



Meeting Date: 12 / 12 / 2006

|                          |                         |                                     |                |
|--------------------------|-------------------------|-------------------------------------|----------------|
| ACTION                   |                         | TYPE OF ITEM                        |                |
| <input type="checkbox"/> | Approved Recommendation | <input type="checkbox"/>            | Info/Consent   |
| <input type="checkbox"/> | Ord. No(s). _____       | <input type="checkbox"/>            | Report         |
| <input type="checkbox"/> | Res. No(s). _____       | <input checked="" type="checkbox"/> | Public Hearing |
| <input type="checkbox"/> | Other _____             | <input type="checkbox"/>            | Other _____    |

Prepared By: Christopher Williamson, AICP, Senior Planner

Agenda Item No. L-1

Reviewed By: City Manager *mmh* City Attorney *Rupp* Finance *SW* Other (Specify) \_\_\_\_\_

DATE: November 30, 2006

TO: City Council

FROM: Susan L. Martin, AICP *SMate*  
Planning and Environmental Services Manager

SUBJECT: Local Coastal Program Amendment No. PZ 06-410-02. Filed by Hollywood Beach Mobile Home Park Resident Acquisition Committee, 4501 West Channel Islands Boulevard, Oxnard.

**RECOMMENDATION**

That City Council:

1. Adopt a resolution approving Local Coastal Program Amendment No. PZ 06-410-02 to amend the Coastal Land Use Plan to delete Policy No. 88.
2. Direct the Planning and Environmental Services Manager to forward the amendment to the California Coastal Commission for consideration.

**DISCUSSION**

On November 2, 2006, the Planning Commission reviewed and approved Resolution 2006-54 for a Coastal Development Permit (PZ 06-400-2) and Resolution 2006-55 for Tentative Subdivision Map No. 5706 (PZ 06-300-15) to convert the 96-unit Hollywood Beach Mobile Home Park to resident condominium ownership. The Planning Commission also recommended City Council approval of this Coastal Land Use Plan amendment (Resolution 2006-56). The proposed amendment would delete Policy No. 88, which states: "Existing mobile home parks shall not be demolished or converted to another use, including purchase mobile home lots unless an equal or greater number of comparably priced units are built in the coastal zone to replace the demolished or converted units" (p. III-60). Currently, there are only two mobile home parks within the City's Coastal Zone: Hollywood Beach Mobile Home Park and the Oxnard Shores Mobile Home Park.

Government Code sections 66427.5, 66428.1, and 65590 outline the process of converting a rental mobile home park to resident condominium ownership and require steps to prevent involuntary displacement of current low and moderate income residents. The role of local government is largely to ensure the state-mandated process is followed. In the request by the Hollywood Beach Mobile Home Park for conversion to resident ownership, staff and the Planning Commission are satisfied that the required steps have been followed. There are no physical changes proposed to the park and low and

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moderate income residents have the option to indefinitely continue to rent their mobile home park spaces, with future rent increases limited by changes in the consumer price index. With this state-mandated protection, no current residents are involuntarily displaced by the conversion.

The intent of Coastal Land Use Plan Policy No. 88 was to avoid displacement of current residents who are low or moderate income whenever a mobile home park located in the coastal zone was closed or converted to resident ownership. Government Code Sections 66427.5, 66428.1, and 65590 were later adopted by the state, achieving the same goal. The deletion of Policy No. 88 is necessary so that the Planning Commission's conversion approvals are consistent with the Coastal Land Use Plan.

## **FINANCIAL IMPACT**

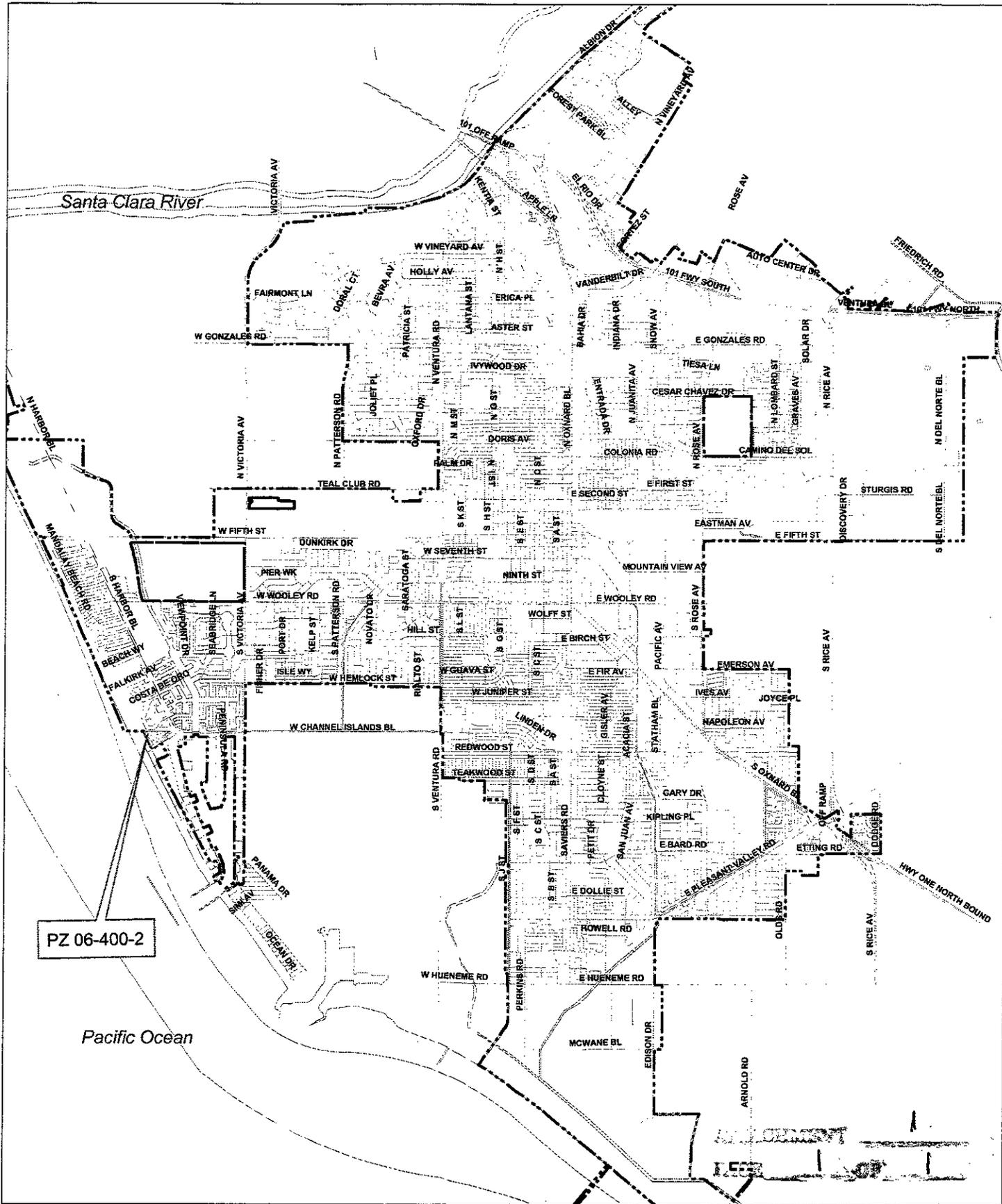
There is no financial impact to the City.

### Attachments:

1. Vicinity Map
2. Local Coastal Plan Amendment Resolution
3. Planning Commission Minutes for November 2, 2006
4. Planning Commission Resolution 2006-54
5. Planning Commission Resolution 2006-55
6. Planning Commission Resolution 2006-56
7. Planning Commission Staff Report

Note: Attachment #7 has been provided to City Council under separate cover. Copies for review are available at the Circulation Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Friday prior to the Council meeting.

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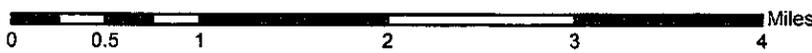


PZ 06-400-2



PZ 06-400-2  
 Location: 4501 Channel Islands Bl  
 APN: 206028043

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Vicinity Map



September 25, 2006

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING COASTAL LAND USE PLAN AMENDMENT NO. PZ 06-410-02 DELETING POLICY NO. 88 AND DIRECTING THE PLANNING AND ENVIRONMENTAL SERVICES MANAGER TO FORWARD THE AMENDMENT TO THE CALIFORNIA COASTAL COMMISSION. FILED BY CITY OF OXNARD, PLANNING AND ENVIRONMENTAL SERVICES DIVISION, 305 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, on November 2, 2006 the Planning Commission approved Resolution Nos. 2006-54 (Coastal Development Permit) and 2006-55 (Tentative Subdivision Map for Tract No. 5706) to convert the 96-unit Hollywood Beach Mobile Home Park to resident condominium ownership, filed by the Hollywood Beach Acquisition, 4501 West Channel Islands Blvd., Oxnard, 93035; and

WHEREAS, Resolution Nos. 2006-54 (Coastal Development Permit) and 2006-55 (Tentative Subdivision Map for Tract No. 5706) require and contain findings that the two approvals are contingent upon the approval of Coastal Plan Amendment Permit No. PZ 06-410-02; and

WHEREAS, Government Code section 66428.1 requires that a mobile home conversion subdivision map be waived, meaning the tentative subdivision map approval is final with the Planning Commission; and

WHEREAS, Policy No. 88 of the Coastal Land Use Plan of the City of Oxnard currently reads as follows: "88. Existing mobile home parks shall not be demolished or converted to another use, including purchase mobile home lots unless an equal or greater number of comparably priced housing units are built in the coastal zone to replace the demolished or converted units."; and

WHEREAS, on November 2, 2006 the Planning Commission approved Resolution No. 2006-56 recommending that the City Council approve Coastal Plan Amendment Permit No. PZ 06-410-02 deleting Policy No. 88 from the Coastal Land Use Plan, filed by the Hollywood Beach Mobile Home Park Resident Acquisition Committee, 4501 West Channel Islands Boulevard, Oxnard; and

WHEREAS, with the subsequent approval of Coastal Plan Amendment Permit No. PZ 06-410-02 by the Coastal Commission, the findings of consistency in Planning Commission Resolution Nos. 2006-54 (Coastal Development Permit) and 2006-55 (Tentative Subdivision Map for Tract No. 5706) will be operative; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to proposed Coastal Land Use Plan Amendment No. PZ 06-420-02; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Coastal Land Use Plan Amendment No. PZ 06-420-02; and

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WHEREAS, the proposed Coastal Land Use Plan amendment is exempt under Section 15061(b)(3) of Title 14 of the California Code of Regulations per the California Environmental Quality Act "general rule" that there is no possibility of a physical impact to the environment as a result of the action, and statutorily exempt under Section 21080.9 of the Public Resources Code as an activity and approval related to a local coastal program; and

WHEREAS, a Coastal Land Use Plan Amendment is subject to approval by the California Coastal Commission; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning and Environmental Services Division, and the custodian of the record is the Planning and Environmental Services Manager.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to amend the City of Oxnard Coastal Land Use Plan and directs the Planning and Environmental Services Manager to transmit Coastal Land Use Plan Amendment No. PZ 06-420-02 to the California Coastal Commission for approval and/or certification.

PASSED AND ADOPTED this 12th day of December, 2006 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gary L. Gillig, City Attorney

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ENCLOSURE 2  
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MINUTES

OXNARD PLANNING COMMISSION  
REGULAR MEETING  
NOVEMBER 2, 2006

A. ROLL CALL

At 7:05 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Michael Sanchez, Irene Pinkard, Sonny Okada, Chairman Ronald Fischer, Dale Dean, Saul Medina, and Deirdre Frank were present. Chair Fischer presided and called the meeting to order. Staff members present were: Susan Martin, Planning and Environmental Services Manager, Paul Wendt, Senior Civil Engineer; Jason Samonte, Traffic Engineer; James Rupp, Assistant City Attorney; Chris Williamson, Senior Planner, Juan Martinez, Associate Planner; and Lori Maxfield, Recording Secretary.

B. PUBLIC COMMENTS

C. READING OF AGENDA

Planning and Environmental Services Manager Martin reviewed the agenda and indicated that staff had received two letters from Paragon Communities (Item E-1, PZ 05-500-2) on October 27, 2006 requesting continuance of the project until November 16, 2006; and on November 2, 2006 requesting continuance until December 7, 2006.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – October 5, 2006

MOTION Commissioner Dean moved and Commissioner Sanchez seconded a motion to approve the minutes of October 5, 2006 as presented. The question was called and the motion carried unanimously.

E. CONTINUED PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 05-620-08 (General Plan Amendment), 05-570-03 (Zone Change), 05-500-24 (Special Use Permit for a Planned Residential Group) and 05-300-26 (Tentative Subdivision Map for Tract No. 5659) for the development of 47 single-family, two story residential units within a gated community located at 5482 & 5536 Cypress Road. The applicant requests an amendment to the City's General Plan (05-620-08 to change a portion of the site from Residential Low to Residential Low-Medium and a Zone Change for the entire site from Single Family (R-1) to Multiple Family (R-2). The subject site is located within the Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Project area. There is no substantial evidence that the proposed project may have a significant effect on the environment and a mitigated negative

declaration will be adopted. Filed by Paragon Communities, 8614 S. Saran Drive, Playa Del Rey, CA 90293.

Project Planner: Winston Wright

MOTION Commissioner Pinkard moved and Commissioner Sanchez seconded a motion to continue PZ 05-620-08; 05-570-03; 05-500-24; and 05-300-26 to December 7, 2006, as requested by the applicant. The question was called and the motion carried unanimously.

F. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 05-500-17 (Special Use Permit), a request for a special use permit to construct three industrial buildings ranging from 2,758 square feet to 3,080 square feet on an undeveloped 18,650 square foot site comprised of three lots. The three lot site (Lot 18, 19, & 20 of Tract 1634) is zoned M1-PD (Light Manufacturing Planned Development) and is located at the southwest corner of Sunkist Circle and Sunkist Drive (APN: 220-0-060-185, 195, & 205). The development approval involves the vacation of an existing easement affecting lots 19 and 20. This project is exempt from environmental review under section 15332 (Class 32) of Title 14 of the California Environmental Quality Act. Filed by Vincent Dyer, 10761 Eton Avenue, Chatsworth, CA 91311.

Project Planner: Juan Martinez

Associate Planner Martinez presented the staff report including surrounding uses, and displayed the vicinity map, site information and photos, and floor plan.

Chair Fischer opened the public hearing.

Mr. Vince Dyer, architect for the applicant, discussed the reason the site was not developed after the original approval ten years ago; screening of roof equipment; and requested a 50 percent reduction in the loading zones.

Chair Fischer closed the public hearing.

Assistant City Attorney Rupp suggested wording for a special condition regarding the striping of the loading zone to read "developer shall stripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity with the loading zone. Such spaces shall be 12" x 20' in size."

MOTION Commissioner Dean moved and Commissioner Medina seconded a motion to adopt a resolution granting Special Use Permit No. PZ 05-500-17, with conditions as recommended by staff. The question was called and the motion carried unanimously.

2. PLANNING AND ZONING PERMIT NO. 06-400-2 (Coastal Development Permit), and 06-300-15 (Tentative Subdivision Map), a request to convert the 96-unit Hollywood Beach Mobile Home Park located at 4501 W. Channel Islands Blvd. from rental to condominium ownership; and Local Coastal Plan Amendment (PZ 06-410-2) removing Policy #88 requiring replacement units. Project located in the Oxnard Shores neighborhood and is statutorily exempt from environmental review under Public

Resource Code 21080.8. Filed by Hollywood Beach Acquisition, representing the current park residents.

Project Planner: Chris Williamson

Senior Planner Williamson presented the staff report including the meetings held by the residents; sequence of the approval process; laws associated with the conversation process; deletion of Policy No. 88; and the protection provided to the residents.

Assistant City Attorney Rupp discussed the legal issues associated with the conversion.

Chair Fischer opened the public hearing.

Mr. Phil Chandler, President of the Hollywood Beach Acquisition, gave a brief presentation and indicated there would be no physical changes.

Ms. Sue Loftin, attorney for the applicant, discussed the moderate income requirements; the residents option not to purchase the property; the laws associated with the conversion; and how any future sale of the individual spaces would be handled.

Ms. Pat Brown spoke in favor of the project.

Chair Fischer closed the public hearing.

MOTION Commissioner Medina moved and Commissioner Pinkard seconded a motion to adopt a resolution granting Coastal Development Permit PZ 06-400-2; recommending City Council approval of Tentative Subdivision Map for Tract No. 5706 PZ 06-300-15; and recommending City Council approval of an amendment to the Coastal Land Use Plan PZ 06-410-2, with conditions as recommended by staff. The question was called and the motion carried unanimously.

G. PLANNING COMMISSION BUSINESS

Commissioner Frank requested a study session on December 7, 2006 regarding renewable energy to provide input to staff.

Commissioner Medina stated that hopefully the construction between Ventura Road; Bay Boulevard; and Hemlock Street would be completed soon as it was becoming hazardous; commended the City for repairs on J Street at Channel Islands and Hueneme Road caused by the installation of the Redwood Trunk Sewer Line; suggested the opportunity for a recreational track within the interior of J Street and Hueneme Road; and announced the Chicano Art Collection on November 17, 2006 through January 21, 2007 at 519 South C Street.

H. PLANNING MANAGER COMMENTS

I. ADJOURNMENT

At 8:12 p.m., Commissioner Okada moved and Commissioner Sanchez seconded a motion to adjourn. The motion carried unanimously.

\_\_\_\_\_  
Ronald R. Fischer, Chairman

ATTEST: \_\_\_\_\_  
Susan L. Martin, Secretary

RESOLUTION NO. 2006-54

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING COASTAL DEVELOPMENT PERMIT NO. 06-400-2 TO ALLOW CONVERSION OF A SENIORS' MOBILE HOME PARK TO CONDOMINIUM OWNERSHIP, LOCATED AT 4501 WEST CHANNEL ISLANDS BOULEVARD (APNs 206-0-280-180/-430), SUBJECT TO CERTAIN CONDITIONS. FILED BY HOLLYWOOD BEACH ACQUISITION C/O THE LOFTIN FIRM, 5760 FLEET STREET, SUITE 110, CARLSBAD, CA 92008.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a coastal development permit filed by Hollywood Beach Acquisition in accordance with Section 37-5.3.0 et. seq. of the Oxnard City Code; and

WHEREAS, Section 21080.8 of the California Public Resource Code exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, Government Code Sections 66427.5 and 66428.1 prescribe the conversion process and prohibit the City Of Oxnard from requiring impact fees, off-site improvements, or any other conditions other than those directly related to public safety, and

WHEREAS, the Planning Commission 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 37 of the Oxnard City Code.
2. The proposed use would not impair the integrity and character of the sub-zone in which the proposed use is to be located.
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.
4. The proposed use would be compatible with the land uses 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.
6. There are adequate public services for the proposed use, including, but not limited to, fire and police protection, water, sanitation and public utilities and services to ensure that the proposed use would 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 certified Oxnard Coastal Land Use Plan.

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RESOLUTION 4  
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- 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 policies, applicable to the proposed location.
- 9. The proposed use would be consistent with all of the applicable policies of the certified Oxnard Coastal Land Use Plan.
- 10. The provisions of Government Code Sections 66427.5 and 66428.1 have been executed by the Developer related to tenant survey and notification of conversion, and offer to purchase or rent.

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves said coastal development permit. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 37-5.4.10 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.

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

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**GENERAL CONDITIONS**

1. This approval 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. The term 'Developer' shall refer to Hollywood Beach Acquisition, its agents, and any successor entity such as a Homeowners Association.
3. This permit is granted for the plans depicted on Tentative Subdivision Map for Tract No. 5706 on file with the Planning Division. The project shall conform to the plans, except as otherwise allowed by applicable rules and regulations related to the individual mobile/manufactured units on individual spaces, or unless a minor modification to the plans is approved by the Planning Division Manager or a major modification to the plans is approved by the Planning Commission. (PL, G-2)
4. This permit shall automatically become null and void 24 months from the date of its issuance, unless Developer has diligently taken and/or completed steps to develop the proposed project to the satisfaction of the Development Services Manager. (PL, G-3)
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 shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney and submit a copy of the recorded document to the Planning Manager within 60 days. (PL, G-8)
7. Developer shall obtain a building permit for any new construction or modifications to structures that fall under City jurisdiction. (B, G-11)
8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property except in approved facilities such as BBQ's and outdoor heating devices. (FD, G-12)
9. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
10. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)

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ADJUDICAMENT 4  
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11. 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)

#### **PARKS CONDITION**

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

#### **FIRE DEPARTMENT CONDITIONS**

13. Developer shall provide information as requested by the Fire Chief in order to ensure availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether the existing hydrants provide adequate fire protection, and the Fire Chief may require provision by the Developer of improvements, at the Developer's expense, needed to bring fire combat capability to an acceptable level. (FD/DS)
14. Developer agrees that should security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, be installed at some future time, such features would be subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, F-9)

#### **PLANNING CONDITIONS**

15. 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)
16. Project on-site lighting shall meet requirements listed in City Code Section 16-320 of one footcandle on all internal streets and public walkways. Developer shall submit a lighting plan to the Planning Manager for approval that depicts existing light fixtures and proposed fixtures, if any, that meet the requirement. New fixtures, if any, shall be at Developer's expense and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, new standards in

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parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. (PL/B, PL-8)

17. In order to minimize light and glare on the project property, all new 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)
18. Developer shall provide and/or repair and maintain masonry walls on street side yards and along project perimeter property lines. (PL/B, PL-31)
19. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, PL-33)

**SPECIAL PLANNING CONDITION**

20. The Tentative Subdivision Map for Tract No. 5706 shall not become effective until the City Council and the California Coastal Commission adopt and ratify, respectfully, Local Coastal Plan Amendment No. PZ 06-410-2. (PL)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2<sup>nd</sup> day of November, 2006, by the following vote:

AYES: Commissioners: Medina, Okada, Dean, Frank, Sanchez, Pinkard, Fischer

NOES: Commissioners: None

ABSENT: Commissioners: None

  
Ronald R. Fischer, Chairman

ATTEST:   
Susan L. Martin, Secretary

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MANAGEMENT 4  
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RESOLUTION NO. 2006-55

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING WAIVED TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5706 (PLANNING AND ZONING PERMIT NO. PZ 06-300-15), FOR PROPERTY LOCATED AT 4501 WEST CHANNEL ISLANDS BOULEVARD (APNs 206-0-280-180/-430), SUBJECT TO CERTAIN CONDITIONS. FILED BY HOLLYWOOD BEACH ACQUISITION C/O THE LOFTIN FIRM, 5760 FLEET STREET, SUITE 110, CARLSBAD, CA 92008.

WHEREAS, the Planning Commission of the City of Oxnard has considered Tentative Subdivision Map for Tract No. 5706 (Planning and Zoning Permit No. 06-300-15), filed by Hollywood Beach Acquisition, in accordance with Chapter 27 of the Oxnard City Code; and

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

WHEREAS, the Planning Commission finds the tentative subdivision map conforms to the City's General Plan and elements thereof, and the City's Local Coastal Plan; and

WHEREAS, Section 21080.8 of the California Public Resource Code exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, Government Code Sections 66427.5 and 66428.1 prescribe the conversion and subdivision map waiver process and prohibit the City Of Oxnard from requiring impact fees, off-site improvements, or any other conditions other than those directly related to public safety, and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves the tentative subdivision map, subject to the following conditions:

**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.

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each condition: Some are standard permit conditions (e.g. G-1) while some are taken from environmental documents.

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

**GENERAL CONDITIONS**

1. This approval 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. The term 'Developer' shall refer to Hollywood Beach Acquisition, its agents, and any successor entity such as a Homeowners Association.
3. This permit is granted for the plans depicted on Tentative Subdivision Map for Tract No. 5706 on file with the Planning Division. The project shall conform to the plans, except as otherwise allowed by applicable rules and regulations related to the individual mobile/manufactured units on individual spaces, or unless a minor modification to the plans is approved by the Planning Division Manager or a major modification to the plans is approved by the Planning Commission. (PL, G-2)
4. This permit shall automatically become null and void 24 months from the date of its issuance, unless Developer has diligently taken and/or completed steps to develop the proposed project to the satisfaction of the Development Services Manager. (PL, G-3)
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 shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney and submit a copy of the recorded document to the Planning Manager within 60 days. (PL, G-8)
7. Developer shall obtain a building permit for any new construction or modifications to structures that fall under City jurisdiction. (B, G-11)
8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property except in approved facilities such as BBQ's and outdoor heating devices. (FD, G-12)
9. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be

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

10. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
11. 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)

#### **PARKS CONDITION**

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

#### **FIRE DEPARTMENT CONDITIONS**

13. Developer shall provide information as requested by the Fire Chief in order to ensure availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether the existing hydrants provide adequate fire protection, and the Fire Chief may require provision by the Developer of improvements, at the Developer's expense, needed to bring fire combat capability to an acceptable level. (FD/DS)
14. Developer agrees that should security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, be installed at some future time, such features would be subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, F-9)

#### **PLANNING CONDITIONS**

15. 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)

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- 16. Project on-site lighting shall meet requirements listed in City Code Section 16-320 of one footcandle on all internal streets and public walkways. Developer shall submit a lighting plan to the Planning Manager for approval that depicts existing light fixtures and proposed fixtures, if any, that meet the requirement. New fixtures, if any, shall be at Developer's expense and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, new standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. (PL/B, PL-8)
- 17. In order to minimize light and glare on the project property, all new 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)
- 18. Developer shall provide and/or repair and maintain masonry walls on street side yards and along project perimeter property lines. (PL/B, PL-31)
- 19. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, PL-33)

**SPECIAL PLANNING CONDITION**

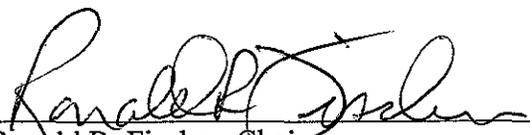
- 20. The Tentative Subdivision Map for Tract No. 5706 shall not become effective until the City Council and the California Coastal Commission adopt and ratify, respectfully, Local Coastal Plan Amendment No. PZ 06-410-2. (PL)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2<sup>nd</sup> day of November, 2006, by the following vote:

AYES: Commissioners: Medina, Okada, Dean, Frank, Sanchez, Pinkard, Fischer

NOES: Commissioners: None

ABSENT: Commissioners: None

  
 Ronald R. Fischer, Chairman

ATTEST:   
 Susan L. Martin, Secretary

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RESOLUTION NO. 2006-56

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO THE COASTAL LAND USE PLAN (PZ 06-410-2) TO DELETE POLICY 88, THE REQUIREMENT TO REPLACE MOBILE HOME UNITS IN THE COASTAL ZONE WITH COMPARABLE UNITS WHEN A MOBILE HOME PARK IS CONVERTED TO CONDOMINIUM OWNERSHIP. FILED BY CITY OF OXNARD, PLANNING & ENVIRONMENTAL SERVICES DIVISION, 305 WEST THIRD STREET, OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Local Coastal Plan Amendment PZ 06-410-2 to amend the Coastal Land Use Plan to delete Policy 88, applied for by the City of Oxnard, Planning and Environmental Services Division; and

WHEREAS, the Planning Commission has held a public hearing and received and reviewed written and oral comments related to Local Coastal Plan Amendment PZ 06-410-2; and

WHEREAS, Policy 88 of the Coastal Land Use Plan of the City of Oxnard currently reads as follows:

“88. Existing mobile home parks shall not be demolished or converted to another use, including purchase mobile home lots unless an equal or greater number of comparably priced housing units are built in the coastal zone to replace the demolished or converted units.”; and

WHEREAS, the Planning Commission finds, after due study and deliberation, that it is in the public interest and general welfare to adopt said amendment to the Local Coastal Land Use Plan; and

WHEREAS, Title 14 of the California Code of Regulations at sections 15061(b)(3), 15251(f) and 15265(a)(1) exempts the project from the requirement for the preparation of environmental documents under the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt a resolution as shown in Exhibit “A” approving Local Coastal Plan Amendment PZ 06-410-2.

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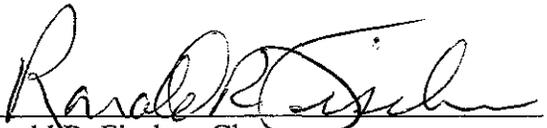
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PAGE 1 OF 4

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2<sup>nd</sup> day of November, 2006 by the following vote:

AYES: Commissioners: Medina, Okada, Dean, Frank, Sanchez, Pinkard, Fischer

NOES: Commissioners: None

ABSENT: Commissioners: None

  
\_\_\_\_\_  
Ronald R. Fischer, Chairman

ATTEST:   
\_\_\_\_\_  
Susan Martin, Secretary

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AMENDMENT 6  
PAGE 2 OF 4

EXHIBIT A

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING THE COASTAL LAND USE PLAN (PZ 06-410-2) TO DELETE POLICY 88, THE REQUIREMENT TO REPLACE MOBILE HOME UNITS IN THE COASTAL ZONE WITH COMPARABLE UNITS WHEN A MOBILE HOME PARK IS CONVERTED TO CONDOMINIUM OWNERSHIP.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Local Coastal Plan Amendment PZ 06-410-2 to amend the Coastal Land Use Plan to delete Policy 88, applied for by the City of Oxnard, Planning and Environmental Services Division; and

WHEREAS, the Planning Commission held a public hearing and received and reviewed written and oral comments related to Local Coastal Plan Amendment PZ 06-410-2; and

WHEREAS, the Planning Commission recommended, after due study and deliberation, that it is in the public interest and general welfare to adopt said amendment to the Local Coastal Land Use Plan; and

WHEREAS, Title 14 of the California Code of Regulations at sections 15061(b)(3), 15251(f), and 15265(a)(1) exempts the project from the requirement for the preparation of environmental documents under the California Environmental Quality Act; and

WHEREAS, the City Council held a public hearing and received and reviewed written and oral comments related to Local Coastal Plan Amendment PZ 06-410-2; and

WHEREAS, Policy 88 of the Coastal Land Use Plan of the City of Oxnard currently reads as follows:

“88. Existing mobile home parks shall not be demolished or converted to another use, including purchase mobile home lots unless an equal or greater number of comparably priced housing units are built in the coastal zone to replace the demolished or converted units.”; and

WHEREAS, after due study and deliberation, the City Council finds that it is in the public interest and general welfare to delete Policy 88 from the Coastal Land Use Plan of the City of Oxnard.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby approves Local Coastal Plan Amendment PZ 06-410-2 by deleting Policy 88 from the Coastal Land Use Plan of the City of Oxnard; and

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BE IT FURTHER RESOLVED that the Planning and Environmental Services Manager is directed to file this amendment with the California Coastal Commission in accordance with Public Resources Code section 30514; and

BE IT FURTHER RESOLVED that this amendment shall be effective upon certification by the California Coastal Commission in accordance with Public Resources Code section 30514(a).

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2006, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel Martinez, City Clerk

\_\_\_\_\_  
Gary L. Gillig, City Attorney

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AMENDMENT 6  
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