

**COMMUNITY DEVELOPMENT DIRECTOR
 STAFF REPORT**

TO: Community Development Director

FROM: Rogelio Solis, Assistant Planner

DATE: March 4, 2024

SUBJECT: **Project Name: Behrens Bed & Breakfast;** Planning and Zoning Permit No. 22-200-12 (Development Design Review) Property located at 261 South F Street (APN: 202-0-072-050).

- 1) **Recommendation:** That the Community Development Director (“**Director**”):
 - a. Find the project Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303 (New Construction Or Conversion Of Small Structures); and
 - b. Adopt Resolution PZ 22-200-12 approving Planning and Zoning Permit No. 22-200-12 (Development Design Review Permit), subject to certain findings and conditions.

- 2) **Project Description and Applicant:** A request to operate a Traditional Bed & Breakfast (Homestay) within a 241.5 square foot rumpus room, on a 14,638 square foot lot within the Single-Family Residential zone (R-1) and Residential Low (RL) zoning district. No changes are proposed to the existing primary residence, which shall remain a single family residence. The owner of the homestay shall live on the premises and operate the homestay. The project is located at 261 South F Street (APN: 202-0-072-050). **For purposes of this staff report, the foregoing project description shall be referred to as the “Project”.** Filed by the property owner Kathleen Behrens, 261 South F Street, Oxnard, CA 93030 (**the “Applicant”**).

- 3) **Existing & Surrounding Land Uses:** The 14,638 square-foot parcel (.34 acres) was developed with a 2,286 square foot home, along with a 238 square foot garage and 241.5 square foot rumpus room that are both located in the rear of the property. The property is zoned for single family residential as is the surrounding area. The following table summarizes the land uses and zoning designation of the project site and adjacent properties.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site (261 South F Street)	Residential Low	Single-Family Residential (R-1)	Single-Family Home

North	Residential Low	Single-Family Residential (R-1)	Residential
South	Residential Low	Single-Family Residential (R-1)	Residential
East	Residential Low	Single-Family Residential (R-1)	Residential
West	Residential Low	Single-Family Residential (R-1)	Residential

- 4) **Background:** The existing house was built for early businessman Paul Lehman, owner of Lehman Brothers, in 1919. The property is part of the Wilson Neighborhood and more specifically is located within the Henry T. Oxnard Historic District. On November 22, 2022 a Development Design Review application was submitted to allow for a Traditional Bed & Breakfast (Homestay) at the property.

- 5) **Environmental Determination:** In accordance with the California Environmental Quality Act (CEQA) Guidelines and Section 15303 (Class 3), the conversion of existing small structures from one use to another may be found exempt from CEQA review. The Project site has no value as habitat for endangered, rare or threatened species nor does it contain any environmentally sensitive areas. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that the Community Development Director accept the Notice of Exemption (Attachment C) attached to the staff report.

- 6) **Analysis:**
 - a. **General Discussion and Siting:** Pursuant to Section 16-373(A) of the Oxnard City Code (OCC), the use of a Traditional Bed & Breakfast within the R-1 zone requires approval of a Development Design Review Permit (DDR). The applicant is seeking approval of a Development Design Review Permit that allows for a Traditional Bed & Breakfast (Homestay) at their single family home. It is the intention of the applicant to use the rumpus room adjacent to the garage for the location of the Traditional Bed & Breakfast. The property, which was permitted and constructed in the early 1900's and is part of the

Wilson Neighborhood underwent a historical assessment to determine any potential significance or eligibility, and was in fact deemed historic, ultimately being incorporated into the Henry T. Historic Oxnard District.

- b. General Plan Consistency:** The 2030 General Plan identifies the land use for the subject property to be Residential Low (RL), which would be a suitable zone for the placement of a Traditional Bed & Breakfast. Approval of this DDR permit has been determined to be consistent with the 2030 General Plan. The following table demonstrates further consistency with the general plan through specific policies:

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

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD-14.1 CD-14.2	I	Design Review Process Development Advisory Committee (DAC) Function	The Project is consistent with the City's development policies, plans, and guidelines.
ICS-19.2 ICS1-9.5	I	Police Review of Development Projects Incorporating Security Design Principles	The Project will take into account the Police Department's recommendations, meant to enhance public safety by encouraging crime prevention and defensible space through design principles.
ER-9.1	I	Enhance Historic Character	The Project will enhance the historic and visual amenities of the Henry T. Oxnard Historic District.
CD-9.1 CD-14.3	II	Neighborhood Identity Quality of Design	The Project will remain compatible and

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
			complementary to the existing residential/historical neighborhood.
CD-15.1	II	Quality of Life	The Project will enhance the City's quality of life through a combination of better business and residential opportunities including increased leisure, cultural, and recreational opportunities.
CD-18.8	II	Destination of Expansion	The Project will aid in expanding efforts to develop Oxnard into a travel destination.
All others	III	All policies not listed above	No or Distant Applicability to the Proposed Project.

- c. **Conformance with Zoning Development Standards:** The proposed use is located in the Single Family (R-1) zone. The project is compatible with this zoning designation as it allows for all uses in the Single Family Residential (R-1) zone, which includes Traditional Bed & Breakfasts. Applicable development standards of the Single Family Zone have been compared with the proposed project, as follows:

Development Standard	Bed & Breakfast Zoning Standard	Proposed	Complies?
Maximum Number of Guest Bedrooms	The maximum number of guest bedrooms for rent shall not exceed two.	The applicant is proposing to rent only one guest bedroom.	Yes
Owner Shall Operate and Live on the Premises	The owner of the homestay shall live on the premises and operate the homestay.	The owner will be living on the premises, as well as operating the homestay.	Yes

Development Standard	Bed & Breakfast Zoning Standard	Proposed	Complies?
Cooking Facilities in Individual Guest Bedrooms	No cooking facilities shall be provided in individual guest bedrooms.	The applicant will not be providing any cooking facilities in the guest bedroom.	Yes
Advertisement Signs	No exterior advertising signs shall be permitted.	The applicant will not be providing any advertising signs.	Yes
Parking Requirements	<p>Parking shall be provided at the rate of one off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure. (One additional parking space is required)</p> <p>Homestays located on corner lots may credit the non primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of a Development Design review Permit.</p>	The existing one car garage shall remain. The applicant is using the non primary street frontage toward the parking requirement.	Yes

d) **Site Design:** The project will be located on a 14,638 square-foot lot. The rectangular shaped parcel has a width of 50 square feet and a length of 163 square feet. The project site lies between South F Street and West Third Street. The primary home was originally developed with a square footage of 2,286, along with a 238 square foot garage and 241.5 square foot rumpus room that are both located in the rear of the property abutting an alley. As

mentioned previously the Traditional Bed & Breakfast is set to be located in the rumpus room.

- e) **Circulation and Parking:** The frontage of the property is primarily covered in landscaping with a walkway leading to the entrance of the home. The property has a rear garage meant for the primary home that can be accessed via West Third Street. It is the intention of the applicant to use the non primary street frontage toward the parking requirement, which would also be along West Third Street. Per Section 16-374.E.2), homestays located on corner lots may credit the non primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of a Development Design Review Permit.
- f) **Noise:** The proposed Traditional Bed & Breakfast is not expected to generate any excessive noise as a use on the property. The property shall also remain subject to the City's noise requirement.
- 7) **Development Advisory Committee:** The Project was reviewed by necessary members of the Development Advisory Committee (DAC).
- 8) **Community Workshop and Public Input:** The project went through the Community Workshop on December 18, 2022. At the meeting, the Project Planner and the Applicant presented the Project and then took questions as well as comments from the audience. Members of the public, most of whom live in the immediate vicinity of the project, were supportive and had no issue with the project's approval.
- 9) **Appeal Procedure:** In accordance with Section 16-525(B) of the City Code, the Community Development Director's action on Planning and Zoning Permit No. 22-200-12 (DDR) may be appealed to the Planning Commission within 10 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the Planning Commission is not filed within 10 working days of the Community Development Director's decision, the decision of the Community Development Director shall be considered final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Project Plans
- C. Notice of Exemption
- D. Director Resolution

2030 General Plan Land Use Map

SECOND ST

F ST

ALLEY

RL

THIRD ST

G ST

ALLEY

ALLEY

RL

RLM

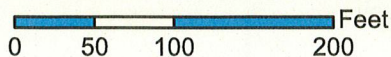
FOURTH ST

City of Oxnard GIS



Oxnard Planning
November 15, 2023

PZ 22-200-12
Location: 261 S F St
APN: 2020072050



2030 General Plan Land Use Map



1:1,500

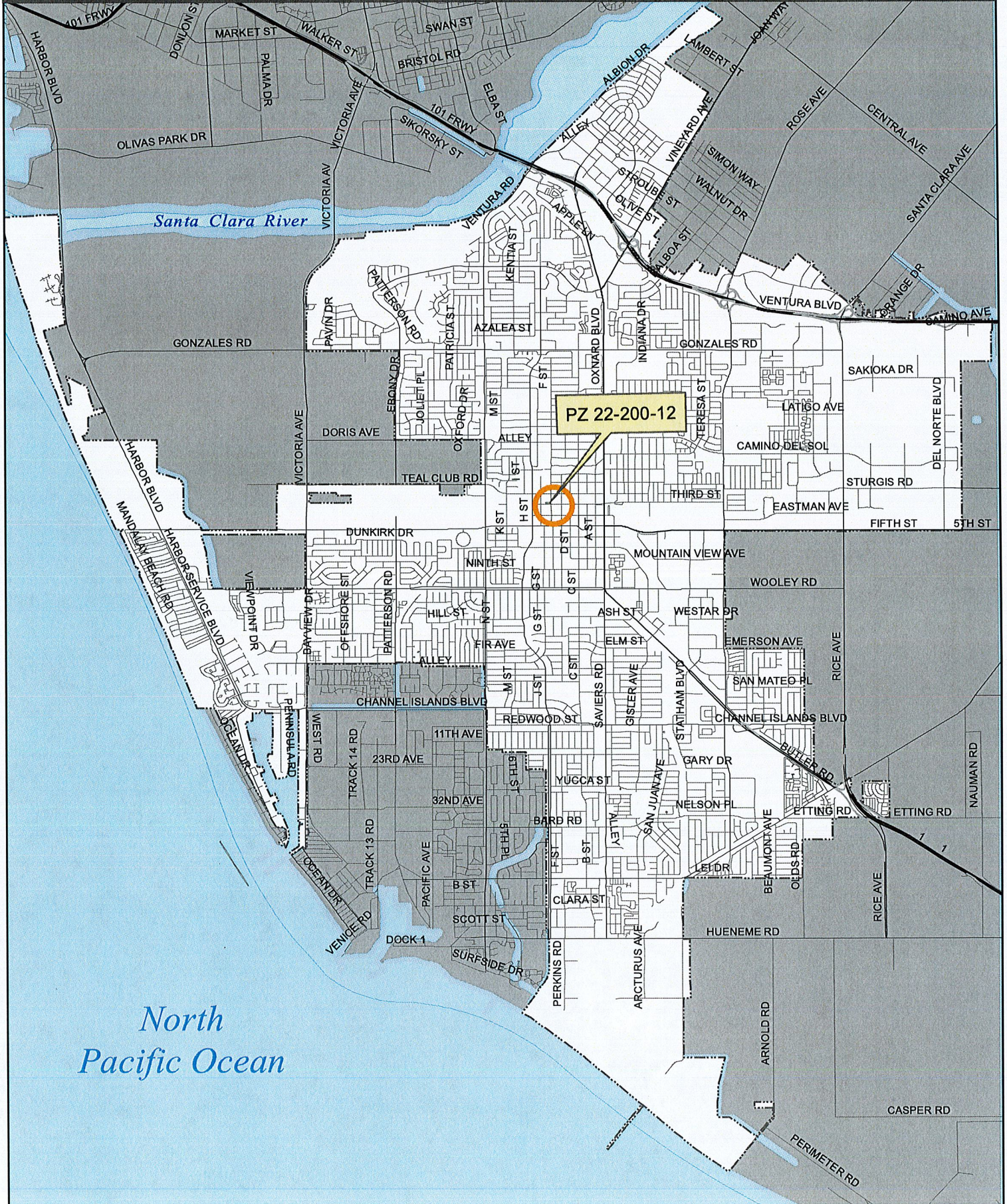
Zoning/Specific Plan Map



Aerial Map



Vicinity Map



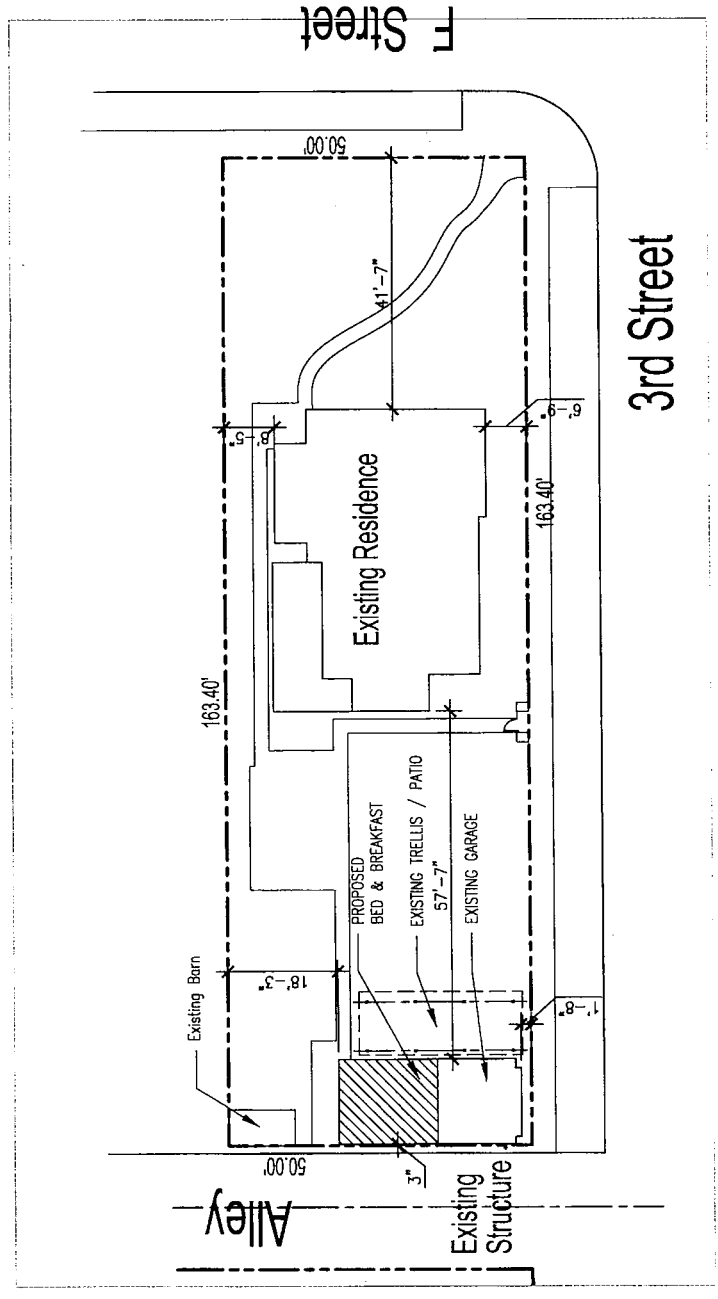
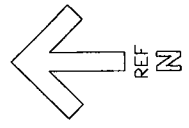
PZ 22-200-12



2615 F. Street

PROPERTY ANALYSIS

APN 202-0-072-050
 ADDRESS 163 S. F STREET
 SITE 14,638 SF
 CONSTRUCTED 1915
 MAIN RESIDENCE 2,286.0 SF
 GUEST HOUSE 241.5 SF
 GARAGE 2380 SF



DATE:	06/20/22
SCALE:	1" = 20.00'

SITE PLAN

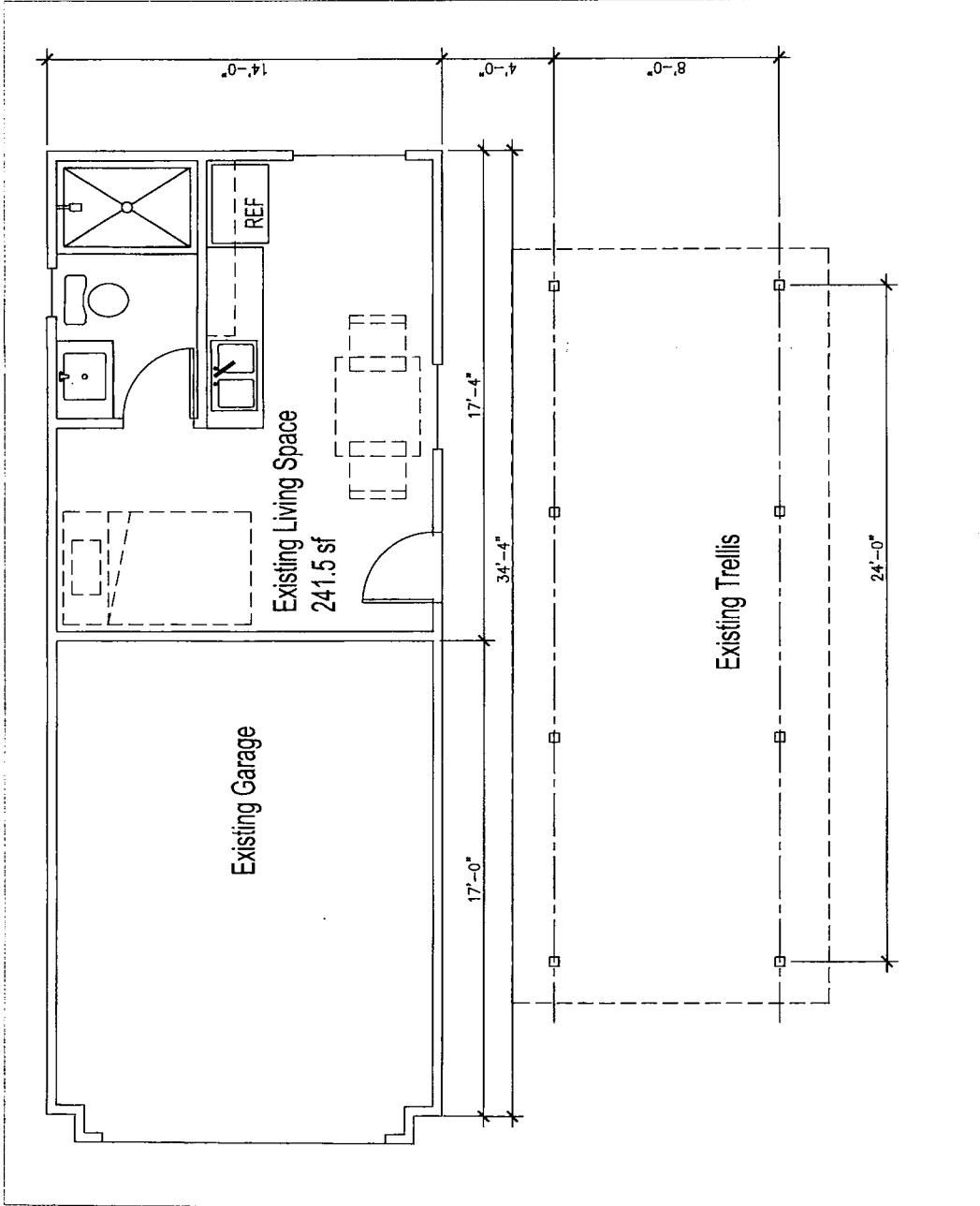
Behrens Residence
 BED AND BREAKFAST
 261 S. F STREET
 Oxnard, California 93030

APN 202-0-072-050

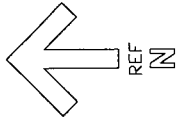
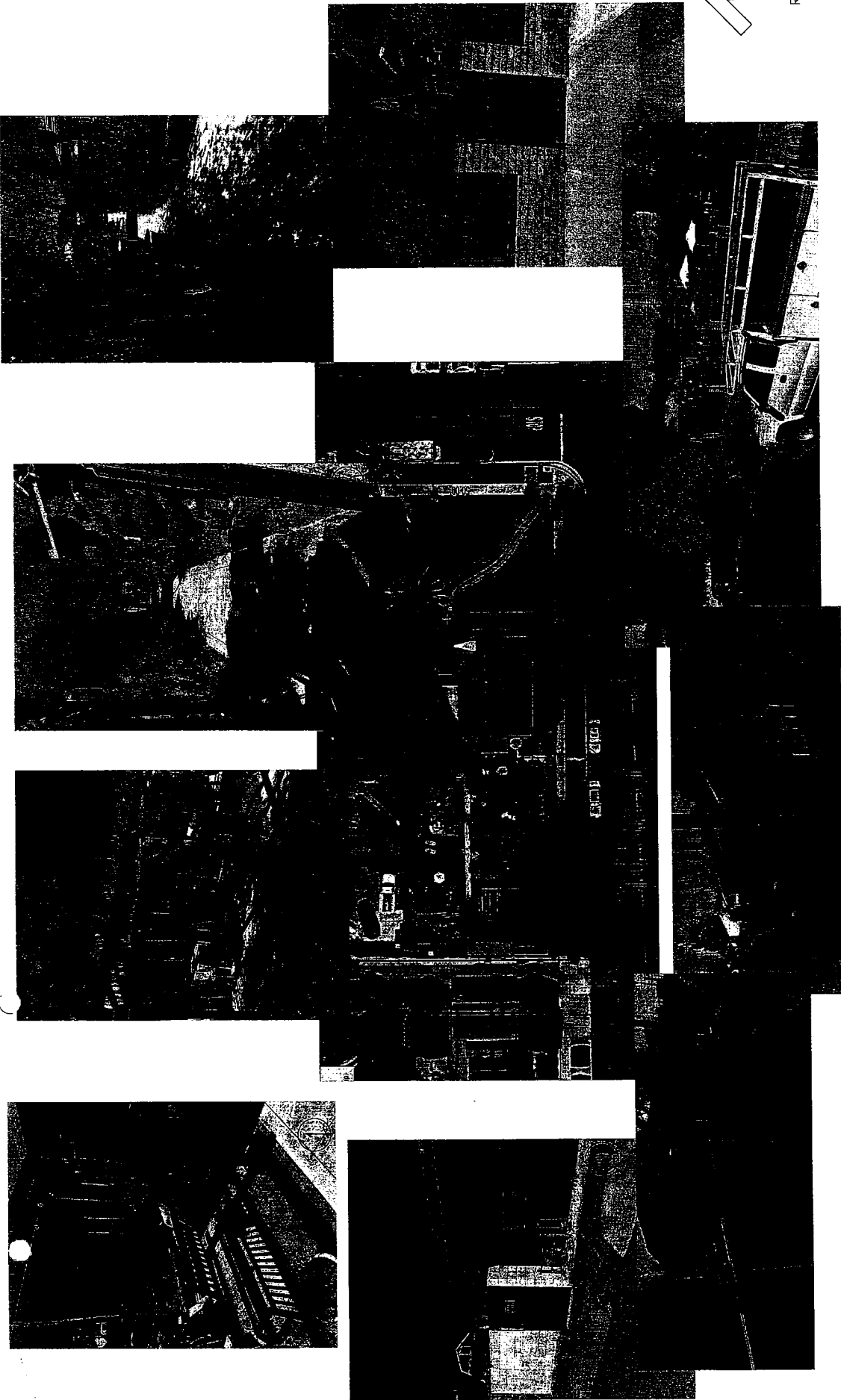


BED & BREAKFAST GENERAL NOTES

1. HISTORICAL SIGNIFICANCE - THE PROPOSED BED AND BREAKFAST INN SHALL HAVE SOME HISTORICAL SIGNIFICANCE IN THE ESTABLISHMENT AND DEVELOPMENT OF THE CITY, AS DETERMINED BY THE COMMISSION, BASED ON THE FINDINGS REQUIRED FOR DESIGNATION OF A STRUCTURE AS A SIGNIFICANT HERITAGE FEATURE.
2. FIRE SAFETY -
 - (1) IN ADDITION TO UNIFORM FIRE CODE REQUIREMENTS, THE BED AND BREAKFAST INN SHALL COMPLY WITH ALL FIRE SAFETY REQUIREMENTS OF THE FIRE DEPARTMENT PRIOR TO OCCUPANCY, AT A MINIMUM THESE INCLUDE BUT ARE NOT LIMITED TO:
 - (A) INSTALLATION OF A "HARD WIRED" SMOKE DETECTOR AND EVACUATION PLAN IN EVERY GUEST ROOM;
 - (B) INSTALLATION OF AN APPROVED FIRE EXTINGUISHER ON EACH FLOOR; AND
 - (C) PROVISION OF AT LEAST TWO EXITS FROM THE MAIN STRUCTURE, BOTH OF WHICH DO NOT REQUIRE A KEY OR SPECIAL KNOWLEDGE TO OPEN FROM THE INSIDE.
 - 2) THE BED AND BREAKFAST INN SHALL BE SUBJECT TO INSPECTION BY THE CITY FIRE MARSHAL. THE RESULTS OF THIS INSPECTION SHALL BE PROVIDED TO THE DIRECTOR.
 3. IF THE CITY COUNCIL HAS DESIGNATED THE BED AND BREAKFAST INN AS A SIGNIFICANT HERITAGE FEATURE, THE INN SHALL COMPLY WITH THE STATE HISTORIC BUILDING CODE.
 4. THE BED AND BREAKFAST INN SHALL BE SUBJECT TO AN INSPECTION BY THE CITY BUILDING INSPECTOR, WHO SHALL PROVIDE TO THE DIRECTOR A LIST OF INFORMAL BUILDING CODE OR STATE HISTORICAL BUILDING CODE DEFICIENCIES PRIOR TO THE COMMISSION'S CONSIDERATION OF THE SPECIAL USE PERMIT.
 5. INNS LOCATED ON CORNER LOTS MAY CREDIT THE NONPRIMARY STREET FRONTAGE TOWARD THE PARKING REQUIREMENT, WITH 25 LINEAR FEET EQUAL TO ONE PARKING SPACE, SUBJECT TO APPROVAL OF THE COMMISSION.
 6. YARD AREAS - INTERIOR YARD SPACE SHALL BE PROVIDED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ZONING DESIGNATION WITHIN WHICH THE PROPOSED BED AND BREAKFAST INNS IS LOCATED.
 7. ON-SITE LIGHTING - ON-SITE LIGHTING SHALL BE SHIELDED FROM SPILLING ONTO ADJACENT PROPERTY.



	Behrens Residence BED AND BREAKFAST 261 S. F STREET OXNARD, CALIFORNIA 93030 APN 202-0-072-050		FLOOR PLAN	DATE: 06/20/22	SCALE: 1/4" = 1'-0"
					A2



DATE: 06/20/22
SCALE: n/s
A3

SITE PHOTOS

Behrens Residence
BED AND BREAKFAST
261 S. F STREET
OXNARD, CALIFORNIA 93030
APN 202-0-072-050





NOTICE OF EXEMPTION (NOE)

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: City of Oxnard
Community Development Department
214 South C Street
Oxnard, CA 93030

To: Ventura County Clerk-Recorder &
Registrar of Voters
Hall of Administration, Main Plaza
800 South Victoria Avenue,
Ventura, CA 93009-1260

Project Title: Behrens Bed & Breakfast

Project Applicant: Kathleen Behrens

Project Location - Specific: 261 South F Street, Oxnard, CA 93030, Ventura County, 202-0-072-050

Description of Nature, Purpose and Beneficiaries of Project: *Behrens Bed & Breakfast*; Planning and Zoning Permit No. 22-200-12 (Development Design Review Permit): A request to operate a Traditional Bed & Breakfast (Homestay) within a 241.5 square foot rumpus room on a 14,638 square foot single family lot within the Single Family Residential (R-1) zone. The property is located at 261 South F Street (APN: 202-0-072-050). Filed by the property owner Kathleen Behrens, 261 South F Street, Oxnard, CA 93030.

Name of Public Agency Approving Project (Lead Agency): City of Oxnard

Name of Person or Agency Carrying Out Project (Applicant): Kathleen Behrens

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: CEQA Sec. 15303 (Class 3) ___
- Statutory Exemptions. State code number: _____

Reason(s) why project is exempt: Per section 15303, Class 3 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines, projects involving, “the conversion of existing small structures from one use to another” may be found exempt from CEQA review. The Project site has no value as habitat for endangered, rare or threatened species nor does it contain any environmentally sensitive areas. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Community Development Director has determined that there is no substantial evidence that the project will have a significant effect on the environment, the project is

categorically exempt from the provisions of CEQA, there is no requirement to prepare an environmental document, and they hereby authorize and direct the Planning and Environmental Services Manager to file a notice of Exemption with the Ventura County Clerk.

Lead Agency Contact Person: Rogelio Solis, Assistant Planner, (805) 385-7850

Joe Pearson II, AICP
Planning and Environmental Services Manager
City of Oxnard

Date

Note: Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

RESOLUTION NO. PZ 22-200-12

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 22-200-12 (DEVELOPMENT DESIGN REVIEW) TO ALLOW FOR A TRADITIONAL BED & BREAKFAST AT A SINGLE FAMILY RESIDENCE WITHIN A 241.5 SQUARE FOOT RUMPUS ROOM ON A 14,638 SQUARE FOOT LOT LOCATED AT 261 SOUTH F STREET (APN: 202-0-072-050), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY KATHLEEN BEHRENS, PROPERTY OWNER, 261 SOUTH F STREET, OXNARD, CA 93030.

WHEREAS, on November 22, 2022, Kathleen Behrens, property owner (the “**Applicant**” and/or “**Developer**”), submitted a request to operate a Traditional Bed & Breakfast (Homestay) within a 241.5 square foot rumpus room on a 14,638 square foot developed lot at her single family residence. The project site is within the Wilson Neighborhood and more specifically within the Henry T. Oxnard Historic District. The project is located at 261 South F Street; and

WHEREAS, on March 4, 2024, the Community Development Director of the City of Oxnard (“**Director**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 22-200-12 to allow a Traditional Bed & Breakfast (Homestay) within a 241.5 square foot rumpus room on a 14,638 square foot developed single family residence located within the Single Family (R-1) zoning district, located at 261 South F Street (APN: 202-0-072-050) (the “**Project**”); and

WHEREAS, the Oxnard City Code (OCC) Sections 16-373 and 16-525, designates the Director as the approving authority for the Development Design Review Permit; and

WHEREAS, the Project was not formally reviewed by the Development Advisory Committee (DAC); however, select members of the DAC (Planning, Police, Building & Engineering) reviewed the project and prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Director finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof and the Oxnard City Code for the reasons set forth in the Community Development Director Staff Report; 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). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption; and

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

hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site has a General Plan land use designation of Residential Low and a zoning designation of Single Family Residential. The project is completely surrounded by urban residential development and is an already developed site itself. 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 Development Design Review permit request is to allow a Traditional Bed & Breakfast within a single family lot located within the Wilson Neighborhood. The project is consistent with the General Plan and Oxnard City Code, and is also compatible with the physical scale and character of allowable development in the project area. Any projects requiring discretionary approval would be analyzed with the General Plan and the Oxnard City Code for consistency and CEQA for any potential impacts. Therefore, the project will have no significant cumulative impact.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The proposed use will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the urban character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is generally surrounded on 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 on a scenic corridor nor identified as state designated scenic highways. Therefore, 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 as confirmed by Staff on February 15, 2024.

- (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 has undergone a Historical Assessment. The results have determined the site and structure contain an existing or potential landmark, point of interest, or historic resource, and is located within an existing, proposed, or potential Historic District. The proposed use will not alter the character of the project site and/or the surrounding area. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. Any projects requiring discretionary approval would be analyzed with the General Plan and the Oxnard City Code for consistency and CEQA for any potential impacts. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

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

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

- (1) **The proposed use is in conformance with the general plan and other adopted standards.**

The proposed use is located on a property with a General Plan designation of Residential Low, which would be a suitable zone for this use. The project is also consistent with the goals of enhancing the historic and visual amenities of the Henry T. Oxnard Historic District as well as expanding efforts to develop Oxnard into a travel destination. Thus, the proposed use is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards. Additionally, this project is consistent with Chapter 16 of the zoning code, allowing Traditional Bed & Breakfasts within the boundaries of the Wilson Neighborhood in the R-1 Single Family zone.

- (2) **The nature, condition and development of adjacent uses was considered, and such use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The proposed land use of the project is to allow a Traditional Bed & Breakfast in a single family home specifically located within the boundaries of the Wilson Neighborhood, which is an allowed use per the Oxnard City Code. The project site is surrounded by similar residential single family homes. Therefore, the proposed use is not expected to have adverse effects or be materially detrimental to the adjacent uses, buildings or structures, or to the public health, safety or general welfare. As such, this Project meets this finding.

- (3) The site for the proposed use is adequate in size and shape to accommodate any yards, walls, fences, parking and loading facilities, landscaping and any items required as a condition of approval of this special use permit.**

The size of the project site is 14,638 square feet. The site has been adequate in size for its current development and will remain adequate with its proposed use. Pursuant to Oxnard City Code Section 16-374, homestays located on corner lots may credit the non primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of a Development Design Review permit. The existing garage will be maintained as required at the time of original construction of the structure. The single guest room requires one additional parking space. Per OCC Section 16-374, the additional parking space will be provided on the non-primary street frontage which is approximately 200 linear feet. The proposed project meets all pertinent standards of Oxnard City Code Section 16-374 and will not trigger any physical changes that may conflict with the development standards found in the R-1 Single Family zone. As such, this project meets this finding.

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

The project site is a fully developed lot with an existing single family home that was built with adequate street access from both South F Street and West Third Street. As a result, the site has sufficient access to streets and highways that are appropriate in size and existing intersections adjacent to the project site will operate at acceptable levels of service, as stipulated in the 2030 General Plan.

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

The project site is currently served by adequate sewage, water, fire protection and storm drainage facilities. The proposed Traditional Bed & Breakfast will not generate significant impacts that would require additional facilities. The proposed Project is residential and compatible with the existing development of the area, hence, it will have minimal to no impact with regards to fire, water, and storm drain facilities. Therefore, the site for the proposed Traditional Bed & Breakfast will be provided with adequate sewage, water, fire protection, and storm drainage facilities. As such,

this Project meets this finding.

SECTION 2. The Community Development Director, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (Traditional Bed & Breakfast) will not have a significant impact on the environment and is Categorical Exempt from CEQA pursuant to CEQA Guidelines Section 15303 (Conversion of existing small structures from one use to another) of the State CEQA Guidelines. The Community Development Director has determined that there is no substantial evidence that the project will have a significant effect on the environment and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning Manager is hereby authorized to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15062 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein along with the Staff Report and all attachments thereto, the Community Development Director of the City of Oxnard hereby approves Development Design Review PZ No. 22-200-12, subject to the attached conditions of approval.

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

CONDITIONS OF APPROVAL

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated March 4, 2024, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. All required off-site and on-site improvements for the Project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
4. By commencing any activity related to the Project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)
5. Developer agrees, as a condition of adoption of this Resolution, at Developer’s own expense, to indemnify, defend and hold harmless the City and its agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the Resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such Resolution that were part of the approval process. (CA, *G-6*).
6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)
7. Developer shall complete the “Notice of Land Use Restrictions and Conditions” form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)
8. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

9. Developer shall not permit any combustible refuse or other flammable materials to be burned on the Project property, unless allowed in writing by the Fire Chief. (FD, *G-12*)
10. 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*)
11. 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*)
12. 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, unless the permit to be issued is for the correction of any remaining open code cases. (PL, *G-15*)

PLANNING DIVISION STANDARD CONDITIONS

13. 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*)
14. Any application for a Minor Modification to the project shall be accompanied by four copies of plans reflecting the requested modification, together with applicable processing fees. (PL, *PL-2*)
15. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Manager in all sets of construction documents and specifications for the project. (PL, *PL-3*)
16. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Director. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
17. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
18. 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*).

19. Additions and patio covers shall conform to the requirements of the R-1 Single Family zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, PL-27)
20. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, PL-47)
21. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, PL-43)

PLANNING DIVISION SPECIAL CONDITIONS

22. Developer shall remove any and all graffiti from the project premises within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
23. Fencing along the front yard shall meet the height restrictions set forth in Section 16-308 of the Oxnard City Code. Specifically, the fence along the front yard shall not exceed 42 inches in height and is to be 50 percent or more open.
24. Only one guest room shall be made available for rent at any time, in accordance with the approved plans.
25. The property owner shall live on the premises and operate the homestay.
26. No cooking facilities shall be provided in individual guest bedrooms.
27. No exterior advertising signs shall be permitted.
28. No use or activity associated with a Bed & Breakfast rental shall at any time create unreasonable noise or disturbance as provided in chapter 7, article XI - sound regulations of the Oxnard city code.
29. Quiet hours shall be observed from 10:00 p.m. to 7:00 a.m.
30. Pursuant to OCC Section 7-147.1 the sale, offer to sell, use, or possession of fireworks is prohibited in the City of Oxnard and use by a tenant or guest of an STR is also a violation of this Article.
31. At all times the guest room is rented out, a person with a full or partial fee title ownership interest in the subject property. If the property is held in a trust, each trustee (but no trust beneficiary) is considered an property owner. The property owner shall be onsite between the hours of 10:00 p.m. and 7:00 a.m., and within twenty-five miles of the property at all other times, to ensure compliance with the standards and requirements of this Article.

32. Parking shall be provided at the rate of one off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure.
33. No traditional bed and breakfast property shall be rented or used for any event or activity.
34. Adequate waste collection facilities and services shall be provided for a traditional bed and breakfast at all times. Waste bins and refuse shall not be left within public view except in proper containers for the purpose of collection on the scheduled collection day(s).
35. The property owner of a traditional bed and breakfast shall acquire and maintain a valid City business license, timely pay annual business taxes evidenced by a business tax certificate, obtain and maintain a valid City transient occupancy tax registration certificate, and timely pay all required City transient occupancy taxes on a monthly basis.
36. All owners of a traditional bed and breakfast shall be jointly and severally responsible to defend and indemnify the City and all of its officials, employees, and agents from and against all third-party claims, causes of action, fines, damages, and liabilities of whatever nature arising from or related to the processing and issuance of a permit under this Article and/or from the operation of the homeshare or vacation rental.
37. Complaints regarding the conditions, operation, or conduct of the renters, occupants, or visitors of a traditional bed and breakfast shall be directed to the traditional bed and breakfast owner for investigation and resolution. The owner shall be available by phone at all times the dwelling is rented out as a traditional bed and breakfast.
38. Upon receipt of a complaint that any renter, occupant, or visitor of a traditional bed and breakfast has created unreasonable noise or disturbance and/or potentially violated any other operational standard of this Article the property owner shall take all necessary actions to promptly resolve the issue, including by initially contacting the renter to correct the problem within thirty minutes, or fifteen minutes during the quiet hours between 10:00 p.m. and 7:00 a.m., after the complaint is first received.
39. A property manager's or owner's failure to promptly resolve a complaint pursuant to the conditions above which the Planning Division deems to be valid, shall constitute a separate violation of this Article.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

40. 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)

FIRE DEPARTMENT STANDARD CONDITIONS

41. 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)

42. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
43. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
44. 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 STANDARD CONDITIONS

45. 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.
46. 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.

PASSED AND ADOPTED by the Community Development Director of the City of Oxnard on this 4th day of March 2024.

Date

Jeff Pengilley,
Community Development Director
City of Oxnard