDSCAPING AND PUBLIC RIGHT-OF-WAY.

NOTE: ALL DIMENSIONS ARE TO FRAMING. U.N.O.

REVISIONS:

NO	DATE	BY	REVISION
1	6/26/20	AM	
2	10/15/20	AM	
3	N/A	N/A	

MARTHA PICCIOTTI ARCHITECT

LICENSE # C18513

404 NORTH CATALINA STREET

VENTURA, CA. 93001

TEL (805) 641-3221

EMAIL mpdesign@charter.net

DESIGN

PROJECT INFO

PROJECT TITLE

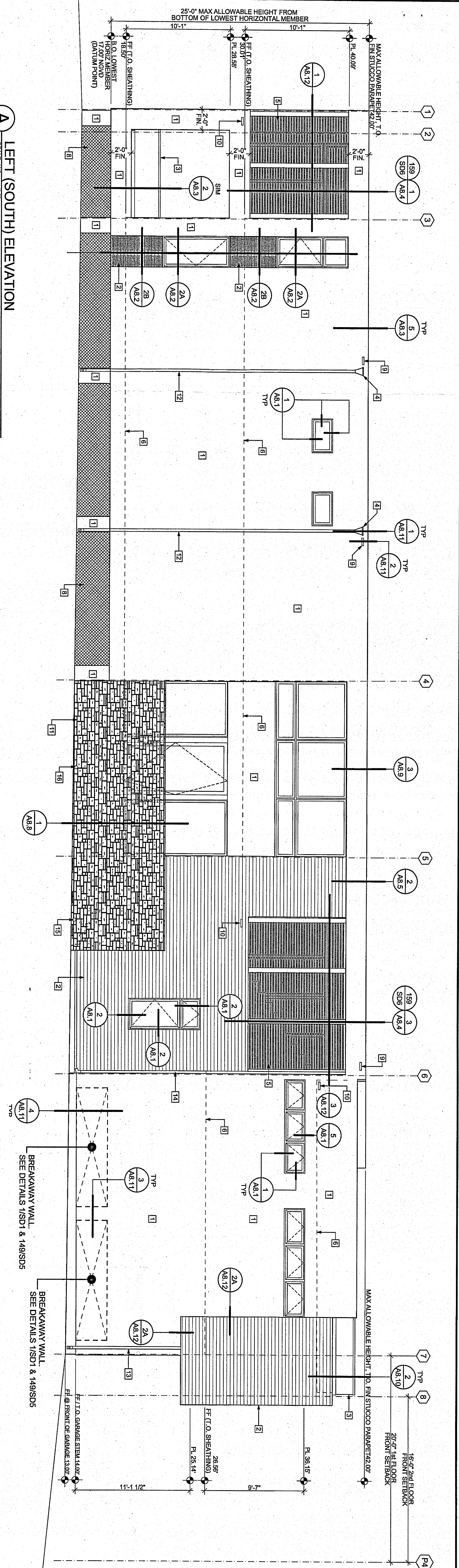
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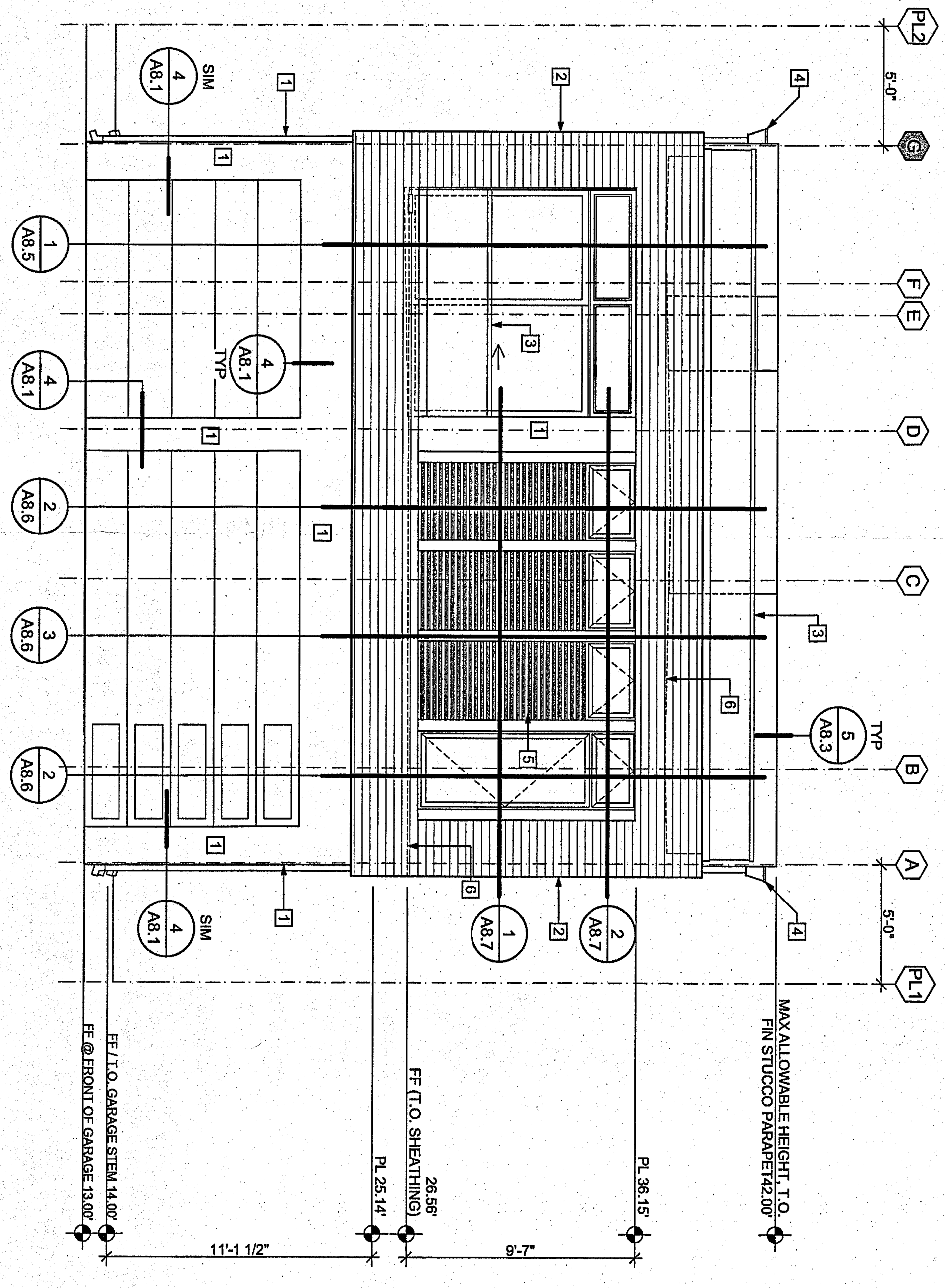
DATE: 10/15/20

PC#19-5271

ROOF & ROOF DECK PLAN



A LEFT (SOUTH) ELEVATION
SCALE: 1/4" = 1'-0"



B FRONT (EAST) ELEVATION
SCALE: 1/4" = 1'-0"

- EXTERIOR ELEVATION KEYNOTES**
- 7/8" SMOOTH STUCCO OVER SS LATH OVER (2) LAYERS GRADE "P" PAPER
 - HORIZ 1x4 MANGUERAS T&G SIDING OVER TYVEK BUILDING WRAP
 - 1/2" TEMP GLASS GAURD RAIL SYSTEM, TOP OF RAIL CAP @ 42" ABOVE FIN DECK SURFACE
 - 3/16 STAINLESS STEEL LEADER HEAD, SEE TYP DETAIL 1/A8.11
 - MANGUERAS SHADE SCREEN WALL, SEE APPLICABLE DETAILS
 - LINE OF FF (TOP OF SHEATHING)
 - 1/2" TEMP GLASS GAURD RAIL SYSTEM, TOP OF RAIL CAP @ 36" ABOVE FIN STAIR TREAD NOSING
 - 3/16 STAINLESS STEEL DECORATIVE WIRE SCREENMESH, STYLE CHOSEN BY ARCHITECT
 - 3/16 STAINLESS OVERFLOW SCUPPER, SEE TYP DETAIL 2/A8.11
 - 3/16 STAINLESS OVERFLOW SCUPPER, SEE TYP DETAIL 2/A8.11, SIM
 - STONE VENEER, SEE TYP DETAIL 4/A8.12 FOR ATTACHMENT
 - 3"x3" SQ 3/16 STAINLESS DOWNSPOUT FROM ROOF DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 - 3"x3" SQ 3/16 STAINLESS DOWNSPOUT FROM DECK DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 - 3"x3" SQ 3/16 STAINLESS DOWNSPOUT FROM DECK DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 - 3" ABS DRAIN PIPE, FROM ROOF DECK LANDING DECK DRAIN, TO TERMINATE @ HARDSCAPE
 - 3" ABS DRAIN PIPE, FROM ENTRY LANDING DECK DRAIN & PLANTER DRAINS, TO TERMINATE @ HARDSCAPE
 - EXTERIOR MOUNTED FIRE SPRINKLER BELL

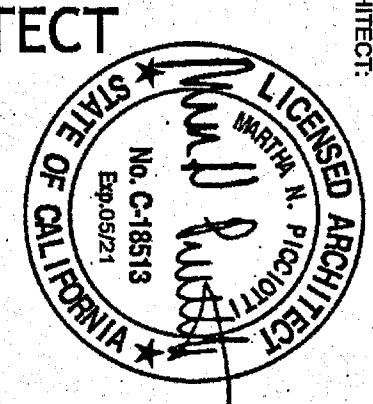
TYP CONSTRUCTION NOTES

- ALL FLAT ROOF CEILINGS SHALL BE AN "UNVENTED ASSEMBLY" & INSULATED W/ R30 INSULATION, SEE DETAIL 2/A8.8.
- ALL CEILINGS SHALL BE INSULATED W/ R30 BATT INSULATION, TYP U.N.O.
- ALL EXTERIOR WALLS SHALL BE INSULATED W/ R19 BATT INSULATION, TYP U.N.O.
- ALL INTERIOR FLOORS SHALL BE INSULATED W/ R30 BATT INSULATION, TYP U.N.O.
- ALL EXTERIOR STUCCO WALLS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2 LAYERS OF 1/2" X 1/2" MANGUERAS T&G SIDING OVER TYVEK BUILDING WRAP, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
- ALL EXTERIOR STUCCO WALLS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2 LAYERS OF 1/2" X 1/2" MANGUERAS T&G SIDING OVER TYVEK BUILDING WRAP, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
- ALL EXTERIOR WALLS W/ SIDING SHALL HAVE 1x4 MANGUERAS HORIZONTAL SIDING OVER TYVEK BUILDING WRAP. ALL PASTERERS SHALL BE STAINLESS STEEL.
- ALL INTERIOR WALLS @ GARAGE SHALL HAVE 5/8" GYP, TYP U.N.O.
- ALL INTERIOR WALLS @ GARAGE SHALL HAVE 5/8" GYP, TYP U.N.O.
- ALL INTERIOR WALLS @ GARAGE SHALL HAVE 5/8" GYP, TYP U.N.O.
- ALL CEILING HEIGHTS ARE MEASURED FROM TOP OF SLAB OR TOP OF SUB-FLOOR SHEATHING TO ROUGH FRAME CEILING AND/OR PLATE LINE.
- A MINIMUM VERTICAL CLEARANCE OF 2 FEET SHALL BE MAINTAINED UNDER THE WHEELS OF VEHICLES PARKED IN GARAGE.
- SUPPORT EQUIPMENT FOR THE RESIDENCE, SUCH AS WATER HEATERS, FURNACES AND ANY OTHER EQUIPMENT SHALL BE LOCATED ABOVE SLOAS NOT TO IMPEDE SHEET WATER.
- SEE ATTACHED FORM G-FR, SHEET EN.1 SPECIFYING THE REQUIRED ENERGY RATED WINDOW INSULATION WINDOW AREAS AND TYPES, WINDOW TYPES, WINDOW SIZES, WINDOW SYSTEMS, LATH AND CORNER METAL, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
- INSULATION AND HERS RATER VERIFICATION FORM G-FR REQUIRED.

NOTES:
1. ALL DIMENSIONS ARE TO FRAMING, U.N.O.
2. SEE ATTACHED FORM G-FR, SHEET EN.1 SPECIFYING THE REQUIRED ENERGY RATED WINDOW INSULATION WINDOW AREAS AND TYPES, WINDOW TYPES, WINDOW SIZES, WINDOW SYSTEMS, LATH AND CORNER METAL, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.

SANDEFER RESIDENCE
FOR: JIM SANDEFER
1215 CAPRI WAY, LOT 57
OXNARD, CA 93035
PC#19-5271

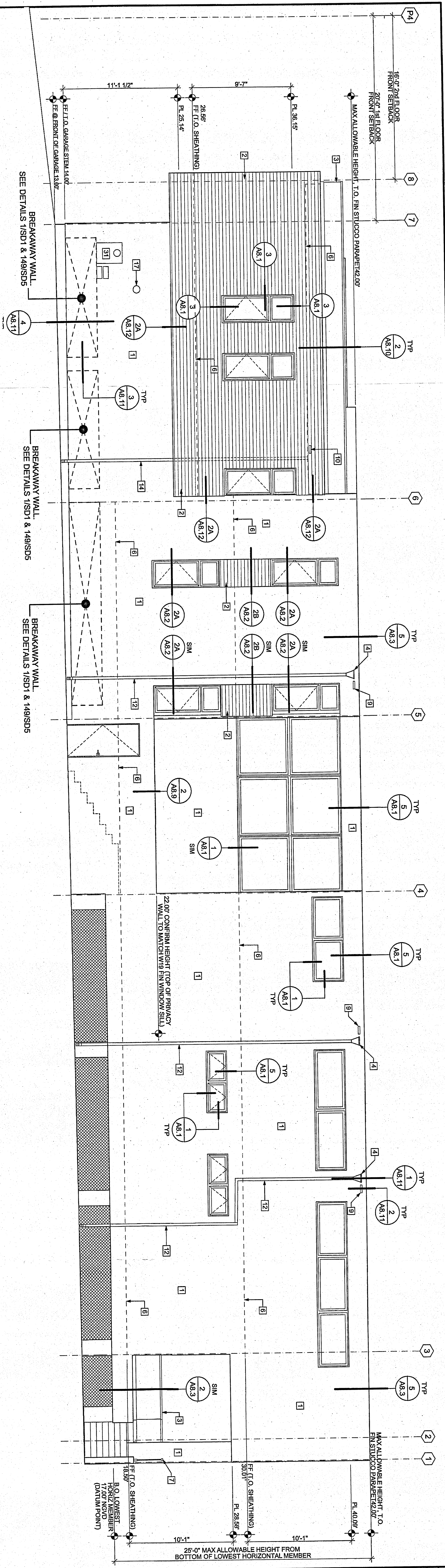
MARTHA PICCIOTTI ARCHITECT
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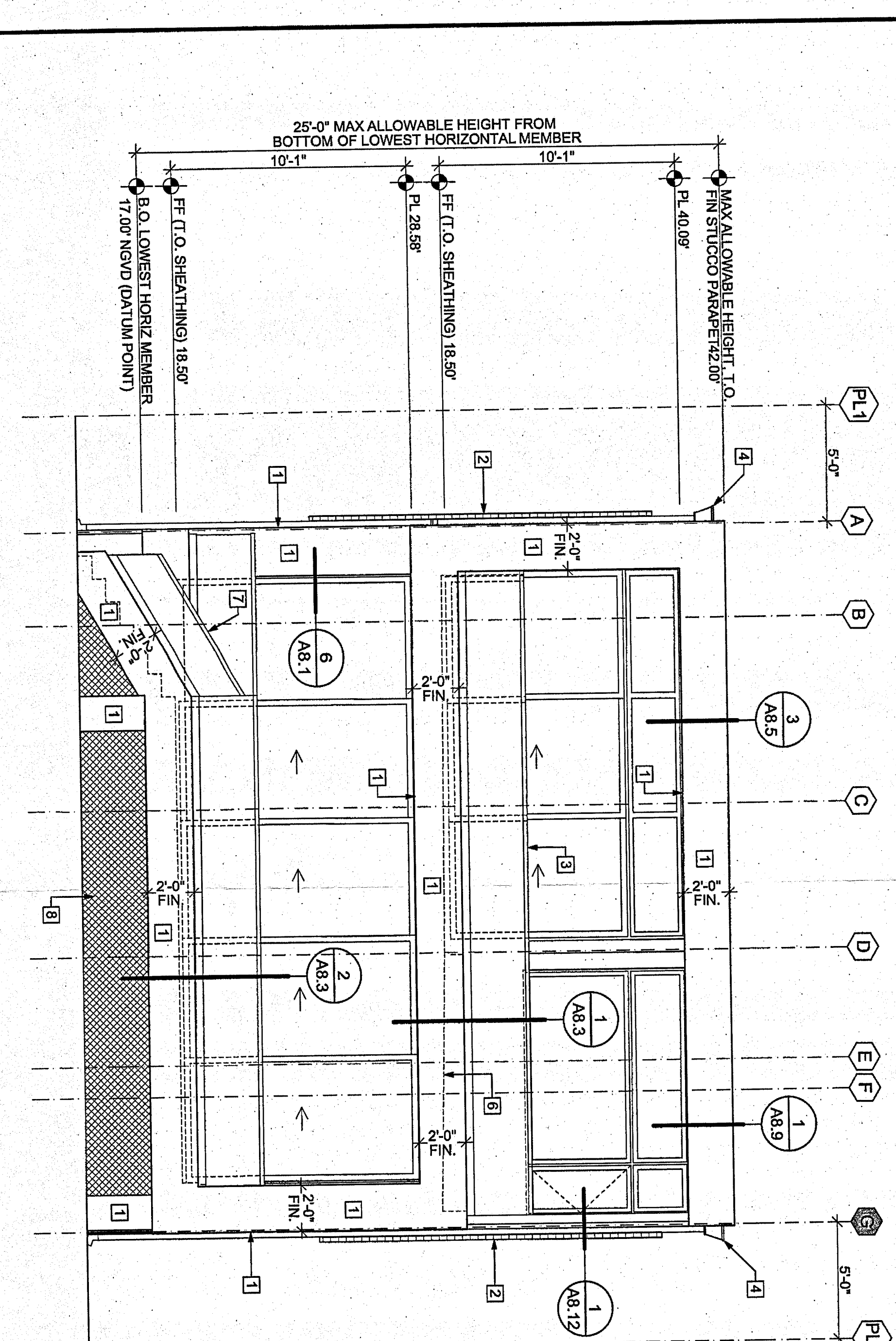
NO.	DATE	REVISIONS
1	8/29/20	
2	10/15/20	
3	NA	
4	NA	

EXTERIOR ELEVATIONS

A6.1



A RIGHT (NORTH) ELEVATION
SCALE 1/8" = 1'-0"



B REAR (WEST) ELEVATION
SCALE 1/8" = 1'-0"

- EXTERIOR ELEVATION KEYNOTES**
1. 7/8" SMOOTH STUCCO OVER SS LATH OVER (2) LAYERS GRADE "D" PAPER
 2. HORIZ 1x4 MANGUERAS TAG SIDING OVER TYVEK BUILDING WRAP
 3. 1/2" TEMP GLASS GAURD RAIL SYSTEM, TOP OF RAIL CAP @ 42" ABOVE FIN DECK SURFACE
 4. 3/16" STAINLESS STEEL LEADER HEAD, SEE TYP DETAIL 1/A8.11
 5. MANGUERAS SHADE SCREEN WALL, SEE APPLICABLE DETAILS
 6. LINE OF FF (TOP OF SHEATHING)
 7. 1/2" TEMP GLASS GAURD RAIL SYSTEM, TOP OF RAIL CAP @ 36" ABOVE FIN STAIR TREAD NOSING
 8. 3/16" STAINLESS STEEL DECORATIVE WIRE SCREENMESH, STYLE CHOSEN BY ARCHITECT
 9. 3/16" STAINLESS OVERFLOW SCUPPER, SEE TYP DETAIL 2/A8.11
 10. 3/16" STAINLESS OVERFLOW SCUPPER, SEE TYP DETAIL 2/A8.11, SIM
 11. STONE VENEER, SEE TYP DETAIL 4/A8.12 FOR ATTACHMENT
 12. 3"x3"SQ 3/16" STAINLESS DOWNSPOUT FROM ROOF DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 13. 3"x3"SQ 3/16" STAINLESS DOWNSPOUT FROM DECK DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 14. 3"x3"SQ 3/16" STAINLESS DOWNSPOUT FROM ROOF & ROOF DECK DRAIN ABOVE TO TERMINATE @ HARDSCAPE
 15. 3" ABS DRAIN PIPE, FROM ROOF DECK LANDING DECK DRAIN, TO TERMINATE @ HARDSCAPE
 16. 3" ABS DRAIN PIPE, FROM ENTRY LANDING DECK DRAIN & PLANTER DRAINS, TO TERMINATE @ HARDSCAPE
 17. EXTERIOR MOUNTED FIRE SPRINKLER BELL

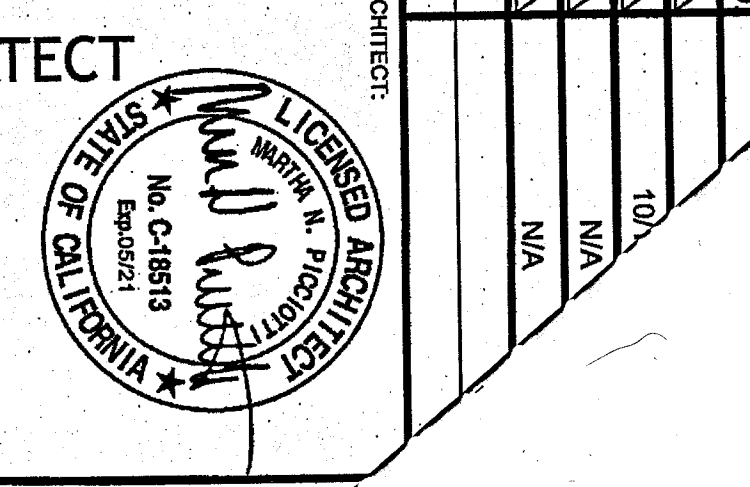
TYP CONSTRUCTION NOTES

1. ALL FLAT ROOF CEILINGS SHALL BE AN "UNVENTED ASSEMBLY" & INSULATED W/ R30 INSULATION, SEE DETAIL 2/A8.8
2. ALL CEILINGS SHALL BE INSULATED W/ R30 BATT INSULATION, TYP UNO.
3. ALL EXTERIOR WALLS SHALL BE INSULATED W/ R19 BATT INSULATION, TYP UNO.
4. ALL INTERIOR FLOORS SHALL BE INSULATED W/ R30 BATT INSULATION, TYP UNO.
5. ALL FLOORS EXPOSED TO THE EXTERIOR SHALL BE INSULATED W/ R30 BATT INSULATION, TYP UNO.
6. ALL EXTERIOR STUCCO WALLS SHALL HAVE 7/8" SMOOTH COAT STUCCO OVER 2 LAYERS OF 1/2" TEMP GLASS GAURD RAIL SYSTEM, LATH AND CORNER METAL, SEE EXTERIOR ELEVATIONS FOR STUCCO LOCATIONS.
7. ALL EXTERIOR WALLS W/ SIDING SHALL HAVE 1x4 MANGUERAS HORIZONTAL SIDING OVER TYVEK BUILDING WRAP. ALL FASTENERS SHALL BE STAINLESS STEEL.
8. ALL INTERIOR WALLS AND CEILINGS SHALL HAVE 5/8" GYP, TYP UNO.
9. ALL INTERIOR WALLS @ GARAGE SHALL HAVE 5/8" GYP, TYP UNO.
10. ALL CEILING HEIGHTS ARE MEASURED FROM TOP OF SLAB OR TOP OF SUB-FLOOR SHEATHING TO ROUGH FRAME CEILING AND/OR PLATE LINE.
11. A MINIMUM VERTICAL CLEARANCE OF 2 FEET SHALL BE MAINTAINED UNDER THE FIRST FLOOR STRUCTURAL MEMBERS TO ASSURE THE FREE PASSAGES OF SHELTER WATER.
12. SUBPANT EQUIPMENT FOR THE RESIDENCE, SUCH AS WATER HEATERS, REFRIGERATORS AND ANY OTHER EQUIPMENT SHALL BE LOCATED ABOVE SO AS NOT TO IMPEDE SHELTER WATER.
13. SEE ATTACHED FORM OF CR-SHEET EN.1 SPECIFYING THE REQUIRED ENERGY FEATURES FOR WALLS, CEILING INSULATION, WINDOW TYPES, DOOR TYPES, ROOF TYPES, AND INSULATION AND / HERS RATER VERIFICATION (FORM OF CR-REQUIRED).

REAR (WEST) ELEVATION
SCALE 1/8" = 1'-0"
DATE: 10/15/20
DRAWN BY: JM
SHEET: A6.2

SANDEFER RESIDENCE
FOR: JIM SANDEFER
1215 CAPRI WAY, LOT 57
OXNARD, CA 93035
PC#19-5271

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EMAIL mpdesign@charter.net



EXTERIOR ELEVATIONS

NOTE:
ALL DIMENSIONS ARE TO FRAMING, UNO.

NOTICE OF CEQA EXEMPTION

Project Name: Mandelbaum Residence

Project Description: PZ No. 23-400-01 (Coastal Development Permit) - A request to allow for amendments to a previously approved single-family residence. The previously approved residence consisted of a 5,284 square-foot, two story, single-family beachfront residence with an attached 797 square-foot three-car garage, 1,095 square feet of deck space. The request would allow for a rooftop spa ("Project"). The Project site is a single-family home located at 1215 Capri Way within the Oxnard Shores Neighborhood in the Beachfront Residential (R-BF) zoning district. Filed by property owner Ben Mandelbaum.

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

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

Supporting Reasons: In accordance with Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, projects involving "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" may be found to be exempt from the requirements of CEQA. The project consists of minor alteration modifications to an existing building, the addition of a rooftop spa. There are no exceptions found within Section 15300.2 that defeat the Exemption. The Community Development Director has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is categorically exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document.

(Date)

Joe Pearson II
Planning & Environmental Services Manager

RESOLUTION NO. PZ 20-400-01

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-400-01 (COASTAL DEVELOPMENT PERMIT), TO AUTHORIZE THE CONSTRUCTION OF A TWO-STORY 5,284 SQUARE-FOOT SINGLE-FAMILY RESIDENCE WITH AN ATTACHED 797 SQUARE-FOOT THREE-CAR GARAGE AND 1,095 SQUARE FEET OF DECK SPACE AND A ROOFTOP SPA ON A VACANT 5,600 SQUARE-FOOT LOT LOCATED AT LOCATED AT 1215 CAPRI WAY (APN: 191-0-091-285) WITHIN THE OXNARD SHORES NEIGHBORHOOD IN THE BEACHFRONT RESIDENTIAL (R-BF) ZONING DISTRICT AND WITHIN THE COASTAL ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PROPERTY OWNERS JAMES AND DORI SANDEFER.

WHEREAS, on December 18, 2019, James and Dori Sandefer (the “**Applicant**” and/or “**Developer**”) submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to construct a 5,284 square foot two-story, single-family house with an attached 797 square-foot three-car garage, 1,095 square feet of deck space, and associated amenities and infrastructure on a vacant 5,600 square foot ubeachfront lot, located at 1215 Capri Way; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 3 Categorical Exemption (Section 15303(a)). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

The project site is located within the 2030 General Plan/Local Coastal Plan land use designation of Residential Existing (REX) within the Residential Beachfront (R-BF) zone. The Project is surrounded by residential development to the north, south and east. 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 Coastal Development Permit request for construction of a 5,284 square foot, two-story, single-family house with associated amenities and infrastructure on a vacant 5,600 square foot beachfront lot is consistent with the 2030 General Plan, Local Coastal Plan and the Oxnard City Code and is compatible with the physical scale and character of other residential development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General, Local Coastal 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 Coastal Development Permit request for construction of a 5,284 square foot, two-story, single-family house with associated amenities and infrastructure on a vacant 5,600 square foot beachfront lot 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 residential character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by residential development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site is undeveloped and 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, on May 14, 2020, the Community Development Director of the City of Oxnard ("**Director**") conducted a duly noticed public hearing to consider an application for Planning and Zoning Permit No. 20-400-01 (Coastal Development Permit), filed by James Sandefer in accordance with 17-57(B)(5) of the Oxnard City Code; and

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

NOW, THEREFORE, BE IT RESOLVED that 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, the Community Development Director finds, after due study, deliberation and public hearing that the following circumstances exist:

1. **The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 17 of the Oxnard City Code.**

The proposed modification to the approved single-family beachfront residence is permitted in the R-BF sub-zone with a Coastal Development Permit, per Sections 17-57(I) and 17-25(C)(1). As discussed in the Staff Report, the project complies with all applicable provisions of Chapter 17 of the Oxnard City Code.

2. **The proposed use would not impair the integrity and character of the sub-zone in which it would be located.**

The subject sub-zone is specifically designed for the development of single-family beachfront residences. The project site is a vacant lot that is generally surrounded by single-family residences. The development will be compatible with existing single-family beachfront residences in the surrounding area, in regard to its size, bulk, scale, and use. Therefore, the project will not

impair the integrity and character of the R-BF sub-zone.

3. **The subject site in terms of location and intensity of use would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.**

The project site is comprised of an infill lot specifically intended for single-family beachfront development. As discussed in the Staff Report, the project meets all pertinent development standards, such as building height and protection of public beach access, and the project has been evaluated and designed in the context of threats from seismic activity, liquefaction, tsunami run-up, beach erosion, and storm wave runup. Therefore, the project is designed to protect and maintain adjacent coastal resources.

4. **The proposed use would be compatible with the land uses presently on the subject property.**

The project site is currently a vacant lot. The vacant lot is specifically intended for single-family beachfront development. Therefore, the proposed single family dwelling would be compatible with the land use presently on the subject property.

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

The proposed beachfront single family dwelling is allowed in the RB-F subzone. The surrounding lots are developed with single family dwellings. Allowed future uses on the adjacent RB-F lots include single-family dwellings. Therefore, the proposed single family dwelling will be compatible with the surrounding existing single-family beachfront development and future land uses within the subzone and general area in which the proposed project would be located.

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

The project site is an infill property that has access to public services. The proposed development would be compatible with surrounding development and would not require significant expansion of existing public services. The surrounding development has adequate fire, police, water, sanitation, and utility services. Therefore, there are adequate public services for the proposed use to ensure that the proposed use will not be detrimental to public health and safety.

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

The project site is located 136 feet to the south of an existing 24-foot wide public easement for access to the beach (Parcels Q and R, Tract 4380). The project will not impede public access to the beach. Therefore, the proposed project will provide public access consistent with the Oxnard Coastal Land Use Plan.

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

Continued construction of single-family residences on vacant beachfront lots indicates a market demand and active interest from residents who desire to live along the beach. The development is in the Oxnard Shores area, which the LCP designates specifically for urban residential uses. Therefore, the proposed use is appropriate in light of an established need, based upon the goals and objectives on the Oxnard Coastal Land Use Plan.

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

The project site is located on a vacant lot within a developed area. The project provides needed housing near the coast without endangering local resources. As discussed in the Staff Report (Section 6(b)), the proposed use is consistent with all of the applicable policies for single-family beachfront development in the certified Oxnard Coastal Land Use Plan.

SECTION 2. In accordance with Section 15303 (Class 3) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “new construction... of small structures” may be found to be exempt from the requirements of CEQA. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Upon approval of Planning and Zoning Permit 20-400-01, the Community Development Director of the City of Oxnard after conducting the public hearing hereby repeals Community Development Director Resolution No. 18-400-02, Coastal Development Permit No. 18-400-02, allowing the development of a 5,789 square-foot residence at 1215 Capri Way, and said Resolution shall be of no further force and effect.

SECTION 4. Based on the findings set forth herein, the Community Development Director hereby approves Planning and Zoning Permit 20-400-01 (Coastal Development Permit), subject

to the attached conditions of approval.

SECTION 5. 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 17-58(H) of the Oxnard City Code.

CONDITIONS OF APPROVAL

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated May 14, 2020, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor change to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager"). A minor change may be granted for minimal changes to the extent of use or size of structures or of the design, materials or colors of structures or masonry walls, found to be in substantial conformance with the approved plans. Substantial conformance shall be determined by the Planning and Environmental Services Manager. A Coastal Development Permit Amendment shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 24 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. A one time extension to this permit may be granted for a maximum of 12 additional months. The request for the extension shall be applied for prior to the expiration of the permit (PL, *G-3*)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Planning and Environmental Services Manager allows the Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning and Environmental Services Manager. (PL, G-8)
9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or

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

14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).
16. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, G-16)
17. The subject Coastal Development Permit shall not become effective until 10 working days have elapsed without appeal to the Planning Commission following the notice of the decision of the Director to the Developer. Such notice to the Developer shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, G-17)

LANDSCAPE STANDARD CONDITIONS

18. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Planning Division and obtain approval of such plans. (PK/DS, PK-2)
19. 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)
20. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance. (PK, PK-4)

21. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
22. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, PK-24)

LANDSCAPE SPECIAL CONDITIONS

23. Landscaping shall consist of (2) 8' brown trunk *Washingtonia robustas*, with 5 gallon (minimum) colorful shrubs and colorful ground covers which conform to City Landscape requirements. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

24. 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)
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. 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)
28. 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

29. Fire sprinkler coverage is required for:
 - a. Patios, overhangs or any other projections that are 48" or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.

30. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.

POLICE DEPARTMENT STANDARD CONDITIONS

31. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
- a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - ii. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.
32. 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.
33. Should an alarm system be installed, it shall be compliant with Oxnard City Code 11-95 through 11-100. Motion detection burglary or intrusion alarm systems shall utilize "Dual Technology" sensors capable of differentiating between human movement and non-human movement.
34. Lighted street address fixture is required.

PLANNING DIVISION STANDARD CONDITIONS

35. 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)
36. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Community Development Director in all sets of construction documents and specifications for the project. (PL, PL-3)
37. Before the City issues building permits, Developer shall provide to the Planning and Environmental Services Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)
38. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, PL-5)
39. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)
40. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)
41. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, PL-12)
42. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)

43. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
44. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
45. Developer shall 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*)
46. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
47. Developer shall provide automatic garage door opener for the garage. (PL/B, *PL-20*)
48. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
49. Additions and patio covers shall conform to the requirements of the R-BF zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, *PL-27*)
50. 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*)
51. All construction activities shall occur only between the hours of 7:00 am to 6:00 pm Monday through Saturday in accordance with Section 7-188(D) of the Oxnard City Code.

PLANNING DIVISION SPECIAL CONDITIONS

52. Developer shall not obstruct pedestrian or vehicular traffic on Capri Way or the associated sidewalk during construction and maintenance activities. (PL)
53. Developer shall maintain the construction site free of litter and the accumulation of construction debris. (PL)

54. Developer shall paint utility meter panels to match structures upon which it is located. Such panels shall be located to take advantage of screening (e.g., landscaping or other building elements) from public right of ways, to the maximum extent feasible.
55. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
56. Developer shall construct the improvements on driven pilings in accordance with Exhibit 6 of the settlement agreement in Oxnard Shores Oceanfront Lot Owners Association, et al. v. City of Oxnard, et al. (PL/DS)
57. Developer acknowledges and agrees to complete the following steps to mitigate the impacts associated with pile driving:
 - a. Developer shall distribute a written notice to all property owners within a 300-foot radius of the subject property informing them of the upcoming pile driving and providing the name and contact information for the Foreman and/or Developer. This notice shall be distributed no less than 60 days prior to pile driving. The City shall furnish an updated mailing list with a 300-foot radius in an electronic format to the Developer within two weeks of the Developer requesting the mailing list. The City will not charge additional fees for the updated electronic mailing list. The Developer will be responsible for the costs associated with mailing the notifications. The Developer shall furnish a copy of the pile driving notification and a signed statement confirming mailed notices were sent to all property owners who were on the City furnished updated mailing list to the City at the preconstruction meeting referenced below. Developer shall also provide Planning Manager and Deputy Building Official with a written notification confirming that the notice has been completed prior to issuance of a building permit;
 - b. Prior to issuance of a building permit, Developer shall coordinate and attend a preconstruction meeting with the Building and Engineering Division to verify and review all pile driving requirements. Attendees shall include the pile driving/drilling Foreman, Developer, Deputy Inspector, Deputy Building Official and Case Planner. The request for this meeting shall be made to the Building and Engineering Division by the Developer or their designee and include a minimum 72 hours notice in advance of the meeting;
 - c. Developer shall prepare and submit a predrilling and noise mitigation plan for approval during the plan review process. This plan shall consist of: 1) an identification of methods used to reduce the driving duration, force, and resulting vibration impacts to surrounding properties during pile driving; and 2) an identification of methods used to reduce the noise impacts to surrounding properties during pile driving, including detailed description of any noise

reduction techniques or equipment proposed, as verified by an acoustical report, technical report, or other objective data;

- d. Developer shall limit pile driving activities to the hours of 9:00 a.m. through 4:30 p.m., Monday through Friday; and
- e. Developer acknowledges that the approval of the Building Official is conditional and may be revoked immediately if the aforementioned requirements are not completed and strictly adhered to during construction. (PL/B, PL-50)

- 58. Developer shall provide breakaway panels painted to match the structure that cover approximately 50% of the linear area between the first floor of the structure and the sand below in order to screen the pilings. (PL)
- 59. Developer shall provide mailbox detail that is theme-coordinated with the architecture of the building, subject to approval by the Planning and Environmental Services Manager. (PL)
- 60. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
- 61. 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)
- 62. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)
- 63. Plans submitted by Developer with building permit applications shall include mailbox design with details that incorporate architectural design features that complement the building, subject to approval by the Planning and Environmental Services Manager. (PL)
- 64. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (PL)
- 65. The proposed hot tub shall be located on the first floor deck on the ocean side and shall be architecturally compatible with the deck. No spa or hot tub, subject to the requirement for Building Permits, shall be constructed on the roof deck. All equipment shall be subject to the sound regulations provided in Article XI of the Oxnard City Code. Revised plans showing the relocation of the hot tub shall be provided prior to the issuance of Building Permits.

66. The material used to construct the deck and balcony railing on the front elevation facing Capri Way shall be an opaque material.

ENVIRONMENTAL RESOURCES DIVISION

67. 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.
68. 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.
69. 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.
70. 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.

BUILDING AND ENGINEERING DIVISION STANDARD CONDITIONS

71. 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)

72. Developer shall protect building pads from inundation during a 1% chance (100year) storm. (DS-5)
73. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
74. 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)
75. 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)
76. 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)
77. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
78. 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)
79. 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)
80. 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)
81. Developer shall provide three City refuse containers for each lot or unit. An alternative number of containers may be approved by the Environmental Resources Division. (DS-67)

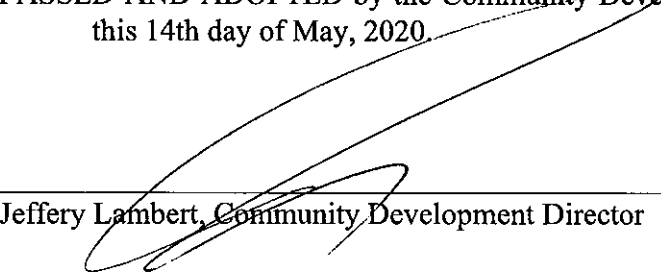
BUILDING AND ENGINEERING DIVISION SPECIAL CONDITIONS

82. Developer is hereby notified that the Federal Emergency Management Agency ('FEMA') is currently processing a revised Federal Insurance Rate Map ('FIRM') that is likely to significantly raise the Coastal Base Flood Elevation applicable to this property. It is

currently unknown when the revised FIRM will become effective but a draft version has been published by FEMA. Any rise in the Base Flood Elevation will affect the minimum allowed elevation of the finished floor for this structure. Revised minimum finished floor elevations will affect the ability of this structure to be constructed as approved by this permit when the revised FIRM becomes effective, unless the Developer has performed substantial work and incurred substantial liabilities in good faith reliance based upon the permit prior to the date that the revised FIRM becomes effective. (DS)

83. The Developer shall take sufficient precautions during construction to prevent ocean wave run-up from passing through the project site and into the street right-of-way. Failure to take adequate precautions will result in Developer being assessed street cleanup costs. (DS)
84. The Developer's architect and engineer shall provide written certification that the structure complies with all FEMA requirements. This shall include the filing of a FEMA "elevation certificate." (DS)
85. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property as directed by the Construction Services Inspector. (DS)
86. Driveway shall be designed and constructed in general conformance with City Standard Plate No. 115. (DS)
87. Developer shall construct a level concrete pad for storage of two refuse containers out of view of the public street. Developer shall provide a paved path from the storage location to the street curb. All gates or doors along the path shall be constructed with a minimum of 36 inches of clear space to allow passage of the City issued containers. (DS)

PASSED AND ADOPTED by the Community Development Director of the City of Oxnard on this 14th day of May, 2020.



Jeffery Lambert, Community Development Director

RESOLUTION NO. PZ 23-400-01

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 23-400-01 (COASTAL DEVELOPMENT PERMIT), TO AUTHORIZE THE ADDITION OF A ROOFTOP SPA TO A 5,284 SQUARE-FOOT TWO-STORY SINGLE-FAMILY RESIDENCE WITH A 1,095 SQUARE FOOT ROOFTOP DECK LOCATED AT 1215 CAPRI WAY (APN: 191-0-091-285) WITHIN THE OXNARD SHORES NEIGHBORHOOD IN THE BEACHFRONT RESIDENTIAL (R-BF) ZONING DISTRICT AND WITHIN THE COASTAL ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PROPERTY OWNERS BEN AND MICHELLE MANDELBAUM.

WHEREAS, on February 21, 2023, Ben and Michelle Mandelbaum (the “**Applicant**” and/or “**Developer**”) submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to add an approximately 75 square foot, 42 inch tall spa to the rooftop deck. The site is a beachfront lot located at 1215 Capri Way and is currently developed with a 5,284 square foot two-story, single-family house that has a 1,095 square foot rooftop deck.

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

- (a) Class 1 applies to existing properties. The changes being made to the development are insignificant to the overall development; therefore, Staff has determined that it qualifies for an exemption.

The project site is located within the 2030 General Plan/Local Coastal Plan land use designation of Residential Existing (REX) within the Residential Beachfront (R-BF) zone. The Project is surrounded by residential development to the north, south and east. 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 Coastal Development Permit request for construction of a 5,284 square foot, two-story, single-family house with associated amenities and infrastructure on a vacant 5,600 square foot beachfront lot is consistent with the 2030 General Plan, Local Coastal Plan and the Oxnard City Code and is compatible with the physical scale and character of other residential development

in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General, Local Coastal 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 Coastal Development Permit request for the addition of a spa located on the rooftop deck of a 5,284 square foot, two-story, single-family house on a 5,600 square foot beachfront lot 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 residential character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by residential development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

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

WHEREAS, on August 24, 2023, the Community Development Director of the City of Oxnard ("**Director**") conducted a duly noticed public hearing to consider an application for Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit), filed by Ben Mandelbaum in accordance with 17-57(B)(5) of the Oxnard City Code; and

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

NOW, THEREFORE, BE IT RESOLVED that 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, the Community Development Director finds, after due study, deliberation and public hearing that the following circumstances exist:

- 1. The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 17 of the Oxnard City Code.**

The proposed modification to the approved single-family beachfront residence is permitted in the R-BF sub-zone with a Coastal Development Permit, per Sections 17-57(I) and 17-25(C)(1). As discussed in the Staff Report, the project complies with all applicable provisions of Chapter 17 of the Oxnard City Code.

- 2. The proposed use would not impair the integrity and character of the sub-zone in which it would be located.**

The subject sub-zone is specifically designed for the development of single-family beachfront residences. The project site is a vacant lot that is generally surrounded by single-family residences. The development will be compatible with existing single-family beachfront residences in the surrounding area, in regard to its size, bulk, scale, and use. Therefore, the project will not impair the integrity and character of the R-BF sub-zone.

- 3. The subject site in terms of location and intensity of use would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.**

The project site consists of a two-story 5,284 square foot house with a 797 square foot garage and 1,095 square foot rooftop deck. As discussed in the Staff Report, the project meets all pertinent development standards, such as building height and protection of public beach access, and the project has been evaluated and designed in the context of threats from seismic activity, liquefaction, tsunami run-up, beach erosion, and storm wave runup. Therefore, the project is designed

to protect and maintain adjacent coastal resources.

4. The proposed use would be compatible with the land uses presently on the subject property.

The site is a beachfront lot located at 1215 Capri Way and is currently developed with a 5,284 square foot two-story, single-family house that has a 1,095 square foot rooftop deck. The lot is specifically intended for single-family beachfront development. Therefore, the proposed alteration to the existing single family dwelling would be compatible with the land use presently on the subject property.

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

The existing beachfront single family dwelling is allowed in the RB-F subzone. The surrounding lots are developed with single family dwellings. Allowed future uses on the adjacent RB-F lots include single-family dwellings. Therefore, the proposed single family dwelling will be compatible with the surrounding existing single-family beachfront development and future land uses within the subzone and general area in which the proposed project would be located.

6. There are adequate public services for the proposed use, including, but not limited to, fire and police protection, water, sanitation and public utilities and services to insure that the proposed use would not be detrimental to public health and safety.

The project site is a single-family home that has access to public services. The proposed alteration would be compatible with surrounding development and would not require significant expansion of existing public services. The surrounding development has adequate fire, police, water, sanitation, and utility services. Therefore, there are adequate public services for the proposed use to ensure that the proposed use will not be detrimental to public health and safety.

7. The proposed use will provide a type and level of public access consistent with the access policies and standards of the Oxnard Coastal Land Use Plan.

The project site is located 136 feet to the south of an existing 24-foot wide public easement for access to the beach (Parcels Q and R, Tract 4380). The project will not impede public access to the beach. Therefore, the proposed project will provide public access consistent with the Oxnard Coastal Land Use Plan.

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

The current use is residential and the proposed alteration does not trigger a change of use, so the project is in compliance with the goals and objectives of the Oxnard Coastal Land Use Plan.

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

The project site is an existing residence. The proposed alterations do not change the existing use; therefore, the use remains consistent with the Oxnard Coastal Land Use Plan.

SECTION 2. In accordance with Section 15301 (Existing Facility) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Upon approval of Planning and Zoning Permit 23-400-01, the Community Development Director of the City of Oxnard after conducting the public hearing hereby repeals Community Development Director Resolution No. 20-400-01, Coastal Development Permit No. 20-400-01, allowing the development of a 5,789 square-foot residence at 1215 Capri Way, and said Resolution shall be of no further force and effect.

SECTION 4. Based on the findings set forth herein, the Community Development Director hereby approves Planning and Zoning Permit 23-400-01 (Coastal Development Permit), subject to the attached conditions of approval.

SECTION 5. 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 17-58(H) of the Oxnard City Code.

CONDITIONS OF APPROVAL

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

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, 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 August 24, 2023, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor change to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”). A minor change may be granted for minimal changes to the extent of use or size of structures or of the design, materials or colors of structures or masonry walls, found to be in substantial conformance with the approved plans. Substantial conformance shall be determined by the Planning and Environmental Services Manager. A Coastal Development Permit Amendment shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 24 months from the date of its issuance, unless the Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. A one time extension to this permit may be granted for a maximum of 12 additional months. The request for the extension shall be applied for prior to the expiration of the permit (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Planning and Environmental Services Manager allows the Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and

waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)

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

16. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, G-16)
17. The subject Coastal Development Permit shall not become effective until 10 working days have elapsed without appeal to the Planning Commission following the notice of the decision of the Director to the Developer. Such notice to the Developer shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, G-17)

PLANNING DIVISION SPECIAL CONDITIONS

18. Except as modified by this request, all permit conditions of Resolution No. PZ 20-400-01 (20-400-01 (Coastal Development Permit)), shall remain in full force and effect. (PL)
19. Condition of Approval 65 of Resolution 20-400-01 shall be deleted.

PASSED AND ADOPTED by the Community Development Director of the City of Oxnard on this 24th day of August, 2023.

Maureen Tamuri, Interim Community Development Director

**Solomon and Gabriella Goldner
1205 Capri Way
Oxnard, California 93035**

VIA EMAIL Planning@Oxnard.org

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

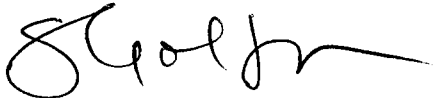
Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

I am a resident of Oxnard and live at 1205 Capri Way. I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

We urge you to please approve this reasonable request.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Goldner', with a long horizontal flourish extending to the right.

Solomon Goldner

1205 Capri Way

Oxnard, California



Ben Mandelbaum <ben@snp-rx.com>

Hearing on Coastal Development Permit No. 23-400-01

1 message

peterkelly1225@gmail.com <peterkelly1225@gmail.com>

Sun, Aug 20, 2023 at 12:25 PM

To: Planning@oxnard.org

Cc: pamelakelly129@gmail.com, Ben Mandelbaum <ben@snp-rx.com>

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

My wife and I own the home at 1225 Capri Way, which is 2 houses south of the Mandelbaum's house. I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community. I believe a number of other homes in this same neighborhood have rooftop jacuzzies, and I have heard no complaints about these. It is hard to understand why the Mandelbaum's have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

Best Regards,

Peter Kelly

Phone: 310-994-0430

Address: 1225 Capri Way, Oxnard, CA



Ben Mandelbaum <ben@snp-rx.com>

Fwd: Permit No. 23-400-01 Coastal Development Permit

1 message

Sol Majer <solmajer@aol.com>

Mon, Aug 21, 2023 at 12:18 AM

To: Ben Mandelbaum <ben@skillednursingpharmacy.com>

Ben,
See below email that I sent. Good luck.

Sol

Begin forwarded message:

From: Sol Majer <solmajer@aol.com>
Date: August 20, 2023 at 9:12:14 PM HST
To: planning@oxnard.org
Subject: Permit No. 23-400-01 Coastal Development Permit

TO: Serena Gonzales
Assistant Planner
City of Oxnard

RE: 1215 Capri Drive
Oxnard Shores

Dear City Planning Director

I am a resident of Oxnard. I live at [4168 Ocean Drive](#). I am writing in support of the Mandelbaum permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores. A rooftop jacuzzi at the Mandelbaum home will not be seen or heard from any neighboring property. It will have absolutely no negative impact on the community. A number of other homes in the same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard where a rooftop jacuzzi has not been allowed.

I respectfully request that this reasonable request be approved.

Thank you,
Sol Majer
[4168 Ocean Dr.](#)
[Oxnard, CA 93035](#)



Ben Mandelbaum <ben@snp-rx.com>

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

1 message

Yehudah Gene <eivanov06@gmail.com>

Sun, Aug 20, 2023 at 3:25 PM

To: Planning@oxnard.org

Bcc: ben@snp-rx.com

Serena Gonzalez, Assistant Planner

City of Oxnard

Re: 1215 Capri Drive, Oxnard Shores Neighborhood

Permit No. [23-400-01](#) Coastal Development Permit

Dear City Planning Director:

I am a resident of Oxnard and live at [2970 Leeward Way Oxnard, CA 93035](#).

I am writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their beautiful home in Oxnard Shores.

A rooftop jacuzzi at the Mandelbaum's house will not be seen or heard from any neighboring property and will have absolutely no negative impact on the community.

A number of other homes in this same neighborhood have rooftop jacuzzis and there have been no complaints. It is hard to understand why the Mandelbaums have the only house in Oxnard Shores where a rooftop jacuzzi has not been allowed.

Please approve this reasonable request.

Name : Yevgeniy Ivanov

Address : [2970 Leeward Way Oxnard, CA 93035](#)

--

Blessings for Success

105 Los Altos, LLC
105 Los Altos Street
Oxnard, CA 93035

August 24, 2023

Serena Gonzales
Assistant Planner
planning@oxnard.org

Re: 1215 Capri Drive, Oxnard Shores
Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

As a new business owner in Oxnard at 105 Los Altos Street and long-time contributor to and investor in the Oxnard community, I'm writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their residence in Oxnard Shores. A rooftop jacuzzi at their house will not be seen or heard from any neighboring property and will not have any negative impact on the community. As evidenced by a number of homes in the neighborhood with a rooftop jacuzzi, there haven't been any complaints. I wholeheartedly support the Mandelbaums' request to install a jacuzzi at their residence and respectfully request an approval of their request.

Sincerely,

DocuSigned by:

0C02C2430AC148F...
Brian Dror, Manager
(323) 933-9306

Tabitha Dror
2211 Vina Del Mar
Oxnard, CA 93035

August 24, 2023

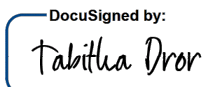
Serena Gonzales
Assistant Planner
planning@oxnard.org

Re: 1215 Capri Drive, Oxnard Shores
Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

As a resident of Oxnard at 2211 Vina Del Mar and active member of the Oxnard community, I'm writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their residence in Oxnard Shores. A rooftop jacuzzi at their house will not be seen or heard from any neighboring property and will not have any negative impact on the community. A number of homes in the neighborhood have a rooftop jacuzzi and there haven't been any complaints. I wholeheartedly support the Mandelbaums' request to install a jacuzzi at their residence and respectfully request an approval of their request.

Sincerely,

DocuSigned by:

5B0CDC916D494FC...
Tabitha Dror
(323) 842-9009

Brian Dror
2213 Vina Del Mar
Oxnard, CA 93035

August 24, 2023

Serena Gonzales
Assistant Planner
planning@oxnard.org

Re: 1215 Capri Drive, Oxnard Shores
Permit No. 23-400-01 Coastal Development Permit

Dear City Planning Director:

As a long-time resident of Oxnard at 2213 Vina Del Mar, I'm writing in support of the Mandelbaum's permit application to allow a rooftop jacuzzi at their residence in Oxnard Shores. A rooftop jacuzzi at their house will not be seen or heard from any neighboring property and will not have any negative impact on the community. As evidenced by a number of homes in the neighborhood with a rooftop jacuzzi, there haven't been any complaints. I wholeheartedly support the Mandelbaums' request to install a jacuzzi at their residence and respectfully request an approval of their request.

Sincerely,

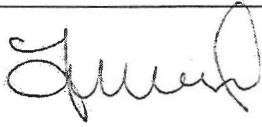
DocuSigned by:

0C02C2430AC148F...
Brian Dror
(323) 907-3555

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Erin Connors	Erin M Connors	1235 Capri Wy. Oxnard, CA 93035
Joe & Rick Van Gemert	Joe Van Gemert	5320 Sursumar Oxnard, CA 93035
Boin Suter		1259 Mandalay Beach Rd
Ivette Gomoll		5140 W. Woolley Rd Oxnard CA 93035
Diana Oplinger		5110 Whitecap Street Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

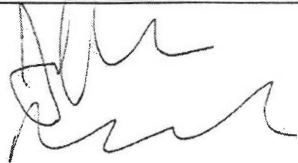
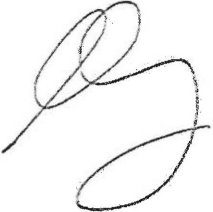
We support the approval of the permit requested by Ben and Michelle
Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way,
Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Donald R. Gering WHL	Donald R. Gering	5232 TEAKWOOD WAY OXNARD CA,
WILLIAM HANDY BILL@WIGIOSA COM	WHL	1151 CAPRI WAY OXNARD CA 93035
David Grant	WHL	1131 Capri Way 93035
DAVID E. ROTH		5340 MODERNA 93005
Luis Carmona		5224 Seabreeze 93005

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

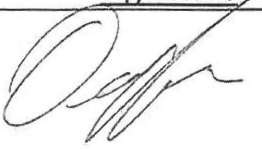
We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Jeffrey Weiss Rita Weiss		1125 CAPRI WAY OXNARD, CA 93035
Carol Resnick Stewart Resnick		1130 Capri Way Oxnard, CA 93035
DAVID GILSONER 		1205 CAPRI WAY OXNARD, CA 93035
STEVEN HABELER 		1211 CAPRI WAY OXNARD CA 93035
Cassandra Schrey		1231 Capri way Oxnard CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

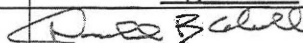
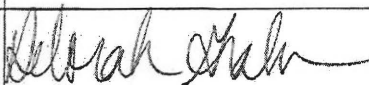
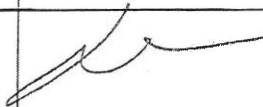
We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
DENNIS KEIFFER		1231 Capri Way Oxnard Ca 93035
Shane Trotter		1231 Capri Way Oxnard, CA 93035
Cemei Elliott		1231 Capri Way Oxnard CA 93035
Diana Schrey		1231 Capri Way Oxnard Ca 93035
Bill Schrey		1231 Capri Way Ox Ca 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

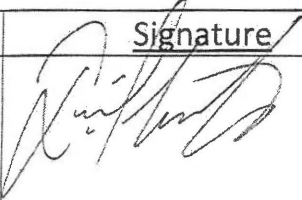
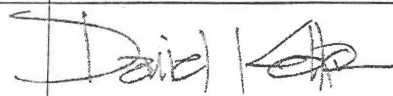
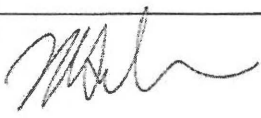
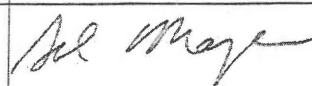
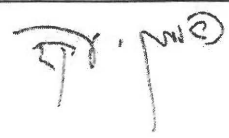
We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Don Colwell		168 E. 10th, PE Ave. 93046
Deborah Graham		5140 Terramar Way. Oxnard 93035
Donna Avery	 818-426-7939	5207 Whitecap st Oxnard, CA 93035
Ron Avery		5207 Whitecap st Oxnard, CA 93038 93035
Kyle Rehder Jackie Rehder	 Jackie Rehder	5160 Terramar Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

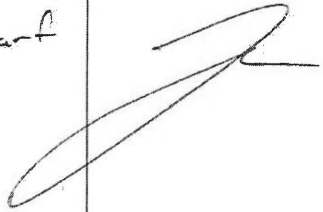
We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
David Schwartz		112 Ocean Dr. 93035
David Kollin		2591 Captains Ave Port Hueneme, CA 93041
MORRIS HUBERMAN		1430 MANDALY BEACH RD OXNARD, CA 93035
SOL MAIER		4168 OCEAN DR OXNARD, CA 93035
Paul Lutz		1400 Victoria Ave apt 118 OXNARD, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

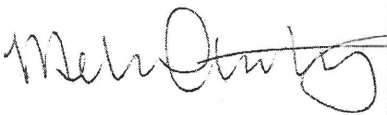
We support the approval of the permit requested by Ben and Michelle
Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way,
Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Cindy Chapek		1145 Capri Way
Jonathan Scharf		5310 Breakwater Way
John E. Lucky HEMPHREY		1179 MANDALAY BEACH RD.
DAVE BANKERT	1244 Mandalay Beach Rd. Dave Bankert	

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

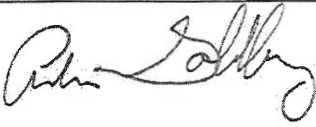
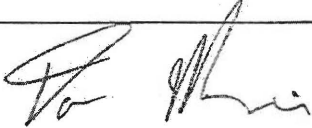
We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Melissa Armstrong		5012 Marlin Wy Oxnard CA 93035
Dea Voss Jr		4490 Eastbourne Bry Oxnard Ca 93035
Kim Speth		5245 Neptune Square Oxnard CA 93035.
Kathy & Michael		5343 Reef Way Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Cedric Goldberger		1470 Victoria Ave Apt 118 Oxnard, CA 93035
Abraham Freeman		676 Pacific Cove Dr Port Hueneme CA 93041
Dov Muchnik		4601 Sunlit Ln Oxnard, CA 93035 2860 Harbor Blvd Oxnard, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

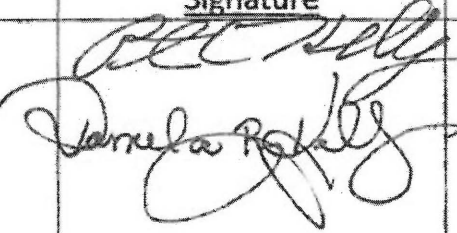
We support the approval of the permit requested by Ben and Michelle
Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way,
Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
KATHY DELFINO		5120 W. Wooten Oxnard, CA 93035
CLIFFORD H. MAURER		5145 WHITECAP ST OXNARD, CA 93035

Petition in Support of Ben and Michelle Mandelbaum's
Application for Permit for a Rooftop Jacuzzi

July 2023

We support the approval of the permit requested by Ben and Michelle Mandelbaum to allow for the rooftop jacuzzi at their home at 1215 Capri Way, Oxnard.

<u>Name</u>	<u>Signature</u>	<u>Address</u>
Peter Kelly Pamela Kelly		1225 Capri Way Oxnard, CA 93035

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DENYING THE APPEAL AND UPHOLDING THE DIRECTOR'S DENIAL OF THE PLANNING AND ZONING PERMIT NO. 23-400-01 (COASTAL DEVELOPMENT PERMIT), TO AUTHORIZE THE ADDITION OF A ROOFTOP SPA TO A 5,284 SQUARE-FOOT TWO-STORY SINGLE-FAMILY RESIDENCE WITH A 1,095 SQUARE FOOT ROOFTOP DECK LOCATED AT 1215 CAPRI WAY (APN: 191-0-091-285) WITHIN THE OXNARD SHORES NEIGHBORHOOD IN THE BEACHFRONT RESIDENTIAL (R-BF) ZONING DISTRICT AND WITHIN THE COASTAL ZONE, SUBJECT TO CERTAIN FINDINGS. FILED BY PROPERTY OWNERS BEN AND MICHELLE MANDELBAUM.

WHEREAS, on February 21, 2023, Ben and Michelle Mandelbaum (the **"Applicant"** and/or **"Developer"**) submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to add an approximately 75 square foot, 42 inch tall spa to the rooftop deck. The site is a beachfront lot located at 1215 Capri Way and is currently developed with a 5,284 square foot two-story, single-family house that has a 1,095 square foot rooftop deck.

WHEREAS, on August 24, 2023, the Community Development Director of the City of Oxnard (**"Director"**) conducted a duly noticed public hearing to consider an application for Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit), filed by Ben and Michelle Mandelbaum in accordance with 17-57(B)(5) of the Oxnard City Code; and

WHEREAS, on August 24, 2023, the Director also reviewed all of the information provided in the staff report and considered the testimony given at the public hearing, including all written communications to the Director, as well as other pertinent information; and

WHEREAS, on August 24, 2023, the Director deliberated the merits of the Project and made a determination to adopt Resolution PZ 23-400-01 denying the Project.

WHEREAS, on August 30, 2023, the Appellant filed a timely Appeal application with the City of the decision of the Director's denial of Planning and Zoning Permit No. 23-400-01 within 10 days after the Director's Hearing action pursuant to Sections 17-58(F) and 17-58(I) of the Oxnard City Code ("OCC"); and

WHEREAS, on October 19, 2023, the Planning Commission conducted a duly noticed public hearing to consider the Appellant's Appeal of the Director's decision to Deny Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit) in accordance with Oxnard City Code Sections 17-58(F) and 17-58(I) of the Oxnard City Code; and

WHEREAS, on October 19, 2023, the Planning Commission also reviewed all of the information provided in the staff report, attachments, environmental document, and considered the testimony given at the public hearing, including all written communications to the Director and Planning Commission, as well as other pertinent information; and

WHEREAS, on October 19, 2023, the Planning Commission deliberated the merits of the Project and Appeal and made a motion to Deny the Appeal and uphold the Director's Denial of

Planning and Zoning Permit No. 23-400-01 finding that the Appellant has not provided substantial evidence to support the Appeal.

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

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Staff Report and all attachments thereto, the Commission finds, that they cannot make the following finding necessary for the proposed Coastal Development Permit::

2. The proposed use would not impair the integrity and character of the sub-zone in which it would be located.

The subject sub-zone is specifically designed for the development of single-family beachfront residences. The project site is a single-family residence that is generally surrounded by other single-family residences. However, the proposed request to allow for a rooftop spa at the front/street side of the property is generally not consistent with the existing neighborhood character and would be detrimental to the existing R-BF subzone character. Condition 65 of the previously approved Coastal Development Permit (PZ 20-400-01) prohibited a rooftop spa due to the location of the rooftop deck at the front of the home overlooking Capri Way, however it allowed for the placement of the spa in a way that is consistent with other homes in the sub-zone. While other spas including rooftop spas are located in the area, they are generally located in the center of the property or on the oceanside behind the structure of the building. The approved location of the spa allowed for the use of the site consistent with the other homes in the areas, while being consistent with the sub-zone character. For the reasons stated above, this Finding cannot be met.

SECTION 2. Based on the finding set forth above, each of which provides a basis for denial, the Planning Commission hereby denies Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit) as the Commission is unable to make all of the Findings required by Oxnard City Code Section 17-57(C)(5)(b) in order to grant a Coastal Development Permit.

SECTION 3. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”) because the proposed Project is denied.

SECTION 4. Based on the findings set forth herein, the Community Development Planning Commission hereby denies Planning and Zoning Permit 23-400-01 (Coastal Development Permit).

SECTION 5. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 17-58(K) of the Oxnard City Code.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of October 2023.

Ronald Arruejo, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 19th day of October 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, Secretary

**Appeal of the Director's Decision to Deny Planning & Zoning Permit No.
23-400-01
(Coastal Development Permit)
For removal of Condition Prohibiting a Rooftop Spa**

1215 Capri Way (APN: 191-0-091-285)

Serena Gonzalez, Assistant Planner
Joe Pearson II, AICP, Planning & Environmental Services Manager
Community Development Department

Planning Commission
October 19, 2023

Project Description

- Appeal of the Community Development Director's decision to deny a request for a Coastal Development Permit (CDP) Amendment in order to remove the condition that prohibits a rooftop spa and allow for the placement of a spa on the existing roof deck of a beachfront single-family residence.

Project Location and Existing Conditions

Subject Site: 1215 Capri Way

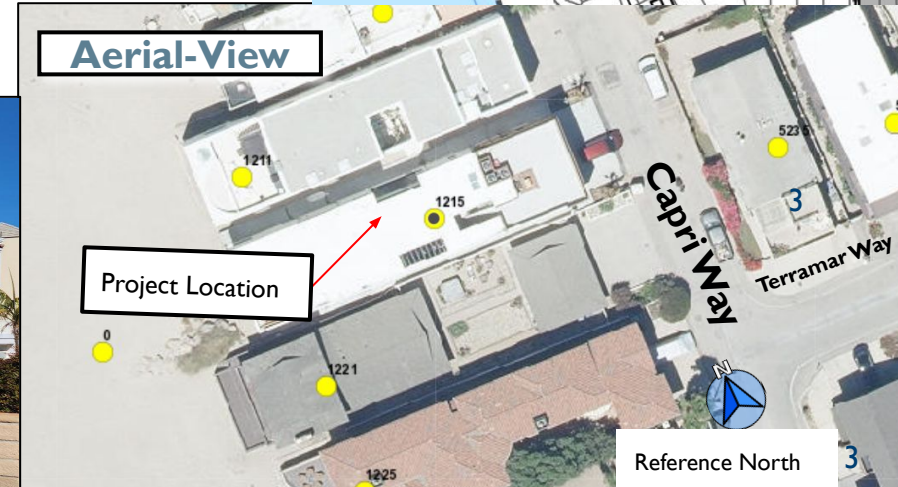
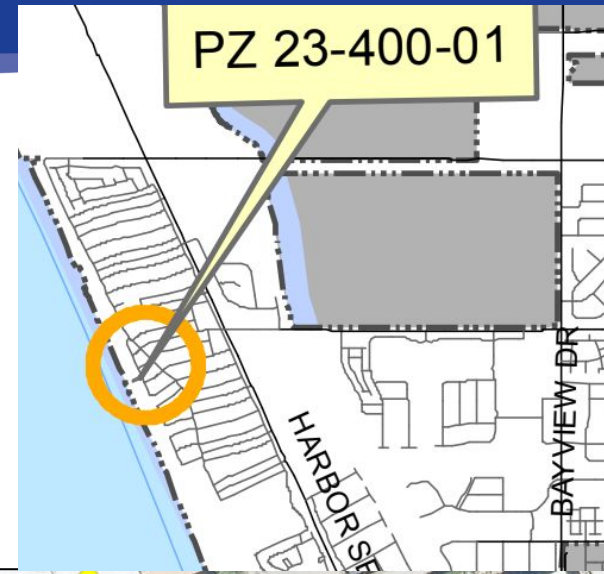
Designations

General Plan: Residential Existing (REX)

Zoning: Residential Beachfront (RBF)

Surroundings Uses

Residential

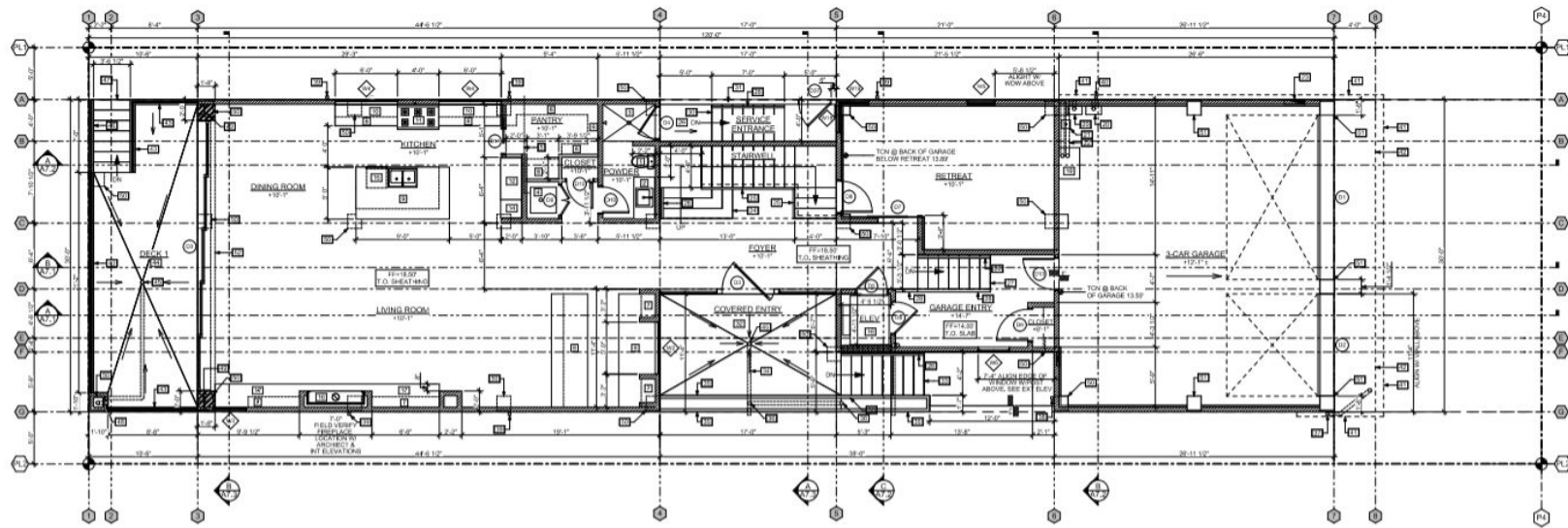


Background: Prior Project Approvals

- On October 4, 2018, the Director approved Resolution No. 18-400-02 to allow for the construction of a Single Family Dwelling. The Director approval was appealed to the Planning Commission, who upheld the Director's Decision on December 6, 2018. Subsequent appeal to the Coastal Commission was later dropped by the appealant.
- On May 14, 2020, the Director approved Resolution No. 20-400-01 with the condition that no spa was to be permitted on the rooftop deck. The home has since been built and purchased by the current Applicant.



Approved Site Plan



Approved Elevations

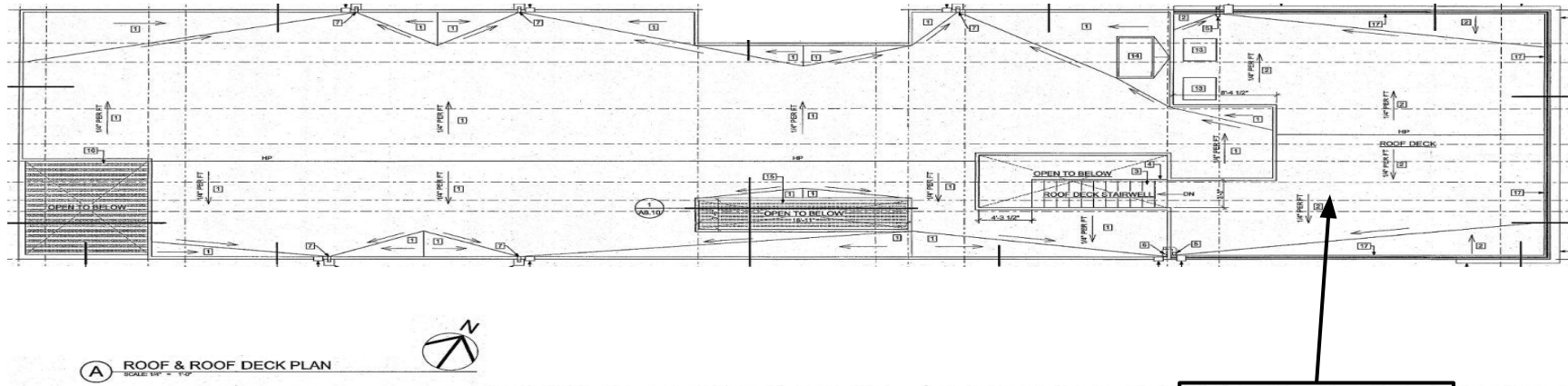


SOUTHEAST VIEW
N.T.S.



NORTHWEST VIEW
N.T.S.

Approved Existing Roof Floor Plan

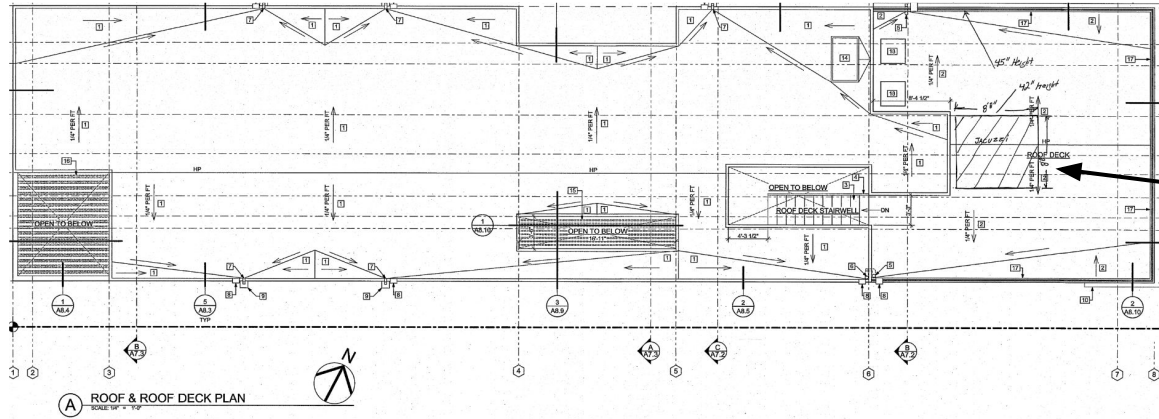


Vacant deck area

Background: Director Hearing

- During the final inspection City Staff noted that the spa had been installed on the roof in conflict with the conditions. Staff directed the applicant to remove the spa, prior to final sign off, which the applicant's contractor agreed to do. However, following final sign off by City Staff the spa was returned to the roof, at which time a code enforcement case was opened.
- On February 16, 2023, Ben and Michelle Mandelbaum applied for a new Coastal Development Permit in order to remove condition 65 of their existing planning entitlement, to allow for the placement of a Spa/Jacuzzi on the existing rooftop deck.

Background: Director Hearing



Proposed jacuzzi

Max height allowed: 25 ft

Height of building: 25 ft

Height of jacuzzi does not exceed the height of the parapet

Background: Director Hearing

- On August 24, 2023, the project went to a Director's hearing where the project PZ 23-400-01 was denied.
- Specifically, the Director found they could not make required Findings
 - The proposed use would not impair the integrity and character of the sub-zone in which it would be located.
- Six days after the hearing, on August 30, 2023, the applicant requested an appeal of the Director's decision.

Public Comments

- On June 19, 2023, Community Workshop was conducted.
 - Notice was sent to 300 ft radius and Staff received correspondence both in favor of and against the project
- The Director Hearing was advertised for a public hearing on August 03, 2023 and Notices of the Hearing were sent to surrounded Property Owners and residents.
- At the Director's Hearing on August 24, 2023, the applicant team provided reasoning for approval of the project. There were two members of the public that spoke in opposition citing privacy concerns and the agreement made between the City and the developer of the home.
- To date, staff has received several comments both in favor and against the project.

Appellant's Ground of Appeal and Staff Responses

Ground of Appeal I: *“Approval of the revised Coastal Development Permit is fully supported in the Community Development Director Staff Report dated August 24, 2023. The Staff Report’s recommendation for approval of the application should be accepted.”*

Staff Response:

- I. The Project fails to meet one of the requirements of the Oxnard City Code needed in order to approve a CDP. The placement of the spa in the roof would impair the integrity and character of the sub-zone.

Planning Commission Public Notice

- The Planning Commission Hearing was advertised for a public hearing before August 09, 2023 and Notices of the Hearing were sent to surrounding Property Owners and residents.

Recommendation

That the Planning Commission:

1. Conduct a public hearing;
2. Find the Project to be Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”); and
3. Adopt a Resolution denying the Appeal and upholding the Community Development Director’s Denial of Planning and Zoning Permit No. 23-400-01 (Coastal Development Permit), because the record does not contain the evidence necessary to make all of the Findings required by Oxnard City Code Section 17-57 in order to grant a Coastal Development Permit.



End